

Somerville *by* DESIGN

Zoning Reform Overview

The City of Somerville will make over 100 resident generated goals, policies, and actions of SomerVision into law with a new zoning ordinance designed to strengthen the city as a great place to live, work, play, and raise a family. This document provides a general overview of the Zoning Reform Project currently underway by the Mayor's Office of Strategic Planning and Community Development.

FREQUENTLY ASKED QUESTIONS

What is Zoning?

Regulation of private property by a local government is commonly referred to as 'zoning.' The term zoning comes from the division of a city into various districts using a map. Each district features different rules controlling the size and shape of buildings and the activities that can take place within them. Regulations in zoning apply to all privately owned 'real property' which includes land and any improvements made to it such as buildings and landscaping. Zoning is a legal tool that helps local government bring about orderly growth and change in a city according to a comprehensive plan. The current document containing all of the City's zoning rules is called the Somerville Zoning Ordinance, but it is commonly referred to as the 'zoning code', 'zoning ordinance', or 'SZO'.

What's wrong with the existing code?

The current code presents us with four challenges:

1. The language and structure of the zoning ordinance has become too hard to navigate, vague in meaning, and contradictory in intended outcome.
2. District regulations do not provide a predictable outcome and are, in many instances, failing to preserve the unique character of Somerville.
3. Zoning controls for land areas near existing and future transit stations are generally ill-equipped to promote smart-growth, housing affordability, or maximize the economic development opportunity provided by public transit.
4. These issues are inter-dependent; the second and third challenges cannot be addressed until the first is resolved.

What is the Zoning Reform Project?

The Zoning Reform Project will generate a completely new zoning ordinance that will replace the existing Somerville Zoning Ordinance. The goal is to provide Somerville with an effective, responsive, fair, efficient, user-friendly, and predictable but flexible system to regulate development across the city. Based on the recommendations of SomerVision, the code will conserve our traditional residential housing while steering investment to enhance our squares and corridors and transform underutilized areas into vibrant, walkable neighborhoods. This project builds off of SomerVision's land context map and will be the first wholesale overhaul of zoning in the City's history. The format of the code will focus on regulating the physical form of lots and structures while improving readability, organization, and graphic design.

Will the new code affect my property?

The new zoning code will not affect your property unless you are making changes after it is adopted by the Board of Aldermen, otherwise everything is business as usual. Once it is adopted, the new zoning ordinance will be the first document you'll need to review before you change how you currently use a building, make any changes to the exterior of your building, or construct a completely new structure on your property.

How is this new code different?

The new zoning ordinance is designed to enhance the quality of urban design across the city rather than simply focusing on how land or buildings are used. Each building in the city works like a puzzle piece and the new ordinance will make sure those pieces fit together to create a high-quality puzzle.

Why is the new code important?

The new ordinance will implement more than 100 of the goals, policies, and action statements in SomerVision and will ensure that new development matches the community's shared vision. During the three-year process of developing SomerVision, hundreds of residents and business owners worked together to articulate a shared vision for the future of Somerville. Together, they developed a series of maps, goals, policies, and actions related to land use and development. By adopting a code that entitles these outcomes that were already vetted through public process and developed with stakeholder input, the new ordinance will provide regulation that better represents an agreed upon vision for the city's future.

How is this coordinated with planning?

After many decades of growth and change happening across the city without much coordinated planning for the future, Somerville is now leading the way in shaping the way development happens in the city through planning. In 2012, the City adopted SomerVision, its first Comprehensive Master Plan, and is now engaged with the community to create area plans for each neighborhood, station area, and commercial corridor across the city. The new zoning ordinance will put in place the legal tools needed to guide the future development of the city according to these plans. This strategy ensures that the future of Somerville will be something that unfolds by design.

How will the new code help reinforce Somerville as a great place to live, work, play, and raise a family?

All of SomerVision's 586 policy and action statements were developed directly by the community. The new code will turn more than 100 of these into law. Just a small summary includes:

Live:

- Incentivize transit oriented development, car and ride sharing, and bicycling to reduce traffic congestion and improve air quality;
- Require contextual infill development that respects existing forms and patterns; and
- Increase affordable housing and require diversity in housing unit type, size, bedroom count, and cost.

Work

- Use zoning to attract and retain artists and companies within the creative economy to spur cultural economic development;
- Provide easy business permitting in mixed-use squares and along main streets; and
- Expand the commercial tax base by transforming underutilized areas of the city into new mixed-use neighborhoods.

Play

- Provide zoning incentives to generate spaces for creative production, performance, and exhibition;
- Expand the network of public open spaces and paths across the city; and
- Require buildings to engage the street and encourage interaction between community members.

Raise a Family

- Preserve existing and develop new family sized dwelling units;
- Promote small, corner stores within walking distance of every home;
- Allow homes to tastefully adapt to changing household needs; and
- Reduce impervious surfaces and promote tree cover on private lots.

Will the new code make Somerville a better place to invest?

Investors are always looking for predictability in the outcome of their investment. The most important way the new ordinance can help make Somerville attractive to both residents and newcomers is through clarity in expectation and efficiency of process. By providing both, the new ordinance will give Somerville an advantage at attracting investment over other communities.

Unreasonable delay, vague intent, and contradictory standards cost everyone involved time, money, and unnecessary stress. The new ordinance will raise the bar by implementing stricter controls while limiting the need many discretionary special permits and variances. Other improvements will include simplifying menus of uses and the variety of districts, providing a logical organization to the document, implementing straightforward procedures, eliminating ineffective standards, and using common terminology to make the ordinance easier to read.

FEATURES OF THE NEW CODE

Vision

The new zoning ordinance will establish a set of rules to conserve our traditional residential housing while steering investment to enhance our squares and corridors and transform underutilized areas of the city into vibrant, walkable neighborhoods. The ordinance is designed to enhance the quality of urban design across the city rather than simply focusing on how land or buildings are used. This technique will implement outcomes already vetted through public process and developed with stakeholder input, providing regulation that better represents an agreed upon vision for the city's future.

Graphic Standards

Diagrams and illustrations will play an important role in providing clarity and readability to the end-user of the new zoning ordinance. Users of zoning code include property owners, business operators, developers, financial lenders, potential future residents, city planners, code compliance inspectors, and various boards and commissions that can all benefit from visualizing regulations in two or three dimensions as a complement to the text. Diagrams and illustrations of basic concepts communicate positive imagery to identify the preferred characteristics of good development rather than concentrating on restrictions that prevent bad development.

Building Types

The new ordinance will introduce building types and provide the City with an entirely new organizational tool. Building types fill in a missing level of detail and serve as the linchpin between metrics like use and dimensional standards, and actual zoning districts. In comparison to the old ordinance, metrics become characteristics of individual building types and various groups of building types are assigned to zoning districts.

Building types are already part of our vocabulary and easily recognizable. Utilizing them as the common language of the code will put everyone on the same page concerning expectations of what is and is not permitted in different areas of the city, along with what sets different areas apart from one another.

Building Components

Building components like dormers, porches, bays, balconies, and rear additions are accessory features that increase and/or enhance the usefulness of a building type. Components also serve as an indication to outsiders how buildings are used or lived in and can significantly contribute to the pedestrian friendliness of the street. The new zoning ordinance will manage building components by establishing form-based requirements for each type but will not regulate architectural style.

Performance Standards

Performance standards were invented as a feature of building codes to provide flexibility as new building materials and construction techniques are developed over time. A performance standard says something must behave a certain way, rather than dictating what something must be. Performance standards were adapted for zoning codes many years ago to regulate the 'nuisance' that industrial activities could produce.

When utilized for with categories of uses and combined with building types, performance standards allow regulators to control the external impacts of land use activities and the physical character of neighborhoods with precision. The result is greater economic efficiency in land development and the use and re-use of available spaces. For instance, most small scale retail activities have very similar impacts. There is very little difference between a bookstore, a music store, a pet supply, a sporting goods store, and a hardware store of similar size.

Use Categories

One of the most important side effects of using performance standards is that it improves the confidence of administrators and community members alike in regulating activities that have similar characteristics. When performance standards are put in place to prevent adverse impacts on abutting and nearby properties, the long lists of uses found in the old zoning ordinance can be collapsed into a new table that is easier to use and simpler to understand.

The new ordinance will combine the list of permitted uses into fewer, broader categories based on similar external impacts and operational

characteristics. Individual uses can be grouped together to permit greater flexibility by allowing similar uses to come and go with less oversight because their behavior is controlled through performance standards. This increased flexibility addresses many of the economic challenges that can arise due to the slow rate at which traditional use based zoning schemes adapt to change. Use categories that permit flexibility within similar use categories permit zoning to be responsive to market forces, resulting in a more economically efficient outcome.

New Districts

The primary difference between districts in the old ordinance and districts in the new ordinance will be clarity. In the new ordinance, districts will organize the variety of building types go throughout the city. Although some types may be found in more than one district, each district will feature a specific menu of types. Under the old ordinance, districts were primarily defined by use: districts for residential use, business uses, and multiple districts for industrial or auto-oriented uses, etc. This leaves the public hard pressed to visualize what can and cannot be built because not all uses are created equal.

Using districts to coordinate permitted building types improves the readability and user-friendliness of the ordinance. For example, a district allowing “one and two family dwelling units” and “dwellings, multiple: 4-6 units” from the old ordinance is translated into a district allowing houses, four-plexes and six-plexes in the new version. Effectiveness and predictability are also improved because the new ordinance will control the size and shape of houses, four-plexes, and six-plexes individually, whereas “one and two family dwelling units” and “dwellings, multiple: 4-6 units” are all governed by the same dimensional standards in the old ordinance.

A New Official Zoning Map

SomerVision provides the City with two important maps: the Future Land Context Map and the SomerVision Map. Both created by the community to guide development over the next 20 years. The SomerVision Map guides municipal policy to **conserve** our traditional residential housing while steering new investment to **enhance** our squares, corridors, and transit stations and **transform** underutilized areas of the city into vibrant, walkable neighborhoods. The Future Land Context Map draws

seven basic districts over the city: two intensity levels of housing, two intensity levels of mixed-use, a civic district, an open space district, and finally an area of transformation indicating where the majority of new development should take place. The new zoning ordinance will use these maps to inform how districts are mapped across the city.

Re-Organization

The new zoning ordinance will be completely restructured so that it is easier to navigate. In the existing Somerville Zoning Ordinance, regulations are organized by subject matter (use, dimensional standards, parking, etc) but the document has been amended so many times over the years that it has become increasingly complex to understand. The new ordinance will be a fresh start and re-organized by district so all the regulatory information concerning a property can be found in one place.

Streamlined Administration

The old Somerville Zoning Ordinance details the many types of reviews and permits; legal processes related to public hearings; the establishment, makeup, and authority of boards and commissions; and various other administrative topics across at least three different chapters of the document. At other times, important procedural requirements are unintentionally obscure because they are buried deep within chapters governing uses, dimensional standards, and other regulations. The new SomervillebyDesign Zoning Ordinance will put all of this information into one chapter and reference that chapter appropriately when important for the reader.

STAY INVOLVED

The Mayor’s Office of Strategic Planning and Community Development is conducting ongoing planning and educational events across the city. The easiest way to be involved is to participate. Even if you can’t attend, you can easily stay informed. The SomervillebyDesign website is the primary source for information on the Zoning Reform Project and can be found at: www.somervillebydesign.com. You can also stay informed of ongoing projects by liking the SomervillebyDesign Facebook page or following the us on Twitter (@somerbydesign). The Zoning Reform Project team can also be easily contacted by emailing planning@somervillema.gov or calling (617) 625-6600.