

**Article \_\_: Amend Code: Addition of Senior Housing Overlay Zoning District**

To see if the Town will vote to amend the North Reading Zoning Bylaw to insert a new Article XXVII, Senior Housing Overlay District, a copy of which section in its entirety depicting the proposed changes is available for viewing at the Community Planning Office and online at <https://www.northreadingma.gov/community-planning/pages/projects-under-review>:

**ARTICLE XXVII**

**Senior Housing Overlay District**

**§200-164. Purpose.**

The purpose of the Senior Housing Overlay District is to encourage the development of housing opportunities within the Town, and to:

- A. Provide housing for the benefit of senior citizens in order to meet the goal of preserving municipal character and diversity;
- B. Allow aging residents to have housing opportunities within the Town;
- C. Provide a full range of housing choices within the Town; and
- D. Vitalize the historic town center.

**§200-165. Senior Housing Development.**

A Senior Housing Development shall constitute independent housing units designed for persons of age 55 or over within the meaning of Massachusetts and federal law and in accordance with the same, with the requirement that each dwelling unit in a Senior Housing Development shall be occupied by at least one person 55 years of age or older. In the event of the death of the qualifying occupant(s) of a unit, or foreclosure or other involuntary transfer of a unit in a senior housing development, a two-year exemption shall be allowed for the transfer the occupancy of the unit to another eligible household. A Senior Housing Development does not include a nursing home or hospital.

**§200-166. Applicability.**

This Senior Housing Overlay Article applies to property placed within the Senior Housing Overlay District and shall include the following parcels of land situated on the southerly side of Park Street, North Reading, MA that are listed below and are shown on the Zoning Map as set forth on the map entitled “Compiled Plan of Land in North Reading, Mass.; Hayes Engineering, Inc.; Scale: 1”=40’; February 2, 2021; Showing Area to be Re-zoned to Senior Housing Overlay

District North Reading Senior Housing Overlay District Map” on file in the Community Planning Department and with the Town Clerk, and available online at <https://www.northreadingma.gov/community-planning/pages/zoning-amendments>. The Senior Housing Overlay District is hereby established as an overlay district.

Area	Assessors’ Map and Parcel and Parcel ID	Street Number	Street Name
.47 Acres +/-	Map 54, Parcel 123 213/054.0-0000-0123.0	146	Park Street
.68 Acres +/-	Map 54, Parcel 124 213/054.0-0000-0124.0	150	Park Street
3.46 Acres +/-	Map 54, Parcel 125 213/054.0-0000-0125.0	148	Park Street

The Community Planning Commission is the special permit granting authority for a Senior Housing Development and may grant a special permit for a Senior Housing Development that conforms to the provisions of this Article and the applicable provisions of § 200-28.

A Senior Housing Development project requires Site Plan Review [Article XVII], which can be conducted concurrently with the Senior Housing Development special permit process.

#### **§200-167. Effect of Senior Housing Overlay District.**

As to a Senior Housing Development, in case of conflict between the regulations of this Senior Housing Overlay Article and the underlying zoning district and other regulations in this bylaw, the regulations of this Senior Housing Overlay Article shall control, whether more or less restrictive.

#### **§200-168. Use Regulations.**

- A. In addition to the uses allowed by right and by special permit in the underlying zoning district, a Senior Housing Development is permitted by special permit from the Community Planning Commission. The development may include one-family, two-family and multi-family dwellings. One occupant in each residential unit must be 55 years old or older.
- B. Mixed use including offices, retail or personal and consumer services may be allowed provided that the Community Planning Commission specifically finds them compatible with the Senior Housing Development.

**§200-169. Dimensional, density and design regulations.**

The following dimensional and density regulations shall apply to a Senior Housing Development:

- A. Size of Site: The site on which the Senior Housing Development is located must contain at least four (4) acres of total land area. Separate lots may be merged to meet this requirement.
- B. Frontage: The site on which the Senior Housing Development is located must have at least 250 feet of frontage. Separate lots may be merged to meet this requirement.
- C. Site Coverage: Buildings shall not cover more than 40 percent of the gross site area.
- D. Open Space: Minimum open space (being the portion of the site not occupied by buildings, parking, garages and driveways) shall be at least 20% of the total site area.
- E. Multiple Buildings: Multiple buildings are allowed on the site. The minimum distance between principal buildings shall be 20 feet, but covered walkways, pergolas and similar features are allowed between buildings. There is no maximum gross floor area.
- F. Building Height: No building shall exceed 45 feet in height.
- G. Setbacks: Any new building used for Senior Housing Units shall be setback 25 feet from the front lot line, 20 feet from each side lot line and 20 feet from the rear lot line.
- H. Proximity to Public Amenities: The site on which the Senior Housing Development is to be located must be within 250 feet of a public park or public common or public library to which the residents would have walking access.
- I. Maximum Number of Units: A Senior Housing Development shall not contain more than 50 dwelling units.
- J. Bedrooms per Unit: No dwelling unit shall have more than two bedrooms.
- K. Access: Any new multi-floored residential structure must have an elevator access to all dwelling units and handicapped access from the parking garage to the units.
- L. On-Site Amenities: The Senior Housing Development must include some common area features for senior residents, such as a common meeting-socializing room or a low-impact exercise course that the Community Development Commission deems suitable.

## **§200-170. Parking:**

The parking requirements for a Senior Housing Development are as follows:

Residential Parking spaces required: 1.75 parking spaces per dwelling unit.

Commercial Parking spaces required: One (1) space per 300 square feet of gross floor area so used.

Parking spaces sizes: Indoor parking garage spaces shall be a minimum of 9 feet by 18 feet. Outdoor parking spaces shall meet requirements in §200-4 definitions.

No parking shall be allowed within any required setback.

The Community Planning Commission may waive the requirements of §§200-74.G and H.

## **§200-171. Affordable housing:**

As used in this Article, the words *Affordable Homeownership Unit*, *Affordable Housing*, *Affordable Housing Restriction*, *DHCD*, *Eligible Household*, shall have the same definitions as are contained in § 200-103.B of the Zoning Bylaw. Affordable Homeownership Units must meet DHCD housing quality standards.

As a condition of approval for a Senior Housing Development special permit, fifteen (15%) percent of the residential units created in the Senior Housing Development shall be Affordable Homeownership Units in perpetuity. If the affordable housing calculation results in a fraction of a unit, the fraction shall be rounded to the nearest whole number.

Each Affordable Homeownership Unit shall be subject to an Affordable Housing Restriction in accordance with § 200-108.E and the initial purchase price for that Affordable Homeownership Unit shall meet the criteria of § 200-108.C.(1)(b) and shall comply with applicable DHCD regulations as to for-sale affordable units. Affordable units shall meet the requirements of the Department of Housing and Community Development (DHCD) Local Initiative Program (LIP) for inclusion on the Chapter 40B Subsidized Housing Inventory.

The Community Planning Commission shall administer this Section and shall promulgate submission requirements and procedures, minimum requirements for a marketing plan, and documentation required by the Town to qualify the Affordable Housing Units for listing on the Chapter 40B Subsidized Housing Inventory.

To the extent permissible by applicable law and provided such preference does not disqualify such Affordable Homeownership Units from being included as affordable units on the DHCD subsidized housing inventory for North Reading, nondiscriminatory local preference may be applied to the selection of purchasers of Affordable Homeownership Units to qualified persons who are current or former residents of the Town, are employees of the Town, or are a parent,

child or sibling of a resident of the Town. The local preference criteria shall be set by the Community Planning Commission with the approval of the Select Board.

The sale price for Affordable Homeownership Units shall be determined in accordance with the Local Initiative Program regulations of the Massachusetts Department of Housing and Community Development (DHCD) at 760 CMR 45.00 or any successor regulations or program of DHCD establishing guidelines for moderate income housing programs that qualify under General Laws Chapter 40B.

And to further amend the North Reading Zoning Map to include a Senior Housing Overlay District that includes the following parcels of land situated on the southerly side of Park Street, North Reading, MA that are listed below and are shown on Zoning Map as set forth on the map entitled “Compiled Plan of Land in North Reading, Mass.; Hayes Engineering, Inc.; Scale: 1”=40’; February 2, 2021; Showing Area to be Re-zoned to Senior Housing Overlay District” on file in the Community Planning Department and with the Town Clerk and online at . The Senior Housing Overlay District is hereby established as an overlay district.

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And to further amend the North Reading Zoning Bylaw by inserting a new subparagraph (9) in paragraph B in section 200-28, which provides as follows:

**(9) Special permits relating to the Senior Housing Overlay District.**

Or what it will do in relation thereto.

Sponsor: Community Planning Commission

*The article would create a new Zoning Overlay District allowing for new senior housing projects of up to 50 units, including new affordable housing units. Senior housing within this Zoning Overlay District would be allowed by Special Permit, granted by the Community Planning Commission.*