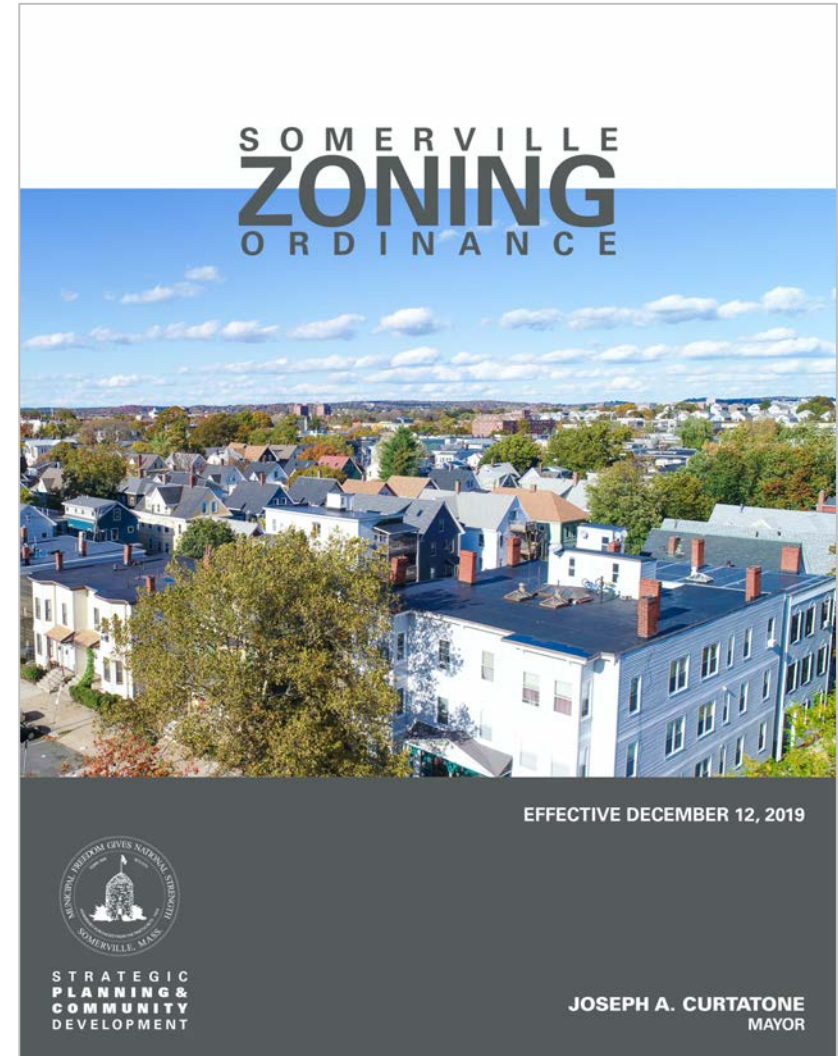


LAND USE COMMITTEE

March 31, 2020

www.somervillezoning.com



ITEMS ADDRESSED

1. 209478: That the Director of SPCD present recommendations for an "**Affordable Housing Overlay District**" to this Council's Committee on Land Use, to facilitate the construction of new affordable housing.
2. 209771: Requesting approval of an amendment to the Zoning Ordinance **to correct** procedural requirements, unintended **conflicts** between regulations, numerical **errors**, or inadvertent **omissions**.
3. 209825: Requesting approval of an amendment to the Zoning Ordinance **to extend** the **validity time frame** of previously issued permits, **clarify** how lot coverage is calculated, **correct** the threshold for employment linkage, and **streamline** the language concerning landscape buffers.
4. 209790: That this Council modify or eliminate the Zoning Ordinance's Use Limitations for parcels that front a Pedestrian Street in various locations such as 4.1.13.b, 4.3.13.b, 5.1.15.b, etc.

AGENDA

1. AFFORDABLE HOUSING UPDATE
2. PROPOSED AMENDMENTS & CORRECTIONS
3. HEARING SCHEDULING

1. AFFORDABLE HOUSING

QUESTIONS

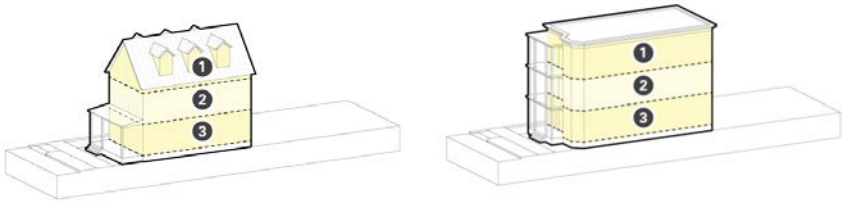
- How & where is affordable housing required?
- How much of the housing inventory should be affordable?
- Where should more affordable housing go?
- Are we trying to level the playing field between affordable vs market rate developers?
- Are we trying to meet the demand for affordable housing?
- What housing characteristics can be regulated?
- Outstanding questions...

IDEAS

1. AFFORDABLE HOUSING

HOW & WHERE IS AFFORDABLE HOUSING REQUIRED?

- House, Semi-Attached House, Triple Decker,
Semi-Attached Triple Decker (1 ADU)
- Multiplex, Row Houses, Apartment House (UR) (20% ADUs)
- Apartment Building (UR & MR) (20% ADUs)
- General Buildings (MR3-6) (20% ADUs)
- Mid-Rise Podium Towers, Block Buildings (HR) (20% ADUs)
- ❖ Density Bonus in UR, MR, HR (100% ADUs)
(more but smaller units in same sized building)



Use & Occupancy	
GROSS FLOOR AREA per DU (min)	—
LOT AREA < 5,000 sf	1,500
LOT AREA >= 5,000 sf	1,125
100% AFFORDABLE HOUSING	875
NET ZERO READY BUILDING	875
OUTDOOR AMENITY SPACE (min)	1/100

Use & Occupancy	
GROSS FLOOR AREA per DU	—
LOT AREA < 6,500 sf	1,125
LOT AREA >= 6,500 sf	850
NET ZERO READY BUILDING	650
100% AFFORDABLE HOUSING	650
OUTDOOR AMENITY SPACE (min)	1/100

1. AFFORDABLE HOUSING

HOW & WHERE IS AFFORDABLE HOUSING REQUIRED?

- Each ADU created is assigned a Price Tier by Table 12.1.5 (a) ADU Price Tiers
- The price for each Tier is calculated by Section 12.1.5 by unit size
- Rental Tiers
 - Very Low Income
 - Low Income
 - Moderate Income
- Ownership Tiers
 - Low Income
 - Moderate Income
 - Middle Income

Table 12.1.5 (a) ADU Price Tiers

ADU	Price Tier
1st ADU	Tier 1
2nd ADU	Tier 2
3rd ADU	Tier 1
4th ADU	Tier 2
5th ADU	Tier 3
6th ADU	Tier 1
7th ADU	Tier 2
8th ADU	Tier 1
9th ADU	Tier 3
10th ADU	Tier 2
11th ADU	Tier 1
12th ADU	Tier 2
13th ADU	Tier 3

Repeating

Maximum Monthly Rent by Bedroom Count*

	Studio	1	2	3	4	5	6	7	8
Rental Tier 1 "Very Low Income"	\$ 679.80	\$ 793.10	\$ 906.40	\$ 1,019.70	\$ 1,133.00	\$ 1,246.30	\$ 1,359.60	\$ 1,472.90	\$ 1,586.20
Rental Tier 2 "Low Income"	\$ 1,189.65	\$ 1,387.93	\$ 1,586.20	\$ 1,784.48	\$ 1,982.75	\$ 2,181.03	\$ 2,379.30	\$ 2,577.58	\$ 2,775.85
Rental Tier 3 "Moderate Income"	\$ 1,699.50	\$ 1,982.75	\$ 2,266.00	\$ 2,549.25	\$ 2,832.50	\$ 3,115.75	\$ 3,399.00	\$ 3,682.25	\$ 3,965.50

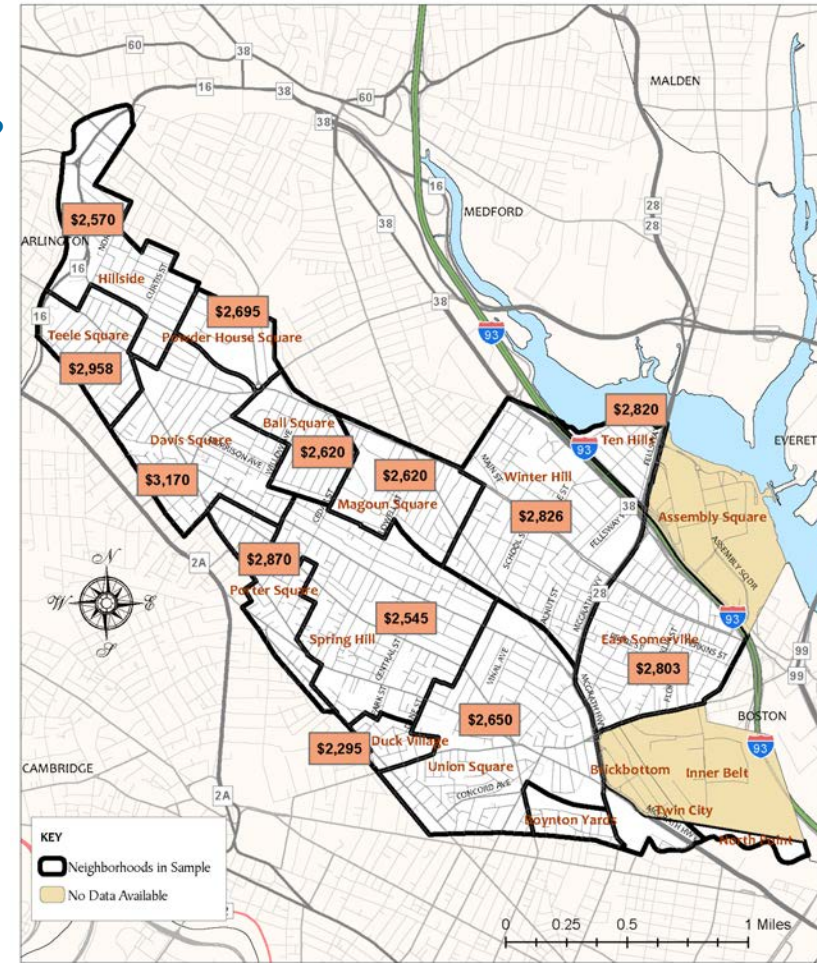
		Rent	Own
Extremely Low Income	10% MFI		
	20% MFI		
	30% MFI		
Very Low Income	40% MFI	Tier 1	
	50% MFI		
Low Income	60% MFI		
	70% MFI	Tier 2	Tier 1
	80% MFI		
Moderate Income	90% MFI		
	100% MFI	Tier 3	Tier 2
	110% MFI		
	120% MFI		
Middle Income	130% MFI		Tier 3
	140% MFI		
	150% MFI		
	160% MFI		
High Income	170% MFI		

* Prior to utility/amenity reductions

1. AFFORDABLE HOUSING

HOW & WHERE IS AFFORDABLE HOUSING REQUIRED?

- The average monthly rent of **EXISTING** 2-bedroom units in all of Somerville's neighborhoods is greater than the estimated \$2,266 price for Tier 3 rental ADU (before utility/amenity deductions).
- Market rate 2-bedroom units in Avalon at Assembly Row rent for \$3,857, which is 30% of annual income for a household making **170% of AMI** (High Income)



1. AFFORDABLE HOUSING

HOW MUCH OF THE HOUSING INVENTORY SHOULD BE AFFORDABLE?

• Somerville (SHI)	09.55%	3,250 ADUs of ~34,000 DU
• Somerville (SV2040)	10.04%	3,535 ADUs of ~34,000 DU
• MGL 40B minimum	10.00%	“regionally equitable distribution”
• SomerVision2040	20.00%	
• Boston (2017)	19.00%	
• Cambridge (2017)	15.00%	

If Somerville builds 250 new DU per year...

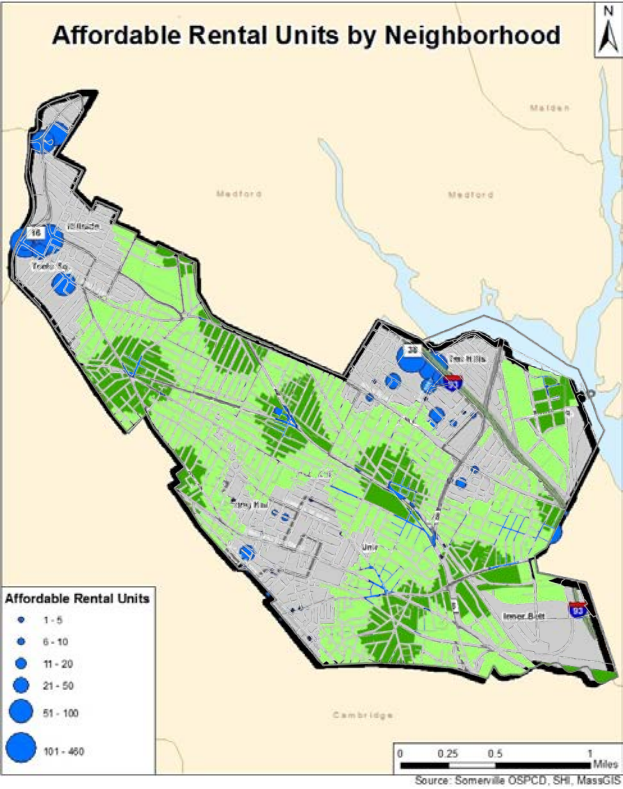
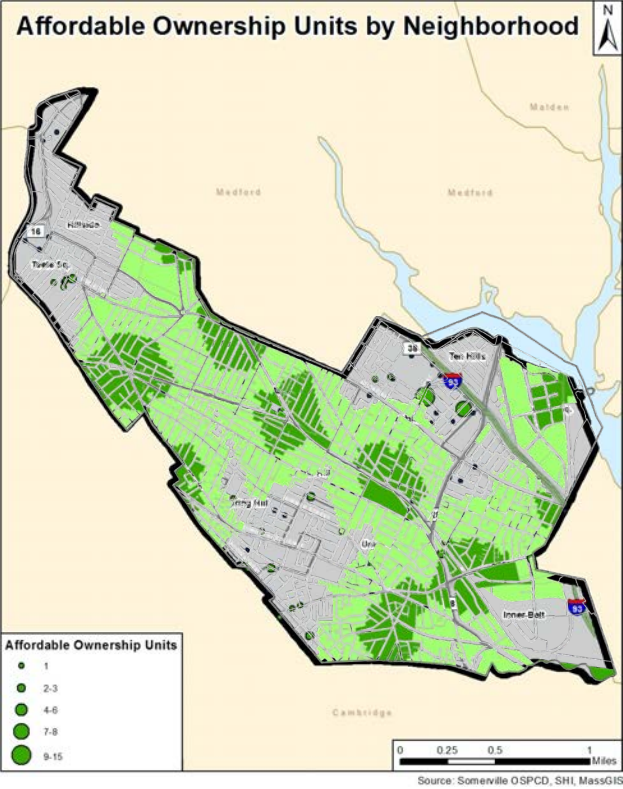
- 20% ADU requirement = goal never achieved
- 30% ADU requirement = 20% by 2162 (over 2x the total housing we have now)
- 40% ADU requirement = 20% by 2091 (17,750 more total units)
- 50% ADU requirement = 20% by 2068 (12,000 more total units)
- 80% ADU requirement = 20% by 2044 (6,000 more total units)**

To achieve 20% of inventory by ~2040:

- 100% of development must be 80% ADUs; or 80% of all development must be 100% ADUs

1. AFFORDABLE HOUSING

WHERE SHOULD MORE AFFORDABLE HOUSING GO?



1. AFFORDABLE HOUSING

USE TRANSIT AREAS?



The screenshot shows the homepage of the H+T Index website. The header is green with navigation links: Home (house icon), H+T Index, H+T Fact Sheets, Total Driving Costs, Comparison Maps, Data, and About. The CNT logo is in the top right. The main content area has a blue background with a large 'H+T® Index' title. Above the title are three circular images: a traffic jam, a city street with a tram, and a modern building. Below the title is a white box with text: 'The Housing and Transportation (H+T®) Affordability Index provides a comprehensive view of affordability that includes both the cost of housing and the cost of transportation at the neighborhood level.' Below this text are two buttons: 'H+T Index' and 'Learn More'. At the bottom, a dark blue banner contains the text: 'The Index is part of a broader effort to explore urban sustainability through location efficiency. Learn more about the ideas, tools, development strategies, and policies behind location efficiency at CNT's [Location Efficiency Hub](#).'

30% Housing

+

10% Transportation

The Housing and Transportation Affordability Index provides a comprehensive view of affordability that includes both the cost of housing and the cost of transportation at the neighborhood level.

<https://htaindex.cnt.org>

1. AFFORDABLE HOUSING

USE TRANSIT AREAS?

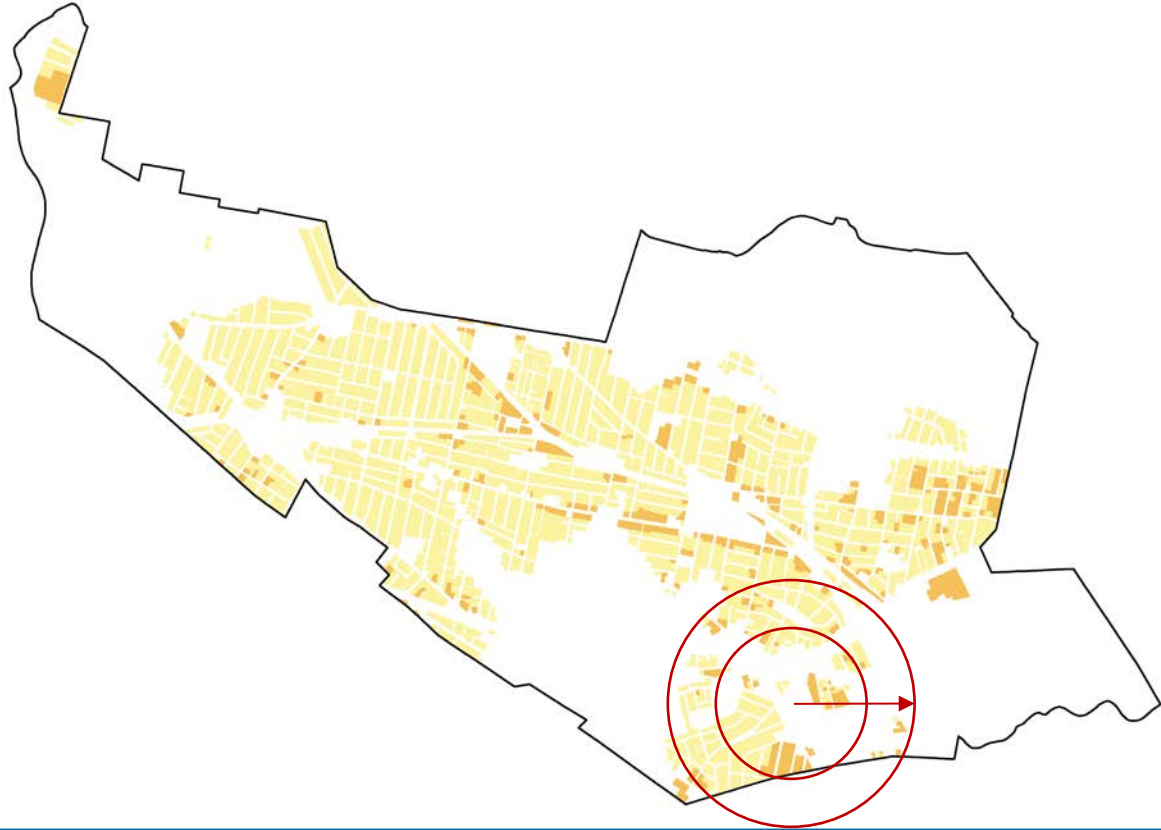
- Currently only regulates parking
- Could be used to provide for more affordable housing within walking distance to transit stations.



1. AFFORDABLE HOUSING

USE TRANSIT AREAS?

- Currently only regulates parking
- Could be used to provide for more affordable housing within walking distance to transit stations.



1. AFFORDABLE HOUSING

USE TRANSIT AREAS?

- Currently only regulates parking
- Could be used to provide for more affordable housing within walking distance to transit stations.



1. AFFORDABLE HOUSING

LEVEL THE PLAYING FIELD BETWEEN AFFORDABLE VS MARKET RATE DEVELOPERS?

- Remember...to reach 20% Affordable Inventory by 2044, 80% of new development would need to be 100% affordable.
 - 6,000 new units total, 4,800 of those must be ADUs (200 ADUs & 50 market rate per year)

1. AFFORDABLE HOUSING

MEET THE DEMAND FOR AFFORDABLE HOUSING?

TABLE 4.13. SUMMARY OF AFFORDABLE HOUSING DEMAND					
Income Tier	<30%	30%-50%	50%-80%	80%-110%	110%-140%
Number of Renters	4,818	4,081	4,463	8,337	
<i>Deed-Restricted Units</i>	2,725	157	340		
<i>Remaining Demand</i>	2,093	3,924	4,123	8,337	
Number of Homeowners	NA	NA	4,463	8,337	8,041
<i>Deed-Restricted Units</i>	NA	NA	34	98	0
<i>Remaining Demand</i>	NA	NA	4,429	8,239	8,041
Sources: SHI, City of Somerville (IZ data), income analyses for Tables 4.11-4.12.					

37,093 total ADUs needed to alleviate all cost burdened Somerville households

- 10.57% - 50% ADUs (Tier 1 Rental)
- 23.05% - 80% ADUs (Tier 2 Rental or Tier 1 Own)
- 44.68% - 110% ADUs (Tier 3 Rental or Tier 2 Own)
- 21.67% - 140% ADUs (Tier 3 Own)

1. AFFORDABLE HOUSING

MEET THE DEMAND FOR AFFORDABLE HOUSING?

- Time delay problems
- Waitlist problems

1. AFFORDABLE HOUSING

WHAT HOUSING CHARACTERISTICS CAN BE REGULATED?

- Zoning does not regulate:
 - Tenure Type: Ownership vs rental
 - Unit Size Mix: Mix of units by bedroom count
 - Price Point Specificity: What price is assigned to different sized ADUs

1. AFFORDABLE HOUSING

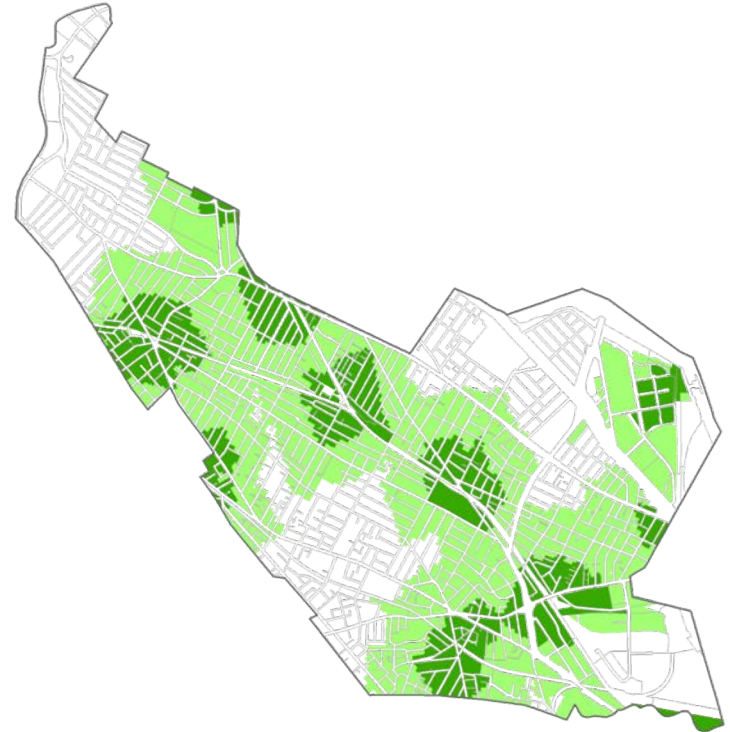
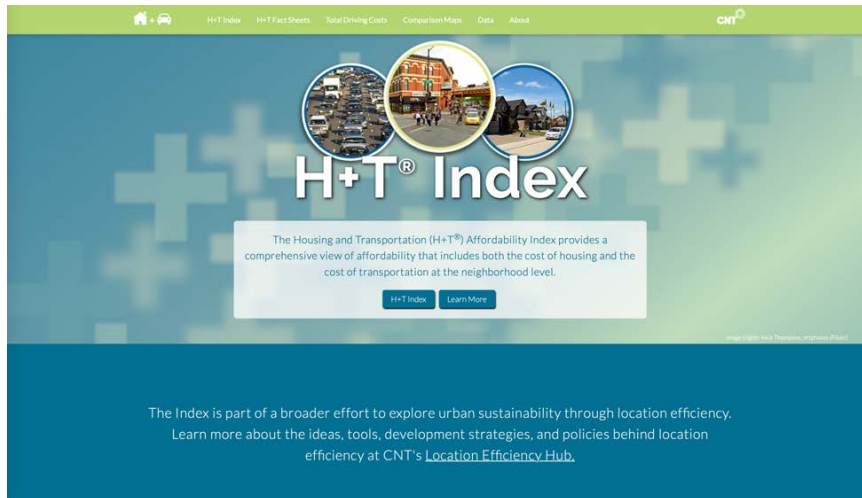
OUTSTANDING QUESTIONS

- Could or should we regulate the intersection of ADU type, size, and affordability or provide developers with flexibility in compliance to minimize costs (ie. self determination over unit type, size, and affordability)?
- Are we able to calculate the “baseline subsidy level” required for a building?
 - Could a developer and City negotiate the mix of unit type/sizes/affordability, including potentially more deeply affordable units, so long as the baseline subsidy level is equaled or exceeded?
- Could or should ADUs with deeper affordability levels be produced by zoning?
 - Extremely low-income rental ADUs; 34,000/year; \$680/month rent (2 bed)
 - Very low-income ownership ADUs; \$56,650/year; \$1,060/month mortgage (2 bed)

1. AFFORDABLE HOUSING

IDEAS

- Use the Transit Areas as an overlay district to locate additional ADUs within walking distance to transit



1. AFFORDABLE HOUSING

IDEAS

- Use the Transit Areas as an overlay district

NR & UR Districts

- Increase or delete NR DU limits (eg. Allow a five-unit triple decker)
- Permit UR Building Types in NR (all or only some additional)
- Increase or delete UR DU limits (eg. Increased or no density limit for apartment houses)

MR & HR Districts

- Bonus stories exchanged more ADUs (trade floor spaces for affordable units)
- Adjustments to GFA/DU in UR, MR, HR (increase permitted density for 100% affordable)
- Remove Special Permit for Household Living in MR & HR (reduce costs)
- Negotiated delivery of ADU type/sizes/affordability for buildings >50% ADUs (using baseline subsidy level)

CC Districts

- Permit General Buildings with 100% affordable housing.

1. AFFORDABLE HOUSING

NEST STEPS

- Conduct Developer Interviews
- Draft Amendment Text

2. PROPOSED AMENDMENTS

2/25 CORRECTIONS

- Secondary façade fenestration requirements
- Minimum building height in stories
- Studio ADU price multipliers
- §12.1.8 and §12.1.9 of Article 12 Development Benefits
- Review Board appointments
- Ground story commercial space use limitations when fronting a pedestrian street

02/25/2020 Proposed Corrections to the Somerville Zoning Ordinance (updated)

Text to be removed is ~~crossed-out~~ and new text is underlined.

#	Page	Article	Subsection	Change								
1	119, 123, 147, 151, 175, 179, 203, 207, 211, 233, 237, 241, 245, 249, 289, 293, 297	4.1 Mid-Rise 3 4.2 Mid-Rise 4 4.3 Mid-Rise 5 4.4 Mid-Rise 6 5.1 High-Rise 6.2 Commercial Core	General Building Commercial Building Lab Building Mid-Rise Podium Tower Block Building Commercial Block Building	<table border="1"> <thead> <tr> <th colspan="2">Façade Composition</th> </tr> </thead> <tbody> <tr> <td>A Ground Story Fenestration (min)</td><td>-</td></tr> <tr> <td>Primary Façade (min)</td><td>70%</td></tr> <tr> <td>Secondary Façade (min/max)</td><td>15% 70%</td></tr> </tbody> </table>	Façade Composition		A Ground Story Fenestration (min)	-	Primary Façade (min)	70%	Secondary Façade (min/max)	15% 70%
Façade Composition												
A Ground Story Fenestration (min)	-											
Primary Façade (min)	70%											
Secondary Façade (min/max)	15% 70%											
2	132	4.1 Mid-Rise 3	\$4.1.13.b	b. Use Limitations i. The use of any ground story commercial space fronting a pedestrian street; excluding lobbies for upper-story uses; is limited to the following <u>principal use categories, as permitted by Table 4.1.13 Permitted Uses:</u> a) <u>All Arts & Creative Enterprise use categories</u> b) <u>Cannabis Retail Sales</u> c) <u>All Civic & Institutional use categories</u> d) <u>All Food & Beverage Service use categories</u> e) <u>All Retail Sales use categories</u> e) Civic & Institutional								
3	160	4.2 Mid-Rise 4	\$4.2.13.b	b. Use Limitations ii. The use of any ground story commercial space fronting a pedestrian street; excluding lobbies for upper-story uses; is limited to the following <u>principal use categories, as permitted by Table 4.2.13 Permitted Uses:</u> a) <u>All Arts & Creative Enterprise use categories</u> b) <u>Cannabis Retail Sales</u> c) <u>All Civic & Institutional use categories</u> d) <u>All Food & Beverage Service use categories</u> e) <u>All Retail Sales use categories</u> e) Civic & Institutional								
4	188	4.3 Mid-Rise 5	\$4.3.13.b	b. Use Limitations iii. The use of any ground story commercial space fronting a pedestrian street; excluding lobbies for upper-story uses; is limited to the following <u>principal use categories, as permitted by Table 4.3.13 Permitted Uses:</u> a) <u>All Arts & Creative Enterprise use categories</u> b) <u>Cannabis Retail Sales</u> c) <u>All Civic & Institutional use categories</u> d) <u>All Food & Beverage Service use categories</u> e) <u>All Retail Sales use categories</u> e) Civic & Institutional								

#2-4 UPDATED since original submission

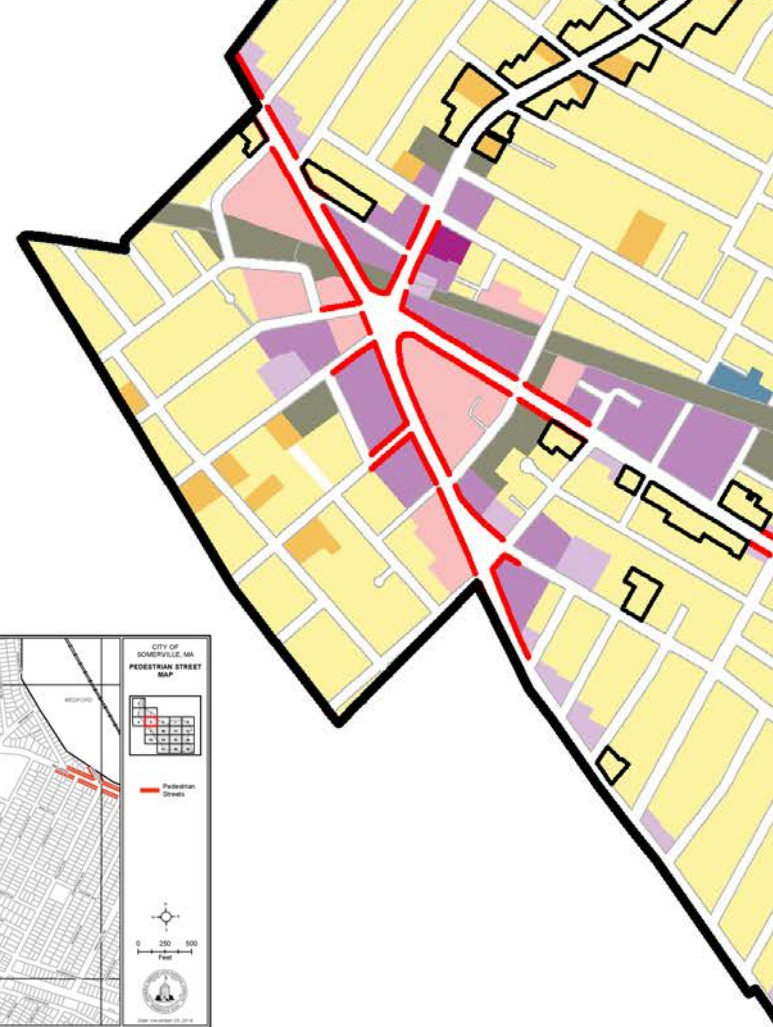
SOMERVILLE ZONING ORDINANCE

ORDINANCE CORRECTIONS | 1

2. PROPOSED AMENDMENTS

PEDESTRIAN STREETS

- Dictates the Primary Front Lot Line(s)
 - Requires higher Fenestration (more windows) on the Primary Facade
- Requires Commercial Space for 100% of the Building Width
- Restricts the Uses that can occupy Ground Story Commercial Spaces
- Prohibits Apartment Buildings
- Prohibits Primary Front Curb Cuts



2. PROPOSED AMENDMENTS

3/12 AMENDMENTS

- Validity of previously issued permits
- Lot coverage description
- Linkage
- Landscape buffers

03/12/2020 Proposed Amendments to the Somerville Zoning Ordinance

Text to be removed is ~~crossed-out~~ and new text is underlined.

#	Page	Article	Subsection	Change												
1	5	1. Introductory Provisions	\$1.2.2.a	a. All discretionary and administrative permits, excluding Site Plan Approval, issued prior to the applicability dates of §1.2.2.a and §1.2.2.b remain valid, subject to the conditions of the permit(s); in accordance with M.G.L. 40A before December 12, 2019 remain valid for two (2) years from the date the decision was filed with the Office of the City Clerk, excluding any time required awaiting the decision of an appeal, subject to the conditions of the permit(s).												
2	26	2. Glossary & Overview	\$2.4.2.c	c. LOT DEVELOPMENT i. LOT Coverage a). The maximum area of a LOT that is permitted to be covered by structures the combination of principal buildings, accessory buildings, accessory structures and impermeable surfaces.												
3	Multiple	4. Mid-Rise Districts 5. High-Rise Districts 6. Commercial Districts 7. Special Districts	Table 4.1.8 (b) Table 4.1.9 Table 4.2.8 (b) Table 4.2.9 Table 4.3.8 (b) Table 4.3.9 Table 4.4.8 (b) Table 4.4.9 Table 5.1.7 (b) Table 5.1.8 Table 5.1.9 Table 5.1.10 (b) Table 5.1.11 (b) Table 6.1.7 Table 6.2.7 Table 6.2.8 Table 6.2.9 Table 6.3.7 Table 6.4.8 Table 6.4.9 Table 6.4.10 Table 7.2.10 (b)	<p>Table X.X.X (x) Linkage</p> <table> <tr> <th>Commercial Gross Floor Area</th><th>Affordable Housing Linkage</th><th>Employment Linkage</th></tr> <tr> <td>30,000 sf or less</td><td>None</td><td>None</td></tr> <tr> <td>Over 15,000 sf</td><td>None</td><td>\$2.46/sf</td></tr> <tr> <td>Over 30,000 sf</td><td>\$10/sf</td><td>\$2.46/sf</td></tr> </table>	Commercial Gross Floor Area	Affordable Housing Linkage	Employment Linkage	30,000 sf or less	None	None	Over 15,000 sf	None	\$2.46/sf	Over 30,000 sf	\$10/sf	\$2.46/sf
Commercial Gross Floor Area	Affordable Housing Linkage	Employment Linkage														
30,000 sf or less	None	None														
Over 15,000 sf	None	\$2.46/sf														
Over 30,000 sf	\$10/sf	\$2.46/sf														

SOMERVILLE ZONING ORDINANCE

ORDINANCE CORRECTIONS | 1

3. HEARING SCHEDULING

Monday	Tuesday	Wednesday	Thursday	Friday
<i>Mar 30</i> 6:00 PM Public Health & Public Safety - Committee of the Whole [Virtual] (KIm)	<i>Mar 31</i> 6:30 PM Land Use [Virtual] (KIm)	<i>Apr 1</i>	<i>Apr 2</i>	<i>Apr 3</i>
<i>Apr 6</i> 6:00 PM Public Health & Public Safety - Committee of the Whole [Virtual] (PKF) 7:00 PM School Committee	<i>Apr 7</i> 7:00 PM City Council [Virtual]	<i>Apr 8</i> Passover	<i>Apr 9</i> Passover	<i>Apr 10</i>
<i>Apr 13</i> 6:00 PM Public Health & Public Safety - Committee of the Whole [Virtual] (KIm)	<i>Apr 14</i> 6:00 PM Land Use	<i>Apr 15</i> 6:00 PM Confirmation of Appointments [Virtual] (PKF)	<i>Apr 16</i> 6:00 PM Legislative Matters [Virtual]	<i>Apr 17</i>
<i>Apr 20</i> Holiday - Patriots' Day	<i>Apr 21</i> 6:00 PM Public Health & Public Safety - Committee of the Whole [Virtual] (KIm)	<i>Apr 22</i> 6:00 PM Confirmation of Appointments [Virtual] (PKF)	<i>Apr 23</i>	<i>Apr 24</i>
<i>Apr 27</i> 6:00 PM Public Health & Public Safety - Committee of the Whole [Virtual] (KIm) 7:00 PM School Committee	<i>Apr 28</i> 7:00 PM City Council [Virtual]	<i>Apr 29</i>	<i>Apr 30</i>	<i>May 1</i>
<i>May 4</i>	<i>May 5</i> 6:00 PM Land Use [CR]	<i>May 6</i> 6:00 PM Confirmation of Appointments and Personnel Matters [CR]	<i>May 7</i>	<i>May 8</i>

Recording Legend: CC = Council Chamber, CR = Committee Room, SR = Subcommittee Room, OS = Off Site

3. HEARING SCHEDULING

Monday	Tuesday	Wednesday	Thursday	Friday
<i>Mar 30</i> 6:00 PM Public Health & Public Safety - Committee of the Whole [Virtual] (KIm)	<i>Mar 31</i> 6:30 PM Land Use [Virtual] (KIm)	<i>Apr 1</i>	<i>Apr 2</i>	<i>Apr 3</i>
<i>Apr 6</i> 6:00 PM Public Health & Public Safety - Committee of the Whole [Virtual] (PKF) 7:00 PM School Committee	<i>Apr 7</i> 7:00 PM City Council [Virtual]	<i>Apr 8</i> Passover	<i>Apr 9</i> Passover	<i>Apr 10</i>
<i>Apr 13</i> 6:00 PM Public Health & Public Safety - Committee of the Whole [Virtual] (KIm)	<i>Apr 14</i> 6:00 PM Land Use	<i>Apr 15</i> 6:00 PM Confirmation of Appointments [Virtual] (PKF)	<i>Apr 16</i> 6:00 PM Legislative Matters [Virtual]	<i>Apr 17</i>
<i>Apr 20</i> Holiday - Patriots' Day	<i>Apr 21</i> 6:00 PM Public Health & Public Safety - Committee of the Whole [Virtual] (KIm)	<i>Apr 22</i> 6:00 PM Confirmation of Appointments [Virtual] (PKF)	<i>Apr 23</i>	<i>Apr 24</i>
<i>Apr 27</i> 6:00 PM Public Health & Public Safety - Committee of the Whole [Virtual] (KIm) 7:00 PM School Committee	<i>Apr 28</i> 7:00 PM City Council [Virtual]	<i>Apr 29</i>	<i>Apr 30</i>	<i>May 1</i>
<i>May 4</i>	<i>May 5</i> 6:00 PM Land Use [CR]	<i>May 6</i> 6:00 PM Confirmation of Appointments and Personnel Matters [CR]	<i>May 7</i>	<i>May 8</i>

Recording Legend: CC = Council Chamber, CR = Committee Room, SR = Subcommittee Room, OS = Off Site

3. HEARING SCHEDULING

Monday	Tuesday	Wednesday	Thursday	Friday
<i>Mar 30</i> 6:00 PM Public Health & Public Safety - Committee of the Whole [Virtual] (KIm)	<i>Mar 31</i> 6:30 PM Land Use [Virtual] (KIm)	<i>Apr 1</i>	<i>Apr 2</i>	<i>Apr 3</i>
<i>Apr 6</i> 6:00 PM Public Health & Public Safety - Committee of the Whole [Virtual] (PKF) 7:00 PM School Committee	<i>Apr 7</i> 7:00 PM City Council [Virtual]	<i>Apr 8</i> Passover	<i>Apr 9</i> Passover	<i>Apr 10</i>
<i>Apr 13</i> 6:00 PM Public Health & Public Safety - Committee of the Whole [Virtual] (KIm)	<i>Apr 14</i> 6:00 PM Land Use	<i>Apr 15</i> 6:00 PM Confirmation of Appointments [Virtual] (PKF)	<i>Apr 16</i> 6:00 PM Legislative Matters [Virtual]	<i>Apr 17</i>
<i>Apr 20</i> Holiday - Patriots' Day	<i>Apr 21</i> 6:00 PM Public Health & Public Safety - Committee of the Whole [Virtual] (KIm)	<i>Apr 22</i> 6:00 PM Confirmation of Appointments [Virtual] (PKF)	<i>Apr 23</i>	<i>Apr 24</i>
<i>Apr 27</i> 6:00 PM Public Health & Public Safety - Committee of the Whole [Virtual] (KIm) 7:00 PM School Committee	<i>Apr 28</i> 7:00 PM City Council [Virtual]	<i>Apr 29</i>	<i>Apr 30</i>	<i>May 1</i>
<i>May 4</i>	<i>May 5</i> 6:00 PM Land Use [CR]	<i>May 6</i> 6:00 PM Confirmation of Appointments and Personnel Matters [CR]	<i>May 7</i>	<i>May 8</i>

Recording Legend: CC = Council Chamber, CR = Committee Room, SR = Subcommittee Room, OS = Off Site

LAND USE COMMITTEE

March 31, 2020

www.somervillezoning.com

