

CITY OF WORCESTER

In Committee

OMNIBUS ZONING ORDINANCE

TO CITY COUNCIL:

The Planning Board, to whom was referred proposed changes to the Zoning Ordinance by the Worcester Planning Board, having considered the same at its meetings on August 10, 2005 and September 28, 2005 voted 4-0 at its meeting on September 28, 2005 to recommend that the City Council adopt the Omnibus Zoning Ordinance with the following amendments and/or corrections based on the Planning Director's September 28, 2005 memo, and a review of written comments received by the Board:

□ **Article I, Section 2 – Definitions:**

- Page 7, Definition of the word “Abandonment” delete reference to “Article XV, Section 3(E)” and insert reference “Article XVI, Section 4(E)(3)”.
- Page 11, recommend to replace “i.e” with “e.g.” in the definition of “Drive-Through Service”.

□ **Article II, Section 9(D) Meetings, Notices, Hearings and Decisions:**

- Page 32, Section 9(D)(5) – line 6: recommend to remove the words “initiate” and “as the case may be”.
- Page 32, recommend to replace Section 9(D)(7) of the Omnibus Amendment with Article II Section 9(4)(F) from the current Zoning Ordinance, and re-petition.

□ **Article IV, Section 1 -- Application:**

- Page 36, Section 1(B) recommend to delete “where a split lot existed at the time of the adoption of the Zoning Map” and insert, “where a district boundary line divides a lot”.
- Page 36, Section 1(D)(1) recommend to highlight “Article XVI”.

□ **Article IV, Table 4.1 – Permitted Uses by Zoning District**

- Page 38, Table 4.1 title: recommend to change the word “used” to “uses”.
- Page 38, Residential Use #6 Group Residence – first column: recommend to remove the words “restricted to 16 residents and located no closer than 500’ of another group”.
- Page 39, General Use # 5 – first column: recommend to highlight the words “Adult Day Care”.
- Page 39, General Use #12 – first column: Nursing / Convalescent Home: recommend not to highlight SP in RL-7 zones.
- Page 45, Notes to Table 4.1 Note 7 – line 4: highlight the word “avoid”.

- **Article IV, Table 4.2 – Permitted Dimensions By District:**
 - Page 49, single-family attached uses: recommend to leave the minimum “Lot” area requirement at 2,200SF and minimum frontage requirement at 20ft per dwelling unit.
 - Page 50, all lines pertaining to Business Districts: recommend to change footnote “4” so that it modifies the frontage requirement for residential units in business zones and reads “40 per du⁴”.
- **Article IV, Section 6 – Signs**
 - Page 61, (A)(6) Projecting Signs: recommend to remove the following highlighted change “The outer most projection of a sign shall be no closer than five (5) feet from the lot line.”
 - Page 62, (D)(2) – recommend to replace the word “for” with “from” in line 2.
- **Article IV, Section 7 – Off Street Parking and Loading**
 - Page 69, par (A)(4) -- Decisions: second line, recommend to highlight “sixty-five (65 days)”.
 - Page 71, par (B)(6) – General Provisions: second line, recommend to replace “thirty-five” with “sixty-five” to accurately reflect the Board’s vote.
- **Article IV, Notes to Table 4.4 – Off Street Parking Requirements**
 - Page 75, Note 1: recommend to reinsert from the Current Zoning Ordinance “no accessory parking is required in a BG-6 district” after Note 1(a) and re-letter as appropriate.
 - Page 75, Note 1(b): recommend to remove the following portion of this note “(excludes rehabilitation and adaptive reuse of existing structures)” per Board vote.
 - Page 75, recommend to re-letter the second “Note 2(c)” to “Note 2(d)”.
 - Page 76, Note 3(b) – recommend to highlight in lines one and two the words “twenty-five percent”.
- **Article IV, Section 8 – Accessory Uses**
 - Page 80, subsection (B) – Limitations in Residential Districts, recommend to reinsert from current Zoning Ordinance (Article IV, Section 8(II)(C)) regarding swimming pools.
 - Page 81, Section 8(C)(h) – Home Occupations in Residential Districts: recommend removal from the Omnibus Amendment and re-petition by the Board.
- **Article V – Site Plan Review**
 - Section 3 – Procedure: Page 111, par (C): recommend to reinsert Article V Section 3(3)(B) from current Zoning Ordinance regarding fee waivers.
 - Section 5 – Application Approval Process – Standards for Review: Page 117, Section 5(B)(16): recommend to remove and re-petition.

□ **Article VI – Flood Plain Overlay**

- Page 126, Section 7(B) – the deletion was correct, however, it did not remove the site plan trigger as intended by the Board. Recommend to remove the Site Plan trigger as intended by the Board by rewording paragraph “B” as follows: “Any uses other than those provided for in Section 7(A) of this Article, permitted in the portions of the zoning districts which are overlaid by the Floodplain Overlay District, are permitted provided that the following criteria are met:”

□ **Article XII -- Water Resources Protection Overlay District Use Regulations**

- Page 147, Table 12.1– Use Regulations: recommend to reinsert Regulated Use numbers 15 and 16 from the current Zoning Ordinance.
- Page 148, Section 5 – Use Regulations: Recommend to highlight and change all three references to “Table 11.1” to “Table 12.1”.

□ **Article XVI – General Application of Regulations**

- Page 160, Section 2(D) – Exemptions, line two: recommend to highlight and change article reference to “Article XII”.
- Page 163, Section 4 – Nonconforming Uses and Structures:
 - Page 163, (C)(1)(a) Line 1: recommend to insert and highlight the word “itself” after the word “change”.
 - Page 163, (D)(1)(a) Line 1: recommend to insert and highlight the word “itself” after the word “change”.
 - Page 164, (E)(1):
 - Lines 1 and 3: recommend to highlight the word “privileged”.
 - Page 164, (E)(2):
 - Line 1: recommend to highlight the word “privileged”.
 - Lines 1,2, and 3: recommend to highlight the words “or structure”.
 - Line 5: recommend to highlight the word “structure”.

- Page 164, (E)(3)
 - Line 1: recommend to highlight the words “Use or” in part-title, and the words “or structure” near the end of Line 1.
 - Line 3: recommend to highlight the words “or structure”
 - Line 4: recommend to highlight the words “and/or use of the structure”

Respectfully submitted
for the Planning Board,



JOHN SHEA
Chairman

Attachment
cc: Law Department