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MAYOR
JON MITCHELL

City of New Bedford Department of City Planning

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PLANNING BOARD

November 10, 2022

Councilor Hugh Dunn, Chairman
Committee on Ordinances
133 William Street
New Bedford, MA 02740

RE: Case #22-50 & #22-51: MacArthur Drive Area Redevelopment Plan & Zoning Ordinance Amendment

Dear Chairman Dunn:

This is to advise you of the Planning Board's action on Wednesday, November 9, 2022 regarding the proposed request for a recommendation of the MacArthur Drive Area Redevelopment Plan.¹ **The Planning Board sends a favorable recommendation for the adoption of the plan and finds that this plan is in conformance with the City's 2020 Master Plan.** During the same meeting, the Board also reviewed the MacArthur Drive District Zoning ordinance amendment² and **sends a favorable recommendation for the MacArthur Drive District zoning amendment.**

At the hearing, Planning Board Chair Arthur Glassman opened the discussion and invited City Planner Jennifer Carloni to review the plan and address any questions that the Board may have. Ms. Carloni discussed the changes that have occurred since this plan— formerly known as the Focus Area South Plan— was first presented to the Board and reviewed the Frequently Asked Questions (FAQ) document.³

¹ The full text of the 614-page MacArthur Redevelopment Plan is available here:
https://s3.amazonaws.com/newbedford-ma/wp-content/uploads/sites/62/20220413161807/20220228-DRAFT-MacArthur-Drive-Area-Redevelopment-Plan_COMBINED-ALL_compressed.pdf

² The draft text of the proposed zoning amendment is available here:
https://s3.amazonaws.com/newbedford-ma/wp-content/uploads/sites/62/20220415171005/2_MDD_Overlay_District_ORDINANCE_04-01-2022_FINAL-DRAFT.pdf

³ The FAQ document is available here:
https://s3.amazonaws.com/newbedford-ma/wp-content/uploads/sites/62/20220415171253/FAQ_MDD-Redevelopment-Plan-Info_FINAL.pdf

Ms. Carloni described the purpose of the redevelopment plan. She noted that the plan was originally designed to address blighted waterfront conditions on and around the former Eversource/Sprague site, but private sector development recently proposed for that site meant this scope was no longer necessary. As such, she continued, the plan and zoning now focus on the periphery of the Eversource/Sprague site around the intersection of MacArthur Drive and Leonard's Wharf. Ms. Carloni reviewed the land acquisitions and infrastructure improvements proposed in the redevelopment area.

Ms. Carloni reviewed the proposed zoning amendment, which would allow for commercial, water-dependent, and parking uses that were in demand in the area. She noted the Designated Port Area (DPA) boundary cuts through the proposed zoning district area and that the use restrictions within the DPA would not be affected by the plan or proposed zoning changes. She added that new design guidelines and dimensional requirement are also in the proposed ordinance.

Responding to a question from Board member Khazan, Ms. Carloni reviewed the abutting properties south of the redevelopment area and confirmed they are not residential. Board member Duff reviewed the proposed uses and Ms. Carloni confirmed that non-water-dependent uses, such as a hotel, would not be allowed in the DPA portion of the district.

Hearing no further comments from the Board, Chair Glassman opened the floor to any members of the public who wished to speak in favor or in opposition to the plan and the proposed changes. Hearing no such comments, Chair Glassman asked for a motion.

Board member Kalife made a motion, seconded by Board member Duff, to send a favorable recommendation to the City Council regarding the MacArthur Drive Area Redevelopment Plan and finding that the plan is in conformance with the Citywide Master Plan.

The motion passed on a vote of 5-0, with board members A. Kalife, S. Trimbell, A. Glassman, K. Khazan, and K. Duff recorded in favor; no board members recorded in opposition.

As such, the Planning Board sends a favorable recommendation for the MacArthur Drive Area Redevelopment Plan and finds the plan in conformance with the Citywide Master Plan.

Board member Kalife then made a motion, seconded by Board member Duff, to make a favorable recommendation to the City Council regarding amending the Zoning Ordinance to insert the MacArthur Drive District text and map.

The motion passed on a vote of 5-0, with board members A. Kalife S. Trimbell, A. Glassman, K. Khazan, and K. Duff recorded in favor; no board members recorded in opposition.

As such, the Planning Board sends a favorable recommendation for the MacArthur Drive District zoning amendment.

Sincerely,

A handwritten signature in black ink that reads "Jennifer Carloni". The script is fluid and cursive, with the first letter of each name being capitalized and prominent.

Jennifer Carloni
Director, Department of City Planning

encl.

- Department of City Planning MacArthur Drive Redevelopment Area FAQ

cc. Jon Mitchell, Mayor
Danny Romanowicz, Building Commissioner
Ian Abreu, Council President

Erick Jaikes, City Solicitor
Dennis Farias, City Clerk

MACARTHUR DRIVE REDEVELOPMENT AREA FAQ

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What is a Redevelopment Plan?

A Redevelopment Plan describes a focus area that contains blighted physical and economic conditions, identifies its needs, and creates a strategy for change. A Redevelopment Plan states the vision for the area and lays out the roadmap of action to implement the vision.

What are the rules?

Redevelopment within the designated areas must be undertaken in accordance with a Redevelopment Plan, which is adopted by the community and approved by the Massachusetts Department of Housing and Community Development (DHCD).

What is the purpose of a Redevelopment Plan?

- Revitalize disinvested and underutilized neighborhoods.
- Redevelop substandard, decadent, and blighted open areas.
- Create the environment needed to promote sound growth.
- Attract and support private investment in the redevelopment area.

What are the benefits?

- Provide clear neighborhood vision, goals, and expectations for private developers;
- More easily obtain State and Federal funding;
- Allows the community (via the New Bedford Redevelopment Authority) to acquire and dispose of land in accordance with the plan's goals, desired uses, and standards for redevelopment and design

Why the MacArthur Drive area?

While the MacArthur Drive area has seen private sector investments related to maritime industries in the last few years, the area meets the criteria for redevelopment as identified in the plan and the state regulations, including inadequate public infrastructure to serve multiple transportation modes (trucks, cyclists, pedestrians), irregular lots, a large percentage of undeveloped land, and barriers to economic development (outdated buildings, environmental conditions).

What actions are identified in the plan?

The MacArthur Drive Redevelopment Plan classifies six major categories of actions to be taken in the MacArthur Drive area:

- **Operational Actions** involve bring the NBRA to full membership and assigning adequate support staff so that NBRA can smoothly review plans and undertake the subsequent action steps necessary.
- **Acquisition Actions** call for the NBRA to assume ownership of specific parcels on the Eversource/Sprague site and secure necessary easements to implement street improvements. *See the map at the end of this document for specific parcels identified for acquisition and photos in page 18 of Appendix C of the plan.*
- **Public Infrastructure Actions** encompass coordinating between the City and the NBRA to create pedestrian access adjacent to Leonard's Wharf; bicycle connections between the seaport, MacArthur Drive, and the downtown; a landscape buffer along MacArthur Drive; and an enhanced roadway configuration to accommodate port transportation needs at MacArthur Drive, Walnut Street, and Leonard's Wharf.
- **Disposition Actions** involve reparcelizing and disposing of the acquired Eversource/Sprague site properties.
- **Development Actions** consist of utilizing City-owned parcels for activities such as parking to support development permanently or temporarily.
- **Regulatory Actions** involve removing outdated zoning overlays, modifying the Planning Board's approval criteria to incentivize development that aligns with the design guidelines in the plan, and reinstating the Eligibility Credit Program.

For more details, including timelines for these actions, see pages 22-23 of the plan.

WHAT'S THE DIFFERENCE BETWEEN THE PLAN AND THE ZONING?

The Plan identifies an area that meets the requirements of state regulations (760 CMR 12). It outlines the characteristics of the redevelopment area, establishes the eligibility of the area, sets plan objectives, identifies the properties for potential acquisition, relocation plans (if needed), any site preparation required to address things like environmental problems; identifies public improvements; outlines disposition plans for each parcel; articulates redeveloper's obligations of disposition parcels, and identifies a financial plan for the actions and goals.

The Plan, once adopted by the City and approved by DHCD, is valid for twenty years. The plan provides the City and the NBRA with a framework to respond quickly and effectively to changing conditions within the area over the twenty year-time period in order to capitalize on development momentum or to incentivize new development and redevelopment.

The Zoning is related to the plan but is separate. An identified action in the plan, the new zoning is designed to support redevelopment within a new district, the MacArthur Drive District (MDD, see the map below). The MDD's boundaries ***are not the same as the plan boundaries***. Once adopted, the zoning is like any other zoning amendment. It is valid until a change is proposed and adopted by the City Council.

Currently, the MacArthur Drive area has an outdated zoning overlay, oddly sized parcels, and a roadway infrastructure in need of modernization. The new zoning seeks to simplify permitting in the MDD, provide clear guidelines for development, and enable the City and the NBRA to coordinate with the private sector on infrastructure improvements. *(See the proposed district use table at the end of this document).*

PROJECT TIMELINE

2014: Phase I began with a 14-month planning process resulting in the New Bedford Waterfront Framework Plan.



2016: Phase II began and included initial public outreach and participation and a detailed analysis of the study area. The final draft of the plan and the zoning ordinance represent the conclusion of this phase.



2019-2021: The plan and zoning ordinance were presented to the City Council and reviewed by the Planning Board. Following these presentations, the plan and the ordinance were modified to respond to public feedback and recognize circumstances in the plan area had changed.



2022: The modified plan and ordinance incorporating public comments and recent changes to the district. *Recent changes are covered in detail on the following page.*

HAVEN'T I SEEN THIS BEFORE? WHAT'S CHANGED?

As you can tell from the timeline, this project has had multiple phases and iterations. The most recent (and important) change is we have heard the public's concerns. We summarize recent changes here.

Recent Private Development Proposals on Formerly Inactive Sites

Over the course of the eight years of this Plan development, a significant change we needed to account for was that a large formerly inactive and underutilized site within the redevelopment plan study area, the Eversource/Sprague property, now has a private development proposal in the works.

Changes from Public Feedback

We heard you! Over the course of the last few months, we have been listening to the feedback we received from the City Councilors, Waterfront Stakeholders, and others. We have taken these concerns into consideration and made significant revisions to address them. The result being the revised plans and zoning before you now.

Concerns we heard:

1. Waterfront public access requirements.
2. Boundaries of the proposed zoning district.
3. Concern about uses not included in the new zoning

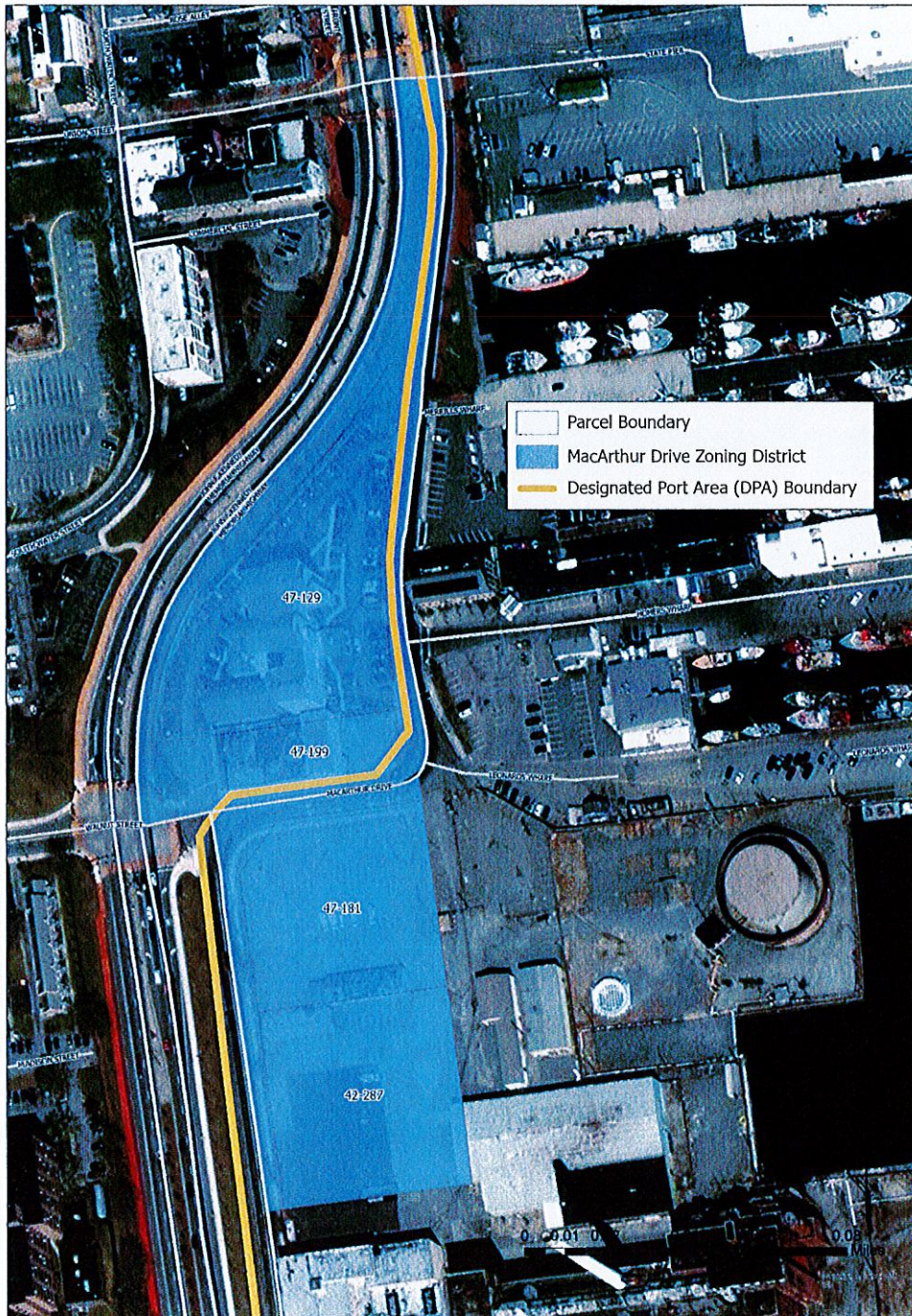
What changes were made:

- ❖ Reduced the area affected by the proposed zoning, including removing the portions of Eversource/Sprague site planned for development.
- ❖ Reviewed and expanded the proposed uses to ensure appropriate uses currently allowed in the districts weren't inadvertently left out.
- ❖ Eliminated the prescriptive and specific public access requirements.
- ❖ Added design guidelines into the text for ease of use by developers. (Design Guidelines are not required but are provided as guidance, hence "guidelines").
- ❖ Fish processing is now allowed throughout the district. Previous versions had limited where this use was allowed.
- ❖ Made required design standards more flexible.

ZONING ORDINANCE CHANGES:

- Removed the outdated, casino-oriented WEDROD overlay and replaced it with a clearly defined new zoning district, the MDD, that supersedes the underlying zoning.
- The MDD is now one focused subsection of the plan area.
- A use table and dimensional table that apply only to this district.
- Required, yet more flexible, design standards.
- Suggested design guidelines to aid developers in understanding the district's vision and goals.
- A development incentive, where certain dimensional requirements can be waived in whole or part if the desired enhancements are provided in the district or within a site design.

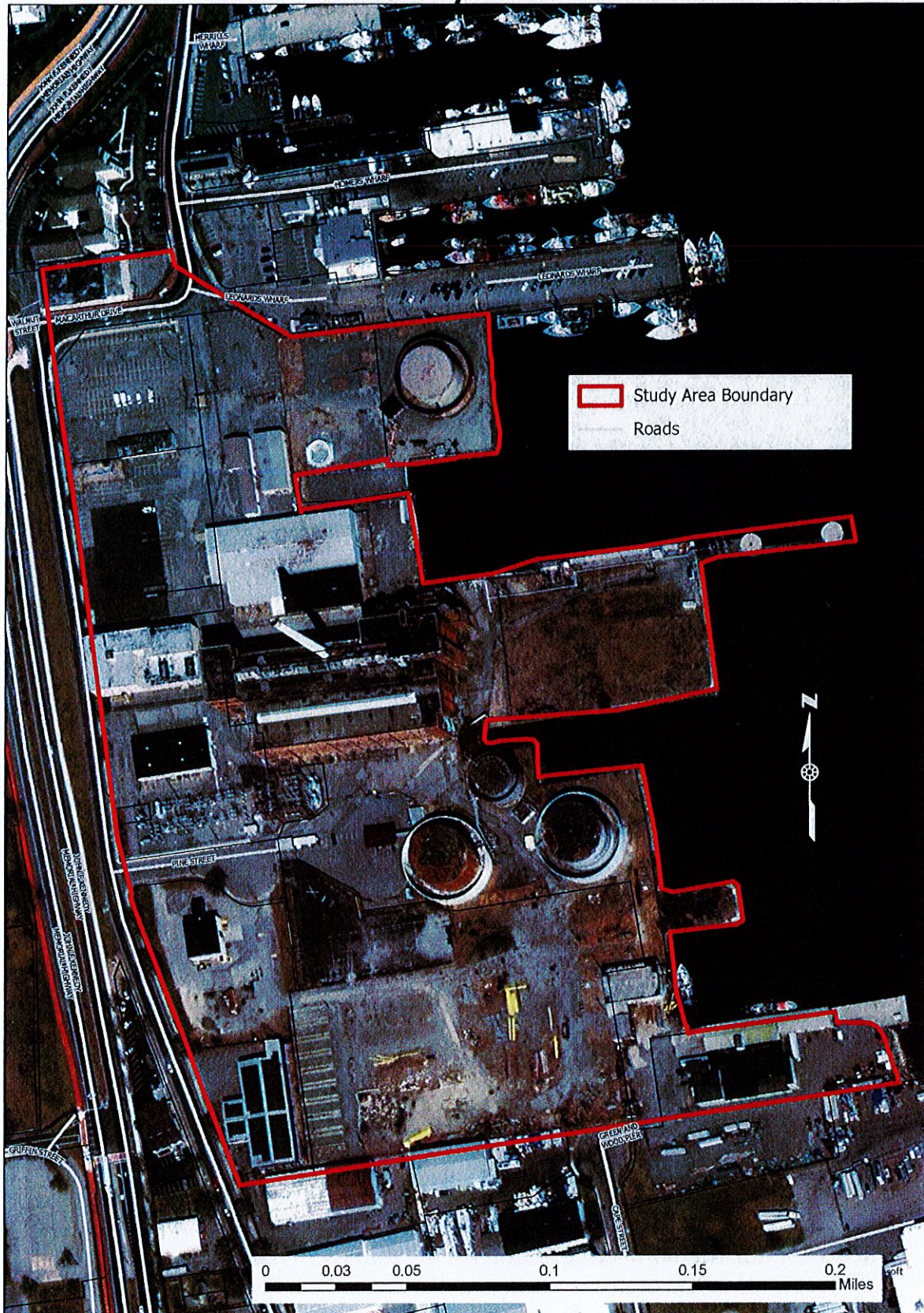
MacArthur Drive Zoning District



Map drafted by L. Ryan for the Department of City Planning, March 2022

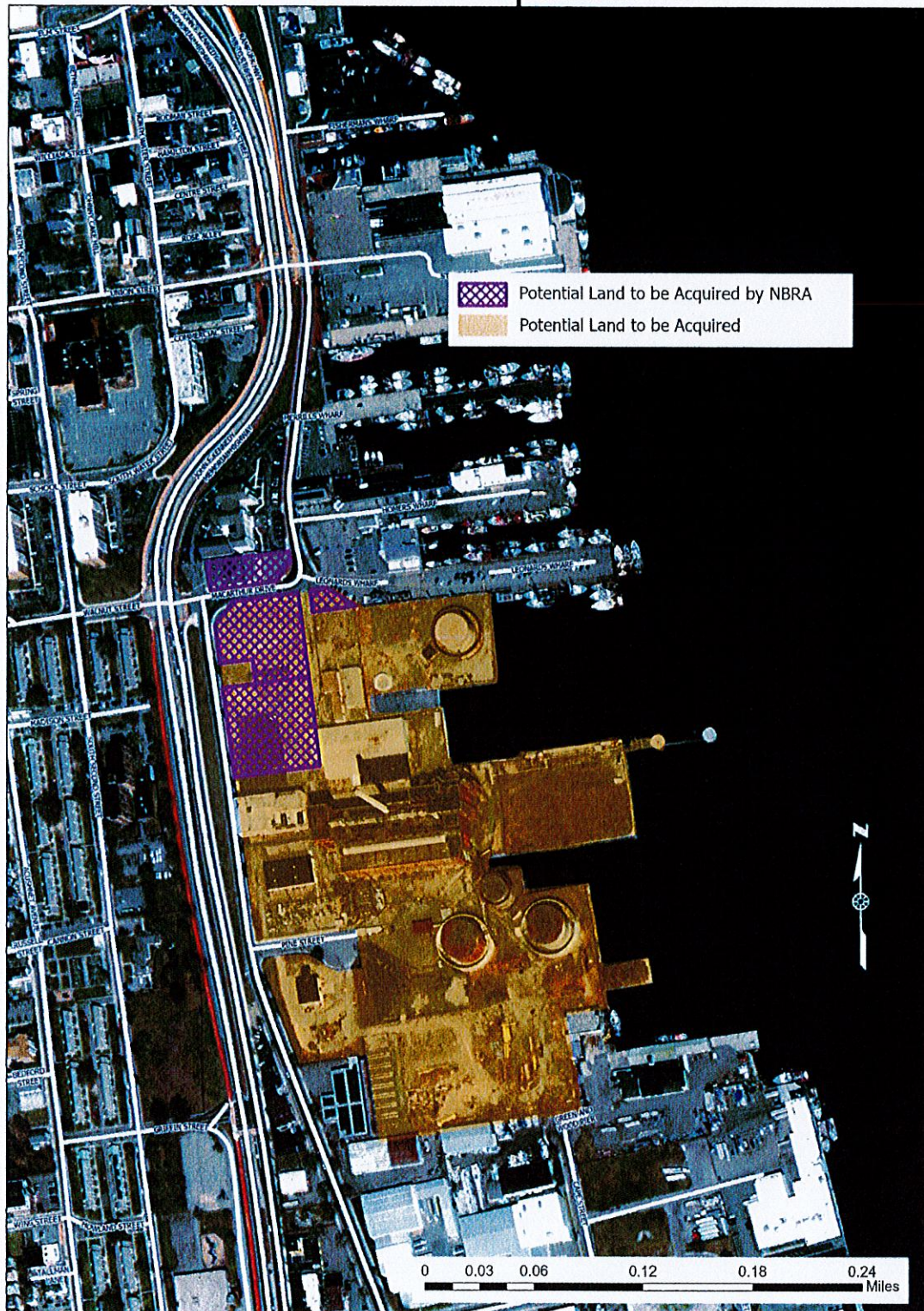
The proposed zoning does not change the Designated Port Area (DPA) boundary. The DPA boundary still exists and can only be amended by a vote of the City Council and approval by Coastal Zone Management. All regulations and restrictions associated with DPA are still in effect.

MacArthur Drive Redevelopment Plan Study Area



MacArthur Drive Redevelopment Plan

Potential Acquisitions



Map drafted by L. Ryan for the Department of City Planning, February 2022

Acquisition Actions call for the NBRA to assume ownership of specific parcels on the Eversource/Sprague site and secure necessary easements to implement street improvements.

MACARTHUR DRIVE DISTRICT PROPOSED USE TABLE

Principal Use	MDD
A. COMMERCIAL	
Hotel or Motel	Y
Commercial Structured Parking Facility	PB
Commercial Surface Parking Facility	PB
Restaurant	Y
Business or professional office	Y
Banking and Financial Services	Y
Marine Recreation Facility	Y
Maritime Trade	Y
Maritime Education	Y
Nonexempt educational use	Y
Wireless Communications Facilities	PB
Convention Centers	PB
Flat floor event space	PB
Retail stores and services not elsewhere set forth	Y
B. INDUSTRIAL	
Manufacturing	Y
Light manufacturing	Y
Research, development or testing laboratories and facilities	Y
Warehouse, Wholesale Trade and Distribution	Y
Fish processing	Y
Transportation terminal	Y
Freight terminal	Y
Shipyards, shipbuilding	Y
Waterfront Storage & Distribution Facility	Y
C. AGRICULTURE	
Aquaculture	Y
Aquaponics	Y

Y = Use permitted by right; PB = Use permitted via Planning Board Special Permit

Existing uses at properties in the district are allowed to continue as "pre-existing nonconforming" provided they follow Section 2400 of the City's Zoning Ordinance for expansion, alteration, and reconstruction.