



CITY OF NEW BEDFORD, MASSACHUSETTS

MEETING: COMMITTEE ON ORDINANCES
DATE: MARCH 10, 2026
TIME: 7:02 P.M.
PLACE: CITY COUNCIL CHAMBERS, ROOM 214

PRESENT: COUNCILLORS SHANE BURGO, CHAIR; NAOMI CARNEY; LEO CHOQUETTE; BRIAN GOMES (7:07); JOSEPH LOPES; SHAWN OLIVER (7:25); SCOTT PEMBERTON; JAMES ROY

ABSENT: COUNCILLORS IAN ABREU; DEREK BAPTISTE; RYAN PEREIRA

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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 a Communication into the record from Councillor Abreu explaining his absence. The Communication was received and placed on file by Councillor Lopes and seconded by Councillor Pemberton.

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The following matter was taken out of order, without objection:

COMMUNICATION (Matter ID #0990) and AN ORDINANCE (Matter ID #0991), submitted by Mayor Mitchell, Amending Chapter 2, Article VI, Section 2-105, of the City of New Bedford Code of Ordinances to conform with Chapter 140 of the Acts of 2024, signed into law by Governor Healey, regarding payment agreements for delinquent taxes. (Referred – June 12, 2025.)

The Chair recognized John Taxiarchos, Treasurer/Collector, who explained that this Ordinance would allow the City to provide an extension to property owners for the maximum timeframe allowed for a repayment arrangement, increasing the term from five years to ten years. It would also reduce the required amount for the down payment from 25% to 10%, making it much more attainable for people who are delinquent on their taxes to enter into an affordable payment agreement with the City.

Councillor Choquette asked about potential interest accruals on these payment arrangements. Mr. Taxiarchos said that interest is factored in, however, it can be waived if all payments are made on time and there are no other defaults.

Councillor Lopes asked how many property owners this change would benefit. Mr. Taxiarchos estimated about 60, however that number may increase once the requirements are reduced. Councillor Lopes asked if this was only for owner-occupied buildings or if it would apply to investment properties as well. Mr. Taxiarchos replied that it does apply to commercial as well.

Councillor Carney asked what the average 10% down payment would be for those looking to enter into an agreement. He said that it would be hard to answer because there is such a range that people owe, anywhere from \$10,000 to \$50,000, but he pointed out that 10% of those figures would be much easier for people to come up with than 25%. He added that this agreement is for the delinquent portion of their taxes, and that they do need to stay current.

Councillor Roy asked for an example of a situation where the interest would not be waived. Mr. Taxiarchos answered that the interest would not be waived if the payments were not made on time or if they became delinquent again.

Councillor Carney asked if the interest accrued is incorporated into their monthly payment; Mr. Taxiarchos stated that it was. She asked how the individual would receive payment for that interest at the end of the term, if they were entitled to it. Mr. Taxiarchos stated that they forgive the interest as they create the payment agreement but if they default, the interest is added back. Councillor Carney asked for further clarification; Mr. Taxiarchos stated that he would provide follow up information to the Committee with additional details regarding interest and interest forgiveness.

On motion by Councillor Lopes and seconded by Councillor Carney, the Committee VOTED: To recommend to the City Council APPROVAL of the ORDINANCE, Amending Chapter 2, Article VI, Section 2-105, of the City of New Bedford Code of Ordinances to conform with Chapter 140 of the Acts of 2024, signed into law by Governor Healey, regarding payment agreements for delinquent taxes.

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PUBLIC HEARING, CONTINUED, on a COMMUNICATION (Matter ID #1616) and AN ORDINANCE (Matter ID #1617), submitted by Mayor Mitchell, Amending Chapter 9, COMPREHENSIVE ZONING, Relative to Dimensional Requirements – Appendix B – Table of Dimensional Regulations, Residential Infill Development, and Multiple Buildings per Lot. (Referred – October 09, 2025.) (Duly advertised in The Standard Times on November 06, 2025 and November 13, 2025.) (November 20, 2025 – Public Hearing continued to Monday, December 15, 2025 at 7:00 p.m. in City Council Chambers.) (December 15, 2025 – Public Hearing continued to Monday, January 26, 2026 at 7:00 p.m. in City Council Chambers.) (January 26, 2026 – Public Hearing cancelled due to a snowstorm.) (Duly readvertised in The Standard Times on February 24, 2026 and March 3, 2026.)

COMMUNICATION, Anne Louro, Acting Director, Planning Department, to Councillor Ryan J. Pereira, Chairman, Committee on Ordinances, advising that the Planning Board held a public hearing on Wednesday, November 12, 2025, to discuss a request made by the City Council for the Planning Board to review and make a recommendation relative to amending Chapter 9, COMPREHENSIVE ZONING, Relative to Dimensional Requirements – Appendix B – Table of Dimensional Regulations, Residential Infill Development, and Multiple Buildings per Lot; the Planning Board voted to send a **FAVORABLE RECOMMENDATION** for the Ordinance amendment. (Received – November 14, 2025.) (November 20, 2025 – Public Hearing continued to Monday, December 15, 2025 at 7:00 p.m. in City Council Chambers.) (December 15, 2025 – Public Hearing continued to Monday, January 26, 2026 at 7:00 p.m. in City Council Chambers.) (January 26, 2026 – Public Hearing cancelled due to a snowstorm.)

On motion by Councillor Lopes and seconded by Councillor Roy, the Committee VOTED: To receive and place on file a copy of the presentation submitted by the Planning Department titled “Updated Dimensional Regulations & Infill Development”.

The Chair recognized Michael McCarthy, Assistant City Planner, who delivered the presentation to the Committee.

Mr. McCarthy explained that they are looking to change the dimensional requirements for several reasons including urban modernization, to encourage sensitive development and to drive reinvestment and renewal. This would help address blighted properties and fill gaps on certain streets, eliminating the “missing teeth” effect we tend to see.

Mr. McCarthy reviewed the proposed changes, which included the following:

- Dimensional Regulations – they are looking to reduce the minimum lot size in traditional multi-family zoning districts, reset frontage requirements and clarify residential density
- Infill Development – this will unlock parcels for development, address gaps in commercial corridors and streamline the permitting process
- Multiple Buildings Per Lot – this will address an outdated ordinance, allow for multi-unit housing without subdividing lots and reduce the time and cost associated with development

Mr. McCarthy further explained that 87-94% of multi-family buildings are below the lot size minimum requirement. Non-compliant lots require multiple variances and/or special permits from the Zoning Board to construct something that exists throughout the same zoning district. This is a major investment for small developers.

Mr. McCarthy used 1283-1289 Acushnet Avenue as a case study example. The home on this lot was lost to a fire five years ago and is no longer eligible for Disaster Rebuild funds. You cannot build on this lot and meet the current requirements.

Mr. McCarthy reviewed the proposed changes to the minimum lot size:

- RA – no change, stays 8,000 sq ft
- RB – currently 8,000 sq ft for 1-unit/single family and 10,000 sq ft for 2-unit/duplex; will change to 4,500 sq ft for all residential uses
- RC – this is the densest residential-only district; currently 8,000 sq ft for 1-unit/single family, 10,000 sq ft for 2-unit/duplex and 15,000 sq ft for 3+ unit/triple decker; will change to 3,000 sq ft for all residential uses
- MUB – currently 8,000 sq ft for 1-unit/single family, 10,000 sq ft for 2-unit/duplex and 15,000 sq ft for 3+ unit/triple decker; will change to 4,000 sq ft for all residential and other uses, including mixed-use buildings

Regarding minimum lot frontage, RA would stay the same at 75 feet. RB, RC and MUB currently range from 0 to 100 feet; they would all change to 45 feet for all allowed uses. Mr. McCarthy added that we do have some RAA subdivisions in the far north end; those will remain untouched.

Mr. McCarthy reviewed the maximum building height for all zones as well as the maximum building height for stories. He reviewed the proposed changes to minimum front yard setback as well as minimum side yard setback. He also reviewed the maximum lot coverage by buildings.

Councillor Lopes asked how many properties would be put back online as a result of these changes. Mr. McCarthy answered that it is difficult to say based on the data they have available because there are so many variables, but he would estimate 500 to 1,000.

Councillor Lopes asked for more information on having multiple buildings per lot, without subdivisions. Mr. McCarthy stated that the thinking was a clustered residential development or a courtyard-style design. In the past, developers have declined the opportunity because the permitting process was far too complex. Planning spoke to Inspectional Services to find out why the ordinance was so restrictive and the thought was possibly fire prevention. Councillor Lopes asked if the Fire Department was on board with these proposed changes now; he was told that they had not been consulted but that they would be a reviewer on the permit process.

Councillor Roy asked how this is changing what currently exists in terms of the Planning Board being the Special Permit Granting Authority. Mr. McCarthy explained that they wanted to provide an opportunity for people to build even if they do not meet the requirements under these new proposed changes, particularly with infill development. As long as it can be demonstrated that you will not out-scale your neighbor, this special permit process will make a way for people to petition the City.

When addressing the proposed infill ordinance, Mr. McCarthy used WS County Street as a case study example, stating that although you cannot build on it with the current requirements, the abutting multi-family is on a similar sized lot. He added that the criteria for infill development prohibits you from exceeding the density of your densest abutter so for example, you cannot build a three-family between two duplexes. He also stated that all parking requirements must follow the current regulations. Mr. McCarthy stated that for infill development, special permits and site plan review may be required.

Councillor Choquette expressed concern that power was being taken from the Zoning Board and given to the Planning Board. He asked if the Zoning Board could overturn the decisions of the Planning Board. Mr. McCarthy stated that this decision was made based on the recommendation from a consultant that they have been working with. He added that the special permit is deniable and that petitioners can appeal to the Zoning Board, and that the Zoning Board remains the final arbiter.

The Chair asked if there was anyone present who wished to speak in favor of the proposed Ordinance.

Armando Pereira of Comprehensive Design/Build Services was recognized. He stated his support for the proposed Ordinance but suggested that the terms “story” and “habitable story” be more clearly defined.

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

On motion by Councillor Carney and seconded by Councillor Pemberton, the Committee VOTED: To close the public hearing.

Councillor Lopes made a motion to refer the Ordinance to the full City Council for approval, which was seconded by Councillor Pemberton.

On the question, Councillor Choquette requested a copy of the report from the consultant group that the Planning Department had worked with. Mr. McCarthy stated that the firm never generated a report. Anne Louro, Assistant Director for the Planning Department, was recognized and stated that the zoning reform was initiated to remove barriers and consolidate processes, save time and money and expedite permitting. She added that the Planning Board has the same expertise as the Zoning Board.

On motion by Councillor Lopes and seconded by Councillor Pemberton, the Committee VOTED: To recommend to the City Council APPROVAL of the ORDINANCE, Amending Chapter 9, COMPREHENSIVE ZONING, Relative to Dimensional Requirements – Appendix B – Table of Dimensional Regulations, Residential Infill Development, and Multiple Buildings per Lot. This motion passed on a roll call vote of Yeas 8, Nays 0.

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PUBLIC HEARING, CONTINUED, on AN ORDINANCE, Amending Chapter 9 – Appendix A – Table of Principal Uses Regulations. (Matter ID #1621) (Referred – October 09, 2025.) (Duly advertised in The Standard Times on November 06, 2025 and November 13, 2025.) (November 20, 2025 – Public Hearing continued to Monday, December 15, 2025 at 7:00 p.m. in City Council Chambers.) (December 15, 2025 – Public Hearing continued to Monday, January 26, 2026 at 7:00 p.m. in City Council Chambers.) (January 26, 2026 – Public Hearing cancelled due to a snowstorm.) (Duly readvertised in The Standard Times on February 24, 2026 and March 3, 2026.)

COMMUNICATION, Anne Louro, Acting Director, Planning Department, to Councillor Ryan J. Pereira, Chairman, Committee on Ordinances, advising that the Planning Board held a public hearing on Wednesday, November 12, 2025, to discuss a request made by the City Council for the Planning Board to review and make a recommendation relative to amending Chapter 9, Appendix A – Table of Principal Use Regulations, Sections 4800, 4900 and 4300, regarding the Special Permit Granting Authority for specific uses; the Planning Board voted to send a **FAVORABLE RECOMMENDATION for the Ordinance amendment with the exception of the changes proposed to Batch Asphalt and Concrete Plants and Contractor's Yards based on the comments received during the public hearing.** (Received – November 14, 2025.) (November 20, 2025 – Public Hearing continued to Monday, December 15, 2025 at 7:00 p.m. in City Council Chambers.) (December 15, 2025 – Public Hearing continued to Monday, January 26, 2026 at 7:00 p.m. in City Council Chambers.) (January 26, 2026 – Public Hearing cancelled due to a snowstorm.)

The Chair recognized Michael McCarthy, Assistant City Planner, who gave an overview of the Staff Report generated by his department following their public hearing. He stated that they had heard from several people that an outright prohibition of the Contractor's Yard would create complications. The Board agreed and felt that it was a good use of the special permit process, preferably in an industrially zoned district. He felt a specific ordinance change would be beneficial in establishing performance criteria for this type of special permit, which could include hazard material control and buffer requirements.

Mr. McCarthy stated that the Board also had concerns about the outright prohibition of Batch Asphalt and Concrete Plants and recalled that there had been a question as to whether the City would be able to legally do so under State law. Mr. McCarthy confirmed that the Board was in favor of all the other changes the Council was proposing.

The Committee was in agreement with the Planning Board's recommendation to allow Batch Asphalt & Concrete Plants and Contractor's Yards in certain zoning districts. The amendments necessary to align the proposed Ordinance with the recommendations of the Planning Board would be to strike Sections 5, 6 and 7.

On motion by Councillor Lopes and seconded by Councillor Pemberton, the Committee VOTED: To recommend to the City Council APPROVAL of the ORDINANCE, AS AMENDED, Amending Chapter 9 – Appendix A – Table of Principal Uses Regulations. This motion passed on a roll call vote of Yeas 8, Nays 0.

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Councillor Oliver made a motion to adjourn, seconded by Councillor Pemberton.

The meeting adjourned at 7:57 p.m.

ATTEST:

Angelic Taylor
Administrative Manager, City Council Office