



CITY OF NEW BEDFORD, MASSACHUSETTS

MEETING: COMMITTEE ON ORDINANCES
DATE: MAY 27, 2026
TIME: 7:23 P.M.
PLACE: CITY COUNCIL CHAMBERS, ROOM 214

PRESENT: COUNCILLORS SHANE BURGO, CHAIR; IAN ABREU; DEREK BAPTISTE; NAOMI CARNEY; LEO CHOQUETTE; BRIAN GOMES; JOSEPH LOPES; SCOTT PEMBERTON; RYAN PEREIRA (7:26); JAMES ROY

ABSENT: COUNCILLOR SHAWN OLIVER

Councillor Burgo called the Ordinance Committee meeting to order, took attendance and explained that the meeting was being recorded and live streamed. The Clerk read two Communications into the record, one from Councillor Oliver explaining his absence and one from Councillor Pereira explaining his tardiness. The Communications were received and placed on file by Councillor Pemberton and seconded by Councillor Lopes.

PUBLIC HEARING on a COMMUNICATION (Matter ID #0440) and AN ORDINANCE (Matter ID #0441), submitted by Mayor Mitchell, Amending Chapter 9, ZONING – establishing FORM-BASED CODE DISTRICTS. (Referred – April 09, 2026.) (Duly advertised in The Standard Times on Monday, May 13, 2026 and Monday, May 20, 2026.)

On motion by Councillor Lopes and seconded by Councillor Gomes, the Committee VOTED: To open the Public Hearing.

On motion by Councillor Abreu and seconded by Councillor Burgo, the Committee VOTED: To receive and place on file the COMMUNICATION, submitted by Jennifer Carloni, Director, Planning Department, to Councillor Shane A. Burgo, Chairman, Committee on Ordinances, advising that the Planning Board held a public hearing on Wednesday, May 13, 2026, to discuss a request made by the City Council for the Planning Board to review and make a recommendation relative to adding a new section 6000 establishing Form-Based Code Districts, further amending section 2230 – Table of Principal Use Regulations – inserting new Appendix D, and amending section 1200 – Definitions, with regulating maps of the new zoning districts; the Planning Board voted to send a **FAVORABLE RECOMMENDATION for the Ordinance amendment, with the recommendation that the City Council further review and consider height limitations in the Downtown Area FBC district, especially the area moving west along Kempton Street.** (Received – May 27, 2026.)

The Chair recognized Anne Louro, Assistant City Planner, who explained that the City has been developing Form-Based Code (FBC) Districts over the past two years and is now prepared to present the proposed Ordinance language to the Committee. Ms. Louro introduced Emily Innes of Innes Land Strategy Group, who provided an overview of the proposed Ordinance amendments related to FBC Districts.

Ms. Innes explained that the Planning Department has undertaken a comprehensive, multi-year evaluation of FBC, including research, professional consultation, and analysis of local development patterns. These efforts have been to ensure that the FBC aligns with the City's character, economic objectives, and long-term planning goals, while being practical to implement both successfully and responsibly.

New Bedford's FBC is built upon a foundation of:

- Extensive public engagement
- Plan documents, such as the Comprehensive Plan
- Recent zoning reforms, which include the Use Table modernization, Parking and Dimensional updates

Goals of the proposed FBC for the City include:

- Preserve and enhance the traditional built form, architectural features, and development patterns that define New Bedford.
- Encourage the adaptive reuse of existing buildings and infill development that contribute to New Bedford's architectural legacy.
- Enhance and maintain complete, mixed-use, walkable, transit-oriented neighborhoods throughout the City for all residents of New Bedford, including people with disabilities, the elderly, the young, low-income, and those who do not drive or choose to own an automobile.
- Permit options for a range of housing types, unit sizes, and price points to accommodate the diverse household sizes and life stages of New Bedford residents at all income levels.
- Promote a diverse mix of businesses and employment opportunities and a variety of goods and services within the City.
- Preserve and enhance the design of New Bedford's public spaces, including streets, sidewalks, parks, open spaces, and other thoroughfares and civic gathering spaces.

- Capture a fiscal return on investments made in transportation infrastructure by locating higher intensity development, employment opportunities, and a broad mix of uses along major corridors and within walking distance of transit stops.
- Conserve and restore New Bedford's natural and historic resources.

Ms. Innes reviewed the proposed FBC District map amendments and identified the areas where the regulations would apply, including the Acushnet, Downtown, and Goulart Districts. She explained that while some municipalities apply FBC on a citywide basis through overlay districts or broad zoning changes, New Bedford has chosen to target commercial and residential districts whose neighborhood character and building types are reflective of the entire City. She noted that the proposed changes would apply only to the designated districts and that zoning elsewhere in the City would remain unchanged. She then reviewed the map changes for the areas included in the proposal.

Ms. Innes reviewed the proposed changes to the Table of Uses related to this proposal and discussed the potential impact of the structural changes that could result if the Ordinance is adopted. She explained that FBC offers several benefits, including greater predictability in the development process, fewer contentious public hearings, and increased economic development opportunities. By establishing clearer expectations, it can help attract investment while protecting neighborhood character through compatible building design. She noted that FBC supports walkable, business-friendly streets and can improve administrative efficiency by reducing the need for variances and appeals.

Councillor Lopes was recognized and asked whether additional districts might be added to the program. He was informed that while expansion is possible at a later date, the areas currently before the Committee were seen as the most appropriate locations for implementation at this time.

Councillor Abreu was recognized and asked whether the City's existing infrastructure, such as water and sewer, could support the development and whether there was outreach to nearby neighborhoods that might be impacted. Ms. Louro replied that the City's current infrastructure would support the development and noted that the City's newly adopted parking Ordinance would be applicable as well. She further explained that outreach would be done, and that feedback from neighborhood residents had already led the Planning Board to recommend changes to the Ordinance language relating to the Kempton Street corridor.

Councillor Pereira was recognized and shared his support for the changes but asked that the Ordinance details be shared publicly so residents, along with local architects and developers, can see what is being proposed and offer feedback. He also asked if the Planning Board could have this ready by June 24th, and was told that they could. He stated that he intended to continue the hearing to that date.

Councillor Baptiste was recognized and shared his concerns with the MU14 proposals in certain areas. He asked whether the City had considered the potential construction of a larger courthouse when developing the plan; he was told that it had.

Councillor Gomes was recognized and shared his support of the changes in the Ordinance and hoped it would aid in the development of the Weld Square area.

Councillor Roy was recognized and suggested that the Ordinance remain in Committee until the Planning Board reviewed it further for possible revisions. Ms. Louro stated that the Planning Department would not object to that.

The Chair asked if there was anyone present who would like to speak and/or be recorded in favor of the proposed Ordinance change.

The Chair recognized Mr. Edward Carson and Mr. Will Gardner of South Coast Places, who spoke in favor of the proposed changes, particularly for advancing affordable housing in the City and generating growth in small-scale developments.

The Chair recognized Mr. Lee Bodden of Three Miles Developers, who spoke in favor of the proposed changes as well, noting that they would help create more walkable, community-friendly neighborhoods. He added that he believed that this would be beneficial for the City.

There was no one present who wished to be recorded in favor.

The Chair asked if there was anyone present who would like to speak and/or be recorded in opposition of the proposed change. There were none.

On motion by Councillor Pereira and seconded by Councillor Baptiste, the Committee VOTED: To continue the Public Hearing to Wednesday, June 24, 2026, at 7:00 p.m., in City Council Chambers.

Councillor Abreu made a motion to adjourn, which was seconded by Councillor Baptiste.

The meeting adjourned at 8:14 p.m.

ATTEST:

Denis Lawrence, Jr.
Clerk of Committees