



# CITY OF SOMERVILLE, MASSACHUSETTS

## CLERK OF COMMITTEES

October 27, 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 6:30pm and adjourned at 7:32pm.

Others present: Dan Bartman - OSPCD

#### Approval of the September 29, 2020 Minutes

<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.**

The Chair shared that a public hearing on this proposal will take place on November 19. Councilor White requested a map of the MR4 Districts and Mr. Bartman noted that each zoning district with a map and standards is included in the presentation, and he will add anything that is missing. Councilor White clarified that a citywide map with the districts in different colors would be helpful.

Mr. Bartman shared the presentation, an overview of the proposal for an Affordable Housing (AH) Overlay District, which addresses questions from previous meetings. In the Neighborhood Residence District (NR), there would be no density restrictions; 100% ADUs required; all building types permitted by-right; and all dimensional standards remain the same. In a Transit Area (within 1/4 mile of a transit station), there would be four (4) additional building types permitted. In the Urban Residence District (UR), there would also be no density restrictions; 100% ADUs required; all buildings permitted to be four (4) stories; all building types permitted by-right; and all other dimensional standards remain the same.

In the Mid Rise Districts (MR), there are questions about whether to include MR3 or begin with MR4, but there would also be no density restrictions; 100% ADUs required; apartment buildings and

general buildings permitted by-right; household Living uses permitted by-right; 4 stories on any MR3 lot; 7 stories on any MR4, MR5, or MR6 lot; and all dimensional standards remain the same. Previous discussions also centered on MR4 and there was agreement that abutting NR or UR was acceptable, while MR5 and MR6 abutting NR would require a 30' setback for the 5th and 6th story. Chair Ewen-Campen asked for clarification on the 3 to 4 story adjacencies, and the slides demonstrate places where MR3 is adjacent to UR.

Councilor Niedergang asked about the status of neighborhood meetings and Mr. Bartman commented that by-right development puts the timing in the hands of the developers, which may be a concern. Councilor Niedergang recognized the challenge with the benefits of the developers ability to move quickly and agreed that for 4 stories or less, a neighborhood meeting may not be needed, but for anything greater, it likely would be. Councilor Davis emphasized that he supports anything that makes it easier to build affordable housing.

Chair Ewen-Campen addressed the issue with MR3 - in the previous draft, properties could go up to 7 stories; in the current draft, properties can go up to 4 stories, which keeps them on par with UR. Councilor Davis noted that with the setbacks, and in an effort to make affordable housing more feasible, the 7 story allowance in MR3 is not unreasonable. Councilor McLaughlin added that he also favors a "more is better" approach. Chair Ewen-Campen elaborated that the concerns are mainly when MR3 parcels are next to NR parcels. He suggested that in this case, MR3 could be allowed at 4 stories, and in other cases, it could be 7. Councilors Niedergang and White agreed that this is an excellent solution to the issue.

***Chair Ewen-Campen moved to amend the draft Affordable Housing Overlay District proposal to allow MR3 properties to be 7 stories, unless directly abutted by an NR property, in which case they can be 4 stories. The motion was approved on a roll call vote of 5 in favor (Niedergang, McLaughlin, White, Davis, Ewen-Campen) to 0 opposed.***

Mr. Bartman elaborated on the concerns about parking, noting that more criteria will need to be determined if restrictions are to be put in place. There is general concern in the administration about changing a fairly new parking policy. The affordable housing developers have noted that the funding will generally produce buildings with 30-50 units, and the average of .4 parking spaces per dwelling unit would create a need for 12-20 spaces. The regulation would also need to be written outside of the zoning ordinance. The Chair confirmed that Mr. Bartman did not find any reference to standards for parking requirements in affordable housing funding sources. Councilor McLaughlin commented that this may be an issue with the public, but this will not stop him from supporting the Overlay. Councilor Niedergang added that he does not want to require that parking be built as part of these units, and it is difficult that the current policy does not have a history to refer to. Mr. Bartman noted that the administration will monitor the policy and is responsive to making changes if needed. There are only 6 properties thus far with restrictions according to the new standard.

Chair Ewen-Campen highlighted the other conceptual changes - first, the 5% buffer allowed for any maximum lot coverage, minimum green score, minimum open space, front and side building setbacks, minimum facade build out, and maximum floor plate specified for each building type elsewhere in this Ordinance. This would apply to all Districts, and Mr. Bartman will update the draft text to clarify this. The second is the use provisions that the use of any upper story of a general building is limited to the following principal use categories: a). Civic & Institutional and b). Residential; and at least forty percent (40%) of the leasable floor area of any general building must be occupied by uses from the Residential use categories.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**210639: That the City Solicitor provide an opinion on whether issues of tenancy, affordable housing, and displacement can be a factor on a decision of a zoning change proposal.**

Mr. Bartman noted that he does not have any feedback related to this item and Chair Ewen-Campen will reach out to the Solicitor's office for information. Councilor Niedergang added that it is not time sensitive but will likely come up again. Councilor White commented that a legislative decision does not need to be based on any facts in the record, as long as not discriminatory.

<b>RESULT:</b>	<b>KEPT IN COMMITTEE</b>
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**Items to be Placed on File**

**210718: Anthony Martignetti proposing a zoning amendment to re-zone his property at 360 Medford St to High Rise.**

<b>RESULT:</b>	<b>PLACED ON FILE. [UNANIMOUS]</b>
<b>AYES:</b>	Ewen-Campen, Davis, White Jr., McLaughlin, Niedergang

**210731: 2 residents submitting comments re: #210364, a residents' petition to rezone 6 parcels in the Gilman Sq area.**

<b>RESULT:</b>	<b>PLACED ON FILE. [UNANIMOUS]</b>
<b>AYES:</b>	Ewen-Campen, Davis, White Jr., McLaughlin, Niedergang

**Handouts:**

- 20201027 LUC - Affordable Housing\_reduced (with 209478)
- Affordable Housing Overlay District 20201027 (with 209478)