

## **8.5 INTERIM PLANNING OVERLAY DISTRICT (IPOD)**

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### **8.5.1 Intent**

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- a. To enable interim development regulations in areas of Somerville that are undergoing long-range planning or rezoning processes.
- b. To ensure that development does not contradict the goals for areas that are undergoing long-range planning or zoning processes.

### **8.5.2 Purpose**

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- a. To establish approval criteria for any discretionary development review in each sub-area.
- b. To establish interim building standards, use provisions, development standards, and parking and loading requirements in each sub-area.

### **8.5.3 Applicability**

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- a. This Section is applicable to all real property within the Interim Planning overlay district (IPOD) as shown on the maps of the Official Zoning Atlas of the City of Somerville.
- b. The provisions of each IPOD sub-area are applicable to real property as shown on the maps for each sub-area.
- c. The provisions of this Section are only applicable to real property for the period of time established for each sub-area.
- d. The provisions of this Section supplement or supersede the provisions of the districts upon which it is superimposed. Where the provisions of this Section conflict with those found elsewhere in this Ordinance, the provisions of this Section apply.

**8.5.4 Brickbottom (BB) Sub-Area**

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- a. Intent
  - i. To implement the objectives of the Brickbottom Neighborhood Plan.
  - ii. To prohibit development and uses that are inconsistent with the Brickbottom Neighborhood Plan.
- b. Purpose
  - i. To implement interim development regulations in the Brickbottom neighborhood and parcels adjacent to the MBTA's East Somerville Green Line station.
  - ii. To require a Special Permit for the subdivision or land platting of a development site.
  - iii. To require a Special Permit for the construction or modification of any principal building type, accessory building type, or other structure.
  - iv. To require a Special Permit for the establishment, change, or expansion of any use of any structure or land.
  - v. To preserve and enhance the existing arts environment in the Brickbottom neighborhood.
  - vi. To prohibit auto-oriented development.
  - vii. To minimize vehicular traffic and to support development that is pedestrian- and transit-oriented development.
  - viii. To prohibit the expansion of buildings and uses that are inconsistent with the publicly released draft Brickbottom Neighborhood Plan.
- c. Applicability
  - i. This section is applicable to all real property shown on Map 8.5.4.
  - ii. Zoning districts shown on Map 8.5.4 supersede those shown on the maps of the Official Zoning Atlas of the City of Somerville for development complying with the provisions of the BB Sub-Area IPOD.
  - iii. The BB Sub-Area is in effect for a period of eighteen (18) months from the date of adoption, or until the date of adoption of an updated Master Plan Development overlay district for any portion of the Brickbottom (BB) Sub-Area, whichever is sooner.
- d. Development Review
  - i. The following principal building types in the Mid-Rise 4 district require a Special Permit in addition to Site Plan Approval:
    - a). Apartment Building
    - b). General Building
    - c). Commercial Building
  - ii. The following principal building types in the Fabrication district require a Special Permit in addition to Site Plan Approval:
    - a). Fabrication Building
  - iii. The Planning Board is the decision-making authority for all development that requires Site Plan Approval or a Special Permit.
  - iv. In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall not issue a Special Permit unless it can make findings considering the following:
    - a). Streetscape and block design is consistent with the publicly released draft Brickbottom Neighborhood Plan.
    - b). Density and height are consistent with the publicly released draft Brickbottom Neighborhood Plan.
    - c). Building design is consistent with the Brickbottom neighborhood character, as described in the publicly released draft Brickbottom Neighborhood Plan.

- d). Site and building design, principal uses, and mobility programming prioritize pedestrian and bicycle activity and minimize vehicular traffic.
- e). Activated ground floors are prioritized.
- f). Site design prioritizes civic space and public art consistent with the publicly released draft Brickbottom Neighborhood Plan.
- g). Site and building designs demonstrate best practices in sustainable development, including, but not limited to, stormwater management; flooding mitigation; energy efficiency, use, and creation; pollinator habitat creation; and heat island reduction.

**Map 8.5.4 Sub-Area Boundary and Superseding Zoning Districts**



- e. Building Standards
  - i. The standards of Table 8.5.4 (a) supersede dimensional and building standards for all building types permitted by the zoning districts shown on the regulating maps of this Section.

**Table 8.5.4 (a) Superseding Building Standards**

	<b>MR4</b>	<b>FAB</b>
<b>Lot Standards</b>		
<b>Lot Coverage (max)</b>	–	90%
<b>Green Score (min)</b>	0.30	0.30
<b>Open Space (min)</b>	20%	15%
<b>Massing &amp; Height</b>		
<b>Building Width (max)</b>	–	200 ft
<b>Façade Build Out, Primary Front (min)</b>	–	75%
<b>Floor Plate (max)</b>	–	20,000 sf
<b>Building Height, Stories (min)</b>	–	3
<b>Façade Composition</b>		
<b>Ground Story Fenestration (min)</b>	–	–
Primary Façade		70%
<b>Blank Wall (max)</b>	–	30 ft
<b>Uses &amp; Occupancy</b>		
<b>Density Factor (min)</b>	850	–
<b>Roof-Mounted Mechanicals</b>		
<b>Mechanical Equipment, Screening, Penthouse Height (max)</b>	–	10 ft

f. Use Provisions

i. The standards of Table 8.5.4 (b) supersede the tables of permitted uses for the Mid-Rise 4 and Fabrication districts for development in the BB Sub-Area.

ii. Definitions & Use Specific Standards

a). General

1. This Section provides definitions and standards applicable to individual uses not already identified in Article 9: Use Provisions of this Ordinance.

b). Residential

1. Artist Housing

Residential occupancy of a building in live-work units. The following standards apply:

- a. A live-work unit must be at least six-hundred and fifty (650) sq ft of gross floor area.
- b. The creative studio of a live-work unit must be at least one hundred and fifty (150) sq ft of gross floor area.
- c. At least one (1) occupant of each live-work unit must be a certified artist with the Somerville Arts Council.
- d. No portion of a live-work unit may be rented or sold as an independent dwelling unit, rooming unit, or creative studio.
- e. Electrical, mechanical, plumbing, and HVAC systems should be designed to support Arts & Creative Enterprise Uses.
- f. Building orientation and fenestration should maximize natural light to every extent practicable.

- g. The following standards apply in the Mid-Rise (MR) districts:
  - i. Use of the creative studio space in a live-work unit is limited to Artisanal Production, Arts Education, Arts Exhibition, Arts Sales or Services, or Design Services.
  - ii. Up to one (1) non-resident employee may be present at any time during the hours of operation.
  - iii. Customers and client visits are permitted from 7:00am to 9:00pm.
  - iv. 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 Artist Housing principal use in the MR district:
    - 1. Loading, deliveries, elevators, hallways, trash and recycling.
    - 2. Access and circulation of customers and clients to live-work units.
- iii. Accessory motor vehicle parking is prohibited, except for handicapped parking spaces for residential uses.
- iv. In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall not issue a Special Permit unless it can make findings considering the following:
  - a). The mix of uses is consistent with the publicly released draft Brickbottom Neighborhood Plan, prioritizing Arts & Creative Enterprise principal uses.
  - b). The proposed principal use is not auto-oriented.
  - c). Activated ground floors are prioritized.
  - d). Ground story uses facilitate a diverse blend of commercial uses within the neighborhood.
  - e). The local thoroughfare network providing access to the site has sufficient capacity and impacts on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood are mitigated.
  - f). Methods or techniques for noise mitigation limit noise for other users of the building and abutting properties.
- v. At least twenty percent (20%) of the total proposed non-residential gross floor area must be reserved for Arts & Creative Enterprise principal uses.
- vi. In any project that includes residential uses, at least twenty percent (20%) of the total proposed residential units must be reserved for Artist Housing principal uses.
  - a). At least fifty percent (50%) of the total proposed Artist Housing units must qualify as Affordable Dwelling Units.

**Table 8.5.4 (b) Superseding Permitted Uses**

Use Category Specific Use	MR4	FAB
<b>Arts &amp; Creative Enterprise Categories</b>		
<b>All permitted use categories</b>	SP	SP
<b>Auto-Oriented Categories</b>		
<b>Recharging Station</b>	N	–
<b>Cannabis Establishment Categories</b>		
<b>Cannabis Cultivation</b>	N	N
<b>Cannabis Product Manufacturing</b>	–	N

**Table 8.5.4 (b) Superseding Permitted Uses**

Use Category Specific Use	MR4	FAB
<b>Cannabis Retail Sales</b>	–	–
<b>Cannabis Research &amp; Development</b>	N	–
<b>Cannabis Testing Laboratory</b>	N	–
<b>Civic &amp; Institutional Categories</b>		
<b>All permitted use categories, except Religious &amp; Educational Uses Protected by M.G.L. 40A. Sec. 3</b>	SP	SP
<b>Commercial Services Categories</b>		
<b>Animal Services</b>	–	–
All permitted use categories	SP	–
<b>Banking or Financial Services</b>	–	–
All permitted use categories	SP	–
<b>Broadcast or Recording Studio</b>	SP	SP
<b>Business Support Services</b>	SP	–
<b>Caterer or Wholesale Food Production</b>	SP	SP
<b>Day Care Services (as noted below)</b>	–	–
Adult Day Care Center	SP	–
<b>Educational Services</b>	SP	SP
<b>Maintenance or Repair Services</b>	SP	–
<b>Personal Services</b>	–	–
All permitted use categories	SP	SP
<b>Vehicle Parking (as noted below)</b>	–	–
Bike Share Parking	SP	SP
Car Share Parking (3 or less)	N	N
Car Share Parking (4 or more)	N	N
Commercial Parking	N	N
<b>Food and Beverage Services Categories</b>		
All permitted use categories	SP	SP
<b>Industrial Categories</b>		
<b>Manufacturing</b>	SP	SP
<b>Wholesale Trade or Distribution</b>	–	N
<b>Office Categories</b>		
<b>General Office</b>	SP	–
<b>Research and Development or Laboratory</b>	SP	–
<b>Residential Categories</b>		
<b>Group Living</b>	–	–
All permitted use categories	SP	–
Artist Housing	SP	–
<b>Retail Sales Categories</b>		

**Table 8.5.4 (b) Superseding Permitted Uses**

Use Category Specific Use	MR4	FAB
All permitted use categories	SP	–
<b>Accessory Use Categories</b>		
<b>Home Occupations</b>	–	–
All permitted use categories	SP	–
<b>Urban Agriculture</b>	–	–
All permitted use categories	SP	SP
<b>Vehicle Parking, Accessory</b>	–	–
All permitted use categories	N	N

P - Permitted • SP - Special Permit Required • N - Not Permitted

g. Parking & Mobility

i. Loading Facilities

- a). Loading facilities must be located away from major public thoroughfares and other highly visible locations and should be accessed through alleys.
- b). Modifications to, relocations of, or creation of new loading facilities for an existing conforming building requires a Special Permit.
  - 1. 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 modification to, relocation of, or creation of new loading space for an existing building:
    - a. Impact on pedestrian, bicycle, and vehicular traffic and circulation patterns in the neighborhood.
    - b. Documented need for loading facilities, consistent with the publicly released draft Brickbottom Neighborhood Plan.

h. Nonconformance

i. Ordinary Repair and Maintenance

- a). Normal maintenance of a nonconforming structure is permitted.

ii. Nonconforming Structures

a). Modifications

- 1. Any modification to an existing principal or accessory building type that is not one of the building types permitted in the BB Sub-Area is prohibited, except as follows:
  - a. Modifications to a nonconforming principal or accessory building type used for religious or educational activities per M.G.L. Chapter 40A, Section 3 are permitted in accordance with the largest permitted building type.
- 2. Any modification to an existing principle building that is nonconforming is prohibited, except as follows:
  - a. Any zoning compliant sign is permitted by-right.
  - b. Any conforming building component permitted in the same zoning district may be added to a nonconforming principal building by Special Permit.

b). Special Permits

1. In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall not issue a Special Permit authorizing a conforming building component on a nonconforming principal building unless it can make findings considering the following:
  - a. The proposed alteration is consistent with the publicly released draft Brickbottom Neighborhood Plan.
  - b. The design supports the activation of the ground floor and prioritizes pedestrian activity.
- iii. Nonconforming Uses
  - a). A nonconforming use may not change to another nonconforming use.
  - b). Alterations
    1. The alteration of a nonconforming use within a structure is not permitted, except for the following circumstances, under which an alteration may be permitted by Special Permit:
      - a. A reduction in gross floor area.
      - b. A twenty-five percent (25%) or more reduction in the number of automobile trips generated by the use.
  - c). Special Permits
    1. In addition to the review criteria for all Special Permits specified in §15.2.1.e. Review Criteria, the review board shall not issue a Special Permit unless it can make findings considering the following:
      - a. The alteration will reduce the auto-oriented nature of the use.
      - b. The alteration will reduce traffic and positively impact pedestrian, bicycle, and vehicular circulation patterns in the neighborhood.