



# CITY OF SOMERVILLE, MASSACHUSETTS

## CLERK OF COMMITTEES

April 22, 2019  
REPORT OF THE LAND USE COMMITTEE

| Attendee Name                   | Title                     | Status  | Arrived |
|---------------------------------|---------------------------|---------|---------|
| Lance L. Davis                  | Chair                     | Present |         |
| William A. White Jr.            | Vice Chair                | Present |         |
| Katjana Ballantyne              | Ward Seven City Councilor | Present |         |
| Stephanie Hirsch                | City Councilor At Large   | Present |         |
| Mary Jo Rossetti                | City Councilor at Large   | Present |         |
| Matthew McLaughlin              | Ward One City Councilor   | Absent  |         |
| Jefferson Thomas ("J.T.") Scott | Ward Two City Councilor   | Present |         |
| Ben Ewen-Campen                 | Ward Three City Councilor | Present |         |
| Jesse Clingan                   | Ward Four City Councilor  | Present |         |
| Mark Niedergang                 | Ward Five City Councilor  | Present |         |
| Wilfred N. Mbah                 | City Councilor at Large   | Present |         |

Others present: Dan Bartman - OSPCD, Bill Shelton, Tori Antonino, Rositha Durham - Clerk of Committees

The meeting was called to order at 6:10 p.m. by the Vice Chair White and adjourned at 11:10 PM

Chair Davis outlined the procedure for tonight's meeting and stated the primary topic would be open space. The slide presentation by Mr. Bartman is available on the city's website [www.somervillezoning.com](http://www.somervillezoning.com) dated April 22, 2019.

### Approval of the March 12, 2019 Minutes

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|----------------|-----------------|
| <b>RESULT:</b> | <b>ACCEPTED</b> |
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### Approval of the March 19, 2019 Minutes

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| <b>RESULT:</b> | <b>ACCEPTED</b> |
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### Approval of the April 2, 2019 Minutes

**RESULT:**

**ACCEPTED**

**Zoning Overhaul**

**206747: Requesting the adoption of a New Zoning Ordinance (9/2018 update) to supersede the current Zoning Ordinance as originally adopted on March 23, 1990.**

**RESULT:**

**KEPT IN COMMITTEE**

**Open Space**

**206481: 18 registered voters submitting a proposed Zoning Ordinance amendment to add a new Section 17.8 re: open space requirements for mid-rise and high-rise buildings.**

Items 5-8 were discussed together. Mr. Bartman reported that the Planning Board took a vote on these items at its meeting on April 18<sup>th</sup> and voted 4-0 expressing general support of the concept behind the four proposed amendments and recommending that language be incorporated into the city wide zoning overhaul rather than as a stand-alone amendment to the current zoning. Mr. Bartman gave a slide presentation on the issue, including additional comparative analysis of the open space at the Boston Seaport district and Cambridge Research Park in Kendall Square. There was discussion regarding regulatory strategy and new development in Transform Areas and why an open space requirement would not apply to other districts beyond Transit Oriented Districts. There were discussions about empty and unwatched space at night in industrial type areas not being safe. Councilors expressed a general desire to apply any requirement to other areas in the present proposal rather than wait for neighborhood plans to be put into place in the coming years, because any construction that might happen in the intervening timeframe would then not be subject to the requirement. There was discussion regarding whether and in what circumstances a payment in lieu would be appropriate. There were discussions about height and density programs. Mr. Bartman talked about open space; useable space may not be a park. Other conversations about driveways not qualifying as open space. Mr. Bartman talked about air rights and how a property owner could buy air rights for a building. It was stated that generally, lab buildings are no higher than 9 stories to avoid challenges with floor space for internalized heavy equipment.

The chair allowed a couple of the citizen petitioners to share their thoughts about the draft and new changes made by Mr. Bartman. Mr. Shelton shared concerns about getting the ordinance in place as quickly as possible. He stated there is a risk of not doing anything and not wise to ask staff to invest more time on this matter. He also had concerns about only allowing 5% in lieu for certain locations. Ms. Antonino agreed with Mr. Shelton and not having enough public space. She suggested buildings should go higher than 5 stories and affordable housing should have access to green space. Ms. Antonino also supports roof tops to count as open space.

**RESULT:**

**KEPT IN COMMITTEE**

**207460: 18 registered voters submitting a proposed Zoning Ordinance amendment to add a new Section 17.8 re: open space requirements for mid-rise and high-rise buildings.**

Councilor Ewen-Campen motioned and it was accepted to replace the previous draft ordinance with the draft before the committee tonight.

The chair asked Mr. Bartman to work with the city solicitor's office to provide clarification on Section 2.2.110 Open Space on driveways and parking areas.

Councilor Rossetti motioned and it was accepted to replace all references to the Planning Board in proposed draft to "SPGA".

Councilor Rossetti motioned and it was accepted to delete Section 16.10 B.

Councilor Scott motioned and it was accepted to insert a column in Section 8.5 Table of Dimensional Requirements line L for BA at 15%.

Councilor Scott motioned and it was accepted to add line M in Section 8.5 Table of Dimensional Requirements for Useable Open Space minimum percent of lot adding IA, IB, BB and IP all for 20% to match TOD standards. All other columns would be N/A.

Councilor Scott motioned and it was accepted to amend of table 6.5 F Transit Oriented Districts TOD-55 from NA to 20 with footnote.

Councilor Scott motioned and it was accepted to revise amendment of table 6.5 F Transit Oriented Districts TOD-55 Row O to add footnote 7.

Councilor White motioned and it was accepted to send this draft back to the City Councilor as amended without recommendation.

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| <b>RESULT:</b> | <b>DISCHARGED W/NO RECOMMENDATION</b> |
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**205054: 22 registered voters proposing an amendment to Zoning Ordinance 6.4 to establish new open space requirements for certain buildings in the Assembly Sq Mixed Use District.**

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| <b>RESULT:</b> | <b>KEPT IN COMMITTEE</b> |
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**207332: Submitting proposed amendments the Zoning Ordinance to establish new open space requirements in the Assembly Sq Mixed Use District, Transit Oriented Districts, and Planned Unit Developments.**

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| <b>RESULT:</b> | <b>KEPT IN COMMITTEE</b> |
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**Handout:**

- 20180422 DRAFT Open Space Amendment (with 207332)