



CITY OF SOMERVILLE, MASSACHUSETTS
CLERK OF COMMITTEES

April 13, 2021
REPORT OF THE LAND USE COMMITTEE

Attendee Name	Title	Status	Arrived
Ben Ewen-Campen	Chair	Present	
Lance L. Davis	Vice Chair	Present	
William A. White Jr.	City Councilor At Large	Present	
Matthew McLaughlin	Ward One City Councilor	Present	
Mark Niedergang	Ward Five City Councilor	Present	

The meeting was held via GoToWebinar and was called to order by Chair Ewen-Campen at 6:02pm and adjourned at 6:59pm.

Others present: Sarah Lewis - OSPCD

Chair Ewen-Campen noted that a Public Hearing with the Planning Board will be held on Thursday April 29 to discuss these items. No action will be taken on the proposed amendments until after that hearing.

Approval of the March 2, 2021 Minutes

RESULT: ACCEPTED

Approval of the March 16, 2021 Minutes

RESULT: ACCEPTED

Small Business Overlay Amendments

210782: That the Director of SPCD present zoning recommendations addressing the size of ground floor commercial spaces produced by development, to ensure that street level development in certain areas maintains multiple smaller-sized commercial spaces to enhance the pedestrian experience.

Chair Ewen-Campen thanked Councilor Davis for his work with the staff on this. Councilor Davis shared that using zoning to establish an environment in which small businesses can survive and thrive is vital. The goal of the proposed amendments is to support the ability to retain a variety and quantity of small businesses. The changes are designed to require a certain number of storefronts per 100 feet in a Small

Business Overlay District. Most of the areas are currently small houses with first-floor businesses; it would not affect large commercial development areas.

Most of the changes are included in order to set the framework for the building design standards, which include: Six (6) ground story commercial spaces are required for every one hundred (100) feet of building width; The leasable floor area of any ground story commercial space fronting any primary facade must have a minimum width of ten (10) feet and a minimum depth of twenty (20) feet; and Ground story commercial spaces over (35) feet in width are not permitted to front any primary facade. The maximum was determined with Elm Street in mind, where Starbucks is the largest space at 50 feet and the smaller shops are approximately 13 feet. Councilor Davis elaborated that this would apply to any District where it is overlaid.

Ms. Lewis added that in an NR or UR District, this would be optional, but for MR Districts it would be a mandatory requirement. She also suggested soliciting expert testimony, such as from the teams at Bow Market. Councilor Davis noted that Bow Market in particular is a different concept, but feedback from economic development staff and others would be sought and considered. Chair Ewen-Campen asked how the calculation would be determined for buildings under 100 feet and Councilor Davis noted that no single unit could be over 35 feet in width, and clarification can be added for spaces of other sizes.

RESULT:	KEPT IN COMMITTEE
----------------	--------------------------

211693: Requesting approval of proposed amendments to the Zoning Ordinances at Article 8.2 - Small Business Overlay District, and to the Zoning Map.

See 210782.

RESULT:	KEPT IN COMMITTEE
----------------	--------------------------

Civic Spaces Near Highway

211433: Requesting amendments to the Zoning Ordinance as contained within.

Chair Ewen-Campen noted that this was discussed in the previous meeting, but wanted to be sure the language was shared again in advance of the public hearing. The goal is to utilize the funding from payments in lieu of civic space specifically for pollution mitigation. Councilor McLaughlin shared the update that federal funds have been requested to address pollution mitigation near Interstate 93, but the proposal was rejected, which emphasizes why the City must take action to solve this problem.

Ms. Lewis elaborated that one of the inadvertent issues with the 5x multiplier (meaning the payment would be 5 times the cost of acquiring civic space today) that was added when the ordinance was adopted, was that it incentivized civic spaces in locations where they are not ideal. This amendment is an attempt to consider the pollution effects and mitigate that problem. Chair Ewen-Campen also pointed out that the City Solicitor's office suggested that there is not a legal basis for a 5x multiplier as there is not a rational nexus between the mitigation and the cost.

RESULT:	KEPT IN COMMITTEE
----------------	--------------------------

Rooftop Mechanical Height

211349: That the Committee on Land Use consider regulating the height of rooftop mechanicals on commercial buildings that abut Neighborhood Residence and Urban Residence districts.

Chair Ewen-Campen shared that currently the rooftop mechanical units are regulated in that they must be set back from the building and must be screened, but there is no height regulation. In some cases, this may add several stories of height, which is what the amendment is trying to avoid. Chair Ewen-Campen expressed that the current language suggests a limit of 10 feet in MR3 and MR4 and 20 feet in MR5 and MR6, noting that it is approximately equivalent to an extra story, but added that changes to this could be made based on additional feedback, as could the potential for a special permit process to be allowed for instances where the additional height may be needed.

RESULT:	KEPT IN COMMITTEE
----------------	--------------------------

211612: Requesting approval of amendments to the Zoning Ordinance to regulate rooftop mechanical systems and mechanical penthouses.

See 211349.

RESULT:	KEPT IN COMMITTEE
----------------	--------------------------

Body Art/Tattoo Shops

211136: That the Director of SPCD discuss with the Land Use Committee whether tattoo parlors should need a Special Permit to operate on Pedestrian Streets and in other areas.

Chair Ewen-Campen shared that currently tattoo shops are prohibited from being located on a pedestrian street, and this amendment would remove the special permit requirements for tattoo and body art shops, from both pedestrian streets as well as other locations. Councilor Niedergang added that the language being removed is antiquated, and also asked if the UR District was excluded for a particular reason. Ms. Lewis will investigate if there was a reason for that.

RESULT:	KEPT IN COMMITTEE
----------------	--------------------------

211611: Requesting approval of amendments to the Zoning Ordinance Body Art Services use standards and Table 9.1.1 Permitted Uses.

See 211136.

RESULT:	KEPT IN COMMITTEE
----------------	--------------------------