



City of Somerville

Urban Design Commission

City Hall 3rd Floor, 93 Highland Avenue, Somerville MA 02143

Urban Design Commission Rules of Policy and Procedure

1. General

- a. Authority
 - i. In accordance with M.G.L. Chapter 40A, Section 9 and the Somerville Zoning Ordinance, Section 15.7.4.d, the City of Somerville Urban Design Commission (“Commission”) adopts these Rules of Policy and Procedure (“Rules”).
- b. Administration
 - i. These Rules were adopted by the Commission on January 24, 2023.
 - ii. The Commission may, from time to time, amend these Rules by simple majority vote. The Commission shall file a written copy of the amended Rules with the City Clerk within fourteen (14) days of adoption.
 - iii. These Rules and any amendments to them are applicable on the date of adoption.
- c. Responsibilities
 - i. The Commission’s responsibilities are specified by the SZO as such:
 - a) To provide advice and recommendations to the Zoning Board of Appeals and Planning Board (“Review Boards”) concerning how the design of development projects affects the quality of Somerville’s public realm.
 - b) To provide advice and recommendations to Staff when required by a condition of a discretionary or administrative development review decision.
 - c) To provide recommendations for any design guidelines adopted by the Review Boards.

2. Board Organization

- a. Membership
 - i. The Commission is composed of five (5) full members and two (2) alternate members.
 - a) For the purposes of these Rules, unless otherwise specified, “member” refers to both full and alternate members.
 - ii. Members are appointed by the Mayor and confirmed by City Council for three (3) year terms. Members shall serve until replaced.
 - iii. Alternate members will attend meetings and may participate in discussion for any item before the Commission; however, alternate members will not vote on any matter before the Commission unless a full member is absent and one of the Co-Chairs has announced that an alternate member is acting as a member of the Commission for the matter at hand.
- b. Officers
 - i. Co-Chairs
 - a) The Director of Planning, Preservation, & Zoning and the Director of Public Space & Urban Forestry, or their designee(s), serve as non-voting Co-Chairs of the Commission.
 - ii. Duties
 - a) The Co-Chairs are the presiding officers for all Commission meetings. The Co-Chairs’ responsibilities include at least the following:

- (i). Ensure meetings are run in an orderly manner, whether through the use of Robert’s Rules of Order or other means;
 - (ii). Call for any necessary votes on matters before the Commission;
 - (iii). Appoint subcommittees as necessary or desirable;
 - (iv). Decide all points of order, unless overruled by majority of the Commission;
 - (v). Request assistance from City Staff when necessary or desirable; and
 - (vi). Exercise general supervisory responsibilities of the Commission’s work.
- c. Staff to the Commission
 - i. The staff of the Planning, Preservation, & Zoning of the Mayor’s Office of Strategic Planning & Community Development serves as Staff to the Commission (“Staff”).
 - ii. Staff is responsible for:
 - a) Maintaining and keeping records of Commission proceedings;
 - b) Scheduling of Commission meetings, design reviews, and agenda publishing;
 - c) Ensuring proper notification and advertisement of public meetings in accordance with relevant laws;
 - d) Assisting the Commission in running an efficient meeting;
 - e) Drafting and filing of written recommendations of the Commission to the Review Boards;
 - f) Acting on behalf of the Commission as specified in these Rules;
 - g) Acting on behalf of the Commission as directed by the Commission or one of the Co-Chairs; and
 - h) Determining if a design review submission is complete.
 - d. Subcommittees
 - i. The Commission may, by majority vote, establish a subcommittee to facilitate the Commission’s work.
 - ii. When called upon by one of the Co-Chairs, the subcommittee shall provide a report of their proceedings to the Commission.

3. Standards of Conduct

- a. Meeting Attendance
 - i. All members shall make every best effort to attend all Commission meetings.
 - ii. Notwithstanding emergency situations, any member unable to attend a meeting shall notify the Co-Chairs and Staff at least three (3) weeks prior to the meeting.
 - iii. Members may hold meetings in-person, via a hybrid format, or remotely in accordance with relevant state laws.
 - iv. If remote participation in meetings is not available under relevant state laws, the Commission and City Staff will work together to establish safe protocols for in-person meetings that comply with applicable laws.
- b. Meeting Participation
 - i. If a member is absent from one (1) meeting at which an application is discussed, the member may participate in discussions and votes related to the application if, prior to the start of the next meeting at which the application is scheduled to be discussed, they:
 - a) Review the evidence presented at the meeting, including materials presented for the case, minutes, or an audio or visual recording of the meeting; and

- b) Submit an affidavit to the Staff Liaison attesting to that fact.
 - ii. If a member is absent from two (2) or more meetings at which an application is discussed, or if the member fails to submit an affidavit in accordance with the previous section, the member shall not participate in any discussion or votes related to the application.
 - iii. Alternate members may participate in discussion on any item before the Board but may not vote unless designated by one of the Co-Chairs to act in the place of a full member who is absent, has a conflict of interest, or is otherwise unable to vote on the item.
- c. Conflicts of Interest
 - i. Members shall act in accordance with the provisions of M.G.L. Chapter 268A, as amended.
 - ii. Members shall notify the Staff Liaison and a Co-Chair as soon as practicable about any known or suspected conflicts of interest and recuse themselves from the subject case.
 - a) Members should consult the Somerville City Solicitor's Office prior to participating in any matter for which they believe a conflict of interest may exist.
 - iii. Recused members shall not participate in the discussion or vote for any matter for which they have a conflict of interest.
 - iv. Recused members are encouraged, but not required, to leave the physical or virtual meeting room during the discussion of the case for which they are recused.
- d. Open Meeting Law
 - i. Members shall act in accordance with the provisions of M.G.L. Chapter 30A, Sections 18-25 ("Open Meeting Law") as amended.
 - ii. Members should consult the Somerville City Councilor's Office with any questions regarding compliance with Open Meeting Law.

4. Meetings

- a. Meeting Schedule
 - i. Regular meetings
 - a) Regular meetings of the Commission are scheduled the second and fourth Tuesdays of each month unless municipal holidays or conflicts with other events require adjustments to the schedule.
 - b) The Commission shall publish an annual calendar prior to the start of each calendar year.
 - ii. Special Meetings
 - a) A special meeting is any meeting held on a day other than those listed on the annual calendar adopted pursuant to Section 4.a.i.2 of these Rules.
 - b) Special meetings may be scheduled at the discretion of one of the Co-Chairs, or at the request of three (3) members.
 - c) Special meetings may include, but are not limited to, the following:
 - (i). Meetings to discuss administrative business;
 - (ii). Subcommittee meetings; and
 - (iii). Joint meetings with other City Boards and Commissions.
- b. Meeting Management
 - i. Public Meetings
 - a) Except at the discretion of the Co-Chairs, public meetings will follow this procedure:
 - (i). Call to Order

- (ii). General Business
 - 1) Minutes
 - 2) Written Recommendations
 - 3) Reports from subcommittees
 - (iii). Continuances and requests to withdraw applications.
 - (iv). Design Review
 - 1) Review of applicable design guidelines
 - 2) Presentation by the applicant
 - 3) Discussion by the Commission with the applicant
 - 4) Deliberation by the Commission, if necessary
 - 5) Motion and Voting
 - (v). Other Business
 - (vi). Adjournment
- b) Timing of Review
 - (i). Applicants shall make every effort to ensure that presentations are no longer than twenty (20) minutes in length.
 - (ii). Each Design Review submission shall be reviewed over no more than three (3) meetings. The Commission shall ensure that design reviews are completed in as few meetings as possible.
 - (iii). Except by a majority vote of the Commission, no business items will be taken up after 10:00 p.m.
- ii. Recess
 - a) At the discretion of the Co-Chairs, the Commission may take a recess at any time during a meeting.
 - b) Prior to taking a recess, the Co-Chair shall announce the current time and the length of the recess.
 - c) Following the recess, the Co-Chair shall announce the current time and return to session.
- iii. Public Participation
 - a) A design review occurs during public meetings, which, unlike public hearings, do not require public testimony to be received, per Open Meeting Law.
 - b) Public testimony is permitted only at the discretion of one of the Co-Chairs.
 - c) If public testimony is permitted, the Co-Chairs may, at their discretion, limit the amount of time each individual may provide testimony. The Co-Chairs may limit testimony to no less than two (2) minutes.
 - d) If public testimony is permitted, prior to providing testimony, all individuals giving testimony must provide their name, street name, and city of residence.
- c. Notice Requirements
 - i. Public meetings must be advertised in accordance with M.G.L. Chapter 30A, Sections 18-25, and SZO Section 15.1.7.
- d. Attendance
 - i. Commission Members
 - a) A quorum is required to conduct any business.
 - (i). For all matters of business, a quorum is three (3) members.

- b) If a quorum is not present, one of the Co-Chairs must continue all items to a future meeting.
 - ii. Applicants
 - a) Applicants may appear on their own behalf or be represented by an agent.
 - b) If the applicant or agent is absent without due cause, the Commission may act on the information available, may continue the application review to a later date, or may declare the application withdrawn without prejudice.
- e. Design Review and Recommendations
 - i. Recommendations to Review Boards must include the following:
 - a) Buildings
 - (i). Recommendations for the development of a principal building must:
 - 1) Identify the preferred schematic design option;
 - 2) Identify if applicable design guidelines are satisfied, and identify any priority design guidelines, if applicable; and
 - 3) Provide additional design guidance and recommended modifications to address any design issues or concerns.
 - (ii). Recommendations for development limited to modification of an existing façade must:
 - 1) Identify if applicable design guidelines are satisfied, and identify any priority design guidelines, if applicable; and
 - 2) Provide additional design guidance and recommended modifications to address any design issues or concerns.
 - (iii). Recommendations for development subject to any previously approved PUD of the ASMD zoning district must:
 - 1) Identify if applicable design guidelines are satisfied; and
 - 2) Provide additional design guidance and recommended modifications to address any design issues or concerns.
 - b) Civic Spaces
 - (i). Recommendations for the development of a civic space must:
 - 1) Identify, if presented, a preferred schematic design option;
 - 2) Identify all applicable design guidelines are satisfied, and identify any priority design guidelines, if applicable; and
 - 3) Provide additional design guidance and recommended modifications to address design issues or concerns.
 - c) Thoroughfares
 - (i). Recommendations for the development of a thoroughfare must:
 - 1) Provide advice and recommendations to inform advancement of the proposed schematic design through design development and to address achievement of the City of Somerville's Complete Streets Ordinance for thoroughfare design and street network planning;
 - 2) Provide advice and recommendations concerning the satisfaction of National Association of City Transportation Officials (NACTO) design standards and guidelines;

- 3) Provide additional design guidance and recommended modifications to address design issues or concerns.
- f. Motions by the Commission on Submissions
 - i. The Commission may make the following motions on submissions:
 - a) To continue a design review to a future meeting;
 - b) To designate a preferred schematic design;
 - c) To designate a priority design guideline(s);
 - d) To deem a design guideline(s) satisfied;
 - e) To recommend further design guidance; and/or
 - f) That no recommendation can be provided due to a lack of necessary information.
 - g. Written Decisions and Recommendations
 - i. Following the Commission’s decision to make a recommendation, the Commission shall issue a written decision summarizing the reasons for the Commission’s decision and identifying any further guidance.
 - ii. The Commission shall issue a written recommendation to the Review Boards and the Applicant within forty-five (45) days of the design review meeting, in accordance with SZO Section 15.1.4.
 - h. Voting
 - i. Voting may be initiated by a Co-Chair or their designee asking for a motion or by a Commission member making a motion.
 - ii. A simple majority of present members is required for passage of a motion.
 - iii. A tie vote defeats a motion.
 - iv. The record shall show the vote of each member upon each motion, or if a member is absent or fails to vote.
 - i. Minutes
 - i. The Commission shall maintain accurate meeting minutes, including a record of all votes taken at a meeting.
 - ii. The Commission shall approve minutes for a meeting within three regular meetings.
 - iii. Approved minutes shall be publicly accessible.

5. Applications

- a. Submission Requirements
 - i. The Commission shall adopt submittal requirements for all design review applications.
 - ii. Staff shall establish and maintain all necessary submission requirements.
 - iii. The submission requirements must, at a minimum, identify documents and information necessary to enable the Commission to make recommendations to the Review Boards.
 - iv. Review will not be scheduled for any incomplete submissions.
- b. Submission Deadlines
 - i. All submissions to the Commission for design review, including all required plans and illustrations, must be submitted by 4:30 p.m. seven (7) calendar days prior to the scheduled Commission meeting.
 - a) If design review of a submission is continued to a future meeting and the Commission requests additional or updated materials, those materials must be submitted by 4:30 p.m. seven (7) calendar days prior to the scheduled Commission meeting.

6. Design Standards and Guidelines

- a. Design standards and guidelines are either established by the Somerville Zoning Ordinance, prior PUD development permitting, or officially adopted plans and policies of the City of Somerville. These documents use the words 'must', 'shall', 'will', and 'may not' to identify mandatory requirements. The words 'may' and 'should' are permissive. The term 'guideline' is used for actions or built outcomes that are strongly encouraged and are always indicated by use of the term 'should'.
 - i. The following design guidelines are officially recognized by the Commission and apply to real property as shown on the maps included in their respective plans or policies:
 - a) Design guidelines specified in the Somerville Zoning Ordinance
 - b) Approved Neighborhood Plans and/or Urban Design Frameworks
 - c) Approved Master Plan Special Permits
 - d) ASSEMBLY ROW Design Guidelines (PUD)
 - e) XMBLY MASTER PLAN Design Guidelines (PUD)