



CITY OF SOMERVILLE, MASSACHUSETTS

CLERK OF COMMITTEES

January 29, 2019

REPORT OF THE LAND USE COMMITTEE

Attendee Name	Title	Status	Arrived
Lance L. Davis	Chair	Present	
William A. White Jr.	Vice Chair	Present	
Katjana Ballantyne	Ward Seven Alderman	Present	
Stephanie Hirsch	Alderman At Large	Present	
Mary Jo Rossetti	Alderman at Large	Absent	

Others present: Dan Bartman - OSPCD, Ben Ewen-Campen - Ward Three Alderman, Mark Niedergang - Ward Five Alderman, Kimberly Wells - Assistant Clerk of Committees

The meeting took place in the Aldermen's Chamber and was called to order at 6:14 PM by Chairman Davis and adjourned at 7:48 PM.

Others present: Dan Bartman - OSPCD, Ben Ewen-Campen - Ward Three Alderman, Mark Niedergang - Ward Five Alderman, Kimberly Wells - Assistant Clerk of Committees

The meeting took place in the Aldermen's Chamber and was called to order at 6:14 PM by Chairman Davis and adjourned at 7:48 PM.

207460 - 18 registered voters submitting a proposed Zoning Ordinance amendment to add a new Section 17.8 re: open space requirements for mid-rise and high-rise buildings.:

Dan Bartman, Senior Planner, shared the work plan for the ordinances that will be discussed via Public Hearing on March 12th. Staff are working to reconcile various proposals. The goals are to increase the open space requirements in a variety of areas in the city, specifically the Transit Oriented Districts and Assembly Square Mixed Use District to get from 8.77 to 82 acres. The newly proposed ordinance covers an additional 1,092 lots. Of these, the team found 4 potential sites between 1/2 and 1 acre. Transform areas are the areas of largest land availability.

The voter petition included another metric that functioned as a fee, which would be a double fee for Transform areas and thus seems an unfair requirement. Additionally, there is a proposed Payment in Lieu option.

The proposed new zoning ordinance permits setbacks in mid-rise districts to add spatial definition. Often, the spaces produced are not meaningful and we want to find a way to apply a metric to small lots that will help create viable public space. It may be more helpful to allow buy-outs in areas where usable public space cannot be achieved.

Alderman Ballantyne asked whether requiring multiple design options before allowing a buy-out might be a potential requirement. Mr. Bartman responded that there should be a minimum amount of space available for that option to be helpful.

Mr. Bartman continued to share that an overlay district, "civic space" would require parks, commons, or plazas, rather than a generic definition of open space. A Public Space linkage fee would also be an option that would help encourage developers to create usable public space. This would need to occur through a Home Rule petition and is something that is being researched further. Medford also has this type of linkage fee in place, which was adopted in 1990.

Alderman White expressed concern that the current legislature might not approve the linkage fee idea and the zoning ordinance should be sure to address the open space needs without those assumptions.

Mr. Bartman then focused on two big questions - what share of the remaining 88.25 acres still needed will be required of new development? And how will the cost of the remaining need be funded?

He shared some potential future scenarios for requirements, along with the percentage that would be provided through development. The different Transform areas and their remaining acreage were also shared, including the cost of constructing the additional acres needed.

Alderman White asked whether a linkage fee would defray the city's costs and whether we could estimate the potential revenue from such a fee. Mr. Bartman responded that it is a lot of speculation, but there may be resources to inform how many sites could produce either space or money.

Alderman Hirsch clarified that it only creates additional funds if not in a Transform District, as otherwise it is simply an exchange of space for money.

Mr. Bartman shared a concern from completed an exercise to measure available acres, that the areas framing the open space still promote urbanism and are not incongruous. Some of the Transform Areas may be able to support more open space due to their shape.

Alderman Hirsch asked why one big section of land was chosen rather than smaller parcels. Mr. Bartman responded that it could possibly be smaller parcels and may be in some areas, but he was trying to determine whether sites could support larger fields, as there is a significant need in the city for field space. The Payment in Lieu fee may vary, as goals in some areas, such as Transform Districts, are to produce space, whereas in other areas, the goal may be to produce funds.

Alderman Ballantyne asked whether acquiring the space over the MBTA in Union Square might be an option. Mr. Bartman replied that due to structural support, it's economical to build either 1 floor or 11+ floors, but the instances of building over tracks are minimal and would need more research.

Chair Davis asked for clarification about whether 0 stories, e.g. a park, would be feasible. Mr. Bartman noted that it would come at a cost to the city. Alderman White noted that the MBTA would also be looking for air rights and offered some other options to consider, including writing the zoning to require square footage or a fee, and whether the city can consider levying a fee of some sort without a Home Rule petition. Alderman White noted that it would be helpful for other departments, including the Solicitor, to give input.

Chair Davis noted that he is hopeful this work will result in a better petition than any submitted independently, but he wants to move forward with a more coherent proposal quickly.

Alderman Hirsch shared the members of the Open Space Task Force and that they will be meeting tomorrow and she will share updates from that meeting, as it will help inform a collaborative proposal.

RESULT:**KEPT IN COMMITTEE**

207332 - Submitting proposed amendments the Zoning Ordinance to establish new open space requirements in the Assembly Sq Mixed Use District, Transit Oriented Districts, and Planned Unit Developments.:

See 207460

RESULT:**KEPT IN COMMITTEE**

205244 - 15 registered voters proposing an amendment to the Zoning Ordinances by adding a new Ordinance 7.16 regulating certain buildings near heavily trafficked roadways.:

Mr. Bartman, shared that there aren't many examples of how to address air quality via zoning ordinance. He noted that issues that are regulated through building code can't be addressed through zoning and finding the proper jurisdiction is important and a work in progress.

RESULT:**KEPT IN COMMITTEE**

206481 - 18 registered voters submitting a proposed Zoning Ordinance amendment to add a new Section 17.8 re: open space requirements for mid-rise and high-rise buildings.:

See 207460

RESULT:**KEPT IN COMMITTEE**

206747 - Requesting the adoption of a New Zoning Ordinance (9/2018 update) to supersede the current Zoning Ordinance as originally adopted on March 23, 1990.:

Mr. Bartman shared the update that he will be meeting with Board members individually to draft amendment language. He is also making edits and corrections based on public feedback and Version 4 is forthcoming. The target date is May 30th, with a backup date in July.

Alderman Hirsch noted that she would like to have a deeper conversation about affordable housing, and asked how the Board should organize to address different pieces of this. Chair Davis asked that Aldermen submit a list of what they are working on through Mr. Bartman.

Alderman White inquired about whether it's possible to specify requirements for a third unit in the new neighborhood districts. Mr. Bartman noted that they are building a database to determine numbers and types of buildings and lot sizes that would be affected by various changes.

RESULT:**KEPT IN COMMITTEE**

207306 - Planning Board conveying its recommendations re: #206747, requesting adoption of a new Zoning Ordinance to supersede the current Zoning Ordinance as originally adopted on March 23, 1990.:

See 206747

RESULT:

KEPT IN COMMITTEE

Handouts:

- Open Space-1 (with 206747, 207332)
- Open Space % Table-1 (with 206747, 207332)