

**CITY OF SOMERVILLE
ORDINANCE NO. 2020-08
In City Council April 28, 2020**

Somerville Zoning Ordinance – Corrections and Errata

Be it hereby Ordained by the City Council of the City of Somerville that the City of Somerville Code of Zoning Ordinances is hereby amended as attached.

Approved:

Matthew McCaughey III
President, City Council

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" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #f2f2f2;"> <th colspan="2" style="text-align: left; padding: 2px;">Facade Composition</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">A Ground Story Fenestration (min)</td> <td style="text-align: center; padding: 2px;">--</td> </tr> <tr> <td style="padding: 2px;"><u>Primary Facade (min)</u></td> <td style="text-align: center; padding: 2px;"><u>70%</u></td> </tr> <tr> <td style="padding: 2px;"><u>Secondary Facade (min/max)</u></td> <td style="text-align: center; padding: 2px;"><u>15%</u> <u>70%</u></td> </tr> </tbody> </table>	Facade Composition		A Ground Story Fenestration (min)	--	<u>Primary Facade (min)</u>	<u>70%</u>	<u>Secondary Facade (min/max)</u>	<u>15%</u> <u>70%</u>																														
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14	492	12 - Development Benefits	§12.1.9	<p>9. Compliance</p> <p>a. Certificate of Occupancy</p> <p>i. Unless otherwise specified elsewhere in this Ordinance, the BUILDING OFFICIAL may not issue a Certificate of Occupancy for any <u>number of</u> MARKET RATE UNITS of development subject to the provisions of this Section until unless a proportional number of the required ADUs are also authorized for occupancy.</p> <p>a). A proportional number of the required ADUs, including any off-site ADUs, have obtained Certificates of Occupancy; and</p> <p>b). Payment for any fractional buyout required by this Section has been made to the Somerville Affordable Housing Trust Fund.</p>
15	551	15 - Administration	§15.7.2	<p>2. Zoning Board of Appeals</p> <p>b. Membership</p> <p>i. The Mayor shall appoint five (5) members and two (2) alternate members, subject to confirmation by the City Council:</p> <p>ii. Members of the Urban Design Commission are appointed for five (5) year terms, except that the original terms of initial appointees must be shortened so that no more than one (1) member and one (1) alternate member expires in the same calendar year.</p>
17	552	15 - Administration	§15.7.4	<p>4. Urban Design Commission</p> <p>b. Membership</p> <p>i. The Mayor shall appoint five (5) members and two (2) alternate members, subject to confirmation by the City Council:</p> <p>ii. Members of the Urban Design Commission are appointed for five (5) year terms, except that the original terms of initial appointees must be shortened so that one member is appointed for four (4) years, one (1) member is appointed for three (3) years, one (1) member is appointed for two (2) years, and one (1) member is appointed for one (1) year and that one (1) alternate member is appointed for four (4) years and one (1) alternate member is appointed for two (2) years.</p>

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18	492	12 - Development Benefits	§12.1.8	<p>8. Legal Agreements</p> <p>a. <u>Development review applications are not considered complete unless an Affordable Housing Memorandum of Understanding acknowledging the standards and procedures required for development subject to this Section has been agreed to and signed by the Director of Housing and the Applicant.</u></p> <p>b. <u>An Affordable Housing Implementation Plan (AHIP), approved at the discretion of the Director of Housing, must be agreed to and signed by the Applicant for development subject to this Section.</u></p> <p>i. <u>The Building Official may not issue a Building Permit, excluding a foundation permit, for development subject to this Section until an AHIP has been approved by the Director of Housing.</u></p> <p>c. <u>Applicants must execute and record a deed restriction limiting the sale or rental of ADUs to eligible households in perpetuity with the Middlesex South Registry of Deeds, or filed with the Land Registration Office.</u></p> <p>i. <u>The Building Official may not issue any Certificate of Occupancy for development subject to this Section until a deed restriction limiting the sale or rental of ADUs to eligible households is executed and recorded with the Middlesex South Registry of Deeds or filed with the Land Registration Office.</u></p> <p>d. <u>All memorandums of understanding, AHIPs, and other legal agreements must be in a form approved by the City Solicitor.</u></p>
19	551	15 - Administration	§15.7.3	<p>3. Planning Board</p> <p>b. Membership</p> <p>i. The Mayor shall appoint five (5) members and two (2) alternate members, subject to confirmation by the City Council:</p> <p>ii. Members of the Urban Design Commission are appointed for three (3) year terms, except that the original terms of initial appointees must be shortened so that no more than two (2) members and one (1) alternate member expires in the same calendar year.</p>