



Town of Ashland, *Office of the Town Planner*

MEMORANDUM

March 29, 2022

From: Ashland Planning Department and Housing Production Plan Steering Committee
To: Ashland Planning Board
Re: Proposed Amendments to the Advertised Inclusionary Housing Bylaw

Dear Members of the Planning Board,

The Ashland Housing Production Plan Steering Committee has been developing an Inclusionary Housing bylaw over the past year, and this bylaw is now before you for a public hearing in advance of the Town Meeting on May 4, 2022. After the Inclusionary Housing bylaw was submitted for this public hearing, the Committee met once more for further discussion on two matters. As a result of this discussion, the Committee would like to introduce two small changes to the published bylaw for the Planning Board to consider.

The first change, shown below, concerns the parking reduction that is available to applicants.

7.8.5 Density and parking regulations for on-site units. To facilitate the objectives of this Section 7.8, the following density and parking regulations shall apply to any development that provides the required Affordable Housing units.

- 2. Parking reduction. The applicant shall be permitted to reduce the total number of required parking spaces by ~~25%~~ 10%. The Planning Board may grant a Special Permit to allow the reduction of the total number of required parking spaces by up to 15%. For developments with more than one use, the parking reduction shall apply only to parking requirements for residential use.**

The original draft allows an applicant to reduce the parking requirements by 25%. The change bolded and underlined above limits the reduction to 10% of the parking requirements, or up to 15% if the Planning Board grants a Special Permit. The Committee was concerned that a 25% reduction in parking regardless of location in town was too great a reduction, especially for developments that are not near to public transit. The Committee thought 10% was a reduction that more closely reflects the parking needs of current and future Ashland residents. By allowing a reduction up to 15% of the parking requirements by Special Permit, the Planning Board can ensure that this greater reduction is used when the site and development plans are appropriate for this greater reduction.

The second change, shown below, concerns the number of units under which a payment in lieu of building on-site housing units occurs.

7.8.6.3 Payment in lieu.

- a. Projects ~~up to fifteen units~~ **up to and including 13 units in size, excluding any additional units allowed under Section 7.8.5** shall have the option to satisfy the requirements of this Section 7.8 by making a cash payment in lieu of on-site Affordable Housing units to the Ashland Affordable Housing Trust Fund.
- b. For projects greater than ~~fifteen~~ **thirteen** units in size, in extraordinary circumstances the Planning Board, in consultation with the Ashland Affordable Housing Trust, may grant a special permit to provide a cash payment in lieu of on-site Affordable Housing units. In granting the special permit, the Planning Board must find that the applicant has clearly demonstrated that providing the required unit(s) on-site would create significant hardship and that a cash payment in lieu of on-site affordable unit(s) is in the best interest of the Town. A significant hardship shall be defined as being of such significance that the property cannot physically accommodate the required affordable dwelling units and/or related requirements, such as height, setbacks, or parking. Hardship shall not be considered due to financial or marketing considerations.

The original draft allows a payment in lieu of building on-site affordable housing units when a development is less than 15 units. The Committee was concerned that a 15 unit threshold would mean many developments would opt for the payment instead of the preferred course of action, building the affordable units on-site.

The bylaw specifies that developments with 6-12 units will be required to build one affordable unit, and developments with 13-19 units will be required to build two affordable units. In order to not unduly burden a 13 unit development which is just over the threshold for two affordable units, the Committee chose to include 13 units within the payment in lieu option. However the cut off for payments in lieu was set above 13 units, in the hopes that most developments that are required to build two units will build the units. Section 7.8.6.3b allows for the Planning Board to make exceptions to this requirement.

The two changes help the inclusionary housing bylaw fit Ashland that much better. If the Planning Board is amenable to these changes, the Committee requests that the Planning Board vote to accept the changes, and an updated draft Inclusionary Housing bylaw will be published in the final Town Meeting Warrant.