



CITY OF SOMERVILLE, MASSACHUSETTS  
BOARD OF ALDERMEN

**Docket # 206481**

Public Communication  
Public Ordinance

Committee of the Whole, December 4, 2018  
Item ID 19237

**SUMMARY: 18 registered voters submitting a proposed Zoning Ordinance amendment to add a new Section 17.8 re: open space requirements for mid-rise and high-rise buildings.**

**COMPLETE TEXT:**

See attachment.

**RESULT: KEPT IN COMMITTEE**

**FOLLOWUP:** Land Use Committee

KEPT IN COMMITTEE BY THE BOARD OF ALDERMEN OF THE CITY OF SOMERVILLE, MA, AT A COMMITTEE OF THE WHOLE ON THE 4th DAY OF DECEMBER, 2018.

ATTEST:

John J. Long, City Clerk



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CITY CLERK'S OFFICE  
SOMERVILLE, MA

CITY OF SOMERVILLE, MASSACHUSETTS  
ELECTION DEPARTMENT  
JOSEPH A. CURTATONE  
MAYOR

July 31, 2018

John J Long  
City Clerk  
Somerville City Hall  
93 Highland Avenue  
Somerville, Ma 02143

Dear Mr. Long:

We hereby certify that the petition given to us by your office contains the names of Eighteen (18) registered Somerville voters designated as such by a red check mark to the left of the name.

BOARD OF ELECTION COMMISSIONERS

*Anthony Alibon*

*[Signature]*

*Louie A. McCarthy*  
*Nicholas P. Salerno*



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CITY OF SOMERVILLE

CITY CLERK'S OFFICE  
SOMERVILLE, MA

ORDINANCE NO. \_\_\_\_\_

IN THE BOARD OF ALDERMEN: \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 17.- USABLE OPEN SPACE - OF THE SOMERVILLE ZONING ORDINANCES TO ESTABLISH NEW OPEN SPACE REQUIREMENTS FOR MIDRISE AND HIGHRISE BUILDINGS**

WHEREAS publicly accessible open space contributes significantly to the quality of life and the health of all residents and workers in the City of Somerville;

AND WHEREAS the City of Somerville has less open space per capita than all other communities in the Commonwealth;

AND WHEREAS the City's Comprehensive Plan calls for the creation of 125 acres of new open space;

AND WHEREAS current zoning includes no strategy sufficient to achieve this 125-acre goal;

AND WHEREAS current pressure for increased density of construction in the City is likely to result in increases in dimensional requirements related to height and to requests for variances to build higher structures;

AND WHEREAS higher buildings increase shadow in their immediate vicinity, decreasing quality of life and health;

NOW THEREFORE, be it adopted by the Board of Aldermen, in session assembled, that Article 17 of the Somerville Zoning Ordinance is amended by adding a new Section 17.8 as follows:

**ARTICLE 17**

**Section 17.8 - Open space requirements for mid-rise and high-rise buildings**

(1) **Purpose.** The purpose of this Section is to establish open space requirements for mid-rise and high-rise buildings based on overall built square footage of such buildings, as distinct from current open space requirements which are based on a percentage of land coverage, and do not vary with building height or built square footage. Higher buildings will contribute more to the establishment of new open space in the City, to compensate for degradation of the local environment resulting from shadows and blocked views.

(a) Because open space generally contributes more to quality of life of residents than of workers, open space requirements for mid-rise and high-rise residential buildings should be greater than requirements for commercial buildings.

(b) Where zoning permits a choice of either commercial or residential development, additional incentives for commercial development may be desirable to improve the City's tax base. Consequently, a distinction is made in this amendment between the open space requirements for each type of development.

(2) **Definitions.** For the purposes of this Section, the following terms shall have the following meanings:

(a) Mid-rise and high-rise shall refer to residential buildings over 65 feet in height, and commercial buildings over 85 feet in height, to allow for up to five floors of usable built space.

(b) Usable open space shall conform to the definition stipulated in Article 2 and the standards stipulated in Section 17.3 of this Ordinance, but will be required to be at least 50% publicly accessible landscaped space with vegetation.

(3) **Requirements.** Notwithstanding any other provisions of the Zoning Ordinance, the Special Permit Granting Authority (SPGA) shall not approve an application for a special permit, special permit with site-plan review, or

planned unit development, and the Inspectional Services Division shall not award a building permit for a project involving the construction of a residential building or commercial building, or the rehabilitation and conversion of an existing building into a residential building or commercial building, unless the following conditions are met:

(a) In addition to all other open-space requirements in this Ordinance, commercial buildings higher than 85 feet shall provide one (1) square foot of additional usable open space for each ten (10) feet of built gross square footage proposed where the interior ceiling is at a height above 85 feet.

(b) Residential buildings higher than 65 feet shall provide two (2) square feet of additional usable open space for each ten (10) feet of built gross square footage proposed where the ceiling is at a height above 65 feet.

(c) The SPGA may, at its discretion, permit these additional open space requirements to be met off-site, provided that the open space is suited to public uses, as defined in Article 17 of this Ordinance, and is not within 300 feet of a roadway with more than 30,000 average daily weekday vehicle trips.

(d) In the event that the required open space acceptable to the SPGA is not available onsite or nearby, the SPGA may allow funds sufficient to purchase and improve the requisite square footage of open space to be contributed to the Open Space Fund of the City of Somerville to meet the requirements of this Section 17.8.

(e) The cost per square foot of land acquisition shall be determined by using the most recent average aggregate assessed value of land per square foot throughout the City. The cost of improvements shall be determined by averaging the cost per square foot of public park improvements in the City over the three years prior to the special permit application.

(f) In the event that a Land Acquisition Fund has not been established by the City, such a fund shall be established. Any moneys contributed to this fund shall be restricted to the acquisition of usable open space, of which a minimum of 50% shall be landscaped and include vegetation.

CITY CLERK'S OFFICE  
SOMERVILLE, MA  
2018 JUL 30 P 4:17

Printed Name	Signature	Somerville Street Address
✓ William Shelton	<i>William Shelton</i>	65 Boston Street, #2 3-1
✓ Robert McWatters	<i>Robert McWatters</i>	218 <sup>th</sup> Summer St 3-3
✓ Gary S. Trujillo	<i>Gary S. Trujillo</i>	7 Allen Street 2-1
✓ Renee Scott	<i>Renee Scott</i>	63 Boston St, #2 3-1
✓ David Sabo	<i>David Sabo</i>	63 Boston St. 2 3-1
✓ Ariana B. Thomas	<i>Ariana B. Thomas</i>	63 Boston st. #1 3-1
✓ Keja L. Valens	<i>Keja L. Valens</i>	24 Munroe st. 3-1
✓ Katherine Berg	<i>Katherine Berg</i>	5 Bigelow st. 3-1
✓ Peter W. Ilev	<i>Peter W. Ilev</i>	2 Bigelow St. 3-1
✓ Jason B. Koppis	<i>Jason B. Koppis</i>	17 Prospect Hill Ave 3-1
✓ Annette McLean	<i>Annette McLean</i>	71 BOSTON ST 3-1
✓ Jean M. O'Neil	<i>Jean M. O'Neil</i>	67 Boston St. 3-1

