



Zoning & Planning Committee Report

Part 1

City of Newton **In City Council**

Monday, April 26, 2021

Present: Councilors Crossley (Chair), Leary, Wright, Krintzman, Danberg, Baker, Albright and Ryan

Also Present: Councilors Bowman, Kelley, Laredo, Lipof, Markiewicz, Lucas, Noel, Norton, Malakie, Greenberg, Kalis and Oliver

City Staff: Jonathan Yeo, Chief Operating Officer; Andrew Lee, Assistant City Solicitor; Jini Fairley, ADA Coordinator; Jen Caira, Deputy Planning Director, Zachery LeMel, Chief of Long Range Planning, Barney Heath, Director; Cat Kemmett, Planning Associate, Nevena Pilipovic-Wengler, Community Planning/Engagement Specialist; Planning & Development Department; Jonah Temple, Assistant City Solicitor; Alyssa Giuliani, City Solicitor and Maura O'Keefe, Assistant City Solicitor

Planning Board: Peter Doeringer (Chair), Chris Steele, Jennifer Molinsky, Kevin McCormick, Sonia Parisca and Barney Heath

Others Present: Treff LaFleche, NewTV, WBZ-TV

Utile Consultants: Tim Love and Lisa Hollywood

#132-21 **Appointment of Treff LaFleche as a full member of the Zoning Board of Appeals**
HER HONOR THE MAYOR appointing TREFF LAFLECHE, 1603 Commonwealth Avenue, Newton, as a full member of the Zoning Board of Appeals. His term of office shall expire on April 30, 2022. (60 days 06/19/21)

Action: **Zoning & Planning Committee Approved 8-0**

Note: Mr. LaFleche joined the Committee for discussion of his appointment to the Zoning Board of Appeals (ZBA).

The Chair invited Mr. LaFleche to join the Committee to discuss his interest in serving as a full member after serving as an associate member on the ZBA for several years. Mr. LaFleche stated that he is a practicing architect in the City, familiar with Newton and its Zoning regulations. He said that he feels that he can continue bringing a balanced approach to the ZBA and looks forward to continuing to serve.

Committee members questions and answers.

Questions and Answers:

How does Mr. LaFleche view the role as a full member opposed to an associate member? Mr. LaFleche answered that being a full member will allow him to apply his knowledge of Zoning regulations in a consistent way on requests for variances and 40B applications.

Committee members thanked Mr. LaFleche for his willingness to serve on the Zoning Board of Appeals. Councilor Danberg moved approval and the Committee voted in favor 8-0.

#133-21 Reappointment of William McLaughlin as a full member of the Zoning Board of Appeals

HER HONOR THE MAYOR reappointing WILLIAM MCLAUGHLIN, 117 Hammond Street, Newton as a full member of the Zoning Board of Appeals. His term of office shall expire on April 30, 2022. (60 days 06/19/21)

Action: Zoning & Planning Committee Approved 8-0

#134-21 Reappointment of Brooke Lipsitt as a full member of the Zoning Board of Appeals

HER HONOR THE MAYOR reappointing BROOKE LIPSITT, 54 Kirkstall Road, Newtonville as a full member of the Zoning Board of Appeals. Her term of office shall expire on April 30, 2024. (60 days 06/19/21)

Action: Zoning & Planning Committee Approved 8-0

#135-21 Reappointment of Michael Rossi as a full member of the Zoning Board of Appeals

HER HONOR THE MAYOR reappointing MICHAEL ROSSI, 20 Rose Drive, Newton, as a full member of the Zoning Board of Appeals. His term of office shall expire on April 30, 2023. (60 days 06/19/2021)

Action: Zoning & Planning Committee Approved 8-0

#136-21 Reappointment of Stuart Snyder as a full member of the Zoning Board of Appeals

HER HONOR THE MAYOR reappointing STUART SNYDER, 30 Erie Avenue, Newton Highlands, as a full member of the Zoning Board of Appeals. His term of office shall expire on April 30, 2023. (60 days 06/19/2021)

Action: Zoning & Planning Committee Approved 8-0

Note: The Committee discussed docket items #133,21, #134-21, #135-21 and #136-21 together.

Without discussion, Councilor Wright made a motion to approve these reappointments to the Zoning Board of Appeals. Committee members agreed 8-0.

#88-20 Discussion and review relative to the draft Zoning Ordinance

DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the draft Zoning Ordinance.

Zoning & Planning Held on 01/27/20, 02/10/2020, 02/24/2020, 03/09/2020, 03/23/2020, 04/13/2020, 04/27/2020, 05/19//2020, 06/01/2020, 06/15/2020, 06/29/2020, 07/09/2020, 07/16/2020, 08/13/2020, 09/14/2020, 10/01/2020, 10/15/2020, 11/05/2020, 11/09/2020, 12/14/20, 02/22/21, 03/08/21

Action: **Zoning & Planning Held 8-0**

Note: The Zoning & Planning Committee held item #88-20. An amended report reflecting the discussion on item #88-20 will be available on May 7, 2021. The presentation for the meeting can be found at the end of this report.

#145-21 Request for Chapter 30 Amendment to establish regulations for gun establishments

HER HONOR THE MAYOR AND COUNCILORS ALBRIGHT, KRINTZMAN, LEARY, OLIVER, GREENBERG, NORTON, LUCAS, KELLEY, WRIGHT, MALAKIE, MARKIEWICZ, GENTILE, DOWNS, CROSSLEY, HUMPHREY, DANBERG, NOEL, BOWMAN, LAREDO, GROSSMAN, BAKER, LIPOF, KALIS AND RYAN requesting amendments to the Newton Zoning Ordinance, Chapter 30, including, but not limited to, the addition of definitions of “Firearm” and “Firearm Businesses”, and amendments to Section 4.4.1 Allowed Uses and Section 6.10 Restricted Uses to regulate the use of land, structures and buildings for the siting and operation of gun ranges or the retail or wholesale operation involving gunsmithing, the purchase or sale of firearms, the sale of ammunition, or firearms accessories, and to restrict such uses to the Business 4, Mixed Use 1, Manufacturing, and Light Manufacturing Districts only and only upon the granting of a special permit, and to establish minimum standards and criteria for the granting of such special permits.

Action: **Zoning & Planning Held 8-0**

Note: The Zoning & Planning Committee held item #145-21. An amended report reflecting the discussion will be available on May 7, 2021. Presentations given at the meeting can be found at the end of this report. The full video for the meeting can be found on NewTV’s website at the following link <https://newtv.org/recent-video/107-committee-meetings-and-public-hearings/6769-zoning-and-planning-committee-april-26-2021>.

At approximately 10:30 p.m., the Committee adjourned.

Respectfully Submitted,
Deborah J. Crossley, Chair

City of Newton Zoning & Planning Committee

Village Center Rezoning: Phase 1

Agenda

1. Approach to Village Center Study
2. Schedule
3. Engagement Plan

Newton's Unique Village Centers



Newton Centre



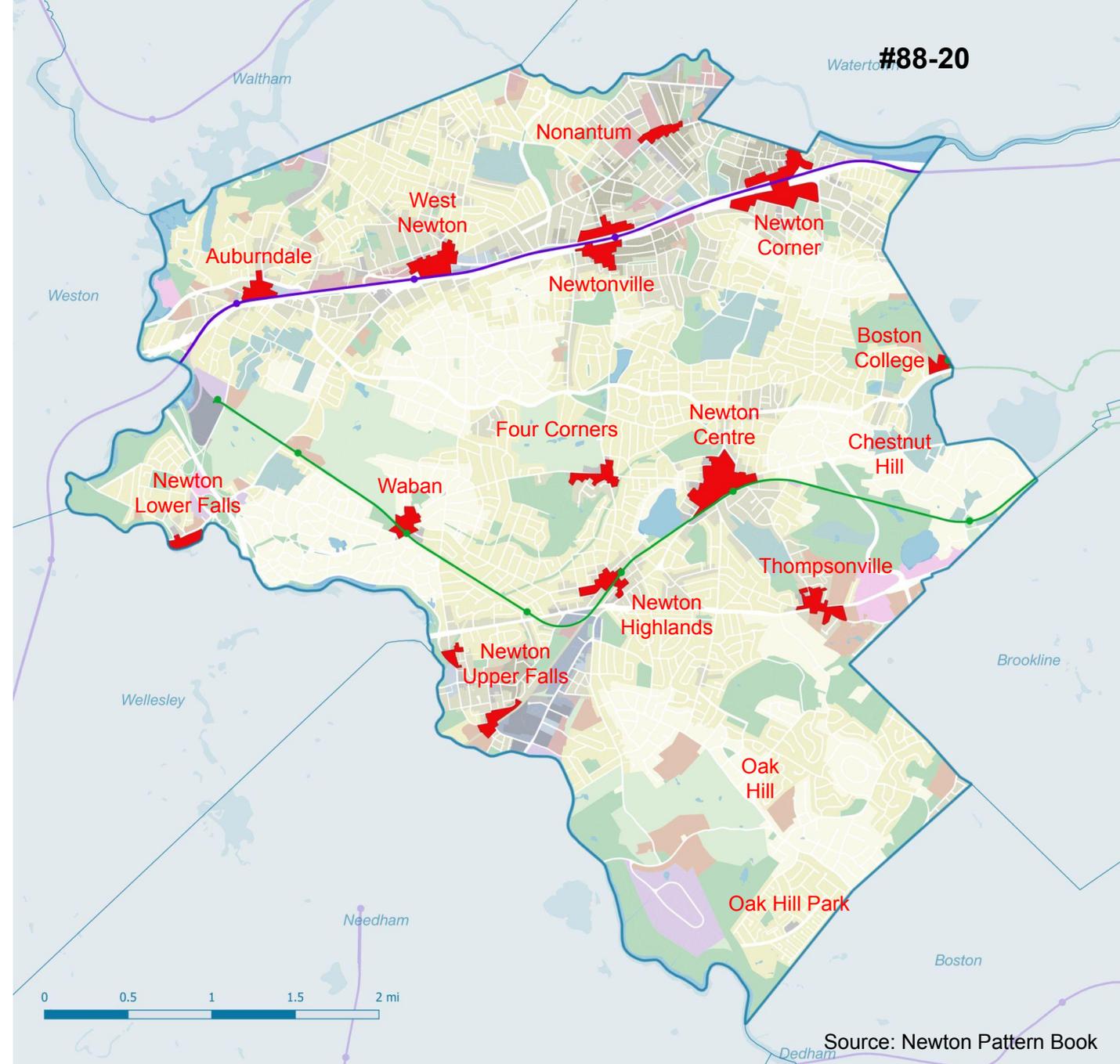
Newton Highlands



Newton Corner



West Newton



Village Center Characteristics: A Mix of Uses



served by public transit



community gathering spaces



smaller / local retail and office



pedestrian friendly

Goals for Village Centers in Recent Plans

Support the vitality of village centers which provide focal areas for the [sense of place and community](#) - **CP**

Promote an [active environment and a pedestrian experience](#) - **CP** and **EDP**

[Maintain the character and unique feeling](#) of the villages while [supporting economic vibrancy](#) - **EDP**

Build dynamic and varied cultural spaces and [promote art and activity](#) in the villages - **A&C**

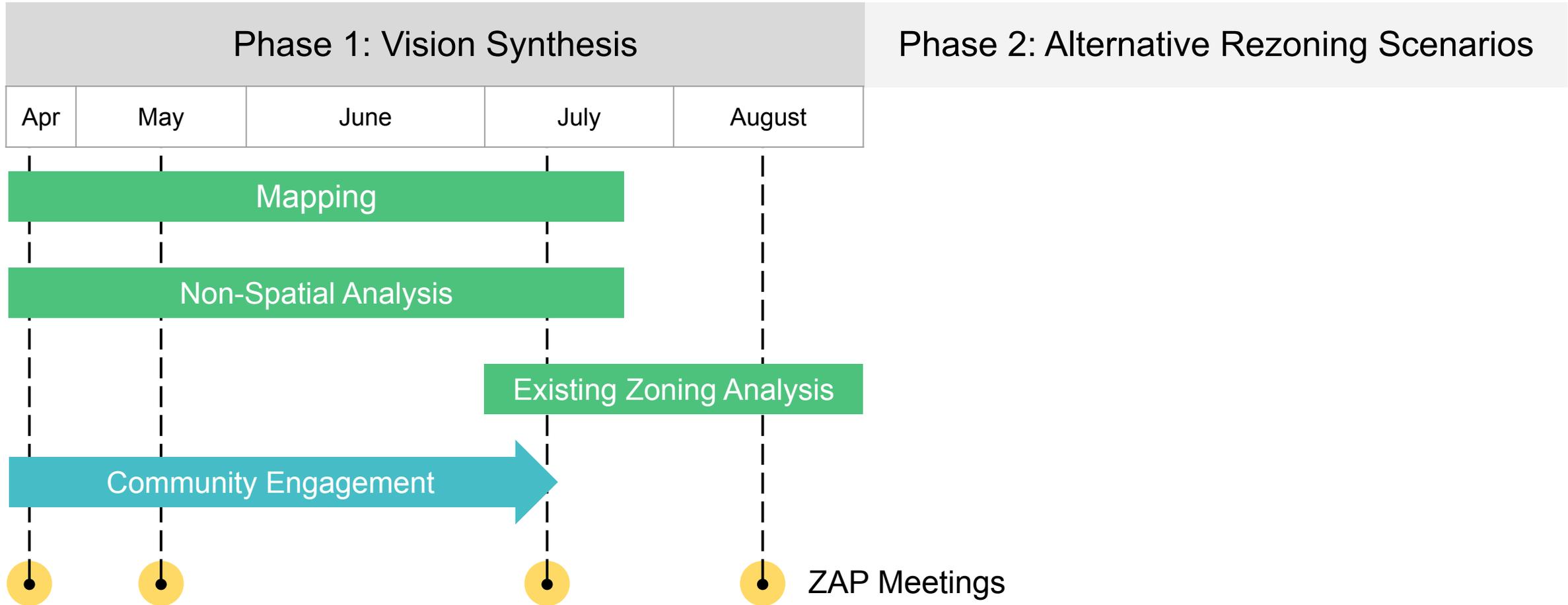
Taken from City Planning and Policy Documents:

CP: Comprehensive Plan 2007

EDP: Economic Development Plan 2019

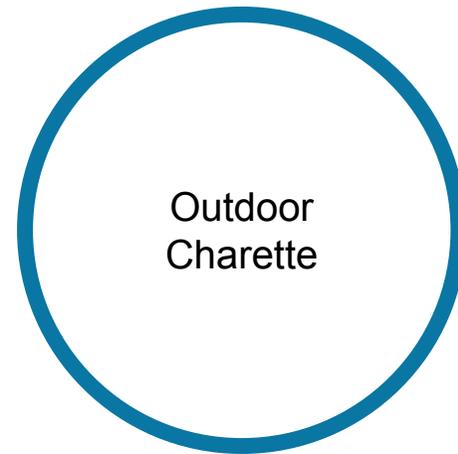
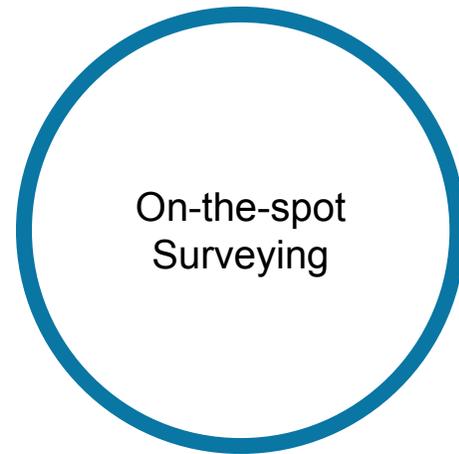
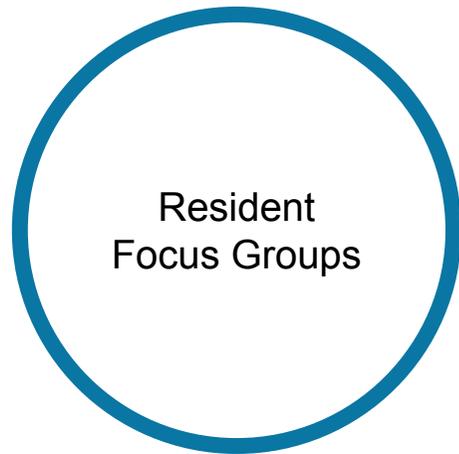
A&C: Arts and Culture Plan 2019

Village Center Zoning Redesign Schedule: Phase 1



Engagement Plan

Vision Kit & Polis Survey



Vision Kit



Self-guided kit for any Village Center: asks residents to go out and explore their village centers



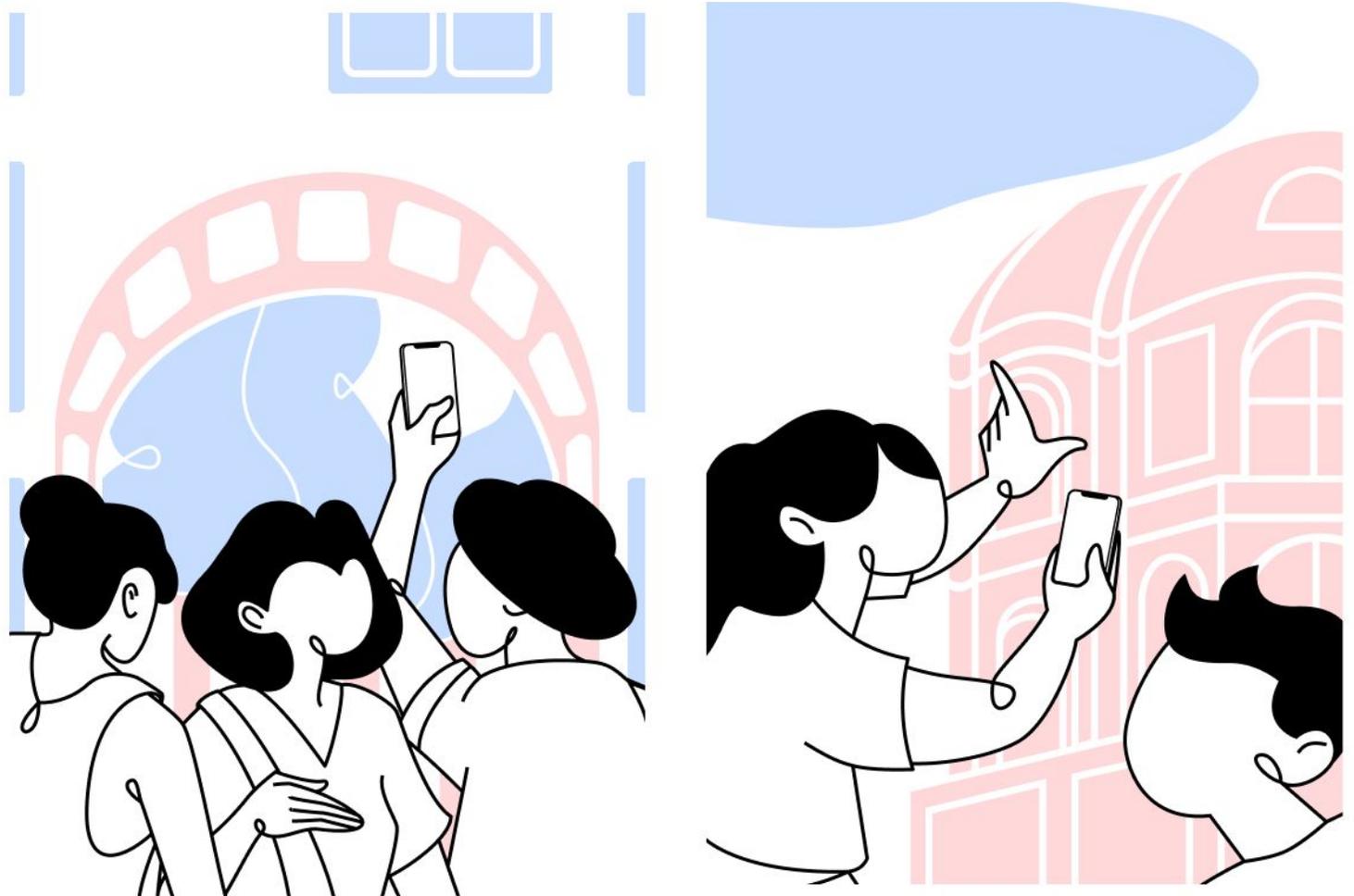
Printed, on your phone or on your computer



Activates ideas for the Polis survey



Send in photos, drawings & stories



Surveying during time of pandemic: crowdsourcing

Norwalk Industrial Zones

You'll see statements written by other participants. Start by reading and voting on those statements. For each statement, you can Agree, Disagree, or Pass. You might decide to pass, for example, because a statement is vague or confusing, or it does not apply to you, or maybe the statement makes more than one point and you don't agree with all of it.

After you've voted on several statements, you should add your own if you didn't see your point of view represented. To add your own statement, click in the field underneath the conversation, type your statement, and then click Submit.

You can see a report about all votes and comments submitted so far at <https://pol.is/report/r626mstbzwevuhycpb66f>.

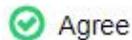
Welcome to a new kind of conversation - vote on other people's statements.



Anonymous wrote:

100+ remaining

Industry can exist in fairly close proximity to residential neighborhoods, but many rules, buffers and controls needed to avoid conflicts



Agree



Disagree

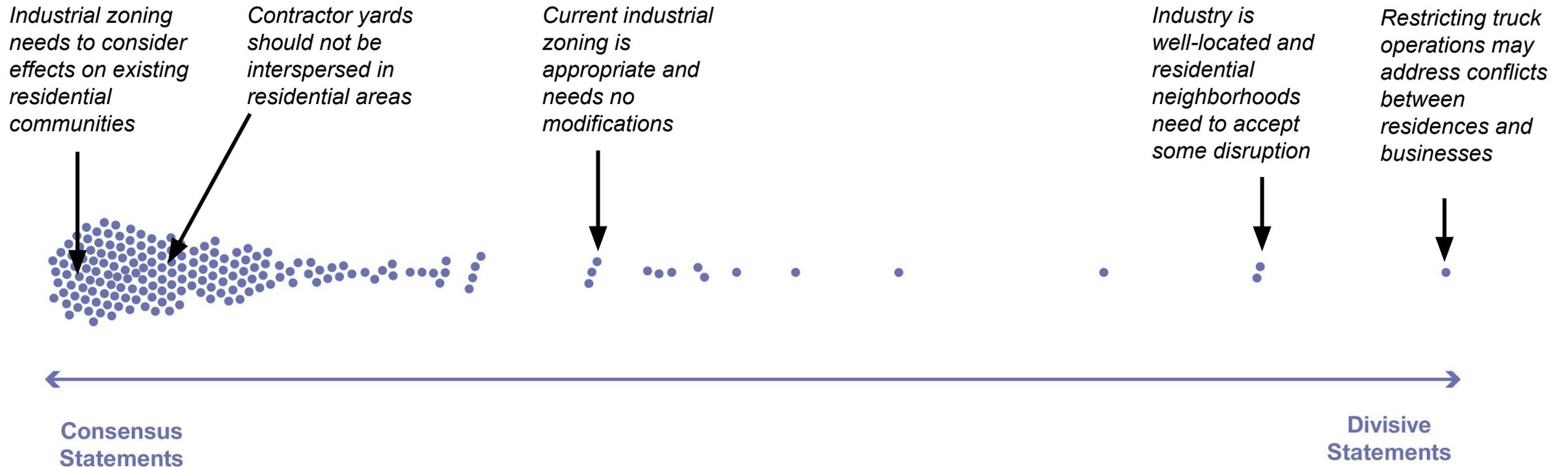
Pass / Unsure

- **434** people voted (based on logins or individual devices)
- **366** people grouped
- **23,356** votes were cast
- **197** statements were submitted
- **53.82** votes per voter on average

Consensus versus divisive topics

Consensus topics: Increase waterfront public access, protect water quality, protect shellfish industry, reduce traffic

Divisive topics: Encouraging industrial development, how to resolve industrial-residential conflict



We can determine the groups in which respondents fall.

Opinion Groups

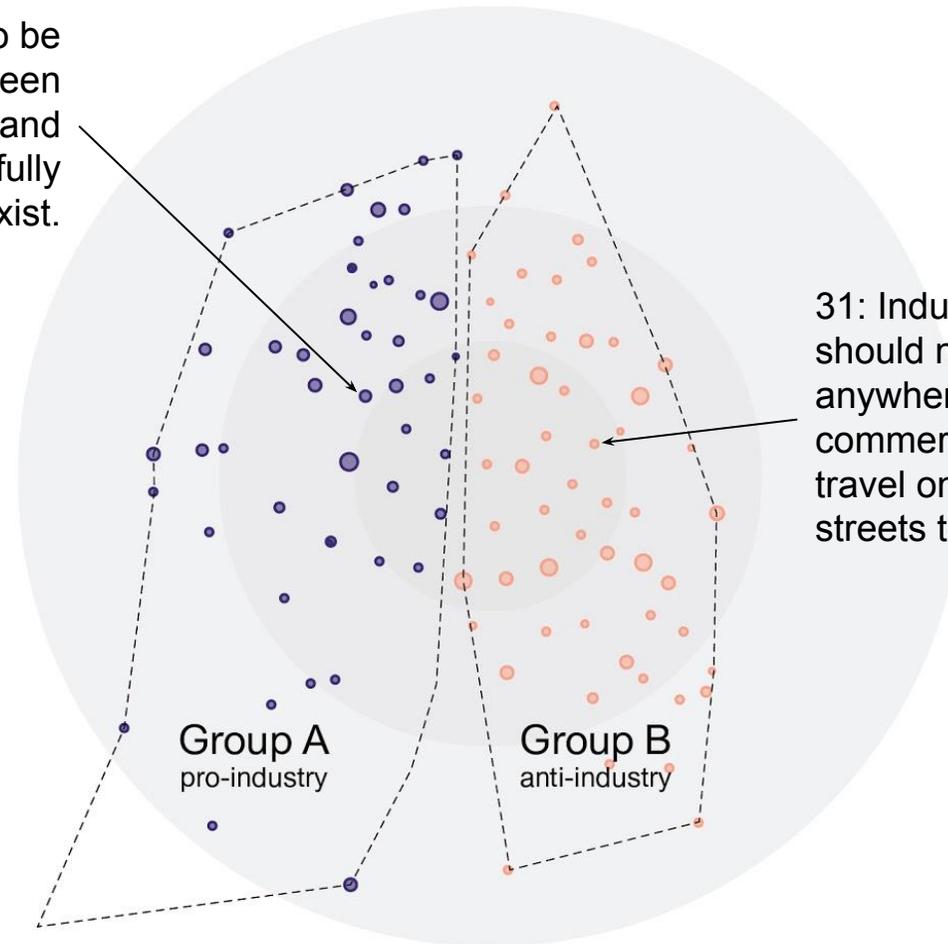
Across 366 total participants, opinion groups emerged. There are two factors that define an opinion group. First, each opinion group is made up of a number of participants who tended to vote similarly on multiple statements. Second, each group of participants who voted similarly will have also voted distinctly differently from other groups.

Group A: 132 participants

Statements which make this group unique, by their votes:

STATEMENT	OVERALL 366	A 132	B 234
53 Industrial uses can be good, job-producing engines of investment for our City. A healthy mix of uses is critical to sound land-use planning	56% 25% 18% (189)	92% 1% 6% (66)	36% 38% 25% (123)
19 There needs to be a balance between working (industrial) and residential. Hopefully the two can coexist.	69% 12% 18% (266)	90% 0% 10% (100)	57% 19% 23% (166)
17 I agree that we should encourage more industrial development, but location is a crucial factor	64% 23% 11% (305)	85% 2% 11% (112)	52% 35% 11% (193)
94 To survive, a city must have and support industry. It cannot live on arts, restaurants and "friendly" businesses.	50% 26% 23% (126)	81% 2% 16% (49)	29% 42% 27% (77)
7 The City should actively encourage more industrial development to promote job creation.	28% 46% 25% (275)	57% 9% 33% (110)	8% 70% 20% (165)

19: There needs to be a balance between working (industrial) and residential. Hopefully the two can coexist.



31: Industrial sites should not be permitted anywhere where commercial trucks must travel on residential streets to reach I-95.

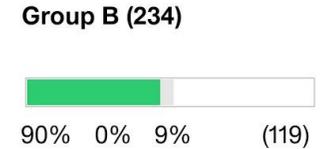
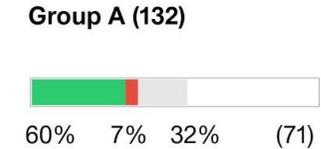
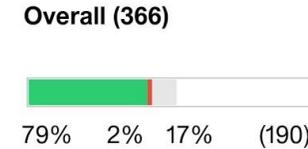
Comments that generate consensus vs. generate controversy.

Consensus Statements:

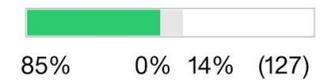
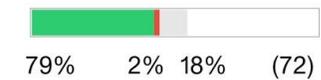
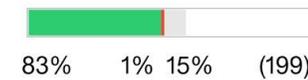
Topics people agreed on:

- traffic issues + infrastructure
- heavy industry vs. light industry
- the importance of the waterfront and the environment
- the location of industrial uses, especially relative to residential areas

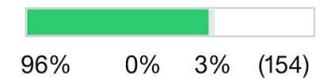
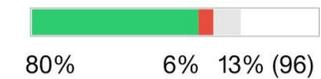
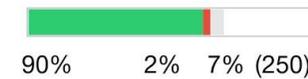
Traffic in East Norwalk pre-COVID was already terrible. Trucks will not help. Fix the problem before adding to it.



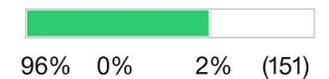
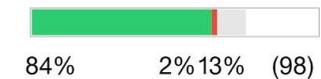
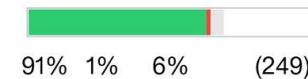
There needs to be a clear definition/distinction between light and heavy industry.



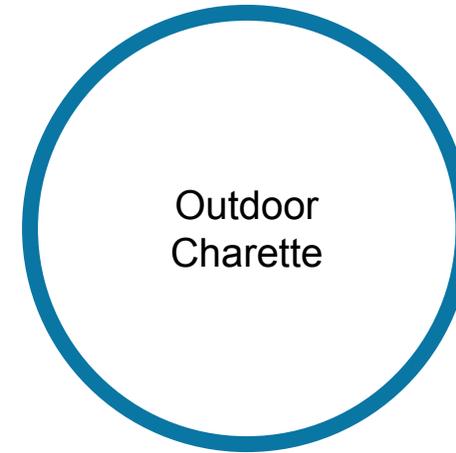
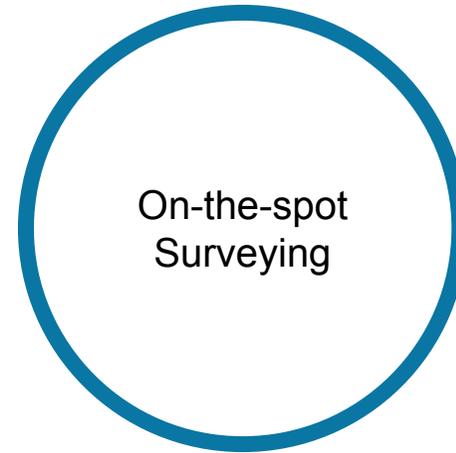
Water quality is a top priority, and we should limit industrial uses that damage the ecosystem of the harbor and Long Island Sound.



Industrial zoning needs to take into consideration the effects of the existing residential community nearby.



Engagement Plan



- **Young people: 15-35**
- **People with disabilities**
- **Renters**
- **BIPOC Individuals & Families**
- **LGBTQ+**
- **Older adults**
- **Creative communities**

- Youth Commission
- Commission on Disability
- NHA & NCDF
- Human Rights Commission
- Human Rights Commission
- Council on Aging
- Newton Cultural Council

How to Engage

Public Info Session: Thursday, May 20th, 6-7pm. Register at newtonma.gov/zoningredesign

For Councilors: Presentation at May 24th ZAP Meeting

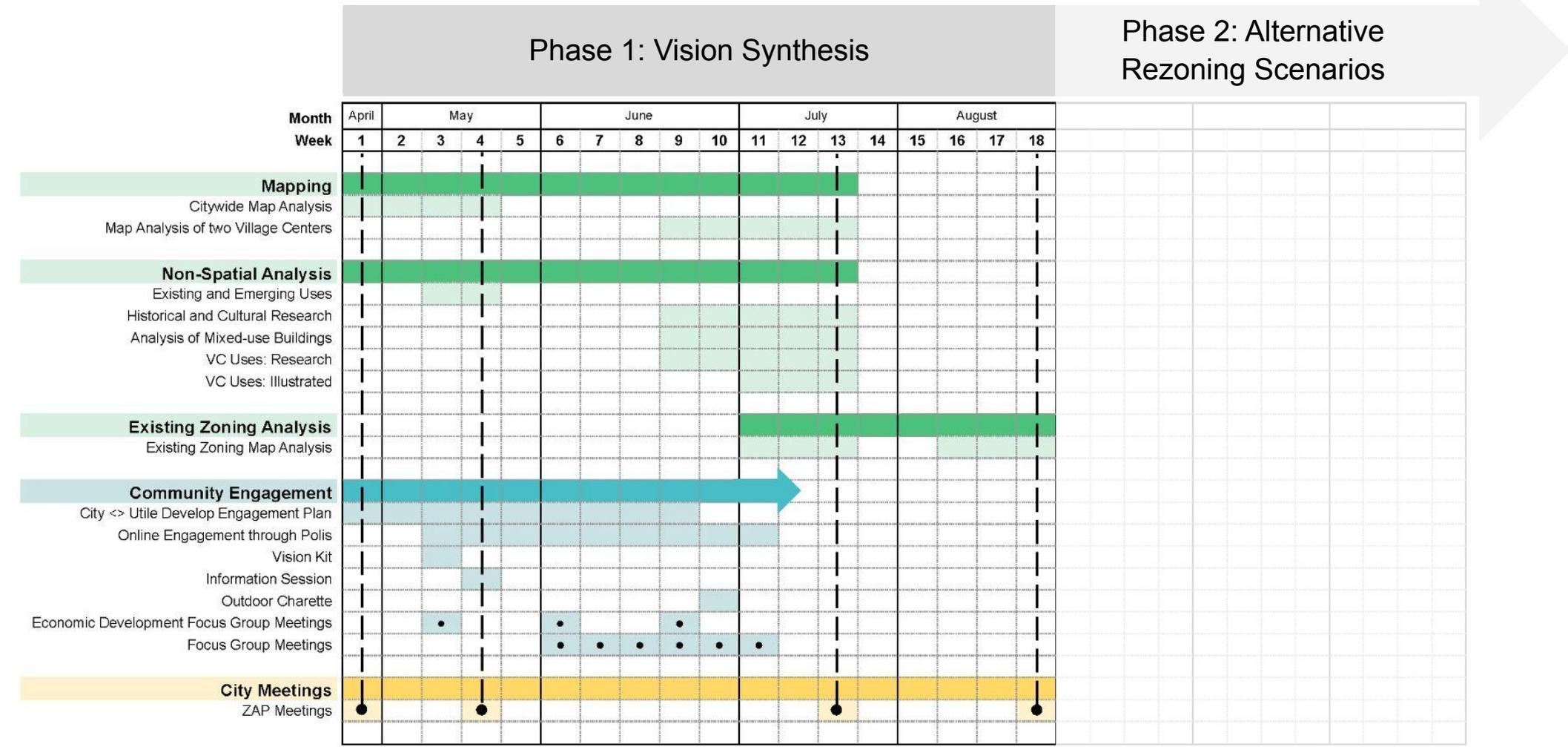
For Area Councils: Reaching out to Presidents

For a Focus Group: Fill out an Interest Form at newtonma.gov/zoningredesign

To stay updated:

- zoningredesign@newtonma.gov
- newtonma.gov/zoningredesign
- Nevena Pilipovic-Wengler, npilipovicwengler@newtonma.gov

Village Center Zoning Redesign Schedule



KEY
 • Meeting

Firearm Business Zoning Amendment

Zoning and Planning Committee Discussion

April 26, 2021

Planning & Development Department

Overview

- Summary
- Firearm Zoning Examples
- Ordinance Framework
 - Zoning Districts
 - Buffers
 - Standards
 - Special Permit Criteria
- Additional Firearm Regulations
- Questions for the Committee
- Next Steps

Summary

- Newton's Zoning Ordinance does not regulate firearm businesses and they are permitted anywhere retail is permitted (most business zones as well as mixed-use and limited manufacturing zones)
- Proposed ordinance would limit firearm businesses to certain zoning districts, always require a Special Permit, require buffers from certain sensitive uses, and include additional standards and criteria for approval
- Initial draft is intended to provide flexibility for changes as a result of additional analyses, discussions, and public testimony
- Due to Constitutional protections, it is reasonable to expect that the more restrictively firearm sales are regulated, the more likely such regulations will be subject to legal challenge

Firearm Zoning Examples

- Few examples found in MA, most neighboring communities do not regulate firearm businesses in zoning
- All examples require discretionary approval
- Most are limited to combination of commercial and/or industrial zones
- Most require buffers from sensitive uses
- Sensitive uses vary but generally include schools, daycares, park and playgrounds. Buffers from residential uses/districts are less common.

Firearm Zoning Examples - Massachusetts

- Dedham – 150' buffer from residential use/district, schools, libraries, religious uses, child-care facilities, parks, playgrounds, establishments selling alcohol for onsite consumption, and other adult use and firearms businesses.
- Westwood – limited to local business districts, highway business district, and industrial district. No specific buffers or regulations.
- Worcester – only regulates shooting ranges. 1,000' buffer between shooting ranges and schools; 100' between ranges and parks and playgrounds.
- Framingham excludes firing ranges from definition for outdoor recreational facilities and North Reading prohibits gun and shooting clubs in highway business district

Firearm Zoning Regulations – Outside MA

- Bloomington, MN – 250' buffer from residential zoning districts, daycares and k-12 schools; 1,000' buffer from other firearm sales.
- Piscataway, NJ – 1,000' buffer from schools, daycares, colleges, funeral homes, health services, other firearms sales dealers, assisted living, places of worship, liquor stores, establishments selling alcohol for onsite consumption, parks, playgrounds and recreational facilities
- Contra Costa, CA – 500' buffer from schools, daycares, parks, establishments selling alcohol for onsite consumption, places of worship, and firearms sales facilities

Firearm Zoning Regulations – Outside MA

- Windsor, CA – 500' buffer from parks, libraries, churches, personal services, and preschools; 1,000' from schools
- Healdsburg, CA – 500' buffer from churches, chapels, places of worship, schools, libraries, youth centers, daycare, parks, and other firearm sales
- McCordsville, IN – 200' buffer from schools

Ordinance Framework

Regulated Uses

- Firearm Business – a retail or wholesale operation involving the purchase or sale of Firearms, Ammunition, and/or Firearm Accessories
- Firing Range – a commercial facility designed for Firearm(s) training and/or shooting practice
- Gunsmith – any retail operation involving the repairing, altering, cleaning, polishing, engraving, blueing or performing of any mechanical operation on any Firearm

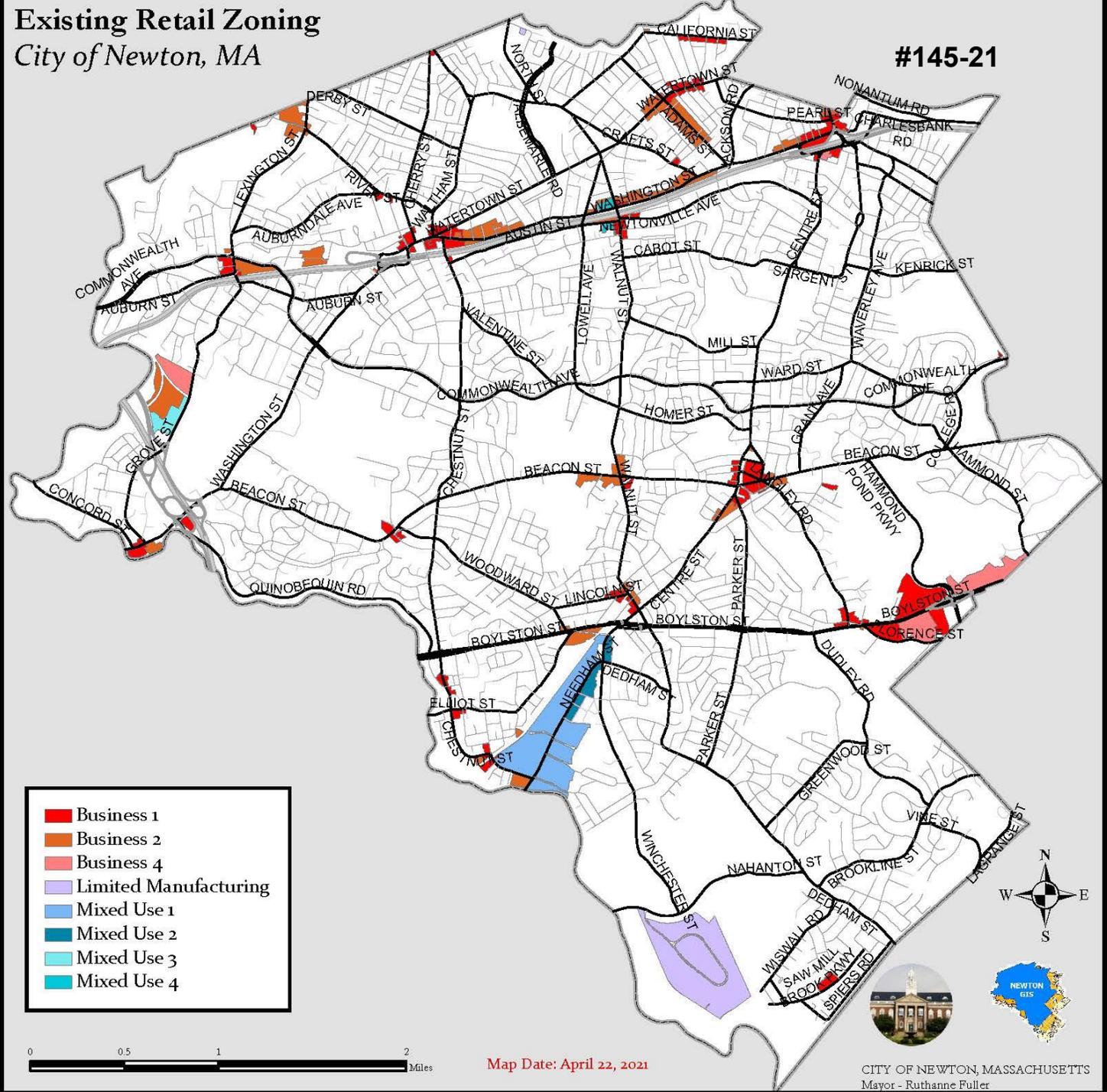
Proposed Zoning Districts

- Limit all Firearm Business Uses to the Mixed Use 1 (MU1), Business 4 (BU4), Limited Manufacturing (LM), and Manufacturing (M) districts
- Currently firearm sales are considered a general retail use and are allowed in the Business 1 – Business 4 districts, Mixed Use 1 – Mixed Use 4, and the LM district
- City Council may decide to remove districts from those proposed or add districts where retail is currently allowed in order to balance opportunity and buffers from sensitive uses

Existing Retail Zoning

Existing Retail Zoning City of Newton, MA

#145-21

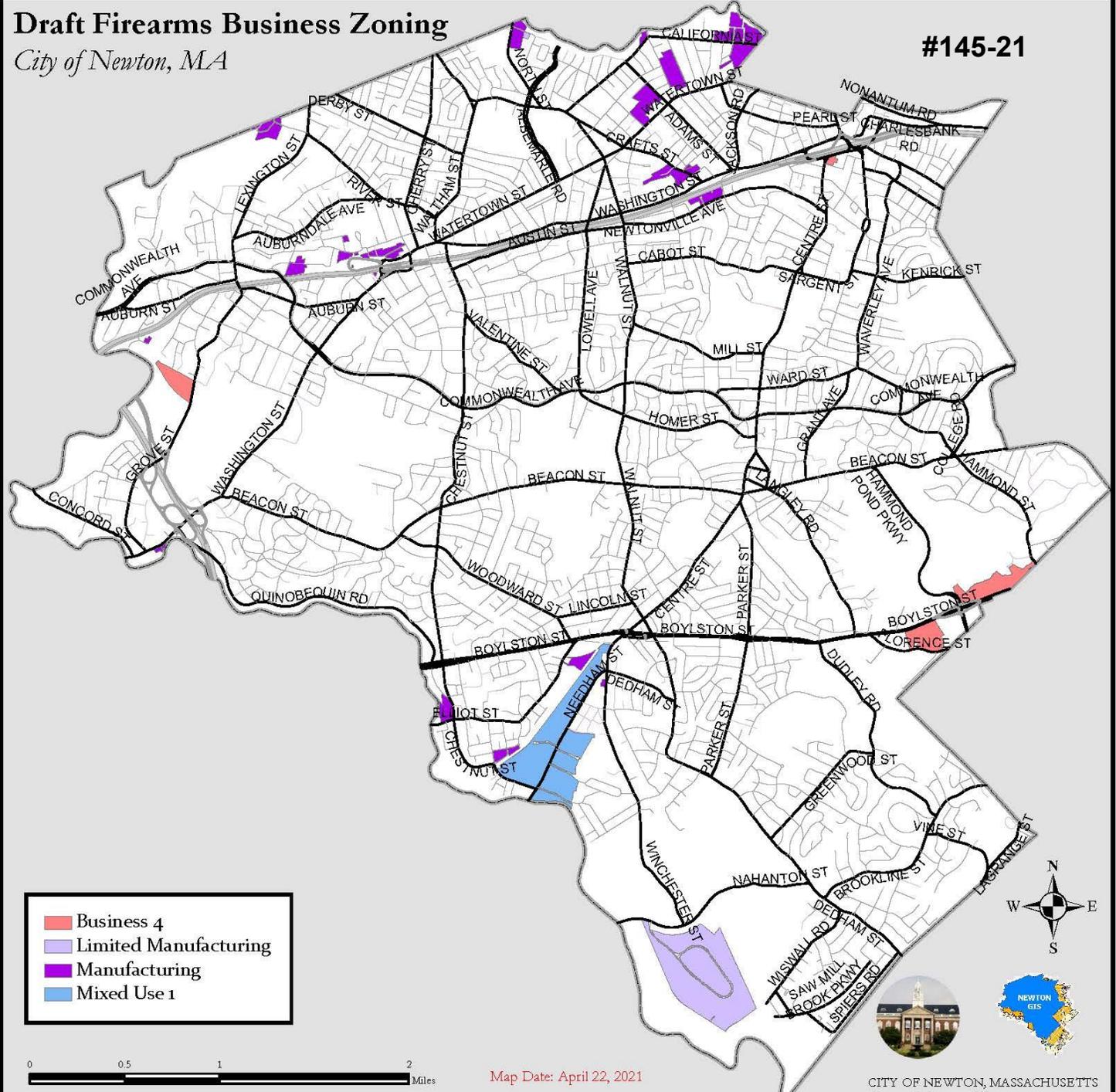


Proposed Firearm Zoning

Draft Firearms Business Zoning

City of Newton, MA

#145-21



Buffers

- Buffers require careful analysis to balance providing opportunity while ensuring sensitive uses are sufficiently buffered
- Proposed ordinance identifies the following sensitive uses, which would require a buffer from firearms businesses: residential property line, private or public k-12 school, daycare center, preschool, childcare facility, public park intended for passive or active recreation, playground, land or structures used for religious purposes, library, and other firearm businesses
- Actual buffer is to be determined. GIS data requires work to ensure it is up to date and data is in the right format to match the ordinance.

Buffer Comparisons

- Buffers from other ordinances reviewed ranged from 150 feet (Dedham) to 1,000 feet
- Except for Piscataway, NJ, 1,000' buffers were limited to schools or between other firearm businesses
- Only Dedham and Bloomington, MN require a buffer from residential uses or districts. 150' in Dedham and 250' in Bloomington.
- California examples require 500' (actual sensitive uses varied but all included schools, parks and preschools). Windsor, CA requires 1,000' from schools and 500' from other uses.
- Worcester requires 1,000' between schools and shooting ranges

Existing Zoning Buffers for Restricted Uses

- 500' required between adult businesses and nearest religious use, public park, youth center, daycare, family daycare, center for child counseling, great pond or navigable river
- 150' required between adult businesses and nearest residential property line
- 1,000' required between adult businesses and any other adult business within the City or an adjacent municipality
- 500' required between marijuana retailer or medical marijuana treatment center and k-12 schools
- Half mile required between marijuana retailers/treatment centers and other marijuana retailers/treatment centers

Buffer Considerations

- Newton is largely residential. A large buffer from residential uses and/or districts may eliminate all opportunities. 150' may be feasible, but more analysis is needed.
- 500' buffers from schools, parks, and other non-residential sensitive uses seemed most common in other firearm zoning and is consistent with adult business buffers. More analysis is needed however given the number of parks and daycares in Newton.
- It may be preferable to have different tiers of buffers, similar to other examples where typically the largest buffers were around schools.
- Different buffers may also make sense for the different types of firearm businesses

Additional Standards

- Compliance with all federal, state and local laws and regulations
- Prohibit graphics, symbols or images of firearms or firearm accessories from be visible
- Limit hours of operation to 6 am – 11:30 pm (same as adult businesses) or as further restricted by Special Permit

Additional Special Permit Criteria

- The lot is designed such that it provides convenient, safe and secure access and egress for clients and employees arriving to and leaving from the lot
- Loading, refuse, and service areas are designed to be secure and shielded from abutting uses
- The firearm business is designed to minimize any adverse impacts on abutters
- The firearms business has satisfied all of the conditions and requirements of this ordinance

Additional Regulations

- Assault weapons are banned in Massachusetts
- Firearms within stores must be secured in a locking container or with a tamper proof locking mechanism
- Firearms may not be displayed in store windows
- Police Department are required to review and approve any license to sell firearms and to ensure all safety measures are in place
- Police Department must perform annual inspections of a dealer's sales records
- Subject to all other applicable ordinances, such as Noise Ordinance

Questions

- Are there any sensitive uses identified in the ordinance that are not necessary?
- How should sensitive uses be prioritized? If residential uses are important to buffer a smaller buffer and/or expanded zoning districts may be necessary.
- Should residential buffer be from residential zoning districts or residential uses?
- Should there be fewer zoning districts with smaller buffers or allow firearm businesses in more districts but with larger buffers?

Questions

- Should there be a tiered system of buffers? Which use should have the greatest buffer?
- Should there be different regulations for different types of firearm businesses (firearm sales, gunsmiths, firing range)?
- Are there any additional standards or Special Permit criteria that should be considered?

Next Steps

- Public Hearing – May 10th
- Planning to provide analysis and maps illustrating buffers
- Visit our website for more information, including the proposed ordinance and a regularly updated FAQ:
<https://www.newtonma.gov/government/planning/plans-policies-strategies/firearms-zoning-amendment>

Section 4.4. ALLOWED USES

4.4.1. Business, Mixed Use & Manufacturing Districts

Business, Mixed Use & Manufacturing Districts	BU1	BU2	BU3	BU4	BU5	MU1	MU2	MU3	MU4	M	LM	Definition/ Listed Standard
Firearm Business	--	--	--	SP	--	SP	--	--	--	SP	SP	Sec. 6.10.4
Firing Range	--	--	--	SP	--	SP	--	--	--	SP	SP	Sec. 6.10.4
Gunsmith	--	--	--	SP	--	SP	--	--	--	SP	SP	Sec. 6.10.4

6.10.4. FIREARM BUSINESS USES

A. **Purpose.** To establish criteria for the establishment of Firearm Business Uses in the City that address safety concerns in operations of such businesses and the potential disruption of peace and quiet enjoyment of the community. This Sec. 6.10.4 provides for separation between Firearm Business Uses and certain uses enumerated herein to maximize protection of public health, safety, and welfare.

B. **Definitions.**

Ammunition. Cartridges or cartridge cases, primers (igniter), bullets, tear gas cartridges, or propellant powder designed for use in any Firearm.

Firearm. Any device designed or modified to be used as a weapon capable of firing a projectile using an explosive charge as a propellant, including but not limited to a gun, pistol or rifle.

Firearm Accessory. Any device designed, modified or adapted to be inserted into or affixed onto any Firearm to enable, alter or improve the functioning or capabilities of the firearm or to enable the wearing or carrying about one’s person of a Firearm.

Firearm Business Uses shall include the following:

1. **Firearm Business.** A retail or wholesale operation involving the purchase or sale of Firearms, Ammunition, and/or Firearm Accessories.
2. **Firing Range.** A commercial facility designed for Firearm(s) training and/or shooting practice.
3. **Gunsmith.** Any retail operation involving the repairing, altering cleaning, polishing, engraving, blueing or performing of any mechanical operation on any Firearm.

C. **Firearm Business Uses not allowed as-of-right.** Firearm Business Uses are not included within the definition of retail sales or services, manufacturing, or any other lawful

business permitted as of right or by special permit as provided in this Chapter.

D. Firearm Business Uses allowed by special permit. Use of land, buildings or structures for a Firearm Business, Firing Range, or Gunsmith shall be allowed only by special permit in the districts specified in Sec. 4.4.1 subject to the requirements and criteria of this Sec. 6.10.4.

E. Minimum criteria and limitations on approval.

1. A Firearm Business, Firing Range, or Gunsmith shall not be located within a radius of **TBD [SEE EXPLANATORY NOTE BELOW]**¹ feet from any residential property line, private or public k-12 school, daycare center, preschool, child-care facility, public park intended for passive or active recreation, playground, land or structures used for religious purposes, library, another Firearm Business, Firing Range, or Gunsmith, unless the City Council finds that such Firearm Business, Firing Range, or Gunsmith is sufficiently buffered such that these facilities or uses will not be adversely impacted by the Firearm Business, Firing Range, or Gunsmith's operation. Such distance(s) shall be measured in a straight line from the nearest property line of the proposed Firearm Business, Firing Range, or Gunsmith to the nearest property line of any of the designated uses set forth herein.
2. A Firearm Business, Firing Range, or Gunsmith shall obtain and maintain all necessary Federal, State and other required local approvals and licenses prior to beginning operations.
3. A Firearm Business, Firing Range, or Gunsmith shall comply with all applicable Federal, State and local laws and regulations in the operation their business.
4. A special permit granted by the City Council authorizing the establishment of a Firearm Business, Firing Range, or Gunsmith shall be valid only for the registered entity to which the special permit was issued, and only for the lot on which the Firearm Business, Firing Range, or Gunsmith has been authorized by the special permit.
5. No graphics, symbols or images of Firearms, Ammunition, or Firearm Accessories shall be displayed or clearly visible from the exterior of the Firearm Business, Firing Range, or Gunsmith. The City Council may impose additional restrictions on signage to mitigate impact on the immediate neighborhood.
6. No Firearm Business, Firing Range, or Gunsmith shall be located within a building containing a residential use.
7. Firearm Business Uses shall not be open to the public between the hours of 11:30 p.m. and 6:00 a.m. The City Council may, as a special permit condition, further limit

¹ **EXPLANATORY NOTE** – The Planning & Development Department is compiling and analyzing geographical and land use data and will submit recommendations for the optimal buffer distances between Firearm Business Uses and the other enumerated land uses in the proposed Sec. 6.10.4.E.1 for the Zoning and Planning Committee's consideration. Such recommendations will be set forth in the Planning & Development Department's forthcoming memorandum for the public hearing scheduled for May 10, 2021 for this docket item.

the hours of operation of a Firearms Business Use to mitigate any adverse impacts on nearby uses.

8. A special Permit for a Firearm Business, Firing Range, or Gunsmith shall not be granted if such business is owned by or to be managed by any person or persons convicted of violating the provisions of G.L. c. 140, §§ 122B, 130, 131N, or similar laws in other states.

F. **Special permit application and procedure.** The procedural and application requirements of Sec. 7.3 shall apply. In addition to the procedural and application requirements of Sec. 7.3, an application for special permit shall include, at a minimum, the following information:

1. **Description of Activities:** A narrative providing information about the type and scale of all activities that will take place on the proposed site.
2. **Lighting Analysis:** A lighting plan showing the location of proposed lights on the building and the lot and a photometric plan showing the lighting levels.
3. **Context Map:** A map depicting all properties and land uses within a minimum 1,000 foot radius of the proposed lot, whether such uses are located in the City or within surrounding communities, including but not limited to all educational uses, daycare, preschool and afterschool programs. The context map shall include the measured distance to all uses described in paragraph E.1 above.

G. **Special Permit Criteria.** In granting a special permit for a Firearm Business, Firing Range, or Gunsmith, in addition to finding that the general criteria for issuance of a special permit are met, the City Council shall find that the following criteria are met:

1. Criteria for all Firearm Business Uses:
 - a. The lot is designed such that it provides convenient, safe and secure access and egress for clients and employees arriving to and leaving from the lot.
 - b. Loading, refuse and service areas are designed to be secure and shielded from abutting uses.
 - c. The Firearm Business, Firing Range, or Gunsmith establishment is designed to minimize any adverse impacts on abutters.
 - d. The Firearm Business, Firing Range, or Gunsmith establishment has satisfied all of the conditions and requirements in this section.

H. **Severability.** If any portion of this section is ruled invalid, such ruling will not affect the validity of the remainder of the section.