At Planning Board Meeting

goulston&storrs
counsellors at law

Christian G. Regnier
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March 31, 2015

Planning Board
Town Hall Administration Building
149 Main Street
Watertown, MA 02472

Re: Proposed Design Guideline Zoning Amendments

Dear Members of the Planning Board:

On behalf of Greystar GP II, LLC, the Applicant for the Elan Union Market project proposed for Arsenal Street, I write to provide preliminary comments and suggested revisions to the proposed Watertown Zoning Ordinance amendments dated February 23, 2015. Further comments and/or revisions may be offered based on additional review, or as a result of the public comment process. A copy of the Memorandum submitted to Planning staff and Mr. Gamble regarding our comments is enclosed.

As the proponent of a "demonstration project" under the design guidelines, the Elan Union Market project has been designed to reflect and respond to the intent of the guidelines. We want to acknowledge our appreciation of the Planning staffs' and Mr. Gamble's time and efforts regarding these design guidelines and the demonstration project over the past months and various community and other meetings.

As a general comment, we are concerned that some of the proposed zoning amendments are styled as requirements when they would be more appropriate as guidelines, as further described in the Memorandum. We also think some of the proposed zoning amendments would benefit from revisions to clarify their application and our Memorandum also proposed these clarifying revisions.

As written, the proposed amendments are likely to be problematic when applied to the range of properties and projects will be subject to the amendments. As such, we encourage the Board to recommend that Section 5.03(12) and 5.05(f) be restyled as guidelines rather than requirements. We also encourage the Board to recommend that the revisions in the attached Memorandum be included, when and if the zoning amendments are adopted.

We would be pleased to discuss the attached Memorandum in more detail and look forward to following up with Planning Staff and Mr. Gamble concerning the enclosed. Thank you.

Sincerely,

Christian G. Regnier

Enclosure

goulston&storrs
counsellors at law

MEMORANDUM

TO: Mr. Steven Magoon (via email only)
Mr. David Gamble (via email only)

CC: Mr. Gideon Schreiber (via email only)
Mr. Brandon Henry (via email only)
Mr. Daniel Lee (via email only)

FROM: Christian Regnier, Esq.

DATE: March 30, 2015

SUBJECT: Design Standards: Proposed Zoning Amendment Comments

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On behalf of Greystar GP II, LLC, the Applicant for the Elan Union Market project proposed for Arsenal Street, I write to provide preliminary comments and suggested revisions to the proposed Watertown Zoning Ordinance amendments dated February 23, 2015. Further comments and/or revisions may be offered based on additional review, or as a result of the public comment process. A copy of the proposed amendments is attached as Exhibit A.

As a general comment, we are concerned that some of the proposed zoning amendments are styled as requirements when they would be more appropriate as guidelines, as further described below. We also think some of the proposed zoning amendments would benefit from revisions to clarify their application. In order to put our revisions in context, we have copied the zoning amendment text below and, where applicable, our proposed changes are indicated in ~~strikethrough~~ or **bold underline**. Language that has been previously proposed to be deleted in the zoning amendments is shown in *~~italic strikethrough.~~*

1. BUILDING HEIGHT MODEST HEIGHT ALLOWANCES / MECH. PENTHOUSES

   SECTION 4.10 EXCEPTIONS TO HEIGHT REGULATIONS

   The limitations of height in feet shall not apply to necessary features usually carried above roofs of buildings, but not used for living purposes, such as water tanks, satellite dishes, chimneys, ventilation systems, bulkheads, aerials, church towers or spires, elevator penthouses, solar arrays, and reception antennas for the use of the occupants of the building. If visible, these shall be visually screened in a manner compatible with the architectural language of the building **which screening is also excluded from the calculation of building height**. Such

features exceeding the height permitted in the district by fifteen (15) feet or more shall be allowed by special permit. Wireless telecommunications facilities are subject to the requirements in Section 5.14.

Additional height consistent with the adopted Design Guidelines may be granted by special permit in the following four (4) instances:

1. At important civic intersections and squares.
2. When defining or terminating important view corridors.
3. When the height of adjacent buildings exceeds those allowed as-of-right.
4. When additional approved public amenities have been incorporated.

2. BUILDING SETBACKS ALLOWABLE USES

SECTION 4.11(b) EXCEPTIONS TO SETBACK REQUIREMENTS

No use other than landscaping, and outdoor dining, public art, **sidewalks, multi-use paths** and permitted signs shall be permitted in the front yard of any lot subject to the provisions of Section 6.03 and Article VII. Parking within the front yard ~~*of apartment houses*~~ is expressly prohibited.

3. BUILDING SETBACKS BUILD-TO LINE

SECTION 4.11(d) EXCEPTIONS TO BUILT-TO LINE REQUIREMENTS

(1) Build-to Line setback for Mixed Use Developments in the NB, LB, CB, I-1, I-2, I-3, and PSCD Districts shall be ten (10) feet from the Front Lot Line. Setbacks may be increased as specified below for purposes of amenities such as a plaza, square, courtyard, recessed entrance, **sidewalk, multi-use path**, raised terrace, or outdoor dining, but not intended for automobile use. In the case of multiple buildings on one lot, at least one building shall comply with the required build-to line, but in no instance shall buildings span less than a minimum of fifty percent (50%) of the lot frontage at the determined build-to line.

For components of a project in keeping with the adopted Design Guidelines, an increased Build-to Line setback up to thirty (30) feet may be required by the SPGA or requested by an applicant if it is found that the strict adherence to the ten (10) foot Build-to Line is inconsistent with adopted Design Guidelines and development pattern, as determined by the SPGA.

The Build-to Line may allow for averaging a building's setback from the property line to accommodate changes in building façade and irregular property boundaries, but no area of a building shall encroach by more than ten percent (10%) of the required setback.

4. SECTION S.03(12) NOTES TO THE TABLE OF REGULATIONS *(Add note to I-3 Zone)*

Residential units that are part of mixed-use developments shall be located primarily on floors above the ground floor, and in no instance shall more than fifty percent (S0%) of ~~any~~ **the façade of the** ground floor level that directly fronts onto **and is adjacent to** the primary public way be used for residential units. **For a corner lot, primary public way shall be the way with the longer frontage. The ground floor along a sloping primary public way shall be the floor that has the longer length at the same elevation of the public way.** The remaining fifty percent (S0%) of the ground floor level along the public way must have a minimum of fifty percent (S0%) of its façade as measured vertically from ground floor to the underside of the above floor plate that faces the public way **primarily** composed of transparent materials that admit unobstructed light and views into the ~~building~~ **project**. Entrances into ~~these~~ **the non-residential unit** spaces must be no more than fifty (S0) feet apart from one another, or from the corners of the building.

[Note- as a general comment, we think this provision would be better adopted as a guideline, rather than a requirement. All sites and projects are different, and this provision is overly restrictive.]

5. BUILDING MASSING BUILDING LENGTH DIMENIONS

SECTION S.0S(f)NOTES TO TABLE OF DIMENSIONAL REGULATIONS *(add to table as noted)*

The minimum frontage of the lot shall be one hundred (100) feet for new construction of multi-family dwelling structures, townhouses, and rowhouses. For all new construction in the NB, LB, CB, I-1, I-2, and I-3 Districts the maximum length of a contiguous building façade **along the front lot line or adjacent to a residential zoning district** shall be no more than ~~one hundred fifty (150)~~ **two hundred fifty (250)** feet long. **The maximum length shall apply to facades that are horizontally and vertically continuous.** Offsets of a minimum of twenty five (25) feet in depth and fifty (50) feet in length shall be incorporated for facades to not be considered contiguous**, which offsets may be at grade or above-grade**. The maximum linear dimension of a building shall be restricted to four hundred (400) feet **along the front lot line or adjacent to a residential zoning district**. **Buildings with a substantial, publicly –accessible pass through at the ground floor that is a minimum of 40 feet across and two (2) stories (22 feet in height may be considered separate buildings.**

[Note- as a general comment, we think this provision would be better adopted as a guideline, rather than a requirement. All sites and projects are different, and this provision is overly restrictive.]

6. BUILDING HEIGHT TRANSITION HEIGHTS ADJACENT TO NEIGHBORHOODS

SECTION 5.05(k) NOTES TO THE TABLE OF DIMENSIONAL REGULATIONS *(add to table as noted)*

For all uses allowed by special permit in the CB, LB, I-1, I-2, and I-3 districts no part of any structure when abutting a residential zoning district shall be closer than twenty-five (25) feet as measured perpendicular to the property line of said residential district. At twenty-five (25) feet from said property line, beginning at a height of twenty-five (25) feet **measured from the average grade plane described in Section 2.34**, a structure shall increase in height no more than a ratio of 1:1 (45 degrees) moving perpendicularly away from the property line, with a maximum height as outlined per Section 5.04 and Section 5.05. ~~*and structures between twenty five (25) and thirty five (35) feet of said property line shall not exceed a height of twenty five (25) feet and two (2) stories, structures between thirty five (35) and fifty (50) feet of said property line shall not exceed thirty six (36) feet and three (3) stories, and structures beyond fifty (50) feet of said property line shall be allowed fifty (50) feet and five (stories).*~~ Further, in the required twenty-five (25) foot setback for all structures at least fifteen (15) feet of said area shall be **primarily** landscaped **or screened by fencing** to serve as a year-round visual buffer where the proposed project abuts a residential zoning district.

7. BUILDING SETBACKS PUBLIC SPACES

SECTION 5.04(s) NOTES TO THE TABLE OF DIMENSIONAL REGULATIONS

~~*In the PSCD,*~~ The Build-to line of ten (10) feet may be increased up to a maximum of thirty (30) feet for purposes of a plaza, square, courtyard, recessed entrance, **sidewalk, multi-use path** or outdoor dining, but not intended for automobile use. In addition, an increased setback up to thirty (30) feet may be required if it determined that a strict adherence to the ten (10) foot build-to line is inconsistent with the Corridor Plan or adopted Design Guidelines as determined by the SPGA.

8. BUILDING MASSING DISTANCE BETWEEN BUILDINGS

SECTION 5.05(w) NOTES TO TABLE OF DIMENSIONAL REGULATIONS *(add to table as noted)*

For Mixed Use Developments in the NB, CB, LB, I-1, I-2, I-3, and PSCD Districts, the minimum distance between two adjacent buildings on the same lot shall be no less than thirty (30) feet. Buildings with a substantial, publically-accessible pass-through at the ground floor that is a minimum of ~~sixty (60)~~ **forty (40)** feet across and two (2) stories (22 feet) in height may be considered separate buildings.

9. PARKING + ACCESS CAR SHARING PROGRAMS AND CHARGING STATIONS

   SECTION 6.01(i)REQUIRED OFF-STREET PARKING SPACES

   Residential and mixed-use developments required to provide fifteen (15) or more parking spaces per Section 6.01(b) are ~~required~~ **encouraged** to provide a minimum of one (1) parking space per fifteen (15) up to a maximum of three (3) spaces, designated for a car sharing program. In developments requiring more than one hundred (100) parking spaces per Section 6.01(b), two (2) electric vehicle charging stations shall be provided, with an additional one (1) charging station per fifty (50) additional parking spaces thereafter up to a maximum of five (5) charging stations. These parking spaces shall be counted towards the total number required by Section 6.01(b). These requirements may be met through an approved shared parking plan with an adjacent property per Special Permit.

10. SUSTAINABLE DESIGN PERMEABLE PAVING OPTIONS

    SECTION 6.02(a) LOCATION AND DESIGN OF OFF-STREET PARKING

    Areas of required Off-street parking may be open or enclosed in a structure provided that if open, such areas shall be graded, drained, and surfaced in conformance with currently applicable engineering standards as determined and promulgated by the Superintendent of the Department of Public Works. Permeable paving options ~~shall~~ **may** be employed to allow for natural groundwater recharging. In no instance shall surface drainage be permitted to drain into land or adjacent property owners of the Town right of way except in the case of single and two-family homes.

SUSTAINABLE DESIGN FAÇADE PERFORMANCE, HIGH-EFFICIENCY DEVICES, GREEN ROOFS

11. SECTION 9.03(c.7) SITE PLAN REVIEW OF CERTAIN RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENTS

    Environmental Sustainability: Proposed developments shall seek to diminish the heat island effect; employ energy conscious design with regard to orientation, building materials, and shading; utilize energy-efficient technology and renewable energy resources; and minimize water use. All Mixed Use Developments in the NB, LB, CB, I-1, I-2, I-3, and PSCD Districts must meet "LEED ~~Certified~~ **Certifiable**" requirements as outlined by the United States Green Building Council's Leadership in Energy and Environmental Design as a minimum. Documentation shall be provided by the applicant to the Town to verify that the project is in compliance.

RECEIVED

MAR 31 2015

PLANNING BOARD
WATERTOWN, MA

ISSUES FOR CONSIDERATION AS PART OF NEW PROPOSED DESIGN GUIDELINES & STANDARDS:

① DESIGN REVIEW: "TRIAD OF REVIEW FIRMS"

→ MAKE PROVISIONS FOR THE CONTRACTING OF 3 "DESIGN REVIEW" FIRMS TO HANDLE WORKING WITH PROSPECTIVE DEVELOPERS & REVIEWING THIER PROPOSALS FOR COMPILIANCE w/ STANDARDS.

→ EACH NEW PROPOSED PROJECT OVER A CERTAIN SIZE IS ASSIGNED TO ONE OF THE THREE FIRMS.

APPEAL → IF THE PROPOSED PROJECT BECOMES CONTROVERTIAL IN THE PUBLIC'S EYE, A REQUEST IS MADE TO THE PLANNING DEPT. VIA PETITION FOR A JOINT REVIEW BY ALL THREE FIRMS OF THE PROJECT.

→ REPORTS FROM ALL THREE FIRMS ARE SENT TO PLANNING BOARD, HEARD IN PUBLIC & PLANNING BOARD USES CRITERIA FROM ALL THREE TO MAKE THIER RECOMMENDATION TO ZBA FOR APPROVAL OR DENIAL OR MAKES A RECOMMENDATION FOR REDESIGN BASED ON ONE OR MORE OF THE SUBMITTED REPORTS.

→ PROCESS FOR REVIEW & SELECTION OF DESIGN REVIEW FIRMS NEEDS TO BE ESTABLISHED WITH TERM LIMITS TO BE MADE FOR PERIODIC APPOINTMENTS.
→ 6 YR TERMS OFFSET EVERY 2 YRS?
→ 3 YR TERMS OFFSET EVERY 1 YR?

DATE 3-30-2015

RECEIVED

MAR 31 2015

PLANNING BOARD
WATERTOWN, MA

NICK LEFTERIOU
50 PILGRIM RD
WATERTOWN MA

SECTION 9.03 (C.1):

I WOULD LIKE TO POINT OUT THAT SHADOWING NEEDS MORE THAN AN IMPACT STUDY ex: SHADE/SUN/AND VIEW

I WANT TO STRESS HOW THE OBSTRUCTION OF THE SUN CAN CHANGE RESIDENTIAL SUROUNDING THE PROJECTS QUALITY OF LIKE.

EXAMPLE: ROSEDALE AND ACTON ST. INTERSECTION (NEW BUILDING)

PHONE: 617-926-0221

IF A BUILDING DOES SHADOW RESIDENTIAL SUROUNDINGS IMPACTS TREES PLANTS AND PEOPLE.

WHAT DO YOU DO?

1. CHANGE DESIGN
2. WORK SOMETHING OUT WITH IMPACTED PARTIES.
3. OPEN TO OTHER VERBAGE.

FORM + PLACE
Architecture + Planning + Urban Design

30 March 2015

Mr. John B. Hawes, Chairman
Planning Board
Town Hall Administration Building
149 Main Street
Watertown, MA 02472

RE: The proposed Watertown Design Guidelines & Standards, and the future development of The Arsenal Project.

Dear Mr. Hawes,

I am writing to you, on behalf of the Arsenal Project development team, to offer comment on the proposed Watertown Design Guidelines [1.22.15 draft] & Standards [February 23, 2015 draft] ahead of the Planning Board's public hearing, scheduled for Tuesday, March 31st, 2015.

Along with other members of the team, I have had the opportunity to attend all three of the Public Forums conducted by David Gamble & Associates, in conjunction with the Department of Community Planning & Development, during the course of the past five months. While we have had the chance to provide some feedback on the proposed Watertown Design Guidelines & Standards [WDG&S], I would like to summarize the team's comments for the Planning Board herein.

Our understanding is that the proposed WDG&S are a component of the Town's implementation strategy for achieving future Land Use goals, as identified in the Town of Watertown 2013 Comprehensive Plan [P. 37, April 2014 draft], which is scheduled for adoption in the spring of 2015. While the proposed WDG&S have been crafted to specifically govern development in the "commercial corridors and squares of Watertown," it has been acknowledged that a single set of guidelines and standards cannot possibly address the range of development goals, already identified by the Town, in the wide variety of contexts found within even these targeted commercial areas.

Design guidelines and standards, in general, are a terrific tool for communities that want to ensure a degree of consistency in the design of buildings and their surrounding public realm, but they can also become a deterrent to development and redevelopment if they do not provide the necessary flexibility to accommodate development of a variety of scales and typologies, appropriate to each unique context. What remains evident is that design guidelines and standards alone are not a vehicle for "transformational change."

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617.795.1965

The Comprehensive Plan states that "Arsenal Street, as the Town's main spine in the south connecting directly to Boston, is an important gateway to the Town and possesses the most significant potential for positive land use change" [P.17, April 2014 draft]. Consistent with the goals and recommendations outlined in the Comprehensive Plan, the Arsenal Project seeks to create a signature mixed use gateway for Watertown – one that is truly transformative. There are many aspects of the current zoning regulation that do not permit this type of development – allowable uses, dimensional criteria and signage, to name a few – and the proposed WDG&S further complicate the process by imposing additional design criteria that are seemingly more appropriate for Watertown's more intimate squares than its major corridor with Boston. Many of the proposed guidelines and standards are, in fact, counter-productive to the goal of facilitating the type of fundamental change envisioned for the Town's new "gateway" at the head of the Arsenal Corridor.

We offer the following examples to help illustrate this point:

- HEIGHT – proposed revisions to Section 5.04 provide only for an increase in height of 5 feet to a total of 55 feet / 5 stories. The Design Guidelines permit "modest height allowances" in certain circumstances, but this does not provide the necessary framework for a significant mixed use development in a "gateway" location. With adjacent building heights already above this 55 foot level, we strongly believe that a gateway parcel development can well accommodate considerably greater height.
- BUILDING LENGTH – the proposed revisions to Section 5.05(f) limit the maximum length of a contiguous building façade to 150 feet before requiring significant offsets. This standard, along with the restriction that the maximum linear dimension of a building be limited to 400 feet, is clearly more applicable to the type of fabric found in and around Watertown's historic squares and is not appropriate for a context such as the Arsenal Corridor.
- FAÇADE TRANSPARENCY AND ENTRIES – the proposed revisions to Section 5.03(7) require 50 percent of ground floor level facades to be composed of transparent materials allowing unobstructed views into the building, and mandate that entrances are provided at 50 foot intervals. Again, these constraints are more suited for retail shops on a "village" streetscape and are not appropriate for the type of mixed use development where potentially supermarkets or a movie theater, and other larger stores are possible and desirable.
- SIGNAGE – the proposed revisions to Section 7.06(e) increase the aggregate square footage of allowable signage to 350 square feet per building, for retail sites with building footprints in excess of 100,000 square feet, provided that they adhere to the adopted Design Guidelines. This aggregate limit to building-mounted signs, as well as proposed size limits to free-standing signs, is not compatible with regional mixed use developments that incorporate major national tenants. In addition, the proposed Design Guidelines specify "traditional" sign materials, limits to sign locations and stylistic parameters that are not consistent with larger-scale developments.

Simply put, these signage guidelines are a non-starter with the transformative scope of our future development.

It is worth noting that there are other proposed guidelines and standards that need further clarification including, but not limited to, setbacks [zero lot line on Arsenal Street] and open space [maintaining the 10 percent requirement]. And in some instances, the proposed design guidelines and standards impose new criteria on uses - such as mixed use in the I-1 and I-2 Districts - that are not currently allowed in the zoning districts they reference.

In summary, proposing this single set of Design Guidelines & Standards, intended to control development in both Watertown's squares and along its major corridors, will not help facilitate the type of development called for in prominent "gateway" locations such as the Arsenal Project. The 2011 Watertown Strategic Framework for Economic Development, which identifies many of the same goals put forth in the Comprehensive Plan, states that Watertown should strive to become a regional economy, while respecting its "layered history of industrial and commercial development." Among the key implementation strategies recommended are adopting "appropriate policies to guide the development of our land resources" and incentivizing meaningful public/private partnerships, including developing "tools to reduce impediments to challenging sites" [P.4].

The Arsenal Project team trusts that the Town of Watertown recognizes the significant role that our development wants to play in helping to achieve the goals of the community, and hopes that the necessary degree of urgency will become evident as implementation strategies are prioritized, including the adoption of a Regional Mixed Use [RMU] Zoning District, as recommended in the Comprehensive Plan. We urge this RMU District be incorporated now.

We look forward to continuing the dialogue.

With regards,

Michael A. Wang, AIA, LEED AP BD+C
Principal
Form + Place, Inc.

On behalf of The Arsenal Project development team

Cc:	Bill McQuillan, Mark Deschenes, Jeff Heidelberg	Boylston Properties
	Tom Wilder, Andy LaGrega	The Wilder Companies
	Steve Magoon, Gideon Schreiber	Watertown DCPD
	Town Council	Watertown Town Council
	Michael Driscoll	Town Manager

March 30, 2015
To the Members of the Planning Board:

The Concerned Citizens Group is pleased to submit for your consideration the attached comments on the draft amendments to the Watertown Zoning Ordinance prepared by the Department of Community Development and Planning to implement design guidelines and standards (the "Proposed Amendments"). These comments were prepared by the volunteer design advisory group enlisted by CCG to review various recent private and public development proposals in Watertown.

Our comments include recommendations to change the substance of some Proposed Amendments as well as questions seeking clarification of the meaning, intent or effect of several Proposed Amendments; we have proposed alternative wording in only a few instances. Included is a flow chart of how the planning process might work with the Watertown Design Consultant.

We recognize that although there are not current plans to develop an Arts Overlay District, we support creation of space for arts-related uses as well as more incentive for public art, particularly in large projects (attached for reference only is the November 2009 joint project summary of the City of Somerville and its Arts Council).

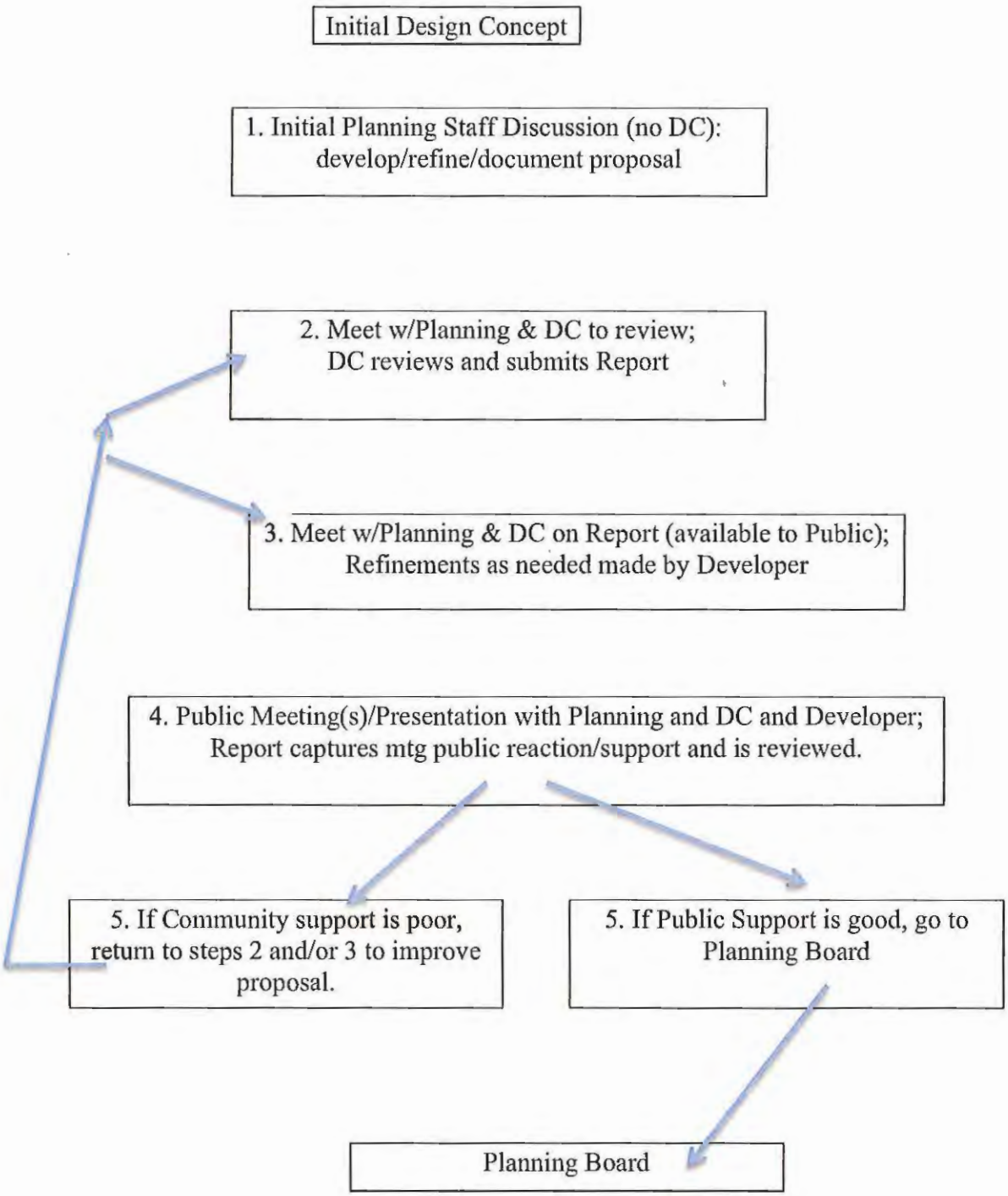
We think special attention should be paid to the appearance, massing, height, etc. of large projects that are visible from the river and other parkland. (For example, whatever eventually replaces the materials depot, mattress store and cemetery monuments places at corner of Arsenal & Coolidge; industrial buildings on south side of river along north side of California St.; developments at 'the Arsenal Project;' the as yet un-redeveloped area on the south side of Pleasant St., etc.)

We applaud the effort by DCDP, the Town Council and the community to create and implement the design guidelines and standards. We believe that the design guidelines and standards should be applied as broadly as possible, not only to Mixed Use developments in a few districts. We see no reason the guidelines and standards should not apply to all new construction with four (4) or more residential units and all non-residential projects with 10,000 square feet or more of new development, <u>and</u> <u>all</u> new construction abutting Mt. Auburn, Main, Arsenal, Pleasant, Galen, California, or Watertown Streets in the NB, LB, I-1, I-2, I-3 and PSCD districts, <u>and</u> <u>all</u> new construction in the CB district.

We appreciate your thoughtful consideration of the Proposed Amendments and our comments. We would welcome the opportunity to discuss our comments with you and DCDP staff and to answer any questions you may have.

Respectfully submitted,
Lisa Feltner, CCG President

Suggested Flow Chart for design review with Watertown Design Consultant "DC"
(CCG March 2015)



Proposed 5 Step Project Review Flow Diagram

FROM: Lisa Feltner

Developer Outlines Project Concept

Developer/proponent team develops initial sketch concepts and project proposal summary Materials for informal discussion with Planning Staff

Concept Discussion with Planning 1.

Informal meeting with Proponent and Planning Office to introduce the project and discuss community issues and the review/approval process

Actions :

Proponent further develops proposal with site plans, building plans and initial massing showing adjacent buildings for context

Proposal Review with Planning & Design Consultant 2.

Informal meeting with Proponent, Planning Staff and Design Consultant to introduce the project in more detail and to submit Draft Proposal for Design Consultant to review

Design Consultant reviews draft proposal relative to Design Goals & Standards, Zoning Compliance - prepares summary report (10 days)

Design Consultant Report Public Invited 3.

Public Meeting with Proponent, Planning Staff, the Design Consultant and the Public to review and discuss the project and the Design Consultant report. Notes of discussion to be recorded.

Proponent refines the project proposal to respond to Planning Office, Design Consultant and any Public Input

Large Community Forum to review Project Proposal 4.

Larger Public Forum with Proponent, Planning Staff, and the Public to review and discuss the project and to receive widespread Community reaction and input. Notes of discussion to be recorded.

If Community is not supportive, Proponent is to revise and re-present the project addressing Community concerns. If again not successful, the proponent is encouraged to abandon the project.

If Community is supportive, Proponent may prepare and submit their formal proposal to Planning Board reflecting any additional input from the Large Community Forum

Planning Board 5.

draft: 03/31/15

WATERTOWN DESIGN STANDARDS

Consolidated CCG Design Advisory Group Comments as of 3-30-15, in boxes

February 23, 2015 Draft

NOTES

Suggested changes to Zoning Ordinance in **bold face** font

Suggested deletions ~~are stuck thru~~.

Comments are in *italics.*

All suggested changes are preceded by a color-coded category heading that corresponds to a category of the adopted Design Guideline document:

1 PUBLIC REALM INTERFACE	2 PARKING + ACCESS	3 SUSTAINABLE DESIGN
4 BUILDING MASSING	5 BUILDING HEIGHT	6 BUILDING SETBACKS
7 FAÇADE TREATMENT	8 MATERIAL SELECTION	9 SIGNAGE

ARTICLE I PURPOSE AND INTERPRETATION

No change recommended

ARTICLE II DEFINITIONS

BUILDING HEIGHT — CALCULATING BUILDING HEIGHT / EXISTING GRADE

SECTION 2.34 — HEIGHT OF BUILDING

The vertical distance between the highest point of the structure above the ~~average~~ existing grade at any given point along the Front ~~Building~~ **Lot** Line **as measured every thirty (30) feet linearly;** notwithstanding the foregoing, in instances where the Lot slopes away from the Front Lot Line **more than ten (10) feet vertically as measured along a line of constant elevation perpendicular to the Front Lot Line taken every thirty (30) feet,** the height of the Building shall be the vertical distance **between the highest point of the structure above the existing grade and a plane created by connecting the points every thirty (30) feet linearly along the entirety of the property line** ~~above the average existing elevation of the Lot or parcel of land; the average existing elevation being the average of the aggregate averages of all sides or boundaries. To determine the average elevation of each side or boundary there shall be a measurement of elevation at each side or boundary angle and at least once every thirty (30) feet between angles.~~ Projects that have a substantial opening at the ground floor may be considered as two separate buildings and their heights shall be determined separately. Projects with multiple buildings on the same site with no visible above-grade connections between them shall have heights calculated separately for each building.

SUSTAINABLE DESIGN RAIN GARDENS / BIOSWALES / PLANTINGS

SECTION 2.42 LANDSCAPED

Land fully developed and maintained to present a pleasant appearance, **facilitate storm water retention and groundwater recharging,** and to stabilize the soil, using primarily **native, non-invasive, drought-tolerant** vegetation and natural features of the site.

PUBLIC REALM GROUND FLOOR USES

SECTION 2.55 MIXED USE DEVELOPMENT

A development that combines residential with retail or service uses within the same building or on the same site, in one or more of the following configurations:

Vertical Mixed Use: A single structure with the above floors used for residential or office use and a portion of the ground floor **facing the primary public way used** for **publicly accessible** retail/commercial or service uses.

Horizontal Mixed Use, Attached: A single structure that provides **publicly accessible** retail/commercial or service use in the portion fronting the public or private street with attached residential or office uses behind.

Horizontal Mixed Use, Detached: Two or more structures on a single site, which provide **publicly accessible** retail/commercial or service uses in the structure(s) fronting the public or private street, and residential or office uses in separate structures(s) behind or to the side.

BUILDING HEIGHT ROOF PITCH / SLOPED ROOFS

SECTION 2.79(b) STORY, HALF-STORY

No change recommended

ARTICLE III ESTABLISHMENT OF ZONING DISTRICTS

No change recommended

ARTICLE IV GENERAL USE AND DIMENSIONAL REGULATIONS

BUILDING HEIGHT — MODEST HEIGHT ALLOWANCES / MECH. PENTHOUSES

SECTION 4.10

EXCEPTIONS TO HEIGHT REGULATIONS

Because a roof-top structure that is not visible at the lot line may be visible from ground level across the street, we suggest the meaning of "visible" should be clarified.

The limitations of height in feet shall not apply to necessary features usually carried above roofs of buildings, but not used for living purposes, such as water tanks, satellite dishes, chimneys, ventilation systems, bulkheads, aerials, church towers or spires, elevator penthouses, **solar arrays,** and reception antennas for the use of the occupants of the building. **If visible, these shall be visually screened in a manner compatible with the architectural language of the building.** Such features exceeding the height permitted in the district by fifteen (15) feet or more shall be allowed by special permit. Wireless telecommunications facilities are subject to the requirements in Section 5.14.

Additional height consistent with the adopted Design Guidelines may be granted by special permit in the following four (4) instances:

The additional height should only be granted to the extent the benefit from public amenities is commensurate with, or mitigates the effects of, the additional height granted.

1. At important civic intersections and squares.

2. When defining or terminating important view corridors.

3. When the height of adjacent buildings exceeds those allowed as-of-right.

4. When additional approved public amenities have been incorporated.

5. Also allow grant of additional height when sustainable design features achieve or would exceed LEED 'Gold' Standards.

BUILDING SETBACKS — EXCEPTIONS TO SETBACKS

SECTION 4.11(a)

EXCEPTIONS TO SETBACK REQUIREMENTS

Note that "Build to Line" is defined @ §2.08 as "The line with which the exterior of a building must coincide." Thus, it could be at the front, side or rear lot line depending on what is specified in the section requiring the Build-to-Line. The only build-to line in the ordinance would be for projects in NB, LB, CB, I-1, I-2, I-3, and PSCD Districts, where it relates to the front lot line. In any other district, no build-to-Line is expressly required, so the requirement here in 4.11(a) would be meaningless in those districts.

(1) Cornices, eaves ~~and permitted signs not projecting more than six (6) inches from the building wall~~, attached chimneys, **and bay windows projecting no more than two (2) feet shall be permitted.** Exterior uncovered stairways, covered and uncovered **(but not enclosed, glazed, or screened)** entrance porticoes, **stoops,** vestibules, bulkheads, **first floor open-air porches, or bays less than or equal to twenty percent (20%) of the total façade abutting the Build-to Line, and cantilevered balconies,** are permitted as long as they **project no more than four (4) feet into any setback**~~or uncovered terraces not projecting closer to ten (10) feet in the T Districts shall be permitted~~. **Enclosed** decks **and** porches, attached carports, covered walks and the like shall not be exempted from Setback requirements, except as provided in Sections 4.03(c) and 4.03(d). Further, in all residential districts air conditioning equipment/structures and similar equipment/structures shall be permitted within the required side yard setback if said equipment/structure is no less than five (5) feet from the property line of the abutting property.

BUILDING SETBACKS ALLOWABLE USES

SECTION 4.11(b) EXCEPTIONS TO SETBACK REQUIREMENTS

No use other than landscaping, ~~and~~ **outdoor dining, public art, and** permitted signs shall be permitted in the front yard of any lot subject to the provisions of Section 6.03 and Article VII. Parking within the front yard ~~of apartment houses~~ is expressly prohibited.

Below, in 4.11(d), is the interplay between the new uniform Build to Line (maximum setback) and the max. of-right height adequately addressed, given the variety of street widths? Should any district height limitations be changed as a result? In addition to or instead of a special permit to increase the build-to-line, should the height limit be the lesser of the current height limit or the width of the street, subject to the proposed new special permit under 4.10 to allow the SPGA to increase the maximum height on a case by case basis?

BUILDING SETBACKS BUILD-TO LINE

SECTION 4.11(d) EXCEPTIONS TO BUILT-TO LINE REQUIREMENTS

(1) Build-to Line setback for Developments in the NB, LB, CB, I-1, I-2, I-3, and PSCD Districts shall be ten (10) feet from the Front Lot Line. Setbacks may be increased as specified below for purposes of amenities such as a plaza, square, courtyard, recessed entrance, raised terrace, or outdoor dining, but not intended for automobile use. In the case of multiple buildings on one lot, at least one building shall comply with the required build-to line, but in no instance shall buildings span less than a minimum of fifty percent (50%) of the lot frontage at the determined build-to line.

For components of a project in keeping with the adopted Design Guidelines, an increased Build-to Line setback up to thirty (30) feet may be required by the SPGA or requested by an applicant if it is found that the strict adherence to the ten (10) foot Build-to Line is inconsistent with adopted Design Guidelines and development pattern, as determined by the SPGA.

The Build-to Line may allow for averaging a building's setback from the property line to accommodate changes in building façade and irregular property boundaries, but no area of a building shall encroach by more than ten percent (10%) of the required setback.

Is this meant to have any affect on Build-To-Line requirement (which is a front yard setback), or only on side yard setbacks? Perhaps the section title should change.

BUILDING SETBACKS EXCEPTIONS TO SIDE YARD SETBACKS

SECTION 4.11(e) **EXCEPTIONS TO BUILT-TO LINE REQUIREMENTS**

Is a zero side yard setback (or rear yard setback) allowed of right? Why must 2 buildings on the same lot be separated by 30'+(per 5.5(w), but no setback is required for 2 buildings on adjoining lots? A zero setback should be allowed only by special permit.

Mixed Use Developments in the NB, LB, CB, I-1, I-2, I-3, and PSCD Districts may be contiguous on a block: zero (0) lot line and/or shared party wall. Where a party wall is not possible, setback from property line shall be a minimum of eighteen (18) feet. Corner lots may be developed with two front yards with yards determined by the Zoning Enforcement Officer.

Should a proponent be required to get a Planning Board SP or SPR when claiming 2 front yards?

MATERIAL SELECTION PROHIBITED MATERIALS

SECTION 4.15 **~~DISCOURAGED~~ EXTERIOR CLADDING MATERIALS**

Change "discouraged" & "highly discouraged" to PROHIBITED and prohibited

The following materials shall be ~~highly discouraged~~ from use as exterior cladding in all Mixed-use projects (Residential and Commercial) along all commercial corridors:

- **Vinyl Siding**
- **Aluminum Clapboard Siding**
- **Asphalt Panel Siding**
- **Exterior Insulation Finishing System (EIFS)**

"Commercial corridor" is not defined. Even if it were defined by street name, is this clear enough to define how far back from the street these materials are not to be used?

Why is this section 4.15 limited to mixed use projects?

ARTICLE V TABLES OF DISTRICT REGULATIONS

FAÇADE TREATMENT GROUND FLOOR USES

SECTION 5.03(2) NOTES TO THE TABLE OF REGULATIONS

Multi-family uses are allowed in the CB district if **at least eighty five percent (85%)** the first floor of the structure in which they are located is used for retail or other business purposes. However, not more than the first two floors may be used for retail or service related purposes in a mixed-use project. **The surface area of the ground floor level façade along the public way as measured vertically from ground floor to the underside of the above floor plate and horizontally along the total length of the building fronting the public way must be composed of a minimum fifty percent (50%) transparent materials allowing unobstructed views into the building.**

SECTION 5.03(7) NOTES TO THE TABLE OF REGULATIONS

Is it correct that this note applies only to NB, LB and CB districts?

All residential uses that are part of mixed-use developments shall be located only on the floors above the ground floor, and in no instance shall more than 15% of any ground floor level that fronts on a public way be used for the purposes of gaining access to the residential uses. **The surface area of the ground floor level façade along the public way as measured vertically from ground floor to the underside of the above floor plate and horizontally along the total length of the building fronting the public way must be composed of a minimum fifty percent (50%) transparent materials allowing unobstructed views into the building. Entrances into these spaces must be no more than fifty (50) feet apart from one another, or from the corner of the building.**

SECTION 5.03(12) NOTES TO THE TABLE OF REGULATIONS ***(Add note to I-3 Zone)***

Note (12) seems to apply only to hotel and motel use in I-1 and I-3 zones. Should this also be applied to other uses?

Residential units that are part of mixed-use developments shall be located primarily on floors above the ground floor, and in no instance shall more than fifty percent (50%) of any ground floor level that directly fronts onto the primary public way be used for residential units. The remaining fifty percent (50%) of the ground floor level along the public way must have a minimum of fifty percent (50%) of its façade as measured vertically from ground floor to the underside of the above floor plate that faces the public way composed of transparent materials that admit unobstructed light and views into the building. Entrances into these spaces must be no more than fifty (50) feet apart from one another, or from the corner of the building.

BUILDING HEIGHT **FIRST FLOOR RETAIL / COMMERCIAL SPACE**

SECTION 5.04 TABLE OF DIMENSIONAL REGULATIONS

Change "Max. Height" for I-1, I-2, and I-3 Districts to match "Max. Height" for CB District, fifty-five (55) feet.

Add "(s)" note to "Setbacks- Front" for I-1, I-2, and I-3 Districts.
Add "(f)" note to CB, LB, LB, I-1, I-2, and I-3 Districts.

BUILDING MASSING **BUILDING LENGTH DIMENIONS**

Shouldn't this Bldg Length Dimensions apply to commercial and mixed use projects too?

SECTION 5.05(f) NOTES TO TABLE OF DIMENSIONAL REGULATIONS *(add to table as noted)*

Note that this allows a 150' continuous façade @ a 10' B-T-L.
Does this allow a 150' continuous façade for contiguous buildings w/zero side yard setbacks per 4.11(e)? Should street width matter as to the maximum continuous façade and maximum linear dimension?

The minimum frontage of the lot shall be one hundred (100) feet for new construction of multi-family dwelling structures, townhouses, and rowhouses. **For all new construction in the NB, LB, CB, I-1, I-2, and I-3 Districts the maximum length of a contiguous building façade shall be no more than one hundred fifty (150) feet long. Offsets of a minimum of twenty five (25) feet in depth and fifty (50) feet in length shall be incorporated for facades to not be considered contiguous. The maximum linear dimension of a building shall be restricted to four hundred (400) feet.**

BUILDING HEIGHT — **TRANSITION HEIGHTS ADJACENT TO NEIGHBORHOODS**

SECTION 5.05(k) — NOTES TO THE TABLE OF DIMENSIONAL REGULATIONS *(add to table as noted)*

For all uses allowed by special permit in the **CB, LB,** I-1, I-2, and I-3 districts no part of any structure when abutting a residential zoning district shall be closer than twenty-five (25) feet **as measured perpendicular** to the property line of said residential district. **At twenty-five (25) feet from said property line, beginning at a height of twenty-five (25) feet, a structure shall increase in height no more than a ratio of 1:1 (45 degrees) moving perpendicularly away from the property line, with a maximum height as outlined per Section 5.04 and Section 5.05.** ~~and structures between twenty-five (25) and thirty-five (35) feet of said property line shall not exceed a height of twenty-five (25) feet and two (2) stories, structures between thirty-five (35) and fifty (50) feet of said property line shall not exceed thirty-six (36) feet and three (3) stories, and structures beyond fifty (50) feet of said property line shall be allowed fifty (50) feet and five (stories).~~ Further, in the required twenty-five (25) foot setback for all structures at least fifteen (15) feet of said area shall be landscaped to serve as a year-round visual buffer where the proposed project abuts a residential zoning district.

BUILDING SETBACKS — **PUBLIC SPACES**

SECTION 5.04(s) — NOTES TO THE TABLE OF DIMENSIONAL REGULATIONS

Same comments as at 4.11(d) re. interplay between uniform Build to Line and the max. of-right height, & possible change to district height limitations.

Also, the Planning Brd., not the ZBA, is better equipped to make this decision.

~~In the PSCD,~~ The Build-to line of ten (10) feet may be increased up to a maximum of thirty (30) feet for purposes of a plaza, square, courtyard, recessed entrance, or outdoor dining, but not intended for automobile use. In addition, an increased setback up to thirty (30) feet may be required if it determined that a strict adherence to the ten (10) foot build-to line is inconsistent with the Corridor Plan **or adopted Design Guidelines** as determined by the SPGA.

BUILDING HEIGHT — **MINIMUM HEIGHTS**

SECTION 5.05(n) — NOTES TO THE TABLE OF DIMENSIONAL REGULATIONS *(add to table as noted)*

What is the reason this doesn't apply to all permitted, SP and SR uses in these districts?

For mixed -use ~~projects~~ development of any type (Residential and Commercial) the minimum open space requirement shall be twenty percent (20%)

For Office Buildings or Mixed Use Developments in the NB, LB, CB, I-1, I-2, I-3, and PSCD Districts greater than or equal to ten thousand (10,000) gross square feet or containing ten (10) or more residential units, the minimum building height is twenty four (24) feet.

BUILDING MASSING DISTANCE BETWEEN BUILDINGS

SECTION 5.05(w)

NOTES TO TABLE OF DIMENSIONAL REGULATIONS *(add to table as noted)*

For Mixed Use Developments in the NB, CB, LB, I-1, I-2, I-3, and PSCD Districts, the minimum distance between two adjacent buildings on the same lot shall be no less than thirty (30) feet. Buildings with a substantial, publically-accessible pass-through at the ground floor that is a minimum of sixty (60) feet across and two (2) stories (22 feet) in height may be considered separate buildings.

Why is this provision applied only to mixed uses projects, not all projects in these districts?

ENABLING ZONING LANGUAGE FOR USING DESIGN GUIDELINES

SECTION 5.17 **DESIGN GUIDELINES**

Intent and Purpose

Design Guidelines have been adopted to address the design of new buildings along the major corridors and Watertown and Coolidge Squares. They are intended to enhance building, parking and the public realm interface, focusing on the following four principles. These "guidelines" shall be viewed as "requirements". Departures from them may be allowed on a case-by-case basis.

Added text in green.

Compare this to purposes of zoning under WZO section 1.00, attached at last page. "Enhance economic vitality" is not mentioned there other than by inference from reference to the Comprehensive Plan. Change "ACTIVITY" to VITALITY. The #1 purpose should be to promote good design.

1. **ECONOMIC VITALITY: Watertown's Design Guidelines were created to enhance the economic vitality of selected commercial areas through attractive, consistent design. By following these guidelines, each project will complement another, resulting in a cohesive development over time. The guidelines were developed specifically to provide direction for the design of new infill development in commercial areas. The goal is not to limit creativity, but rather to recognize potential for architectural diversity while adhering to the overarching principles contained herein. They intend to define expectations for new development while allowing for flexibility and fostering high quality design.**
2. **HISTORIC PRESERVATION: Urban regeneration means more than simply building a new; historic preservation is an effective economic development strategy. The reuse and regeneration of existing buildings should be encouraged in addition to new development as they provide a direct connection to Watertown's past. Existing buildings that have retained cultural or architectural significance can form the basis for economic development and growth.**

The first sentence of #3 should be deleted. It may misleadingly suggest that the Town is not concerned about promoting interaction of individual developments in ways that are beneficial to the community. It is true that the Guidelines are minimally about the interaction of individual developments. But there is no need for this statement about "site by site basis." Instead, there should be an additional purpose that promotes beneficial interaction among developments into the fabric of the community.

3. **DESIGN AESTHETIC: Development in Watertown will occur on a site-by-site basis, with individual projects advanced by different development entities and according to their own schedules. The Design Guidelines cannot depict every possible building configuration on each site. Rather, a prototypical building footprint is shown in a manner that accommodates many conditions that emerge on a project site. The massing is general enough that it can contain a range of uses, but specific enough to highlight the critical areas of concern. Even when closely following these guidelines, each project will take its own form that will differ from the example shown. A singular design aesthetic in Watertown is neither viable nor desirable.**

Edits #4 shown with strikethroughs and green text

4. **ENVIRONMENTAL PERFORMANCE: New development ~~offers an opportunity for~~ comes with the obligation to implement sustainable design and construction practices that ~~acknowledge~~ incorporate technological innovation and green building practices and ecological site design. ~~It should~~ Development must strive to address the highest sustainable and ecological principles, using advanced green technologies and materials, and promoting high-performance buildings. Stormwater management practices must prevent flooding and erosion, and protect the health of the Charles River and local streams and ponds, using green infrastructure approaches where feasible. New buildings should be constructed with local, low- embodied energymaterials and constructed with the highest standards for environmental sustainability. Developments meeting or exceeding the requirement for LEED 'gold' may be awarded additional incentives as outlined in these regulations.**

ARTICLE VI AUTOMOTIVE AND BICYCLE PARKING REQUIREMENTS

PARKING + ACCESS **PARKING RATIOS**

SECTION 6.01(b) REQUIRED OFF-STREET PARKING SPACES

Type	*Minimum*	*Maximum*
Row house	2.00 / Unit	**2.50 / Unit**
Multifamily	~~1.25~~ **0.75** / Studio	**1.00 / Studio**
	~~1.50~~ **1.00** / 1 Bedroom	**1.25 / 1 Bedroom**
	~~1.75~~ **1.50** / 2 Bedroom	**1.75 / 2 Bedroom**
	2.00 / 3+ Bedroom	**2.00 / 3+ Bedroom**
Retail / Office	1.00 / 350 sf GFA – Ground Floor 1.00 / 400 sf GFA – Floors 2+	**None** **None**
Restaurant	1.00 / 4 seats 1.00 / 4 ft. of standing table space	**None** **None**

PARKING + ACCESS **SHARED PARKING STRATEGIES**

SECTION 6.01(e) REQUIRED OFF-STREET PARKING SPACES

The aggregate number of spaces required for each of several uses separately may be provided on a common parking lot serving all of these uses. **Projects in close proximity to one another are encouraged to provide shared parking plans that meet the individual requirements per Section 6.01(b) across multiple properties by special permit.**

PARKING + ACCESS **PARKING REQUIREMENT REDUCTIONS**

SECTION 6.01(f) REQUIRED OFF-STREET PARKING SPACES

Where it can be demonstrated that the combined peak parking needs of all the uses sharing the lot will, because of differences in the peak hours or days, be less than required by 6.01(b), the number of the parking spaces to be provided may be reduced accordingly by Special Permit.

"Public transit" may be mistaken as limited to MBTA. Participation in TMA shuttles should be added, e.g., add "**and participation in shuttle services and other transit alternatives available to the public.**"

Developments that encourage the use of alternate modes of transportation may be eligible to receive a reduction of the required amount of automobile parking spaces by special permit. This credit may be achieved by demonstrating a reduced demand for automobile parking by the encouragement of cycling, walking, car sharing, and use of public transit. The reduced parking requirement shall correspond to the reduced automobile parking demand, but in no case shall exceed 25%.

PARKING + ACCESS **SHARED PARKING STRATEGIES**

SECTION 6.01(g) REQUIRED OFF-STREET PARKING SPACES

If the ownership requirement is deleted, what requirement will there be that the lot that is the source of the parking need will have rights to park on a remote lot in other ownership for an adequate duration? Is a lease enough? An easement? For what term? What happens if the arrangement is terminated for some reason?

Required off-street parking areas shall be provided on the same lot they serve, except that the Board of Appeals may grant a special permit for off-street parking areas to be provided on another lot~~, in the same ownership as the principal use~~; and any such parking lot shall not be otherwise used or diminished in size unless the Board of Appeals finds the lot is no longer required by the principal use it serves.

CAR SHARING PROGRAMS AND CHARGING STATIONS

SECTION 6.01(i) **REQUIRED OFF-STREET PARKING SPACES**

Residential and mixed-use developments required to provide fifteen (15) or more parking spaces per Section 6.01(b) are required to provide a minimum of one (1) parking space per fifteen (15), up to a maximum of three (3) spaces, designated for a car sharing program. In developments requiring more than one hundred (100) parking spaces per Section 6.01(b), two (2) electric vehicle charging stations shall be provided, with an additional one (1) charging station per fifty (50) additional parking spaces thereafter up to a maximum of five (5) charging stations. These parking spaces shall be counted towards the total number required by Section 6.01(b). These requirements may be met through an approved shared parking plan with an adjacent property per Special Permit.

PARKING + ACCESS NON-CONFORMING USES

SECTION 6.01(j) **REQUIRED OFF-STREET PARKING SPACES**

Why 1988? How does this affect a structure built <1988 but substantially altered, or whose use was substantially changed later? Must the use in 1988 have continued unchanged t the present? E.g., how would this affect Arsenal buildings?
If a <1988 structure has parking, may it remove that parking?
Why 40%?

No structure constructed, or use instituted, prior to 1988 shall be required to meet the off-street parking requirements per Section 6.01(b) unless these is a substantial change in the structure or in the use of the structure or land.

For purpose of this section, "change" means any enlargement, conversion or alteration in structure or use. A "substantial change" means more than a forty percent (40%) difference between (a) and (b) as follows: (a) the number of parking spaces required under the current Zoning for the structure or use, as it existed in 1988, and (b) the number of parking spaces required under the current Zoning for the proposed structure or use. [Substantial change: b - a = c, if c/a > .40 (40%)]

1. If the change is not a substantial change, no additional off-street parking is required.

2. If the change is a substantial change, the use must comply with the net increase in parking demand of the entire structure or use.

SUSTAINABLE DESIGN PERMEABLE PAVING OPTIONS

SECTION 6.02(a) LOCATION AND DESIGN OF OFF-STREET PARKING

Areas of required Off-street parking may be open or enclosed in a structure provided that if open, such areas shall be graded, drained, and surfaced in conformance with currently applicable engineering standards as determined and promulgated by the Superintendent of the Department of Public Works. **Permeable paving options shall be employed to allow for natural groundwater recharging.** In no instance shall surface drainage be permitted to drain into land or adjacent property owners of the Town right of way except in the case of single and two-family homes.

PARKING + ACCESS **CURB CUTS**

SECTION 6.02(h, i) LOCATION AND DESIGN OF OFF-STREET PARKING SPACES

No change recommended

Edits shown below in 6.02(k) with strikethroughs and green text

PARKING + ACCESS **VEGETATED BUFFERS**

SECTION 6.02(k) LOCATION AND DESIGN OF OFF-STREET PARKING SPACES

Current first sentence of the ZO (found on p.74) should remain, as shown here.

Except as set forth in Section 6.02(j) and 6.02(n), the surfaced area of off-street parking areas shall be set back a minimum of eight (8) feet from all buildings and lot lines except as allowed in Section 6.02(e). Such setback areas, ~~except for~~ including entrance and exit drives, shall be ~~properly~~ generously landscaped with grass, trees, shrubs, flowers, or other landscaping materials **of adequate height and density so as to visually obscure parked vehicles from view.** In addition, at least ~~five (5)~~ ten (10) percent of the interior of any parking area with twenty (20) or more parking spaces shall be landscaped and continuously maintained. **This landscaping shall be distributed in islands and shall include a minimum of two shade trees of a species as approved by the Watertown Tree Warden with a 3" caliper or greater per island. Location of trees within parking areas shall be done to maximize shade on cars and pavement to reduce the "heat island" effect.**

PARKING + ACCESS **BICYCLE PARKING RATIOS**

SECTION 6.07(a.1) BICYCLE PARKING

One bicycle parking space for every 15 automobile parking spaces **in commercial/office mixed-use developments, and one bicycle parking space for every five (5) automobile parking spaces in residential mixed use developments,** ~~with~~ a minimum of ~~four (4)~~ **six (6)** ~~and a maximum of 50 parking spaces~~, must be provided. ~~No bicycle parking is required where fewer than 15 automobile parking spaces are required.~~

PARKING + ACCESS **BICYCLE STORAGE FACILITIES AND LOCATION**

SECTION 6.07(a.3) BICYCLE PARKING

No change recommended

ARTICLE VII SIGNS AND ILLUMINATION

SIGNAGE	CLARIFYING DEFINITIONS
SECTION 7.01(e)	DEFINITION OF TERMS
	Freestanding Sign: any sign not attached to a building or other improvement but instead permanently erected upon or standing in the ground and usually supported from the ground by one or more poles, columns, uprights, braces or cement anchors. Freestanding signs include monument signs but do not include portable signs.

SIGNAGE	CLARIFYING DEFINITIONS
SECTION 7.01(e)	DEFINITION OF TERMS
	Identifying Sign: any permanent structure or building surface, or part thereof or device attached thereon or other outdoor surface or any combination of one or more of the foregoing containing any word, letter, symbol, drawing, model, banner, picture or design, or any device used for visual communication which identifies or calls attention to any premises, person, product, activity, service, or business, directing the subject thereof to the attention of the public. Signs do not include non-commercial murals. ~~any sign giving no more than the name, address and telephone number or the business or occupant of the premises or of its operator and the hours open for business.~~
SECTION 7.01(h)	DEFINITION OF TERMS
	~~Monument Ground Sign: a sign that is anchored directly on the ground, not exceeding thirty-two (32) square feet in gross area, nor four (4) feet in height and which shall be externally illuminated.~~
SECTION 7.01(j)	DEFINITION OF TERMS
	~~Pole or Pylon Sign: any sign supported by or suspended from a freestanding column or columns designed solely to support said sign and set directly on the ground.~~
SECTION 7.01(k)	DEFINITION OF TERMS
	Projecting Signs: any non-translucent sign which is affixed at a right angle to the building wall, which include fin, blade, and symbol signs.

SECTION 7.01(p) **DEFINITION OF TERMS**

Emergency Egress Lighting: Luminaires designed to illuminate emergency egress doors and where such luminaires are connected to and activated by the emergency activation/fire alarm system.

SECTION 7.01(q) **DEFINITION OF TERMS**

Walkway Accent Lighting: Luminaires that are up to 42 inches tall in total height, and are used to illuminate walkways, curbs, or similar situations, but not landscaping.

SIGNAGE	SIGN NUMBER / LOCATION
SECTION 7.03(a.1)	SIGNS IN ALL DISTRICTS

Any ground-level occupancy with more than one occupancy frontage may have one attached sign on each occupancy frontage ~~One sign, unless otherwise specified, may be placed either on each wall~~ facing a street, **parking lot,** or in each yard facing a street, provided it is set back to at least one-half the depth of the required setback.

SECTION 7.03(a.5)	SIGNS IN ALL DISTRICTS

A free standing pole or pylon, or wall sign or any part thereof, shall not exceed twenty (20) feet **in height** above ground level, **and any ground mounted monument sign shall not exceed four (4) feet in height except by Special Permit and adhering to adopted Design Guidelines.**

SIGNAGE	MARQUEE SIGNS
SECTION 7.03(b.1)	SIGNS IN ALL DISTRICTS

A **wall or building mounted** sign or symbol ~~attached to a building~~ shall not project above the building wall to which it is attached, and shall not obscure any part of the roof of the building **except when integral to the design and character of the sign, in which case it will be allowed by Special Permit only and adhering to adopted Design Guidelines.**

SIGNAGE	PROJECTING SIGNS
SECTION 7.03(b.2)	SIGNS IN ALL DISTRICTS

A sign, except for the projection of a symbol, **accessory, marquee,** or banner, shall not project more than six (6) inches from the building.

SIGNAGE	BANNER SIGNS
SECTION 7.03(b.4)	SIGNS IN ALL DISTRICTS

Banner signs are by their nature temporary, and a time limit for display, such as 60 days to 6 mos, should be in ZO.

A banner sign must be set back at least two (2) feet from the curb line and be at least **nine (9)** ~~seven (7)~~ feet above ground level. The total area of a banner may not exceed fifty (50) square feet.

SIGNAGE	MONUMENT SIGNS
SECTION 7.03(d.2)	SIGNS IN ALL DISTRICTS For a **monument,** pole or pylon sign, the calculation of sign area shall use the dimensions of one surface only to comply with the limits of Sections 7.03 through 7.07.

SIGNAGE	PROHIBITED COMPONENTS
SECTION 7.03(g.3)	SIGNS IN ALL DISTRICTS No interior and/or supporting infrastructure of a sign shall be exposed to public view other than permitted projecting symbol signs. **No exposed conduit, junction boxes, or transformers shall be exposed to public view.**

SIGNAGE	ENTRANCE SIGNS
SECTION 7.06(b)	SIGNS IN THE NB, LB, CB, I, AND PSCD DISTRICTS One identifying sign for each ~~use~~ **occupancy frontage facing a street, parking lot, or public way. In the case of a** ~~If~~ free-standing pole or pylon sign, said identifying sign may be up to sixteen (16) square feet or **32 square feet in the case of a monument sign.** If a wall or marquee sign, said identifying sign may be up to five (5) percent of the area of the wall or building façade. The dimensions used in calculating this percentage shall be the horizontal measure of the **occupancy** frontage of the business and the vertical measure**ment of the building** not exceeding the top of the second story of the building façade (also see (d).

SIGNAGE	LARGER COMMERCIAL DEVELOPMENTS (MALLS)
SECTION 7.06(e)	SIGNS IN THE NB, LB, CB, I, AND PSCD DISTRICTS In no instance may the gross area of all signs including accessory signs exceed two hundred (200) square feet in area on a single lot, except in the case of multiple buildings where each building may have up to a maximum of 200 square feet including accessory signs. Any retail site with building footprints in excess of 100,000 square feet may, **by Special Permit and adhering to the adopted Design Guidelines, request an increase in total square feet and number of signs, however the aggregate square footage may not exceed 350 square feet per building.**

SIGNAGE — LARGER COMMERCIAL DEVELOPMENTS (MALLS)

SECTION 7.06(h) — **SIGNS IN THE NB, LB, CB, I, AND PSCD DISTRICTS**

One free standing sign may be permitted for the purpose of a business directory provided that no more than three (3) square feet shall be permitted thereon for each use except by special permit. The aggregate sign area shall not exceed thirty-two (32) square feet.

SIGNAGE — CONSISTENCY ACROSS DISTRICTS

SECTION 7.07(a-e) — SIGNS IN INDUSTRIAL DISTRICTS

Strike all sections, adjust numbering of following sections accordingly.

SIGNAGE — LIGHTING STANDARDS

Recommended edits below, shown with strikethroughs and green text

SECTION 7.12 — **EXTERIOR LIGHTING STANDARDS**

1. **The light source shall be Light Emitting Diode (LED), metal halide or high pressure sodium. Mercury vapor ~~is~~ and low pressure sodium are prohibited. Other sources, including but not limited to ~~incandescent~~, tungsten halogen, ~~and compact fluorescent~~ may be considered, particularly for flush mounted or recessed luminaires.**
2. **Pole-mount or wall-pack luminaires shall be "shoe-box" type or decorative in nature (with interior directional shields), consistent with the architectural theme of the development. Flood, area and up-lighting is strictly prohibited.**
3. **All luminaires, regardless of their intended use or mounting configuration shall have a total cutoff of all light at less than ninety (90) degrees from vertical (fully shielded lighting fixtures) and the lighting fixture should only be visible from below.**

90 degrees is too wide and conflicts potentially with #4 below

4. **Reflectors and shielding shall provide total cutoff of all light at the property lines of the parcel to be developed.**
5. **Developments that abut residential areas or are visible from public roadways shall not utilize parking lot light poles exceeding 20'-0" in height (base + pole + head).**
6. **Developments that do not abut residential areas shall not utilize parking lot light poles exceeding 25'-0" in height (base + pole + head).**
7. **Light poles utilized for walkway lighting shall not exceed 12'-0" in height (base + pole + head).**
8. **The location of on-building mounted wall-pack luminaires shall not exceed 20'-0" in height. These luminaires shall have cut-off sufficient that no light crosses the property line of the subject development.**

Eliminate "timer and/or"

9. All luminaires except for walkway accent lighting shall be equipped with a ~~timer and/or~~ light sensor such that they will deactivate and turn off not more than two hours after the stated closing time and during daylight hours. Excluded from this provision is emergency egress lighting.

SIGNAGE

LIGHTING REGULATION AND ENFORCEMENT

SECTION 7.13

EXTERIOR LIGHTING TECHNICAL SUBMITTALS

The following information shall be submitted as part of any development requiring a Special Permit:

A. A site lighting design drawing or drawings, stamped and signed with the seal of a Massachusetts Registered Professional Electric Engineer.

B. Electrical site plan indicating the location of each and every exterior luminaire to be installed. The fixtures shall be labeled as to the type of luminaires specified. Where pole-mounted fixtures are to be used, a diagram shall be included of such proposed lights, including walkway lights that show height of the base, pole and fixture head. Where wall-mounted luminaires are specified, the mounting heights of fixtures shall be indicated on the plan.

C. A lighting fixture schedule that designates the type of luminaires specified including the following information:

a) The number and type of lamps to be used in each luminaire;

b) A description of the luminaire and light pole if applicable;

c) The manufacturer's name and catalog numbers of the specified equipment;

D. Manufacturers' specification sheets shall be provided for all proposed luminaires and poles to be used (where poles are used). Manufacturers' specification sheets should indicate the shape and dimensions of the luminaires and poles.

E. Manufacturers' computer-generated point-to-point printouts shall be submitted indicating the horizontal initial and maintained foot-candle levels at grade, within the property to be developed and twenty-five (25) feet beyond the property lines. Computer-generated printouts shall indicate the locations and type of luminaires analyzed. Maintained foot-candle levels should be calculated, using IES recommended procedures. Light loss factors used to calculate maintained foot-candle levels should be indicated on the computer-generated printouts. Pertinent data, such as building outline, building entrances and exits, loading areas, landscaping, walkways, roadways, bikeways, parking areas, curbs and property lines should also be shown.

ARTICLE VIII OTHER REGULATIONS

No change recommended

ARTICLE IX ENFORCEMENT AND APPLICATION PROCEDURES

SUSTAINABLE DESIGN SOLAR POWER

SECTION 9.03(a) SITE PLAN REVIEW OF CERTAIN RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENTS

Development in the NB, LB, CB, I-1, I-2, I-3, and PSCD Districts greater than or equal to ten thousand (10,000) gross square feet or containing ten (10) or more residential units shall have an energy assessment completed to determine the viability of a rooftop photovoltaic system. The petitioner shall indicate, in writing, what actions/outcomes will be taken with a copy of the assessment, to DCDP.

ENABLING ZONING LANGUAGE FOR USING DESIGN GUIDELINES

SECTION 9.03 (d) SITE PLAN REVIEW OF CERTAIN RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENTS (Add a new subsection (d))

This is the first mention of this Design Consultant position. Per the top paragraph on the next page, the appointment is by the ZBA. A copy of the ZBA Rule is attached at the end of these comments. Those rules should change to allow the public, as well as the developer, to appeal the consultant selection.

(d) For projects with four (4) or greater residential units, or for non-residential projects with 10,000 square feet of new development or greater, or any mixed use project, the Petitioner's/developer's proposed project shall be subject to review according to Watertown's adopted Design Guidelines.

Prior to submittal for Board review, the Petitioner's/developer's proposed project shall undergo a review subject to Watertown's most current adopted Design Guidelines. The review will be conducted with representatives of the Petitioner/developer, the DCDP staff, and Watertown's Design Consultant to determine and discuss the proposed project's conformance to the most current adopted Design Guidelines.

The Design Consultant report should be available to the public at the same time it is submitted to DCDP and available prior to the first public community meeting.

Within seven (7) calendar days of the design review, Watertown's Design Consultant will submit to the Director of DCDP or his/her designee a written report analyzing the proposed project's conformance with Watertown's most current adopted Design Guidelines.

The Petitioner/developer may, in consultation with the Director of DCDP, have his/her proposed project undergo a second design review with the Town of Watertown's Design Consultant after completion of the required public information session noted above.

Could be too tight for a large complex project. Why not 14 days?

This should be the default process on projects meeting subsection D criteria

Petitioners/developers for projects subject to review under Watertown's most current adopted Design Guidelines shall, in accordance with Chapter 44 of the Massachusetts General Laws, Section 53(G) and in accordance with Section 5.2 of the Zoning Board of Appeals Rules of Practice, be required to make payment to Watertown's Design Review Fund to compensate the Design Consultant. The base payment into the Design Review Fund shall be a not to exceed amount of $10,000 as determined by the Director of DCDP. Funds collected in the Design Review Fund shall be used to pay for the services of Watertown's Design Consultant for the Petitioner's/developer's proposed project. ~~Any funds not expended for this purpose at the conclusion of Watertown's review of the proposed project shall be returned to the Petitioner/developer.~~

Delete the last sentence. Keep it simple and charge for the review. Use any excess to fund on-going development and management of good design standards for the town.

SUSTAINABLE DESIGN **EXISTING LANDSCAPE**

SECTION 9.03(c.1) SITE PLAN REVIEW OF CERTAIN RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENTS

No change recommended

BUILDING MASSING **SHADOWS**

SECTION 9.03(c.2) SITE PLAN REVIEW OF CERTAIN RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENTS

Require that developments per subsection D perform shade/sun/and view analysis for impacts on abutting residential buildings.

No change recommended

PUBLIC REALM **OPEN SPACE**

SECTION 9.03(c.3) SITE PLAN REVIEW OF CERTAIN RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENTS

No change recommended

PARKING + ACCESS **TRANSPORTATION EQUITY**

SECTION 9.03(c.4) SITE PLAN REVIEW OF CERTAIN RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENTS

No change recommended

SUSTAINABLE DESIGN FAÇADE PERFORMANCE, HIGH-EFFICIENCY DEVICES, GREEN ROOFS

SECTION 9.03(c.7) SITE PLAN REVIEW OF CERTAIN RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENTS

Apply this to all projects which require site plan review,

Environmental Sustainability: Proposed developments shall seek to diminish the heat island effect; employ energy conscious design with regard to orientation, building materials, and shading; utilize energy-efficient technology and renewable energy resources; and minimize water use. **All Mixed Use Developments in the NB, LB, CB, I-1, I-2, I-3, and PSCD Districts must meet "LEED ~~Certified~~ Silver (minimum)" requirements as outlined by the United States Green Building Council's *Leadership in Energy and Environmental Design* as a minimum.**
Documentation shall be provided by the applicant to the Town to verify that the project is in compliance.

This must be reviewed and approved by the town's design consultant in the form of a completed LEED checklist with supporting data and energy modeling analysis as needed to address the project design specifics.

PARKING + ACCESS PARKING IN SETBACKS

SECTION 9.08(e) SPECIAL PERMIT CRITERIA FOR I-3 DISTRICT – LOT SIZE

Mixed Use Development: For developments containing commercial uses open to the public and in accordance with Section 9.07(a) the minimum setbacks shall be consistent with the setbacks required in the I-1 District, except that the front yard setback shall not be less than ten (10) feet or more than forty (40) feet. ~~Parking shall be permitted in the front yard setback but at least the first ten (10) feet of the required building setback from the public right of way into the lot shall be landscaped with plant materials.~~

ARTICLE X ADMINISTRATIVE PROVISIONS

No change recommended

APPENDIX I LEGESLATIVE CHRONOLOGY

No change recommended

END OF DESIGN STANDARDS
February 20, 2015

Table of Height Requirements for Districts with Build to Line Requirements
WZO section 5.04

District	Setbacks (ft)			Max. Height (ft/stories)
	Front	Side	Rear	
NB	-	10 (d)	15	35/2.5 (j)
LB	-	15 (d)	20	40/4
CB	-	-	-	55/5
I-1	20	25 (d)	30	50/5 (k)
I-2	20	25 (d)	30	50/5 (k)
I-3	20	25 (d)	30	50/5 (k)
I-3 (Residential /Mixed Use)	20	25	30	50/5 (k)
PSCD	10 Max. 30 (s)	0/Shared party wall or 18 ft	18	Min. 24 Max. 54/5(u)

ZBA Rules of Procedure:

SECTION 5.2

The Board of Appeals may itself or at the request of the Planning Board impose additional reasonable fees on an application for the employment of outside consultants. When necessary, independent technical consultants may be contracted by the Board to assist with the further review of plans and studies, legal assistance, monitoring compliance, testing and engineering, etc.

Said fees must be deposited in a special segregated account consistent with the terms and provisions of G.L. c. 44, §53G established by the Town Treasurer. The special account, including any accrued interest, shall be expended at the direction of the Board of Appeals without further appropriation provided that such funds are to be expended by it only in connection with carrying out its responsibilities under the law. Any excess amount in the account attributable to a specific project including any accrued interest, at the completion of said project shall be repaid to the applicant or to the applicant's successor in interest and a final report of said account shall be made available to the applicant or the applicant's successor in interest.

An appeal by the applicant from the selection of said consultant may be made to the Town Council. The grounds for such an appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum required qualifications. The minimum qualifications shall consist either of an educational degree in or related to the field at issue or three or more years of practice in the field at issue or a related field. The required time limits for action upon an application by the Board of Appeals shall be extended by the duration of the appeal. In the event that no decision is made by the Town Council within one month following the filing of the appeal, the selection made by the Board shall stand. Such an administrative appeal shall not preclude further judicial review, if otherwise permitted by law, on the grounds provided for in this section.

The Board may require that the Applicant make an initial deposit of $20,000 into a special account established to retain consultants. In the event that such sum is insufficient to fund the necessary consulting services, the Board may require additional deposits.

REZONING UNION SQUARE

THE ARTS PERSPECTIVE

A GUIDE FOR CITIZENS, BUSINESSES AND CITY AGENCIES

Joseph A. Curtatone
Mayor

The Mayor's Office of Strategic Planning and Community Development
&
Somerville Arts Council

City of Somerville
Somerville, MA

with assistance from ArtistLink and the Massachusetts Cultural Council

November 2009

ArtistLink

somerville arts council

SUMMARY

The Mayor's Office of Strategic Planning and Community Development (OSPCD) and the Somerville Arts Council have recently completed a joint project to include and enhance arts-related uses within the overall rezoning of Union Square. This document updates a previous summary of the proposed rezoning of Union Square from the perspective of artists and those seeking to create or encourage the creation of space for arts-related uses. At the time of this revision, the zoning is final, having been formally adopted on April 23, 2009

The focus of the Arts Council effort has been to protect existing arts-related uses in the Union Square area, and to advance Union Square as a working arts district. The zoning changes assist in this goal by providing incentives for new arts-related uses of all varieties, with emphasis on making these spaces permanent, affordable, and a significant part of the public experience of being in the Square.

The focus of the OSPCD effort has been to anticipate and guide growth and change resulting from extension of the Green Line to Union Square. The OSPCD's goals include increasing the commercial tax base, adding to housing stock, creating affordable housing, protecting historic neighborhoods, spurring development of vacant and underutilized properties, creating an Arts District, and maintaining and augmenting the square as a pedestrian friendly, multi-ethnic district with an economically diverse population.

Here is a summary of the key changes incorporated in the new zoning that are of particular importance to the arts community:

- Citywide, the zoning provides greater clarity and predictability for live/work artists housing and work-only studios by adding or amending definitions of these uses in the Zoning Code.
- A new Union Square Arts Overlay District defines the area within which arts-related zoning changes would apply, to ensure that benefits are focused on the study area and to avoid negative effects on abutting areas or other parts of the city. Within the Overlay District, the zoning provides incentives for conversion of infill lots and underused space in existing buildings for arts-related uses, by regularizing and streamlining existing requirements for use, density, parking, and review procedures.
- Transit Oriented Districts (TOD's) are created at the eastern end of the Union Square district that are oriented to proposed Green Line transit stops. These areas will typically be built to higher density than most existing zoning districts allow, and will be subject to their own design guidelines. Most of these districts will include, by mandate, arts-related spaces which total at least 5% of their gross floor area.

GOAL #1: CITYWIDE, SUPPORT THE CREATION OF LIVE/WORK AND WORK-ONLY ARTISTS STUDIOS

Somerville is home to one of the highest concentrations of artists of any American city. However, ambiguities in the former citywide zoning discouraged the construction or reuse of structures for arts-related uses in areas that could profit by these activities.

Zoning codes are intended to give predictability to property owners, investors, and neighbors, by setting out clear rules on which specific uses are allowed in specific areas of the community. The former zoning was vague on the definition of live-work artists housing, and it contained no definition of work-only artist studios as an allowable use. This uncertainty discouraged the construction or reuse of structures for arts-related uses in areas that could profit by these activities.

The challenge: Uncertainty whether artists' living and working spaces are allowed uses due to ambiguities in the definition of arts spaces within the zoning code and exclusion of solo offices of architects and landscape architects from allowed home occupancy.

Formerly under the Somerville Zoning Code, there was a vague definition of "Artists Housing" for live-work spaces. Up to 3 units of Artists Housing was allowed as-of-right in the Multi-Family Residential (RC), Commercial (BA), and Commercial Residential (BB) districts. A special permit was required for more than 3 units in these districts, and for any number of units in the Central Business District (CBD) and Industrial A (IA) districts.
(Artists Live/Work Housing remains the only residential use allowed in the Industrial IA or IP district.)
(The former zoning also contains a general definition of an artist's studio as a type of "Accessory Residential Use: Home Occupation." This use is allowable in every district except Industrial IB, if it is located on the same property as the artist's residence.)

The former zoning did not contain any definition of artists' work-only studio spaces as a allowable use. If an artist's studio were located in a separate building from the artist's residence, it might fall into any of a number of commercial categories, such as office, crafts-related store, or light manufacturing. In addition there was no clear definition of a performing arts studio space that would be used for lessons, rehearsals, and limited performances. Such a space might fall into any of a number of categories, such as community center, commercial health or exercise facility, or school for instruction in arts. Many of the above use categories were barred, or limited in size, within Union Square.

The Solution: To give greater certainty and predictability under the Zoning Code, several definitional changes have been adopted that apply to the entire zoning code.

- 2.2.11.b creates the overall category of Arts-Related Uses within which there area a number of different use types including the following:
    - Artist Live/Work Space
    - Artist Studio Space
    - Arts-related educational facility

  - Crafts-related retail store
  - Museum/Gallery
  - Retail sales of art and arts supplies
  - Office of creative design professional (e.g., architect, landscape architect, industrial designer)
  - Theater or performance space
  - Other bona-fide arts-related uses, subject to SPGA approval.

- 2.2.11 clarifies the definition of "Live/Work Space" as an official use category.
- 2.2.11A defines a new use category for work-only "Artist's Studio" space, which recognizes a wide variety of creative uses.
- 2.2.69 clarifies the former definition of "artist's studio space" as a "Home Occupation," to allow such uses within garages, carriage houses, and other accessory buildings on residential lots. Home offices of architects and landscape architects are also allowed under the new definition. This is basically an accessory residential use and is separate from the Artist's Studio Space zoning category.

Here is the new text in the Definitions section of the Zoning Code:

> "2.2.11. **Artist Live/Work Space** – a building or any portion thereof containing at least 750 s.f. in size that is used by the occupant(s) therein for both residential use and Artist Studio Space. Such households must include at least one artist certified by the City of Somerville. Inclusionary Units in Artist Live/Work Space projects will be made available to households in which at least one member is an artist certified by the City of Somerville subject to inclusionary household income eligibility requirements. Retail sales of art produced on-site that does not take place more than twelve (12) hours per week will be an allowable accessory use. [note that "inclusionary uses" refers to projects that are for one reason or another required to provide some affordable units]
>
> "2.2.11A. **Artist's Studio Space**. Space used for the creation, production, rehearsal or teaching of any visual art or craft, including but not limited to painting, drawing, graphic design, photography, video, film, sculpture, and pottery; of written works of fiction or nonfiction; or of any performing art, whether for live or recorded performance, including music, dance, and theater, and accessory sales of such art." [The definition also requires the indoor storage of materials, and it prohibits offensive noise, vibration, dust, and other objectionable impacts, and limits accessory sales of art produced on-site to no more than twelve hours per week.]
>
> "2.2.69. **Home Occupation**. . . . A home occupation shall include, but is not limited to: the studio of a visual artist, craftsperson, musician or other performing artist, photographer, or writer; and the office of an architect, landscape architect...."

The Challenge: To ensure that the art spaces are occupied and used by working artists.

The Solution: Require artist certification and deed restrictions.

- The City of Somerville has created a process to certify artists in order to verify that Artists Live/Work Space and Artist's Studio Space is actually occupied by the artists that it is intended to benefit. To address this issue, the City has created a peer-reviewed program of artists' certification. This program will to ensure that projects built under the new zoning classifications are preserved for the use of bona-fide artists.

- Deed restrictions are required for "Arts Related Uses" that are declared as part of the building permit process, or in administrative review, or both. As a for-instance, an as-of-right retail space used as a gallery that was not restricted by its review to an arts related use would not require a deed restriction, but Artist Live/Work space located above it that used any of the special provisions of the new zoning would need to be deed restricted.

*(See **Appendix B** for the description of the Artist Certification process that will be used in Somerville)*

GOAL #2: SUPPORT ARTS-RELATED USES IN UNION SQUARE THROUGH CREATION OF ARTS OVERLAY DISTRICT

Preserving and enhancing the character of Union Square for arts-related uses provides benefits to the area and the entire city. The new Arts Overlay District protects existing arts-related uses, and provide incentives for the creation of new ones, including artists' housing, artists' studios, theaters, galleries, and crafts stores. The new zoning:

- Provides incentives for conversion of underutilized space in existing buildings for "Arts-Related Uses"
- Grants density bonuses of from 25% to 50% for creation of "Arts Related Uses"
- Provides incentives for reuse of existing buildings (and encourages the arts in Union Square) by giving parking relief for continued or new reuse of those building for "Arts Related Uses"
- Imposes design guidelines to assure that new projects reinforce the livable, walk-able character of Union Square

The Challenge: The Union Square Arts Overlay District is made up of many different use districts or zones. Each zone has its own separate standards for permitted uses, dimensional restrictions, off-street parking and loading requirements, and other provisions as well.

The Solution: Make standards for art-related uses consistent throughout the new Arts Overlay District. Within the various sub-zones of the Overlay District, the new zoning regularizes the permitted use standards and review thresholds that apply to arts-related uses.

- In *Section 7.11, Table of Permitted Uses*, a new line is inserted for Artist Studio Space which allows it as a permitted use throughout the AOD when less than 5000 s.f. in gross floor area, and makes it subject to Special Permit (SP) when more than 5000 s.f.

- Also in *Section 7.11, Table of Permitted Uses*, a new line is inserted for Artist Live/Work Space which allows it as a permitted use throughout the AOD when 6 units or less, and subject to Special Permit Site Plan Review (SPSR) when 7 or more units.

- Within the Arts Overlay District, all other Arts Related Uses (besides Artist LIve/Work and Artist Studio Space) are governed by the underlying zoning. Therefore uses such as galleries, theatres, crafts stores, etc would not be allowed within the RB and RC areas within the Arts Overlay District.,

- Another significant change is that all development plans (a broad term that basically includes every project that requires a building permit) within the Union Square Arts Overlay District must undergo Site Plan Approval (SPA). Therefore, even the allowable uses must be reviewed for compliance with the Design Guidelines of the Arts Overlay District prior to receiving a building permit. This will have the effect of ensuring that the overall goals of the district are enforced via a review process. At the discretion of the planning office "Minor Projects" within the AOD may be administratively reviewed by planning staff. Larger projects will typically require Planning Board Approval, which

follows the administrative review. "Minor Projects" is a defined term (insert here the official definition of minor)

- New Structures or additions/extensions to existing structures of up to five hundred (500) gross square feet in area.

- Applications for façade alterations only, up to five hundred (500) linear feet of building face.

- Mechanical enclosures and horizontal improvements (parking lots, accessways, walkways, landscaping and the like), unless the horizontal improvement involves a new or relocated curb cut into a public street or significant changes in vehicle circulation.

- Establishment or change in use within a lawfully existing structure, where there is no increase in the structure's square footage in area.

- Subdivision resulting in the creation of only one (1) additional lot (e.g. an existing lot divided into two lots—creating one new lot).

- Note that wherever arts related spaces are included in mixed use projects, the zoning (and review process) encourages clustering of the arts spaces. This is to reinforce the sense of community and to make it more likely that the public will be able to locate and visit the artists. This is a guideline, not a hard and fast mandate.

The Challenge: The former CBD zoning did not facilitate a continuous street edge throughout the district, and had no incentives for rebuilding the upper floors of key commercial structures.

The Solution: The new Commercial Corridor zoning district (CCD) replaces the former CBD district within the Union Square Area. It runs along Somerville Avenue and Washington Street. It is governed largely by new Use Cluster regulations which are complex, but actually allow many types of arts related uses. Details are in *Section 6.1.22.E - Use Regulations in the CCD.* Dimensional regulations for the CCD zone are amended in *Dimensional Requirements, Section 8.5* of the zoning code. Maximum height is 55 feet and there is no minimum lot size. An *Historic Development Incentive* is included in *Section 6.1.22*.F. that may have ramifications for some of the commercial structures in the center of Union Square that were "lopped off" decades ago, reduced from their original height to one or two stories to decrease property taxes. If historic guidelines and approvals are followed and granted, it is possible to reconstruct to the historic bulk of such buildings without meeting current dimensional standards and parking requirements for the restored original floors.

The Challenge: Parking requirements discouraged reuse of existing buildings.
Although ground floor retail uses are generally strong throughout Union Square, there is a significant amount of unused space on the upper floors of existing buildings that are well suited for conversion to Artist's Live/Work or Artist's Studio space. There are also a number of vacant infill parcels that could be redeveloped for similar uses. As well as use restrictions and overly stringent requirements for special permits, parking constraints under former zoning impeded these projects, as well as the reuse of vacant ground-floor spaces for new retail uses.

The Solutions: Reduce parking requirements for existing uses and for arts-related uses.

- The adopted changes do not require increased parking for continuation of existing *non-residential* uses within the Arts Overlay District or in Commercial Corridor Districts. Addition of a new *Section 9.4.1* within the parking regulations section of the zoning code states that if a non-residential use was present (or had obtained a building permit or Special Permit) before November 19, 2008., the building does not need any more parking than that already provided on its site of changing to another non-residential use. Additions to the building require parking in the same ratios that would apply to new buildings.

- *Per the Off-Street Parking and Loading Section 9.5*, Artists Live/Work Space requires one parking space per unit city-wide, the same ratio that applies to efficiency/studio units. (compared to higher parking requirements for regular one, two and three bedroom residential uses in most other zoning districts)

- *Per the Off-Street Parking and Loading Section 9.5*, Artists Studio Space requires one parking space per 400 square feet city-wide (with the exception of studios developed in the Arts Overlay District within a structure existing prior to the zoning adoption, in which case no additional parking is required)

The Challenge: The existing FAR and lot area/unit regulations discourage deed-restricted arts-related uses, by requiring the same density ratios as market-rate housing and office space.

The Solutions: Provide incentives for building new art spaces. *Per Section 6.1.23.F* the new AOD zoning will encourage arts-related reuse of existing buildings, and the redevelopment of small infill parcels, by granting density bonuses for arts-related projects, described below:

- Within the residential RB portions of the AOD, a 25% density bonus for projects consisting solely of deed-restricted Artist Live/Work Space is granted, raising the FAR for such projects from 1 to 1.25. The required lot area for such projects is reduced from 1500 s.f. per unit to 750 s.f. per unit.
- Within the residential RC portions of the AOD, a 25% density bonus for projects consisting solely of deed-restricted Artist Live/Work Space is granted, raising the FAR for such projects from 2 to 2.5. The required lot area for such projects is reduced from 875 s.f. per unit to 750 s.f. per unit for projects up to 9 units. For projects over 9 units, the required lot area for such projects is also reduced from 1000 s.f. per unit to 750 s.f. per unit.
- Within the non- residential portions of the AOD, a 25% density bonus for projects consisting solely of deed-restricted arts-related uses *above the ground floor* is granted, raising the FAR for such projects from 2 to 2.5. The required lot area for such projects is reduced from 875 s.f. per dwelling unit to 750 s.f. per unit for projects up to 9 units. For projects over 9 units, the required lot area for such projects is reduced from 1000 s.f. per unit to 750 s.f. per dwelling unit.
- Within the non- residential portions of the AOD, a 50% density bonus for projects consisting 100% of deed-restricted arts-related uses is granted, raising the FAR for such

projects from 2 to 3. The required lot area for such projects is reduced from 875 s.f. per dwelling unit to 750 s.f. per unit for projects up to 9 units. For projects over 9 units, the required lot area for such projects is reduced from 1000 s.f. per unit to 750 s.f. per dwelling unit.

The Challenge: The Arts Overlay District extends one-half mile from east to west and includes many different building typologies and cityscapes. To be cohesive as a district, the AOD requires urban design consistency of both regulation and review.

The Solution: The Design Guidelines for the Arts Overlay District are listed in *Section 6.1.23.G.* and are intended to enhance the streetscape, encourage active retail use, and encourage pedestrian activity by specifically reviewing planning decisions regarding street walls, entrances, compatibility with neighboring structures, concealed parking areas, and signage. The planners will also review the design of proposed arts spaces for compatibility with the "Design Guidelines for Artist Live/Work Space" established by the Somerville Arts Council, *as attached here in Appendix A.*

GOAL #3: INCLUDE ARTS-RELATED USES IN NEW TRANSIT ORIENTED DEVELOPMENT PARCELS (TOD'S)

One of the benefits of the new zoning for the City of Somerville is inclusion of several TOD's in areas close to the future Union Square Green Line transit stop. These TOD's are zoned with urban densities and heights. The regulations governing these new mixed-use districts are necessarily both complex and flexible, and arts advocates sought to include a simple, fixed baseline for arts uses that all parties could agree to. Also, since the TOD's are excluded from the Arts Overlay District boundaries, a means was sought to continue the district's overall arts presence within the TOD's.

The Challenge: To ensure that arts related uses are included in high density Transit Oriented Development parcels (TOD's).

The Solutions:
Mandated art space inclusion: Most TOD's are required to include Arts Related Uses at 5% of TOD gross square footage (g.s.f.) per line J in *Table 6.5.F – TOD Dimensional & Use Standards.* Three of the four TOD's have this inclusion, with only TOD-55 *not* mandating some arts use. Ultimately this provision will provide 5,000 s.f. of arts uses for every 100,000 square feet of TOD development. Since the total TOD build-out within the new Union Square zoning area can potentially exceed 1,000,000 s.f., the potential amount of arts-related space is significant.

Inclusion of Arts Related Uses within certain "Use Clusters": Use Clusters are a new concept in the zoning code and apply to projects in the CCD and TOD districts. A Use Cluster is a "basket" of similar uses that can be substituted within a cluster without re-starting the approval process. Similarly sized clusters can also be exchanged for like-sized clusters with caveats about parking and allowable uses. Suffice it to say that clusters are "professional-level" in their nuanced complexity. Arts-related uses are included in some of the clusters found in *Table 7.13 – Table of Use Clusters.* Both mandated and non-mandated arts-related uses may be included in clusters. The cluster concept can allow a developer to propose a variety of uses in the original approval process without fully committing to all of them. This will allow uses to be explored as the project progresses, and should make arts uses more likely to be considered, since issues of demand, cost and income can be worked out as information and artist participation emerges. The following Clusters are relevant to the arts community:

- *Use Cluster B. Small Retail and Service* lists "art and art supplies", within its basket of uses.
- *Use Cluster C. Large Retail and Service* lists "art and art supplies" and "crafts supply where production may occur", within its basket of uses.
- *Use Cluster E. Residential* lists "artist live/work space – multiple units", "home occupation (no additional parking required other than for residential)" and "Office, within a primary residence (no additional parking required other than for residential)" within its basket of uses.
- *Use Cluster G. Educational/Recreational/Institutional Services* lists "theatre, cinema, or other public assembly", "museum/gallery", and "artist studio" within its basket of uses.
- *Use Cluster H. Light Industrial* lists "audio visual studio and production facility" within its basket of uses.

The Challenge: To continue the arts focus in new TOD public exterior spaces as well as within the new buildings

The Solution: Inclusion of public art within mandated landscaped areas: TOD's require landscaped open space. Public art is not mandatory in the open spaces, but its voluntary inclusion is encouraged within TOD's per *Design Guideline 6.5.H.18*

Appendix A: Art Space Design Guidelines

City of Somerville
Somerville Artist Live/Work & Artist Studio Design Guidelines

These guidelines reflect recommended attributes for developments that contain Artist Live/Work and Artist Studio spaces. These guidelines may be applied during the course of site plan review, special permit review, or any other procedure involving zoning relief. The purpose of the guidelines is to ensure that when Artist Live/Work or Artist Studio use is allowed under such a procedure, that the development is designed to meet the specific needs of the artist occupants, and to ensure that any potential impacts on adjacent uses in excess of what would have occurred under as-of-right uses have been adequately minimized or mitigated. It is understood that many existing buildings that may be converted to such use will have some but not all of these attributes. These guidelines do not supersede in any way the requirements of the State Building Code, as it shall be enforced by building code officials.

1. Space Requirements
    a. A minimum of 750 gross square feet is required but 1,000 gross square feet of artist live/work space for one artist is encouraged.
    b. Studio space should be at least 150 sq. ft.

2. Accessibility
    a. Doorways and hallways should be oversize width to accommodate the moving of large objects.
    b. Elevators should have a higher weight capacity than typical residential units.

3. Lighting
    a. The window-to-room ratio should be adequate for natural light. The ideal source of light is from the north.

4. Noise
    a. Wall and floor construction should have appropriate "sound transmission co-efficients" to prevent the transmission of sounds from machinery, equipment or repetitive tasks.

5. Indoor air quality
    a. Special ventilation and air handling techniques should be tailored to ensure the safety and health of residents, visitors, and neighbors,
    b. All spaces should provided venting via an outside wall, while providing a central ventilation system to the roof.

6. Ceiling heights
    a. Should allow for the creation of large works and equipment, including machinery and lighting.

7. Floors
    a. Should be constructed to provide extra weight-bearing capacity. Floors need not be finished, concrete flooring preferred.
    b. Upgrade flooring packages may be provided for dancers or performers.

Appendix B: Certification of Artists Studios

Draft Form - Not Instituted

SOMERVILLE ARTS COUNCIL
ARTIST CERTIFICATION APPLICATION[1]

WHAT IS AN ARTIST CERTIFICATE?

An Artist Certificate is a letter from the City of Somerville to an artist that confirms that the artist has been reviewed by a committee of peers and is "certified" as a working artist. An approved Artist Certificate application qualifies an artist to be eligible to purchase or lease spaces categorized in the zoning code as "live/work or artist studio" per agreement between a developer and the City of Somerville. If such spaces are re-rented or re-sold, the incoming tenant or owner also needs to be a certified artist. A certificate is valid for a period of five years. Any artist seeking to rent or purchase such a space for the first time will need a valid certificate. **However, once occupying or leasing a space, the artist is not required to maintain a current certification.**

WHO IS ELIGIBLE FOR A SOMERVILLE ARTIST CERTIFICATE?

Any artist, who either lives or works in Somerville, and who can demonstrate to a committee of peers that they have a recent body of work as an artist, and who requires space to support that work, is eligible. Applicants must be at least 18 years of age.

WHY DO I NEED AN ARTIST CERTIFICATE?

The City of Somerville has established a zoning amendment that allows for the creation of artist housing permanently dedicated to artists through deed restrictions or other legally binding covenants. An individual who seeks to rent or purchase one of these artist housing units will be required to submit a current Artist Certificate as proof of eligibility.

WHO REVIEWS THE APPLICATION AND MAKES DECISIONS REGARDING CERTIFICATION?

Each application and related attachments is presented to a peer review committee. The committee is comprised from a pool of Somerville artists and arts professionals who have been nominated to serve in this capacity. To make a nomination contact Gregory Jenkins at (617) 625-6600 ext. 2985. The peer review committee certifies whether each applicant is able to demonstrate that s/he is a working artist. The decision of the peer review committee will be final for that round. If an applicant is not certified during that round, s/he can reapply in a future round with further information.

WHEN DO I APPLY FOR AN ARTIST CERTIFICATE?

Applicants must apply for an artist certificate prior to the complete construction of artist housing. For those seeking affordable inclusionary artist housing, the applicant must undergo a two-step process. First, at least two (2) months prior to the projected completion of affordable artist housing, the applicant should seek artist certification and simultaneously undergo the inclusionary housing eligibility process which includes

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[1] This document was adapted from the BRA Artist Space Initiative.

income verification and attendance of a Massachusetts Housing Collaborative approved First Time Homebuyer training course. The applicant must have both certifications (Artist and First Time Homebuyer training) before applying for the affordable artist units. Second, the applicant can then proceed with the inclusionary artist housing lottery which is usually administered by the City.

For those seeking market-rate affordable housing, the Applicant must undergo the artist certification process at least one month prior to the projected construction completion date of the artist housing unit(s). With an artist certificate, the applicant may request to be entered into the market-rate artist housing lottery which generally will be administered by the City.

HOW DO I GET AN ARTIST CERTIFICATE?

To obtain an Artist Certificate, an artist must submit a simple application form. Please see below for the guidelines and attached Application Form.

APPLICATION REQUIREMENTS

Each application must consist of any combination of the following materials:

- Evidence of a recent body of work, created in the past 3 years, as documented in support materials such as CD's, slides, jpg's or other digital images, DVD's, video and/or audiotapes; production photographs; scripts, works of fiction, non-fiction or poetry. Support materials need to be labeled (i.e. artist's name, date of work). **Do not submit original artwork**;

- Evidence that the artist has training in the arts, as documented in a resume that summarizes that training;

- Evidence that the artist has presented his/her work in exhibition, performance, readings or comparable public programming, as documented in a resume, sample programs/invitations, catalogs, press clips, etc;

- Up to 3 letters of recommendation from artists and/or arts professionals (i.e., curators, producers, teachers, etc.) who are recognized within the arts community and who will attest that the applicant is a serious, working artist. Please note: only submit letters of recommendation if you cannot present evidence of recent body of work, evidence of formal training and/or evidence that you have presented your work publicly.

Application and supporting materials should be mailed to: Artist Certification, Somerville Arts Council, 50 Evergreen Ave. Somerville, MA 02145.

Applications must be postmarked by the deadline date. If you enclose a self-addressed stamped envelope, your materials will be returned to you within two months after the deadline.

The decision of the Peer Review Panel will be final for that round. Please be sure to submit a complete application.

AUTOMATIC CERTIFICATION

Automatic certification is granted to artists who have received recent fellowships from the Massachusetts Cultural Council or the Somerville Arts Council. Any artist who has been named a fellow or finalist through the Artist Grant Program of the Massachusetts Cultural Council or received a Somerville Arts Council fellowship grant in the past three calendar years is automatically eligible to receive an Artist Certificate. We cannot automatically certify artists who have received grants from other local arts lottery and/or the MCC's Professional Development Grant Program, as they do not use a similar review process.

If you are such an artist, you must submit a basic application. If you do qualify under this guideline and want to obtain an Artist Certificate, please fill out the attached application form only (no attachments) and send the application along with a copy of your award letter from the Massachusetts Cultural Council or Somerville Arts Council. Pending confirmation from MCC, your Artist Certificate will be issued.

For information about the artist certification process and future deadlines, contact Gregory Jenkins, Somerville Arts Council at (617)625-6600 ext. 2985 or gjenkins@ci.somerville.ma.us

CITY OF SOMERVILLE ARTIST SPACE INITIATIVE

ARTIST CERTIFICATION APPLICATION FORM

Draft Form - Not Instituted

Send application and supporting materials to: Artist Certification, c/o Somerville Arts Council, 50 Evergreen Ave., Somerville, MA 02145. Materials must be received by 5PM on Day Month Year to be considered during this round.

Name:_____

Street Address:_____

City/State/ZipCode:_____

Telephone(days):_____ Telephone(evenings):_____

*Email Address:*_____

Describe briefly why your work requires studio/loft-size space.

_____

What is your primary artistic discipline:

_____ Visual Arts

- _____ crafts
- _____design
- _____ painting/drawing
- _____ printmaking
- _____ other: _____

_____ Performing Arts

- _____ dance
- _____ theatre
- _____ music
- _____ photography
- _____ other: _____

_____ Media Arts

- _____ film
- _____ video
- _____ other: _____

_____ Literary Arts

- _____ fiction
- _____ non-fiction
- _____ poetry
- _____ other: _____

CHECKLIST OF ATTACHMENTS

Please note which of the following items are included (check all that apply):

____Support materials:

____up to 20 slides (digital or old-school); and/or
____up to 10 minutes of videotape/CD/audiotape; and/or
____up to 20 production photographs; and/or
____up to 10 reproductions of sketches used in set or costume design; and/or
____up to 30 pages of sample scripts, works of fiction, non-fiction and/or poetry.

Be sure to label all materials with your name, date of the work, and, where appropriate, media, dimensions and/or duration. Work must have been completed within three years of the date of this application. Please include a slide list with date, size and medium of work if slides are included.

DO NOT SUBMIT ANY ORIGINAL MATERIALS. The SAC will make every effort to handle materials with care but cannot accept responsibility for lost or damaged goods.

____ *Artist resume listing professional arts experience (i.e., exhibitions, commissions, teaching, etc.) and educational training. This resume can be supplemented with up to 10 pages of sample programs/invitations, catalogs/invitations, and/or press clips.

____ Up to three letters of recommendations from artists or other arts professionals who are recognized in the local community attesting that you are a serious, working artist. Please note: only submit letters of recommendation if you cannot present evidence of recent body of work, evidence of formal training and/or evidence that you have presented your work publicly.

____ Return-addressed, stamped envelope

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* Peer review panel members have indicated that a resume with supporting publicity materials is very helpful to them as they review each application and work samples. Any non-arts-related employment does not need to be included.

PLEASE DO NOT USE STAPLES, BINDERS OR OTHER PACKAGING. PAPER CLIPS ONLY. Due to anticipated volume, the SAC will return support materials when an artist provides a returned addressed stamped envelope ONLY. Other materials will be discarded after the review process is complete. BE SURE THE ENVELOPE HAS ADEQUATE POSTAGE FOR ALL MATERIALS.

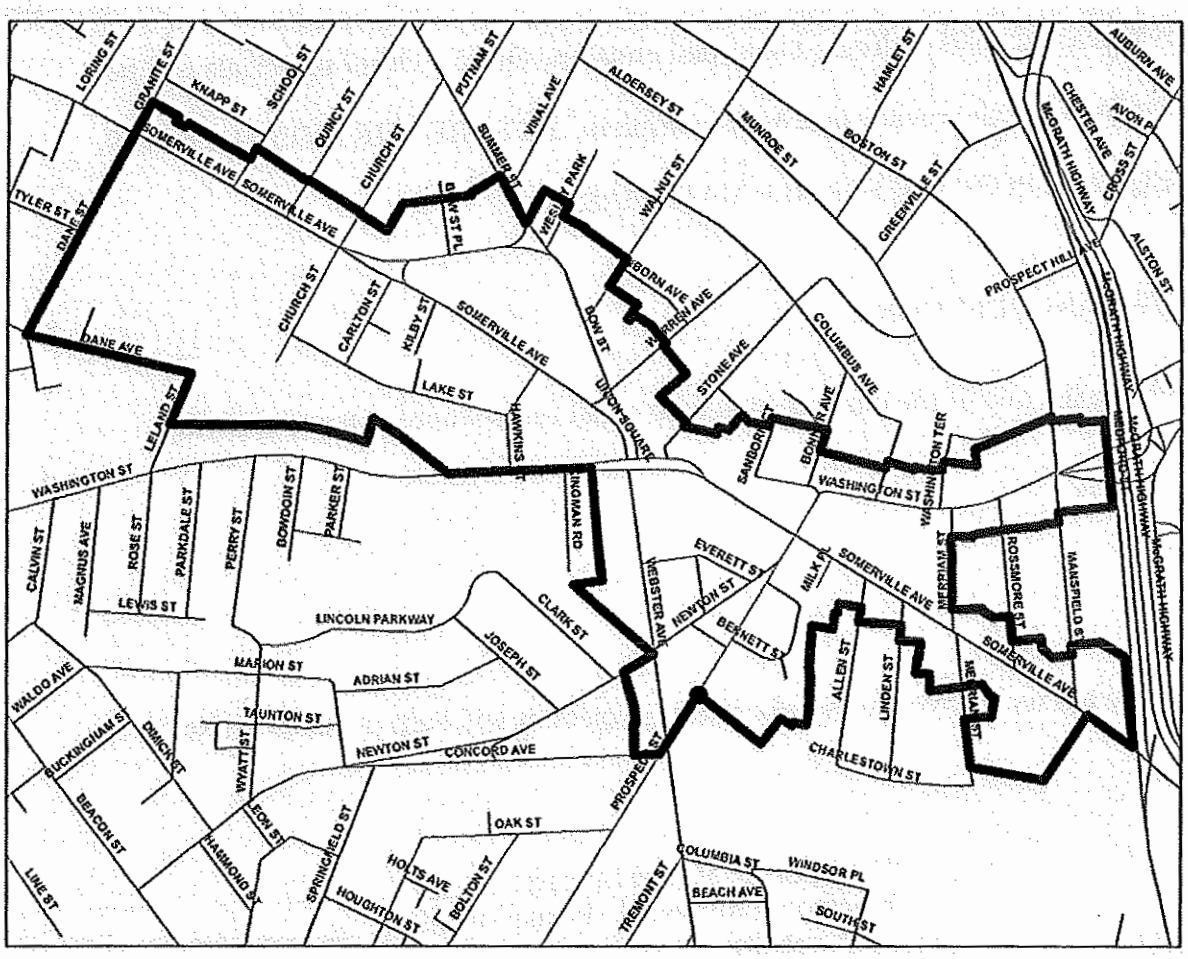
A FEW LAST QUESTIONS....

1. Please list any of the current sites with artist units where you are applying:

2. Please tell us how you heard about this project; it will help us reach artists in the future:

____Newspaper. Please Specify:_____
____Electronic Billboard. Please specify_____
____SAC website
____Word of Mouth
____Other:_____

Boundaries of the Union Square Arts Overlay District



A. DUSHKU COMMENTS ON DESIGN STANDARDS - March 2, 2015

General comment:

1. Public Realm Interface & Parking + Access categories both seem to lack any suggestions that will create more pass-through's in new developments. We have heard from residents about concerns of access to the Charles River and in the concern for 'massive walls'.
2. Parking + Access category does not include many recommendations on enhancing public transit flow and frequency.
3. No sign of adaptive re-use strategy in this document. In a future where we depend less on private vehicles, owners of parking garages will seek to transform the buildings to other uses. We should require certain design elements to make this easier and more inexpensive.

Specific comments:

ARTICLE II DEFINITIONS

SECTION 2.42 LANDSCAPED

-while 'facilitation' may be understandable by many, I think that it would be beneficial to specify that new road infrastructure should be designed to drain unimpeded into below-grade landscaping.

ARTICLE V TABLES OF DISTRICT REGULATIONS

SECTION 5.05(f) NOTES TO TABLE OF DIMENSIONAL REGULATIONS (add to table as noted)

- 400 foot buildings are too long. They impeded access from neighboring communities and especially along important commercial or transit corridors and the river. Lower this to 150 feet so that we can create more diverse neighborhoods and side-streets (for automobiles, bikes and pedestrians).

ARTICLE VI AUTOMOTIVE AND BICYCLE PARKING REQUIREMENTS

SECTION 6.01(b) REQUIRED OFF-STREET PARKING SPACES

1. For retail/Office and Restaurant, we should not allow free off-street parking spaces. All should be metered or within pay-to-park structures.
2. Relax parking requirements for restaurants –OR- add a new category for small restaurants with no requirements –OR- add an option for payments en lieu of parking. Payments should be made to a revolving fund dedicated to streetscape and transportation improvements in the neighborhood.
3. There should be 2 versions of the table: one for 'transit corridors' (with lower numbers) and another for areas with no public transit access.
4. We should add maximum values for the 2 commercial types. Why would we want to allow developers to build excessive parking when we are trying to promote alternative transportation and have less cars on the road?

SECTION 6.01(f) REQUIRED OFF-STREET PARKING SPACES

-Require unbundled parking in new developments above a certain size.

SECTION 6.02(a) LOCATION AND DESIGN OF OFF-STREET PARKING SPACES

-It is unclear to me whether or not the permeable paving option is a suggestion or a requirement. It should be the latter.

SECTION 6.02(k) LOCATION AND DESIGN OF OFF-STREET PARKING SPACES

-In the discussion of landscaped islands, it should be specified that they be built below-grade of the impermeable parking surfaces and that run-off from the site be directed towards them and given unimpeded access to them.

ARTICLE IX ENFORCEMENT AND APPLICATION PROCEDURES

SECTION 9.03(a) SITE PLAN REVIEW OF CERTAIN RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENTS

-Add a requirement that building roof's be given southern-exposure/orientation so that solar projects are more feasible. This may be the wrong place for this requirement [better in Section 9.03 (c.7) perhaps?].

SECTION 9.03(c.4) SITE PLAN REVIEW OF CERTAIN RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENTS

-Add requirements to incorporate infrastructure and design that will enhance public transit flow and efficiency.

SECTION 9.03(c.7) SITE PLAN REVIEW OF CERTAIN RESIDENTIAL AND NON-RESIDENTIAL DEVELOPMENTS

-this section should specifically mention green roofs.

Adams, Andrea

From:	John Hawes <jbhawes@gmail.com>
Sent:	Monday, March 09, 2015 12:03 PM
To:	Schreiber, Gideon
Cc:	Magoon, Steven
Subject:	Design Standards comments

Hi Gideon-
I have reviewed the **Design Standards**. I think they are excellent.

I have one major issue which may not matter: there is quite a bit of repetition in all the Sections between "Elements" and "Strategies - Encourage". I'm not sure how to simplify this. The description of each Element item is usually the encouraged route and may be detailed, but then gets repeated to some extent later. One approach might be to state Elements Encouraged and then Elements Discouraged. (Perhaps repetition is a good thing, but this occurs between many sections anyway).

Two minor content points:
p. 4 "Economic activity". Add "existing" before "commercial areas". When I read this, I felt the study applied only to commercial uses. Of course, residential uses there are equally covered.
p. 60 Repetition between "Transparency at Ground Level" and "Outdoor Seating areas" on "spill-out".

Typos / word choice:
p. 17 item 2 - "sheilded"
p. 52 "Appropriate landscaping" - "compliment" - should be "complement". (They should check for all "compliments"; I may have missed some).
p. 60 "High Quality and Natural Materials" - "resist aging well" not "poorly".
"Transparency at Ground Level" - "activation" should be "activating".
p. 75 "Signage lighting" - "compliment"
p. 76 "Materials and Colors that Compliment"
p. 77 "Rooftop Signage" - "roofline is" should be "are".

Zoning Ordinance changes:
p. 2 Section 2.34 - "substantial opening" needs clarification.
p. 6 Section 5.04 - We need to bring I-1, I-2, I-3, I-3 Residential/mixed use and PSCD into conformity:

- Min. lot per dwelling should be 1,000 sf not 800, for I-3 types.
- Front yard setbacks should also be conformed. Here I would make the distinction between **residential at 20' and commercial at 10'** in all these zones. (15' is used in R1.75; should 20' be 15' elsewhere as well?)

p. 7 Move Section 5.05 (n) before 5.05 (s). Note correction for Section 5.04 (s)
p. 20 Sections 9.08 (d) and (e) - Review these relative to conformity for the zones I note in bullet above.
(Problem now is that any mixed use can have 10' front setback for all uses rather than distinguishing between residential and commercial. 10' setback should only apply to active retail on street frontage).

Good job,
John

Adams, Andrea

From:	Stephane Acel-Green <stephaneacelgreen@gmail.com>
Sent:	Tuesday, March 10, 2015 9:03 AM
To:	Sideris, Mark; Corbett, Stephen; Falkoff, Susan; Palomba, Anthony; Kounelis, Angeline; Lenk, Cecilia; Piccirilli, Vincent J; Woodland, Kenneth; Dushku, Aaron; Magoon, Steven; Schreiber, Gideon; Marchesano, Ingrid; Adams, Andrea
Cc:	Kenneth Mirvis; Meredith Fields; brian; Matt Riegert; Lauri Murphy; Zevitas Zach; Parsons, Raeleen; Terese Hammerle; Lewis, Edward
Subject:	WE3C Design Standards Suggestions

Dear Members of Town Council, Planning Department, and Planning Board,

The Watertown Environment and Energy Efficiency Committee is heartened by the draft design guidelines and standards. After careful review, we are offering constructive suggestions to make them even better. Please forward onto the Planning Board.

First, looking to recent Cambridge, MA zoning ordinances, we have found some ideas for potential adaptation in Watertown. You can review the following suggestions and more here: http://www.cambridgema.gov/CDD/zoninganddevelopment/sustainablebldgs.aspx. In particular, the following are elements of the Cambridge Zoning Ordinances that we believe Watertown should consider adapting:

- New Cambridge development between 25,000-50,000 square feet must be LEED certified, but buildings over 50,000 square feet must receive a silver rating. Development in Kendall and Central Squares must be Gold certified. Perhaps Watertown can adapt these requirements, for the square footage that makes the most sense for Watertown, so that larger development or development in high density or ecologically sensitive areas must also achieve higher LEED certification than the most basic certification.

- Cambridge also has an incentive for Green Roofs: "Green roofs are excluded from the calculation of gross floor area (GFA) even when access to the rooftop is provided. For non-green roofs, access to a rooftop, when located above the third floor, triggers the roof area being included in the GFA calculation. As an incentive to create green roofs, decks or patios up to 15% of the green roof area are permitted."

- Here is the full Zoning Ordinance Article 22:
http://www.cambridgema.gov/~/media/Files/CDD/ZoningDevel/Ordinance/zo_article22_1359.ashx

We have additional suggestions for the Watertown design guidelines and standards.

First is an aspirational goal for incorporation:

"In alignment with the Commonwealth's goals for reducing greenhouse gases by 80% by 2050 and Watertown's commitment as a Green Community, we are aggressively seeking ways to minimize energy usage in Watertown. To that end, we are evaluating a timeframe for transitioning to net-zero buildings. In the meantime, we desire that buildings are designed and built to the best practices for energy efficiency as we approach the net-zero goal in the next few years.

Energy efficiency standards are rapidly changing as greater concern about climate change and improving technologies have driven a sea-change in building design philosophy. Green building design which had minimal usage just 10 years ago is now mainstream. Similarly, net-zero design has gone from an unknown technique to approaching mainstream in just a few years. As this document is, by definition, visionary – "Vision for 2025" as stated in the introduction - we urge developers to use the most energy efficient techniques available to avoid being outdated within a few years or even by the time the building is finished!

Note that while LEED certification is excellent for evaluating a building for overall environmental characteristics it has had mixed results in predicting energy efficiency. Therefore, in addition to LEED certification, we strongly recommend other guidelines to ensure maximum energy efficiency in the design."

Now to address the design document language, here are some very specific suggestions:

-On section 6.02 (k) of the design standards about vegetated buffers, we approve of the use of shade trees and also recommend inclusion of the following wording, which is similar to what appears in section 2.42, specifying that plantings be "native, noninvasive, and drought-tolerant."

-On section 9.03 a of the design standards which require a solar assessment, we suggest the addition of the word "independent" as in an independent energy assessment. If that independent assessment then finds that the project is amenable to PV, we request that PV be required in the development. In addition, this section specifies that solar assessments are for development larger tjam 10,000 square feet or ten residential units. We suggest that this section drop the square footage and unit minimum.

On section 9.03 (c.7) of the design standards, "employ energy conscious design with regard to orientation (etc)...", perhaps the language could be changed to specify that passive solar is required. Watertown can require that developers orient building to maximize southern exposure. Maximize southern and minimize northern glazing. Use overhangs to shade windows and doors in summer. Include thermal mass in buildings to spread heat from solar gain throughout day and night. Use daylighting methods such as light shelves.

-On page 4 of the Draft Design Guidelines Book, we suggest that the language under environmental performance be changed to the following, "New Development shall be required to demonstrate sustainable construction practices to include..." Also change "seek to" in such phrasing as "seek to diminish heat island effect" should be changed to "shall diminish heat island effect through white roofs, light color siding and paving, large shade trees..."

-On page 27 of the Book, we suggest reordering 1) Passive Design 2) High-Performance Building Skin 3) Energy Efficient Systems 4) Latent Energy (Solar/Geothermal)

-On page 28 of the Draft Design Guidelines Book, we suggest that the title "Encourage" be strengthened to "Require" so that some or all of the items listed are incorporated. Under Energy Efficiency and Green Infrastructure, we suggest that language include "Incorporate best available technology for energy efficient heating, cooling and lighting systems."

We applaud the following wording on p.p. 51 and 52 of the book: "permeable paving options *shall* be employed."

Wind studies show that there is insufficient wind in Watertown for turbines to be effective. We therefore

suggest that references to wind turbines in the book be removed from all design documents to avoid distracting from realistic clean energy opportunities.

Thank you for this process and for considering our input.

Respectfully submitted,

WE3C

Adams, Andrea

From:	John Hawes <jbhawes@gmail.com>
Sent:	Tuesday, March 10, 2015 11:52 AM
To:	Schreiber, Gideon; Magoon, Steven
Cc:	dbleon1@aol.com
Subject:	Accessibility in Design Standards

My neighbor David Leon and I had a discussion today on the need for inclusion of ADA/MAAB - disabilities concerns into the document. I was remiss not to focus on this given my role on the WCOD. (The Planning Board tends not to focus on this as accessibility is part of the Building Code rather than the Zoning Ordinance; I raise the subject for my own concerns). This needs more discussion.

I think we need to distinguish between areas accessible to the public - meaning available and open - vs accessibility for persons with disabilities. I suggest the following:

p. 7 Aspirations - last sentence: change "accessible" to "perceived". Add new sentence: "All site and entry circulation should be accessible to persons with disabilities".
p. 9 Elements 3, 8 - introduce concern as "These should be fully accessible for persons with disabilities" or similar. Element 4 - add "Include automated doors for at least one entry for ease of access".
p. 15 Aspirations - add final sentence: "Circulation should be accessible to persons with disabilities".
p. 19 Elements 10 and 12 - add "These should be accessible toe persons with disabilities".
p. 67 Element 5 - add "Surfaces should facilitate movement for persons with disabilities.

You may want to deal with this broadly more emphatically at the beginning with less discussion later. However, I think it helps to be repetitious.
Thanks, John

Adams, Andrea

From: John Hawes <jbhawes@gmail.com>
Sent: Tuesday, March 10, 2015 11:54 AM
To: Schreiber, Gideon; Magoon, Steven; Adams, Andrea
Subject: Parking lighting in Ordinance

One item I forgot to mention yesterday: I think in the Ordinance Section 7.12 and 7.13 there is too much detail. Major intent should be stated with reference to standards and regulatory process available from the staff.

I realize there is no more detail than under Signs. Maybe that could be shortened too. Is the detail asked for here because Planning oversees these items as opposed to DPW? If so, then I see the point.
John

Adams, Andrea

From:	Aaron Dushku <aarondushku@gmail.com>
Sent:	Tuesday, March 24, 2015 7:41 AM
To:	Schreiber, Gideon
Subject:	Fwd: RE: Design Standards & Guidelines DRAFT Documents

Fyi...hi, Gideon.

Especially spelling correction at end.

---------- Forwarded message ----------
From: "tagfred" <tagfred@comcast.net>
Date: Mar 24, 2015 7:38 AM
Subject: RE: Design Standards & Guidelines DRAFT Documents
To: "Aaron Dushku" <aarondushku@gmail.com>
Cc:

Hi Aaron,

I am not well (have some type of lung infection) and pressed at work, but quickly read through the design guidelines. They seem good, but this really isn't my field. Do we have any town citizens who are architects looking at them?

They strongly encourage LEED standards. Does that mean that if a project doesn't meet them, they would be denied a permit?

And what they leave out is residential developments of four and under units. We have all those two family side by sides going up that are ugly and badly built. Why are they being left out? Especially since they are being built by developers and commanding prices of $800,000. They should be built well and with all sustainable function.

I loved the photo examples the report includes, which includes my favorite: The Boston Public Library in Allston. The first time I drove by it, my draw dropped. What was that gorgeous building? When I saw it was a public library, my heart sang. I passed it yesterday on my way back from Brookline. It is just a fabulous building.

And last, but not least, at the very end, Legislature or Legislative is spelled incorrectly. It's a heading and should be easy enough to find. It is either spelled incorrectly or it is a word I don't know.

Jolly