



CITY OF SOMERVILLE, MASSACHUSETTS
CLERK OF COMMITTEES

May 1, 2018
REPORT OF THE LAND USE COMMITTEE

Attendee Name	Title	Status	Arrived
Lance L. Davis	Chair	Present	
William A. White Jr.	Vice Chair	Present	
Stephanie Hirsch	Alderman At Large	Present	
Matthew McLaughlin	Ward One Alderman	Present	
Jefferson Thomas ("J.T.") Scott	Ward Two Alderman	Present	
Ben Ewen-Campen	Ward Three Alderman	Present	
Jesse Clingan	Ward Four Alderman	Present	
Mark Niedergang	Ward Five Alderman	Present	
Katjana Ballantyne	Ward Seven Alderman	Present	
Mary Jo Rossetti	Alderman at Large	Present	
Wilfred N. Mbah	Alderman at Large	Present	

Others present: Dan Bartman - OSPCD, George Proakis - OSPCD, Melissa Woods - OSPCD, Rositha Durham - Clerk of Committees.

The meeting took place in the Aldermen's Chamber and was called to order at 6:12 PM by Chairman Davis and adjourned at 9:07 PM.

Approval of the March 27, 2018 Minutes

RESULT: **ACCEPTED**

Approval of the March 28, 2018 Minutes

RESULT: **ACCEPTED**

Approval of the April 3, 2018 Minutes

RESULT: **ACCEPTED**

203258: That the City Solicitor consult with the Attorney General on recreational marijuana and prepare a draft ordinance.

Mr. Proakis summarized two public meetings that were held, and surveys taken, regarding adult use of recreational marijuana and told the committee that the online survey will remain open for the public until May 11th at www.Somervillezoning.com. The public may also email the planning group with their feedback at planning@somervillema.gov. Some members commented on feedback they received from members of the public who felt they were not heard at the two meeting over people who seemed to have been from outside the city and associated with advocate groups. The committee was informed that OSPCD anticipates having a draft ordinance ready for review by the middle of May and that there will probably be three different ordinances, with one being to address the tax revenue, one to establish a licensing process, and one to establish zoning. One or more public hearings will be held once the BOA has received the draft ordinance.

RESULT:	KEPT IN COMMITTEE
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202864: Proposing an updated Article 16B in the city's Zoning Ordinances, with attendant Zoning Map changes, to establish a minimum mixed use ratio in designated areas.

There were discussions about the minimal mixed-use ratio (MMUR) working group. Alderman Ballantyne related that the working group met once and has made no progress, thus far. Mr. Proakis has the Request for Qualifications on his desk for a consulting partner and will have the document to the committee in the next couple of days. The scope is to look at the makeup of the city, established best practices, look at what other cities have done, and deliver an analysis that can be used to determine what's the best balance for Somerville in any given neighborhood. Boynton Yards and Union Square are in the code draft with a 60/40 commercial/residential split. Districts such as Brickbottom, Grand Junction (Twin City Plaza), and Inner Belt will be the second phase and will be impacted by the zoning changes. Chairman Davis noted that the proposed MMUR amendment also included Assembly as part of the overlay and that the meaning of "commercial" was refined during the Union Square zoning process to better define the sort of commercial uses that are intended. There was discussion about other potential commercial uses, such as recreational facilities, which could be addressed for any given district in the zoning overhaul if the Board wishes. Committee members were told about a quick list of commercial projects in the pipeline such as: Cambridge Cross North Point, Assembly Row with office space, DLJ at Boynton Yards (two office buildings 100,000 and 200,000 sq. ft.), Assembly Edge commercial component and the 5 Middlesex Avenue site with housing, hotel and office building that was sold to another developer. Mr. Proakis will update the Committee when the working group makes further progress.

RESULT:	KEPT IN COMMITTEE
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203101: Planning Board conveying its recommendations re: #202864, an Updated Article 16B in the City's Zoning Ordinances to establish a minimum mixed use ratio.

See discussion of 202864

RESULT:

KEPT IN COMMITTEE

205055: That, to assist in considering the proposed zoning overhaul, the Directors of Finance, SomerStat, SPCD and Planning provide this Board with current reports on 1) SomerVision progress, 2) Capital Improvement Plan, 3) Projected revenues from the proposed zoning, and 4) Debt.

President Ballantyne had requested that all committee members receive copies of these reports to help with their review of the zoning overhaul. These documents are available on the www.Somervillezoning.com website, at the top of the list dated May 1st. It has been over five years since the SomerVision report was published and the Committee discussed with Mr. Proakis whether it's time to revisit and update that document. Mr. Proakis noted that those discussions are in the works.

RESULT:

KEPT IN COMMITTEE

204953: Requesting the adoption of a New Zoning Ordinance (1/2018 update) to supersede the current Zoning Ordinance as originally adopted on March 23, 1990.

There are currently two more meetings (on May 15th and 23rd) scheduled to continue the discussion of the proposed zoning overhaul. The public comment period remains open until May 25th. It is the expectation of the Planning Staff and the Committee that, following those meetings and review of all of the comments and community input, the Planning Staff will work on revisions to the current draft through the summer and likely will submit to the Board a revised draft in the late summer so that the Committee can hold an additional Public Hearing and begin a page by page review in September. Mr. Bartman provided a summary of some of the primary issues that have been raised in the public comments thus far, and on which the Planning Staff would benefit from input from the members. Because discussion of all of these items would take more than two committee meetings to work through, members discussed their priorities. There was a consensus that density in the Neighborhood Residence (NR) zone is one priority. Mr. Bartman will recap the list of priorities in an email to the members and Mr. Bartman and Chairman Davis will determine how best to use the time in the remaining May meetings. It is likely that continuation of the NR discussion, as well as some discussion on the approach to parking and the timing of applicability of the ordinance will be topics discussed at those meetings.

Discussion then focused on density in the NR zone and, specifically, whether the draft should be revised to allow three units on a lot. Mr. Bartman summarized the long public process that led to the first draft of the zoning overhaul in 2015, which allowed three units in the NR zone. He recounted that there was a large public outcry from the community, who noted, among other things, that one of the SomerVision goals was to preserve the character of our residential neighborhoods. Based on that feedback, the current draft of the zoning overhaul does not allow three units in the NR zone. Public feedback on the current draft has been the opposite of what was heard in 2015 and it may be that the proposal upset one half of the city the last time and the other half of the city this time. The members discussed many issues and concerns with allowing three units in NR, among which were: that to allow three units would make two unit properties more attractive to developers, who would out-bid people wanting to make their homes in the

city; that allowing two unit buildings to be chopped up into three units would significantly reduce the number of family-sized units in the city; and that allowing three units would reduce open space and increase traffic. The counter-arguments included that allowing three units would increase the overall unit count (which one member described as the supply side theory) and also enable existing owner-occupiers to afford to remain in their homes with additional income or additional space for extended family. Several possible compromises were discussed including, among others, exemptions (to allow a third unit) for owner-occupied properties or if the third unit were to be held as affordable for some period of time (possibly at a higher percentage of AMI to make it more feasible), as well as including parking restrictions and size or bedroom count minimums. The members also discussed whether third units, if allowed, could be in a basement or in an existing or new accessory structure.

RESULT:

KEPT IN COMMITTEE