



CITY OF SOMERVILLE, MASSACHUSETTS  
CLERK OF COMMITTEES

September 29, 2020  
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 6:01pm and adjourned at 7:22pm.

Others present: Dan Bartman - OSPCD; Sarah Lewis - OSPCD

**Approval of the September 1, 2020 Minutes**

The minutes were accepted on a roll call vote of 4 in favor (Niedergang, White, Davis, Ewen-Campen), 0 opposed and 1 absent (McLaughlin).

<b>RESULT:</b>	<b>ACCEPTED</b>
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**209478: That the Director of SPCD present recommendations for an "Affordable Housing Overlay District" to this Council's Committee on Land Use, to facilitate the construction of new affordable housing.**

Chair Ewen-Campen introduced the background of this item, noting that the goal of this draft is to focus on 100% affordable developments citywide, with emphasis on both incentives and streamlining of the permitting process. Mr. Bartman shared a presentation, highlighting that while this is applicable to the entire City, an Overlay relates to the underlying zoning district, and can be adapted for each, as could the HR District be added. In all zoning districts, there is no density restriction.

In NR and UR Districts, the updates include: no density restrictions; 100% ADUs; all building types permitted by-right (including the detached triple-decker and backyard cottage) provided that all of the dimensional standards are met and they are 100% affordable; and all dimensional standards remain the same. Additionally, within ½ mile of transit, additional permitted building types in NR would include: Semi-Detached Triple Decker; Multi Plex; Apartment House; and Rowhouses.

In MR Districts, the updates include: no density restrictions; 100% ADUs; apartment buildings and general buildings permitted by-right; Household Living uses permitted by-right; and all dimensional standards remain the same. Additionally, within ½ mile of transit, additional permitted building types would include: 7-story buildings

If these changes are adopted, Mr. Bartman would also delete all existing references to “100% Affordable Housing” and GFA/DU: 100% Affordable Housing from each building type table.

This version is supported by the staff and is what they have determined would be the best to meet affordable housing developers’ needs. Other considerations could be for affordable projects to determine their own parking, as well as whether taller building types should be permitted anywhere else (not just in MR Districts).

Councilor Davis spoke in favor both of less parking and taller buildings as a way to support affordable housing. Mr. Bartman clarified that the standards of the base districts remain in effect, and thus the dimensional standards do not need to be specified again in the Overlay. Councilor Davis asked whether the “provided that all dwelling units are affordable dwelling units” clause applies to any level of affordability, and Mr. Bartman confirmed that the choice is up to the developer, and may also be constrained by the financing available.

Councilor Niedergang confirmed that a normal apartment house has a maximum of 10 units, but as a 100% affordable building, the developer could propose additional units as long as the overall dimensions remained the same. An apartment house is a 2 ½ story building designed to look like a house. Councilor Niedergang also raised a concern about taller buildings next to shorter ones, particularly in narrow lots and whether setbacks could prevent this from being overwhelming. Mr. Bartman has considered this, noting that these buildings granted taller height limits than their neighbors are referred to as “pop-ups” and with 100% affordable buildings, the sites will likely exclude many of the narrow lots because they will not produce a sufficient number of units to justify the affordability and will be unable to find financing. The setback requirements would also probably eliminate any of these lots from consideration. Councilor Niedergang asked about the impact on parking permits, and Mr. Bartman noted that proof of residency in an affordable unit would allow for an automated exemption to be granted a parking permit. Councilor Niedergang also shared a concern that affordable apartments for families need to be maintained, and Mr. Bartman elaborated that through the developer interviews, they have learned that financing often includes requirements for higher bedroom units. These restrictions are not included in the zoning, because they will be addressed through the financing.

Councilor McLaughlin shared that he had concerns about parking, as it could create conflict among neighbors. His preference is for consistency and removing the exemptions, as there are many people who do not have vehicles and would still benefit from additional affordable housing. Chair Ewen-Campen added that people on the affordable housing list may not have a choice about where they live, which could be an argument in favor of exemptions for parking permits.

Councilor White asked for a more detailed map, which also indicates vacant lots, and Mr. Bartman will provide that. Councilor White also asked about non-conforming uses and Mr. Bartman clarified that there can be non-conforming building types, which would include a commercial building in an NR District, as well as non-conforming uses, which would not be connected to the physical aspects of the building. A non-conforming feature could not be increased in size. Councilor White also expressed concerns about transit and accessibility to workplaces and Mr. Bartman commented that parking can be explored

further for the next meeting. The City's Mobility Management Program also provides specifications for mobility provisions.

Chair Ewen-Campen added that he would like to see the 7-story incentive citywide, and Mr. Bartman noted that this is intended to address the parking concern - with higher density buildings concentrated within walking distance to transit to address the perceived parking problem. Chair Ewen-Campen also wondered if the UR District could additionally be permitted to 4-stories and Mr. Bartman confirmed that all of the permitted building types could be allocated a bonus floor as an incentive. The Chair emphasized that since the opportunities for affordable housing are so few, any increases to the units and availability should be encouraged.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**210364: 15 registered voters requesting the adoption of an amendment to the Zoning map to re-zone six parcels along Medford Street between School Street and Marshall Street.**

Chair Ewen-Campen shared that this proposal was initiated by a group of residents, and there was strong support from residents at the public hearing, with some opposition from one building owner in the neighborhood with concerns about shadows and setbacks.

Chair Ewen-Campen expressed a desire to amend the petition to have the Homans Building site zoned as Civic, and to keep the Mobile station site as-is (MR4), as it provides a great opportunity for a community-led process that could include both of these adjacent sites. Councilor White asked what could be done there under the current zoning and Mr. Bartman shared that it could be a general building with ground-floor commercial or a four-story commercial building by site plan approval.

Councilor White asked if there had been discussion with the Ward Councilor (Councilor Clingan) and Chair Ewen-Campen noted that the citizens' petition includes both sites mentioned and seeks to up-zone them both to MR6, and the Chair has discussed his intention to remove the two aforementioned parcels with both the neighborhood group and Councilor Clingan. Councilor Niedergang and Councilor Davis shared that they have received additional information about the shadow issues at the Malta Temple building and no longer have concerns. Chair Ewen-Campen elaborated that the Malta Temple building is in a Fabrication District, which is a protective district, and it is not in the City's best interest to restrict the MR6 buildings. He expressed excitement for the citizen involvement and to see this moving forward.

**Chair Ewen-Campen moved to amend the citizens petition to exclude 360 Medford Street. The motion was approved on a roll call vote of 5 in favor (McLaughlin, Niedergang, White, Davis, Ewen-Campen) to 0 opposed.**

**Chair Ewen-Campen moved to amend the citizens petition to re-zone the Homans Building site as Civic. The motion was approved on a roll call vote of 5 in favor (McLaughlin, Niedergang, White, Davis, Ewen-Campen) to 0 opposed.**

<b>RESULT:</b>	<b>APPROVED AS AMENDED. [UNANIMOUS]</b>
<b>AYES:</b>	Ewen-Campen, Davis, White Jr., McLaughlin, Niedergang

**Handouts:**

- 20200929 LUC - Affordable Housing (with 209478)
- Affordable Housing Overlay District 20200929 (with 209478)
- Letter - A. Dash (with 210364)