

ORIGINAL = BLUE
PLANNING BOARD RECOMMENDATIONS = YELLOW
ORDINANCE COMMITTEE RECOMMENDATIONS = RED

EXPLANATION = GREEN

The proposed amendment is intended to reconcile the dimensional requirement table for residential construction to conform with the actual dimensions of the City's neighborhoods. The current table sets the residential dimensional requirement across the City as a single uniform dimension, when in fact the City is a mosaic of different sized lots and uses. This amendment decreases the amount of square footage needed in R-2 and R-3 zoning districts and sets appropriate setbacks for those neighborhoods. It also provides an exemption to the dimensional requirement for the subdivision of properties with existing homes. The provision is designed to maintain yards and greenspace for existing homes rather than allow the addition of new construction to be crowded into neighborhoods.

Doc. 240/12

PROPOSED
AMENDMENT #1

DIMENSIONAL CHANGES

Section 29-15

Addition of Section 29-15(a)

TABLE AS ADOPTED BY AMENDMENT IN 1999

Sec. 29-15. Dimensional Table for Residential Districts.

**TABLE 2
Schedule of Dimensional Requirements Within Residential Districts**

| <i>All items listed below are identified as to Maximum (Max.) or Minimum (Min.) for requirement imposed</i> | R-1/R-1A | R-2/R-2A | R-3/R-4 |
|---|-----------------|-----------------|----------------|
| Lot area (Min. in sq. ft.) | 10,000 | 10,000 | 10,000 |
| Lot area per dwelling unit (Min. in sq. ft.) | 10,000 | 5,000 | 5,000 |
| Lot frontage or width (Min. in feet) | 70 | 70 | 70 |
| Yards (Min. in feet) | | | |
| • Front | 25 | 20 | 15 |
| • Side | 12 | 12 | 12 |
| • Rear | 20 | 20 | 20 |
| Lot coverage (Max. in %) * | | | |
| • Dwelling | 30 | 15 | 15 |
| • All buildings | 40 | 40 | 40 |
| • Open space (Min. in %) | 35 | 35 | 35 |
| Height of structures (Max. in feet)** | | | |
| • Stories | 2-1/2 | 2-1/2 | 3 |
| • Feet | 35 | 35 | 45 |

* The maximum coverage of the lot with buildings, structures and pavement shall be 65%.

** The maximum height of a church, school, or federal, state or municipal building shall be forty-five feet, exclusive of spires, steeples, and the like, which shall not be more than two-thirds the height of the building or structure on which they are located.

NOTE: PROPOSED CHANGES ARE INDICATED IN BLUE

Sec. 29-15. Dimensional Table for Residential Districts.

**TABLE 2
Schedule of Dimensional Requirements Within Residential Districts**

| <i>All items listed below are identified as to Maximum (Max.) or Minimum (Min.) for requirement imposed</i> | R-1 | R-2 | R-3 |
|---|------------|--------------|--------------|
| Lot area (Min. in sq. ft.) | 10,000 | <u>7,000</u> | <u>5,000</u> |
| Lot area per dwelling unit (Min. in sq. ft.) subject to Section 29-23 (i) | 10,000 | <u>3,500</u> | <u>2,500</u> |
| Lot frontage or width (Min. in feet) | 70 | 70 | <u>40</u> |
| Yards (Min. in feet) | | | |
| • Front* | 25 | 20 | <u>10</u> |
| • Side | 12 | 12 | <u>N/A</u> |
| • Total Side** | | | <u>18</u> |
| • Rear | 20 | 20 | 20 |
| Lot coverage (Max. in %) *** | | | |
| • Dwelling | 30 | <u>20</u> | <u>20</u> |
| • All buildings | 40 | 40 | 40 |
| • Open space (Min. in %) | 35 | 35 | 35 |
| Height of structures (Max. in feet) **** | | | |
| • Stories | 2-1/2 | 2-1/2 | 3 |
| • Feet | 35 | 35 | 45 |

* Refer to Section 29-17 (b), (g) & (k) if applicable.

** Total Side Setback must equal 18' and the minimum of any one side is 6'.

*** The maximum coverage of the lot with buildings, structures and pavement shall be 65%.

**** The maximum height of a church, school, or federal, state or municipal building shall be forty-five feet, exclusive of spires, steeples, and the like, which shall not be more than two-thirds the height of the building or structure on which they are located.

Addition of:

29-15(a)

When a lot is subdivided and two or more lots are newly created such that one or more of the lots is intended for new construction, the dimensional regulations shall follow the requirements of the R-1/R-1A zone regardless of the zoning district in which the property is located.

For reference Sections 29-17 (b), (g) & (k) are shown on the following page.

29-17

(b) Existing undersized lots.

In any district, where a lot for single or two family residential purposes has existed as a lot of record by plan or deed prior to the effective date of this ordinance or any amendment to this ordinance to which it does not comply, and such lot has been owned separately and has remained in separate ownership from any adjoining lot or lots since the time it no longer complied with this ordinance or any amendments to this ordinance, and such lot fails to meet the minimum area, width, yard or depth requirements of the district in which located, but has at least five thousand square feet of area and fifty feet of frontage, a building permit for a single or two family residential use shall be issued, where such use is permitted.

(g) Front yard.

- (1) The minimum depth of a front yard as prescribed by the schedule of regulations and this Section shall apply to all lots except for such modifications applicable to a corner lot.
- (2) The minimum depth of a front yard in a business district shall be twenty feet, where at the time of application for a permit there are no buildings or structures fronting upon the side of the street in the block or portion of the block in which such business district is located. If, however, the majority of existing buildings or structures in the area under consideration have a front yard of more or less than the minimum required, then all new non-residential buildings or structures shall have the same front yard.
- (3) **Average front yard.** In a case where a lot is adjoined on each side by lots having building set-backs, in the front yards, less than that required by this ordinance, the lot in question may provide a front yard equal to the average depth of the adjoining front yards; provided, in no case shall the front yard be less than one-half that required.

(k) Other yard requirements.

- (1) No yard or open space provided about any building or structure for the purpose of complying with this ordinance shall be considered as a yard or other open space for another building or structure.
- (2) The following building features may project into any required yard, provided such projection shall not be closer to any side lot line than five feet, nor any front or rear yard line than fifteen feet: exterior vestibules, porches, chimneys, unroofed terraces, bay windows, open fire escapes, cornices, eaves and other architectural features.
- (3) In any business district, yards shall be provided on a lot upon which a dwelling or upon which a building or structure that includes tenements or residential accommodations (not including a hotel or motel) is to be located, unless at least one window in each room of such dwelling or in each room of a tenement or residential accommodations of such building or structure opens directly upon a street or alley.
- (4) Such yards shall be so arranged that at least one window in each room of such dwelling or in each room of a tenement or residential accommodation of such building or structure shall open directly upon a street or alley or directly upon a yard.
- (5) The requirement for yards may be waived for a bathroom and the window space in such bathroom may open upon a light well; provided, that the area of such light well shall not be less than twelve square feet for the first story of height of such light well. For each additional story, the area shall be increased by six square feet.

This amendment restricts new construction in a R-3 zoning district to a minimum of 10,000 square feet per unit. No variance is obtainable from the City's boards.

Doc. 241/12

PROPOSED
AMENDMENT #2

Amending Section 29-23 (i) Multi-Family dwelling requirements

Instead of

(i) **Multi-family dwelling.**

- (1) The use is located on a parcel of land which meets the dimensional requirements of Table 2 for each dwelling.
- (2) A vegetated or other acceptable buffer of at least ten feet is provided around all boundaries.
- (3) At least one means of safe, two-way access/egress, at a width deemed appropriate by the permit granting authority shall be provided; however, said permit granting authority may require two means of safe, two-way access/egress at its discretion.

Replace it with:

(i) **Multi-family dwelling.**

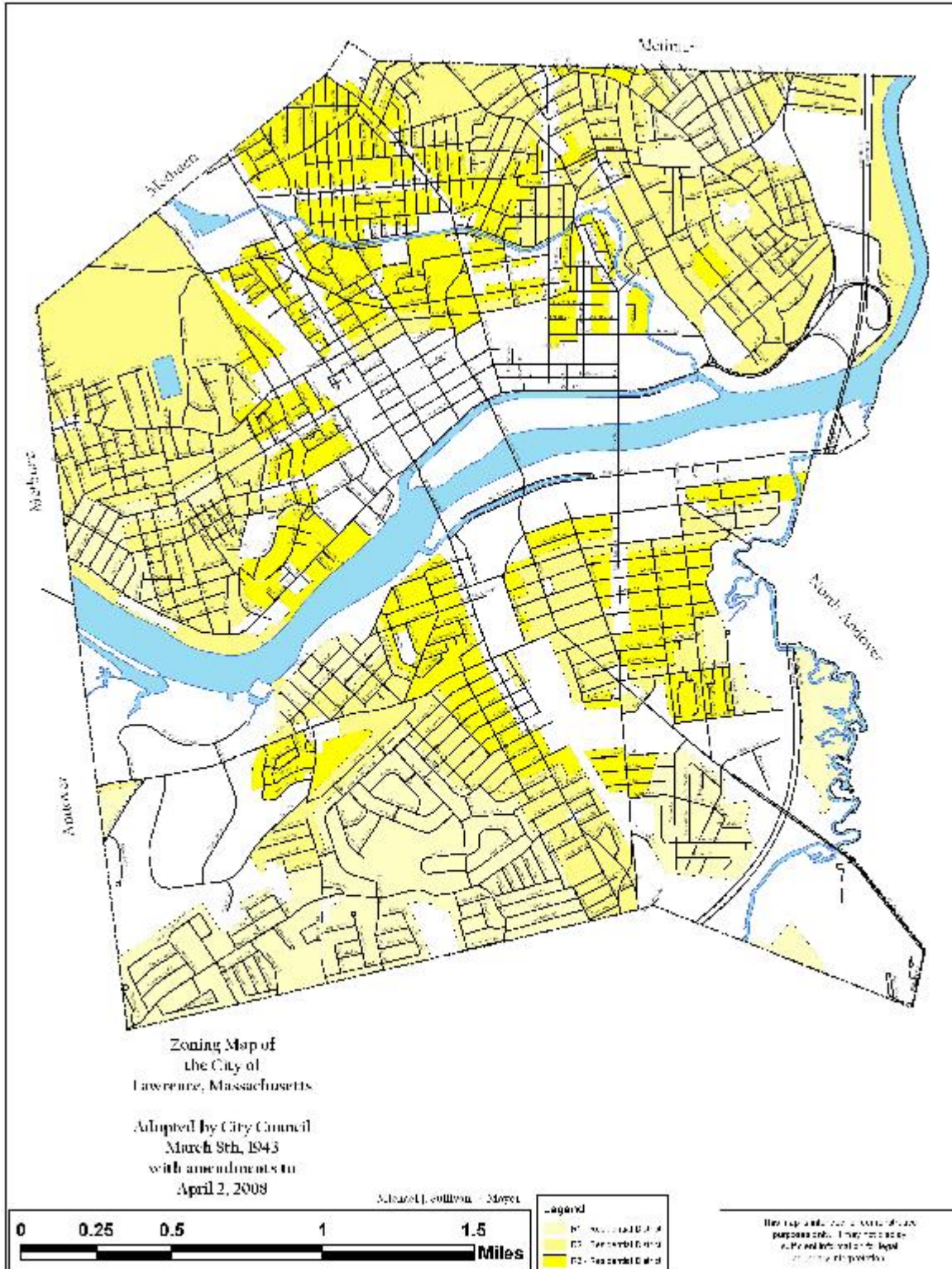
- (1) The use is located on a parcel of land which meets the dimensional requirements of Table 2 for each dwelling unit. When more than two dwelling units are proposed in an R-3 zoning district, only the dimensional requirements of the R-1 zoning district shall apply. No variances from the dimensional requirements of the R-1 zoning district shall be granted for proposals of more than two dwelling units in an R-3 Zoning District.**
- (2) A vegetated or other acceptable buffer of at least ten feet is provided around all boundaries.
- (3) At least one means of safe, two-way access/egress, at a width deemed appropriate by the permit granting authority shall be provided; however, said permit granting authority may require two means of safe, two-way access/egress at its discretion.
- (4) Any pre-existing non-conforming residential building, destroyed by fire , natural disaster or other event, may be reconstructed, by special permit as stated in the provisions of section 29-24(g)**

FOR REFERENCE

AVERAGE LOT SIZES IN THE CITY OF LAWRENCE

| ZONE | Number of Parcels | Average Size (sq. ft.) | Total Area of the Zone (sq. ft.) |
|---------|----------------------|---------------------------|-------------------------------------|
| R-1 | 2339 | 10,699 | 32,150,000 |
| R-2 | 4415 | 9,430 | 52,860,000 |
| R-3/R-4 | 3502 | 7,259 | 32,680,000 |

FOR REFERENCE



This is a “housekeeping” amendment in that this industrial overlay district (an area with special restrictions that could provide development incentives) was replaced by the Arlington Mills Smart Growth Overlay district in 1996 for the development of the Malden Mills complex as a mixed use district. There is no need for the Planned Industrial Overlay District to exist and it is actually at odds with the AMSGO overlay. The underlying zone of I-2 remains unchanged.

Doc. 242/12

PROPOSED
AMENDMENT #3

DELETION OF SECTION 29-19(A)
PLANNED INDUSTRIAL OVERLAY DISTRICT

The Zoning Ordinances would be amended by deleting Section 29-19(A) Planned Industrial Overlay District.

Sec. 29-19 (A) Planned Industrial Overlay District. **[amended 7/16/96]*

(1) Statement of Purpose.

The purpose of the Planned Industrial Overlay District is to control and design the development, renovation and redevelopment of Planned Industrial Developments. For the purposes of this ordinance, the term Planned Industrial Development shall mean a parcel or parcels of land of not less than ten (10) acres within the PIO District, consisting of one or more lots (whether or not contiguous to each other) on which is located or proposed to be located one or more buildings, which may include either connected buildings or free standing buildings, containing a total of not less than five hundred (500,000) square feet of gross floor area, under common or separate ownership, which buildings are used for industrial and manufacturing purposes with storage, office, and retail and service uses accessory thereto, all under integrated management, and with respect to which the owner or owners of all such lots file with the City Clerk and the Planning Board an instrument in which all such owners agree that all such lots shall be subject to the provisions of this Ordinance applicable to a Planned Industrial Development. After establishment of a planned Industrial Development, additional lots may be added to an establishment of a Planned Industrial Development by such filing with the City Clerk and the Planning Board, so long as such additional lots are located within the PIO District.

The PIO District permits the development of a Planned Industrial Development subject to specific regulations in this Section and regulations in other sections that are not inconsistent with the provisions of this Section.

(2) Planned Industrial Overlay District Boundaries

(a) The boundary of the PIO District is shown on the Zoning Map, which map is hereby incorporated and made a part of this Ordinance.

(b) The PIO District overlays a portion of other Districts so that the land lying in the PIO District shall also lie in such other Districts in which it is otherwise classified by this ordinance.

(3) Existing Regulations

(a) The regulations of this section shall apply only to a Planned Industrial Development, and not to any other use that is allowed or permitted in the underlying zoning district.

(b) Except for the provisions of this Section 29-19 (A), the provisions of Article V of this Ordinance, Dimensional and Parking Regulations, which are applicable to the underlying zoning district shall not apply with the PIO District, but shall be entirely superseded by the provisions of this Section. To the extent that the provisions of this Section are in conflict with or are inconsistent with any other provisions of the Ordinance, the provisions of this Section shall govern and prevail with respect to a Planned Industrial Development.

(4) Development Regulations

(a) A Planned Industrial Development may consist of more than a single building lot, and in such event the requirements of this Ordinance shall not be applied to individual lots, but shall be applied to the lots within the Planned Industrial Development as if such

lots were a single lot notwithstanding the fact that the lots within the Planned Industrial Development may be in different ownership. More than one building may be located on a single lot within the Planned Industrial Development.

(b) In the case of a Planned Industrial Development in the City of Lawrence which is under integrated management with abutting land in an adjacent municipality or municipalities, the land in the adjacent municipality or municipalities shall be included for purposes of determining compliance of the Planned Industrial Development in the City of Lawrence with the provisions of this Ordinance.

(c) The Planned Industrial Development may be developed in phases and may be developed and occupied under one or more building permits, occupancy permits and site plan approvals.

(d) The following dimensional controls and parking and loading regulations shall govern a Planned Industrial Development.

Minimum Yard Setback:

| | |
|---------------|--------|
| Front | 0 feet |
| Side and Rear | 0 feet |

Minimum Number of Off-Street Parking Spaces 1 space per 2,000 s.f. ¹

Minimum Number of Loading Bays Adequate

¹Square feet of gross floor area defined as follows: the sum of the areas of horizontal section through each story of all parts of the building measured from the outer faces of the walls, excluding basement areas of whose interior height more than half is below finished grade, and excluding enclosed garages.

(e) Construction, including parking facilities, within the Planned Industrial Development shall be subject to Site plan Approval by the Planning Board according to, and to the extent required by Article VIII of this Ordinance prior to the applying for building permits on such project.

(f) Signage in a Planned Industrial Development shall be governed by the provisions of Article VI of this Ordinance with respect to signs in industrial districts, regardless of the underlying zoning district in which all of any portion of such Planned Industrial Development is located.

The Zoning Ordinance currently does not conform to State Law (shown on the attached), thus this amendment will bring our ordinance regarding Child Care in conformance with the State Law.

Doc. 243/12

PROPOSED
AMENDMENT #4

AMENDMENT TO THE USE TABLE 29-11
CHILD CARE
See Use Table attached

Section 29-11 (Use Table) of the Zoning Ordinance would be amended as shown on the following:

NOTE FOR REFERENCE:

Regarding the Amendment to the Child Care use as shown, per

M.G.L. Chapter 40A Section 3

No zoning ordinance or bylaw in any city or town shall prohibit, or require a special permit for, the use of land or structures, or the expansion of existing structures, for the primary, accessory or incidental purpose of operating a child care facility; provided, however, that such land or structures may be subject to reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements. As used in this paragraph, the term "child care facility" shall mean a day care center or a school age child care program, as those terms are defined in section nine of chapter twenty-eight A.

Thus:

Currently:

| | | | | | | | | | | | | |
|--|----|------|------|------|------|------|------|------|------|------|------|------|
| Day care facility, adult (§ 29-23 a) | NO | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR | NO | NO | NO |
| Day care facility, child (§ 29-23 a) | P | P | P | P | P | P | P | P | P | P | P | P |
| Day care child home facility (§ 29-23 a) | NO | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR |

Proposed:

| | | | | | | | | | | | | |
|--|---|---|---|---|---|---|---|---|---|---|---|---|
| Day care facility, adult (§ 29-23 a) & 29-23 (eee) | P | P | P | P | P | P | P | P | P | P | P | P |
| Day care facility, child (§ 29-23 a) & 29-23 (eee) | P | P | P | P | P | P | P | P | P | P | P | P |
| Day care child home facility (§ 29-23 a) & 29-23 (eee) | P | P | P | P | P | P | P | P | P | P | P | P |

Sec. 29-23. General or specific provisions. – Existing Subsection relative to Child Care

(a) Day care facility, adult or child.

- (1) The petitioner shall provide proof that the facility meets the standards promulgated by the Mass. Office for Children and/or Mass. Department of Health.
- (2) There is an adequate play area for child day care facilities.

In 2007, the City Council added a zoning district, Open Space Conservation (OSC), to our zoning map and ordinance. The Use Table, Section 29-11 was never amended to include the uses that are allowed on such land. This amendment adds the column to the table to include the Open Space Conservation district and the appropriate subsection.

Doc. 244/12

PROPOSED
AMENDMENT #5

AMENDMENT TO THE USE TABLE 29-11

Addition of OSC Zoning District

And Section 29-23 (eee)

See Use Table attached

Amend the Zoning Ordinance Section 29-11 (Use Table) by adding the (OSC) Open Space Conservation district.

NOTE FOR REFERENCE:

The City Council amended the Zoning Ordinance (Document 110-2007) on August 8, 2007 by adding this zoning district.

Addition of Section 29-23 (eee)

Section 29-23. General or specific provisions.

(eee) If said property is located in an OSC District, only infrastructure necessary to such purpose is allowed (i.e. trails, educational signage, walkways and public parking areas) subject to review and approval by the Lawrence Conservation Commission.

See next page

Proposed Amendments depicted in blue

Sec. 29-11. Use Table.

TABLE 1
Schedule of Requirements

| | |
|-------------|---|
| P | Permitted. |
| PSR | Permitted with site plan review by the Planning Board pursuant to Articles VII and VIII. [4/15/97] |
| SPSR | Special permit by Board of Appeals with site plan review by the Planning Board pursuant to Articles VII and VIII. |
| SPSA | Special permit and site plan approval by Planning Board pursuant to Articles VII and VIII. |
| NO | Prohibited. |

USE

DISTRICT

OSC OSR R-1 R-2 R-3 HA B-1 B-2 B-3 I-1 I-2 I-3
R-IA R-2A R-4

A. Agriculture

[4/15/97]

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Agriculture on 5 acres + | P | P | P | P | P | P | P | P | P | P | P | P |
| Horticulture on 5 acres + | P | P | P | P | P | P | P | P | P | P | P | P |
| Floriculture on 5 acres + | P | P | P | P | P | P | P | P | P | P | P | P |
| Viticulture, on 5 acres + | P | P | P | P | P | P | P | P | P | P | P | P |
| Structures accessory to agriculture, horticulture, floriculture, and viticulture on 5 acres + | P | P | P | P | P | P | P | P | P | P | P | P |

B. Commercial

| | | | | | | | | | | | | |
|---|----|------|------|------|------|------|------|------|------|------|------|------|
| Adult Uses (§29-23 ww) [12/7/93] | NO | NO | NO | NO | NO | NO | SPSR | SPSR | NO | NO | SPSR | NO |
| Assembly / function halls (§ 29-23 u) | NO | NO | NO | NO | NO | PSR | NO | SPSR | SPSR | SPSR | SPSR | SPSR |
| Athletic field (§ 29-23 v) | NO | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR | NO | NO | SPSR | SPSR | SPSR |
| Automatic teller machine, not part of existing structure (§ 29-23 jj) | NO | NO | NO | NO | NO | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR |
| Automobile or other vehicle sales, and service, new (§ 29-23 ee), and accessory sale of used vehicles, so long as such accessory sale of used vehicles does not take up more than 50% of the developed lot area. [1/3/95] | NO | NO | NO | NO | NO | NO | NO | NO | NO | NO | SPSR | P |
| Automobile or other vehicle sales, and service, used | NO | NO | NO | NO | NO | NO | NO | NO | NO | NO | NO | NO |
| Awnings & Canopies (§ 29-23 tt) | NO | NO | P | P | P | P | P | P | P | P | P | P |
| Bank, main (§ 29-23 jj) | NO | NO | NO | NO | NO | PSR | NO | P | P | SPSR | SPSR | SPSR |
| Bank, branch (§ 29-23 jj) | NO | NO | NO | NO | NO | PSR | SPSR | P | P | SPSR | SPSR | SPSR |
| Bars & Cafes (§ 29-23 o) | NO | NO | NO | NO | NO | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR |
| Billboards | NO | NO | NO | NO | NO | NO | NO | NO | NO | NO | NO | NO |
| Billiard or pool parlor (§ 29-23 ii) | NO | NO | NO | NO | NO | NO | NO | SPSR | SPSR | NO | SPSR | NO |
| Book bindery (§ 29-23 s) | NO | NO | NO | NO | NO | NO | NO | P | NO | P | P | P |
| Bowling alley (§ 29-23 ii) | NO | NO | NO | NO | NO | NO | NO | P | P | P | P | P |
| Carwash (§ 29-23 p) | NO | NO | NO | NO | NO | SPSR | SPSR | SPSR | NO | NO | SPSR | NO |

| | | | | | | | | | | | | |
|---|------|------|-----------------|-----------------|------|------|------|------|------|----------------|----------------|----------------|
| Conference Center (§ 29-23 x) | NO | NO | NO | NO | NO | PSR | NO | SPSR | SPSR | SPSR | NO | SPSR |
| Convenience store (§ 29-23 e) | NO | NO | NO ¹ | NO ¹ | SPSR | P | P | P | P | P | P | P |
| Drive-thru facility (§ 29-23 rr) | NO | NO | NO | NO | NO | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR |
| Frozen food locker | NO | NO | NO | NO | NO | NO | NO | P | NO | P | P | P |
| Garage, filling station, or vehicle storage/impoundment facility (§ 29-23 p) | NO | NO | NO | NO | NO | SPSR | SPSR | SPSR | NO | NO | SPSR | NO |
| Hotel / Motel (§ 29-23 w) | NO | NO | NO | NO | NO | PSR | NO | SPSA | SPSA | SPSA | SPSA | SPSA |
| Liquor stores & Liquor sales ² (§ 29-23 uu) | NO | NO | NO | NO | NO | P | P | P | SPSR | SPSR | SPSR | SPSR |
| Massage parlor | NO | NO | NO | NO | NO | NO | NO | NO | NO | NO | NO | NO |
| Massage therapy (§ 29-4) | NO | NO | NO | NO | NO | NO | NO | P | P | P | P | P |
| Mixed use (§ 29-23 kk) | NO | NO | NO | NO | NO | P | P | P | P | p ³ | p ³ | p ³ |
| Monument works (§ 29-23 t) | NO | NO | NO | NO | NO | NO | NO | SPSR | NO | NO | SPSR | NO |
| Office | NO | NO | NO | NO | NO | PSR | P | P | P | P | P | P |
| Parking garage or lot (§ 29-23 y) | NO | NO | NO | NO | NO | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR |
| Planned unit development (§ 29-23 z) | NO | NO | NO | NO | NO | SPSA | SPSA | SPSA | SPSA | SPSA | SPSA | SPSA |
| Public transit passenger station (§ 29-23 q) | NO | NO | NO | NO | NO | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR |
| Recreational use (Commercial) (§ 29-23 ii) & 29-23 (eee) | SPSR | SPSR | NO | NO | NO | NO | NO | SPSR | SPSR | SPSR | SPSR | SPSR |
| Recreational use (Public) (§ 29-23 ii) & 29-23 (eee) | P | P | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR | NO | SPSR | SPSR | SPSR |
| Rehabilitation of commercial uses and mixed use development ⁴ (§ 29-23 hh) | NO | NO | SPSA | SPSA | SPSA | SPSA | SPSA | SPSA | SPSA | SPSA | SPSA | SPSA |
| Retail sales establishment (§ 29-23 ll) | NO | NO | NO | NO | NO | PSR | P | P | P | P | P | P |
| Retail service establishment (§ 29-23 ll) | NO | NO | NO | NO | NO | PSR | P | P | P | P | SPSR | P |
| Restaurants (§ 29-23 o) | NO | NO | NO | NO | NO | PSR | SPSR | P | P | P | SPSR | P |
| Roofing shop (§ 29-23 ll) | NO | NO | NO | NO | NO | NO | NO | P | NO | NO | P | NO |
| Temporary parking for other uses (§ 29-23 f) | NO | NO | SPSR | SPSR | SPSR | NO | NO | NO | NO | NO | NO | NO |
| Self-service laundromat; dry clean establishments; hand laundry (§ 29-23 mm) | NO | NO | NO | NO | SPSR | P | P | P | NO | NO | SPSR | NO |
| Shopping center (§ 29-23 ss) | NO | NO | NO | NO | NO | PSR | NO | P | SPSR | SPSR | SPSR | SPSR |
| Storage, outdoor (§ 29-23 dd) [1/16/96] | NO | NO | NO | NO | NO | NO | SPSR | NO | NO | NO | NO | SPSR |
| Telephone exchange building, electric sub-station, or other similar public facility (§ 29-23 q) | NO | NO | NO | NO | NO | SPSR | SPSR | SPSR | NO | SPSR | SPSR | SPSR |
| Theater (§ 29-23 ii) | NO | NO | NO | NO | NO | NO | NO | SPSR | SPSR | SPRR | SPSR | SPSR |
| Undertaking establishment (§ 29-23 h) | NO | NO | NO | NO | SPSR | SPSR | SPSR | SPSR | NO | NO | SPSR | NO |
| Upholstery shop (§ 29-23 ll) | NO | NO | NO | NO | NO | NO | NO | P | NO | NO | P | NO |

E. Residential and Accessory

| | | | | | | | | | | | | |
|---|----|----|------|------|------|------|------|------|------|------|------|------|
| Accessory uses: | | | | | | | | | | | | |
| – Fence, hedge or enclosure wall (§ 29-17 a-2) | NO | NO | P | P | P | PSR | P | P | P | NO | NO | NO |
| – Garage community (§ 29-17 a & § 29-23 n) | NO | NO | NO | NO | SPSA | PSR | NO | NO | NO | NO | NO | NO |
| – Garage, private (§29-17 a) | NO | NO | P | P | P | PSR | P | P | P | NO | NO | NO |
| – Shed or storage building (§29-17a) | NO | NO | P | P | P | PSR | P | P | P | NO | NO | NO |
| – Swimming pool (§ 29-17 d) | NO | NO | P | P | P | PSR | P | P | P | NO | NO | NO |
| – Off-street parking (§29-23g) [7/16/96] | NO | NO | P | P | P | PSR | SPSR | SPSR | SPSR | SPSR | SPSR | SPSR |
| – or Other Accessory Uses [4/15/97] | NO | NO | P | P | P | PSR | P | P | P | NO | NO | NO |
| Assisted Living (§29-23 zz) [4/15/97] | NO | NO | NO | NO | SPSA | PSR | SPSA | SPSA | SPSA | NO | SPSA | SPSA |
| Home occupation (§ 29-4) | NO | NO | P | P | P | P | P | P | P | P | P | P |
| Lodging house and guest house (§ 29-23 j) | NO | NO | NO | NO | SPSA | NO | NO | SPSA | SPSA | NO | NO | NO |
| Conversion of existing dwelling (§ 29-23 b) | NO | NO | SPSA | SPSA | SPSA | NO | NO | NO | NO | NO | NO | NO |
| Group home, halfway house, non-educational (§ 29-23 ff) | NO | NO | NO | SPSA | SPSA | NO | NO | NO | NO | NO | NO | NO |
| Mobile home | NO | NO | NO | NO | NO | NO | NO | NO | NO | NO | NO | NO |
| Reconstruction of pre-existing non-conforming residential use, building or structure (§ 29-23 qq) | NO | NO | SPSA | SPSA | SPSA | SPSA | SPSA | SPSA | SPSA | SPSA | SPSA | SPSA |
| Rehabilitation of one or two unit structure ⁴ (§ 29-23 hh) | NO | NO | P | P | P | SPSA | SPSA | SPSA | SPSA | SPSA | SPSA | SPSA |
| Rehabilitation of multi-family structure ⁴ (§ 29-23 hh) | NO | NO | SPSA | SPSA | SPSA | SPSA | SPSA | SPSA | SPSA | SPSA | SPSA | SPSA |
| Residence, single family (Article V as applicable) | NO | NO | P | P | P | P | P | P | NO | NO | NO | NO |
| Residence, two family (Article V as applicable) | NO | NO | NO | P | P | P | P | P | NO | NO | NO | NO |
| Residence, multi-family (§ 29-23 i or § 29-23 cc as applicable) | NO | NO | NO | NO | SPSA | PSR | SPSA | SPSA | SPSA | NO | SPSA | SPSA |
| Substantial addition to an existing dwelling (§ 29-23 gg) | NO | NO | SPSA | SPSA | SPSA | NO | NO | NO | NO | NO | NO | NO |
| Temporary mobile home (§ 29-23 vv) & 29-23 (eee) | P | P | P | P | P | P | P | P | P | P | P | P |

¹ Exception: Convenience stores are not allowed in these districts except where proposed use is located on a corner lot which abuts upon a major thoroughfare as defined in this ordinance. Such use will require a special permit from the Zoning Board of Appeals subject to site plan review by the Planning Board and the provisions of Section 29-23(e).

² Includes all types of alcoholic beverages.

³ Excluding residential uses.

⁴ All rehabilitation requiring site plan approval must also follow the provisions of Section 29-23 hh.

This amendment specifically provides the Zoning Board the authority to require studies relative to the need and scope of telecommunications and wireless facilities when these companies seek special permits for such a use. The City is typically at a disadvantage to the telecommunication companies on the application of scientific principals. This allows the City to “even the playing field” when debating the need for certain construction, including new cell towers.

Doc. 245/12

PROPOSED
AMENDMENT #6

Amend:

Section 29-17 Supplementary Dimensional Regulations

(o) Telecommunications and wireless facilities

(2) *Applicability*

(d) *Submittal Requirements:*

Addition of (F)

Sec. 29-17. Supplementary Dimensional Regulations.

(o) Telecommunications and wireless facilities

(2) Applicability

(d) Submittal Requirements:

6. Written evidence demonstrating that none of the existing structures or telecommunications and wireless facilities can accommodate the applicant's proposed antenna. This shall consist of:

A. Substantial evidence that the installation of the proposed antenna and associated equipment would exceed the structural capacity of the existing structures or telecommunications and wireless facilities inventoried, as documented by a qualified and licensed professional engineer and that the structure or telecommunications and wireless facility cannot at a reasonable cost be reinforced, modified, or replace to accommodate the antenna and equipment.

B. Substantial evidence as approved by the Zoning board and documented by a qualified licensed professional engineer that the proposed antenna and associated equipment would cause interference with existing antenna on the inventoried structures or telecommunications and wireless applicant's proposed antenna.

C. Substantial evidence, as approved by the Zoning Board that the existing structures or telecommunications and wireless facilities inventoried are not of sufficient height to meet the applicant's engineering requirements and that the structure or telecommunications and wireless facilities cannot, at a reasonable cost be extended or replace to meet the required height.

D. Substantial evidence, as approved by the Zoning Board that the fees, costs, or contractual provisions required by the owner in order to share existing inventoried structures or telecommunications and wireless facilities are unreasonable. One time costs exceeding the costs of a new telecommunications and wireless facility development are presumed to be unreasonable.

E. Substantial evidence, as approved by the Zoning Board, that the applicant can demonstrate other limiting factors that render existing structures or telecommunications and wireless facilities unsuitable.

F. Required studies. The special permit granting authority or, it's designee, may, where it deems it necessary, require studies to enable it to make its required findings. The applicant shall pay for such studies, and the special permit granting authority shall determine the scope of such studies.

This amendment of the Definition of a sign would now include stand alone blinking lights within the definition.

This amendment also deletes the prohibition of Signs painted on a motor vehicle.

This amendment adds the prohibition of Interior illuminated “box” signs in all business zoning district and encourages the use of “Channel” lettering by special permit.

This amendment also adds new provisions for billboards and sandwich boards.

Doc. 246/12

PROPOSED
AMENDMENT #7

Amend Section 29-20 by

Amending the Definition of a sign

And deleting the prohibition of Signs painted on a motor vehicle

And adding the prohibition of Interior illuminated box signs in a B-3 zoning

district. Channel lettering is allowed by special permit

Also adding provisions for billboards and sandwich boards

In addition, amend Section 29-20 Sign Regulations

(b) Definition of sign types

(4) Awning and Canopy sign

And

(11) Interior Illuminated Sign

And

29-20

(g) Special Permit Findings – per use

(5) Bill Boards

(a)

And

29-20

(e) By Right Requirements

(12) Sandwich Board signs

(ix)

Amend:

Section 29-4 Definitions from:

Sign. A sign is any permanent or temporary structure, device, billboard, letter, word, banner, pennant, insignia or representation which is used as, or which is in the nature of, an advertisement, announcement or direction, and which is within the nature of an advertisement, announcement or direction, and which is within public view. Flags and insignia of any government shall not be considered signs.

To:

Sign. A sign is any permanent or temporary structure, device, **blinking or otherwise**, billboard, letter, word, banner, pennant, insignia or representation which is used as, or which is in the nature of, an advertisement, announcement or direction, and which is within the nature of an advertisement, announcement or direction, and which is within public view. Flags and insignia of any government shall not be considered signs.

Amend:

From:

Sec. 29-20. Sign Regulations.

(a) General Requirements for all Signs and all changes to Existing Signs.

The requirements set forth in §29-20, Sign Regulations, shall be complied with for all signs, and/or awning/canopy signs permitted by right or special permit. All signs, in any district, that are not permitted by right, §29-20 (d), will be reviewed by the Planning Board, as the City's special permit granting authority. Any derogation from the permitted by right requirements for signs and any change to an existing non-conforming, non-complying or illegal sign will require a special permit by the Planning Board, rather than the Zoning Board of Appeals.

- (1) Signs, and/or awning/canopy signs shall fit within and complement the storefront frame.
- (2) Any cantilevered sign shall be cantilevered at a distance from the building or structure on which it is placed consistent with other cantilevered signs on said building or structure or abutting buildings or structures.
- (3) Any cantilever is of a color compatible to the building or structure on which it is placed.
- (4) The sign does not obstruct important views or visual access to other signs.
- (5) The sign does not obscure visual architectural themes which are characteristic in the area or of the building or structure on which it is placed.
- (6) The sign is mounted at a height consistent with other signs on the building or structures nearby.
- (7) The sign identifies only the business or industry and the name of its services or products of the building or structure on which it is placed. Signs for different businesses within the same building and having a common doorway shall be of similar style and design.
- (8) There are no more than two signs per structure or lot if more than one structure occupies a lot.

- (9) Businesses and/or industries may not use more than twenty-five percent (25%) of each of their signs for display of any logo and/or registered trademark other than their own.
- (10) Neither the sign nor any part thereof shall be more than fifteen feet above ground level except architectural signs.
- (11) Colors shall be limited for any given sign to no more than three colors and shall be compatible with the building and/or awning colors.
- (12) The graphic message of the sign shall be simple and clear – minimum wording will increase legibility.
- (13) Different types of lettering shall be limited to no more than two lettering styles for legibility. Lettering on glass shall not cover more than 25% of the window surface.
- (14) No blinking signs or flashing signs will be allowed.
- (15) Electric wiring must be concealed.

To
All of the above plus the words:

- (14) No **blinking lights**, blinking signs or flashing signs will be allowed.

And Amend

Section 29-20

(b) Definition of sign types

From:

Awning or Canopy Sign. An awning or canopy sign is signage affixed to an awning or canopy.

and

Interior Illuminated Sign

Any type of sign with a lighting source located in the interior of the face of the sign.

To:

Awning or Canopy Sign. An awning or canopy sign is signage affixed to an awning or canopy. **An awning or canopy that has lettering or interior illuminated lighting, for purposes of this ordinance, is to be considered a sign and must conform to the same requirements as all other signs.**

Interior Illuminated Sign

Any type of sign **or awning or canopy** with a lighting source located in the interior of the face of the sign.

Section 29-20

(c) Prohibited Signs.

The following types of signs are prohibited:

- (1) Off-premise signs
- (2) Roof signs
- (3) Signs with flashing or moving lights, or flashing or moving parts, except those signs which indicate time or temperature.

Amend

Section 29-20 Sign Regulations

(a) Definitions of sign types

By adding:

(20) Sandwich Board signs

Sandwich Board Signs shall be any sign of A-frame construction designed for placement on the sidewalk in front of the place of business being advertised.

And subsequently change the numbers (20 – 23) to (21-24)

Amend

Section 29-20

(d) Permitted Signs

By adding:

(2) Business Districts

(vii) Sandwich Board signs (excluded in B-1)

And subsequently change the remaining numbers of (vii-x) to (viii-xi).

Amend

Section 29-20

(e) By Right Requirements.

By adding in after (11)

(12) Sandwich Board signs

- (i) Sandwich board signs require a permit from the building dept. prior to the placement of the sign.**
- (ii) Sandwich board signs shall be no larger than thirty-two inches in width and forty-eight inches in height and no materials such as papers, balloons, wind sock, etc., may be added to the sign to increase its height and /or width. The height of such signs may be artificially increased above the allowed maximum by placing material underneath the base of the such sign.**
- (iii) Sandwich board signs must be secured to withstand strong winds and to prevent a roadway hazards.**

- (iv) No sandwich board sign shall be placed in the public street right-of-way or in any public parking place.
- (v) Sandwich board signs may be used only during the hours when the business is open to the public and must be brought inside at the close of business.
- (vi) No sandwich board sign shall be placed so as to obstruct vehicular traffic sight distance triangle requirements.
- (vii) All sandwich board signs shall be constructed of weather resistant material.
- (viii) No sandwich board sign shall contain foil, mirrors, bare metal or other reflective materials which could create hazardous conditions to motorists, bicyclists or pedestrians.
- (ix) No sandwich board sign may contain lights *or electronic components* of any kind.

And subsequently change the remaining numbers of (12 – 14) to (13 – 15).

This amendment clarifies the difference between a garage (where one would park a vehicle) and an auto repair garage (where one would have their vehicle repaired). This is done by adding the words “auto repair” preceding the word “garage” in the use table.

Doc. 247/12

PROPOSED
AMENDMENT #8

Clarifying the Section 29-11 - Use table with regards to Garage vs. Auto Repair
Garage

Amend

Section 29-11

From:

DISTRICT

**OSR R-1 R-2 R-3
R-IA R- R-4 HA B-1 B-2 B-3 I-1 I-2 I-3
2A**

| | | | | | | | | | | | |
|--|----|----|----|----|------|------|------|----|----|------|----|
| Garage, filling station, or vehicle storage/impoundment facility (§ 29-23 p) | NO | NO | NO | NO | SPSR | SPSR | SPSR | NO | NO | SPSR | NO |
|--|----|----|----|----|------|------|------|----|----|------|----|

To:

| | | | | | | | | | | | |
|---|----|----|----|----|------|------|------|----|----|------|----|
| Auto Repair Garage, filling station, or vehicle storage/impoundment facility (§ 29-23 p) | NO | NO | NO | NO | SPSR | SPSR | SPSR | NO | NO | SPSR | NO |
|---|----|----|----|----|------|------|------|----|----|------|----|

This amendment allows for Automobile or other vehicle sales, used, in all Business districts and Industrial districts by Special Permit. Currently they are only allowed in the Highway Access districts. It also adds a new provision limiting the number of vehicles by a formula, based upon the existing paved parking area and existing uses on the property.

Doc. 248/12

PROPOSED
AMENDMENT #9

Amending Section 29-11 Use Table to allow Automobile or other vehicle sales, used in **R-3/R-4** and B-1, B-2, I-1, I-2 and I-3 zoning districts by Special Permit

Amend Section 29-11

From:

DISTRICT

R-1 R-2 R-3
OSR R-IA R- R-4 HA B-1 B-2 B-3 I-1 I-2 I-3
2A

| | | | | | | | | | | | |
|---|----|----|----|----|------|----|----|----|----|----|----|
| Automobile or other vehicle sales, used | NO | NO | NO | NO | SPSR | NO | NO | NO | NO | NO | NO |
|---|----|----|----|----|------|----|----|----|----|----|----|

To:

DISTRICT

R-1 R-2 R-3
OSR R-IA R- R-4 HA B-1 B-2 B-3 I-1 I-2 I-3
2A

| | | | | | | | | | | | |
|--|----|----|----|----|------|------|------|----|------|------|------|
| Automobile or other vehicle sales, used subject to Section 29-23 (aaa) | NO | NO | NO | NO | SPSR | SPSR | SPSR | NO | SPSR | SPSR | SPSR |
|--|----|----|----|----|------|------|------|----|------|------|------|

And furthermore Amend:

Section 29-23(aaa)

By adding:

(aaa) **Used Automobile or other vehicle sales.**

- (1) Adequate driveways and maneuvering room are provided for showroom access without obstructing sidewalks and curbing.
- (2) Surface display lots are to be hard surfaced with proper drainage and separated from boarding sidewalks by a five foot wide landscaped buffer.
- (3) Advertising signs must conform to the sign code Article VI of Chapter 29, Lawrence City Code. No banners, streamers wind driven spinning devices, light strings or portable signs are permitted.
- (4) No accessory mechanical repairs or auto body repairs are to be conducted on the site without a Special Permit.

(5) The sale of used vehicles cannot take up more than 50% of the developed lot area calculated after subtracting all other use parking requirements.

Withdrawn

Doc. 249-12

PROPOSED **AMENDMENT #10**

To amend the Zoning Ordinance by deleting the page that indicates the fees for submittals to the Zoning and Planning Boards. Thus, providing the Planning Dept. and/or the Zoning Board and Planning Board the ability to change the fees as needed.

Note: This does not change the fees at this time, only the ability to make changes.