To the Honorable, the City Council,

On December 21, 2021, the Planning Board (the “Board”) held a public hearing to discuss a Zoning Petition by Michael Jeremy Yamin, et al., to amend Section 11.207.5.3 of the Zoning Ordinance, yard setback standards for Affordable Housing Overlay (AHO) Projects. The Board heard a presentation from representatives of the Petitioners, and received written materials from staff in the City’s Community Development Department (CDD).

The Petition would amend the current regulations in Section 11.207.5.3 to require setbacks for AHO Projects “no less than 50% of the Base District formula calculations in all cases.” The AHO, adopted in 2020, establishes an alternative set of as-of-right zoning standards that can be applied to developments in which all housing units are made permanently affordable. The current AHO standards require setbacks based on fixed distances from property lines, but do not require setbacks based on a formula calculation.

Following the presentation, public comment, and discussion among Board members, the Planning Board voted to transmit an unfavorable recommendation on this Petition to the City Council. Board members commented that the Petitioners raise understandable and legitimate concerns, but noted that this Petition appears to be motivated by one specific proposal that has yet to be reviewed by the Board. Board members generally agreed with the Petitioners that quality design of affordable housing is important. They noted that the design review process will offer opportunities to discuss the specific proposal and for the public to comment. Board members also commented that the City Council spent extensive time weighing the relevant policy tradeoffs before adopting the Affordable Housing Overlay about a year ago; given how new the zoning is, it would be premature to make substantial changes to the ordinance. Thus far, the Board has only reviewed two proposals, and Board members were not convinced whether this Petition would improve or detract from those proposals or other future proposals.

The Planning Board voted 7-0 to transmit the above recommendation, with one member abstaining.

Respectfully submitted for the Planning Board,

Catherine Preston Connolly, Chair.