



# CITY OF SOMERVILLE, MASSACHUSETTS

## CLERK OF COMMITTEES

October 18, 2012

### REPORT OF THE LAND USE COMMITTEE Meeting in Joint Session with the Planning Board

Attendee Name	Title	Status	Arrived
William A. White Jr.	Chair	Present	
Tony Lafuente	Vice Chair	Present	
Sean T. O'Donovan	Ward Five Alderman	Present	
Thomas F. Taylor	Ward Three Alderman	Present	
Omar Boukili	Administrative Assistant	Present	
George Proakis	Director of Planning	Present	
Brad Rawson	OSPCD	Present	
Members of the Planning Board		Present	

#### **193602 - Conveying a response to #190766 and #192594 re: SPCD staff study of regulations for RA and RB Zoning Districts.:**

Mr. Proakis made a presentation to the members with regard to RA and RB Zoning districts and the highlights are summarized here:

Somerville's Four Zoning Challenges:

1. The language and structure of the zoning ordinance has become too hard to navigate, vague in meaning and contradictory in intended outcome
2. The RA/RB district regulations do not provide a predictable outcome and are, in many instances, failing to preserve the unique character of Somerville's residential neighborhoods
3. Zoning controls for land areas near existing and future transit stations are generally ill equipped to promote smart-growth or maximize the economic development opportunity provided by public transit
4. These issues are inter-dependent; the second and third challenges cannot be addressed until the first is resolved.

80% of Somerville's properties are RA or RB

60% of Somerville's land is RA or RB

Over the years, the city has modified its zoning requirements:

- Ø In 1960, the first major revision of the SZO in 35 years was undertaken

- Ø In 1977, a comprehensive zoning update amended the ordinances
- Ø In 1988, additional updates were proposed by the Planning Board
- Ø In 1990, a comprehensive planning and legal review lead to the approval of an extensive rewrite of the SZO

### **Challenges of the RA & RB Zoning Districts**

1. High Rates of Nonconformance
  - 99.998% of Residential Properties in the RA and RB Districts are Nonconforming to the code
  - 3.5% conform to minimum lot size
  - 82.5% non-conformance with minimum front setback
  - 11.4% non-conformance with maximum ground coverage
  - 19.6% non-conformance with height (in stories)
  - 46.6% non-conforming with height (in feet)
  - 31.6% non-conformance with maximum floor area ration
  - 13.6% non-conformance with dwellings per lot
  - 57.2% non-conformance with lot area per dwelling unit
  - Only 22 lots (0.002%) conform to all requirements

Massachusetts State Law considers nonconforming properties detrimental to neighborhoods since projects that preserve and enhance existing houses require special permits, variances, and extensive design review and new development is not guaranteed to respect the existing form and patterns of neighborhoods.

2. The Right Regulatory Tools for Residential Properties
  - Well-intentioned zoning mechanisms can conflict with one another, causing procedural complications and producing buildings that are out of character with the form and pattern of neighborhoods
3. Housing Demand
  - Between 2000 and 2010, Somerville grew by roughly 1,500 housing units, with the majority of those being built in the city's "Area to Conserve". The SomerVision Comprehensive Plan proposes to change the status quo by channeling market forces away from "Areas to Conserve" and toward "Areas to Enhance" and "Areas to Transform". This strategy could slow the pace of development in areas where growth is not a priority of the plan.

### **Solutions for the RA & RB Zoning Districts**

1. Regulate by Building Type

- Any zoning ordinance or by-law which divides cities and towns into districts shall be uniform within the district for each class or kind of structures or uses permitted
2. Similar Protections for Similar Building Types
    - Unified Neighborhood Residential District
  3. Develop a Data-Driven Pattern Book of Neighborhood Character
  4. Learn from Municipal Best Practices already in New England
  5. Engage Somerville Community in discussions about Urban Design, Development, and Zoning

**RESULT:****WORK COMPLETED**