

# 4. MID-RISE DISTRICTS

Mid-Rise 3 (MR3)

## 13. Use Provisions

- a. General
  - i. The USE of real property is subject to the provisions of Article 9: Use Provisions of this Ordinance. Where the provisions of this section conflict with those of Article 9, the provisions of Article 9 apply.
  - ii. Unless otherwise specified, use categories are permitted as specified in the first column on Table 4.1.13.
  - iii. Use categories that are not identified on Table 4.1.13 are prohibited.
  - iv. All USES must comply with any USE-specific standards applicable for each USE in §9.2 Use Definitions & Limitations.
  - v. USES permitted by Special Permit require additional DEVELOPMENT review in accordance with §15.2.1 Special Permits.
- b. Permitted Use Limitations
  - i. Occupancy of a ground story commercial space fronting a pedestrian street is permitted as specified in parentheses the second column on Table 4.1.13 Permitted Uses.
    - a). Unless otherwise specified, only services associated with personal grooming such as barbers, hair salons, nail salons, or their substantial equivalents are permitted from the Personal Services use category.
    - b). In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing a Veterinarian, Fitness Services, or Health Care Services use to occupy a ground story commercial space fronting a pedestrian street:
      - i). The maintenance of a diverse blend of commercial uses within the neighborhood.
      - ii). The existing concentration of uses from the same use category within the neighborhood.
      - iii). The availability of the same services within the neighborhood.
      - iv). The availability of comparable commercial spaces within the neighborhood.
- c. Increases in Density
  - i. Existing structures may not be altered to conflict with number of DWELLING UNITS permitted for each BUILDING TYPE.

**Table 4.1.13 Permitted Uses**

Use Category Specific Use	<u>1</u>	<u>2</u>
<b>Arts &amp; Creative Enterprise</b>		
Artisanal Production	<u>P</u>	<u>P</u>
Arts Exhibition	<u>P</u>	<u>P</u>
Arts Sales & Services	<u>P</u>	<u>P</u>
Co-working	<u>P</u>	<u>P</u>
Design Services	<u>P</u>	<u>P</u>
Shared Workspaces & Arts Education	<u>P</u>	<u>P</u>
<b>Auto-Oriented</b>		
Recharging Station	<u>P</u>	<u>N</u>
<b>Cannabis Establishment</b>		
Cannabis Cultivation	<u>P</u>	<u>N</u>
Cannabis Retail Sales	<u>SP</u>	<u>SP</u>
Cannabis Research & Development	<u>P</u>	<u>N</u>
Cannabis Testing Laboratory	<u>P</u>	<u>N</u>
<b>Civic &amp; Institutional</b>		
Community Center	<u>P</u>	<u>P</u>
Hospital	<u>SP</u>	<u>N</u>
Library	<u>P</u>	<u>P</u>
Minor Utility Facility	<u>SP</u>	<u>N</u>
Museum	<u>P</u>	<u>P</u>
Private Non-Profit Club or Lodge	<u>SP</u>	<u>N</u>
Public Service	<u>P</u>	<u>P</u>
Religious & Educational Uses Protected by M.G.L 40A. Sec 3	<u>P</u>	<u>P</u>

P - Permitted    SP - Special Permit Required    N - Not Permitted  
 (P or SP) - Permitted as specified per §4.1.13.b

**Table 4.1.13 Permitted Uses (continued)**

Use Category Specific Use	<u>1</u>	<u>2</u>
<b>Commercial Services</b>		
Animal Services (as noted below)	--	--
Commercial Kennel	SP	<u>N</u>
Pet Grooming	P	<u>P</u>
Pet Daycare & Training	<u>P</u>	<u>N</u>
Veterinarian	<u>P</u>	<u>SP</u>
Assembly or Entertainment	<u>SP</u>	<u>N</u>
Banking & Financial Services (except as follows)	P	<u>N</u>
Personal Credit	SP	<u>N</u>
Broadcast and/or Recording Studio	P	<u>N</u>
Building & Home Repair Services	SP	<u>N</u>
Business Support Services	P	<u>N</u>
Caterer/Wholesale Food Production	SP	<u>N</u>
Day Care Service (as noted below)	--	--
Adult Day Care Center	P	<u>N</u>
Child Day Care Center	P	<u>N</u>
Educational Services	P	<u>N</u>
Maintenance & Repair of Consumer Goods	P	<u>N</u>
Personal Services (except as follows)	<u>P</u>	<u>P</u>
Body-Art Services	<u>P</u>	<u>P</u>
Fitness Services	<u>P</u>	<u>SP</u>
Funeral Services	SP	<u>N</u>
Health Care Services	<u>P</u>	<u>SP</u>
Recreation Services	<u>SP</u>	<u>SP</u>
Vehicle Parking (as noted below)	--	--
Bike Share Parking	P	<u>N</u>
Car Share Parking (3 or fewer spaces)	P	<u>N</u>
Car Share Parking (4 or more spaces)	P	<u>N</u>
Commercial Parking	P	<u>N</u>

P - Permitted    SP - Special Permit Required    N - Not Permitted  
(P-or-SP)--Permitted as specified per §4.1.13.b

**Table 4.1.13 Permitted Uses (continued)**

Use Category Specific Use	<u>1</u>	<u>2</u>
<b>Food and Beverage Service</b>		
Bar/Restaurant/Tavern	<u>P</u>	<u>P</u>
Bakery/Café/Coffee Shop	<u>P</u>	<u>P</u>
<b>Lodging</b>		
Bed & Breakfast	SP	<u>N</u>
Hotel or Hostel	SP	<u>N</u>
<b>Office</b>		
General Office	P	<u>N</u>
Research and Development or Laboratory	P	<u>N</u>
<b>Residential</b>		
Household Living	SP	<u>N</u>
Group Living (except as follows)	SP	<u>N</u>
Community or Group Residence	P	<u>N</u>
Dormitory, Fraternity or Sorority	SP	<u>N</u>
Homeless Shelter	SP	<u>N</u>
Nursing Home/Assisted Living Facility	SP	<u>N</u>
Rooming House	SP	<u>N</u>
<b>Retail Sales</b>		
Building/Home Supplies & Equipment	<u>SP</u>	<u>SP</u>
Consumer Goods (except as follows)	<u>P</u>	<u>P</u>
Alcohol Sales	<u>SP</u>	<u>SP</u>
Firearms Sales	N	<u>N</u>
Pet Store	<u>SP</u>	<u>SP</u>
Fresh Food Market or Grocery Store	<u>P</u>	<u>P</u>
Farm/Vendor Market	<u>P</u>	<u>P</u>
<b>Urban Agriculture</b>		
Farming (as noted below)	--	--
Commercial Farming	P	<u>N</u>
Community Farming	P	<u>N</u>
Community Gardening	P	<u>N</u>

P - Permitted    SP - Special Permit Required    N - Not Permitted  
(P-or-SP)--Permitted as specified per §4.1.13.b

# 4. MID-RISE DISTRICTS

Mid-Rise 3 (MR3)

**Table 4.1.13 Permitted Uses (continued)**

Use Category Specific Use	<u>1</u>	<u>2</u>
<b>Accessory Uses</b>		
<b>Home Occupations (as noted below)</b>	--	--
Creative Studio	N	<u>N</u>
Hobby Kennel	N	<u>N</u>
Home-Based Business	N	<u>N</u>
Home Day Care	N	<u>N</u>
Home Office	P	<u>N</u>
<b>Urban Agriculture (as noted below)</b>	--	--
Apiculture	P	<u>N</u>
Aviculture	P	<u>N</u>
Commercial Farming	P	<u>N</u>
Residential Gardening	P	<u>N</u>
<b>Vehicle Parking, Accessory (except as follows)</b>	P	<u>N</u>
Home Business Vehicle Parking	N	<u>N</u>

P - Permitted SP - Special Permit Required N - Not Permitted  
(P or SP) - Permitted as specified per §4.1.13.b

## 14. Development Standards

### a. General

- i. DEVELOPMENT is subject to the provisions of Article 10: DEVELOPMENT Standards of this Ordinance. Where the provisions of this section conflict with those of Article 10, the provisions of Article 10 apply.

### b. SIGNS

- i. A SIGN, individual numerals or letters, or a nonelectrical nameplate identifying the property address is required for all real property as follows:
  - a). 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.
  - b). 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.
- ii. 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.
- iii. Address SIGNS must be twelve (12) inches in height or less and may include the name of the occupant.

### c. Roof-Mounted Mechanicals

- i. Roof-mounted mechanical equipment must be screened or enclosed within a penthouse.
  - a). Roof-mounted photovoltaic (PV) devices, solar thermal systems, and wind power generators are exempt.
- ii. Roof-mounted mechanical equipment must comply with all applicable noise standards including, but not limited to, the Massachusetts Department of Environmental Protection (MassDEP) noise policy and the Somerville Noise Control Ordinance.
- iii. Roof-mounted mechanical equipment, screening, and penthouses may exceed the maximum height permitted for each building type by Special Permit.
  - a). In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing roof-mounted mechanical equipment, screening, or a penthouse to exceed the maximum height permitted for each building type:
    - i). Visual impact and aesthetic quality of the proposed screening or penthouse.
    - ii). Efforts to reduce any net new shadows cast upon neighboring lots and structures.
    - iii). Ventilation and air handling techniques to reduce the emission of odor or exhaust toward neighboring lots and structures.
    - iv). Sound attenuation measures or operational procedures to mitigate potential noise impacts to neighboring lots and structures.
- iv. The Review Boards shall require an acoustical report, prepared by a professional acoustical engineer and including field measurements, demonstrating compliance with all applicable noise standards to be submitted to the Building Official prior to the issuance of a Certificate of Occupancy as a condition of any Site Plan Approval.

# 4. MID-RISE DISTRICTS

Mid-Rise 4 (MR4)

## 13. Use Provisions

- a. General
  - i. The USE of real property is subject to the provisions of Article 9: Use Provisions of this Ordinance. Where the provisions of this section conflict with those of Article 9, the provisions of Article 9 apply.
  - ii. Unless otherwise specified, use categories are permitted as specified in the first column on Table 4.2.13.
  - iii. Use categories that are not identified on Table 4.2.13 are prohibited.
  - iv. All USES must comply with any USE-specific standards applicable for each USE in §9.2 Use Definitions & Limitations.
  - v. USES permitted by Special Permit require additional DEVELOPMENT review in accordance with §15.2.1 Special Permits.
- b. Permitted Use Limitations
  - i. Occupancy of a ground story commercial space fronting a pedestrian street is permitted as specified in parentheses the second column on Table 4.2.13 **Permitted Uses**.
    - a). Unless otherwise specified, only services associated with personal grooming such as barbers, hair salons, nail salons, or their substantial equivalents are permitted from the Personal Services use category.
    - b). In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing a Veterinarian, Fitness Services, or Health Care Services use to occupy a ground story commercial space fronting a pedestrian street:
      - i). The maintenance of a diverse blend of commercial uses within the neighborhood.
      - ii). The existing concentration of uses from the same use category within the neighborhood.
      - iii). The availability of the same services within the neighborhood.
      - iv). The availability of comparable commercial spaces within the neighborhood.
- c. Increases in Density
  - i. Existing STRUCTURES may not be altered to conflict with number of DWELLING UNITS permitted for each BUILDING TYPE.<sup>1</sup>

**Table 4.2.13 Permitted Uses**

Use Category Specific Use	<u>1</u>	<u>2</u>
<b>Arts &amp; Creative Enterprise</b>		
Artisanal Production	<u>P</u>	<u>P</u>
Arts Exhibition	<u>P</u>	<u>P</u>
Arts Sales & Services	<u>P</u>	<u>P</u>
Co-working	<u>P</u>	<u>P</u>
Design Services	<u>P</u>	<u>P</u>
Shared Workspaces & Arts Education	<u>P</u>	<u>P</u>
<b>Auto-Oriented</b>		
Recharging Station	<u>P</u>	<u>N</u>
<b>Cannabis Establishment</b>		
Cannabis Cultivation	<u>P</u>	<u>N</u>
Cannabis Retail Sales	<u>SP</u>	<u>SP</u>
Cannabis Research & Development	<u>P</u>	<u>N</u>
Cannabis Testing Laboratory	<u>P</u>	<u>N</u>
<b>Civic &amp; Institutional</b>		
Community Center	<u>P</u>	<u>P</u>
Hospital	<u>SP</u>	<u>N</u>
Library	<u>P</u>	<u>P</u>
Minor Utility Facility	<u>SP</u>	<u>N</u>
Museum	<u>P</u>	<u>P</u>
Private Non-Profit Club or Lodge	<u>SP</u>	<u>N</u>
Public Service	<u>P</u>	<u>P</u>
<b>Religious &amp; Educational Uses Protected by M.G.L. 40A. Sec. 3</b>	<u>P</u>	<u>P</u>

P - Permitted    SP - Special Permit Required    N - Not Permitted  
(P or SP) - Permitted as specified per §4.2.13.b

**Table 4.2.13 Permitted Uses (continued)**

Use Category Specific Use	<u>1</u>	<u>2</u>
<b>Commercial Services</b>		
Animal Services (as noted below)	--	--
Commercial Kennel	SP	<u>N</u>
Pet Grooming	P	<u>P</u>
Pet Daycare & Training	<u>P</u>	<u>N</u>
Veterinarian	<u>P</u>	<u>SP</u>
Assembly or Entertainment	<u>SP</u>	<u>N</u>
Banking & Financial Services (except as noted below)	P	<u>N</u>
Personal Credit	SP	<u>N</u>
Broadcast and/or Recording Studio	P	<u>N</u>
Building & Home Repair Services	SP	<u>N</u>
Business Support Services	P	<u>N</u>
Caterer/Wholesale Food Production	SP	<u>N</u>
Day Care Service (as noted below)	--	--
Adult Day Care Center	P	<u>N</u>
Child Day Care Center	P	<u>N</u>
Educational Services	P	<u>N</u>
Maintenance & Repair of Consumer Goods	P	<u>N</u>
Personal Services (except as noted below)	<u>P</u>	<u>P</u>
Body-Art Services	<u>P</u>	<u>P</u>
Fitness Services	<u>P</u>	<u>SP</u>
Funeral Services	SP	<u>N</u>
Health Care Services	<u>P</u>	<u>SP</u>
Recreation Services	<u>SP</u>	<u>SP</u>
Vehicle Parking (as noted below)	--	--
Bike Share Parking	P	<u>N</u>
Car Share Parking (3 or fewer spaces)	P	<u>N</u>
Car Share Parking (4 or more spaces)	P	<u>N</u>
Commercial Parking	P	<u>N</u>

P - Permitted    SP - Special Permit Required    N - Not Permitted  
(P or SP) - Permitted as specified per §4.2.13.b

**Table 4.2.13 Permitted Uses (continued)**

Use Category Specific Use	<u>1</u>	<u>2</u>
<b>Food and Beverage Service</b>		
Bar/Restaurant/Tavern	<u>P</u>	<u>P</u>
Bakery/Café/Coffee Shop	<u>P</u>	<u>P</u>
<b>Lodging</b>		
Bed & Breakfast	SP	<u>N</u>
Hotel or Hostel	SP	<u>N</u>
<b>Office</b>		
General Office	P	<u>N</u>
Research and Development or Laboratory	P	<u>N</u>
<b>Residential</b>		
Household Living	SP	<u>N</u>
Group Living (except as follows)	SP	<u>N</u>
Community or Group Residence	P	<u>N</u>
Dormitory, Fraternity or Sorority	SP	<u>N</u>
Homeless Shelter	SP	<u>N</u>
Nursing Home/Assisted Living Facility	SP	<u>N</u>
Rooming House	SP	<u>N</u>
<b>Retail Sales</b>		
Building/Home Supplies & Equipment	<u>SP</u>	<u>SP</u>
Consumer Goods (except as follows)	<u>P</u>	<u>P</u>
Alcohol Sales	<u>SP</u>	<u>SP</u>
Firearms Sales	N	<u>N</u>
Pet Store	<u>SP</u>	<u>SP</u>
Fresh Food Market or Grocery Store	<u>P</u>	<u>P</u>
Farm/Vendor Market	<u>P</u>	<u>P</u>
<b>Urban Agriculture</b>		
Farming (as noted below)	--	--
Commercial Farming	P	<u>N</u>
Community Farming	P	<u>N</u>
Community Gardening	P	<u>N</u>

P - Permitted    SP - Special Permit Required    N - Not Permitted  
(P or SP) - Permitted as specified per §4.2.13.b

# 4. MID-RISE DISTRICTS

Mid-Rise 4 (MR4)

**Table 4.2.13 Permitted Uses (continued)**

Use Category Specific Use	<u>1</u>	<u>2</u>
<b>Accessory Uses</b>		
<b>Home Occupations (as noted below)</b>	--	--
Creative Studio	N	<u>N</u>
Hobby Kennel	N	<u>N</u>
Home-Based Business	N	<u>N</u>
Home Day Care	N	<u>N</u>
Home Office	P	<u>N</u>
<b>Urban Agriculture (as noted below)</b>	--	--
Apiculture	P	<u>N</u>
Aviculture	P	<u>N</u>
Commercial Farming	P	<u>N</u>
Residential Gardening	P	<u>N</u>
<b>Vehicle Parking, Accessory (except as follows)</b>	P	<u>N</u>
Home Business Vehicle Parking	N	<u>N</u>

P - Permitted SP - Special Permit Required N - Not Permitted  
(P or SP) - Permitted as specified per §4.2.13.b

c. Roof-Mounted Mechanicals

- i. Roof-mounted mechanical equipment must be screened or enclosed within a penthouse.
  - a). Roof-mounted photovoltaic (PV) devices, solar thermal systems, and wind power generators are exempt.
- ii. Roof-mounted mechanical equipment must comply with all applicable noise standards including, but not limited to, the Massachusetts Department of Environmental Protection (MassDEP) noise policy and the Somerville Noise Control Ordinance.
- iii. Roof-mounted mechanical equipment, screening, and penthouses may exceed the maximum height permitted for each building type by Special Permit.
  - a). In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing roof-mounted mechanical equipment, screening, or a penthouse to exceed the maximum height permitted for each building type:
    - i). Visual impact and aesthetic quality of the proposed screening or penthouse.
    - ii). Efforts to reduce any net new shadows cast upon neighboring lots and structures.
    - iii). Ventilation and air handling techniques to reduce the emission of odor or exhaust toward neighboring lots and structures.
    - iv). Sound attenuation measures or operational procedures to mitigate potential noise impacts to neighboring lots and structures.
- iv. The Review Boards shall require an acoustical report, prepared by a professional acoustical engineer and including field measurements, demonstrating compliance with all applicable noise standards to be submitted to the Building Official prior to the issuance of a Certificate of Occupancy as a condition of any Site Plan Approval.

## 14. Development Standards

- a. General
  - i. DEVELOPMENT is subject to the provisions of Article 10: DEVELOPMENT STANDARDS of this Ordinance. Where the provisions of this section conflict with those of Article 10, the provisions of Article 10 apply.
- b. SIGNS
  - i. A SIGN, individual numerals or letters, or a nonelectrical nameplate identifying the property address is required for all real property as follows:
    - a). 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.
    - b). 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.
  - ii. 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.
  - iii. Address SIGNS must be twelve (12) inches in height or less and may include the name of the occupant.



# 4. MID-RISE DISTRICTS

Mid-Rise 5 (MR5)

## 13. Use Provisions

- a. General
  - i. The USE of real property is subject to the provisions of Article 9: Use Provisions of this Ordinance. Where the provisions of this section conflict with those of Article 9, the provisions of Article 9 apply.
  - ii. Unless otherwise specified, USE categories are permitted as specified in the first column on Table 4.1 (c).
  - iii. Use categories not identified on Table 4.3.13 are prohibited.
  - iv. All USES must comply with any USE-specific standards applicable for each USE in §9.2 Use Definitions & Limitations.
  - v. USES permitted by Special Permit require additional DEVELOPMENT review in accordance with §15.2.1 Special Permits.
- b. Permitted Use Limitations
  - i. Occupancy of a ground story commercial space fronting a pedestrian street is permitted as specified in parentheses the second column on Table 4.3.13 Permitted Uses.
    - a). Unless otherwise specified, only services associated with personal grooming such as barbers, hair salons, nail salons, or their substantial equivalents are permitted from the Personal Services use category.
    - b). In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing a Veterinarian, Fitness Services, or Health Care Services use to occupy a ground story commercial space fronting a pedestrian street:
      - i). The maintenance of a diverse blend of commercial uses within the neighborhood.
      - ii). The existing concentration of uses from the same use category within the neighborhood.
      - iii). The availability of the same services within the neighborhood.
      - iv). The availability of comparable commercial spaces within the neighborhood.
- c. Required USES
  - i. A minimum of five percent (5%) of the gross leasable commercial floor area in any BUILDING must be provided as LEASABLE FLOOR AREA for USES from the Arts & Creative Enterprise USE category.
- d. Increases in Density
  - i. Existing STRUCTURES may not be altered to conflict with number of DWELLING UNITS permitted for each BUILDING TYPE.

**Table 4.3.13 Permitted Uses**

Use Category Specific Use	<u>1</u>	<u>2</u>
<b>Arts &amp; Creative Enterprise</b>		
Artisanal Production	<u>P</u>	<u>P</u>
Arts Exhibition	<u>P</u>	<u>P</u>
Arts Sales & Services	<u>P</u>	<u>P</u>
Co-working	<u>P</u>	<u>P</u>
Design Services	<u>P</u>	<u>P</u>
Shared Workspaces & Arts Education	<u>P</u>	<u>P</u>
<b>Auto-Oriented</b>		
Recharging Station	<u>P</u>	<u>N</u>
<b>Cannabis Establishment</b>		
Cannabis Cultivation	<u>P</u>	<u>N</u>
Cannabis Retail Sales	<u>SP</u>	<u>SP</u>
Cannabis Research & Development	<u>P</u>	<u>N</u>
Cannabis Testing Laboratory	<u>P</u>	<u>N</u>
<b>Civic &amp; Institutional</b>		
Community Center	<u>P</u>	<u>P</u>
Hospital	<u>SP</u>	<u>N</u>
Library	<u>P</u>	<u>P</u>
Minor Utility Facility	<u>SP</u>	<u>N</u>
Museum	<u>P</u>	<u>P</u>
Private Non-Profit Club or Lodge	<u>SP</u>	<u>N</u>
Public Service	<u>P</u>	<u>P</u>
Religious & Educational Uses Protected by M.G.L. 40A. Sec. 3	<u>P</u>	<u>P</u>

P - Permitted SP - Special Permit Required N - Not Permitted  
 (P or SP) - Permitted as specified per §4.3.13.b

**Table 4.3.13 Permitted Uses (continued)**

Use Category Specific Use	<u>1</u>	<u>2</u>
<b>Commercial Services</b>		
<b>Animal Services (as noted below)</b>	--	--
Commercial Kennel	SP	<u>N</u>
Pet Grooming	P	<u>P</u>
Pet Daycare & Training	<u>P</u>	<u>N</u>
Veterinarian	<u>P</u>	<u>SP</u>
<b>Assembly or Entertainment</b>	<u>SP</u>	<u>N</u>
<b>Banking &amp; Financial Services (except as noted below)</b>	P	<u>N</u>
Personal Credit	SP	<u>N</u>
Broadcast and/or Recording Studio	P	<u>N</u>
Building & Home Repair Services	SP	<u>N</u>
Business Support Services	P	<u>N</u>
Caterer/Wholesale Food Production	SP	<u>N</u>
<b>Day Care Service (as noted below)</b>	--	--
Adult Day Care Center	P	<u>N</u>
Child Day Care Center	P	<u>N</u>
<b>Educational Services</b>	P	<u>N</u>
<b>Maintenance &amp; Repair of Consumer Goods</b>	P	<u>N</u>
<b>Personal Services (except as noted below)</b>	<u>P</u>	<u>P</u>
Body-Art Services	<u>P</u>	<u>P</u>
Fitness Services	<u>P</u>	<u>SP</u>
Funeral Services	SP	<u>N</u>
Health Care Services	<u>P</u>	<u>SP</u>
<b>Recreation Services</b>	<u>SP</u>	<u>SP</u>
<b>Vehicle Parking (as noted below)</b>	--	--
Bike Share Parking	P	<u>N</u>
Car Share Parking (3 or fewer spaces)	P	<u>N</u>
Car Share Parking (4 or more spaces)	P	<u>N</u>
Commercial Parking	P	<u>N</u>

P - Permitted SP - Special Permit Required N - Not Permitted  
(P or SP) -- Permitted as specified per §4.3.13.b

**Table 4.3.13 Permitted Uses (continued)**

Use Category Specific Use	<u>1</u>	<u>2</u>
<b>Food and Beverage Service</b>		
Bar/Restaurant/Tavern	<u>P</u>	<u>P</u>
Bakery/Café/Coffee Shop	<u>P</u>	<u>P</u>
<b>Lodging</b>		
Bed & Breakfast	SP	<u>N</u>
Hotel or Hostel	SP	<u>N</u>
<b>Office</b>		
General Office	P	<u>N</u>
Research and Development or Laboratory	P	<u>N</u>
<b>Residential</b>		
Household Living	SP	<u>N</u>
Group Living (except as follows)	SP	<u>N</u>
Community or Group Residence	P	<u>N</u>
Dormitory, Fraternity or Sorority	SP	<u>N</u>
Homeless Shelter	SP	<u>N</u>
Nursing Home/Assisted Living Facility	SP	<u>N</u>
Rooming House	SP	<u>N</u>
<b>Retail Sales</b>		
Building/Home Supplies & Equipment	<u>SP</u>	<u>SP</u>
Consumer Goods (except as follows)	<u>P</u>	<u>P</u>
Alcohol Sales	<u>SP</u>	<u>SP</u>
Firearms Sales	N	<u>N</u>
Pet Store	<u>SP</u>	<u>SP</u>
Fresh Food Market or Grocery Store	<u>P</u>	<u>P</u>
Farm/Vendor Market	<u>P</u>	<u>P</u>
<b>Urban Agriculture</b>		
Farming (as noted below)	--	--
Commercial Farming	P	<u>N</u>
Community Farming	P	<u>N</u>
Community Gardening	P	<u>N</u>

P - Permitted SP - Special Permit Required N - Not Permitted  
(P or SP) -- Permitted as specified per §4.3.13.b



# 4. MID-RISE DISTRICTS

Mid-Rise 5 (MR5)

**Table 4.3.13 Permitted Uses (continued)**

Use Category Specific Use	<u>1</u>	<u>2</u>
<b>Accessory Uses</b>		
<b>Home Occupations (as noted below)</b>	--	--
Creative Studio	N	<u>N</u>
Hobby Kennel	N	<u>N</u>
Home-Based Business	N	<u>N</u>
Home Day Care	N	<u>N</u>
Home Office	P	<u>N</u>
<b>Urban Agriculture (as noted below)</b>	--	--
Apiculture	P	<u>N</u>
Aviculture	P	<u>N</u>
Commercial Farming	P	<u>N</u>
Residential Gardening	P	<u>N</u>
<b>Vehicle Parking, Accessory (except as follows)</b>	P	<u>N</u>
Home Business Vehicle Parking	N	<u>N</u>

P - Permitted SP - Special Permit Required N - Not Permitted  
(P or SP) -- Permitted as specified per 54.3.13.b

## 14. Development Standards

### a. General

- i. DEVELOPMENT is subject to the provisions of Article 10: DEVELOPMENT STANDARDS of this Ordinance. Where the provisions of this section conflict with those of Article 10, the provisions of Article 10 apply.

### b. SIGNS

- i. A SIGN, individual numerals or letters, or a nonelectrical nameplate identifying the property address is required for all real property as follows:
  - a). 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.
  - b). 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.
- ii. 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.
- iii. Address SIGNS must be twelve (12) inches in height or less and may include the name of the occupant.

### c. Roof-Mounted Mechanicals

- i. Roof-mounted mechanical equipment must be screened or enclosed within a penthouse.
  - a). Roof-mounted photovoltaic (PV) devices, solar thermal systems, and wind power generators are exempt.
- ii. Roof-mounted mechanical equipment must comply with all applicable noise standards including, but not limited to, the Massachusetts Department of Environmental Protection (MassDEP) noise policy and the Somerville Noise Control Ordinance.
- iii. Roof-mounted mechanical equipment, screening, and penthouses may exceed the maximum height permitted for each building type by Special Permit.
  - a). In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing roof-mounted mechanical equipment, screening, or a penthouse to exceed the maximum height permitted for each building type:
    - i). Visual impact and aesthetic quality of the proposed screening or penthouse.
    - ii). Efforts to reduce any net new shadows cast upon neighboring lots and structures.
    - iii). Ventilation and air handling techniques to reduce the emission of odor or exhaust toward neighboring lots and structures.
    - iv). Sound attenuation measures or operational procedures to mitigate potential noise impacts to neighboring lots and structures.
- iv. The Review Boards shall require an acoustical report, prepared by a professional acoustical engineer and including field measurements, demonstrating compliance with all applicable noise standards to be submitted to the Building Official prior to the issuance of a Certificate of Occupancy as a condition of any Site Plan Approval.

# 4. MID-RISE DISTRICTS

Mid-Rise 6 (MR6)

## 14. Use Provisions

- a. General
  - i. The USE of real property is subject to the provisions of Article 9: Use Provisions of this Ordinance. Where the provisions of this section conflict with those of Article 9, the provisions of Article 9 apply.
  - ii. Unless otherwise specified, USE categories are permitted as specified in the first column on Table 4.1.14.
  - iii. Use categories that are not identified on Table 4.1.14 are prohibited.
  - iv. All USES must comply with any USE-specific standards applicable for each USE in §9.2 Use Definitions & Limitations.
  - v. USES permitted by Special Permit require additional DEVELOPMENT review in accordance with §15.2.1 Special Permits.
- b. Permitted Use Limitations
  - i. Occupancy of a ground story commercial space fronting a pedestrian street is permitted as specified in parentheses the second column on Table 4.4.14 Permitted Uses.
    - a). Unless otherwise specified, only services associated with personal grooming such as barbers, hair salons, nail salons, or their substantial equivalents are permitted from the Personal Services use category.
    - b). In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing a Veterinarian, Fitness Services, or Health Care Services specific use to occupy a ground story commercial space fronting a pedestrian street:
      - i). The maintenance of a diverse blend of commercial uses within the neighborhood.
      - ii). The existing concentration of uses from the same use category within the neighborhood.
      - iii). The availability of the same services within the neighborhood.
      - iv). The availability of comparable commercial spaces within the neighborhood.
- c. Required USES
  - i. A minimum of five percent (5%) of the gross leasable commercial floor area in any BUILDING must be provided as LEASABLE FLOOR AREA for USES from the Arts & Creative Enterprise USE category.
- d. Increases in Density
  - i. Existing STRUCTURES may not be altered to conflict with number of DWELLING UNITS permitted for each BUILDING TYPE.

**Table 4.4.14 Permitted Uses**

Use Category Specific Use	1	2
<b>Arts &amp; Creative Enterprise</b>		
Artisanal Production	P	P
Arts Exhibition	P	P
Arts Sales & Services	P	P
Co-Working	P	P
Design Services	P	P
Shared Workspaces & Arts Education	P	P
<b>Auto-Oriented</b>		
Recharging Station	P	N
<b>Cannabis Establishment</b>		
Cannabis Cultivation	P	N
Cannabis Retail Sales	SP	SP
Cannabis Research & Development	P	N
Cannabis Testing Laboratory	P	N
<b>Civic &amp; Institutional</b>		
Community Center	P	P
Hospital	SP	N
Library	P	P
Minor Utility Facility	SP	N
Museum	P	P
Private Non-Profit Club or Lodge	SP	N
Public Service	P	P
Religious & Educational Uses Protected by M.G.L. 40A. Sec. 3	P	P

P - Permitted    SP - Special Permit Required    N - Not Permitted  
 (P or SP) - Permitted as specified per §4.4.14.b

**Table 4.4.14 Permitted Uses (continued)**

Use Category Specific Use	1	2
<b>Commercial Services</b>		
<b>Animal Services (as noted below)</b>	--	--
Commercial Kennel	SP	<u>N</u>
Pet Grooming	P	<u>P</u>
Pet Daycare & Training	<u>P</u>	<u>N</u>
Veterinarian	<u>P</u>	<u>SP</u>
<b>Assembly or Entertainment</b>	<u>SP</u>	<u>N</u>
<b>Banking &amp; Financial Services (except as noted below)</b>	P	<u>N</u>
Personal Credit	SP	<u>N</u>
Broadcast and/or Recording Studio	P	<u>N</u>
Building & Home Repair Services	SP	<u>N</u>
Business Support Services	P	<u>N</u>
Caterer/Wholesale Food Production	SP	<u>N</u>
<b>Day Care Service (as noted below)</b>	--	--
Adult Day Care Center	P	<u>N</u>
Child Day Care Center	P	<u>N</u>
<b>Educational Services</b>	P	<u>N</u>
<b>Maintenance &amp; Repair of Consumer Goods</b>	P	<u>N</u>
<b>Personal Services (except as noted below)</b>	<u>P</u>	<u>P</u>
Body-Art Services	<u>P</u>	<u>P</u>
Fitness Services	<u>P</u>	<u>SP</u>
Funeral Services	SP	<u>N</u>
Health Care Services	<u>P</u>	<u>SP</u>
<b>Recreation Services</b>	<u>SP</u>	<u>SP</u>
<b>Vehicle Parking (as noted below)</b>	--	--
Bike Share Parking	P	<u>N</u>
Car Share Parking (3 or fewer spaces)	P	<u>N</u>
Car Share Parking (4 or more spaces)	P	<u>N</u>
Commercial Parking	P	<u>N</u>

P - Permitted SP - Special Permit Required N - Not Permitted  
(P or SP) -- Permitted as specified per 54.4.14.b

**Table 4.4.14 Permitted Uses (continued)**

Use Category Specific Use	1	2
<b>Food and Beverage Service</b>		
Bar/Restaurant/Tavern	<u>P</u>	<u>P</u>
Bakery/Café/Coffee Shop	<u>P</u>	<u>P</u>
<b>Lodging</b>		
Bed & Breakfast	SP	<u>N</u>
Hotel or Hostel	SP	<u>N</u>
<b>Office</b>		
General Office	P	<u>N</u>
Research and Development or Laboratory	P	<u>N</u>
<b>Residential</b>		
<b>Household Living</b>	SP	<u>N</u>
<b>Group Living (except as follows)</b>	SP	<u>N</u>
Community or Group Residence	P	<u>N</u>
Dormitory, Fraternity or Sorority	SP	<u>N</u>
Homeless Shelter	SP	<u>N</u>
Nursing Home/Assisted Living Facility	SP	<u>N</u>
Rooming House	SP	<u>N</u>
<b>Retail Sales</b>		
<b>Building/Home Supplies &amp; Equipment</b>	<u>SP</u>	<u>SP</u>
<b>Consumer Goods (except as follows)</b>	<u>P</u>	<u>P</u>
Alcohol Sales	<u>SP</u>	<u>SP</u>
Firearms Sales	N	<u>N</u>
Pet Store	<u>SP</u>	<u>SP</u>
Fresh Food Market or Grocery Store	<u>P</u>	<u>P</u>
Farm/Vendor Market	<u>P</u>	<u>P</u>
<b>Urban Agriculture</b>		
<b>Farming (as noted below)</b>	--	--
Commercial Farming	P	<u>N</u>
Community Farming	P	<u>N</u>
<b>Community Gardening</b>	P	<u>N</u>

P - Permitted SP - Special Permit Required N - Not Permitted  
(P or SP) -- Permitted as specified per 54.4.14.b

# 4. MID-RISE DISTRICTS

Mid-Rise 6 (MR6)

**Table 4.4.14 Permitted Uses (continued)**

Use Category Specific Use	1	2
<b>Accessory Uses</b>		
<b>Home Occupations (as noted below)</b>	--	--
Creative Studio	N	<u>N</u>
Hobby Kennel	N	<u>N</u>
Home-Based Business	N	<u>N</u>
Home Day Care	N	<u>N</u>
Home Office	P	<u>N</u>
<b>Urban Agriculture (as noted below)</b>	--	--
Apiculture	P	<u>N</u>
Aviculture	P	<u>N</u>
Commercial Farming	P	<u>N</u>
Residential Gardening	P	<u>N</u>

P - Permitted SP - Special Permit Required N - Not Permitted  
(P or SP) -- Permitted as specified per §4.4.14.b

- c. Roof-Mounted Mechanicals
  - i. Roof-mounted mechanical equipment must be screened or enclosed within a penthouse.
    - a). Roof-mounted photovoltaic (PV) devices, solar thermal systems, and wind power generators are exempt.
  - ii. Roof-mounted mechanical equipment must comply with all applicable noise standards including, but not limited to, the Massachusetts Department of Environmental Protection (MassDEP) noise policy and the Somerville Noise Control Ordinance.
  - iii. Roof-mounted mechanical equipment, screening, and penthouses may exceed the maximum height permitted for each building type by Special Permit.
    - a). In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing roof-mounted mechanical equipment, screening, or a penthouse to exceed the maximum height permitted for each building type:
      - i). Visual impact and aesthetic quality of the proposed screening or penthouse.
      - ii). Efforts to reduce any net new shadows cast upon neighboring lots and structures.
      - iii). Ventilation and air handling techniques to reduce the emission of odor or exhaust toward neighboring lots and structures.
      - iv). Sound attenuation measures or operational procedures to mitigate potential noise impacts to neighboring lots and structures.
  - iv. The Review Boards shall require an acoustical report, prepared by a professional acoustical engineer and including field measurements, demonstrating compliance with all applicable noise standards to be submitted to the Building Official prior to the issuance of a Certificate of Occupancy as a condition of any Site Plan Approval.

## 15. Development Standards

- a. General
  - i. DEVELOPMENT is subject to the provisions of Article 10: DEVELOPMENT STANDARDS of this Ordinance. Where the provisions of this section conflict with those of Article 10, the provisions of Article 10 apply.
- b. SIGNS
  - i. A SIGN, individual numerals or letters, or a nonelectrical nameplate identifying the property address is required for all real property as follows:
    - a). 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.
    - b). 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.
  - ii. 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.
  - iii. Address SIGNS must be twelve (12) inches in height or less and may include the name of the occupant.

# 5. HIGH-RISE DISTRICTS

High-Rise (HR)

## 15. Use Provisions

- a. Permitted Uses
  - i. The USE of real property is subject to the provisions of Article 9: Use Provisions of this Ordinance. Where the provisions of this section conflict with those of Article 9, the provisions of Article 9 apply.
  - ii. Unless otherwise specified, USE categories are permitted as specified in the first column on Table 5.1.15.
  - iii. Use categories that are not identified on Table 5.1.15 are prohibited.
  - iv. All USES must comply with any USE-specific standards applicable for each USE in §9.2 Use Definitions & Limitations.
  - v. USES permitted by Special Permit require additional DEVELOPMENT review in accordance with §15.2.1 Special Permits.
- b. Permitted Use Limitations
  - i. Occupancy of a ground story commercial space fronting a pedestrian street is permitted as specified in parentheses the second column on Table 5.1.15 Permitted Uses.
    - a). Unless otherwise specified, only services associated with personal grooming such as barbers, hair salons, nail salons, or their substantial equivalents are permitted from the Personal Services use category.
    - b). In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing a Veterinarian, Fitness Services, or Health Care Services use to occupy a ground story commercial space fronting a pedestrian street:
      - i). The maintenance of a diverse blend of commercial uses within the neighborhood.
      - ii). The existing concentration of uses from the same use category within the neighborhood.
      - iii). The availability of the same services within the neighborhood.
      - iv). The availability of comparable commercial spaces within the neighborhood.
- c. Required USES
  - i. A minimum of five percent (5%) of the gross leasable commercial floor space in any BUILDING must be provided as LEASABLE FLOOR AREA for USES from the Arts & Creative Enterprise USE category.

**Table 5.1.15 Permitted Uses**

Use Category Specific Use		
<b>Arts &amp; Creative Enterprise</b>		
Artisanal Production	P	P
Arts Exhibition	P	P
Arts Sales & Services	P	P
Co-working	P	P
Design Services	P	P
Shared Workspaces & Arts Education	P	P
<b>Auto-Oriented</b>		
Recharging Station	P	N
<b>Cannabis Establishment</b>		
Cannabis Cultivation	P	N
Cannabis Retail Sales	SP	SP
Cannabis Research & Development	P	N
Cannabis Testing Laboratory	P	N
<b>Civic &amp; Institutional</b>		
Community Center	P	P
Hospital	SP	N
Library	P	P
Minor Utility Facility	SP	N
Museum	P	P
Private Non-Profit Club or Lodge	SP	N
Public Service	P	P
Religious & Educational Uses Protected by M.G.L. 40A. Sec. 3	P	P

P - Permitted    SP - Special Permit Required    N - Not Permitted  
 (P or SP) - Permitted as specified per §5.1.15.b

**Table 5.1.15 Permitted Uses (continued)**

Use Category Specific Use		
<b>Commercial Services</b>		
Animal Services (as noted below)	--	--
Commercial Kennel	SP	<u>N</u>
Pet Grooming	P	<u>P</u>
Pet Daycare & Training	<u>P</u>	<u>N</u>
Veterinarian	<u>P</u>	<u>SP</u>
Assembly or Entertainment	<u>SP</u>	<u>N</u>
Banking & Financial Services (except as follows)	P	<u>N</u>
Personal Credit	SP	<u>N</u>
Broadcast and/or Recording Studio	P	<u>N</u>
Building & Home Repair Services	SP	<u>N</u>
Business Support Services	P	<u>N</u>
Caterer/Wholesale Food Production	SP	<u>N</u>
Day Care Service (as noted below)	--	--
Adult Day Care Center	P	<u>N</u>
Child Day Care Center	P	<u>N</u>
Educational Services	P	<u>N</u>
Maintenance & Repair of Consumer Goods	P	<u>N</u>
Personal Services (except as follows)	<u>P</u>	<u>P</u>
Body-Art Services	<u>P</u>	<u>P</u>
Fitness Services	<u>P</u>	<u>SP</u>
Funeral Services	SP	<u>N</u>
Health Care Services	<u>P</u>	<u>SP</u>
Recreation Services	<u>SP</u>	<u>SP</u>
Vehicle Parking (as noted below)	--	--
Bike Share Parking	P	<u>N</u>
Car Share Parking (3 or fewer spaces)	P	<u>N</u>
Car Share Parking (4 or more spaces)	P	<u>N</u>
Commercial Parking	P	<u>N</u>

P - Permitted    SP - Special Permit Required    N - Not Permitted  
(P or SP) -- Permitted as specified per §5.1.15.b

**Table 5.1.15 Permitted Uses (continued)**

Use Category Specific Use		
<b>Food and Beverage Service</b>		
Bar, Restaurant, or Tavern	<u>P</u>	<u>P</u>
Bakery/Café/Coffee Shop	<u>P</u>	<u>P</u>
<b>Lodging</b>		
Bed & Breakfast	SP	<u>N</u>
Hotel or Hostel	SP	<u>N</u>
<b>Office</b>		
General Office	P	<u>N</u>
Research and Development or Laboratory	P	<u>N</u>
<b>Residential</b>		
Household Living	SP	<u>N</u>
Group Living (except as follows)	SP	<u>N</u>
Community or Group Residence	P	<u>N</u>
Dormitory or Chapter House	SP	<u>N</u>
Homeless Shelter	SP	<u>N</u>
Nursing Home/Assisted Living Facility	SP	<u>N</u>
Rooming House	SP	<u>N</u>
<b>Retail Sales</b>		
Building/Home Supplies & Equipment	<u>SP</u>	<u>SP</u>
Consumer Goods (except as follows)	<u>P</u>	<u>P</u>
Alcohol Sales	<u>SP</u>	<u>SP</u>
Firearms Sales	N	<u>N</u>
Pet Store	<u>SP</u>	<u>SP</u>
Fresh Food Market or Grocery Store	<u>P</u>	<u>P</u>
Farm/Vendor Market	<u>P</u>	<u>P</u>
<b>Urban Agriculture</b>		
Farming (as noted below)	--	--
Commercial Farming	P	<u>N</u>
Community Farming	P	<u>N</u>
Community Gardening	P	<u>N</u>

P - Permitted    SP - Special Permit Required    N - Not Permitted  
(P or SP) -- Permitted as specified per §5.1.15.b



# 5. HIGH-RISE DISTRICTS

High-Rise (HR)

**Table 5.1.15 Permitted Uses (continued)**

Use Category Specific Use		
<b>Accessory Uses</b>		
<b>Home Occupations (as noted below)</b>	--	--
Home Office	P	<u>N</u>
<b>Urban Agriculture (as noted below)</b>	--	--
Apiculture	P	<u>N</u>
Aviculture	P	<u>N</u>
Commercial Farming	P	<u>N</u>
Residential Gardening	P	<u>N</u>

P - Permitted SP - Special Permit Required N - Not Permitted  
~~(P or SP) - Permitted as specified per §5.1.15.b~~

## 16. Development Standards

- a. General
  - i. DEVELOPMENT is subject to Article 10: DEVELOPMENT STANDARDS of this Ordinance. Where the provisions of this section conflict with those of Article 10, the provisions of Article 10 apply.
- b. SIGNS
  - i. A SIGN, individual numerals or letters, or a nonelectrical nameplate identifying the property address is required for all real property as follows:
    - a). 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.
    - b). 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.
  - ii. 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.
  - iii. Address SIGNS must be twelve (12) inches in height or less and may include the name of the occupant.
- c. Roof-Mounted Mechanicals
  - i. Roof mounted mechanical equipment must be screened or enclosed within a rooftop penthouse.
    - a). Roof-mounted photovoltaic (PV) devices, solar thermal systems, and wind power generators are exempt.

### 13. Use Provisions

- a. General
  - i. The USE of real property is subject to the provisions of Article 9: Use Provisions of this Ordinance. Where the provisions of this section conflict with those of Article 9, the provisions of Article 9 apply.
  - ii. Unless otherwise specified, USE categories are permitted according to as specified in the first column on Table 6.2.13.
  - iii. Use categories that are not identified on Table 6.2.13 are prohibited.
  - iv. All USES must comply with any USE-specific standards applicable for each USE in §9.2 Use Definitions & Limitations.
  - v. USES permitted by Special Permit require additional DEVELOPMENT review in accordance with §15.2.1 Special Permits.
  - vi. ~~Use categories that are not identified on Table 6.2.13 are prohibited.~~
- b. Permitted Use Limitations
  - i. Occupancy of a ground story commercial space fronting a pedestrian street is permitted as specified in parentheses the second column on Table 6.1213 Permitted Uses.
    - a). Unless otherwise specified, only services associated with personal grooming such as barbers, hair salons, nail salons, or their substantial equivalents are permitted from the Personal Services use category.
    - b). In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing a Veterinarian, Fitness Services, or Health Care Services use to occupy a ground story commercial space fronting a pedestrian street:
      - i). The maintenance of a diverse blend of commercial uses within the neighborhood.
      - ii). The existing concentration of uses from the same use category within the neighborhood.
      - iii). The availability of the same services within the neighborhood.
      - iv). The availability of comparable commercial spaces within the neighborhood.
- c. Required USES
  - i. A minimum of five percent (5%) of the gross commercial leasable floor area in any BUILDING must be provided as LEASABLE FLOOR AREA for USES from the Arts & Creative Enterprise USE category.

**Table 6.2.13 Permitted Uses**

Use Category Specific Use	<u>1</u>	<u>2</u>
<b>Arts &amp; Creative Enterprise</b>		
Artisanal Production	<u>P</u>	<u>P</u>
Arts Exhibition	<u>P</u>	<u>P</u>
Arts Sales & Services	<u>P</u>	<u>P</u>
Co-Working	<u>P</u>	<u>P</u>
Design Services	<u>P</u>	<u>P</u>
Shared Workspaces & Arts Education	<u>P</u>	<u>P</u>
<b>Auto-Oriented</b>		
Recharging Station	<u>P</u>	<u>N</u>
<b>Cannabis Establishment</b>		
Cannabis Cultivation	<u>P</u>	<u>N</u>
Cannabis Retail Sales	<u>SP</u>	<u>SP</u>
Cannabis Research & Development	<u>P</u>	<u>N</u>
Cannabis Testing Laboratory	<u>P</u>	<u>N</u>
<b>Civic &amp; Institutional</b>		
Community Center	<u>P</u>	<u>P</u>
Hospital	<u>SP</u>	<u>N</u>
Library	<u>P</u>	<u>P</u>
Minor Utility Facility	<u>SP</u>	<u>N</u>
Museum	<u>P</u>	<u>P</u>
Private Non-Profit Club or Lodge	<u>SP</u>	<u>N</u>
Public Service	<u>P</u>	<u>P</u>
Religious & Educational Uses Protected by M.G.L. 40A. Sec. 3	<u>P</u>	<u>P</u>

P - Permitted    SP - Special Permit Required    N - Not Permitted  
 (P or SP) - Permitted as specified per §6.2.13.b

# 6.0 COMMERCIAL DISTRICTS

Commercial Core (CC)

**Table 6.2.13 Permitted Uses (continued)**

Use Category Specific Use	<u>1</u>	<u>2</u>
<b>Commercial Services</b>		
<b>Animal Services (as noted below)</b>	--	--
Commercial Kennel	SP	<u>N</u>
Pet Grooming	P	<u>P</u>
Pet Daycare & Training	<u>P</u>	<u>N</u>
Veterinarian	<u>P</u>	<u>SP</u>
<b>Assembly or Entertainment</b>	<u>SP</u>	<u>N</u>
<b>Banking &amp; Financial Services (except as follows)</b>	P	<u>N</u>
Personal Credit	SP	<u>N</u>
<b>Broadcast and/or Recording Studio</b>	P	<u>N</u>
<b>Building &amp; Home Repair Services</b>	SP	<u>N</u>
<b>Business Support Services</b>	P	<u>N</u>
<b>Caterer/Wholesale Food Production</b>	SP	<u>N</u>
<b>Day Care Service (as noted below)</b>	--	--
Adult Day Care Center	P	<u>N</u>
Child Day Care Center	P	<u>N</u>
<b>Educational Services</b>	P	<u>N</u>
<b>Maintenance &amp; Repair of Consumer Goods</b>	P	<u>N</u>
<b>Personal Services (except as noted below)</b>	<u>P</u>	<u>P</u>
Body-Art Services	<u>P</u>	<u>P</u>
Fitness Services	<u>P</u>	<u>SP</u>
Funeral Services	SP	<u>N</u>
Health Care Services	<u>P</u>	<u>SP</u>
<b>Recreation Services</b>	<u>SP</u>	<u>SP</u>
<b>Vehicle Parking (as noted below)</b>	--	--
Bike Share Parking	P	<u>N</u>
Car Share Parking (3 or fewer spaces)	P	<u>N</u>
Car Share Parking (4 or more spaces)	P	<u>N</u>
Commercial Parking	P	<u>N</u>

P - Permitted SP - Special Permit Required N - Not Permitted  
(P or SP) -- Permitted as specified per §6.2.13.b

**Table 6.2.13 Permitted Uses (continued)**

Use Category Specific Use	<u>1</u>	<u>2</u>
<b>Food and Beverage Service</b>		
Bar/Restaurant/Tavern	<u>P</u>	<u>P</u>
Bakery/Café/Coffee Shop	<u>P</u>	<u>P</u>
<b>Lodging</b>		
Bed & Breakfast	SP	<u>N</u>
Hotel or Hostel	SP	<u>N</u>
<b>Office</b>		
General Office	P	<u>N</u>
Research and Development or Laboratory	P	<u>N</u>
<b>Retail Sales</b>		
Building/Home Supplies & Equipment	<u>SP</u>	<u>SP</u>
Consumer Goods (except as follows)	<u>P</u>	<u>P</u>
Alcohol Sales	<u>SP</u>	<u>SP</u>
Firearms Sales	N	<u>N</u>
Pet Store	<u>SP</u>	<u>SP</u>
Fresh Food Market or Grocery Store	<u>P</u>	<u>P</u>
Farm/Vendor Market	<u>P</u>	<u>P</u>
<b>Urban Agriculture</b>		
Farming (as noted below)	--	--
Commercial Farming	P	<u>N</u>
Community Farming	P	<u>N</u>
Community Gardening	P	<u>N</u>
<b>Accessory Uses</b>		
Urban Agriculture (as noted below)	--	--
Commercial Farming	P	<u>N</u>

P - Permitted SP - Special Permit Required N - Not Permitted  
(P or SP) -- Permitted as specified per §6.2.13.b

## 8.2 SMALL BUSINESS (SB)

### 1. Intent

- a. To implement recommendations of SomerVision for commercial DEVELOPMENT.
- b. To create, maintain, and enhance locations appropriate for neighborhood- and community-serving businesses.

### 2. Purpose

- a. To permit neighborhood- and community-serving commercial USES providing for the frequently recurring needs of local residents for real property in underlying residential districts.
- b. To USE discretion in permitting the occupancy of commercial spaces over five thousand (5,000) square feet in LEASABLE FLOOR AREA for real property in underlying residential districts.
- c. To require multiple ground story commercial spaces for real property in underlying mid-rise, high-rise, and commercial districts.

### 3. Applicability

- a. The section is applicable to all real property within the Small Business overlay district as shown on the maps of the Official Zoning Atlas of the City of Somerville.
- b. The provisions of this Section supplement or supersede the provisions of the districts upon which it is superimposed.
- c. Where the provisions of this Section conflict with those found elsewhere in this Ordinance, the provisions of this Section apply.

### 4. Neighborhood Residence & Urban Residence

- a. Applicability
  - i. This section is applicable to the establishment, change, or expansion of the use of real property.
  - ii. Development may comply with all of the applicable provisions of this Section in lieu of complying with those same provisions of the underlying zoning district.
- b. Use Provisions
  - i. USE categories are permitted as specified on Table 8.2.4 (a) in addition to the use categories permitted by the underlying zoning district.
    - a). In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing a Veterinarian or Health Care Services specific use to occupy a commercial building.
      - i). The existing concentration of the same uses within the neighborhood.
      - ii). The availability of the same services within the neighborhood.
      - iii). The availability of comparable commercial spaces within the neighborhood.
  - ii. Occupancy of any commercial space over five thousand (5,000) square feet in LEASABLE FLOOR AREA by any permitted USE requires a Special Permit.
    - a). In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing occupancy of a commercial space over five thousand (5,000) square feet in LEASABLE FLOOR AREA by any permitted USE specified on Table 8.2.4:
      - i). Compatibility with the intensity of activity associated with the surrounding land USES.
      - ii). Capacity of the local THOROUGHFARE network providing ACCESS to the SITE and the impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.
- c. Parking & Mobility
  - i. Vehicular parking must be provided as specified on Table 8.2.4 (b), except as follows:
    - a). Non-residential uses with five thousand (5,000) square feet or less of gross leasable floor area are exempt from any minimum requirements of 8.2.4 (b).

## 9.1 PERMITTED USES

### 1. General

- a. The USE of real property is permitted as specified on Table 9.1.1.
- b. USE categories not identified on Table 9.1.1 are prohibited.
- c. Real property may have one or more principal and one or more ACCESSORY USES.

### 2. Applicability

- a. The continuation of any USE that existed prior to the establishment of zoning in Somerville or that complied with the Somerville Zoning Ordinance when the USE was established, but is non-compliant to a subsequent amendment of the Somerville Zoning Ordinance is permitted, subject to Article 14: Nonconformance.

### 3. Development Review

- a. The establishment of any USE, CHANGE IN USE of any STRUCTURE or land, and any expansion in the USE of land requires the submittal of a development review application to the BUILDING OFFICIAL.
- b. All USES must comply with any USE-specific standards applicable for each USE in §9.2 USE Definitions & Limitations.
- c. USES permitted by Special Permit require additional DEVELOPMENT review in accordance with §15.2.1 Special Permits.

### 4. Protected Uses

- a. This Ordinance does not restrict the USE of land or STRUCTURES for activities protected by M.G.L. Chapter 40A, Section 3. In cases where Table 9.1 indicates the USE of real property for a protected USE requires a special permit (SP) or is not permitted (N), that USE is permitted (P) and is subject only to the provisions for the appropriate BUILDING TYPE.

### 5. Classification of Uses

- a. USE Categories
  - i. This Ordinance classifies principal land USES into USE categories based on similar functional, product, or physical characteristics, 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.
- b. Specific USE Types
  - i. Some categories are further broken into a list of individual USES. For example, under the CONSUMER GOODS category is the ALCOHOL SALES specific use type, which is a more strictly regulated USE than others in this same category.

### c. Organization of Text & Tables

- i. USE categories are listed on Table 9.1 and ordered in the text of 9.2 USE Definitions & Standards using the same headings for organizational purposes.
- d. Some USE categories identify a list of individual USES that are regulated differently than other USES within the same category, despite their similarity. In this circumstance the specific USES are identified by text that reads 'the following USES are regulated differently' in 9.2 USE Definitions & Standards and 'except as follows' on the USE table.
- e. Some USE categories identify an exclusive list of individual USES that are permitted, where individual USES not identified are prohibited. This circumstance is identified by text that reads 'the specific USES are' in 9.2 USE Definitions & Standards and 'as noted below' on the USE table.

### 6. Category Designation

- a. The BUILDING OFFICIAL shall classify land USES based on the definitions of the USE category and individual USES listed in 9.2 USE Definitions & Standards.
- b. A USE classified into one category cannot also be classified in a different USE category.
- c. If a proposed USE is not listed in a USE category, but meets the definition of a USE category or is similar to a listed individual USE, the BUILDING OFFICIAL may consider the proposed USE part of that USE category and issue a written interpretation to document such a determination for subsequent applications in accordance with §15.4.3 Written Interpretation.
- d. When a proposed USE is not found to meet the definition of a USE category or be similar to a listed individual USE by the BUILDING OFFICIAL, the USE is prohibited.

### 7. Use Restrictions

- a. General
  - i. The uses permitted according to by Table 9.1.1 may be limited or restricted from occupancy within permitted differently for certain building types. See the standards for each building type in each zoning district for more information.
  - ii. Drive-up and drive-through uses are prohibited.
- b. Pedestrian Streets
  - i. The uses permitted according to by Table 9.1.1 may be further limited permitted differently for real property abutting a Pedestrian Street. See the provisions for each zoning district for more information.

- i. In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing a minor utility **PRINCIPAL USE**:
    - 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.
  - e. **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.
  - f. **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.
  - g. **Private Non-Profit Club or Lodge**  
An organization, which is open to people upon invitation, nomination, or payment of fees or dues for social, recreational, 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 may serve meals or alcohol on the premises for members and their guests.
    - iii. A non-profit club or lodge must be open only to members and their occasional guests.
    - iv. A non-profit club or lodge may **USE** one central gathering area for rental for events or community activities, including the service of meals or alcohol, but such rentals and activities may not exceed eighty (80) events per year and may not continue past 1:00 AM Friday, Saturday, and Sunday nights and 12:00 AM Monday through Thursday nights.
  - v. In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing a private, non-profit club or lodge **PRINCIPAL USE**:
    - 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.
  - h. **Public Service**  
Essential public services provided to the community at large including municipal operations of the City of Somerville, such as departmental offices, social service facilities, and public works facilities; public safety services, such as police and firefighting headquarters and substations; and **CIVIC SPACES**.
  - i. **Religious & Educational Services Protected by M.G.L. 40A. Sec. 3**  
Activities related to providing general or specialized education, instruction, or training in subject areas, skills, or vocations and the practice of religions, including all **ACCESSORY** and **ANCILLARY** activities customarily included in the operations of educational institutions and religious organizations. The following standards apply:
    - i. Real property must be owned or leased by the Commonwealth of Massachusetts, a religious sect or denomination, or by a non-profit educational corporation.
- 6. Commercial Services Use Categories**
- 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. **Commercial Kennel**: animal rescue shelters, boarding facilities, pet resorts or hotels, or training services for dogs, cats, and other household pets.
      - a). In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to



# 9. USE PROVISIONS

## Use Definitions & Standards

approve or deny a special permit authorizing a commercial kennel PRINCIPAL USE:

- i). Methods or techniques ~~for noise-mitigation used~~ to limit noise ~~and odors~~ 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 and disposal of animal waste.~~
    - iii). ~~Amount of on-site landscaping.~~
  - ii. Pet Grooming: The grooming of dogs, cats, and similar household pets.
  - iii. Pet Day Care or Training: kennel and/or training centers for animals operated on a daytime-only basis. The following standards apply:
    - a). Overnight boarding of animals is prohibited.~~a). In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing a pet day care or training principal use:~~
      - i). ~~Methods or techniques 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.~~
  - iv. Veterinarian: the diagnosis and treatment of animal patients' illnesses, injuries, and physical malfunctions performed in an office setting. The following standards apply:
    - a). Overnight boarding of animals is limited to patients recovering from medical procedures.~~a). In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing a veterinarian principal use:~~
      - 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 OR 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.
- ii. In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing an ASSEMBLY OR ENTERTAINMENT PRINCIPAL USE:
  - a). Compatibility with the level of activity associated with the surrounding properties.
  - b). Location of designated outdoor smoking areas.
- c. BANKING OR 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 category:
  - i. Personal Credit: Banking USES providing short-term loans and check cashing services without providing traditional banking accounts.
    - a). In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a special permit authorizing a personal credit PRINCIPAL USE:
      - i). The demonstrated need for this service by un-banked or under-banked members of the community.
      - ii). Cost savings, transparency of services, and customer service offered compared to traditional banking & financial service USES.
- d. BROADCAST OR RECORDING STUDIO  
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 OR 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 addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall make findings considering the following in its discretion to approve or deny a