

Zoning Update Overview

“Mini Reform” Part One



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Director of Planning & Development

Comments & Input on Proposed Amendment(s)

- Rick Taintor, Vice Chair, Planning Board
- Ken Swanton, Member, Zoning Board of Appeals
- Glenn Richards, Historical Commission Chair
- Sharif Zeid, City Councilor, Ward 1

Comments & Input on Proposed Amendment(s)

Categories:

- **Minor Language/Editorial Edits**
(updated draft indicates Microsoft Word markup/notations)
- **Substantive Issues/Concerns**
(for discussion this evening; confirm “policy” so language can be finalized)

Next Steps:

- **Revised/Updated Draft** *(distributed/posted)*
- **Recommendation to Council** *(approval “as amended”?)*
- **Continued Public Hearing/Meetings?**

Non-Substantive Edits

1. Clarifying language
2. Consistent language
3. Minor grammatical changes, punctuation, etc.
3. Consolidate cross-references/overlapping provisions

Substantive Issues for Discussion

1. Yard Definition & Setback Requirements?
(is the 50% of setback allowance for unroofed decks adequate, e.g. south end?)
2. “Letter Permit” for Accessory Structures?
(new provision VI-F(8) – zoning approval req. where no building permit required?)
3. Setbacks for Detached Accessory Structures?
(provision VI-F(10) – e.g. sheds – max. size? how close to lot lines? south end?)
4. “Joint” Public Hearings on Proposed Zoning Amendments?
(coordination and shared deliberations vs. separate track for City Council)
5. DCOD: inclusion/preservation of exterior sheathing?
(vs. siding, framing, etc.)
6. DCOD: modify calculation of demolition area?
(Section XXVIII-D(2) – removal/relocation of window openings? new provision addressing “character defining” features such as windows, roof-lines, etc. visible from a public way?)
7. DOD: Planning Board & ZBA Review for Operable Windows?
(Section XXVII-F(5)(e)(iii) – amendment allows operable windows but does not address prerequisite that any historic windows be rated “poor”/infeasible to repair/restore – consider recent Brine/Fowles storefront application before ZBA)
7. DCOD/DOD Any waivers by Special Permit vs. Variance? *(see above example)*

DOD & Operable Windows

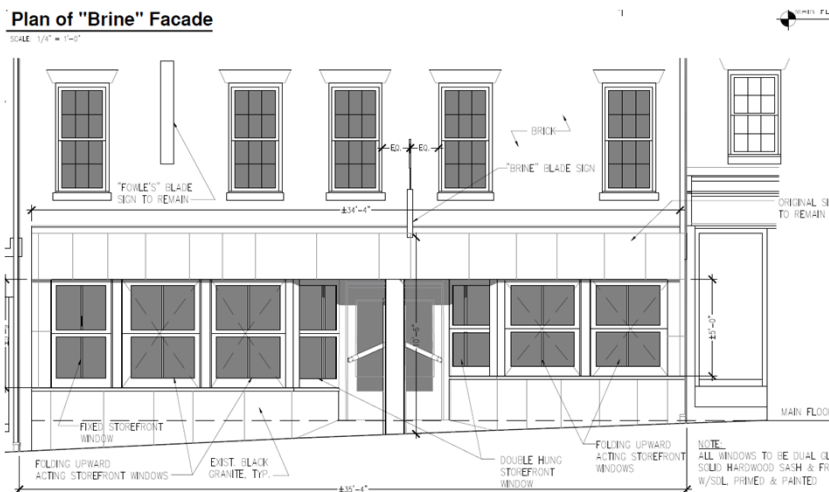
- Current language explicitly prohibits changes to “mode of operation”
- Proposed language allows this via Special Permit
- **Historic** windows must still be preserved/repaired if possible prior to their eligibility for replacement



17-21 State Street (Brine/Fowles Storefront)
(window operation & historic character are both protected)

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Defining Demolition (triggers, thresholds, calculations)

Proposed Language Codifies Existing Interpretation/Application

- *Hancock Street & Harrison Street projects > disputes/clarification)*
- *KP Law opinion, irrespective of the proposed **clarifying** amendment)*



12-14 Harrison Street
(original *framing* and *sheathing* is also protected)

Defining Demolition (triggers, thresholds, calculations)

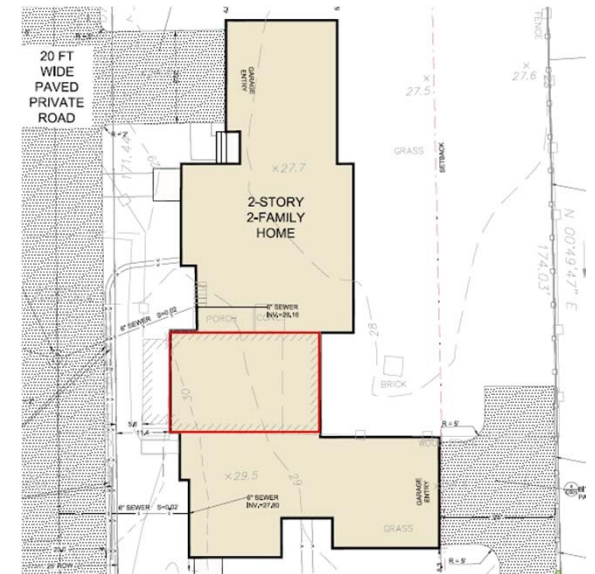
Proposed Language Codifies Existing Interpretation/Application

- *Hancock Street & Harrison Street projects > disputes/clarification needed*
- *KP Law opinion, irrespective of the proposed **clarifying** amendment*



27 Hancock Street

*(enveloping a historic structure = destruction of its **exterior** walls by conversion to interior = demolition)*



Defining Demolition (triggers, thresholds, calculations)

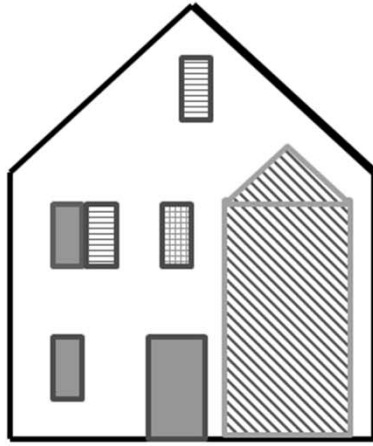


Diagram A

- External wall area (framing and sheathing) to remain exterior and be resided does not count as demolition
- Existing windows/doors to be replaced with windows/doors DO NOT count towards demolition
- New or enlarged openings in external walls count as demolition
- Existing opening to be infilled with wall area count as demolition as they are NOT being replaced in kind
- Wall area behind addition counts towards demolition

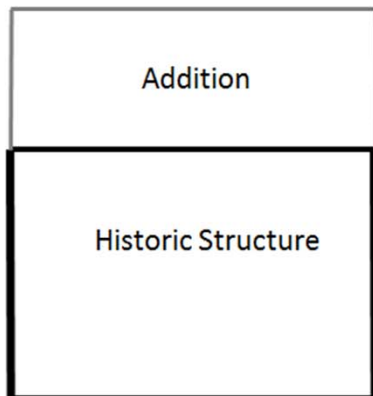


Diagram B

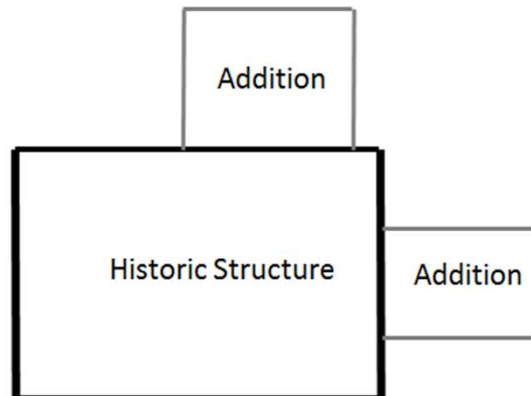


Diagram C