

LAND USE COMMITTEE

October 5, 2021

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SOMERVILLE
ZONING
ORDINANCE

EFFECTIVE DECEMBER 12, 2019

STRATEGIC
PLANNING &
COMMUNITY
DEVELOPMENT

JOSEPH A. CURTATONE
MAYOR

Rooftop Mechanicals & Penthouses

Rooftop Mechanicals	MR3, MR4, CC3-4
Mechanical Equipment, Screening, Penthouse Height (max)	10 ft
Rooftop Mechanicals	MR5, MR6, CC5-10
Mechanical Equipment, Screening, Penthouse Height (max)	15 ft

Roof-Mounted Mechanicals

- i. Roof mounted mechanical equipment must be screened or enclosed within a rooftop penthouse.
 - a) Roof-mounted photovoltaic (PV) devices are exempt.
- ii. Mechanical equipment, screening, and rooftop mechanical 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 mechanical equipment, screening, or rooftop mechanical penthouse to exceed the maximum height permitted for each building type:
 - i. Noise?
 - ii. Shadows?
 - iii. Exhaust Fumes?

4. MID-RISE DISTRICTS Mid-Rise 6 (MP6)																																															
4.4.10 Lab Building (continued)																																															
c. Massing & Height	d. Use & Features																																														
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Rooftop Mechanicals & Penthouses

High-Rise District (only used by MPD Overlay)

Roof-Mounted Mechanicals

- i. Roof mounted mechanical equipment must be screened or enclosed within a rooftop penthouse.
 - a) Roof-mounted photovoltaic (PV) devices are exempt.

Architectural Design Guidelines

- u. Rooftop mechanical penthouses and screening should be integrated into the overall building massing and architectural design of the building, appearing as an extension of the stories below or differentiated as the top of the horizontal tripartite division.
- v. Rooftop mechanical penthouses and screening should be located to minimize adverse environmental impacts on civic spaces, sidewalks, and abutting lots.
- w. Vents, stacks, railings and other components of mechanical equipment required to be outdoors or to project above a penthouse should be limited in height and located toward the center of the roof to every extent practicable.

Commercial Spaces (Small Business Overlay)

Commercial Space

“One (1) or more rooms for the exclusive use of a specific tenant(s) separated by demising walls from other commercial spaces or building common areas.”

Commercial Space Factor

a). When specified for a building type, the required minimum number of ground story commercial spaces is calculated by dividing the building width at the primary facade by the commercial space factor indicated.

Mid-Rise, High-Rise, & Commercial Districts

a. Applicability

- i. This section is applicable to the construction or modification of any new general building, commercial building, or lab building.
- ii. Development must comply with all of the provisions of this Section.

b. Building Types

- i. The standards of Table 8.2.5 supplement and supersede the dimensional standards for building types permitted by the underlying zoning district, as applicable.
- ii. Ground story commercial spaces over (35) feet in width are not permitted to front any primary facade.

Table 8.2.5 Dimensional Standards

Use & Occupancy	
<u>Ground Story Entrance Spacing (max)</u>	<u>none</u>
<u>Commercial Space Factor (min)</u>	<u>30</u>
<u>Commercial Space Depth (min)</u>	<u>20 ft</u>

Boynton Yards Sub-Area – Parking Maximum

Possible Scenarios:

- Delete Special Permit, Boynton development stops
- Delete Special Permit; raise parking cap above 1,500
- Keep Special Permit; Planning Board has discretion over parking
- Return to 40% minimum residential floor area & possible in lieu payment
- Others...

Cannabis Delivery

Table 9.1.1 Permitted Uses

Use Category Specific Use	NR	UR	MR3	MR4	MR5	MR6	HR	FAB	CC	CI	CB	CIV
Cannabis Establishment Categories												
Cannabis Cultivation	N	N	SP	SP	SP	SP	SP	SP	SP	SP	SP	N
Cannabis Product Manufacturing	N	N	N	N	N	N	N	P	N	P	N	N
Cannabis Retail Sales	N	N	SP	SP	SP	SP	SP	N	SP	SP	SP	N
Cannabis Research & Development	N	N	P	P	P	P	P	N	P	P	P	N
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Cannabis Testing Laboratory	N	N	P	P	P	P	P	N	P	P	P	N

Cannabis Delivery

	Type A	Type B
CCC (State)	“Cannabis Delivery”	“Cannabis Operator”
Similar To:	Courier Services, UberEats, GrubHub	Beer Distributor
Potential SZO (Local)	“Cannabis Courier”	“Cannabis Distribution”
Comparable Use Category	Dispatch Service	Wholesale Trade or Distribution
Districts?	Commercial Industry + Commercial Business	Commercial Industry + Commercial Business

Fractional & In-Lieu Payments at C/O

12.3 Buyouts & Payments

1. Compliance

- a. The Building Official may not issue any ~~Building Permit, excluding a foundation permit,~~ Certificate of Occupancy for development until any authorized fractional buyout or in-lieu payment has been made in accordance with this Section.

Sidewalks & Frontages

16. Public Realm

a. Sidewalks

~~i. When development occurs on any lot abutting a sidewalk that is less than twelve (12) feet in total width, the building must be set back an additional distance to accommodate expansion of the abutting sidewalk must be provided to a width of at least twelve (12) feet. The minimum and maximum front setbacks for each building type are increased accordingly.~~

i. For any lot abutting a sidewalk that is less than twelve (12) feet in width, the frontage area must be paved to provide a sidewalk that is at least twelve (12) feet in total width.

Building Setbacks	
	<u>Curb Setback (min)</u> <u>12 ft</u>
A	Primary Front SETBACK (min/max) 2 ft 12 ft
B	Secondary Front SETBACK (min/max) 2 ft 12 ft
C	Side SETBACK (min) 0 ft
	Side SETBACK ABUTTING NR or LHD (min) 10 ft
D	Rear SETBACK (min) –
	ALLEY OR R-ROW 0 ft
	No ALLEY 10 ft
	No ALLEY & ABUTTING NR or LHD 20 ft