

**City of Gardner
Zoning Rewrite
Summary
Rev March 20, 2018**

Chapter 675-Zoning Code of Gardner

Sections

160 Severability Clause added p. 4

210 Definitions (added or amended) pp. 4-15

- Assisted Living
- Boarding House
- Continuing Care Retirement Community
- Dwelling (types)
- Essential Services
- Impervious Surface
- Independent Living Unit
- Lot Coverage
- Home Occupation
- Marijuana (various related definitions)
- Medical Office
- Medical Clinic
- Mixed Use
- Sign
- Temporary Storage Unit
- Transient Business
- Transient Vendor

320 Official Zoning Map p. 16

410 Use Regulations

- Non-conforming uses. p. 17

510 Flood Plain Overlay District -Name Planning Board SPGA p. 24

530 Development Overlay District

- Require Proof of Legal Access to property with no frontage p. 35
- Planning Board Recommendation to City Council p.34
- Change Building Coverage to Lot Coverage p. 35
- Add parking Requirements for Dwelling Units p. 35

Former 550 Industrial and Commercial Heritage Planned Unit Development - Deleted

Former 570 Route 140 Corridor Overlay District – Deleted

570 Mill Street Corridor Development Overlay District – Changed Building Coverage to Lot Coverage p.51

610 Dimensional Requirements–Replaced maximum Building Coverage with Lot Coverage Attachment 2

710 Off-Street Parking

- Add width and location requirements for residential access driveways and parking setbacks pp.57
- Add Planning Board waiver to Requirements by Site Plan Review p. 58
- Change parking space requirement for retail use based on size p. 59
- Change Length of Parking Stall to 18 feet for 90-degree 2-way layouts p. 60
- Increase maximum Height for parking lot lights to 20 feet p. 62

- Designate Planning Board as Special Permit Granting Authority for Drive Throughs p. 63

810 Open Space Residential Development

- Move Definition to Definitions (Section 210) p. 12
- Delete Peer Review fee for Pre-Application p. 65
- Tweak Design and Dimensional Requirements p. 67 - 68

820 In law Apartments

- Remove repetitive Owner occupancy requirement p. 71
- Remove repetitive 900 sq ft maximum size requirement p. 71

8.30 Home Occupations

- Limit area to 15% of total floor area p. 71
- Restrict on site retail sales p. 72

8.40 Senior Residential Development

- New provisions for all types of Senior Housing pp. 72 - 75
- New provisions in Schedule of Use Regulations (Attachment 1)
- Senior Residential Development requires Special Permit from Planning Board P 72 and Attachment 1

910 Signs

- Revisions to make Sign Code content neutral to comply with US Supreme Court Reed vs. Gilbert decision pp. 75 - 81
- Revise requirements for sandwich signs p. 78

Former 1010 Scheduled Development

- Delete
- Indefinite Moratorium of questionable legality

1010 Site Plan Review

- Decrease the square footage and parking space number applicability threshold p. 81
- Add marijuana establishments and drive thru windows to require Site Plan Review p. 81
- Add requirement for Planning Board to determine consistency of project if it involved a concept plan associated with a Zoning Map amendment p. 82
- Provision to allow Planning Board to require applicant to post funds for the cost of an outside consultant to perform peer review of plans, reports, and other material if necessary p. 84

1070 Marijuana Establishments pp. 106 - 109

- Repeal and replace Medical Marijuana provisions with zoning for Adult Recreational marijuana
- Retains applicable provisions from Medical Marijuana Zoning
- Adds provisions consistent with State Marijuana Act MGL Ch 94G

1160 Amendments

- Add provision recommending applicant to submit proposed Zoning text amendments to Planning Director for technical and procedural review prior to formal submittal. P. 111
- Add provision recommending applicant to submit a concept plan to accompany requests to amend the Zoning map. p. 111

1170 Special Permits

- Adding requirement for a Special Permit finding of consistency for projects that involved a Zoning Map amendment with a concept plan. p. 112