



## CITY OF SOMERVILLE, MASSACHUSETTS CLERK OF COMMITTEES

October 1, 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	Absent	
Jesse Clingan	Ward Four City Councilor	Absent	
Ben Ewen-Campen	Ward Three City Councilor	Absent	
Jefferson Thomas ("J.T.") Scott	Ward Two City Councilor	Absent	
Mark Niedergang	Ward Five City Councilor	Present	
Wilfred N. Mbah	City Councilor at Large	Present	
Matthew McLaughlin	Ward One City Councilor	Absent	

The meeting was held in the Council Chamber and was called to order by Chair Davis at 7:07pm and adjourned at 8:45pm.

Councilors Rossetti is out of the country on vacation and Councilors Clingan, Ewen-Campen, Scott and McLaughlin were attending various community meetings also scheduled for this evening.

Others present: Dan Bartman - OSPCD; Kimberly Wells - Assistant Clerk of Committees

### **208702: Requesting the adoption of a New Zoning Ordinance (v4.0 update) to supersede the current Zoning Ordinance as originally adopted on March 23, 1990.**

Please continue to visit [www.somervillezoning.com](http://www.somervillezoning.com) for updated information.

The period for written public comment for both the Committee on Land Use and the Planning Board is until noon on Friday November 1, 2019.

Chair Davis shared that the overall objective for this meeting is to identify areas that need to be further revised and communicate them to Mr. Bartman. He further addressed the comments regarding the zoning in Davis Square that were received at the public hearing. To clear up some misinformation and confusion, he clarified that the reason for change to the zoning map for Davis Square between versions 3.0 and 4.0 was that the intent for the map in version 3.0 was always to be a placeholder that tracks the current zoning, but is translated into the language of the new zoning overhaul. It was not a result of the public process with the Davis Square Neighborhood Plan. The output of that public process was reflected in the first draft of the Davis Square Neighborhood Plan. That initial draft map was revised slightly and moved to version 4.0 of the zoning overhaul, which is what is now before

this committee.. It should be made clear that the acquisition of a significant portion of the buildings on Elm Street by a company called Scape is not related to this process. This process was underway long before that purchase and will continue independently. There are still changes to be made and Chair Davis is working with Planning Staff on various concepts. The required step backs for Davis Square do not start low enough; but with enough consideration for design aspects like step backs, shadows, green space etc., even a 6-story building could be designed in a way that would not negatively impact the feeling of the Square. To the extent to which we allow higher density in Davis Square, it should not happen without getting other community benefits that the City needs to meet its goals, such as affordable housing, affordable commercial space, and green space. The variety of businesses and the pedestrian experience, including the variety of facades, is important. We should zone with maximum commercial unit sizes at the street level in all areas to foster and encourage small businesses. Commercial core zones could be a worthwhile tradeoff for the daytime workers to support those small businesses. This would also ease the tax burden on residential owners. Chair Davis suggested that he will work with Mr. Bartman to provide an amended Davis Square neighborhood zoning map for the a future meeting, which may be to go back to a placeholder reflecting the current zoning allowances so that the Council can continue the conversation around the overhaul and, if necessary, address changes to the Davis Square map after a potential vote on the overhaul, once the necessary drafting is completed on the concepts being discussed with Planning.

Councilor Hirsch asked why these standards would only apply to Davis Square rather than throughout the City. Are there any cases where we allow for greater height without requiring community benefits? Chair Davis noted that Davis Square is only unique in that the Neighborhood Plan is happening in parallel. Councilor White shared that the special permit process which has been in place was instituted as a way to extract community benefits. The site plan review is much more limited in how it can be adjusted. Thus, the way to get the benefits is through the Overlay. He encouraged that the Overlay District benefits be clear and aligned with the City's goals. Councilor Ballantyne requested clarifications around the transitions between neighborhoods. Councilor Niedergang emphasized that the affordable housing placeholder is an important one to address as soon as possible. Councilor Mbah asked how this will be integrated with the various Neighborhood Plans and SomerVision. Mr. Bartman noted that SomerVision calls for area-based implementation plans (Neighborhood Plans and Transit Plans would be examples of this). Zoning provides the tools for implementation of these Neighborhood Plans. Councilor Hirsch noted that the main corridors are deserving of their own plan as well; Mr. Bartman agreed. Councilor White noted that one of the goals was to recoup half of the \$50M payment made to the MBTA through a linkage fee. Without a special permit process, and if the pending Home Rule Petition is not approved, the City may be in a position to not recoup this. This process is also being explored as a way to get additional community benefits. Mr. Bartman clarified that much of the City, as part of the MR and Overlay Districts, will still allow this special permit option.

Mr. Bartman shared two example charts of edits: one of amendments and one of corrections. This template will allow for tracking of changes, and will be expanded on throughout the public comment period and Committee deliberations and will be available at [www.somervillezoning.com](http://www.somervillezoning.com).

Councilor Ballantyne expressed that parking is an issue that she would like highlighted. The UR Districts are another concern, as is sustainability. She requested more specifics about the connection to the Somerville Climate Forward plan. She also wondered how the updates will address student housing, as RA Districts do not allow for lodging houses, which are how the University often addresses housing off-campus. Councilor Mbah echoed the concern about sustainability, particularly stormwater management and the Green Score. Councilor Hirsch shared an interest in eliminating the City-wide parking minimum requirements. She also emphasized the sense of urgency in getting this

done to allow for the impact on current development, and noted that an overhaul could still be amended or updated as needed. Mr. Bartman has been collecting a list of recent projects that would not be allowed in the new code. It will be valuable to identify what these instances are. Councilor Niedergang asked if there is a timeline for the Affordable Housing study and Mr. Bartman noted that the current research is primarily based on interviews with developers to assess housing needs and financial feasibility, as well as a recently expanded scope to provide a model to analyze the various implications of different types of development. The first two components are close to being finished, but there is no exact date for the documents to be delivered. The additional analysis will likely be delivered by late fall/winter. Councilor White shared a concern about land acquisition costs. If we take restrictive measures on some of these larger developments, it could flow down to land acquisition costs, which would need to be reduced to allow developers to make their targeted profits. This will be built into the model being created.

Councilor Niedergang echoed Councilor Ballantyne's concerns about height transitions. He wondered if setbacks could be included in MR Districts or if they could be affected through the site plan approval process. The specific purpose of site plan approval is to mitigate building impacts, and this would be addressed through that process. Mr. Bartman is creating a map of where MR Districts abut NR properties to mitigate issues. Site plan approvals would be granted through the Planning Board, while variances would be the purview of the Zoning Board of Appeals. Councilor Niedergang shared a list of concerns, including: 3rd units in NR Districts; carriage house/accessory units; Boynton Yards Overlay District; Mandatory Mixed Use Ratio (MMUR); sustainability and energy efficiency; public notice provisions; and slope protection language.

Chair Davis shared additional concerns and asked for more detail on new dimensional limitations in NR Districts and asked as well for more information on MPDs (Master Planned Developments). Councilor White asked further for clarification around what could be built by-right in each district type. Particularly in the Transform areas, we want to be cautious about what is allowed that we may reconsider in a few years if it does not actually transform the areas as intended.

The next meeting will take place on October 22nd (a shift from the previously scheduled October 15th meeting).

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**Handouts:**

- Concerns & Questions - M Niedergang (with 208702)
- Examples of Amendments, Errata, Corrections (with 208702)