



CITY OF SOMERVILLE, MASSACHUSETTS  
MAYOR'S OFFICE OF STRATEGIC PLANNING & COMMUNITY DEVELOPMENT  
**JOSEPH A. CURTATONE**  
**MAYOR**

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# Proposed Somerville Zoning Ordinance Submitted to the Honorable Board of Aldermen

December 11, 2014

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## A. GENERAL

### 1. TITLE

- a. This Ordinance is known as the “Zoning Ordinance of the City of Somerville” and may also be cited and referred to as “Somerville Zoning Ordinance” and “SZO”.

### 2. PURPOSE

- a. To implement the comprehensive master plan of the City of Somerville and enforce other officially adopted plans and policy.
- b. To coordinate development and redevelopment according to plans collaboratively developed with community members for each of Somerville’s neighborhoods, squares, corridors, and special districts.
- c. To equitably balance the regulation of real property with the interests of the community as a whole.
- d. To develop complete, mixed-use, walkable, transit-oriented neighborhoods throughout the city.
- e. To permit the activities customary to daily life within walking distance of most dwellings, providing accessibility to goods and services for all residents of Somerville including the disabled, elderly, young, low income, and those that do not drive or choose to own an automobile.
- f. To provide distinct physical habitats at different scales, including the lot, block, street, and neighborhood, so that meaningful choices in living arrangement can be provided to residents with differing physical, social, and emotional needs.
- g. To provide a range of housing types, unit sizes, and price points to accommodate the diverse household sizes, and life stages of Somerville residents at all income levels, paying particular attention to providing housing affordable to individuals and families with low and moderate incomes.
- h. To capture a fiscal return on investments made in transportation infrastructure by locating higher intensity development, employment opportunities, and a broad mix of uses along major corridors and within walking distance of transit stops.
- i. To preserve and enhance the existing character of Somerville’s traditional residential housing and respect existing built form and development patterns.
- j. To promote the adaptation of existing buildings and permit redevelopment and infill construction that contribute to Somerville’s architectural legacy, while respecting neighborhood character.
- k. To preserve and expand the city’s walkable network of human scaled thoroughfares and the small block and lot pattern of land subdivision.
- l. To resolve design conflicts between vehicular and pedestrian movement in favor of the pedestrian.
- m. To preserve and enhance the design of Somerville’s public realm.
- n. To protect and promote a diverse mix of businesses and increase accessibility to diverse employment opportunities within Somerville.
- o. To conserve and restore Somerville’s natural and historic resources.

### 3. AUTHORITY

- a. This Ordinance is adopted under the authority granted by Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts and enacted in accordance with the provisions of the Massachusetts General Laws (M.G.L.) Chapter 40A, as amended.

### 4. APPLICABILITY

- a. Unless otherwise specified, this Ordinance is applicable to all real property within the City of Somerville.
- b. All divisions, departments, commissions, boards, and authorities of the City of Somerville shall comply with the procedural requirements of this Ordinance.
- c. Real property used or occupied by the City of Somerville is exempt from the provisions of this Ordinance.

### 5. COMPLIANCE

- a. No real property may be occupied or used; no use of an existing building or land may change; no sign may be erected, replaced, altered, refurbished, or otherwise modified; and no building or structure may be constructed, reconstructed, altered, expanded, or enlarged in whole or in part for any purpose except as specifically authorized by this Ordinance.
- b. Nothing contained in this Ordinance shall be construed to restrict the use of land or structures for religious or educational activities per M.G.L. Chapter 40A, Section 3.

### 6. CONFLICTING PROVISIONS

- a. This Ordinance does not abrogate, annul, or otherwise interfere with any easement, covenant, and/or other private agreements.
- b. Where the provisions of this Ordinance impose a greater restriction than required by other ordinances, regulations, resolutions, rules, easements, covenants, or agreements, the provisions of this Ordinance shall apply.
- c. All development activity must comply with relevant Federal and State regulations. Where the provisions of this Ordinance imposes a greater restriction than required by Federal or State law, the provisions of this Ordinance shall apply unless preempted by Federal or State law.

### 7. MEANING & INTENT

- a. Words, phrases, and terms used in this Ordinance are defined in Article 12. Measurement & Definitions.
- b. Words, phrases, and terms not defined in Article 12 are subject to definition by the Commonwealth of Massachusetts State Building Code.
- c. Words, phrases, and terms not defined by either Article 12 or the Commonwealth of Massachusetts State Building Code are subject to definition by the most recent edition of Webster’s Unabridged Dictionary.
- d. Words used or defined in one tense or form include other tenses and derivative forms.
- e. Words in the singular or plural include the other, unless expressly excluded.
- f. Words in the masculine or feminine include the other.
- g. The words “must,” “shall,” “will,” and “may not” are mandatory.
- h. The words “may” and “should” are permissive.
- i. The words building, building type, land, lot, parcel,



premises, site, structure, and thoroughfare are construed as though followed by the words "or any portion thereof".

- j. The words "used" or "occupied" include designed, arranged, intended, or offered for use or occupation.
- k. The terms "standards," "regulations," and "requirements" are used to mandate a specific course of action or built outcome. Compliance with standards, regulations, and requirements is mandatory and indicated by use of the terms "must," "shall," "will," and/or "may not".
- l. The term "guideline" is used for actions or built outcomes that are strongly encouraged to fulfill the intent of specific sections of this Ordinance. Guidelines are indicated by use of the terms "may" or "should." Failure to meet a guideline shall not be used as a basis for denial of an application for development review.
- m. Unless otherwise specifically indicated, lists of items or examples that use terms such as "for example," "including," and "such as," or similar language, are intended to provide examples and not as exhaustive lists of all possibilities.

## 8. TEXT & GRAPHICS

- a. Illustrations, graphics, pictures, and flowcharts are included in this Zoning Code to help illustrate the intent and requirement of the text. In the case of a conflict between the text of this Zoning Code and any illustration, graphic, picture, or flowchart, the text shall govern.

## 9. SEVERABILITY & INVALIDITY

- a. If any provision of this Ordinance or the application of any provision to any person, partnership, corporation, or circumstance is declared unconstitutional or otherwise held invalid, the validity of the remaining provisions of this Ordinance and their application to any other person, partnership, corporation, or circumstance shall not be affected.

# B. ZONING DISTRICTS

## 1. ESTABLISHMENT

- a. Zoning districts are established as described in Article 2. Standard Districts and Article 4. Special Districts.
- b. Zoning districts are applied to real property as shown on the Official Zoning Map.

## C. OFFICIAL MAPS

### 1. ZONING MAP

- a. Incorporation
  - i. Zoning district boundaries are shown on the "Official Zoning Map of the City of Somerville"
  - ii. This map may be cited and referred to as the "Official Zoning Map."
- b. Boundaries
  - i. Zoning district boundary lines are intended to follow lot lines, or be parallel or perpendicular to them, and along the centerlines of private rights-of-way, public alleys, and railroad rights-of-way as indicated on the Official Zoning Map.
  - ii. Where the Official Zoning Map indicates a district

boundary line that approximately coincides with a lot line, the lot line is the official boundary between districts.

- iii. Where the Official Zoning Map indicates a district boundary line that divides a platted lot or undivided parcel of land, the boundary between districts shall be determined using the scale of the Official Zoning Map.
- c. Unmapped Land
  - i. Any land not specifically included in any zoning district on the Official Zoning Map is subject to the provisions of Article 8. Public Realm Standards and classified as the Civic district unless reassigned according to the Map Amendment procedures of Article 10. Administration.

## 2. TRANSIT ORIENTATION MAP

- a. Incorporation
  - i. The boundary lines of transit oriented areas are shown on the "Official Transit Orientation Map of the City of Somerville"
  - ii. This map may be cited and referred to as the "Transit Orientation Map."
  - iii. The Transit Orientation Map is part of the Official Zoning Map as established in §1.C.1.a.
- b. Purpose
  - i. The Transit Orientation Map is used to coordinate parking standards and affordable housing requirements by:
    - a). identifying 'transit oriented' areas of the city that are in close proximity to a current or proposed MBTA rail transit station; and
    - b). ranking these transit oriented areas based on the presence of uses providing convenient access to daily & weekly needs.
- c. Boundaries
  - i. Boundary lines are intended to follow lot lines, or be parallel or perpendicular to them, and along the centerlines of private rights-of-way, including alleys, streets, and railroads, as indicated on the Transit Orientation Map.
  - ii. Where the Transit Orientation Map indicates a boundary that approximately coincides with lot lines, those lot lines shall be the official boundary between districts.

## 3. PEDESTRIAN STREETS MAP

- a. Incorporation
  - i. Pedestrian streets are shown on the "Official Pedestrian Streets Map of the City of Somerville"
  - ii. This map may be cited and referred to as the "Pedestrian Streets Map"
  - iii. The Pedestrian Streets Map is part of the Official Zoning Map as established in §1.C.1.a.
- b. Purpose
  - i. The Pedestrian Streets Map identifies certain thoroughfares as places prioritized for pedestrian activity. See Article 8. Public Realm Standards for more information.

## 4. ZONING ATLAS

- a. Digital and print editions of the maps established in

§1.C are maintained by the Office of Strategic Planning and Community Development together as the “Official Zoning Atlas of the City of Somerville”.

- b. This atlas may be cited and referred to as the “Official Zoning Atlas”.
- c. The Official Zoning Atlas may be supplemented by additional layers or separate maps to the atlas sheets when the scale of the atlas sheets does not adequately illustrate the details of boundaries or designations of a particular area.

## **D. TRANSITION RULES**

### **1. PREVIOUS APPROVALS**

- a. Any building permit, special permit, or variance issued prior to the first publication of public notice for the public hearing for this Ordinance, or any amendment to this Ordinance, was adopted shall remain valid and development may proceed in accordance with approved plans, subject to all conditions attached to the approval.

## **E. ADOPTION & EFFECT**

### **1. ADOPTION DATE**

- a. This Ordinance was adopted by the Board of Aldermen on Month, XX, 201X.

### **2. IN EFFECT**

- a. This Ordinance shall take effect upon its adoption by the Board of Aldermen and signing into law by the Mayor and supersedes the Zoning Ordinance of the City of Somerville as adopted on March, 23, 1990, as amended.

### **3. PUBLISHED NOTICE**

- a. Per MGL 40 Section 32, notice of the adoption of this Ordinance, or any amendment to this Ordinance, shall be published at least two times in a newspaper of general circulation without delay upon its adoption by the Board of Aldermen and signing into law by the Mayor.

### **4. CLAIM OF INVALIDITY**

- a. No claim of invalidity of this Ordinance shall be made in any legal proceeding after ninety (90) days have passed following the publication of notice of adoption.
- b. Notice specifying the court, parties, claim of invalidity, and date of filing shall be submitted to the Office of the City Clerk within seven (7) days after commencement of such action.

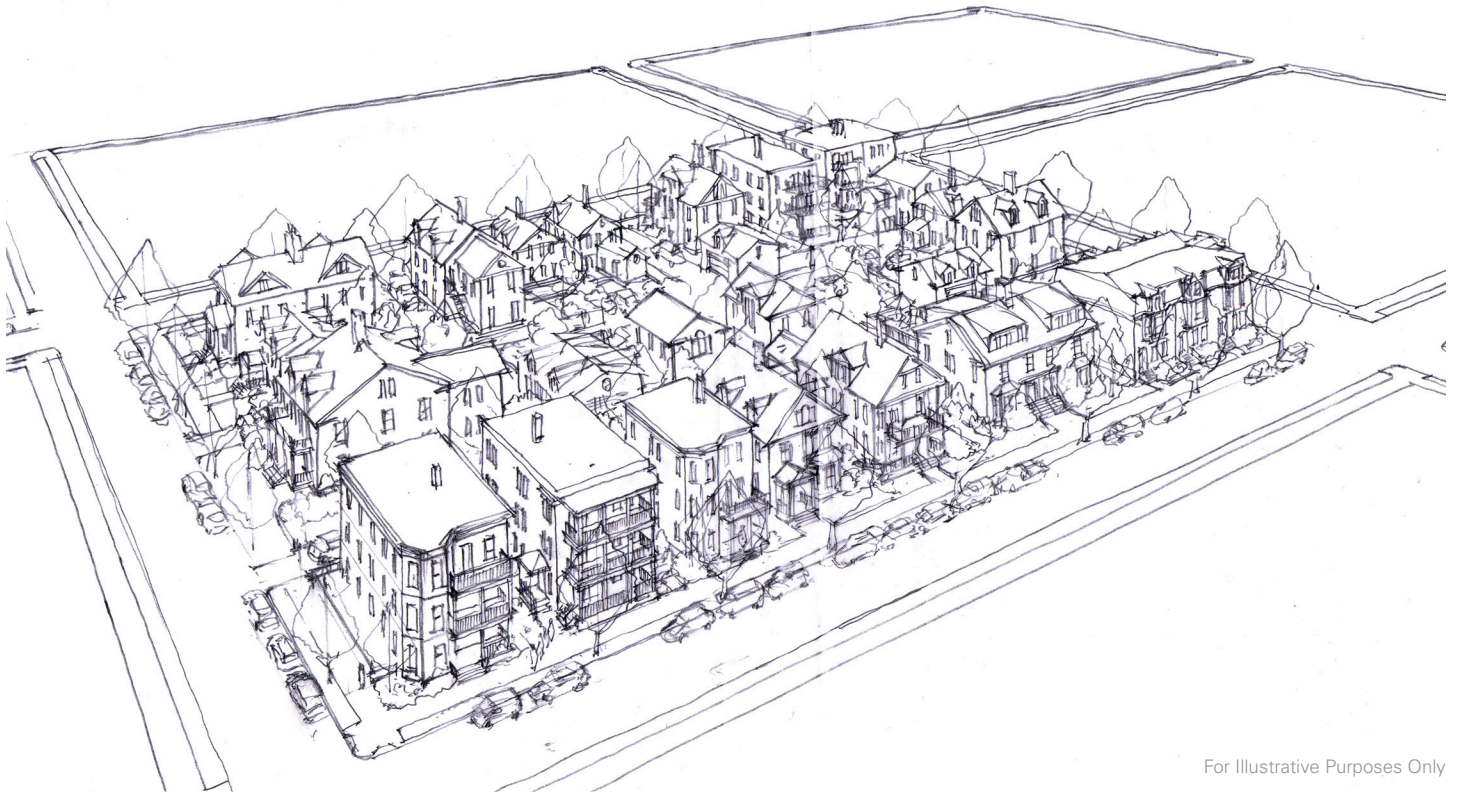


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## A. NEIGHBORHOOD RESIDENCE (NR)



For Illustrative Purposes Only

### 1. INTENT

- a. To conserve already established areas of detached and semi-detached residential building types.

### 2. PURPOSE

- a. To permit the development of one- & two-unit detached and semi-detached residential building types on individual lots.
- b. To provide for the discretionary review of three-unit detached and semi-detached residential building types on individual lots.
- c. To permit the adaptive reuse of already existing civic & institutional facilities as arts & creative enterprise uses.
- d. To permit the adaptive reuse of already existing commercial buildings as neighborhood stores.
- e. To promote diversity in housing, including unit type, size, bedroom count, and affordability.
- f. To provide the community with a predictable outcome from development and redevelopment.

### 3. BUILDING TYPES

- a. The following building types are permitted in the Neighborhood Residence district:

|            |                           |          |                                |
|------------|---------------------------|----------|--------------------------------|
| <b>P</b>   | Cottage                   | <b>L</b> | Shop House                     |
| <b>P</b>   | House                     | <b>L</b> | Neighborhood Store             |
| <b>SP</b>  | Paired House              | <b>N</b> | Residential Mixed-Use Building |
| <b>P</b>   | Duplex                    | <b>N</b> | Commercial Mixed-Use Building  |
| <b>SP</b>  | Triple Decker             | <b>N</b> | Production Building            |
| <b>SP</b>  | Paired Triple Decker      | <b>N</b> | Fabrication Loft               |
| <b>SP</b>  | Row House                 |          |                                |
| <b>P</b>   | Four Plex                 |          |                                |
| <b>P</b>   | Six Plex                  |          |                                |
| <b>P</b>   | Apartment House           |          |                                |
| <b>P</b>   | Apartment Building        |          |                                |
| <b>P</b>   | Townhouse Building        |          |                                |
| <b>P</b>   | by Right                  |          |                                |
| <b>L</b>   | by Right with Limitations |          |                                |
| <b>SDP</b> | by Site Development Plan  |          |                                |
| <b>SP</b>  | by Special Permit         |          |                                |
| <b>N</b>   | Not Permitted             |          |                                |

- b. Building Type Limitations
  - i. A Shop House or Neighborhood Store building type may be established according to the following:
    - a. Location
      - i). A Shop House or Neighborhood Store is only permitted as follows:
        - a. On a corner lot; or
        - b. In any building constructed before the effective date of this ordinance for non-residential use, as established by permit records or other historical documents accepted by the Building Official.
      - ii). A Shop House or Neighborhood Store is prohibited on any lot fronting onto a dead end thoroughfare.
    - b). Use Restrictions
      - i). The use of a Shop House or Neighborhood Store building type is limited to the following use subcategories:
        - a. Arts Sales & Service
        - b. Creative Studio
        - c. Design Services
        - d. Consumer Goods
        - e. Fresh Food Market and/or Grocery Store
      - ii). The sale of alcoholic beverages for on-site consumption is prohibited.
      - iii). Business operations are permitted between the hours of 7:00am to 9:00pm only.

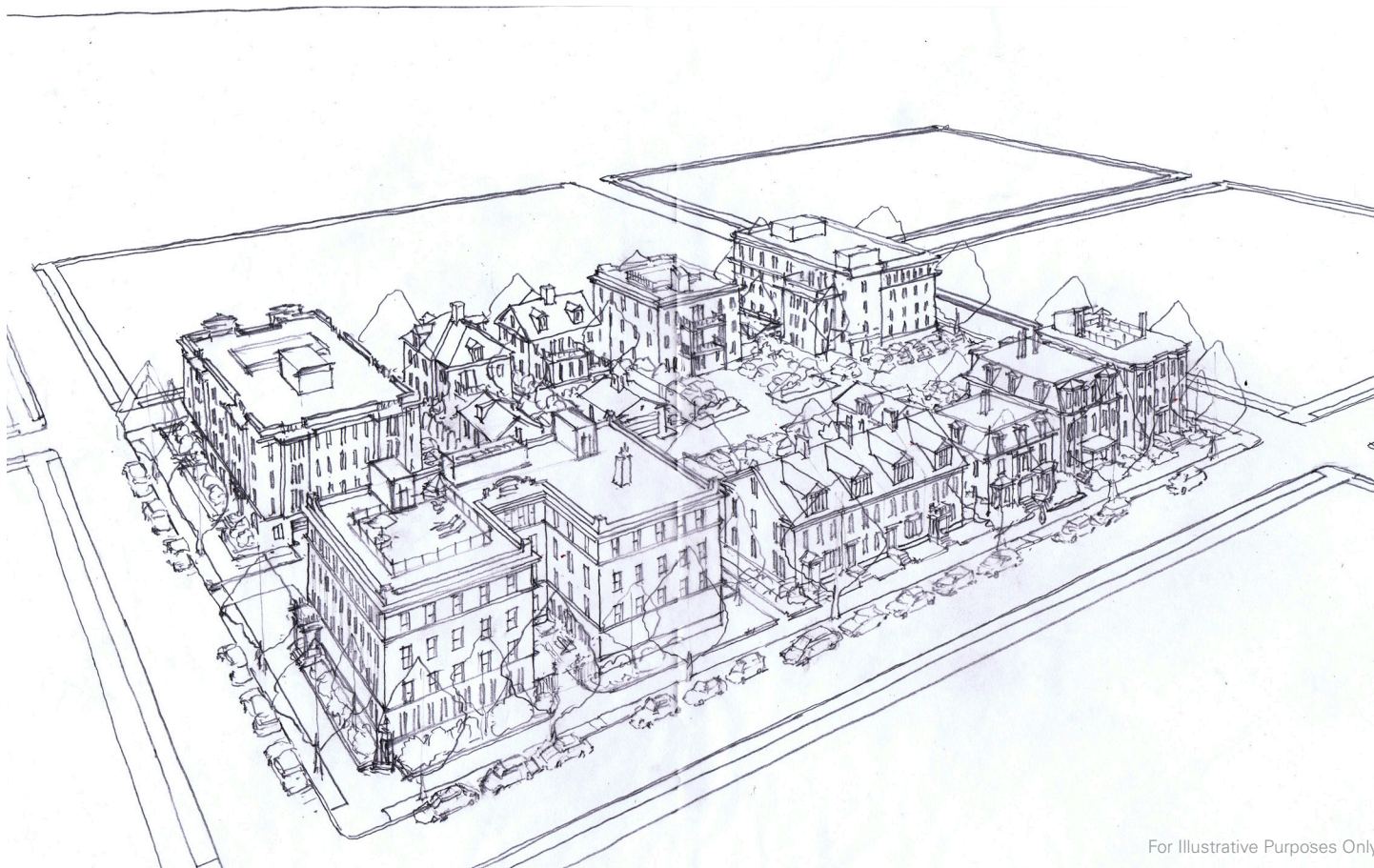
#### 4. DEVELOPMENT REVIEW

- a. Preliminary Review
  - i. A pre-submittal meeting, in accordance with the provisions of §10.B.1. Pre-Submittal Meeting, is highly recommended for all development activity.
  - ii. A neighborhood meeting, in accordance with the provisions of §10.B.2. Neighborhood Meeting, is required for the following building types:
    - a). Paired House
    - b). Triple Decker
    - c). Paired Triple Decker
    - d). Rowhouse
    - e). Shop House
    - f). Neighborhood Store
- b. Administrative Development Review
  - i. Building types permitted “by-right” require a only a zoning permit in accordance with the provisions of §11.C.1. Zoning Permit.
  - ii. Building types permitted “by-right with limitations” require only a zoning permit in accordance with the provisions of §11.C.1. Zoning Permit, subject to the limitations identified for each type in §2.A.3.b. Building Type Limitations.
- c. Discretionary Development Review
  - i. The Zoning Board of Appeals is the review board for all Special Permit applications required for development within the NR district.
  - ii. Building types permitted “by Special Permit” require a special permit in accordance with §11.D.1. Special Permit.

- iii. The alteration or renovation of an existing building that results in any increase of the number of dwelling units requires a special permit in accordance with §11.D.1. Special Permit.
- iv. Special Permit Findings
  - a). In its discretion to approve or deny a special permit authorizing n increase in the number of dwelling units in an existing building, the Zoning Board of Appeals, in addition to the considerations of §X., shall consider the following:
    - i). Quality of the living space in terms of functional area and access to light and air circulation.
  - b). In its discretion to approve or deny a special permit authorizing a triple decker, the Zoning Board of Appeals, in addition to the considerations of §X., shall consider the following:
    - i). The impact on solar access from the introduction of a flat roofed building on adjacent properties.
    - ii). Existing context of immediately abutting properties.
    - iii). Existing context of properties fronting each block face of the abutting thoroughfare.
  - c). In its discretion to approve or deny a special permit authorizing a paired triple decker, the Zoning Board of Appeals, in addition to the considerations of §X., shall consider the following:
    - i). The impact on solar access from the introduction of a flat roofed building on adjacent properties.
    - ii). Existing context of immediately abutting properties.
    - iii). Existing context of properties fronting each block face of the abutting thoroughfare.
  - d). In its discretion to approve or deny a special permit authorizing a rowhouse, the Zoning Board of Appeals shall consider the following:
    - i). The impact on solar access from the introduction of a flat roofed building on adjacent properties.
    - ii). Existing context of immediately abutting properties.
    - iii). Existing context of properties fronting each block face of the abutting thoroughfare.



## B. URBAN RESIDENCE (UR)



For Illustrative Purposes Only

### 1. INTENT

- a. To create, maintain, and enhance areas appropriate for multi-unit residential building types.

### 2. PURPOSE

- a. To regulate the development of multi-unit residential building types.
- b. To permit the adaptive reuse of existing non-residential buildings for residential use.
- c. To promote diversity in housing, including unit type, size, bedroom count, and affordability.
- d. To require a strong interface and gradual transition between the private realm (yards and buildings) and the public realm (sidewalks, thoroughfares, and civic spaces).
- e. To provide the community with a predictable outcome from development and redevelopment.

### 3. BUILDING TYPES

- a. The following building types are permitted in the Urban Residence district:

|     |                           |   |                                |
|-----|---------------------------|---|--------------------------------|
| N   | Cottage                   | L | Shop House                     |
| N   | House                     | L | Neighborhood Store             |
| P   | Paired House              | N | Residential Mixed-Use Building |
| N   | Duplex                    | N | Commercial Mixed-Use Building  |
| N   | Triple Decker             | N | Production Building            |
| P   | Paired Triple Decker      | N | Fabrication Loft               |
| P   | Row House                 |   |                                |
| P   | Four Plex                 |   |                                |
| P   | Six Plex                  |   |                                |
| P   | Apartment House           |   |                                |
| SDP | Apartment Building        |   |                                |
| SDP | Townhouse Building        |   |                                |
| P   | by Right                  |   |                                |
| L   | by Right with Limitations |   |                                |
| SDP | by Site Development Plan  |   |                                |
| SP  | by Special Permit         |   |                                |
| N   | Not Permitted             |   |                                |

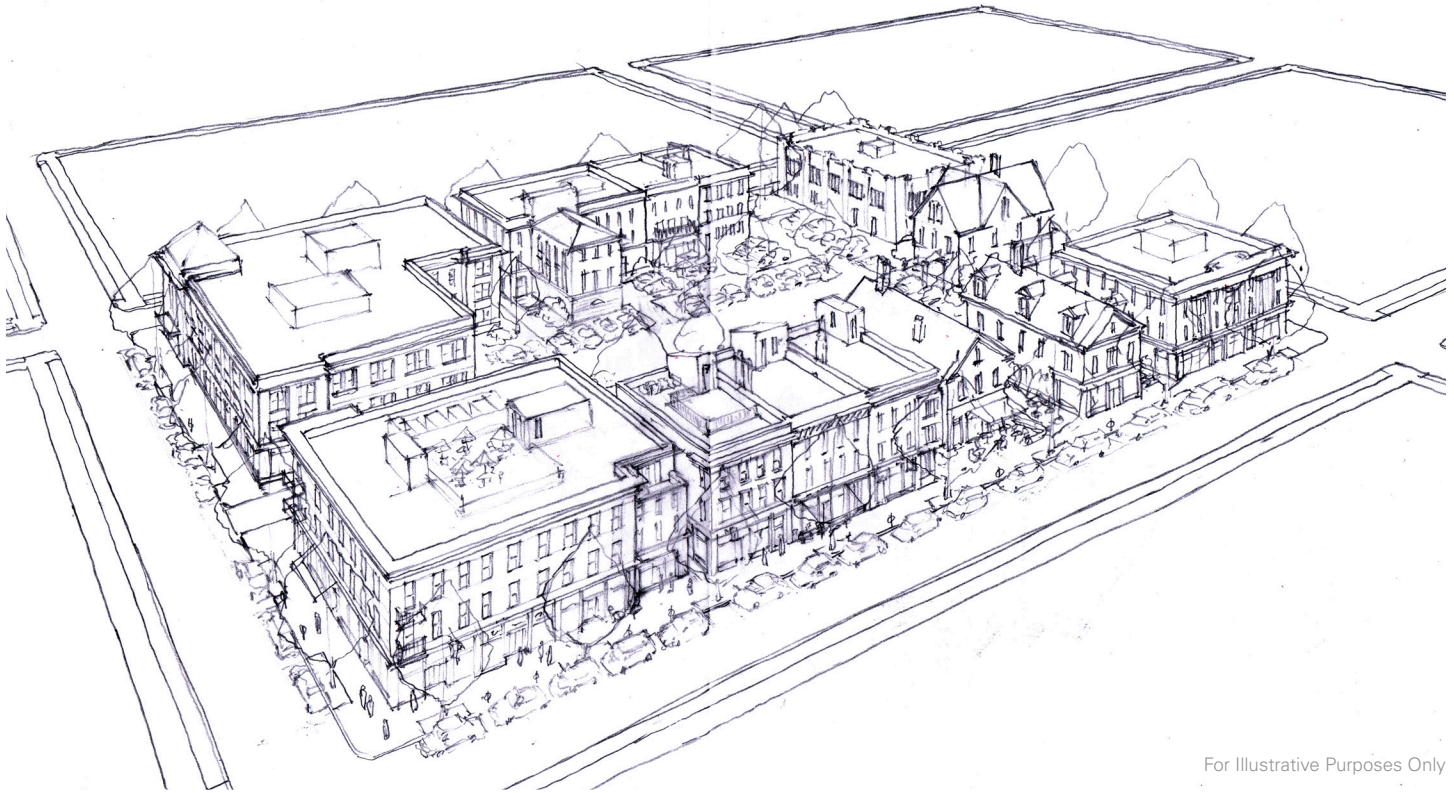


- b. Building Type Limitations
  - i. A Shop House or Neighborhood Store building type may be established according to the following:
    - a). Location
      - i). A Shop House or Neighborhood Store is only permitted as follows:
        - a. On a corner lot; or
        - b. In any building constructed before the effective date of this ordinance for non-residential use, as established by permit records or other historical documents accepted by the Building Official.
      - ii). A Shop House or Neighborhood Store is prohibited on any lot fronting onto a dead end thoroughfare.
    - b). Use Restrictions
      - i). The use of a Shop House or Neighborhood Store building type is limited to the following use subcategories:
        - a. Arts Sales & Service
        - b. Creative Studio
        - c. Design Services
        - d. Consumer Goods
        - e. Fresh Food Market and/or Grocery Store
      - ii). The sale of alcoholic beverages for on-site consumption is prohibited.
      - iii). Business operations are permitted between the hours of 7:00am to 9:00pm only.

#### 4. DEVELOPMENT REVIEW

- a. Preliminary Review
  - i. A pre-submittal meeting, in accordance with the provisions of §10.B.1. Pre-Submittal Meeting, is highly recommended for all development activity.
  - ii. A neighborhood meeting, in accordance with the provisions of §10.B.2. Neighborhood Meeting, is required for the following building types:
    - a). Apartment Building
    - b). Townhouse Building
    - c). Shop House
    - d). Neighborhood Store
  - iii. Design review, in accordance with the provisions of §10.B.3. Design Review, is required for the following building types:
    - a). Apartment Building
    - b). Townhouse Building
- b. Administrative Development Review
  - i. Building types permitted “by-right” require a only a zoning permit in accordance with the provisions of §11.C.1. Zoning Permit.
  - ii. Building types permitted “by-right with limitations” require only a zoning permit in accordance with the provisions of §11.C.1. Zoning Permit, subject to the limitations identified for each type in §2.B.3.b. Building Type Limitations.
  - iii. Building types permitted by “site development plan” require a site development plan in accordance with the provisions of §11.C.5. Site Development Plan Approval.

### C. 3-STORY MIXED-USE (3MU)



For Illustrative Purposes Only

#### 1. INTENT

- a. To accommodate small-scale, mixed-use and commercial building-types that do not exceed three (3) stories in height and low-impact, neighborhood serving commercial uses.

#### 2. PURPOSE

- a. To permit the development of apartment, mixed-use, and commercial building types.
- b. To promote diversity in housing, including unit type, size, bedroom count, and affordability.
- c. To promote housing for smaller households on the upper floors of mixed-use buildings.
- d. To promote quality commercial space for neighborhood serving commercial uses.
- e. To provide the community with a predictable outcome from development and redevelopment.

#### 3. BUILDING TYPES

- a. The following building types are permitted in the 3-Story Mixed-Use district:

|            |                           |            |                     |
|------------|---------------------------|------------|---------------------|
| N          | Cottage                   | N          | Shop House          |
| N          | House                     | N          | Neighborhood Store  |
| N          | Paired House              | <b>SDP</b> | Mixed-Use Building  |
| N          | Duplex                    | <b>SDP</b> | Commercial Building |
| N          | Triple Decker             | N          | Production Building |
| N          | Paired Triple Decker      | N          | Fabrication Loft    |
| N          | Row House                 |            |                     |
| N          | Four-Plex                 |            |                     |
| N          | Six-Plex                  |            |                     |
| N          | Apartment House           |            |                     |
| <b>SDP</b> | Apartment Building        |            |                     |
| N          | Townhouse Building        |            |                     |
| <b>P</b>   | by Right                  |            |                     |
| <b>L</b>   | by Right with Limitations |            |                     |
| <b>SDP</b> | by Site Development Plan  |            |                     |
| <b>SP</b>  | by Special Permit         |            |                     |
| N          | Not Permitted             |            |                     |

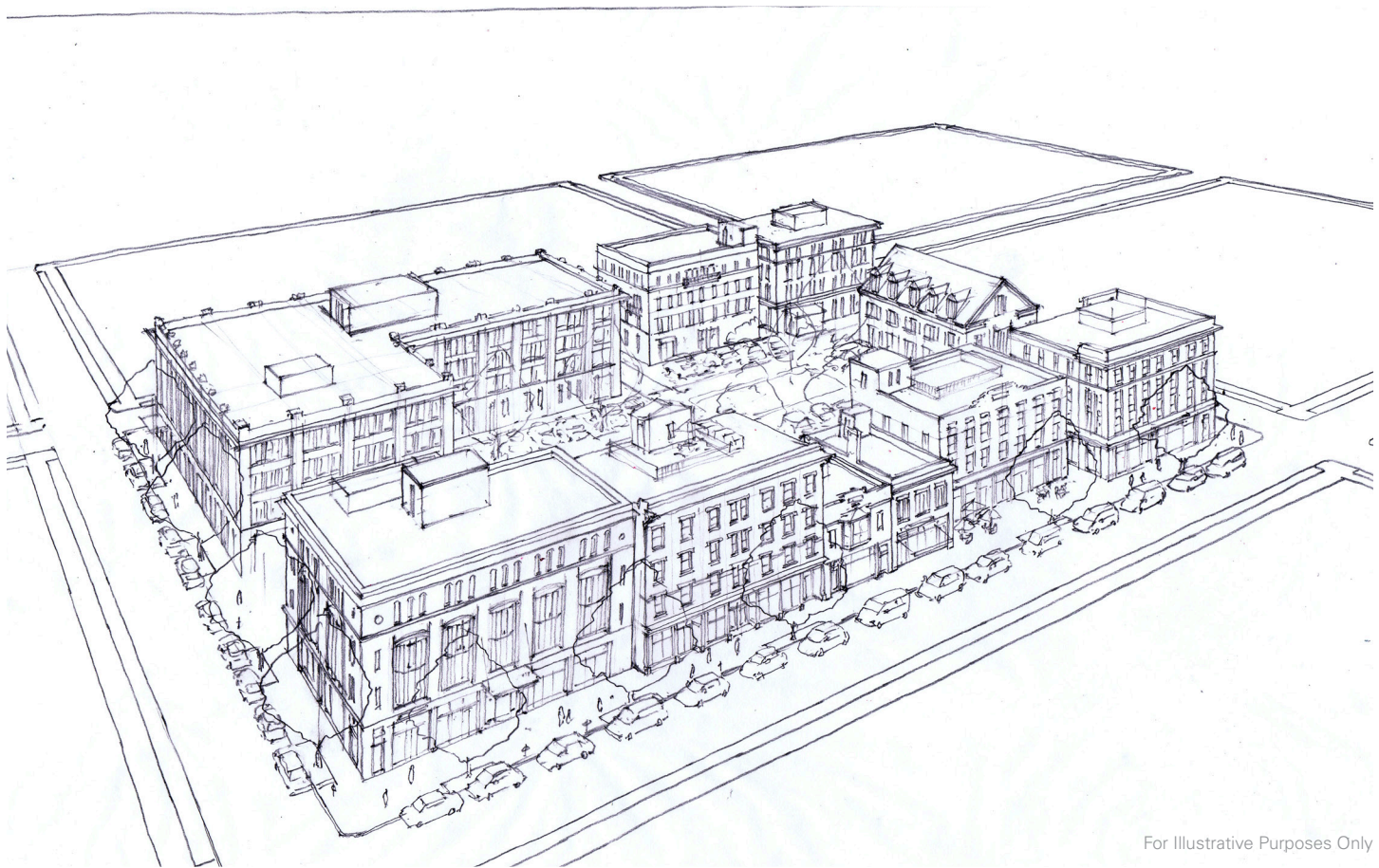
#### 4. DEVELOPMENT REVIEW

- a. Preliminary Review
  - i. A pre-submittal meeting, in accordance with the provisions of §10.B.1. Pre-Submittal Meeting, is highly recommended for all development activity.
  - ii. A neighborhood meeting, in accordance with the provisions of §10.B.2. Neighborhood Meeting, is required for the following building types:
    - a). Apartment Building
    - b). Mixed-Use Building
    - c). Commercial Building
  - iii. Design review, in accordance with the provisions of §10.B.3. Design Review, is required for the following building types:
    - a). Apartment Building
    - b). Mixed-Use Building
    - c). Commercial Building
- b. Administrative Development Review
  - i. Building types permitted “site development plan” require a site development plan in accordance with the provisions of §11.C.5. Site Development Plan Approval.

#### 5. PARKING

- a. Surface parking lots providing more than six (6) total spaces are prohibited.

## D. 4-STORY MIXED-USE (4MU)



For Illustrative Purposes Only

### 1. INTENT

- a. To accommodate small- and medium-scale, mixed-use building types that do not exceed four (4) stories in height and neighborhood-serving commercial uses that provide convenient access to daily needs.

### 2. PURPOSE

- a. To permit the development of mixed-use and commercial building types.
- b. To promote diversity in housing, including unit type, size, bedroom count, and affordability.
- c. To promote housing for smaller households on the upper floors of residential mixed-use buildings.
- d. To promote quality commercial space for neighborhood serving commercial uses.
- e. To provide the community with a predictable outcome from development and redevelopment.

### 3. BUILDING TYPES

- a. The following building types are permitted in the 4-Story Mixed-Use district:

|            |                           |            |                     |
|------------|---------------------------|------------|---------------------|
| N          | Cottage                   | N          | Shop House          |
| N          | House                     | N          | Neighborhood Store  |
| N          | Paired House              | <b>SDP</b> | Mixed-Use Building  |
| N          | Duplex                    | <b>SDP</b> | Commercial Building |
| N          | Triple Decker             | N          | Production Building |
| N          | Paired Triple Decker      | N          | Fabrication Loft    |
| N          | Row House                 |            |                     |
| N          | Four-Plex                 |            |                     |
| N          | Six-Plex                  |            |                     |
| N          | Apartment House           |            |                     |
| <b>SDP</b> | Apartment Building        |            |                     |
| N          | Townhouse Building        |            |                     |
| <b>P</b>   | by Right                  |            |                     |
| <b>L</b>   | by Right with Limitations |            |                     |
| <b>SDP</b> | by Site Development Plan  |            |                     |
| <b>SP</b>  | by Special Permit         |            |                     |
| N          | Not Permitted             |            |                     |

#### 4. DEVELOPMENT REVIEW

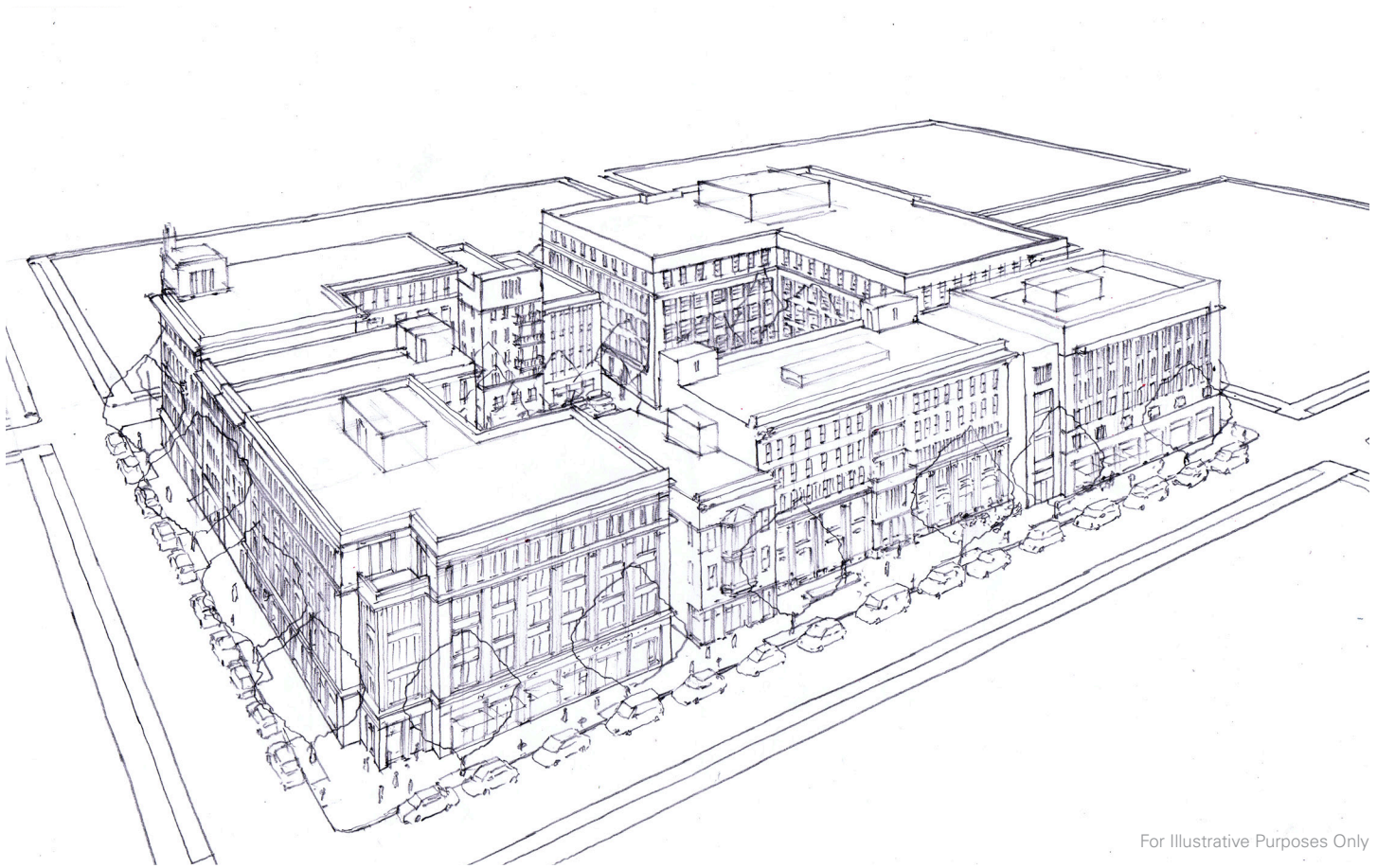
- a. Preliminary Review
  - i. A pre-submittal meeting, in accordance with the provisions of §10.B.1. Pre-Submittal Meeting, is highly recommended for all development activity.
  - ii. A neighborhood meeting, in accordance with the provisions of §10.B.2. Neighborhood Meeting, is required for the following building types:
    - a). Apartment Building
    - b). Mixed-Use Building
    - c). Commercial Building
  - iii. Design review, in accordance with the provisions of §10.B.3. Design Review, is required for the following building types:
    - a). Apartment Building
    - b). Mixed-Use Building
    - c). Commercial Building
- b. Administrative Development Review
  - i. Building types permitted “site development plan” require a site development plan in accordance with the provisions of §11.C.5. Site Development Plan Approval.

#### 5. PARKING

- a. Surface parking lots providing more than six (6) total spaces are prohibited.



## E. 5-STORY MIXED-USE (5MU)



For Illustrative Purposes Only

### 1. INTENT

- a. To accommodate small- and medium-scale mixed-use building types that do not exceed five (5) stories in height and a mix of neighborhood- and community-serving commercial uses.

### 2. PURPOSE

- a. To permit the development of apartment, mixed-use, and commercial building types.
- b. To promote diversity in housing, including unit type, size, bedroom count, and affordability.
- c. To promote housing for smaller households on the upper floors of residential mixed-use buildings.
- d. To promote quality commercial space for neighborhood- and community-serving commercial uses.
- e. To provide the community with a predictable outcome from development and redevelopment.

### 3. BUILDING TYPES

- a. The following building types are permitted in the 5-Story Mixed-Use district:

|            |                           |            |                     |
|------------|---------------------------|------------|---------------------|
| N          | Cottage                   | N          | Shop House          |
| N          | House                     | N          | Neighborhood Store  |
| N          | Paired House              | <b>SDP</b> | Mixed-Use Building  |
| N          | Duplex                    | <b>SDP</b> | Commercial Building |
| N          | Triple Decker             | N          | Production Building |
| N          | Paired Triple Decker      | N          | Fabrication Loft    |
| N          | Row House                 |            |                     |
| N          | Four-Plex                 |            |                     |
| N          | Six-Plex                  |            |                     |
| N          | Apartment House           |            |                     |
| <b>SDP</b> | Apartment Building        |            |                     |
| N          | Townhouse Building        |            |                     |
| <b>P</b>   | by Right                  |            |                     |
| <b>L</b>   | by Right with Limitations |            |                     |
| <b>SDP</b> | by Site Development Plan  |            |                     |
| <b>SP</b>  | by Special Permit         |            |                     |
| N          | Not Permitted             |            |                     |

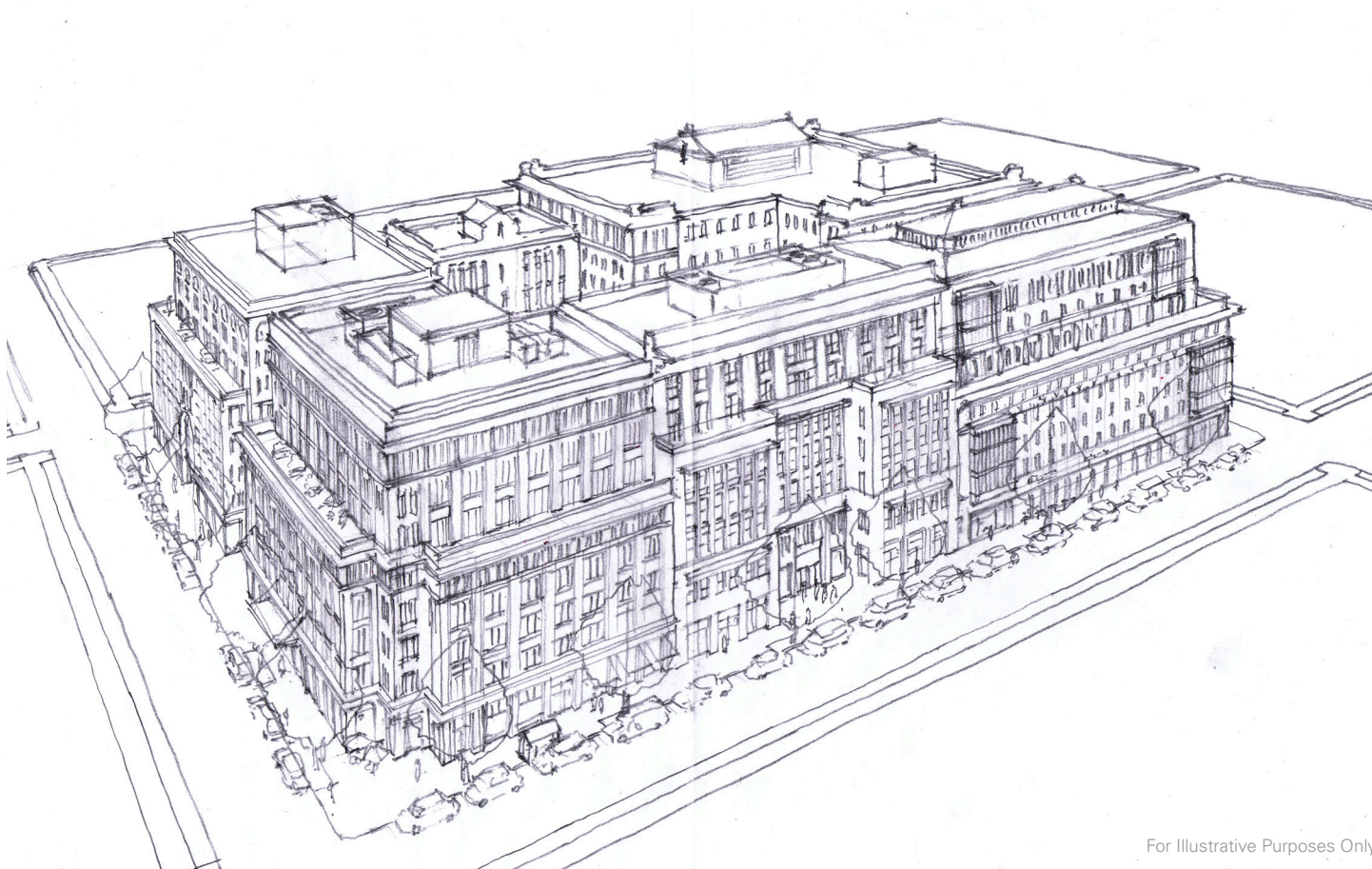
#### 4. DEVELOPMENT REVIEW

- a. Preliminary Review
  - i. A pre-submittal meeting, in accordance with the provisions of §10.B.1. Pre-Submittal Meeting, is highly recommended for all development activity.
  - ii. A neighborhood meeting, in accordance with the provisions of §10.B.2. Neighborhood Meeting, is required for the following building types:
    - a). Apartment Building
    - b). Mixed-Use Building
    - c). Commercial Building
  - iii. Design review, in accordance with the provisions of §10.B.3. Design Review, is required for the following building types:
    - a). Apartment Building
    - b). Mixed-Use Building
    - c). Commercial Building
- b. Administrative Development Review
  - i. Building types permitted "site development plan" require a site development plan in accordance with the provisions of §11.C.5. Site Development Plan Approval.

#### 5. PARKING

- a. If provided, accessory parking must be located underground or in structures and accessed from an alley.

## F. 7-STORY MIXED-USE (7MU)



For Illustrative Purposes Only

### 1. INTENT

- a. To accommodate medium- and large-scale mixed-use building types that do not exceed seven (7) stories in height and an intense mix of neighborhood-, community- and region-serving uses.

### 2. PURPOSE

- a. To permit the development of apartment, mixed-use, and commercial building types.
- b. To promote diversity in housing, including unit type, size, bedroom count, and affordability.
- c. To promote quality commercial space for neighborhood-, community-, and region-serving commercial uses.
- d. To provide the community with a predictable outcome from development and redevelopment.

### 3. BUILDING TYPES

- a. The following building types are permitted in the 7-Story Mixed-Use district:

|            |                           |            |                                |
|------------|---------------------------|------------|--------------------------------|
| N          | Cottage                   | N          | Shop House                     |
| N          | House                     | N          | Neighborhood Store             |
| N          | Paired House              | <b>SDP</b> | Residential Mixed-Use Building |
| N          | Duplex                    | <b>SDP</b> | Commercial Mixed-Use Building  |
| N          | Triple Decker             | N          | Production Building            |
| N          | Paired Triple Decker      | N          | Fabrication Loft               |
| N          | Row House                 |            |                                |
| N          | Four-Plex                 |            |                                |
| N          | Six-Plex                  |            |                                |
| N          | Apartment House           |            |                                |
| <b>SDP</b> | Apartment Building        |            |                                |
| N          | Townhouse Building        |            |                                |
| <b>P</b>   | by Right                  |            |                                |
| <b>L</b>   | by Right with Limitations |            |                                |
| <b>SDP</b> | by Site Development Plan  |            |                                |
| <b>SP</b>  | by Special Permit         |            |                                |
| N          | Not Permitted             |            |                                |



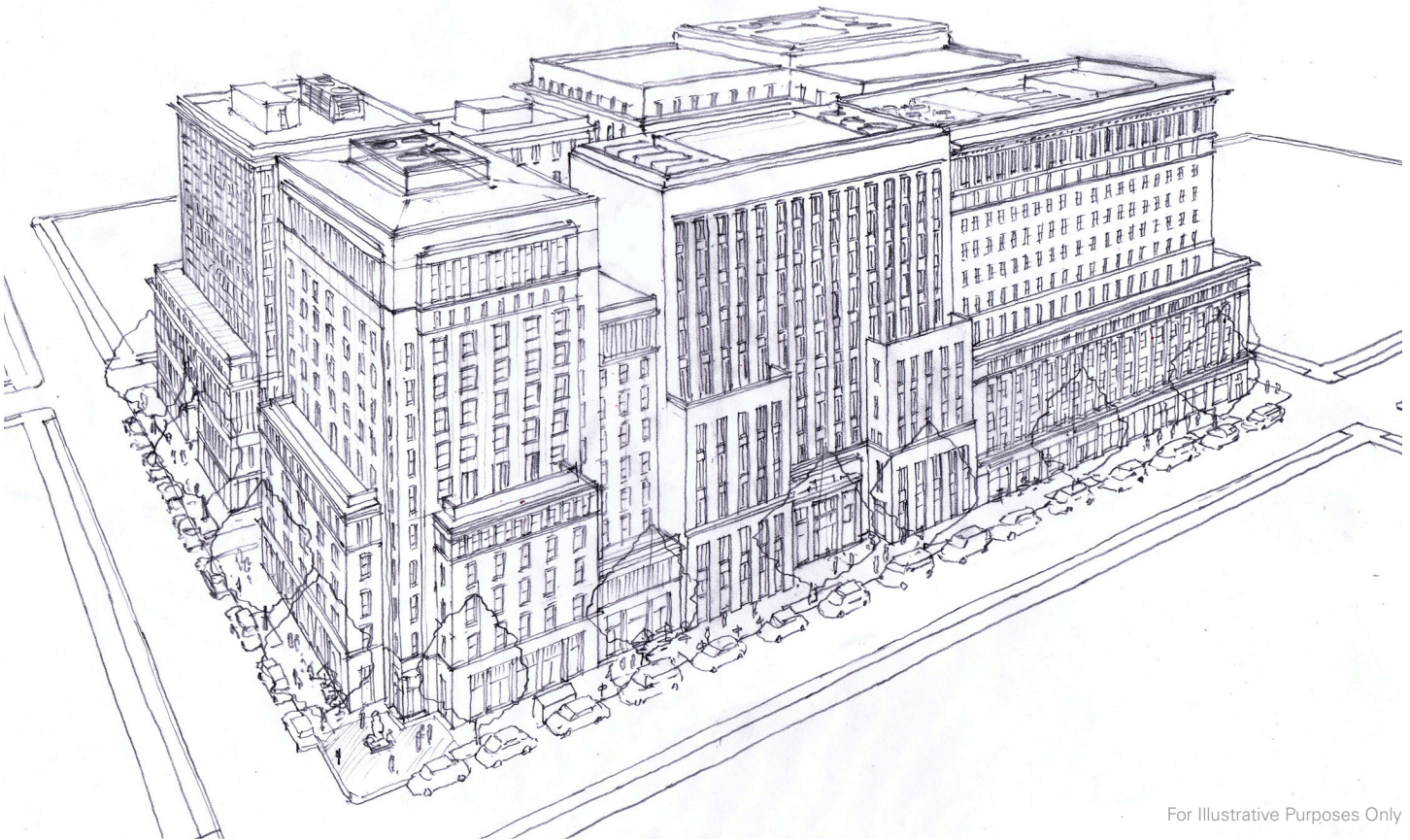
#### 4. DEVELOPMENT REVIEW

- a. Preliminary Review
  - i. A pre-submittal meeting, in accordance with the provisions of §10.B.1. Pre-Submittal Meeting, is highly recommended for all development activity.
  - ii. A neighborhood meeting, in accordance with the provisions of §10.B.2. Neighborhood Meeting, is required for the following building types:
    - a). Apartment Building
    - b). Mixed-Use Building
    - c). Commercial Building
  - iii. Design review, in accordance with the provisions of §10.B.3. Design Review, is required for the following building types:
    - a). Apartment Building
    - b). Mixed-Use Building
    - c). Commercial Building
- b. Administrative Development Review
  - i. Building types permitted "site development plan" require a site development plan in accordance with the provisions of §11.C.5. Site Development Plan Approval.

#### 5. PARKING

- a. If provided, accessory parking must be located underground or in structures and accessed from an alley.

## G. 10-STORY MIXED-USE (10MU)



For Illustrative Purposes Only

### 1. INTENT

- a. To accommodate medium- and large-scale mixed-use building types that do not exceed ten (10) stories in height and an intense mix of neighborhood-, community- and region-serving uses.

### 2. PURPOSE

- a. To permit the development of apartment, mixed-use, and commercial building types.
- b. To promote diversity in housing, including unit type, size, bedroom count, and affordability.
- c. To promote quality commercial space for neighborhood-, community-, and region-serving commercial uses.
- d. To provide the community with a predictable outcome from development and redevelopment.

### 3. BUILDING TYPES

- a. The following building types are permitted in the 10-Story Mixed-Use district:

|            |                           |            |                                |
|------------|---------------------------|------------|--------------------------------|
| N          | Cottage                   | N          | Shop House                     |
| N          | House                     | N          | Neighborhood Store             |
| N          | Paired House              | <b>SDP</b> | Residential Mixed-Use Building |
| N          | Duplex                    | <b>SDP</b> | Commercial Mixed-Use Building  |
| N          | Triple Decker             | N          | Production Building            |
| N          | Paired Triple Decker      | N          | Fabrication Loft               |
| N          | Row House                 |            |                                |
| N          | Four-Plex                 |            |                                |
| N          | Six-Plex                  |            |                                |
| N          | Apartment House           |            |                                |
| <b>SDP</b> | Apartment Building        |            |                                |
| N          | Townhouse Building        |            |                                |
| <b>P</b>   | by Right                  |            |                                |
| <b>L</b>   | by Right with Limitations |            |                                |
| <b>SDP</b> | by Site Development Plan  |            |                                |
| <b>SP</b>  | by Special Permit         |            |                                |
| N          | Not Permitted             |            |                                |

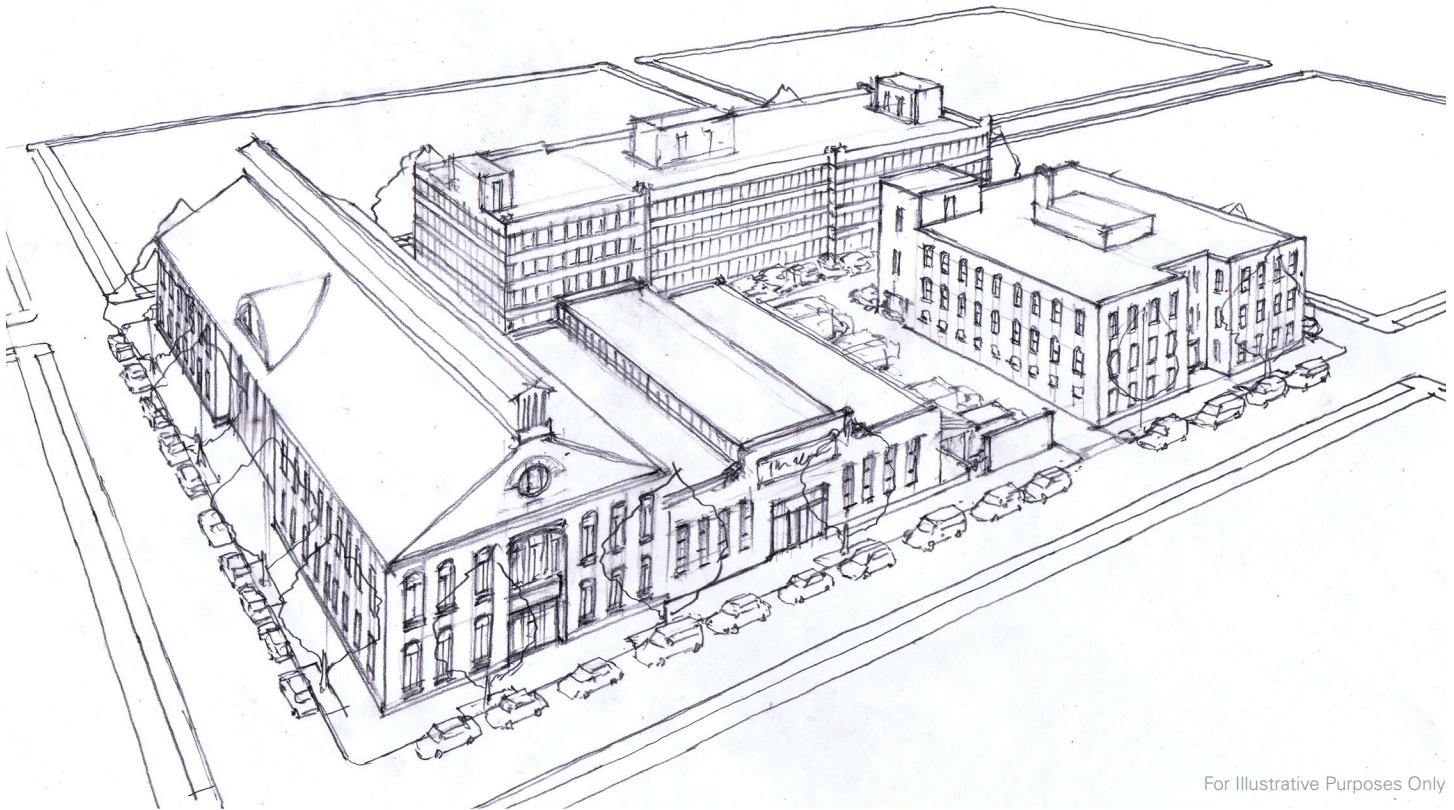
#### 4. DEVELOPMENT REVIEW

- a. Preliminary Review
  - i. A pre-submittal meeting, in accordance with the provisions of §10.B.1. Pre-Submittal Meeting, is highly recommended for all development activity.
  - ii. A neighborhood meeting, in accordance with the provisions of §10.B.2. Neighborhood Meeting, is required for the following building types:
    - a). Apartment Building
    - b). Mixed-Use Building
    - c). Commercial Building
  - iii. Design review, in accordance with the provisions of §10.B.3. Design Review, is required for the following building types:
    - a). Apartment Building
    - b). Mixed-Use Building
    - c). Commercial Building
- b. Administrative Development Review
  - i. Building types permitted “site development plan” require a site development plan in accordance with the provisions of §11.C.5. Site Development Plan Approval.

#### 5. PARKING

- a. If provided, accessory parking must be located underground or in structures and accessed from an alley.

## H. FABRICATION (FAB)



For Illustrative Purposes Only

### 1. INTENT

- a. To accommodate a range of building types and mix of uses that supports the local arts & creative economy.

### 2. PURPOSE

- a. To create a district for both the production and consumption of goods and services from the arts and creative economy.
- b. To preserve and enhance existing buildings that support activities common to the arts and creative economy.
- c. To limit residential uses in order to protect and preserve existing work space, promote stability in the city's arts and creative economy, and provide employment opportunities in the arts & creative enterprises.
- d. To accommodate a variety of civic & institutional, commercial, creative industry, light industrial, craft manufacturing, and office uses.
- e. To encourage the development and retention of incubator spaces for start-up, entry-, and mid-level businesses and buildings that include multi-purpose performance and exhibit spaces in support of the arts and creative enterprises.

### 3. BUILDING TYPES

- a. The following building types are permitted in the Fabrication district:

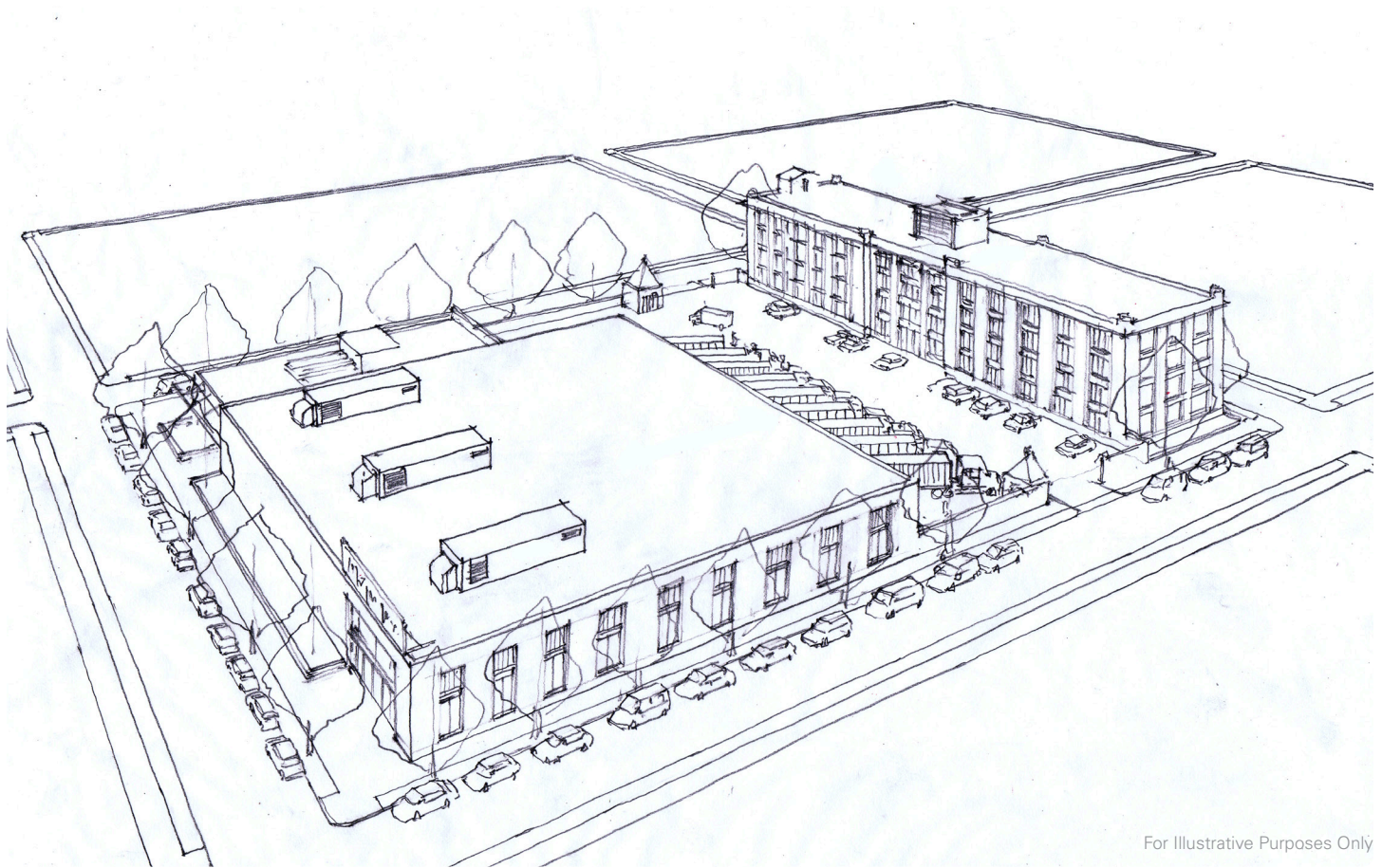
|            |                           |          |                     |
|------------|---------------------------|----------|---------------------|
| N          | Cottage                   | N        | Shop House          |
| N          | House                     | N        | Neighborhood Store  |
| N          | Paired House              | N        | Mixed-Use Building  |
| N          | Duplex                    | <b>P</b> | Commercial Building |
| N          | Triple Decker             | <b>P</b> | Production Building |
| N          | Paired Triple Decker      | <b>P</b> | Fabrication Loft    |
| N          | Row House                 |          |                     |
| N          | Four-Plex                 |          |                     |
| N          | Six-Plex                  |          |                     |
| N          | Apartment House           |          |                     |
| N          | Apartment Building        |          |                     |
| N          | Townhouse Building        |          |                     |
| <b>P</b>   | by Right                  |          |                     |
| <b>L</b>   | by Right with Limitations |          |                     |
| <b>SDP</b> | by Site Development Plan  |          |                     |
| <b>SP</b>  | by Special Permit         |          |                     |
| N          | Not Permitted             |          |                     |



#### 4. DEVELOPMENT REVIEW

- a. Preliminary Review
  - i. A pre-submittal meeting, in accordance with the provisions of §10.B.1. Pre-Submittal Meeting, is highly recommended for all development activity.
- b. Administrative Development Review
  - i. Building types permitted “by-right” require a only a zoning permit in accordance with the provisions of §11.C.1. Zoning Permit.

## I. COMMERCIAL INDUSTRY (CI)



For Illustrative Purposes Only

### 1. INTENT

- a. To accommodate commercial and industrial uses, floor plates, and other activities that do not readily assimilate into other zoning districts.

### 2. PURPOSE

- a. To accommodate light & moderate industrial and large floorplate commercial uses that tend to be less compatible with walkable, mixed-use neighborhoods.
- b. To maintain industrial and commercial activities that provide employment opportunities and business-to-business commerce.

### 3. BUILDING TYPES

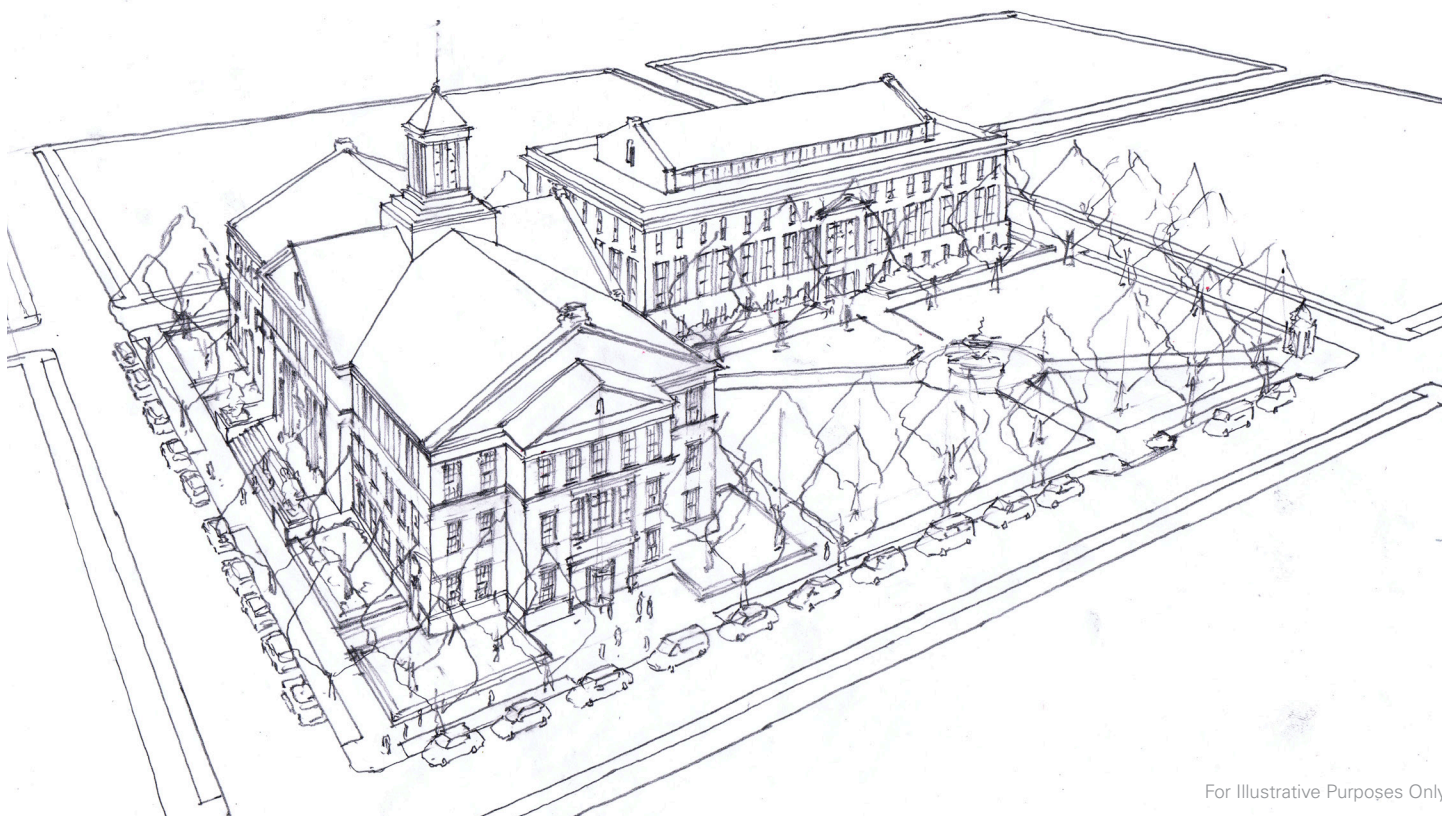
- a. The following building types are permitted in the Commercial Industry district:

|            |                           |          |                     |
|------------|---------------------------|----------|---------------------|
| N          | Cottage                   | N        | Shop House          |
| N          | House                     | N        | Neighborhood Store  |
| N          | Paired House              | N        | Mixed-Use Building  |
| N          | Duplex                    | <b>P</b> | Commercial Building |
| N          | Triple Decker             | <b>P</b> | Production Building |
| N          | Paired Triple Decker      | <b>P</b> | Fabrication Loft    |
| N          | Row House                 |          |                     |
| N          | Four-Plex                 |          |                     |
| N          | Six-Plex                  |          |                     |
| N          | Apartment House           |          |                     |
| N          | Apartment Building        |          |                     |
| N          | Townhouse Building        |          |                     |
| <b>P</b>   | by Right                  |          |                     |
| <b>L</b>   | by Right with Limitations |          |                     |
| <b>SDP</b> | by Site Development Plan  |          |                     |
| <b>SP</b>  | by Special Permit         |          |                     |
| N          | Not Permitted             |          |                     |

#### 4. DEVELOPMENT REVIEW

- a. Preliminary Review
  - i. A pre-submittal meeting, in accordance with the provisions of §10.B.1. Pre-Submittal Meeting, is highly recommended for all development activity.
- b. Administrative Development Review
  - i. Building types permitted “by-right” require a only a zoning permit in accordance with the provisions of §11.C.1. Zoning Permit.

## J. CIVIC (CIV)



For Illustrative Purposes Only

### 1. INTENT

- a. To preserve existing and create new civic and recreation spaces and accommodate facilities of a public nature such as municipal buildings, libraries, and police & fire stations; governmental uses; and public or private utility services.

### 2. PURPOSE

- a. To protect and preserve existing civic and recreation spaces throughout the city.
- b. To communicate the importance and function of civic sites and buildings through architectural cues, landscaping, and attractive signage.
- c. To accommodate important utilities that support the community while respecting existing built form and development patterns.

### 3. BUILDING TYPES

- a. The following building types are permitted in the Civic district:

|            |                           |   |                                |
|------------|---------------------------|---|--------------------------------|
| N          | Cottage                   | N | Shop House                     |
| N          | House                     | N | Neighborhood Store             |
| N          | Paired House              | N | Residential Mixed-Use Building |
| N          | Duplex                    | N | Commercial Mixed-Use Building  |
| N          | Triple Decker             | N | Production Building            |
| N          | Paired Triple Decker      | N | Fabrication Loft               |
| N          | Row House                 |   |                                |
| N          | Four-Plex                 |   |                                |
| N          | Six-Plex                  |   |                                |
| N          | Apartment House           |   |                                |
| N          | Apartment Building        |   |                                |
| N          | Townhouse Building        |   |                                |
| <b>P</b>   | by Right                  |   |                                |
| <b>L</b>   | by Right with Limitations |   |                                |
| <b>SDP</b> | by Site Development Plan  |   |                                |
| <b>SP</b>  | by Special Permit         |   |                                |
| N          | Not Permitted             |   |                                |





# ARTICLE X. BUILDING STANDARDS

|  |           |  |           |
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| Forecourt                                    | 70        |  |           |
| Lobby Entrance                               | 70        |  |           |
| Storefront                                   | 71        |  |           |
| Terrace                                      | 71        |  |           |



## A. BUILDING TYPES OVERVIEW

### 1. ESTABLISHMENT & PERMITTING

- a. Principal building types are summarized on Table 3.1 Building Types and permitted according to Table 3.2 Permitted Building Types.
- b. See §9.1. Cottage through §9.19. Fabrication Loft for the standards for each type.

### 2. DETERMINATION OF BUILDING TYPE

- a. The Building Official shall classify existing principal structures as a specific building type based on the definition of each type and upon finding that the structure is substantially similar in placement, massing, composition, use, and features to one of the permitted building types for the zoning district where the structure is located.
- b. If the Building Official is unable to classify an existing principal structure as one of the building type of this section, the structure is considered nonconforming and subject to Article 11 Nonconformance.

**TABLE 3.1** Buildings Types

|  |   |  |
|--|---|--|
| <b>Cottage</b><br>A small footprint, detached, single dwelling unit structure appropriate for narrow and/or shallow lots                   | <b>House</b><br>A moderate footprint, detached structure with up to two vertically stacked dwelling units appropriate for a standard lot. | <b>Paired House</b><br>A moderate footprint structure with up to two stacked dwelling units attached on one side to an identical building type, each on a separate standard sized lot.           |
| <b>Duplex</b><br>A moderate footprint, detached structure with two side by side dwelling units appropriate for a wide lot.                 | <b>Triple Decker</b><br>A moderate footprint, detached structure with up to three stacked dwelling units appropriate for a standard lot.  | <b>Paired Triple Decker</b><br>A moderate footprint structure with up to three stacked dwelling units attached on one side to an identical building type, each on a separate standard sized lot. |
| <b>Row House</b><br>A moderate footprint, two to three story attached structure with one dwelling unit, appropriate for a very narrow lot. | <b>Four-Plex</b><br>A two story, moderate footprint, detached structure with four dwelling units appropriate for a wide lot               | <b>Six-Plex</b><br>A three story, large footprint, detached structure with six dwelling units appropriate for a wide lot   |

**TABLE 3.1** Buildings Types

|  |   |  |
|--|---|--|
| <b>Apartment House</b>   | <b>Apartment Building</b>   | <b>Townhouse Building</b>  |
| A two and one half story, moderate footprint, detached structure with up to six units designed to appear as a large house appropriate for a wide lot | A multi-story, large footprint structure with six or more corridor loaded dwelling units appropriate for a large lot. | A large footprint, multi-unit structure designed as multiple side-by-side attached dwelling units appropriate for a wide lot.  |
| <b>Shop House</b>  | <b>Neighborhood Store</b>   | <b>Mixed-Use Building</b>  |
| A moderate footprint, single store structure...  | A moderate footprint, single store structure...   | A multi-story structure with active ground floor uses and upper floors limited to residential uses.  |
| <b>Commercial Building</b>   | <b>Production Building</b>  | <b>Fabrication Loft</b>  |
| A multi-story structure with active ground floor uses and upper floors accommodating non-residential uses.   | A single-story structure with a medium to large footprint, often naturally lit with a monitor or sawtooth roof.       | A multi-story structure subdivided for multiple tenants, with a medium to large footprint and often designed with tall ceilings, expansive windows, wide corridors, and service elevators. |

**TABLE 3.2** Permitted Building Types

|                                       | Neighborhood Residence | Urban Residence | 3-Story Mixed-Use | 4-Story Mixed-Use | 5-Story Mixed-Use | 7-Story Mixed-Use | 10-Story Mixed-Use | Fabrication | Commercial Industry | Civic | Type Specific Standards                                  |
|---------------------------------------|------------------------|-----------------|-------------------|-------------------|-------------------|-------------------|--------------------|-------------|---------------------|-------|--|
| <b>Y</b> - by Right                   |                        |                 |                   |                   |                   |                   |                    |             |                     |       |  |
| <b>L</b> - by Right with Limitations  |                        |                 |                   |                   |                   |                   |                    |             |                     |       |  |
| <b>SP</b> - by Special Permit         |                        |                 |                   |                   |                   |                   |                    |             |                     |       |  |
| <b>SDP</b> - by Site Development Plan |                        |                 |                   |                   |                   |                   |                    |             |                     |       |  |
| <b>N</b> - NOT Permitted              |                        |                 |                   |                   |                   |                   |                    |             |                     |       |  |
| Cottage                               | Y                      | N               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     | §9.1. Cottage  |
| House                                 | Y                      | N               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     | §3.C.2. House  |
| Paired House                          | SP                     | Y               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     | §9.3. Paired House                                       |
| Duplex                                | Y                      | N               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     | §9.4. Duplex   |
| Triple Decker                         | SP                     | N               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     | §9.5. Triple Decker                                      |
| Paired Triple Decker                  | SP                     | Y               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     | §9.6. Paired Triple Decker                               |
| Row House                             | SP                     | N               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     | §9.7. Row House  |
| Four-Plex                             | N                      | Y               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     | §9.8. Four-Plex  |
| Six-Plex                              | N                      | Y               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     | §9.9. Six-Plex   |
| Apartment House                       | N                      | Y               | Y                 | N                 | N                 | N                 | N                  | N           | N                   | N     | §9.10. Apartment House                                   |
| Apartment Building                    | N                      | SDP             | SDP               | SDP               | SDP               | SDP               | SDP                | N           | N                   | N     | §9.11. Apartment Building                                |
| Townhouse Building                    | N                      | Y               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     | §9.12. Townhouse Building                                |
| Shop House                            | L                      | L               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     | §9.13. Shop House; Article 2: Standard Districts         |
| Neighborhood Store                    | L                      | L               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     | §9.15. Neighborhood Store; Article 2: Standard Districts |
| Mixed-Use Building                    | N                      | N               | SDP               | SDP               | SDP               | SDP               | SDP                | N           | N                   | N     | §9.16. Mixed-Use Building                                |
| Commercial Building                   | N                      | N               | SDP               | SDP               | SDP               | SDP               | SDP                | SDP         | SDP                 | N     | §9.17. Commercial Building                               |
| Production Building                   | N                      | N               | N                 | N                 | N                 | N                 | N                  | Y           | Y                   | N     | §9.18. Production Building                               |
| Fabrication Loft                      | N                      | N               | N                 | N                 | N                 | N                 | N                  | Y           | Y                   | N     | §9.19. Fabrication Loft                                  |

## B. STANDARDS FOR ALL BUILDING TYPES

### 1. LOT STANDARDS

- a. Number of Buildings
  - i. One (1) principal building type may be built on each lot, except for lots in the Fabrication District.
- b. Primary & Secondary Front Designation
  - i. A lot with multiple front lot lines must have one front lot line designated as the primary front lot line, with all remaining front lot lines designated as secondary front lot lines.
  - ii. The Pedestrian Streets Map places restrictions on what lot lines may be designated primary and secondary front lot lines. See Article \*. Public Realm Standards for more information.
- c. Lot Dimensions
  - i. Lot dimension requirements designate the range of lot sizes that a given building type is allowed to be built on. If a lot is smaller than the minimum required for a certain building type, a different type must be built. If a lot is larger than the maximum specified for a certain building type, the lot should be split to accommodate another building.
- d. Lot Coverage
  - i. The frontage area of a lot may only

### 2. BUILDING PLACEMENT

- a. Setbacks
  - i. All buildings and structures must be located at or behind any required minimum front, side, or rear setback except as indicated in §3.c. Setback Encroachments.
  - ii. The facade of a principal building must be built at or in front of any maximum front setback for each story of a building.
  - iii. Buildings and structures are not permitted to encroach upon any easement or the right-of-way of any public thoroughfare.
- b. Contextual Front Setback
  - i. Regardless of the minimum and maximum front setbacks identified for each building type, new construction must have a contextual front setback where the facade is built at any point between the actual front setbacks of the principal buildings on the two immediately abutting lots of the same block face.
- ii. If the subject lot is a corner lot, the facade may be built at any point between the actual front setback of the building on the abutting lot that is oriented toward the same thoroughfare and the maximum front setback indicated for the appropriate building type.
- iii. If the lot on either side of the subject lot is vacant, the minimum and maximum front setback identified for each building type applies.
- iv. The contextual front setback provision shall not be interpreted as requiring a greater front setback than the maximum front setback identified for each building type.
- v. Buildings in the fabrication and commercial industry districts are exempt.
- c. Setback Encroachments
  - i. Building frontages and components may extend beyond a required front setback as indicated for each type. See §D. Building Frontage Types and §E. Building Components of this Article for more information.
  - ii. Cornices, belt courses, sills, buttresses and other architectural features may encroach up to two (2) feet.
  - iii. Chimneys and flues may encroach up to four (4) feet, provided that at least two (2) feet is maintained from the vertical plane of any lot line.
  - iv. Building eaves and roof overhangs may encroach up to three (3) feet, provided that at least two (2) feet is maintained from the vertical plane of any lot line.
  - v. Unenclosed fire escapes or emergency egress stairways may encroach up to four (4) feet into a required side or rear setback, provided that at least two (2) feet is maintained from the vertical plane of any lot line.
  - vi. Mechanical equipment associated with residential uses, such as HVAC units and security lighting, may encroach into a required side or rear setback, provided that at least two (2) feet is maintained from the vertical plane of any lot line.
  - vii. Terraces, uncovered and unenclosed patios, and/or structures below and covered by the ground may fully encroach into a required setback.
  - viii. Minor structures accessory to utilities, such as hydrants, manholes, transformers, and other cabinet

Contextual Front Setback Graphic

structures, may fully encroach into a required setback.

- ix. Accessory structures, fences and walls, signs, and landscape buffers may encroach as indicated in Article 6. Development Standards.
- d. Parking Setbacks
  - i. All motor vehicle parking, including surface and structured parking, but excluding underground parking, must be located at or behind any required parking setback.

### 3. MASSING & COMPOSITION

- a. Facade Orientation
  - i. The facade of a principal building must be built parallel to a front lot line or to the tangent of a curved front lot line.
- b. Facade Build Out
  - i. The facade of a building must be built to a minimum width that is indicated as a percentage of the width of a lot, measured at maximum setback line.

Facade Build Out Graphic

- c. Building Height, Stories
  - i. To calculate building height by number of stories, each story above the average ground level of the lot is counted as one (1) story, except that a single ground story of twenty-five (25) feet or more is counted as two (2) stories.
  - ii. Basements are counted as one (1) story if there is five (5) feet or more of exterior exposed wall above the average grade of the lot.
  - iii. Habitable interior space located directly under a pitched roof is counted as a half-story. The following standards apply:
    - a). The roof rafters must intersect the wall plate or top of wall frame at a height no more than two

Stories Graphic

(2) feet above the floor below.

- b). Ceiling height of a half story must not exceed fourteen (14) feet in height at any point.
- iv. Where a lot slopes downward from the front lot line more than five (5) feet to the rear wall of the structure, one (1) additional story is permitted below the ground story.

Additional Lower Story Graphic

- d. Story Height
  - i. Story height is measured from the top of the finished floor to the ceiling above.
  - ii. Story height is not applicable to half-stories.
  - iii. Minimum ground story height applies to the first thirty (30) feet of the depth of a building, measured inward from the facade. At least 50% of the ground story must meet the minimum height provision.
  - iv. For upper stories, at least 80% of each upper story must meet the minimum upper story height provision.

Story Height Graphic

- e. Building Height, Feet
  - i. To calculate building height in feet, height is measured as the vertical distance from the average ground level at the base of the building to the following:
    - a). the roof surface of a building with a flat roof.
    - b). the eave of any building with a pitched roof (gable, gambrel, hip, mansard, saltbox, etc), excluding and roof projections.
- f. Ground Floor Elevation
  - i. Ground floor elevation is measured from the average grade of the sidewalk of the abutting thoroughfare or from the crown of the roadway of the adjacent thoroughfare when no sidewalk exists, to the top of the finished floor of the ground story of a building.



## Height Graphic

- g. Roofs
  - i. Pitched roofs, if provided, must be symmetrically sloped no less than twenty-two and one half degrees (22.5°; 5:12), except that roofs for porches,

## Ground Floor Elevation

porticos, and rear additions may be no less than nine and one-half degrees (9.5°; 2:12).

- h. Height Exceptions
  - i. Building type height limits do not apply to roof decks conforming to §X. Deck, mechanical & stairwell penthouses; roof mounted cellular, radio, and internet transmission equipment; vents or exhausts; solar panels or skylights; flagpoles; belfries, chimneys, cupolas, monuments, parapets, spires, steeples, and other non-habitable architectural features.

#### 4. USES AND FEATURES

- a. Facade Composition
  - i. Fenestration
    - a). Facades are required to have windows and doors with highly transparent, low reflectivity glass for a percentage of the total area of a facade, measured for each story independently.
    - b). Fenestration of a ground story facade is measured between two (2) and (12) feet above the abutting sidewalk.
    - c). Fenestration of an upper story facade is measured from the top of a finished floor to the top of the finished floor above.

## Fenestration Measurement Graphic

- d). Fenestration requirements are only applicable to facades (ie. building elevations not facing a front lot line are exempt).
- e). All fenestration (doors and windows) of a facade must be square or vertical in proportion, except as follows:
  - i). Within the Neighborhood Residence district, stairwell windows may be circular or take the shape of any regular polygon, other than a triangle.
  - ii). Storefront windows are exempt.
- f). Multiple vertically proportioned windows or window lights may be combined to create horizontal compositions.
- ii. Blank Wall Area
  - a). Blank wall area is any portion of a facade that does not include fenestration (doors and windows) and surface relief through the use of columns, cornices, moldings, piers, pilasters, sills, sign bands, other equivalent architectural features that either recess or project from the average plane of the facade by **at least four (4)** inches.

## Blank Wall Graphic

- b). Blank wall area limitations apply both vertically and horizontally for all stories of a building for any facade.
- b. Pedestrian Access
  - i. Principal entrances must be located on the facade of a building, provide both ingress and egress, and be operable at all times.
  - ii. Principal entrance spacing is measured as the distance between center line of doors along a facade.
  - iii. Principal entrance spacing requirements must be met for each building individually, but are not applicable to adjacent buildings.
- c. Use & Occupancy
  - i. Habitable First Story
    - a). All building types for residential use must have a habitable room at least twenty feet in depth for the first story of the building.
  - ii. Leasable Space Depth
    - a). Leasable space depth is measured as the distance from the facade of a building towards the interior for each ground floor tenant space of a building.
  - iii. Use Categories
    - a). Certain building types include limitations and/or restrictions on the uses permitted on different stories of the building. See the "Use &

- Occupancy” provisions for each building type for more information.
- iv. Residential Density
    - a). The residential density of each building is regulated as:
      - i). the maximum number of permitted dwelling units; or
      - ii). the average dwelling unit size permitted across all of the dwelling units in a building.
    - b). Average dwelling unit size is calculated as the total gross floor area of a building divided by the total number of dwelling units.
    - c). No existing residential use may be converted to conflict with this standard.
    - d). The average dwelling unit size requirement may be adjusted according to §9.C. Density Bonuses
  - v. Exemptions
    - a). The average dwelling unit size requirement does not apply to the following specific uses:
      - i). Group Residential uses
      - ii). Senior Citizens or the
      - iii). Housing designed for the Disabled.
  - vi. Minimum Dwelling Unit Size
    - a). Dwelling units must have a minimum useable floor area in accordance with Table 3.3 for all buildings providing more than one (1) dwelling unit.

**TABLE 3.3** Minimum Dwelling Unit Size

|             | Useable Floor Area (min) |
|-------------|--------------------------|
| Studio      | 400 sq. ft.              |
| 1 Bedroom   | 600 sq. ft.              |
| 2+ Bedrooms | 900 sq. ft.              |

- vii. Dwelling Unit Orientation
  - a). Dwelling units may be stacked one above the other or attached side by side as indicated for each building type.
  - b). Dwelling units attached back-to-side are prohibited except for buildings on corner lots.
  - c). Dwelling units attached front-to back are prohibited.



C. PRINCIPAL BUILDING TYPES

1. COTTAGE

A small footprint, detached, single unit structure appropriate for a narrow lot.

- a. Lot Standards
- b. Placement

place holder

| LOT DIMENSIONS            |        | BUILDING SETBACKS                     |                   |
|---------------------------|--------|---------------------------------------|-------------------|
| A Width (min)             | 32 ft. | Contextual Front Setback (see §X.x.x) | Required          |
| A Depth (min)             | 70 ft. | A Primary Front Setback               | 10' min. 20' max. |
| LOT COVERAGE              |        | A Secondary Front Setback             | 10' min. 20' max. |
|                           |        | A Side Setback (min)                  | 5 ft.             |
|                           |        | A Rear Setback (min)                  | 20 ft.            |
| A Permeable Surface (min) | 35%    | PARKING SETBACKS                      |                   |
| Landscape (min)           | 25%    | Surface Parking                       |                   |
|                           |        | A Primary Front Setback (min)         | 20 ft.            |
|                           |        | A Secondary Front Setback (min)       | 20 ft.            |

COTTAGE (cont.)

A small footprint, detached, single unit structure appropriate for a narrow lot.

- c. Massing & Composition
- d. Uses & Features

placeholder

| MAIN BODY                   |                    |          |
|-----------------------------|--------------------|----------|
| A Facade Build Out (min)    | 60%                |          |
| A Width (min/max)           | 22' min.           | 26' max. |
| A Depth (min/max)           | 24' min.           | 32' max. |
| A Building Height (max)     | 2 stories (30 ft.) |          |
| Story Height (min/max)      | 9 ft.              | 12 ft.   |
| First Floor Elevation (min) | 2 ft.              |          |

| PERMITTED BUILDING COMPONENTS |           |
|-------------------------------|-----------|
| Awning                        | See X.x.x |
| Entry Canopy                  | See X.x.x |
| Bay                           | See X.x.x |
| Balcony                       | See X.x.x |
| Deck                          | See X.x.x |
| Dormer Window                 | See X.x.x |
| Cross Gable                   | See X.x.x |
| Side Wing                     | See X.x.x |
| Rear Addition                 | See X.x.x |

| FACADE COMPOSITION                    |          |          |
|---------------------------------------|----------|----------|
| A Ground Story Fenestration (min/max) | 20% min. | 50% max. |
| A Upper Story Fenestration (min/max)  | 20% min. | 50% max. |

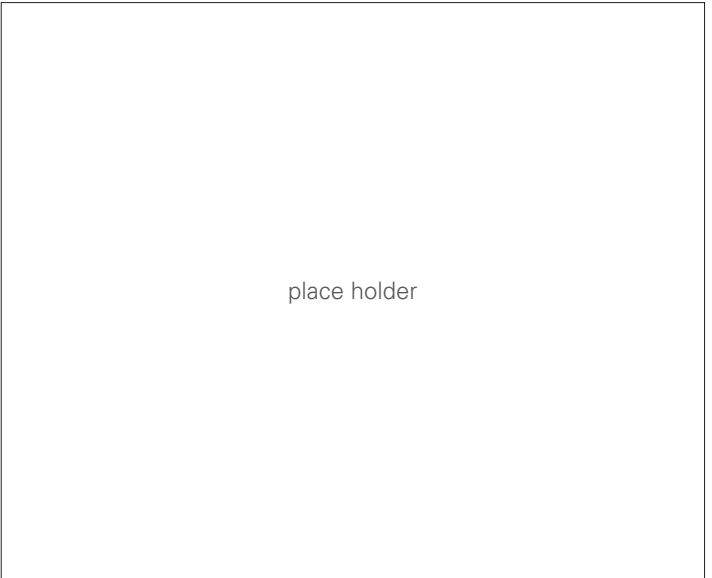
| PERMITTED BUILDING FRONTAGE | (1 required) |
|-----------------------------|--------------|
| Stoop                       | See X.x.x    |
| Portico                     | See X.x.x    |
| Porch, Projecting           | See X.x.x    |
| Porch, Engaged              | See X.x.x    |

| USE & OCCUPANCY             |                  |
|-----------------------------|------------------|
| Use Category                | Residential      |
| Dwelling Units (max)        | 1                |
| Affordable Dwelling Units   | n/a              |
| Outdoor Amenity Space (min) | 1/ Dwelling Unit |

2. HOUSE

A moderate footprint, detached structure with one to two vertically stacked dwelling units appropriate for a standard lot.

a. Lot Standards



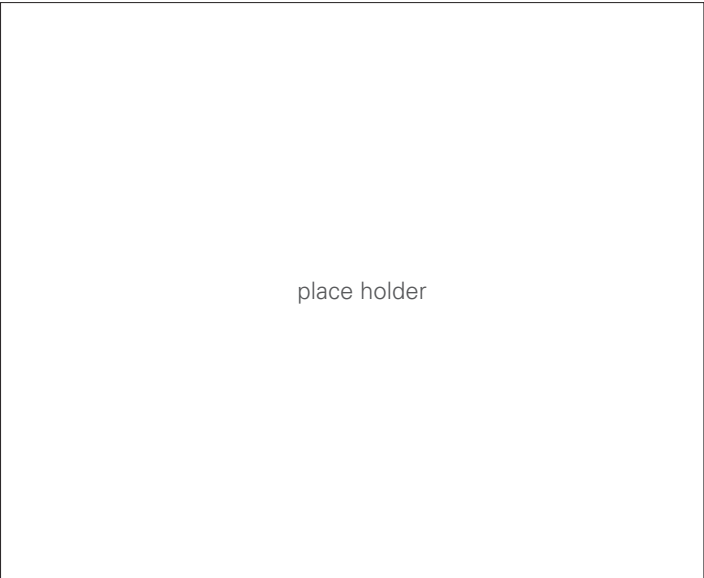
LOT DIMENSIONS

|             |        |
|-------------|--------|
| Width (min) | 32 ft. |
| Depth (min) | 80 ft. |

LOT COVERAGE

|                         |     |
|-------------------------|-----|
| Permeable Surface (min) | 35% |
| Landscape (min)         | 25% |

b. Placement



BUILDING SETBACKS

|                                       |                   |
|---------------------------------------|-------------------|
| Contextual Front Setback (see §X.x.x) | Required          |
| Primary Front Setback                 | 10' min. 20' max. |
| Secondary Front Setback               | 10' min. 20' max. |
| Side Setback (min)                    | 5 ft.             |
| Rear Setback (min)                    | 20 ft.            |

PARKING SETBACKS

|                               |        |
|-------------------------------|--------|
| Primary Front Setback (min)   | 20 ft. |
| Secondary Front Setback (min) | 20 ft. |



HOUSE (cont.)

A moderate footprint, detached structure with one to two vertically stacked dwelling units appropriate for a standard lot.

c. Massing & Composition



d. Uses & Features



MAIN BODY

|                             |                      |
|-----------------------------|----------------------|
| Facade Build Out (min)      | 50%                  |
| Width (min/max)             | 22' min. 28' max.    |
| Depth (min/max)             | 28' min. 48' max.    |
| Building Height (max)       | 2.5 stories (30 ft.) |
| Story Height (min/max)      | 9 ft.   12 ft.       |
| First Floor Elevation (min) | 2 ft.                |

PERMITTED BUILDING COMPONENTS

|               |           |
|---------------|-----------|
| Awning        | See X.x.x |
| Entry Canopy  | See X.x.x |
| Bay           | See X.x.x |
| Balcony       | See X.x.x |
| Deck          | See X.x.x |
| Dormer Window | See X.x.x |
| Cross Gable   | See X.x.x |
| Side Wing     | See X.x.x |
| Rear Addition | See X.x.x |

FACADE COMPOSITION

|                                     |                   |
|-------------------------------------|-------------------|
| Ground Story Fenestration (min/max) | 20% min. 50% max. |
| Upper Story Fenestration (min/max)  | 20% min. 50% max. |

PERMITTED BUILDING FRONTAGE

(1 required)

|                   |           |
|-------------------|-----------|
| Stoop             | See X.x.x |
| Portico           | See X.x.x |
| Porch, Projecting | See X.x.x |
| Porch, Engaged    | See X.x.x |

USE & OCCUPANCY

|                             |                  |
|-----------------------------|------------------|
| Use Category                | Residential      |
| Dwelling Units (max)        | 2                |
| Affordable Dwelling Units   | n/a              |
| Outdoor Amenity Space (min) | 1/ Dwelling Unit |

3. PAIRED HOUSE

A moderate footprint structure with up to two stacked dwelling units attached on one side to an identical building type, each on a separate standard sized lot.

a. Lot Standards



LOT DIMENSIONS

|             |        |
|-------------|--------|
| Width (min) | 27 ft. |
| Depth (min) | 80 ft. |

LOT COVERAGE

|                         |     |
|-------------------------|-----|
| Permeable Surface (min) | 35% |
| Landscape (min)         | 25% |

b. Placement



BUILDING SETBACKS

|                                       |                   |
|---------------------------------------|-------------------|
| Contextual Front Setback (see §X.x.x) | Required          |
| Primary Front Setback                 | 10' min. 20' max. |
| Secondary Front Setback               | 10' min. 20' max. |
| Side Setback (min)                    | 0 ft., 5 ft.      |
| Rear Setback (min)                    | 20 ft.            |

PARKING SETBACKS

|                               |        |
|-------------------------------|--------|
| Primary Front Setback (min)   | 20 ft. |
| Secondary Front Setback (min) | 20 ft. |

PAIRED House (cont.)

A moderate footprint structure with up to two stacked dwelling units attached on one side to an identical building type, each on a separate **standard sized** lot.

c. Massing & Composition



d. Uses & Features



MAIN BODY

|                             |                      |
|-----------------------------|----------------------|
| Facade Build Out (min)      | 50%                  |
| Width (min/max)             | 22' min. 28' max.    |
| Depth (min/max)             | 28' min. 48' max.    |
| Building Height (max)       | 2.5 stories (30 ft.) |
| Story Height (min/max)      | 9 ft.   12 ft.       |
| First Floor Elevation (min) | 2 ft.                |

PERMITTED BUILDING COMPONENTS

|               |           |
|---------------|-----------|
| Awning        | See X.x.x |
| Entry Canopy  | See X.x.x |
| Bay           | See X.x.x |
| Balcony       | See X.x.x |
| Deck          | See X.x.x |
| Dormer Window | See X.x.x |
| Cross Gable   | See X.x.x |
| Side Wing     | See X.x.x |
| Rear Addition | See X.x.x |

FACADE COMPOSITION

|                                     |                   |
|-------------------------------------|-------------------|
| Ground Story Fenestration (min/max) | 20% min. 50% max. |
| Upper Story Fenestration (min/max)  | 20% min. 50% max. |

PERMITTED BUILDING FRONTAGE

(1 required)

|                   |           |
|-------------------|-----------|
| Stoop             | See X.x.x |
| Portico           | See X.x.x |
| Porch, Projecting | See X.x.x |
| Porch, Engaged    | See X.x.x |

USE & OCCUPANCY

|                             |                  |
|-----------------------------|------------------|
| Use Category                | Residential      |
| Dwelling Units (max)        | 2                |
| Affordable Dwelling Units   | n/a              |
| Outdoor Amenity Space (min) | 1/ Dwelling Unit |

4. DUPLEX

A moderate footprint, detached structure with two side by side dwelling units appropriate for a wide lot.

a. Lot Standards



LOT DIMENSIONS

|             |        |
|-------------|--------|
| Width (min) | 50 ft. |
| Depth (min) | 70 ft. |

LOT COVERAGE

|                         |     |
|-------------------------|-----|
| Permeable Surface (min) | 35% |
| Landscape (min)         | 25% |

b. Placement



BUILDING SETBACKS

|                                       |                   |
|---------------------------------------|-------------------|
| Contextual Front Setback (see §X.x.x) | Required          |
| Primary Front Setback                 | 10' min. 20' max. |
| Secondary Front Setback               | 10' min. 20' max. |
| Side Setback (min)                    | 5 ft.             |
| Rear Setback (min)                    | 20 ft.            |

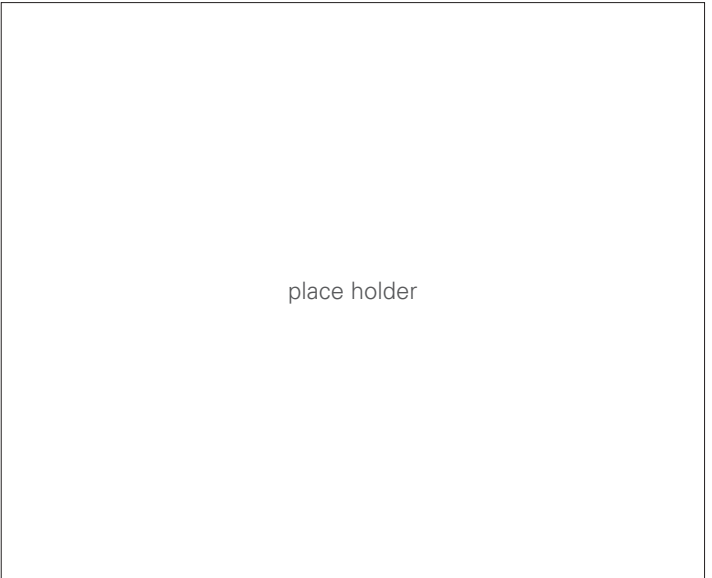
PARKING SETBACKS

|                               |        |
|-------------------------------|--------|
| Primary Front Setback (min)   | 20 ft. |
| Secondary Front Setback (min) | 20 ft. |

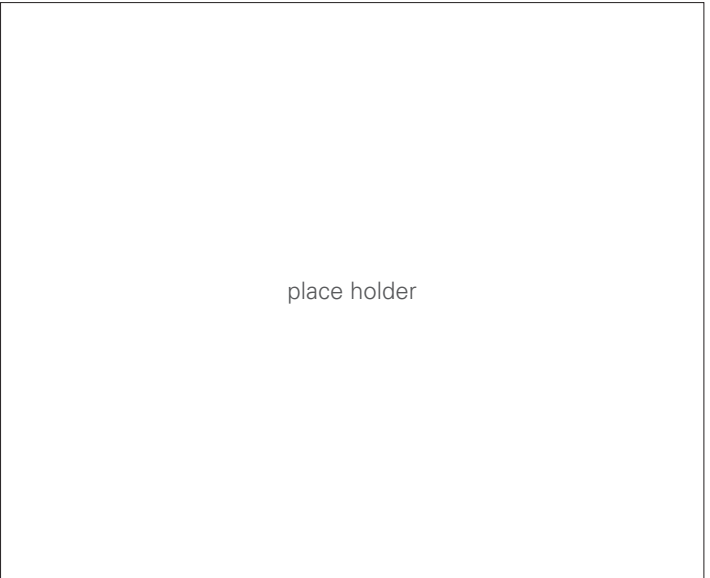
DUPLEX (cont.)

A moderate footprint, detached structure with two side by side dwelling units appropriate for a wide lot.

c. Massing & Composition



d. Uses & Features



MAIN BODY

|                             |                      |
|-----------------------------|----------------------|
| Facade Build Out (min)      | 50%                  |
| Width (min/max)             | 40' min. 56' max.    |
| Depth (min/max)             | 30' min. 52' max.    |
| Building Height (max)       | 2.5 stories (30 ft.) |
| Story Height (min/max)      | 9 ft.   12 ft.       |
| First Floor Elevation (min) | 2 ft.                |

PERMITTED BUILDING COMPONENTS

|               |           |
|---------------|-----------|
| Awning        | See X.x.x |
| Entry Canopy  | See X.x.x |
| Bay           | See X.x.x |
| Balcony       | See X.x.x |
| Deck          | See X.x.x |
| Dormer Window | See X.x.x |
| Cross Gable   | See X.x.x |
| Side Wing     | See X.x.x |
| Rear Addition | See X.x.x |

FACADE COMPOSITION

|                                     |                   |
|-------------------------------------|-------------------|
| Ground Story Fenestration (min/max) | 20% min. 50% max. |
| Upper Story Fenestration (min/max)  | 20% min. 50% max. |

PERMITTED BUILDING FRONTAGE

(1 required)

|                   |           |
|-------------------|-----------|
| Stoop             | See X.x.x |
| Portico           | See X.x.x |
| Porch, Projecting | See X.x.x |
| Porch, Engaged    | See X.x.x |

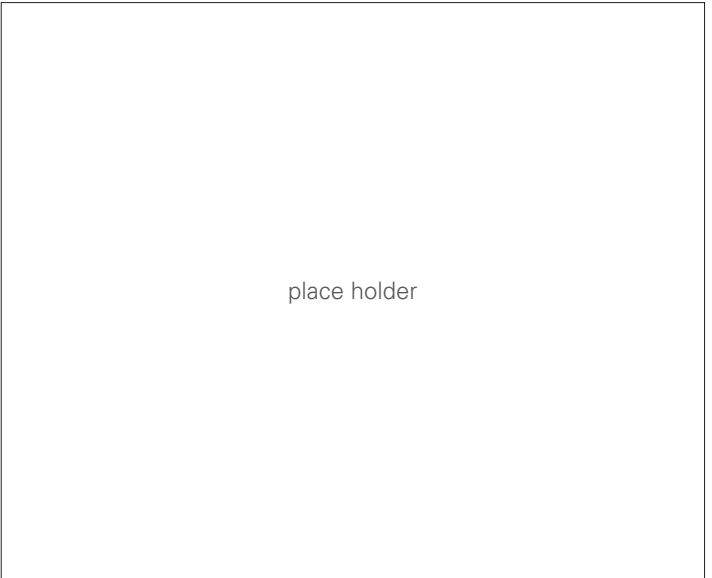
USE & OCCUPANCY

|                             |                  |
|-----------------------------|------------------|
| Use Category                | Residential      |
| Dwelling Units (max)        | 2                |
| Affordable Dwelling Units   | n/a              |
| Outdoor Amenity Space (min) | 1/ Dwelling Unit |

5. TRIPLE DECKER

A moderate footprint, detached structure with three stacked dwelling units appropriate for a standard lot.

a. Lot Standards



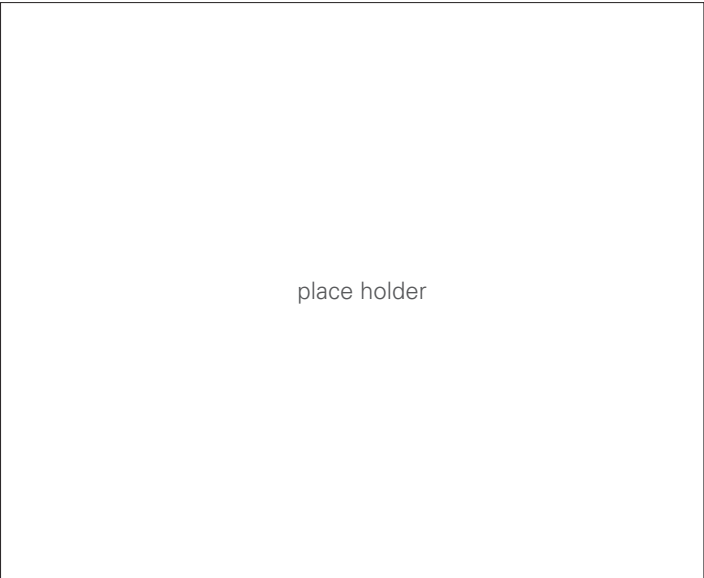
LOT DIMENSIONS

|             |        |
|-------------|--------|
| Width (min) | 34 ft. |
| Depth (min) | 80 ft. |

LOT COVERAGE

|                         |     |
|-------------------------|-----|
| Permeable Surface (min) | 35% |
| Landscape (min)         | 25% |

b. Placement



BUILDING SETBACKS

|                                       |                   |
|---------------------------------------|-------------------|
| Contextual Front Setback (see §X.x.x) | Required          |
| Primary Front Setback                 | 10' min. 20' max. |
| Secondary Front Setback               | 10' min. 20' max. |
| Side Setback (min)                    | 5 ft.             |
| Rear Setback (min)                    | 20 ft.            |

PARKING SETBACKS

|                               |        |
|-------------------------------|--------|
| Primary Front Setback (min)   | 20 ft. |
| Secondary Front Setback (min) | 20 ft. |



TRIPLE Decker (cont.)

A moderate footprint, detached structure with three stacked dwelling units appropriate for a standard lot.

c. Massing & Composition



d. Uses & Features



MAIN BODY

|                             |                    |
|-----------------------------|--------------------|
| Facade Build Out (min)      | 60%                |
| Width (min/max)             | 24' min. 30' max.  |
| Depth (min/max)             | 36' min. 50' max.  |
| Building Height (max)       | 3 stories (40 ft.) |
| Story Height (min/max)      | 9 ft.   12 ft.     |
| First Floor Elevation (min) | 2 ft.              |

PERMITTED BUILDING COMPONENTS

|              |           |
|--------------|-----------|
| Awning       | See X.x.x |
| Entry Canopy | See X.x.x |
| Bay          | See X.x.x |
| Balcony      | See X.x.x |

FACADE COMPOSITION

|                                     |                   |
|-------------------------------------|-------------------|
| Ground Story Fenestration (min/max) | 20% min. 50% max. |
| Upper Story Fenestration (min/max)  | 20% min. 50% max. |

PERMITTED BUILDING FRONTAGE

(1 required)

|                   |           |
|-------------------|-----------|
| Stoop             | See X.x.x |
| Portico           | See X.x.x |
| Porch, Projecting | See X.x.x |

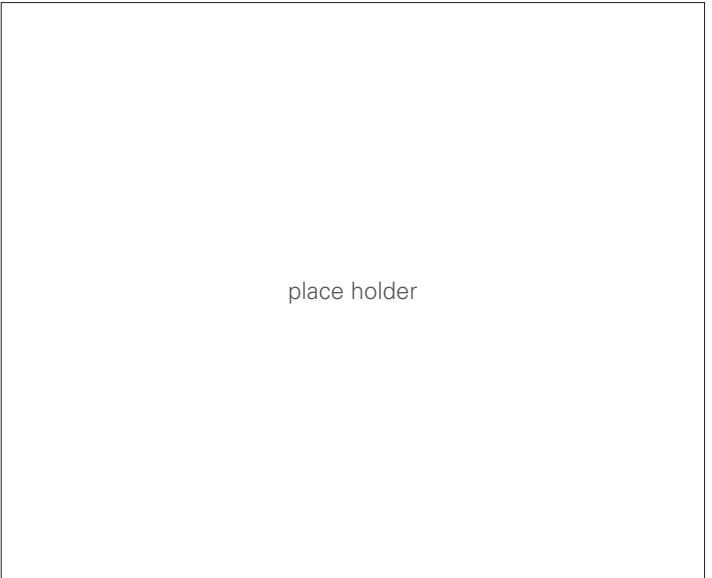
USE & OCCUPANCY

|                             |                  |
|-----------------------------|------------------|
| Use Category                | Residential      |
| Dwelling Units (max)        | 3                |
| Affordable Dwelling Units   | n/a              |
| Outdoor Amenity Space (min) | 1/ Dwelling Unit |

6. PAIRED TRIPLE DECKER

A moderate footprint structure with three stacked dwelling units attached on one side to an identical building type, each on a separate standard sized lot.

a. Lot Standards



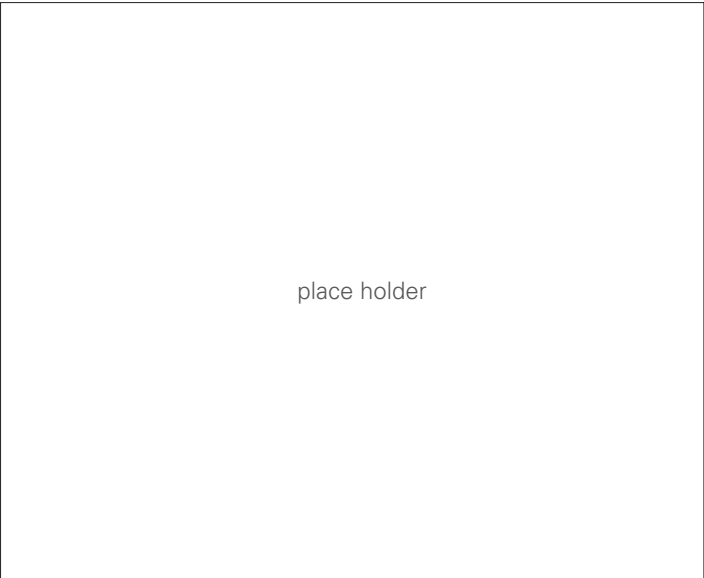
LOT DIMENSIONS

|             |        |
|-------------|--------|
| Width (min) | 29 ft. |
| Depth (min) | 80 ft. |

LOT COVERAGE

|                         |     |
|-------------------------|-----|
| Permeable Surface (min) | 35% |
| Landscape (min)         | 25% |

b. Placement



BUILDING SETBACKS

|                                       |                   |
|---------------------------------------|-------------------|
| Contextual Front Setback (see §X.x.x) | Required          |
| Primary Front Setback                 | 10' min. 20' max. |
| Secondary Front Setback               | 10' min. 20' max. |
| Side Setback (min)                    | 0 ft., 5 ft.      |
| Rear Setback (min)                    | 20 ft.            |

PARKING SETBACKS

|                               |        |
|-------------------------------|--------|
| Primary Front Setback (min)   | 20 ft. |
| Secondary Front Setback (min) | 20 ft. |

PAIRED Triple Decker (cont.)

A moderate footprint structure with three stacked dwelling units attached on one side to an identical building type, each on a separate standard sized lot.

c. Massing & Composition



d. Uses & Features



MAIN BODY

|                             |                    |
|-----------------------------|--------------------|
| Facade Build Out (min)      | 60%                |
| Width (min/max)             | 24' min. 30' max.  |
| Depth (min/max)             | 36' min. 50' max.  |
| Building Height (max)       | 3 stories (40 ft.) |
| Story Height (min/max)      | 9 ft.   12 ft.     |
| First Floor Elevation (min) | 2 ft.              |

PERMITTED BUILDING COMPONENTS

|              |           |
|--------------|-----------|
| Awning       | See X.x.x |
| Entry Canopy | See X.x.x |
| Bay          | See X.x.x |
| Balcony      | See X.x.x |

FACADE COMPOSITION

|                                     |                   |
|-------------------------------------|-------------------|
| Ground Story Fenestration (min/max) | 20% min. 50% max. |
| Upper Story Fenestration (min/max)  | 20% min. 50% max. |

PERMITTED BUILDING FRONTAGE

(1 required)

|                   |           |
|-------------------|-----------|
| Stoop             | See X.x.x |
| Portico           | See X.x.x |
| Porch, Projecting | See X.x.x |

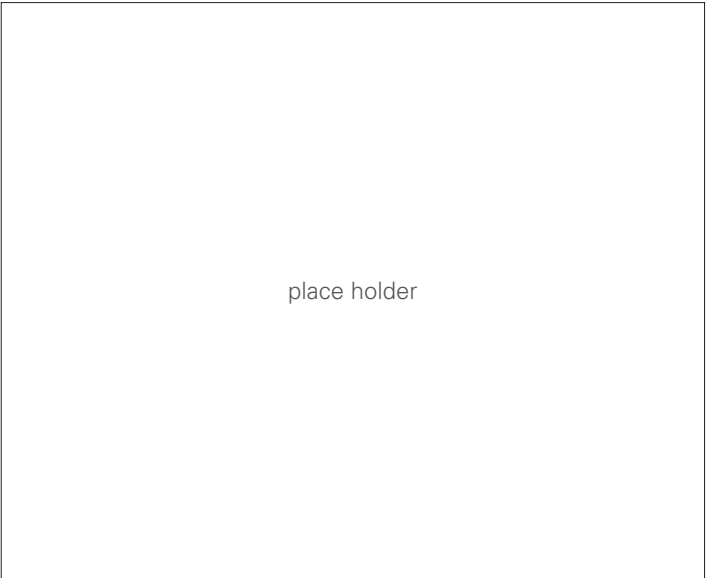
USE & OCCUPANCY

|                             |                  |
|-----------------------------|------------------|
| Use Category                | Residential      |
| Dwelling Units (max)        | 3                |
| Affordable Dwelling Units   | n/a              |
| Outdoor Amenity Space (min) | 1/ Dwelling Unit |

7. ROW HOUSE

A moderate footprint, two to three story attached structure with one dwelling unit, appropriate for a very narrow lot.

a. Lot Standards



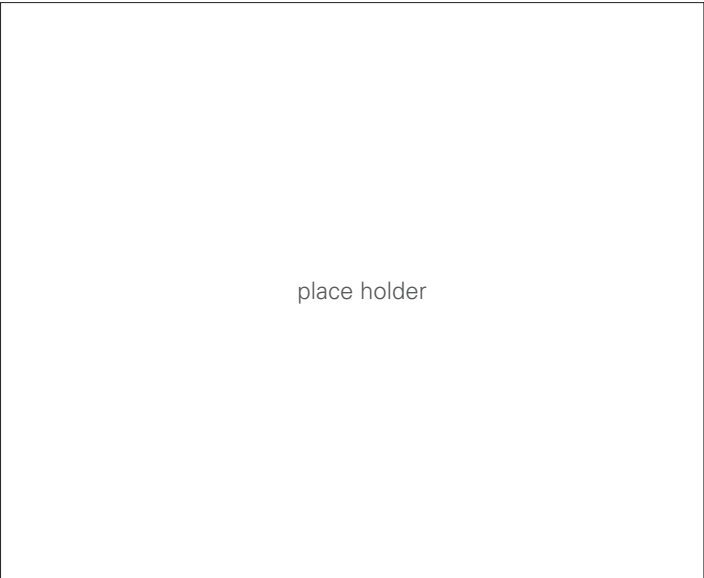
LOT DIMENSIONS

|             |        |
|-------------|--------|
| Width (min) | 24 ft. |
| Depth (min) | 80 ft. |

LOT COVERAGE

|                         |     |
|-------------------------|-----|
| Permeable Surface (min) | 35% |
| Landscape (min)         | 25% |

b. Placement



BUILDING SETBACKS

|                                       |                   |
|---------------------------------------|-------------------|
| Contextual Front Setback (see §X.x.x) | Required          |
| Primary Front Setback                 | 10' min. 20' max. |
| Secondary Front Setback               | 10' min. 20' max. |
| Side Setback (min)                    | 0 ft.             |
| Rear Setback (min)                    | 20 ft.            |

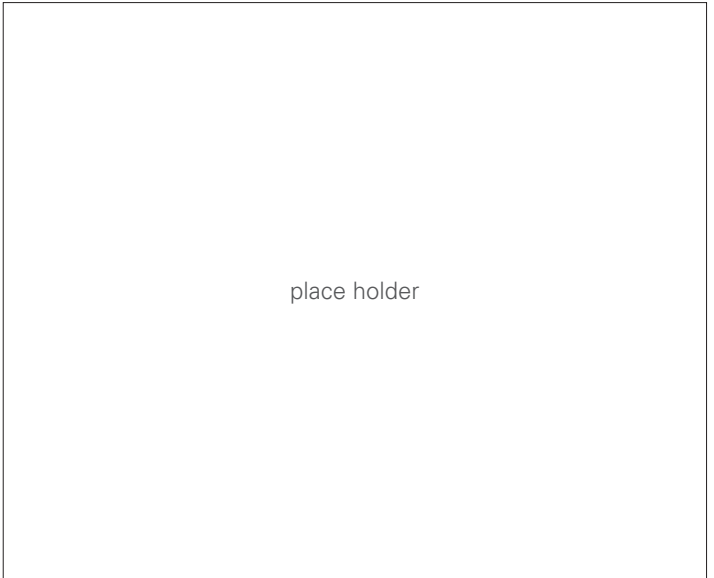
PARKING SETBACKS

|                               |        |
|-------------------------------|--------|
| Primary Front Setback (min)   | 20 ft. |
| Secondary Front Setback (min) | 20 ft. |

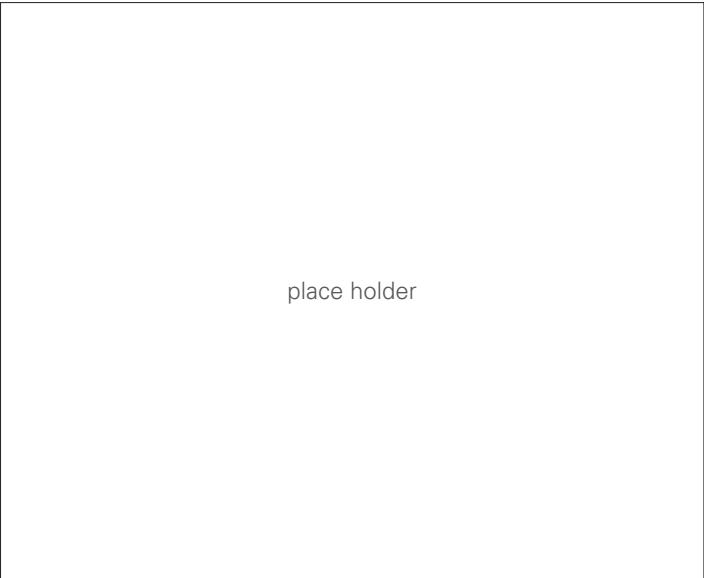
ROW House (cont)

A moderate footprint, two to three story attached structure with one dwelling unit, appropriate for a very narrow lot.

c. Massing & Composition



d. Uses & Features



MAIN BODY

|                             |                    |
|-----------------------------|--------------------|
| Facade Build Out (min)      | 60%                |
| Width (min/max)             | 24' min. 30' max.  |
| Depth (min/max)             | 34' min. 60' max.  |
| Building Height (max)       | 3 stories (40 ft.) |
| Story Height (min/max)      | 9 ft.   12 ft.     |
| First Floor Elevation (min) | 2 ft.              |

PERMITTED BUILDING COMPONENTS

|               |           |
|---------------|-----------|
| Awning        | See X.x.x |
| Entry Canopy  | See X.x.x |
| Bay           | See X.x.x |
| Balcony       | See X.x.x |
| Deck          |           |
| Dormer Window | See X.x.x |

FACADE COMPOSITION

|                                     |                   |
|-------------------------------------|-------------------|
| Ground Story Fenestration (min/max) | 20% min. 50% max. |
| Upper Story Fenestration (min/max)  | 20% min. 50% max. |

PERMITTED BUILDING FRONTAGE

(1 required)

|                   |           |
|-------------------|-----------|
| Stoop             | See X.x.x |
| Portico           | See X.x.x |
| Porch, Projecting | See X.x.x |

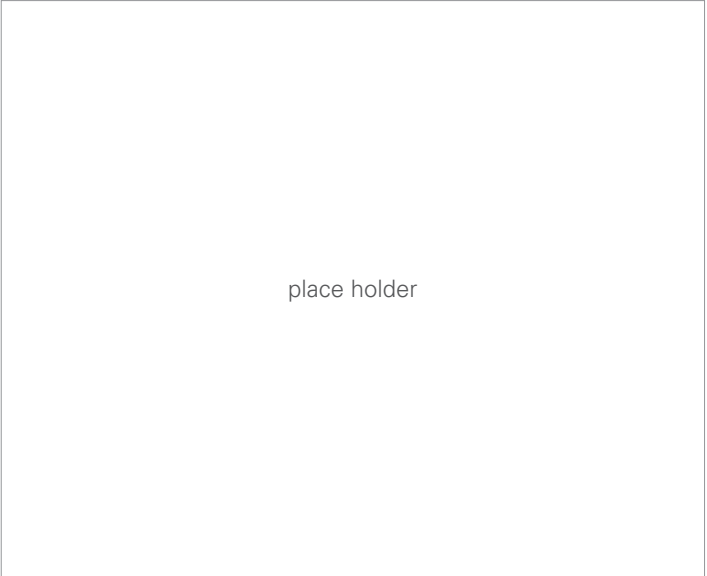
USE & OCCUPANCY

|                             |                  |
|-----------------------------|------------------|
| Use Category                | Residential      |
| Dwelling Units (max)        | 1                |
| Affordable Dwelling Units   | n/a              |
| Outdoor Amenity Space (min) | 1/ Dwelling Unit |

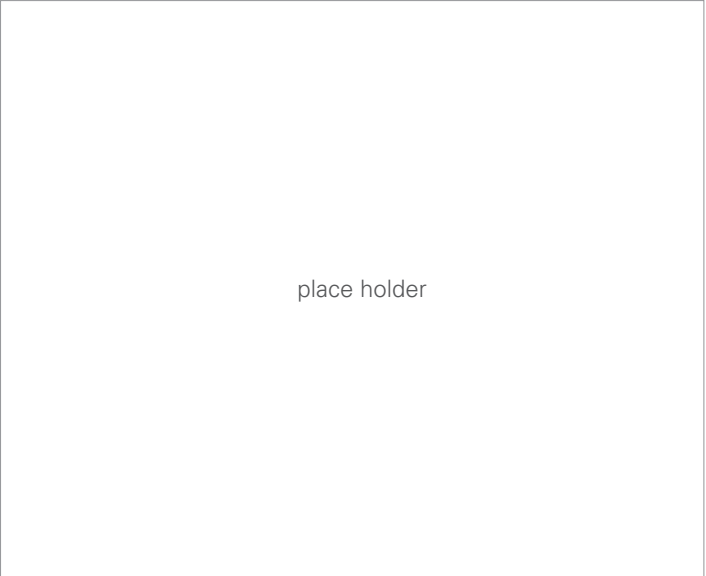
8. **FOUR-PLEX**

A two story, moderate footprint, detached structure with four dwelling units appropriate for a wide lot

a. Lot Standards



b. Placement



**LOT DIMENSIONS**

|                      |        |
|----------------------|--------|
| <b>A</b> Width (min) | 48 ft. |
| <b>A</b> Depth (min) | 85 ft. |

**LOT COVERAGE**

|                                  |     |
|----------------------------------|-----|
| <b>A</b> Permeable Surface (min) | 35% |
| Landscape (min)                  | 25% |

**BUILDING SETBACKS**

|                                       |                   |
|---------------------------------------|-------------------|
| Contextual Front Setback (see §X.x.x) | Required          |
| <b>A</b> Primary Front Setback        | 10' min. 20' max. |
| <b>A</b> Secondary Front Setback      | 10' min. 20' max. |
| <b>A</b> Side Setback (min)           | 5 ft.             |
| <b>A</b> Rear Setback (min)           | 20 ft.            |

**PARKING SETBACKS**

|  |        |
|--|--------|
| <b>A</b> Primary Front Setback (min)   | 20 ft. |
| <b>A</b> Secondary Front Setback (min) | 20 ft. |



FOUR-PLEX (cont.)

A two story, moderate footprint, detached structure with four dwelling units appropriate for a wide lot

c. Massing & Composition



d. Uses & Features



MAIN BODY

|                                 |                      |
|---------------------------------|----------------------|
| <b>A</b> Facade Build Out (min) | 70%                  |
| <b>A</b> Width (min/max)        | 38' min. 48' max.    |
| <b>A</b> Depth (min/max)        | 34' min. 54' max.    |
| <b>A</b> Building Height (max)  | 2.5 stories (30 ft.) |
| Story Height (min/max)          | 9 ft.   12 ft.       |
| First Floor Elevation (min)     | 2 ft.                |

PERMITTED BUILDING COMPONENTS

|               |           |
|---------------|-----------|
| Awning        | See X.x.x |
| Entry Canopy  | See X.x.x |
| Bay           | See X.x.x |
| Balcony       | See X.x.x |
| Deck          | See X.x.x |
| Dormer Window | See X.x.x |
| Cross Gable   | See X.x.x |

FACADE COMPOSITION

|  |                   |
|--|-------------------|
| <b>A</b> Ground Story Fenestration (min/max) | 20% min. 50% max. |
| <b>A</b> Upper Story Fenestration (min/max)  | 20% min. 50% max. |

PERMITTED BUILDING FRONTAGE

(1 required)

|                   |           |
|-------------------|-----------|
| Stoop             | See X.x.x |
| Portico           | See X.x.x |
| Porch, Projecting | See X.x.x |

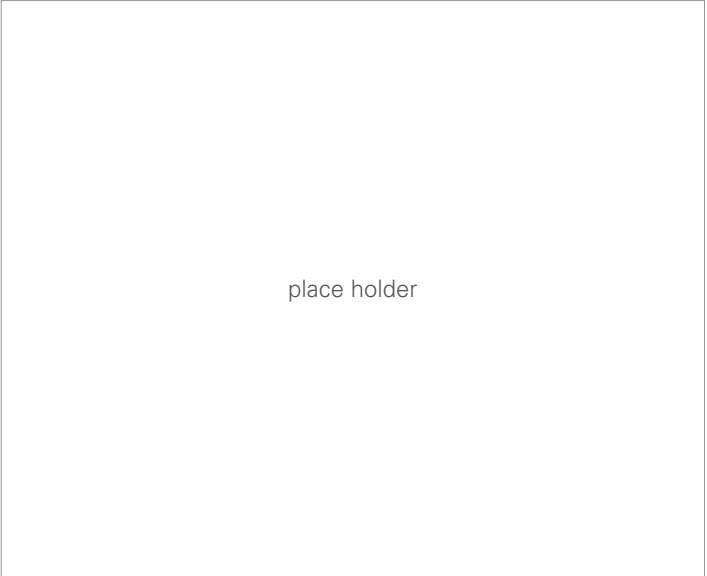
USE & OCCUPANCY

|                             |                  |
|-----------------------------|------------------|
| Use Category                | Residential      |
| Dwelling Units (max)        | 4                |
| Affordable Dwelling Units   | n/a              |
| Outdoor Amenity Space (min) | 1/ Dwelling Unit |

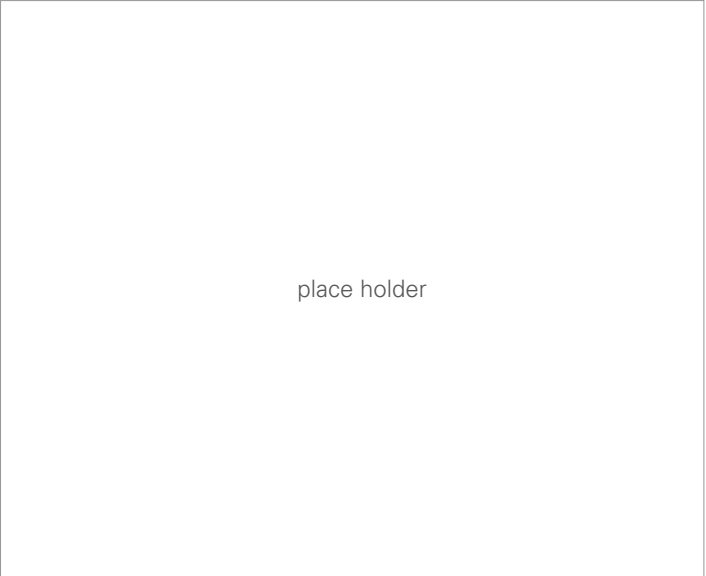
9. SIX-PLEX

A three story, large footprint, detached structure with six dwelling units appropriate for a wide lot

a. Lot Standards



b. Placement



LOT DIMENSIONS

|                      |        |
|----------------------|--------|
| <b>A</b> Width (min) | 46 ft. |
| <b>A</b> Depth (min) | 85 ft. |

LOT COVERAGE

|                                  |     |
|----------------------------------|-----|
| <b>A</b> Permeable Surface (min) | 35% |
| Landscape (min)                  | 25% |

BUILDING SETBACKS

|                                       |                   |
|---------------------------------------|-------------------|
| Contextual Front Setback (see §X.x.x) | Required          |
| <b>A</b> Primary Front Setback        | 10' min. 20' max. |
| <b>A</b> Secondary Front Setback      | 10' min. 20' max. |
| <b>A</b> Side Setback (min)           | 5 ft.             |
| <b>A</b> Rear Setback (min)           | 20 ft.            |

PARKING SETBACKS

|  |        |
|--|--------|
| <b>A</b> Primary Front Setback (min)   | 20 ft. |
| <b>A</b> Secondary Front Setback (min) | 20 ft. |

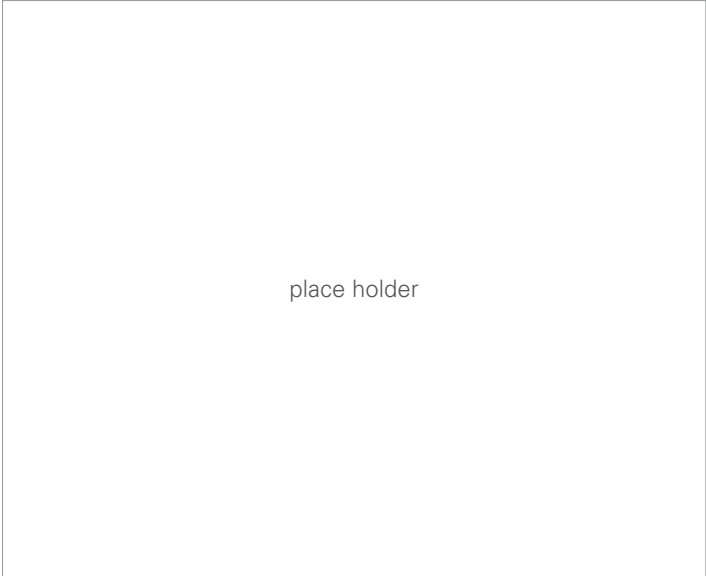
SIX-PLEX (cont.)

A three story, large footprint, detached structure with six dwelling units appropriate for a wide lot

c. Massing & Composition



d. Uses & Features



MAIN BODY

|                                 |                    |
|---------------------------------|--------------------|
| <b>A</b> Facade Build Out (min) | 70%                |
| <b>A</b> Width (min/max)        | 36' min. 50' max.  |
| <b>A</b> Depth (min/max)        | 44' min. 64' max.  |
| <b>A</b> Building Height (max)  | 3 stories (40 ft.) |
| Story Height (min/max)          | 9 ft.   12 ft.     |
| First Floor Elevation (min)     | 2 ft.              |

PERMITTED BUILDING COMPONENTS

|               |           |
|---------------|-----------|
| Awning        | See X.x.x |
| Entry Canopy  | See X.x.x |
| Bay           | See X.x.x |
| Balcony       | See X.x.x |
| Deck          | See X.x.x |
| Dormer Window | See X.x.x |
| Cross Gable   | See X.x.x |

FACADE COMPOSITION

|  |                   |
|--|-------------------|
| <b>A</b> Ground Story Fenestration (min/max) | 20% min. 50% max. |
| <b>A</b> Upper Story Fenestration (min/max)  | 20% min. 50% max. |

PERMITTED BUILDING FRONTAGE

(1 required)

|                   |           |
|-------------------|-----------|
| Stoop             | See X.x.x |
| Portico           | See X.x.x |
| Porch, Projecting | See X.x.x |

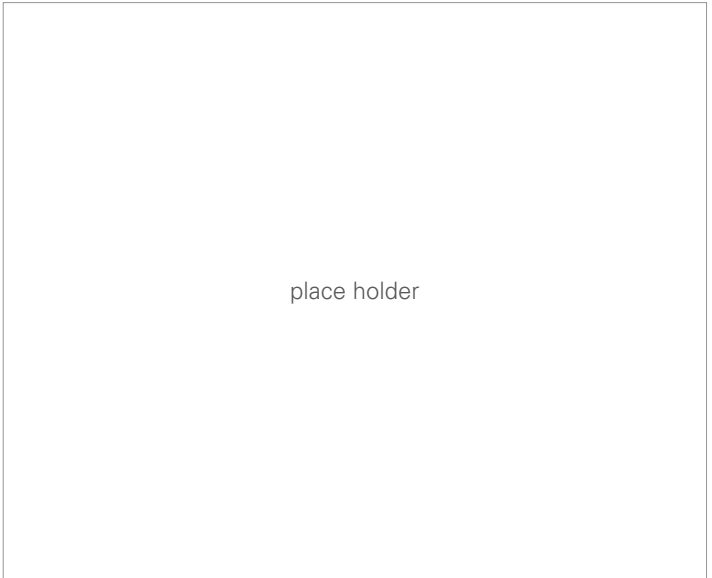
USE & OCCUPANCY

|                             |                  |
|-----------------------------|------------------|
| Use Category                | Residential      |
| Dwelling Units (max)        | 6                |
| Affordable Dwelling Units   | n/a              |
| Outdoor Amenity Space (min) | 1/ Dwelling Unit |

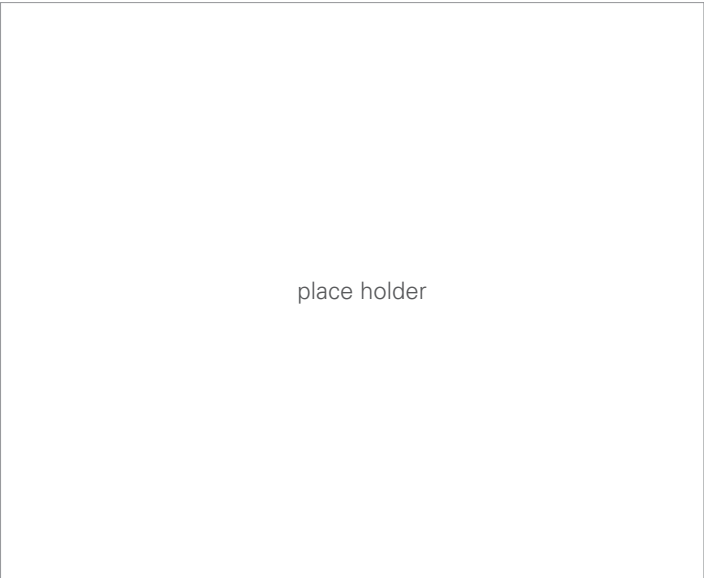
10. APARTMENT HOUSE

A two and one half story, moderate footprint, detached structure with up to six units designed to appear as a large house appropriate for a wide lot

a. Lot Standards



b. Placement



LOT DIMENSIONS

|                      |         |
|----------------------|---------|
| <b>A</b> Width (min) | 38 ft.  |
| <b>A</b> Depth (min) | 100 ft. |

LOT COVERAGE

|                                  |     |
|----------------------------------|-----|
| <b>A</b> Permeable Surface (min) | 35% |
| Landscape (min)                  | 25% |

BUILDING SETBACKS

|                                       |                   |
|---------------------------------------|-------------------|
| Contextual Front Setback (see §X.x.x) | Required          |
| <b>A</b> Primary Front Setback        | 10' min. 20' max. |
| <b>A</b> Secondary Front Setback      | 10' min. 20' max. |
| <b>A</b> Side Setback (min)           | 5 ft.             |
| <b>A</b> Rear Setback (min)           | 20 ft.            |

PARKING SETBACKS

|  |        |
|--|--------|
| <b>A</b> Primary Front Setback (min)   | 20 ft. |
| <b>A</b> Secondary Front Setback (min) | 20 ft. |

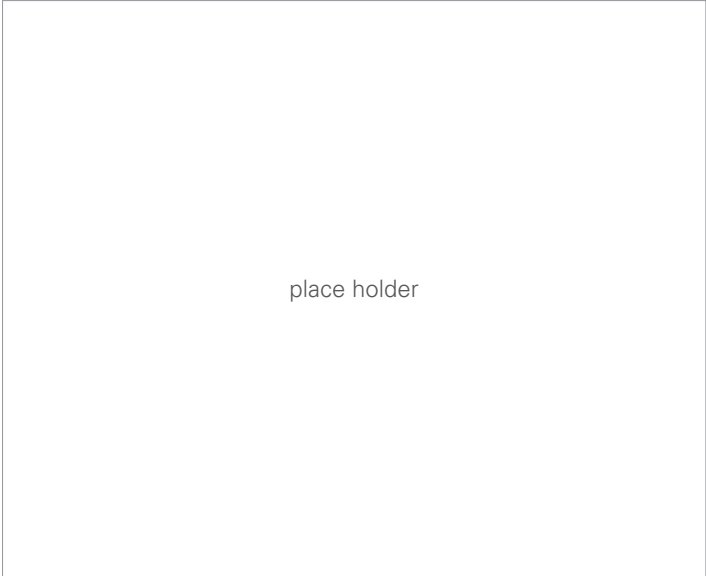
APARTMENT House (cont.)

A two and one half story, moderate footprint, detached structure with up to six units designed to appear as a large house appropriate for a wide lot

c. Massing & Composition



d. Uses & Features



MAIN BODY

|                             |                      |
|-----------------------------|----------------------|
| A Facade Build Out (min)    | 70%                  |
| A Width (min/max)           | 28' min. 56' max.    |
| A Depth (min/max)           | 44' min. 68' max.    |
| A Building Height (max)     | 2.5 stories (30 ft.) |
| Story Height (min/max)      | 9 ft.   12 ft.       |
| First Floor Elevation (min) | 2 ft.                |

PERMITTED BUILDING COMPONENTS

|               |           |
|---------------|-----------|
| Awning        | See X.x.x |
| Entry Canopy  | See X.x.x |
| Bay           | See X.x.x |
| Balcony       | See X.x.x |
| Dormer Window | See X.x.x |
| Cross Gable   | See X.x.x |

FACADE COMPOSITION

|                                       |                   |
|---------------------------------------|-------------------|
| A Ground Story Fenestration (min/max) | 20% min. 50% max. |
| A Upper Story Fenestration (min/max)  | 20% min. 50% max. |

PERMITTED BUILDING FRONTAGE

(1 required)

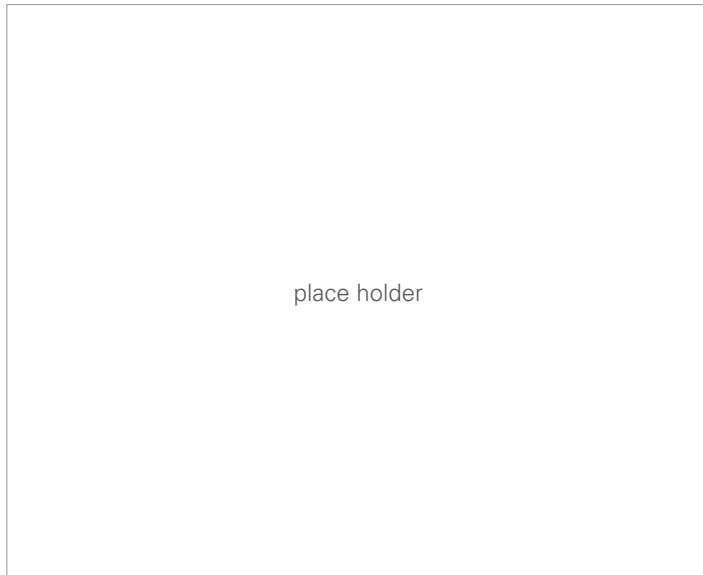
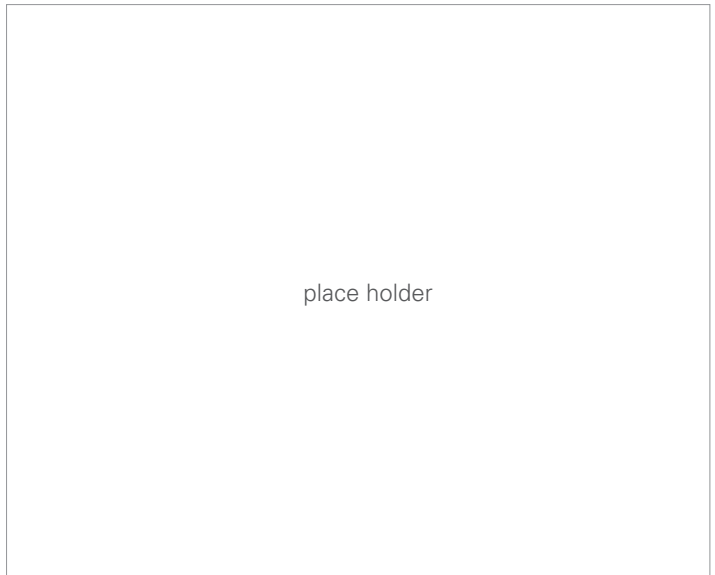
|                   |           |
|-------------------|-----------|
| Stoop             | See X.x.x |
| Portico           | See X.x.x |
| Porch, Projecting | See X.x.x |

USE & OCCUPANCY

|                             |                  |
|-----------------------------|------------------|
| Use Category                | Residential      |
| Dwelling Units (min/max)    | 6 min. 10 max.   |
| Affordable Dwelling Units   | See X.x.x        |
| Outdoor Amenity Space (min) | 1/ Dwelling Unit |

**11. APARTMENT BUILDING**

A multi-story, large footprint structure with six or more units appropriate for a large lot.

**a. Lot Standards****b. Placement****LOT DIMENSIONS**

|                      |              |
|----------------------|--------------|
| <b>A</b> Width (min) | 55 ft.       |
| <b>A</b> Depth (min) | 90 ft.       |
| Area (square feet)   |              |
| UR (min/max)         | 4,000 14,000 |
| 3MU (max)            | 20,000       |
| 4MU (max)            | 28,000       |
| 5MU (max)            | 40,000       |
| 7MU & 10MU (max)     | 45,000       |

**LOT COVERAGE**

|                            |     |
|----------------------------|-----|
| <b>A</b> Permeable Surface | --  |
| NR & UR (min)              | 35% |
| 3MU (min/max)              | 10% |
| 4MU (min/max)              | 10% |
| 5MU (max)                  | 10% |
| 7MU & 10MU (max)           | 10% |
| Landscape                  |     |
| NR & UR (min)              | 25% |

**BUILDING SETBACKS**

|                                       |                   |
|---------------------------------------|-------------------|
| Contextual Front Setback (see §X.x.x) | Required          |
| <b>A</b> Primary Front Setback        | --                |
| UR (min/max)                          | 10' min. 20' max. |
| 3MU & 4MU                             | 2' min. 12' max.  |
| 5MU - 10MU                            | 2' min. 15' max.  |
| <b>A</b> Secondary Front Setback      | --                |
| UR (min/max)                          | 10' min. 20' max. |
| 3MU & 4MU                             | 2' min. 12' max.  |
| <b>A</b> 5MU - 10MU                   | 2' min. 15' max.  |
| Side Setback                          | --                |
| UR                                    | 5 ft.             |
| <b>A</b> 3MU - 10MU                   | 0 ft.             |
| Side Setback Abutting NR (min)        | 5 ft.             |
| Rear Setback (min)                    | 10 ft.            |
| <b>A</b> Rear Setback Abutting NR     | 15 ft.            |

**PARKING SETBACKS**

|                               |        |
|-------------------------------|--------|
| Primary Front Setback (min)   | 20 ft. |
| Secondary Front Setback (min) | 20 ft. |



APARTMENT Building (cont.)

A multi-story, large footprint structure with six or more units appropriate for a large lot.

c. Massing & Composition



d. Uses & Features



MAIN BODY

|   |                             |                          |
|---|-----------------------------|--------------------------|
| A | Facade Build Out (min)      | 80%                      |
| A | Floor Plate (square feet)   | --                       |
|   | UR (max)                    | 7,000 sq. ft.            |
|   | 3 MU (max)                  | 15,000 sq. ft.           |
|   | 4 MU (max)                  | 22,000 sq. ft.           |
|   | 5MU                         | 32,000 sq. ft.           |
|   | 7MU & 10MU                  | 36,000 sq. ft.           |
| A | Building Height (min)       | 2 stories                |
| A | Building Height (max)       | --                       |
|   | UR                          | 4 stories (45 ft.) 42    |
|   | 3MU                         | 3 stories (35 ft.) 32    |
|   | 4MU                         | 4 stories ( 45 ft.) 42   |
|   | 5MU                         | 5 stories (55 ft.) 52    |
|   | 7MU                         | 7 stories (75 ft.) 72    |
|   | 10MU                        | 10 stories (105 ft.) 102 |
|   | Story Height (min)          | 9 ft.                    |
|   | First Floor Elevation (min) | 2 ft.                    |

PERMITTED BUILDING COMPONENTS

|              |           |
|--------------|-----------|
| Awning       | See X.x.x |
| Entry Canopy | See X.x.x |
| Bay          | See X.x.x |
| Balcony      | See X.x.x |

FACADE COMPOSITION

|   |                                     |                   |
|---|-------------------------------------|-------------------|
| A | Ground Story Fenestration (min/max) | 20% min. 50% max. |
| A | Upper Story Fenestration (min/max)  | 20% min. 50% max. |

PERMITTED BUILDING FRONTAGE

(1 required)

|                |           |
|----------------|-----------|
| Stoop          | See X.x.x |
| Portico        | See X.x.x |
| Forecourt      | See X.x.x |
| Lobby Entrance | See X.x.x |

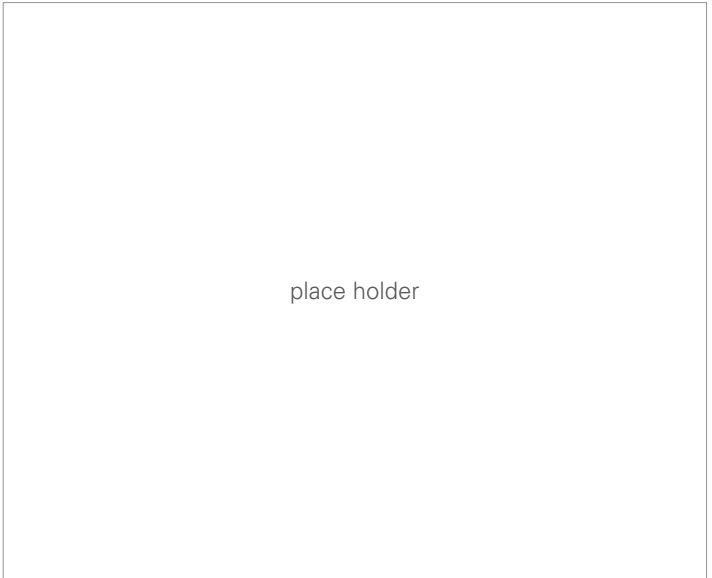
USE & OCCUPANCY

|                                  |                  |
|----------------------------------|------------------|
| Use Category                     | Residential      |
| Dwelling Units (min.)            | 7 min.           |
| Average Dwelling Unit Size (min) | 900 sq. ft.      |
| Affordable Dwelling Units        | See X.x.x.       |
| Outdoor Amenity Space (min)      | 1/ Dwelling Unit |

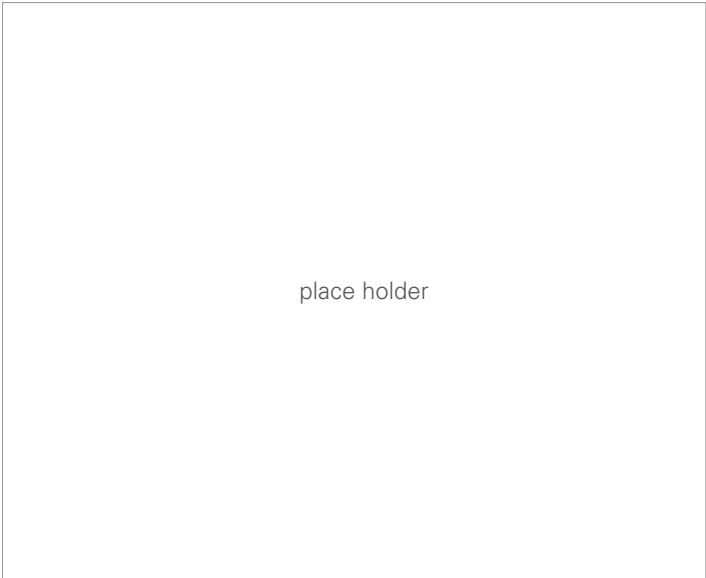
12. TOWNHOUSE BUILDING

A large footprint, multi-unit structure designed as multiple side by side attached dwelling units appropriate for a wide lot.

a. Lot Standards



b. Placement



LOT DIMENSIONS

|   |             |                |
|---|-------------|----------------|
| A | Width (min) | 100 ft.        |
| B | Area (min)  | 10,000 sq. ft. |

LOT COVERAGE

|   |                         |     |
|---|-------------------------|-----|
| C | Permeable Surface (min) | 35% |
|---|-------------------------|-----|

BUILDING SETBACKS

|                                       |                         |                   |
|---------------------------------------|-------------------------|-------------------|
| Contextual Front Setback (see §X.x.x) |                         | Required          |
| D                                     | Primary Front Setback   | 10' min. 20' max. |
| E                                     | Secondary Front Setback | 10' min. 20' max. |
| F                                     | Side Setback (min)      | 5 ft.             |
| G                                     | Rear Setback (min)      | 20 ft.            |

PARKING SETBACKS

|   |                               |        |
|---|-------------------------------|--------|
| H | Primary Front Setback (min)   | 20 ft. |
| I | Secondary Front Setback (min) | 20 ft. |

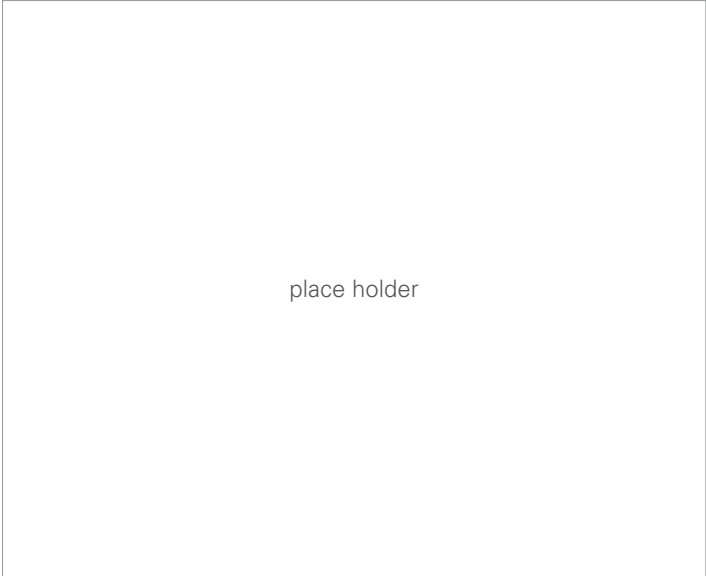
TOWNHOUSE Building (cont.)

A large footprint, multi-unit structure designed as multiple side by side attached dwelling units appropriate for a wide lot.

c. Massing & Composition



d. Uses & Features



MAIN BODY

|   |                               |                    |
|---|-------------------------------|--------------------|
| J | Facade Build Out (min)        | 70%                |
| K | Width per Townhouse (min/max) | 24' min. 30' max.  |
|   | Depth (min/max)               | 34' min. 60' max.  |
| L | Townhouses in sequence        | 3 min   10 max     |
| M | Building Height (max)         | 3 stories (40 ft.) |
|   | Story Height (min)            | 9 ft.              |
|   | First Floor Elevation (min)   | 2 ft.              |

PERMITTED BUILDING COMPONENTS

|               |           |
|---------------|-----------|
| Awning        | See X.x.x |
| Entry Canopy  | See X.x.x |
| Bay           | See X.x.x |
| Balcony       | See X.x.x |
| Deck          |           |
| Dormer Window | See X.x.x |

FACADE COMPOSITION

|   |                                     |                   |
|---|-------------------------------------|-------------------|
| N | Ground Story Fenestration (min/max) | 20% min. 50% max. |
| O | Upper Story Fenestration (min/max)  | 20% min. 50% max. |

PERMITTED BUILDING FRONTAGE

(1 required)

|                   |           |
|-------------------|-----------|
| Stoop             | See X.x.x |
| Portico           | See X.x.x |
| Porch, Projecting | See X.x.x |

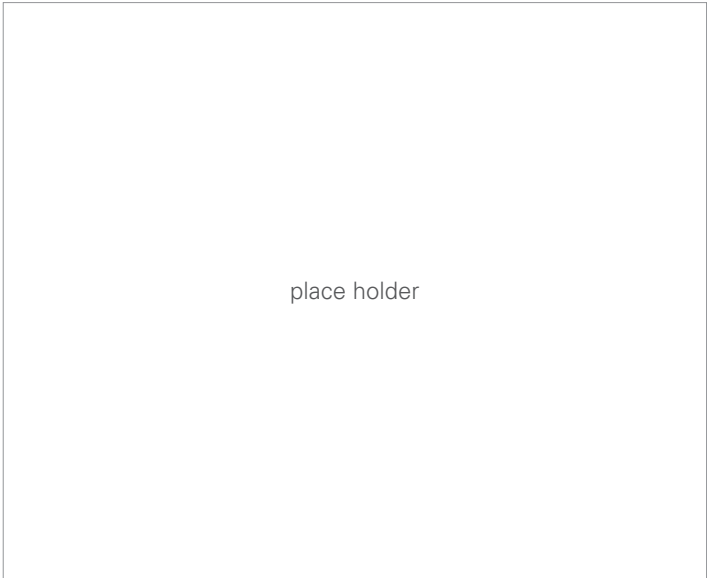
USE & OCCUPANCY

|                                    |                  |
|------------------------------------|------------------|
| Use Category                       | Residential      |
| Dwelling Units (min/max)           | 3 min. 10 max.   |
| Dwelling Units per Townhouse (max) | 1 Dwelling Unit  |
| Affordable Dwelling Units          | See X.x.x.       |
| Outdoor Amenity Space (min)        | 1/ Dwelling Unit |

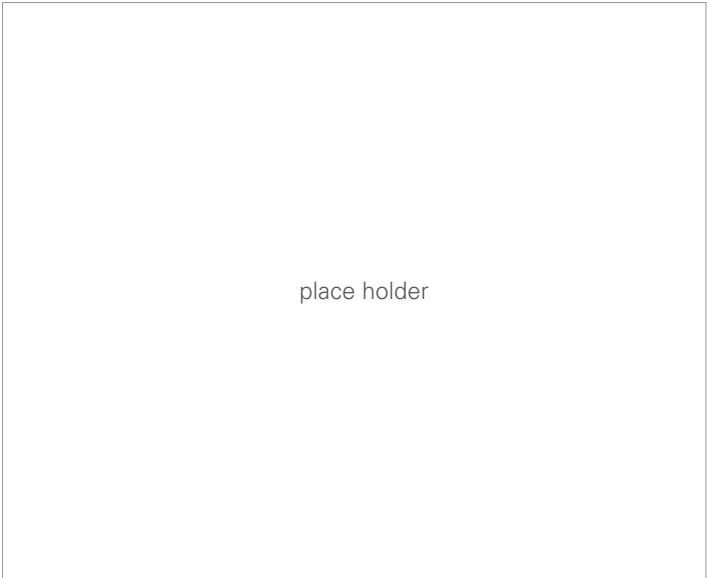
13. SHOP HOUSE

A moderate footprint, detached structure with ground story retail designed to appear as a house.

a. Lot Standards



b. Placement



LOT DIMENSIONS

|                      |        |
|----------------------|--------|
| <b>A</b> Width (min) | 34 ft. |
| <b>A</b> Depth (min) | 80 ft. |

LOT COVERAGE

|                            |     |
|----------------------------|-----|
| <b>A</b> Permeable Surface | 35% |
|----------------------------|-----|

BUILDING SETBACKS

|                                       |                   |
|---------------------------------------|-------------------|
| Contextual Front Setback (see §X.x.x) | Required          |
| <b>A</b> Primary Front Setback        | 10' min. 20' max. |
| <b>A</b> Secondary Front Setback      | 10' min. 20' max. |
| <b>A</b> Side Setback (min)           | 5 ft.             |
| <b>A</b> Rear Setback (min)           | 20 ft.            |

PARKING SETBACKS

|  |        |
|--|--------|
| <b>A</b> Primary Front Setback (min)   | 20 ft. |
| <b>A</b> Secondary Front Setback (min) | 20 ft. |

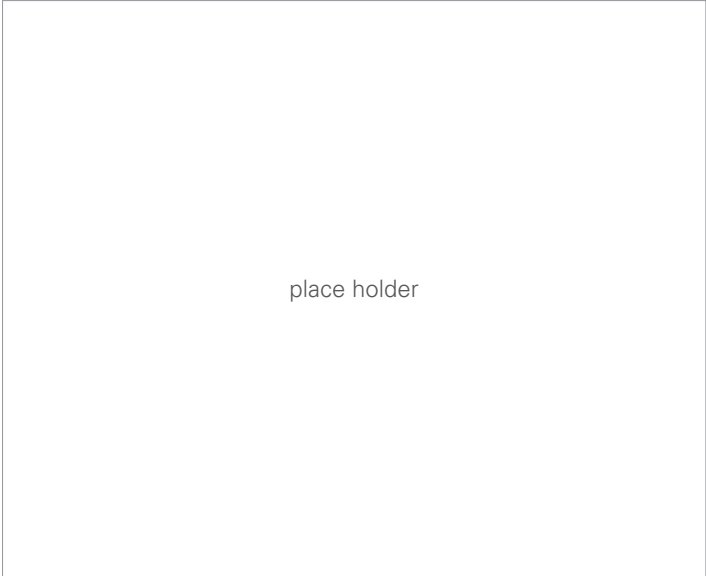
SHOP House (cont.)

A moderate footprint, detached structure with ground story retail designed to appear as a house.

c. Massing & Composition



d. Uses & Features



MAIN BODY

|   |                           |                      |
|---|---------------------------|----------------------|
| J | Facade Build Out (min)    | 80%                  |
| K | Width (min/max)           | 24' min. 30' max.    |
| L | Depth (min/max)           | 28' min. 48' max.    |
| M | Building Height (max)     | 2.5 stories (30 ft.) |
|   | Ground Story Height (min) | 9 ft.                |
|   | Upper Story Height (min)  | 9 ft.                |

PERMITTED BUILDING COMPONENTS

|  |              |           |
|--|--------------|-----------|
|  | Awning       | See X.x.x |
|  | Entry Canopy | See X.x.x |
|  | Bay          | See X.x.x |
|  | Balcony      | See X.x.x |
|  | Deck         | See X.x.x |

FACADE COMPOSITION

|   |                                     |                  |
|---|-------------------------------------|------------------|
| N | Ground Story Fenestration (min/max) | 20% min 50% max. |
| O | Upper Story Fenestration (min/max)  | 20% min 50% max. |

PERMITTED BUILDING FRONTAGE

(1 required)

|  |                   |           |
|--|-------------------|-----------|
|  | Porch, Projecting | See X.x.x |
|  | Porch, Engaged    | See X.x.x |
|  | Lobby Entrance    | See X.x.x |
|  | Storefront        | See X.x.x |

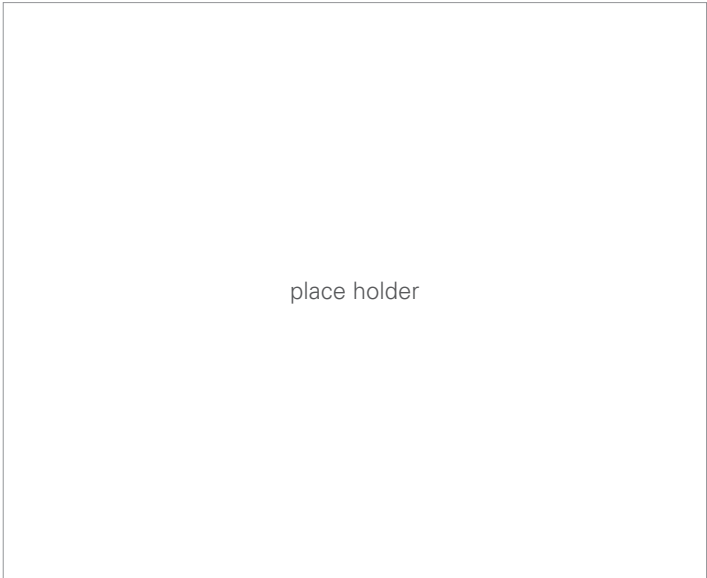
USE & OCCUPANCY

|  |                             |                  |
|--|-----------------------------|------------------|
|  | Leasable Space Depth (min)  | n/a              |
|  | Ground Story Use Category   | See X.x.x        |
|  | Upper Story Use Category    | Residential      |
|  | Dwelling Units (max)        | 1                |
|  | Affordable Dwelling Units   | See X.x.x        |
|  | Outdoor Amenity Space (min) | 1/ Dwelling Unit |

14. NEIGHBORHOOD STORE

A moderate footprint, single store structure designed for commercial uses.

a. Lot Standards



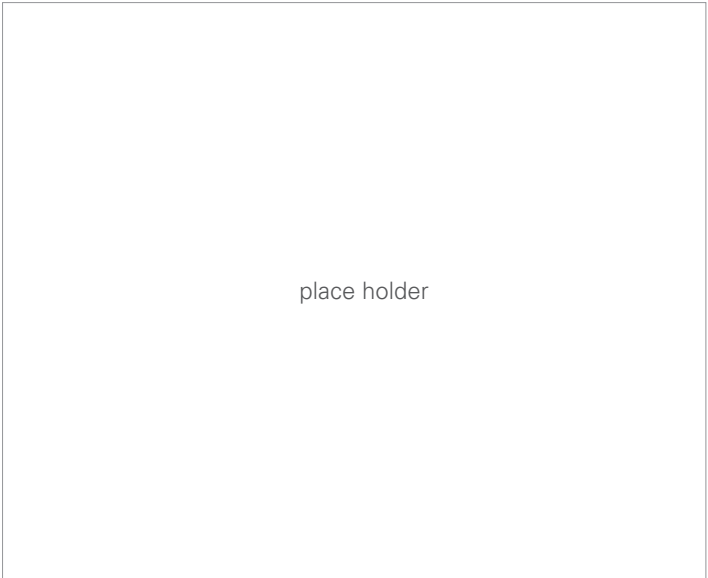
LOT DIMENSIONS

|   |             |        |
|---|-------------|--------|
| A | Width (min) | 30 ft. |
| A | Depth (min) | 40 ft. |

LOT COVERAGE

|   |                   |     |
|---|-------------------|-----|
| A | Permeable Surface | 10% |
|---|-------------------|-----|

b. Placement



BUILDING SETBACKS

|   |                                       |                  |
|---|---------------------------------------|------------------|
|   | Contextual Front Setback (see §X.x.x) | Required         |
| A | Primary Front Setback                 | 2' min. 12' max. |
| A | Secondary Front Setback               | 2' min. 12' max. |
| A | Side Setback (min)                    | 5 ft.            |
| A | Rear Setback (min)                    | 20 ft.           |

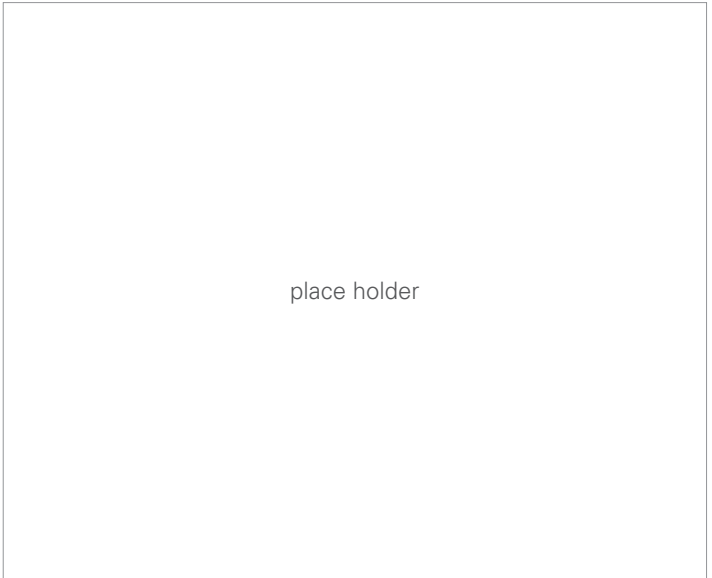
PARKING SETBACKS

|   |                               |        |
|---|-------------------------------|--------|
| A | Primary Front Setback (min)   | 20 ft. |
| A | Secondary Front Setback (min) | 20 ft. |

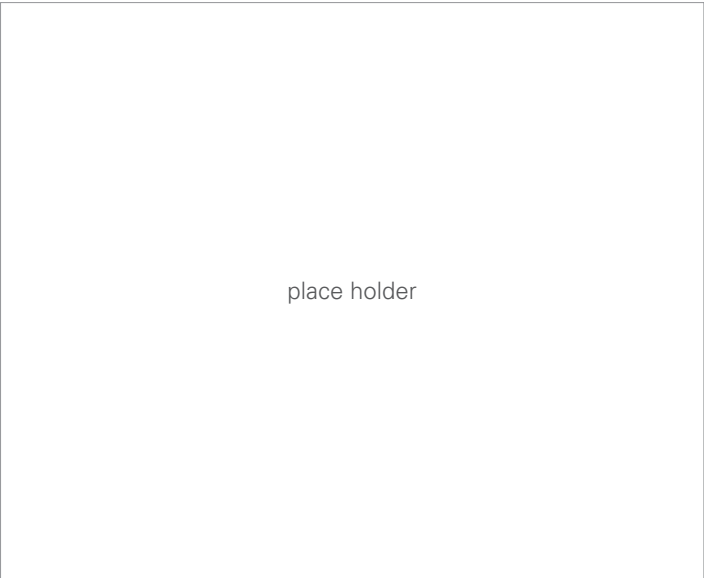
NEIGHBORHOOD Store (cont.)

A moderate footprint, detached structure with ground story retail designed to appear as a house.

c. Massing & Composition



d. Uses & Features



MAIN BODY

|   |                           |                   |
|---|---------------------------|-------------------|
| J | Facade Build Out (min)    | 80%               |
| K | Width (min/max)           | 30' min. 60' max. |
| L | Depth (min/max)           | 40' min. 60' max. |
| M | Building Height (max)     | 1 story (20 ft.)  |
|   | Ground Story Height (min) | 12 ft.            |
|   | Upper Story Height (min)  | 9 ft.             |

PERMITTED BUILDING COMPONENTS

|              |           |
|--------------|-----------|
| Awning       | See X.x.x |
| Entry Canopy | See X.x.x |

FACADE COMPOSITION

|   |                                    |                  |
|---|------------------------------------|------------------|
| N | Ground Story Fenestration (min)    | 60%              |
| O | Upper Story Fenestration (min/max) | 20% min 50% max. |
|   | Blank Wall (max)                   | 20 ft.           |

PERMITTED BUILDING FRONTAGE

|            |              |
|------------|--------------|
|            | (1 required) |
| Storefront | See X.x.x    |

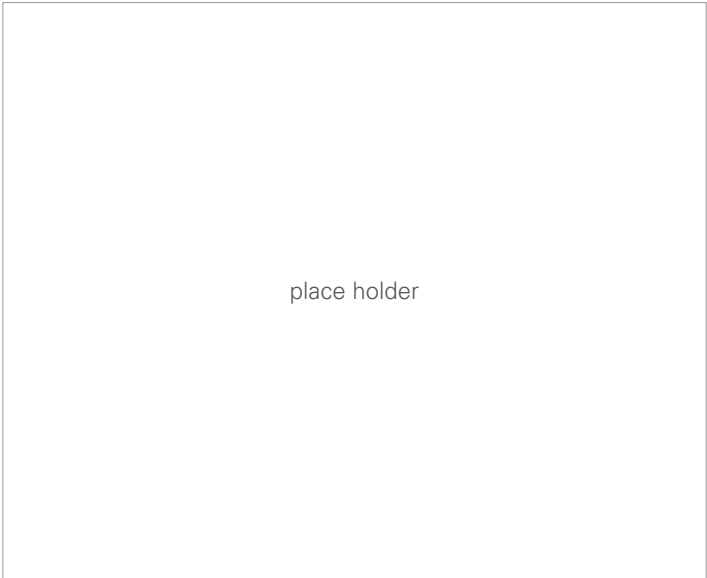
USE & OCCUPANCY

|                            |           |
|----------------------------|-----------|
| Leasable Space Depth (min) | 20 ft.    |
| Ground Story Use Category  | See X.x.x |

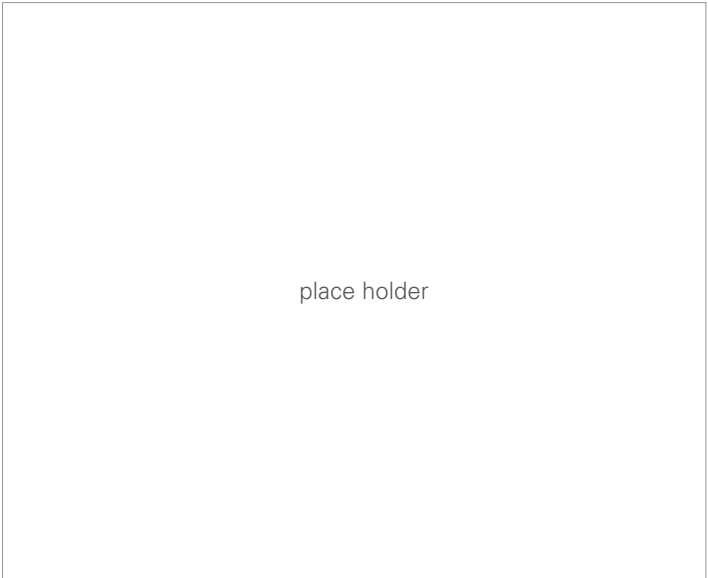
15. MIXED-USE BUILDING

A multi-story structure with active ground story uses and upper stories limited to residential uses.

a. Lot Standards



b. Placement



LOT DIMENSIONS

|                          |                |
|--------------------------|----------------|
| <b>A</b> Width (min/max) | --             |
| <b>A</b> 3MU & 4MU       | 30 ft. 150 ft. |
| 5MU - 10MU               | 30 ft. 200 ft. |
| Depth (min)              | --             |
| 3MU & 4MU                | 40 ft.         |
| 5MU - 10MU               | 100 ft.        |
| Area (max)               | --             |
| 3MU                      | 20,000 sq. ft. |
| 4MU                      | 28,000 sq. ft. |
| 5MU                      | 40,000 sq. ft. |
| 7MU & 10MU               | 45,000 sq. ft. |

LOT COVERAGE

|                            |     |
|----------------------------|-----|
| <b>A</b> Permeable Surface | 10% |
|----------------------------|-----|

BUILDING SETBACKS

|  |                  |
|--|------------------|
| Contextual Front Setback (see §X.x.x)      | Required         |
| <b>A</b> Primary & Secondary Front Setback |                  |
| <b>A</b> 3MU & 4MU                         | 2' min. 12' max. |
| 5MU - 10MU                                 | 2' min. 15' max. |
| FAB & CI                                   | 2' min. 12' max. |
| <b>A</b> Side Setback (min)                | 0 ft.            |
| <b>A</b> Side Setback Abutting NR (min)    | 5 ft.            |
| Rear Setback (min)                         | 10 ft.           |
| Rear Setback Abutting NR (min)             | 15 ft. (20 ft.?) |

PARKING SETBACKS

|  |        |
|--|--------|
| <b>A</b> Primary Front Setback (min)   | 20 ft. |
| <b>A</b> Secondary Front Setback (min) | 20 ft. |



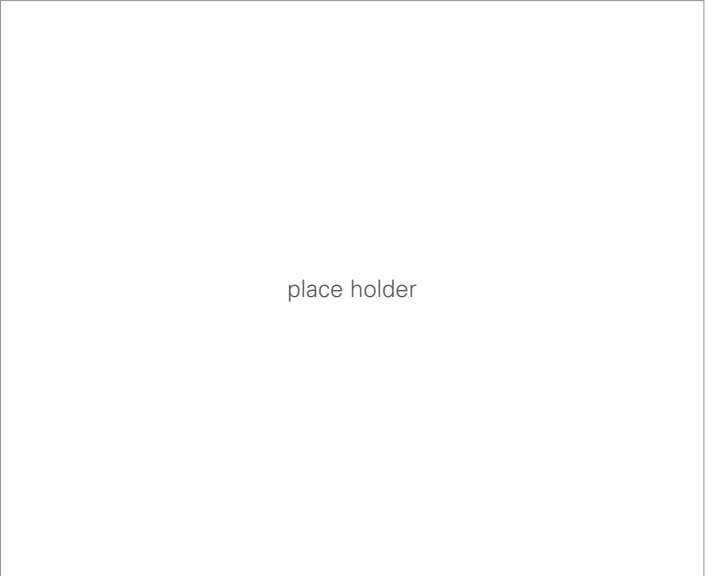
MIXED-USE Building (cont.)

A multi-story structure with active ground story uses and upper stories limited to residential uses.

c. Massing & Composition



d. Uses & Features



MAIN BODY

|   |                           |                          |
|---|---------------------------|--------------------------|
| J | Facade Build Out (min)    | 80%                      |
| K | Floor Plate (max)         | --                       |
| L | 3MU                       | 15,000 sq. ft.           |
| M | 4MU                       | 22,000 sq. ft.           |
|   | 5MU                       | 32,000 sq. ft.           |
|   | 7MU & 10MU                | 36,000 sq. ft.           |
|   | Minimum Height            | 2 stories                |
|   | Building Height (max)     | --                       |
|   | 3MU                       | 3 stories (35 ft.) 34    |
|   | 4MU                       | 4 stories (50 ft.) 46    |
|   | 5MU                       | 5 stories (60 ft.) 56    |
|   | 7MU                       | 7 stories (80 ft.) 76    |
|   | 10MU                      | 10 stories (110 ft.) 106 |
|   | Ground Story Height (min) | --                       |
|   | 3MU                       | 12 ft.                   |
|   | 4MU - 10MU                | 14 ft.                   |
|   | Upper Story Height (min)  | 9 ft.                    |

PERMITTED BUILDING COMPONENTS

|              |           |
|--------------|-----------|
| Awning       | See X.x.x |
| Entry Canopy | See X.x.x |
| Bay          | See X.x.x |
| Balcony      | See X.x.x |

FACADE COMPOSITION

|   |                                    |                  |
|---|------------------------------------|------------------|
| N | Ground Story Fenestration (min)    | --               |
| O | 3MU & 4MU                          | 60%              |
|   | 5MU - 10MU                         | 70%              |
|   | Upper Story Fenestration (min/max) | 20% min 50% max. |
|   | Blank Wall (max)                   | 20 ft.           |

PERMITTED BUILDING FRONTAGE

(1 required)

|                |           |
|----------------|-----------|
| Forecourt      | See X.x.x |
| Lobby Entrance | See X.x.x |
| Storefront     | See X.x.x |
| Terrace        | See X.x.x |

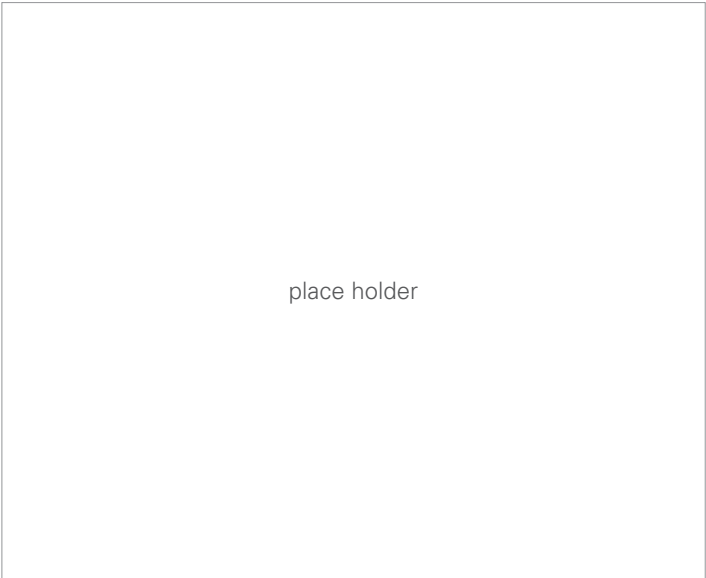
USE & OCCUPANCY

|   |                  |
|---|------------------|
| Ground Story Occupied Space Depth (min) | --               |
| 3MU & FAB                               | 20 ft.           |
| 4MU - 10MU, CI                          | 30 ft.           |
| Ground Story Use Category               | see X.x.x        |
| Upper Story Use Category                | Residential      |
| Dwelling Units (min)                    | 7 Units          |
| Average Dwelling Unit Size (min)        | 900 sq. ft.      |
| Affordable Dwelling Units               | See X.x.x        |
| Outdoor Amenity Space (min)             | 1/ Dwelling Unit |

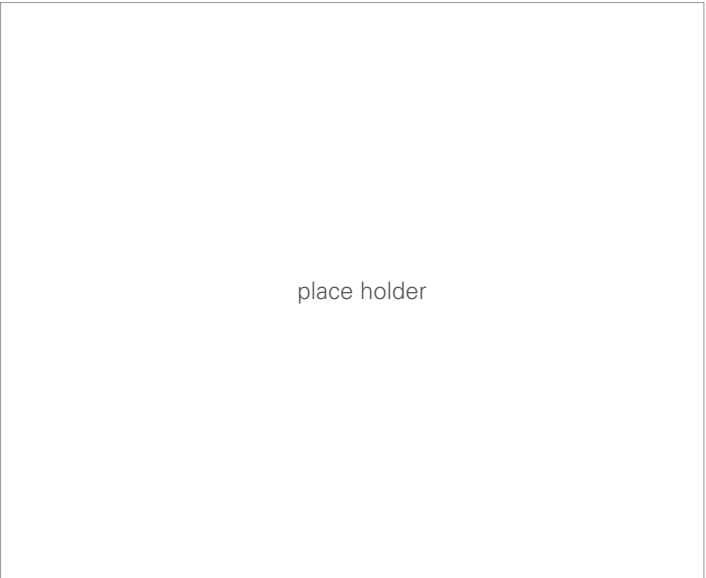
16. COMMERCIAL BUILDING

A multi-story structure with active ground story uses and upper stories accommodating non-residential uses.

a. Lot Standards



b. Placement



LOT DIMENSIONS

|                            |                |         |
|----------------------------|----------------|---------|
| <b>A</b> Width (min/max)   |                |         |
| <b>A</b> 3MU, 4MU, FAB, CI | 30 ft.         | 150 ft. |
| 5MU - 10MU                 | 30 ft.         | 200 ft. |
| Depth (min)                | --             |         |
| 3MU, 4MU, & FAB            | 40 ft.         |         |
| 5MU - 10MU                 | 100 ft.        |         |
| Area (max)                 | --             |         |
| 3MU & FAB                  | 20,000 sq. ft. |         |
| 4MU & CI                   | 28,000 sq. ft. |         |
| 5MU                        | 40,000 sq. ft. |         |
| 7MU & 10MU                 | 45,000 sq. ft. |         |

LOT COVERAGE

|                            |     |
|----------------------------|-----|
| <b>A</b> Permeable Surface | 10% |
|----------------------------|-----|

BUILDING SETBACKS

|  |                  |          |
|--|------------------|----------|
| Contextual Front Setback (see §X.x.x)      | Required         |          |
| <b>A</b> Primary & Secondary Front Setback |                  |          |
| <b>A</b> 3MU & 4MU                         | 2' min.          | 12' max. |
| 5MU - 10MU                                 | 2' min.          | 15' max. |
| FAB & CI                                   | 2' min.          | 12' max. |
| <b>A</b> Side Setback (min)                | 0 ft.            |          |
| <b>A</b> Side Setback Abutting NR (min)    | 5 ft.            |          |
| Rear Setback (min)                         | 10 ft.           |          |
| Rear Setback Abutting NR (min)             | 15 ft. (20 ft.?) |          |

PARKING SETBACKS

|  |        |
|--|--------|
| <b>A</b> Primary Front Setback (min)   | 20 ft. |
| <b>A</b> Secondary Front Setback (min) | 20 ft. |

COMMERCIAL Building (cont.)

A multi-story structure with active ground story uses and upper stories accommodating residential or non-residential uses.

c. Massing & Composition

d. Uses & Features

placeholder

placeholder

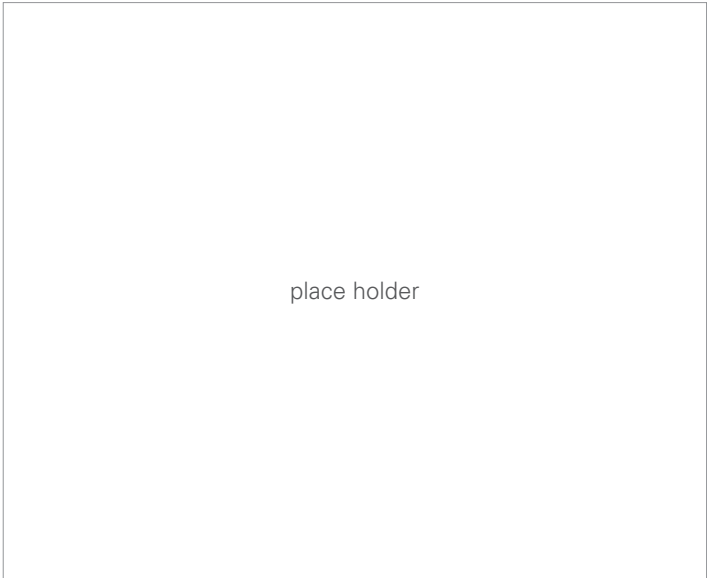
| MAIN BODY                     |                          |
|-------------------------------|--------------------------|
| J Facade Build Out (min)      | 80%                      |
| K Floor Plate (max)           | --                       |
| 3MU & FAB                     | 15,000 sq. ft.           |
| 4MU & CI                      | 22,000 sq. ft.           |
| 5MU                           | 30,000 sq. ft.           |
| 7MU & 10MU                    | 36,000 sq. ft.           |
| L Minimum Height              | --                       |
| FAB & CI                      | n/a                      |
| 3MU - 10MU                    | 2 stories                |
| M Building Height (max)       | --                       |
| 3MU & FAB                     | 3 stories (45 ft.) 42    |
| 4MU & CI                      | 4 stories (55 ft.) 55    |
| 5MU                           | 5 stories (70 ft.) 68    |
| 7MU                           | 7 stories (100 ft.) 94   |
| 10MU                          | 10 stories (135 ft.) 107 |
| Ground Story Height (min)     | --                       |
| 3MU & FAB                     | 12 ft.                   |
| 4MU - 10MU, CI                | 14 ft.                   |
| Upper Story Height (min)      | 9 ft.                    |
| PERMITTED BUILDING COMPONENTS |                          |
| Awning                        | See X.x.x                |
| Entry Canopy                  | See X.x.x                |
| Bay                           | See X.x.x                |
| Balcony                       | See X.x.x                |

| FACADE COMPOSITION                       |                  |
|--|------------------|
| N Ground Story Fenestration (min)        | --               |
| O 3MU, 4MU, FAB, & CI                    | 60%              |
| 5MU - 10MU                               | 70%              |
| Upper Story Fenestration (min/max)       | 20% min 50% max. |
| Blank Wall (max)                         | 20 ft.           |
| PERMITTED BUILDING FRONTAGE (1 required) |                  |
| Forecourt                                | See X.x.x        |
| Lobby Entrance                           | See X.x.x        |
| Storefront                               | See X.x.x        |
| Terrace                                  | See X.x.x        |
| PEDESTRIAN ACCESS                        |                  |
| Principal Entrance Spacing (min)         | 30 ft.           |
| USE & OCCUPANCY                          |                  |
| Leasable Space Depth (min)               | --               |
| 3MU & FAB                                | 20 ft.           |
| 4MU - 10MU, CI                           | 30 ft.           |
| Ground Story Use Category                | see X.x.x        |
| Upper Story Use Category                 | see X.x.x        |

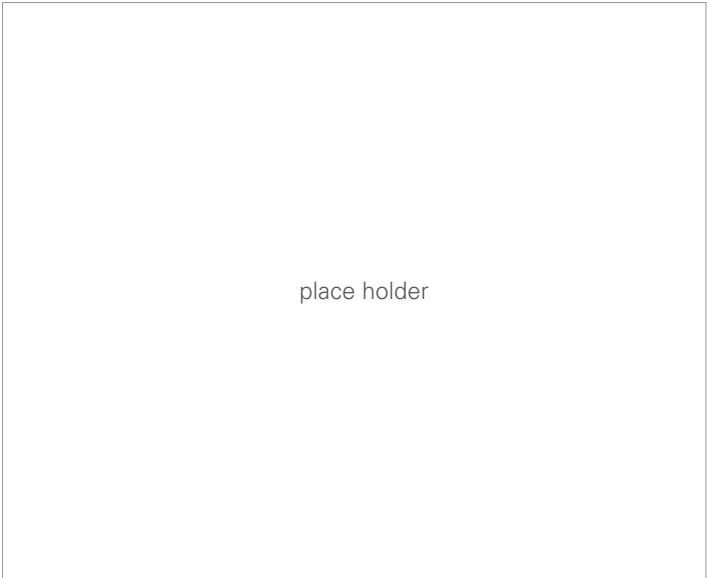
17. PRODUCTION BUILDING

A single-story structure with a medium to large footprint, often naturally lit with a monitor, clearstory, or sawtooth roof.

a. Lot Standards



b. Placement



LOT DIMENSIONS

|               |               |
|---------------|---------------|
| A Width (min) | 40 ft.        |
| A Depth (min) | 100 ft.       |
| Area (min)    | 5,000 sq. ft. |

LOT COVERAGE

|                     |     |
|---------------------|-----|
| A Permeable Surface | 10% |
|---------------------|-----|

BUILDING SETBACKS

|                                  |         |          |
|----------------------------------|---------|----------|
| A Primary Front Setback          | 0' min. | 15' max. |
| A Secondary Front Setback        | 0' min. | 15' max. |
| A Side Setback (min)             | 0 ft.   |          |
| A Side Setback Abutting NR (min) | 5 ft.   |          |
| Rear Setback (min)               | 10 ft.  |          |
| Rear Setback Abutting NR         | 15 ft.  |          |

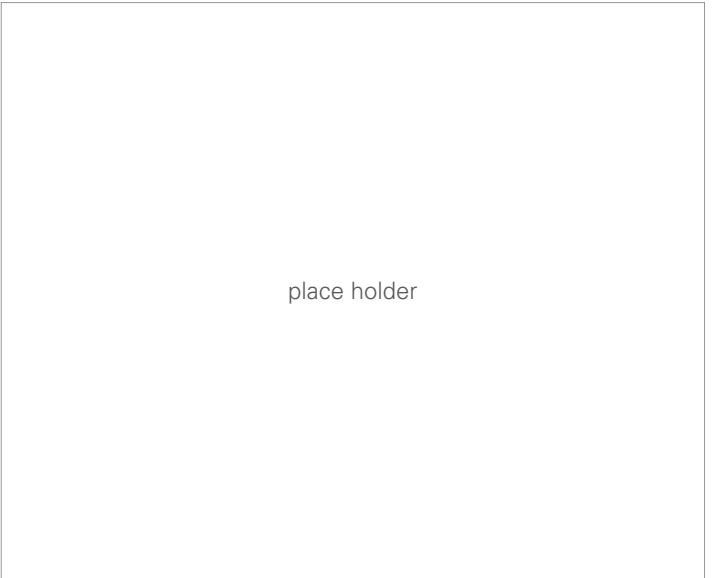
PARKING SETBACKS

|                                 |        |
|---------------------------------|--------|
| A Primary Front Setback (min)   | 20 ft. |
| A Secondary Front Setback (min) | 20 ft. |

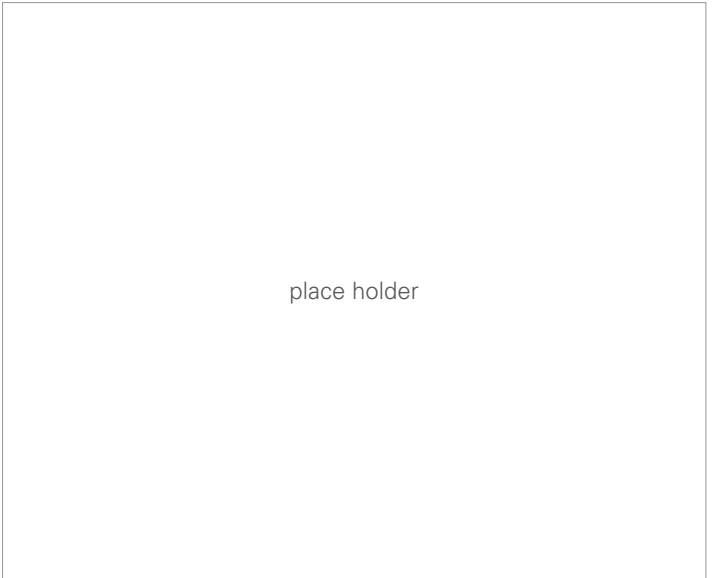
PRODUCTION Building (cont.)

A single-story structure with a medium to large footprint, often naturally lit with a monitor, clerestory, or sawtooth roof.

c. Massing & Composition



d. Uses & Features



MAIN BODY

|   |                        |                    |
|---|------------------------|--------------------|
| J | Facade Build Out (min) | 50%                |
| K | Floor Plate            | 45,000 sq. ft.     |
| M | Building Height (max)  | 2 stories (50 ft.) |

PERMITTED BUILDING COMPONENTS

|              |           |
|--------------|-----------|
| Awning       | See X.x.x |
| Entry Canopy | See X.x.x |

FACADE COMPOSITION

|   |  |         |
|---|--|---------|
| N | Ground Story Fenestration, Front (min)           | 40%     |
| O | Ground Story Fenestration, Secondary Front (min) | 20%     |
|   | Blank Wall (max)                                 | 50 ft.  |
|   | Continuous Facade (max.)                         | 100 ft. |

PERMITTED BUILDING FRONTAGE

(1 required)

|                |           |
|----------------|-----------|
| Lobby Entrance | See X.x.x |
| Storefront     | See X.x.x |
| Terrace        | See X.x.x |

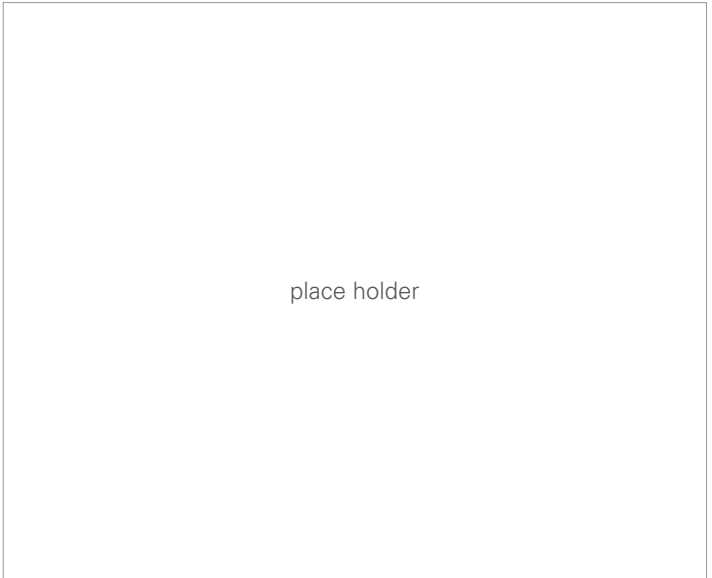
OCCUPANCY

|              |           |
|--------------|-----------|
| Use Category | see X.x.x |
|--------------|-----------|

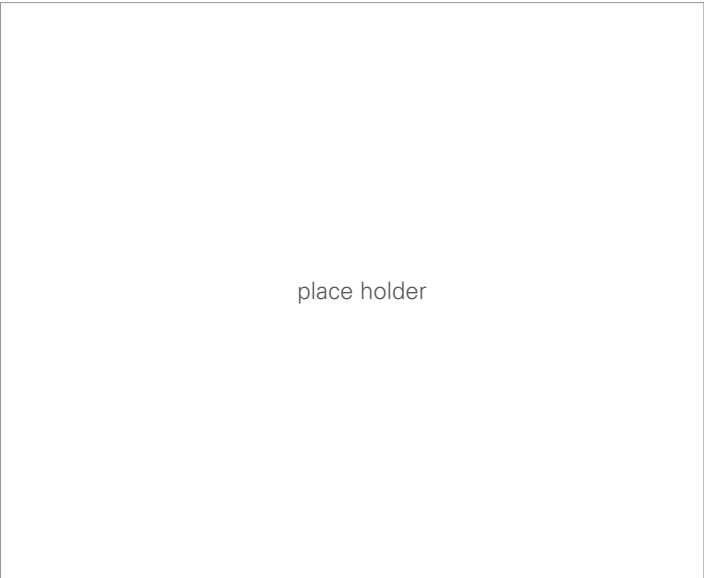
18. FABRICATION LOFT

A multi-story structure subdivided for multiple tenants, with a medium to large footprint and often designed with tall ceilings, expansive windows, wide corridors, service elevators, and loading docks.

a. Lot Standards



b. Placement



LOT DIMENSIONS

|               |               |
|---------------|---------------|
| A Width (min) | 40 ft.        |
| A Depth (min) | 100 ft.       |
| Area (min)    | 5,000 sq. ft. |

LOT COVERAGE

|                     |     |
|---------------------|-----|
| A Permeable Surface | 10% |
|---------------------|-----|

BUILDING SETBACKS

|                                  |         |          |
|----------------------------------|---------|----------|
| A Primary Front Setback          | 0' min. | 15' max. |
| A Secondary Front Setback        | 0' min. | 15' max. |
| A Side Setback (min)             | 0 ft.   |          |
| A Side Setback Abutting NR (min) | 5 ft.   |          |
| Rear Setback (min)               | 10 ft.  |          |
| Rear Setback Abutting NR         | 15 ft.  |          |

PARKING SETBACKS

|                                 |        |
|---------------------------------|--------|
| A Primary Front Setback (min)   | 20 ft. |
| A Secondary Front Setback (min) | 20 ft. |

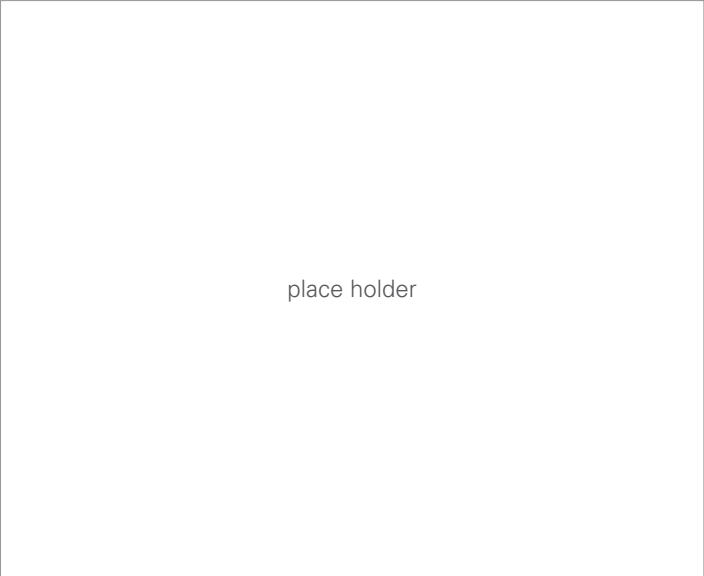
FABRICATION Loft (cont.)

A multi-story structure subdivided for multiple tenants, with a medium to large footprint and often designed with tall ceilings, expansive windows, wide corridors, and service elevators.

c. Massing & Composition



d. Uses & Features



MAIN BODY

|   |                        |                    |
|---|------------------------|--------------------|
| J | Facade Build Out (min) | 50%                |
| K | Floor Plate            | 45,000 sq. ft.     |
| M | Building Height (max)  | 4 stories (50 ft.) |

PERMITTED BUILDING COMPONENTS

|              |           |
|--------------|-----------|
| Awning       | See X.x.x |
| Entry Canopy | See X.x.x |

FACADE COMPOSITION

|   |  |         |
|---|--|---------|
| N | Ground Story Fenestration, Front (min)           | 40%     |
| O | Ground Story Fenestration, Secondary Front (min) | 20%     |
|   | Blank Wall (max)                                 | 50 ft.  |
|   | Continuous Facade (max.)                         | 100 ft. |

PERMITTED BUILDING FRONTAGE

(1 required)

|                |           |
|----------------|-----------|
| Lobby Entrance | See X.x.x |
| Storefront     | See X.x.x |
| Terrace        | See X.x.x |

OCCUPANCY

|              |           |
|--------------|-----------|
| Use Category | see X.x.x |
|--------------|-----------|

## D. BUILDING FRONTAGE TYPES

### 1. GENERAL

- Building frontage types provide a gradual transition and strong interface between the private realm (yards and building interiors) and the public realm (sidewalks, thoroughfares, and civic spaces) and are permitted according to Table 3.4.
- At least one (1) building frontage type is required for each principal building.

**TABLE 3.4** Permitted Building Frontage

|                   | Cottage | House | Paired House | Duplex | Triple Decker | Paired Triple Decker | Row House | Four-Plex | Six-Plex | Apartment House | Apartment Building | Townhouse Building | Shop House | Neighborhood Store | Mixed-Use Building | Commercial Building | Production Building | Fabrication Loft | Type Specific Standards   |
|-------------------|---------|-------|--------------|--------|---------------|----------------------|-----------|-----------|----------|-----------------|--------------------|--------------------|------------|--------------------|--------------------|---------------------|---------------------|------------------|---------------------------|
| Stoop             | Y       | Y     | Y            | Y      | Y             | Y                    | Y         | Y         | Y        | Y               | Y                  | Y                  | N          | N                  | N                  | N                   | N                   | N                | §3.D.2. Stoop             |
| Portico           | Y       | Y     | Y            | Y      | Y             | Y                    | Y         | Y         | Y        | Y               | Y                  | Y                  | N          | N                  | N                  | N                   | N                   | N                | §3.D.3. Portico           |
| Porch, Projecting | Y       | Y     | Y            | Y      | Y             | Y                    | Y         | Y         | Y        | Y               | N                  | Y                  | Y          | N                  | N                  | N                   | N                   | N                | §3.D.4. Porch, Projecting |
| Porch, Engaged    | Y       | Y     | Y            | Y      | N             | N                    | N         | N         | N        | N               | N                  | N                  | Y          | N                  | N                  | N                   | N                   | N                | §3.D.5. Porch, Engaged    |
| Forecourt         | N       | N     | N            | N      | N             | N                    | N         | N         | N        | N               | Y                  | N                  | N          | N                  | Y                  | Y                   | N                   | N                | §3.D.6. Forecourt         |
| Lobby Entrance    | N       | N     | N            | N      | N             | N                    | N         | N         | N        | N               | Y                  | N                  | Y          | N                  | Y                  | Y                   | Y                   | Y                | §3.D.7. Lobby Entrance    |
| Storefront        | N       | N     | N            | N      | N             | N                    | N         | N         | N        | N               | N                  | N                  | Y          | Y                  | Y                  | Y                   | Y                   | Y                | §3.D.8. Storefront        |
| Terrace           | N       | N     | N            | N      | N             | N                    | N         | N         | N        | N               | N                  | N                  | N          | N                  | Y                  | Y                   | Y                   | Y                | §3.D.9. Terrace           |

Y - Permitted  
N - NOT Permitted



2. **STOOP**

A frontage type featuring set of stairs leading to the entrance of a building.

| DIMENSIONS                   |          |
|------------------------------|----------|
| Landing Width (min)          | 4' min   |
| Landing Depth (min)          | 4' min.  |
| Permitted Encroachment (max) | 100% max |

| STANDARDS |   |
|-----------|---|
| i.        | Paving, excluding driveways, must match the abutting sidewalk unless paved with pervious, porous, or permeable materials.             |
| ii.       | Stairs may be recessed into the building facade when the building is setback four (4) feet or less.                                   |
| iii.      | Stairs are not permitted to encroach onto any abutting sidewalk.  |
| iv.       | Stairs may be built perpendicular or parallel to the building facade, but must lead directly to ground level or an abutting sidewalk. |

3. **PORTICO**

A frontage type featuring a set of stairs with a landing leading to the entrance of a building. A portico has a roof supported by columns or piers.

| DIMENSIONS                   |          |
|------------------------------|----------|
| Landing Width (min)          | 4' min   |
| Landing Depth (min)          | 4' min   |
| Ceiling Height (min)         | 8' min   |
| Permitted Encroachment (max) | 100% max |

| STANDARDS |   |
|-----------|---|
| i.        | Paving, excluding driveways, must match the abutting sidewalk unless paved with pervious, porous, or permeable materials.             |
| ii.       | Stairs are not permitted to encroach onto any abutting sidewalk.  |
| iii.      | Stairs may be built perpendicular or parallel to the building facade, but must lead directly to ground level or an abutting sidewalk. |

4. PORCH, PROJECTING

A frontage type featuring a wide, raised platform with stairs leading to the principal entrance of a building. Porches provide outdoor amenity space and may have multiple levels or a roof supported by columns or piers.

| DIMENSIONS                   |  |
|------------------------------|--|
| Width (min)                  | 10' or 50% of facade width, whichever is greater |
| Depth (min)                  | 6 feet   |
| Ceiling Height (min)         | 8 feet   |
| Furniture Area, Clear (min)  | 6 feet x 6 feet                                  |
| Permitted Encroachment (max) | 10 feet  |

| STANDARDS |   |
|-----------|---|
| i.        | Paving, excluding driveways, must match the abutting sidewalk unless paved with pervious, pourous, or permeable materials.  |
| ii.       | Stairs are not permitted to encroach onto any abutting sidewalk.  |
| iii.      | Stairs may lead directly to ground level, an abutting sidewalk, or be side-loaded.  |
| iv.       | A porch may be screened provided the percentage of window area to wall area is seventy percent (70%) or greater. Permanent enclosure of a porch to create year-round living space is not permitted. |

5. PORCH, ENGAGED

A frontage type featuring a raised platform with stairs leading to the principal entrance of a building. Engaged porches are attached to the building at two sides, one to the facade and the other to a permitted encroachment (typically a mud room).

| DIMENSIONS                   |                 |
|------------------------------|-----------------|
| Width (min)                  | 6 feet          |
| Depth (min)                  | 6 feet          |
| Ceiling Height (min)         | 8 feet          |
| Furniture Area, Clear (min)  | 6 feet x 6 feet |
| Permitted Encroachment (max) | 10 feet         |

| STANDARDS |   |
|-----------|---|
| i.        | Paving, excluding driveways, must match the abutting sidewalk unless paved with pervious, pourous, or permeable materials.  |
| ii.       | Stairs are not permitted to encroach onto any abutting sidewalk.  |
| iii.      | Stairs may lead directly to ground level, an abutting sidewalk, or be side-loaded.  |
| iv.       | A porch may be screened provided the percentage of window area to wall area is seventy percent (70%) or greater. Permanent enclosure of a porch to create year-round living space is not permitted. |

6. FORECOURT

A frontage type featuring a landscaped semi-public area, open to the sky, formed by a recess in a central portion of a buildings facade.

| DIMENSIONS                  |         |
|-----------------------------|---------|
| Width (min)                 | 12 feet |
| Depth (min)                 | 12 feet |
| Height to Width Ratio (max) | 2 to 1  |
| Landscaped Area (min)       | 30%     |

| STANDARDS |  |
|-----------|--|
| i.        | Paving, excluding driveways, must match the abutting sidewalk unless paved with pervious, pourous, or permeable materials.   |
| ii.       | Forecourts are considered part of the building for the purpose of measuring facade buildout.   |
| iii.      | A forecourt must be enclosed by walls on three sides.  |
| iv.       | Porches, stoops, porticos, entry canopies, and balconies may encroach into the forecourt.  |
| v.        | Driveways, parking spaces, passenger drop-offs, garage entrances, loading and service areas, exhaust vents, mechanical equipment, and refuse or recycling storage are not permitted in forecourts. |

7. LOBBY ENTRANCE

A frontage type featuring an at-grade principal entrance providing access to upper story uses of a building.

| DIMENSIONS                          |        |
|-------------------------------------|--------|
| Distance between Fenestration (max) | 2 feet |
| Depth of Recessed Entry (max)       | 5 feet |

| STANDARDS |  |
|-----------|--|
| i.        | Lobby entrances must be well-defined, clearly visible, and universally accessible from the abutting sidewalk.        |
| ii.       | When a lobby entrance is setback from the front lot line, the frontage must be paved to match the abutting sidewalk. |
| iii.      | Lobby entrances should be made clearly identifiable using a difference in design from the rest of the facade.        |
| iv.       | Lobby entrances should include weather protection.   |

**8. STOREFRONT**

A frontage type conventional for commercial uses featuring an at grade principal entrance accessing an individual ground story space and substantial display windows for the display of goods, services, and signs.

**DIMENSIONS**

|                                     |        |
|-------------------------------------|--------|
| Distance between Fenestration (max) | 2 feet |
| Depth of Recessed Entry (max)       | 5 feet |

**STANDARDS**

- i. When storefronts are setback from the front lot line, the frontage must be paved to match the abutting sidewalk.
- ii. Open ended, operable awnings are encouraged for weather protection.
- iii. Bi-fold glass windows and doors and other storefront systems that open to permit a flow of customers between interior and exterior space are encouraged.

**9. TERRACE**

A frontage type featuring an elevation of the ground level to accommodate a change in grade that provides circulation and access along the front of a building.

**DIMENSIONS**

|                                   |         |
|-----------------------------------|---------|
| Depth (min)                       | 8 feet  |
| Finish Level above Sidewalk (max) | 4 feet  |
| Distance between Stairs (max)     | 50 feet |

**STANDARDS**

- i. Terrace frontage must be paved to match the abutting sidewalk.
- ii. Frequent steps up to the terrace are required to avoid blank wall along the sidewalk and maximize pedestrian access.

## E. BUILDING COMPONENTS

### 1. GENERAL

- Building components are accessory features of a building that increase the habitable square footage or enhance the usefulness of a building.
- Building components are permitted according to Table 3.5.

**TABLE 3.5** Permitted Building Components

|               | Cottage | House | Paired House | Duplex | Triple Decker | Paired Triple Decker | Row House | Four-Plex | Six-Plex | Apartment House | Apartment Building | Townhouse Building | Shop House | Neighborhood Store | Mixed-Use Building | Commercial Building | Production Building | Fabrication Loft | Type Specific Standards |
|---------------|---------|-------|--------------|--------|---------------|----------------------|-----------|-----------|----------|-----------------|--------------------|--------------------|------------|--------------------|--------------------|---------------------|---------------------|------------------|-------------------------|
| Awning        | Y       | Y     | Y            | Y      | Y             | Y                    | Y         | Y         | Y        | Y               | Y                  | Y                  | Y          | Y                  | Y                  | Y                   | Y                   | Y                | §3.E.2. Awning          |
| Entry Canopy  | Y       | Y     | Y            | Y      | Y             | Y                    | Y         | Y         | Y        | Y               | Y                  | Y                  | Y          | Y                  | Y                  | Y                   | Y                   | Y                | §3.E.3. Entry Canopy    |
| Bay           | Y       | Y     | Y            | Y      | Y             | Y                    | Y         | Y         | Y        | Y               | Y                  | Y                  | Y          | N                  | Y                  | Y                   | N                   | N                | §3.E.4. Bay             |
| Balcony       | Y       | Y     | Y            | Y      | Y             | Y                    | Y         | Y         | Y        | Y               | Y                  | Y                  | Y          | N                  | Y                  | Y                   | N                   | N                | §3.E.6. Balcony         |
| Deck          | Y       | Y     | Y            | Y      | N             | N                    | Y         | Y         | Y        | N               | N                  | Y                  | Y          | N                  | N                  | N                   | N                   | N                | §3.E.7. Deck            |
| Dormer Window | Y       | Y     | Y            | Y      | N             | N                    | Y         | Y         | Y        | Y               | N                  | N                  | N          | N                  | N                  | N                   | N                   | N                | §3.E.8. Dormer Window   |
| Cross Gable   | Y       | Y     | Y            | Y      | N             | N                    | N         | Y         | Y        | Y               | N                  | N                  | N          | N                  | N                  | N                   | N                   | N                | §3.E.9. Cross Gable     |
| Side Wing     | Y       | Y     | Y            | Y      | N             | N                    | N         | N         | N        | N               | N                  | N                  | N          | N                  | N                  | N                   | N                   | N                | §3.E.10. Side Wing      |
| Rear Addition | Y       | Y     | Y            | Y      | N             | N                    | Y         | N         | N        | N               | N                  | N                  | N          | N                  | N                  | N                   | N                   | N                | §3.E.11. Rear Addition  |

Y - Permitted  
N - NOT Permitted

2. **AWNING**

A wall mounted, pitched covering extending from a building to provide shade and weather protection for pedestrians.

| DIMENSIONS              |              |
|-------------------------|--------------|
| Width (min)             | see below    |
| Depth (min)             | 4 feet       |
| Height (min)            | 8 feet clear |
| Setback from Curb (min) | 1.5 feet     |
| Valance Height (max)    | 6 inches     |

| STANDARDS |  |
|-----------|--|
| i.        | Awnings must be securely attached to and supported by the building, and must fit the windows or doors the awning is attached to. |
| ii.       | An awning must be made of durable, weather-resistant material.   |
| iii.      | Internally illuminated or back-lit awnings are strictly prohibited.  |
| iv.       | An awning that encroaches into the right-of-way of a public thoroughfare requires compliance with all city regulations.          |
| v.        | Awnings shall not be internally illuminated, but may be lighted from above by downcast fixtures mounted to the building wall.    |

3. **ENTRY CANOPY**

A wall-mounted structure providing shade and weather protection over the entrance of a building.

|                         |                           |
|-------------------------|---------------------------|
| Section<br>Place Holder | Plan View<br>Place Holder |
|-------------------------|---------------------------|

| DIMENSIONS                   |              |
|------------------------------|--------------|
| Width (min)                  | see below    |
| Depth (min)                  | 3 feet       |
| Height (min)                 | 8 feet clear |
| Permitted Encroachment (max) | 100%         |

| STANDARDS |   |
|-----------|---|
| i.        | Entry canopies must be visually supported by brackets, cables, or rods.   |
| ii.       | The width of a canopy must be equal to or greater than the width of the doorway surround or exterior casing it is mounted over. |

4. BAY

A window assembly extending from the main body of a building to permit increased light, multi-direction views, and articulate a buildings facade.

|                         |                           |
|-------------------------|---------------------------|
| Section<br>Place Holder | Plan View<br>Place Holder |
|-------------------------|---------------------------|

| DIMENSIONS                         |                            |
|------------------------------------|----------------------------|
| Width (max)                        | 50% of Facade or Elevation |
| Depth (min/max)                    | 12 inches      3 feet      |
| Fenestration (min)                 | 60%                        |
| Height                             | Height of the building     |
| Permitted Front Encroachment (max) | 3' max                     |

| STANDARDS |   |
|-----------|---|
| i.        | Bays must have a foundation or be visually supported by brackets. |
| ii.       | Third story bays and above  |

5. BALCONY

A platform with a railing that provides outdoor amenity space.

|                         |                           |
|-------------------------|---------------------------|
| Section<br>Place Holder | Plan View<br>Place Holder |
|-------------------------|---------------------------|

| DIMENSIONS                         |           |
|------------------------------------|-----------|
| Width (min)                        | 5 feet    |
| Depth (min)                        | 5 feet    |
| Area (min)                         | 50 sq ft. |
| Clear Height (min)                 | 8 feet    |
| Permitted Front Encroachment (max) | 5 feet    |

| STANDARDS |   |
|-----------|---|
| i.        | Balconies may be recessed, projecting, a combination of the two, or terraced as part of the roof of a portico, porch, or bay. |
| ii.       | A projecting balcony must have a clear height above the ground of at least ten feet.  |
| iii.      | An awning that encroaches into the right-of-way of a public thoroughfare requires compliance with all city regulations.       |
| iv.       | A fully projecting balcony should include screening walls or devices at the sides to provide privacy and security.            |

6. DECK

A roofless, raised platform accessible from a rear, side, or rooftop entrance to a building that provides outdoor amenity space. Decks projecting from the wall of a building must be connected by structural supports at grade.

|                         |                           |
|-------------------------|---------------------------|
| Section<br>Place Holder | Plan View<br>Place Holder |
|-------------------------|---------------------------|

| DIMENSIONS      |        |         |
|-----------------|--------|---------|
| Width (min)     | n/a    |         |
| Depth (min/max) | 4' min | 10' max |
| Area (min)      |        |         |

| STANDARDS |   |  |
|-----------|---|--|
| i.        | Roof decks should include screening walls or devices at the sides to limit views of abutting properties from elevated vantage points. |  |

7. DORMER WINDOW

A window or set of windows that projects vertically from a sloped roof, designed to provide light into and expand the habitable space of a half-story.

|                         |                           |
|-------------------------|---------------------------|
| Section<br>Place Holder | Plan View<br>Place Holder |
|-------------------------|---------------------------|

| DIMENSIONS               |   |  |
|--------------------------|---|--|
| Width (max)              | 24 feet or 50% of the eave length of the main roof (whichever is shorter) |  |
| Front Wall Setback (min) | 1 ft. 6 in.   |  |
| Side Wall Setback (min)  | 3 ft. 6 in.   |  |
| Ridge Line Setback (min) | 1 foot  |  |
| Roof Slope (min)         | 4:12  |  |
| Fenestration (min)       | 50%   |  |

| STANDARDS |  |  |
|-----------|--|--|
| i.        | Setbacks are strictly enforced regardless of permitted dormer width.   |  |
| ii.       | The maximum permitted width of a dormer applies to single, multiple, or attached combinations of dormers on each side of a roof. |  |



8. CROSS GABLE

A sloped roof that projects perpendicularly from the main roof of a building to significantly increase the habitable space of a half-story.

|                         |                           |
|-------------------------|---------------------------|
| Section<br>Place Holder | Plan View<br>Place Holder |
|-------------------------|---------------------------|

DIMENSIONS

|             |   |
|-------------|---|
| Width (max) | 50% of the eave length of the main roof |
|-------------|---|

STANDARDS

- i. The rakes of the cross gable roof must be structurally integrated into the eave of the main roof.

9. SIDE WING

A multi-story extension from or or more side walls of the main body of a building.

|                         |                           |
|-------------------------|---------------------------|
| Section<br>Place Holder | Plan View<br>Place Holder |
|-------------------------|---------------------------|

DIMENSIONS

|                           |  |
|---------------------------|--|
| Setback from Facade (min) | 10 feet                                      |
| Floor Plate Area (max)    | 50% of the Floor Plate of Principal Building |
| Width (max)               | --   |
| One (1) Story             | 1/2 of Main Body Width                       |
| Two (2) Stories           | 1/3 of Main Body Width                       |
| Height (min)              | Same as Principal Building                   |

STANDARDS

- i. Side wings must include a similarly style roof as the Principal Building.

10. REAR ADDITION

An extension from the rear wall of the main body of a building.

|                         |                           |
|-------------------------|---------------------------|
| Section<br>Place Holder | Plan View<br>Place Holder |
|-------------------------|---------------------------|

DIMENSIONS

|                                   |  |
|-----------------------------------|--|
| Setback from side Elevation (min) | 1 foot   |
| Floor Plate Area (max)            | 50% of the Floor Plate of the Principal Building |
| Height (max)                      | 2 stories  |

STANDARDS

- i. The slope of any pitched roof of a rear addition must be equal to or less than slope of the roof of the main body of the building and no less than nine and one-half degrees (9.5°; 2:12).

## F. OUTDOOR AMENITY SPACE

### 1. GENERAL

- a. At least one (1) private outdoor amenity space is required for each dwelling unit.
- b. Outdoor amenity spaces are permitted for each building type according to Table 3.6 Permitted Amenity Spaces.
- c. Each outdoor amenity space must provide at least twenty-four (24) square feet of unobstructed seating area.
- d. Apartment building and mixed-use building types may provide shared outdoor amenity space, provided that the space includes the total seating area required for each unit that the shared space is meant to serve.
  - i. Outdoor amenity space required for dwelling units above the tenth (10th) story must be provided as shared amenity space.
- e. For all other building types, each outdoor amenity space must be directly accessible by a doorway from a habitable room within the dwelling unit it is meant to serve.

**TABLE 3.6 Permitted Amenity Spaces**

**Y** - Permitted  
**N** - NOT Permitted

|                          | Cottage | House | Paired House | Duplex | Triple Decker | Paired Triple Decker | Row House | Four-Plex | Six-Plex | Apartment House | Apartment Building | Townhouse Building | Shop House | Neighborhood Store | Mixed-Use Building | Commercial Building | Production Building | Fabrication Loft | Type Specific Standards                              |
|--------------------------|---------|-------|--------------|--------|---------------|----------------------|-----------|-----------|----------|-----------------|--------------------|--------------------|------------|--------------------|--------------------|---------------------|---------------------|------------------|--|
| Balcony                  | Y       | Y     | Y            | Y      | Y             | Y                    | Y         | Y         | Y        | Y               | Y                  | Y                  | n/a        | n/a                | Y                  | Y                   | n/a                 | n/a              | §3.E.6. Balcony                                      |
| Deck                     | Y       | Y     | Y            | Y      | N             | N                    | Y         | Y         | Y        | N               | N                  | N                  | n/a        | n/a                | N                  | N                   | n/a                 | n/a              | §3.E.7. Deck   |
| Patio                    | Y       | Y     | Y            | Y      | Y             | Y                    | Y         | Y         | Y        | Y               | N                  | N                  | n/a        | n/a                | N                  | N                   | n/a                 | n/a              | n/a  |
| Porch                    | Y       | Y     | Y            | Y      | Y             | Y                    | Y         | Y         | Y        | N               | N                  | N                  | n/a        | n/a                | N                  | N                   | n/a                 | n/a              | §3.D.4. Porch, Projecting;<br>§3.D.5. Porch, Engaged |
| Roof Deck / Roof Terrace | N       | N     | N            | N      | N             | N                    | N         | Y         | Y        | N               | Y                  | N                  | n/a        | n/a                | Y                  | Y                   | n/a                 | n/a              | §3.E.7. Deck   |
| Yard                     | Y       | Y     | Y            | Y      | Y             | Y                    | Y         | Y         | Y        | Y               | N                  | N                  | n/a        | n/a                | N                  | N                   | n/a                 | n/a              | n/a  |

## G. BUILDING DESIGN

### 1. PURPOSE

- a. To encourage design techniques that address privacy concerns in a densely built urban environment.
- b. To ensure energy saving building features are properly designed and appropriately installed; to encourage the passive cooling of interior spaces and reduce the need for electrical air conditioning; to protect circadian rhythms and enhance the happiness and productivity of building occupants by visually connecting them with the outdoors and introducing natural daylight into interior spaces; and to minimize heat island impacts on the urban environment.
- c. To ensure building facades are divided and articulated into pedestrian-scaled increments.
- d. To require vertical articulation and modulation of facades that breaks down and visually minimizes the apparent mass of buildings, enhances orientation, and adds visual interest to the public realm.
- e. To require horizontal articulation of facades that enhances the quality and definition of the public realm, visually anchors buildings to the ground, and relates the building to the pedestrian, at the base, to the immediate context of surrounding buildings, at the middle, and completes the composition of facade, at the top, with visual interest.
- f. To ensure storefront design that invites interaction, enlivens the pedestrian environment, and provides a secondary, more intimate, source of lighting at night.
- g. To ensure that review results in visual harmony between the individual elements of a building.

### 2. BUILDING PRIVACY

- a. Ground Story Elevation
  - i. Ground story dwelling units should be elevated above the grade of any adjacent sidewalk so that the window sills of dwelling unit are at or above the eye-level of passing pedestrians. This elevation change maintains privacy for occupants while also encouraging open blinds or curtains to allow natural daylight into the unit.
- b. Windows
  - i. Fenestration patterns and window configurations that break the direct line of sight between neighboring properties should be utilized to every extent possible. Translucent glass on the bottom half of windows or strategically placed landscape elements should be utilized if it is not practical to off-set windows in ways that minimize privacy impacts.
- c. Outdoor Amenity Spaces
  - i. Outdoor amenity spaces that are elevated such as roof decks, fully projecting balconies, and upper story rear porches should include screening walls or devices at the sides to provide privacy, security, and limit views of abutting properties from elevated vantage points.

### 3. ENERGY EFFICIENCY

- a. Shutters
  - i. If installed, shutters must be functional, sized to

provide complete coverage of the window when closed, and include appropriate hardware to keep them secured when open or closed.

- b. Windows
  - i. At least fifty percent (50%) of the windows of each floor of a building and serving each dwelling unit must be operable. Operable windows should be oriented toward prevailing winds to every extent possible and support the creation of cross breezes that can assist in the passive cooling of interior spaces.
  - ii. All south facing windows should be recessed or shaded by deciduous trees, awnings, canopies, or interior or exterior light shelves.
- c. Daylight and Views
  - i. The following apply to portions of mixed-use buildings in non-residential use:
    - a. A minimum of fifty-five percent (55%) of the floor area of all regularly occupied interior spaces must receive sufficient daylight equal to a spatial daylight autonomy of three hundred (300) lux or more for at least fifty percent (50%) of the time.
    - b. No more than ten percent (10%) of the floor area of all regularly occupied interior spaces may receive direct sunlight, which can result in visual discomfort and increased cooling loads, equal to an annual solar exposure exceeding one thousand (1000) lux for more than two-hundred and fifty (250) hours per year.
    - c. A direct line of sight to the outdoors is required for at least seventy-five percent (75%) of the floor area of all regularly occupied interior spaces.
- d. Roof Albedo
  - i. Flat roofs and roofs pitched at or below nine and one-half degrees (9.5°; 2:12) must have a minimum solar reflectance index rating of seventy-eight (78) for a minimum of seventy-five percent (75%) of the roof surface.
  - ii. Roofs pitched above nine and one-half degrees (9.5°; 2:12) must have a minimum solar reflectance index rating of twenty-nine (29) for a minimum of seventy-five percent (75%) of the roof surface.

### 4. FACADE ARTICULATION

- a. Building facades must provide surface relief through the use of bay windows, cladding, columns, corner boards, cornices, door surrounds, moldings, piers, pilasters, sills, sign bands, windows, and other equivalent architectural features that either recess or project from the average plane of the facade by at least four (4) inches.
- b. Building facades must be vertically articulated with architectural bays between six (6) feet and fifty (50) feet in width to create an equal, central, and/or ends focused composition as illustrated in Figure X. Vertical Articulation Examples.
- c. Buildings greater than one hundred (100) feet in width must include a change in vertical plane of the facade of at least four (4) feet (in depth or projection) for at least one (1) bay in width for every one-hundred feet of width. This change in plane applies to the entire height of the

### Facade Articulation Graphic

#### facade.

- d. Building facades must be horizontally articulated with a clearly defined base, middle, and top as illustrated in Figure X: Horizontal Articulation Examples. The following standards apply:
  - i. Buildings or portions of buildings (distinct massing elements) three (3) stories or less:
    - a). The raised foundation, basement, or first story of a building must be visually integrated as an expression of the building's base. The base must be visually differentiated from the stories above by a horizontal expression line or cornice and include a change in color, building material, or pattern of fenestration.
    - b). The upper stories of a building must be visually integrated as an expression of the building's middle. The middle must be visually differentiated from the base and top and include a change in color, building material, or pattern of fenestration.
    - c). The top story of a building must have a cornice, parapet, or roof as an expression of the building's top.
  - ii. Buildings or portions of buildings (distinct massing elements) four (4) stories or less:
    - a). The bottom one to two stories of a building must be visually integrated as an appropriately scaled expression of the building's base. The base must be visually differentiated from the stories above by a horizontal expression line or cornice and include a change in color, building material, or pattern of fenestration.
    - b). The central portion of each facade must be visually integrated as an expression of the building's middle. The middle must be visually differentiated from the base and top by a

### Facade Surface Relief Graphic

horizontal expression line or cornice and include a change in color, building material, or pattern of fenestration.

- c). The top story of each facade shall have a cornice, parapet, roof element, or change in massing as an expression of the building's top.
- iii. Buildings or portions of buildings (distinct massing elements) five (5) stories or more:
  - a). The bottom one to three stories of a building must be visually integrated as an appropriately scaled expression of the building's base. The base must be visually differentiated from the stories above by a horizontal expression line or cornice and include a change in color, building material, or pattern of fenestration.
  - b). The central portion of each facade must be visually integrated as an expression of the building's middle. The middle must be visually differentiated from the base and top by a horizontal expression line or cornice and include a change in color, building material, or pattern of fenestration.
  - c). The top one to three stories of each facade must be visually integrated as an appropriately scaled expression of the building's top. The top must be visually differentiated from the stories below by a horizontal expression line or cornice; shall include a change in color, building material, or pattern of fenestration; and shall have a cornice, parapet, roof element, or change in massing to cap the composition.
- e. Each horizontal element of a building (base, middle, and top) must have a fenestration pattern that is aligned vertically and horizontally to provide order and structure to the composition. The fenestration pattern may differ between the base, middle, and top.

## 5. STOREFRONTS

- a. Storefronts must be designed to include, at minimum, a paneled or rendered stallriser and display windows positioned between columns, pilasters, or piers with a proportional fascia or frieze and cornice capping the storefront as illustrated in Figure X. Elements of a Storefront.
  - i. Display windows must extend to at least eight (8) feet above the grade of the adjacent sidewalk.
  - ii. The stallriser must be at least one (1) foot in height.
  - iii. The principal entrance of a storefront must be a glass panel door centered between or set to one side of the display windows.
- b. Storefront entrances may be recessed up to five (5) feet behind the plane of the facade as illustrated in Figure X. Recessed Entrance Examples provided that the recessed area is no wider than fifteen (15) feet per individual entry.
- c. Where height permits, transom windows should be included above storefront doors and display windows to allow natural daylight to penetrate into the interior space.
- d. When present, awnings and canopies must be mounted between storefront columns, pilasters, or piers; above doorway and window openings; and below transom windows.

### Elements of a Storefront Graphic

- discomfort due to reflective spot glare and/or solar heat buildup in any nearby buildings.
- iv. Emissions from any parking facility and/or the heating and mechanical systems of any buildings shall not violate any state or federal ambient air quality standards.

- e. An unobstructed view of the ground story interior space or maintained and lighted merchandise display(s) must be provided for a depth of at least four (4) feet behind the glass of storefront display windows.
- f. Security grills, gates, and roll-down security doors and windows are prohibited.
- g. Vents, ducts, permanent air conditioners, and other utility elements are prohibited on building facades.
- h. If present, drainage systems must be architecturally integrated into the design of the building facade.

## 6. NEIGHBORHOOD COMPATIBILITY

- a. Reserved

## 7. HIGH-RISE BUILDINGS

- a. Towers
  - i. To provide appropriate privacy and level of natural light into buildings, the separation distance between all TOWERS must be at least eighty (80) feet, measured from the exterior walls and excluding balconies.
  - ii. The separation distance between TOWERS may be decreased to a minimum of fifty (50) feet by Special Permit through the use of creative architectural solutions such as offset TOWERS/views, non-parallel walls, or tapering/curved TOWER forms, that increase the actual or perceived TOWER separation distance, provided that both privacy and natural light are provided and no adverse environmental conditions are created.
    - a). In its discretion to approve or deny a special permit authorizing a decrease in the separation of tower below the standard eighty (80) foot minimum, the designated review board shall consider the following:
      - i). Shadow impacts cast on adjacent sites and on-site uses.
      - ii). View corridors from windows of new and existing towers.
      - iii). Effectiveness of architectural techniques to increase the actual or perceived tower separation distance.
- b. Environmental Performance
  - i. Shadows cast by high-rise buildings may not adversely limit at grade access to sunlight on sidewalks and civic and recreation spaces.
  - ii. Pedestrian level wind velocities may not exceed acceptable levels for various activities existing or proposed at particular locations.
  - iii. Buildings may not cause visual impairment or



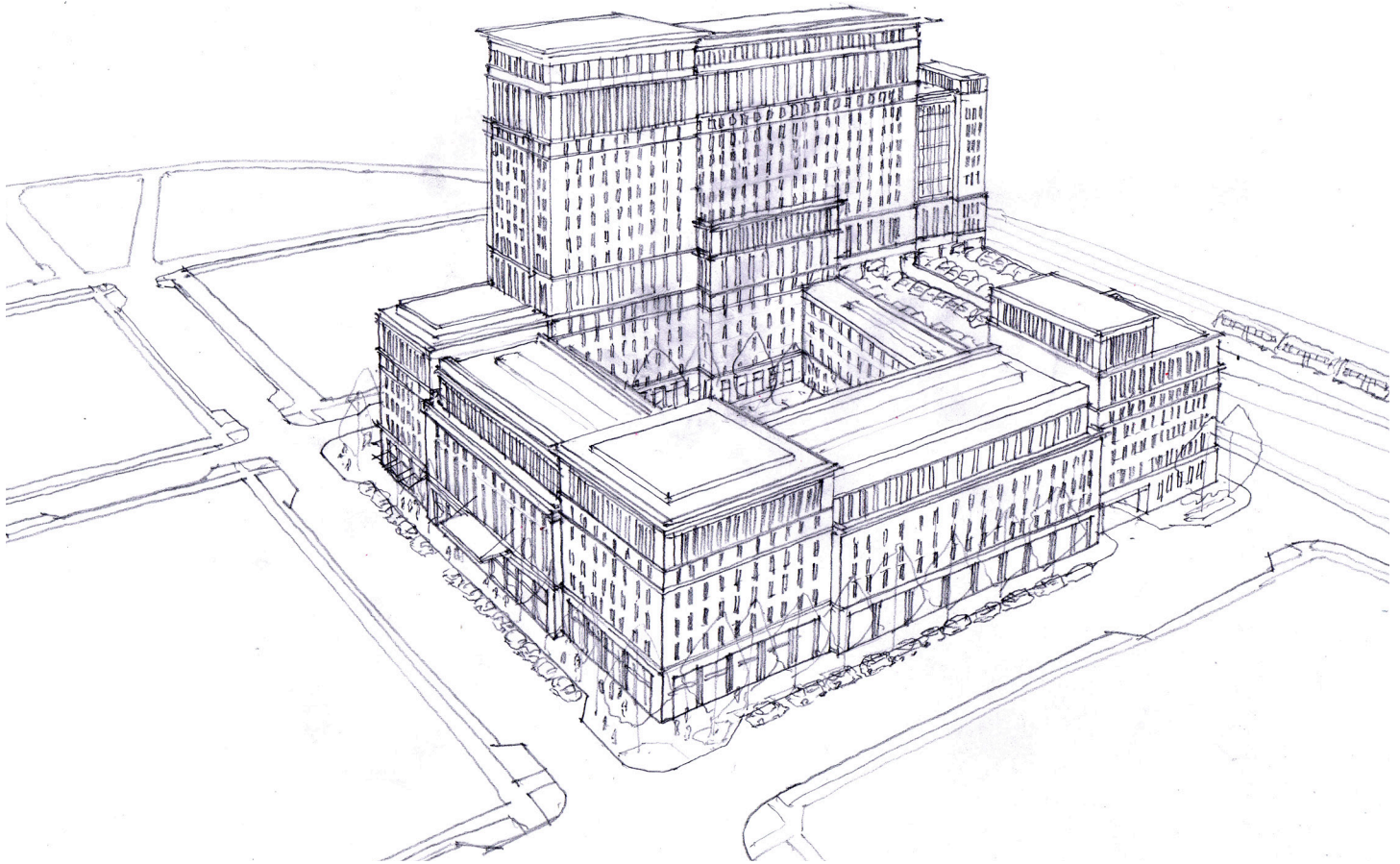
# ARTICLE 3: SPECIAL DISTRICTS

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## A. ASSEMBLY SQUARE



### 1. INTENT

- a. To capitalize on the public investment at or around the Assembly Square Orange Line Station;
- b. Facilitate development of a neighborhood with a mix of uses including residential, office, research and development, retail, hotels, cinemas, performing arts, and institutional uses.

### 2. APPLICABILITY

- a. Where the provisions of this Section conflict with those found elsewhere in this Ordinance, the provisions of this Section shall apply.

### 3. PURPOSE

- a. Encourage the best use of Assembly Square physically, economically, environmentally, and socially; promote the best interest of the residents of the City; and fulfill the goals and objectives contained in the Assembly Square Plan (ASQ Plan) as follows.
- b. Create new jobs at a variety of income and skill levels;
- c. Promote accessibility to and within the district by improving existing and creating new roadways, pedestrian walkways and bicycle paths;
- d. Replace vacant or underutilized land, low-density development, and incompatible uses with high-density mixed-use development;
- e. Improve utilities and infrastructure;
- f. Clean environmentally contaminated sites to a level

suitable for a mix of uses including residential;

- g. Improve the Mystic River waterfront and create new public open space;
- h. Encourage transit-oriented development; and
- i. Increase the supply of housing, including affordable housing, within the City of Somerville.

### 4. PREVIOUSLY APPROVED PLANS

- a. Any PUD Preliminary Master Plan approved prior to the adopt date of this Ordinance is considered an approved Neighborhood Development Plan for the purpose of this Ordinance and all approvals and conditions remain in effect. Further applications may be submitted for amendments to the approved plan and for special permits required for individual projects by the previously approved plan.

### 5. DEVELOPMENT REVIEW

- a. General
  - i. All development requires a zoning permit according to the provisions of §X. Zoning Permit.
  - ii. Development review is required according to Table X. Base Dimensional Standards and Table X. Permitted Uses.
  - iii. The subdivision of a development site is prohibited prior to the approval of a large development plan or neighborhood development plan.
  - iv. Lot splits, lot mergers, and lot line adjustments

- require a zoning permit only.
- b. Development Sites
  - i. Development sites meeting the following size criteria may apply for large development plan approval or neighborhood plan approval, as applicable, to access development intensity not otherwise available:
    - a. A minimum of five (5) acres is required for applications for large development plan approval.
    - b. A minimum of forty (40) acres is required for applications for neighborhood development plan approval.
  - ii. Following the approval of a large development plan or neighborhood development plan, development review is required as follows:
    - a. Development of individual lots, buildings, and/or phases of development requires a special permit and is regulated according to Table X. LDP & NDP Dimensional Standards.
    - b. Subdivision of a development site is permitted according to §X. Subdivision Plan Approval.
    - c. The construction or reconstruction of thoroughfares requires the approval of a site development plan according to §X. Site Development Plan Approval.
- c. Large Development & Neighborhood Development Plans
  - i. Plan Revisions
    - a. The Director of Traffic and Parking reviews and decides all applications for a plan revision relating to matters of traffic, circulation, parking, and loading.
    - b. The Planning Director reviews and decides all applications for a plan revision relating to all other matters.
    - c. The following revisions are considered a MAJOR AMENDMENT TO a previously approved large development plan or NEIGHBORHOOD DEVELOPMENT PLAN AND REQUIRE A SPECIAL PERMIT:
      - i. any increase in floor area ratio by 15% or more;
      - ii. any increase in ground coverage ratio by 15% or more;
      - iii. substantial changes in access to the site; and
      - iv. modifications that result in a condition that is substantially more detrimental to the surrounding neighborhood than the existing condition(s) and approved plans.
    - d. All other proposed revisions to a previously approved large development plan or NEIGHBORHOOD DEVELOPMENT PLAN are considered a DE MINIMUS within the Assembly Square special district.
  - d. Additional Review Procedures
    - i. Design Review
      - a. All development over ten thousand (10,000) square feet in gross floor area requires review by the Urban Design Commission according to the provisions of §X. Design Review.
      - b. During its review, the Urban Design Commission shall consider the following:
        - i. The siting, location, and setback of buildings to create a presence on existing street edges or along major internal circulation routes, enhance the pedestrian friendly experience of thoroughfares, and reinforce both existing and future circulation patterns that may serve more than one site;
        - ii. The creation of interesting entrance areas that are visible and directly accessible from major public access points, streets, and circulation routes;
        - iii. The pattern of bays, rhythms, and dimensions to create continuous visual interest, variety in the design of all facades, and break down the overall scale of development in support the pedestrian-scale.
        - iv. The use of materials and colors that is consistent with traditional buildings in the area with historic merit; and
        - v. The location and screening of building equipment and service areas away from public thoroughfares or major interior circulations routes.
  - e. Application Submittal Requirements
    - i. All development in excess of ten thousand (10,000) square feet is required to submit a completed Leadership in Energy & Environmental Design (LEED) worksheet to the Planning Board at the time application submittal.
  - f. Special Permit Findings
    - i. In its discretion to grant any Special Permit required by this Section, the Planning Board shall consider the following:
      - a. the adopted comprehensive Master Plan of the City of Somerville; the ASQ Plan, and other existing policy plans and standards established by the City;
      - b. the purpose of the ASQ-SD and of this Ordinance in general;
      - c. any applicable Transportation Study, Traffic Access and Impact Study, and/or Transportation Demand Management Plan submitted by the Applicant;
      - d. the impact of development on public services and facilities serving the development, such as the sanitary sewer system, the storm drainage system, the public water supply, the recreational system, the street system for vehicular traffic, and the sidewalks and footpaths for pedestrian traffic;
      - e. access to buildings, and the grounds adjoining them, for operations by fire, police, medical and other emergency personnel and equipment;
      - f. the compatibility of any proposed building over one hundred and twenty five (125) feet with surrounding structures and natural site features, including view corridors to the Mystic River;
      - g. the shadow impacts of any proposed buildings on publicly accessible open space or civic spaces;

- h). the compatibility of the size, location, design, color, texture, lighting, and materials of all proposed permanent signs and outdoor advertising structures or features with the scale and character of proposed buildings; and
  - i). the intent and purpose of design guidelines in this Section.
- g. Powers of the Planning Board
- i. In approving a NDP, LDP, or SP the Planning Board may waive the provisions of §X. Building Standards & Guidelines, §X. Parking Standards & Guidelines, and/or §X. General Development Standards & Guidelines. In its discretion to waive these provisions, the Board shall consider the following:
    - a). Strict enforcement of such standards or requirements would run counter to achieving the objectives of the ASQ Plan;
    - b). The application is substantially consistent with the objectives of the ASQ Plan and advances the objectives of the ASQ Plan;
    - c). In the case of any Alteration of a Nonconforming Structure, a Change of Nonconforming Use, or a Major Amendment to an approved NDP or LDP, such alteration, change or amendment shall conform, to the extent feasible, to the objectives of the ASQ Plan; and
    - d). In the case of waivers from the landscaping requirement, the SPGA must determine that compliance would require a level of landscaping that is incompatible with the objectives of the ASQ Plan.
  - ii. Waiver of sign requirements shall require submittal of an alternative sign standard that must be approved by the Planning Board. All signs must comply with these standards. Under no circumstances are off-premises signs permitted.
  - iii. The Planning Board may require independent peer review of a stormwater management plan by an accredited independent engineering firm.

## 6. URBAN DESIGN

- a. Thoroughfare Network
  - i. All THOROUGHFARES shall intersect with other THOROUGHFARES, forming a network.
  - ii. Proposed THOROUGHFARES should align wherever possible to those on adjacent sites.
  - iii. Cul-de-sacs and other dead-end THOROUGHFARES are prohibited unless granted a WAIVER from the intersection requirement of §6.A.1 on a case-by-case basis by the Planning Board to accommodate specific site conditions.
- b. Thoroughfare Design
  - i. Street and sidewalk design may be designed according to the provisions of Article X Public Realm Standard of on the Assembly Square Public Realm Design Guidelines, provided that any street shown in such Guidelines as running through an existing building is not required to be constructed until such building is demolished.
- c. Block Structure
  - i. The THOROUGHFARE network shall be structured to

- define individual BLOCKS with a total perimeter no greater than one thousand eight hundred (1,800) feet and individual BLOCK FACES no greater than five hundred (500) feet.
  - ii. BLOCKS abutting undeveloped land, areas unsuitable for development, pre-existing incomplete BLOCKS, or rail rights-of-way may be granted a WAIVER from the BLOCK FACE length and BLOCK perimeter restriction of §6.B.1 at the discretion of the Planning Board.
- d. Lots
- i. Lots must be platted to have a primary frontage abutting a THOROUGHFARE and a maximum LOT width of five hundred (500) feet.
- e. Pedestrian Connections
- i. Continuous pedestrian connections must be provided between all major points of pedestrian activity on a Development Site, including, but not limited to, connections to the Mystic River waterfront, connections to all public and private ways abutting a Development Site, and any transit stops.
  - ii. Development sites must improve access between the ASQ-SD and the Ten Hills and East Somerville neighborhoods by means of sidewalk connections, crosswalks, landscaping, traffic signalization, and traffic calming methods, as appropriate.

## 7. CIVIC SPACE

- a. At least twelve and a half percent (12.5%) of the total land area of a development site subject to large development plan approval or neighborhood development plan approval must be designed as publicly accessible civic space.
- b. Civic space provided must be distributed as a series of separate spaces of various types and sizes throughout the development site subject to large development plan approval or neighborhood development plan approval.

## 8. BUILDING STANDARDS & GUIDELINES

- a. General
  - i. Structured parking, whether above grade or below grade, is excluded for purposes of calculating Gross Floor Area, Net Floor Area and Floor Area Ratio.
  - ii. Non-habitable architectural features may exceed the height limits identified on Table X. and Table X.
- b. Building Design
  - i. Buildings should be set back from the front lot line no more than five (5) feet except in special circumstances, where greater setbacks would enhance the pedestrian friendly experience of the frontage.
  - ii. Ground story building facades and accompanying principal entrances must provide extensive areas of window glass to provide visual access to interior uses.
  - iii. Building frontage should include windows providing visual access to the interior of a space, arcades, display windows, entry areas, awnings, or other such features along no less than seventy (70) percent of the horizontal length of all ground story facades that face public thoroughfares or the Mystic River.

**Table X.** Base Dimensional Standards

|  | by Right                         | Special Permit                   |
|--|----------------------------------|----------------------------------|
| <b>LOT SIZE</b>  |                                  |                                  |
| Area (min)   | 5,000 sq. ft.                    | 10,000 sq. ft.                   |
| <b>BUILDING MASSING</b>  |                                  |                                  |
| Gross Floor Area (max.)  | n/a                              | 50,000 sq ft.                    |
| Floor Area Ratio (max.)  | 1.0                              | 2.0                              |
| Maximum Building Height (max.)                                   | --                               | --                               |
| Buildings within 150 feet of the Mystic River bank <sup>1</sup>  | 30 feet<br>(Park buildings only) | 30 feet<br>(Park buildings only) |
| Buildings between 150 feet and 250 feet of the Mystic River bank | 40 feet                          | 50 feet                          |
| Buildings between 250 feet and 350 feet of the Mystic River bank | 40 feet                          | 50 feet                          |
| Within 1,000 feet of an Assembly Square Station Entrance         | 40 feet                          | 50 feet                          |
| All other Locations  | 40 feet                          | 50 feet                          |
| <b>DENSITY</b>   |                                  |                                  |
| Lot Area/Dwelling Unit (min)                                     | --                               | --                               |
| 1-9 Units  | 600                              | 600                              |
| 10 or more Units   | 300                              | 300                              |
| <b>OPEN SPACE</b>  |                                  |                                  |
| Total Open Space (min.)  | 25%                              | 25%                              |
| Useable Open Space (min.)  | 10%                              | 12.5%                            |

1. As defined by 310 CMR 10.54.2.C.

- iv. Forty percent (40%) of this activated facade area on the Ground Floor of Building walls along primary and secondary streets shall consist of window or doors meant for public entry and exit.
- v. Multiple and frequent entrances oriented toward front lot lines are encouraged.
- vi. Principal entrances must be clearly defined, through the use of building elements such as canopies, porticos, overhangs, peaked roof forms, and/or arches. Outdoor patios, tile work, moldings, integral planters or wing walls with landscaped areas, or places for sitting are required for entries set back from the front lot line.
- vii. Buildings must provide active uses on the ground story that take advantage of views of the waterfront and other open spaces, and add a street front presence to public thoroughfares and sidewalks;
- viii. Uninterrupted or unfenestrated lengths of facade exceeding thirty-five (35) horizontal feet are prohibited.
- ix. Facades greater than one hundred (100) feet in horizontal width must include a change in vertical wall plane with a depth or projection of at least three (3) percent of the length of the facade extending at least twenty (20) percent of the length of the facade.

**Table X.** LDP & NDP Dimensional Standards

|  | Special Permit<br>(individual phases) |
|--|---------------------------------------|
| <b>LOT SIZE</b>  |                                       |
| Area (min)   | n/a                                   |
| <b>BUILDING MASSING</b>  |                                       |
| Gross Floor Area (max.)  | n/a                                   |
| Floor Area Ratio (max.)  | 10.0                                  |
| Maximum Building Height (max.)                                   | --                                    |
| Buildings within 150 feet of the Mystic River bank <sup>1</sup>  | 30 feet<br>(Park buildings only)      |
| Buildings between 150 feet and 250 feet of the Mystic River bank | 70 feet                               |
| Buildings between 250 feet and 350 feet of the Mystic River bank | 90 feet                               |
| Within 1,000 feet of an Assembly Square Station Entrance         | 250 feet                              |
| All other Locations  | 125 feet                              |
| <b>DENSITY</b>   |                                       |
| Lot Area/Dwelling Unit (min)                                     | --                                    |
| 1-9 Units  | n/a                                   |
| 10 or more Units   | n/a                                   |
| <b>CIVIC SPACE</b>   |                                       |
| Total of Development Site (min.)                                 | See §3.A.8. Civic Space               |

1. As defined by 310 CMR 10.54.2.C.

- c. Efficiency of Design
    - i. Every effort shall be made to design Buildings and use materials and construction techniques to optimize daylight in building interiors, natural ventilation, energy efficiency, and to minimize exposure to and consumption of toxics and non-renewable resources and incorporate appropriate "green" design techniques.
- 9. USE PROVISIONS**
- a. General
    - i. Real property may have one or more principal uses established.
  - b. Use Categories
    - i. Principal uses are grouped into the following major use categories:
      - a). Office, R&D, & Biotechnology
      - b). Retail
      - c). Business Services
      - d). Residential
  - c. Principal Uses
    - i. Use categories are further broken down to identify specific principal uses that are regulated differently than the others in the same category and have special provisions concerning changes in use.
  - d. Changes in Use



**Table 4.1** Categories and Principal Uses Permitted

|   | by Right               | by Special Permit     |
|---|------------------------|-----------------------|
| <b>OFFICE, R&amp;D, &amp; BIOTECHNOLOGY CATEGORY</b>  |                        |                       |
| Office, other than medical  | up to 9,999 g.s.f.     | 10,000 or more g.s.f. |
| Medical office, medical or health clinic  | up to 9,999 g.s.f.     | 10,000 or more g.s.f. |
| Laboratory engaged in research, experimental and testing activities which may include the development of mock-ups and prototypes but not the manufacture of finished products   | up to 9,999 g.s.f.     | 10,000 or more g.s.f. |
| <b>RETAIL CATEGORY</b>  |                        |                       |
| Store selling convenience and grocery goods such as food, candy, newspaper, and tobacco products  | up to 9,999 g.s.f.     | 10,000 or more g.s.f. |
| General merchandise, department store, supermarket  | up to 9,999 g.s.f.     | 10,000 or more g.s.f. |
| Specialty food stores but not those intended for consumption on the premises, including candy store, meat market, delicatessen or bakery, but not fast food service   | up to 9,999 g.s.f.     | 10,000 or more g.s.f. |
| Store selling or renting goods such as books, stationary, drugs, sporting goods including bicycles and accessories, jewelry, photographic equipment and supplies, flowers, novelties, cars, footwear, apparel, fabrics, accessories and the like that are typically a size a customer can carry by hand | up to 9,999 g.s.f.     | 10,000 or more g.s.f. |
| Store selling or renting video tapes  | up to 9,999 g.s.f.     | 10,000 or more g.s.f. |
| Store selling furniture, home furnishings, carpets, or home appliances and equipment, including audio, computer, and video equipment  | up to 9,999 g.s.f.     | 10,000 or more g.s.f. |
| Store selling hardware, paint, wallpaper, lawn and garden supplies (all operations conducted entirely within an enclosed building)  | up to 9,999 g.s.f.     | 10,000 or more g.s.f. |
| Sale or rental of equipment and supplies such as office furniture home improvement equipment or tools (all operations conducted entirely within an enclosed building)   | up to 9,999 g.s.f.     | 10,000 or more g.s.f. |
| Crafts related store selling jewelry, t-shirts, crafts, etc. where production occurs on premises  | up to 9,999 g.s.f.     | 10,000 or more g.s.f. |
| <b>BUSINESS SERVICES CATEGORY</b>   |                        |                       |
| Beauty salon, barber shop, tailor, dressmaker, shoe repair  | up to 9,999 g.s.f.     | 10,000 or more g.s.f. |
| Self-service laundromat or dry cleaning, pick-up station with processing done elsewhere   | up to 9,999 g.s.f.     | 10,000 or more g.s.f. |
| Real estate sales or rental, travel agency, insurance agency, ticket agency   | up to 9,999 g.s.f.     | 10,000 or more g.s.f. |
| Bank or credit union  | up to 9,999 g.s.f.     | 10,000 or more g.s.f. |
| Photocopying, reproduction and photographic services including commercial photography, but not commercial printing  | up to 9,999 g.s.f.     | 10,000 or more g.s.f. |
| Repair of household appliances, small tools, or equipment   | less than 5,000 g.s.f. | 5,000 or more g.s.f.  |
| Newspaper distribution agency   | up to 9,999 g.s.f.     | 10,000 or more g.s.f. |
| Office of veterinarian  | up to 9,999 g.s.f.     | 10,000 or more g.s.f. |
| <b>RESIDENTIAL CATEGORY</b>   |                        |                       |
| Dwellings, multiple (seven (7) or more units)   | no                     | yes                   |
| Artist housing (seven (7) or more units)  | no                     | yes                   |
| Congregate housing (seven (7) or more units)  | no                     | yes                   |
| <b>Other Uses (uses not in an official use category)</b>  |                        |                       |
| Residential   |                        |                       |
| Cottage, house, triple decker, four-plex, six-plex, and townhomes   | no                     | yes                   |
| Mobile homes in service on a temporary basis, for less than one (1) year  | no                     | yes                   |
| Conversion of a building, owned or previously owned by the City of Somerville in the past 2 years, to residential use   | no                     | yes                   |
| Other Residential Uses  |                        |                       |

**Table 4.1** Categories and Principal Uses Permitted

|  | by Right                | by Special Permit     |
|--|-------------------------|-----------------------|
| Boarding house/single room occupancy (SRO) building  | no                      | yes                   |
| Dormitory, fraternity, or sorority   | no                      | yes                   |
| Community or group residence   | no                      | yes                   |
| Homeless shelter   | no                      | yes                   |
| Artist housing (six (6) or less units)   | no                      | yes                   |
| Congregate housing   | no                      | yes                   |
| Accessory Residential Uses   |                         |                       |
| Outdoor, off-street parking for no more than one commercial vehicle, not exceeding one and a half (1.5) tons   | no                      | yes                   |
| Off-street parking for more than one commercial vehicle, if owned by resident of premises  | no                      | yes                   |
| Exterior storage of equipment not customarily associated with home maintenance   | no                      | yes                   |
| Home occupation  | no                      | yes                   |
| Office within a primary residence of an architect, engineer, attorney, physician, dentist or other recognized profession   | no                      | yes                   |
| Family day care (for six (6) or less children)   | no                      | yes                   |
| Shop and storage facilities for a resident tradesman such as carpenter, plumber, electrician, etc. where conducted in such a manner that all dust, fumes, gases, odors, smoke or vapors, noise or vibration are effectively confined to an enclosed building | no                      | yes                   |
| Institutional Uses   |                         |                       |
| All religious uses   | yes                     | n/a                   |
| All education purposes by a non-profit educational corporation   | yes                     | n/a                   |
| Child care facility (day care center or school age child care program as defined in M.G.L. c.28A, s.9)   | yes                     | n/a                   |
| School, kindergarten, after school center  | no                      | yes                   |
| Library, museum, art gallery   | less than 10,000 g.s.f. | 10,000 or more g.s.f. |
| Hospital   | no                      | yes                   |
| Nursing home   | no                      | yes                   |
| Non-profit community center (ie. YMCA)   | less than 10,000 g.s.f. | 10,000 or more g.s.f. |
| Private, non-profit club or lodge for members only   | less than 10,000 g.s.f. | 10,000 or more g.s.f. |
| Buildings and uses owned by the City of Somerville   | less than 10,000 g.s.f. | 10,000 or more g.s.f. |
| Recreational Uses  |                         |                       |
| Public park, playground, recreational area   | yes                     | n/a                   |
| Private, non-profit outdoor recreational facility  | no                      | yes                   |
| Commercial health, exercise, racquet, weight reduction, bowling, or similar facility   | less than 10,000 g.s.f. | 10,000 or more g.s.f. |
| Theater, cinema or other public assembly (NOTE: In the case of multiple theater/cinema operations on the same site, the total aggregate footage of all the theaters or cinemas shall determine gross floor area)   | less than 10,000 g.s.f. | 10,000 or more g.s.f. |
| Marinas and dry boat storage   | no                      | yes                   |
| Concessions, amusements, games except amusement and electronic amusement devices requiring a license under the provisions of Section 8-15 of Chapter 8 of the Code of Ordinances, as amended   | less than 10,000 g.s.f. | 10,000 or more g.s.f. |
| Amusement and electronic amusement devices requiring licensing under Section 8-15 of Chapter 8 of the Code of Ordinances   | no                      | yes                   |
| Sales or Rental of Goods or Equipment  |                         |                       |
| Package liquor store with no consumption of beverages on the premises  | up to 9,999 g.s.f.      | 10,000 or more g.s.f. |
| Mall   | no                      | yes                   |

**Table 4.1** Categories and Principal Uses Permitted

|   | by Right                | by Special Permit      |
|---|-------------------------|------------------------|
| Building and construction materials store (all operations conducted entirely within an enclosed building)   | less than 5,000 g.s.f.  | 5,000 or more g.s.f.   |
| Commercial greenhouse or nursery (all operations conducted entirely within an enclosed building)  | up to 9,999 g.s.f.      | 10,000 or more g.s.f.  |
| Commercial greenhouse or nursery (operations, in whole or in part, conducted outside an enclosed building)  | less than 5,000 g.s.f.  | 5,000 or more g.s.f.   |
| Farmers Market or roadside stand selling agricultural products (indoor or outdoor)  | up to 9,999 g.s.f.      | 10,000 or more g.s.f.  |
| Eating, Drinking & Transient Accommodations   |                         |                        |
| Restaurant, other than fast food (all operations conducted entirely within an enclosed building)  | up to 4,999 g.s.f.      | 5,000 or more g.s.f.   |
| Restaurant, other than fast food (operations, in whole or in part, conducted outside an enclosed building)  | less than 2,500 g.s.f.  | 2,500 or more g.s.f.   |
| Fast order food establishments, including franchises, subshops, pizza shops, and the like (all operations conducted entirely within an enclosed building)   | up to 4,999 g.s.f.      | 5,000 or more g.s.f.   |
| Fast order food establishments, including franchises, subshops, pizza shops, and the like (operations, in whole or in part, conducted outside an enclosed building)   | up to 4,999 g.s.f.      | 5,000 or more g.s.f.   |
| Caterer preparing meals for consumption off site  | up to 9,999 g.s.f.      | 10,000 or more g.s.f.  |
| Hotel, motel  | less than 10,000 g.s.f. | 10,000 or more g.s.f.  |
| Bar, tavern, drinking establishment, nightclub, dance hall, entertainment facility, convention center   | up to 4,999 g.s.f.      | 5,000 or more g.s.f.   |
| Business Services   |                         |                        |
| Funeral parlor  | no                      | yes                    |
| For-profit school for instruction in arts, skills, or vocational training   | up to 9,999 g.s.f.      | 10,000 or more g.s.f.  |
| Kennel, boarding of household pets, pet store (all operations conducted entirely within an enclosed building)   | up to 4,999 g.s.f.      | 5,000 or more g.s.f.   |
| Kennel, boarding of household pets, pet store (operations, in whole or in part, conducted outside an enclosed building)   | up to 4,999 g.s.f.      | 5,000 or more g.s.f.   |
| Tattoo, body piercing, and/or scarification facilities  | no                      | yes                    |
| Commercial & Institutional Services   |                         |                        |
| Bakery, wholesale   | up to 4,999 g.s.f.      | 5,000 or more g.s.f.   |
| Industrial services such as machine shop, welding   | no                      | less than 5,000 g.s.f. |
| Distribution center, parcel delivery, commercial mail delivery center   | no                      | up to 9,999 g.s.f.     |
| Shop and storage facilities for tradesmen such as carpenter, plumber, electrician, etc. engaged in the construction and repair of residential buildings and other light frame structures with incidental sale of building materials or products on the premises (all operations conducted entirely within an enclosed building)           | less than 5,000 g.s.f.  | up to 9,999 g.s.f.     |
| Shop and storage facilities for tradesmen such as carpenter, plumber, electrician, etc. engaged in the construction and repair of residential buildings and other light frame structures with incidental sale of building materials or products on the premises (operations, in part or in whole, conducted outside an enclosed building) | no                      | up to 9,999 g.s.f.     |
| Office, yard and storage facilities for construction company such as a general contractor, landscape contractor (all operations conducted entirely within an enclosed building)   | no                      | up to 9,999 g.s.f.     |
| Office, yard and storage facilities for construction company such as a general contractor, landscape contractor (operations, in part or in whole, conducted outside an enclosed building)   | no                      | less than 5,000 g.s.f. |
| Bottle redemption center or collection center for recycling of non-hazardous materials such as glass, aluminum, paper   | no                      | less than 5,000 g.s.f. |
| Wholesale Business & Wholesale Storage  |                         |                        |



**Table 4.1** Categories and Principal Uses Permitted

|   | by Right                | by Special Permit       |
|---|-------------------------|-------------------------|
| Wholesale business or storage, including office, sales and display space of such a business, provided that not more than 25 percent of the gross floor area is used for assembly of products, but not including wholesale storage of flammable liquids, gas or explosives (all operations conducted entirely within an enclosed building)               | no                      | yes                     |
| Wholesale business or storage, including office, sales and display space of such a business, provided that not more than 25 percent of the gross floor area is used for assembly of products, but not including wholesale storage of flammable liquids, gas or explosives (operations, in part or in whole, conducted outside an enclosed building)     | no                      | less than 25,000 g.s.f. |
| Industrial Uses   |                         |                         |
| Light manufacturing when the processes involved are limited to assembly or finishing work of electronic products, appliances, hand tools, furniture and the like (conducted entirely within an enclosed building in a manner that all dust, fumes, gases, odors, smoke or vapors, noise or vibration are effectively confined to the enclosed building) | no                      | less than 24,999 g.s.f. |
| Light manufacturing when the processes involved are limited to assembly or finishing work of electronic products, appliances, hand tools, furniture and the like conducted, in part or in whole, outside an enclosed building   | no                      | less than 10,000 g.s.f. |
| Manufacturing use, including product research, development and testing activities conducted inside an enclosed building, other than biotechnology   | no                      | yes                     |
| Communications, Utility, & Transportation Uses  |                         |                         |
| Telephone exchange and facilities serving telecommunications carriers and internet service providers, including but not limited to: switching, relay and telecommunications data storage and distribution centers   | less than 10,000 g.s.f. | 10,000 or more g.s.f.   |
| Radio or television studio without transmitting or receiving towers   | less than 5,000 g.s.f.  | 5,000 or more g.s.f.    |
| Wireless communications facility  | no                      | yes                     |
| Commercial ambulance service  | no                      | yes                     |
| Substation and pumping station  | no                      | yes                     |
| Motor Vehicle Related Sales & Service   |                         |                         |
| Motor vehicle rental  | no                      | yes                     |
| Service station, primarily for the sale of fuel, but including other motor oil products and accessories, and minor repairing, lubrication, and adjustment (fuel pumps may be outside enclosed building)   | no                      | yes                     |
| Structured or open lot (outdoor) motor vehicle parking where the parking spaces are not accessory to a principal use on the same lot and where no sales or service take place   | no                      | yes                     |
| Limousine rental and minor servicing (all operation conducted entirely within an enclosed building)   | no                      | yes                     |
| Bus and taxi rental, storage, and servicing   | no                      | yes                     |
| Accessory Commercial, Industrial, & Institutional Uses  |                         |                         |
| Accessory retail or business service uses in an apartment dwelling, hotel, motel, office, institutional use or industrial building  | no                      | yes                     |
| Trailer or other mobile structure used for an accessory use, but excluding temporary construction structure (for up to one (1) year)  | no                      | yes                     |
| Accessory assembly or light manufacturing, in conjunction with a permitted business, retail, wholesale or institutional use   | no                      | yes                     |
| Storage, outside an enclosed building, of inoperable and unregistered motor vehicles accessory to a permitted commercial, industrial or institutional use   | no                      | yes                     |

- i. Changes in use within the same use category are permitted without additional review, provided the following criteria are met:
  - a). The gross floor area of the proposed principal use shall not be greater than one hundred and five (105) percent of the gross floor area of the existing use;
  - b). In the case of uses within the residential category, the proposed number of dwelling units shall not exceed the existing number of dwelling units; and
  - c). The only exterior changes to the building allowed will be renovations and signage.
- ii. The flexibility to move within the same use category does not apply to legally pre-existing nonconforming uses.
- iii. As part of an approved large development plan or neighborhood development plan, the Planning Board may specify permitted uses for any or all phases of development and permit the change of use between these specified uses without further review.
- iv. Uses listed as "Other Uses" require review as indicated on Table X.
- e. Other Uses
  - i. Uses that may be permitted but are not classified into any use category are listed on Table X as 'Other Uses'.
- f. Restrictions
  - i. Principal uses not expressly authorized are prohibited.
  - ii. Drive-up and drive-through uses are prohibited.
  - iii. Ground story retail uses over fifty-thousand (50,000) gross square feet are prohibited.
  - iv. Ground story retail uses larger than fifty thousand (50,000) square feet are prohibited.
  - v. Any development providing five thousand (50,000) net square feet of retail floor area must provide one and one half (1.5) square feet of non-retail uses for every square foot over fifty thousand (50,000) net square feet of Retail use.
- iv. Developments are encouraged to make significant contributions to Open Space along the Mystic River adjacent to the ASQ-SD. These contributions shall be designed and developed with special attention to the provision of wildlife habitat and contiguous migration corridors, and to help reduce the level of storm water runoff into the Mystic River.
- b. Landscaping
  - i. All development must meet the landscape requirements of Article X. Development Standards.
- c. Signs
  - i. All signs must comply with standards set forth in §X Sign Standards except as follows:
    - a). The top of a wall sign attached parallel to a building shall be no higher than 35 feet above finished grade.
    - b). Nonconforming freestanding, directional, and/or wall signage may be approved by Special Permit.
- d. Loading Spaces
  - i. Loading spaces must be located away from major public thoroughfares, the Mystic River, and other highly visible locations. The visual impact of exposed loading spaces should be reduced through creative design solutions.
  - ii. Modifications to, relocations of, or creation of new loading space for an existing building requires a special permit.
    - a). *In its discretion to approve or deny a special permit authorizing a modification to, relocation of, or creation of new loading space for an existing building, the Planning Board shall consider the following:*
      - i).
      - ii).
      - iii).
- e. Screening
  - i. Exposed transformers and other machinery, storage and inventory areas, service and truck loading areas, dumpsters, utility infrastructure, and other similar structures must be effectively screened by plantings and other methods so that they are not directly visible from either the proposed development or surrounding properties.
  - ii. Electric, telephone, cable TV and other such lines and equipment should be placed underground from the source or connection, of effectively screened from public view.
- f. Storm water Management
  - i. Storm water should be removed from all roofs, canopies, and paved areas, and routed through well-engineered systems designed with appropriate storm water management techniques.
  - ii. Skimming devices, oil and grease traps, and similar facilities at the collection or discharge points for paved surface shall be **collected**.
  - iii. Where practical, the routing of runoff through sheet flow, swales, or other means increasing filtration and percolation is strongly encouraged.

## 10. PARKING STANDARDS & GUIDELINES

- i. All development must meet the parking requirements of Article 7. Parking, Access, & Mobility Management.
- ii. To every extent possible, parking should be provided underground or in structures.
- iii. Parking lots should avoid large expanses expanses that are unbroken by buildings or substantial landscaped areas.

## 11. GENERAL DEVELOPMENT STANDARDS & GUIDELINES

- a. Open Space
  - i. Development surrounding open space should result in a net benefit to the space in terms of activation, enhanced quality and attractiveness, expanded use, and public access.
  - ii. Permanently dedicated open space may be provided off-site if approved by the Planning Board.
  - iii. Landscaping strips in parking areas do not apply to usable open space calculations.



## B. BRICKBOTTOM

### 1. INTENT

- a. The Brickbottom Special District (BB-SD) regulates land use, building form and land development in the Brickbottom neighborhood.
- b. Where the provisions of this Section conflict with those found elsewhere in this Ordinance, the provisions of this Section shall apply.

### 2. PURPOSE

- a. The purpose of the BB-SD is to establish regulations supporting the development of a neighborhood of mixed-use, moderate density development with residential, creative, artistic, entertainment, commercial and retail uses within easy walking distance to transit and having the following characteristics:
  - i. An interconnected street grid that distributes multi-modal circulation throughout the entire Brickbottom neighborhood
  - ii. thoroughfares that accommodate all modes of transportation - pedestrians, bicycles, public transit, and private motor vehicles
  - iii. frequent intersections, on-street parking, and large street trees to promote safe vehicular operating speeds by modulating the appearance and feel of the street space to drivers
  - iv. Pedestrian infrastructure that is accessible to and usable by persons with disabilities
  - v. Connections with transit and with the adjacent Innerbelt and Union Square neighborhoods
  - vi. A distribution of diverse civic space types to serve the various social needs of neighborhood residents, workers, and visitors
  - vii. A mix of residential uses with commercial uses that are predominantly composed of arts and creative uses, small scale manufacturing activities and performance and entertainment uses.
  - viii. Retail uses distributed throughout the neighborhood so that the many activities of daily living can occur within walking distance to residences and workplaces
  - ix. A constrained supply of parking spaces to encourage the use of public transit, bicycles, and walking in lieu of automobiles.
  - x. A diverse supply of residential unit types, sizes, and price points that meets the life-long housing needs of the community.
  - xi. Architecture and landscape design that spatially defines civic spaces and thoroughfares as outdoor rooms and corridors

### 3. APPROPRIATE MAPPING

- a. The Brickbottom Special District (B-SD) is intended to regulate the land areas of Somerville in the Brickbottom neighborhood between McGrath Highway/Boulevard and the Lowell Commuter Rail Line

### 4. DEVELOPMENT REVIEW

- a. All development requires a zoning permit according to the provisions of §X. Zoning Permit.
- b. Additional development review is required as indicated

## 5. LARGE DEVELOPMENT PLANS

- a. Eligibility
  - i. Development sites may apply for large development plan review in the BB-SD if they meet the following criteria:
    - a). Minimum of 2 acres of land, which need not be contiguous but cannot contain land separated by more than 100 feet in distance
    - b). No single unbroken boundary line along an existing thoroughfare may be longer than 500 feet
    - c). No land which is a part of another approved large development plan or neighborhood development plan
    - d). Ownership need not be in common, but all landowners must consent to the plan
- b. Development Standards
  - i. Building Types
    - a). Building types are per the regulations of this BB-SD.
  - ii. Uses
    - a). Uses are allowed per the regulations of this BB-SD.
    - b). Residential uses are limited to 60% of the gross floor area in all structures in a large development plan
  - iii. Arts Uses
    - a). A minimum of 5% of net square footage throughout the plan area shall be dedicated to arts related uses
  - iv. Civic space
    - a). A minimum of 20% of land area is to be designated civic spaces, per Section X, Civic spaces
    - b). Alternatively, applicants can make a payment to the City of Somerville in lieu of providing some or all of the required on-site civic space. Payment shall be based upon the cost to acquire and develop equivalent civic space in the BB-SD.
- c. Site Development
  - i. Following the approval of a large development plan development review is required as follows:
    - a). All site development must be consistent with the approved plan
    - b). The construction or reconstruction of civic spaces requires the approval of a site development plan according to the provisions of §X. Development Plan Approval.
    - c). The development of a Residential Mixed-Use building or Commercial Mixed Use building requires a site development plan, and must be in compliance with the approved special permit
    - d). The development of other building types require a site development plan
- d. Phasing
  - i. Development must include a phasing plan indicating the orderly phases of development of the large development plan
  - ii. The phasing plan shall ensure that required civic space and arts use are developed prior to, or in conjunction with, a proportional amount of

- residential and/or office development
- e. Review
  - i. In its review of an application for large development plan approval, the Planning Board shall consider the following:
    - a. The adopted comprehensive Master Plan of the City of Somerville, existing policy plans and standards established by the City, or to other plans deemed to be appropriate by the Planning Board;
    - b. The purpose of the BB-SD district and of this Ordinance in general;
    - c. The development standards of this section
    - d. The provisions of § X Public Realm Standards
    - e. The project phasing plan

## 6. NEIGHBORHOOD DEVELOPMENT PLANS

- a. Eligibility
  - i. Development sites may apply for neighborhood development plan review in the BB-SD if they meet the following criteria:
    - a. Minimum of 2 acres of land, which need not be contiguous but cannot contain land separated by more than 100 feet in distance
    - b. At least one single unbroken boundary line along an existing thoroughfare may be longer than 500 feet
    - c. No land which is a part of another approved large development plan or neighborhood development plan
    - d. Ownership need not be in common, but all landowners must consent to the plan
- b. Development Standards
  - i. Building types
    - a. Building types are per the regulations of this BB-SD
  - ii. Uses
    - a. Uses are allowed per the regulations of this BB-SD
    - b. Residential uses are limited to 60% of the gross floor area in all structures in a neighborhood development plan
  - iii. Arts Uses
    - a. A minimum of 5% of net square footage throughout the plan area shall be dedicated to arts related uses
  - iv. Civic space
    - a. A minimum of 20% of land area is to be designated civic spaces, per Section X, Civic spaces, unless a waiver is granted by the Planning Board
    - b. Alternatively, applicants can make a payment to the City of Somerville in lieu of providing some or all of the required on-site civic space. Payment shall be based upon the cost to acquire and develop equivalent civic space in the BB-SD.
  - v. Thoroughfares
    - a. A minimum of one thoroughfare is required
    - b. Any length of developable land along a roadway, with a length of greater than 500 feet must be

- divided by a thoroughfare
- c. Thoroughfares must be designed as shown in Section X, thoroughfares, unless a waiver is granted by the Planning Board
- c. Site Development
  - i. Following the approval of a neighborhood development plan, development review is required as follows:
    - a. All site development must be consistent with the approved plan
    - b. The construction or reconstruction of civic spaces and/or thoroughfares requires the approval of a site development plan according to the provisions of §X. Development Plan Approval.
    - c. The development of a Residential Mixed-Use building or Commercial Mixed Use building requires a site development plan, and must be in compliance with the approved special permit
    - d. The development of other building types require a site development plan
- d. Phasing
  - i. Development must include a phasing plan indicating the orderly phases of development of the large development plan
  - ii. The phasing plan shall ensure that required civic space and arts use are developed prior to, or in conjunction with, a proportional amount of residential and/or office development
- e. Review
  - i. In its review of an application for neighborhood development plan approval, the Planning Board shall consider the following:
    - a. the adopted comprehensive Master Plan of the City of Somerville, existing policy plans and standards established by the City, or to other plans deemed to be appropriate by the Planning Board;
    - b. the purpose of the BB-SD district and of this Ordinance in general;
    - c. the development standards of this section
    - d. the provisions of § X Public Realm Standards
    - e. the project phasing plan
    - f. adaptability of the proposed thoroughfare segment(s) to the alignment, connectivity, and lane geometry in the neighborhood
- f. Waivers
  - i. As specifically indicated elsewhere in this ordinance, the Planning Board may permit a predetermined type of exception upon granting an Urban Design Waiver according to the provisions of Article X. Administration §X. Urban Design Waiver.
  - ii. In its discretion to approve or deny an urban design waiver, the Planning Board shall consider if the waiver request is
    - a. within the public interest;
    - b. consistent with any waiver eligibility requirements, as indicated in this Section; and
    - c. consistent with the orderly subdivision of a development site, the construction of thoroughfares, and/or installation of municipal utility services within a development site

according to standards deemed to be appropriate by the Planning Board.

## 7. PERMITTED BUILDING TYPES

- a. The development of a production building or fabrication loft is permitted on any lot in the BB-SD:
  - i. Subject to development plan review
- b. The development of a Residential Mixed-Use Building and/or a Commercial Mixed-Use Building is permitted:
  - i. Subject to development plan review
  - ii. Within the boundaries of, and subject to the restrictions of, an approved large development plan or neighborhood development plan
  - iii. Subject to the following dimensional standards:
    - a). Upon no more than 30% of the land area of a large development plan or neighborhood development plan, subject to the dimensional standards of the MU-10 district
    - b). Otherwise, subject to the dimensional standards of the MU-7 district
  - iv. With the approval of a special permit issued simultaneously with the neighborhood development plan or large development plan. In its discretion to approve or deny a special permit authorizing these building types in a large development plan or neighborhood development plan, the Planning Board shall consider the following:
    - a). Contribution that the project will make towards the continued mix of commercial and fabrication uses
    - b). Contribution to the public realm in Brickbottom
    - c). Incorporation of public art in the project design

## 8. PERMITTED USES

- a. Establishment of a use requires a zoning permit according to the provisions of X. Zoning Permit.
- b. The use of any structure for any use permitted in the Fabrication district shall be allowed, subject to the same limitations and/or special permits review indicated for the fabrication district in the table of uses.
- c. Within an approved Residential Mixed-Use Building:
  - i. The residential household living use is permitted on all stories above the ground floor.
  - a). Ground-floor uses are as follows:
    - i). Uses are limited to all non-residential uses permitted in the Fabrication district and the MU-6 district, subject to the same limitations and/or special permit review indicated for those districts in the table of uses. If different standards apply in the Fabrication and the MU-6 district, the more permissive standard will be applied in the BB-SD.
    - ii). Uses are further limited per the pedestrian orientation map.
- d. Within an approved Commercial Mixed-Use Building:
  - i. Uses are limited to all non-residential uses permitted in the Fabrication district and the MU-6 district, subject to the same limitations and/or special permit review indicated for those districts in the table of uses. If different standards apply in the Fabrication and the MU-6 district, the more

- permissive standard will be applied in the BB-SD.
- ii. Ground floor uses are further limited per the pedestrian orientation map.

## 9. DIVISION OF LOTS

- a. The subdivision of a development site must be consistent with an approved large development plan or neighborhood development plan
- b. The construction of thoroughfares must be consistent with an approved neighborhood development plan
- c. Lot splits, lot mergers and lot line adjustments require a zoning permit only

## 10. CIVIC SPACES & THOROUGHFARES

- a. The Planning Board shall approve an application for development plan approval to authorize construction of a Civic Space and/or Thoroughfare upon verifying that the submitted plan conforms to the following:
  - i. the adopted comprehensive Master Plan of the City of Somerville, existing policy plans and standards established by the City, or to other plans deemed to be appropriate by the Planning Board;
  - ii. the purpose of the BB-SD and of this Ordinance in general; and
  - iii. the approved large development plan or neighborhood development plan



## C. INNER BELT

### 1. INTENT

- a. The Innerbelt Special District (IB-SD) regulates land use, building form and land development in the Innerbelt neighborhood.
- b. Where the provisions of this Section conflict with those found elsewhere in this Ordinance, the provisions of this Section shall apply.

### 2. PURPOSE

- a. The purpose of the IB-SD is to establish regulations supporting the development of a neighborhood of mixed-use, moderate density development with residential, commercial and retail uses within easy walking distance to transit and having the following characteristics:
  - i. An interconnected street grid that distributes multi-modal circulation throughout the entire Innerbelt neighborhood
  - ii. thoroughfares that accommodate all modes of transportation - pedestrians, bicycles, public transit, and private motor vehicles
  - iii. infrequent intersections, on-street parking, and large street trees to promote safe vehicular operating speeds by modulating the appearance and feel of the street space to drivers
  - iv. Pedestrian infrastructure that is accessible to and usable by persons with disabilities
  - v. Connections with transit and with the adjacent Brickbottom neighborhood
  - vi. A distribution of diverse civic space types to serve the various social needs of neighborhood residents, workers, and visitors
  - vii. A mix of residential uses with commercial uses
  - viii. Retail uses distributed throughout the neighborhood so that the many activities of daily living can occur within walking distance to residences and workplaces
  - ix. A constrained supply of parking spaces to encourage the use of public transit, bicycles, and walking in lieu of automobiles.
  - x. A diverse supply of residential unit types, sizes, and price points that meets the life-long housing needs of the community.
  - xi. Architecture and landscape design that spatially defines civic spaces and thoroughfares as outdoor rooms and corridors

### 3. APPROPRIATE MAPPING

- a. The Innerbelt Special District (B-SD) is intended to regulate the land areas of Somerville in the Innerbelt neighborhood between Washington Street and Northpoint

### 4. DEVELOPMENT REVIEW

- a. All development requires a zoning permit according to the provisions of §X. Zoning Permit.
- b. Additional development review is required as indicated

### 5. LARGE DEVELOPMENT PLANS

- a. Eligibility
  - i. Development sites may apply for large development

plan review in the IB-SD if they meet the following criteria:

- a). Minimum of 4 acres of land, which need not be contiguous but cannot contain land separated by more than 100 feet in distance
- b). No single unbroken boundary line along an existing thoroughfare may be longer than 500 feet
- c). No land which is a part of another approved large development plan or neighborhood development plan
- d). Ownership need not be in common, but all landowners must consent to the plan
- ii. Development Standards
  - a). Building types
    - i). Building types are per the regulations of this IB-SD
- iii. Uses
  - a). Uses are allowed per the regulations of this IB-SD
  - b). Residential uses are limited to 50% of the gross floor area in all structures in a large development plan
- iv. Arts Uses
  - a). A minimum of 5% of net square footage throughout the plan area shall be dedicated to arts related uses
- v. Civic space
  - a). A minimum of 20% of land area is to be designated civic spaces, per Section X, Civic spaces
  - b). Alternatively, applicants can make a payment to the City of Somerville in lieu of providing some or all of the required on-site civic space. Payment shall be based upon the cost to acquire and develop equivalent civic space in the IB-SD.
- vi. Site Development
  - a). Following the approval of a large development plan development review is required as follows:
    - i). All site development must be consistent with the approved plan
    - ii). The construction or reconstruction of civic spaces requires the approval of a site development plan according to the provisions of §X. Development Plan Approval.
    - iii). The development of a Residential Mixed-Use building or Commercial Mixed Use building requires a site development plan, and must be in compliance with the approved special permit
    - iv). The development of other building types require a site development plan
- vii. Phasing
  - a). Development must include a phasing plan indicating the orderly phases of development of the large development plan
  - b). The phasing plan shall ensure that required civic space and arts use are developed prior to, or in conjunction with, a proportional amount of residential and/or office development



- b. Review
  - i. In its review of an application for large development plan approval, the Planning Board shall consider the following:
    - a). the adopted comprehensive Master Plan of the City of Somerville, existing policy plans and standards established by the City, or to other plans deemed to be appropriate by the Planning Board;
    - b). the purpose of the IB-SD district and of this Ordinance in general;
    - c). the development standards of this section
    - d). the provisions of § X Public Realm Standards
    - e). the project phasing plan

## 6. NEIGHBORHOOD DEVELOPMENT PLANS

- a. Eligibility
  - i. Development sites may apply for neighborhood development plan review in the IB-SD if they meet the following criteria:
    - a). Minimum of 4 acres of land, which need not be contiguous but cannot contain land separated by more than 100 feet in distance
    - b). At least one single unbroken boundary line along an existing thoroughfare may be longer than 500 feet
    - c). No land which is a part of another approved large development plan or neighborhood development plan
    - d). Ownership need not be in common, but all landowners must consent to the plan
- b. Development Standards
  - i. Building Types
  - ii. Building types are per the regulations of this IB-SD
- c. Uses
  - i. Uses are allowed per the regulations of this IB-SD
  - ii. Residential uses are limited to 50% of the gross floor area in all structures in a neighborhood development plan
- d. Arts Uses
  - i. A minimum of 5% of net square footage throughout the plan area shall be dedicated to arts related uses
- e. Civic space
  - i. A minimum of 20% of land area is to be designated civic spaces, per Section X, Civic spaces, unless a waiver is granted by the Planning Board
  - ii. Alternatively, applicants can make a payment to the City of Somerville in lieu of providing some or all of the required on-site civic space. Payment shall be based upon the cost to acquire and develop equivalent civic space in the IB-SD.
- f. Thoroughfares
  - i. A minimum of one thoroughfare is required
  - ii. Any length of developable land along a roadway, with a length of greater than 500 feet must be divided by a thoroughfare
  - iii. Thoroughfares must be designed as shown in Section X, thoroughfares, unless a waiver is granted by the Planning Board
- g. Site Development
  - i. Following the approval of a neighborhood

development plan, development review is required as follows:

- a). All site development must be consistent with the approved plan
- b). The construction or reconstruction of civic spaces and/or thoroughfares requires the approval of a site development plan according to the provisions of §X. Development Plan Approval.
- c). The development of a Residential Mixed-Use building or Commercial Mixed Use building requires a site development plan, and must be in compliance with the approved special permit
- d). The development of other building types require a site development plan
- h. Phasing
  - i. Development must include a phasing plan indicating the orderly phases of development of the large development plan
  - ii. The phasing plan shall ensure that required civic space and arts use are developed prior to, or in conjunction with, a proportional amount of residential and/or office development
- i. Review
  - i. In its review of an application for neighborhood development plan approval, the Planning Board shall consider the following:
    - a). the adopted comprehensive Master Plan of the City of Somerville, existing policy plans and standards established by the City, or to other plans deemed to be appropriate by the Planning Board;
    - b). the purpose of the IB-SD district and of this Ordinance in general;
    - c). the development standards of this section
    - d). the provisions of § X Public Realm Standards
    - e). the project phasing plan
    - f). adaptability of the proposed thoroughfare segment(s) to the alignment, connectivity, and lane geometry in the neighborhood
- j. Waivers
  - i. As specifically indicated elsewhere in this ordinance, the Planning Board may permit a predetermined type of exception upon granting an Urban Design Waiver according to the provisions of Article X. Administration §X. Urban Design Waiver.
  - ii. In its discretion to approve or deny an urban design waiver, the Planning Board shall consider if the waiver request is
    - a). within the public interest;
    - b). consistent with any waiver eligibility requirements, as indicated in this Section; and
    - c). consistent with the orderly subdivision of a development site, the construction of thoroughfares, and/or installation of municipal utility services within a development site according to standards deemed to be appropriate by the Planning Board.

## 7. PERMITTED BUILDING TYPES

- a. The development of a Commercial Mixed-Use building is permitted on any lot in the IB-SD:

- i. Subject to development plan review
- ii. Subject to the dimensional standards of the MU-3 district
- b. The development of a Residential Mixed-Use Building and/or a Commercial Mixed-Use Building is permitted:
  - i. Subject to development plan review
  - ii. Within the boundaries of, and subject to the restrictions of, an approved large development plan or neighborhood development plan
  - iii. Subject to the following dimensional standards:
    - a). Subject to the dimensional standards of the MU-10 district
    - b). Up to 30% of building footprints may extend to 250 feet in height
- c. With the approval of a special permit issued simultaneously with the neighborhood development plan or large development plan. In its discretion to approve or deny a special permit authorizing these building types in a large development plan or neighborhood development plan, the Planning Board shall consider the following:
  - i. Contribution that the project will make towards the continued mix of commercial uses
  - ii. Contribution to the public realm in Innerbelt
  - iii. Incorporation of public art in the project design

development plan approval to authorize construction of a Civic Space and/or Thoroughfare upon verifying that the submitted plan conforms to the following:

- i. the adopted comprehensive Master Plan of the City of Somerville, existing policy plans and standards established by the City, or to other plans deemed to be appropriate by the Planning Board;
- ii. the purpose of the IB-SD and of this Ordinance in general; and
- iii. the approved large development plan or neighborhood development plan.

## 8. PERMITTED USES

- a. Establishment of a use requires a zoning permit according to the provisions of X. Zoning Permit.
- b. The use of any structure for any use, other than Residential Uses, permitted in the MU-10 district shall be allowed, subject to the same limitations and/or special permits review indicated for the MU-10 district in the table of uses.
- c. Within an approved Residential Mixed-Use Building:
  - i. The residential household living use is permitted on all stories above the ground floor
  - ii. Ground-floor uses are as follows:
    - a). Uses are limited to all non-residential uses permitted in the MU-10 district, subject to the same limitations and/or special permit review indicated for those districts in the table of uses.
    - b). Uses are further limited per the pedestrian orientation map.
- d. Within an approved Commercial Mixed-Use Building:
  - i. Uses are limited to all uses, except residential uses, permitted in the MU-10 district, subject to the same limitations and/or special permit review indicated for those districts in the table of uses
  - ii. Ground floor uses are further limited per the pedestrian orientation map.

## 9. DIVISION OF LOTS

- a. The subdivision of a development site must be consistent with an approved large development plan or neighborhood development plan
- b. the construction of thoroughfares must be consistent with an approved neighborhood development plan
- c. Lot splits, lot mergers and lot line adjustments require a zoning permit only

## 10. CIVIC SPACE & THOROUGHFARES

- a. The Planning Board shall approve an application for



## D. NORTH POINT SPECIAL DISTRICT

### 1. INTENT

- a. The North Point Special District (NPSD) governs the land areas of Somerville in close proximity to the MBTA's Lechmere and Community College transit stations as shown on the official Zoning Map of the City of Somerville.
- b. Where the provisions of this Section conflict with those found elsewhere in this Ordinance, the provisions of this Section shall apply.

### 2. PURPOSE

- a. The purpose of the NPSD is to establish regulations supporting the development of a comprehensively planned neighborhood of mixed-use, moderate- to high-density development within easy walking distance to transit and having the following characteristics:
  - i. An interconnected street grid and comprehensive THOROUGHFARE network that distributes multi-modal circulation throughout the entire North Point neighborhood;
  - ii. THOROUGHFARES that accommodate all modes of transportation - pedestrians, bicycles, public transit, and private motor vehicles.
  - iii. THOROUGHFARES that feature frequent intersections, on-street parking, and large street trees to promote safe vehicular operating speeds by modulating the appearance and feel of the street space to drivers;
  - iv. Appealing physical connections to surrounding areas including East Cambridge, the Community College Orange Line T-Station via the Gilmore Bridge, DCR New Charles River Basin Park, and regional pathways;
  - v. Pedestrian infrastructure that is accessible to and usable by persons with disabilities;
  - vi. A North First Street extension as the primary connection to East Cambridge;
  - vii. A distribution of diverse CIVIC SPACE types to serve the various social needs of neighborhood residents, workers, and visitors, including a PUBLIC COMMON;
  - viii. A retail oriented PLAZA in close proximity to the relocated Lechmere T-Station;
  - ix. Primary uses distributed throughout the neighborhood so that the many activities of daily living can occur within walking distance to residences and workplaces;
  - x. A constrained supply of parking spaces to encourage the use of public transit, bicycles, and walking in lieu of automobiles.
  - xi. A diverse supply of residential unit types, sizes, and price points that meets the life-long housing needs of the community.
  - xii. Architecture and landscape design that spatially defines CIVIC SPACES and THOROUGHFARES as outdoor rooms and corridors.

### 3. PERMITTING PROCESS

- a. Neighborhood Development Plans
  - i. Submittal and Review
    - a). No property owner shall make a SUBDIVISION of a DEVELOPMENT SITE, or proceed with the

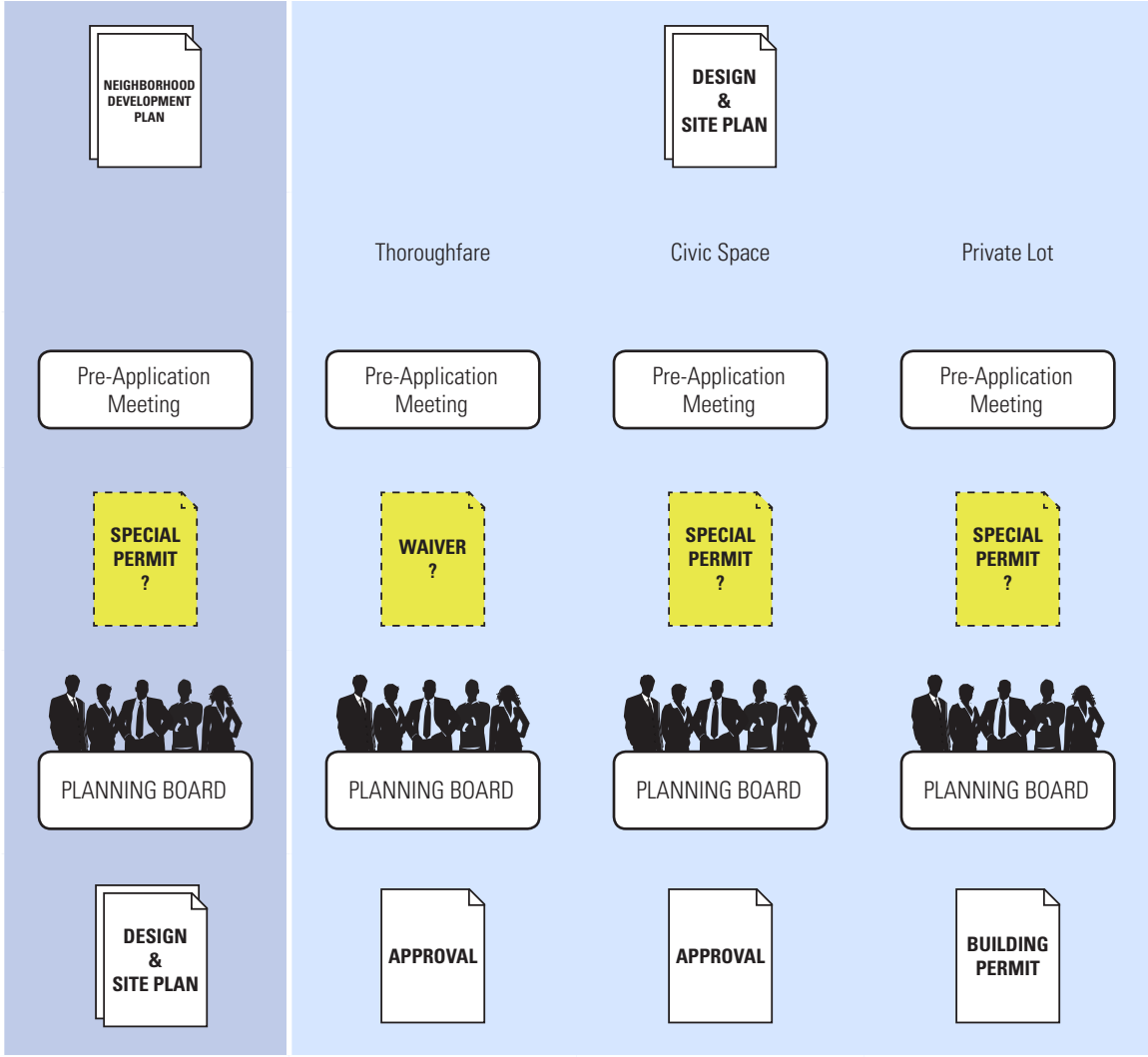
improvement of LOTS, the construction of THOROUGHFARES, or the installation of municipal utility services within a DEVELOPMENT SITE until a NEIGHBORHOOD DEVELOPMENT PLAN has been approved by the Planning Board.

- b). The submittal and review of NEIGHBORHOOD DEVELOPMENT PLANS shall be administered according to the procedural requirements of §5.7 Neighborhood Development Plans of the Somerville Zoning Ordinance.
- c). SPECIAL PERMIT applications for building types may be submitted simultaneously as part of a NEIGHBORHOOD DEVELOPMENT PLAN application (see §6.6.3.C Special Permits).
- ii. Scope
  - a). NEIGHBORHOOD DEVELOPMENT PLANS submitted for DEVELOPMENT SITES in more than one municipality shall include the total land area of the DEVELOPMENT SITE, regardless of municipal boundaries, for all phases of development to illustrate neighborhood context in total.
  - b). NEIGHBORHOOD DEVELOPMENT PLANS shall identify the estimated build-out program for each proposed LOT within the DEVELOPMENT SITE, calculated for by-right building types and/or building types that may be approved by SPECIAL PERMIT, as applicable.
- iii. Findings and Compliance
  - a). The Planning Board shall approve a NEIGHBORHOOD DEVELOPMENT PLAN upon finding that the submitted plan demonstrates:
    - i). conformance to the adopted MASTER PLAN of the City of Somerville, existing policy plans and standards established by the City, or to other plans deemed to be appropriate by the Planning Board;
    - ii). consistency with the purpose of the NPSD and of this Ordinance in general; and
    - iii). compliance with standards set forth in §6.6.4 Urban Design and §6.6.5 Thoroughfares.
- b. Design and Site Plans
  - i. Submittal and Review
    - a). No building permits shall be issued for the development or redevelopment of LOTS and/or buildings and the construction or reconstruction of THOROUGHFARES and/or CIVIC SPACES shall not be permitted to commence until a DESIGN AND SITE PLAN has been approved by the Planning Board.
    - b). The construction of THOROUGHFARES that differ from the alignment, connectivity, and/or lane geometry of an approved NEIGHBORHOOD DEVELOPMENT PLAN shall not proceed until a DESIGN AND SITE PLAN has been approved by the Planning Board.
    - c). The submittal and review of DESIGN AND SITE PLANS shall be administered according to the procedural requirements of §5.4 Design and Site Plan Review of the Somerville Zoning Ordinance.
    - d). SPECIAL PERMIT applications for building types may be submitted simultaneously as part of

- a DESIGN AND SITE PLAN application (see §6.6.3.C Special Permits).
- ii. Scope
    - a). DESIGN AND SITE PLANS submitted for LOTS in more than one municipality shall include the total land area of the LOT, regardless of municipal boundaries.
  - iii. Findings and Compliance
    - a). Thoroughfares
      - i). The Planning Board shall approve DESIGN AND SITE PLANS for THOROUGHFARES upon finding that the submitted plan demonstrates:
        - a. conformance to the adopted MASTER PLAN of the City of Somerville, existing policy plans and standards established by the City, or to other plans deemed to be appropriate by the Planning Board;
        - b. consistency with the purpose of the NPSD and of this Ordinance in general;
        - c. adaptability of the proposed THOROUGHFARE segment to the alignment, connectivity, and lane geometry of THOROUGHFARES approved as part of a NEIGHBORHOOD DEVELOPMENT PLAN for the DEVELOPMENT SITE;
        - d. compliance with the provisions set forth in §6.6.5 Thoroughfares, as applicable.
    - b). Civic Spaces
      - i). The Planning Board shall approve DESIGN AND SITE PLANS for CIVIC SPACES upon finding that the submitted plan demonstrates:
        - a. conformance to the adopted MASTER PLAN of the City of Somerville, existing policy plans and standards established by the City, or to other plans deemed to be appropriate by the Planning Board;
        - b. consistency with purpose of the NPSD and of this Ordinance in general; and
        - c. compliance with the provisions set forth in §6.6.6 Civic and Recreation Spaces, as applicable for each type.
      - ii). For CIVIC SPACES with less than 10% of their land area within the City of Somerville, The Planning Board may approve DESIGN AND SITE PLANS that do not comply with the provisions set forth in §6.6.6 Civic and Recreation Spaces, as applicable for each type, upon finding that the submitted plan demonstrates:
        - a. satisfaction of §6.6.3.B.3.b.i.(a) and §6.6.3.B.3.b.i.(b), above, and
        - b. compliance with an approved plan of an abutting jurisdiction.
      - iii). The Planning Board may solicit comments and/or recommendations from the Design Review Committee (DRC) in consideration of how the following design elements contribute toward maximization of the actual utility of a CIVIC SPACE for its intended use:
        - a. solar orientation;
        - b. pedestrian DESIRE LINES;
        - c. landscape design;
        - d. integration with nearby buildings; and
        - e. the relationship of the CIVIC SPACE to others nearby.
  - c). Lots
    - i). The Planning Board shall approve DESIGN AND SITE PLANS for individual LOTS and/or buildings upon finding that the submitted plan demonstrates:
      - a. conformance to the adopted MASTER PLAN of the City of Somerville, existing policy plans and standards established by the City, or to other plans deemed to be appropriate by the Planning Board;
      - b. consistency with purpose of the NPSD and of this Ordinance in general; and
      - c. compliance with the provisions set forth in §6.6.7 Lots, §6.6.8 Permitted Uses, §6.6.9 Building Types, §6.6.10 Parking and Loading, and §6.6.11 Environmental Performance, as applicable.
    - ii). For LOTS with less than 10% of their land area within the City of Somerville, The Planning Board may approve DESIGN AND SITE PLANS that do not comply with the provisions set forth in §6.6.7 Lots, §6.6.8 Permitted Uses, §6.6.9 Building Types, §6.6.10 Parking and Loading, and §6.6.11 Environmental Performance, as applicable, upon finding that the submitted plan demonstrates:
      - a. satisfaction of §6.6.3.B.3.c.i.(a) and §6.6.3.B.3.c.i.(b), above, and
      - b. compliance with an approved plan of an abutting jurisdiction.
    - iii). The Planning Board may solicit comments and/or recommendations from the Design Review Committee (DRC) in consideration of, but not limited to, the following:
      - a. site planning, buildings placement, building bulk, floor plans, exterior design, construction materials, green building techniques, landscaping, entrance and exit placement, signage; and,
      - b. the local microclimate including pedestrian level winds, weather protection, air quality, the reflection of sunlight, and the casting of shadows.
  - c. Special Permits
    - i. Submittal and Review
      - a). SPECIAL PERMIT applications may be submitted simultaneously as part of a NEIGHBORHOOD DEVELOPMENT PLAN submittal for an entire DEVELOPMENT SITE or as part of a DESIGN AND SITE PLAN submittal for individual LOTS.

- b). The submittal and review of SPECIAL PERMITS shall be administered according to the procedural requirements of §5.1 Special Permits of the Somerville Zoning Ordinance.
  - c). The Planning Board shall serve as the SPECIAL PERMIT GRANTING AUTHORITY in the NPSD.
- ii. Findings and Compliance
  - a). The Planning Board may grant a SPECIAL PERMIT upon finding that a submitted SPECIAL PERMIT application demonstrates:
    - i). compliance with the submittal requirements of §5.1 Special Permits;
    - ii). conformance to the adopted MASTER PLAN of the City of Somerville, existing policy plans and standards established by the City, or to other plans deemed to be appropriate by the Planning Board;
    - iii). consistency with purpose of the NPSD and of this Ordinance in general;
    - iv). compliance with the provisions set forth in §6.6.7 Lots, §6.6.8 Permitted Uses, §6.6.9 Building Types, §6.6.10 Parking and Loading, and §6.6.11 Environmental Performance, as applicable.
- iii. Waivers
  - a). Submittal
    - i). WAIVER requests shall be submitted in writing as part of any NEIGHBORHOOD DEVELOPMENT PLAN OR DESIGN AND SITE PLAN application and accompanied by written and graphic information as required.
    - ii). WAIVERS may only be requested for eligible standards as specifically indicated in this Section.
    - iii). The Planning Board retains the right to deny any WAIVER request that is inconsistent with the purpose of the NPSD.
  - b). Findings and Compliance
    - i). The Planning Board may grant a WAIVER upon making positive findings in determining the request is:
      - a. within the public interest;
      - b. consistent with any WAIVER eligibility requirements, as indicated in this Section; and
      - c. consistent with the orderly SUBDIVISION of a DEVELOPMENT SITE and the construction of THOROUGHFARES and/or installation of municipal utility services within a DEVELOPMENT SITE according to standards deemed to be appropriate by the Planning Board.
- iv. Minor Projects
  - a). Per §3.5.4.D of this Ordinance, LOT SPLITS, LOT MERGERS, and LOT LINE ADJUSTMENTS shall be considered minor projects and shall be reviewed subject to the Rules and Regulations of the Planning Board.

**FIGURE 6.1** Process Chart



#### 4. URBAN DESIGN

- a. Thoroughfare Network
  - i. All thoroughfares shall intersect with other thoroughfares, forming a network.
  - ii. Proposed thoroughfares should align wherever possible to those on adjacent sites.
  - iii. Cul-de-sacs and other dead-end thoroughfares are prohibited unless granted a waiver from the intersection requirement of §6.6.4.A.1 on a case-by-case basis by the Planning Board to accommodate specific site conditions.
- b. Block Structure
  - i. The thoroughfare network shall be structured to define individual blocks with a total perimeter no greater than 1,400 feet and individual block faces no greater than 500 feet.
  - ii. Blocks abutting undeveloped land, areas unsuitable for development, pre-existing incomplete blocks, or rail rights-of-way may be granted a waiver from the block face length and block perimeter restriction of §6.6.4.B.1 at the discretion of the Planning Board.
- c. Lots
  - i. Lots shall be platted to have a primary frontage abutting a thoroughfare and a lot width between 30 feet minimum and 500 feet maximum.
- d. Civic Space
  - i. At least 5% of the total land area of a development site shall be designed as publicly accessible civic space and shall be distributed throughout the site as a series of separate spaces of various types and sizes (see §6.6.6 Civic and Recreation Spaces).
  - ii. Civic space designed as a public common (see §6.6.6.C) shall be exempt from the block perimeter restrictions of §6.6.4.B.1.
  - iii. Civic spaces should be oriented to maximize exposure to the sun. In no case shall any portion of a civic space with only a north-facing exposure to the sun qualify for the land area requirement of §6.6.4.D.1.
- e. Build Out
  - i. At full build-out of the neighborhood development plan, no less than sixty-five percent (65%) of the total gross floor area built within the City of Somerville shall be dedicated to principal uses within the Retail & Consumer Service, Commercial Office, and/or R&D and/or Laboratory use categories.
  - ii. At full build-out of the neighborhood development plan, no less than three-hundred and fifty thousand (350,000) square feet of total gross floor area built within the City of Somerville shall be dedicated to principal uses within the Retail & Consumer Service, Commercial Office, and/or R&D and/or Laboratory use categories.

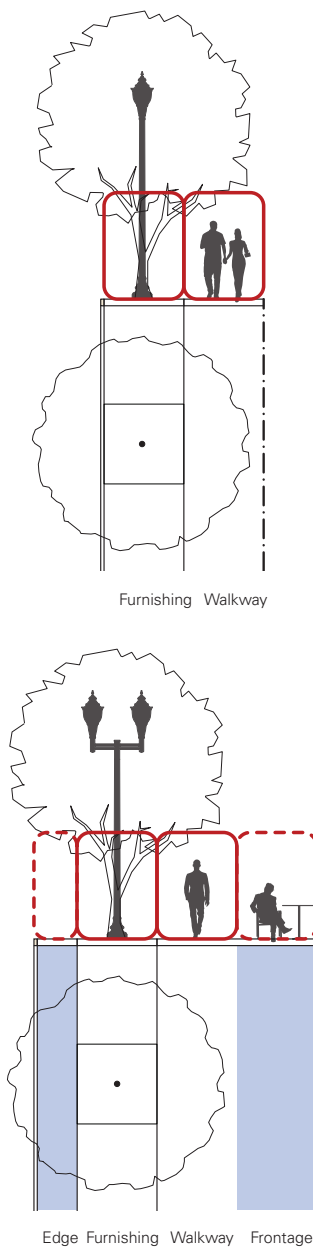
#### 5. THOROUGHFARES

- a. THOROUGHFARES shall include vehicular lanes and sidewalks.
- b. THOROUGHFARES shall be designed and constructed in accordance with the City of Somerville's adopted THOROUGHFARE design standards. In the absence of adopted standards, THOROUGHFARES shall be designed and

constructed in accordance to standards deemed to be appropriate by the Planning Board.

- c. Vehicular lanes and sidewalks shall be designed in accordance with the following:
  - i. Motor Vehicle Travel Lanes
    - a. Motor vehicle travel lanes may have a width between ten (10) feet minimum and twelve (12) feet maximum.
    - b. No more than two (2) motor vehicle travel lanes may be combined for any single direction of traffic flow.
  - ii. Motor Vehicle Parking Lanes
    - a. Motor vehicle parking lanes shall be eight (8) feet wide or narrower for parallel parking and eighteen (18) feet wide or narrower for diagonal parking.
    - b. Gutter seams, drainage inlets, and utility covers shall be flush with the pavement surface and oriented to prevent conflicts with bicycle tires.
    - c. Gutter pans shall be incorporated into the width of any parking lane.
  - iii. Bike Lanes
    - a. Bike lanes may have a width between five (5) feet minimum and six (6) feet maximum.
    - b. A six (6) to eight (8) inch solid white lane line shall be used to visually separate motor vehicle travel lanes from any bike lane.
    - c. A four (4) inch solid white lane line shall be used to visually separate any bike lane from an adjacent motor vehicle parking lane, as applicable.
    - d. Word, symbol, and arrow pavement markings (MUTCD Figure 9C-3) shall be used to define any bike lane as the portion of a THOROUGHFARE dedicated for specific use by bicyclists.
    - e. Through bike lanes shall be located to the left of any dedicated motor vehicle right-turn only lane.
    - f. Lane striping shall be dashed through areas of merging and crossing vehicles.
    - g. Color shall be used to enhance the visibility of bikes lanes in locations determined to be necessary by the Traffic and Parking Department.
  - iv. Sidewalks
    - a. All new and reconstructed sidewalks shall be accessible to and usable by persons with disabilities in accordance with the Americans with Disabilities Act and the Rules and Regulations of the Massachusetts Access Board (521 CMR), as amended.
    - b. Sidewalks shall include a walkway and furnishing zone, and may include an edge and/or frontage zone as illustrated in Figure 6.2: Sidewalks.
      - i). Walkways shall be a minimum of six (6) feet in width.
      - ii). Furnishing zones shall be a minimum of four (4) feet in width.
      - iii). Edge zones (ie. "curbwalks") shall be a minimum of two (2) feet in width.
      - iv). Frontage zones shall be a maximum of four and a half (4.5) feet in width.

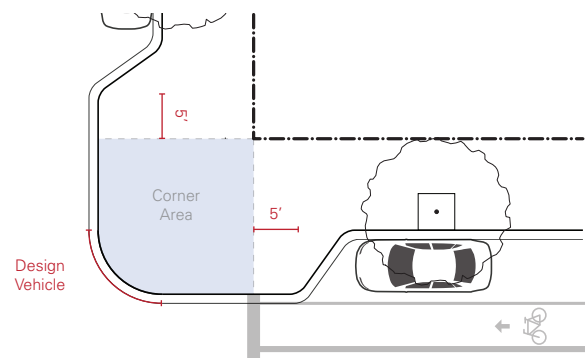


**Figure 6.2** Sidewalks

- c). Sidewalks shall include street trees planted within the furnishing zone in a regularly-spaced ALLEE pattern no greater than thirty (30) feet on center. Along retail frontages, street trees may be planted in an irregularly-spaced ALLEE pattern to avoid visually obscuring storefront windows and signage.
- d). When planted, street trees shall be a minimum height of ten (10) feet and/or two (2) inches in caliper.
- e). A minimum sixteen (16) sq. ft. open soil area shall be left around each street tree, centered at the tree trunk. When level with an adjacent walkway, the soil area shall be protected by six (6) inch metal fencing and mulch shall be

applied to a minimum depth of three (3) inches. When recessed below an adjacent walkway, open soil areas shall be protected by metal tree grates.

- f). Sidewalks in front of TERMINATED VISTAS and along CIVIC SPACE frontage may be granted a WAIVER from street tree requirements at the discretion of the Planning Board.
- g). Public furniture installed in the furnishing zone shall be subject to the standards of §6.6.6.H.1: Amenities and Public Furniture.
- h). The pavement design of walkways shall be continuous for the full length of each BLOCK FACE.
- v. Sidewalk Extensions (see Figure 6.3: Sidewalk Extensions)
  - a). Sidewalk extensions shall occupy the full width of the parking lane they extend into.
  - b). When a bike lane is present, sidewalk extensions shall be set back so that the gutter does not extend into the bike lane.
  - c). At corners, sidewalk extensions shall run at least five (5) feet from the corner area of the sidewalk as illustrated in Figure 6.3: Sidewalk Extensions.
  - d). At bus stops, sidewalk extensions shall run at least fifty (50) feet from the corner area of the sidewalk.

**Figure 6.3** Sidewalk Extensions

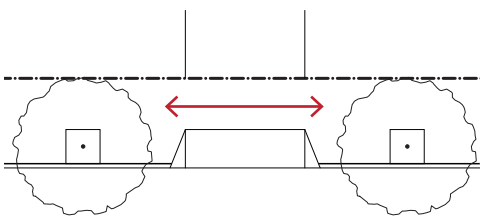
- vi. Pedestrian Crosswalks
  - a). Crosswalks shall be designed as shown in Table 6.6.5: Pedestrian Crosswalks.
  - b). Crosswalk markings shall be aligned with the walkway of all adjacent sidewalks unless granted a WAIVER by the Planning Board.
  - c). Where the walkway is wider than the prescribed width of the crosswalk, crosswalk markings should be widened to match the walkway of the sidewalk.

**Table 6.6.5** Pedestrian Crosswalks

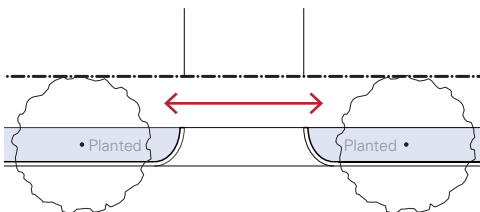
|                  |             |
|------------------|-------------|
| Total Width      | 10 feet     |
| Stripe Thickness | 1 foot      |
| Stripe Length    | 10 feet     |
| Stripe Offset    | 3 feet o.c. |

and public furniture shall be designed and constructed according to criteria established by relevant City departments and/or adopted by the Planning Board.

- vii. Driveway and Alley Crossings
  - a). Driveway crossings traversing sidewalks with paved furnishing zones shall be designed to maintain the grade and clear width of the walkway they cross and shall include sloped flares on either side of the driveway apron as shown in Figure 6.3: Driveway and Alley Crossings.
  - b). Driveway crossings traversing sidewalks with continuously planted furnishing zones shall be designed to maintain the grade and clear width of the walkway they cross and shall include returned curbs as shown in Figure 6.5: Driveway and Alley Crossings.
  - c). The appearance of any walkway (ie. scoring pattern or special paving) shall be maintained across any driveway or alley to indicate that, although a vehicle may cross, the area traversed by a vehicle remains part of the sidewalk.

**Figure 6.5** Driveway and Alley Crossings

Crossing with Flares



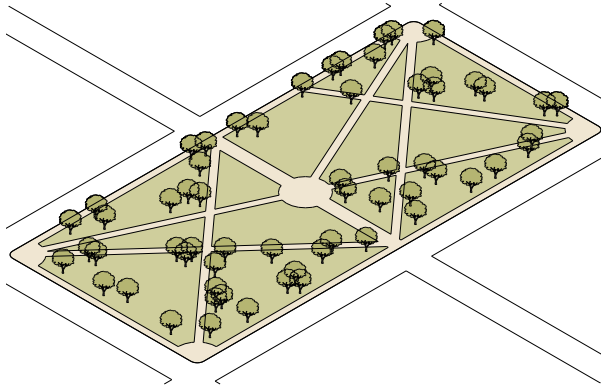
Crossing with Returned Curbs

- d). THOROUGHFARES designed as a CLOSE may be granted a WAIVER from the requirements of 6.6.5.C at the discretion of the Planning Board.
- e). All water and sewer utilities, storm water management infrastructure, public lighting,

## 6. CIVIC AND RECREATION SPACES

- a. General
  - i. CIVIC SPACES should be oriented to maximize exposure to the sun. In no case shall any portion of a CIVIC SPACE with only a NORTH-FACING orientation qualify for the land area requirement of §6.6.4.D.1.
- b. Amenities and Public Furniture
  - i. Required Seating
    - a). Linear feet of seating may be provided through movable chairs, fixed individual seats, fixed benches with or without backs, seat walls, planter and fountain ledges, and/or seating steps.
    - b). Seat walls, planter and fountain ledges, and/or seating steps shall not, in aggregate, represent more than 15 percent of the linear feet of required seating.
    - c). All seating shall have a minimum seat depth of 18 inches and a seat height between 16 and 30 inches above grade (adjacent walking surfaces).
    - d). Seating 30 inches or more in depth shall count as double the linear feet, provided there is access to both sides.
    - e). Planter or fountain ledges provided as seating shall have a minimum depth of 22 inches.
    - f). Seat backs shall be a minimum of 14 inches high and either contoured in form for comfort or reclined between 10 to 15 degrees from vertical. Walls located adjacent to a seating surface shall not count as seat backs.
    - g). Movable chairs shall not be chained, fixed, or otherwise secured while a CIVIC SPACE is open to the public, however may be removed during the hours of 9:00pm to 7:00am.
    - h). Steps provided for pedestrian circulation and the seating of open air café areas shall not count toward seating requirements.
    - i). Steps provided for pedestrian circulation shall have a height (rise) between 4 to 6 inches and minimum tread (run) of 17 inches, except that steps with a height (rise) of 5 inches may have a minimum tread (run) of 15 inches.
    - j). Deterrents to seating, such as spikes, rails, or deliberately uncomfortable materials or shapes, placed on surfaces that would otherwise be suitable for seating are prohibited.
    - k). Deterrents to skateboards, rollerblades and other wheeled devices are permitted on seating surfaces if they do not inhibit seating, maintain a minimum distance of five feet between deterrents, and are integrated into the seating surface at the time of manufacture or construction.
  - ii. Litter Receptacles
    - a). Litter receptacles shall be 30 to 50 gallon containers with an opening no more than 36 inches above grade and designed in such a manner that users do not have to touch the receptacle or push open a door in order to dispose of litter. Litter receptacles shall be constructed of durable materials that are graffiti-, fire-, rust-, and stain-resistant and function to permit emptying from the top. Litter receptacles should be located near entrances to CIVIC SPACES and within reasonable proximity to seating areas.
  - iii. All public lighting and irrigation infrastructure, as required, shall be designed and installed according to all criteria established by City departments deemed to be appropriate by the Planning Board.
- c. Civic Buildings
  - i. Accessory structures common to CIVIC SPACES, including but not limited to, restrooms, open-air pavilions, gazebos, picnic shelters, outdoor theaters/performance stages, and their substantially equivalents shall be permitted.

## d. Public Common



A civic space type for unstructured recreation, free standing in the block pattern, with landscape consisting of lawn, paths, and trees.

**PROCESS**

|                   |                      |
|-------------------|----------------------|
| a. Plan Submittal | Design and Site Plan |
|-------------------|----------------------|

**FORM**

|         |                               |
|---------|-------------------------------|
| a. Size | 20,000 sq. ft. - 8 acres max. |
|---------|-------------------------------|

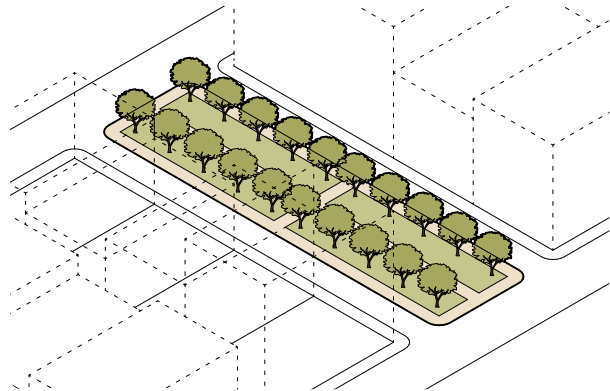
**AMENITIES**

|            |                            |
|------------|----------------------------|
| a. Seating | 1 linear foot / 400 sq ft. |
| b. Tables  | N/A                        |

## i. Design Guidelines

- a). A public common should provide a substantially sized and uninterrupted open space that is landscaped with smooth ground covers, large canopy trees, and little to no understory plants. Both paved and unpaved paths may be provided, as well as a substantial water feature.
- b). Large canopy trees should be used in an informal manner to spatially define the perimeter while also framing views of neighboring buildings from within the public common.
- c). A public common should be designed to promote options for children to engage in different forms of play; provide locations where sports, picnics, special events, and simple relaxation can occur for adults; and may include areas designed specifically to accommodate the activities of a public market.
- d). Paths should provide a variety of walking/running circuits within the public common, accommodate desire lines to surrounding uses on neighboring blocks, and provide different sensory experiences along their edge that change over time and vary across the public common.
- e). A public common should offer a variety of seating types and seating locations, including places to sit in the sun, in the shade, out of the wind, in groups, alone, close to activity, and in relative seclusion to every extent possible.
- f). Benches and seating ledges or walls should be designed for the convenience and comfort of visitors, located in support of gathering spaces and along pedestrian paths, but should be out of the flow of pedestrian traffic.
- g). A public common should incorporate lighting that promotes safety while adding visual ambiance and character to the space at night. Lighting fixtures should be smaller-scale, frequently placed, and scaled to pedestrians. Fixture components (base, pole, luminaries) should have stylistic compatibility, while varying in form according to functional requirements. The indiscriminate use of bright lighting should be limited.
- h). Entrances should be well designed to make visitors feel welcome and comfortable entering the space, be physically and visually accessible from surrounding blocks, and include areas for congregating in groups.

e. Public Square



A civic space type for unstructured recreation and civic purposes, free standing in the block pattern, with landscape consisting of formally disposed lawns, paths, and trees.

**PROCESS**

|                   |                      |
|-------------------|----------------------|
| a. Plan Submittal | Design and Site Plan |
|-------------------|----------------------|

**FORM**

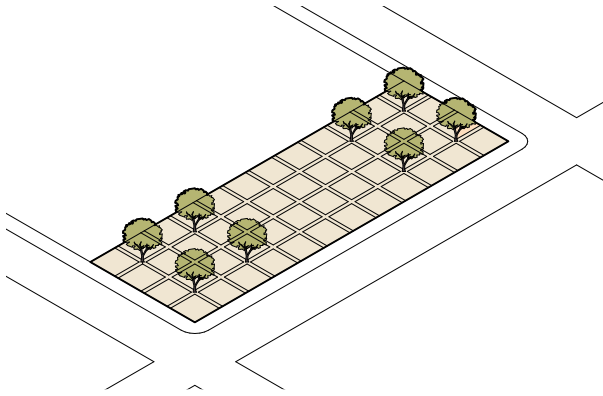
|         |                              |
|---------|------------------------------|
| a. Size | 8,000 sq. ft. - 2 acres max. |
|---------|------------------------------|

**AMENITIES**

|            |                            |
|------------|----------------------------|
| a. Seating | 1 linear foot / 275 sq ft. |
| b. Tables  | N/A                        |

- i. Design Guidelines
  - a). A public square should have design characteristics in response to the surrounding civic, commercial, and/or residential context of surrounding buildings.
  - b). A public square should offer a variety of seating types and seating locations.
  - c). Benches and seating ledges or walls should be designed for the convenience and comfort of visitors, located in support of gathering spaces and along pedestrian paths, but should be out of the flow of pedestrian traffic.
  - d). A public square should incorporate lighting that promotes safety while adding visual ambiance and character to the space at night. Lighting fixtures should be smaller-scale, frequently placed, and scaled to pedestrians. Fixture components (base, pole, luminaries) should have stylistic compatibility, while varying in form according to functional requirements. The indiscriminate use of bright lighting should be limited
  - e). Entrances should be well designed to make visitors feel welcome and comfortable entering the space and should be physically and visually accessible from surrounding blocks.

## f. Plaza



A civic space type designed for civic purposes and commercial activities, integrated as part of a block/lot or located internal to a block/lot, with landscape consisting primarily of pavement.

**PROCESS**

|                   |                      |
|-------------------|----------------------|
| a. Plan Submittal | Design and Site Plan |
|-------------------|----------------------|

**FORM**

|         |                                |
|---------|--------------------------------|
| a. Size | 8,000 sq. ft. - 1.5 acres max. |
|---------|--------------------------------|

**AMENITIES**

|            |                              |
|------------|------------------------------|
| a. Seating | 1 linear foot / 30 sq ft.    |
| b. Tables  | 1 per every 4 movable chairs |

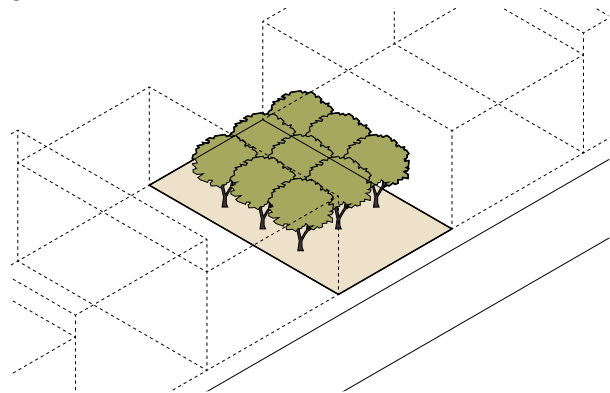
## i. Design Guidelines

- a). A plaza should contain substantial areas of hardscape complemented by planting beds or formal arrangements of trees with open canopies. Paved surfaces should include a variety of patterns and colors.
- b). A plaza should offer an abundance and variety of seating types and seating locations, including places to sit in the sun, in the shade, out of the wind, in groups, alone, close to activity, and in relative seclusion to every extent possible.
- c). Benches and seating ledges or walls should be designed for the convenience and comfort of visitors, located in support of gathering spaces and along pedestrian paths, but should be out of the flow of pedestrian traffic.
- d). A plaza should incorporate lighting that promotes safety while adding visual ambiance and character to the space at night. Lighting fixtures should be smaller-scale, frequently placed, and scaled to pedestrians. Fixture components (base, pole, luminaries) should have stylistic compatibility, while varying in form according to functional requirements. The indiscriminate use of bright lighting should be limited.
- e). Directional, educational, informational, and geographic signage should be placed in conjunction with other civic space amenities or places where paths cross.
- f). The perimeter of a plaza should be well integrated into its surroundings and free from fences, hedges, and other barriers that would impede movement into the space and obscure visibility from adjacent street or building frontage.

## ii. Development Standards

- a). The depth of any plaza shall not be less than one third of the width.
- b). Each plaza shall provide at least two types of seating.
- c). Movable chairs may be counted as 2 feet of linear seating per chair.
- d). A minimum of one (1) linear foot of required seating for every two linear feet of plaza street frontage shall be located within 15 feet of the adjacent sidewalk.
- e). A minimum of 50% of any fixed seating shall have seat backs 14 inches high and either contoured in form for comfort or reclined between 10-15 degrees from vertical. Walls located adjacent to a seating surface shall not count as seat backs.
- f). Plazas shall provide direct access free from obstructions from any adjoining sidewalk for at least 50 percent of the total length of the street frontage.
- g). The surface of a plaza shall not be lower than the average elevation of the adjoining sidewalk nor more than two feet above the average elevation of any adjoining sidewalk at any point. Plazas that front onto an adjoining sidewalk with a slope greater than 2.5 percent along the frontage of the plaza shall not be any lower than one foot below the average elevation of the adjoining street at any point.
- h). One litter receptacle shall be provided for every 1,500 square feet of plaza area up to 6,000 square feet. Plazas greater than 6,000 square feet in area must provide an additional litter receptacle for every additional 2,000 square feet of plaza area over 6,000 square feet. Plazas that contain open air cafes or kiosks providing food service shall provide one additional litter receptacle for each 1,500 square feet of plaza area occupied by such outdoor eating area.

g. Pocket Park



A civic space type designed for unstructured recreation, integrated as part of a block/lot or located internal to a block/lot, consisting of greenery and a place to sit outdoors for adults, and spatially defined by surrounding buildings.

**PROCESS**

|                   |                      |
|-------------------|----------------------|
| a. Plan Submittal | Design and Site Plan |
|-------------------|----------------------|

**FORM**

|         |                                   |
|---------|-----------------------------------|
| a. Size | 800 sq. ft. - 10,000 sq. ft. max. |
|---------|-----------------------------------|

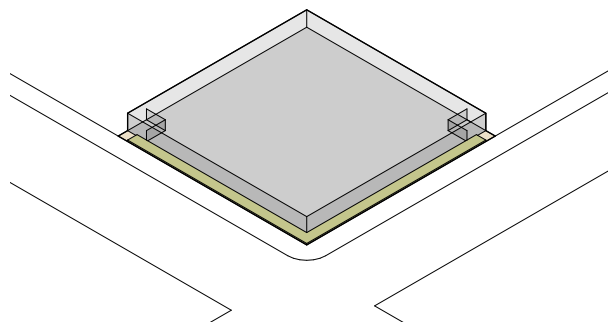
**AMENITIES**

|            |                              |
|------------|------------------------------|
| a. Seating | 1 linear foot / 50 sq ft.    |
| b. Tables  | 1 per every 3 movable chairs |

- i. Design Guidelines
  - a). A POCKET PARK should contain substantial areas of hardscape complemented by planting beds or formal arrangements of trees with open, spreading canopies.
  - b). A POCKET PARK should offer an abundance and variety of seating types and seating locations.
  - c). Benches and seating ledges or walls should be designed for the convenience and comfort of visitors, located in support of gathering spaces and along the perimeter of the space, but should be out of the flow of pedestrian traffic.
  - d). A POCKET PARK should incorporate lighting that promotes safety while adding visual ambiance and character to the space at night. Lighting fixtures should be smaller-scale, frequently placed, and scaled to pedestrians. Fixture components (base, pole, luminaries) should have stylistic compatibility, while varying in form according to functional requirements. The indiscriminate use of bright lighting shall be prohibited.
  - e). Entrances should be well designed to make visitors feel welcome and comfortable entering the space.

## h. Dog Park

A civic space type designed for the recreation of dogs and their owners.

**PROCESS**

|                   |                      |
|-------------------|----------------------|
| a. Plan Submittal | Design and Site Plan |
|-------------------|----------------------|

**FORM**

|         |                     |
|---------|---------------------|
| a. Size | 10,000 sq. ft. min. |
|---------|---------------------|

**AMENITIES**

|            |                             |
|------------|-----------------------------|
| a. Seating | 1 linear foot / 275 sq. ft. |
| b. Tables  | N/A                         |

## i. Design Guidelines

- a). A DOG PARK may be free standing in the BLOCK pattern, located internal to a BLOCK/LOT, or may be incorporated as a subordinate feature of a PUBLIC COMMON OR PUBLIC SQUARE.

## ii. Development Standards

- a). The size of a DOG PARK may be reduced by Special Permit.
- b). A DOG PARK shall not be less than fifteen (15) feet in any dimension.
- c). DOG PARKS shall be fenced on all sides to a minimum height of 60 inches. Fence footings shall be buried to a depth of one (1) foot and fence panels shall be buried to a depth of six (6) inches at all locations except at entrances/exits.
- d). DOG PARKS shall have two entrances/exits.
- e). Entrances/exits shall have a safety gate, with an outer and inner gate on either side of a minimum sixteen (16) square-foot "vestibule" area. This "vestibule" area serves as a buffer between the entrance and the rest of the park.
- f). One (1) litter receptacle and one (1) dog valet shall be provided near each entrance/exit.
- g). A sub-base of crushed gravel or equivalent that will compact to a dense, graded permeable subsurface shall be provided.
- h). Ground cover shall be decomposed (crushed) granite or similar material that is non water-absorbing and devoid of organic material.
- i). Planting beds shall be included along the outside of the perimeter fence to help screen the DOG PARK and reduce potential runoff.
- j). DOG PARKS shall include a watering area with a standard hose-bib.
- k). Each DOG PARK shall have a permanent sign, stating the hours of operation, rules, and regulations for the DOG PARK.
- l).



**7. LOTS**

- a. LOTS shall have a primary frontage abutting a THOROUGHFARE and a LOT width between fifty (50) feet minimum and five-hundred (500) feet maximum.
- b. One (1) building may be built on each LOT.

**8. PERMITTED USES**

- a. The following building use categories and principal uses are established according to Table 6.2 Use Categories and Principal Uses.
- b. The establishment of any principal use and changes in use within the same category shall be permitted by right.
- c. Changes in use to a different category may be permitted by SPECIAL PERMIT, except changes in use to Institutional, Religious, and/or Educational Services meeting the criteria of M.G.L. 40A, Section 3 shall be permitted by-right.
- d. Principal uses not expressly authorized are prohibited.
- e. Drive-up and drive-through uses shall be prohibited.
- f. Use Performance Standards
- g. Retail and Consumer Service Use Category
  - i. Retail Sales
    - a). The manufacturing, assembly, and/or packaging of merchandise shall be prohibited unless ancillary to the sale of products from the same location.
    - b). Total gross floor area shall be limited to 10,000 square feet per ground floor establishment.
  - ii. Grocery Stores/Supermarkets

- a). Total gross floor area shall be limited to 50,000 square feet per establishment and may be larger by SPECIAL PERMIT.
- b). Pharmacies shall be prohibited as an accessory use within Grocery Stores/Supermarkets.
- iii. Personal and/or Family Services
  - a). Flammable solvents shall be prohibited for businesses providing laundry and dry cleaning services.
  - b). Total gross floor area shall be limited to 10,000 square feet per ground floor establishment.
- iv. Business Services
  - a). Total gross floor area shall be limited to 5,000 square feet per ground floor establishment.
- v. Bar and/or Restaurant
- vi. Theatre
- vii. Commercial Recreation
  - a). Total gross floor area shall be limited to 10,000 square feet per ground floor establishment and 50,000 square feet for upper floor establishments. Upper floor establishments may be larger than 50,000 square feet by SPECIAL PERMIT.
- h. Commercial Office Use Category
  - i. Medical Practitioner
  - ii. Real Estate
  - iii. General Office
  - iv. Professional Services
  - v. Studio Space
  - vi. Bank

**Table 6.6.8** Use Categories and Principal Uses

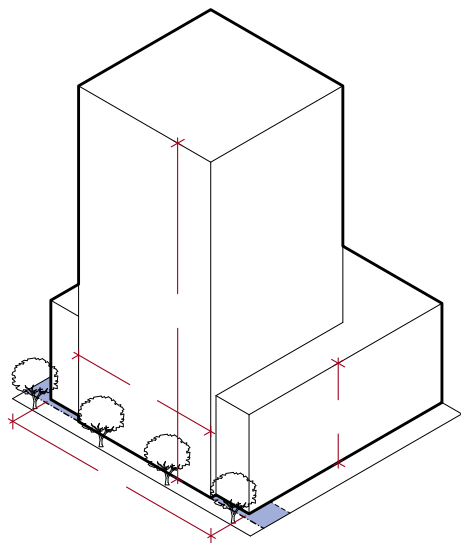
| CATEGORY   | PRINCIPAL USES  |
|--|---|
| 1. Retail and Consumer Service                           | <ul style="list-style-type: none"> <li>a. Retail Sales</li> <li>b. Grocery Stores/Supermarkets</li> <li>c. Personal and/or Family Services</li> <li>d. Business Services</li> <li>e. Restaurant and/or Bar</li> <li>f. Theater</li> <li>g. Commercial Recreation</li> </ul>           |
| 2. Commercial Office                                     | <ul style="list-style-type: none"> <li>a. Medical Practitioner</li> <li>b. Real Estate</li> <li>c. General Office</li> <li>d. Professional Services</li> <li>e. Studio Space</li> <li>f. Bank</li> <li>g. Mass Media Studio</li> <li>h. Educational/Institutional Services</li> </ul> |
| 3. Lodging   | <ul style="list-style-type: none"> <li>a. Hotel</li> </ul>  |
| 4. R&D and/or Laboratory                                 | <ul style="list-style-type: none"> <li>a. Research &amp; Development</li> <li>b. Laboratory</li> </ul>  |
| 5. Institutional, Religious, and/or Educational Services | <ul style="list-style-type: none"> <li>a. All uses qualifying under M.G.L. 40A, Section 3</li> </ul>  |
| 6. Residential   | <ul style="list-style-type: none"> <li>a. Multi-Unit Residential</li> </ul>   |
| 7. Accessory   | <ul style="list-style-type: none"> <li>a. Parking Garage</li> <li>b. Home Occupation</li> <li>c. Cellular, Radio, and Internet Transmission</li> </ul>  |
| 8. Interim   | <ul style="list-style-type: none"> <li>a. Surface Parking Lot</li> </ul>  |

- vii. Mass Media Studio
- viii. Educational/Institutional Services
- ix. Lodging Category
- i. R&D and/or Laboratory Use Category
  - i. All Principal Uses
    - a). Storage of flammable liquids, gas, or explosives for off-site use shall be prohibited.
    - b). Floorspace dedicated to product assembly, packaging, and/or storage shall be limited to 25% gross floor area.
    - c). All dust, fumes, gases, odors, smoke or vapors, noise, or vibrations shall be effectively confined to the LOT.
  - ii. Institutional, Religious, and/or Educational Services Use Category
- j. Residential Use Category
  - i. Multi-Unit Residential
- k. Accessory Use Category
  - i. Parking Garage
  - ii. Home Occupation
    - i). Business activities shall be restricted to the resident(s) of the dwelling unit using equipment customarily found within a household.
    - ii). The production of offensive noise, vibration, smoke, dust, or other particulate matter, heat humidity, glare, or other objectionable effects shall be prohibited.
    - iii). Activities expected to attract more than one (1) visitor at any given time shall be prohibited.
  - iii. Cellular, Radio, and Internet Transmission
    - i). Cellular, radio, and internet transmission infrastructure shall be subject to the provisions of Article 14: Wireless Communication of the Somerville Zoning Ordinance.
- l. Interim Use Category
  - i. Surface Parking Lots
    - i). Subject to approval by the Planning Director, interim uses of vacant LOTS for activities other than surface parking may be permitted for up to 6 months.

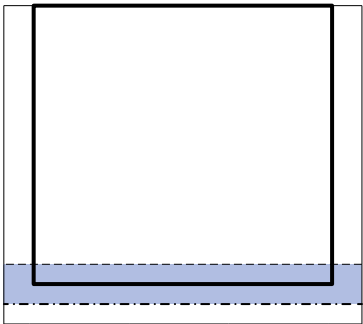
## 9. BUILDING TYPES

- a. General
  - i. FACADES shall be built parallel to a FRONT LOT LINE or to the tangent of a curved FRONT LOT LINE.
  - ii. Height limits do not apply to mechanical penthouses; cellular, radio, and internet transmission equipment; or vents or exhausts.
  - iii. The FLOOR PLATE of any story shall not be larger in area than the story below.

b. Residential High-Rise



Facade Build-Out Area



Facade Build-Out Area

PROCESS

|                    |                      |
|--------------------|----------------------|
| a. Plan Submittal  | Design and Site Plan |
| b. Required Permit | Special Permit       |

LOT OCCUPATION

|                           |                     |
|---------------------------|---------------------|
| a. Setback/Build-to Lines |                     |
| i. Primary Front          | 0 ft. / 20 ft. max. |
| ii. Secondary Front       | 0 ft. / 20 ft. max. |

FORM

|          |                      |                     |
|----------|----------------------|---------------------|
| <b>A</b> | a. Facade Build-Out  | 80% min.            |
|          | b. Floor Plate       |                     |
| <b>B</b> | i. Up to 65 ft.      | 45,000 sq. ft. max. |
| <b>C</b> | ii. Up to 220 ft.    | 20,000 sq. ft. max. |
|          | c. Height            |                     |
| <b>D</b> | i. Minimum           | 3 stories           |
| <b>E</b> | ii. Maximum          | 220 ft.             |
| <b>F</b> | d. Continuous Facade | 100 ft. max.        |

FENESTRATION

|                 |                    |
|-----------------|--------------------|
| a. Ground Floor | see 6.6.9.B.1.d    |
| b. Upper Floors | 30% min - 50% max. |
| c. Blank Wall   | 20 ft. max.        |

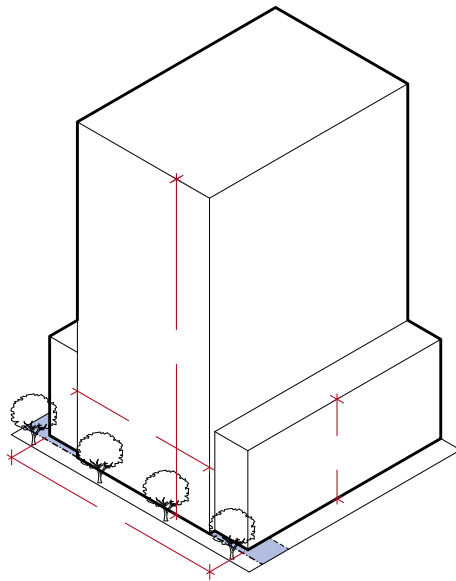
SHARED AMENITY SPACE

|            |                |
|------------|----------------|
| a. Indoor  | 5% of Lot Area |
| b. Outdoor | 5% of Lot Area |

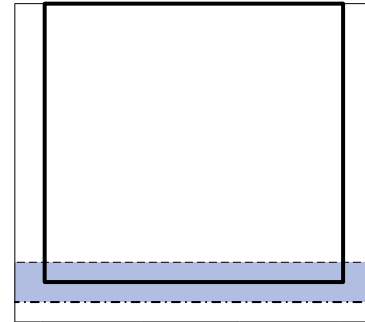
1. Development Standards

- Ground floor residential units shall have individual entrances with access directly onto a sidewalk for each unit.
- Ground floor residential units shall be setback a minimum of ten (10) feet and raised from the average grade of the adjacent sidewalk a minimum of two (2) feet. Portions of the ground floor SETBACK AREA that are not paved shall be landscaped.
- Upper story residential uses shall be accessed by a prominent common lobby entrance separate from the lobby entrance of any other uses.
- FACADES shall be glazed with clear glass between thirty percent (30%) and fifty percent (50%) of the wall area of each floor, except for ground floor FACADES for non-residential uses which shall be glazed with clear glass no less than sixty-five (65%) of the wall area between two (2) feet and twelve (12) feet in height.
- TOWERS shall have a maximum horizontal width of one hundred and fifty (150) feet.
- Balconies shall be a minimum of five (5) feet in depth and may be inset, projecting, or a part of a terrace.
- Outdoor, SHARED AMENITY SPACES shall be no less than thirty percent (30%) landscaped and may be designed as a mid-BLOCK pedestrian passage, courtyard, entry plaza, or roof terrace.
- A minimum of ten percent (10%) of dwelling units shall have three (3) or more bedrooms.

## c. Commercial High-Rise



Facade Build-Out Area



Facade Build-Out Area

**PROCESS**

|                    |                      |
|--------------------|----------------------|
| a. Plan Submittal  | Design and Site Plan |
| b. Required Permit | N/A (by-right)       |

**LOT OCCUPATION**

|                           |                     |
|---------------------------|---------------------|
| a. Setback/Build-to Lines |                     |
| i. Primary Front          | 0 ft. / 20 ft. max. |
| ii. Secondary Front       | 0 ft. / 20 ft. max. |

**FORM**

|          |                      |                     |
|----------|----------------------|---------------------|
| <b>A</b> | a. Facade Build-Out  | 80% min.            |
|          | b. Floor Plate       |                     |
| <b>B</b> | i. Up to 65 ft.      | 45,000 sq. ft. max. |
| <b>C</b> | ii. Up to 220 ft.    | 30,000 sq. ft. max. |
|          | c. Height            |                     |
| <b>D</b> | i. Minimum           | 4 stories           |
| <b>E</b> | ii. Maximum          | 220 ft.             |
| <b>F</b> | d. Continuous Facade | 100 ft. max.        |

**FENESTRATION**

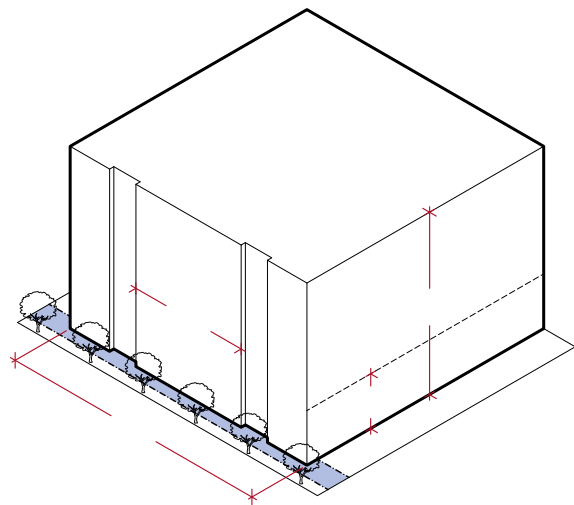
|                            |                    |
|----------------------------|--------------------|
| a. Ground Floor, Primary   | 65% min.           |
| b. Ground Floor, Secondary | 50% min.           |
| c. Upper Floors            | 30% min - 50% max. |
| d. Blank Wall              | 20 ft. max.        |

## 1. Development Standards

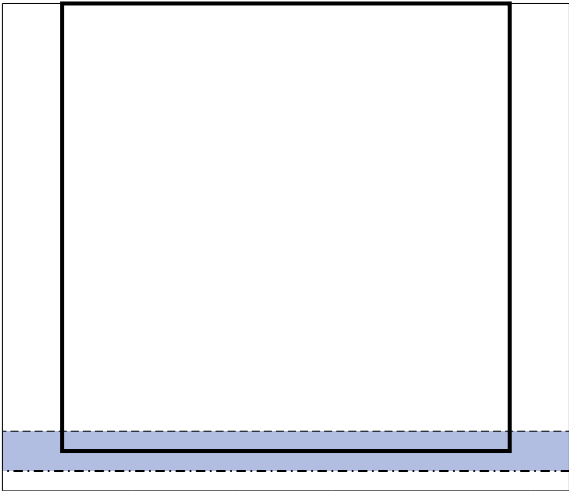
- a. A minimum of sixty percent (60%) of the ground floor frontage shall be occupied by active uses, including Retail and Consumer Service uses or services provided accessory to Commercial Office, Lodging, and/or R&D/Laboratory principal uses such as a cafe, fitness center, day care, and/or cafeteria open to the public.
- b. Ground floor uses shall be limited to 200 feet of frontage for each use.
- c. Ground floor uses shall have individual entrances with access directly onto a sidewalk for each use.
- d. Upper story uses shall be accessed by a prominent common lobby entrance. Lobby entrances should be well-defined, clearly visible, and universally accessible from the adjacent public sidewalk.
- e. FENESTRATION shall be calculated for the wall area between two (2) feet and twelve (12) feet in height for ground floor FACADES and the total wall area of each floor for stories above the first.

\* Diagrams for illustrative purposes only

d. Commercial Building



Facade Build-Out Area



Facade Build-Out Area

PROCESS

|                    |                      |
|--------------------|----------------------|
| a. Plan Submittal  | Design and Site Plan |
| b. Required Permit | N/A (by-right)       |

LOT OCCUPATION

|                           |                     |
|---------------------------|---------------------|
| a. Setback/Build-to Lines |                     |
| i. Primary Front          | 0 ft. / 20 ft. max. |
| ii. Secondary Front       | 0 ft. / 20 ft. max. |

FORM

|          |                      |                     |
|----------|----------------------|---------------------|
| <b>A</b> | a. Facade Build-Out  | 80% min.            |
| <b>B</b> | b. Floor Plate       | 50,000 sq .ft. max. |
|          | c. Height            |                     |
| <b>C</b> | i. Minimum           | 4 stories           |
| <b>D</b> | ii. Maximum          | 150 ft.             |
| <b>E</b> | d. Continuous Facade | 100 ft. max.        |

FENESTRATION

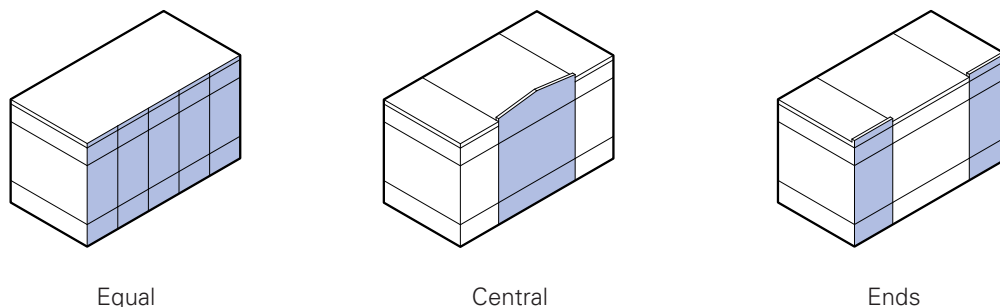
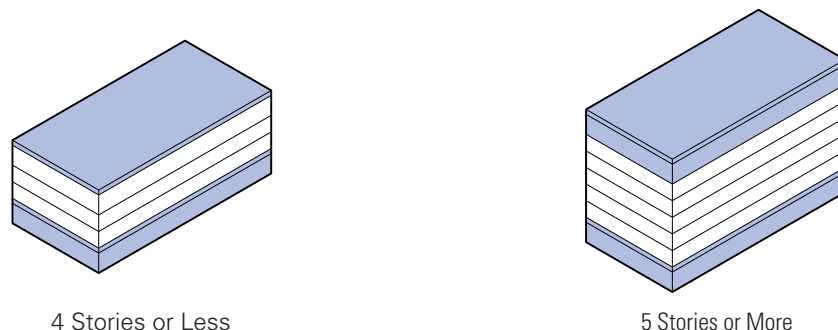
|                            |                    |
|----------------------------|--------------------|
| a. Ground Floor, Primary   | 65% min.           |
| b. Ground Floor, Secondary | 50% min.           |
| c. Upper Floors            | 30% min - 50% max. |
| d. Blank Wall              | 20 ft. max.        |

1. Development Standards

- a. A minimum of sixty percent (60%) of the ground floor frontage shall be occupied by active uses, including Retail and Consumer Service uses or services provided accessory to commercial, lodging, and/or R&D/ laboratory principal uses such as a cafe, fitness center, day care, and/or cafeteria open to the public.
- b. Ground floor uses shall be limited to two-hundred (200) feet of frontage for each use, with the exception that grocery stores/supermarkets may be permitted to occupy more than two-hundred (200) feet of frontage by SPECIAL PERMIT.
- c. Ground floor uses shall have individual entrances with access directly onto a sidewalk for each use.
- d. Upper story uses shall be accessed by a prominent common lobby entrance. Lobby entrances should be well-defined, clearly visible, and universally accessible from the adjacent public sidewalk.
- E. FENESTRATION shall be calculated for the wall area between two (2) feet and twelve (12) feet in height for ground floor FACADES and the total wall area of each floor for stories above the first.

## Design Standards for All Building Types

- i. **FACADE Articulation**
  - a). Building FACADES shall be articulated vertically with a rhythm of bays between twenty-five (25) feet and fifty (50) feet in width to create an equal, central, and/or ends focused composition as illustrated in Figure 6.6: Vertical Articulation Examples.
  - b). FACADES greater than one hundred (100) feet in horizontal width shall have a change in vertical plane of at least four (4) feet (in depth or projection) for at least one (1) bay in width that divides the building form into distinct massing elements that break up its apparent mass.
  - c). Building FACADES shall be articulated with three clearly defined horizontal elements: a base, middle, and top (as illustrated in Figure 6.7: Horizontal Articulation Examples) according to the following:
    - i). Buildings or portions of buildings (distinct massing elements) four (4) stories or less:
      - a. The bottom one to two stories of a BUILDING shall be visually integrated as an expression of the building's base. The base shall be visually differentiated from the stories above by a horizontal expression line or cornice and include a change in color, building material, or pattern of FENESTRATION.
      - b. The central portion of each FACADE shall be visually integrated as an expression of the building's middle. The middle shall be visually differentiated from the base and top by a horizontal expression line or cornice and include a change in color, building material, or pattern of FENESTRATION.
    - ii). Buildings or portions of buildings (distinct massing elements) five (5) stories or more:
      - a. The bottom one to three stories of a building shall be visually integrated as an expression of the building's base. The base shall be visually differentiated from the stories above by a horizontal expression line or cornice and include a change in color, building material, or pattern of FENESTRATION.
      - b. The central portion of each FACADE shall be visually integrated as an expression of the building's middle. The middle shall be visually differentiated from the base and top by a horizontal expression line or cornice and include a change in color, building material, or pattern of FENESTRATION.
      - c. The top one to three stories of each FACADE shall be visually integrated as an expression of the building's top. The top shall be visually differentiated from the stories below by a horizontal expression line or cornice; shall include a change in color, building material, or pattern of FENESTRATION; and shall have a cornice, parapet, roof element,

**Figure 6.6** Vertical Articulation Examples**Figure 6.7** Horizontal Articulation Examples

or change in massing to cap the composition.

- ii. Fenestration
  - a). All openings, including but not limited to doors, balconies, and windows shall be square or vertical in proportion, excluding windows for first floor Retail and Consumer Service or Commercial Office uses.
  - b). Each horizontal element of a building (base, middle, and top) shall have a FENESTRATION pattern that is aligned vertically and horizontally to provide order and structure to the composition. The FENESTRATION pattern may differ between the base, middle, and top.
- iii. Towers
  - a). To provide appropriate privacy and level of natural light into buildings, the separation distance between all TOWERS shall be a minimum of eighty (80) ft., measured from the exterior walls and excluding balconies. The separation distance between TOWERS may be decreased to a minimum of fifty (50) ft. by Special Permit through the use of creative architectural solutions such as offset TOWERS/views, non-parallel walls, and/or tapering or curved TOWER forms, that increase the actual or perceived TOWER separation distance, provided that both privacy and natural light are provided and no adverse environmental conditions are created.

#### 10. 6.6.10 PARKING AND LOADING

- a. Motor Vehicle Parking
    - i. Consistent with the regulatory standard for urban areas and due to close proximity to two (2) rapid transit stations, access to nearby public parking facilities, and a mixture of principal uses that permits the activities of daily life to occur within walking distance of all residences and workplaces within the NPSD, individual uses and development proposals will not be required to provide off-street motor vehicle parking, but may voluntarily elect to provide off-street motor vehicle parking according to Table 6.6.10: Parking Requirements.
  - b. Bicycle Parking
    - i. Short term outdoor bicycle racks shall be provided near the main entrances of any Retail & Consumer Service uses as specified on Table 6.6.10: Parking Requirements.
    - ii. Sheltered, long-term bicycle parking shall be provided internal to a building for all other use
- c. Parking Location
    - i. All off-street parking spaces shall be located in underground parking structures, except LOTS abutting rail rights-of-way may have above-ground parking structures up to sixty-five (65) feet in height if utilized as an acoustic, visual, and aesthetic barrier between other uses and active rail lines, service yards, and other MBTA operations. Above-ground parking structures shall be subject to §6.6.10.F.
    - ii. The number of parking spaces provided on any LOT may exceed the maximums allowed per Table 6.6.10 in the following circumstances:
    - iii. Off street, accessory parking spaces may be provided on a LOT for a use or uses located on any other LOT within the DEVELOPMENT SITE provided that the requirements of Table 6.6.10 are not exceeded in aggregate for the entire DEVELOPMENT SITE. A development agreement shall be submitted to the Planning Board reducing the maximum parking spaces permitted for any remaining LOT(s) in the DEVELOPMENT SITE by a number equal to the number of spaces being pre-built as a condition of an approved DESIGN AND SITE PLAN.
  - d. Parking Management
    - i. Parking spaces shall be rented, leased, or sold as an option rather than a requirement of the rental, lease, or purchase of a dwelling unit or non-residential floor space.
    - ii. Non-residential uses shall provide employees with a transit subsidy of 100%, up to the maximum allowable transportation fringe benefit.
    - iii. Non-residential uses shall provide ride-share matching services and preferential parking spaces for carpooling employees.
    - iv. A transportation kiosk or display, providing information related to transit services in the neighborhood, shall be located within the main lobby area for each residential and non-residential use of any building and near the main pedestrian exit of any parking garage.
  - e. Parking Access
    - i. A minimum of one pedestrian exit from any parking LOT and/or parking structure shall lead directly to a public sidewalk (i.e., not directly into a building) except underground levels which may be exited by pedestrians directly into a building.
    - ii. Vehicular entrances to parking LOTS or parking structures shall not be permitted along any primary

categories as specified on Table 6.6.10: Parking Requirements.

**Table 6.6.10** Parking Requirements

| USE CATEGORY                                 | MOTOR VEHICLE<br>(Maximum) | BICYCLE<br>(Minimum) |
|--|----------------------------|----------------------|
| Retail & Consumer Service                    | .5/1,000 sq. ft.           | 1/1,000 sq. ft.      |
| Commercial Office & R&D and/or Laboratory    | 1.25/1,000 sq. ft.         | 1/5,000 sq. ft.      |
| Lodging                                      | .5/room                    | n/a                  |
| Institutional, Religious, and/or Educational | 1/ 4 seats of assembly     | 1/5,000 sq. ft.      |
| Residential                                  | 1/unit                     | 1 per every 2 units  |

FRONT LOT LINE.

- iii. Vehicular entrances to parking LOTS, parking structures, loading docks, and service areas shall be no wider than twenty-four (24) feet along any FRONT LOT LINE.
- f. Above-Ground Parking Structures
  - i. Above ground parking structures compliant to §6.6.10.C.1 shall be subject to the following standards:
    - a). Except for vehicular entrances limited by §6.6.10.E.3, above ground parking structures shall be setback from any FRONT LOT LINE by space designed for occupancy by non-parking uses to a depth of at least thirty (30) feet. Alternatively, the Planning Board may grant a SPECIAL PERMIT to allow above ground parking uses to be masked from view by a well-designed FACADE upon finding that:
      - i). signage and way-finding related to the parking area is integrated into the architectural design of the building;
      - ii). the FACADE area masking the parking levels is glazed with translucent glass between thirty percent (30%) and fifty percent (50%) of the wall area of each floor;
      - iii). any BLANK WALL area is limited to twenty (20) feet in width;
      - iv). windows are back-lit in the evening hours; and
      - v). the FACADE area masking the parking levels is properly integrated into the vertical and horizontal articulation of the building according to §6.6.9.C Design Standards for All Building Types.

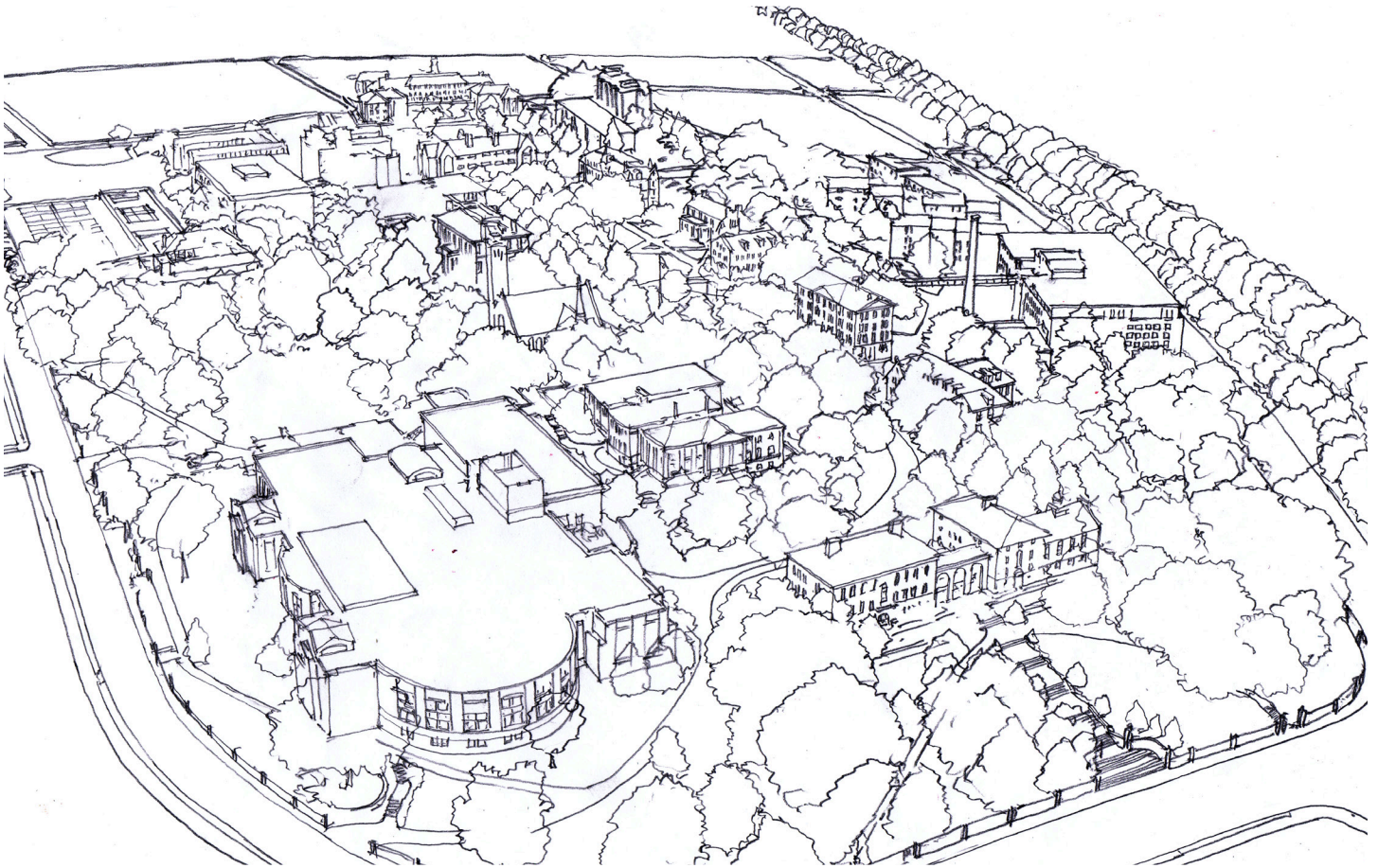
- b). Loading Docks and Service Areas
- c). Loading docks and service areas, including trash removal, shall not be permitted along FRONT LOT LINES except by SPECIAL PERMIT.

## 11. ENVIRONMENTAL PERFORMANCE

- a. Shadows cast by buildings shall not adversely limit at grade access to sunlight on sidewalks and civic and recreation spaces.
- b. Pedestrian level wind velocities shall not exceed acceptable levels for various activities existing or proposed at particular locations.
- c. Buildings shall not cause visual impairment or discomfort due to reflective spot glare and/or solar heat buildup in any nearby buildings.
- d. Emissions from any parking facility and/or the heating and mechanical systems of any buildings shall not violate any state or federal ambient air quality standards.
- e. Construction activities shall be carried out in accordance with the City of Somerville Code of Ordinances Chapter 11 - Public Works and other standards deemed to be appropriate by the Planning Board.
- f. Private LOTS, parking areas, and service yards shall be screened from public view and securely protected with a temporary construction fence during all THOROUGHFARE and site work construction. Screening and fencing shall be maintained in good condition at all times.
- g. Wind erosion shall be mitigated and controlled through dust abatement and similar practices during site work and construction.



## E. TUFTS UNIVERSITY



### 1. INTENT

- a. The Tufts University special district (TU-SD) regulates the land areas of Somerville comprising a portion of the main campus of Tufts University, as shown on the Official Zoning Map of the City of Somerville.
- b. Where the provisions of this Section conflict with those found elsewhere in this Ordinance, the provisions of this Section shall apply.

### 2. PURPOSE

- a. To preserve land areas primarily dedicated to collegiate educational purposes and other uses necessary to maintain an academic campus.
- b. To focus development intensity toward the center of the Tufts campus, while protect adjacent residential properties.

### 3. DEVELOPMENT REVIEW

- a. Zoning Permit
  - i. No building permit and/or certificate of occupancy shall be issued for development within the Tufts University Special District until a zoning permit has been granted according to the provisions of Article X. Administration §X. Zoning Permit.
- b. Special Permits
  - i. The Zoning Board of Appeals is the REVIEW BOARD for all applications for a special permit in the TU-SD.

- ii. In its discretion to approve or deny a special permit authorizing a Special Permit required by the provisions of this section, the Zoning Board of Appeals must consider the following:
  - a). Compliance with the provisions of Article X. Administration §A.1 Applying for Development Review.
  - b). Conformance to the adopted MASTER PLAN of the City of Somerville, existing policy plans and standards established by the City, or to other plans deemed to be applicable by appropriate the review board;
  - c). Consistency with the purpose of the TU-SD and of this Ordinance in general; and
  - d). Compliance with the provisions of this section.

### 4. LOTS

- a. All of the land owned by Tufts University situated within the TU-SD, including portions of campus situated in whole or in part within the City of Medford, is considered a single development site comprising multiple permitted buildings and facilities.

### 5. USE PROVISIONS

- a. The use of real property is regulated according to Table X. Principal Uses and Table X. Accessory Uses in the TU-SD as defined in Article X. Use Provisions.

- b. Principal and accessory uses not listed are prohibited.

## 6. DIMENSIONAL REQUIREMENTS

- a. Tufts University shall not be required to create, establish, accept, or recognize any lot or lot line within the TU-SD. However, nothing herein shall be deemed to abrogate or limit the right of the University to create, establish, accept or recognize any lot within the TU-SD which is otherwise lawful.
- b. Multiple principles structures are permitted on one lot within the TU-SD.
- c. Special Applicability Provisions
  - i. With respect to each building or facility of the University, existing or hereafter erected, which lies partly in Somerville and partly in Medford, the provisions hereof shall be applicable to the portion thereof situated in Somerville, but shall not affect any portion thereof situated in Medford.
- d. Height Regulations
  - i. **Within the University District the maximum height of buildings in stories and feet shall be regulated according to Table X.**
- e. Height Bands
  - i. The Blue Band comprises the land within the University District which
    - a. is within one hundred (100) feet of
      - i). the center line of Dearborn Road,
      - ii). the center line of College Avenue,
      - iii). the center line of Powder House Boulevard,
      - iv). the center line of that portion of Packard Avenue between Powder House Boulevard and the southwesterly line of Sawyer Avenue, or
      - v). the center line of Curtis Street between Sawyer Avenue and the City line, or
    - b. lies southwesterly of the center line of Sawyer Avenue between Packard Avenue and Curtis Street.
  - ii. The Red Band comprises the land within the University District which is not included in the Blue Band and
    - a. is within two hundred (200) feet of
      - i). (i) the center line of Dearborn Road,
      - ii). (ii) the center line of College Avenue,
      - iii). (iii) the center line of Powder House Boulevard,
      - iv). (iv) the center line of that portion of Packard Avenue between Powder House Boulevard and the southwesterly line of Talbot Avenue, or
      - v). (v) the center line of Curtis Street between Sawyer Avenue and the City line, or
    - b. is within one hundred (100) feet of the center line of Sawyer Avenue, between the Red Band measured from Curtis Street and the Red Band measured from Packard Avenue.
  - iii. The Yellow Band comprises the land within the University District which is not included in the Blue Band or the Red Band and is
    - a. within the block bounded by Sawyer Avenue, Curtis Street, Professors Row and Packard Avenue, or
    - b. within the area bounded by Professors Row, Curtis Street, the City Line and a line parallel to and three hundred fifty (350) feet southeasterly from Curtis Street.
- iv. The Green Band comprises the land within the University District which is not included in the Blue Band, the Red Band, or the Yellow Band.
- f. Notwithstanding the foregoing height limitations, all existing buildings within the University District are permitted, and the floor levels thereof may be used for immediately adjacent structures, and the same shall be deemed to be in compliance with the height requirements of this Ordinance.
- g. Setbacks
  - i. Minimum front yard setbacks from the street side-line shall be required of (a) twenty (20) feet on (i) College Avenue between Talbot Avenue and Powder House Boulevard, (ii) Powder House Boulevard from College Avenue to Packard Avenue, and (iii) Packard Avenue from Powder House Boulevard to Talbot Avenue, and (b) fifteen (15) feet on (i) Dearborn Road and (ii) Curtis Street northwesterly of Sawyer Avenue.
  - ii. Within the portion of the University District which lies on the southwesterly side of Sawyer Avenue between Packard Avenue and Curtis Street,
    - a. where building length is less than thirty (30) feet, the setback shall be calculated as follows, with a minimum of fifteen (15) feet required for front yards and a minimum of twenty (20) feet required for rear yards:
      - i).  $\text{setback} = \text{height} + \text{length (facing front/rear lot line)}$  4
    - b. and where building length is more than thirty (30) feet, the setback shall be calculated as follows:
      - i).  $\text{setback} = \text{height} + \text{length (facing front/rear lot line)}$  3
    - c. and each building shall be separated from all other buildings by at least seventeen (17) feet.
  - iii. Notwithstanding the foregoing setback regulations, all existing buildings within the University District are permitted and shall be deemed to be in compliance with the setback regulations of this Ordinance.
- h. Ground Coverage and Floor Area Ratio Regulations.
  - i. For purposes of applicability of the requirements of maximum ground coverage and floor area ratio, the University shall, together with each application for a building permit, specify the applicable Measuring Parcel (the "MP"), as defined below, in which the proposed building is located, and shall submit to the Inspectional Services Superintendent a written statement specifying (i) the total land area of the MP, (ii) the area of ground coverage within the MP of all buildings therein, including proposed buildings and existing buildings intended to remain, and (iii) the net floor area within the MP of all buildings therein; including proposed buildings and existing buildings intended to remain.
  - ii. The Measuring Parcels shall be as follows:
    - a. The land bounded by Professors Row, College

**Table X.** Principal Uses in the TU-SD

| Y - By-Right<br>SP - Special Permit        | Permitted |
|--|-----------|
| <b>AUTO ORIENTED</b>                       |           |
| Motor Vehicle Parking (as noted below)     | --        |
| Commercial Parking                         | Y         |
| <b>CIVIC &amp; INSTITUTIONAL</b>           |           |
| Community Center                           | Y         |
| Educational Facility                       | Y         |
| Government, Municipal                      | Y         |
| Hospital                                   | Y         |
| Library                                    | Y         |
| Minor Utility Facility                     | Y         |
| Museum                                     | Y         |
| Private Non-Profit Club or Lodge           | Y         |
| Religious Assembly                         | Y         |
| Telecommunications                         | SP        |
| <b>COMMERCIAL SERVICES</b>                 |           |
| Assembly and Entertainment                 | Y         |
| Broadcast or Recording Studio              | Y         |
| Day Care Service (as noted below)          | --        |
| Child Day Care Center                      | Y         |
| Recreation Facility (as noted below)       | --        |
| Indoor Recreational Facility               | Y         |
| Outdoor Recreational Facility              | Y         |
| <b>LODGING</b>                             |           |
| Bed & Breakfast                            | SP        |
| <b>OFFICE</b>                              |           |
| General Office                             | Y         |
| Research and Development and/or Laboratory | Y         |
| <b>RESIDENTIAL</b>                         |           |
| Household Living                           | Y         |
| Group Living (except as noted below)       | --        |
| Community or Group Residence               | Y         |
| Dormitory, Fraternity or Sorority          | Y         |
| Nursing Home                               | SP        |

Avenue, Powder House Boulevard and Packard Avenue.

- b). The land bounded by Curtis Street, Professors Row, Packard Avenue, and the University District line running from Packard Avenue to Curtis Street between Sawyer Avenue and Whitfield Road.
- c). The land bounded by Boston Avenue, College Avenue, Professors Row, Curtis Street, Winthrop Street, the northeasterly side line of Capen Street Extension, and the westerly sidelines of University Avenue extended to Capen Street Extension.

- d). The land bounded by Boston Avenue, Dearborn Road and College Avenue.

- iii. Upon each such application, all buildings within the applicable MP, including proposed buildings and existing buildings intended to remain, shall, with respect to the land area of such MP, have (i) a ground coverage not in excess of sixty-five (65) percent, and (ii) a floor area ratio not in excess of 2.0.
- iv. In addition to and not in limitation of the foregoing, no building within the portion of the University District designed in §g. Setbacks shall have a ground coverage in excess of five thousand (5,000)

**Table X.** Accessory Uses in the TU-SD

| Y - By-Right<br>SP - Special Permit  |  | Permitted | Use Specific Standards |
|--------------------------------------|--|-----------|------------------------|
| <b>HOME OCCUPATIONS</b>              |  |           |                        |
| Home-Based Business (as noted below) |  | --        |                        |
| Creative Studio                      |  | Y         |                        |
| Family Day Care                      |  | Y         |                        |
| Home-Based Business                  |  | Y         |                        |
| Home Office                          |  | Y         |                        |
| <b>LODGING</b>                       |  |           |                        |
| Tourist Home                         |  | Y         |                        |
| <b>VEHICULAR PARKING</b>             |  |           |                        |
| Accessory Parking                    |  | Y         |                        |
| Bike Share                           |  | Y         |                        |
| Car Share(as noted below)            |  | --        |                        |
| Up to three (3) spaces               |  | Y         |                        |
| Four (4) or more spaces              |  | SP        |                        |

square feet.

## 7. MOTOR VEHICLE ACCESS & PARKING

- a. Applicability
  - i. The requirements for parking spaces are determined primarily by the number of persons in the Tufts Campus population, including faculty, staff and students, and visitors, who use motor vehicles. The requirements for loading areas are determined primarily by the function and size of various buildings comprised in the Tufts Campus. Consequently, parking and loading requirements shall be construed as if they were applicable to the Tufts Campus as a whole, and may be fulfilled by facilities serving the Tufts Campus located in either Somerville or Medford. Properties owned by Tufts University which are not within the University District but are located within five hundred (500) feet thereof shall be governed by the provisions of this Section insofar as appropriate in lieu of provisions otherwise applicable.
  - ii. For purposes hereof Tufts Parking shall comprise all parking facilities within the Tufts Campus which are owned or controlled by Tufts University, including off-street facilities, parking spaces on private ways subject to such control, such parking spaces on public ways as are subject to such control, and parking spaces on premises of fraternities or sororities located within the Tufts Campus which are limited to use by persons included in Groups A through E hereinafter specified. Tufts Parking shall be available for use only by persons to whom a Parking Permit has been issued by Tufts University. Such Permits shall be issued only to members of the University faculty, staff or student body, or to persons having a need for access to Tufts Parking for temporary use, and may be issued for general use of Tufts Parking or for use limited to specified areas of Tufts Parking or for limited time periods. For

purposes hereof the persons entitled to use Tufts Parking shall be classified as follows:

- a). Group A: faculty and staff engaged on a full-time basis.
- b). Group B: faculty and staff engaged on a part-time basis
- c). Group C: students who are resident on the Tufts Campus.
- d). Group D: students who are not resident on the Tufts Campus.
- e). Group E: other entitled users.
- iii. Tufts University shall annually, within sixty (60) days after September 1 in each year, certify in writing to the Traffic and Parking Director of the City of Somerville as of that date (i) the number of parking spaces comprised in Tufts Parking, (ii) specification in reasonable detail of the locations thereof, (iii) the average number of persons in each of Groups A through D as specified during the preceding twelve-month period, and ten percent of the sum of Groups A and B as constituting Group E, (iv) the average of the number of persons holding Parking Permits, of the specified classifications, during the preceding twelve month period, and (v) the incidence of use of Tufts Parking by persons not holding Parking Permits, insofar as known to the police staff of Tufts University. If and whenever such a certification shall indicate a deficiency of the number of parking spaces comprised in Tufts Parking to meet the requirements of this Section, Tufts University shall also submit therewith a proposed plan for the interim and long term correction and elimination of such deficiency. With respect to the period from the date of adoption of this Ordinance to the submission of the first parking and traffic study required by the following sentence, such deficiency as exists in Tufts Parking shall be dealt with and corrected by the implementation by Tufts University of the provisions of the Tufts Parking Plan dated



June 6, 1989, submitted by Tufts University to the Traffic and Parking Director. Tufts University shall, beginning in 1995, and thereafter every three (3) years or such longer period as shall be approved by the Traffic and Parking Director, submit to the Director a parking and traffic study, prepared by a qualified professional consultant, which shall in light of experience and the data contained in the University's annual certifications evaluate the reasonableness of the Parking Factors set forth below, and if appropriate, make recommendation for increase or decrease in the number of parking spaces required.

b. Number of Parking Spaces

- i. The number of parking spaces required to be comprised in Tufts Parking shall, unless otherwise determined pursuant to provisions of the following paragraph, be equal to the sum of the products of the Parking Factor specified below times the number of persons, as set forth in the most recent certification by the University, in each of the Groups specified below, to wit:
  - a). Group A: .47
  - b). Group B: .37
  - c). Group C: .12
  - d). Group D: .24
  - e). Group E: .44
- ii. If and whenever any parking and traffic study indicates that a greater or lesser number of parking spaces is reasonably required for the uses and activities of Tufts University than is set forth in the preceding paragraph with respect to any or all of the categories therein specified, the Traffic and Parking Director may (i) require the University to submit and implement a plan for interim or long term correction of any deficiency in parking spaces for any of said categories, or (ii) upon application of the University, permit a reduction in the required number of parking spaces by not more than twenty-five (25) percent. A reserve area, sufficient to accommodate at least one-half of the amount of reduction in number of parking spaces required and otherwise reasonably satisfactory to the Traffic and Parking Director, shall be provided and specified in the application. Permission granted for such reduction shall remain in effect for an initial period of not more than three years, but may subsequently be extended or granted for a longer period upon reasonable verification that the parking is adequate.

c. Location of Parking Spaces

- i. In order that Tufts Parking shall be reasonably distributed through the Tufts Campus and related to the various uses and needs, it is provided that the following minimum and maximum percentages of Tufts Parking shall be located in the specified portions of the Tufts Campus:
  - a). Area between Professors Row - Dearborn Road in Somerville and Boston Avenue in Medford: minimum - 25%; maximum - 75%
  - b). Area southwesterly of Professors Row in Somerville: minimum - 10%; maximum - 50%
  - c). Area easterly of Boston Avenue in Medford:

minimum - 10%; maximum - 60%

d. Parking Lot Landscaping Requirements

- i. Where the provision of off-street parking for six (6) or more cars is placed within the Blue Band, there shall be landscape screening within the perimeter of said parking area(s) adjacent to the perimeter of the University District in the minimum width of three (3) feet. Such screening shall consist of densely planted shrubs and/or trees, and/or walls or fences no less than five (5) feet nor more than twelve (12) feet above finished grade.

e. Loading Area Requirements

- i. Loading areas shall be provided in such buildings, and shall be of such sizes, as shall be reasonably needed for and adapted to the loading requirements of various University buildings, taking into account the functions and sizes thereof. Buildings having functions which require delivery of materials in large size trucks shall have at least one loading bay for each fifty thousand (50,000) square feet of net floor area for which loading is required. Buildings or portions of buildings having functions which require delivery of materials in smaller size trucks, in smaller quantities or on infrequent occasions shall be served by appropriate smaller loading areas or facilities which are adapted to the particular need and consistent with pedestrian and vehicular traffic and safety. Tufts University shall submit with each application for a building permit documentary evidence reasonably satisfactory to the Building Official that the loading areas and facilities proposed in such application are in accordance with the foregoing requirements and guidelines.

f. Incorporated Provisions

- i. The provisions this Ordinance with respect to dimensions of parking spaces and aisles shall apply to the University District; provided, however, that not more than thirty (30) percent of the required parking spaces may be designed and specified for use only by compact cars, and may have dimensions of eight (8) foot width and seventeen (17) foot depth for angle parking or seventy-two (72) foot width and twenty (20) foot depth for parallel parking. It is further provided that any parking facilities situated in whole or in part in the City of Medford which comply with the applicable dimensional requirements thereof shall be deemed to meet the requirements of this Section.
- ii. The provisions of this Section with respect to exceptions and special permits shall apply to the University District insofar as pertinent thereto.



## F. FLOODPLAIN OVERLAY

### 1. PURPOSE.

- a. to ensure public safety through reducing the threats to life and personal injury
- b. to eliminate new hazards to emergency response officials
- c. to prevent the occurrence of public emergencies resulting from water quality contamination and pollution due to flooding
- d. to avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding
- e. to eliminate costs associated with the response and cleanup of flooding conditions
- f. to reduce damage to public and private property resulting from flooding.

### 2. AUTHORITY

- a. The Floodplain Overlay District (FOD) is herein established.
- b. The FOD shall not supersede other zoning districts but shall be deemed to be superimposed over these districts.
- c. In the event any regulations of the FOD are in conflict with the regulations of a base district, the more restrictive regulation shall take precedence.
- d. The FOD includes all special flood hazard areas within the City of Somerville designated as Zone A or Zone AE on the Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program.
- e. The map panels of the Middlesex County FIRM, dated June 4, 2010, that are wholly or partially within the City of Somerville are:
  - i. 25017C0417E
  - ii. 25017C0419E
  - iii. 25017C0436E
  - iv. 25017C0438E
  - v. 25017C0439E
  - vi. 25017C0576E
  - vii. 25017C0577E
- f. The boundaries of the District are defined by the 100-year base flood elevations shown on the FIRM and further defined by the Middlesex County Flood Insurance Study (FIS) report dated June 4, 2010.
- g. The FIRM and FIS report are incorporated herein by reference and are on file with the City Clerk, Planning Board, Building Official, Conservation Commission and City Engineer.

### 3. DEFINITIONS

- a. For the purpose of this overlay district alone, the following definitions apply:
  - i. Development: Includes any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.
  - ii. Lowest Floor: The lowest floor of the lowest enclosed area (including basement or cellar). An

unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; PROVIDED, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Federal Code of Regulations Section 60.3.

- iii. Manufactured Home: A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than one hundred eighty (180) consecutive days, but, for insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.
- iv. New Construction: For the purpose of determining flood insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community.
- v. Structure: One of the following, primarily located above ground:
  - a). A walled and roofed building,
  - b). a manufactured home
  - c). a gas or liquid storage tank.
- vi. Substantial improvement: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either:
  - a). before the improvement or repair is started, or
  - b). if the structure has been damaged, and is being restored, before the damage occurred.
  - c). A "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

### 4. COMPLIANCE WITH REGULATIONS

- a. All structural and non-structural development in the Floodplain Overlay District must be in compliance with, or operating under duly approved variances from, the following regulations:
  - i. Section of the Massachusetts State Building Code which addresses floodplain and coastal high hazard areas (currently 780 CMR 120.G, "Flood Resistant Construction and Construction in Coastal Dunes")
  - ii. Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00)
  - iii. Sections of Massachusetts Law which address

altering of land bordering waters (currently Chapter 131, Section 40 of the Massachusetts General Laws)

- iv. Inland Wetlands Restriction (currently 310 CMR 13.00);
- v. Minimum Requirements for the Subsurface Disposal of Sanitary Sewage (currently 310 CMR 15, Title 5)

## 5. DISTRICT REGULATIONS

- a. In "A" Zones, the best available Federal, State, local or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
- b. In Zones AE:
  - i. along watercourses that have regulatory floodways designated within the City of Somerville on the FIRM, encroachments are prohibited in the regulatory floodway which would result in any increase in flood levels within the community during the occurrence of the base flood discharge
  - ii. along watercourses that have not had a regulatory floodway designated, no new construction, substantial improvement, or other development shall be permitted unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood
- c. The following uses of low flood damage potential and causing no obstructions to flood flows are encouraged, provided they are permitted in the underlying district and they do not require structures, fill, or storage of materials or equipment:
  - i. outdoor recreational uses
  - ii. conservation of water, plants, wildlife
  - iii. buildings lawfully existing prior to the adoption of these provisions

## 6. NOTIFICATION OF WATERCOURSE ALTERATION

- a. In a riverine situation, the Building Official shall notify the following of any alteration or relocation of a watercourse:
  - i. Adjacent Communities
  - ii. NFIP State Coordinator: Massachusetts Department of Conservation and Recreation, 251 Causeway Street, Suite 600-700, Boston, MA 02114-2104
  - iii. NFIP Program Specialist: Federal Emergency Management Agency, Region 1, 99 High Street, 6th Floor, Boston, MA 02110



# ARTICLE 5: USE PROVISIONS

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## A. GENERAL

### 1. CATEGORIZATION SYSTEM

- a. Use Categories
  - i. Principal land uses are grouped into the following use categories for organizational purposes:
    - a). Arts & Creative Enterprise
    - b). Auto-Oriented
    - c). Civic & Institutional
    - d). Commercial Services
    - e). Eating & Drinking Establishments
    - f). Industrial
    - g). Lodging
    - h). Office
    - i). Residential
    - j). Retail Sales
    - k). Urban Agriculture
  - ii. Accessory land uses are grouped into the following use categories for organizational purposes:
    - a). Home Occupations
    - b). Lodging
    - c). Urban Agriculture
    - d). Vehicular Parking
- b. Use Subcategories
  - i. Use categories are further divided into more specific "subcategories".
  - ii. Use subcategories provide a systematic basis for grouping individual land uses together with other, similar land uses based on common functional, product, or physical characteristics.
  - iii. Characteristics include the type and amount of activity, the manner of tenancy, the conduct of customers, how goods or services are sold or delivered, and likely impact on surrounding properties.
- c. Specific Uses
  - i. Some subcategories are further broken down as follows:
    - a). to identify specific uses that are regulated differently than others within the same subcategory. These uses are identified by text that reads: "the following uses are regulated differently". In this circumstance, the list of uses is not considered all inclusive of the possible uses that meet the definition of the subcategory.
    - b). to identify a restricted list of specific uses that are included in the subcategory. These uses are identified by text that reads "the specific uses are". In this circumstance, the list of uses is considered exclusive and individual uses not expressly identified are prohibited.

### 2. CATEGORY DESIGNATION

- a. The Building Official shall classify land uses on the basis of the use category, subcategory, and specific use type definitions of §5.B. Principal Use Categories and §5.C. Accessory Use Categories.
- b. A use classified into one category or subcategory cannot also be classified in a different use category or subcategory.
- c. If a use is not listed but is similar in nature and impact

to a use subcategory or specific use type that is listed on Table 5.2, the Building Official shall interpret the use as permitted in accordance with §11.C.4. Written Interpretation.

- d. If a use is not listed and cannot be interpreted as similar in nature and impact to a use subcategory or specific use type that is listed on Table 5.2, the use is prohibited.

### 3. LARGE FLOOR PLATE USES

- a. Any single Commercial Service or Retail Sales use greater than ten-thousand (10,000) leasable square footage requires a Special Permit.
- i. In its discretion to approve or deny a special permit authorizing a consumer service or retail sales use over ten thousand (10,000) square feet in gross floor area, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
  - a). Compatibility with the intensity of activity associated with the surrounding land uses.
  - b). Capacity of the local thoroughfare network providing access to the site and impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.

### 4. OUTDOOR STORAGE

- a. Outdoor operations and storage is prohibited, except in the Fabrication and Commercial Industry districts.

## B. PRINCIPAL USE CATEGORIES

### 1. GENERAL

- a. This section defines the categories, subcategories, and specific types of principal uses.
- b. In some cases, use-specific regulations and/or performance standards are identified. Compliance with use-specific regulations and/or performance standards is required regardless of whether the use is permitted by-right or by special permit.
- c. In some cases, a principal use may include ancillary activities that are subordinate and incidental to the day-to-day operations of the principal use. When identified, such ancillary activities do not require separate approval, but must comply with any standards applicable to the principal use.

### 2. CREATIVE ENTERPRISE USE CATEGORY

The creative enterprise principal use category includes sole-proprietors, non-profit organizations, and commercial businesses involved directly or indirectly in the creation, production, manufacture, distribution, publishing, rehearsal, performance, broadcast, selling, or teaching of the visual arts, performing arts, applied arts, literature, heritage, media, music, information technology, communications media, or digital content & applications; or the invention, design, prototyping, or fabrication, assembly, and packaging of parts for further assembly or consumer goods for sale. The creative enterprise principal use subcategories are:

- a. **Artisan Production**  
Individuals and/or small firms involved in the on-site production of hand-fabricated or hand-manufactured parts and/or custom or craft consumer goods through the use of hand tools or small-scale, light mechanical equipment. The artisan production subcategory includes apparel manufacturing, breweries, cabinetry, chocolatiers, confectionery, furniture making, glass working, jewelry making, metal working, pottery, sculpture, wood working, and their substantial equivalents. Showrooms and the ancillary sales of goods produced on-site are permitted. The following standards apply:
- b. **Arts Education & Shared Workspaces**  
The transfer of knowledge or skills related to the creative enterprises through teaching, training, or research; organizations providing collaborative workplace facilities and business planning, finance, mentoring, and other business or administrative support services to creative enterprises; and multi-purpose facilities dedicated to providing space for multiple creative enterprises. The arts education and shared workspace subcategory includes arts centers, creative incubators, culinary incubators, design & fabrication centers, fabrication laboratories, and their substantial equivalents.
- c. **Arts Exhibition**  
The production, rehearsal, or live performance of cultural entertainment or artistic expression such as singing, dancing, comedy, literary readings, performance art, musical theater, live plays, and concerts. The arts exhibition subcategory includes venues such as assembly halls, auditoriums, cinemas, concert halls, dinner theaters, performance halls, rehearsal &

preproduction studios, live theaters, and their substantial equivalents along with the administrative offices, booking agencies, and ticket sales of performing arts organizations.

- d. **Arts Sales & Services**  
The display and retail sale, lease, or rental of finished artwork, art supplies, musical instruments, multi-media, or publications and activities that provide various arts related services to individuals, groups, or businesses including galleries, supply stores, printing shops, set design studios, and their substantial equivalents.
- e. **Creative Studio**  
Individuals and small firms that generate and exploit intellectual property through individual creativity, skill, and talent; create, produce, distribute, rehearse, perform, sell, and/or teach the visual arts, performing arts, applied arts, literature, heritage, media, or music; or create, produce, invent, design, develop or prototype content, goods, or products. The following standards apply:
  - i. The production of offensive noise, vibration, smoke, dust or other particulate matter, heat, humidity, glare, or other objectionable effect is prohibited.
  - ii. The retail sale of art and other craft goods produced on-site is permitted only between the hours of 9am-7pm.
- f. **Design Services**  
Uses and activities from the design professions that provide various services to individuals, groups, or businesses including architecture, fashion design, graphic design, interior design, industrial design, landscape architecture, product development, software development, urban design, and their substantial equivalents.
- g. **Work/Live Creative Studio**  
Creative studio space consisting of not more than one (1) room, including an area for accessory living, where the work needs of creative industry activities within the same building take precedence over any "quiet expectations" of the residents and neighbors residing in work/live creative studios within the same building. The following standards apply:
  - i. Kitchen, dining, and bathroom facilities, excluding work sinks, must be shared between the tenants of each floor.
  - ii. Floor area for accessory living space is limited to 200 sq. ft. or 30% of the total floor space of a Work/Live Studio, whichever is less.
  - iii. The occupant(s) of the Work/Live Creative Studio must be a certified Artist with the Somerville Arts Council.
  - iv. In its discretion to approve or deny a special permit authorizing a work/live creative studio use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
    - a). Width of doorways and hallways to accommodate the moving of large objects.
    - b). Weight capacity of elevators to accommodate heavy equipment.
    - c). Access to natural light within each studio with a preference towards northern exposure.
    - d). Sound transmission co-efficients to prevent

the transmission of sounds from equipment or repetitive tasks.

- e). Ventilation and air handling techniques to ensure the safety and health of residents, visitors, and neighbors.
- f). Ceiling heights that allow for the creation of large works and equipment, including machinery and lighting.
- g). Weight-bearing capacity of the floor.
- h). Ability to install flooring for specific users such as dancers or performers.

### 3. AUTO-ORIENTED USE CATEGORY

The auto-oriented principal use category includes uses that provide for the sale, rental, maintenance, repair, or storage of new or used vehicles or equipment. The auto-oriented principal use subcategories are:

- a. Commercial Vehicle Repair & Maintenance  
Repair, installation, or maintenance of the mechanical components or the bodies of large trucks, mass transit vehicles, large construction equipment, or commercial boats.
- b. Dispatch Service  
The storage and dispatch of ambulances, taxis, limousines, armored cars, tow trucks, buses, and similar vehicles for specialized transportation, including where ambulance crews not located at a hospital or fire department stand by for emergency calls, ancillary professional offices, and/or minor vehicle service and maintenance repair. The following specific dispatch service uses are regulated differently than other uses classified within the dispatch service subcategory:
  - i. Towing Service: Storage of towed vehicles and/or the storage and dispatch of tow vehicles.
    - a). In its discretion to approve or deny a special permit authorizing a towing service use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
      - i). Compatibility of the towing service with other surrounding properties.
      - ii). Visual impact and quality of screening of stored vehicles.
      - iii). Location of driveway entrances and access points in relation to the safety of pedestrians, bicyclists, and motor vehicles.
      - iv). Sight lines needed by the driver of any vehicle entering or exiting the site.
      - v). Procedures for controlling emission of noxious or hazardous materials or substance.
- c. Gasoline Station  
Uses engaged in the retail sales of personal or commercial vehicle fuels.
- d. Motor Vehicle Parking  
The storage, for a limited period of time, of operable motor vehicles. The specific motor vehicle parking uses are:
  - i. Car-Share Parking: Motor vehicle parking for vehicles available for hourly rental. See also §5.B.10. Residential Use Category. The following standards apply:

- a). In its discretion to approve or deny a special permit authorizing a car-share parking use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
  - i). Compliance with any minimum parking requirement of this Ordinance.
  - ii). Privacy of on-site or abutting residential uses from the route of pedestrian access to the car-share parking space.
- ii. Commercial Parking: Motor vehicle parking that is available to the public at-large for an hourly or daily fee. The following standards apply:
  - a). In its discretion to approve or deny a special permit authorizing a commercial parking use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
    - i). Impact of the fee schedule and operation of the commercial parking facility on the use of on-street parking.
    - ii). Capacity of the local thoroughfare network providing access to the site and impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.
    - iii). Location of driveway entrances and access points in relation to the safety of pedestrians, bicyclists, and motor vehicles.
    - iv). Visual impact and quality of screening of vehicles.
  - iii. Off-Site Accessory Parking: Motor vehicle parking that supports a principal use on a different lot. The following standards apply:
    - a). Off-site accessory parking must be located within (660) feet from the principal use.
    - b). In its discretion to approve or deny a special permit authorizing an off-site accessory parking use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
      - i). Location of driveway entrances and access points in relation to the safety of pedestrians, bicyclists, and motor vehicles.
      - ii). Visual impact and quality of screening of vehicles.
  - e. Personal Vehicle Repair & Maintenance  
Repair, installation, or maintenance of the mechanical components or the bodies of automobiles, small trucks or vans, motorcycles, motor homes, or recreational vehicles or that wash, clean, or otherwise protect the exterior or interior surfaces of these types of vehicles.
  - f. Vehicle Sales  
Sale or rental of new or used automobiles, small trucks or vans, motorcycles, motor homes, or recreational vehicles. Examples of personal vehicle sales & rental establishments include new and used automobile dealers, and car rental agencies. The following standard applies:
    - i. On-site vehicle maintenance and repair is considered an additional principal use.

#### 4. CIVIC & INSTITUTIONAL USE CATEGORY

The civic & institutional principal use category includes public, quasi-public, and private uses that provide unique services that are of benefit to the public as a whole. The civic and institutional principal use subcategories are:

- a. Community Center  
A place for recreational, social, educational or cultural activities operated by a non-profit or public group or agency.
- b. Educational Facility  
A public or private facility for the general or specialized education, instruction, or training in subject areas, skills, or vocations.
- c. Hospital  
An institution providing health services to patients and offering inpatient (overnight) medical or surgical care.
  - i. In its discretion to approve or deny a special permit authorizing a hospital use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
    - a). Compatibility with the level of activity associated with surrounding properties.
    - b). Capacity of the local thoroughfare network providing access to the site and impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.
    - c). Location, visibility, and design of the principal entrance, emergency room, patient drop-off areas, and outdoor amenity space for employees or patients.
    - d). Location and adequacy of existing public utilities and proposed changes to the sanitary sewer system, storm drainage system, and public water.
- d. Library  
The special purpose preservation, exhibition, and personal lending of books, manuscripts, and similar materials for study and reading by the general public.
- e. Minor Utility Facility  
Public and quasi-public facilities and services that need to be located in the area where the service is to be provided, such as water and sewer pump stations; electrical transforming substations; wind energy conversion systems; solar collector systems; water conveyance systems; gas regulating stations; storm water facilities and conveyance systems; telephone switching equipment; emergency communication warning/broadcast facilities; and central heating facilities.
  - i. In its discretion to approve or deny a special permit authorizing a minor utility use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
    - a). Need for a facility at the proposed site taking into consideration the proximity of the area of service of the utility.
    - b). Visual impact and quality of screening from abutting thoroughfares and surrounding properties.
    - c). Impact and mitigation of offensive noise, vibration, smoke, dust or other particulate matter, heat, humidity, glare or other objectionable effects.

- d). Location of access for servicing the facility.
- f. Major Utility Facility  
Infrastructure services that have substantial land use impacts on surrounding areas. Typical uses include but are not limited to water and wastewater treatment facilities, major water storage facilities and electric generation plants.
- g. Museum  
A repository for a collection or collections of historical, natural, scientific, or literary objects of interest. The following standards apply:
  - i. Ancillary sales and the holding of meetings and social events are permitted.
- h. Private, Non-Profit Club or Lodge  
A facility operated for an organization, which is open to people upon invitation, nomination, or payment of fees or dues, for social, recreational, and/or entertainment activities. The following standards apply:
  - i. A non-profit club or lodge must be managed by an association with elected officers and directors, pursuant to a charter or bylaws, that generally excludes the general public from its premises, and which holds property for the common benefit of its members.
  - ii. A non-profit club or lodge shall not offer membership for a period of less than two months.
  - iii. A non-profit club or lodge may serve meals and/or alcohol on the premises for members and their guests.
  - iv. A non-profit club or lodge shall generally be open to members only but may be open to occasional guests of members.
  - v. A non-profit club or lodge may use one central gathering area for rental for events and/or community activities, including the service of meals and/or alcohol, but such rentals and activities shall not exceed 80 events per year and shall not continue past 1:00 AM Friday, Saturday, and Sunday nights and 12:00 AM Monday through Thursday nights.
  - vi. In its discretion to approve or deny a special permit authorizing a private, non-profit club or lodge use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
    - a). Compatibility with the level of activity associated with the surrounding properties.
    - b). Location of access to the site and building.
    - c). Impact and mitigation of the production of offensive noise and light.
    - d). Location of trash and recycling storage and the procedure for pickup.
- i. Religious Assembly  
Activities related to the practice of religions, as defined by M.G.L. 40A, Section 3 and 42 U.S.C. §2000cc.

#### 5. COMMERCIAL SERVICES USE CATEGORY

The commercial services principal use category includes uses and activities that provide various services, entertainment, or recreation to individuals, groups, or businesses. Drive-through and drive-up service is prohibited. The commercial services principal use subcategories are:

## a. Animal Services

Any of the following: (1) grooming of dogs, cats, and similar small animals, including dog bathing and clipping salons and pet grooming shops; (2) animal shelters, care services, and kennel services for dogs, cats and small animals, including boarding kennels, pet resorts/hotels, dog training centers, and animal rescue shelters excluding those operated by the City of Somerville; (3) animal hospitals or veterinary services; (4) household pet crematory services; or (5) taxidermy services.

- i. Pet Grooming: The grooming of dogs, cats, and similar household pets.
- ii. Pet Training, Care, or Shelter: kennel and/or training centers for animals operated on a daytime-only basis
- iii. Commercial Kennel: animal rescue shelters, boarding facilities, pet resorts/hotels, or training services for dogs, cats, and other household pets.
- iv. Veterinarian: the diagnosis and treatment of animal patients' illnesses, injuries, and physical malfunctions performed in an office setting. The following standards shall apply:
  - a). Overnight boarding of animals is limited to patients recovering from medical procedures
  - b). In its discretion to approve or deny a special permit authorizing a veterinarian use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
    - i). Methods or techniques for noise mitigation to limit noise for other users of the building and abutting properties
    - ii). Operational procedures for cleaning the interior and exterior of the site and trash storage and removal.
    - iii). Amount of on-site landscaping.

## b. Assembly and Entertainment

Uses that provide gathering places for participant or spectator recreation, entertainment, or other assembly activities including, but not limited to, a theater, cinema, and/or venue of a professional or semi-professional sports team. The following standards apply:

- i. Assembly and entertainment uses may provide incidental food or beverage service for on-site consumption.

## c. Banking &amp; Financial Services

Uses related to the exchange, lending, borrowing, and safe-keeping of money. The following banking & financial service specific use types are regulated differently than other uses classified within the banking & financial services subcategory:

- a). Personal Credit: Banking uses providing short-term loans and check cashing services without providing traditional banking accounts.

## d. Broadcast and/or Recording Studio

- i. Uses that provide studios for audio or video production, recording, filming, or broadcasting of radio or television programs over-the-air, cable, or satellite. Telecommunications transmission towers are regulated according to the provisions of §6.C. Wireless Communication structures

## e. Building &amp; Home Repair Services

Uses that provide maintenance and repair services for all structural and mechanical elements of structures, as well as the exterior spaces of a premise. Typical uses include janitorial, landscape maintenance, exterminator, plumbing, electrical, HVAC, window cleaning, and similar services.

- i. In its discretion to approve or deny a special permit authorizing a building & home repair services use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
  - a). Visual impact and quality of screening of parked business vehicles.

## f. Business Support Services

Uses that provide personnel services, printing, copying, photographic services, or communication services to businesses or consumers. Typical uses include employment agencies, copy and print shops, telephone answering services, and photo developing labs.

## g. Caterer/Wholesale Food Production

The preparation of food in significant quantities to be delivered and served or sold off-site.

- i. In its discretion to approve or deny a special permit authorizing a caterer/wholesale food production use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
  - a). Location of driveway entrances and access points in relation to the safety of pedestrians, bicyclists, and motor vehicles.
  - b). Visual impact and quality of screening of parked business vehicles.
  - c). Location of loading, trash and recycling storage and the procedure for pickup and drop-off.
  - d). Ventilation and air handling techniques to reduce the emission of odor or exhaust onto neighboring properties.

## h. Day Care Service

Uses that provide licensed care, protection, and supervision in a protective setting for children or adults, with or without compensation, on a regular basis away from their primary residence and for less than sixteen (16) hours per day. The following are the day care service specific use types:

- i. Adult Day Care Center: A day care service use providing custodial care of adults over eighteen (18) years old, related or unrelated, who are in need of supervision and/or assistance with routine daily functions but who are not in need of regular medical attention. The following standards apply:
  - a). All persons must be eighteen (18) years of age or older.
- ii. Child Day Care Center: A day care service use providing custodial care of children under seven (7) years of age or children under sixteen (16) years of age if such children have special needs. Child day care centers include facilities operated on a regular basis as a nursery, preschool, kindergarten, child development center, head start program, before-and after-school program, and their substantial equivalents, but excludes services offered as part of the public school system; a religious education



system; or a private education system not specializing in kindergarten, nursery, or related pre-school services; a family day care accessory use; or any informal cooperative arrangement for child care among neighbors or relatives, or the occasional care of children with or without compensation.

- i. **Maintenance & Repair of Consumer Goods**  
Uses that provide maintenance, cleaning, and repair services for consumer goods. Typical uses include dry cleaning shops, tailors, shoe repair, vacuum repair shops, electronics repair shops, and similar establishments.
- j. **Personal Services**  
Uses that provide a variety of services associated with personal grooming, personal instruction, and the maintenance of fitness, health, and well-being. The following personal services specific use types are regulated differently than other uses classified within the personal services use category:
  - i. **Body Art:** use of a space for the practice of physical body adornment by permitted establishments and practitioners using, but not limited to the following techniques: piercing, tattooing, cosmetic tattooing, branding and scarification. The following performance standards apply:
    - a). Procedures considered 'medical procedures' by the Board of Registration in medicine, such as implants under the skin, are prohibited in body-art establishments.
    - b). No Body Art establishment shall be located within 500 feet of another Body Art Establishment.
    - c). No Body Art establishment shall be located within 500 feet of an establishment selling items primarily involving 'sexual content' as defined by MGL 232 Section 31.
    - d). In its discretion to approve or deny a special permit authorizing a body art use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
      - i). Design of storefront windows and operations plan for ensuring the privacy of patrons.
  - ii. **Gym or Health Club:** Use of space for physical exercise or training on an individual or group basis, using exercise equipment or open floor space, with or without an option for having instruction with a personal trainer.
  - iii. **Funeral Home:** A facility where the deceased are prepared for burial display and for rituals before burial or cremation. Such facilities may include chapels, crematoriums, and showrooms for the display and sale of caskets, vaults, urns, and other items related to burial services. The following standards apply:
    - a). In its discretion to approve or deny a special permit authorizing a funeral home use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
      - i). Capacity of the local thoroughfare network providing access to the site and impact on

pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.

- ii). Location, visibility, and design of the principal entrance.
- iv. **Health Care Provider:** An office providing outpatient health services involving the diagnosis and treatment of physical or mental ailments and disorders, including doctors, dentists, mental health practitioners, physical therapists, and their substantial equivalents. The following standards apply:
  - a). In its discretion to approve or deny a special permit authorizing a health care provider use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
    - i). Compatibility with the level of activity associated with surrounding properties
    - ii). Location, visibility, and design of the principal entrance, patient drop-off areas, and outdoor amenity space for employees or patients.
- k. **Recreation Facility**  
A facility providing for the communal or solitary, active or passive, indoor or outdoor pursuit of leisure activities. The following standards apply:
  - i. All outdoor lighting shall be extinguished when outdoor facilities are not in use, or by 10:00 p.m. on Sundays through Thursdays, and by 11 p.m. on Fridays and Saturdays, whichever is earlier.
  - ii. In its discretion to approve or deny a special permit authorizing a recreation facility use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
    - a). Compatibility with the level of activity associated with the surrounding properties.
    - b). Capacity of the local thoroughfare network providing access to the site and impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.
    - c). Location and visibility of the principal entrance and pedestrian circulation from all exit points.

## 6. EATING & DRINKING USE CATEGORY

The eating & drinking principal use category includes uses that prepare or serve food or beverages for on- or off-site sale and/or consumption. The eating & drinking establishments category does not include the sale of alcohol for off-site consumption. Drive-through and drive-up service is prohibited. The eating & drinking establishment principal use subcategories are:

- a. **Bar or Tavern**  
An establishment, with or without live entertainment, selling alcoholic beverages for on-site consumption including, but not limited to, lounges, nightclubs, dance halls, pubs, saloons and their substantial equivalents.
  - i. In its discretion to approve or deny a special permit authorizing a bar or tavern use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
    - a). Compatibility with the level of activity associated with the surrounding properties.



- b). Noise impact and mitigation including an operational plan to limit loitering on the site.
- c). Location of designated outdoor smoking areas.
- d). Location of trash and recycling storage and the procedure for pickup.
- b. Restaurant/Cafe/Bakery  
An establishment selling prepared, ready-to-consume food and/or drinks.
- c. Formula Eating and/or Drinking Establishment  
Any use classified under the eating & drinking establishment use category which, along with nine (9) or more other businesses regardless of ownership or location worldwide, does or is required as a franchise, by contractual agreement, or by other arrangement to maintain two (2) or more of the following features: a standardized menu, a standardized facade, a standardized decor and/or color scheme, a standardized uniform, a standardized sign or signage, a trademark or a service mark.
- i. In its discretion to approve or deny a special permit authorizing a formula eating and/or drinking establishment, the review board shall consider the following:
  - a). The existing concentrations of formula eating & drinking establishment uses within the neighborhood;
  - b). the availability of other similar eating & drinking establishment uses and the maintenance of a diverse blend of eating & drinking establishment uses within the neighborhood;
  - c). the compatibility of the proposed design for the formula eating & drinking establishment with the existing architectural and aesthetic character of the neighborhood;
  - d). the proposed uses contribution to the nationwide trend of standardized eating & drinking establishment offerings that detracts from the uniqueness of Somerville's neighborhoods; and
  - e). the existing non-residential vacancy rates within the neighborhood.

## 7. INDUSTRIAL USE CATEGORY

The industrial principal use category includes uses and activities that produce goods from raw materials, recycled components, or previously prepared sub-components, including the design, storage, and handling of these products and the materials from which they are produced; uses that provide and distribute goods in large quantities, principally to retail sales, commercial services, or other industrial establishments; as well as industrial uses that because of their scale or method of operation regularly produce odors, dust, noise, vibration, truck traffic or other external impacts that are detectable beyond the property lines of the subject property. The industrial principal use subcategories are:

- a. Commercial Dry Cleaning & Laundry Services  
Uses that provide centralized dry cleaning and/or laundry services for other industrial, commercial, and/or business establishments.
- b. Data Center  
Uses providing information storage and processing services to other businesses or end users through a

collection of computer servers and related information technology infrastructure. The following standards apply:

- i. In its discretion to approve or deny a special permit authorizing a data center use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
  - a). Mitigation of any negative aesthetic impacts that might result from required security measures and restrictions on visibility into the building's interior.
  - b). Ability for the use to adequately contribute towards SomerVision's objectives for increasing employment opportunities in the city.
- c. Industrial Manufacturing Facility  
Uses that process, fabricate, assemble, treat, or package finished parts or products without the production or use in large quantities of hazardous or explosive materials. Due to the nature of operations and products, little or no noise, offensive odors, undue vibration or glare, and/or environmental pollution is produced, and, therefore, there is minimal impact on surrounding properties. Operations may include the storage of materials and the loading and unloading of new materials and finished products. Activities common to this subcategory include, but are not limited to, food and beverage production, electronics and other electrical equipment assembly, furniture and other woodworking, printing and publishing operations, and computer hardware manufacturing, and the fabrication of metal products except machinery and transportation equipment.
- d. Moving and/or Self Storage  
Uses engaged in the moving of household or office furniture, appliances, and equipment from one location to another, including the temporary storage of those same items. Typical uses include moving companies and self-service and mini-storage warehouses. The following moving and/or self storage specific use types are regulated differently than other uses classified within the moving & self storage facility subcategory:
  - i. Self Storage: The temporary storage of personal possessions in containers or individual rentable or leaseable spaces. The following standards apply:
    - a). A self storage use is only permitted in a building with more than one principal use.
    - b). In its discretion to approve or deny a special permit authorizing a self storage use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
      - i). Mitigation of any negative aesthetic impacts that might result from required security measures and restrictions on visibility into the building's interior.
      - ii). Location of loading, trash and recycling storage, and the procedure for drop-off and pickup.
      - iii). Ability for the use to adequately contribute towards SomerVision's objectives for increasing employment opportunities in the city.
      - iv). Abnormal site conditions that make the less than desirable for other uses.

- e. **Recycling Collection**  
Uses that collect and temporarily store recyclable household materials including glass, cardboard, paper, aluminum, tin, and plastics that are regularly moved off-site to be processed elsewhere. The following standards apply:
  - i. In its discretion to approve or deny a special permit authorizing a recycling collection use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
    - a). Compatibility with the level of activity associated with the surrounding properties.
    - b). Capacity of the local thoroughfare network providing access to the site.
    - c). Location and screening of loading, the procedure for drop-off and pickup, and the impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.
    - d). Visual impact and quality of screening of parked business vehicles.
- f. **Salvage Yard**  
An area or building where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled for reclamation, disposal or other like purposes, including but not limited to scrap iron and other metals, paper, rags, rubber tires, and bottles. A junk or salvage yard or building includes an auto wrecking yard or building.
- g. **Trucking & Transportation Depot**  
Uses engaged in the dispatching and long-term or short-term storage of large vehicles. Minor repair and maintenance of vehicles stored on the premises is also included. The following standards apply:
  - i. In its discretion to approve or deny a special permit authorizing a trucking & transportation depot use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
    - a). Compatibility with the level of activity associated with the surrounding properties.
    - b). Capacity of the local thoroughfare network providing access to the site and impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.
    - c). Location of driveway entrances and access points in relation to the safety of pedestrians, bicyclists, and motor vehicles.
    - d). Sight lines needed by the driver of any vehicle entering or exiting the site.
    - e). Visual impact and quality of screening of parked business vehicles.
    - f). Ventilation and air handling techniques to reduce the emission of odor or exhaust onto neighboring properties.
- h. **Wholesale Trade & Distribution**  
Uses engaged in the wholesale sales, bulk storage and distribution of goods including, but not limited to, furniture & home furnishings; professional and commercial equipment; electrical goods; hardware, plumbing, and heating equipment; paper and paper products; sundries; apparel; food and beverages;

healthcare equipment and supplies; and their substantial equivalents to retailers, commercial services, and/or industrial businesses. The following standards apply:

- i. Ancillary retail sales and wholesale showrooms are permitted.
- ii. Activities may include physically assembling, sorting, and grading goods into large lots and breaking bulk for redistribution in smaller lots in such a way that has minimal impact on surrounding properties.
- iii. The wholesale and/or storage or warehousing of toxic and/or hazardous materials is prohibited.

## 8. LODGING USE CATEGORY

The lodging principal use category includes uses characterized by visitor-serving facilities that provide temporary lodging in guest rooms or guest units, for compensation. Ancillary facilities for the exclusive use by guests including pools, limited storage, restaurants, bars, meeting rooms, and offices are permitted. The lodging principal use subcategories include:

- a. **Bed & Breakfast**  
A single unit residential structure providing rooms for temporary, overnight lodging, with or without meals, for paying guests. The following standards apply:
  - i. A bed & breakfast lodging use is only permitted in an owner-occupied or manager-occupied historic structure located within a designated Local Historic District.
  - ii. A bed & breakfast lodging use may be located within a principal building or an accessory structure.
  - iii. A common gathering space, such as a parlor, dining room, or living room must be maintained for guest use.
  - iv. Meal services are restricted to breakfast only.
  - v. Cooking facilities are not permitted in guest rooms.
  - vi. In its discretion to approve or deny a special permit authorizing a bed & breakfast use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
    - a). Mobility management options provided to guests and the on-site management of parking.
    - b). Compliance with the Somerville Historic Preservation Commission's requirements and guidelines for any alterations to the structure or site.
- b. **Hotel or Hostel**  
A building providing temporary lodging in guest rooms or apartments to persons who have residences elsewhere for a fee. The following standards apply:
  - i. Hotel or Hostel employees must be on-site at all times.
  - ii. A hostel must be associated with a national or international hostel organization.
  - iii. In its discretion to approve or deny a special permit authorizing a hotel use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
    - a). Compatibility with the level of activity associated with the surrounding properties.
    - b). Capacity of the local thoroughfare network providing access to the site and impact on

pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.

- c). Location and visibility of the principal entrance, guest drop-off area, taxi queuing station, outdoor amenity space for guests or employees, and pedestrian circulation from all exit points.

c. Short Term Rental of a Dwelling Unit

The rental of a dwelling unit on an overnight or short-term basis of typically less than seven (7) days. The following standards apply:

- i. The dwelling unit offered for rent must be in an owner occupied building and the owner must be present when the rental is in use by guests.
- ii. The unit must be provided with the following:
  - a). House rules establishing quiet hours, the maximum number of guests, and clean-up requirements for guest pets, if allowed.
  - b). A functioning fire extinguisher.
  - c). Child-proofed electrical outlets.
  - d). A map identifying fire escape routes.
  - e). Directions for operating the temperature control system.
  - f). Emergency contact information.

## 9. OFFICE USE CATEGORY

The office principal use category includes uses and activities that perform administrative, professional, or clerical operations. The office principal use subcategories are:

- a. Co-Working
 

A commercial or non-profit organization providing individuals and small firms access to collaborative workplace facilities, including but not limited to, creative studios, office suites, for-rent 'hot-desks' and/or dedicated workstations, with shared conference rooms, meeting rooms, event space, resource libraries, and business or administrative support services.
- b. General Office
 

The regular processing, manipulation, or application of business information or professional expertise predominantly for administrative, professional, and clerical operations in accounting, advertising, business to business brokerage and other business support services, employment, finance, healthcare administration, information technology and/or services, insurance, internet content development and publishing, law, real estate, urban development and their substantial equivalents. Office activities may or may not provide direct services to the public. The following standards apply:

  - i. Office uses do not include activities materially involved in fabricating, assembling, or warehousing physical products for the retail or wholesale market.
- c. Research & Development and/or Laboratory
 

The analysis, testing, and development of products, or services predominantly for scientific research operations in biotechnology, pharmaceuticals, medical equipment, communication & information technology, electronics, computer hardware, and their substantial equivalents. The following standard apply:

  - i. Research & Development and/or Laboratory does not include activities involved in fabricating,

assembling, warehousing, or sale of products for the retail or wholesale market.

- ii. Ancillary development of mock-up and prototype products is permitted so long as the total floor area devoted to their fabrication or assembly is limited to twenty-five percent (25%) to the gross floor area occupied by the use.

## 10. RESIDENTIAL USE CATEGORY

The residential principal use category includes uses that provide living accommodations for one or more persons in a principal building type. Residential use of an accessory structure is prohibited. The residential principal use subcategories are:

- a. Household Living
 

Residential occupancy of a building in dwelling units by no more than four (4) unrelated persons where tenancy is either by ownership or rented on a month-to-month basis or longer. Uses where tenancy is arranged for time periods shorter than one month are considered Lodging uses. See §5.B.8. Lodging Use Category and §5.C.3. Lodging Accessory Use Category for more information.
- b. Group Living
 

Residential occupancy of a building that is not categorized as household living and that typically provides shared or communal kitchen, dining, or bathroom facilities. The following group living specific use types are regulated differently than other uses classified within the group living subcategory:

  - i. Community or Group Residence: A residential use of four (4) or more unrelated individuals occupying a dwelling unit and living as a single housekeeping unit, if said occupants are handicapped persons as defined in Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988. This act defines "handicap," with respect to a person, as: 1) a physical or mental impairment which substantially limits one (1) or more of such person's major life activities, 2) a record of having such an impairment, or 3) being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance.
  - ii. Dormitory, Fraternity, or Sorority: Residential housing exclusively occupied by full- or part-time students and/or educational staff and/or group living facilities owned or operated by an educational institution.
    - a). In its discretion to approve or deny a special permit authorizing a dormitory, fraternity, or sorority use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
      - i). Proximity of the primary educational institution to the site.
      - ii). Concentration of dormitories, fraternities, or sororities in the neighborhood.
  - iii. Homeless Shelter: A facility that has a primary function of providing overnight sleeping accommodations for homeless people.
  - iv. Nursing Home/Assisted Living: An establishment which maintains and operates continuous day and

night facilities providing room and board, personal services, and skilled nursing care. Nursing homes include hospice care, but specifically exclude hospitals.

- a). In its discretion to approve or deny a special permit authorizing a nursing home use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
  - i). Characteristics of the local thoroughfare network in providing a walkable environment and access for emergency vehicles.
  - ii). Location, visibility, and design of the principal entrance, resident drop-off area, and outdoor amenity spaces.
  - iii). Provision of communal indoor seating areas with a direct line of site to the outdoors.
- v. Single Room Occupancy Housing (SRO): A residential use that provides four (4) or more rental boarding rooms for four (4) or more unrelated individuals for occupancy longer than a 14-day period. Single room occupancy housing includes boarding houses, lodging houses, and rooming houses. The following standards apply:
  - a). A license from the Board of Aldermen is required.
  - b). The unit must be provided with the following:
    - i). House rules establishing quiet hours, the maximum number of guests, and clean-up requirements for guest pets, if allowed.
    - ii). A functioning fire extinguisher.
    - iii). Child-proofed electrical outlets.
    - iv). A map identifying fire escape routes.
    - v). Directions for operating the temperature control system.
    - vi). Emergency contact information.
  - c). In its discretion to approve or deny a special permit authorizing the short term rental of a dwelling unit, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
    - i). Path of access to the unit and the privacy of residents and neighboring properties.
    - ii). Location of designated outdoor smoking areas.
    - iii). Operations plan for maintaining the unit, including the inspection schedule for smoke and carbon monoxide detectors and the hours of operation for cleaning services.

## 11. RETAIL USE CATEGORY

The retail principal use category includes activities involving the sale, lease, or rental of new or used goods to the ultimate consumer. The retail principal use subcategories are:

- a. Building/Home Supplies & Equipment  
Uses that sell or otherwise provide furniture, appliances, equipment, and/or home improvement goods needed to repair, maintain, or visually enhance a structure or

premises that are, typically, too large to be carried by hand. The following standards apply:

- i. Outdoor displays of products and merchandise are limited to seasonally appropriate products that are located near the main entrance without obstructing access to it.
- ii. In its discretion to approve or deny a special permit authorizing a building/home supplies & equipment retail use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
  - a). Location of driveways entrances and access points in relation to the safety of pedestrians, bicyclists, and motor vehicles.
  - b). Capacity of the local thoroughfare network providing access to the site and impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.
  - c). Location of loading, trash and recycling storage, and the procedure for drop-off and pickup.
- b. Consumer Goods  
Uses that sell or otherwise provide consumer goods, functional or decorative, for use in entertainment, comfort, or aesthetics which are of a size that a customer can typically carry by hand. Consumer goods stores include, but are not limited to, stores selling apparel and accessories, sundries, pharmaceuticals, hardware and hand tools, housekeeping supplies, and convenience food and beverage for off-site consumption. The manufacturing, assembly, and/or packaging of merchandise is prohibited unless ancillary to the sale of products from the same location. The following consumer goods specific use types are regulated differently than other uses classified within the consumer goods subcategory:
  - i. Drug Paraphernalia Store: A store selling equipment, products, and materials of any kind which are used, intended for use, or designed for use in the production, cultivation, harvesting, processing, packaging, testing, or introducing into the human body a controlled substance.
  - ii. Firearms: A store selling, transferring, or leasing; or advertising for sale, transfer, or lease, or offering or exposing for sale, transfer, or lease, any firearm and/or ammunition.
  - iii. Packaged Liquor: Any alcoholic beverage sales establishment primarily involving the sale of alcohol where beer, wine or distilled spirits are sold for off-sale consumption and where more than five (5) percent of the floor area of the establishment is devoted to the sale, display or storage of beer, wine or distilled spirits.
    - a). In its discretion to approve or deny a special permit authorizing a packaged liquor use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
      - i). Concentration of packaged liquor uses in the neighborhood.
  - iv. Medical Marijuana Facility: Uses that relate to acquiring, cultivating, possessing, processing (including development of related products such

as food, tinctures, aerosols, oils, or ointments), transferring, transporting, selling, distributing, dispensing, or administering marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers. The following standards apply:

- a). All medical marijuana facilities must be properly registered with the Massachusetts Department of Public Health pursuant to 105 CMR 725.100 and must comply with all applicable state and local public health regulations and all other applicable state and local laws, rules, and regulations.
- b). In its discretion to approve or deny a special permit authorizing a medical marijuana facility, the review board, in addition to the considerations of § 11.D.1. Special Permit, shall consider the following:
  - i). Location of dispensary serves an area that currently does not have reasonable access to medical marijuana, or if it is proposed to serve an area that is already served by other Registered Marijuana Dispensaries, it has been established by the Massachusetts Department of Public Health that supplemental service is needed.
  - ii). The site is located at least five hundred (250) feet distant from a school, daycare center, preschool or after school facility or any facility in which children commonly congregate, or if not located at such a distance, it is determined by the Review Board, in addition to the considerations of § 11.D.1. Special Permit, to be sufficiently buffered from such facilities such that its users will not be adversely impacted by the operation of it.
  - iii). Impact of expected origin and frequency of client and employee trips to the site, the expected modes of transportation used by clients and employees, and the frequency and scale of deliveries to and from the site.
  - iv). Site is designed such that it provides convenient, safe, and secure access and egress for clients and employees arriving to and leaving from the site using all modes of transportation, including drivers, pedestrians, bicyclists and public transportation users.
  - v). Building, site and sign design to be compatible with the character of other buildings in the area and mitigate any negative aesthetic impacts that might result from required security measures and restrictions on visibility into the building's interior.
  - vi). Loading, trash and recycling location and screening.
  - vii). Limiting the special permit term to the duration of the applicant's ownership of the premises as a Medical Marijuana Facility.

A special permit may be transferred only with the approval of the Review Board, in addition to the considerations of § 11.D.1. Special Permit, in the form of an amendment to the special permit with all required information.

- v. Pet Store: Uses that sell or otherwise provide household pets. The following standards apply:
  - a). The ancillary sale of pet supplies is permitted.
  - b). In its discretion to approve or deny a special permit authorizing a pet store use, the review board, in addition to the considerations of § 11.D.1. Special Permit, shall consider the following:
    - i). Building methods or techniques for noise mitigation to limit noise for other users of the building and abutters.
- c. Formula Retail
 

Any use classified under the retail sales use category which, along with nine (9) or more other businesses regardless of ownership or location worldwide, does or is required as a franchise, by contractual agreement, or by other arrangement to maintain two (2) or more of the following features: a standardized array of merchandise, a standardized facade, a standardized decor and/or color scheme, a standardized uniform, a standardized sign or signage, a trademark, or a service mark.

  - i. In its discretion to approve or deny a special permit authorizing a formula retail use, the review board, in addition to the considerations of § 11.D.1. Special Permit, shall consider the following:
    - a). The existing concentrations of formula retail uses within the neighborhood;
    - b). The availability of other similar retail uses and the maintenance of a diverse blend of retail uses within the neighborhood;
    - c). The compatibility of the proposed formula retail use with the existing architectural and aesthetic character of the neighborhood;
    - d). The proposed uses contribution to the nationwide trend of standardized retail offerings that detracts from the uniqueness of Somerville's neighborhoods; and
    - e). The existing non-residential vacancy rates within the neighborhood.
- d. Fresh Food Market and/or Grocery Store
 

The self-service sales of food and household products including, but not limited to, fresh and prepared meat, dairy, baked goods, fresh fruits and vegetables, canned and/or frozen foods, and other regularly consumed household products. The following standards apply:

  - i. Floor area devoted to the sale of non-food items must not exceed twenty-five percent (25%) of the sales floor.
  - ii. Ancillary prepared food and beverage service is permitted.
- e. Farmer/Vendor Market
 

The direct sales of goods and/or products by farmers or vendors to consumers from individual booths, tables, or stands, whether indoors or outdoors.

## 12. URBAN AGRICULTURE USE CATEGORY



The urban agriculture principal use category includes a range of food growing practices including farming and the keeping of chickens and/or bees, but not other types of live stock. Urban agriculture uses that are accessory to residential uses on the same lot are regulated by §5.C.4. Urban Agriculture Accessory Use Category. The urban agriculture principal use subcategories are:

- a. Farming  
The cultivation of soil and the production, planting, caring for, treating, growing, and harvesting of any aquacultural, horticultural, hydrocultural commodities. The farming specific use types are:
  - i. Commercial Farming: Farming for the purpose of selling produce for a profit.
    - a). Sales are subject to compliance with local, state, and federal regulations.
    - b). Commercial farming may be conducted outdoors, in a greenhouse, or on the roof of a principal or accessory structure.
    - c). Notwithstanding Table X. Principal Uses Permitted by District, Commercial Farming is permitted on Municipally owned land and/or within Municipal Buildings by-right.
  - ii. Community Farming: Farming by a non-profit agency with the intent of selling produce.
    - a). Sales are subject to compliance with local, state, and federal regulations.
- b. Community Gardening  
The practice of growing and cultivating plants; including vegetables, flowers, and fruits; for display, enjoyment, or private/personal consumption. The following standards apply:
  - i. Sales, processing, and storage of plants or plant products are prohibited on site.

## C. ACCESSORY USE CATEGORIES

### 1. GENERAL

- a. This section defines the categories, subcategories, and specific types of accessory uses.
- b. In some cases, use-specific regulatory or performance standards are identified.
- c. Compliance with use-specific regulatory or performance standards is required regardless of whether the use is permitted by-right or by special permit.
- d. Accessory uses may not be established prior to the establishment of a permitted principal use.
- e. The Building Official shall determine when a use is accessory to the principal use of a lot. To determine that a use is accessory, the Building Official must find that the use:
  - i. is clearly incidental and subordinate to the principal use in terms of area and function;
  - ii. contributes to the comfort, convenience, or necessity of occupants of the principal structure or principal use served;
  - iii. is operated and maintained under the same ownership and on the same lot as the principal use, or on a contiguous lot in the same ownership;
  - iv. will not attract visitors in larger numbers than would be normally expected of principal uses permitted in the district; and
  - v. does not produce offensive noise, vibration, smoke, dust or other particulate matter, heat, humidity, glare, or other objectionable effects.

### 2. HOME OCCUPATIONS ACCESSORY USE CATEGORY

The home occupations accessory use category includes limited business activities carried out incidental to a household living principal use. Home occupations include, but are not limited to, the office of an architect, attorney, engineer, instructor, realtor, sales representative, software developer, teacher and their substantial equivalents that do not involve persons regularly visiting the property for business purposes, but instead primarily involves the operator visiting clients off-site. The following uses are not considered a home occupation: auto or appliance repair, contractor's shop or storage, barber shop, beauty parlors, commercial stables or kennels, medical or dental office, body art, massage, or acupuncture.

- a. The following standards apply to all home occupation accessory uses:
  - i. Home occupations must be operated within a completely enclosed principal or accessory building type owned or occupied by the resident of the property where the home occupation is located.
  - ii. No storage of materials, supplies, or equipment is permitted outdoors.
  - iii. The production of offensive noise, vibration, glare, odors, parking/loading demands, traffic, or other negative impacts that unreasonably interfere with any person's "quiet expectations" in enjoyment of their residence is prohibited.
  - iv. No display of products may be visible from the right-of-way of any public thoroughfare.
  - v. Shipping and delivery is restricted to parcel and small freight carriers.

- vi. No more than one off-street parking space is permitted for the home occupation.
- vii. Home occupations conducted in an accessory structure are limited in size by the provisions governing the accessory building type (see Garage or Workshop).
- viii. Products produced on-site must be grown, fabricated, or assembled by hand.
- ix. Rental of space to others in association with a home occupation is prohibited.
- b. The home occupation accessory use subcategories are:
  - i. Creative Studio: A home occupation that generates and exploits intellectual property through individual creativity, skill, and talent; creates, produces, distributes, rehearses, performs, sells, and/or teaches the visual arts, performing arts, applied arts, literature, heritage, media, or music; or creates, produces, invents, designs, develops or prototypes content, goods, or products.
  - ii. Family Day Care: A home occupation providing custodial care of children under seven (7) years of age or children under sixteen (16) years of age if such children have special needs. Family day care does not include the informal cooperative arrangement for child care among neighbors or relatives, or the occasional care of children with or without compensation. The following standards apply:
    - a. Care may be provided for no more than six (6) children at a time, including any children living with the residence providing family day care services.
  - iii. Hobby Kennel: A home occupation involving the raising and care of four (4) or more dogs, excluding puppies younger than three (3) months, for breeding, sale, training, show, hunting, and other related purposes except boarding. The following standards apply:
    - a. No more than six (6) dogs, excluding puppies younger than three (3) months, are permitted.
    - b. All dogs must be licensed and vaccinated as required under the City's laws.
    - c. The site will be subject to inspection at reasonable times by the Animal Control Officer to ensure that the standards and conditions of approval of a special permit are met.
    - d. Boarding of animals or other commercial uses of the site are not permitted.
    - e. Dog waste must be disposed of daily, either sealed and disposed of with trash or in a maintained enzymatic dog waste system.
    - f. In its discretion to approve or deny a special permit authorizing a hobby kennel home occupation use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
      - i). Design of confinement of dogs to the property.
      - ii). Design and size of the site to accommodate the safety and comfort of dogs.
      - iii). Amount of on-site landscaping.

- iv). Operational procedure for controlling barking, particularly between the hours of 9pm and 7am, including hours that the dogs are outside, proper training and frequency of walks.
- iv. Home-Based Business: An home occupation carried on by the resident of a dwelling unit, where the occupation is secondary to the use of the dwelling unit for residential purposes and where the “quiet expectations” of neighbors take precedence over work needs of the occupation in question. The following standards apply:
  - a). No more than one non-resident employee may be present at any one time during the hours of operation.
  - b). Retail sales to walk-in customers are prohibited.
  - c). Client visits must be by appointment only and business activities may not have more than one (1) visitor car at a time.
- v. Home Office: A home occupation conducted solely by the residents of the dwelling unit without the employment of other persons. The following standards apply:
  - a). All sales, services or work that requires the presence of a partner, employee, or customer shall take place off-site.

### 3. LODGING ACCESSORY USE CATEGORY

The lodging accessory use category includes any provision of temporary lodging to visitors for compensation. The lodging accessory use subcategories are:

- a. Tourist Home  
The rental up to two (2) sleeping rooms of a dwelling unit on an overnight or short-term basis of typically less than seven (7) days.

### 4. URBAN AGRICULTURE ACCESSORY USE CATEGORY

The urban agriculture accessory use category includes a range of food growing practices including farming and the keeping of chickens and/or bees, but not other types of live stock. The urban agriculture accessory use subcategories are:

- a. Apiculture: The maintenance of honey bee colonies, commonly in hives. The following performance standards apply:
  - i. Apiculture is subject to all applicable rules and regulations established by the Health Department of the City of Somerville.
  - ii. Bee species shall be restricted to the common domestic honeybee (*Apis mellifera*).
  - iii. Ownership, care, and control is the responsibility of a resident of a dwelling unit on the lot.
  - iv. A maximum of two colonies may be kept on a lot. Health regulations may further limit the number and/or manner that bees are kept.
  - v. Honeybees and beekeeping materials are not permitted within 20 feet of a front lot line.
  - vi. The on site sale of honey produced on site is permitted between the hours of 9:00am to 6:00pm, May 1st through October 31st and shall be limited to no more than 3 days per week for a total of twenty-five (25) days per year.

- b. Aviculture: The raising and care of birds. The following performance standards apply:
  - i. Aviculture is subject to all applicable rules and regulations established by the Health Department of the City of Somerville.
  - ii. Bird species shall be restricted to the common domestic chicken (*Gallus gallus domesticus*), specifically hens.
  - iii. Roosters are prohibited.
  - iv. Ownership, care, and control is the responsibility of a resident of a dwelling unit on the lot.
  - v. A maximum of six (6) hens may be kept on a lot. Health regulations may further limit the number and/or manner that hens are kept.
  - vi. Hens are not permitted within 20 feet of a front lot line.
  - vii. The on site sale of eggs produced on site is permitted between the hours of 9:00am to 6:00pm, May 1st through October 31st and shall be limited to no more than 3 days per week for a total of twenty-five (25) days per year.
- c. Commercial Farming: The cultivation of soil and the production, planting, caring for, treating, growing, and harvesting of any aquacultural, horticultural, and/or hydrocultural commodities. The following performance standards apply:
  - i. Farming is subject to all applicable rules and regulations established by the Health Department of the City of Somerville.
  - ii. Sales are subject to compliance with local, state, and federal regulations.
  - iii. Commercial farming may be conducted outdoors, in a greenhouse, or on the roof of a principal or accessory structure.
  - iv. Ownership, care, and control of an outdoor, greenhouse, or roof farm is the responsibility of a resident of a dwelling unit on the lot.
  - v. The on site sale of agricultural commodities produced on site is permitted between the hours of 9:00am to 6:00pm, May 1st through October 31st and shall be limited to no more than 3 days per week for a total of twenty-five (25) days per year.
  - vi. Proof of annual soil testing is required to be posted during all sales.
- d. Residential Gardening: The practice of growing and cultivating plants; including vegetables, flowers, and fruits; for display, enjoyment, or private/personal consumption. The following performance standards apply:
  - i. Sales are prohibited.
  - ii. Gardening may be conducted outdoors, in a greenhouse, or on the roof of a principal or accessory structure.
  - iii. Ownership, care, and control is the responsibility of a resident of a dwelling unit on the lot.

### 5. VEHICULAR PARKING ACCESSORY USE CATEGORY

The vehicular parking accessory use category includes any storage, for a limited period of time, of operable motor vehicles. The vehicular parking accessory use subcategories are:

- a. Accessory Parking



Motor vehicle parking that is accessory to and supports a principal use on the same lot, including indoor and underground structured parking. See the provisions of §5.B.B. Motor vehicle Parking for more information.

b. Bike-Share

Parking for bicycles that are made available for an hourly rental fee as part of a business operating ten (10) or more pick-up and return stations within the City of Somerville or surrounding municipalities. The following standards apply:

- i. Parking stations must not interfere with the reasonable visibility needs of drivers, the flow of pedestrians traffic, or needs of businesses on the same site.

c. Car-Share Parking

Parking for automobiles, small trucks, and vans that are made available for hourly rental fee.

- i. In its discretion to approve or deny a special permit authorizing a car-share parking use, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:

- a). Compliance with any minimum parking requirement of this Ordinance.
- b). Privacy of on-site or abutting residential uses from the route of pedestrian access to the car-share parking space.

d. Business Vehicle Parking

Parking for motor vehicles owned and operated in connection with a business in an off-street parking area that is accessory to a residential use. The following standards apply:

- i. Only one business-related vehicle is permitted and must not exceed a one-ton carrying capacity.
- ii. Tow-trucks are prohibited.

## 6. RESIDENTIAL ACCESSORY USE CATEGORY

The residential accessory use category includes residential uses that are atypical of the originally established residential dwelling patterns in the city but recognized as necessary to address increasing housing demand.

a. Secondary Dwelling Unit

A for-rent basement unit owned in common with another on-site, owner occupied dwelling unit. The following standards apply:

- i. A secondary dwelling unit must be located in the finished basement of a cottage, house, duplex, or paired house building type.
- ii. The size of a secondary dwelling unit must be limited to the floor plate of the main body of the building.
- iii. Residential occupancy by more than two (2) unrelated persons is prohibited.
- iv. Minimum parking requirements do not apply.
- v. Parking spaces for secondary dwelling units must be rented, leased, or sold as an option rather than a requirement of the rental, lease, or purchase of a dwelling unit or non-residential floor space.
- vi. In its discretion to approve or deny a special permit authorizing a secondary dwelling unit, the review board, in addition to the considerations of §11.D.1. Special Permit, shall consider the following:
  - a). Quality of the living space in terms of functional

area, access to light, and air circulation.

- b). Path of access to the unit and the privacy of on-site residents and neighboring properties.
- c). Design and necessity of exterior alterations to make the unit possible.

## D. USE TABLES

### 1. GENERAL

- The use of real property is regulated according to Table 5.1. Principle Uses and Table 5.2. Accessory Uses.
- Real property may have one or more principal uses established. Each use must comply with any use-specific regulations and/or performance standards applicable for each use.
- Some building types include further limitations and restrictions on the uses permitted for each type. See Article 3. Building Standards for more information.
- The Pedestrian Streets Map include limitations and restrictions on the uses permitted for abutting real property. See Article 8. Public Realm Standards and the Pedestrian Streets Map for more information.

### 2. PROTECTED USES

- Nothing contained in this Article shall be construed to restrict the use of land or structures for religious or educational activities per M.G.L. Chapter 40A, Section 3. In cases where Table X. Principal Uses Permitted by District indicates the use of real property for religious or educational purposes is not permitted or requires a special permit on land owned or leased by the Commonwealth of Massachusetts, a religious sect or denomination, or by a non-profit educational corporation, that use shall be permitted by-right and is subject only to the provisions for the appropriate building type (see Article 3. Building Standards).

### 3. UNDERSTANDING THE USE TABLES

- Categorization System
  - Use categories, subcategories, and/or specific uses are identified in the first column of the use table.
  - Uses permitted in Special Districts are established in Article 4. Special Districts. Applicable definitions, performance standards, and special permit considerations shall apply.
- Zoning Districts
  - Zoning districts are identified by name in the top row of the table.
- Permitted Uses (P)
  - Uses identified with a "Y" are permitted by-right in the zoning district indicated upon the granting of a zoning permit certifying when conforming to all applicable provisions of this Ordinance.
- Limited Uses (L)
  - Uses identified with an "L" are permitted by-right in the zoning district indicated, but must comply with the use specific standards identified in the last column of the use table in addition to all other applicable provisions of this Ordinance.
- Special Permit Uses (SP)
  - Uses identified with an "SP" are permitted in the zoning district indicated if granted a Special Permit according to the provisions of §11.D.1. Special Permit.
  - Uses permitted by special permit must comply with any use-specific standards identified in the final column of the use table in addition to all other applicable provisions of this Ordinance.
- Prohibited Uses
  - Uses identified with an "N" are prohibited.
- Use Specific Standards
  - A cross-reference of use-specific regulations and/or performance standards is identified in the last column of the use table for each category, subcategory, and/or specific type of use when applicable.

**TABLE X.** Sample Use Table

| USE CATEGORY                            | District Name |               |               |               |               |               |               | Use Specific Regulations and/or Performance Standards |
|---|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---|
|   | District Name | District Name | District Name | District Name | District Name | District Name | District Name |   |
| Use Subcategory                         | Y             | Y             | Y             | Y             | Y             | Y             | Y             | §1.a.i. (for example)                                 |
| Use Subcategory (except as noted below) | L             | L             | L             | L             | L             | L             | L             |   |
| Specific Use Type A                     | SP            | SP            | SP            | SP            | SP            | SP            | SP            |   |
| Specific Use Type B                     | N             | N             | N             | N             | N             | N             | N             |   |
| Use Subcategory (as noted below)        | --            | --            | --            | --            | --            | --            | --            |   |
| Specific Use Type A                     | Y             | Y             | Y             | Y             | L             | L             | L             |   |
| Specific Use Type B                     | N             | N             | N             | N             | SP            | SP            | SP            |   |

**TABLE 5.1** Principal Uses

|  | Neighborhood Residence | Urban Residence | 3-Story Mixed-Use | 4-Story Mixed-Use | 5-Story Mixed-Use | 7-Story Mixed-Use | 10-Story Mixed-Use | Fabrication | Commercial Industry | Civic | Use Specific Regulations and/or Performance Standards |
|--|------------------------|-----------------|-------------------|-------------------|-------------------|-------------------|--------------------|-------------|---------------------|-------|---|
| <b>ARTS &amp; CREATIVE ENTERPRISE</b>                |                        |                 |                   |                   |                   |                   |                    |             |                     |       |   |
| Artisan Production                                   | N                      | N               | L                 | L                 | L                 | L                 | L                  | L           | L                   | N     |   |
| Arts Education & Shared Workspaces                   | N                      | N               | Y                 | Y                 | Y                 | Y                 | Y                  | Y           | Y                   | N     |   |
| Arts Exhibition                                      | N                      | N               | Y                 | Y                 | Y                 | Y                 | Y                  | Y           | Y                   | N     |   |
| Arts Sales & Services                                | N                      | N               | Y                 | Y                 | Y                 | Y                 | Y                  | Y           | Y                   | N     |   |
| Creative Studio                                      | L                      | L               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     |   |
| Design Services                                      | N                      | N               | Y                 | Y                 | Y                 | Y                 | Y                  | Y           | Y                   | N     |   |
| Work/Live Creative Studio                            | N                      | N               | N                 | N                 | N                 | N                 | N                  | SP          | N                   | N     |   |
| <b>AUTO-ORIENTED</b>                                 |                        |                 |                   |                   |                   |                   |                    |             |                     |       |   |
| Commercial Vehicle Repair & Maintenance              | N                      | N               | N                 | N                 | N                 | N                 | N                  | N           | Y                   | N     |   |
| Dispatch Service (except as noted below)             | N                      | N               | N                 | N                 | N                 | N                 | N                  | N           | Y                   | N     |   |
| Towing Service                                       | N                      | N               | N                 | N                 | N                 | N                 | N                  | N           | SP                  | N     |   |
| Gasoline Station                                     | N                      | N               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     |   |
| Motor Vehicle Parking (as noted below)               | --                     | --              | --                | --                | --                | --                | --                 | --          | --                  | --    |   |
| Car Share Parking                                    | N                      | SP              | SP                | SP                | SP                | SP                | SP                 | SP          | Y                   | N     |   |
| Commercial Parking                                   | N                      | N               | SP                | SP                | SP                | SP                | SP                 | N           | Y                   | N     |   |
| Off-Site Accessory Parking                           | SP                     | SP              | SP                | SP                | SP                | SP                | SP                 | N           | Y                   | N     |   |
| Personal Vehicle Repair & Maintenance                | N                      | N               | N                 | N                 | N                 | N                 | N                  | N           | Y                   | N     |   |
| Vehicle Sales  | N                      | N               | N                 | N                 | N                 | N                 | N                  | N           | Y                   | N     |   |
| <b>CIVIC &amp; INSTITUTIONAL</b>                     |                        |                 |                   |                   |                   |                   |                    |             |                     |       |   |
| Community Center                                     | N                      | N               | Y                 | Y                 | Y                 | Y                 | Y                  | Y           | N                   | N     |   |
| Educational Facility                                 | N                      | N               | Y                 | Y                 | Y                 | Y                 | Y                  | Y           | N                   | N     |   |
| Hospital   | N                      | N               | SP                | SP                | SP                | SP                | SP                 | N           | SP                  | N     |   |
| Library  | N                      | N               | Y                 | Y                 | Y                 | Y                 | Y                  | Y           | N                   | N     |   |
| Minor Utility Facility                               | N                      | N               | SP                | SP                | SP                | SP                | SP                 | N           | N                   | N     |   |
| Major Utility Facility                               | N                      | N               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     |   |
| Museum   | N                      | N               | Y                 | Y                 | Y                 | Y                 | Y                  | Y           | N                   | N     |   |
| Private Non-Profit Club or Lodge                     | SP                     | SP              | SP                | SP                | SP                | SP                | SP                 | SP          | SP                  | N     |   |
| <b>COMMERCIAL SERVICES</b>                           |                        |                 |                   |                   |                   |                   |                    |             |                     |       |   |
| Animal Services (as noted below)                     | --                     | --              | --                | --                | --                | --                | --                 | --          | --                  | --    |   |
| Pet Grooming   | N                      | N               | Y                 | Y                 | Y                 | Y                 | Y                  | N           | N                   | N     |   |
| Pet Training, Care, or Shelter                       | N                      | N               | N                 | N                 | N                 | N                 | N                  | N           | Y                   | N     |   |
| Veterinarian   | N                      | N               | SP                | SP                | SP                | SP                | SP                 | N           | SP                  | N     |   |
| Assembly & Entertainment                             | N                      | N               | SP                | SP                | SP                | SP                | SP                 | N           | SP                  | N     |   |
| Banking & Financial Services (except as noted below) | N                      | N               | Y                 | Y                 | Y                 | Y                 | Y                  | N           | Y                   | N     |   |
| Personal Credit                                      | N                      | N               | SP                | SP                | SP                | SP                | SP                 | N           | SP                  | N     |   |
| Broadcast and/or Recording Studio                    | N                      | N               | Y                 | Y                 | Y                 | Y                 | Y                  | Y           | Y                   | N     |   |
| Building & Home Repair Services                      | N                      | N               | SP                | SP                | SP                | SP                | SP                 | N           | SP                  | N     |   |

**TABLE 5.1** Principal Uses

|  | Neighborhood Residence | Urban Residence | 3-Story Mixed-Use | 4-Story Mixed-Use | 5-Story Mixed-Use | 7-Story Mixed-Use | 10-Story Mixed-Use | Fabrication | Commercial Industry | Civic | Use Specific Regulations and/or Performance Standards |
|--|------------------------|-----------------|-------------------|-------------------|-------------------|-------------------|--------------------|-------------|---------------------|-------|---|
| <b>COMMERCIAL SERVICES (CONT.)</b>         |                        |                 |                   |                   |                   |                   |                    |             |                     |       |   |
| Business Support Services                  | N                      | N               | Y                 | Y                 | Y                 | Y                 | Y                  | N           | Y                   | N     |   |
| Caterer/Wholesale Food Production          | N                      | N               | SP                | SP                | SP                | SP                | SP                 | Y           | Y                   | N     |   |
| Day Care Service (as noted below)          | --                     | --              | --                | --                | --                | --                | --                 | --          | --                  | --    |   |
| Adult Day Care Center                      | N                      | N               | L                 | L                 | L                 | L                 | L                  | N           | L                   | N     | per MGL Ch 40a  |
| Child Day Care Center                      | N                      | N               | Y                 | Y                 | Y                 | Y                 | Y                  | Y           | Y                   | N     |   |
| Maintenance & Repair of Consumer Goods     | N                      | N               | Y                 | Y                 | Y                 | Y                 | Y                  | N           | N                   | N     |   |
| Personal Services (except as noted below)  | N                      | N               | Y                 | Y                 | Y                 | Y                 | Y                  | Y           | Y                   | N     |   |
| Body-Art Establishment                     | N                      | N               | N                 | SP                | SP                | SP                | SP                 | Y           | N                   | N     |   |
| Gym or Health Club                         | N                      | N               | Y                 | Y                 | Y                 | Y                 | Y                  | N           | N                   | N     |   |
| Funeral Home                               | N                      | N               | SP                | SP                | SP                | SP                | SP                 | N           | N                   | N     |   |
| Health Care Provider                       | N                      | N               | SP                | SP                | SP                | SP                | SP                 | N           | N                   | N     |   |
| Recreation Facility                        | N                      | N               | SP                | SP                | SP                | SP                | SP                 | N           | Y                   | Y     |   |
| <b>EATING AND DRINKING</b>                 |                        |                 |                   |                   |                   |                   |                    |             |                     |       |   |
| Bar or Tavern                              | N                      | N               | SP                | SP                | SP                | SP                | SP                 | N           | SP                  | N     |   |
| Restaurant, Café, Bakery                   | N                      | N               | Y                 | Y                 | Y                 | Y                 | Y                  | N           | Y                   | N     |   |
| Formula Eating & Drinking Establishment    | N                      | N               | SP                | SP                | SP                | SP                | SP                 | N           | SP                  | N     |   |
| <b>INDUSTRIAL</b>                          |                        |                 |                   |                   |                   |                   |                    |             |                     |       |   |
| Commercial Dry Cleaning & Laundry Services | N                      | N               | N                 | N                 | N                 | N                 | N                  | N           | Y                   | N     |   |
| Data Center                                | N                      | N               | N                 | N                 | N                 | N                 | N                  | N           | SP                  | N     |   |
| Industrial Manufacturing Facility          | N                      | N               | N                 | N                 | N                 | N                 | N                  | N           | Y                   | N     |   |
| Moving and/or Self Storage                 | N                      | N               | N                 | N                 | N                 | N                 | N                  | N           | SP                  | N     |   |
| Recycling Collection                       | N                      | N               | N                 | N                 | N                 | N                 | N                  | N           | SP                  | N     |   |
| Salvage Yard                               | N                      | N               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     |   |
| Trucking and Transportation Depot          | N                      | N               | N                 | N                 | N                 | N                 | N                  | N           | SP                  | N     |   |
| Wholesale Trade & Distribution             | N                      | N               | N                 | N                 | N                 | N                 | N                  | N           | L                   | N     |   |
| <b>LODGING</b>                             |                        |                 |                   |                   |                   |                   |                    |             |                     |       |   |
| Bed & Breakfast                            | SP                     | SP              | SP                | SP                | SP                | SP                | SP                 | N           | N                   | N     |   |
| Hotel                                      | N                      | N               | SP                | SP                | Y                 | Y                 | Y                  | N           | SP                  | N     |   |
| Short Term Rental of a Dwelling Unit       | L                      | N               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     |   |
| <b>OFFICE</b>                              |                        |                 |                   |                   |                   |                   |                    |             |                     |       |   |
| Co-Working                                 | N                      | N               | Y                 | Y                 | Y                 | Y                 | Y                  | Y           | Y                   | N     |   |
| General Office                             | N                      | N               | L                 | L                 | L                 | L                 | L                  | N           | L                   | N     |   |
| Research and Development and/or Laboratory | N                      | N               | L                 | L                 | L                 | L                 | L                  | N           | L                   | N     |   |
| <b>RESIDENTIAL</b>                         |                        |                 |                   |                   |                   |                   |                    |             |                     |       |   |
| Household Living                           | Y                      | Y               | Y                 | Y                 | Y                 | Y                 | Y                  | N           | N                   | N     |   |
| Group Living (except as noted below)       | SP                     | SP              | SP                | SP                | SP                | SP                | SP                 | N           | N                   | N     |   |
| Community or Group Residence               | Y                      | Y               | Y                 | Y                 | Y                 | Y                 | Y                  | N           | N                   | N     |   |

**TABLE 5.1** Principal Uses

|  | Neighborhood Residence | Urban Residence | 3-Story Mixed-Use | 4-Story Mixed-Use | 5-Story Mixed-Use | 7-Story Mixed-Use | 10-Story Mixed-Use | Fabrication | Commercial Industry | Civic | Use Specific Regulations and/or Performance Standards |
|--|------------------------|-----------------|-------------------|-------------------|-------------------|-------------------|--------------------|-------------|---------------------|-------|---|
| <b>RESIDENTIAL (CONT.)</b>             |                        |                 |                   |                   |                   |                   |                    |             |                     |       |   |
| Dormitory, Fraternity or Sorority      | N                      | N               | SP                | SP                | SP                | SP                | SP                 | N           | N                   | N     |   |
| Homeless Shelter                       | N                      | N               | SP                | SP                | SP                | SP                | SP                 | N           | N                   | N     |   |
| Nursing Home/Assisted Living Facility  | N                      | SP              | SP                | SP                | SP                | SP                | SP                 | N           | N                   | N     |   |
| Single Room Occupancy Housing          | N                      | SP              | SP                | SP                | SP                | SP                | SP                 | N           | N                   | N     |   |
| <b>RETAIL SALES</b>                    |                        |                 |                   |                   |                   |                   |                    |             |                     |       |   |
| Building/Home Supplies & Equipment     | N                      | N               | SP                | SP                | SP                | SP                | SP                 | N           | Y                   | N     |   |
| Consumer Goods (except as noted below) | L                      | L               | L                 | L                 | L                 | L                 | L                  | N           | L                   | N     |   |
| Drug Paraphernalia Store               | N                      | N               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     |   |
| Firearms                               | N                      | N               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     |   |
| Packaged Liquor                        | N                      | N               | SP                | SP                | SP                | SP                | SP                 | N           | N                   | N     |   |
| Medical Marijuana                      | N                      | N               | SP                | SP                | SP                | SP                | SP                 | N           | N                   | N     |   |
| Pet Store                              | N                      | N               | SP                | SP                | SP                | SP                | SP                 | N           | SP                  | N     |   |
| Formula Retail                         | N                      | N               | SP                | SP                | SP                | SP                | SP                 | N           | SP                  | N     |   |
| Fresh Food Market and/or Grocery Store | L                      | L               | Y                 | Y                 | Y                 | Y                 | Y                  | N           | SP                  | N     |   |
| Farm/Vendor Market                     | N                      | N               | Y                 | Y                 | Y                 | Y                 | Y                  | N           | Y                   | N     |   |
| <b>URBAN AGRICULTURE</b>               |                        |                 |                   |                   |                   |                   |                    |             |                     |       |   |
| Farming (as noted below)               | --                     | --              | --                | --                | --                | --                | --                 | --          | --                  | --    |   |
| Commercial Farm                        | N                      | N               | Y                 | Y                 | Y                 | Y                 | Y                  | N           | N                   | N     |   |
| Community Farm                         | Y                      | Y               | Y                 | Y                 | Y                 | Y                 | Y                  | Y           | Y                   | N     |   |
| Community Gardening                    | Y                      | Y               | Y                 | Y                 | Y                 | Y                 | Y                  | Y           | Y                   | N     |   |

**Table X.** Accessory Uses

|                                    | Use Specific Regulations<br>and/or Performance Standards |                 |                   |                   |                   |                   |                    |             |                     |       |
|------------------------------------|--|-----------------|-------------------|-------------------|-------------------|-------------------|--------------------|-------------|---------------------|-------|
|                                    | Neighborhood Residence                                   | Urban Residence | 3-Story Mixed-Use | 4-Story Mixed-Use | 5-Story Mixed-Use | 7-Story Mixed-Use | 10-Story Mixed-Use | Fabrication | Commercial Industry | Civic |
| <b>HOME OCCUPATIONS</b>            |  |                 |                   |                   |                   |                   |                    |             |                     |       |
| Creative Studio                    | Y  | Y               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     |
| Family Day Care                    | L  | L               | L                 | L                 | L                 | L                 | L                  | N           | N                   | N     |
| Hobby Kennel                       | SP   | N               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     |
| Home-Based Business                | L  | L               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     |
| Home Office                        | L  | L               | L                 | L                 | L                 | L                 | L                  | N           | N                   | N     |
| <b>ACCESSORY LODGING</b>           |  |                 |                   |                   |                   |                   |                    |             |                     |       |
| Tourist Home                       | Y  | Y               | Y                 | Y                 | Y                 | Y                 | Y                  | N           | N                   | N     |
| <b>URBAN AGRICULTURE</b>           |  |                 |                   |                   |                   |                   |                    |             |                     |       |
| Apiculture                         | L  | L               | L                 | L                 | L                 | L                 | L                  | N           | N                   | N     |
| Aviculture                         | L  | L               | L                 | L                 | L                 | L                 | L                  | N           | N                   | N     |
| Commercial Farming                 | L  | L               | L                 | L                 | L                 | L                 | L                  | N           | N                   | N     |
| Residential Gardening              | L  | L               | L                 | L                 | L                 | L                 | L                  | N           | N                   | N     |
| <b>ACCESSORY VEHICULAR PARKING</b> |  |                 |                   |                   |                   |                   |                    |             |                     |       |
| Accessory Parking                  | Y  | Y               | Y                 | Y                 | Y                 | Y                 | Y                  | Y           | Y                   | Y     |
| Bike-Share                         | SP   | SP              | L                 | L                 | L                 | L                 | L                  | L           | L                   | L     |
| Car Share Parking (as noted below) | --   | --              | --                | --                | --                | --                | --                 | --          | --                  | --    |
| Up to three (3) spaces             | N  | SP              | Y                 | Y                 | Y                 | Y                 | Y                  | Y           | Y                   | Y     |
| Four (4) or more spaces            | N  | SP              | SP                | SP                | SP                | SP                | SP                 | SP          | SP                  | SP    |
| Business Vehicle Parking           | L  | L               | SP                | SP                | SP                | SP                | SP                 | N           | N                   | N     |
| <b>ACCESSORY RESIDENTIAL</b>       |  |                 |                   |                   |                   |                   |                    |             |                     |       |
| Secondary Dwelling Unit            | SP   | SP              | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     |

Y - By-Right  
 SP - Special Permit  
 N - NOT Permitted

# ARTICLE 6: DEVELOPMENT STANDARDS

|  |            |                               |            |
|--|------------|-------------------------------|------------|
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## A. GENERAL

### 1. APPLICABILITY

- a. This Article contains general development standards that are not unique to any standard or special districts and applicable to all real property as indicated on Table 6.1.
  - i. Sections identified with a "F" are applicable to the full site or property.
  - ii. Sections identified with a "P" are applicable only to the portion of the site or property affected by the new construction, change in use, expansion of floor space or parking, sign installation, or facade improvement.

**TABLE 6.1** General Development Standards

|                                 | New Construction | Change in Use | Expansion of Floor Space | Parking Lot Development | Sign Installation | Facade Improvement | Site Improvements | Cross Reference |
|---------------------------------|------------------|---------------|--------------------------|-------------------------|-------------------|--------------------|-------------------|-----------------|
| <b>F -</b> Full                 |                  |               |                          |                         |                   |                    |                   |                 |
| <b>P -</b> Proportional         |                  |               |                          |                         |                   |                    |                   |                 |
| Accessory Structures            | F                | --            | --                       | --                      | --                | --                 | P                 |                 |
| Landscaping & Tree Preservation | F                | --            | F                        | F                       | --                | P                  | F                 |                 |
| Parking Lots                    | F                | --            | --                       | F                       | --                | --                 | F                 |                 |
| Street Trees                    | F                | --            | --                       | F                       | --                | P                  | P                 |                 |
| Fences & Walls                  | F                | P             | P                        | P                       | --                | --                 | P                 |                 |
| Screening                       | F                | --            | P                        | F                       | --                | P                  | P                 |                 |
| Buffer Yards                    | F                | --            | P                        | F                       | --                | --                 | P                 |                 |
| Mechanical Equipment            | F                | --            | P                        | F                       | --                | P                  | P                 |                 |
| Signs                           | F                | F             | P                        | --                      | F                 | F                  | F                 |                 |
| Outdoor Lighting                | F                | P             | P                        | F                       | P                 | P                  | P                 |                 |
| Outdoor Display & Storage       | F                | --            | F                        | F                       | P                 | F                  | F                 |                 |

## B. ACCESSORY STRUCTURES

### 1. GENERAL

- a. Unless otherwise expressly stated in this Ordinance, accessory structures are permitted in conjunction with permitted principal building types.
- b. Accessory structures may not be constructed prior to the following:
  - i. construction of a principal building type; or
  - ii. issuance of a special permit for an accessory use, as applicable.
- c. The Building Official shall determine when a structure is accessory to the principal building of a lot. To determine that a structure is accessory, the Building Official must find that the structure:
  - i. is customarily found in association with a permitted accessory use;
  - ii. is clearly incidental and subordinate to the principal building in terms of area, size, function, and location; and
  - iii. is operated and maintained under the same ownership and on the same site as the principal building.
- d. Unless otherwise specified, accessory structures are permitted to encroach any side or rear setback, provided that at least two (3) feet is maintained from the vertical plane of any lot line.
- e. Accessory structures are not permitted to encroach any

**Table X.** Accessory Structures Permitted by District

|  | Neighborhood Residence | Urban Residence | 3-Story Mixed-Use | 4-Story Mixed-Use | 5-Story Mixed-Use | 7-Story Mixed-Use | 10-Story Mixed-Use | Fabrication | Commercial Industry | Civic | Use Specific Standards |
|--|------------------------|-----------------|-------------------|-------------------|-------------------|-------------------|--------------------|-------------|---------------------|-------|------------------------|
| <b>Y</b> - by Right<br><b>L</b> - by Right with Limitations<br><b>SP</b> - by Special Permit<br><b>N</b> - NOT Permitted |                        |                 |                   |                   |                   |                   |                    |             |                     |       |                        |
| Amateur Radio Equipment  | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | L     |                        |
| Apiary   | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | L     |                        |
| Arbor  | P                      | P               | P                 | P                 | P                 | P                 | P                  | P           | P                   | P     |                        |
| Carport  | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | L     |                        |
| Chicken Coop (Hen House)   | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | L     |                        |
| Cold Frame   | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | L     |                        |
| Compost Bin  | P                      | P               | P                 | P                 | P                 | P                 | P                  | P           | P                   | P     |                        |
| Construction Trailer or Office   | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | L     |                        |
| Donation Box   |                        |                 |                   |                   |                   |                   |                    |             |                     |       |                        |
| Farm Stand   | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | L     |                        |
| Garage (Private)   | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | L     |                        |
| Gazebo   | P                      | P               | P                 | P                 | P                 | P                 | P                  | P           | P                   | P     |                        |
| Greenhouse   | P                      | P               | P                 | P                 | P                 | P                 | P                  | P           | P                   | P     |                        |
| Hoop House   | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | L     |                        |
| Market Stand   |                        |                 |                   |                   |                   |                   |                    |             |                     |       |                        |
| Pergola  | P                      | P               | P                 | P                 | P                 | P                 | P                  | P           | P                   | P     |                        |
| Pool or Hot Tub  | L                      | L               | L                 | L                 | L                 | L                 | L                  | N           | N                   | L     |                        |
| Real Estate Sales Trailer or Office  | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | L     |                        |
| Satellite Dish   | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | L     |                        |
| Shed   | P                      | P               | P                 | P                 | P                 | P                 | P                  | P           | P                   | P     |                        |
| Solar Collector  | P                      | P               | P                 | P                 | P                 | P                 | P                  | P           | P                   | P     |                        |
| Temporary Shelter  | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | L     |                        |
| Trellis  | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | L     |                        |
| Workshop or Playhouse  | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | L     |                        |

front lot line.

## 2. ACCESSORY STRUCTURES

- a. Amateur Radio Equipment  
Antennas located on ground-mounted towers and roof-mounted support structures used to broadcast an amateur (ham) radio station licensed by the Federal Communications Commission (FCC). The following standards apply:
  - i. Ground-mounted towers are permitted only in the rear yard and must be located a minimum of ten feet from any lot line and any overhead electric distribution or transmission lines. The tower must be fully enclosed by a fence or wall of at least four feet in height.
  - ii. Ground-mounted towers may not exceed thirty-five (35) feet, measured from the base of the supporting tower to its tallest point.
  - iii. A roof-mounted antenna, when fully extended, is limited to a maximum height of ten feet above the height of the structure to which it is mounted.
  - iv. No more than one antenna, whether ground-mounted or roof-mounted, is permitted per lot.
- b. Apiary  
A structure for the keeping of honeybees. The following standards apply:
  - i. Apiaries and other beekeeping supplies are not permitted within 20 feet of a front lot line.
- c. Arbor  
A structure with an open frame, freestanding or attached to another structure, with horizontal or vertical latticework often used as a support for ornamental vines and/or climbing plants.
- d. Carport  
A covered structure that provides protection to motor vehicles from the elements. The following standards apply:
  - i. A carport must be set back at least 20 feet from any front lot line.
  - ii. Where an improved alley is available, carport access must take place from the alley.
  - iii. A carport is limited to fifteen (15) feet in height and a width and depth of no more than 24 feet.
  - iv. A carport must be setback a minimum of three (3) feet from any side or rear lot line unless constructed of fireproof materials.
- e. Chicken Coop (Hen House)  
A structure for the keeping of chickens, with nest boxes for egg-laying and perches where the birds can sleep. The following standards apply:
  - i. Chicken coops are not permitted within 20 feet of a front lot line.
- f. Cold Frame  
An unheated outdoor structure built close to the ground, typically consisting of, but not limited to, a wooden or concrete frame and a top of grass or clear plastic used for protecting seedlings and plants from cold weather. The following standards apply:
  - i. A cold frame is limited to six and one-half (6.5) feet in height.
  - ii. Any plastic covering of a cold frame must be removed and stored when plant cultivation is not in process.
- g. Compost Bin  
An outdoor container in which garden refuse and other organic waste is deposited in order to produce compost. The following standards apply:
  - i. Compost bins must have a ground gate and pest proof lids.
- h. Construction Trailer or Office  
A temporary structure providing office space for project management at a construction site. The following standards apply:
  - i. Construction trailers and/or offices must comply with the setbacks applicable to principal buildings for the appropriate district.
- i. Donation Box  
A container, usually made of metal, with a one-way drop to allow donation of household items. The following standards apply:
  - i. Containers must be watertight and secured to the ground.
- j. Farm Stand  
A temporary structure for the display and sale of clean, whole, unprocessed produce, eggs, or honey cultivated on site. The following standards apply:
  - i. One (1) farm stand is permitted per lot.
  - ii. Product display & area for retail sales shall not exceed fifty (50) square feet.
  - iii. The farm stand, associated product display, and signage must be stored out of sight when not in use.
- k. Garage (Private)  
A fully-enclosed structure, whether attached to or detached from a principal building, used for the storage of up to two (2) motor vehicles. The following standards apply:
  - i. One (1) garage is permitted per lot.
  - ii. A garage, whether attached or detached, must be set back at least 20 feet from any front lot line.
  - iii. Where an improved alley is provided, garage access must take place from the alley.
  - iv. A garage is limited to fifteen (15) feet in height and a width and depth of no more than 24 feet.
  - v. A garage must be setback a minimum of three (3) feet from any side or rear lot line unless constructed of fireproof materials.
- l. Gazebo  
A detached structure covered by a roof, occasionally enclosed with screening, and intended for outdoor recreational use.
- m. Greenhouse  
A structure, primarily of transparent material, in which temperature and humidity can be controlled for the cultivation or protection of plants or other horticultural products.
- n. Hoop House  
A temporary structure typically made of, but not limited to, piping or other material covered with a translucent material for the purpose of growing food or ornamental crops. The following standards apply:
  - i. A hoop house is limited to six and one-half (6.5) feet in height.
  - ii. The covering of a hoop house must be removed and

- stored when plant cultivation is not in process.
- o. **Market Stand**  
A partially-enclosed structure used for outdoor retail sales.
- p. **Pergola**  
A structure consisting of parallel colonnades supporting an open roof or girders and cross rafters, often shading an outdoor amenity area.
- q. **Pool or Hot Tub**  
A structure filled with water used for recreation or physical therapy. The following standards apply:
  - i. Pools and hot tubs must be setback at least five (5) feet from a side or rear lot line, ten (10) feet from a front lot line, and ten (10) feet from any principal structure in residential use.
  - ii. Uncontrolled access to pools or hot tubs must be prevented using a wall, fence, or other acceptable means.
- r. **Real Estate Trailer or Office**  
A temporary structure providing office space for the sale or rental of real estate at a construction site. The following standards apply:
  - i. Real Estate trailers and/or offices must comply with the setbacks applicable to principal buildings for the appropriate district.
- s. **Satellite Dish**  
A dish antenna for transmitting signals to a receiver or receiving station or for receiving television, radio, data, communication, or other signals from other antennas, satellites, or services. Small satellite dish antennas are one meter or less in diameter and large satellite dish antennas exceed one meter in diameter. The following standards apply:
  - i. Satellite dish antennas must be permanently installed as building-mounted or ground-mounted structures and must not be portable or movable.
  - ii. Building-mounted satellite dishes may not be installed on any facade unless such placement is required for reception of an acceptable signal, according to a written statement from a licensed, authorized installer on company letterhead that includes the installer's signature.
  - iii. Large satellite dish antennas are permitted only in rear yards, and must be set back from all lot lines a distance that is at least equal to the height of the dish, or five feet, whichever is less. Roof-mounted large satellite dish antennas must be located a minimum of five feet from any roof edge.
- t. **Shed**  
A roofed structure used as a storage space. The following standards apply:
  - i. Sheds larger than one hundred and twenty (120) square feet and fifteen (15) feet in height are prohibited.
- u. **Solar Collector**  
Any of a variety of structures designed to absorb solar radiation for the purpose of heating water or buildings or the producing electricity.
- v. **Temporary Shelter**  
A trailer or mobile structure used as the residence of a dwelling unit. The following standards apply:
  - i. Use is restricted to up to twelve (12) consecutive months during the rebuild of a principal building after a fire or catastrophe.
- w. **Trellis**  
A framework of latticework that is at least 50% open, typically made of bars of wood or metal crossed over each other, and chiefly used as a support for vines, fruit trees, or climbing plants. The following standards apply:
  - i. A trellis is limited to a maximum height of eight (8) feet.
- x. **Workshop or Playhouse**  
A fully enclosed structure, whether attached or detached from a principal building, used for a home occupation or as a playroom for children. The following standards apply:
  - i. One (1) workshop or playhouse is permitted per lot.
  - ii. A workshop or playhouse, whether attached or detached, must be set back at least 20 feet from any front lot line.
  - iii. A workshop or playhouse is limited to fifteen (15) feet in height and a width and depth of no more than 24 feet.
  - iv. A workshop or playhouse must be setback a minimum of three (3) feet from any side or rear lot line unless constructed of fireproof materials.
  - v. Use of a workshop or playhouse for sleeping purposes is prohibited.

## C. WIRELESS COMMUNICATION STRUCTURES

### 1. PURPOSE

- a. To facilitate effective and efficient telecommunication services throughout the city.
- b. To encourage the co-location and joint use of new and existing wireless communication towers and wireless communication antenna locations.
- c. To minimize the total number of towers throughout the community.
- d. To encourage the mounting of antennas to existing structures.
- e. To ensure towers and antennas are configured in a way that minimizes adverse visual impacts and reduces the impact of telecommunications structures on public health and safety.
- f. To avoid potential damage to adjacent properties from tower and antenna failure.

### 2. APPLICABILITY

- a. This section regulates all wireless communication towers, wireless communication antennas, and ancillary structures consistent with Sections 253 and 332(c)(7) of the Communications Act of 1934, as amended, and section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012.

### 3. DEVELOPMENT REVIEW

- a. The expansion of eligible facilities below the thresholds of Section 6409(a) of the Middle Class Tax Relief Act of 2012 requires the following:
  - i. A pre-submittal meeting according to the provisions of §11.B.1. Pre-Submittal Meeting.
  - ii. A zoning permit according to the provisions of §11.C.1. Zoning Permit.
- b. The development, modification, or renovation of a wireless communication tower, wireless communication antenna, or ancillary structure requires a special permit according to the provisions of §11.D.1. Special Permit.
- c. The Zoning Board of Appeals is the review board for all Special Permit applications required for wireless communication towers, wireless communication antennas, and their ancillary structures.
- d. Applicants must submit a rendering or computer-simulated photograph illustrating the view of any proposed wireless communications tower or antenna from at least three (3) prominent locations along the surrounding public thoroughfares.
- e. In its discretion to approve or deny a Special Permit authorizing a wireless communication tower, wireless communication antenna, and any ancillary structure, the review board shall consider the following:
  - i. Suitability of nearby, existing sites and/or the feasibility of alternative technologies.
  - ii. Height and design of proposed tower or antenna, with particular concern for design solutions that reduce or eliminate visual impact.
  - iii. Compatibility with the uses associated with surrounding properties and proximity of the proposed tower or antenna to properties in residential use.
  - iv. Topography, on-site vegetation, and the prominence

of proposed facility.

- v. Proposed ingress and egress for maintenance.

### 4. WIRELESS COMMUNICATION TOWERS

- a. Wireless communication towers approved according to the provisions of this section may be built prior to or independent of any principal building type on a lot.
- b. Development Standards
  - i. Wireless communication towers are not permitted to exceed the tallest building type permitted for the district where they are located.
  - ii. Lighting is prohibited, except as required by the Federal Aviation Administration.
  - iii. Signs are prohibited, except as follows:
    - a). signs required by the FAA, FCC, or other applicable authority;
    - b). no trespassing signs or other notifications that alert the public to potential safety concerns; or
    - c). a nameplate or sign identifying the name and phone number of the owner or operator.
  - iv. Wireless communication towers must be setback from any property line a distance equal to their height.

### 5. WIRELESS COMMUNICATION ANTENNAS

- a. Development Standards
  - i. Roof mounted antennas:
    - a). are not permitted to exceed ten (10) feet in height;
    - b). must be setback at least ten (10) feet from the edge of the roof; and
    - c). are not permitted to project above a plane inclined at a forty-five degree (45°) angle from vertical, beginning at edge of the roof.
  - ii. Wall or tower mounted antennas:
    - a). must be flush-mounted below any roof line of the structure they are attached to,
    - b). must be at least forty (40) feet above the average grade of the lot, measured from the ground to the base of the antenna; and
    - c). must be painted or otherwise screened in a way to match the colors or simulate the materials of the building or tower on which they are mounted.
  - iii. Lighting is prohibited, except as required by the Federal Aviation Administration.
  - iv. Signs are prohibited, except as follows:
    - a). signs required by the FAA, FCC, or other applicable authority;
    - b). no trespassing signs or other notifications that alert the public to potential safety concerns; or
    - c). a nameplate or sign identifying the name and phone number of the owner or operator.

### 6. ANCILLARY STRUCTURES

- a. Structures serving or being used in conjunction with a wireless communication tower or antenna are considered ancillary. Examples include utility or transmission equipment storage sheds or cabinets.
- b. An ancillary structure for wireless communications does not require separate development review when installed in conjunction with an approved wireless communication

- tower or antenna.
- c. Any buildings, cabinets, or shelters may house only equipment and supplies for operation of the wireless communication tower or antenna.
- d. Any equipment not used in direct support of such operation must not be stored on the site.
- e. The structure must be un-staffed.
- f. Signs are prohibited, except as follows:
  - i. signs required by the FAA, FCC, or other applicable authority;
  - ii. no trespassing signs or other notifications that alert the public to potential safety concerns; or
  - iii. a nameplate or sign identifying the name and phone number of the owner or operator.

## 7. DESIGN GUIDELINES

- a. Towers should only be used in circumstances where no alternative building-mounted options are available.
- b. Towers facilities should be designed to structurally accommodate the maximum number of foreseeable users.
- c. Towers and antennas should be located as follows:
  - i. on properties owned or managed by the City of Somerville or the Somerville Housing Authority;
  - ii. on properties located in the fabrication, commercial industry, or any mixed-use district;
- d. When antennas for multiple service providers are located on a single site, the antennas should be co-located to reduce visual impact.
- e. Antennas should be interior-mounted so that they are concealed from public view (e.g., inside church steeples, cupolas, bell-towers, or penthouses), or side-mounting onto existing structures in the least obtrusive location feasible, preferably with limited visibility from abutting streets.
- f. Where existing antennas have been installed in stealth enclosures, new equipment should be installed in stealth enclosures designed to match those already on the site.
- g. Locations should be chosen with a sensitivity to the surrounding topography and predominant view corridors.
- h. Antenna technology should be chosen to minimize the visual effect of “massing” panels on a rooftop.
- i. To every extent possible, new co-located equipment should meet the same conditions applied to any original special permit authorizing the wireless communication tower or antenna on the site.
- j. Existing on-site vegetation should be preserved to the maximum extent practical.
- k. All network interconnections from the communications site should be via underground lines.

## 8. ABANDONMENT

- a. If the owner of any wireless communications tower or antenna communicates an intent to discontinue use or if any tower or antenna is not operated for a continuous period of twelve (12) months, the tower or antenna, and any ancillary structures and equipment must be removed by the owner of the tower or antenna within ninety (90) days.

## D. LANDSCAPING & TREE PRESERVATION

### 1. PURPOSE

- a. To protect and expand the city's mature tree canopy.
- b. To enhance the visual character of the city and its neighborhoods.
- c. To improve air quality, mitigate vehicular air pollutant emissions, and reduce greenhouse gases in the atmosphere.
- d. To reduce heat island impacts of excessively paved sites, promote temperature regulation of local micro-climate, and provide seasonal shade to reduce energy used in buildings.
- e. To restore the environmental quality of soils and land disrupted as a result of construction or site grading.
- f. To improve site permeability and reduce storm water runoff, erosion of the landscape, and sedimentation of municipal infrastructure and regional waterways.
- g. To reduce ambient noise levels and diminish the potential noise impacts between adjacent zoning districts.

### 2. LANDSCAPE DESIGN

- a. Landscape should consist primarily of native species requiring minimal irrigation, fertilization, and maintenance. Plantings must be cold hardy, drought tolerant, and able to survive on natural rainfall once established with no loss of health.
- b. Planting areas must have uncompacted coarse loam that is a minimum of 12 inches deep. Soils must be appreciably free of gravel, stones, rubble, or trash. All compacted soil, contaminated soil, or road base fill must be removed.
- c. The spacing and placement of plants must be adequate and appropriate for the typical size, shape, and habit of the plant species at maturity.
- d. A minimum of two (2) kinds of landscape cover is required, including but not limited to trees, shrubs, permeable and pervious pavers, and turf grass.
- e. A minimum of one (1) **canopy tree** is required for each one thousand (1,000) square feet of landscaped lot area, or portion thereof, for lots in the Neighborhood Residence (NR) and Urban Residence (UR) districts.
- f. Proposed trees shall be a minimum height of ten (10) feet or three (3) inches in caliper.
- g. Bare and exposed ground on a site and/or in required landscaped areas must be stabilized and maintained with turf grass, ground cover, or mulch to prevent soil erosion and allow water infiltration, with the exception of the following:
  - i. Land area dedicated to urban agricultural activities, as permitted;
  - ii. Trails;
  - iii. Naturally occurring stream beds, rock outcroppings, and similar features typically lacking in vegetation; and
  - iv. Clay or sand surfaces associated with recreation fields and facilities.
- h. Constructed water features such as fountains and ponds that operate with water recirculation systems must be designed to prevent seepage and leaks.
- i. Restrictions

- i. Ground vegetation or shrub plantings with spines, thorns, or needles that may present hazards to pedestrians or cyclists are prohibited from within two (2) feet of any front lot line.
- ii. Nothing but ground cover less than six (6) inches in height may be planted or installed within any underground or overhead utility or drainage easement without consent of the utility provider or easement holder and the City of Somerville.
- iii. Nothing but ground cover less than six (6) inches in height may be planted or installed within three (3) feet of any fire protection system.
- iv. Artificial plants and artificial turf are prohibited, excluding active recreation sports fields that are subject to intense use and soil compaction that prohibits the establishment of turf grass, and where paving or grass paving systems will not suffice given the area's purpose and level of use.

### 3. TREE PRESERVATION

- a. Preservation of existing, on-site trees and other vegetation is the preferred means for landscaping. Mature, healthy canopy trees and vegetation may be used to fulfill landscape requirements of this Section according to the following:
  - i. Existing trees may be counted as required trees provided that:
    - a). The tree is at least four (4) inches in diameter at breast height; and
    - b). The tree is determined to be in good health and not damaged, diseased, or a threat to public health or safety.
  - ii. Invasive plant species to the State of Massachusetts must be removed from the site.
- b. Preservation of any on-site existing tree located within a front, side, or rear setback area of a lot is required as a condition of any demolition permit or special permit to alter a nonconforming structure, **except as specified in Article 11. Nonconformance**, provided that:
  - i. The tree is at least four (4) inches in diameter at breast height; and
  - ii. The tree is determined to be in good health and not damaged, diseased, or a threat to public health or safety.
  - iii. In cases of accidental damage to a tree during construction activities, the damaged tree must be replaced with trees equal to two (2) times the caliper of the tree lost.
- c. The root area of earth under the dripline of the canopy of any preserved tree must remain uncleared and undisturbed and the tree must be protected from damage that would undermine its long term health and quality throughout the course of demolition or construction.
  - i. A temporary construction fence must be installed and maintained to protect the root area of earth under the dripline of the tree's canopy.
  - ii. Storage of construction materials is prohibited on the root area of earth under the dripline of the tree's canopy.

### 4. VEGETATIVE BUFFERS



- a. Lots within any zoning district other than the NR or UR districts that share a side lot line or rear lot line with a lot in the NR or UR district must be screened by a vegetation buffer for 100% of the length of the shared lot line.
- b. Vegetation buffers must be a minimum of four (4) feet in depth from the side or rear lot line and planted with a minimum of three (3) trees and thirty (30) small shrubs per one hundred (100) feet of lot line.
- c. All vegetation buffer landscape plantings are subject to the provisions of §6.D. Landscaping & Tree Preservation.
- d. Fences and walls installed are subject to the provisions of §6.E. Fences & Walls.
- e. Preexisting, substantially equivalent vegetation that is preserved within the buffer yard may substitute for any required buffer yard landscape plantings provided that the preexisting vegetation is healthy and growing.

## 5. STREET TREES

- a. A minimum of one street tree must be installed within the furnishing zone of the abutting public thoroughfare for every thirty (30) linear feet of lot frontage, or fraction thereof.
- b. Street trees must be installed according to the provisions of §8.X. Street Trees.
- c. The Building Official may exempt applicants from the requirement of §6.C.5.b when:
  - i. The minimum number of required street trees already exist in the furnishing zone of the abutting thoroughfare corresponding to the lots frontage.
  - ii. One or more mature, healthy trees planted on-site in close proximity to the front lot line, with canopy reaching over the abutting thoroughfare, would cause overcrowding of the new street tree.
  - iii. The specific location of an existing curb cut, utility line, transit stop, or other feature conflicts with the proper placement of a street tree.
- d. The Building Official may require street tree installation in alternative locations within the City of Somerville when installation cannot be accommodated within the furnishing zone of the abutting public thoroughfare.

## 6. LANDSCAPE INSTALLATION

- a. All landscape plantings required by this Ordinance must be installed prior to the issuance of a certificate of occupancy by the Building Official. However, when required landscape cannot be installed because of the season of the year, or because of abnormally inclement weather conditions, the Building Official may grant a temporary Certificate of Occupancy, but shall not issue a permanent Certificate of Occupancy, as follows:
  - i. until the provision and completion of all required landscape work has been completed; or
  - ii. upon the applicant providing a bond equal in value the remaining work to be completed.
- b. Plant materials must be installed in accordance with the latest addition of the American Standard for Nursery Stock published by the American Nursery and Landscape Association (ANLA).
- c. Plant materials must be installed in soil of sufficient volume, composition, and nutrient balance to sustain health growth to full maturity.

- d. Landscape areas within six (6) feet of a paved vehicular parking area or roadway of a thoroughfare must be raised or protected by curbing or edging six (6) inches or higher above the finished pavement to protect plantings from traffic, de-icing salts, and snow plowing operations common to the winter season.

## 7. LANDSCAPE MAINTENANCE

- a. It is the responsibility of the property owner(s) or their designated agent(s) to:
  - i. Maintain all landscaping by keeping turf grass lawns mowed and edged; plants properly pruned and disease-free; and planting beds mulched, groomed, and weeded.
  - ii. Trim all hedges, bushes, trees, or other plantings or vegetation to prevent encroachment by growth onto the sidewalk of any public thoroughfare that obstructs use of the sidewalk by pedestrians in any way.
  - iii. Replace any required planting(s) that are significantly damaged, missing, infested, disease-ridden, or dead within one year or by the next planting season, whichever occurs first.



## E. FENCES & WALLS

### 1. FENCES

- a. Fences may be placed up to and along any lot line. Fences installed directly onto a shared side or rear lot line require consent of the abutting property owner.
- b. Fences do not require a Zoning Permit or Building Permit and are erected at the owners risk.
- c. Fence posts or supporting rails must face inward toward the property being fenced.
- d. Interior Lots
  - i. Fences located forward of the maximum front setback or the actual distance a building facade is setback from the front lot line (which ever is less) shall be no more than four (4) feet in height and no more than fifty percent (50%) opaque.
  - ii. Fences located behind the maximum front setback or the actual distance a building facade is setback from the front lot line (which ever is less) greater than six (6) feet in height are prohibited, unless required a screening (see §6.F. Screening).
- e. Corner Lots
  - i. Fences located forward of the maximum front setback or the actual distance a building facade is setback from the front lot line (which ever is less), for both the primary and secondary frontage, shall be no more than four (4) feet in height and no more than fifty percent (50%) opaque.
  - ii. Fences located behind the maximum front setback or the actual distance a building facade is setback from the front lot line (which ever is less) shall be no more than six (6) feet in height.
- f. Architectural Fence Features
  - i. Fence and gate posts that are integrated as architectural features in the design of a fence are permitted up to six and one half (6.5) feet in height for side and rear fences and up to four and one half (4.5) feet for front fences.
- g. Restrictions
  - i. Fences are prohibited within any existing or required drainage or utility easement.
  - ii. Fences within four (4) feet of windows shall be no less than seventy percent (70%) opaque.
  - iii. Barbed wire and concertina wire are prohibited.

### 2. RETAINING WALLS

- a. Any portion of a retaining wall that exists above the ground level of the higher grade shall comply with the requirements for fences (see §6.E.1. Fences above).
- b. When provided, retaining walls located forward of the maximum front setback shall be no more than four (4) feet in height and successive walls shall be built with a minimum horizontal separation distance of four (4) feet. Retaining walls may be built to any height elsewhere on a lot.

## **F. SCREENING**

### **1. SERVICE AREAS**

- a. Trash collection, trash compaction, recycling collection and other similar service areas must be fully enclosed by opaque walls or fences at least seven (7) feet in height with self-closing access doors and constructed of the same materials as the principal building.
- b. Service areas that are fully integrated into a building must be screened with a solid door or gate.

### **2. LOADING AREAS**

- a. Loading areas that are fully integrated into a building must be screened with a solid door or gate.
- b. Bay doors are permitted to be opened only during loading and unloading activities.

### **3. ACCESSORY PARKING LOTS**

- a. Surface parking lots abutting, within 50 feet, or visible from the right-of-way of a public thoroughfare, except alleys, must be screened by a perimeter wall or fence.
- b. Perimeter walls and fences must be no more than four (4) feet in height, no more than fifty percent (50%) opaque, and designed to allow surveillance over and beyond the wall or fence by pedestrians approaching and passing.

### **4. MECHANICAL EQUIPMENT**

- a. Roof-Mounted
  - i. Mechanical equipment and elevator/stairwell penthouses must be screened from ground level view from abutting properties, public thoroughfares (not including an alley), and civic spaces by a parapet wall or other screening structure constructed of the same materials as the principal building.
  - ii. Roof-mounted sustainable energy systems are exempt.
- b. Wall-Mounted
  - i. Mechanical equipment shall not be located on any facade.
  - ii. Mechanical equipment on any surface that is visible from a public thoroughfare (excluding an alley) or civic space shall be screened by landscaping or an opaque screen constructed of the same materials as the principal building.
- c. Ground-Mounted
  - i. Mechanical equipment that is visible from a public thoroughfare (excluding an alley) or civic space shall be screened by landscaping or a wall constructed of the same materials as the principal building.
  - ii. Screening must be of a height equal to or greater than the height of the mechanical equipment being screened.

## G. SIGNS

### 1. PURPOSE

- To provide property owners and tenants reasonable and effective means for identifying street address, business name, goods sold or produced, and services provided to the public.
- To regulate the size, location, and physical design of temporary and permanent signs.
- To preserve the cultural significance of architectural resources for the enjoyment and enrichment of the community.
- To protect against the adverse impacts of sign clutter and excessive and/or confusing signs.
- To promote legibility of the urban environment.

### 2. APPLICABILITY

- Nothing contained in this Section shall be construed as the content-based regulation of sign messages prohibited by the federal or state constitution, statutes, or court decisions.
- Nothing contained in this Section shall be construed to conflict with M.G.L. Chapter 85, Section 8 & 9 or M.G.L. Chapter 93, Sections 29 through 33, as amended.

### 3. DEVELOPMENT REVIEW

- Signs are permitted for non-residential uses according to Table 6.2 Permitted Signs and regulated according to the standards for each type. See §6.G.11. Blade Sign through §6.G.30. Roof / Skyline Sign for more information.
- All signs require a zoning permit according to the provisions of §11.X. Zoning Permit.
- Signs not expressly authorized are prohibited.
- In its discretion to approve or deny a special permit to authorize a ground sign or roof / skyline sign, the review board shall consider the following:
  - Design of the sign as an effective means of communication.
  - Compatibility with the visual character of the surrounding area.
  - Appropriate sizing for the location.
  - The sign is not designed such that it will compel adjacent or competing businesses to request more signs, larger signs, or more technologically advanced signs in order to compete.
  - The sign does not detract from pedestrian and/or traffic safety.
  - The sign minimizes possible adverse effects on nearby public and private property.

**TABLE 6.2** Permitted Signs

|                             | Zoning Districts       |                 |                   |                   |                   |                   |                    |             |                     |       | Type Specific Standards |
|-----------------------------|------------------------|-----------------|-------------------|-------------------|-------------------|-------------------|--------------------|-------------|---------------------|-------|-------------------------|
|                             | Neighborhood Residence | Urban Residence | 3-Story Mixed-Use | 4-Story Mixed-Use | 5-Story Mixed-Use | 7-Story Mixed-Use | 10-Story Mixed-Use | Fabrication | Commercial Industry | Civic |                         |
| Blade Sign                  | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | N     |                         |
| Wall Sign                   | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | N     |                         |
| Awning / Canopy Sign        | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | N     |                         |
| Suspended Sign              | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | N     |                         |
| Sidewalk Sign               | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | N     |                         |
| Window Sign                 | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | N     |                         |
| Display Case                | L                      | L               | L                 | L                 | L                 | L                 | L                  | L           | L                   | N     |                         |
| Yard Sign                   | L                      | L               | N                 | N                 | N                 | N                 | N                  | N           | N                   | N     |                         |
| Ground Sign                 | N                      | N               | SP                | SP                | SP                | SP                | SP                 | SP          | SP                  | N     |                         |
| Vertical Blade/ Banner Sign | N                      | N               | N                 | N                 | SP                | SP                | SP                 | SP          | N                   | N     |                         |
| Wall Mural                  | N                      | N               | L                 | L                 | L                 | L                 | L                  | L           | L                   | N     |                         |
| Roof / Skyline Sign         | N                      | N               | N                 | SP                | SP                | SP                | SP                 | SP          | SP                  | N     |                         |

**Y** - by Right  
**L** - by Right with Limitations  
**SP** - by Special Permit  
**N** - NOT Permitted

#### 4. ADDRESS SIGNS

- a. A sign, individual numerals or letters, or a nonelectrical nameplate identifying the property address is required for all real property as follows:
  - i. Each ground story non-residential use must identify the street address either on the principal entrance door or above or beside the principal entrance of the use.
  - ii. All residential building types must identify the street address either on the principal entrance door, above or beside the principal entrance, or on a mailbox.
- b. Address signs must be made easily visible through the use of colors or materials that contrast with the background material they are attached to and must be conspicuously located to provide visibility from the thoroughfare that the building faces.
- c. Address signs must be twelve (12) inches in height or less and may include the name of the occupant.

#### 5. EXEMPT SIGNS

- a. The following signs are exempt from regulation under this Section:
  - i. A public notice or informational sign required by federal, state, or local law, regulation, or ordinance and any special event, directional, or other sign erected by a government agency or public utility in the performance of public duty;
  - ii. Names of buildings, dates of erection, commemorative tablets and the like when carved into stone, made of cast metal, or other permanent type of material;
  - iii. Credit card, trading stamp, or trade association signs not exceeding one-half (0.5) square feet each and not exceeding ten per establishment;
  - iv. A clock, thermometer, barbershop pole or similar device not part of a permanent sign;
  - v. The flag of any nation, state, or City if displayed in a manner conforming to the Flag Code (4 USC §5 (2011) et seq.);
  - vi. Historic building identification;
  - vii. Holiday signs and/or decorations, yard sale & garage sale signs;
  - viii. Elections signs; and
  - ix. Any sculpture, statue, relief, mosaic, or mural that is a work of art or otherwise decorative and does not include a commercial message or symbol.

#### 6. PROHIBITED SIGNS

- a. The following signs are prohibited:
  - i. Any sign that flashes, moves, blinks, rotates, simulates motion, features electronic sign copy, or has illumination that changes intensity over time;
  - ii. Signs that emit audible sounds, odors, or visible matter;
  - iii. Signs attached to nature or landscape elements, including trees, rocks, and fences;
  - iv. The tacking, posting or otherwise affixing of signs to the exterior walls of buildings and structures;
  - v. Signs that interfere with free passage from or obstructs any fire escape, downspout, window, door, stairways, ladder, or opening intended as a means of ingress or egress or to provide light or air;

- vi. Billboards or signs advertising goods or services not provided on the premises;
- vii. Any sign and/or sign structure that obstructs the view of, is confusing with, or imitates official traffic sign, signal, or device;
- viii. Inflatable signs, such as balloons and other gas inflated objects;
- ix. Sign structures that no longer contain signs;
- x. Signs mounted to motor-vehicles that are not in operation, including motor-vehicles painted or skinned to function as a sign; and
- xi. Outdoor advertising signs that are not compliant with M.G.L. Chapter 93, Section 29-33.

#### 7. TEMPORARY SIGNS

- a. Unless otherwise specified, temporary signs are permitted for a maximum of thirty (30) total days and do not require a zoning permit, but are subject to the following standards:
  - i. Banner: A temporary sign that is printed or displayed upon flexible material with or without frames, that identifies a new business or advertises a special sale, event, or activity.
    - a). One (1) banner sign no greater than forty (40) square feet is permitted per lot frontage.
    - b). Banners must be secured to a building facade along all four sides at all times.
  - ii. Construction Sign: A temporary sign intended to provide information about current construction on a site and the parties involved in the project.
    - a). One (1) construction sign no greater than thirty-two (32) square feet per side is permitted per development site.
    - b). A construction sign may be erected only after issuance of a building permit, and must be removed within two (2) days of issuance of a certificate of occupancy.
  - iii. Real Estate Sign:
    - a). One (1) real estate sign no greater than twelve (12) square feet is permitted per lot frontage.
    - b). A real estate sign that advertises property for lease or sale may be posted only for the duration the property is offered for lease or sale, and must be removed within seven days of lease or closing.

#### 8. SIGN MAINTENANCE

- a. All signs, including nonconforming signs, together with any supports, braces, anchors, and other supporting hardware, must be maintained in good condition. Any damage to or deterioration of a sign must be repaired within 30 days of receipt of notice from the Building Official.
- b. When an existing sign is removed, replaced, or repaired, all supports, braces, anchors, and other supporting hardware that is not longer required must be removed, and any surfaces baring evidence of attachment must be repaired.

#### 9. REMOVAL

- a. Signs must be removed within 30 days of a user vacating a property.

## 10. SIGN ILLUMINATION

- a. Conforming signs may be illuminated according to the following:
  - i. General
    - a). Illuminated signs indicating if a business is open must be turned off except during the hours of operation.
  - ii. External Illumination
    - a). An externally illuminated sign is characterized by the use of artificial light reflected off the surface of a sign.
    - b). External light sources must be shielded so that they illuminate only the face of the sign and do not shine directly onto a public right-of-way or onto adjacent properties.
    - c). Light fixtures that project from the facade of a building for externally illuminated signs are exempt from setback requirements, but should be simple and unobtrusive in design and not obscure the sign content.
  - iii. Internal Illumination
    - a). An internally illuminated sign is characterized by the use of artificial light projecting through or from behind the surface of a sign.
    - b). Channel letters may be internally lit or back-lit.
    - c). Blade signs may be internally lit if the background is opaque or of a darker color than the message of the sign and the lettering is no more than 50% of the surface area of the sign
    - d). Exposed neon is only permitted for wall or windows signs.
  - iv. Raceways
    - a). If a raceway is necessary, it cannot extend in width or height beyond the area of the sign.
    - b). A raceway must be finished to match the background wall or canopy or integrated into the overall design of the sign.

11. BLADE SIGN

A small, two-sided sign that is attached to and projecting perpendicularly from the facade of a building that identifies a commercial establishment. Blade signs are intended to be viewed by pedestrians on the same side of the street.

| SIZE     |                                   |                  |
|----------|-----------------------------------|------------------|
|          | Area (max.)                       | 6 sq. ft. / side |
| A        | Width (max.)                      | 4 feet           |
| A        | Height (max.)                     | 3 feet           |
|          | Thickness (max.)                  | 6 inches         |
| LOCATION |                                   |                  |
| A        | Clear Height over Sidewalk (min.) | 8 feet           |
| A        | Projection from Facade (max.)     | 4 feet           |
|          | Number of Signs                   | 1 per Tenant     |

| STANDARDS |   |
|-----------|---|
| i.        | Blade signs are prohibited for upper story businesses.  |
| ii.       | A blade sign must be located within ten (10) feet of the principal entrance for the business it identifies.   |
| iii.      | A blade sign, including any support hardware, must be mounted below the sills of the second story windows of multi-story buildings or below the roof line, parapet wall, or cornice of a single-story building. |
| iv.       | Any supports, braces, anchors, and other supporting hardware must be integral to the design of the sign.  |

**12. WALL SIGN**

A sign attached flat or mounted parallel to the facade of a building that identifies a commercial establishment. Wall signs are intended to be viewed by pedestrians on the opposite side of street.

**SIZE**

|                           |                      |
|---------------------------|----------------------|
| Area (max.)               | 40 sq. ft.           |
| <b>A</b> Height (min/max) | 12 inches    5 feet  |
| <b>A</b> Width (max.)     | 90 % of facade width |

**LETTERING**

|                               |                      |
|-------------------------------|----------------------|
| <b>A</b> Width (max.)         | 75% of sign width    |
| <b>A</b> Height (max.)        | 75% of sign height   |
| Projection from Facade (max.) | 6 inches             |
| Raceway Height (max.)         | 50% of Letter Height |

**LOCATION**

|                 |                                       |
|-----------------|---------------------------------------|
| Number of Signs | 1 per Tenant<br>(2 per Corner Tenant) |
|-----------------|---------------------------------------|

**STANDARDS**

- i. Wall signs are only permitted for ground story businesses.
- ii. Internal illumination is prohibited.
- iii. Wall signs are prohibited from covering windows or architectural details.
- iv. No portion of a wall sign is permitted to extend above the lower eave line of a building with a pitched roof.
- v. No portion of a wall sign is permitted to extend above the roof line or parapet wall of a flat roofed building.
- vi. No portion of a wall sign is permitted to extend above the cornice or expression line of the base of a building.

**13. AWNING / CANOPY SIGN**

A sign that is painted, screen printed, sewn, or adhered onto the surface of a awning or attached above, below, or to the face of an entry canopy that identifies a commercial establishment. Awning/canopy signs are intended to be viewed by pedestrians on the opposite side of street.

**SIZE**

|                                |   |
|--------------------------------|---|
| Area                           | --  |
| Located on Valance (max.)      | 50% coverage                              |
| Located on Awning Slope (max.) | 25% coverage                              |
| Projecting from Canopy (max.)  | 1 sq. ft. per linear foot of canopy width |

**LETTERING**

|  |           |
|--|-----------|
| Height                                 | --        |
| <b>A</b> Valance (max.)                | 8 inches  |
| <b>A</b> Awning Slope (max.)           | 18 inches |
| <b>A</b> Projecting from Canopy (max.) | 12 inches |

**LOCATION**

|                            |   |
|----------------------------|---|
| Number of Signs per Awning | 2 |
| Number of Signs per Canopy | 1 |

**STANDARDS**

- i. Awning signs are prohibited for upper story awnings.
- ii. Information type is limited to business name, logo and/or address. Additional information is prohibited.
- iii. Sign information is prohibited on the side of awnings.
- iv. Signs are not permitted on awnings or canopies that do not conform to the provisions for each type of building component. See §2.E. Building Components for more information.



14. SUSPENDED SIGN

A small, two-sided sign mounted to the underside of an awning, canopy, or roof of a porch that identifies a commercial establishment. Suspended signs are intended to be viewed by pedestrians at close range on the same side of the street.

SIZE

|   |               |                  |
|---|---------------|------------------|
|   | Area (max.)   | 4 sq. ft. / side |
| A | Width (max.)  | 3 feet           |
| A | Height (max.) | 3 feet           |

LOCATION

|   |   |              |
|---|---|--------------|
| A | Clear Height over Sidewalk/Porch (min.) | 7 feet       |
|   | Number of Signs                         | 1 per Tenant |

STANDARDS

- i. A suspended sign may not extend beyond the edge of the awning or canopy it is mounted below.

16. SIDEWALK SIGN

A portable, two-sided sign that is placed on the sidewalk to identify a commercial establishment or advertise daily specials or sales. Sidewalk signs are intended to be viewed at close range by pedestrians on the same side of the street.

| SIZE     |   | STANDARDS   |   |
|----------|---|---|---|
| A        | Area (max.)                             | 6 sq. ft. / side  | i. One (1) Sidewalk sign is permitted per ground story tenant.  |
| A        | Width (max.)                            | 2 feet  | ii. Sidewalk signs may be placed outdoors on site or on a public sidewalk during business hours and must be removed when the business is closed.  |
| A        | Height (max.)                           | 3 feet  | iii. Sidewalks signs displayed on a public sidewalk are prohibited from encroaching into the walkway of the sidewalk or interfering with pedestrian travel in any way.  |
| LOCATION |   | iv. A sidewalk sign must be vertically oriented, with a height greater than its width and made of wood, metal, or slate (chalkboard). | v. A sidewalk sign is not permitted not be illuminated or contain any electronic components.  |
| A        | Distance from Principal Entrance (max.) | 8 feet  | vi. A sidewalk sign may not be placed outdoors when high winds, heavy rain, or heavy snow conditions are present. The Department Public Works may remove a sidewalk sign during snow removal operations, and is not liable for damage to a sidewalk sign caused by snow removal operations. |
|          | Number of Signs                         | 1 per Tenant  |   |

17. WINDOW SIGN

Individual letters, numerals, or a logo applied directly to the inside of a window or door to identify a commercial establishment. Window signs are intended to be viewed at close range by pedestrians.

SIZE

|   |                                   |        |
|---|-----------------------------------|--------|
| A | Area (max. of total window glass) | 20%    |
| A | Width (max.)                      | 5 feet |
| A | Height (max.)                     | 3 feet |

LETTERING

|   |               |           |
|---|---------------|-----------|
| A | Height (max.) | 18 inches |
|---|---------------|-----------|

LOCATION

|   |                              |              |
|---|------------------------------|--------------|
| A | Height above Sidewalk (min.) | 5 feet       |
|   | Number of Signs              | 1 per Window |

STANDARDS

- i. Windows signs must be applied directly to inside of the windows glass, at or above eye level, and have a transparent background.

19. **DISPLAY CASE**

A wall mounted, lockable, framed cabinet with a transparent window to display a changeable menu or list of event showtimes. Display cases are intended to be viewed at close range by pedestrians.

**SIZE**

|          |               |           |
|----------|---------------|-----------|
| <b>A</b> | Area          | 6 sq. ft. |
| <b>A</b> | Width (max.)  | 3 feet    |
| <b>A</b> | Height (max.) | 3 feet    |

**LOCATION**

|          |                              |              |
|----------|------------------------------|--------------|
| <b>A</b> | Height above Sidewalk (min.) | 4 feet       |
|          | Number of Signs              | 1 per Tenant |

**STANDARDS**

- i. Display cases must be attached to the facade or wall of a recessed storefront entrance.
- ii. Display cases may be internally or externally illuminated.

21.

22. YARD SIGN

A two-sided sign suspended from support hardware and mounted in a front yard between the front lot line and the building facade. Yard signs are intended to be viewed at close range by pedestrians on the same side of the street and motorists.

SIZE

|   |               |                  |
|---|---------------|------------------|
| A | Area (max.)   | 6 sq. ft. / side |
| A | Width (max.)  | 3 feet           |
| A | Height (max.) | 3 feet           |

LOCATION

|   |                                |           |
|---|--------------------------------|-----------|
| A | Clear Height above Yard (min.) | 12 inches |
| A | Overall Height (max.)          | 5 feet    |
|   | Number of Signs                | 1 per Lot |

STANDARDS

- i. Yard signs work well for home based or commercial businesses operating in residential building types in mixed use districts.

24. FREESTANDING SIGN

A sign attached to a pedestal or perimeter wall. Ground signs are intended to be viewed by motorists.

place holder

| SIZE     |                      | STANDARDS      |   |
|----------|----------------------|----------------|---|
| A        | Area (max.)          | 32 sq. ft.     | i. Freestanding signs must be located in close proximity to the principal entrance of the building or to the vehicular entrance to a parking lot. |
| A        | Width (max.)         | 5 feet         | ii.   |
| LOCATION |                      |                |   |
|          | Number of Signs      | 1 per Frontage |   |
|          | Front Setback (min.) | 1 foot         |   |
|          | Side Setback (min.)  | 5 feet         |   |

26. VERTICAL BLADE / BANNER SIGN

A tall, narrow, two-sided sign that is attached to and projecting perpendicularly from the facade of a building that identifies a commercial establishment. Vertical blade/ banner signs are intended to be viewed by pedestrians on the same side of the street and from a distance by motorists.

place holder

| SIZE      |                                   | STANDARDS   |
|-----------|-----------------------------------|---|
| A         | Width (max.)                      |   |
|           | 4 feet                            |   |
| A         | Height (max.)                     |   |
|           | 10 feet                           | i. No portion of the sign may project above the roofline of the façade to which it is attached. |
|           | Thickness (max.)                  |   |
|           | 10 inches                         |   |
| LETTERING |                                   |   |
| A         | Width                             | 75% of Sign Width   |
| LOCATION  |                                   |   |
| A         | Clear Height over Sidewalk (min.) | above 1 <sup>st</sup> Story   |
| A         | Projection from Facade (max.)     | 6 feet  |
|           | Number of Signs                   | 1 per Bay   |

28. WALL MURAL

A sign that is directly painted on to the exterior wall of a building or screen printed, sewn, or adhered onto a canvas-like material that is mounted flush with the facade of a building that identifies a commercial establishment. Wall murals are intended to be viewed by pedestrians and motor vehicles from a distance.

place holder

| SIZE     |                            | STANDARDS      |   |
|----------|----------------------------|----------------|---|
| A        | Area (max.)                | 1000 sq. ft.   | i. Lettering or logos must be limited to no more than twenty percent (20%) of the surface area of the wall mural. |
| A        | Width (max.)               | 50 feet        | ii. Only external illumination is permitted.  |
| A        | Height (max.)              | 50 feet        |   |
| LOCATION |                            |                |   |
| A        | Height above Ground (min.) | 1 Story        |   |
|          | Number of Signs            | 1 per Building |   |



30. ROOF / SKYLINE SIGN

A sign erected on the roof or mounted to the uppermost horizontal architectural band of a building to identify the name of the building or primary tenant. Roof/skyline signs are intended to be viewed by pedestrians and motorists from a distance and serve as an icon for the building.

place holder

| SIZE                             |                      |
|----------------------------------|----------------------|
| A Area (max.)                    | 250 sq. ft.          |
| A Width (max. % of facade width) | 75%                  |
| A Height (max.)                  | 15 feet              |
| Raceway Height (max.)            | 50% of Letter Height |
| LOCATION                         |                      |
| Number of Signs                  | 1 per Building       |

| STANDARDS |   |
|-----------|---|
| i.        | Roof/skyline signs are only permitted on high-rise buildings.   |
| ii.       | No portion of a roof/skyline sign is permitted to extend below the start of highest story of a building or above the roof line, parapet wall, or cornice of the top portion of a facade and is prohibited from covering windows or architectural details. |
| iii.      | Only internal illumination is permitted.  |

## H. OUTDOOR LIGHTING

### 1. PURPOSE

- a. To allow adequate night time lighting that provides safety, utility, and security while prohibiting excessive light trespass beyond property boundaries.
- b. To protect residential areas from the glare and ambient spillover of lighting in adjacent commercial areas.
- c. To protect drivers from the glare caused by lighting on properties that fronting onto public thoroughfares.
- d. To reduce the consumption of electricity for lighting purposes.
- e. To require lighting fixtures and layout patterns that contribute to unified exterior lighting design of development.

### 2. APPLICABILITY

- a. The provisions of this section apply to all outdoor lighting fixtures except for the following:
  - i. Sign lighting (see §6.G. Signs);
  - ii. Holiday lighting;
  - iii. Outdoor lighting used for emergency equipment and work conducted in the interest of law enforcement or for public health, safety, or welfare;
  - iv. Ground mounted pedestrian lighting

### 3. PROHIBITED LIGHTING

- a. Lighting that unnecessarily illuminates and substantially interferes with the use or enjoyment of any other property is prohibited.
- b. The following type of outdoor light fixtures are prohibited:
  - i. Low pressure sodium and all mercury vapor gas-discharge lamps;
  - ii. Cobra-head fixtures having dished or drop lenses or refractors;
  - iii. Searchlights and other high-intensity narrow-beam fixtures; and,
  - iv. Strobe lights and rotating lights.

### 4. GENERAL STANDARDS

- a. Light levels are specified, calculated, and measured in maintained footcandles and are measured at ground level, with the light-reading sensor of a light meter held parallel to the ground, pointed up.
- b. All outdoor light fixtures must be energy efficient and produce at least 80 lumens per watt of energy consumed, as documented by manufacturer's specifications or the results of an independent testing laboratory.
- c. All outdoor light fixtures that emit light in excess of 45,000 lumens are prohibited.
- d. The use of sensors, timers, or other means to activate outdoor light fixtures on demand and only when it is needed is encouraged to conserve energy, provide safety, and promote compatibility between different land uses.
- e. Motion sensor light fixtures must shut off after ten (10) minutes and must not be triggered by off-site activity.

## 5. DESIGN STANDARDS

- a. Shielding
  - i. All outdoor light fixtures must be full cutoff or fully shielded to prevent light at or above horizontal (ninety degrees [90°] above nadir) and limited to a value not exceeding ten percent (10%) of lamp lumens at or above eighty degrees (80°), as defined by the Illuminating Engineering Society of North America (IESNA, or IES).
  - ii. All outdoor light fixtures must be fitted so that no portion of the light source or drop lens is visible below the fixture when viewed directly from the side.
- b. Location
  - i. All outdoor lighting fixtures must be placed and directed to prevent light trespass or glare onto adjacent thoroughfares or properties in a manner that may distract or interfere with the vision of drivers or create a nuisance for adjacent residential uses.
  - ii. Lighting intended to illuminate areas for pedestrian travel and/or seating must be mounted between twelve (12) and fifteen (15) feet in height.
  - iii. Lighting intended to illuminate areas for vehicular travel and parking are not permitted above thirty (30) feet in height.
  - iv. Light fixtures located within fifty (50) feet of the side or rear lot line abutting the Neighborhood Residence are not permitted above fifteen (15) feet in height.
- c. Illuminance
  - i. Light levels measured at the front lot line exceeding two (2.0) foot candles are prohibited.
  - ii. Light levels measured at any side or rear lot line of any property abutting a Neighborhood Residence district exceeding one (1.0) foot candles are prohibited.

## 6. SPECIFIC LIGHTING STANDARDS

- a. Vehicular Canopies
  - i. Lighting for any canopy area over fuel sales, drive-through lanes, automated teller machines, or similar structures must use recessed luminaire fixtures and be designed and located so as to prevent glare onto adjacent properties.
  - ii. Highly reflective material installed on the underside of the canopy is prohibited.
- b. Security Lighting
  - i. Building-mounted (wall pack) security light fixtures are not permitted to project above the fascia or roof line of a building.
  - ii. Building-mounted (wall pack) security light fixtures are only permitted for loading, storage, or service areas and/or rear entrances to buildings and are not permitted as substitutes for appropriate lighting fixtures for parking areas or pedestrian walkways.
- c. Accent Lighting
  - i. Only lighting used to accent architectural features, landscaping, or art may be directed upward, provided that light fixtures are located, aimed, or shielded to reflect the light off surfaces (or grazing

- surfaces) to emphasize form and texture and minimize light spill into the night sky.
- ii. Architectural lighting must use multiple light sources to create visually interesting pools of light or point lighting that accent architectural features. Dull, uniform lighting is prohibited.
- d. Entrances and Exits
  - i. All entrances and exits non-residential buildings open to the general public and residential buildings with more than six (6) dwelling units must be lit during nighttime hours to ensure the safety of persons and the security of the building.
- e. Parking Area Lighting
  - i. All commercial parking areas are required to provide lighting during night time hours of operation.



# ARTICLE 7: PARKING, ACCESS, & MOBILITY MANAGEMENT

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## A. BICYCLE PARKING

### 1. PURPOSE

- a. To encourage and support the use of bicycles as a viable transportation option throughout the city and promote the use of bicycles at a rate that will help to achieve the mode share goals of the City's master plan.
- b. To provide long-term bicycle parking intended for residents or employees that provides security and protection from the weather.
- c. To provide short-term bicycle parking intended for customers of a business or visitors to a residence that provides a convenient and readily accessible place to park bicycles.
- d. To establish design standards so that bicycles can be securely locked without undue inconvenience and be reasonably safeguarded from intentional or accidental damage when parked.

### 2. APPLICABILITY

- a. This section is applicable to all real property within the City of Somerville except as follows:
  - i. Non-residential uses with five-thousand (5,000) square feet of gross leasable floor area or less are exempt.
- b. For real property located in more than one municipality, bicycle parking required by this section need not be located within the City of Somerville.

### 3. REQUIRED BICYCLE PARKING

- a. Required Spaces
  - i. The minimum number of bicycle parking spaces required for each principal use category is specified on Table 7.1 Required Bicycle Parking Spaces.
  - ii. When there is more than one principal use of real property, the required bicycle parking is the sum of the required parking for the individual uses.
  - iii. There is no individual bicycle parking requirement for accessory uses. However, if the required number of bicycle parking spaces on Table 7.1 is based on square footage, the net floor area of any accessory use(s) on a lot is added to the gross leasable floor area of the principal use to determine the required number of spaces.
  - iv. Wherever the calculation for required bicycle parking spaces results in a fractional value, the fractional value is rounded up to the next whole number.
  - v. Provided bicycle parking may include the actual spaces located within the lot and/or along the corresponding lot frontage when bicycle parking is installed within the furnishing zone of the sidewalk of an abutting public thoroughfare according to the following:
    - a). Bike racks may be installed within the furnishing zone of a sidewalk of an abutting public thoroughfare provided that an encroachment permit is granted by the Board of Aldermen.
    - b). In lieu of a separate bike rack, a hoop may be affixed to a parking meter, with approval from the Director of Traffic and Parking.
  - vi. The number of bicycle parking spaces, not the

number of bicycle parking fixtures, is used to determine compliance; i.e. a bicycle rack designed for parking two bicycles is counted as two bicycle parking spaces.

- vii. Existing bicycle parking must be maintained for the building, structure, or use which it was designed to serve, so long as the building, structure, or use exists and the parking is required by this Ordinance.
- viii. Bicycle parking must be maintained exclusively for the parking of bicycles and not for the storage of other objects.
- ix. Bicycle parking must be available for use at all times when the associated principal use is in operation, except when access may be restricted for necessary maintenance from time to time.

### 4. SHORT-TERM BICYCLE PARKING

- a. Short-term bicycle parking may be provided in any combination of bicycle racks and/or bicycle lockers. Racks that are double height or require hanging of a bicycle are prohibited for short-term bicycle parking.
- b. Short-term bicycle parking must be provided outside of a principal building and within fifty (50) feet of the principal entrance of the use served by the parking.
- c. Short-term bicycle parking must be at the same grade as the abutting sidewalk or at a location that can be reached by an accessible route from the sidewalk that is a minimum of five (5) feet wide, with no steps and a six percent (6%) slope or less.
- d. Bike racks may be installed within the furnishing zone of a sidewalk of an abutting public thoroughfare provided that an encroachment permit is granted by the Board of Aldermen. A rack may also consist of a hoop affixed to a parking meter, with approval from the Director of Traffic and Parking.
- e. Any required short-term bicycle parking provided in a structure or under cover must be:
  - i. Provided at ground level;
  - ii. Provided free of charge;
  - iii. Clearly marked as bicycle parking;
  - iv. Separated from vehicle parking by a physical barrier to minimize the possibility of parked bicycles being hit by a vehicle; and
  - v. Co-located in relative proximity to the nearest vehicular parking spaces.

### 5. LONG-TERM BICYCLE PARKING

- a. Long-term bicycle parking may be provided through any combination of racks or lockers.
- b. Long-term bicycle parking must be provided in a well-lit, secure location within the same building as the use the parking is intended to serve or within an accessory structure located within two-hundred (200) feet of the principal entrance of the building.
- c. To provide security, long-term bicycle parking must either be:
  - i. In a locked room;
  - ii. In an area that is enclosed by a fence with a locked gate. The fence must be either 8 feet high, or be floor-to-ceiling;
  - iii. Within view of an attendant or security guard;
  - iv. In an area that is monitored by a security camera; or

- v. In an area that is visible from employee work areas.
- d. All required long-term bicycle parking spaces must be designed to provide continuous shelter from the elements.
- e. Long-term bicycle parking serving multiple uses may be combined into a single area or accessory structure.
- f. Where long-term bicycle parking is located adjacent to motor vehicle parking or loading facilities, a physical barrier must be provided to prevent potential damage to bicycles by other vehicles.
- g. When twenty (20) or more long term bicycle parking spaces are provided, a minimum of five percent (5%) of the spaces must be three (3) feet by eight (8) feet in size to accommodate tandem bicycles or bicycles with trailers.
- h. No more than twenty five (25%) of long term bicycle parking space may be provided as racks that require bicycles to be hung or lifted off the ground or floor.

## 6. STANDARDS FOR ALL BICYCLE PARKING

- a. General
  - i. All bicycle parking must be designed and constructed in accordance the provisions of this section and with the City of Somerville's Bicycle Parking Guide. Additionally, the latest version of the Association of Pedestrian and Bicycle Professionals Bicycle Parking Guidelines may be referenced for guidance.
  - ii. Bicycle parking must be provided at no cost or fee to customers, visitors, employees, tenants, and residents.
- b. Size & Layout
  - i. Each bicycle parking space must be two (2) feet by six (6) feet in size or the minimum required by the manufacturer of a bicycle rack or locker, whichever is more.
  - ii. Bicycle parking must be spaced as shown in Figure 7.1 Example Bicycle Layouts.
- c. Access
  - i. Areas designed for bicycle parking spaces must have a hard, stabilized surface.
  - ii. Bicycle parking spaces must have at least one (1) access aisle at least five (5) feet wide to allow room for maneuvering. This access aisle must be kept free from obstructions.
  - iii. Bicycle parking spaces must be accessible without moving another bicycle or lifting or carrying a bicycle over any steps or stairs.
  - iv. Outdoor access routes must be appropriately lighted to allow for safe nighttime use.
- d. Weather Protection
  - i. When provided, weather protection must be permanent, designed to protect bicycles from rainfall, and provide no less than seven (7) feet of clearance above ground level.
- e. Bicycle Racks
  - i. All bike racks must:
    - a). Be a fixed-in-place stand that is securely anchored to the ground;
    - b). Provide support to the bicycle frame, allowing it to stand upright without the use of a kick-stand, and prevent the bicycle from falling over;

- c). Be configured to provide two points of contact to allow locking of the frame and at least one wheel with a user-provided locking device;
- d). Be constructed of materials that resist cutting, rusting, bending, or deformation; and
- e). Be arranged in rows (with bicycles parked side-by-side) or in alignment (with bicycles parked end-to-end).
- f. Bicycle Lockers
  - i. All bicycle lockers must:
    - a). Be securely anchored to the ground;
    - b). Be configured to provide support to the bicycle, allowing it to stand upright without the use of a kick-stand, and
    - c). Be secured by means of a lockable door or, alternatively, configured internally to allow locking of the frame and at least one wheel with a user-provided locking device;
- g. Signage
  - i. If required bicycle parking is not visible from the street or principal entrance(s), a sign must be posted at the principal entrance(s) indicating the location of the parking. The D4-3 sign from the Manual on Uniform Traffic Control Devices (MUTCD) is recommended (see Figure 7.2).

**FIGURE 7.2** MUTCD Figure D4-3





**TABLE 7.1** Bicycle Parking Standards

| DU - "Dwelling Unit"                                 | Short Term (min)     | Long Term (min)                               |
|--|----------------------|---|
| <b>ARTS &amp; CREATIVE ENTERPRISE</b>                |                      |   |
| Artisan Production                                   | 1.0 / 10,000 sq. ft. | 1.0 / 3,000 sq. ft.                           |
| Arts Education & Shared Workspaces                   | 1.0 / 10,000 sq. ft. | 1.0 / 3,000 sq. ft.                           |
| Arts Exhibition                                      | 1.0 / 10,000 sq. ft. | 1.0 / 3,000 sq. ft.                           |
| Arts Sales & Services                                | 1.0 / 10,000 sq. ft. | 1.0 / 3,000 sq. ft.                           |
| Creative Studio                                      | n/a                  | n/a   |
| Design Services                                      | 1.0 / 10,000 sq. ft. | 1.0 / 3,000 sq. ft.                           |
| Work/Live Creative Studio                            | 1.0 / 10,000 sq. ft. | 1.0 / 3,000 sq. ft.                           |
| <b>AUTO-ORIENTED</b>                                 |                      |   |
| Commercial Vehicle Repair & Maintenance              | n/a                  | n/a   |
| Dispatch Service (except as noted below)             | n/a                  | n/a   |
| Towing Service                                       | n/a                  | n/a   |
| Gasoline Station                                     | n/a                  | n/a   |
| Motor Vehicle Parking (as noted below)               | n/a                  | n/a   |
| Car Share Parking                                    | n/a                  | n/a   |
| Commercial Parking                                   | n/a                  | 10, or 1.0 / 10 motor vehicle parking spaces‡ |
| Off-Site Accessory Parking                           | n/a                  | n/a   |
| Personal Vehicle Repair & Maintenance                | n/a                  | n/a   |
| Vehicle Sales  | n/a                  | n/a   |
| <b>CIVIC &amp; INSTITUTIONAL</b>                     |                      |   |
| Community Center                                     | 1.0 / 10,000 sq. ft. | 1.0 / 10,000 sq. ft.                          |
| Educational Facility                                 | 1.0 / classroom      | 4.0 / classroom                               |
| Hospital   | 10 per entrance      | 1.0 / 5,000 sq. ft.                           |
| Library  | 1.0 / 3,000 sq. ft.  | 1.0 / 5,000 sq. ft.                           |
| Minor Utility Facility                               | n/a                  | n/a   |
| Major Utility Facility                               | n/a                  | n/a   |
| Museum   | 1.0 / 2,000 sq. ft.  | 1.0 / 10,000 sq. ft.                          |
| Private Non-Profit Club or Lodge                     | 1.0 / 2,000 sq. ft.  | 1.0 / 10,000 sq. ft.                          |
| <b>COMMERCIAL SERVICES</b>                           |                      |   |
| Animal Services (as noted below)                     | 1.0 / 2,500 sq. ft.  | 1.0 / 10,000 sq. ft.                          |
| Veterinarian   | 1.0 / 2,000 sq. ft.  | 1.0 / 5,000 sq. ft.                           |
| Assembly & Entertainment                             | 1.0 / 40 seats       | 1.0 / 10,000 sq. ft.                          |
| Banking & Financial Services (except as noted below) | 1.0 / 2,000 sq. ft.  | 1.0 / 10,000 sq. ft.                          |
| Broadcast and/or Recording Studio                    | 1.0 / 2,500 sq. ft.  | 1.0 / 10,000 sq. ft.                          |
| Building & Home Repair Services                      | 1.0 / 2,500 sq. ft.  | 1.0 / 10,000 sq. ft.                          |
| Business Support Services                            | 1.0 / 2,500 sq. ft.  | 1.0 / 10,000 sq. ft.                          |
| Caterer/Wholesale Food Production                    | 1.0 / 2,500 sq. ft.  | 1.0 / 10,000 sq. ft.                          |
| Day Care Service                                     | None                 | 1.0 / 10,000 sq. ft.                          |
| Maintenance & Repair of Consumer Goods               | 1.0 / 2,500 sq. ft.  | 1.0 / 10,000 sq. ft.                          |
| Personal Services (except as noted below)            | 1.0 / 2,500 sq. ft.  | 1.0 / 10,000 sq. ft.                          |
| Health Care Provider                                 | 1.0 / 2,000 sq. ft.  | 1.0 / 5,000 sq. ft.                           |
| Recreation Facility                                  | 1.0 / 2,500 sq. ft.  | 1.0 / 10,000 sq. ft.                          |

‡ whichever is greater

**TABLE 7.1** Bicycle Parking Standards

| DU - "Dwelling Unit"                       | Short Term (min)     | Long Term (min)      |
|--|----------------------|----------------------|
| <b>EATING AND DRINKING</b>                 |                      |                      |
| Bar or Tavern                              | 1.0 / 1,000 sq. ft.  | 1.0 / 5,000 sq. ft.  |
| Restaurant, Café, Bakery                   | 1.0 / 1,000 sq. ft.  | 1.0 / 5,000 sq. ft.  |
| Formula Eating & Drinking Establishment    | 1.0 / 1,000 sq. ft.  | 1.0 / 5,000 sq. ft.  |
| <b>INDUSTRIAL</b>                          |                      |                      |
| Commercial Dry Cleaning & Laundry Services | n/a                  | n/a                  |
| Data Center                                | n/a                  | n/a                  |
| Industrial Manufacturing Facility          | n/a                  | 1.0 / 10,000 sq. ft. |
| Moving and/or Self Storage                 | n/a                  | n/a                  |
| Recycling Collection                       | n/a                  | n/a                  |
| Salvage Yard                               | n/a                  | n/a                  |
| Trucking and Transportation Depot          | n/a                  | n/a                  |
| Wholesale Trade & Distribution             | None                 | 1.0 / 40,000 sq. ft. |
| <b>LODGING</b>                             |                      |                      |
| Bed & Breakfast                            | 1.0 / 20 rooms       | 1.0 / 10 rooms       |
| Hotel                                      | 1.0 / 20 rooms       | 1.0 / 10 rooms       |
| Short Term Rental of a Dwelling Unit       | 1.0 / 20 rooms       | 1.0 / 10 rooms       |
| <b>OFFICE</b>                              |                      |                      |
| Co-Working                                 | 1.0 / 20,000 sq. ft. | 1.0 / 3,000 sq. ft.  |
| General Office                             | 1.0 / 20,000 sq. ft. | 1.0 / 3,000 sq. ft.  |
| Research and Development and/or Laboratory | 1.0 / 20,000 sq. ft. | 1.0 / 5,000 sq. ft.  |
| <b>RESIDENTIAL</b>                         |                      |                      |
| Household Living                           |                      |                      |
| Four Plex                                  | n/a                  | 4                    |
| Six Plex                                   | n/a                  | 6                    |
| Apartment House                            | 0.1 / DU             | 1.0 / DU             |
| Apartment Building                         | 0.1 / DU             | 1.0 / DU             |
| Townhouses                                 | 0.1 / DU             | 1.0 / DU             |
| Mixed-Use Building                         | 0.1 / DU             | 1.0 / DU             |
| Group Living (except as noted below)       |                      |                      |
| Dormitory, Fraternity, or Sorority         | 0.05 / room          | 0.5 / room           |
|  | 0.1 / room           | 0.5 / room           |
| <b>RETAIL SALES</b>                        |                      |                      |
| Building/Home Supplies & Equipment         | 1.0 / 2,500 sq. ft.  | 1.0 / 10,000 sq. ft. |
| Consumer Goods (except as noted below)     | 1.0 / 2,500 sq. ft.  | 1.0 / 10,000 sq. ft. |
| Formula Retail                             | 1.0 / 2,500 sq. ft.  | 1.0 / 10,000 sq. ft. |
| Fresh Food Market and/or Grocery Store     | 1.0 / 2,500 sq. ft.  | 1.0 / 10,000 sq. ft. |
| Farm/Vendor Market                         | n/a                  | n/a                  |
| ‡ whichever is greater                     |                      |                      |

## B. MOTOR VEHICLE PARKING

### 1. PURPOSE

- a. To ensure that off-street accessory parking for motor vehicles is provided in a manner consistent with the objectives and policies of the comprehensive master plan of the City of Somerville.
- b. To establish parking policies that support transit oriented development and a walkable, human-scaled urban environment.
- c. To minimize the impact of sidewalk interruptions and conflict points on the walkability of the public realm.
- d. To un-bundle the cost of off-street parking from the cost of housing, so that housing in Somerville is more affordable.
- e. To encourage the use of public transportation, bicycling, and walking in lieu of motor vehicle use when a choice of travel mode exists.
- f. To allow flexibility in how parking is provided by allowing shared and/or off-site arrangements in order to accommodate the parking of motor vehicles in a manner that is less disruptive to the urban environment.
- g. To promote the efficient use of public parking resources by achieving an 85% occupancy rate of on-street parking spaces.
- h. To balance the supply of off-street parking with local thoroughfare network capacity.
- i. To encourage the establishment of Parking Benefit Districts and Parking Management Associations within the city.

### 2. APPLICABILITY

- a. This section is applicable to all real property within the City of Somerville except as follows:
  - i. The minimum parking requirements of Table 7.4 Motor Vehicle Parking Standards do not apply to any change in use within a non-residential structure constructed before the effective date of this Ordinance, provided that the change is to a use permitted by-right or as the result of a previously approved special permit.
  - ii. Non-residential uses with five-thousand (5,000) square feet of gross leasable floor area or less are exempt from the minimum parking requirements of Table 7.4 Motor Vehicle Parking Standards.
  - iii. The minimum and maximum parking standards of Table 7.4 are not applicable to real property within the Assembly Square, North Point, or Tufts University special districts.
- b. For real property located in more than one municipality, accessory parking required by this section need not be located within the City of Somerville.

### 3. PARKING REQUIREMENTS

- a. Accessory parking spaces for motor vehicles must be provided according to Table 7.4. Motor Vehicle Parking Standards.
  - i. Transit-Oriented Areas
    - a). The maximum number of accessory parking spaces allowed for real property located in an Urban Square TOD is specified in the first column of table X. Parking Standards.

- b). The maximum number of accessory parking spaces allowed for real property located in a Neighborhood Square TOD is specified in the second column of table 7.4. Motor Vehicle Parking Standards.
- ii. Non Transit-Oriented Areas
  - a). The minimum number of accessory parking spaces required for real property located outside of a transit-oriented area is specified in the third column (Non-TOD Areas) of Table 7.4. Motor Vehicle Parking Standards
- iii. Accessory parking spaces provided to meet the minimum parking requirements of Table X. may include the actual spaces located on a lot and located along the corresponding lot frontage when on-street parking spaces exist on the same side of an abutting thoroughfare.
- iv. Unless otherwise specified, accessory parking for motor vehicles must be located on the same lot as the principal use that the accessory parking serves.
- v. Existing accessory parking must be maintained for the building, structure, or use which it is designed to serve, so long as the building, structure, or use exists and the parking is required by this Ordinance.
- vi. Accessory parking must be maintained exclusively for the parking of motor vehicles and not for the storage of other objects.
- vii. The use of accessory parking facilities for automobile sales, dead storage, repair, dismantling, or service of automobiles of any kind is prohibited.

### 4. UNDERSTANDING THE PARKING TABLE

- a. Categorization System
  - i. The first column of the parking table lists the same use categories, subcategories, and many of the same specific uses found in Article 5. Use Provisions.
- b. Parking Requirements
  - i. Parking standards for each use are identified as a ratio between one parking space and a unit of measurement applicable to the use that the parking will serve, such as the number of dwelling units, gross leasable square footage, classrooms, lodging rooms, or other unit of measurement indicated on Table 7.4. Floor area designed for accessory parking is never included in this calculation.
  - ii. If a specific use is not listed on the table, accessory parking provided must be in accordance with the general standard for the applicable use subcategory.
  - iii. Unless otherwise specified, when there is more than one principal use of real property, the parking standard is the sum of any minimum or maximum specified for each use.
  - iv. When Table 7.4 Motor Vehicle Parking Standards requires a minimum amount of accessory parking, any fractional value of one half or greater resulting from calculation of the requirement is rounded up to the next whole number.

### 5. PARKING ADJUSTMENTS

- a. Parking Special Permit
  - i. Relief from the parking standards of Table 7.4 Motor

Vehicle Parking Standards requires a special permit according to the provisions of §11.D.1. Special Permit.

- ii. In its discretion to approve or deny a special permit authorizing relief from the parking standards of Table X., the review board shall consider the following:
  - a). The supply and demand of on-street parking in the neighborhood, as determined through a parking study.
  - b). Mobility management programs and services provided by the applicant to reduce the demand for parking.
  - c). That parking provided in excess of any maximum permitted does not result in the increase in impervious lot area.
- b. Reductions
  - i. Minimum parking requirements of Table X. may be adjusted according to Table X.

**TABLE 7.2 Reductions to Required Minimum Parking**

|                          | Multiplier |
|--------------------------|------------|
| Affordable Dwelling Unit | 0.75       |
| Senior Housing           | 0.50       |
| Handicapped Housing      | 0.33       |

## 6. OFF-SITE ACCESSORY PARKING

- a. Required accessory parking may be provided off-site, except for any required handicapped parking, as permitted according to the provisions of and when conforming to the following:
  - i. In the NR and UR districts, the lot featuring the off-site accessory parking must be contiguous and under the same ownership as the lot containing the principal use served..
  - ii. In all other zoning districts, lot featuring the off-site accessory parking must be located within six hundred and sixty (660) feet in walking distance, measured from the nearest point of the off-site parking along block faces and walkways to the principal entrance of the use served;
  - iii. Pedestrian access between the use and the off-site accessory parking area must be via paved sidewalk or walkways; and
  - iv. A lease, recorded covenant, or other comparable legal instrument, executed and filed with the Registry of Deeds, guaranteeing long term use of the site is provided to the review board or building official.

## 7. STANDARDS FOR ALL ACCESSORY PARKING

- a. Permitted Types
  - i. Accessory Parking may be provided by means of a surface parking lot, above-ground parking structure, or underground parking structure as indicated for each district and/or building type. See Article 2. Base Districts, Article 4 Special Districts, and Article 3. Building Standards for more information.
- b. Parking Setbacks
  - i. All accessory parking for motor vehicles, including

surface and structured parking, but excluding underground parking, must be located at or behind the required parking setback as indicated for each building type. See Article X. Building Standards for more information.

- ii. Parking is never permitted within a frontage.
- c. Access
  - i. Accessory parking must have direct access to a public thoroughfare from an alley, driveway, maneuvering aisle, or permanent access easement.
  - ii. If an improved alley with a right-of-way of at least eighteen (18) feet is provided, all accessory parking must be accessed from the alley.
- d. Circulation
  - i. Parking lots and structures must be designed so that vehicles enter or exit the lot or structure onto a public thoroughfare in a forward direction rather than backing out into the roadway.
  - ii. Ingress and egress from individual parking spaces must be from a drive aisle. Vehicles are not permitted to enter or exit parking spaces directly from a public thoroughfare except as follows:
    - a). Parking lots with six (6) or less parking spaces may be designed to permit motor vehicles to enter or exit a parking space directly from a rear alley by special permit.
    - i). In its discretion to approve or deny a special permit authorizing parking spaces that are directly accessible from a rear alley, the review board shall consider the following:
      - a. Adequate alley width and surface material to accommodate vehicular turning movements.
      - b. Location of alley intersections in relation to the safety of pedestrians, bicyclists, and motor vehicles.
      - c. Sight lines needed by the driver of any vehicle entering or exiting the site.
- e. Parking Space & Aisle Dimensions
  - i. All parking spaces and drive aisles must comply with the minimum dimensional standards shown in Table 7.3 Parking Space & Aisle Dimensions, with the following exceptions:
    - a). Motorcycle and scooter parking stalls must measure at least four feet in width and eight feet in depth.
    - b). Mechanical access parking is exempt from parking stall and drive aisle dimensional requirements.
    - c). When twenty (20) or more spaces is required by Table 7.4 Motor Vehicle Parking Standards, up to twenty percent (20%) of those spaces may be designed as parking for compact cars with the minimum stall length reduced to sixteen (16) feet and minimum stall width reduced to seven and one half (7.5) feet. Compact spaces must be clearly identified with a pavement marking and signage.
    - d). When the side of a parking space abuts a wall or other obstruction that is taller than six (6) inches, the width of the parking space must be

**TABLE 7.3** Parking Space & Aisle Dimensions

|                          | Parallel   | 45 Degrees | 60 Degrees | 90 Degrees |
|--------------------------|------------|------------|------------|------------|
| Stall Width (min)        | 8 feet     | 9 feet     | 9 feet     | 9 feet     |
| Stall Length (min)       | 18 feet    | 18 feet    | 18 feet    | 18 feet    |
| Drive Aisle, 1 Way (min) | 12 feet    | 12 feet    | 14 feet    | n/a        |
| Drive Aisle, 2 Way (min) | 20 feet    | n/a        | n/a        | 22 feet    |
| Vertical Clearance       | 7'6" (min) | 7'6" (min) | 7'6" (min) | 7'6" (min) |

increased by one foot.

- f. Accessibility
  - i. All accessory parking spaces, lots, and structures must comply with relevant State and Federal regulations for parking designed for persons with disabilities, including 521 CMR 300.
- g. Lighting
  - i. All accessory parking must be provided with adequate light for use at night in accordance with the provisions of §6.H. Outdoor Lighting.
- h. Signage
  - i. All traffic control signs must be installed in accordance with the Manual of Uniform Traffic Control Devices (MUTCD).

## 8. PARKING LOTS

- i. Approval Required
  - a). Accessory parking spaces and surface parking lots must comply with the applicable provisions of Chapter 11, Article II, Sec. 11-33 Driveway Construction of The Code of Ordinances, City of Somerville, Massachusetts.
- ii. Design & Construction
  - a). No surface parking lot may have a grade in excess of ten percent (10%).
  - b). Individual parking spaces must be delineated with paint or similar method and maintained in clear, visible condition to identify the parking spaces from drive aisles and other circulation features.
  - c). Parking lots serving mixed-use, commercial building, production building, and fabrication loft building types must be separated from any exterior wall by at least five (5) feet in order to provide a sidewalk between the building and parking area.
  - d). Wheel stops, bumper guards, or other alternatives must be installed to prevent vehicles from damaging or encroaching upon any sidewalk, landscaping, fence, wall, or

structure and must be properly anchored and secured into the ground.

- e). Parking lots must be effectively screened from any public thoroughfare (not including an alley) or civic space according to §6.F. Screening.
- f). Parking lots must be landscaped according to the provisions of §6.D. Landscaping & Tree Preservation.

## 9. PARKING STRUCTURES

- a. Reserved

## 10. CURB CUTS & DRIVEWAYS

- a. Curb Cuts
  - i. Approval Required
    - a). Curb cuts must comply with the applicable provisions of Chapter 11, Article II, Sec. 11-33 Driveway Construction of The Code of Ordinances, City of Somerville, Massachusetts.
  - ii. Restrictions
    - a). The Pedestrian Streets Map includes restrictions on the location of curb cuts along specific frontages. See Article 8. Public Realm Standards for more information.
    - b). Unless otherwise specified, curb cuts are limited to one per front lot line.
  - iii. Design & Construction
    - a). Curb cuts must be designed according to the provisions of Article 8. Public Realm Standards §X. Curb Cuts.
    - b). Curb cuts must be located to minimize conflict with pedestrians, bicyclists, and motor vehicles on the thoroughfare they provide access to and from.
- b. Driveways
  - i. Approval by the City Engineer Required
    - a). Driveways must comply with the applicable provisions of Chapter 11, Article II, Sec. 11-33 Driveway Construction of The Code of Ordinances, City of Somerville, Massachusetts.

- ii. Neighborhood Compatibility
  - a). Driveways providing vehicular access to accessory parking lots or structures with seven (7) or more parking spaces are prohibited within fifty (50) feet of any property within the Neighborhood Residence district, measured along the front lot line(s).
- iii. Design & Construction
  - a). Driveways providing vehicular access to accessory parking spaces may be located within required front, side, and rear setback areas.
  - b). Driveways providing vehicular access to accessory parking with six (6) or less parking spaces must be between eight (8) feet and twelve (12) feet in width, provided the driveway has direct access to a public thoroughfare.
  - c). Driveways providing vehicular access to accessory parking lots or structures with seven (7) or more parking spaces must be between eighteen (18) and twenty four (24) feet in width.
- iv. Shared Driveways
  - a). Driveways may provide access in whole or in part on or across an abutting lot(s), provided that an access easement exists between all property owners.

**TABLE 7.4** Parking Standards

| DU - Dwelling Unit                                   | Urban Square<br>TOD (max) | Neighborhood<br>Square TOD (max) | Non-TOD<br>Areas (min) |
|--|---------------------------|----------------------------------|------------------------|
| <b>ARTS &amp; CREATIVE ENTERPRISE</b>                |                           |                                  |                        |
| Artisan Production                                   | 1.0 / 800 sq.ft.          | 1.0 / 800 sq.ft.                 | 1.0 / 1000 sq.ft.      |
| Arts Education & Shared Workspaces                   | 1.0 / 800 sq.ft.          | 1.0 / 600 sq.ft.                 | 1.0 / 650 sq.ft.       |
| Arts Exhibition                                      | 1.0 / 800 sq.ft.          | 1.0 / 800 sq.ft.                 | 1.0 / 650 sq.ft.       |
| Arts Sales & Services                                | 1.0 / 200 sq.ft.          | 1.0 / 375 sq.ft.                 | 1.0 / 1000 sq.ft.      |
| Creative Studio                                      | 1.0 / 800 sq.ft.          | 1.0 / 600 sq.ft.                 | 1.0 / 650 sq.ft.       |
| Design Services                                      | 1.0 / 800 sq.ft.          | 1.0 / 800 sq.ft.                 | 1.0 / 1000 sq.ft.      |
| Work/Live Creative Studio                            | 0.33 / DU                 | 0.50 / DU                        | 1.0 / DU               |
| <b>AUTO-ORIENTED</b>                                 |                           |                                  |                        |
| Commercial Vehicle Repair & Maintenance              | n/a                       | n/a                              | 2.0 / garage bay       |
| Dispatch Service (except as noted below)             | n/a                       | n/a                              | 1.0 / 2000 sq.ft.      |
| Towing Service                                       | n/a                       | n/a                              | 1.0 / 2000 sq.ft.      |
| Gasoline Station                                     | n/a                       | n/a                              | 1.0 / 500 sq.ft.       |
| Motor Vehicle Parking (as noted below)               | --                        | --                               | --                     |
| Car Share Parking                                    | 1.0 / car                 | 1.0 / car                        | 1.0 / car              |
| Commercial Parking                                   | n/a                       | n/a                              | n/a                    |
| Off-Site Accessory Parking                           | per Principal Use         | per Principal Use                | per Principal Use      |
| Personal Vehicle Repair & Maintenance                | n/a                       | n/a                              | 2.0 / garage bay       |
| Vehicle Sales  | n/a                       | n/a                              | n/a                    |
| <b>CIVIC &amp; INSTITUTIONAL</b>                     |                           |                                  |                        |
| Community Center                                     | 1.0 / 1800 sq.ft.         | 1.0 / 900 sq.ft.                 | 1.0 / 600 sq.ft.       |
| Educational Facility                                 | 1.5 / classroom           | 1.5 / classroom                  | 3.0 / classroom        |
| Hospital   | 1.0 / 200 sq.ft.          | 1.0 / 200 sq.ft.                 | 1.0 / 1000 sq.ft.      |
| Library  | 1.0 / 800 sq.ft.          | 1.0 / 800 sq.ft.                 | 1.0 / 500 sq.ft.       |
| Minor Utility Facility                               | n/a                       |                                  |                        |
| Major Utility Facility                               | n/a                       |                                  |                        |
| Museum   | 1.0 / 800 sq.ft.          | 1.0 / 600 sq.ft.                 | 1.0 / 500 sq.ft.       |
| Private Non-Profit Club or Lodge                     | 1.0 / 200 sq.ft.          | 1.0 / 150 sq.ft.                 | 1.0 / 1000 sq.ft.      |
| <b>COMMERCIAL SERVICES</b>                           |                           |                                  |                        |
| Animal Services (as noted below)                     | --                        | --                               | --                     |
| Pet Grooming   | 1.0 / 500 sq.ft.          | 1.0 / 300 sq.ft.                 | 1.0 / 400 sq.ft.       |
| Pet Training, Care, or Shelter                       | 1.0 / 500 sq.ft.          | 1.0 / 300 sq.ft.                 | 1.0 / 400 sq.ft.       |
| Veterinarian   | 1.0 / 500 sq.ft.          | 1.0 / 300 sq.ft.                 | 1.0 / 400 sq.ft.       |
| Assembly & Entertainment                             |                           |                                  | 1.0 / 6 seats          |
| Banking & Financial Services (except as noted below) | 1.0 / 450 sq.ft.          | 1.0 / 300 sq.ft.                 | 1.0 / 400 sq.ft.       |
| Broadcast and/or Recording Studio                    | 1.0 / 800 sq.ft.          | 1.0 / 600 sq.ft.                 | 1.0 / 600 sq.ft.       |
| Building & Home Repair Services                      | 1.0 / 1000 sq.ft.         | 1.0 / 1000 sq.ft.                | 1.0 / 2000 sq.ft.      |
| Business Support Services                            | 1.0 / 900 sq.ft.          | 1.0 / 900 sq.ft.                 | 1.0 / 650 sq.ft.       |
| Caterer/Wholesale Food Production                    | 1.0 / 800 sq.ft.          | 1.0 / 600 sq.ft.                 | 1.0 / 1000 sq.ft.      |
| Day Care Service (as noted below)                    | 1.0 / 900 sq.ft.          | 1.0 / 800 sq.ft.                 | 1.0 / 600 sq.ft.       |
| Maintenance & Repair of Consumer Goods               | 1.0 / 750 sq.ft.          | 1.0 / 1000 sq.ft.                | 1.0 / 1000 sq.ft.      |
| Personal Services (except as noted below)            | 1.0 / 750 sq.ft.          | 1.0 / 1000 sq.ft.                | 1.0 / 1000 sq.ft.      |
| Body-Art Establishment                               | 1.0 / 750 sq.ft.          | 1.0 / 1000 sq.ft.                | 1.0 / 1000 sq.ft.      |

**TABLE 7.4** Parking Standards

| DU - Dwelling Unit                         | Urban Square<br>TOD (max)         | Neighborhood<br>Square TOD (max)  | Non-TOD<br>Areas (min)            |
|--|-----------------------------------|-----------------------------------|-----------------------------------|
| <b>COMMERCIAL SERVICES (CONT.)</b>         |                                   |                                   |                                   |
| Gym or Health Club                         | 1.0 / 200 sq.ft.                  | 1.0 / 200 sq.ft.                  | 1.0 / 500 sq.ft.                  |
| Funeral Home                               |                                   |                                   |                                   |
| Health Care Provider                       | 1.0 / 500 sq.ft.                  | 1.0 / 300 sq.ft.                  | 1.0 / 300 sq.ft.                  |
| <b>EATING AND DRINKING</b>                 |                                   |                                   |                                   |
| Bar or Tavern                              | 1.0 / 300 sq.ft.                  | 1.0 / 100 sq.ft.                  | 1.0 / 500 sq.ft.                  |
| Restaurant, Café, Bakery                   | 1.0 / 300 sq.ft.                  | 1.0 / 100 sq.ft.                  | 1.0 / 500 sq.ft.                  |
| Formula Eating & Drinking Establishment    | 1.0 / 300 sq.ft.                  | 1.0 / 100 sq.ft.                  | 1.0 / 500 sq.ft.                  |
| <b>INDUSTRIAL</b>                          |                                   |                                   |                                   |
| Commercial Dry Cleaning & Laundry Services | n/a                               | n/a                               | 1.0 / 1200 sq.ft.                 |
| Data Center                                | n/a                               | n/a                               | 1.0 / 1200 sq.ft.                 |
| Industrial Manufacturing Facility          | n/a                               | n/a                               | 1.0 / 800 sq.ft.                  |
| Moving and/or Self Storage                 | n/a                               | n/a                               | 1.0 / 1200 sq.ft.                 |
| Recycling Collection                       | n/a                               | n/a                               | 1.0 / 1200 sq.ft.                 |
| Salvage Yard                               | n/a                               | n/a                               | 1.0 / 1200 sq.ft.                 |
| Trucking and Transportation Depot          | n/a                               | n/a                               | 1.0 / 1200 sq.ft.                 |
| Wholesale Trade & Distribution             | n/a                               | n/a                               | 1.0 / 1200 sq.ft.                 |
| <b>LODGING</b>                             |                                   |                                   |                                   |
| Bed & Breakfast                            | 1.0 / DU +<br>1.0 / 4 guest rooms | 1.0 / DU +<br>1.0 / 4 guest rooms | 1.0 / DU +<br>1.0 / 4 guest rooms |
| Hotel                                      | 1.0 / 2 guest rooms               | 1.0 / 2 guest rooms               | 1.0 / 2 guest rooms               |
| Short Term Rental of a Dwelling Unit       | 1.0                               | 1.0                               | 1.0                               |
| <b>OFFICE</b>                              |                                   |                                   |                                   |
| Co-Working                                 | 1.0 / 1200 sq.ft.                 | 1.0 / 1200 sq.ft.                 | 1.0 / 800 sq.ft.                  |
| General Office                             | 1.0 / 900 sq.ft.                  | 1.0 / 900 sq.ft.                  | 1.0 / 650 sq.ft.                  |
| Research and Development and/or Laboratory | 1.0 / 1000 sq.ft.                 | 1.0 / 1000 sq.ft.                 | 1.0 / 1000 sq.ft.                 |
| <b>RESIDENTIAL</b>                         |                                   |                                   |                                   |
| Household Living                           | 1.0 / DU                          | 1.0 / DU                          | 1.0 / DU                          |
| Group Living (except as noted below)       | --                                | --                                | --                                |
| Community or Group Residence               | 1.0 / DU                          | 1.0 / DU                          | 1.0 / DU                          |
| Dormitory, Fraternity, or Sorority         | 0.5 / bed                         | 0.5 / bed                         | 1.0 / 4 beds                      |
| Homeless Shelter                           | 4.0                               | 4.0                               | 4.0                               |
| Nursing Home/Assisted Living Facility      | 1.0 / 10 beds                     | 1.0 / 6 beds                      | 1.0 / 6 beds                      |
| Single Room Occupancy Housing              | 1.0 / 6 beds                      | 1.0 / 4 beds                      | 1.0 / 4 beds                      |
| <b>RETAIL SALES</b>                        |                                   |                                   |                                   |
| Building/Home Supplies & Equipment         | 1.0 / 1000 sq.ft.                 | 1.0 / 1000 sq.ft.                 | 1.0 / 1000 sq.ft.                 |
| Consumer Goods (except as noted below)     | 1.0 / 1500 sq.ft.                 | 1.0 / 1000 sq.ft.                 | 1.0 / 750 sq.ft.                  |
| Medical Marijuana                          | 1.0 / 1000 sq.ft.                 | 1.0 / 750 sq.ft.                  | 1.0 / 500 sq.ft.                  |
| Formula Retail                             | 1.0 / 1500 sq.ft.                 | 1.0 / 1000 sq.ft.                 | 1.0 / 750 sq.ft.                  |
| Fresh Food Market and/or Grocery Store     | 1.0 / 500 sq.ft.                  | 1.0 / 300 sq.ft.                  | 1.0 / 1500 sq.ft.                 |
| Farm/Vendor Market                         | n/a                               | n/a                               | 1.0 / 1500 sq.ft.                 |



## C. BUILDING ACCESS

### 1. LOADING DOCKS

- a. Building types providing space for uses that regularly handle large quantities of goods must provide loading facilities as required by the Director of Traffic and Parking. Loading facilities must be of sufficient quantity to adequately serve the intended use(s).
- b. Loading areas must be located to the side or rear of buildings and screened according to §6.F. Screening unless the loading area is fully enclosed within a building and is not visible from any public thoroughfare (not including an alley) or civic space.
- c. Loading and unloading activities are not permitted within a public thoroughfare except in a loading zone designated by the Director of Traffic and Parking during permitted hours.
- d. Loading and unloading activities may not encroach on or interfere with the use of sidewalks, drive aisles, or parking areas. Maneuvering aisles and driveways may serve both required parking and loading bays if they meet the design needs of each activity.
- e. Loading and unloading activities for lots abutting the NR or UR districts are limited to the hours of the day between 7:00 a.m. and 10:00 p.m. All loading docks on these lots must be signed to indicate "no idling"

### 2. SERVICE AREAS

- a. Trash collection, trash compaction, recycling collection and other similar service areas must be located to the side or rear of the building and be effectively screened from view from public thoroughfares and abutting properties in the NR or UR zoning districts. Upper story residential units and alleys are excluded.

## D. MOBILITY MANAGEMENT

### 1. PURPOSE

- a. To improve transportation options available to travelers, promote the use of efficient travel modes, and reduce the need to travel.
- b. To decrease vehicular air pollutant emissions, conserve energy resources, and reduce ambient noise levels by reducing vehicular trips, total vehicle miles traveled, and traffic congestion within the city.
- c. To reduce automobile dependence and the associated costs of owning, operating, and maintaining a motor vehicle.
- d. To decrease costs associated with the construction, repair, maintenance, and improvement of city thoroughfares and parking facilities.
- e. To decrease the cost of traffic enforcement and promote traffic safety.
- f. To reduce the demand for parking facilities and increase the capacity and efficiency of existing transportation infrastructure.
- g. To support a fiscal return on federal, state, and local financial investment made in public transportation infrastructure by increasing ridership of public transportation services.
- h. To incorporate transportation planning considerations into development review.
- i. To encourage the establishment of Mobility Management Associations (MMA's) within the city.

### 2. APPLICABILITY

- a. This section is applicable to the following:
  - i. all non-residential development greater than twenty thousand (20,000) gross square feet in total floor area;
  - ii. all non-residential uses, including the City of Somerville, that have a permanent place of business within the city and twenty (20) or more employees or students;
  - iii. all multi-tenant buildings with non-residential uses that in combination have over twenty (20) employees or students in total;
  - iv. all residential development of more than twenty (20) dwelling units;
  - v. any alteration, expansion, reconstruction, extension, or structural change to an existing commercial parking facility that causes an increase in the number of parking spaces; and
  - vi. the change in use of a parking facility from accessory parking to commercial parking.

### 3. VOLUNTARY PARTICIPATION

- a. Uses and property owners not subject to the provisions of this Section are encouraged to implement mobility management programs and services voluntarily.

### 4. MOBILITY MANAGEMENT PLAN

- a. Prior to the issuance of any zoning permit, special permit, building permit, certificate of occupancy, business license, or other permit, a mobility management plan must be approved by the Building Official.

- b. The mobility management plan must identify existing site based parking and travel conditions, proposed mobility management programs & services, implementation schedule, and targets and benchmarks for performance review.
- c. The mobility management plan should be consistent with and contribute to the achievement of the comprehensive master plan of the City of Somerville in accordance with the purpose of this section.

### 5. PERFORMANCE REVIEW

- a. Property owners and employers must submit an annual report to validate continued compliance with the provisions of this section.
- b. A statistically valid survey of employees and/or residents is required to ascertain the level of success of implemented programs, services, incentives, and other measures in accordance with the purpose of this section. The costs associated with any survey shall be borne by the business or property owner.

### 6. MOBILITY MANAGEMENT ASSOCIATIONS

- a. Mobility Management Associations are organizations formed to help individual uses and property owners collectively implement and administer the programs and/or services required by this Section.
- b. A representative from an approved Mobility Management Association may jointly represent uses and/or property owners subject to the provisions of this Section in place of a required on-site transportation coordinator.

### 7. REQUIRED PROGRAMS & SERVICES

- a. The following programs and/or services are required for all non-residential uses:
  - i. Annual Mobility Education Meeting
  - ii. Distributed Information
  - iii. Guaranteed Ride Home Program
  - iv. On-Site Transportation Coordinator
  - v. Posted Information
  - vi. Preferential Parking Locations for Carpool/Vanpool
  - vii. Qualified Transportation Fringe Benefits
- b. The following programs and/or services are required for all residential uses:
  - i. Distributed Information
  - ii. Posted Information
  - iii. Unbundled Parking
- c. The following programs and/or services are required for commercial parking facilities:
  - i. Posted Information

### 8. STANDARDS FOR PROGRAMS & SERVICES

- a. Transportation management plans may include, but are not limited to, any or all of the following:
  - i. Financial Incentives
    - a). Car-Sharing/Bike-Sharing Memberships: Full or partial employer-funded monthly membership for local car-sharing and/or bike-sharing services.
    - b). Parking Cash-Out Program: An employer-funded cash payment made available to employees who choose not to use a parking space in an

- employer subsidized parking lot or facility.
  - c). Qualified Transportation Fringe Benefits: A “Commuter Tax Benefit” that allows employers to save on payroll related taxes or employees to save on federal income taxes according to Section 132(f) of the Internal Revenue Code through the provision of either Pre-Tax Payroll Deductions for Transit Passes/ Vanpool Costs or Subsidized Transit Passes.
- ii. Shared Vehicle Services
  - a). Bikes at Work: Bicycles available on-site during the workday for employee business and personal use.
  - b). Bike Share Station: Bike sharing vehicles available on-site for public use.
  - c). Car Share Vehicle(s): On-site parking spaces provided at no cost for car-sharing vehicles.
  - d). Fleet Vehicle(s): Company fleet vehicle(s) available on-site during the workday for employees that carpool, vanpool, bike, walk, or take transit.
  - e). Guaranteed Ride Home Program: An employer subsidized ride home for employees that carpool, vanpool, bike, walk, or take transit.
    - i). Transportation must be provided to an employee for:
      - a. Emergency situations of the employee or a family member;
      - b. Illness of the employee or a family member;
      - c. Unscheduled overtime; and
      - d. Bicycle damage.
    - ii). Availability of service may be restricted to no less than four (4) times per calendar year.
  - f). Ride Matching Services: A no cost service to help employees interested in carpooling locate other interested carpoolers with similar schedules, routes, and destinations.
  - g). Shuttle Services: Smaller buses or vans providing transportation for employees between places of work and/or transit stations.
  - h). Visitor Commute Support: Full or partially funded daily transit passes or daily memberships for local car-sharing and/or bike-sharing services.
- iii. Alternative Schedules
  - a). Flexible Work Hours: Compressed workweeks, flexible work hours, and/or staggered work shifts.
  - b). Teleworking: Policies to permit and encourage employees to work from home or off-site.
- iv. Marketing & Education
  - a). Bike Commuting Training: Classes (education and hands-on training) to encourage employee bike commuting offered on-site or through a 3rd party provider.
  - b). Distributed Information: Printed materials issued annually to all tenants and employees, and to new employees and/or tenants at the time of hire or occupancy, providing the following information:
    - i). Current maps identifying station locations, routes, and schedules for public transit serving the site;
    - ii). Bicycle route and facility information, including regional/local bicycle maps;
    - iii). A listing of facilities available for carpoolers, vanpoolers, bicyclists, transit riders and pedestrians at the site.
- v. Parking Management
  - a). Charging for Employee Parking: Elimination of existing subsidies for off-site employee parking and/or charging for on-site employee parking.
  - b). Demand-Responsive Pricing: Adjustable hourly rates charged for employee or customer parking to manage parking availability.
  - c). Parking Lease Adjustments: Rental of parking spaces on a monthly rather than yearly basis.
  - d). Preferential Parking for Carpool/Vanpool: Parking spaces located in a preferential location and reserved for registered carpool and vanpool vehicles.
  - e). Shared Parking: Parking spaces shared by two (2) or more uses when the peak needs of each use occurs at different times.
  - f). Unbundled Parking: Parking spaces rented, leased, or sold as an option rather than a requirement of the rental, lease, or purchase of a dwelling unit or non-residential floor space.
- vi. On-Site Services
  - a). Bicycle Repair Station: On-site bike repair station or room available for residents or employees.
  - b). Child Care: The caring for and supervision of children available on site for employees.
  - c). Concierge Services: an employee of an apartment building, hotel or office building providing services to residents or employees.
  - d). On-Site Transit Pass Sales: Retail sales of public transportation passes.
- b. Programs and services not listed may be proposed as part of any mobility management plan.

## 9. ENFORCEMENT

- a. In accordance with §11.G.1.c. Fines and Penalties, each employee or resident shall be considered a separate offense for development not in compliance with the provisions of this section.



**ARTICLE 8: PUBLIC REALM STANDARDS**

RESERVED ..... 149



## **A. RESERVED**





# ARTICLE 9: COMMUNITY BENEFITS

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## A. AFFORDABLE HOUSING

### 1. PURPOSE

- To implement the housing policy objectives of the comprehensive master plan of the City of Somerville.
- To provide a range of housing types, unit sizes, and price points to accommodate the diverse household sizes, and life stages of Somerville residents, at all income levels, paying particular attention to providing housing affordable to individuals and families with low and moderate incomes.
- To increase the supply of housing available to low- and moderate-income households to meet existing and anticipated future demand.
- To ensure long-term security of affordable dwelling units.
- To prevent the displacement of tenants of existing affordable dwelling units within the city.
- To recapture a public benefit from the increased value of land resulting from the adoption of this Ordinance.

### 2. APPLICABILITY

- This section is applicable to all residential development that chooses to build more than six (6) dwelling units in all zoning districts, whether new construction, substantial rehabilitation, residential conversion, or adaptive reuse.
- Development shall not be segmented or phased in any manner to avoid compliance with the provisions of this section.

### 3. AFFORDABLE UNITS

- Affordable dwelling units (ADUs) must be provided according to Table 9.1 Required ADUs.
  - Transit-Oriented Areas
    - Lots located within one-quarter (1/4) mile of a current or proposed MBTA rail transit station must provide the amount of ADUs specified in the first column (TOD Areas) of Table 9.1.
    - Lots located within one-quarter (1/4) mile of a current or proposed MBTA rail transit station are identified on the Transit Orientation Map in the Zoning Atlas. See Article 1. Introductory

**TABLE 9.1** Required ADUs

|                        | ADUs (min)      |                 |
|------------------------|-----------------|-----------------|
|                        | (All TOD Areas) | (Non-TOD Areas) |
| Neighborhood Residence | n/a             | n/a             |
| Urban Residence        | 14.28%          | 12.5%           |
| 3 Story Mixed Use      | 14.28%          | 12.5%           |
| 4 Story Mixed Use      | 14.28%          | 12.5%           |
| 5 Story Mixed Use      | 16.67%          | 14.28%          |
| 7 Story Mixed Use      | 16.67%          | 14.28%          |
| 10 Story Mixed Use     | 16.67%          | 14.28%          |
| Assembly Square        | 20%             | 16.67%          |
| Brickbottom            | 20%             | 16.67%          |
| Inner Belt             | 20%             | 16.67%          |
| North Point            | 20%             | 16.67%          |
| Tufts                  | n/a             | n/a             |

- Provisions for more information.
- Non Transit-Oriented Areas
  - Residential development on lots located outside of one-quarter (1/4) mile of a current or proposed MBTA rail transit station must provide the amount of ADUs specified in the second column (Non-TOD Areas) of Table 9.1.
- Residential development with more than thirty (30) dwelling units must include at least twenty percent (20%) of provided ADUs with a minimum of three (3) bedrooms.
- When the calculation for required ADUs results in a fractional value, the fractional value is rounded up to the next whole number and regarded as a whole unit. As an alternative, a fractional buyout may be paid to the City or its designee (including, but not limited to, the Affordable Housing Trust Fund and/or Somerville Housing Authority; hereafter referred to as "the City") according to the provisions of §9.A.10.G.8. Buyouts & Payments.
- Development may provide more ADUs or provide ADUs for lower income tiers than the minimums required by Table 9.1 Required ADU and Table 9.2 Target Income.
- ADUs must be proportional in quality to on-site market-rate units with respect to unit type, unit size, number of bedrooms, size of rooms, and type of features, which may be functionally equivalent, consistent with contemporary standards for new housing.

### 4. UNIT PRICE

- The price point of an ADU is set so that households with a up to a certain income can afford to pay without becoming cost burdened.
- Actual price is calculated using the Median Family Income (MFI) for the Boston-Cambridge-Quincy, MA-NH HUD Metro FMR Area published annually by the U.S Department of Housing and Urban Development (HUD).
- MFI is divided into three different tiers as indicated on Table 9.2 Target Income Tiers.

**TABLE 9.2** Target Income Tiers

|        | Rental           |        | For Sale         |
|--------|------------------|--------|------------------|
| Tier 1 | 40% of MFI max.  | Tier 1 | 70% of MFI max.  |
| Tier 2 | 70% of MFI max.  | Tier 2 | 100% of MFI max. |
| Tier 3 | 100% of MFI max. | Tier 3 | 120% of MFI max. |

- The income percentage of each tier is then adjusted using Table X. Bedroom Count Adjustments to provide a higher income limit for larger dwelling units and a lower income limit for smaller dwelling units.

**TABLE 9.3** Bedroom Count Adjustments

| 1   | 2   | 3   | 4    | 5    | 6    | 7    | 8    |
|-----|-----|-----|------|------|------|------|------|
| 70% | 80% | 90% | 100% | 108% | 116% | 124% | 132% |

- The maximum monthly rental price for an ADU is calculated as follows:
  - The number of bedrooms provided in an ADU is substituted for the number of persons in a

household, or one (1) for a studio, to determine adjusted MFI using HUD's Family Size Adjustments.

- ii. The adjusted MFI for the appropriate price limit tier is multiplied by thirty percent (30%) to determine the maximum amount of gross income that can be spent on housing expenses by a household without becoming cost burdened.
- iii. The estimated cost of heat, electricity, and hot water (if any of these utilities are billed separately) is then subtracted from the result of §9.A.4.e.ii (above) to arrive at the maximum monthly rent that can be charged for the dwelling unit.
- f. Maximum sale price of an ADU is calculated as follows:
  - i. The number of bedrooms in an ADU is substituted for the number of persons in a household, or one (1) for a studio to determine adjusted MFI using HUD's Family Size Adjustments.
  - ii. The adjusted MFI for the appropriate price limit tier is multiplied by thirty percent (30%) to determine the maximum amount of gross income that can be spent on housing expenses by a household without becoming cost burdened.
  - iii. The estimated cost of Private Mortgage Insurance (PMI), Real Estate Taxes (RET), Condominium Fees (CF), Homeowners Insurance (HI) if not included in the CF, and required parking fees (PF), if any, if not included in the CF, is subtracted from the result of §9.A.4.f.ii to arrive at the maximum monthly mortgage payment that can be charged for the dwelling unit.
  - iv. A maximum mortgage loan amount is calculated based on the result of §9.A.4.f.iii, assuming a 30 year term and a current conventional interest rate.
  - v. The maximum mortgage loan amount is multiplied by 1.03 to determine the maximum price that can be charged for the ADU.
- g. The price of an ADU must remain affordable to the originally designated income group in perpetuity, or for as long as legally permissible. Sale prices, resale prices, initial rents, and rent increases for the ADUs must be restricted by legally permissible instruments such as, but not limited to, deed covenants or restrictions, contractual agreements, or land trust arrangements.

## 5. UNIT DELIVERY

- a. ADUs must be provided on-site, intermixed with the market rate units of the development subject to the provisions of this section.
- b. ADUs may be provided as either for sale or for rent, consistent with the type of market-rate units provided in the development.
- c. ADUs must be provided at different price tiers according

to Table 9.4 ADU Diversity and repeated for every five (5) ADUs provided.

## 6. RIGHT OF FIRST REFUSAL

- a. The City reserves the right of first refusal and/or option to purchase at the time of the original sale and any subsequent resale of individual ADUs and any sale of a formerly for rental ADU.
- b. Review boards may require for-sale ADUs to be sold to the City.

## 7. ALTERNATIVE COMPLIANCE

- a. Location
  - i. Applicants may request to provide one or more required ADUs at an alternative location within the City of Somerville by Special Permit. This Special Permit is only authorized in extremely rare circumstances.
  - ii. In its discretion to approve or deny a special permit authorizing one or more ADUs to be provided off-site, the review board shall consider the following:
    - a). Any proposed alternative method of compliance is advantageous to the City in creating or preserving affordable housing and does not result in undue geographic concentration of affordable units;
    - b). Location, accessibility to schools and other services;
    - c). whether off-site units would provide more appropriate family housing than on-site units would;
    - d). availability of parking, proximity to public transportation;
    - e). availability of usable open space;
    - f). Off-site units must be compatible in all respects with the market rate units built on site, including quality and character, construction value, and site amenities (yards, parking, laundry facilities, etc.).
    - g). Off-site units must be designed to house three- (3) person or larger households, even if the market rate units are designed primarily to house one- and two- person households.
- b. In-Lieu Payment
  - i. Applicants may request to make a payment to the City in lieu of providing one or more required ADUs by Special Permit. This Special Permit is only authorized in extremely rare circumstances.
  - ii. In its discretion to approve or deny a special permit authorizing a cash payment in lieu of on-site ADUs, the review board shall consider the following:
    - a). The current funding level of the Somerville Affordable Housing Trust Fund;
    - b). That any proposed alternative method of compliance is advantageous to the City in creating or preserving affordable housing.

## 8. BUYOUTS & PAYMENTS

- a. The dollar value of any fractional buyout or in lieu payment is calculated as the amount of ADUs not provided (A) multiplied by the difference between the average sales price of comparable market-rate units sold

**TABLE 9.4. ADU Diversity**

|                       | Tier 1 | Tier 2 | Tier 3 |
|-----------------------|--------|--------|--------|
| 1 <sup>st</sup> Unit  | 1      |        |        |
| 2 <sup>nd</sup> Units | 1      | 1      |        |
| 3 <sup>rd</sup> Units | 2      | 1      |        |
| 4 <sup>th</sup> Units | 2      | 2      |        |
| 5 <sup>th</sup> Units | 2      | 2      | 1      |

within the City of Somerville over the previous twelve (12) months (B) and the price of an ADU in the tier that would have been provided, as calculated according to §9.A.4 Unit Price (C).

## 9. IMPLEMENTATION PLAN

- a. Prior to the issuance of any zoning permit or special permit for development subject to the provisions of this section, an affordable housing implementation plan must be approved by the Housing Division of the Mayor's Office of Strategic Planning and Community Development.
- b. The affordable housing implementation plan must include all applicable information required by the Housing Division.

## 10. HOUSEHOLD SELECTION

- a. The selection of buyers and/or tenants is subject to a lottery-based system administered by the Housing Division of the Mayor's Office of Strategic Planning and Community Development. Preference is given to households that live or work full-time within the City of Somerville.
- b. The eligibility of buyers or tenants is calculated using the Median Family Income (MFI) for the Boston-Cambridge-Quincy, MA-NH HUD Metro FMR Area published annually by the U.S Department of Housing and Urban Development (HUD).
- c. MFI eligibility for each tier is indicated on Table 9.5. Income Eligibility Tiers.

**TABLE 9.5** Income Eligibility Tiers

|        | Rental     |        | For Sale    |
|--------|------------|--------|-------------|
| Tier 1 | 31% - 50%  | Tier 1 | 51% - 80%   |
| Tier 2 | 51% - 80%  | Tier 2 | 81% - 110%  |
| Tier 3 | 81% - 100% | Tier 3 | 111% - 130% |

- d. The income percentage of each tier is then adjusted using Table 9.6 Family Size Adjustments, resulting in higher income eligibility for larger households and lower income eligibility for smaller households.

**TABLE 9.6** Household Size Adjustments

| 1   | 2   | 3   | 4    | 5    | 6    | 7    | 8    |
|-----|-----|-----|------|------|------|------|------|
| 70% | 80% | 90% | 100% | 108% | 116% | 124% | 132% |

- e. Buyers and tenants of ADUs must meet the income eligibility requirements of this section and other certification requirements established by the Housing Division at the time of purchase or execution of a lease agreement and then upon any subsequent resale or renewal of lease terms at least annually.

## 11. PROTECTION OF EXISTING ADUS

- a. Development that results in elimination or discontinuance of an existing ADU is required to replace the unit(s) on a one-for-one basis or provide the number of ADUs required by Table 9.1 Required ADUs,

whichever is more.

## 12. COMPLIANCE & ENFORCEMENT

- a. The Housing Division of the Mayor's Office of Strategic Planning and Community Development shall establish standards to determine compliance with this Section, subject to approval by the Planning Board.
- b. Certificates of Occupancy
  - i. All covenants, contractual agreements, and other documents necessary to ensure compliance with this section must be approved and executed prior to and as a condition of the issuance of any certificate of occupancy for an ADU.
  - ii. No certificates of occupancy shall be issued for any market rate units in a development subject to the provisions of this section until:
    - a). all of the required ADUs have obtained certificates of occupancy, posted a bond, or other equivalent security arrangement, as required by the Housing Division.
    - b). payment for any equivalent buyout required by this section has been made to the Affordable Housing Trust Fund or a definitive schedule for payment(s) must be approved by the Building Official or Review Board.
- c. Annual Report
  - i. Property owners renting directly to tenants of an ADU may be required to submit an annual statement detailing the rental income derived from the ADUs.
- d. Failure to comply with the provisions of this section shall be punished with a fine according to the provisions of §10.G.1. Building Official.
  - i. Fines must be paid to the Somerville Affordable Housing Trust Fund.

## 13. PERFORMANCE REVIEW

- a. Suitability and performance of the provisions of this section shall be analyzed for potential revision and/or improvement every five (5) years from the effective date of this ordinance upon completion of a Housing Needs Assessment by the Housing Division.
- b. Recommended changes to the provisions of this section shall be submitted to the Board of Aldermen for consideration.

## B. LINKAGE

### 1. PURPOSE

- a. To mitigate the increased demand for affordable housing in Somerville generated by employees of commercial real estate development that wish to live within the city.
- b. To recapture a public benefit from the increased value of land resulting from the adoption of this Ordinance.

### 2. APPLICABILITY

- a. This section is applicable to all development requiring any of the following:
  - i. Administrative development review:
    - a). Site development plan approval
    - b). Large development plan approval
    - c). Neighborhood development plan approval
  - ii. Discretionary development review:
    - a). Special Permit
    - b). Variance

### 3. LINKAGE FEE

- a. General
  - i. Non-residential development more than thirty thousand (30,000) gross square feet in total floor area shall pay an affordable housing linkage fee (hereafter referred to as "linkage fee").
  - ii. Phased development projects where each phase is less than thirty-thousand (30,000) gross square feet are not exempt from the required linkage fee.
  - iii. Additions to structures that increase the total gross square footage to more than thirty-thousand (30,000) shall pay the required linkage fee.
  - iv. Substantial rehabilitation of real property that has already paid the required linkage fee is exempt.
  - v. The following uses are exempt from the required linkage fee:
    - a). Real property owned by the City of Somerville;
    - b). Religious uses protected by M.G.L. Chapter 40A, Section 3.
- b. Fee Calculation
  - i. The required linkage fee is five dollars and fifteen cents (\$5.15) per square foot over thirty thousand (30,000) gross square feet of floor area.
  - ii. Floor area used for accessory parking is excluded from the linkage calculation.
- c. Payment
  - i. The required fee shall be paid to the Somerville Housing Trust Fund in five (5) annual installments.
  - ii. No certificate(s) of occupancy shall be issued for real property that has not paid the first installment of the required fee.
  - iii. The annual due date for each installment shall correspond with the date the first installment was paid.
- d. Applicants who obtain a certificate of occupancy for one (1) phase of a project at a time, shall be required to pay a fee that is based on the number of square feet of space, in excess of thirty thousand (30,000) gross square feet for which the certificate of occupancy has been obtained. In the event that certificates of occupancy have been or will be obtained for two (2) or more phases totaling more than thirty thousand (30,000) gross

square feet, the thirty thousand (30,000) gross square foot exemption shall be based on the combined square footage of phases.

### 4. COMPLIANCE & ENFORCEMENT

- a. All covenants, contractual agreements, and other documents necessary to ensure compliance with this section shall be executed prior to and as a condition of the issuance of a certificate of occupancy.
- b. Failure to pay the required linkage fee shall be punished with a fine according to the provisions of X.G.1 Building Official.
- c. Fines must be paid to the Somerville Housing Trust Fund.

### 5. FORMULA RECALCULATION

- a. The amount of the affordable housing linkage fee shall be analyzed for potential recalculation every five (5) years from the effective date of this ordinance upon completion of a Housing Needs Assessment by the Housing Division.

## C. DENSITY BONUSES

### 1. PURPOSE

- a. To implement the community development objectives of the comprehensive master plan of the City of Somerville.
- b. To recapture a public benefit from the increased value of land resulting from the adoption of this Ordinance.
- c. To promote the creation of specific amenities in the public interest.

### 2. APPLICABILITY

- a. This section is applicable to any Apartment Building or Mixed-Use Building in all zoning districts.

### 3. BONUS PROGRAM

- a. The average floor area of a dwelling unit may be reduced according to Table 9.7 in return for the identified amenity, subject to the provisions of §§10.G.4. Amenities.

### 4. AMENITIES

- a. Reserved

**TABLE 9.7** Density Bonuses

|                              | Apartment Building | Residential Mixed-Use | Amenity Requirements |
|------------------------------|--------------------|-----------------------|----------------------|
| Rental Housing               | -10%               |                       |                      |
| Artist Housing               |                    |                       |                      |
| Senior Housing               |                    |                       |                      |
| Unit Price Diversity         |                    |                       |                      |
| Unit Size Diversity          |                    |                       |                      |
| Buried Utilities             |                    |                       |                      |
| Incubator Space              |                    |                       |                      |
| Co-Working Space             |                    |                       |                      |
| Art Gallery Space            |                    |                       |                      |
| Performance/Exhibition Space |                    |                       |                      |
| Public Art                   |                    |                       |                      |





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## A. STANDARD PROCEDURES

### 1. APPLICATION SUBMITTAL

- a. Preliminary Review
  - i. Prior to formal submittal of an application for development review, an applicant may be required to have a pre-submittal meeting with city staff, a neighborhood meeting with the public, and/or a design review meeting with the Urban Design Commission.
- b. Submittal
  - i. Applications for development review must be submitted as indicated for each type of development review (see §10.B.1. Zoning Permit through §10.D.3. Zoning Map Amendment).
  - ii. When two or more types of development review are required, those applications may, at the discretion of the designated review board or official, be processed simultaneously.
- c. Completeness
  - i. An application for development review is not considered complete until all necessary information has been supplied by the applicant and all fees have been paid, including fees for costs incurred by the City for public notice.
  - ii. Upon written request by an applicant, the designated review board may, in its discretion, waive any of the information required when applying for development review.
  - iii. Completed applications will be scheduled for a public hearing, publicly noticed, and/or administratively evaluated as indicated for each type of development review (see §10.B.1. Zoning Permit through §10.D.3. Zoning Map Amendment).
  - iv. Incomplete applications will not be scheduled for a public hearing, publicly noticed, or administratively evaluated.
  - v. If an application reaches a public hearing and the review board deems the submittal incomplete, the board has the option to do one of the following:
    - a). deny the application;
    - b). allow the applicant to withdraw the application without prejudice according to §10.A.1.d. Withdrawal; or
    - c). waive the procedural time requirements according to §A.3.c. Continuance.
- d. Withdrawal
  - i. An application may be withdrawn without prejudice at any time prior to the issuance of the public notice advertising the development review public hearing where the application will be reviewed.
  - ii. Once the public notice advertising a development review public hearing has been issued, a request to withdraw an application can only be granted by a four-fifths majority of the review board.
  - iii. Upon request to withdraw without prejudice, the review board has the option to do one of the following:
    - a). approve a request to withdraw without prejudice; or
    - b). deny the request and proceed to evaluate the application based on the merits of the

information submitted.

- iv. Withdrawn applications are not eligible for a refund of fees.
- e. Repetitive Applications
  - i. A denied application will not be reconsidered for a minimum of two (2) years from the date final action was taken by the review board unless the Planning Board determines by a four-fifths majority vote that substantial new evidence is available, or a significant mistake of law or of fact was made in the prior denial, that justifies reconsideration of the application.
  - ii. If the application is resubmitted earlier than two (2) years from the date of final action, the subsequent application must include a detailed statement of the evidence justifying its reconsideration.
  - iii. Re-submittal of applications withdrawn without prejudice shall not be considered a repetitive application.
- f. Failure to Act
  - i. Failure by a review board or official to hold a public hearing or take final action on an application within the maximum time requirement or permitted extensions, as applicable, shall result in the approval of the application at the expiration of said time periods.

### 2. PUBLIC NOTICE

- a. Mailed, published, and posted public notice of a development review public hearing or meeting is provided to inform the general public of the public hearing or meeting and to inform neighboring land owners of any potential development impacts.
- b. Costs incurred by the City for public notice of a development review public hearing must be prepaid by the applicant according to the rules & regulations of the designated review board.
- c. Mailed Notice
  - i. Notice of a neighborhood meeting, design review meeting, and development review public hearing

**TABLE 10.1** Mailed Notices

|   | Neighborhood Meeting & Design Review | SP, V, DSPA, LDPA, NDPA, W | Land Conveyance | Zoning Map or Text Amendments |
|---|--------------------------------------|----------------------------|-----------------|-------------------------------|
| Applicant   | ✓                                    | ✓                          |                 |                               |
| Direct Abutters   | ✓                                    | ✓                          | ✓               |                               |
| Abutters within 300 feet                                    | ✓                                    | ✓                          |                 |                               |
| Planning Board of any Abutting City or Town                 | ✓                                    | ✓                          |                 | ✓                             |
| Massachusetts Department of Housing & Community Development |                                      |                            |                 | ✓                             |
| Metropolitan Area Planning Council                          |                                      |                            |                 | ✓                             |

SP = Special Permit, V = Variance, DSPA = Site Development Plan Approval, LDPA = Large Development Plan Approval, NDPA = Neighborhood Development Plan Approval, UDW = Urban Design Waiver

**TABLE 10.2** Public Hearings

|   | Zoning Board<br>of Appeals | Planning<br>Board | Urban<br>Design<br>Commission | Board of<br>Aldermen |
|---|----------------------------|-------------------|-------------------------------|----------------------|
| Special Permit                            | ✓                          | ✓                 |                               |                      |
| Waiver                                    |                            | ✓                 |                               |                      |
| Variance                                  | ✓                          |                   |                               |                      |
| Site Development<br>Plan Approval         | ✓                          | ✓                 |                               |                      |
| Large Development<br>Plan Approval        |                            | ✓                 |                               |                      |
| Neighborhood Development<br>Plan Approval |                            | ✓                 |                               |                      |
| Land Conveyance                           |                            |                   |                               | ✓                    |
| Zoning Map Amendment                      |                            |                   |                               | ✓                    |
| Zoning Text Amendment                     |                            |                   |                               | ✓                    |
| Administrative Appeal                     | ✓                          |                   |                               |                      |

shall be mailed as indicated on Table 10.1

d. Published Notice

- i. Notice of a development review public hearing shall be published in a newspaper of general circulation in the City of Somerville no less than fourteen (14) days in advance of the scheduled hearing date, with a second notice the following week.

e. Posted Notice

- i. Notice of a development review public hearing shall be posted in a conspicuous place in City Hall no less than fourteen (14) days in advance of the scheduled hearing date.
- ii. Notice of a design review or neighborhood meeting shall be posted in a conspicuous place in City Hall no less than seven (7) days in advance of the scheduled meeting date.

f. Appeal for Improper Notice

- i. Any aggrieved party may appeal the decision of any review board or official when claiming improper notice of a development review public hearing or meeting according to the procedures of Section 10.E.3. Judicial Appeal.
- ii. Judicial appeals claiming improper notice of a development review public hearing or meeting must be filed per MGL 40A.

### 3. PUBLIC HEARINGS

a. Hearing Administration

- i. Public hearings shall be conducted in accordance with the procedures set forth in M.G.L. Chapter 40A, as amended; any and all requirements of The Code of Ordinances, City of Somerville, Massachusetts; the rules & regulations of review boards; and as indicated for each type of development review (see §10.B.1. Zoning Permit through §10.D.3. Zoning Map Amendment).

b. Access to Documents

- i. Application information and development plan documentation on file shall be posted on the City website prior to a public hearing.
- ii. Physical copies of application information,

development plan documentation, and other related correspondence are available to inspect or copy by any party upon reasonable request and payment of a fee to cover the cost of such copies.

c. Continuance

- i. Upon mutual agreement by the applicant and a four-fifths majority of the review board, the following procedural requirements may be extended:
  - a). the time limit required for commencement of a public hearing;
  - b). the time limit required to make a decision.
- ii. Mutual agreement of extended time limits will be recorded in writing.

d. Decision

- i. Decisions shall include a detailed record of proceedings indicating the vote of each member, the reason for its decision, its official actions and any conditions of approval.

### 4. CERTIFICATION & RECORDING OF DECISION

a. Filing of the Decision

- i. Decisions will be filed with the Office of the City Clerk as indicated for each type of development review (see §10.B.1. Zoning Permit through §10.D.3. Zoning Map Amendment). The City Clerk will date stamp the decision, beginning the time period for which an appeal may be filed.

b. Notice of the Decision

- i. Notification of the decision shall be mailed to the petitioner, applicant, and appellant, as applicable.

c. Certification

- i. After the time period for appeal has expired (see Section 10.E. Legislative Procedures), the Applicant must take a copy of the decision provided by the Planning Division to the Office of the City Clerk for certification that no appeals have been filed.

d. Archiving of Decision

- i. Once the Office of the City Clerk has certified that the decision has not been appealed, the Applicant must archive the decision with the property authority as follows:
  - a). For unregistered land,
    - i). the Applicant must submit the certified copy of the decision to the Middlesex South Registry of Deeds.
  - b). For registered land,
    - i). the Applicant must submit the certified copy of the decision to the Land Court.
- ii. No zoning permit, building permit, and/or certificate of occupancy will be issued without physical evidence that a required or requested special permit, waiver, and/or variance granted by a review board has been properly filed with the Middlesex South Registry of Deeds or land court.

## B. PRELIMINARY REVIEW

### 1. PRE-SUBMITTAL MEETING

- a. Purpose
  - i. A pre-submittal meeting provides an applicant with the opportunity to discuss submittal procedure, informational requirements, and the timeline of development review prior to formal submittal of an application for development review as well as review concepts for development with staff.
- b. Applicability
  - i. A pre-submittal meeting is highly recommended for all development.
  - ii. A pre-submittal meeting is required for all development requiring a Special Permit, Site Development Plan Approval, Large Development Plan Approval, or Neighborhood Development Plan Approval.
  - iii. Applications for development review that require a pre-submittal meeting are not considered complete until such a meeting has been held.
- c. Procedure
  - i. A pre-submittal meeting must occur at least three (3) days prior to formal submittal of an application for development review.
  - ii. Applicants or their representatives are required to attend a pre-submittal meeting.
  - iii. Applicants are required to bring the following materials to the pre-submittal meeting:
    - a). a plot plan or mortgage inspection plan
  - iv. Applicants are encouraged to bring following materials to the pre-submittal meeting:
    - a). sketch plans and elevations

## 2. NEIGHBORHOOD MEETING

- a. Purpose
  - i. A neighborhood meeting facilitates community participation in the development review process; provides an applicant with an opportunity to present a development proposal to the public during the conceptual design phase; and allows the public to identify, list, and discuss issues and potential impacts of the development proposal with the applicant prior to the formal development review process.
- b. Applicability
  - i. A neighborhood meeting is required as indicated for each district or type of development review. See Article 2. Base Districts, Article 4 Special Districts, and §10.B.1. Zoning Permit through §10.D.3. Zoning Map Amendment for more information.
  - ii. Applications for development review that require a neighborhood meeting are not considered complete until such a meeting has been held.
- c. Procedure
  - i. A neighborhood meeting must occur at least ten (10) days prior to formal submittal of an application for development review.
  - ii. Applicants or their representatives are required to attend a neighborhood meeting.
  - iii. The Applicant is responsible for scheduling and coordinating a neighborhood meeting with the Ward representative from the Board of Aldermen and the Staff of the Mayor's Office of Strategic Planning and Community Development.
  - iv. The format and agenda of the neighborhood meeting is at the discretion of the applicant, in consultation with the Ward representative from the Board of Aldermen, and may consist of any or all of the following:
    - a). formal presentation
    - b). on-site walkthrough
    - c). drop-in informational session
  - v. Applicants or their representatives are required to attend a neighborhood meeting.
  - vi. Applicants are required to bring to the following materials to a neighborhood meeting:
    - a). architectural elevations;
    - b). 3D renderings;
    - c). shadow study; and
    - d). zoning compliance information.

### 3. DESIGN REVIEW

- a. Purpose
  - i. A design review meeting provides the City and an applicant with an opportunity to receive advice and recommendations from the professional design community to ensure that development protects and enhances the public realm and human scale of the City.
- b. Applicability
  - i. A design review meeting is required for all development requiring a Site Development Plan Approval, Large Development Plan Approval, or Neighborhood Development Plan Approval.
  - ii. Applications for development review that requires a design review meeting are not considered complete until such a meeting has been held.
- c. Procedure
  - i. A design review meeting must occur at least ten (10) days prior to formal submittal of an application for development review.
  - ii. Applicants or their representatives are required to attend a design review meeting.



## C. ADMINISTRATIVE DEVELOPMENT REVIEW

### 1. ZONING PERMIT

- a. Purpose
  - i. A zoning permit certifies that development plans conform to the provisions of this Ordinance.
  - ii. The Zoning Permit process provides an applicant with the opportunity to submit architectural, site, landscape, and engineering plans so that compliance to the provisions of this Ordinance can be determined by the Building Official prior to preparation of construction documents.
- b. Applicability
  - i. All development activity requires a zoning permit, including by-right building types and uses, lot splits, lot mergers, and lot line adjustments.
  - ii. No building permit, certificate of occupancy, or construction permit shall be issued until a zoning permit has been granted by the Building Official.
  - iii. In cases where both a building permit and a certificate of occupancy are required, a zoning permit is only required prior to the issuance of the building permit.
- c. Authority
  - i. The Building Official reviews and approves all applications for a zoning permit.
- d. Procedure
  - i. Applications for a zoning permit must be submitted to the Building Official in accordance with §10.A.1. Application Submittal.
  - ii. The approval or denial of an application for a zoning permit is conducted administratively.
  - iii. Within ten (10) days after receiving a completed application for a zoning permit, the Building Official shall issue such permit, or transmit, in writing, the reasons for failure to issue such permit to the applicant.
  - iv. Development that requires or requests an exception from the provisions of this Ordinance shall not be issued a zoning permit until the discretionary review of the requested exception has been heard before the designated review board and final action taken.
  - v. Development that requires development plan approval, large development plan approval, or neighborhood development plan approval shall not be issued a zoning permit until the administrative review has been conducted by the designated review board and final action taken.
  - vi. When considering a revision to a previously approved application for a zoning permit, the Building Official shall limit their review to the proposed changes to the previously approved application.
- e. Inspections
  - i. Submittal of a zoning permit application provides consent, by the applicant, for the Building Official to enter upon private real property to conduct routine inspections as needed.
- f. Appeals
  - i. Administrative Appeal
    - a). An aggrieved party may appeal the decision of the Building Official according to the

procedures of §11.F.2. Administrative Appeal.

- b). Administrative appeals must be filed within thirty (30) days after the filing of a decision with the Office of the City Clerk.

## 2. BUILDING PERMIT

- a. Purpose
  - i. A building permit certifies that the construction documents for a proposed structure or sign conforms with the Massachusetts Building Code and all applicable Ordinances.
- b. Applicability
  - i. No building or structure shall be constructed, reconstructed, altered, moved, repaired, demolished, or removed nor shall any equipment be installed, including signs, nor shall any excavation begin, until a building permit has been issued by the Building Official.
  - ii. No building permit shall be issued until a zoning permit has been granted by the Building Official.
  - iii. No building permit shall be issued for development if construction documents do not accurately reflect the following:
    - a). any development plan documentation submitted as part of a development review application.
    - b). conditions attached to any administrative or discretionary development review approval.
- c. Authority
  - i. The Building Official reviews and approves all applications for a building permit.
- d. Procedure
  - i. Applications for building permits must be submitted in accordance with §10.A.1. Application Submittal.
  - ii. The approval or denial of a building permit application is conducted administratively.
  - iii. Within thirty (30) days after receiving a completed application for a building permit, the Building Official shall issue such permit, or transmit, in writing, the reasons for failure to issue such permit to the applicant.
- e. Validity
  - i. Construction must begin within six (6) months following the issuance of a Building Permit and continue towards completion in a continuous and expeditious manner for the permit to remain valid.
- f. Inspections
  - i. Submittal of a building permit application provides consent, by the applicant, for the Building Official to enter upon private real property to conduct routine inspections as needed.
- g. Appeals
  - i. Administrative Appeal
    - a). Any aggrieved party may appeal an interpretation, order, requirement, direction, or failure to act by the Building Official according to the procedures of §11.F.2. Administrative Appeal.
    - b). Administrative appeals must be filed within thirty (30) days after the filing of a decision with the Office of the City Clerk.
  - ii. Building Code Appeal
    - a). Any aggrieved party may appeal an interpretation, order, requirement, direction, or failure to act by the Building Official according to the procedures of §11.F.1. Building Code Appeal.
- b). Building code appeals must be filed within forty-five (45) days after notice is served of an interpretation, order, requirement, direction, or failure to act by the Building Official.

### 3. CERTIFICATE OF OCCUPANCY

- a. Purpose
  - i. A certificate of occupancy certifies that a building or structure is safe for occupation and/or use according to all applicable Ordinances and that proper inspections have been carried out by the Building Official during any construction, reconstruction, alteration, repair, or demolition activities permitted pursuant to a building permit.
- b. Applicability
  - i. No real property shall be occupied or used and no existing use of real property shall be changed until a certificate of occupancy has been issued by the Building Official.
  - ii. No certificate of occupancy shall be issued until a zoning permit has been granted by the Building Official.
  - iii. No certificate of occupancy shall be issued for development that does not comply to the following:
    - a). any development plan documentation submitted as part of a development review application.
    - b). conditions attached to any administrative or discretionary development review approval.
- c. Authority
  - i. The Building Official reviews and approves all applications for a certificate of occupancy.
- d. Procedure
  - i. Applications for a certificate of occupancy must be submitted in accordance with §10.A.1. Application Submittal.
  - ii. The approval or denial of a certificate of occupancy application is conducted administratively.
  - iii. Within ten (10) days after final inspection for a certificate of occupancy, the Building Official shall issue such certificate, or transmit, in writing, the reasons for failure to issue such certificate to the applicant.
- e. Inspections
  - i. Submittal of a certificate of occupancy application provides consent, by the applicant, for the Building Official to enter upon private real property to conduct inspections as needed.
- f. Appeals
  - i. Administrative Appeal
    - a). Any aggrieved party may appeal an interpretation, order, requirement, direction, or failure to act by the Building Official according to the procedures of §11.F.2. Administrative Appeal.
    - b). Administrative appeals must be filed within thirty (30) days after the filing of a decision with the Office of the City Clerk.
  - ii. Building Code Appeal
    - a). Any aggrieved party may appeal an interpretation, order, requirement, direction, or failure to act by the Building Official according to the procedures of §11.F.1. Building Code Appeal.
    - b). Building code appeals must be filed within forty-five (45) days after notice is served of an interpretation, order, requirement, direction, or

failure to act by the Building Official.

#### 4. WRITTEN INTERPRETATION

- a. Purpose
  - i. A written interpretation is a formal explanation or clarification of the regulations of this ordinance as applied to specific cases.
- b. Applicability
  - i. A written interpretation may be requested by the public only for a pending application for development review.
  - ii. The Building Official may issue a written interpretation of any specific provision(s) of this Ordinance as applied to any specific property or development proposal under development review at their own initiative, without petition from the public.
  - iii. A written interpretation does not require the Building Official or any review board to reach a particular decision for any application for development review if the facts of the application, property, location, or character of the development proposal differ from those stated or assumed in a previously issued written interpretation.
  - iv. Written interpretations shall be consistent with the intent and purpose of this Ordinance and cannot contradict or override any provision of this or any other Ordinance.
- c. Authority
  - i. The Building Official issues written interpretations.
- d. Procedure
  - i. Petitions for a written interpretation must be submitted in accordance with §10.A.1. Application Submittal.
  - ii. Within thirty (30) days after receiving a petition for a written interpretation, the Building Official must
    - a). review the specific provision or provisions to be interpreted and the facts of the specific situation concerning the request for an interpretation;
    - b). issue, in writing, meaningful explanation or clarification of the provision in question;
    - c). file the written interpretation with the Office of the City Clerk; and
    - d). post the written interpretation on the City website.
  - iii. The Building Official may require further facts and information as are, in their judgment, necessary to provide a meaningful interpretation of the provision in question.
- e. Appeals
  - i. Administrative Appeal
    - a). An aggrieved party may appeal the decision of the Building Official according to the procedures of §11.F.2. Administrative Appeal.
    - b). Administrative appeals must be filed within thirty (30) days after the filing of a decision with the Office of the City Clerk.

## 5. SITE DEVELOPMENT PLAN APPROVAL

- a. Purpose
  - i. Site development plan approval certifies that development plans conform to the applicable provisions of this Ordinance.
- b. Applicability
  - i. Site development plan approval is required as specifically authorized by this Ordinance.
  - ii. No zoning permit shall be issued for development that requires site development plan approval until the designated review board has held a public hearing and approved the plan.
  - iii. The review and approval of an application for site development plan approval is conducted administratively at a public hearing.
- c. Authority
  - i. The Zoning Board of Appeals review and approves all applications for site development plan approval for development in the NR, UR, 3MU, and 4MU districts.
  - ii. The Planning Board reviews and approves all applications for site development plan approval for development in all other districts.
- d. Procedure
  - i. Applications for site development plan approval must be submitted in accordance with §10.A.1. Application Submittal.
  - ii. Within four-five (45) days after receiving a completed application for site development plan approval, the Planning Board must review the application and hold a public hearing.
  - iii. Within twenty (20) days of the closing of the public hearing, the Planning Board must make a decision to approve, approve with conditions, deny, or grant withdrawal the application for site development plan approval.
  - iv. Development that requires or requests an exception from the provisions of this Ordinance shall not be granted a zoning permit until the discretionary review of the requested exception has been heard before the designated review board and final action taken.
  - v. When considering a revision to a previously approved application for site development plan approval, the Planning Board shall limit their review to the proposed changes to the previously approved application.
- e. Findings and Compliance
  - i. The review board shall approve an application for site development plan approval upon verifying that the submitted plan conforms with the provisions of this ordinance consistency to the following:
    - a). the adopted comprehensive Master Plan of the City of Somerville and existing policy plans and standards established by the City.
    - b). the purpose of the district where the property is located and of this Ordinance in general.
  - ii. The review board may reject a application for site development plan approval only when:
    - a). the submittal fails to furnish adequate information required for approval;
    - b). the imposition of reasonable conditions would not ensure compliance to standards, as applicable; and/or
    - c). the submittal, although proper in form, includes or creates an intractable problem so intrusive on the needs of the public in one regulated aspect or another and cannot be adequately mitigated.
- iii. The review board may require the posting of a bond or other performance guarantee to assure compliance with the site development plan and/or conditions, as approved.
- f. Conditions
  - i. The review board may attach conditions and/or limitations that it deems necessary in order to ensure compliance to the provisions applicable to development requiring site development plan approval.
- g. Judicial Appeal
  - i. An aggrieved party may appeal the decision of the Planning Board according to the procedures of §11.F.3. Judicial Appeal.
  - ii. Judicial appeals must be filed within twenty (20) days after the filing of a decision with the Office of the City Clerk.

## 6. LARGE DEVELOPMENT PLAN APPROVAL

- a. Purpose
  - i. Large development plan approval certifies that development plans conform to the provisions of this Ordinance.
- b. Applicability
  - i. Large development plan approval is only available as specifically authorized by this Ordinance.
  - ii. No zoning permit shall be issued for development that requires large development plan approval until the designated review board has held a public meeting and approved the plan.
  - iii. The review and approval of an application for large development plan approval is conducted administratively at a public hearing.
- c. Authority
  - i. The Planning Board reviews and approves all applications for large development plan approval.
- d. Procedure
  - i. Applications for a large development plan approval must be submitted in accordance with §10.A.1. Application Submittal.
  - ii. Within sixty-five (65) days after receiving a completed application for large development plan approval, the Planning Board must review the application and hold a public hearing.
  - iii. Within forty-five (45) days of the closing of the public hearing, the Planning Board must make a decision to approve, approve with conditions, deny, or grant withdrawal the application for neighborhood development plan approval.
  - iv. Development that requires or requests an exception from the provisions of this Ordinance shall not be granted a zoning permit until the discretionary review of the requested exception has been heard before the designated review board and final action taken.
  - v. When considering a revision to a previously approved application for large development plan approval, the Planning Board shall limit their review to the proposed changes to the previously approved application.
- e. Findings and Compliance
  - i. The Planning Board shall approve an application for large development plan approval upon verifying that the submitted plan conforms with the provisions of this ordinance consistency to the following:
    - a). the adopted comprehensive Master Plan of the City of Somerville and existing policy plans and standards established by the City.
    - b). the purpose of the district where the property is located and of this Ordinance in general.
  - ii. The Planning Board may reject a application for large development plan approval only when:
    - a). the submittal fails to furnish adequate information required for approval;
    - b). the imposition of reasonable conditions would not ensure compliance to standards, as applicable; and/or
    - c). the submittal, although proper in form, includes or creates an intractable problem so intrusive on the needs of the public in one regulated aspect or another and cannot be adequately mitigated.
- iii. The Planning Board may require the posting of a bond or other performance guarantee to assure compliance with the large development plan and/or conditions, as approved.
- f. Conditions
  - i. The Planning Board may attach conditions and/or limitations that it deems necessary in order to ensure compliance to the findings and/or standards applicable to development requiring large development plan approval.
- g. Judicial Appeal
  - i. An aggrieved party may appeal the decision of the Planning Board according to the procedures of §11.F.3. Judicial Appeal.
  - ii. Judicial appeals must be filed within twenty (20) days after the filing of a decision with the Office of the City Clerk.

## 7. NEIGHBORHOOD DEVELOPMENT PLAN APPROVAL

- a. Purpose
  - i. Neighborhood development plan approval certifies that development plans conform to the provisions of this Ordinance.
  - ii. The neighborhood development plan approval process provides an applicant with the opportunity to submit a plan illustrating the basic components of a neighborhood without preparing detailed site plans or architectural and engineering drawings for thoroughfares, civic spaces, and/or buildings that can be approved separately at a later date as project phases and individual lots are built out.
- b. Applicability
  - i. Neighborhood development plan approval is only available as specifically authorized by this Ordinance.
  - ii. No zoning permit shall be issued for development that requires neighborhood development plan approval until the designated review board has held a public hearing and approved the plan.
  - iii. The review and approval of an application for neighborhood development plan approval is conducted administratively at a public hearing.
- c. Authority
  - i. The Planning Board reviews and approves all applications for neighborhood development plan approval.
- d. Procedure
  - i. Applications for neighborhood development plan approval must be submitted in accordance with §10.A.1. Application Submittal.
  - ii. Within ninety (90) days after receiving a completed application for neighborhood development plan approval, the Planning Board must review the application and hold a public hearing.
  - iii. Within ninety (90) days of the closing of the public hearing, the Planning Board must make a decision to approve, approve with conditions, deny, or grant withdrawal the application for neighborhood development plan approval.
  - iv. Development that requires or requests an exception from the provisions of this Ordinance shall not be granted a zoning permit until the discretionary review of the requested exception has been heard before the designated review board and final action taken.
  - v. When considering a revision to a previously approved application for neighborhood development plan approval, the Planning Board shall limit their review to the proposed changes to the previously approved application.
- e. Findings and Compliance
  - i. The Planning Board shall approve an application for neighborhood development plan approval upon verifying that the submitted plan conforms with the provisions of this ordinance consistency to the following:
    - a). the adopted comprehensive Master Plan of the City of Somerville and existing policy plans and standards established by the City.
    - b). the purpose of the district where the property is located and of this Ordinance in general.
  - ii. The Planning Board may reject an application for NEIGHBORHOOD DEVELOPMENT PLAN approval only when:
    - a). the submittal fails to furnish adequate information required for approval;
    - b). the imposition of reasonable conditions would not ensure compliance to standards, as applicable; and/or
    - c). the submittal, although proper in form, includes or creates an intractable problem so intrusive on the needs of the public in one regulated aspect or another and cannot be adequately mitigated.
  - iii. The Planning Board may require the posting of a bond or other performance guarantee to assure compliance with the neighborhood development plan and/or conditions, as approved.
- f. Conditions
  - i. The Planning Board may attach conditions and/or limitations that it deems necessary in order to ensure compliance to the findings and/or standards applicable to development requiring neighborhood development plan approval.
- g. Judicial Appeal
  - i. An aggrieved party may appeal the decision of the Planning Board according to the procedures of §11.F.3. Judicial Appeal.
  - ii. Judicial appeals must be filed within twenty (20) days after the filing of a decision with the Office of the City Clerk.



## 8. SUBDIVISION PLAN APPROVAL

- a. Purpose
  - i. Subdivision plan approval certifies that a plat plan showing the division(s) of a parcel of land into new lots and the thoroughfares that provide access to them conforms to the provisions of this Ordinance.
- b. Applicability
  - i. Subdivision plan approval does not apply to lot splits, lot mergers, and lot line adjustments. Lot splits, lot mergers, and lot line adjustments require a zoning permit.
  - ii. The review and approval of an application for subdivision plan approval is conducted administratively at a public hearing.
  - iii. No subdivision plan shall be filed with the Middlesex South Registry of Deeds until the review board has held a public hearing and approved the plan.
- c. Authority
  - i. The Planning Board reviews and approves all applications for subdivision plan approval.
- d. Procedure
  - i. Applications for subdivision plan approval must be submitted in accordance with §10.A.1. Application Submittal.
  - ii. Within forty-five (45) days after receiving a completed application for subdivision plan approval, the Planning Board must review the application and hold a public hearing.
  - iii. Within twenty (20) days of the closing of the public hearing, the Planning Board must make a decision to approve, approve with conditions, deny, or grant withdrawal the application for site development plan approval.
  - iv. Development that requires or requests an exception from the provisions of this Ordinance shall not be granted a zoning permit until the discretionary review of the requested exception has been heard before the designated review board and final action taken.
  - v. When considering a revision to a previously approved application for subdivision plan approval, the Planning Board shall limit their review to the proposed changes to the previously approved application.
- e. Findings and Compliance
  - i. The Planning Board shall approve an application for subdivision plan approval upon verifying that the submitted plan conforms with the provisions of this ordinance consistency to the following:
    - a). the adopted comprehensive Master Plan of the City of Somerville and existing policy plans and standards established by the City.
    - b). the purpose of the district where the property is located and of this Ordinance in general.
- f. Conditions
  - i. The Planning Board may attach conditions and/or limitations that it deems necessary in order to ensure compliance to the findings and/or standards applicable to development requiring subdivision plan approval.
- g. Judicial Appeal
  - i. An aggrieved party may appeal the decision of the

Planning Board according to the procedures of §11.F.3. Judicial Appeal.

- ii. Judicial appeals must be filed within twenty (20) days after the filing of a decision with the Office of the City Clerk.



## 9. PLAN REVISION

- a. Purpose
  - i. A plan revision petition is a request to make changes to a previously approved application for development review.
- b. Applicability
  - i. The initial approval or denial of an application for a plan revision is conducted administratively.
- c. Authority
  - i. The Director of Planning of the Mayor's Office of Strategic Planning and Community Development (hereafter referred to as "Planning Director") reviews and decides all application for a plan revision.
- d. Procedure
  - i. Applications for a plan revision must be submitted in accordance with Section 10.A.1. Application Submittal.
  - ii. Within fourteen (14) days after receiving a completed application for a plan revision, the Planning Director must review the application and determine if the proposed revision is de-minimus or significant enough to be considered a major amendment to the plan.
  - iii. The Planning Director (Building Official?) may determine the proposed revision is de minimus upon finding that the revised plan:
    - a). does not contravene the previously punished public notice, any finding, or attached condition made by the review board for the original application;
    - b). does not detrimentally impact matters of substance identified in the meeting minutes of the original public meetings or public hearings;
    - c). features changes that are insignificant to the degree that persons familiar with the original application would not notice a substantial change in operational or built outcome.
  - iv. Upon a determination that the proposed revision is de minimus, the Planning Director will approve or deny the proposed revisions in writing. Upon denial, the applicant may appeal the decision of the Planning Director according to the procedures of §10.C.2. Administrative Appeal.
  - v. Upon a determination that the proposed revision is not de minimus, the Planning Director shall notify, in writing, the applicant and the designated review board of the determination and the applicant shall submit the proposed revisions to the designated review board as a revision to a previously approved development review application in accordance with Section 10.A.1. Application Submittal.
  - vi. When considering a revision to a previously approved development review application, review shall be limited to the changes to the previously approved application.

## D. DISCRETIONARY DEVELOPMENT REVIEW

### 1. SPECIAL PERMIT

- a. Purpose
  - i. A special permit authorizes a predetermined type of exception from the provisions in this Ordinance, within specific limitations.
- b. Applicability
  - i. No zoning permit shall be issued for development that requires or requests a special permit until the designated review board has held a public hearing and final action is taken.
  - ii. Special permits may only be requested as specifically authorized by this Ordinance.
  - iii. The approval or denial of an application for a special permit is discretionary.
- c. Authority
  - i. The Planning Board reviews and decides all applications for a Special Permit in the following circumstances:
    - a). all development requiring a special permit in the 5MU, 7MU, and 10 MU districts;
    - b). all development requiring a special permit in the Assembly Square, Innerbelt, Brickbottom, and North Point special districts;
    - c). all development simultaneously applying for large development plan approval or neighborhood development plan approval; and
    - d). all development subject to an approved large development plan or neighborhood development plan.
  - ii. The Zoning Board of Appeals reviews and decides all applications for a special permit in the following circumstances:
    - a). all development requiring a special permit in the NR, UR, 3MU, and 4MU districts;
    - b). all development requiring a special permit in the Tufts University special district.
- d. Procedure
  - i. Applications for special permits must be submitted in accordance with §10.A.1. Application Submittal.
  - ii. Within sixty-five (65) days after receiving a completed application for a special permit, the designated review board must review the application and hold a public hearing.
  - iii. Within ninety (90) days of the closing of the public hearing, the review board must
    - a). make a decision to approve, approve with conditions, deny, or grant withdrawal the application for a special permit; and
    - b). file that decision with the Office of the City Clerk.
  - iv. When considering a revision to a previously approved application for a special permit, the review board shall limit their review to the proposed changes to the previously approved application.
- e. Findings and Compliance
  - i. In its discretion to approve or deny a special permit required by this Ordinance, the review board shall consider the following:
    - a). conformance to the adopted master plan and other existing policy plans of the City of Somerville;
  - b). consistency with the purpose of the Neighborhood Residence district and of this Ordinance in general;
  - c). considerations indicated elsewhere in this Ordinance specifically for the required special permit.
- ii. The review board may grant a special permit only upon making positive findings as indicated for the specific special permit requested.
- f. Conditions
  - i. The review board may attach conditions and/or limitations that it deems necessary in order to ensure compliance to the findings and/or standards for the specific special permit requested.
- g. Permit Duration and Extension
  - i. Special permits remain valid for two (2) years from the date the decision is filed with the Office of the City Clerk, excluding any time required awaiting the decision of an appeal.
  - ii. The review board may reduce the time period that a special permit remains valid to a shorter time period as a condition attached to the special permit.
  - iii. The review board may extend the duration of validity for a special permit upon making a finding that a demonstrated hardship has prevented utilization of the rights authorized by the special permit.
  - iv. Requests for extension of the duration of validity must be submitted to the Office of the City Clerk on the appropriate forms provided by the Planning Division.
- h. Judicial Appeal
  - i. An aggrieved party may appeal the decision of the Zoning Board of Appeals according to the procedures of §11.F.3. Judicial Appeal.
  - ii. Judicial appeals must be filed within twenty (20) days after the filing of a decision with the Office of the City Clerk.

## 2. URBAN DESIGN WAIVER

- a. Purpose
  - i. An urban design waiver allows a specifically authorized type of exception from the provisions governing blocks, lots, and/or thoroughfares in this Ordinance, within specific limitations.
- b. Applicability
  - i. Waivers may only be requested as specifically authorized by this Ordinance.
  - ii. The approval or denial of an application for a waiver is discretionary. Approval is not guaranteed.
- c. Authority
  - i. The Planning Board reviews and decides all applications for an urban design waiver.
- d. Procedure
  - i. Applications for waivers must be submitted in accordance with §10.A.1. Application Submittal.
  - ii. Within sixty-five (65) days after receiving a completed application for a waiver, the Planning Board must review the application and hold a public hearing.
  - iii. Within ninety (90) days of the closing of the public hearing, the review board must
    - a). make a decision to approve, approve with conditions, deny, or grant withdrawal the application for a special permit; and
    - b). file that decision with the Office of the City Clerk.
  - iv. When considering a revision to a previously approved application for a special permit, the review board shall limit their review to the proposed changes to the previously approved application.
- e. Findings and Compliance
  - i. The Planning Board may grant a waiver upon making positive findings in determining the request is:
    - a). within the public interest;
    - b). consistent with any waiver eligibility requirements, as indicated elsewhere in this Ordinance; and
    - c). consistent with the orderly subdivision of a development site, construction of thoroughfares, or installation of utility services according to policy or standards deemed to be applicable by the Planning Board.
- f. Conditions
  - i. The Planning Board may attach conditions and/or limitations that it deems necessary in order to ensure compliance to the findings and/or standards for the specific special permit requested.
- g. Judicial Appeal
  - i. An aggrieved party may appeal the decision of the Planning Board according to the procedures of §11.F.3. Judicial Appeal.
  - ii. Judicial appeals must be filed within twenty (20) days after the filing of a decision with the Office of the City Clerk.

### 3. VARIANCE

- a. Purpose
  - i. A variance authorizes a deviation from the provisions in this Ordinance.
- b. Applicability
  - i. No zoning permit shall be issued for development that requests a variance until the designated review board has held a public hearing and final action is taken.
  - ii. The approval or denial of an application for a variance is discretionary.
  - iii. Use variances are not permitted.
- c. Authority
  - i. The Zoning Board of Appeals reviews and decides all applications for a variance.
- d. Procedure
  - i. Applications for a variance must be submitted in accordance with §10.A.1. Application Submittal.
  - ii. Within sixty-five (65) days after receiving a completed application for a variance, the Zoning Board of Appeals must review the application and hold a public hearing.
  - iii. Within one hundred (100) days of the closing of the public hearing, the Zoning Board of Appeals must make a decision to approve, approve with conditions, deny, or grant withdrawal the application for a variance.
  - iv. Within fourteen (14) days of making a decision, the Zoning Board of Appeals must file the decision and record of the proceedings of the public hearing with the Office of the City Clerk.
- e. Findings and Compliance
  - i. The Zoning Board of Appeals may only grant a variance upon finding that all of the following factors are met:
    - a). Special circumstances exist relating to the soil conditions, shape, or topography of a parcel of land or the unusual character of an existing structure but not affecting generally the zoning district in which the land or structure is located;
    - b). Literal enforcement of the provision of this Ordinance for the district where the subject land or structure is located would involve substantial hardship, financial or otherwise, to the petitioner or appellant due to said special circumstances; and
    - c). Desirable relief could be granted without causing substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of a specific district in this Ordinance or the Ordinance in general.
- f. Conditions
  - i. The Zoning Board of Appeals may attach conditions and/or limitations it deems necessary in order to ensure compliance to the findings and/or standards for the specific variance requested.
- g. Duration and Extension
  - i. Variances remain valid for one (1) year from the date the decision is made by the Zoning Board of Appeals, not the date that the decision is filed with the Office of the City Clerk, excluding any time required awaiting the decision of an appeal.
- ii. Upon written request by an applicant, the Zoning Board of Appeals may, in its discretion, extend the time period that a variance remains valid for up to six (6) months.
- iii. Requests for extension of a variance must be submitted to the Office of the City Clerk on the appropriate forms provided by the Planning Division.
- h. Judicial Appeal
  - i. An aggrieved party may appeal the decision of the Zoning Board of Appeals according to the procedures of §11.F.3. Judicial Appeal.
  - ii. Judicial appeals must be filed within twenty (20) days after the filing of a decision with the Office of the City Clerk.

## E. LEGISLATIVE PROCEDURES

### 1. LAND CONVEYANCE

- a. Purpose
  - i. A land conveyance petition is a request for the City to accept a voluntary offering of land for public dedication.
- b. Applicability
  - i. The approval or denial of a land conveyance petition is a discretionary legislative act.
- c. Authority
  - i. The Board of Aldermen reviews and decides all land conveyance petitions.
- d. Procedure
  - i. Land conveyance petitions must be submitted in accordance with Section §10.A.1. Application Submittal.
  - ii. Within fourteen (14) days of receiving a land conveyance petition, the Board of Aldermen must submit the petition and accompanying plan documentation to the Planning Board for review.
  - iii. Within sixty-five (65) days after submittal to the Planning Board, the Board of Aldermen must review the petition and hold a public hearing.
  - iv. Within ninety (90) days of the closing of the public hearing, the Board of Aldermen must vote to accept or reject the petition to convey the voluntary offering of land for public dedication.
  - v. The Board of Aldermen shall abstain from taking a vote until:
    - a). the Planning Board has submitted a report with recommendations concerning the petition; or
    - b). twenty-one (21) days after the closing of the public hearing without the Planning Board submitting its report.
  - vi. A two-thirds vote by all of the members of the Board of Aldermen is required to accept a voluntary offering of land for public dedication.
- e. Recommendation
  - i. In developing its recommendation to the Board of Aldermen, the Planning Board shall consider the following:
    - a). the adopted comprehensive Master Plan of the City of Somerville and existing policy, plans, and standards established by the City, including the Open Space & Recreation Plan.
    - b). the purpose of the district where the property is located and of this Ordinance in general.
    - c). any demonstrated public interest in ownership and the assumption of maintenance responsibility for the land in question.
- f. Conditions
  - i. The Planning Board may make recommendations to the Board of Aldermen for conditions that it deems within the public interest in accepting a petition to convey land to the City of Somerville.

## 2. ZONING TEXT AMENDMENT

- a. Purpose
  - i. A text amendment petition is a request to change the regulations of in response to changes in City policy or real world conditions.
- b. Applicability
  - i. The approval or denial of a zoning text amendment is a discretionary legislative act.
- c. Authority
  - i. The Board of Aldermen reviews and decides petitions to amend this Ordinance.
- d. Procedure
  - i. Petitions may be submitted by:
    - a). any member(s) of the Board of Aldermen;
    - b). the Mayor;
    - c). the Zoning Board of Appeals;
    - d). the Planning Board;
    - e). a property owner seeking to change the entitlement of his/her own property; and
    - f). ten (10) registered voters in the City of Somerville.
  - ii. Within fourteen (14) days of receiving a petition to amend the text of this Ordinance, the Board of Aldermen must submit the petition and the proposed changes, additions, or repeal of language to the Planning Board for review.
  - iii. Within sixty-five (65) days after submittal to the Planning Board, the Board of Aldermen must review the petition and hold a public hearing.
  - iv. Within ninety (90) days of the closing of the public hearing, the Board of Aldermen must vote to adopt, reject, or amend and adopt the text amendment petition.
  - v. The Board of Aldermen shall abstain from taking a vote until:
    - a). the Planning Board has submitted a report with recommendations concerning the petition; or
    - b). twenty-one (21) days after the closing of the public hearing without the Planning Board submitting their report.
  - vi. A two-thirds vote by all of the members of the Board of Aldermen is required to amend the text of this Ordinance.
  - vii. A three-fourths vote by all of the members of the Board of Aldermen is required upon written request by:
    - a). twenty (20) percent or more of the property owners of the land area affected by the proposed amendment; or
    - b). twenty (20) percent or more of the property owners within three hundred (300) feet of the land area affected by the proposed amendment.
  - viii. Proposed amendments that are denied by the Board of Aldermen will not be reconsidered for a minimum of two (2) years from the date final action was taken by the Board, unless the proposed amendment is supported by a positive recommendation from the Planning Board.
- e. Recommendation
  - i. In developing its recommendation to the Board of Aldermen, the Planning Board shall consider the following:
    - a). the adopted comprehensive Master Plan of the City of Somerville and existing policy plans and standards established by the City, including the Open Space & Recreation Plan.
    - b). the purpose of the district where the property is located and of this Ordinance in general.
    - c). any demonstrated public interest in ownership and the assumption of maintenance responsibility for the land in question.

### 3. ZONING MAP AMENDMENT

- a. Purpose
  - i. A map amendment petition is a request to change how zoning districts are mapped over real property in response to changes in City policy or real world conditions.
- b. Applicability
  - i. The approval or denial of a zoning map amendment is a discretionary legislative act.
- c. Authority
  - i. The Board of Aldermen reviews and decides petitions to amend the Official Zoning Map.
- d. Procedure
  - i. Petitions to amend the zoning map must be submitted in accordance with Section 10.A.1. Application Submittal.
  - ii. Petitions may be submitted by:
    - a). any member(s) of the Board of Aldermen;
    - b). the Mayor;
    - c). the Zoning Board of Appeals;
    - d). the Planning Board;
    - e). a property owner seeking to change the entitlement of his/her own property; and
    - f). ten (10) registered voters in the City of Somerville.
  - iii. Within fourteen (14) days of receiving a petition to amend the Official Zoning Map, the Board of Aldermen must submit the petition and the proposed changes, additions, or repeal of language to the Planning Board for review.
  - iv. Within sixty-five (65) days after submittal to the Planning Board, the Board of Aldermen must review the petition and hold a public hearing.
  - v. Within ninety (90) days of the closing of the public hearing, the Board of Aldermen must vote to adopt, reject, or amend and adopt the map amendment petition.
  - vi. The Board of Aldermen shall abstain from taking a vote until:
    - a). the Planning Board has submitted a report with recommendations concerning the petition; or
    - b). twenty-one (21) days after the closing of the public hearing without the Planning Board submitting its report.
  - vii. A two-thirds vote by all of the members of the Board of Aldermen is required to amend the Official Zoning Map.
  - viii. A three-fourths vote by all of the members of the Board of Aldermen is required upon written request by:
    - a). twenty (20) percent or more of the property owners of the land area included in the proposed map change; or
    - b). twenty (20) percent or more of the property owners within three hundred (300) feet of the land area included in the proposed map change.
  - ix. Proposed amendments that are denied by the Board of Aldermen will not be reconsidered for a minimum of two (2) years from the date final action was taken by the Board, unless the proposed amendment is supported by a positive recommendation from the Planning Board.
- e. Recommendation
  - i. In developing its recommendation to the Board of Aldermen, the Planning Board shall consider the following:
    - a). the adopted comprehensive Master Plan of the City of Somerville and existing policy plans and standards established by the City;
    - b). the purpose of this Ordinance in general; and
    - c). the intent and purpose of the district(s) that would be applied to the properties in question.

## **F. APPEALS**

### **1. BUILDING CODE APPEAL**

- a. Purpose
  - i. A building code appeal is a petition to rectify an interpretation, order, requirement, direction, or failure to act by the Building Official when an alleged error or misinterpretation has been made in the enforcement or application of the State Building Code (780 CMR).
- b. Authority
  - i. The State Building Code Appeals Board reviews and decides building code appeals.
- c. Procedure
  - i. Building code appeals must be filed with the State Building Code Appeal Board in accordance with the procedures set forth in M.G.L. Title XX, Chapter 143, Section 100, as amended.



## 2. ADMINISTRATIVE APPEAL

- a. Purpose
  - i. An administrative appeal is a petition to rectify a failure to act, denial of a permit, decision made, or enforcement action taken by the building official or planning board in an administrative development review case when an alleged error or misinterpretation has been made in the enforcement or application of the provisions of this Ordinance.
- b. Applicability
  - i. Any aggrieved party may appeal an interpretation, order, requirement, direction, or failure to act by the Building Official.
- c. Authority
  - i. The Zoning Board of Appeals reviews and decides all administrative appeals.
- d. Procedure
  - i. Administrative appeals must be submitted in accordance with §10.A.1. Application Submittal.
  - ii. Within sixty-five (65) days after receiving a completed application for an administrative appeal, the designated review board must review the application and hold a public hearing.
  - iii. Within one hundred (100) days of the closing of the public hearing, the Zoning Board of Appeals must make a decision to uphold or reverse the decision of the Building Official or Planning Board.
  - iv. Within fourteen (14) days of making a decision, the Zoning Board of Appeals must file the decision and record of the proceedings of the public hearing with the Office of the City Clerk.
- e. Judicial Appeal
  - i. An aggrieved party may appeal the decision of the Zoning Board of Appeals according to the procedures of §11.F.3. Judicial Appeal.

### 3. JUDICIAL APPEAL

- a. Purpose
  - i. A judicial appeal is a petition to rectify the failure to act, denial of a permit, decision made, or enforcement action taken by a review board in a discretionary development review case when an alleged error or misinterpretation has been made in the enforcement or application of the provisions of this Ordinance.
- b. Jurisdiction
  - i. Judicial appeals can be filed per MGL 40A, Sec. 17.

## G. REVIEW BOARDS & OFFICIALS

### 1. BUILDING OFFICIAL

- a. Responsibilities
  - i. The Superintendent of Inspectional Services or their designee (hereafter referred to as "Building Official") is the enforcement authority for this Ordinance.
  - ii. The Building Official may issue any enforcement order, violation notice, request for compliance, or other correspondence as necessary and institute any appropriate inspection, action, or proceeding in the name of the City of Somerville to:
    - a). prevent the unlawful erection, relocation, extension, enlargement, or alteration of any structure or sign;
    - b). prevent the unlawful use or occupancy of real property;
    - c). prevent any illegal act, business, or use in or about any premises; and
    - d). prevent, correct, restrain, or abate violations of this Ordinance.
- b. Enforcement Actions
  - i. The Building Official shall not issue any written interpretation, zoning permit, building permit, or certificate of occupancy in violation of this Ordinance.
  - ii. Any written interpretation, zoning permit, building permit, or certificate of occupancy issued in contradiction to the provisions of this ordinance is void.
  - iii. Any material misstatement of fact by an applicant or any material misrepresentation in plans or specifications will render void any written interpretation, zoning permit, building permit, or certificate of occupancy issued by the Building Official.
  - iv. The Building Official, upon finding evidence of violation of this Ordinance shall give written notice to the property owner and/or occupant of said property demanding such violation be corrected or abated within such time as the Building Official deems appropriate.
  - v. The Building Official shall revoke any existing certificate of occupancy or building permit already in effect for any property that is in violation of this Ordinance if that violation is not corrected or abated within the required time period.
- c. Fines and Penalties
  - i. Any person who violates the provisions of this Ordinance shall be punished with a fine of not more than three hundred dollars (\$300.00) for each offense, where each day that a violation is not corrected or abated shall constitute a separate offense.

## 2. ZONING BOARD OF APPEALS

- a. Responsibilities
  - i. The Zoning Board of Appeals reviews and decides all applications for a variance.
  - ii. The Zoning Board of Appeals reviews and decides all application for an administrative appeal.
- b. Board Rules
  - i. The Zoning Board of Appeals and may adopt rules of procedure and policy as it may deem necessary to conduct its affairs, including but not limited to the following subjects:
    - a). rules and procedures governing applications and fees, including required written and graphical information;
    - b). rules and procedures governing the administrative compliance of zoning requirements;
  - ii. The adoption or amendment of rules of procedure and policy is conducted administratively at a public meeting.

### 3. PLANNING BOARD

- a. Responsibilities
  - i. The Planning Board reviews and approves all applications for site development plan approval.
  - ii. The Planning Board reviews and approves all applications for large development plan approval.
  - iii. The Planning Board reviews and approves all applications for neighborhood development plan approval.
  - iv. The Planning Board reviews and decides all applications for a waiver.
  - v. The Planning Board provides advice and recommendations to the Board of Aldermen concerning the following:
    - a). proposed amendments to the text or maps of the Somerville Zoning Ordinance;
    - b). proposed changes to the official map of the City of Somerville; and
    - c). the laying out, alteration, relocation, or discontinuance of public ways and statutory private ways; and
    - d). the proposed conveyance of land to the City.
  - vi. The Planning Board, or its designee, authors and periodically updates the master plan for the City of Somerville.
  - vii. The Planning Board, or its designee, drafts the official map of the City of Somerville.
- b. Board Rules
  - i. The Planning Board and may adopt rules of procedure and policy as it may deem necessary to conduct its affairs, including but not limited to the following subjects:
    - a). rules and procedures governing applications and fees, including required written and graphical information;
    - b). rules and procedures pertaining to the development review process;
    - c). rules and procedures governing the administrative compliance of zoning requirements;
    - d). rules and procedures for subdivision, lot splits, lot mergers, and lot line adjustments.
  - ii. The adoption or amendment of rules of procedure and policy is conducted administratively at a public meeting.

#### 4. URBAN DESIGN COMMISSION

- a. Responsibilities
  - i. The Urban Design Commission provides advice and recommendations to the Zoning Board of Appeals and Planning Board concerning how the design of development of projects affects the quality of Somerville's public realm, the urban environment visible and accessible to the public inclusive of both spaces and the building walls that frame them.
- b. Board Rules
  - i. The Urban Design Commission may adopt rules of procedure and policy as it deems necessary to conduct its affairs, including but not limited to the following subjects:
    - a). rules and procedures governing applications and fees, including required written and graphical information;
    - b). rules and procedures pertaining to the development review process;
    - c). rules and procedures governing the administrative compliance of zoning requirements;
    - d). rules and procedures for lot splits, lot mergers, and lot line adjustments.
  - ii. The adoption or amendment of rules of procedure and policy is conducted administratively at a public meeting.



# ARTICLE 11: NONCONFORMANCE

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## A. NONCONFORMANCE

### 1. GENERAL

- a. Applicability
  - i. The alteration, expansion, reconstruction, extension, or structural change (hereafter referred to as "alteration") of a lawfully nonconforming use, structure, site characteristic, lot, and/or sign must comply with the provisions of this section.
- b. Authority to Continue
  - i. Any use, structure, site characteristic, lot, sign that was lawfully established prior to and has been made nonconforming as of the first publication of the public notice for the public hearing for this Ordinance, or any amendment to this Ordinance, may continue as lawfully nonconforming so long as the nonconformity remains otherwise lawful.
  - ii. Any rights conferred upon a lawful nonconformity run with the property and are not affected by changes in tenancy or ownership.
- c. Proof of Lawful Nonconformance
  - i. The burden of establishing the prior existence of a lawful nonconformity is on the applicant. When applying for development review involving a lawful nonconformity, the Building Official may require the applicant to submit evidence of a prior permit or other documentation showing that the lawful nonconformity existed prior to the date on which it became lawfully nonconforming.

### 2. NONCONFORMING USES

- a. Alteration
  - i. Any alteration to a lawfully existing nonconforming use may be permitted if granted a special permit by the appropriate review board in the following circumstances:
    - a). the alteration is not substantially more detrimental to the neighborhood than the existing degree of nonconformity.
  - ii. A nonconforming use is considered to be altered in, but not limited to, the following circumstances:
    - a). any increase in gross floor area;
    - b). any increase in the number of dwelling units;
    - c). a change from seasonal to full-time operation; and,
    - d). any substantial increase in the number of automobile trips generated by the use.
- b. Change in Use
  - i. A lawfully existing nonconforming use of real property may change to a permitted use as indicated for the district where the property is located (see Article 5: Use Provisions).
  - ii. The change in use of a lawfully existing nonconforming use of real property to a different nonconforming use within the same Use Category as the existing nonconforming use requires a Special Permit according to the provisions of §10.D.1. Special Permit.
    - a). In its discretion to approve or deny a special permit authorizing a change is use of a lawfully existing nonconforming use of real property to a different nonconforming use within the same

Use Category as the existing nonconforming use, the review board must consider the following:

- i). The extent and nature of the proposed alteration;
  - ii). The ability of conforming alterations to meet the demonstrated need of the Applicant;
  - iii). Consistency of the proposed alterations with the evolution of neighboring structures.
  - iv). Establishment of permeable lot surface, to the maximum extent possible.
  - v). Conformance to design guidelines in this Ordinance.
- b). The review board shall not grant a special permit authorizing a change in use of a lawfully existing nonconforming use of real property to a different nonconforming use, within the same Use Category as the existing nonconforming use, without finding that the alteration is not substantially more detrimental to the neighborhood than the existing use.
- iii. A lawfully existing nonconforming use of real property is not permitted to change to a different nonconforming use from a different Use Category than the existing nonconforming use.

### 3. NONCONFORMING STRUCTURES

- a. Ordinary Repair and Maintenance
  - i. Normal maintenance, painting, roof replacement, and other improvement deemed to be cosmetic in nature by the Building Official is permitted but may need to meet other requirements outside of this Ordinance.
  - ii. Interior renovations of a permitted use within a nonconforming structure are not considered an alteration.
- b. Alteration
  - i. Any alteration to an existing building that creates a new nonconformity is prohibited.
  - ii. Any alteration to an existing nonconforming structure that does not alter the nonconforming nature of the structure, create a new nonconformity, or reduces the level of nonconformity requires only a Zoning Permit according to the provisions of §10.C.1. Zoning Permit.
  - iii. The Building Official shall find that the relocation of fenestration that maintains conformance the fenestration requirements of this Ordinance is not substantially more detrimental to the neighborhood.
  - iv. The Building Official shall find that construction of the following building frontage types are not substantially more detrimental than existing nonconformities when those frontage types are conforming to the provisions of §3.D. Building Frontage Types:
    - a). Stoop
    - b). Portico
    - c). Porch, Projecting
    - d). Porch, Engaged
  - v. The Building Official shall find that construction

of the following building components are not substantially more detrimental than existing nonconformities when those components are conforming to the provisions of §3.E. Building Components:

- a). Awning
- b). Entry Canopy
- c). Bay
- d). Deck
- e). Dormer Window
- f). Side Wing
- g). Rear Addition
- vi. Any other alteration to an existing nonconforming structure that increases the degree of an existing nonconformity of a structure requires a Special Permit according to the provisions of §10.D.1. Special Permit.
  - a). In its discretion to approve or deny a special permit authorizing an alteration to a nonconforming structure that increases the degree of an existing nonconformity of the structure, the review board must consider the following:
    - i). The extent and nature of the proposed alteration;
    - ii). The ability of conforming alterations to meet the demonstrated need of the Applicant;
    - iii). Consistency of the proposed alterations with the evolution of neighboring structures.
    - iv). Establishment of permeable lot surface, to the maximum extent possible.
    - v). Conformance to design guidelines in this Ordinance.
  - b). The review board shall not grant a special permit authorizing an alteration to an existing nonconforming structure that increases the degree of an existing nonconformity of the structure without finding that the alteration is not substantially more detrimental to the neighborhood.

#### 4. NONCONFORMING SITE CHARACTERISTICS

- a. Immunity
  - i. Nonconforming site characteristics, including parking and permeable area requirements, do not cause uses or structures that are otherwise conforming to the provisions of this Ordinance to become nonconforming.
- b. Alterations
  - i. Nonconforming parking lots cannot be expanded in violation or further violation of maximum parking requirements.
  - ii. Nonconforming landscape and permeable area cannot be further reduced.
- c. Improvement
  - i. Review boards may require nonconforming site characteristics to be brought into conformance with the provisions of this Ordinance as a condition applied to the approval of an application for development review as authorized for each type

of development review (see §B.1. Zoning Permit through §D.7. Map Amendment Petition).

#### 5. NONCONFORMING LOTS

- a. Vacant lots with a dimension smaller than the corresponding dimension of all allowed building types in a zoning district are unbuildable.

#### 6. NONCONFORMING SIGNS

- a. A nonconforming sign may alter content, but may not:
  - i. Be replaced with a sign that is larger in any dimension than the existing sign;
  - ii. Alter lighting technology, except to bring the technology into compliance with the ordinance.
- b. No establishment with a nonconforming sign may add additional signs without bringing nonconforming signs into compliance.

#### 7. CASUALTY

- a. Lawfully existing nonconforming real property destroyed by fire, explosion, weather, flooding, or act of public enemy can be reconstructed or restored by-right and requires only a zoning permit subject to the following:
  - i. there shall be no alteration to the degree of nonconformity from the state existing prior to destruction;
  - ii. reconstruction or restoration shall be started within a period of two (2) years of the date of destruction and shall be continued in a timely fashion until completed.
- b. No building permit shall be issued until a zoning permit has been granted by the Building Official.

#### 8. ABANDONMENT

- a. Lawfully existing nonconforming real property is considered abandoned when one or more of the following conditions exist:
  - i. the use is changed to a use permitted in the district where the property is located;
  - ii. the use is changed to a use protected under MGL 40A, Section 3;
  - iii. the use is discontinued, whether temporarily or permanently, with or without intent to abandon, for a period of two (2) years or more;
  - iv. equipment or furnishings necessary for the operation of the nonconforming use have been removed and not replaced for a period of one (1) year or more or more;
  - v. utilities, such as water, gas, or electricity to the property have been disconnected for over one (1) year; and/or
  - vi. reconstruction or restoration does not start within a period of two (2) years from the date of destruction of lawfully existing nonconforming real property.
- b. Nonconforming real property that has been abandoned shall not be reestablished or resumed until brought into conformance with this Ordinance.

#### 9. INFECTIOUS INVALIDITY

- a. A lot split, lot merger, or lot line adjustment that would result in a new nonconformity is prohibited.

ARTICLE 12: MEASUREMENT & DEFINITIONS

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DEFINITIONS..... 197



## A. MEASUREMENT

### 1. RESERVED

## B. DEFINITIONS

### A

|                                       |   |
|---------------------------------------|---|
| <b>Abut or Abutting</b>               | To physically touch or share a contiguous boundary or border, such as a common lot line, or to be separated only by an alley or shared driveway.  |
| <b>Abutter, Direct Access</b>         | The owner of a property that abuts a subject property.  |
| <b>Accessory Structure</b>            | The way or means to enter and leave property.   |
| <b>Accessory Use</b>                  | Any structure designed, arranged, used, or occupied primarily in conjunction with an accessory use(s) as defined in this Ordinance.   |
| <b>Adjacent</b>                       | A use(s) of a lot, structure or portion thereof that is incidental and related to a principal building or use of land and located on the same lot as the principal building or use of land.   |
| <b>Affordable Dwelling Unit</b>       | See abut or abutting.   |
| <b>Agricultural</b>                   | A dwelling unit sold or rented at prices affordable to persons of low or moderate income. (see Article X)   |
| <b>Agriculture, Urban</b>             | A use principally engaged in raising, harvesting and storing crops; feeding or managing livestock; or producing plants, trees, fowl, and other animals for ultimate disposition in the form of a product for human use.   |
| <b>Albedo</b>                         | An umbrella term that describes a range of food growing practices that may include apiculture (bee keeping) and /or aviculture (raising chickens), but does not include raising other kinds of livestock.   |
| <b>Allee</b>                          | The amount of solar radiation reflected by a surface.   |
| <b>Alley</b>                          | Objects placed in a straight line.  |
| <b>Alteration</b>                     | A public or private thoroughfare, not designed for general travel, providing a secondary means of access to the rear of a lot or building.  |
| <b>Amenity Space, Private</b>         | As applied to a building or structure, a change or rearrangement in the exterior structural parts or in the exit facilities; also an enlargement or addition where new construction is connected to an existing structure, whether by extending on a side or by increasing in height, or the moving from one (1) location or position to another. |
| <b>Amenity Space, Shared</b>          | Features of a building and/or outdoor areas designed for the comfort and/or convenience of residents.   |
| <b>Ancillary</b>                      | Rooms and/or facilities designed for the comfort and/or convenience of residents of a multi-unit building.  |
| <b>Annual Sunlight Exposure (ASE)</b> | Providing necessary support for the operation of a principal use.   |
| <b>Antenna</b>                        | A calculation of the percentage of floor area of an interior space that receives a specified level of luminance for at least 250 hours of the time that the space is occupied on an annual basis.   |
| <b>Antenna, Freestanding</b>          | Equipment for wireless communication, including but not limited to panel antennas, whip antennas, and satellite dishes.   |
| <b>Antenna, Interior-mounted</b>      | An antenna that is not attached to a building or other structure other than those designed to hold the antenna.   |
| <b>Antenna, Side-mounted</b>          | An antenna mounted on the interior of a structure such as a steeple, belfry, cupola, or other tower or rooftop element.   |
| <b>Applicant</b>                      | An antenna fastened to the face of a building, penthouse, smokestack, or chimney, to conceal its presence and reduce its visual impact.   |
| <b>Aquaculture</b>                    | A person or entity who has submitted an application for review under applicable provisions of this Ordinance.   |
| <b>Aquaponics</b>                     | The farming of aquatic organisms such as fish, crustaceans, molluscs, and aquatic plants.   |
| <b>Arbor</b>                          | The production of food using conventional aquaculture with hydroponics in a symbiotic environment.  |
| <b>Artist Live/Work Space</b>         | A structure with an open frame, freestanding or attached to another structure, with horizontal or vertical latticework often used as a support for ornamental vines and/or climbing plants.   |
| <b>Artist Studio Space</b>            | A building or any portion thereof containing units of at least seven hundred fifty (750) square feet in size that is used by the occupant(s) therein for both residential use and Artist Studio Space.  |

**Assembly Square Plan**

film, sculpture, and pottery; of written works of fiction or nonfiction; or of any performing art, whether for live or recorded performance, including music, dance, and theater, and accessory sales of such art.

The following documents, as amended, constitute the Assembly Square Plan:

- a). Assembly Square Planning Study: A Vision and Implementation Plan for the Future, prepared for the Somerville Office of Housing and Community Development (OHCD), dated October 2000;
- b). Assembly Square Revitalization Plan: 2002 Major Plan Change, prepared by the Somerville OHCD, dated May 2002;
- c). Assembly Square: Design Guidelines for the Public Realm, prepared for the Somerville OHCD, dated March 2002;
- d). Assembly Square Transportation Plan (ASTP), prepared for the Somerville OHCD in conjunction with the Commonwealth of Massachusetts Highway Department and the Executive Office of Transportation and Construction, dated May 2003.

**Attic  
Awning**

The non-habitable interior space located directly under a pitched roof of a building.

A wall mounted, pitched covering extending from a building to provide shade and weather protection for pedestrians

**B****Basement  
Bay, Architectural**

A story of a building that is below the first story.

An area of a facade between two buttresses, pilasters, columns, piers, or other equivalent architectural features.

**Bay, Window**

A window assembly extending from the main body of a building to permit increased light, and multi-directional views, and to articulate a building facade.

**Bedroom**

A private room for sleeping, however named, planned, intended or used, which is separated and can be closed off from other parts of the dwelling by walls and a door.

**Blade Sign**

A small, two-sided sign that is attached to and projects perpendicularly from the facade of a building that identifies a commercial establishment. See §6.G.

**Blank Wall**

A portion of any facade of a building that does not include a substantial material change; windows, doors, columns, pilasters or other articulation greater than twelve (12) inches in depth.

**Block  
Block Face**

The aggregate land area circumscribed by thoroughfares or other rights-of-way.

The aggregate of all primary front lot lines, or alternatively the building facades, on one side of a block.

**Board of Appeals  
Boarding Room**

The Somerville Zoning Board of Appeals. See §10.G.

A room designed or occupied as a separate living facility for one (1) person, with sleeping facilities but without both individual cooking and sanitary facilities (e.g. the room may have cooking facilities but not a bathroom, or vice versa).

**Build-to Line**

A maximum, parallel distance recessed from a front lot line where a building facade must be built and established as the maximum front setback.

**Building**

Any structure, either temporary or permanent, having a roof or other covering, and designed or used for the shelter or enclosure of any person, animal, or property of any kind, including tents, awnings, or vehicles situated on private property and used for purposes of a building.

**Building Official**

The Superintendent of Inspectional Services, Senior Building Inspector, Local Building Inspector, Zoning Officer, or other person designated to enforce this Ordinance.

**Building Type**

A classification or kind of structure characterized and differentiated by its placement on a lot, massing, composition, use, and features.

**By Right (or "As of Right")**

Uses and structures permitted in a zoning district that require a zoning permit and do not require discretionary development review.

**C****Caliper**

A measurement of the diameter of a tree trunk. For trees less than four (4) inches in diameter, caliper is measured six (6) inches from the ground. For trees between four (4) inches and twelve (12) inches in diameter, caliper is measured twelve (12) inches from the ground.

**Canopy  
Canopy Density**

The extent of the outer layer of leaves of an individual tree or group of trees.

The general permeability of a tree canopy to light as a characteristic of branch number and

|                                      |   |
|--------------------------------------|---|
| <b>Canopy Shape</b>                  | structure. Canopy density can either be full (> 50%) or open (< 50%).   |
| <b>Carport</b>                       | The general shape of the outer layer of leaves of an individual tree as structured by the tree's branches.  |
| <b>Cellar</b>                        | A roofed structure, unenclosed on two (2) or more sides, which may serve as a shelter for motor vehicles.   |
| <b>Change in Use</b>                 | See "Basement."   |
| <b>Chicken</b>                       | A change in the use of real property, whether temporary or permanent, from one use subcategory to a different use subcategory as defined by Article 5. Use Provisions.  |
| <b>Civic Space</b>                   | A common domestic chicken ( <i>Gallus gallus domesticus</i> ).  |
| <b>Clearance</b>                     | An outdoor space designed for social and recreational activities.   |
| <b>Close</b>                         | The height above the sidewalk or other surface, as specified, of the bottom edge of an object or building component.  |
| <b>Cold Frame</b>                    | A one-way thoroughfare surrounding a civic space providing vehicular access to abutting lots.   |
| <b>Commercial Mixed-Use Building</b> | An unheated outdoor structure built close to the ground, typically consisting of, but not limited to, a wooden or concrete frame and a top of grass or clear plastic used for protecting seedlings and plants from cold weather.              |
| <b>Commercial High-Rise</b>          | A building type limited to non-residential uses.  |
| <b>Corridor Building</b>             | A high-rise building type limited to non-residential uses.  |
| <b>Culinary Incubator</b>            | A residential building type composed of apartments/condos down one or both sides of a central hallway.  |
| <b>Cultivar</b>                      | An organization providing start-up catering, retail, and wholesale food businesses with shared kitchen facilities and often providing business planning, access to finance, mentoring, and other business or administrative support services. |
|                                      | A cultivated variety of Street Tree; deliberately selected for its desirable physical characteristics.  |

## D

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| <b>Daylight Factor</b>                 | A measurement for the amount of daylight received from the outside in an interior space of a building, calculated as a ratio of the unshaded exterior illuminance on a horizontal plane, under a fully overcast sky, over interior illuminance on a horizontal plane. The higher the daylight factor, the more natural light is available in the room. |
| <b>Deck</b>                            | An unroofed, hard-surface area, with one (1) or more levels, constructed so as to be supported by above-grade members, usually directly adjacent to a building but which may or may not be structurally attached to the building.  |
| <b>Design &amp; Fabrication Center</b> | A facility providing individuals and small firms access to professional manufacturing tools & equipment; classes & training; lab, workshop, and studio space; and storage for tools and supplies.  |
| <b>Desire Line</b>                     | A route that pedestrians prefer to take to get from one location to another.   |
| <b>Developer</b>                       | The legal or beneficial owner(s) of a lot or land included in a proposed development, including the holder of an option or contract to purchase, or any other person having an enforceable proprietary interest in such land.  |
| <b>Development</b>                     | The construction, reconstruction, alteration, expansion, relocation or enlargement of any building or other structure; excavation, land fill, or mining; or any use or change in use of any building or other structure, land, or extension of use of land.  |
| <b>Development Plan, Large Project</b> | Per §10.C.6  |
| <b>Development Plan, Neighborhood</b>  | Per §10.C.7  |
| <b>Development Plan, Site</b>          | Per §10.C.5  |
| <b>Development Site</b>                | The land area encompassed in a development proposal irrespective of the number or configuration of lots, land ownership, and/or municipal boundaries.  |
| <b>Diameter at Breast Height (DBH)</b> | A standard measurement of the diameter of a tree trunk of an existing tree measured four and a half (4.5) feet above ground.   |
| <b>Dog Park</b>                        | A civic space type designed for the recreation of dogs and their owners.   |
| <b>Dormer Window</b>                   | A window or set of windows that projects vertically from a sloped roof designed to provide light into and expand the habitable space of a half-story.  |
| <b>Dormitory</b>                       | Residential housing exclusively occupied by full- or part-time students and/or educational staff and owned or operated by an educational institution.  |
| <b>Dwelling</b>                        | A building or portion of a building designed or used as living quarters containing one (1) or more dwelling units.   |
| <b>Dwelling, Detached</b>              | A dwelling which is designed to be and is substantially separate from any other structure or structures except accessory buildings.  |



**Dwelling, Multiple**

A residential building intended and designed to be occupied by four (4) or more families, where each of the units or any portion thereof must be above or below at least one of the other units.

**Dwelling Unit**

A single unit providing complete, independent living facilities containing one (1) or more rooms arranged for use by one (1) or more individuals living together as a single housekeeping unit, with cooking, living, sanitary, and sleeping facilities.

**E****Easement**

A liberty, privilege, or advantage without profit, which a person(s) may have in the lands of another person(s).

**Elevation**

Height relative to mean sea level.

**Employer**

A person or business that employs one or more people for wages or salary.

**Encroach**

To break the plane of a vertical or horizontal regulatory limit with a structural element, so that it extends into a setback, into the public frontage, or above a height limit.

**Encroachment**

Any structural element that encroaches.

**Erect**

To construct, reconstruct, excavate, fill, drain, or conduct physical operations of any kind in preparation for or in pursuance of construction or reconstruction, or to move a building or structure upon a lot.

**Essential Services**

Utility services erected, constructed, altered, or maintained by public utilities or municipal departments or commissions, including underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, but not including buildings reasonably necessary for the furnishing of adequate service by such public utilities or municipal departments or commissions or for the public health or safety or general welfare.

**F****Fabrication Laboratory**

A high-tech workshop that fosters innovation and invention by providing individuals with access to tools and machinery for “do-it-yourself” (DIY) digital fabrication.

**Facade**

The exterior wall of a building oriented in whole or in part toward a front lot line, civic space, or private open space with frontage on a thoroughfare.

**Facade Build-out**

The minimum width a facade must be built within a setback area or in relation to a build-to line.

**Farm Stand**

A temporary structure for the display and sale of clean, whole, unprocessed produce, eggs, or honey cultivated on site.

**Fenestration**

The design and placement of windows on a building.

**Floor Area, Gross**

The sum area of all floors or accessible levels of a building as measured to the perimeter of the exterior faces of the walls with no deduction for corridors, stairs, closets, thickness of walls, columns or other features.

**Floor Area, Gross Leaseable**

Gross floor area included in a commercial lease.

**Floor Area, Net**

The sum area of all floors or accessible levels of a building as measured to the perimeter of the exterior faces of the walls, including enclosed porches, but excluding areas used for accessory garage purposes, basement and cellar areas devoted exclusively to storage and mechanical uses accessory to the operation of the building, off-street loading facilities, malls, plazas, elevator shafts, escalators, stairways and stair landings, and those areas used for the storage, operation, or maintenance of mechanical equipment such as air conditioning and heating apparatus.

**Floor Plate**

The total gross floor area of a single story of a building, excluding balconies.

**Forecourt**

A landscaped, semi-public area, open to the sky, formed by a recess in a central portion of a building facade.

**Front Setback**

The distance from the front lot line to the point where a building may be constructed.

**Frontage**

The area of a lot between the facade of a principal building and the front lot line, extending fully to each side lot line and including all built and landscape components.

**Furniture Area**

An area of space that allows for the placement of furniture without restricting the movement of pedestrians.

**G****Grade**

A reference plane representing the natural finished ground level of land.

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| <b>Garage, Private</b>           | A building or part thereof accessory to a main building, and providing for the storage of motor vehicles and in which no occupation or business for profit is carried on, unless such business is specifically authorized elsewhere in this Ordinance.   |
| <b>Garage, Public or Storage</b> | A building or part thereof, other than a private garage, used primarily for the storage of motor vehicles and in which service station activities or other business authorized by this Ordinance may be carried on.  |
| <b>Garden</b>                    | A planned space, set aside for the display, cultivation, and enjoyment of plants including vegetables, flowers, and fruits for private/personal use.<br>See §5 Uses Provisions.  |
| <b>Garden, Community</b>         | See §5 Uses Provisions.  |
| <b>Gardening, Community</b>      | See §5 Uses Provisions.  |
| <b>Gardening, Residential</b>    | See §5 Uses Provisions.  |
| <b>Grade</b>                     | A reference plane representing the natural or finished ground line of land.  |
| <b>Greenhouse</b>                | A structure, primarily of transparent material, in which temperature and humidity can be controlled for the cultivation or protection of plants or other horticultural products.   |
| <b>Ground Coverage</b>           | The percentage of lot area included within the outside lines of the exterior walls of all buildings located on the lot, except garages and carports in districts RA and RB, but including the area of porches, decks, breezeways, balconies and bay windows, patios, except patios not more than six (6) inches above grade. |
| <b>Ground Floor</b>              | The lowest floor of a building that is not considered a Basement.  |
| <b>Group Residence</b>           | See §5 Uses Provisions.  |

## H

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| <b>Heat Island</b>      | The higher average air temperatures of the local micro-climate due to the absorption, retention, and generation of heat by buildings, pavements, and human activities.  |
| <b>Hen</b>              | A female domestic chicken.  |
| <b>High-Rise</b>        | Any building taller than seventy (70) feet above mean grade.  |
| <b>Homeless Shelter</b> | A building providing sleeping facilities for individuals without a home of their own, with or without the provision of meals.   |
| <b>Honeybee</b>         | A common domestic honeybee ( <i>Apis mellifera</i> ).   |
| <b>Hoop House</b>       | A temporary structure typically made of, but not limited to, piping or other material covered with a translucent material for the purpose of growing food or ornamental crops   |
| <b>Hotel</b>            | A commercial building(s) with guest rooms designed primarily for sleeping, and usually including a lobby, reception area, conference rooms, recreational amenities, and common kitchen cooking facility(-ies) providing meals for paying guests in a dining room(s) or restaurant(s). |
| <b>Hydroculture</b>     | The growing of plants in a soilless medium or an aquatic based environment.   |
| <b>Hydroponics</b>      | A method of growing plants using a mineral-nutrient solution, without soil.   |

## I

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| <b>Infrastructure</b> | Physical installations, improvements, and utilities provided as part of the functional systems needed to serve development. Infrastructure may include police, fire, sanitation, health, and educational services and facilities. (Also see "Utility"). |
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## J

## K

## L

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| <b>Lamp</b>        | The source of illumination in a lighting fixture.   |
| <b>Landscaping</b> | The improvement of land, generally for use as passive outdoor space, through the planting and maintenance of live plants including trees, shrubs, ground cover, flowers, or other, low-growing plants that are native or adaptable to the urban climatic conditions of Somerville. In addition, the term landscaping may include some natural or manufactured materials including, but not limited to, reflecting pools, works of art, walkways, screens, walls, fences, and benches or street furniture. Landscaping may also include other non-living materials used as components of a plan for improving outdoor space, such as rocks, pebbles, sand, bark mulch, landscape pavers, earthen mounds, but excluding curbing and |

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| <b>Large Tree</b>                    | pavement for vehicular use.   |
| <b>Light Shelf</b>                   | A woody plant with an expected mature height of thirty (30) feet or more.<br>A horizontal overhang placed in a window above eye level, which reflects daylight onto the ceiling and deeper into a room and providing shade near the window to reduce window glare.                |
| <b>Light Source</b>                  | The light bulb and all refractive, reflective, and translucent light transmitting parts of an outdoor light fixture.  |
| <b>Loading Space</b>                 | An off-street space or berth on the same lot with a building or contiguous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, which abuts upon a street, alley, or other appropriate means of access. |
| <b>Long-Term Bicycle Parking Lot</b> | Accommodations for the parking of a bicycle for two or more hours.<br>A bounded area of land with appropriate frontage on and undivided by a public way intended for improvement through development as a building site.  |
| <b>Lot Area</b>                      | The horizontal measurement of a lot in square feet, exclusive of any area in private way open to public use.  |
| <b>Lot, Corner</b>                   | A lot fronting two (2) or more thoroughfares at their intersection.   |
| <b>Lot, Flag</b>                     | A lot in the approximate configuration of a flag pole or sign post, with the pole or post functioning primarily as an access way to the main area of the lot from the thoroughfare providing access.  |
| <b>Lot, Interior</b>                 | A lot fronting one thoroughfare and abutting other lots at both sides.  |
| <b>Lot, Key</b>                      | A lot with a side lot line abutting the rear lot line of another lot.   |
| <b>Lot, Landlocked</b>               | A lot with no frontage.   |
| <b>Lot, Through</b>                  | A lot fronting on two (2) or more thoroughfares, including parallel thoroughfares and thoroughfares that do not intersect at the boundaries of the lot.   |
| <b>Lot Depth</b>                     | The horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.  |
| <b>Lot Line</b>                      | The boundary that legally and geometrically demarcates a lot or parcel of land.   |
| <b>Lot Line Adjustment</b>           | Reconfiguration of the boundary line between two adjacent lots or parcels of land, whether they are commonly owned or not and whether the resulting shift of ground from one parcel to another is minor or substantial.   |
| <b>Lot Line, Front</b>               | The lot line bordering thoroughfare right-of-way. Lots with multiple front lot lines shall designate one front lot line as the primary front lot line, with all remaining front lot lines designated as secondary front lot lines.  |
| <b>Lot Line, Rear</b>                | Any lot line which is parallel to or within forty-five (45) degrees of being parallel to a front lot line.  |
| <b>Line, Side.</b>                   | Any lot line other than a front or rear lot line.   |
| <b>Lot Merger</b>                    | The consolidation of two (2) or more adjacent lots or parcels of land and resulting elimination of the lot lines that previously separated them.  |
| <b>Lot Split</b>                     | The division of a lot or parcel of land into two (2) smaller lots or parcels of land.   |
| <b>Lot Width</b>                     | The length of the front lot line of a lot.  |
| <b>Luminaire</b>                     | A light unit or fixture including any bulb(s), tube(s), housing, reflective shield, lens and/or ballast.  |

## M

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| <b>Master Plan</b>        | A document providing a basis for decision making regarding the long-term community development of the City of Somerville, as approved by the Planning Board per MGL 41, 81D.  |
| <b>Main Body</b>          | The primary massing of a Principal Building Type.   |
| <b>Mixed-Use Building</b> | A building type intended and designed for at least two (2) vertically stacked principal uses where the ground floor is limited to commercial and/or active uses.  |
| <b>Mobile Home</b>        | A structure, transportable in one (1) or more sections, which is eight (8) feet or more in width and is thirty-two (32) feet or more in length, and which is built on a permanent chassis, and designed to be used as a dwelling with a permanent foundation, when connected to the required utility and includes the plumbing, heating, air-conditioning and electrical systems contained therein. |
| <b>Monopole</b>           | A free-standing (or wire-supported) tower for wireless telecommunications facilities.   |
| <b>Mulch</b>              | A protective covering consisting of organic materials customarily used in landscaping and placed around plants to retain soil moisture, retard erosion, shield roots from freezing, and inhibit weed growth.  |

**Mystic River Bank**

The portion of land surface abutting and confining the Mystic River, as defined by 310 CMR 10.54.2.C, as amended.

**N****Nonconformity**

An existing function, structure, lot, or site improvement that is in compliance with the zoning regulations that were applicable to it when it was established, and for which all required permits were issued but which does not conform in whole or in part to the regulations of this Ordinance. Such nonconformity is legal and may continue except as regulated by Article 11.

**North-Facing**

Within 45 degrees of due north.

**O****Office**

Space within a building for the transaction of general business, including administrative, professional, and clerical activities, but excluding retail, artisanal, and manufacturing.

**Off Site**

Not on or within the area specified in any application under the terms of this Ordinance or not within other areas which, pursuant to this Ordinance, may be included in defining a site's purpose and boundaries.

**On Site**

On or within the area specified in any application under the terms of this Ordinance, or within other areas which, pursuant to this Ordinance, may be included in defining a site's purpose and boundaries.

**Outdoor Light Fixture**

Outdoor artificial illuminating devices, outdoor fixtures, lamps, and other devices, permanent or portable, used for illumination or advertisement.

**Outdoor Storage Area**

A space outside of a building which is used to keep merchandise for use or sale, goods to be processed, or machinery for use.

**P****Parcel**

A part or portion of land.

**Parking Lot**

An area used or designed for the off-street parking of motor vehicles and containing seven (7) or more parking spaces.

**Patio**

A hard-surfaced amenity space having no permanent roof coverings, usually directly adjacent to a building, and constructed such that its finished walking surface is laid or poured directly on finished grade.

**Paver**

A masonry block of various material or size.

**Pervious Area (Permeable)**

The area of a lot covered by surfaces or materials, including but not limited to, areas of a lot covered by soil/mulch, vegetative matter, permeable or pervious pavers, green roofs, or other materials that allows for the movement or passage of water into soils below.

**Pier**

A section of a wall between windows or other adjacent openings.

**Planning Board**

The Somerville Planning Board. See §10.G.

**Planter**

a three (3) foot deep recessed soil bed provided for the planting of street trees and kept open to air and water flow through the use of landscaping or permeable or pervious pavers.

**Planting Technique**

The prescribed method for planting street trees, either in a continuous planter or tree pit.

**Plaza**

A civic space type designed for civic purposes and commercial activities, integrated as part of a block or lot or located internal to a block/lot, with landscape consisting primarily of pavement.

**Pocket Park**

A civic space type designed for unstructured recreation, integrated as part of a block/lot or located internal to a block/lot, consisting of greenery and a place to sit outdoors and spatially defined by surrounding buildings.

**Podium**

The lower portion(s) of certain high-rise buildings, limited in height and designed to minimize the impact of wind flows redirected by adjoining towers and to spatially define the public realm of nearby thoroughfares, private-owned public spaces, and civic spaces.

**Point Tower**

A residential building type composed of apartments surrounding a central elevator core.

**Porch**

A roofed or unroofed amenity space, usually structurally attached to or part of and having direct access to a building, but which is unheated and without air conditioning.

**Principal Building**

A building or structure designed, used, or occupied for the principal use(s) of a given lot or site.

**Principal Entrance**

The main point of access for pedestrians into a building, upper story use, or ground floor

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|                         | tenant space.   |
| <b>Principal Use</b>    | The main or primary purpose for which a structure, building, or lot is designed, arranged, licensed or intended, or for which it may be used, occupied, or maintained under this Ordinance. |
| <b>Private Frontage</b> | The area between a building facade and the front lot line, inclusive of its built and planted components.   |
| <b>Property</b>         | Any land, building, or other structure, or part thereof.  |
| <b>Public Common</b>    | A civic space type for unstructured recreation, free standing in the block pattern with landscape consisting of lawns, paths, and trees.  |
| <b>Public Square</b>    | A civic space type for unstructured recreation and civic purposes, free standing in the block pattern, with landscape consisting of formally disposed lawns, paths, and trees.              |

## Q

none

## R

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| <b>Rail Right-of-Way</b>     | The way for any rail service, including, but not limited to, the rail tracks, guideways, overhead power lines, and shoulder.  |
| <b>Rear Setback</b>          | The horizontal distance from a rear lot line to the location of structures or use on a lot, measured perpendicularly from the lot line. This area must be maintained clear of permanent structures with the exception of encroachments. |
| <b>Regional</b>              | Uses catering to patrons originating from locations both within the City of Somerville and elsewhere in the Boston metropolitan area.   |
| <b>Residential High-Rise</b> | A high-rise building type limited to residential uses on the upper floors.  |
| <b>Retaining Wall</b>        | A wall that holds the earth at one side at a higher elevation than the earth on the other side.   |
| <b>Rezoning</b>              | An amendment to the Official Zoning Map.  |
| <b>Roof, Flat</b>            | A roof that has no slope greater than 2:12.   |
| <b>Roof, Gambrel</b>         | A gable-ended roof with two slopes on each of its sides, where the lower slope is at a steeper angle than the upper.  |
| <b>Roof Line</b>             | The highest point on any building or structure where an exterior wall or parapet wall encloses roof or floor area, including floor area provided for housing mechanical equipment.  |

## S

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| <b>Self-Storage Facility</b>      | A facility where individual secured areas inside of a structure are rented for short-term storage of a variety of non-hazardous, non-perishable durable goods and where the lessee has direct access and responsibility for loading and unloading the storage.   |
| <b>Setback</b>                    | A horizontal distance from a lot line to the location of structures or uses of a lot, measured perpendicularly from the lot line. This area must be maintained clear of permanent structures with the exception of encroachments.  |
| <b>Setback Area</b>               | The land area of a lot between a minimum and maximum setback or build-to line.   |
| <b>Short-Term Bicycle Parking</b> | Accommodations for the parking of a bicycle for two hours or less.   |
| <b>Shopfront</b>                  | A private frontage conventional for retail use with substantial glazing wherein the facade is aligned close to the frontage line with the building entrance at sidewalk grade.   |
| <b>Shrub</b>                      | A multi-stemmed, woody plant with a five-gallon container size when planted.   |
| <b>Sign</b>                       | Any permanent or temporary name, identification, description, emblem, logo, structure, or device, that is illuminated or non-illuminated; visible or intended to be visible from any public place; and directs attention to a person, product, place, activity, institution, business, organization, activity, or service including any letter, numeral, character, figure, emblem, painting, illustration, banner, pennant, placard, or temporary sign designed to advertise, identify, solicit, or convey information. Signs include devices designed to attract the eye by intermittent or repeated motion and any permanently installed or situated merchandise, including any banner, pennant, placard, or temporary sign, with the exception of window displays. Flags of the United States and the Commonwealth of Massachusetts are not signs. |
| <b>Sign Band</b>                  | A wall area of a non-residential building built along the entire width of a principal or secondary frontage allocated for the placement of a sign above a shopfront or at the cornice.   |

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| <b>Site</b>                            | A lot or parcel occupied or planned for occupation by a use, including structures and other improvements to the land.  |
| <b>Slope</b>                           | The ratio of vertical to horizontal distance.  |
| <b>Small Tree</b>                      | A woody plant with an expected mature height of thirty (30) feet or less.  |
| <b>Spatial Daylight Autonomy (sDA)</b> | A calculation describing the percentage of floor area of a interior space that receives a specified level of luminance for a minimum percentage of the time that the space is occupied on an annual basis.   |
| <b>Stoop</b>                           | A private frontage wherein the facade is aligned close to the frontage line with the first story elevated from the sidewalk for privacy and with an exterior stair and landing at the entrance.  |
| <b>Stallriser</b>                      | A section of wall below a storefront display window.   |
| <b>Story</b>                           | A portion of a building between the upper surface of a floor and the upper surface of the floor or roof next above.  |
| <b>Street</b>                          | A thoroughfare, avenue, road, highway, boulevard, parkway, driveway, lane, court or private easement for use by vehicular and pedestrian traffic and providing access to lots and open spaces.   |
| <b>Street Tree</b>                     | A tree planted within the furnishing zone as a element of a thoroughfare.  |
| <b>Structure</b>                       | Any constructed, erected or placed material or combination of materials in or upon the ground, including, but not by way of limitation, buildings, mobile units, radio towers, sheds, signs, storage bins and swimming pools, but excluding sidewalks and paving on streets, driveways, parking areas, and patios. The word "structure" is construed, where the context allows, as though followed by the words "or part thereof." |
| <b>Solar Reflectance Index (SRI):</b>  | A measure of a surface's ability to reflect solar heat, as shown by a small temperature rise. Numerically, standard black is 0 and standard white is 100.  |
| <b>Subdivision, Major</b>              | The division of a tract or parcel of land into two (2) or more lots, building sites, or other divisions for the purpose of sale, legacy, or development at any time, where a new thoroughfare or way is needed to provide access to the lots which would otherwise be landlocked.  |
| <b>Subdivision, Minor</b>              | The division of a tract or parcel of land into two (2) or more lots, building sites, or other divisions for the purpose of sale, legacy, or development at any time.   |
| <b>Substantial Modification</b>        | Alterations or repairs to a building or structure, within any twelve (12) month time period, costing in excess of fifty (50) percent of the physical value of the building or structure. Physical value of a building or structure is based on the assessed value as recorded in the Assessor's Office of the City of Somerville.  |
| <b>Superintendent</b>                  | The Superintendent of Inspectional Services or their designee.   |

## T

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|---|---|
| <b>Tandem Parking</b>                   | See "Parking, Tandem"   |
| <b>Terminated Vista</b>                 | A location at the axial conclusion of a thoroughfare.   |
| <b>Thoroughfare</b>                     | A public or private way for use by vehicular and pedestrian traffic and providing access to lots and open spaces.   |
| <b>Tower</b>                            | Any portion of a high-rise building above 70 feet.  |
| <b>Transportation Demand Management</b> | A broad range of strategies intended to reduce automobile trips. The alteration of travel behavior through programs of incentives, services, and policies, including encouraging the use of alternatives to single-occupant vehicles such as public transit, cycling, walking, carpooling/ vanpooling and changes in work schedule that move trips out of the peak period or eliminate them altogether. |
| <b>Tree Pit</b>                         | A thee (3) foot deep pit filled with soil for the planting and growth of a street tree. Tree pits have a various surface area open to air and water flow.   |
| <b>Trip Reduction</b>                   | Reducing in the number of work-related trips made by single-occupant vehicles.  |

## U

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| <b>Upper Story Setback</b> | The horizontal distance that a designated portion of a building is set back from a lot line.   |
| <b>Urban Agriculture</b>   | See Agriculture, Urban   |
| <b>Use</b>                 | The purpose or activity for which land or structures thereon is designed, arranged or intended to be occupied or used, or for which it is occupied, maintained, rented, or leased. |
| <b>Use, Accessory</b>      | A use that is determined by the building official to be accessory.   |
| <b>Use, By Right</b>       | The identified principal use of a building type requiring only zoning plan review by the Building Official.  |



**Use, Conforming**  
**Use, Nonconforming**  
**Use, Permitted**

Any use of a building type listed as a principal use by right, a home occupation, an accessory use, and any use approved by special permit or variance according to this Ordinance.

**Use, Principal**

The main or primary purpose for which land and the structures thereon are used, or for which land and the structures thereon may be maintained or occupied according to this Ordinance.

**Use, Temporary**

A use established for a fixed period of time with the intent to discontinue such use upon expiration of the time period.

**Use Category**  
**Utility, Major**  
**Utility, Minor**

## V

**Variance**

A departure from the strict terms or expressed provisions of this Ordinance, where such departure is authorized in accordance with Section 10 of Chapter 40A of the Massachusetts General Laws.

## W

**Waiver**

A predetermined type of deviation, within specific limitations, from the block, lot, and/or thoroughfare provisions for of a specific district in this Ordinance.

**Warehousing**  
**Wholesale**

The depositing or securing of goods, wares, and merchandise in a warehouse.

The sale, resale, warehousing, or distribution of products to retailers and/or other businesses.

**Window Sign**  
**Wireless Communications**

A logo inscribed on storefront glass. See X.

The provision of the following types of services: cellular telephone service; personal communications; and extended specialized mobile radio service. Such essential services will be provided via wireless communications facilities, which shall include monopoles, rooftop antennas, satellite dishes, and cell sites.

**Wireless Communications Antenna**

An antenna, dish, or cell site attached to a wireless communications tower, principal building, or other accessory structure that is used to transmit or receive wireless communications signals.

**Wireless Communications Tower**

A structure or structures intended to support equipment that is used to transmit and/or receive wireless communications signals including towers, monopoles, cell sites, and other guyed and lattice construction steel structures that are freestanding and not attached to an principal building type or accessory structure.

## X

## Y

**Yard**

A landscaped amenity space, open and unobstructed from the ground, on the same lot as a building.

## Z

**Zoning Board**

The Somerville Zoning Board of Appeals. See §10G.

