

## Warrant Article Questionnaire Non-Standard Town Agency Articles

### Section III – Questions with Response Boxes – To Be Completed By Petition Sponsor

Article # 27	Date Form Completed: 04.03.2023
Article Title: Amend Zoning Bylaw: Inclusionary Housing Requirements	
Sponsor Name: Planning Board	Email: aloomis@natickma.org

Question	Question
1	Provide the article motion exactly as it will appear in the Finance Committee Recommendation Book and presented to Town Meeting for action.
Response	Please see attached motion for Article 27
2	At a summary level and very clearly, what is the proposed purpose and objective of this Warrant Article and the accompanying Motion?
Response	<p>Natick 2030+ established a Goal of creating an inclusionary housing bylaw, which was approved in Fall 2018 (Article 32, Session 4). Communities throughout the Commonwealth are required to contribute their fair share of affordable housing, which is set at ten (10) percent of total units in each community. At the time of the Natick 2030+ Master Plan, the Town had a surplus of thirty-five (35) affordable units, with 10.25 percent affordability. At the time of completing this questionnaire, Natick's affordable housing stock has increased to 10.63 percent.</p> <p>Since 2018, Natick has utilized Section V-J Inclusionary Affordable Housing Requirements to aid in the creation and recording of affordable housing units created for residential projects.</p> <p>Section V-J Inclusionary Affordable Housing Requirements Bylaw of 2018 comprises two parts, which include regulatory requirements ("Regulatory") and an optional incentive-based affordable development option ("Incentive"). The Regulatory part establishes procedures and requirements for creating, permitting, and recording affordable units. In contrast, the Incentive option establishes a way for conventional subdivisions to receive density bonuses.</p> <p>Based on the review of the existing Section V-J, the Regulatory and Incentive option were merged, which has led to confusion for both the Town and developers. Further, it is best practice to review bylaws after implementation every five (5) to provide necessary updates.</p> <p>Over the past several months, the Planning Board has been working on updating the Regulatory and Incentive options. On March 29, 2023, it was determined that there were issues with the Incentive option that needed to be developed further. Therefore, the Planning Board voted to remove that portion of Section V-J from Article 27.</p>

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3	Has this article or one of a very similar scope and substance been on a previous Warrant Article and what have been the actions taken by the Finance Committee, other Boards or Committees and Town Meeting?												
Response	<p>At the Fall Annual Town Meeting of 2018 (Session 4), the Town voted to approve Article 32, <i>Amend Natick Zoning By-laws: Inclusionary Affordable Housing Requirements</i>. In that Article, the Town voted to add a new Section V-J Inclusionary Affordable Housing Requirements and to add to and revise in Section 200 (Definitions) definitions relative to inclusionary housing.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 25%;">Warrant Period Ex: 2021 SATM</th> <th style="width: 25%;">Other Committees Ex: Planning Bd refer</th> <th style="width: 25%;">FinCom Action Ex: Referral</th> <th style="width: 25%;">Town Meeting Ex: Referral</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">2018 FATM</td> <td style="padding: 5px;"></td> <td style="padding: 5px;">Favorable Action Motion A (9-2-1) and Motions B-D (11-0-0)</td> <td style="padding: 5px;">Motion A passed (105-3-4); (Motion B passed (106-2-3); Motion C passed (108-2-2); Motion D passed (103-2-4)</td> </tr> <tr> <td style="padding: 5px;"></td> <td style="padding: 5px;"></td> <td style="padding: 5px;"></td> <td style="padding: 5px;"></td> </tr> </tbody> </table>	Warrant Period Ex: 2021 SATM	Other Committees Ex: Planning Bd refer	FinCom Action Ex: Referral	Town Meeting Ex: Referral	2018 FATM		Favorable Action Motion A (9-2-1) and Motions B-D (11-0-0)	Motion A passed (105-3-4); (Motion B passed (106-2-3); Motion C passed (108-2-2); Motion D passed (103-2-4)				
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4	Why is it required for the Town of Natick and for the Town Agency sponsor(s)?												
Response	<p>This revision allows Section V-J to be clear and set realistic expectations for the creation of affordable units.</p> <p>The existing Section V-J Inclusionary Affordable Housing Requirements, was adopted in 2018, which is consistent with Goal 1 of Natick 2030+. Section V-J was not clear in the application of the bylaw. As such, it was subject to conflicting interpretation, particularly regarding when the requirement for an Inclusionary Housing Special Permit was applicable. Further, clarification was required as to the application of density bonuses for those project subject to mandatory provision of inclusionary housing.</p>												
5	Does this article require funding, how much, from what source of funds and under whose authority will the appropriation be managed and spent?												
Response	Funding is not required for Article 27; rather, it is expected through the creation of affordable units and collection of fees in lieu that Natick will continue to move forward in its efforts to provide affordable housing options to eligible households.												
6	<p>Does this article act in any way in concert with, in support of, or to extend any prior action of Natick Town Meeting, Massachusetts General Laws or CMR's or other such legislation or actions?</p> <p>Does this article seek to amend, rescind or otherwise change any prior action of Natick Town Meeting?</p>												

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Response	Under the proposed language of Article 27, the Town is working in concert with the Department of Housing and Community Development (DHCD) to require residential projects that create affordable units to use the Local Initiative Program (LIP). The LIP ensures affordable units remain affordable in perpetuity, in addition to contributing to Natick's ten (10) percent requirements for affordability.
7	How does the proposed motion (and implementation) fit with the relevant Town Bylaws, financial and capital plan, comprehensive Master Plan, and community values as well as relevant state laws and regulations?
Response	<p>Article 27, is consistent with the goals set by Natick 2030+, which art outlined below. Further, communities within the Commonwealth utilize inclusionary housing bylaws/ordinances to aid in the creation of affordable units by private developments to off-set the creation of new Unregulated/market rate units</p> <ul style="list-style-type: none"> <li>• Natick 2030+ Master Plan, Chapter 2, Demographics &amp; Housing, Goal 1: <i>Provide housing affordable to the full range of income levels.</i> <ul style="list-style-type: none"> <li>• <i>R1.1 Increase the stock of affordable housing (Action Steps: Inclusionary zoning bylaw approved at Fall 2018 Town Meeting.)</i></li> <li>• <i>R1.1 furthers states that Natick should adopt an inclusionary zoning bylaw with the consideration at a minimum of</i> <ul style="list-style-type: none"> <li>• <i>The percentage set aside for affordable units (typically 10-20 percent)</i></li> <li>• <i>Threshold for the number of units that would trigger zoning (e.g. 10 units or more)</i></li> <li>• <i>Allowing a payment in lieu of affordable units or allowing off-site to count towards the inclusionary percentage</i></li> <li>• <i>The Area Median Income (AMI) threshold for affordable units to count (e.g. 30%, 60%, 80% of AMI)</i></li> </ul> </li> </ul> </li> <li>• Natick 2030+ Master Plan, identifies the need to create affordability at all age groups and incomes, more affordable units in walkable areas</li> </ul>
8	Who are the critical participants in executing the effort envisioned by the article motion?
Response	<ul style="list-style-type: none"> <li>• Natick Planning Board</li> <li>• Community and Economic Development staff</li> <li>• Landowners and parties of interest</li> </ul>
9	What steps and communication has the sponsor attempted to assure that: <ul style="list-style-type: none"> <li>• Interested parties were notified in a timely way and had a chance to participate in the process</li> <li>• Appropriate Town Boards &amp; Committees were consulted</li> <li>• Required public hearings were held</li> </ul>

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Response	<ul style="list-style-type: none"> <li>• Legal ad for the opening public hearing, scheduled for March 15, 2023, was published in the Metro West Daily Newspaper on March 1, 2023 and March 8, 2023</li> <li>• Legal mailers were sent to the abutting communities and required parties of interest prior to February 27, 2023</li> <li>• Public hearings for Article 27 was held on March 15, 2023 and March 29, 2023. During the public hearings no comments from the public were made, nor were any written comments received.</li> </ul>
10	Since submitting the article have you identified issues that weren't initially considered in the development of the proposal?
Response	The review of Article 27 made clear that the incentive-based Inclusionary Housing Special Permit (IHSP) language required further development, and so was removed from consideration as part of the current article. The Planning Board anticipates bringing this element before a future Town Meeting.
11	If this Warrant Article is not approved by Town Meeting what are the consequences to the Town and to the sponsor(s)? Please be specific on both financial and other consequences?
Response	<p>Article 27 is a clean-up of an existing Zoning Bylaw. If Article 27 were not to be approved at Town Meeting, this would result in continued confusion as to if a density bonus were to be allowed on top of all other density bonuses for affordable housing.</p> <ul style="list-style-type: none"> <li>• Natick 2030+ Master Plan states that Natick has a surplus of only thirty five (35) units, "making it important that the continued development and creation of affordable units remains on track"</li> </ul>