



CITY COUNCIL

City Clerk's Office 9/15/2016 12:00:00 PM

Committee of the Whole Agenda~

I hereby notify you that at twelve o'clock noon today the following items of business had been filed with this office and can be acted upon at the meeting in City Council Chambers, Room 200 at City Hall, 36 Court Street **Monday evening September 19, 2016** at 05:00 PM according to Section 12, Rules and Orders of the City Council.

City Clerk

Discussion

- (1.) To Amend the Springfield Zoning Ordinance, Text Enacted, May 28, 2013, Effective August 26, 2013, by Amending: Article 2 Definition of "Buffer Planting Strip", "Lot, Corner", "Front Yard", "Rear Yard"; Article 4, Section(S) 4.3.20, Table 4-2, Table 4-4, Section 4.4.13, 4.4.20, 4.4.71(B) and 4.5.32(2); Article 5, Table 5-1, Section 5.6, 5.2.10, 5.2.80 and 5.3.20; Article 7, Section 7.1.32(C), Table 7-1, Section 7.1.53, 7.3.21, 7.4.21 and 7.4.32; Article 9, Section 9.8.22, 9.3.70 and 9.10.10; Article 11, Section 11.1.14; Article 12, Section 12.1.41 (See Attached for Full Text). City Wide - Edits/Corrections to Existing Zoning Ordinance Recommend

PETITIONER: Springfield Planning Board

ADDRESS: City Wide

CHANGE REQUESTED: See Above

ATTACHMENTS:

- 3184_City_Wide_Edits_Formal_Petition_2016 (PDF)
- 3184_Zoning_Amendments_2016_CC (PDF)

To The City Council of the City of Springfield:

The undersigned respectfully petition your honorable body

to amend the Springfield Zoning Ordinance, text enacted May 28, 2013, effective August 26, 2013, as follows:

Article 2 (Definitions):

- Amending the definition of "Buffer Planting Strip" as follows:

A strip of land within a parcel used to protect an abutting land use from the land use on the subject parcel consisting of dense evergreens, not less than three (3) feet in height at the time of planting and an appropriate wall or solid fence, not less than six (6) feet in height. This strip of land shall be permanently maintained.

- Amending the definition of "Lot, Corner" as follows:

LOT, CORNER. A LOT abutting two or more STREETS at their intersection, or upon two parts of the same STREET forming an interior angle of less than one hundred thirty-five degrees. A CORNER LOT has two (2) FRONT LOT LINES, two (2) FRONT YARDS, two (2) SIDE YARDS and no REAR YARD. See Figure 2-4.

- Amending the definition of "Front Yard" as follows:

FRONT YARD. A YARD extending across the full width of a LOT between the FRONT LOT LINE and nearest point of any BUILDING. In the case of a corner lot, the front yard shall be determined by the side of the building which contains the main door.

- Amending the definition of "Rear Yard" as follows:

REAR YARD. A YARD extending across the full width of the LOT between the REAR LOT LINE and nearest point of any BUILDING. In the case of a triangular lot, the rear yard shall be the open space between the rear wall of the building and a line half-way between it and the point of intersection of the side lines of the lot. In no case shall the rear yard be located between the house and the street.

Article 4 (Use Regulations):

- Amending Section 4.3.20 as follows:

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 CITY CLERK'S OFFICE
 SPRINGFIELD, MA

Notwithstanding any provision to the contrary in Table 4-4 or Section 10.3, where a site and/or building is being rehabilitated, renovated, or rebuilt, and its use, site layout, and appearance will remain substantially similar to the previous use (including the appearance of the site and building), ~~only a Tier 1 review will be required~~ **shall not require any approvals under this ordinance.**

- Amending Table 4-2 as follows:

Multi-Family Dwellings	3 to 9 5 dwelling units	10 6 to 15 9 dwelling units	16 10 and more dwelling units
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- Amending Table 4-4 as follows:
 - Section 2.3(1) – under Res C/C2, Com A, Bus A and Bus B change from “2” to “T”
 - Section 2.3(2) – under Additional Regulations delete 4.4.80 and 4.4.85
 - Section 2.4 0 under Additional Regulations delete Table 5-5 and add 5.3.20
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 - Section 16.1 – under MUI, IA, IP change “2” to “Y”
 - Section 17.3 - under Additional Regulations change 6.3 to 6.2
- Amending Section 4.4.13 as follows:

Mixed-use Buildings Containing Dwelling Units or **Residential Buildings** in Commercial A, Business A, Business B, Business C, and Mixed Use Industrial Districts

In order to maintain an active pedestrian STREET environment, enhance the character of commercial districts, and maintain continuity of commercial activity without interruption by residential façades, the portion of all MIXED-USE BUILDINGS **OR RESIDENTIAL BUILDINGS** along STREET FRONTAGES shall be used only for non-residential purposes, except for entrances to the residential units. The following additional requirements shall apply **and may only be waived with written approval from the Office of Planning & Economic Development.**

A. All DWELLING UNITS ~~in MIXED-USE BUILDINGS~~ shall be located as follows:

- DWELLING UNITS located above the STREET level may be placed anywhere ~~within a MIXED-USE BUILDING~~ in accordance with the density established in tables 5-5 and 5-6.

- Amend Section 4.4.20 as follows:

A SWIMMING POOL shall not be nearer than eight (8) feet to any LOT LINE or eight (8) feet to any DWELLING or located between the front of the BUILDING and the STREET LINE. **All SWIMMING POOLS shall be enclosed by a fence at least four (4) feet in height and/or shall meet the fencing and enclosure requirements as per the Massachusetts Building Code (780 CMR).**

- Amend Section 4.4.71(B) as follows:
 - In addition to the applicable standards in Section 4.6, the following regulations shall apply for CHILD CARE CENTERS and SCHOOL AGE CHILD PROGRAMS **which are located within residentially zoned properties.**
- Amend Section 4.5.32(2) as follows:
 SIGNS shall comply with all applicable SIGN regulations found in Article 9 ~~and shall not exceed four (4) square feet of display area on all sides within Residential DISTRICTS.~~

Article 5 (Dimensional and Intensity Regulations):

- Amending Table 5-1 by amending “Minimum Building Lot Width at Building Line” - under Res B for single-family from “50” to “60” and under Res B for two-family from “50” to “80”.
- Amending Table 5-1 by adding footnote #7 to state: **“In the case of a corner lot, there shall be equal to or greater than fifteen (15) feet between the building and the side property line fronting on a street.”**
- Amending Table 5-1 – under “Minimum Side and Rear Yards – Principal Buildings” – adding footnote #7 to Res A-1, Res A, Res B and Res C.
- Amending Table 5-1 – under “Minimum Side and Rear Yards – Residential Garages and Other Accessory Buildings” – adding **“(Also refer to Article 4, Section 4.4.14)”**.
- Amending Table 5-1 – under “Minimum Side and Rear Yards – Residential Garages and Other Accessory Buildings” – under Res B- changing “0” to “3” and changing footnote “3” to “5”.
- Amending Table 5-1 – under “Minimum Side and Rear Yards – Residential Garages and Other Accessory Buildings” – under Res C- changing “0” to “3”.
- Amending Section 5.6 by changing “Section 6.2” to “Section 6.1”.
- Amending Section 5.2.10 as follows:
 For the dimensions of ~~MIXED-USE BUILDINGS~~ with Dwelling Units located in non-residential ZONING DISTRICTS, see ~~tables 5-5~~ **Section 5.3.20** and **Table 5-6**.
- Amending Section 5.2.80 as follows:

The front of a SINGLE-FAMILY DWELLING or TWO-FAMILY DWELLING on an INTERIOR LOT shall face the STREET; ~~a door to each DWELLING UNIT shall either (a) face the STREET or (b) open onto a PORCH that provides access from the STREET side of the BUILDING.~~ **and shall contain the main door.**

- Amending Section 5.3.20 as follows:

- Deleting Table 5-5 and adding the following language:

Residential uses located within Office A shall following the dimensional regulations outline for Res B, as found in Section 5.2.

Residential uses located within Commercial A, Business A, Business B, Business C and Business D shall follow the dimensional regulations outlined for Residence C, as found in Section 5.2.¹

Residential development is not allowed within the Commercial P or Business B-1 districts.

Within the Industrial A district, no building or other structure(s) shall be erected, altered or used and no land shall be used or occupied for residential purposed, EXCEPT, where subdivision plans or individual building lots existed, and were duly recorded or registered, prior to the enactment of this ordinance.

¹ **For ground floor residential, refer to Article 4, Section 4.4.13**

Article 7 (Site Regulations):

- Amending Section 7.1.32(c) by deleting the following:

The availability of shared parking with binding agreements to secure its long-term availability; ~~where adjoining parking areas are connected directly to one another, to a service road or alley to reduce turning movements onto roads.~~

- Amending Table 7-1 by adding “colleges” and “1 space per faculty /0.5 spaces per students”
- Amending Table 7-1 under “other categories” as follows:

~~Tier 1 Administrative Site Plan Review in accordance with 7.1.32 and Section 12.2~~
Determination by the Building Commissioner or his/her designee”.

- Amending Section 7.1.53 as follows:

D. These requirements may be reduced through the course of Site Plan Review.

- Amending Section 7.3.21 as follows:

Except in the Business D District, no ACCESSORY DRIVE-THROUGH FACILITIES shall be located in the REQUIRED FRONT YARD. **Further, no ACCESSORY DRIVE-THROUGH FACILITIES shall be located** ~~or~~ in any REQUIRED SIDE OR REAR YARD **if** abutting a residential district. **These requirements may be waived if it is determined that these requirements would make** ~~unless this requirement would make~~ the accessory drive-through infeasible. This ~~which~~ determination shall be made, taking into account the required configuration of the building and related drive-through structure in order to provide drive-through services in relation to the size, shape and topography of the lot where such USE is proposed to be carried out. This prohibition applies to Structures, stacking lanes, and other related facilities.

- Amending Section 7.4.21 as follows:

~~A Tier 3 Special Permit shall be required for construction of a FENCE greater than six (6) feet in height that is located either in a Residential District or within ten (10) feet of a LOT LINE of a Residential USE.~~ **In any Residential District, a fence higher than six (6) feet shall require a Special Permit from the Planning Board. The same requirement shall apply to such a fence in excess of eight (8) feet, located within a Business District, if said fence is located within ten (10) feet of the property line of a residential use.**

- Amending Section 7.4.32 as follows:

Where two (2) land uses ~~districts~~ abut each other, the more intense ~~district~~ use must provide a BUFFER PLANTING STRIP when adjacent to residential districts **and/or residential uses** ~~or to less intense residential districts.~~ **This requirement shall apply to pre-existing lots where a new use or a more intensive use is established.** All DEVELOPMENT must follow the buffer and screening requirements in Table 7-3 and illustrated in Figure 7-1.

Article 9 (Sign Regulations):

- Amending Section 9.8.22 as follows:

The thickness between the SIGN faces shall not exceed one (1) foot. The closest point of a PROJECTING SIGN to a BUILDING wall shall not exceed one (1) foot. A PROJECTING SIGN shall maintain a minimum clearance of eight (8) feet above a walkway or sidewalk. **"A Projecting Sign shall not extend more than three (3) feet beyond the street line".**

- Amending Section 9.3.70 as follows:

9.3.78 CHANGING IMAGE SIGNS shall only be accessory to a GROUND SIGN.

9.3.79 If the CHANGING IMAGE SIGN is double sided, the distance between the two (2) signs shall not exceed twelve (12) inches.

9.3.80 CHANGING IMAGE SIGN(s) shall be equipped with automatic dimming capability to automatically adjust the illuminative brightness of the display according to ambient

light conditions by means of a light detector/photocell. Further, the light produced by such signs shall not exceed 0.3 foot candles over ambient light levels. The ambient light reading shall be taken at least thirty (30) minutes past sunset with the sign turned off or displaying all black copy. The fully lit reading shall be taken with the sign displaying all white copy. Measurement of the light levels shall be taken perpendicular to the face of the sign and at a distance of fifty (50) feet from the source.

- Amending Section 9.10.10 as follows:

One (1) SIGN may be ERECTED without a SIGN PERMIT to announce a church bazaar, fair, circus, festival, business or shop opening, special sale by a store or business, or similar event. Such SIGN shall identify the event and the date of the event, and it may display the event's sponsor, organizer or main feature.

Article 11 (Administration):

- Amending Section 11.1.14 as follows:

11.1.14 Action on Building Permits

The BUILDING COMMISSIONER shall grant or deny a BUILDING PERMIT as soon as practical, but in no event in more than thirty (30) days of receiving a complete application, and shall inform the applicant by sending the permit or denial by mail, or by delivering it in person to the applicant at the BUILDING COMMISSIONER'S Office, within that thirty (30) day period. The issuance of a BUILDING PERMIT does not relieve an applicant or an owner of the responsibility to obtain all required permits under this Ordinance or any other applicable local, state, or federal law or regulation.

Article 12:

- Amending Section 12.1.41 as follows:

The Office of Planning and Economic Development shall ensure that all agencies, boards, commissions, and departments with jurisdiction over a project are informed of any pending applications and invited to participate in the decision process under this Article. However, the reviews listed in this Article are to ensure compliance with the underlying zoning regulations. These reviews shall not, in anyway, supersede or replace any additional reviews required by other City Departments (i.e. Department of Public Works, Building Department, Fire Department, etc.). The Office of Planning and Economic Development Office of Neighborhood Services shall keep a list of neighborhood councils designated by the Planning Board, ~~who~~ that shall be notified by the Office of Planning & Economic Development of Tier 2 and 3 applications submitted to the Office of Planning and Economic Development. Such notification of neighborhood councils shall supplement the required notification of abutters, newspaper publication, and other forms of public notice contained in Sections 12.3.33, and 12.4.33.

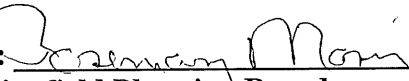
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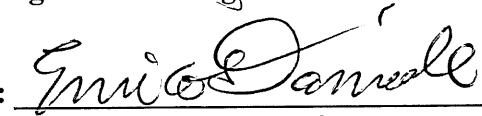
City of Springfield
 36 Court Street
 Springfield, MA 01103

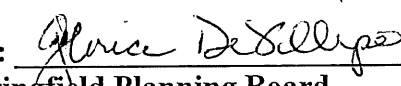
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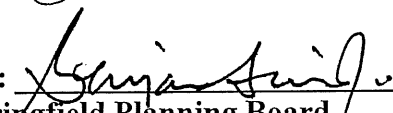
Springfield Planning Board

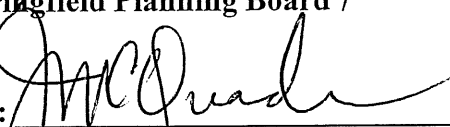
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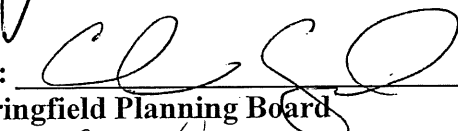
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OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A ZONE CHANGE

ZONING ORDINANCE AMENDMENT
EDITS/CORRECTIONS TO EXISTING ZONING ORDINANCE

GENERAL INFORMATION

Petitioner:	Springfield Planning Board
Request:	To make a number of corrections/edits to the existing Zoning Ordinance approved May 28, 2013 and effective August 26, 2013.
Location:	City Wide
Parcel Size:	N/A
Purpose:	Revise and update current ordinance.
Surrounding Land Use and Zoning:	N/A
Comprehensive/ Neighborhood Plan:	N/A
Tax Status:	N/A
Planning Board Hearing:	7-20-16

SPECIAL INFORMATION

Traffic & Parking:	n/a
Physical Characteristics:	n/a
Other Notes:	n/a

ANALYSIS

The Office of Planning & Economic Development, in conjunction with the Zoning Administrator and Building Department have been noting a number of corrections/edits found within the revised Zoning Ordinance which was approved by the City Council in May and became effective in August. A copy of the full proposal has been attached to this analysis.

As can be seen by the attached amendments, many of the proposed edits deal directly with correcting errors found within the document since its implementation as well as providing clarification to the underlying regulations. These include changes to section numbering, deleting or adding of specific terms and/or language and the removal of references to sections that no longer exist within the approved document.

In addition, after having the opportunity to work with the document over the last three (3) years, there have been a number of issues that have arisen during the permitting process in which the Building Department have asked us to address. One such issue relates to the new requirements of a "corner lot", "front yard" and "rear yard". These

were new requirements that were added to the new document but have been found to be very cumbersome to many developers. The same was also true for the new regulations for developing residential units within business zones. At the request of the Building Department, these requirements are being modified and will be handled as it was under the previous ordinance.

One of the more significant amendments being proposed is the change to the number of housing units allowed to be developed with only a Site Plan Review as opposed to a special permit. Currently, a new residential development only requires a special permit when it proposes to develop sixteen (16) or more units. Under the proposal being presented, this number would be reduced to ten (10) or more units. This proposal is in response to a number of concerns raised by neighborhood organizations about the new construction of larger residential developments. The most recent example of this is the multi-family development currently being constructed on Boston Road. The staff believes that by requiring these larger developments to fall under a special permit as opposed to only a Site Plan Review will allow the City much more oversight to ensure that these developments are appropriate for areas in which they are being proposed.

In addition, the staff is recommending a number of changes to the “changing image sign” section of the ordinance. Most notably is the requirement for an automatic dimming capability. Currently, there are no regulations controlling the brightness of these signs. Due to the fact that many of these signs are located within neighborhood commercial districts, the staff feels it is appropriate to ensure that these signs do not become a nuisance to surrounding businesses or the neighborhood as a whole.

Overall, as indicated by the staff when this document was originally passed, a continued monitoring of this ordinance is required to identify errors and/or processes which have been determined to be incorrect or that have been found to impede with the development process. As the City of Springfield moves forward with this document and continues to implement these new development controls, the staff is sure that additional edits will be required and, as pledged, will continue to make sure that this is a living document that continues to enhance the development patterns within the City of Springfield.

RECOMMENDATION

Approve.



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND SIXTEEN

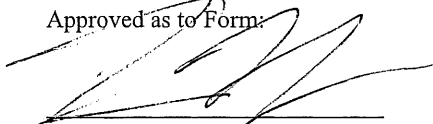
AN ORDINANCE

AMENDING THE ENTIRE CITY OF THE BUILDING ZONING MAP

Be it ordained by the City Council of the City of Springfield as follows:

SECTION 1. The Zoning Ordinance of the City of Springfield, Massachusetts entitled "An Ordinance for Consolidating and Arranging, Enlarging, Modifying and Amending the Ordinances of the City Restricting Buildings, Structures, and Premises According to Their Use or Construction to Specified Parts of the City", text enacted, May 28, 2013, effective August 26, 2013, as amended, is hereby further amended by amending Article 2 definition of "Buffer Planting Strip", "Lot, Corner", "Front Yard", "Rear Yard"; Article 4, Section(s) 4.3.20, Table 4-2, Table 4-4, Section 4.4.13, 4.4.20, 4.4.71(B) and 4.5.32(2); Article 5, Table 5-1, Section 5.6, 5.2.10, 5.2.80 and 5.3.20; Article 7, Section 7.1.32(c), Table 7-1, Section 7.1.53, 7.3.21, 7.4.21 and 7.4.32; Article 9, Section 9.8.22, 9.3.70 and 9.10.10; Article 11, Section 11.1.14; Article 12, Section 12.1.41 (see attached for full text). "The entire City Building Zone Map of the City of Springfield."

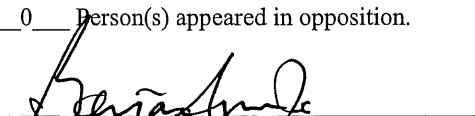
Approved as to Form:



Associate City Solicitor

In accordance with Mass. Gen. Laws c. 40A, section 5, the Planning Board held a hearing on July 20, 2016, regarding the above Ordinance amendment.

1 Person(s) appeared in favor, and 0 Person(s) appeared in opposition.



Ben Swan, Jr., Chairperson



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND SIXTEEN

AN ORDINANCE

AMENDING THE ENTIRE CITY OF THE BUILDING ZONING MAP

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**REPORT TO CITY COUNCIL
ZONE CHANGE HEARING**

PETITION: #3184
SECTION: Entire City

DATE: July 21, 2016

To the Honorable Mayor and City Council of the City of Springfield, Massachusetts, the Planning Board submits the following report on the Zone Change Petition, which was referred to the Board for its recommendation:

PETITIONER: Springfield Planning Board

ADDRESS: Entire City

CHANGE REQUESTED: SEE ATTACHED

PETITIONER'S PURPOSE STATEMENT: To correct/edit the recently approved Zoning Ordinance in order to address issues that have arisen since being passed in May 2013. The proposed edits/corrections are in conjunction with the Building Department and the Zoning Administrator.

DATE OF PUBLIC HEARING: July 20, 2016

DATE OF FINAL DECISION: July 20, 2016

BOARD MEMBERS PRESENT and COUNT: seven (7); Ms. Morin, Mr. Daniele, Ms. DeFillipo, Mr. Swan, Mr. Florian, Ms. McQuade and Mr. Cuningham

FINAL MOTION: Approve

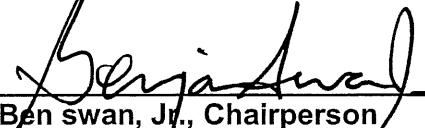
IN FAVOR: seven (7); Ms. Morin, Mr. Daniele, Ms. DeFillipo, Mr. Swan, Mr. Florian, Ms. McQuade and Mr. Cuningham

OPPOSED: zero (0)

ABSTAINED: N/A

RECOMMENDATION: APPROVE

Respectfully submitted,


Ben swan, Jr., Chairperson

Attachment: 3184_Zoning_Amendments_2016_CC (3610 : City Wide - Edits/Corrections to Existing Zoning Ordinance)

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The undersigned respectfully petition your honorable body

to amend the Springfield Zoning Ordinance, text enacted May 28, 2013, effective August 26, 2013, as follows:

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LOT, CORNER. A LOT abutting two or more STREETS at their intersection, or upon two parts of the same STREET forming an interior angle of less than one hundred thirty-five degrees. ~~A CORNER LOT has two (2) FRONT LOT LINES, two (2) FRONT YARDS, two (2) SIDE YARDS and no REAR YARD.~~ See Figure 2-4.

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Multi-Family Dwellings	3 to 9 5 dwelling units	10 6 to 15 9 dwelling units	16 10 and more dwelling units
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In order to maintain an active pedestrian STREET environment, enhance the character of commercial districts, and maintain continuity of commercial activity without interruption by residential façades, the portion of all MIXED-USE BUILDINGS **OR RESIDENTIAL BUILDINGS** along STREET FRONTAGES shall be used only for non-residential purposes, except for entrances to the residential units. The following additional requirements shall apply **and may only be waived with written approval from the Office of Planning & Economic Development.**

A. All DWELLING UNITS in ~~MIXED-USE BUILDINGS~~ shall be located as follows:

- DWELLING UNITS located above the STREET level may be placed anywhere ~~within a MIXED-USE BUILDING~~ in accordance with the density established in tables 5-5 and 5-6.

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 - In addition to the applicable standards in Section 4.6, the following regulations shall apply for CHILD CARE CENTERS and SCHOOL AGE CHILD PROGRAMS **which are located within residentially zoned properties.**
- Amend Section 4.5.32(2) as follows:

SIGNS shall comply with all applicable SIGN regulations found in Article 9 ~~and shall not exceed four (4) square feet of display area on all sides within Residential DISTRICTS.~~

Article 5 (Dimensional and Intensity Regulations):

- Amending Table 5-1 by amending “Minimum Building Lot Width at Building Line” - under Res B for single-family from “50” to “60” and under Res B for two-family from “50” to “80”.
- Amending Table 5-1 by adding footnote #7 to state: **“In the case of a corner lot, there shall be equal to or greater than fifteen (15) feet between the building and the side property line fronting on a street.”**
- Amending Table 5-1 – under “Minimum Side and Rear Yards – Principal Buildings” – adding footnote #7 to Res A-1, Res A, Res B and Res C.
- Amending Table 5-1 – under “Minimum Side and Rear Yards – Residential Garages and Other Accessory Buildings” – adding **“(Also refer to Article 4, Section 4.4.14)”**.
- Amending Table 5-1 – under “Minimum Side and Rear Yards – Residential Garages and Other Accessory Buildings” – under Res B- changing “0” to “3” and changing footnote “3” to “5”.
- Amending Table 5-1 – under “Minimum Side and Rear Yards – Residential Garages and Other Accessory Buildings” – under Res C- changing “0” to “3”.
- Amending Section 5.6 by changing “Section 6.2” to “Section 6.1”.
- Amending Section 5.2.10 as follows:

For the dimensions of ~~MIXED-USE BUILDINGS with~~ Dwelling Units located in non-residential ZONING DISTRICTS, see ~~tables 5-5~~ **Section 5.3.20** and **Table 5-6**.
- Amending Section 5.2.80 as follows:

The front of a SINGLE-FAMILY DWELLING or TWO-FAMILY DWELLING on an INTERIOR LOT shall face the STREET; ~~a door to each DWELLING UNIT shall either (a) face the STREET or (b) open onto a PORCH that provides access from the STREET side of the BUILDING.~~ **and shall contain the main door.**

- Amending Section 5.3.20 as follows:

- Deleting Table 5-5 and adding the following language:

Residential uses located within Office A shall following the dimensional regulations outline for Res B, as found in Section 5.2.

Residential uses located within Commercial A, Business A, Business B, Business C and Business D shall follow the dimensional regulations outlined for Residence C, as found in Section 5.2.¹

Residential development is not allowed within the Commercial P or Business B-1 districts.

Within the Industrial A district, no building or other structure(s) shall be erected, altered or used and no land shall be used or occupied for residential purposed, EXCEPT, where subdivision plans or individual building lots existed, and were duly recorded or registered, prior to the enactment of this ordinance.

¹ **For ground floor residential, refer to Article 4, Section 4.4.13**

Article 7 (Site Regulations):

- Amending Section 7.1.32(c) by deleting the following:

The availability of shared parking with binding agreements to secure its long-term availability; ~~where adjoining parking areas are connected directly to one another, to a service road or alley to reduce turning movements onto roads.~~

- Amending Table 7-1 by adding "colleges" and "1 space per faculty /0.5 spaces per students"

- Amending Table 7-1 under "other categories" as follows:

~~Tier 1 Administrative Site Plan Review in accordance with 7.1.32 and Section 12.2~~
Determination by the Building Commissioner or his/her designee".

- Amending Section 7.1.53 as follows:

D. These requirements may be reduced through the course of Site Plan Review.

- Amending Section 7.3.21 as follows:

Except in the Business D District, no ACCESSORY DRIVE-THROUGH FACILITIES shall be located in the REQUIRED FRONT YARD. **Further, no ACCESSORY DRIVE-THROUGH FACILITIES shall be located or in any REQUIRED SIDE OR REAR YARD if abutting a residential district. These requirements may be waived if it is determined that these requirements would make unless this requirement would make the accessory drive-through infeasible. This which** determination shall be made, taking into account the required configuration of the building and related drive-through structure in order to provide drive-through services in relation to the size, shape and topography of the lot where such USE is proposed to be carried out. This prohibition applies to Structures, stacking lanes, and other related facilities.

- Amending Section 7.4.21 as follows:

~~A Tier 3 Special Permit shall be required for construction of a FENCE greater than six (6) feet in height that is located either in a Residential District or within ten (10) feet of a LOT LINE of a Residential USE.~~ **In any Residential District, a fence higher than six (6) feet shall require a Special Permit from the Planning Board. The same requirement shall apply to such a fence in excess of eight (8) feet, located within a Business District, if said fence is located within ten (10) feet of the property line of a residential use.**

- Amending Section 7.4.32 as follows:

~~Where two (2) land uses districts abut each other, the more intense district use must provide a BUFFER PLANTING STRIP when adjacent to residential districts and/or residential uses or to less intense residential districts.~~ **This requirement shall apply to pre-existing lots where a new use or a more intensive use is established.** All DEVELOPMENT must follow the buffer and screening requirements in Table 7-3 and illustrated in Figure 7-1.

Article 9 (Sign Regulations):

- Amending Section 9.8.22 as follows:

The thickness between the SIGN faces shall not exceed one (1) foot. The closest point of a PROJECTING SIGN to a BUILDING wall shall not exceed one (1) foot. A PROJECTING SIGN shall maintain a minimum clearance of eight (8) feet above a walkway or sidewalk. **"A Projecting Sign shall not extend more than three (3) feet beyond the street line".**

- Amending Section 9.3.70 as follows:

9.3.78 CHANGING IMAGE SIGNS shall only be accessory to a GROUND SIGN.

9.3.79 If the CHANGING IMAGE SIGN is double sided, the distance between the two (2) signs shall not exceed twelve (12) inches.

9.3.80 CHANGING IMAGE SIGN(s) shall be equipped with automatic dimming capability to automatically adjust the illuminative brightness of the display according to ambient

light conditions by means of a light detector/photocell. Further, the light produced by such signs shall not exceed 0.3 foot candles over ambient light levels. The ambient light reading shall be taken at least thirty (30) minutes past sunset with the sign turned off or displaying all black copy. The fully lit reading shall be taken with the sign displaying all white copy. Measurement of the light levels shall be taken perpendicular to the face of the sign and at a distance of fifty (50) feet from the source.

- Amending Section 9.10.10 as follows:

One (1) SIGN may be ERECTED without a SIGN PERMIT to announce a church bazaar, fair, circus, festival, business or shop opening, special sale by a store or business, or similar event. Such SIGN shall identify the event and the date of the event, and it may display the event's sponsor, organizer or main feature.

Article 11 (Administration):

- Amending Section 11.1.14 as follows:

11.1.14 Action on Building Permits

The BUILDING COMMISSIONER shall grant or deny a BUILDING PERMIT as soon as practical, but in no event in more than thirty (30) days of receiving a complete application, and shall inform the applicant by sending the permit or denial by mail, or by delivering it in person to the applicant at the BUILDING COMMISSIONER's Office, within that thirty (30) day period. The issuance of a BUILDING PERMIT does not relieve an applicant or an owner of the responsibility to obtain all required permits under this Ordinance or any other applicable local, state, or federal law or regulation.

Article 12:

- Amending Section 12.1.41 as follows:

The Office of Planning and Economic Development shall ensure that all agencies, boards, commissions, and departments with jurisdiction over a project are informed of any pending applications and invited to participate in the decision process under this Article. However, the reviews listed in this Article are to ensure compliance with the underlying zoning regulations. These reviews shall not, in anyway, supersede or replace any additional reviews required by other City Departments (i.e. Department of Public Works, Building Department, Fire Department, etc.). The Office of Planning and Economic Development Office of Neighborhood Services shall keep a list of neighborhood councils designated by the Planning Board, ~~who~~ that shall be notified by the Office of Planning & Economic Development of Tier 2 and 3 applications submitted to the Office of Planning and Economic Development. Such notification of neighborhood councils shall supplement the required notification of abutters, newspaper publication, and other forms of public notice contained in Sections 12.3.33, and 12.4.33.

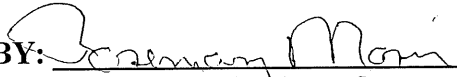
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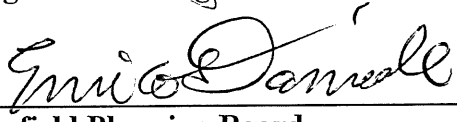
City of Springfield
 36 Court Street
 Springfield, MA 01103

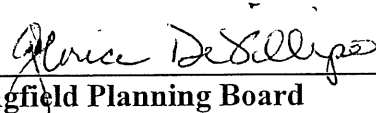
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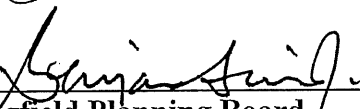
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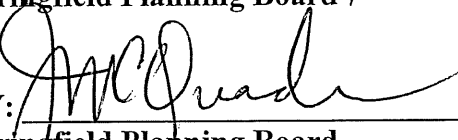
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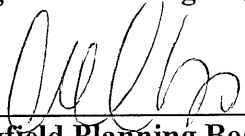
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