

CITY OF SOMERVILLE
ORDINANCE NO. 2011-04
IN THE BOARD OF ALDERMEN: _____

AN ORDINANCE AMENDING THE SOMERVILLE ZONING ORDINANCE (SZO) AND ZONING DISTRICTS FOR THE AREAS CONSISTING OF SOMERVILLE AVENUE FROM WILSON SQUARE TO THE SOMERVILLE-CAMBRIDGE LINE AT PORTER SQUARE, WHITE STREET, AND ELM STREET FROM WHITE STREET TO WILSON SQUARE AND AMENDING THE FLOODPLAIN OVERLAY DISTRICT

WHEREAS, Porter Square and Wilson Square represent a unique and important residential neighborhood well served by public transit and a regional road network; and,

WHEREAS, infrastructure and streetscape improvements of \$20 million to upgrade Somerville Avenue's infrastructure and streetscape environment, to update it with current city infrastructure needs, and to make it more friendly to businesses and local residents, had been made; and,

WHEREAS, the infrastructure and streetscape improvements have enhanced the pedestrian and bicycle environment with wider sidewalks, new trees, benches, and the addition of bicycle lanes, it has laid out the foundation to seriously rethink the future of the Porter Square neighborhood; and,

WHEREAS, a significant number of residents have expressed the desire for a compact vision for the Porter and Wilson Square areas; and,

Whereas, the community established a vision statement for Porter Square in 2009 that focused on safety, mixed use development, and the potential development of significant sites with signature buildings that can create gateways into the community; and,

WHEREAS, it is in the City and the community's best interest to implement the Vision Statement and amend the zoning to reflect the vision; and,

WHEREAS, Porter and Wilson Square can capture the economic interest in the area due to their proximity to the rapid transit station; and,

WHEREAS, Somerville Avenue from Porter Square to Wilson Square represents one of the busiest pedestrian and bicycle areas in Somerville; and,

WHEREAS, this level of pedestrian and bike traffic provides the city with the opportunity to better plan a commercial gateway that may be suitable for new development or redevelopment, at a human scale, allowing for the interaction of mixed use development with commercial, residential, office or institutional uses; and,

WHEREAS, new mixed use development has the potential to strengthen the local tax base and create new jobs at a variety of income and skill levels; and,

WHEREAS, varied requirements for parking provisions constitute one of the greatest barriers to desirable changes of use; and,

WHEREAS, the current zoning has limited the desired mixed used development; and,

WHEREAS, the notification of watercourse alteration section of the floodplain overlay district was not included in the 2010 amendment to this district;

THEREFORE, be it adopted by the Board of Aldermen, in session assembled, that the below listed sections of the Somerville Zoning Ordinance are hereby amended as identified.

1. Zoning Maps 9, 13, and 14 are hereby amended as follows (below is a verbal description of the zoning district changes, please see the attached maps for the visual changes):

The existing BA Commercial District at the intersection of White Street and Elm Street would become a Corridor Commercial District (CCD) 55 District that would also include the three parcels that front onto White Street Place, as well as the Porter Square Shopping Center employee parking lot on Elm Street. A second CCD-55 District would be created along Somerville Avenue closest to the Porter Square T Station that would include the last four parcels heading out of Somerville into Cambridge, which were formerly properties in the RB Residential District. A third CCD-55 District would be created in Wilson Square, at the intersection of Elm Street and Somerville Avenue, where there is currently a BA Commercial District. The CCD-55 District would include the four parcels in Wilson Square bounded by Elm Street and Somerville Avenue where the Cumberland Farms and small strip mall are currently located. The district would extend along Somerville Avenue and also include the Somerville Car Wash parcels adjacent to the rail track right-of-way.

A new CCD-45 District would be created along the north side of Somerville Avenue between two of the new CCD-55 Districts. This district would include the two parcels just northwest of the new CCD-55 District in Wilson Square along Elm Street and a small area on the south side of Somerville Avenue which includes some of the rail track right-of-way. The southern boundary of this CCD-45 District is determined by the existing BA Commercial District boundaries in that area. The new Transit Oriented District (TOD) 70 District in the area would run from the road centerlines of Roseland Street and Beacon Street, include the Somerville parcels on the north side of Roseland Street, and cover the rail track right-of-way all the to the Cambridge city line bounded on the north by the centerline of Somerville Avenue. This area is currently zoned RB in its northern half and BA in its southern half.

The residential neighborhood between Elm Street and Somerville Avenue, would remain an RB Residential District. This would basically include all of the parcels that do not have frontage on Elm Street or Somerville Avenue. All of the parcels along Elm Street between the new CCD-55 District by White Street, and the eastern most extremity of the new CCD-45 District would be rezoned to an RC Residential District from their current RB Residential District zoning. These parcels on the southwest side of Elm Street would then match the zoning of the parcels directly across from them on the northeast side of Elm Street and be combined into the same RC Residential District.

One parcel, 8 Cedar Street, near the intersection of Elm Street and Cedar Street at the north edge of the RC Residential District is currently zoned both RB and RC. To rectify this zoning map error, the parcel would be zoned to be located only within the RC Residential District.

2. Article 6: Establishment of Zoning Districts, Section 6.1.18 Floodplain Overlay Districts, is hereby amended to add section H (additions are underlined):

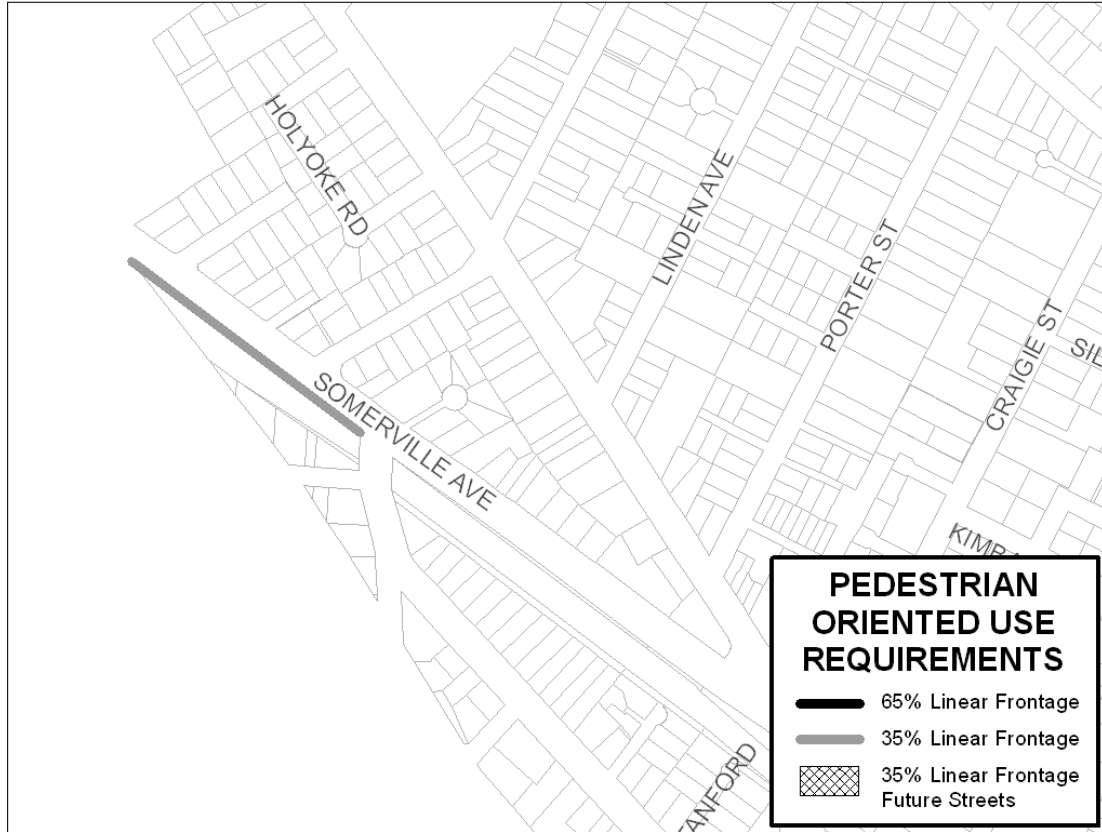
H. Notification of Watercourse Alteration. In a riverine situation, the Special Permit Granting Authority shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104
- NFIP Program Specialist
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

3. Article 6: Establishment of Zoning Districts, Section 6.5. Transit Oriented Districts (TODs), Table 6.5.F – TOD Dimensional & Use Standards. Dimensional Requirements is hereby amended as follows (additions are underlined and deletions are ~~crossed out~~):

TABLE 6.5.F—TOD Dimensional & Use Standards					
	Dimensional and Use Standards	TOD-55	TOD-70	TOD-100	TOD-135
I	Permitted Use Clusters	A, B, C, D, E, F, G, I, J, <u>K</u>	A, B, C, D, E, F, G, I, J, <u>K</u>	A, B, C, D, E, F, G, I, J, <u>K</u>	A, B, C, D, E, F, G, H, I, J, <u>K</u>

4. Article 7: Permitted Uses, Section 7.14 is hereby amended to add the following map:



5. Article 8: Dimensional Requirements, Section 8.6.23 is hereby amended as follows (additions are underlined and deletions are ~~crossed-out~~):

Reduction of FAR and height limits for shallow lots abutting residential districts in CCDs: Lots with a depth of fifty-five (55) feet or less shall have a maximum FAR of 2.0 and height limit of forty-five (45) feet in the CCD-55 Districts. Lots with a depth of fifty-five (55) feet or less shall have a maximum FAR of 2.0 in the CCD-45 Districts. In the event that a parcel has a varying depth, the shallow lot FAR and height limit shall apply to that part of the property less than fifty-five (55) feet in depth.

6. *Effective Date.* The effective date ("Effective Date") of this Ordinance shall be the date of which it is adopted by the Somerville Board of Alderman. Notwithstanding the foregoing, this Ordinance shall not apply to any use, structure, or parking proposal for which, prior to the Effective Date, the applicant had applied (a) to the Inspectional Services Department for a building permit, or (b) to the SPGA for a Special Permit ("SP") for Special Permit with Site Plan Review ("SPSR"); but rather, the validity of the building permit, SP, or SPSR, even if granted after the Effective Date, shall be governed by the zoning in effect immediately prior to the Effective Date.