

Old/New	Section	Issue	Question	Planning Dept. Solution	Law Dept.
Old	30-1 Definitions	<p>Floor Area, Gross            Definition is in 1.5.5 in New except for the last paragraph:            b) For all others: The floor area within the perimeter of the outside walls of the building without deduction for hallways, stairs, closets, thickness of walls, columns or other features.</p>	Should the last paragraph be included?	<p>There should be no distinction between residential and "all others" in terms of where to measure from the outside for FAR. The language says "perimeter of outside wall" for "all others" vs "exterior face of exterior wall" for residential. There is no difference between these definitions (confirmed by ISD). Using b) simplifies/clarifies the ordinance.</p>	Approved
Old	30-1 Definitions	<p>Not found in New</p> <p><i>Garage repair shop:</i> A part of a garage where minor structural repairs are made to motor vehicles for profit, by means of lathes, vises and other appliances, but not by means of heavy machinery.</p>	Recommendation: Add to 6.4.35 in New	The language has been added to "Minor" under 6.4.34.	Approved
Old	30-1 Definitions	<p>Not found in New</p> <p><i>Garden apartment:</i> A building or group of buildings arranged, intended and designed to be occupied by three (3) or more families per building. Such buildings shall occupy one lot in single ownership throughout.</p>	Recommendation: Delete – Not Needed	This definition was purposely deleted and was approved by ZAP.	Approved
Old	30-1 Definitions	<p>Not Found in New</p> <p><i>Grade:</i> In cases where the walls of the building are more than five (5) feet from the nearest street line, the mean elevation of the ground adjoining said wall; and in all other cases, the mean elevation of the nearest sidewalk.</p>	Recommendation: Add to 1.5 in New	The language has been added to Building Height 1.5.4.E.	Approved
Old	30-5 Allowed uses in all districts; special permits in all districts; prohibitions in all districts	<p>(a)(2) did not completely translate to 6.3.12 in New. Highlighted section can be found in 6.3.12 A, but rest of text is not found</p> <p>(2) Construction, alteration, enlargement, reconstruction, use or change of use of a building</p>	Review to incorporate all components in 6.3	The highlighted language was added to 6.3.12 and 6.3.14 to add clarity as to when administrative site plan review and special permits are required. Most of this	Approved

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		<p>or land for a church, synagogue, house of worship, or other uses for religious purposes or a school or any other use for educational purposes and such accessory uses as are proper and usual therewith on land owned or leased by the Commonwealth or any of its agencies, subdivisions or bodies politic or by a religious sect or denomination, or by a nonprofit educational corporation, provided, that a school or other use for educational purposes shall not include a correctional facility. For purposes of section 30-5(a)(2), "alteration" shall mean those modifications which produce an increased parking demand pursuant to the requirements in section 30-19. Such uses shall be permitted, subject to the dimensional regulations of section 30-15, the parking regulations of section 30-19 and the following procedure:</p>		<p>text is incorporated but had to be modified slightly to fit into the context of the new ordinance.</p>	
Old	30-5 Allowed uses in all districts; special permits in all districts; prohibitions in all districts	<p>Not Found in New</p> <p>(b) In all districts, unless the use is otherwise permitted as of right, the board of aldermen may grant a special permit in accordance with the procedures in section 30-24, the density and dimensional controls set forth in section 30-15 and the parking requirements set forth in section 30-19 to use land, buildings and structures for one or more of the following purposes:</p>	Covered by Table in 6.1?	<p>The uses for which this paragraph covers are listed in each of the use tables for the different districts, except for retaining walls, which is covered in 5.4.2. The use tables indicate that certain uses require a special permit. The special permit procedures are covered in 7.3, and any standards are provided in 6.</p>	Approved
Old	30-5 Allowed uses in all districts; special permits in all districts; prohibitions in all districts	<p>Not Found in New</p> <p>(c) In all districts, no land, buildings or structures shall be used except in conformance with the following:</p>	Introductory text. Is this Needed?	<p>Language is not required as the language that follows this is located in 5.3 and it is implied that these development standards apply to all districts.</p>	Approved
Old	30-5 Allowed uses in all districts; special permits in all districts; prohibitions	<p>Not directly translated into New</p> <p>(c)(2) There shall be no self-service gasoline service stations or gasoline service stations with</p>	Check to see if this is incorporated into 6.4.14 B	<p>The language in 6.4.14.B indicates that self-service pumping requires a special permit.</p>	Approved

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	in all districts	self-service pumping facilities except where such self-service station or pumping facility has been authorized pursuant to the procedures of section 30-24.			
Old	Sec. 30-8. Use Regulations for Single Residence Districts.	Not Found in New  (d) In single residence districts, an accessory apartment shall be a permitted use according to Table 30-8 and the following provisions:	Introductory text. Is this Needed?	Accessory apartments in single residence districts are addressed in 6.7. This text is not needed.	Approved
Old	Sec. 30-8. Use Regulations for Single Residence Districts.	Not Found in New  (d)(3) An accessory apartment is allowed in an Overlay District according to the provisions of Section 30-8(d) and Table 30-8.	James recommends adding to 6.7	This language has been added to 6.7.1.E.1	Approved
Old	Sec. 30-8. Use Regulations for Single Residence Districts.	Whole subsection Not Found in New  (d)(4)d Procedure. Application for the validation of the second dwelling unit under this section 30-8(d)(4) shall be made in accordance with section 30-22(b). The director of planning and development shall review the application for compliance with all the requirements of section 30-8(d)(4)c) above.  ... The owner of the subject property shall file with the commissioner of inspectional services an affidavit attesting to the continued residence of the owner on the subject property. Such affidavit shall be filed annually from the date of the issuance of the certificate of occupancy.	Whole Section removed by Committee as recommended by the Accessory Apartment Sub-Committee. Needs to be incorporated into a "Regulations" document.	Incorporated into a separate accessory apartment regulation. See draft.	Approved
Old	Sec. 30-9. Use Regulations for Multi-Residence Districts.	Not found in New  (a) <i>Allowed Uses</i> . In all multi-residence districts, subject to the density and dimensional controls set forth in section 30-15, and the parking requirements set forth in section 30-19, land, buildings and structures may be used, or may be designed, arranged or constructed for one or more of the following purposes:	Introductory text. Is this Needed?	Introductory text is not required and has been eliminated. The parking requirements can now be found in Sec. 5.1., and includes specific standards for their applicability and exceptions.	Approved
Old	Sec. 30-9. Use	Not found in New	Introductory text. Is this	Introductory text is not	Approved

Old/New	Section	Issue	Question	Planning Dept. Solution	Law Dept.
	Regulations for Multi-Residence Districts.	(b) <i>Special Permits in all Multi-Residence Districts.</i> In all multi-residence districts, the board of aldermen may grant a special permit in accordance with the procedures in section 30-24, the density and dimensional controls set forth in section 30-15 and the parking requirements set forth in section 30-19, to use land, buildings and structures for one or more of the following purposes:	Needed?	required. The use table identifies uses that require a special permit and the standards within the use section establish applicable standards for special permit uses. The parking requirements can now be found in Sec. 5.1., and includes specific standards for their applicability and exceptions.	
Old	Sec. 30-9. Use Regulations for Multi-Residence Districts.	Not found in New  (c) <i>Special Permits in Multi-Residence 1 Districts.</i> In all multi-residence 1 districts, the board of aldermen may grant a special permit in accordance with the procedures in section 30-24, the density and dimensional controls set forth in section 30-15 and the parking requirements set forth in section 30-19 to use land, buildings and structures for one or more of the following purposes:	Introductory text. Is this Needed?	Introductory text is not required. The use table identifies uses that require a special permit and the standards within the use section establish applicable standards for special permit uses. The parking requirements can now be found in Sec. 5.1., and includes specific standards for their applicability and exceptions.	Approved
Old	Sec. 30-9. Use Regulations for Multi-Residence Districts.	Not found in New  (d) <i>Special Permits in Multi-Residence 2 and 3 Districts.</i> In all multi-residence 2 and multi-residence 3 districts, the board of aldermen may grant a special permit in accordance with the procedures in section 30-24, the density and dimensional controls set forth in section 30-15 and the parking requirements set forth in section 30-19 to use land, buildings and structures for one or more of the following purposes:	Introductory text. Is this Needed?	Introductory text is not required. The use table identifies uses that require a special permit and the standards within the use section establish applicable standards for special permit uses. The parking requirements can now be found in Sec. 5.1., and includes specific standards for their applicability and exceptions.	Approved
Old	Sec. 30-9. Use Regulations for Multi-Residence	Not found in New  (f) <i>Special Permits in Multi-Residence 3 Districts.</i> In all	Introductory text. Is this Needed?	Introductory text is not required. The use table identifies uses that require a	Approved

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	Districts.	multi-residence 3 districts, the board of aldermen may grant a special permit in accordance with the procedures in section 30-24 and the requirements in section 30-15 and the parking requirements set forth in section 30-19 to use land, buildings and structures for one or more of the following purposes:		special permit and the standards within the use section establish applicable standards for special permit uses. The parking requirements can now be found in Sec. 5.1., and includes specific standards for their applicability and exceptions.	
Old	Sec. 30-9. Use Regulations for Multi-Residence Districts.	Not found in new  (g) <i>Special Permits in Multi-Residence 4 Districts.</i> In all multi-residence 4 districts, the board of aldermen may grant a special permit in accordance with the procedures in section 30-24, the density and dimensional controls set forth in section 30-15 and the parking requirements set forth in section 30-19, to use land and buildings for one or more of the following purposes:	Introductory text. Is this Needed?	Introductory text is not required. The use table identifies uses that require a special permit and the standards within the use section establish applicable standards for special permit uses. The parking requirements can now be found in Sec. 5.1., and includes specific standards for their applicability and exceptions.	Approved
Old	Sec. 30-9. Use Regulations for Multi-Residence Districts.	30-9(g)(1) The highlighted text appears in Table 3.4.1 in New. The un-highlighted text does not appear in New.  (1) A multi-family dwelling on a single lot, together with dining rooms and related facilities, and such accessory purposes as may be approved by the board of aldermen, provided that:	Does un-highlighted text need to be incorporated in New?	The allowance of dining rooms and related facilities for multi-family dwellings is identified under Sec. 6.2.4.B.2.a. The text is not needed.	Approved
Old	Sec. 30-9. Use Regulations for Multi-Residence Districts.	Not found in New  (h) <i>Additional Provisions Applicable in Multi-Residence 1 and 2 Districts.</i> In all multi-residence 1 and 2 districts, land and buildings may be used for the following purpose subject to the dimensional controls set forth in Table 30-8:  ...  (3) If it shall be determined by a court of competent jurisdiction that any provision or requirement of section 30-	Whole Section removed by Committee as recommended by the Accessory Apartment Sub-Committee. Needs to be incorporated into a "Regulations" document.	This references the accessory apartments in MR districts which are covered in Sec. 6.7.1.D. The second paragraph is located in Sec. 6.7.1.I.	Approved

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		9(h) is invalid as applied for any reason, then section 30-9(h) shall be declared null and void in its entirety.			
Old	Sec. 30-11. Business Districts.	Not found in New  (a) <i>Allowed Uses</i> . In Business Districts 1, 2, 3 and 4, subject to the density and dimensional controls set forth in section 30-15 and the parking requirements set forth in section 30-19, land, buildings and structures may be used, or may be designed, arranged or constructed for one or more of the following purposes:	Introductory text. Is this Needed?	Introductory text is not required and has been eliminated. The parking requirements can now be found in Sec. 5.1., and includes specific standards for their applicability and exceptions.	Approved
Old	Sec. 30-11. Business Districts.	Not found in Table 4.4.1 in New  30-11(a) (14) Other uses similar or accessory to those authorized by section 30-11(a).	This last element in the list of allowed uses does not appear in Table 4.4.1 and was not found in the text related to business districts.	Language not required as the introduction in 6.1 indicates that the Commissioner may make a determination for uses that are not listed but are similar based on certain criteria as outlined in the ordinance.	Approved
Old	Sec. 30-11. Business Districts.	Not found in New  (d) <i>Special Permits</i> . In Business Districts 1, 2, 3 and 4, the board of aldermen may grant a special permit in accordance with the procedures in section 30-24, subject to the density and dimensional controls set forth in section 30-15 and the parking requirements set forth in section 30-19, to use land, buildings and structures for one or more of the following purposes:	Introductory text. Is this Needed?	Introductory text is not required. The use table identifies uses that require a special permit and the standards within the use section establish applicable standards for special permit uses. The parking requirements can now be found in Sec. 5.1., and includes specific standards for their applicability and exceptions.	Approved
Old	Sec. 30-11. Business Districts.	Not found in New  30-11 (d)  (12) In Business District 4, a Planned Multi-Use Business Development, in accordance with the provisions of section 30-15(s);  (13) Other uses similar or accessory to those	This last elements in the list of special permits does not appear in Table 4.4.1 and was not found in the text related to business districts.	For the PMBD – this is a separate section 4.1.4 which discusses the requirements. It is in the ordinance but not in the table as this is a specific use with separate requirements. It does not need to be added to the table.	Approved

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		authorized by section 30-11(d).		For the second item – this language is not required as the introduction in 6.1 indicates that the Commissioner may make a determination for uses that are not listed but are similar based on certain criteria as outlined in the ordinance.	
Old	Sec. 30-11. Business Districts.	Not found in New  (e) <i>Allowed Uses in Business 2 Districts.</i> In all Business 2 Districts, subject to the density and dimensional controls set forth in section 30-15 and parking requirements set forth in section 30-19, land, buildings and structures may be used, or may be designed, arranged or constructed for one or more of the following purposes:	Introductory text. Is this Needed?	Introductory text is not required and has been eliminated. The parking requirements can now be found in Sec. 5.1., and includes specific standards for their applicability and exceptions.	Approved
Old	Sec. 30-11. Business Districts.	Not found in New  30-11(e)(4) (4) Other uses similar or accessory to those authorized by section 30-11(e).	Not in Table 4.4.1. Is this covered somewhere else?	Language not required as the introduction in 6.1 indicates that the Commissioner may make a determination for uses that are not listed but are similar based on certain criteria as outlined in the ordinance.	Approved
Old	Sec. 30-11. Business Districts.	Not found in New  (g) <i>Special Permits in Business 2 Districts.</i> In Business 2 Districts, the board of aldermen may grant a special permit in accordance with the procedures in section 30-24, subject to the density and dimensional controls set forth in section 30-15 and the parking requirements set forth in section 30-19, to use land, buildings and structures for one or more of the following purposes:	Introductory text. Is this Needed?	Introductory text is not required. The use table identifies uses that require a special permit and the standards within the use section establish applicable standards for special permit uses. The parking requirements can now be found in Sec. 5.1., and includes specific standards for their applicability and exceptions.	Approved
Old	Sec. 30-11.	Not found in New	Not in Table 4.4.1. Is this	Language not required as	Approved

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	Business Districts.	30-11(g) (8) Other uses similar or accessory to those authorized by section 30-11(g).	covered somewhere else?	the introduction in 6.1 indicates that the Commissioner may make a determination for uses that are not listed but are similar based on certain criteria as outlined in the ordinance.	
Old	Sec. 30-11. Business Districts.	Not found in New  (h) <i>Allowed Uses in Business 5 Districts.</i> In all Business 5 Districts, subject to the density and dimensional controls set forth in section 30-15 and the parking requirements set forth in section 30-19, land, buildings and structures may be used, or may be designed, arranged or constructed for one or more of the following purposes:	Introductory text. Is this Needed?	Introductory text is not required and has been eliminated. The parking requirements can now be found in Sec. 5.1., and includes specific standards for their applicability and exceptions.	Approved
Old	Sec. 30-11. Business Districts.	Not found in New  30-11(h) (3) Other uses similar or accessory to those authorized by section 30-11(h).	Not in Table 4.4.1. Is this covered somewhere else?	Language not required as the introduction in 6.1 indicates that the Commissioner may make a determination for uses that are not listed but are similar based on certain criteria as outlined in the ordinance.	Approved
Old	Sec. 30-11. Business Districts.	Text not found in New  (i) <i>Special Permits in Business 5 Districts.</i> In all Business 5 Districts, the board of aldermen may grant a special permit in accordance with the procedures provided in section 30-24 for the construction, alteration, enlargement, extension or reconstruction of buildings or structures and for the use of buildings, structures or land for one or more of the following purposes:	Introductory text. Is this Needed?	Introductory text is not required. The use table identifies uses that require a special permit and the standards within the use section established special standards for special permit uses. The parking section (Sec. 5) indicates that the parking standards are applicable for all uses, with some exceptions as noted.	Approved
Old	Sec. 30-11. Business Districts.	Not found in New  30-11(i) (7) Other uses similar or accessory to those authorized by section 30-11(i) which are not	Not in Table 4.4.1. Is this covered somewhere else?	Language not required as the introduction in 6.1 indicates that the Commissioner may make a determination for uses that	Approved



Old/New	Section	Issue	Question	Planning Dept. Solution	Law Dept.
		injurious to the neighborhood.		are not listed but are similar or accessory based on certain criteria as outlined in the ordinance. Further, the Commissioner of ISD believes the "injurious" criteria is covered by subsection 6.1.A.12., and is therefore not needed.	
Old	Sec. 30-12. Manufacturing Districts.	<p>Un-highlighted text is not found in New. Highlighted text can be found in 6.5.11 B</p> <p>(a) <i>Allowed Uses</i>. In all Manufacturing Districts, subject to the density and dimensional controls set forth in section 30-15 and the parking requirements set forth in section 30-19, land, buildings and structures may be used, or may be designed, arranged or constructed for one or more of the following purposes; provided that such use shall not be injurious, noxious or offensive by reason of noise, smoke, odor, gas, dust or similar objectionable features, or dangerous on account of fire, or any other cause:</p>	Is the un-highlighted introductory text needed?	<p>The unhighlighted section is standard introductory language and is not necessary because the dimensional and parking requirements are identified in other tables.</p> <p>The highlighted section has been added to 5.12 as a new section so that the language applies to all uses in a manufacturing district, which is the case in the existing ordinance. The existing language in Section 6.5.11.B., which applies specifically to manufacturing uses has been kept as well. While this is repetitive it ensures that there is no substantive change from the current ordinance.</p>	Approved
Old	Sec. 30-12. Manufacturing Districts.	<p>The following allowed uses in Section 30-12 (a) do not show up directly in Table 4.4.1 in the New.</p> <p>30-12(a)</p> <ul style="list-style-type: none"> <li>(5) Storage warehouse;</li> <li>(11) Canvas products, fabrication and sales;</li> <li>(12) Carpentry or woodworking shop;</li> <li>(13) Casting lightweight and nonferrous metals;</li> <li>(15) Glass fabrication and installation;</li> </ul>	<p>Have these uses been grouped under other headings or do they need to be added to the table?</p> <p>Also, Section 6.5.11 lists some of these in the definition of manufacturing, but the listing for</p>	The list of uses indicated in Sec. 30-12(a) have been reorganized/redefined to standardized uses in all zoning districts. These uses are now categorized as "manufacturing". Table 4.4.1 has been revised to reflect the correct permitting	Approved

Old/New	Section	Issue	Question	Planning Dept. Solution	Law Dept.
		<p>(16) Ice manufacturing and storage;  (18) Machine shop (excluding presses over ten tons), plumbing, and blacksmith shop;  (19) Metal fabrication, light (such as sheet metal, ducts, gutters and leaders);  (21) Optical and scientific instruments, jewelry manufacturing;  (26) Wearing apparel, fabrication and processing;</p>	<p>manufacturing in table 4.4.1 says that manufacturing is not allowed in a manufacturing district.</p>	<p>process and whether standards apply.</p>	
Old	Sec. 30-12. Manufacturing Districts.	<p>Not found in New 30-12(a)</p> <p>(27) Other uses similar or accessory to those authorized by section 30-12(a), provided that the following or similar uses shall not be permitted in connection with nor shall they be considered valid accessory uses to the uses allowed by section 30-12(a): collection, storage, transfer-haul or composting of trash or yard waste of any sort, including, but not limited to recyclable materials, brush, leaves, grass clippings and any other similar materials.</p>	<p>Not in Table 4.4.1. Is this covered somewhere else?</p>	<p>The collection, storage, etc. language is in table 4.4 (and 6.5.16) and is not permitted in any district. In addition, the language in the 6.1 which provides criteria for the Commission to determine whether uses are similar addresses the issue of "similar or accessory to" language in the current ordinance.</p>	Approved
Old	Sec. 30-12. Manufacturing Districts.	<p>Not found in New</p> <p>(c) <i>Special Permits</i>. In Manufacturing Districts, the board of aldermen may grant a special permit in accordance with the procedures in section 30-24, subject to the density and dimensional controls set forth in section 30-15 and the parking requirements set forth in section 30-19, to use land, buildings and structures for one or more of the following purposes; provided that such uses shall not be injurious, noxious or offensive to the neighborhood by reason of noise, smoke, odor, gas, dust or similar objectionable features, or dangerous on account of fire or any other cause:</p>	<p>Introductory text. Is this Needed?</p>	<p>Introductory text is not required. The use table identifies uses that require a special permit and the standards within the use section established special standards for special permit uses. The parking section (Sec. 5) indicates that the parking standards are applicable for all uses, with some exceptions as noted. The environmental standards applied to uses within the manufacturing district have been stated in Sec. 5.12.</p>	Approved

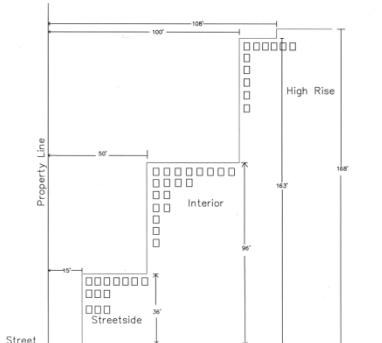
Old/New	Section	Issue	Question	Planning Dept. Solution	Law Dept.
Old	Sec. 30-12. Manufacturing Districts.	<p>The following Special Permit uses in Section 30-12 (c) do not show up directly in Table 4.4.1 in the New.</p> <p>30-12(c)</p> <p>(2) Auto body or machine repair shop;</p> <p>(6) Garage repair shop;</p> <p>(10) Bakery, commercial or wholesale; (wholesale is in table, but not commercial)</p> <p>(13) Bird store;</p> <p>(16) Uses similar or accessory to those authorized by section 30-12(c), provided that the following or similar uses shall not be permitted in connection with nor shall they be considered valid accessory uses to the uses authorized by section 30-12(c): collection, storage, transfer-haul or composting of trash or yard waste of any sort, including, but not limited to recyclable materials, brush, leaves, grass clippings or any other similar materials.</p>	Not in Table 4.4.1. Are these covered somewhere else?	The list of uses indicated in Sec. 30-12(c) have been reorganized/redefined to standardized uses in all zoning districts. The new uses and their listed standards can be found in Sec. 6.5. Specifically, the "Bird Store" use has been removed as a standalone use, and is now consider a "Retail Sales" use. Per the recommendation of staff, the Zoning and Planning Committee eliminated the word "commercial". The similar or accessory use determinations are now covered under Sec. 6.1.B.	Approved
Old	Sec. 30-12. Manufacturing Districts.	<p>Not found in New</p> <p>(d) <i>Allowed Uses in the Limited Manufacturing Districts.</i> In the Limited Manufacturing Districts, subject to the density and dimensional controls set forth in section 30-15 and the parking requirements set forth in section 30-19, land, buildings and structures may be used, or may be designed, arranged or constructed for the following purposes:</p>	Introductory text. Is this Needed?	Introductory text is not required and has been eliminated. The parking requirements can now be found in Sec. 5.1., and includes specific standards for their applicability and exceptions.	Approved
Old	Sec. 30-12. Manufacturing Districts.	<p>The following allowed used in Section 30-12 (d) Limited Manufacturing do not show up directly in Table 4.4.1 in the New.</p> <p>(1) Any uses and accessory purposes permitted in the business 2 districts as listed in sections 30-11(a) and 30-11(e), except residential structures or uses of any type, other than accommodations for a watchman or caretaker in connection with a business or manufacturing use;</p> <p>(2) Bakery, commercial or wholesale; (wholesale is in</p>	Also, Section 6.5.11 lists some of these in the definition of manufacturing, but the listing for manufacturing in table 4.4.1 says that manufacturing is not allowed in a limited manufacturing district.	The list of uses indicated in Sec. 30-12(d) have been reorganized/redefined to standardize uses in all zoning districts. The new uses and their listed standards can be found in Sec. 6.5. The permitting process identified in Table 4.4.1 for the manufacturing use has been updated to	Approved

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		<p>table, but not commercial)</p> <ul style="list-style-type: none"> <li>(5) Canvas products, fabrication and sales;</li> <li>(6) Carpentry or woodworking shop;</li> <li>(7) Casting lightweight and nonferrous metal (no noxious fumes);</li> <li>(10) Glass fabrication and installation;</li> <li>(11) Ice manufacture and storage;</li> <li>(14) Machine shop (excluding presses over ten (10) tons), plumbing and blacksmith shop;</li> <li>(14) Machine shop (excluding presses over ten (10) tons), plumbing and blacksmith shop;</li> <li>(15) Metal fabrication, light (such as sheet metal, ducts, gutters and leaders);</li> <li>(16) Molding, shaping or assembly from prepared materials, (including repairs) of boxes, ladders, staging, toys, stationery, novelties, paper boxes, toilet preparations, drugs, perfumes, flavoring extracts, medical and hygienic appliances, clothing, textiles, hats, leather and sporting goods, mattresses, store and office equipment; house, office, theater, playground equipment; signs, musical instruments, art goods, industrial models, tools, appliances or electrical goods;</li> <li>(17) Optical and scientific instruments, jewelry manufacturing;</li> <li>(22) Wearing apparel, fabrication and processing;</li> </ul>		<p>reflect that the "manufacturing" use is allowed by right in the Manufacturing and Limited Manufacturing districts. Per the recommendation of staff, the Zoning and Planning Committee eliminated the word "commercial".</p>	
Old	Sec. 30-12. Manufacturing Districts.	<p>Not found in New</p> <p>(e) <i>Special Permits in the Limited Manufacturing Districts.</i> In the Limited Manufacturing Districts, the board of aldermen may grant a special permit in accordance with the procedure provided in section 30-24 for the construction, alteration, enlargement, extension or reconstruction of buildings or structures and for the use of buildings, structures or lands for one or more of the following purposes:</p>	Introductory text. Is this Needed?	Introductory text is not required and has been eliminated.	Approved
Old	Sec. 30-12. Manufacturing Districts.	The following uses allowed by special permit in Section 30-12 (e) Limited Manufacturing do not show up directly in Table 4.4.1 in the New.	How do these items show up in 4.4.1.	The list of uses indicated in Sec. 30-12(e) have been reorganized/redefined to	Approved

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		30-12(e) (1) Parking lot, public garage or public stable, fuel establishment and fuel oil distributor, garage repair shop, but not for a motor vehicle repair shop; (7) Commercial outdoor amusement or recreation place or places of assembly, including an outdoor motion picture theater; (8) Place of amusement or assembly other than a bowling alley; (11) Other uses similar or accessory to those authorized by this section which are not injurious to the neighborhood as a Limited Manufacturing District.		standardize uses in all zoning districts. The new uses and their listed standards can be found in Sec. 6.5. The similar or accessory use determinations are now covered under Sec. 6.1.B.	
Old	Sec. 30-12. Manufacturing Districts.	Not found in New  (f) <i>Site Plan Approval, Building Size.</i> In the Manufacturing and Limited Manufacturing Districts, land, buildings and structures may be used for the purposes authorized in their respective districts, provided that:	Introductory text. Is this Needed?	Introductory text is not required and has been eliminated.	Approved
Old	Sec. 30-13. Mixed Use Districts.	Not found in New  (a) <i>Allowed Uses in Mixed Use 1 Districts.</i> In Mixed Use 1 Districts, subject to the density and dimensional controls set forth in section 30-15 and the parking requirements set forth in section 30-19, land, buildings and structures may be used, or may be designed, arranged or constructed for one or more of the following purposes:	Introductory text. Is this Needed?	Introductory text is not required and has been eliminated. The parking requirements can now be found in Sec. 5.1., and includes specific standards for their applicability and exceptions.	Approved
Old	Sec. 30-13. Mixed Use Districts.	Not found in New  (b) <i>Special Permits in Mixed Use 1 Districts.</i> In Mixed Use 1 Districts, the board of aldermen may grant a special permit in accordance with the procedures in section 30-24, subject to the density and dimensional controls set forth in section 30-15 and the parking requirements set forth in section 30-19, to use land, buildings and structures for one or more of the following purposes:	Introductory text. Is this Needed?	Introductory text is not required and has been eliminated. The parking requirements can now be found in Sec. 5.1., and includes specific standards for their applicability and exceptions.	Approved

Old/New	Section	Issue	Question	Planning Dept. Solution	Law Dept.
Old	Sec. 30-13. Mixed Use Districts.	<p>Found in Table 4.4.1, but table indicates that these are not allowed in MU districts</p> <p>30-13(b)            (2) Wholesale business;            (3) Storage or distribution facility;</p>	Correct Table 4.4.1	<p>These uses have been redefined as a "Wholesale Business or Storage Facility" use. The permitting process listed in Table 4.4.1 has been updated to reflect that this use is permissible via approval of a special permit.</p>	Approved
Old	Sec. 30-13. Mixed Use Districts.	<p>The following uses allowed by special permit in Section 30-13 (b) Mixed Use do not show up directly in Table 4.4.1 in the New.</p> <p>(16) Uses similar to or accessory to those authorized by section 30-13(b) which are not injurious to the neighborhood.</p>	Is this Needed?	<p>The similar or accessory use determinations are now covered under Sec. 6.1.B.</p>	Approved
Old	Sec. 30-13. Mixed Use Districts.	<p>Not found in New</p> <p>(c) <i>Allowed Uses in Mixed Use 2 Districts.</i> In Mixed Use 2 Districts, subject to the density and dimensional controls set forth in section 30-15 and the parking requirements set forth in section 30-19, land, buildings and structures may be used, or may be designed, arranged or constructed for one or more of the following purposes:</p>	Introductory text. Is this Needed?	<p>Introductory text is not required and has been eliminated. The parking requirements can now be found in Sec. 5.1., and includes specific standards for their applicability and exceptions.</p>	Approved
Old	Sec. 30-13. Mixed Use Districts.	<p>The following uses allowed in Section 30-13 (c) Mixed Use 2 do not show up directly in Table 4.4.1 in the New.</p> <p>(12) Bakery, the products of which are sold at retail and only on the premises;            (13) Dwelling units above the first floor, provided that the first floor is used for an allowed use described above;            (15) Uses similar or accessory to those authorized by section 30-13(c).</p>	How do these items show up in 4.4.1.	<p>The list of uses indicated in Sec. 30-12(e) have been reorganized/redefined to standardize uses in all zoning districts. The new uses and their listed standards can be found in Sec. 6.5. The similar or accessory use determinations are now covered under Sec. 6.1.B.</p>	Approved
Old	Sec. 30-13. Mixed Use Districts.	<p>Not found in New</p> <p>(e) <i>Special Permits in Mixed Use 2.</i> In all Mixed Use 2 Districts, the board of aldermen may grant a special permit</p>	Introductory text. Is this Needed?	<p>Introductory text is not required and has been eliminated. The parking requirements can now be</p>	Approved

Old/New	Section	Issue	Question	Planning Dept. Solution	Law Dept.
		in accordance with the procedures in section 30-24, subject to the density and dimensional controls set forth in section 30-15 and the parking requirements set forth in section 30-19, to use land, buildings and structures for one or more of the following purposes:		found in Sec. 5.1., and includes specific standards for their applicability and exceptions.	
Old	Sec. 30-13. Mixed Use Districts.	<p>Check conflict regarding laboratories in Mixed Use 2:</p> <p>Allowed Uses 30-13(c)</p> <p>(2) Research and development facility, laboratory or research facility; provided that no recombinant DNA research or technology is involved;</p> <p>Allowed by Special Permit 30-13(e)</p> <p>(4) Laboratory;</p> <p>(14) Recombinant DNA research or technology, as defined in sections 12-20 <u>et. seq.</u> of the Revised Ordinances, as amended;</p>	How do 30-13(c)(2) and 30-13(e)(4) relate?	The list of uses indicated in Sec. 30-13(c) have been reorganized/redefined to standardize uses in all zoning districts.	Approved
Old	Sec. 30-13. Mixed Use Districts.	<p>30-13(e)(8) Is a parking lot a parking facility?</p> <p>(8) Parking lots, provided that they are limited to a single level;</p>	Is this covered in 4.4.1	The use currently listed in Sec. 30-13(e)(8) has been redefined as a "Parking Facility" use and is listed in Table 4.4.1.	Approved
Old	Sec. 30-13. Mixed Use Districts.	<p>The following text in Section 30-13(e) Mixed Use 2 does not show up directly in Table 4.4.1 in the New.</p> <p>(16) Other uses similar or accessory to those authorized by section 30-13(e) which are not injurious to the neighborhood.</p>	Is this Needed?	The similar or accessory use determinations are now covered under Sec. 6.1.B.	Approved


Old/New	Section	Issue	Question	Planning Dept. Solution	Law Dept.
Old	Sec. 30-15. Density/Dimensional Requirements	<p>Graphic in 30-15 Table A in regards to PMBD is not in the New</p> 	Should this be in New? James believes it is covered by text	The information in this image is covered by text so the inclusion of the image is redundant. The illustration has been eliminated.	Approved
Old	Sec. 30-15. Density/Dimensional Requirements	<p>Table 4 Dimensional Controls</p> <p>MR Section of Table is not in New version.</p>		A new building form type has been added for "Rear Lots" in MR districts, which can be found in Sec. 3.2.5. In addition, Sec. 3.2.12 has also been added to outline the standards and exceptions for this type of development within the MR districts.	Approved
Old	Sec. 30-20. Signs and other advertising devices.	<p>30-20(f)(9) text is not in New</p> <p>Regulation of signs in commercial districts</p> <p>(9) Standing signs. In particular instances, the board of aldermen may permit standing signs, kiosks, or public information bulletin boards as provided in subsection (1) of this section.</p>	Add to New? James to review	The language of Sec. 30-20(f)(9) has merged with the definition for "Sign, free-standing" in Sec. 5.2.3.	Approved
Old	Sec. 30-21. Applicability of chapter to existing building; non-conforming uses; prior permits.	<p>30-21(e) the first part of this paragraph does not seem to directly translate to text in the New. The rest of the paragraph can be found in 7.8.1 A 1 and 7.8.1 A 2</p> <p>(e) This chapter or any amendment thereof shall not affect any permit issued or any building or structure lawfully begun before the first publication of notice of the public hearing on such chapter or any amendment thereto required by section 5 of chapter 40A of the General Laws, but shall apply to any building or special permit issued after</p>	Does this text need to be added to 7.8.1?	The language presented in Sec. 7.8.1.A.1. has been modified to better reflect the content and language of Sec. 30-21(a) and Sec. 30-21(e) of the current ordinance.	Approved



Old/New	Section	Issue	Question	Planning Dept. Solution	Law Dept.
		the first notice of said public hearing; . . .			
Old	Sec. 30-22. Review of Accessory Apartment Petitions (RAAP)	<p>The text below from 30-22(c)(3) does not appear in full in 6.7.1 B 3</p> <p>(3) The petitioner shall record with the Registry of Deeds for the Southern District of Middlesex County a certified copy of the certificate of occupancy for the accessory apartment which states that the accessory apartment may not be held in separate ownership from the principal use, that the owner must live in either the accessory apartment or the principal dwelling, and that before ownership of the property changes, the current owner must apply to the commissioner of inspectional services for a new occupancy permit. Before issuing such occupancy permit, the commissioner of inspectional services must assure that the provisions of the Newton Zoning Ordinance and the State Building Code are met.</p>	Has the text been incorporated in the New?	Throughout the Accessory Apartment sections of the current ordinance, the requirements for recording documents with the Registry of Deeds were duplicative, contradictory, and confusing. Staff presented a revised structure for these requirements to the Zoning & Planning Committee, which consolidated and streamlined the requirement. James and Marie are developing revised process language which will be discussed shortly.	Approved
Old	Sec. 30-24. Special Permits	<p>The text of 30-24(f)(14) does not appear in 5.11</p> <p>(14) <u>Severability, effect on other laws.</u> The provisions of section 30-24(f) are severable. If any subsection, provision, or portion of this section is determined to be invalid by a court of competent jurisdiction, then the remaining provisions of this section shall continue to be valid.</p>		The severability clause is covered by Sec. 1.4.5. of the Newton Revised Ordinances.	Approved
Old	Sec. 30-35. Keno	<p>The text of 30-35(g) does not appear in 6.10.2</p> <p>(g) <i>Severability.</i> If any section or portion of this section is ruled invalid, such ruling will not affect the validity of the remainder of the section.</p>	Does this need to be included in 6.10 or is this covered somewhere else?	The severability clause is covered by Sec. 1.4.5. of the Newton Revised Ordinances.	Approved
New	1.4 Legal Status Provisions	<p>1.4.1. <u>Effective Date</u> The effective date of this Chapter shall be [INSERT affective date].</p>	Set Date	The adoption date of November 1, 2015 has been inserted in the clean and redlined versions.	Approved

Old/New	Section	Issue	Question	Planning Dept. Solution	Law Dept.
New	3.1 Single Residence 3.2 Mult-Residence 4.1 Business District 4.2 Mixed	All illustrations indicating Primary and Side Street designations need to be updated		The updated illustrations from Code Studios have been received and pushed to the latest version of the ordinance. Thus the illustrations are correct.	Approved
New	3.1.3 Table	Principal Side Setbacks E Front (min) in SR3 needs to be corrected from 20' to 30'	To match number in 30-15 Table 1	The dimensional standard has been corrected to reflect the current ordinance.	Approved
New	3.1.5 Table	Alternate Side Building Separation – Side Separation in SR2 needs to be corrected from 30' to 46'	To match number in 30-15 Table 4	The dimensional standard has been corrected to reflect the current ordinance.	Approved
New	3.1.6 Table	Building Height. For this table, and all tables built on 30-15 Table 2, there is no sloped roof adjustment in the footnotes of the Old Table 2.	The designation of sloped or flat roof should be eliminated and be called height using the sloped roof numbers.	The differentiation of the height requirements for sloped and flat roofs addresses these roof types which are currently regulated by footnotes. In instances where a footnote in the existing ordinance does not exist for a certain building type, the building height has been corrected to show correct to show 36' for sloped or flat, as there is no distinction in the current ordinance for uses in Table 2. This was proposed and accepted by the Zoning & Planning Committee as a solution to dealing with the excessive number of footnotes.	Approved
New	3.1.6 Table 3.1.7 Table 3.1.8 Table 3.2.8 Table 3.2.9 Table 3.2.10 Table	See above		The building height has been corrected to show 36' for sloped or flat, as there is no distinction in the current ordinance for uses in Table 2.	Approved
New	3.1.9 Floor Area Ratios	Table for SR3 7,000 to 9,999 sf Maximum FAR range should be corrected from 0.43 to 0.33 to read .48 to .41	To match 30-15 Table 1	The Maximum FAR range has been corrected to reflect	Approved

Old/New	Section	Issue	Question	Planning Dept. Solution	Law Dept.
				the current ordinance.	
New	3.1.9 E 4 (of the previous (May 29 <sup>th</sup> ) draft)	<p>The text of 3.1.9 E 4 was not found in the Old Ordinances and is not indicated as a new addition:</p> <p>4. In particular instances, the Board of Aldermen may grant exceptions to paragraph A. above and to the dimensional controls in this Article if it is determined that literal compliance is impractical due to the nature of the use, or the location, size, frontage, depth, shape, or grade of the lot, or that such exceptions would be in the public interest, or in the interest of safety, or protection of environmental features.</p>	Should this text be deleted or redlined?	This text has been deleted, as the language from Sec. 30-15(r)(3) in the current ordinance is covered by Sec. 3.1.10.c.	Approved
New	3.2.4 3.2.5 3.2.6 3.2.7	Should these tables or sections indicate that these are all by special permit? The table in 3.4.1 shows that they all require special permits.	Indicate that all are by special permit?	No. The uses and their respective permitting process are listed in Table 3.4.1.	Approved
New	3.2.11	The table in this section uses asterisks which are not the common printed symbols for multiplication.	Should the more common x be used to indicate multiplication?	The use of asterisks (*) throughout the revised ordinance has been limited to references for footnotes. In instances where language references a mathematical equation for multiplication an (X) has been used. This table has been changed in this draft to eliminate the asterisks and use parenthesis instead of brackets.	Approved
New	3.4.1	In Table 3.4.1 Wireless Communication equipment or structure it indicates that a Special Permit is required in all districts. However 30-18A provides for both as of right and special permit.	Should the SP designation be modified to read L/SP	The permitting process/standard for "Wireless communication equipment" has been updated in each Allowed Uses table for each respective zoning district.	Approved
New	4.2.3	In table 4.2.3 Building Setbacks F Rear not abutting residential, the number for MU1 should be changed from 0 to 7.5	See 30-15 Table 3	The dimensional standard has been corrected to reflect the current ordinance.	Approved
New	4.3.3	In Table 4.3.3 Lot Dimensions A Lot Area (min) for LM currently reads 36' for 2 and 3 stories. 30-15 Table 3	See 30-15 Table 3	The dimensional standard has been corrected to reflect	Approved

Old/New	Section	Issue	Question	Planning Dept. Solution	Law Dept.
		indicates 0		the current ordinance.	
New	5.1.11	5.1.11 B the following text does not appear in the Old Ordinance  B. Where the computation of required bicycle parking results in a fractional number, only the fraction of 1/2 or more shall be counted as one.	Ok to add as redlined - James	Good as proposed.	Approved
New	5.2.3 (of the previous (May 29 <sup>th</sup> ) draft)	Sign, gas station: Signs advertising fuel sales. There is no written definition of this type of sign in either New or Old Ordinances.  	Eliminate?	This type of sign has been eliminated.	Approved
New	6.4	The Headers of the pages are off beginning with section 6.4		The formatting for every article and page has been check and revised as necessary so the layout of the master page in InDesign are carried throughout the document.	Approved
New	6.5.2	6.5.2 There is no definition of Bakery, Wholesale in Old Ordinances  6.5.2. Bakery, Wholesale A. Defined. A bakery selling products at wholesale and not on premise.	Redline in New	This language has been redlined in the Redline version of the revised Ordinance.	Approved
New	6.7.1	6.7.1.C.1  The following text does not seem to appear in the Old Ordinance:  2. Standards. An internal accessory apartment is allowed by right as a use accessory to an owner-occupied single-family dwelling, in accordance with the procedures for administrative site plan review, and subject to Sec. 6.7.1.F, provided that:	Determine where in the Old ordinance it is and if not there redline the text in new.	This language exists in Sec. 30-8(d)(1)(a) of the current rdinance. The structure and exact wording was revised as part of the complete reorganization of the accessory apartment requirements within the revised Ordinance.	Approved
New	6.7.1	In Table 6.7.1 F in Lot Size column for special permits in	To match Table 30-8 in Old	The punctuation has been	Approved

Old/New	Section	Issue	Question	Planning Dept. Solution	Law Dept.
		SR2 and Overlay District B the number 10.000 should read 10,000		corrected to reflect the current Ordinance.	
New	3.3.2	Sec. 3.3.2 has been renamed to "Common Property Line Setback Reduction for Institutional Uses. This section has also be moved to Sec. 3.1.12		updated	Approved
New	3.1.9	Sec. 3.1.9.C and D have been moved and consolidated with Sec. 7.3.4.A and B		updated	Approved
New	3.1.9	3.1.9.A, B, and E (now C) has been duplicated in Sec. 3.2.12, and outlines the standards and exceptions for this type of development within the MR districts.		updated	Approved
New	Table 4.4.1	The five different restaurant uses listed in Table 4.4.1. have been reorganized under the use type "Restaurant". The standards in Sec. 6.4.29. have been expanded to account for the different seating, square footage, and time thresholds that are applicable in each zoning district.		updated	Approved
New	7.3.4	Language has been added to Sec. 7.3.4.A.2. to clarify what has been required of applicants in this section.		updated	Approved
New	1.5.	The definition of a "Two-Family, Detached" has been revised to reflect the proposed changes to this building type being considered by ZAP. It should be noted that the revised language deletes the "Common Wall" and "Common Roof" connector requirements.		updated	Approved
Other		3.1.2 – Single Family Attached Dwellings		A table for single-family attached dwellings was created. This was not previously in the revised Ordinance but should have been. There is no change from the current ordinance.	Approved
Ref.	6.7.3	Reference to 6,7.3.B.5 does not exist	Correct is 6.7.3.B.1.e	Corrected	Approved
Ref.	6.9.6 – Special Permit Procedure	Reference for special permit to 7.4.5 is incorrect, as this is the site plan review section. Correct reference based on existing ordinance is to 7.3.2. which is "Review" for special permits	Correct reference is 7.3.2.	Updated reference	Approved
Ref.	6.9.6 – Special Permit Procedure	Reference for special permit to 7.4.5.E is incorrect, as this is "Site Plan approval shall be granted by a majority vote of the Board of Alderman". Correct reference based on existing ordinance is to 7.3.2.F, Biosafety Committee	Correct reference is 7.3.2.F	Updated reference	Approved
Ref.	7.3.1.B	Reference for site plan submission is to the "application" in 7.4.3, where based on existing ordinance it should be	Correct reference is 7.4.4	Updated reference	Approved

Old/New	Section	Issue	Question	Planning Dept. Solution	Law Dept.
		to 7.4.4 to "Plans"			
Other	7.3.4.A.2.a	Additional requirements moved up – since there is no need to have a bullet beneath 2.		Updated	Approved
Other	7.8.2.A.2	"De Minimis Relief" paragraph. Ordering between redlined and clean version is not consistent. Clean version changed so that De Minimis is B.		Updated	Approved
Old	Table 3.1.5	"Stories by special permit" was not included in new ordinance	Include additional line.	Line included in Table 3.1.5 to account for stories by special permit.	Approved
Old	Table 3.1.8	Footnote "When a dormitory is developed in conjunction with a non-profit use the lot coverage and open space requirements of Section 3.1.7 shall apply" Was not carried forward in new ordinance.	Carried forward footnote	Footnote was carried forward to table 3.1.8.	Approved