**Draft Somerville Zoning Ordinance, January 22, 2015**

**Zoning Language pertaining to Fresh Food Markets or Grocery Stores.**

[Relevant excerpt regarding building types. Note: most zoning codes in Massachusetts do not regulate by building type]:

Building Type Limitations [applies to most Somerville city districts]

*i. A Shop House or Neighborhood Store building type may be established according to the following:*

*a). Location*

 *i). A Shop House or Neighborhood Store is only permitted as follows:*

*a. On a corner lot; or*

*b. In any building constructed before the effective date of this ordinance for non-residential use, as established by permit records or other historical documents accepted by the Building Official.*

*ii). A Shop House or Neighborhood Store is prohibited on any lot fronting onto a dead end thoroughfare.*

*b). Use Restrictions*

*i). The use of a Shop House or Neighborhood Store building type is limited to the following use subcategories:*

*a. Arts Sales & Service*

*b. Creative Studio*

*c. Design Services*

*d. Consumer Goods*

*e. Fresh Food Market and/or Grocery Store*

*ii). The sale of alcoholic beverages for on-site consumption is prohibited.*

*iii). Business operations are permitted only between the hours of 7:00am to 9:00pm*

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[Relevant excerpt from Definitions section of zoning code]

Definition of Fresh Food Market or Grocery Store:

*Fresh Food Market or Grocery Store: The self-service sales of food and household products including, but not limited to, fresh and prepared meat, dairy, baked goods, fresh fruits and vegetables, canned and/or frozen foods, and other regularly consumed household products. The following standards apply: i. Floor area devoted to the sale of non-food items must not exceed twenty-five percent (25%) of the sales floor. ii. Ancillary prepared food and beverage service is permitted.*

[Relevant excerpt from the Principal Use Table, specifying permitted principal uses of property in Somerville districts]:

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | *Neighborhood Residence* | *Urban Residence* | *3-Story Mixed-Use* | *4-Story Mixed Use* | *5-Story Mixed-Use* | *7-Story Mixed-Use* | *10-Story Mixed Use* | *Fabrication* | *Commercial Industry* | *Civic* | *Use Specific Standards* |
| *Fresh Food Market or Grocery Store* | *L* | *L* | *Y* | *Y* | *Y* | *Y* | *Y* | *N* | *SP* | *N* | *§5.B.11.d. Fresh Food Market or Grocery* |

*Y: By Right; L: by Right with Limitations; SP: by Special Permit; N: Not Permitted*