

CITY OF SOMERVILLE
ORDINANCE NO. 2011-01
IN THE BOARD OF ALDERMEN: February 10, 2011

**AN ORDINANCE AMENDING THE SOMERVILLE ZONING
ORDINANCE TO AMEND THE DEFINITION OF HOME OCCUPATION
AND HISTORIC OUTBUILDING, AND AMEND ARTICLE 7
PERMITTED USES TO CREATE AND ALLOW A HISTORIC
CARRIAGE HOUSE OCCUPATION WITH IDENTIFIED
DEVELOPMENT STANDARDS IN CERTAIN ZONING DISTRICTS**

WHEREAS, as an older city that existed prior to the development of the private automobile, Somerville contains several buildings that were initially built as carriage houses;

WHEREAS, the Somerville Zoning Ordinance presently severely limits the use of these carriage houses and as a result, many are dilapidated and decaying;

WHEREAS, expanding the types of uses allowed in carriage houses through a special permit process would promote their rehabilitation and increase employment opportunities in Somerville while making sure they do not adversely impact abutting properties; now,

THEREFORE, be it adopted by the Board of Aldermen, in session assembled, that the below listed sections of the Somerville Zoning Ordinance are hereby amended as identified.

1. Article 2: Definitions are hereby added to as follows (additions are underlined):

Carriage House Occupation, Historic. An activity that is carried out in a Historic Carriage House and that conforms to the requirements of Section 7.15.

2. Article 2: Definitions is hereby amended as follows (additions are underlined and deletions are ~~crossed-out~~):

Home Occupation. An activity customarily carried on inside a dwelling unit, and conforming to the following requirements:

1. Only the residents of the dwelling unit shall conduct the home occupation.
2. The home occupation shall require only customary home equipment.
3. The use, including storage of materials or products, shall be carried on strictly within an enclosed building.
4. There shall be no exterior structural alterations that are not customary with residential buildings, excluding signs as provided for in Article 12.
5. The production of offensive noise, vibration, smoke, dust or other particulate matter, heat, humidity, glare, or other objectionable effects shall be prohibited.
6. The home occupation would not be expected to have more than one (1) visitor car at any given time.

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; the teaching of not more than four (4) pupils simultaneously; work of a domestic nature, such as dressmaking, millinery, or preparing food for sale; and the office of an architect, landscape architect, engineer, attorney, sales representative, computer software developer, typist, or word processor where clients generally do not visit the premises to transact business.

Notwithstanding the above definition, the following uses shall not be considered a home occupation: auto or appliance repair; contractor's shop or storage; barber shops; beauty parlors; real estate or insurance offices; commercial stables or kennels; ~~licensed family day care~~; an office within a primary residence of an ~~engineer, attorney~~, physician, dentist or other recognized medical profession; body art establishment.

~~Outbuilding~~ Carriage House, Historic. A detached outbuilding originally constructed to house horse-drawn vehicles and related equipment, or horses, or used to store grain or shelter animals incorporates a hay loft, second story or half-story, or open interior space under a pitched roof in excess of 15 feet from the floor to the roof peak. The structure must be within a designated a contributing building within the Local Historic District in which it is located.

3. Article 7: Permitted Uses Section 7.2 Principle Structure is hereby amended as follows (additions are underlined and deletions are ~~crossed out~~):

7.2. Principal Structure.

In Residence A and Residence B districts, no more than one principal structure per lot shall be permitted except in the following cases:

- a. By special permit with site plan review as authorized by the SPGA in Section 5.2; or
- b. For a Historic Bed and Breakfast within an existing ~~Historic Outbuilding~~ Historic Carriage House, by special permit as provided in Section 5.1; or
- c. For a Historic Carriage House Occupation within an existing Historic Carriage House, by special permit as provided in Section 5.2.

See Section 9.9 regarding access requirements for buildings.

4. Article 7: Permitted Uses, Section 7.11.4 Accessory Residential Uses is hereby amended as follows (additions are underlined and deletions are ~~crossed out~~):

7.11.4. ASSESSORY RESIDENTIAL USES

PRINCIPAL USE (unless specified otherwise)	RA	RB	RC	NB	CBD	BA	BB	IA

<u>j. Historic Carriage House Occupation (4)*</u>	<u>SPSR</u>	<u>SPS</u> <u>R</u>	<u>SPS</u> <u>R</u>	<u>SPS</u> <u>R</u>	=	<u>SPS</u> <u>R</u>	=	=
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PRINCIPAL USE (unless specified otherwise)	IB	IP	OS	UN	ASMD	PUD-B	PUD-B1
<u>j. Historic Carriage House Occupation (4)*</u>	=	=	=	=	=	=	=

5. Article 7: Permitted Uses, Section 7.12. Footnotes to table of permitted uses, is amended to read as follows (additions are underlined and deletions are ~~crossed out~~):

4. Historic Carriage House Occupation shall meet the following requirements

- a. As approved by the SPGA, allowable uses include:
 - i. Any occupation allowed as a Home Occupation as defined in Article 2, Section 2.2.69;
 - ii. Shop and storage facilities for tradesmen such as carpenter, plumber, electrician, etc. engaged in the construction and repair of residential buildings and other light frame structures as allowed under Article 7, Section 7.11.12.6.1, but excluding sale of building materials or products on the premises
 - iii. Real estate sales or rental office or insurance agency;
 - iv. Office of a physician, dentist or other recognized medical profession.
- b. No more than 2 non-resident employees shall be allowed in a Carriage House Occupation in the RA and RB districts. No more than 4 non-resident employees shall be allowed in a Carriage House Occupation in any other zoning district.
- c. The operator of a Historic Carriage House Occupation must be a resident of the principal structure.
- d. Any alterations that would be subject to review by the Somerville Historic Preservation Commission (SHPC) shall be reviewed for compliance with SHPC guidelines prior to issuance of a special permit. Separate review by the Design Review Committee shall not be required.
- e. Historic Carriage Houses shall not be altered except where required to meet code requirements, restore historical accuracy, or increase the efficiency of the interior space.
- f. Alterations shall not increase ground cover except when necessary for ADA compliance.
- g. Exterior signage shall be permitted only in accordance with district regulations.
- h. No cooking facilities are allowed except when the permitted Historic Carriage House Occupation requires on-site cooking.
- i. The use, including storage of materials or products, shall be carried on strictly within an enclosed building.

- j. There shall be no exterior structural alterations that are not customary with residential buildings, excluding signs as provided for in Article 12.
 - k. The production of offensive noise, vibration, smoke, dust or other particulate matter, heat, humidity, glare, or other objectionable effects shall be prohibited.
 - l. Historic Carriage Houses may be partially converted to a Historic Carriage House Occupation, with the remainder of the structure reserved for allowed accessory storage and/or garage uses.
6. Article 8: Dimensional Requirements, Section 8.6.11 (Garages and accessory structures in residential districts) is hereby amended as follows (additions are underlined and deletions are ~~crossed out~~):
11. Garages and accessory structures in residential districts: In any residence district, garages and other permitted accessory buildings shall not exceed fifteen (15) feet in height, but may extend within any side or rear yard up to but not closer than three (3) feet from any side or rear lot line, unless of fireproof construction. However, where a Historic Carriage House Outbuilding is converted to principal use as part of a Historic Bed & Breakfast or a Historic Carriage House Occupation, and preexisting ~~dimensional standards that were conforming for a secondary structure would become~~ dimensions would be nonconforming for a principal structure, no additional zoning relief shall be required.
3. Article 9: Off-Street Parking and Loading (additions are underlined and deletions are ~~crossed out~~):

9.5. Number of Parking Spaces.

<i>TYPE OF USE</i>	<i>PARKING FACTOR</i> (Minimum number of parking spaces to be provided)
4) Accessory Residential Uses:	
d. <u>Historic Carriage House Occupation</u>	<u>0 for up to 500 sf</u> <u>1/each additional 500 sf</u> <u>Parking requirements may be reduced by SP by the SPGA based upon a parking management plan.</u>

Approved:

President