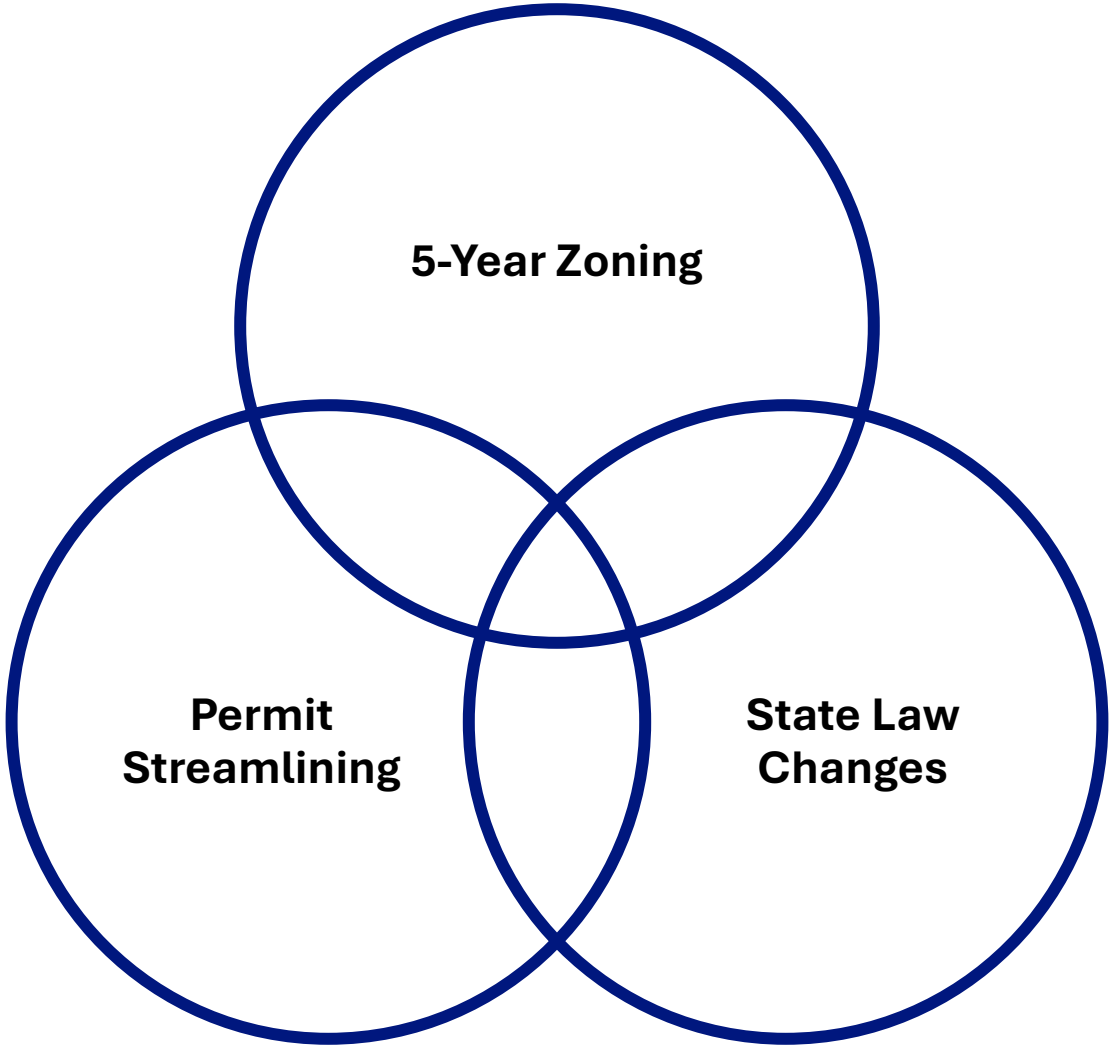
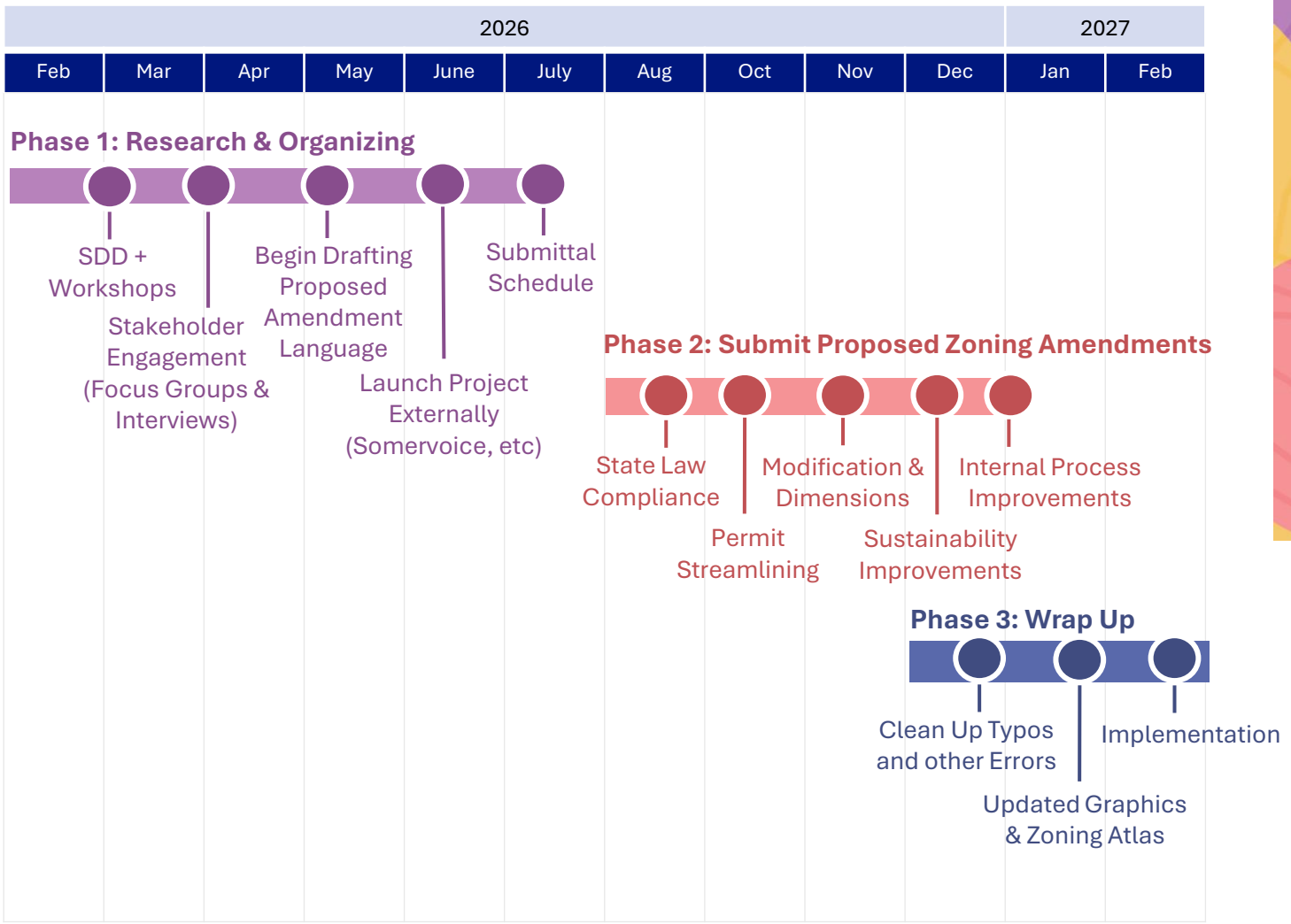
How We Got Here



5-Year Zoning Review – Internal Project

Project Schedule



Examples of Upcoming Zoning Amendments

- Prior Amendment or Codification Errors
- Dimensional Standards with Unintended Consequences
- Confusing Word Definitions
- Permitted Uses
- Organization & Text Clarity
- Modification to Nonconformities
- State Law Changes and Court Decisions

Permit Streamlining – FY27 Budget Priority

Somerville participating in the Bloomberg Harvard City Leadership Initiative

- Focus: Permitting in Somerville
- Core Team
  - Senior Leaders: Sarah Anders, Kim Wells
  - Innovation Lead: Kim Wells
  - Project Manager: Estello Raganit
  - Engagement Lead: Meg Pallis
  - Team Staff: 5-7 with permitting experience

BLOOMBERG HARVARD City Leadership Initiative

Planning Division

- **Clearer Tools (Applicants)**
  - Shorter forms – applications are shorter and easier to fill out
  - Simpler directions – instructions written in everyday language
  - Easy checklists – understand exactly what needs to be submitted
- **Faster Reviews (Staff)**
  - Aligned schedules – City department operating on the same timelines
  - Quick fixes – quicker administrative revisions
- **Smarter Rules (Stakeholders)**
  - Right-sized oversight – only things worthy of public review are reviewed
  - Clear ownership – which board handles which type of permit/project
  - Updated standards – removed outdated and unnecessary provisions

State Law Changes

FY27 State Budget Bill

- Changed the standards in MGL40A (The Zoning Act) for **Variances**
  - New "Practical Difficulty" standard replaces the former 3-part "Substantial Hardship" criteria
    - Old criteria *allowed* the ZBA to grant a variance if the land had a unique defect with soil conditions, shape, or topography
    - New criteria *requires* the ZBA to grant a variance upon finding that strict enforcement would result in a Practical Difficulty.
  - New standard requires the ZBA to measure the practical difficulty by weighing competing interests: benefits to the applicant and public interest against the detriments to the neighborhood.
  - Not a two-step process: The balancing test is the method for how ZBA determines if a practical difficulty exists and whether the difficulty is legally sufficient for granting the variance.
  - Require municipalities to offer a residential use variance
  - Limits the scope of permit conditions

Forthcoming FY27 Economic Development Bond Bill "The Mass Wins Act"

- House and Senate passed different versions; Currently in Conference Committee
- Changes the standards in MGL40A for **Site Plan Review**
  - Codifies Site Plan Review in state law
  - 90 Day total timeline for Decisions
  - Objective performance standards and review criteria must be codified in zoning
  - No regulation of the aesthetic appearance of structures
  - Simple majority vote wins
  - Denial only allowed for non-compliance or failure to submit fees or required application information
  - Limits the scope of permit conditions