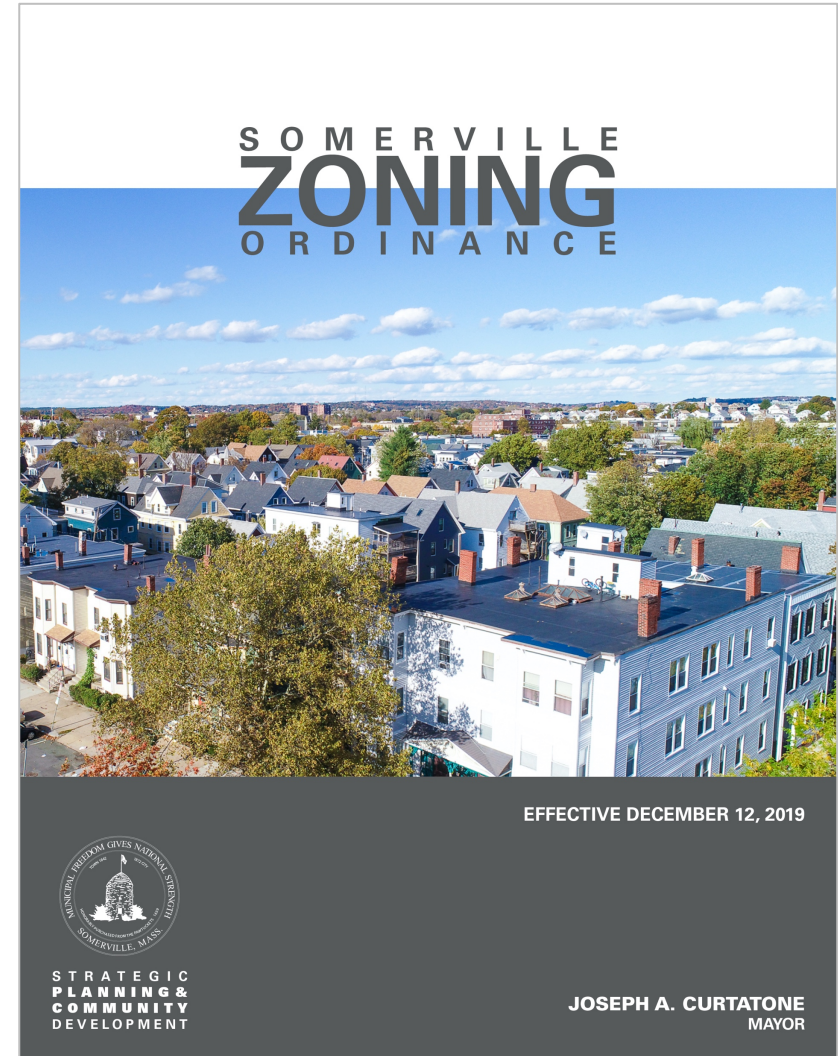


# LAND USE COMMITTEE

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September 1, 2020

[www.somervillezoning.com](http://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.

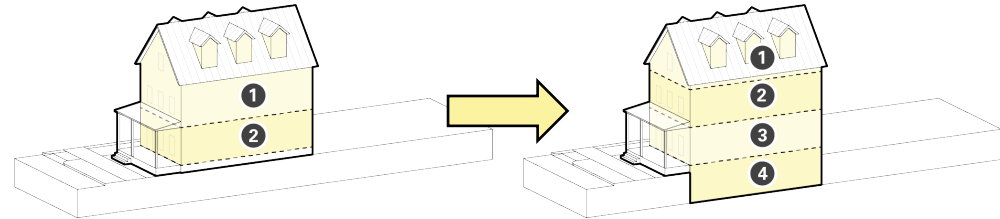
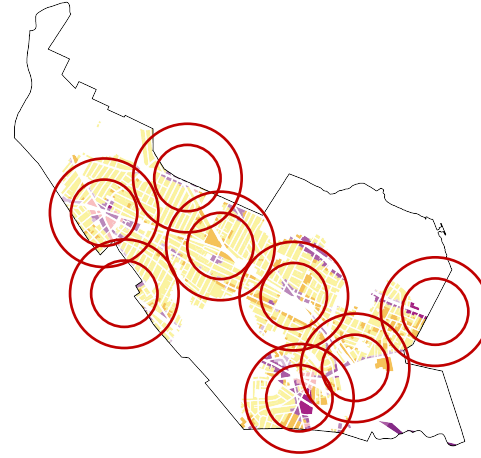
# June 2020 Draft Overlay

## 1/2 Mile from Transit Station

- Higher density, same buildings if 100% ADUs
- Triple Decker & Backyard Cottage by right
- Existing buildings provide ADUs based only on added units, not existing
- No SP for residential uses
- No density limitation for any building
- Higher % ADUs required (over 20%)

## 1/4 Mile from Transit Station

- All of the above
- Some UR buildings permitted in NR
- No density limitation for Apartment House & Apartment Buildings
- Additional story permitted for each increment of additional % ADUs



8. OVERLAY DISTRICTS Affordable Housing (AH)	
<b>8.1 AFFORDABLE HOUSING (AH)</b>	
<b>1. Intent</b> a. To implement recommendations of SonomaVision for affordable housing. b. To increase the supply of affordable dwelling units in the City of Sonoma.	<b>b. Urban Residence</b> i. Development of a semi-detached triple decker or multiplex must provide all dwelling units as affordable dwelling units. ii. The dwelling units per lot and dwelling units permitted for a semi-detached triple decker or multiplex is specified on Table 8.1.4.b.
<b>2. Purpose</b> a. To permit additional residential density within walking distance of rapid transit stations. b. To require development to provide a significant number of affordable dwelling units.	iii. Existing apartment houses and apartment buildings may be modified to increase the number of dwelling units. a. Required affordable dwelling units are calculated based on the number of new dwelling units provided rather than the total dwelling units in the building, excluding substantial renovations which must provide affordable dwelling units based on the total number of dwelling units in the building.
<b>3. Applicability</b> a. The section is applicable to all real property within a Transit Area as shown on the map of the Official Zoning Atlas of the City of Sonoma. b. The provisions of this Section supplement or supersede the provisions of the districts upon which it is superimposed. Applicants may choose to comply with all of the applicable provisions of this Section in lieu of complying with those same provisions of the underlying zoning district. c. Where the provisions of this Section conflict with those found elsewhere in this Ordinance, the provisions of this Section apply.	c. Mid-Rise & High-Rise Districts Development is exempt from the gross floor area per dwelling unit and maximum dwelling unit standards for each building type. i. Household Living uses are permitted. ii. Existing apartment buildings or general buildings may be modified to increase the number of dwelling units. a. Required affordable dwelling units are calculated based on the number of new dwelling units provided rather than the total dwelling units in the building, excluding substantial renovations which must provide affordable dwelling units based on the total number of dwelling units in the building. iii. New construction must provide affordable dwelling units as specified on Table 8.1.4.c.
<b>4. Within 1/2 Mile Transit Area</b> a. Neighborhood Residence i. The following building types are permitted: a. Detached Triple Decker (S3.1.11) b. Backyard Cottage (S3.1.12) ii. Development must provide all dwelling units as affordable dwelling units. iii. The dwelling units per lot and dwelling units permitted for each building type is specified on Table 8.1.4.a.	

Table 8.1.4.a	
	Detached House
DU per Lot (max)	4
Dwelling Units (max)	4

Table 8.1.4.b	
	Semi-Detached Triple Decker
DU per Lot (max)	4
Dwelling Units (max)	8

# Summer 2020 Developer Interviews

## Affordable Developers

- Somerville Community Corporation (SCC)
- Preservation of Affordable Housing (POAH)
- Just A Start
- E3 Development

## Market Rate Developers

- Anonymous
- Haycon Inc., David Bemiss
- Newmarket Properties, Scott Zink & David Lilley
- North America Development, Jason Santana
- Block Properties, Johnathan Block
- KSS Realty Partners, Darin Samaraweera

8. OVERLAY DISTRICTS	
Affordable Housing (AH)	
<b>8.1 AFFORDABLE HOUSING (AH)</b>	
<b>1. Intent</b>	<b>b. Urban Residence</b>
a. To implement recommendations of Somer/Vision for affordable housing.	i. Development of a semi-detached triple decker or multiplex must provide all dwelling units as AFFORDABLE DWELLING UNITS.
b. To increase the supply of affordable dwelling units in the City of Somerville.	ii. The dwelling units per lot and dwelling units permitted for a semi-detached triple decker or multiplex is specified on Table 8.1.4.b.
<b>2. Purpose</b>	iii. Existing apartment houses and apartment buildings may be modified to increase the number of dwelling units.
a. To permit additional residential density within walking distance of rapid transit stations.	iv. Required affordable dwelling units are calculated based on the number of new dwelling units provided rather than the total dwelling units in the building, excluding substantial renovations which must provide affordable dwelling units based on the total number of dwelling units in the building.
b. To require development to provide a significant number of affordable dwelling units.	<b>c. Mid-Rise &amp; High-Rise Districts</b>
<b>3. Applicability</b>	i. Development is exempt from the gross floor area per dwelling unit and maximum dwelling unit standards for each building type.
a. The section is applicable to all real property within a Transit Area as shown on the maps of the Official Zoning Atlas of the City of Somerville.	ii. Household Living uses are permitted.
b. The provisions of this Section supplement or supersede the provisions of the districts upon which it is superimposed. Applicants may choose to comply with all of the applicable provisions of this Section in lieu of complying with those same provisions of the underlying zoning district.	iii. Existing apartment buildings or general buildings may be modified to increase the number of dwelling units.
c. Where the provisions of this Section conflict with those found elsewhere in this Ordinance, the provisions of this Section apply.	iv. Required affordable dwelling units are calculated based on the number of new dwelling units provided rather than the total dwelling units in the building, excluding substantial renovations which must provide affordable dwelling units based on the total number of dwelling units in the building.
<b>4. Within 1/2 Mile Transit Area</b>	v. New construction must provide AFFORDABLE DWELLING UNITS as specified on Table 8.1.4.c.
a. Neighborhood Residence	
i. The following building types are permitted:	
ai. Detached Triple Decker (S3.1.11)	
bi. Backyard Cottage (S3.1.12)	
ii. Development must provide all dwelling units as AFFORDABLE DWELLING UNITS.	
iii. The dwelling units per lot and dwelling units permitted for each building type is specified on Table 8.1.4.a.	

**Table 8.1.4.a**

	Detached House	Semi-Detached House	Detached Triple Decker	Backyard Cottage
DU per Lot (max)	4	4	4	—
Dwelling Units (max)	4	4	4	1

**Table 8.1.4.b**

	Semi-Detached Triple Decker	Multiplex
DU per Lot (max)	4	8
Dwelling Units (max)	4	8

08/02/20

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# Summer 2020 Developer Interviews

## General Feedback

- Generally uninspiring...
- 100 Homes Program would benefit from “Gentle Density”
- Incentives are off from financial realities
- Subsidy required too high, only non-profits would use
- Why only Transit Areas?

## 8. OVERLAY DISTRICTS

### Affordable Housing (AH)

#### 8.1 AFFORDABLE HOUSING (AH)

##### 1. Intent

- To implement recommendations of Sonar/Vision for affordable housing.
- To increase the supply of affordable dwelling units in the City of Sonoma.

##### 2. Purpose

- To permit additional residential density within walking distance of rapid transit stations.
- To require development to provide a significant number of affordable dwelling units.

##### 3. Applicability

- The section is applicable to all real property within a Transit Area as shown on the map of the Official Zoning Atlas of the City of Sonoma.
- The provisions of this Section supplement or supersede the provisions of the districts upon which it is superimposed. Applicants may choose to comply with all of the applicable provisions of this Section in lieu of complying with those same provisions of the underlying zoning district.
- Where the provisions of this Section conflict with those found elsewhere in this Ordinance, the provisions of this Section apply.

##### 4. Within 1/2 Mile Transit Area

###### Neighborhood Residence

- The following building types are permitted
  - Detached Triple Decker (S2.1.11)
  - Backyard Cottage (S3.1.12)
- Development must provide all dwelling units as AFFORDABLE DWELLING UNITS.
- The dwelling units per lot and dwelling units permitted for each building type is specified on Table 8.1.4.a

Table 8.1.4.a

	Detached House	Semi-Detached House	Detached Triple Decker	Backyard Cottage
DU per Lot (max)	4	4	4	—
Dwelling Units (max)	4	4	4	1

##### b. Urban Residence

- Development of a semi-detached triple decker or multiplex must provide all dwelling units as AFFORDABLE DWELLING UNITS.
- The dwelling units per lot and dwelling units permitted for a semi-detached triple decker or multiplex is specified on Table 8.1.4.b.
- Existing apartment houses and apartment buildings may be modified to increase the number of dwelling units.
  - Required affordable dwelling units are calculated based on the number of new dwelling units provided rather than the total dwelling units in the building, excluding substantial renovations which must provide affordable dwelling units based on the total number of dwelling units in the building.
- Mid-Rise & High-Rise Districts
  - Development is exempt from the gross floor area per dwelling unit and maximum dwelling unit standards for each building type.
  - Household Living uses are permitted.
  - Existing apartment buildings or general buildings may be modified to increase the number of dwelling units.
    - Required affordable dwelling units are calculated based on the number of new dwelling units provided rather than the total dwelling units in the building, excluding substantial renovations which must provide affordable dwelling units based on the total number of dwelling units in the building.
- New construction must provide AFFORDABLE DWELLING UNITS as specified on Table 8.1.4.c

Table 8.1.4.b

	Semi-Detached Triple Decker	Multiplex
DU per Lot (max)	4	8
Dwelling Units (max)	4	8

08/02/20

SONOMAVILLE ZONING ORDINANCE | 205

# Summer 2020 Developer Interviews

## Market Rate Developer Feedback

1. Land costs (labor costs)
2. City of Somerville
  - Density regulated (predetermined maximum is arbitrary)
  - Systemic problems related to delays and lack of a clear path ("*Somerville doesn't want housing*")
    - Demolition delay unreasonable; Preservation criteria too "low bar"
    - P&Z, Housing, ISD all understaffed (massive need perceived)
    - Site Plan Approval/Special Permit 3 – 6 months
      - Carrying costs + Risk of appeals
    - ISD unhelpful with questions
    - Building Permits & COs delayed indefinitely (>30 days)
      - Lower cost financing is released at BP
    - City not collaborating with Eversource
  - Increased costs
    - Engineering requires "overengineered" finished basements
    - Review Boards demand expensive materials
      - Siding, windows, pavers, etc.
    - Condo conversion
  - Satisfying all the special interests increases costs (Net Zero, LEED, Open Space, Affordability, Architectural Style, Amenity Space, Bicycle Parking, Permeable Surfaces, etc.)
3. Adding new units to existing buildings triggers ADUs for the full building (not just new units)

# Summer 2020 Developer Interviews

## Market Rate Developer Suggestions

### Overlay

- 21-30% ADUs may be possible with incentives (see JP/Rox)
- Permit more units and more stories
  - No density restrictions
  - +1 story in ½ mile; +2 story in ¼ mile?
- Permit buildings by right
- Permit residential uses by right
- Reduce or remove permit fees; or provide better/faster service if fees are kept
- Stop reviewing/regulating materials

### General

- Appoint a building code specialist to ZBA/PB or have a building inspector attend ZBA/PB meetings
- Permit in-kind replacement of nonconformities (demo & put back)

# Summer 2020 Developer Interviews

## Affordable Housing Developer Feedback

Everything the Market Rate developers identified, plus:

- Available financing is the #1 restriction on creating “more”
  - Federal tax credits & tax-exempt bonds; state & city funds; mortgage; institutional grants
  - DHCD funding is capped & has unit size requirements
  - Somerville AHTF \$ is limited & has unit size requirements
  - Financing restricts building size (25-50 units ideal)
    - 100-unit affordable development is rarer/harder
    - 100% affordable high rise doesn't exist
- Land acquisition is #2
  - Challenges: Buy and hold; permits needed?; purchase price restrictions v. entitlements
- Zoning entitlements frequently don't align with affordable development realities (need for a zoning map change, special permit, etc.)
- Provide incentives outside of transit areas (available sites are limited; increased competition)



# Summer 2020 Developer Interviews

## Affordable Housing Developer Suggestions

### Overlay

- Permit more dwelling units and more building stories
  - No density restrictions
- Permit relief from dimensional standards (5% rule? certain exemptions?)
- Permit buildings by right
- Permit residential uses by right
  - Permit “Rooming Units” (already in code but not “turned on”)
- Reduce or remove permit fees
- Stop reviewing/regulating materials
- Permit relief from satisfying all the special interests (Net Zero, LEED, Open Space, Affordability, Architectural Style, Amenity Space, Bicycle Parking, etc.)
- Properties fronting “main streets” should be UR+

### General

- Create a Community Land Trust or Site Acquisition Fund
- Provide funding to meet Net Zero/LEED expectations
- Permit seven (7) story buildings (“5 over 2”)

# Staff Working Group

- Planning & Zoning
- Housing
- Housing Stability

# NEXT STEPS?