

# CITY OF NEWBURYPORT



## IN CITY COUNCIL

### ORDERED:

AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE NEWBURYPORT ZONING ORDINANCE, INCLUDING USE TABLE, LIST OF ALLOWABLE USES, DIMENSIONAL TABLE, AND PARKING REQUIREMENTS.

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

WHEREAS, The Newburyport City Council works to encourage outdoor and recreational activities, and

WHEREAS, there are limited areas within the City to provide for the development, creation or expansion of said outdoor activities uses.

THEREFORE, LET IT BE ORDAINED THAT Sections V-D (Table of Use Regulations), V-E (List of Allowable Uses), VI-A (Dimensional Controls) and VII-B (Parking Requirements) be amended and revised, pursuant to Section XII-B (Adoption and Amendment) to read as follows, with deletions ~~stricken through and bold~~ and additions double underlined and in bold as follows:

### Section V-D – Table of Use Regulations

USE	NUM	CON	HSR-A, HSR-B	R-1	R-2	R-3	B-1	B-2	B-3	I-1	I-1B	I-2	M	WMD	WMU
<del>Country club</del> <u>Outdoor Health and Recreational Facility (j)</u>	305	NP	NP	<del>SP</del> <u>NP</u>	<del>NP</del> <u>SP</u>	NP	NP	NP	NP	<del>SP</del> <u>NP</u>	<del>SP</del> <u>NP</u>	<del>SP</del> <u>NP</u>	NP	NP	NP
<u>Indoor Health and Recreational Facility (j)</u>	406	NP	NP	NP	NP	SP	P	P	P	NP	NP	NP	NP	NP	SP(e)

Add a footnote (j) as follows:

(j) The Planning Board shall act as the designated Special Permit Granting Authority (SPGA) for this use. Indoor Health and Recreational Facility (use #406) and Outdoor Health and Recreational Facility (use #305) may be located on one parcel of land, where such uses are legally existing, allowed as-of-right or by Special Permit.

**Section V-E – List of Allowable Uses**

<u>Country-club</u>  <u>Outdoor Health and Recreational Facility</u>	305	<u>Country-club, Outdoor Recreational and Health Facility</u> , including but not limited to tennis, swimming, riding, golf, or other similar outdoor recreation facility. <u>Such facilities may also be enclosed for portions of the year by a retractable or mobile temporary enclosure system (which shall be treated as a Structure building for the purposes of setbacks requirements) by approval by the Special Permit Granting Authority (SPGA).</u>
Indoor Health and Recreational Facility	406	Enclosed facilities which include exercise or health clubs and recreational organizations.

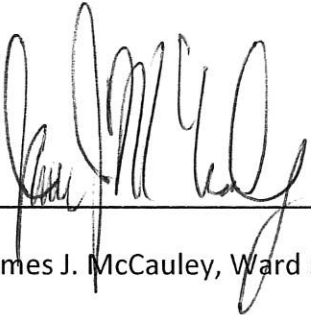
**Section VI-A – General Regulations (Table of Dimensional Requirements)**

Use	Num.	District	Lot Area	Street Frontage	Height	% Lot Cov.	Open Space	Front	Side	Rear
<u>Country-club- Outdoor Health and Recreational Facility</u>	305	R2	<del>130196, 02090</del> (4.5 acres)	200	30	<del>10</del> <b>30 (n)</b>	NA	50	50	50
<u>Indoor Health/ and Recreational Facility</u>	406	B-1	20,000	90	35	30	NA	20	20	20
	406	B-2	10,000	60	40	100	NA	0	0	0
	406	B-3	20,000	90	40	60	NA	20	20	20
	406	WMU	10,000	60	40	30	NA	20	20	20

(n) The Planning Board may, in their discretion, owing to the use of temporary enclosure systems, waive this requirement and permit a larger lot coverage as part of the Special Permit hereunder.

**Section VII-B – Parking Requirements**

USE	NUM	PARKING REQUIREMENT
<u>Country-club Outdoor Health and Recreational Facility</u>	305	<del>1 per 2 employees plus 1 per company vehicle</del> <del>1 per 5300 square feet of air-conditioned gross floor area (GFA)</del> <del>3 per court 1000 sq ft of court area</del> <del>1 per 300 sq ft of surface pool area</del> Parking requirements shall be cumulative for all uses on the lot
<u>Indoor Health/ and Recreational Facility</u>	406	<del>For health club 1 per 100 square feet of gross floor area (GFA)</del> <del>For indoor tennis club or similar facility 3 per court and</del> <del>1 per 300 square feet of air-conditioned GFA</del> <del>1 per 1000 square ft of court area</del> <del>1 per 300 sq ft of other indoor recreational areas</del> Parking requirements shall be cumulative for all uses on the lot



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James J. McCauley, Ward 5 City Councillor

**In City Council August 30, 2021:**

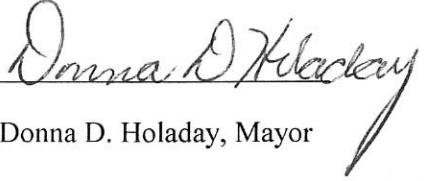
Motion to refer ODNC092\_08\_30\_2021 to Planning & Development, by Councillor Zeid, seconded by Councillor Connell. Roll call vote. 11 yes. Motion passes.


**In City Council November 29, 2021:**

Motion to approve on 1<sup>st</sup> reading by Councillor Shand, seconded by Councillor McCauley. Roll call vote. 11 yes. Motion passes.

**In City Council December 13, 2021:**

Motion to approve on second reading by Councillor McCauley, seconded by Councillor Tontar. Roll call vote. 11 yes. Motion passes.

Approve:  Donna D. Holaday, Mayor

Attest:  Richard B. Jones, City Clerk

Date: 12/20/21