



CITY OF SOMERVILLE, MASSACHUSETTS
Office of Strategic Planning and Community Development
JOSEPH A. CURTATONE, MAYOR

MEMORANDUM

Office of the Executive Director

MEMORANDUM

TO: Mayor Joseph A. Curtatone

FROM: Monica R. Lamboy, Executive Director 

DATE: September 23, 2010

SUBJECT: Proposed Ordinance amending the Somerville Zoning Ordinance to amend the definition of Home Occupation and Historic Outbuilding, and amend Article 7 Permitted Uses to create and allow a Historic Carriage House Occupation with identified Development Standards in certain Zoning Districts

The Office of Strategic Planning and Community Development (OSPCD) respectfully requests that you forward the attached proposed ordinance amending the Somerville Zoning Ordinance (SZO) to the Board of Aldermen for their review and consideration. This ordinance would establish a definition of Historic Carriage House, clarify the definition of home occupation, and allow for home occupation uses and various other uses within Historic Carriage Houses. This ordinance is in response to Board Order #188083 submitted by Alderman Roche.

Background

Carriage houses are an important type of historic structure found throughout Somerville. Originally constructed as detached outbuildings to house horse-drawn vehicles and related-equipment, the vast majority of historic carriage houses are located in the Residence A (RA) and B (RB) zoning districts. Data on the exact number and locations of historic carriage houses is incomplete, however, over 10,000 properties in the City were built prior to 1928¹, and some of these properties include outbuildings.

Currently, the carriage houses that remain can only be used for extremely limited purposes and, as a result, often fall in disrepair. Per the SZO, only one primary structure is allowed per lot in the RA and RB districts (§7.2) without a special permit, and only uses accessory to residential uses are permitted in secondary structures. An accessory use is one that is “customarily found in connection with a permitted

¹ A structure must be at least 50 years old in order to be considered for historic designation. Given that there was limited construction in the City between 1928 and 1958, the year 1928 is used as the baseline for this analysis.

principal use” and may not be an extension of the principal use. For example, carriage houses may be used as garages or storage sheds but not for home offices or artist studio space. Carriage houses also cannot be used for dwelling units. This amendment does not propose to allow use of carriage houses for residential purposes.

Due to the limitation on permitted uses and the age and high costs of maintenance, many of Somerville’s carriage houses have fallen into disrepair. The City began to address this issue in June 2009 when the Board of Aldermen passed a zoning amendment establishing a Historic Bed and Breakfast use which allowed a historic carriage house, to be used as a part of the Historic Bed and Breakfast Use. This proposed zoning amendment would extend the options available to owners of a Historic Carriage House by creating a new category of uses that are identified as Carriage House Occupations.



Carriage House: Warren Street in Somerville



Examples of Carriage Houses with limited opportunities for reuse

Proposed Zoning Amendment

The proposed series of amendments is intended to provide property owners with an incentive to preserve historic structures while also increasing small local business activity in the City. The following summarizes proposed changes and additions to the SZO.

- **Definition of Home Occupation**

Under SZO §2.2.69, a Home Occupation is defined as an “activity customarily carried on inside a dwelling unit.” Among other requirements, a home occupation is conducted by the residents of the unit, involves only “customary home equipment,” generates one or fewer visitor cars at a given time, and does not produce offensive effects like vibration or smoke. The ordinance then lists examples of uses that are and are not included under Home Occupation. For example, a visual artist’s studio and a computer software developer’s office are permitted home occupations, while a beauty parlor and an auto repair shop are not. However, the ordinance currently does not treat professions with comparable impacts uniformly. The office of an engineer or an attorney is not considered a home occupation, despite its similarity to the office of a landscape architect or an architect. The ordinance goes on to indicate that other “recognized professions” are not intended to be allowed as home occupations. In contrast, home educational uses are allowed with their associated student visitors. Today, an engineer or attorney can easily operate a business with a computer and an internet connection and an occasional visit from a mail package delivery truck, having far less impact on abutters than other uses that are allowed under the current definition Home Occupation.

It is recommended that the definition of Home Occupation be amended to allow the office of an engineer or attorney, as well as licensed family day care which is a protected use under State law while clarifying that the office of a medical professional doctor, dentist, etc. is not allowed under the ordinance.

- **Definition of Historic Carriage House**

As proposed in the draft ordinance, a Historic Carriage House will have to be:

1. Within a designated Local Historic District (LHD);
2. A building that is ‘contributing’ to the district (i.e., the building itself must have historic architectural merit and a contemporary outbuilding building adjacent to a historic house would not be considered a Historic Carriage House);
3. A building that has a hayloft, second floor, or defined pitched high roof (i.e., single story block garages found in many parts of Somerville and built for the automobile cannot be considered Historic Carriage House structures).

A Historic Carriage House must be designated by the Somerville Historic Preservation Commission (SHPC) as a contributing building within its Local Historic District (LHD). Staff is recommending that the definition of Historic Outbuilding be revised as “Historic Carriage House”, which is a more descriptive title, and the additional criteria identified above be added.



Carriage House

Eligible for conversion if located in a local historic district.



Single story block garage

Not eligible for conversion.

• **Historic Carriage House Occupation**

The proposed ordinance includes a new “Historic Carriage House Occupation” that will be added under “Accessory Residential Uses” in Section 7, Permitted Uses, Table 7.11. The use would be permitted by special permit in the RA, RB, RC, NB, and Business A districts. The types of uses allowed in a Historic Carriage House Occupation would include the Home Occupation uses allowed citywide with the exception that up to two (2) non-resident employees would be allowed in the RA and RB Districts and up to four (4) non-resident employees would be allowed in the other districts. At present, the definition of Home Occupation does not allow for any non-resident employees. In addition, Historic Carriage House Occupation would include a shop and/or storage facility for tradesmen such as a carpenter, plumber or electrician, real estate or insurance office, and office of a medical professional. These proposed uses will provide owners of Historic Carriage Houses with opportunities to fully utilize their properties with uses that are reviewed by the SPGA and subject to public notice before they are established.

• **Dimensional Requirements**

The proposed amendment will allow a Historic Carriage House to be recognized as a second primary structure when it is used for a Historic Carriage House Occupation. However, the dimensional requirements for Historic Carriage Houses will remain the same as those applied to accessory structures under Section 8.6.11.

• **Development Standards**

All applicants seeking a Historic Carriage House Occupation use would require a Special Permit with Site Plan Review (SPSR) under Section 5.2 of the SZO. This ensures a level of oversight beyond the designation of the property and the carriage house itself by the SHPC.

The proposed amendment includes specific development standards under footnote #4 of Section 7.12. For example, carriage houses shall not be altered except where required to meet code requirements, restore historical accuracy, or increase the efficiency of the interior space. The alterations shall not

increase ground cover, except when necessary for ADA compliance. All exterior alterations visible from the public right of way shall be subject to approval by the SHPC prior to issuance of a special permit.

Section 7.12 will also state that the operator of the Historic Carriage House Occupation must be a resident of the principal structure. The use shall be carried on strictly within an enclosed building and exterior signage shall be permitted only in accordance with district regulations. These and other standards aim to minimize the impact of the Historic Carriage House Occupation and help restore and preserve the architectural integrity of the structures.

- **Parking Requirements**

The proposed parking ratio for Historic Carriage House Occupation is as follows: zero (0) parking spaces for up to 500 sf, and one (1) parking space per each additional 500 sf in addition to parking required for the residential use on the lot.

The parking requirements may be reduced by Special Permit with approval of a Parking Management Plan (PMP). The ratios are intended to reduce the need for additional paved impermeable surface on the lot while also making sure a reasonable amount of parking is available. If necessary, daytime users of Historic Carriage House Occupations may also seek business permits for daytime on-street parking.

Conclusion

By adopting the proposed amendments, the Board of Aldermen would provide an incentive for historic property owners to invest in and maintain Historic Carriage Houses. Clarifying the Home Occupation definition and creating a new Historic Carriage House Occupation would encourage locally-owned business activity, advancing Somerville's complimentary goals of historic preservation and economic development.

Recommendation

It is recommended that the Board of Aldermen adopt the attached ordinance to amend the definition of Home Occupation and Historic Outbuilding, and amend Section 7 Permitted Uses to create and allow a Historic Carriage House Occupation with identified development standards in certain zoning districts.