

## **15.6 LEGISLATIVE PROCEDURES**

### **1. Land Conveyance**

- a. Purpose
  - i. A LAND CONVEYANCE petition is a request for the City to accept a voluntary offering of land for public dedication.
- b. Applicability
  - i. The approval or denial of a LAND CONVEYANCE petition is a discretionary legislative act, subject to the procedures of M.G.L 30B and other Massachusetts law.
- c. Authority
  - i. The City Council reviews and decides all LAND CONVEYANCE petitions.
- d. Procedure
  - i. Within fourteen (14) days of receiving a LAND CONVEYANCE petition, the City Council must submit the petition and accompanying plan documentation to the Planning Board for review.
  - ii. Within sixty-five (65) days after submittal to the Planning Board, the City Council must review the petition and hold a public hearing.
  - iii. Within ninety (90) days of the closing of the public hearing, the City Council must vote to accept or reject the petition to convey the voluntary offering of land for public dedication.
  - iv. If no vote is taken within ninety (90) days, the review procedure must be started de novo.
  - v. The City Council shall abstain from taking a vote until:
    - a). the Planning Board has submitted a report with recommendations concerning the petition; or
    - b). twenty-one (21) days after the closing of the public hearing without the Planning Board submitting its report.
  - vi. A two-thirds vote by all of the members of the City Council is required to accept a voluntary offering of land for public dedication.
- e. Recommendation
  - i. In developing its recommendation to the City Council, the Planning Board shall make findings considering, at least, each of the following:
    - a). the adopted COMPREHENSIVE PLAN of the City of Somerville and existing policy, plans, and standards established by the City, including the OPEN SPACE & Recreation Plan.
    - b). the purpose of the district where the property is located and of this Ordinance in general.
    - c). any demonstrated public interest in ownership and the assumption of maintenance responsibility for the land in question.
- f. Conditions
  - i. The Planning Board may make recommendations

to the City Council for conditions that it deems within the public interest in accepting a petition to convey land to the City of Somerville.

### **2. Zoning Text Amendment**

- a. Purpose
  - i. A text amendment petition is a request to change the provisions of the Somerville Zoning Ordinance in response to changes in City policy or real world conditions.
- b. Applicability
  - i. The approval or denial of a zoning text amendment is a discretionary legislative act.
- c. Authority
  - i. The City Council reviews and decides petitions to amend this Ordinance.
  - ii. The Director of Planning & Zoning may update figures and photos; correct scrivener's errors, table and figure numbers, capitalization of defined words, and cross references; and add or correct street names or districts labels for maps without City Council approval.
- d. Procedure
  - i. Petitions for a text amendment may be submitted by:
    - a). any member(s) of the City Council;
    - b). the Mayor;
    - c). the Zoning Board of Appeals;
    - d). the Planning Board;
    - e). a PROPERTY OWNER seeking to change the entitlement of his/her own property; or
    - f). ten (10) registered voters in the City of Somerville.
  - ii. Within fourteen (14) days of receiving a petition to amend the text of this Ordinance, the City Council must submit the petition and the proposed changes, additions, or repeal of language to the Planning Board for review.
  - iii. Within sixty-five (65) days after submittal to the Planning Board, the City Council must review the petition and hold a public hearing.
  - iv. Within ninety (90) days of the closing of the public hearing, the City Council must vote to adopt, reject, or amend and adopt the text amendment petition.
  - v. If no vote is taken within ninety (90) days, the review procedure must be started de novo.
  - vi. The City Council shall abstain from taking a vote until:
    - a). the Planning Board has submitted a report with recommendations concerning the petition; or
    - b). twenty-one (21) days after the closing of the