



AGENDA PACKET

**REGULAR MEETING OF THE CITY COUNCIL
MONDAY, OCTOBER 28, 2024 7:00 PM**

**EVERETT CITY HALL, 484 BROADWAY, CITY COUNCIL CHAMBERS, 3RD FLOOR
EVERETT, MA 02149**



AGENDA

REGULAR MEETING OF THE CITY COUNCIL MONDAY, OCTOBER 28, 2024 7:00 PM

EVERETT CITY HALL, 484 BROADWAY, CITY COUNCIL CHAMBERS, 3RD FLOOR
EVERETT, MA 02149

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC PARTICIPATION

COMMUNICATIONS FROM HIS HONOR THE MAYOR

1. **C0339-24** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting approval to accept and expend a donation from Greystar in the amount of \$43,103.44 for the purpose of purchasing and installing a Blue Bike station (one fifteen-unit Bicycle Station) at 25 Garvey Street

2. **C0344-24** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting approval to accept and expend a donation from the Davis Companies in the amount of \$5,000.00 to the Youth Development and Enrichment Summer Jobs Training Program

COMMITTEE REPORTS

3. **C0323-24** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting approval of the re-appointment of Eamon Kernan to the Conservation Commission for a term of three (3) years expiring October 31, 2027.

UNFINISHED BUSINESS

4. **C0158-24** Resolution/s/ Councilor Holly D. Garcia

That contractors that work in the city have a designated staging area for their equipment and construction materials when they are going to be working in a designated area for more than three days.

5. **C0249-24** Resolution/s/ Councilor Robert J. Van Campen & the Entire Membership of the City Council

That the Inspectional Services Department strictly enforce all front-yard parking violations throughout the City of Everett.

6. **C0260-24** Ordinance/s/ Councilor Robert J. Van Campen, as President

An ordinance proposing the addition of two new sections to Appendix A – Zoning of the Revised Ordinances of the City of Everett: Section 36 – Master Planned Development and Section 37 - Everett Docklands Innovation District (“EDID”)

7. **C0296-24** Public Hearing/s/ Councilor Robert J. Van Campen, as President

A petition from National Grid requesting permission to install the following gas mains:

- Approximately 1,100 feet of 8-inch gas mains in Boston Street;
- Approximately 350 feet of 6-inch gas main in Third Street;
- Approximately 200 feet of 8-inch gas main in Second Street; and
- Approximately 10 feet of 6-inch gas main crossing Second Street.

8. **C0302-24** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting the confirmation of the appointment of Mirlande Felissaint as Director of Elections/Registrar for a for a term ending January 5, 2026

Reconsideration was requested by Councilor John F. Hanlon on October 17th, 2024 at 10:15 AM

9. **C0321-24** Resolution/s/ Councilor Peter Pietrantonio

That the DPW Director appear at the next meeting to update the Council on how the DPW is doing

10. **C0324-24** Resolution/s/ Councilor Stephanie Martins, Councilor Stephanie V. Smith, Councilor Peter Pietrantonio

That the administration provide an update on appointment of the permanent fire chief now that the results from the assessment center have been posted

11. **C0326-24** Resolution/s/ Councilor Stephanie Martins

That the administration and/or engineering department consider creating a list of standards or a final punch list for construction sites across the city and actually check each site prior to payment being released to make sure job sites are cleaned up and built to satisfaction

12. **C0329-24** Resolution/s/ Councilor Holly D. Garcia, Councilor Stephanie Martins, Councilor Peter Pietrantonio

That the Substance Abuse Services Coordinator Chris Simonelli appears at our October 28th meeting to discuss his role and data for calls and placements

13. C0334-24 Resolution/s/ Councilor Guerline Alcy Jabouin

A resolution that the Administration consider replenishing the Emergency Food and Shelter Assistant Program Account at the Connolly Center from the ARPA funds as their budget has dried out

14. C0335-24 Resolution/s/ Councilor Robert J. Van Campen

That the Administration provide the City Council with copies of any lease, rental or operating agreements in effect at the former Everett High School by and between the City of Everett and the Broadway Boxing Club, and the City of Everett and the Elliot Family Resource Center

15. C0336-24 Resolution/s/ Councilor Robert J. Van Campen, Councilor Holly D. Garcia

That the Administration provide the City Council with an update on its ongoing efforts to reclaim the former Everett High School for expanded school purposes, including the relocation of certain other non-educational uses within the facility, and the reuse and redevelopment of the former Pope John property

NEW BUSINESS

16. C0340-24 Resolution/s/ Councilor Wayne A. Matewsky

That the auto repair company at 35 Garden St stop parking their cars on the sidewalks, double parking, and repairing and cleaning cars on the street, which is in violation of their license.

17. C0341-24 Resolution/s/ Councilor Robert J. Van Campen

That the Director of Planning & Development provide an update and timeline of the ongoing Zoning Ordinance re-codification process, as well as a schedule for any public/community outreach meetings

18. C0342-24 Resolution/s/ Councilor Robert J. Van Campen

That the tree warden for the City of Everett provide the City Council with the process, procedure and timeframe that is followed when determining the removal and/or placement of public shade trees throughout the City

19. C0343-24 Resolution/s/ Councilor Guerline Alcy Jabouin

That the Everett City Council engage the State Auditor's office for an audit of accounts, programs, activities and other public functions (in accordance with Mass General Law Part I, Title II, Section 12).

ADJOURNMENT

www.cityofeverett.com

(All agendas and reports can be obtained on City of Everett Website)

Respectfully submitted:

Michael J. Mangan

Legislative Aide
Everett City Council Office



C0339-24

To: Mayor and City Council
From: Councilor Robert J. Van Campen
Date: October 28, 2024

Agenda Item:

An order requesting approval to accept and expend a donation from Greystar in the amount of \$43,103.44 for the purpose of purchasing and installing a Blue Bike station (one fifteen-unit Bicycle Station) at 25 Garvey Street

Background and Explanation:

Attachments:



CARLO DeMARIA
MAYOR

CITY OF EVERETT - OFFICE OF THE MAYOR
484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ mayorcarlo.demaria@ci.everett.ma.us

October 21, 2024

Honorable City Council
484 Broadway
Everett, MA 02149

Dear Honorable Members:

I hereby submit for your consideration an order to accept and expend a donation from Greystar in the amount of \$43,103.44 for the purpose of purchasing and installing a Blue Bike station (one fifteen-unit Bicycle Station) at 25 Garvey Street.

Thank you for your favorable consideration.

Respectfully submitted,

Carlo DeMaria
Mayor

October 21, 2024

City of Everett, Massachusetts

CITY COUNCIL



Offered By: _____
Councilor Robert VanCampen, as President

Bill Number:
Bill Type: Order

Be it
Ordered: BY THE CITY COUNCIL OF THE CITY OF EVERETT,

ORDERED:

to accept and expend a donation from Greystar in the amount of \$43,103.44 for the purpose of purchasing and installing a Blue Bike station (one fifteen-unit Bicycle Station) at 25 Garvey Street.



C0344-24

To: Mayor and City Council
From: Councilor Robert J. Van Campen
Date: October 28, 2024

Agenda Item:

An order requesting approval to accept and expend a donation from the Davis Companies in the amount of \$5,000.00 to the Youth Development and Enrichment Summer Jobs Training Program

Background and Explanation:

Attachments:



CARLO DeMARIA
MAYOR

CITY OF EVERETT - OFFICE OF THE MAYOR
484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ mayorcarlo.demaria@ci.everett.ma.us

October 23, 2024

Honorable City Council
484 Broadway
Everett, MA 02149

Dear Honorable Members:

I hereby submit for your consideration an order to accept and expend a donation from the Davis Companies in the amount of \$5,000.00 to the Youth Development and Enrichment Summer Jobs Training Program.

I recommend your favorable passage of this order.

Respectfully submitted,

Carlo DeMaria
Mayor



October 23, 2024
City of Everett, Massachusetts
CITY COUNCIL

Offered By: _____
Councilor Robert VanCampen, as President

Bill Number:
Bill Type: Order

Be it
Ordered: BY City Council OF THE CITY OF EVERETT, as
follows:

to accept and expend a donation from the Davis Companies in
the amount of \$5,000.00 to the Youth Development and
Enrichment Summer Jobs Training Program.



C0323-24

To: Mayor and City Council
From: Councilor Robert J. Van Campen
Date: October 15, 2024

Agenda Item:

An order requesting approval of the re-appointment of Eamon Kernan to the Conservation Commission for a term of three (3) years expiring October 31, 2027.

Background and Explanation:

Attachments:



CARLO DeMARIA
MAYOR

CITY OF EVERETT - OFFICE OF THE MAYOR
484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ mayorcarlo.demaria@ci.everett.ma.us

September 25, 2024

The Honorable City Council
Everett City Hall
484 Broadway
Everett, MA 02149

Re: Re-Appointment of Conservation Commission Member

Dear Honorable Members:

Please be advised that in accordance with Section 3-3 of the City Charter and, Section E (II)(a) of the City of Everett Administrative Code, I hereby re-appoint, subject to confirmation by the City Council, Eamon Kernan to the Conservation Commission for a term of three (3) years expiring October 31, 2027.

Thank you for your favorable consideration in this matter.

Respectfully Submitted,

Carlo DeMaria
Mayor



September 25, 2024
City of Everett, Massachusetts
CITY COUNCIL

Offered By: _____
Councilor Michael Marchese, as President

Bill Number:
Bill Type: Order

Be it
Ordered: BY City Council OF THE CITY OF EVERETT, as
follows:

I hereby submit for your approval the re-appointment of Eamon Kernan to the Conservation Commission for a term of three (3) years expiring October 31, 2027.



C0158-24

To: Mayor and City Council

From: Councilor Holly D. Garcia

Date: April 22, 2024

Agenda Item:

That contractors that work in the city have a designated staging area for their equipment and construction materials when they are going to be working in a designated area for more than a few days.

Background and Explanation:

Attachments:



C0249-24

To: Mayor and City Council
From: Councilor Robert J. Van Campen
Date: July 22, 2024

Agenda Item:

That the Inspectional Services Department strictly enforce all front-yard parking violations throughout the City of Everett.

Background and Explanation:

Attachments:



C0260-24

To: Mayor and City Council
From: Councilor Robert J. Van Campen
Date: July 22, 2024

Agenda Item:

Everett Docklands Innovation District , an affiliate of the Davis Companies proposed zoning amendments

Background and Explanation:

Attachments:

July 15, 2024

REC'D 2024 JUL 15 AM 9:49
EVERETT CITY CLERK'S OFFICE

Via Hand Delivery

Everett City Council
484 Broadway
Room 38
Everett, MA 02149

Re: Everett Docklands Innovation District

Dear Council Members:

Everett Landco, LLC, an affiliate of The Davis Companies and owner of the former Exxon terminal, is pleased to present for your consideration the following proposed zoning amendments pursuant to Mass. Gen. Laws chapter 40A, § 5:

1. Proposed text amendment to create new section 36 of the Zoning Ordinance entitled "Master Planned Development";
2. Proposed text amendment to create new section 37 of the Zoning Ordinance entitled the "Everett Docklands Innovation District"; and
3. Proposed map amendment to re-zone certain parcels into the Everett Docklands Innovation District.

We have worked with the City's planning staff in a collaborative effort to develop the proposed zoning amendments. The proposed Master Planned Development provision can be used anywhere in the City to create master planned areas, creating a new process where the Zoning Ordinance does not currently contain any provision for master plans. The proposed Everett Docklands Innovation District amendment will, in conjunction with the Master Planned Development provision, facilitate Everett Landco's transformation of the former oil terminal into an innovative and mixed-use neighborhood for the future. This once in a generation project intends to transform a heavily contaminated site into brand new neighborhood with innovative uses.

We are extremely excited about the opportunities these proposed zoning changes will create for the City of Everett and look forward to discussing the proposed amendments with you at the Council's public hearing on this matter. Thank you in advance for your consideration.

Sincerely,



Michael Cantalupa
Chief Development Officer

6795670.2

Section 36 **MASTER PLANNED DEVELOPMENT.**

A. Intent

1. To utilize dynamic, long-term planning to implement the recommendations of the City for transformational development or redevelopment of land in a comprehensive manner allowing for the conceptual layout of synergistic uses and connections between buildings, social settings, streets and the surrounding environment.
2. To implement comprehensive planning and permitting to design and create destination districts at underdeveloped properties through the authorization of a long-term plan for future development, while allowing for flexibility to meet changing market demands.

B. Purpose

1. To allow a Master Plan Special Permit for the coordinated development of land as a Development Site allowing for comprehensive planning and compliance with the Everett Zoning Ordinance in the aggregate across a Development Site rather than by individual lots.
2. To provide for foreseeability in the implementation and build out of individual projects, uses and mitigation for approved Master Plans.
3. Permit some flexibility in the development of individual tracts of land by required and predetermined standards.
4. To allow for subsequent subdivision and conveyance of separate parts of the Master Plan while maintaining overall compliance.
5. To provide certainty to the City and project proponents that once a Master Plan is approved, the approved Master Plan is protected against future zoning changes.

C. Applicability

Master Plan Special Permits may be granted pursuant to this Section for property in any zoning district except Dwelling Districts. The zoning for specific districts may alter the procedures and requirements for Master Plan Special Permits set forth in this Section.

D. Definitions

1. **Approving Authority.** The Planning Board of the City of Everett.
2. **Development Project.** A Project undertaken pursuant to this Ordinance that requires Master Plan Special Permit and Site Plan Approval.

3. **Development Site.** One or more lots on which a Development Project is proposed.
4. **Gross Square Feet (“GSF”).** The measure of floor area of space on all floors inclusive of heated basements, hallways, mechanical rooms, storage space and other miscellaneous space, whether or not exclusively occupied by a single tenant or occupant, measured from the exterior faces of exterior walls. Gross floor area does not include covered walkways, open roofed-over areas, porches, exterior terraces or steps, chimneys, roof overhangs, parking garages and unheated basements.
5. **Height.** The vertical distance of the highest point of the roof beam in the case of a flat roof and of the mean level of the highest gable of a sloping roof as measured from the mean ground level of the finished grade at all elevations of a building.
6. **FAR.** The result of dividing the gross floor area of the building or buildings on a lot by the total lot area expressed as a decimal number.
7. **Lot.** A parcel of land under one (1) sole or undivided ownership separate from that of any adjoining lots. A corner lot for the purposes of this Ordinance is any lot which occupies the interior angle at the intersection of two (2) street lines which make an angle of more than forty-five (45) degrees and less than one hundred thirty-five (135) degrees with each other. The Applicant shall, for the purposes of this Ordinance, have the privilege of calling either street lot line the front, without reference to the building arrangement.
8. **Open Space.** An area of land such as a square, green, park, and linear park which is located and designed for access by residents, employees and/or patrons of a Development Project, including provision for access by pedestrians and/or bicyclists for passive or active recreation and landscape buffers around structures.
9. **Site Plan.** A plan depicting a proposed Development Project which is submitted to the Approving Authority for its review and approval in accordance with the provisions of this Ordinance.
10. **Site Plan Approval.** The Approving Authority’s authorization for a proposed Development Project in accordance with this Ordinance after the conduct of a Site Plan Review.
11. **Special Permit Granting Authority.** The Planning Board of the City of Everett.

E. Development Review

1. General: Development approval under this Section includes a two-tiered permitting process consisting of:
 - i. Master Plan Special Permit: Development approval under this Section allows for a Master Planned Development through the issuance of Master Plan Special Permit prior to and as a prerequisite to Site Plan Review; and

- ii. Site Plan Review: Development on individual lots within a Master Planned Development Property subject to an approved Master Plan Special Permit shall be subject to Site Plan Review pursuant to the provisions of this Section.

2. Master Planned Development

- i. Proposed development or redevelopment of one acre of land or more may proceed as a Master Plan Special Permit.
- ii. Notwithstanding the creation of separate lots within a Development Site, which are separated by streets, driveways, Open Space and other buildings or structures, Development Sites approved under a Master Plan Special Permit shall be permitted to aggregate all project components, including, but not limited to, FAR, parking, and Open Space, so that any one lot may not comply with otherwise applicable requirements provided that the overall Development Site complies, provided the Approving Authority finds that the aggregation adequately serves the area covered by the Master Plan Special Permit. Land containing buildings, structures or open spaces which are part of an approved Master Plan Special Permit may be subdivided and conveyed to third parties as separate lots and remain in compliance with the Master Plan Special Permit, provided such division does not result in any violation of this Ordinance or the requirements of the Master Plan Special Permit.
- iii. Previously permitted development may be included in a Development Site and proposed build out of a Master Plan, provided that the date of the first certificate of occupancy for the subject real property is not more than two (2) years prior to the decision date of the Master Plan Special Permit.

F. Master Plan Standards

An application for a Master Plan Development Special Permit shall include the following:

1. Quantitative data including:

- i. Parcel size;
- ii. Proposed lot coverage of structures;
- iii. Floor area ratio;
- iv. Total amount of private open space, both private and public;
- v. Total number and type of dwelling units by number of bedrooms;
- vi. Approximate gross residential densities;

- vii. Total amount in square footage of nonresidential construction by type of use;
- viii. Number of parking spaces to be provided by use;
- ix. Total length of streets to be conveyed to the city government;
- x. Total length of streets to be held as private ways within the development;
- xi. Total length by type of other public works to be conveyed to the city government;
- xii. Number and types of public facilities.

2. Graphic materials shall include, but not be limited to, the following:

- i. Map of existing site conditions, including contours, water course, floor plains, unique nature features, existing vegetation, soil types, existing buildings;
- ii. Map of existing land use;
- iii. Existing and proposed lot lines;
- iv. Location and size of gross floor area of all existing and proposed buildings, structures, and other improvements including maximum heights, types of dwelling units, and nonresidential structures by use;
- v. Location and size in square feet of all private open space and areas to be conveyed, dedicated, or reserved as common open spaces, public parks, recreational areas, school sites, and similar public and semi-public uses;
- vi. The existing and proposed circulation system of arterial, collector, and local streets, including off-street parking areas, service areas, loading areas, and all points of access to existing public rights of way;
- vii. Proposed pedestrian circulation system;
- viii. Existing and proposed utility systems including sanitary sewers, storm sewers, and water, electric, gas, and telephone lines;
- ix. General landscaped plan indicating the treatment of materials used for private and common open spaces;
- x. Description of adjacent land areas, including land uses, zoning, densities, circulation systems, public facilities, and unique natural features of the landscape;

- iii. Use of best available environmentally sustainable building and infrastructure design to the maximum extent reasonably practicable.
5. Submitted master plans must include: proposed development phasing for buildings, open space, infrastructure, mitigation projects and other improvements.
6. If the Planning Board determines, after evaluating the size, complexity, timing and scope of the proposed development, that required mitigation for the Master Plan Development can reasonably be determined at the time of issuance of a Master Plan Special Permit, it may approve a mitigation phasing plan. Alternatively, the Master Plan Special Permit may contain conditions regarding mitigation generally required for the Master Plan Development as a whole and reserving phase-specific mitigation to be determined during site plan review for each separate phase of the development.

G. Streets & Open Space

1. Streets and Open Space provided in any Master Plan shall be shown on submittals for a Master Plan Special Permit.
2. Any streets or Open Space created as part of a Master Plan may be dedicated to the public in perpetuity by a covenant or other deed restriction or by transfer to the City in fee or by easement, subject to the City's acceptance of any such interest, without impacting the FAR or other dimensional criteria of the approved Master Plan Special Permit.
3. Open Space created through easement or discontinuance of an existing street or other abutting right-of-way within the Development Site may be counted toward any required amount of Open Space required by this Section or otherwise by the Ordinance.
4. Roadway design shall be consistent with best practices for urban, multi-modal neighborhoods. Proponents should refer to example guidelines including National Association of City Transportation Officials ("NACTO") design guidance, the City of Boston's Complete Streets Design Guidelines and MassDOT's Bicycle Facilities guide. Arterial roadways shall be designed to accommodate existing transit services and, when practicable, should accommodate any planned or anticipated transit services identified by planning staff during Pre-Submittal Meeting.

H. Master Plan Development Standards

1. Sustainable Development: At a minimum, each phase of a Master Plan Development must, to the maximum extent reasonably practicable, be developed in accordance with all best practices with respect to sustainable development standards at the time when each phase undergoes Site Plan Review.

2. Parking & Mobility

- i. Motor vehicle parking may be provided as underground or aboveground structured parking, surface parking (on and off street) or as shared parking (parking for multiple uses during alternating peak times).
- ii. Development subject to a Master Plan Special Permit may provide parking pursuant to the provisions of the zoning district in the aggregate across the Development site and locate parking serving any property or use within the Master Plan on any property within the Development Site regardless of location or ownership and such parking may be allocated among the properties within a Development Site at the discretion of the project proponent, subject to the special permit granting authority determining that the aggregation adequately serves the area covered by the Master Plan Special Permit.
- iii. Parking facilities shall be designed to be sufficient to adequately serve the Master Plan Development but shall not be designed to encourage use of SOVs. All reasonably practicable measures shall be taken to maximize the non-SOV mode share and to minimize the amount of SOV parking within the Development Site.

A. Master Plan Special Permit Process

- a. Purpose: A Master Plan Special Permit authorizes a long-term plan for future development and for an applicant to move forward with subsequent Site Plan Review.
- b. Applicability: Approval of a Master Plan Special Permit authorizes the applicant to submit applications for subsequent Site Plan Review required by this Ordinance only and vests the right to develop property in accordance with the Master Plan.
- c. Authority
 - i. The Planning Board is the permit granting authority for a Master Plan Special Permit.
 - ii. Waiver: The Planning Board may within its reasonable discretion waive application or other procedural requirements for a Master Plan Special Permit upon a determination that such waivers are insubstantial and are consistent with intent and purposes of the zoning district.
- d. Procedures
 - i. The following review procedures are required:
 - a) Step 1: Pre-Submittal Meeting with Planning Staff

- b) Step 2: Application Review & Staff Report
 - c) Step 3: Public Notice
 - d) Step 4: Public Hearing
 - e) Step 5: Decision
 - f) Step 6: Appeal Period
 - g) Step 7: Certification of Decision and Recording
- ii. The review procedures required for a Master Plan Special Permit may, at the discretion of the designated review board, be conducted simultaneously with the review procedures required for other discretionary or administrative permits, as indicated elsewhere in this Ordinance.
- e. Review Criteria
- i. In its discretion to approve or deny a Master Plan Special Permit, the Planning Board shall make findings considering, at least, each of the following:
 - a) The intent of the zoning district.
 - b) Existing plans and standards established by the City.
 - c) The gross floor area allocated to different use categories.
 - d) The proposed alignment and connectivity of the streets in the Development Site and their relationship to streets outside the Development Site.
 - e) Mitigation proposed to alleviate any adverse impacts on municipal and utility infrastructure.
 - f) Proposed development and mitigation phasing.
 - g) Proposed parking to address demand by residents and users of the proposed uses.
 - h) Aggregation of parking, open space or other requirements, if proposed in the Master Plan, is acceptable.
 - ii. Waiver: The Planning Board may approve a Master Plan Special Permit that deviates from the standards of this Section upon a finding that such waiver(s) will not adversely affect public safety and will equally or better serve the purposes of the zoning district in which the Development Site is located.
 - iii. When considering a revision to a previously approved Master Plan Special Permit, the Planning Board shall limit its review to the proposed changes to the previously approved application.
- f. Conditions
- i. The Planning Board may attach reasonable conditions and limitations that it deems necessary or appropriate.

- ii. Conditions must have a reasonable nexus to potential impacts of the proposed development, and be roughly proportional, both in nature and extent, to the impacts of the proposed development.
 - iii. The Planning Board shall require applicants to provide for infrastructure mitigation, transportation mitigation, and community impact mitigation as a condition of any Master Plan Special Permit.
 - iv. The Planning Board shall establish construction permitting requirements for the phasing of development, if applicable, as a condition of any Master Plan Special Permit.
- g. **Permit Duration and Extension**
- i. Master Plan Special Permits remain valid for three (3) years from the date the decision is filed with the Office of the City Clerk, excluding any time required awaiting the decision of an appeal, and remain valid so long as progress is being made in accordance with the approved phasing of development. The nature and extent of work necessary to constitute exercise of a Master Plan Special Permit may be specified in the zoning for individual districts or in the Master Plan Special Permit.
 - ii. The Planning Board may reduce the time period that a Master Plan Special Permit remains valid to a shorter time period as a condition attached to the permit for projects of less than two acres or 200,000 square feet of gross floor area.
 - iii. The Planning Board may extend the duration of validity for a Master Plan Special Permit upon making a finding that a demonstrated hardship has prevented utilization of the rights authorized by the Special Permit.
- h. **Amendment of a Master Plan Special Permit.**
- i. Major Amendments. A proposed amendment to a Master Plan Special Permit shall be presented to the Director of Planning and Development, who shall, within thirty days, determine whether the proposed amendment is a major amendment or a minor amendment. If the amendment is determined to be a major amendment, it shall require approval by the Planning Board after a public hearing held in accordance with the provisions of G.L. c.40A, §§9 and 11. The following matters generally will be considered major amendments:
 - a) Increases in floor area or ground coverage by ten percent (10%) or more across the Development Site;
 - b) Substantial changes to the roadway networks, access or other infrastructure serving the Development Site;

- c) Addition of one or more uses not approved in the Master Plan Special Permit; or
 - d) results in a condition that the Director of Planning and Development determines to be substantially more detrimental to the surrounding neighborhood or the City than the existing condition(s) and approved plans.
- ii. Minor Amendments. Any other modification shall be considered a minor amendment. Minor amendments shall require the approval of the Director of Planning and Development.
 - iii. When considering an Amendment to a Master Plan Special Permit, review shall be limited to the proposed revision to the parcel or phase with proposed changes to the previously approved Master Plan but may include aggregation of the impacts of the proposed amended plan as a whole.
- i. Appeals
 - i. The appeal of any decision of the Planning Board regarding a Master Plan Special Permit or amendment thereto shall be made in accordance with the provisions of G.L. c. 40A §17.

B. Site Plan Review Process for Approved Master Plan Special Permits

- a. Purpose: Site Plan Review is the administrative review and approval of a development to confirm compliance with the provisions of this Section and an approved Master Plan Special Permit so that the development is conforming to the provisions of this Ordinance and adequately addresses any potential impacts.
- b. Applicability:
 - i. Site Plan Review is required for any development, including buildings, open space and streets, subject to a Master Plan Special Permit.
 - ii. The provisions of this Section relating to Site Plan Review supersede the requirements for Site Plan Review found otherwise in this Ordinance.
- c. Authority
 - i. The Planning Board is the decision-making authority for Site Plan Review within an approved Master Plan Special Permit.
 - ii. Waiver: The Planning Board may within its reasonable discretion waive application or other procedural requirements for Site Plan Review within an approved Master Plan Special Permit upon a determination that such

waivers are insubstantial and are consistent with intent and purposes of the zoning district.

d. Procedure

i. The following review procedures are required:

- a) Step 1: Pre-Submittal Meeting with Planning Staff
- b) Step 2: Application Review & Staff Report
- c) Step 3: Public Notice
- d) Step 4: Public Hearing
- e) Step 5: Decision
- f) Step 6: Appeal Period
- g) Step 7: Certification of Decision and Recording

ii. The Planning Board shall have 90 days from the time of submittal of a complete Site Plan Review application to render its decision.

e. Review Criteria

i. The Planning Board's review of an application for Site Plan Review shall be limited to the following criteria:

- a) Compliance with the approved Master Plan Special Permit, including:
 - i) The bulk and height of any proposed structure(s) and accessory structure(s), adequacy of open spaces, the building coverage on the site, yard sizes (setbacks) and lot areas;
 - ii) The physical layout of the structure(s), driveways, parking areas, utilities and other infrastructure;
 - iii) The design of the exterior building facade materials and fenestration, including compliance with the Everett Design Regulations promulgated by the Planning Board;
 - iv) The adequacy of the arrangement of parking, drop-off/pick-up and loading areas in relation to the proposed use of the site; and
 - v) The adequacy of the phased mitigation attributable to the project undergoing site plan review based on the mitigation phasing set forth in the Master Plan Special Permit.

- b) Adequate parking shall be provided in compliance with the Master Plan Special Permit either on the proposed lot or otherwise within the Development Site.
 - c) The site drainage shall be designed in accordance with applicable provisions of the Zoning and General Ordinances.
 - d) The design and adequacy of the sewage disposal system(s) to serve the proposed development shall be in accordance with water and sewer department requirements.
 - e) The site plan shall demonstrate conformance with applicable lot area, setback and height regulations pursuant to the Master Plan Special Permit for the zoning district.
- ii. The Planning Board shall approve an application for site plan approval in the form submitted or with reasonable conditions which shall pertain to this Section unless the Planning Board finds that the application is incomplete or otherwise not in conformance with the applicable provisions of the Zoning Ordinance.
 - iii. Waiver: The board may, after review of the completed application and at its discretion, waive certain criteria if it deems it appropriate.
 - iv. When considering a revision to a previously approved Master Plan Special Permit, the Planning Board shall limit its review to the proposed changes to the previously approved application and any material changes in circumstances relating to the infrastructure serving the development area subsequent to issuance of the Master Plan Special Permit.
- f. Conditions
 - i. The review board may attach reasonable conditions and limitations that it deems necessary or appropriate in order to ensure compliance with the Board's findings and the standards for granting of a Site Plan.
 - ii. Conditions must have a reasonable nexus to potential impacts of the proposed development, and be roughly proportional, both in nature and extent, to the impacts of the proposed development.
 - g. Permit Duration and Extension
 - i. Approval of a Site Plan will remain valid for three (3) years from the date the decision is filed with the Office of the City Clerk, excluding any time required awaiting the decision of an appeal, and remain valid so long as progress is being made in accordance with the approved phasing of development.

- ii. The Planning Board may extend the duration of validity for a Site Plan upon making a finding that a demonstrated hardship has prevented utilization of the rights authorized by the Site Plan.

h. Amendment of a Site Plan Approval.

- i. Proposed revisions to an approved site plan shall be submitted to the Director of Planning and Development.
- ii. Minor Amendments. Revisions deemed minor by the Director of Planning and Development (or designee) may be approved without a public hearing. Revisions shall be considered de minimis upon the Director of Planning and Development findings that:
 - a) The proposed changes would not contravene the legal notice, any finding, or condition of the Planning Board in the original approval;
 - b) The proposed changes would not detrimentally impact matters of substance identified in meeting minutes of original hearings;
 - c) The proposed changes would not alter the character of the development; and
 - d) The proposed changes would be so insignificant as not to be noticeable to persons generally familiar with the original approval.
- iii. Major Amendments. Revisions that are not minor shall be subject to the full notice and hearing provisions and shall be submitted to other City boards, department and agencies for review and comment.
- iv. When considering an amendment to an approved Site Plan Approval, review shall be limited to the proposed revision to the previously approved Site Plan Approval and any material changes in circumstances relating to the infrastructure serving the parcel or phase with proposed changes subsequent to issuance of the Master Plan Special Permit.
- i. Appeals: The appeal of any decision of the Planning Board regarding a Site Plan Approval or amendment thereto shall be made in accordance with the provisions of G.L. c. 40A §17.

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Section 37 EVERETT DOCKLANDS INNOVATION DISTRICT (“EDID”)

A. Intent

- a. To establish zoning regulations in accordance with the land use policy objectives in the City and to encourage comprehensive planning across multiple properties.
- b. To permit development in accordance with a Master Plan Special Permit pursuant to Section 36 of the Ordinance.
- c. All land within the EDID shall be deemed a Priority Development Site in accordance with M.G.L. c. 43D and shall accordingly be subject to expedited permitting processes.
- d. To encourage economic development, job creation and to strengthen the tax base in the City of Everett.

B. Purpose

- a. To permit comprehensive planning and development across a Development Site that would otherwise not be permitted in other zoning districts in the City; to allow a diversity of land uses in close proximity, within a limited area; to facilitate development responsive to current and future market conditions; to facilitate integrated physical design; and to encourage interaction among activities located within the EDID.
- b. To allow for the aggregation and compliance of certain build out standards across a Development Site rather than by individual lots in a Master Plan.

C. Applicability

- a. This Section is applicable to all real property within the EDID as shown on the Official Zoning Map of the City of Everett.
- b. All use, parking and dimensional regulations governing land within the EDID are set forth within this Section. All other requirements of the Zoning Ordinance that do not conflict with the provisions of this section shall apply to property within the EDID, provided that the Planning Board shall have the discretion to waive any such provisions in approving a Master Plan Special Permit if it determines such waiver to be in the public interest. Where provisions of the Zoning Ordinance conflict with the EDID, the provisions of the EDID control. Projects developed pursuant to a Master Plan Special Permit shall be subject to site plan review pursuant to Section 36 of the Zoning Ordinance rather than Section 19 of the Zoning Ordinance.

D. Master Planned Development Standards

- a. Design Guidelines and Regulations

1. The Planning Board shall adopt, and may from time to time amend, regulations governing Master Planned Developments, including without limitation regulations governing the design of open space, building design, and roadway layout and design.

b. Inclusionary Housing

1. A Master Plan Special Permit may aggregate required inclusionary housing, thereby allowing certain buildings and development phases to contain fewer inclusionary housing units than would otherwise be required, with construction of the remaining required units deferred to a future phase, if it finds:

- a) Adequate surety or conditions of approval will ensure that all inclusionary housing units will be constructed in a timely manner.
- b) Aggregation of inclusionary housing units will not result in undue concentration of inclusionary housing units in specific phases or building types.
- c) Aggregation of inclusionary housing units is warranted based upon economic or other circumstances.

c. Building Standards

1. The dimensional requirements applicable to the EDID are:

Dimension:	All Non-Master Planned Uses	Allowable Pursuant to Master Plan Special Permit
Minimum Lot Size	5,000 sf	2,000 sf
Required Frontage	40 ft.	20 ft
FAR	1.0*	NA
Minimum Lot Area per Dwelling Unit	2,000 sf**	NA
Minimum Front Yard Setback	10 ft.	0 ft.
Minimum Side Yard Setback	10 ft.	0 ft.
Minimum Rear Yard Setback	20 ft.	0 ft.
Minimum Setback to Master Planned Area Boundary		10 ft.
Minimum Open Space***	5%	5%
Maximum Height	65 ft****	370 ft*****

*FAR may be increased to 4.0 by special permit.

**For a Development Site two acres or more the minimum square footage per dwelling unit shall be 350 square feet.

***Limited Access Open Space may comprise up to 20% of the minimum required Open Space, and the remainder shall be Public Access Open Space.

***For a Development Site two acres or more the maximum height is 85 feet.

***** 370 ft. is the maximum allowed by the Federal Aviation Administration (“FAA”). The maximum allowed height by the FAA ranges from to 250 ft. to 370 ft. depending on the location within the EDID.

2. Notwithstanding the creation of separate lots within a Development Site, which are separated by streets, driveways, Open Space and other buildings or structures, Development Sites approved under a Master Plan Special Permit shall be permitted to aggregate all project components, including, but not limited to, FAR, parking, drainage structures, retail space requirements, inclusionary housing units and Open Space, so that individual lots need not comply with otherwise applicable requirements provided that the overall Development Site complies, and provided further that the Approving Authority finds that the aggregation adequately serves the area covered by the Master Plan Special Permit. Buildings, structures or open spaces which are part of an approved Master Plan Special Permit may be subdivided and conveyed to third parties as separate lots and remain in compliance with the Master Plan Special Permit, provided such division does not result in any violation of the EDID or the requirements of a Master Plan Special Permit.

d. Use Provisions

1. The EDID has two subdistricts shown as “Subdistrict A” and Subdistrict B” shown on the Zoning Map referenced above in Section 37.3.

2. The standards of the following Table are the permitted uses for the EDID based on the following notations.

a) Permitted Uses.

i) Master Plan Developments: “Y” indicates that the Planning Board may, in its discretion, permit a use as part of the Master Plan Special Permit. Any use of such land must be specifically identified and approved in such Master Plan Special Permit. Any use not specifically identified in an approved Master Plan Special Permit shall only be permitted upon modification of such Special Permit.

ii) Non-Master Plan Developments: “Y” indicates that the use is allowed by right in the district.

b) Special Permit Uses.

- i) “SP” indicates that a use allowed only if approved by the Special Permit Granting Authority (“SPGA”), in accordance with the special permit review procedures prescribed in this Ordinance. In the EDID the Planning Board is the SPGA.
 - c) Uses Not Permitted.
 - i) “-“ indicates that a use is not allowed in the district.
 - d) Determination of Use Category.
 - i) For specific uses which are not listed but are clearly within a category listed in the Table of Use Regulations, the Building Commissioner shall determine whether the proposed use is permitted, and if so, into which category it will be classified. The Building Commissioner shall note the applicable use classification in the issuance of a building permit on the EDID.
3. Multiple uses in the same structure within the EDID: There shall be no restriction on combining different categories of use within the same building other than those imposed by the State Building Code or other federal, state or local regulations other than the Ordinance.

USE CATEGORY	Master Planned Uses		Non-Master Planned Uses Less Than 5,000 sq ft of Gross Floor Area		Non-Master Planned Uses Greater Than 5,000 sq ft of Gross Floor Area	
	Sub A	Sub B	Sub A	Sub B	Sub A	Sub B
RESIDENTIAL						
Single Family Dwelling	-	-	-	-	-	-
Two Family Dwelling	-	-	-	-	-	-
Three Family Dwelling	-	-	-	-	-	-
Attached Dwelling Development	-	-	-	-	-	-
Multifamily Residential ¹	Y	Y	Y	Y	SP	SP

¹ Residential units may not comprise more than fifty percent (50%) of the gross floor area of the first story of any multifamily residential building. Common amenities, rental and administrative offices, parking or other uses customarily accessory to multifamily residential use shall not count towards this limit. The first stories of each structure containing residential units shall contain one or more commercial uses comprising an area of at least 30

COMMERCIAL						
Active boating, water taxi, recreational boating	Y	Y	SP	SP	SP	SP
Amusement, including indoor entertainment facilities	Y	Y	Y	Y	SP	SP
Arts Center	Y	Y	Y	Y	Y	Y
Auto showrooms for the sale of automobiles and light trucks, and service facilities which are associated with the sales facilities in the same building	Y	Y	-	-	-	-
Bank	Y	Y	SP	SP	SP	SP
Bank with drive-through window(s)	Y	Y	SP	SP	SP	SP
Bar, Pub, Tavern, Cocktail Lounge	Y	Y	SP	SP	SP	SP
Brewery, including on site service and manufacturing	Y	Y	SP	SP	SP	SP
Business, Finance or other Professional Office Use ²	Y	Y	Y	Y	SP	SP
Car wash	-	-	-	-	-	-
Convenience Store	Y	Y	Y	Y	SP	SP
Dance club / night club	Y	Y	-	-	-	-
Entertainment facilities including Concert Venue	Y	Y	-	-	-	-
Fast Order Food Establishment including drive throughs	Y	Y	SP	SP	SP	SP
For Profit Educational Schools, including but not limited to Vocational Schools	Y	Y	Y	Y	SP	SP
Freight or Trucking Terminal	-	Y	-	-	-	-
Gaming Establishment	-	-	-	-	-	-
Gasoline Station	Y	Y	-	-	-	-
Gazebo, outdoor performance space	Y	Y	Y	Y	Y	Y
Grocery Store	Y	Y	-	-	-	-

square feet for each residential unit contained within the structure. Such uses may include any of the uses listed as permitted under the "Commercial" category in this use table and may be aggregated across multiple sites to achieve the overall objective of the EDID.

² Including, but not limited to offices for high technology and biotech users.

Hotel	Y	Y	Y	Y	SP	SP
Kennel, pet day care establishment	Y	Y	SP	SP	SP	SP
Marina	Y	Y	SP	SP	SP	SP
Medical Services, including Hospitals, Medical Office Buildings, Community Health Centers, and Urgent Care	Y	Y	Y	Y	Y	Y
Membership Club	Y	Y	SP	SP	SP	SP
Motel	-	-	-	-	-	-
Movie theater or cinema	Y	Y	Y	Y	Y	Y
Neighborhood Market	Y	Y	Y	Y	SP	SP
Parking garage (including sub-surface) provided there shall be no door or driveway for vehicles in connection with any public garage within fifty (50) feet of any Residential sub-district boundary line. A parking garage can be a use on a separate lot or an accessory parking garage that is on a separate lot.	Y	Y	SP	SP	SP	SP
Parking, surface lots as a principal use pending the construction of structured parking pursuant to a master plan special permit (To discuss limitations on time and the public)	Y	Y	-	-	-	-
Recreational use such as bowling alley, arcade, billiards/pool hall, roller rink, tennis courts, swimming, theater, etc.	Y	Y	SP	SP	SP	SP
Resort Casino [Discuss with planning staff]	-	-	-	-	-	-
Restaurants, not including Fast Order Food Establishments, and provided that there are no drive-through facilities.	Y	Y	SP	SP	SP	SP
Retail sales and services, including large format Retail	Y	Y	SP	SP	SP	SP
Retail sales & service, w/outside storage	Y	Y	SP	SP	SP	SP
Retail sales & service, w/no outside storage	Y	Y	SP	SP	SP	SP
Service and repair stations for automobile or light truck, but not including gasoline stations	-	-	-	-	-	-
Sports/Fitness Facilities; Health Club and Spa	Y	Y	Y	Y	SP	SP
Taxicab business	-	-	-	-	-	-

Transportation related uses including railroad or street railroad passenger stations including customary accessory services therein; not including switching, storage, or freight yards or sidings.	Y	Y	-	-	-	-
Veterinary or pet grooming establishment	Y	Y	SP	SP	SP	SP
Water Taxi or Water Shuttle	Y	Y	Y	Y	Y	Y
Wholesale	Y	Y	-	-	-	-
INNOVATION						
Advanced/Light Manufacturing	Y	Y	SP	SP	SP	SP
Battery Energy Storage Systems	Y	Y	SP	SP	SP	SP
Converter Station	-	Y	SP	SP	SP	SP
Retail Electric Vehicle Charging Station	Y	Y	Y	Y	SP	SP
Laboratory	Y	Y	SP	SP	SP	SP
Life Science	Y	Y	SP	SP	SP	SP
Life Science (Manufacturing)	Y	Y	SP	SP	SP	SP
Research and Development	Y	Y	SP	SP	SP	SP
INDUSTRIAL						
Assembly Related Uses	-	Y	-	-	SP	SP
Automotive Supply and Repair	-	-	-	-	-	-
Central heating or cooling plant	-	Y	SP	SP	SP	SP
Electric Generation Plants/Substation (C0221-17)	-	Y	-	-	-	-
Heavy manufacturing providing there is no outside storage work and there are no emissions of noxious odors, smoke or noise, and no vibration discernible on the exterior of the building.	-	Y	-	-	-	-
Light manufacturing (excluding scrap metal), producing, processing, fabricating, printing, converting, altering, finishing or assembling, entirely contained within the structure with no associated emissions of noxious odors or noise, on a scale requiring not more than a total of five horsepower or steam pressure in excess of 15 pounds gauge pressure.	-	Y	-	-	SP	SP

Manufacture, assembly, processing, packing or other industrial operations associated with medium to heavy industry which involves machining, welding, shearing, forging, stamping or similar operations.	-	Y	-	-	-	SP
Power, gas or fuel generating facilities.	-	Y	-	-	-	-
Storage and sale of building materials or machinery.	-	Y	-	-	-	SP
Storage of goods in containers where all storage is contained within the building, not including storage of any raw or natural materials.	-	Y	-	-	-	SP
Trucking terminals and freestanding product distribution centers.	-	Y	-	-	-	-
Warehouse, Distribution, including E-Commerce, Last Mile, and Same Day Delivery	-	Y	-	-	-	SP
ACCESSORY USES						
Electric car charging station	Y	Y	Y	Y	Y	Y
Home Occupation	Y	Y	-	-	-	-
Hospitality uses customarily accessory to Hotel, including restaurant, bar, spa, etc.	Y	Y	-	-	-	-
Gas stored in quantities below the maximum allowable quantities (MAQs) established for hazardous materials; High-Hazard Group H occupancies as outlined by the Massachusetts State Building Code 780 CMR, the Massachusetts Comprehensive Fire Safety Code 527 CMR 1.00, and their referenced standards	Y	Y	SP	SP	SP	SP
Limo service / driving service	-	-	-	Y	-	SP
Meeting and conference space	Y	Y	Y	Y	SP	SP
Offices of a doctor, dentist or other member of a recognized profession, teacher or musician residing on the premises; provided there is no display or advertising except for a small professional name plate.	Y	Y	Y	-	SP	-
Office	Y	Y	Y	Y	Y	Y
Parking (surface lot) accessory to any permitted principal use (10 or fewer spaces)	Y	Y	Y	Y	Y	Y
Parking (surface lot) accessory to any permitted principal use (greater than ten spaces)	Y	Y	-	-	Y	Y
Solar Uses	Y	Y	Y	Y	Y	Y
Uses accessory to activities permitted as a matter of right, which activities are necessary in connection with scientific research or scientific development or related production.	Y	Y	SP	SP	SP	SP

Wholesale merchandising incidental and subordinate to a primary retail business	Y	Y	Y	Y	Y	Y
EXEMPT						
Agriculture, horticulture or floriculture and the expansion or reconstruction of existing structures thereon for the primary purpose of agriculture, horticulture or floriculture.	Y	Y	Y	Y	Y	Y
Municipal use such as library, fire station, police station, park, and soldiers' and sailors' memorial building.	Y	Y	Y	Y	Y	Y
Public or charitable institutional building not of a correctional nature	Y	Y	Y	Y	Y	Y
Religious use including church, synagogue, mosque, parish house and Sunday School building.	Y	Y	Y	Y	Y	Y
Nonprofit educational use.	Y	Y	Y	Y	Y	Y
PROHIBITED USES						
Adult Bookstore	-	-	-	-	-	-
Adult Club	-	-	-	-	-	-
Adult Theater	-	-	-	-	-	-
Adult Video Store	-	-	-	-	-	-
Body Art/Tattoo Studio	-	-	-	-	-	-
Body Piercing Studio	-	-	-	-	-	-
Bulk storage or processing plants involving the use of flammable or combustible liquids, gases or solids.	-	-	-	-	-	-
Check-Cashing Establishment	-	-	-	-	-	-
Bulk storage or processing plants involving the use of flammable liquids, gases or solids.	-	-	-	-	-	-
Fortune Teller	-	-	-	-	-	-
Gas stored in quantities exceeding the maximum allowable quantities (MAQs) established for hazardous materials where not located within High-Hazard Group H occupancies as outlined by the Massachusetts State Building Code 780 CMR, the Massachusetts Comprehensive Fire Safety Code 527 CMR 1.00, and their referenced standards; or gas stored within ten (10) feet of any street line or party lot line, except in the case of	-	-	-	-	-	-
Gun Shop	-	-	-	-	-	-

Industrial operations, either outside or inside the building, which produce outside noxious odors, smoke, steam, or other emissions, or which produce industrial noise or require excessive use of large trucks or trailers or transfer of large amounts of industrial materials.	-	-	-	-	-	-
Industrial plants for the generation of power, steam or any other type of energy involving the use of solid fuel.	-	-	-	-	-	-
Open lot or enclosed storage of coal, coke, sand or similar materials.	-	-	-	-	-	-
Open lot storage, handling or hauling of used materials including, but not limited to building materials, metal junk, scrap, paper, rags or motor vehicles.	-	-	-	-	-	-
Parking (surface lot) as a principal use	-	-	-	-	-	-
Pawn Shop	-	-	-	-	-	-
Salvage operations or junk yard	-	-	-	-	-	-
Uses which produce offensive odors, emissions, fumes, gases, or smoke, which produce noise or vibrations which are discernible beyond the limits of the property lines or which produce dust or waste on the exterior of the building.	-	-	-	-	-	-

E. Parking & Mobility

a. Table of Parking Requirements.

Use	Minimum Required Parking
Bar, Cocktail Lounge, Pub Tavern	1 space for each 6 seats
Churches, Synagogues and other Places of Assembly used as Places of Worship	1 space for each 50 square feet of assembly area
Dwelling, Multifamily	0.75 spaces per unit
Elderly and Handicap Housing	0.4 spaces per unit
Hotel	0.25 Spaces per hotel room
Industrial	1 space per 4,000 SF of GSF
Medical or Dental Office	1 space per 1,000 GSF
Office Use	1 space per 2,000 GSF

Table of Parking Requirements	
Use	Minimum Required Parking
Places of Assembly, including Schools, Auditoriums, Museums, Theaters and Cinemas	1 space for each room plus 1 space for each 6 persons designated for the largest single room occupancy
Restaurants	1 space per 600 SF of dining area
Retail Use	1 space per 600 GSF
Warehouse	1 space per 3,000 GSF
All other uses	To be determined by the Building Commissioner based on a similar use in this table, taking into account data as may be submitted by the Applicant

b. Notes to Table of Parking Requirements.

1. If a change of use from one use to another use is proposed and the new use requires a greater number of parking spaces than the existing use, review by the Building Commissioner is required. Depending on the permitting requirements applicable to the proposed use, review by the Approving Authority may also be required. Required parking can be delivered in any combination of surface, structured parking, freestanding parking garages, (including centralized garages), or parking contained within occupied buildings.
2. When the application of the required parking standards in the Table of Parking Requirements results in a number that includes a fraction, the fraction shall be rounded up to the next whole number if the fraction is 0.5 or more. If the result includes a fraction below 0.5, the fraction shall be rounded down to the next whole number.
3. Parking spaces shall be at least nine feet wide and at least eighteen feet long. At the Applicant's option, up to fifteen percent of required parking spaces may be compact parking spaces, which shall be at least eight feet wide and at least eighteen feet long.
4. Any proposed use or building that would not meet the off-street parking requirements of subsection (5)(a) of this section will be subject to the requirements of Section 35 (Transportation Demand Management).

c. Location of Required Parking.

1. Newly constructed surface parking for new Development Projects shall be located exclusively at the side or rear of a new building relative to any Street right-of-way. Parking for new construction is not permitted to be located

within the required front yard setbacks. Remote parking may be authorized by special permit from the Planning Board.

- d. Reduction of Required Parking. Notwithstanding anything to the contrary herein, any minimum required number of parking spaces may be reduced by the Approving Authority by up to fifty percent (50%) as a condition of special permit, provided the Applicant demonstrates that the fewer parking will not cause excessive congestion, endanger public safety, or that fewer parking spaces will provide positive environmental or other benefits, taking into consideration:
1. The availability of a sufficient amount, in the opinion of the Approving Authority, of available public or commercial parking in the vicinity of the use(s) being served, and including parking dedicated to the use(s) being served; and/or
 2. The availability of a Fixed Public Transportation Stop within six hundred (600) linear feet of a pedestrian entrance to the Development Project, taking into account the proposed use(s) and the extent to which residents, employees and/or patrons of the proposed use(s) may be reasonably expected to access the site via public transit; and/or
 3. The availability of shared use of parking spaces serving other uses having peak user demands at different times, may be permitted at the discretion of the Approving Authority, shared use may be made of required parking spaces by intermittent use establishments such as certain commercial uses or residential uses whose peak parking demand is only at night and by other uses whose peak demand is only during the day. Where such shared parking is authorized, the Approving Authority shall indicate in its written decision the basis for such reduction and may within the special permit impose conditions of use or occupancy appropriate to such reduction.

F. Definitions applicable to EDID

The Definitions set forth in Section 2 of the Zoning Ordinance are applicable herein except as specifically modified in the EDID.

- a. Advanced/Light Manufacturing: Fabrication, processing or assembly employing primarily electric or other substantially noiseless and inoffensive motive power, utilizing hand labor or quiet machinery and processes, and free from neighborhood disturbing agents, such as odors, gas fumes, smoke, cinders, flashing or excessively bright lights, refuse matter, electromagnetic radiation, heat or vibration. Examples include manufacturing of pharmaceuticals, medical devices, computer components, robotics, additive manufacturing and advanced materials.
- b. Battery Energy Storage Systems: The storage of energy, including, but not limited to, from sources such as wind and solar, or other available sources, and subsequent dispersal.

- c. Converter Station: A specialized type of substation which forms the terminal equipment for a high-voltage direct current transmission line that converts direct current to alternating current or the reverse. In addition to the converter, the station usually contains:
1. three-phase alternating current switch gear;
 2. transformers;
 3. capacitors or synchronous condensers for reactive power;
 4. filters for harmonic suppression; and
 5. direct current switch gear
- d. Electric Vehicle Charging Station: As a principal use, a retail location for the charging of electric vehicles, including accessory retail services.
- e. Floor Area Ratio or "FAR": The result of dividing the gross floor area of the building or buildings on a lot by the total area of the lot, expressed as a decimal number. FAR shall not include stairs, utility shafts, mechanical shafts, elevator shafts, electrical rooms, mechanical rooms, telephone rooms, spaces less than seven feet in height, bathrooms, loading docks, and structured parking.
- f. Fixed Public Transportation Stop – A stop on a system using buses, vans, light rail, rail, or other vehicles to operate on a predetermined route according to a predetermined schedule.
- g. Frontage: The distance measured as a straight line along the Right of Way between the intersection of the Right of Way boundary and the lot lines or along the curve of the Right of Way and the intersection of the Right of Way boundary and the lot lines.
- h. Height: The vertical distance of the highest point of the roof beam in the case of a flat roof and of the mean level of the highest gable of a sloping roof as measured from the average finished grade at the perimeter of the building. Excluded from the definition of height:
1. On any building located within the EDID, domes, cupolas and other ornamental features, solar collectors, chimneys, ventilators, skylights, tanks, bulkheads, penthouse for stairs, parapets, elevator penthouse, machinery, antennas, transceivers, and other accessory features which are required above roofs may not exceed twenty (20) feet measure vertically from the highest point of the entire building.
 2. On any building located within the EDID, rooftop screens, fully enclosed mechanical penthouses or fences erected to conceal equipment shall not exceed forty (40) feet in height and shall not be included in the height

calculation of the building, provided that such rooftop screens, fully enclosed mechanical penthouses or fences are set back a minimum of ten (10) feet from the edge of the roof of the building.

- i. Laboratory: A designated area within a building equipped to conduct scientific experiments, tests, investigations, research, prototype manufacture, experimental and testing activities including, but not limited to, the fields of biology, life science, chemistry, electronics, computer science, engineering, geology, medicine and physics, including vivariums. Laboratory shall include Biosafety Level 1 and 2 facilities.
- j. Life Science: Research, development and/or prototype manufacturing utilizing microorganisms, chemical or biological substances, vivariums, or biomechanical equipment in the fields of Life Science, biotechnology, medical, pharmaceutical, environmental science, microbiology, comparative medicine, apparatus, machines and devices for research, development, pharmaceuticals, biomedical technologies, life systems technologies, environmental and biomedical devices manufacturing and advanced and practical application in any such field or areas. Life Science shall include accessory office. Life Science and Biotechnology uses are subject to all federal, state and local regulations and best management practices.
- k. Life Science (Manufacturing): A life science or biotechnology laboratory engaged in the manufacturing of life science technologies and medicines for commercial production to the market, including accessory office.
- l. Lot: A parcel of land under one (1) sole or undivided ownership separate from that of any adjoining lots. A corner lot for the purposes of this Ordinance is any lot which occupies the interior angle at the intersection of two (2) street lines which make an angle of more than forty-five (45) degrees and less than one hundred thirty-five (135) degrees with each other [note: consultants are checking this]. The Applicant shall, for the purposes of this Ordinance, have the privilege of calling either street lot line the front, without reference to the building arrangement.
- m. Open Space (Limited Access): An area of land or outdoor built space such as a square, green, park, linear park, water feature, stormwater garden, landscape buffer, planting zone, balcony, or roof deck which is located and designed for access primarily or exclusively by residents, employees and/or patrons of a Development Project, including provision for access by pedestrians and/or bicyclists for passive or active recreation.
- n. Open Space (Public Access): An area of land or outdoor built space such as a square, green, park, linear park, water feature, stormwater garden, landscape buffer, planting zone, balcony, or roof deck which is located and designed for access by the public, including provision for access by pedestrians and/or bicyclists for passive or active recreation.

- o. Research and Development: Research, development, and testing activities that do not involve the mass manufacturing, fabrication, processing, or sale of products. Such uses shall not violate any odor, dust, smoke, gas, noise, radiation, vibration or similar pollution standard. Research and Development shall include, but is not limited to the fields of biology, life science, chemistry, electronics, computer science, engineering, geology, medicine and physics and vivariums.
- p. Solar Uses: Any photovoltaic, solar energy, or solar thermal system that converts solar energy into electricity or useful forms of energy for water heating, space heating, or space cooling, provided the system is mounted on a building or public structure.
- q. Setback: The shortest horizontal distance from the lot line to the nearest building wall or building part except as otherwise noted.

G. Administration

- a. Master Plan Special Permits
 - 1. Amendments: An increase in floor area ratio, height, ground coverage or trip generation of less than 20%, in and of itself, shall not alone constitute a Major Amendment for purposes of Section 36 of the Ordinance. In addition, changes to uses allocated in Phases approved in a Master Plan Special Permit shall not constitute a Major Amendment, provided that the Director of Planning and Development determines that the overall impacts after the change remain consistent with the impacts identified and mitigated for in the Master Plan Special Permit.
 - 2. Mitigation Phasing: In approving a Master Plan Special Permit pursuant to Section 36 of the Ordinance, if the Planning Board determines, after evaluating the size, complexity, timing and scope of the proposed development, that required mitigation for the Master Plan Development can reasonably be determined at the time of issuance of a Master Plan Special Permit, it may approve a mitigation phasing plan. Alternatively, the Master Plan Special Permit may contain conditions regarding mitigation generally required for the Master Plan Development as a whole and reserving phase-specific mitigation to be determined during site plan review for each separate phase of the development.
 - 3. Vesting of Master Plan Special Permits: Significant investment in site work, environmental remediation work or other work conducted pursuant to (including such work performed prior to approval) and in furtherance of the development described in a Master Plan Special Permit and development authorized by a Master Plan Special Permit within, three (3) years of issuance thereof, shall constitute exercise and vesting of the rights granted under the entire Master Plan Special Permit. Provided the Master Plan Special Permit is thus exercised within three (3) years, the development authorized thereunder

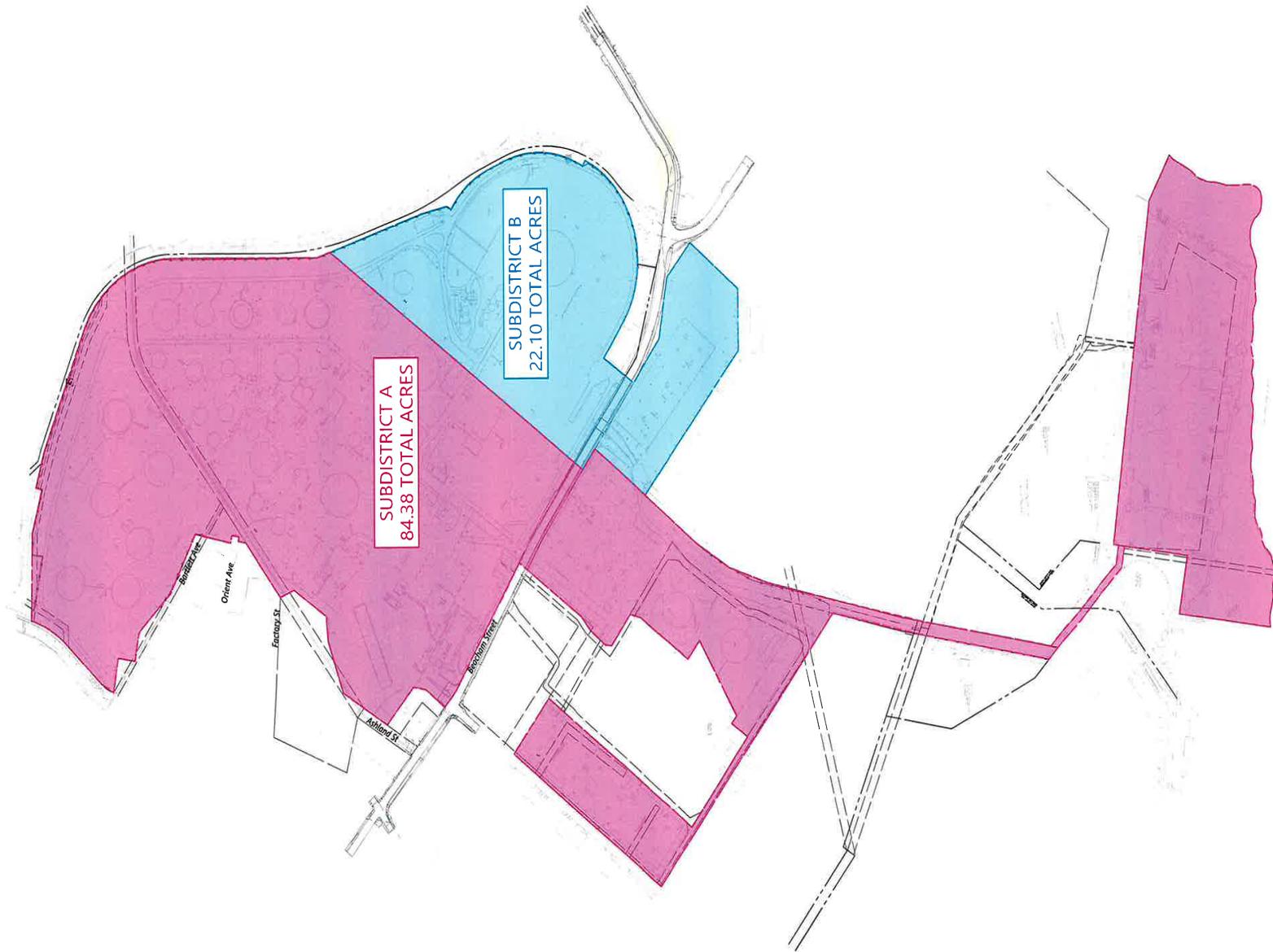
shall not be subject to amendments to this Ordinance enacted after the date of the Planning Board's vote to approve the Master Plan Special Permit, provided that any Major Amendment of the Master Plan Special Permit shall require compliance with the Ordinance as in effect at the time of amendment. If requested, the Building Commissioner shall be authorized to issue a binding written determination establishing that the work performed on-site satisfies the vesting provision of this Section.

b. Waivers:

1. For non-Master Plan projects, the SPGA may, within its reasonable discretion, waive application or other procedural special permit or site plan requirements upon a determination that such waivers are insubstantial and are consistent with the intent and purpose of the EDID, but may only waive zoning requirements through the special permit process.
2. For Master Plan projects the SPGA may approve waivers as provided in Section 36 of the Ordinance.

6761252.5

Legend
 SUBDISTRICT A
 SUBDISTRICT B



Zoning Map Amendment

The Official Zoning Map of the City of Everett shall be amended to include the parcels of land shown on the attached map within the Everett Docklands Innovation District.

Section 36 MASTER PLANNED DEVELOPMENT.

A. Intent

1. To utilize dynamic, long-term planning to implement the recommendations of the City for transformational development or redevelopment of land in a comprehensive manner allowing for the conceptual layout of synergistic uses and connections between buildings, social settings, streets and the surrounding environment.
2. To implement comprehensive planning and permitting to design and create destination districts at underdeveloped properties through the authorization of a long-term plan for future development, while allowing for flexibility to meet changing market demands.

B. Purpose

1. To allow a Master Plan Special Permit for the coordinated development of land as a Development Site allowing for comprehensive planning and compliance with the Everett Zoning Ordinance in the aggregate across a Development Site rather than by individual lots.
2. To provide for foreseeability in the implementation and build out of individual projects, uses and mitigation for approved Master Plans.
3. Permit some flexibility in the development of individual tracts of land by required and predetermined standards.
4. To allow for subsequent subdivision and conveyance of separate parts of the Master Plan while maintaining overall compliance.
5. To provide certainty to the City and project proponents that once a Master Plan is approved, the approved Master Plan is protected against future zoning changes.

C. Applicability

Master Plan Special Permits may be granted pursuant to this Section for property in any zoning district except Dwelling Districts. The zoning for specific districts may alter the procedures and requirements for Master Plan Special Permits set forth in this Section.

D. Definitions

1. **Approving Authority.** The Planning Board of the City of Everett.
2. **Development Project.** A Project undertaken pursuant to this Ordinance that requires Master Plan Special Permit and Site Plan Approval.
3. **Development Site.** One or more lots on which a Development Project is proposed.

4. **Gross Square Feet (“GSF”).** The measure of floor area of space on all floors inclusive of heated basements, hallways, mechanical rooms, storage space and other miscellaneous space, whether or not exclusively occupied by a single tenant or occupant, measured from the exterior faces of exterior walls. Gross floor area does not include covered walkways, open roofed-over areas, porches, exterior terraces or steps, chimneys, roof overhangs, parking garages and unheated basements.
5. **Height.** The vertical distance of the highest point of the roof beam in the case of a flat roof and of the mean level of the highest gable of a sloping roof as measured from the mean ground level of the finished grade at all elevations of a building.
6. **FAR.** The result of dividing the gross floor area of the building or buildings on a lot by the total lot area expressed as a decimal number.
7. **Lot.** A parcel of land under one (1) sole or undivided ownership separate from that of any adjoining lots. A corner lot for the purposes of this Ordinance is any lot which occupies the interior angle at the intersection of two (2) street lines which make an angle of more than forty-five (45) degrees and less than one hundred thirty-five (135) degrees with each other. The Applicant shall, for the purposes of this Ordinance, have the privilege of calling either street lot line the front, without reference to the building arrangement. However, it shall remain the authority of the Planning Board to dictate the frontage of any subject residential building on a lot for purposes of calculating the eligible number of residential on-street parking permits.
8. **Open Space.** An area of land such as a square, green, park, and linear park which is located and designed for access by residents, employees and/or patrons of a Development Project, including provision for access by pedestrians and/or bicyclists for passive or active recreation and landscape buffers around structures.
9. **Site Plan.** A plan depicting a proposed Development Project which is submitted to the Approving Authority for its review and approval in accordance with the provisions of this Ordinance.
10. **Site Plan Approval.** The Approving Authority’s authorization for a proposed Development Project in accordance with this Ordinance after the conduct of a Site Plan Review.
11. **Special Permit Granting Authority.** The Planning Board of the City of Everett.

E. Development Review

1. General: Development approval under this Section includes a two-tiered permitting process consisting of:
 - i. Master Plan Special Permit: Development approval under this Section allows for a Master Planned Development through the issuance of Master Plan Special Permit prior to and as a prerequisite to Site Plan Review; and

- ii. Site Plan Review: Development on individual lots within a Master Planned Development Property subject to an approved Master Plan Special Permit shall be subject to Site Plan Review pursuant to the provisions of this Section.

2. Master Planned Development

- i. Proposed development or redevelopment of one-half ($\frac{1}{2}$) acre of land or more may proceed as a Master Plan Special Permit.
- ii. Notwithstanding the creation of separate lots within a Development Site, which are separated by streets, driveways, Open Space and other buildings or structures, Development Sites approved under a Master Plan Special Permit shall be permitted to aggregate all project components, including, but not limited to, FAR, parking, and Open Space, so that any one lot may not comply with otherwise applicable requirements provided that the overall Development Site complies, provided the Approving Authority finds that the aggregation adequately serves the area covered by the Master Plan Special Permit. Land containing buildings, structures or open spaces which are part of an approved Master Plan Special Permit may be subdivided and conveyed to third parties as separate lots and remain in compliance with the Master Plan Special Permit, provided such division does not result in any violation of this Ordinance or the requirements of the Master Plan Special Permit.
- iii. Previously permitted development may be included in a Development Site and proposed build out of a Master Plan, provided that the date of the first certificate of occupancy for the subject real property is not more than two (2) years prior to the decision date of the Master Plan Special Permit.

F. Master Plan Standards

An application for a Master Plan Development Special Permit shall include the following:

- 1. Quantitative data including:
 - i. Parcel size;
 - ii. Proposed lot coverage of structures;
 - iii. Floor area ratio;
 - iv. Total amount of private open space, both private and public;
 - v. Total number and type of dwelling units by number of bedrooms;
 - vi. Approximate gross residential densities;

- vii. Total amount in square footage of nonresidential construction by type of use;
- viii. Number of parking spaces to be provided by use;
- ix. Total length of streets to be conveyed to the city government;
- x. Total length of streets to be held as private ways within the development;
- xi. Total length by type of other public works to be conveyed to the city government;
- xii. Number and types of public facilities.

2. Graphic materials shall include, but not be limited to, the following:

- i. Map of existing site conditions, including contours, water course, floor plains, unique nature features, existing vegetation, soil types, existing buildings;
- ii. Map of existing land use;
- iii. Existing and proposed lot lines;
- iv. Location and size of gross floor area of all existing and proposed buildings, structures, and other improvements including maximum heights, types of dwelling units, and nonresidential structures by use;
- v. Location and size in square feet of all private open space and areas to be conveyed, dedicated, or reserved as common open spaces, public parks, recreational areas, school sites, and similar public and semi-public uses;
- vi. The existing and proposed circulation system of arterial, collector, and local streets, including off-street parking areas, service areas, loading areas, and all points of access to existing public rights of way;
- vii. Proposed pedestrian circulation system;
- viii. Existing and proposed utility systems including sanitary sewers, storm sewers, and water, electric, gas, and telephone lines;
- ix. General landscaped plan indicating the treatment of materials used for private and common open spaces;
- x. Description of adjacent land areas, including land uses, zoning, densities, circulation systems, public facilities, and unique natural features of the landscape;

- xi. Proposed treatment of the perimeter of the development, including materials and techniques used such as screens, fences, and walls.
3. A transportation impact and demand analysis conducted by a qualified transportation engineer. The analysis shall include:
 - i. Traffic counts on arterial streets that provide access to the development site showing data on average daily traffic (ADT) and a.m. and p.m. peak periods (conducted for two hours divided into 15-minute segments);
 - ii. Intersection turning movement counts at intersections likely to be affected by the proposed development (conducted for two hours divided into 15-minute segments);
 - iii. An inventory of roadway characteristics showing the width of the principal approach streets and the presence or absence of pedestrian, bicycle and other transit infrastructure and accommodations and the condition of any such infrastructure and accommodations;
 - iv. Estimated trip generation showing the projected inbound and outbound trip demand for the a.m. and p.m. peak periods and a typical one-hour off-peak trip generation. Estimated trip generation shall be delineated by mode, including single-occupancy vehicle (“SOV”), mass-transit and any other applicable mode of transportation. For purposes hereof, trips utilizing ride share services shall be considered SOV trips;
 - v. A comprehensive Transportation Demand Management Plan, which is consistent with the requirements of Section 35.
 - vi. The estimated distribution of new vehicle trips by approach streets;
 - vii. The effect of additional traffic generated by the development on impacted intersections and roadways;
 - viii. Estimated off-street parking and loading requirements and time of peak accumulation.
 4. Submitted master plans must propose and detail sustainability and climate resiliency measures, including but not limited to the following:
 - i. Identification of all master plan scale efforts to mitigate project impacts to the environment;
 - ii. A storm water management and infrastructure plan demonstrating incorporation of best management practices relative to the control and treatment of storm water within the Master Plan Development;

- iii. Use of best available environmentally sustainable building and infrastructure design to the maximum extent reasonably practicable.
5. Submitted master plans must include: proposed development phasing for buildings, open space, infrastructure, mitigation projects and other improvements.
6. If the Planning Board determines, after evaluating the size, complexity, timing and scope of the proposed development, that required mitigation for the Master Plan Development can reasonably be determined at the time of issuance of a Master Plan Special Permit, it may approve a mitigation phasing plan. Alternatively, the Master Plan Special Permit may contain conditions regarding mitigation generally required for the Master Plan Development as a whole and reserving phase-specific mitigation to be determined during site plan review for each separate phase of the development.

G. Streets & Open Space

1. Streets and Open Space provided in any Master Plan shall be shown on submittals for a Master Plan Special Permit.
2. Any streets or Open Space created as part of a Master Plan may be dedicated to the public in perpetuity by a covenant or other deed restriction or by transfer to the City in fee or by easement, subject to the City's acceptance of any such interest, without impacting the FAR or other dimensional criteria of the approved Master Plan Special Permit.
3. Open Space created through easement or discontinuance of an existing street or other abutting right-of-way within the Development Site may be counted toward any required amount of Open Space required by this Section or otherwise by the Ordinance.
4. Roadway design shall be consistent with best practices for urban, multi-modal neighborhoods. Proponents should refer to example guidelines including National Association of City Transportation Officials ("NACTO") design guidance, the City of Boston's Complete Streets Design Guidelines and MassDOT's Bicycle Facilities guide. Arterial roadways shall be designed to accommodate existing transit services and, when practicable, should accommodate any planned or anticipated transit services identified by planning staff during Pre-Submittal Meeting.

H. Master Plan Development Standards

1. Sustainable Development: At a minimum, each phase of a Master Plan Development must, to the maximum extent reasonably practicable, be developed in accordance with all best practices with respect to sustainable development standards at the time when each phase undergoes Site Plan Review.
2. Parking & Mobility

- i. Motor vehicle parking may be provided as underground or aboveground structured parking, surface parking (on and off street) or as shared parking (parking for multiple uses during alternating peak times).
- ii. Development subject to a Master Plan Special Permit may provide parking pursuant to the provisions of the zoning district in the aggregate across the Development site and locate parking serving any property or use within the Master Plan on any property within the Development Site regardless of location or ownership and such parking may be allocated among the properties within a Development Site at the discretion of the project proponent, subject to the special permit granting authority determining that the aggregation adequately serves the area covered by the Master Plan Special Permit.
- iii. Parking facilities shall be designed to be sufficient to adequately serve the Master Plan Development but shall not be designed to encourage use of SOVs. All reasonably practicable measures shall be taken to maximize the non-SOV mode share and to minimize the amount of SOV parking within the Development Site.

I. Master Plan Special Permit Process

1. Purpose: A Master Plan Special Permit authorizes a long-term plan for future development and for an applicant to move forward with subsequent Site Plan Review.
2. Applicability: Approval of a Master Plan Special Permit authorizes the applicant to submit applications for subsequent Site Plan Review required by this Ordinance only and vests the right to develop property in accordance with the Master Plan.
3. Authority
 - i. The Planning Board is the permit granting authority for a Master Plan Special Permit.
 - ii. Waiver: The Planning Board may within its reasonable discretion waive application or other procedural requirements for a Master Plan Special Permit upon a determination that such waivers are insubstantial and are consistent with intent and purposes of the zoning district.
4. Procedures
 - i. The following review procedures are required:
 - a) Step 1: Pre-Submittal Meeting with Planning Staff
 - b) Step 2: Application Review & Staff Report
 - c) Step 3: Public Notice

- d) Step 4: Public Hearing
 - e) Step 5: Decision
 - f) Step 6: Appeal Period
 - g) Step 7: Certification of Decision and Recording
- ii. The review procedures required for a Master Plan Special Permit may, at the discretion of the designated review board, be conducted simultaneously with the review procedures required for other discretionary or administrative permits, as indicated elsewhere in this Ordinance.

5. Review Criteria

- i. In its discretion to approve or deny a Master Plan Special Permit, the Planning Board shall make findings considering, at least, each of the following:
- a) The intent of the zoning district.
 - b) Existing plans and standards established by the City.
 - c) The gross floor area allocated to different use categories.
 - d) The proposed alignment and connectivity of the streets in the Development Site and their relationship to streets outside the Development Site.
 - e) Mitigation proposed to alleviate any adverse impacts on municipal and utility infrastructure.
 - f) Proposed development and mitigation phasing.
 - g) Proposed parking to address demand by residents and users of the proposed uses.
 - h) Aggregation of parking, open space or other requirements, if proposed in the Master Plan, is acceptable.
- ii. Waiver: The Planning Board may approve a Master Plan Special Permit that deviates from the standards of this Section upon a finding that such waiver(s) will not adversely affect public safety and will equally or better serve the purposes of the zoning district in which the Development Site is located.
- iii. When considering a revision to a previously approved Master Plan Special Permit, the Planning Board shall limit its review to the proposed changes to the previously approved application.

6. Conditions

- i. The Planning Board may attach reasonable conditions and limitations that it deems necessary or appropriate.
- ii. Conditions must have a reasonable nexus to potential impacts of the proposed development, and be roughly proportional, both in nature and extent, to the impacts of the proposed development.
- iii. The Planning Board shall require applicants to provide for infrastructure mitigation, transportation mitigation, and community impact mitigation as a condition of any Master Plan Special Permit.
- iv. The Planning Board and the Building Department shall establish construction permitting requirements for the phasing of development, if applicable, as a condition of any Master Plan Special Permit.

7. Permit Duration and Extension

- i. Master Plan Special Permits remain valid for three (3) years from the date the decision is filed with the Office of the City Clerk, excluding any time required awaiting the decision of an appeal, and remain valid so long as progress is being made in accordance with the approved phasing of development. The nature and extent of work necessary to constitute exercise of a Master Plan Special Permit may be specified in the zoning for individual districts or in the Master Plan Special Permit.
- ii. The Planning Board may reduce the time period that a Master Plan Special Permit remains valid to a shorter time period as a condition attached to the permit for projects of less than two acres or 200,000 square feet of gross floor area.
- iii. The Planning Board may extend the duration of validity for a Master Plan Special Permit upon making a finding that a demonstrated hardship has prevented utilization of the rights authorized by the Special Permit.

8. Amendment of a Master Plan Special Permit.

- i. Major Amendments. A proposed amendment to a Master Plan Special Permit shall be presented to the Director of Planning and Development, who shall, within thirty days, determine whether the proposed amendment is a major amendment or a minor amendment. If the amendment is determined to be a major amendment, it shall require approval by the Planning Board after a public hearing held in accordance with the provisions of G.L. c.40A, §§9 and 11. The following matters generally will be considered major amendments:

- a) Increases in floor area or ground coverage by ten percent (10%) or more across the Development Site;
 - b) Substantial changes to the roadway networks, access or other infrastructure serving the Development Site;
 - c) Addition of one or more uses not approved in the Master Plan Special Permit; or
 - d) results in a condition that the Director of Planning and Development determines to be substantially more detrimental to the surrounding neighborhood or the City than the existing condition(s) and approved plans.
- ii. Minor Amendments. Any other modification shall be considered a minor amendment. Minor amendments shall require the approval of the Director of Planning and Development.
 - iii. When considering an Amendment to a Master Plan Special Permit, review shall be limited to the proposed revision to the parcel or phase with proposed changes to the previously approved Master Plan but may include aggregation of the impacts of the proposed amended plan as a whole.

9. Appeals

- i. The appeal of any decision of the Planning Board regarding a Master Plan Special Permit or amendment thereto shall be made in accordance with the provisions of G.L. c. 40A §17.

J. Site Plan Review Process for Approved Master Plan Special Permits

- 1. Purpose: Site Plan Review is the administrative review and approval of a development to confirm compliance with the provisions of this Section and an approved Master Plan Special Permit so that the development is conforming to the provisions of this Ordinance and adequately addresses any potential impacts.
- 2. Applicability:
 - i. Site Plan Review is required for any development, including buildings, open space and streets, subject to a Master Plan Special Permit.
 - ii. The provisions of this Section relating to Site Plan Review supersede the requirements for Site Plan Review found otherwise in this Ordinance.
- 3. Authority
 - i. The Planning Board is the decision-making authority for Site Plan Review within an approved Master Plan Special Permit.

- ii. Waiver: The Planning Board may within its reasonable discretion waive application or other procedural requirements for Site Plan Review within an approved Master Plan Special Permit upon a determination that such waivers are insubstantial and are consistent with intent and purposes of the zoning district.

4. Procedure

- i. The following review procedures are required:
 - a) Step 1: Pre-Submittal Meeting with Planning Staff
 - b) Step 2: Application Review & Staff Report
 - c) Step 3: Public Notice
 - d) Step 4: Public Hearing
 - e) Step 5: Decision
 - f) Step 6: Appeal Period
 - g) Step 7: Certification of Decision and Recording
- ii. The Planning Board shall have 90 days from the time of submittal of a complete Site Plan Review application to render its decision.

5. Review Criteria

- i. The Planning Board's review of an application for Site Plan Review shall be limited to the following criteria:
 - a) Compliance with the approved Master Plan Special Permit, including:
 - i) The bulk and height of any proposed structure(s) and accessory structure(s), adequacy of open spaces, the building coverage on the site, yard sizes (setbacks) and lot areas;
 - ii) The physical layout of the structure(s), driveways, parking areas, utilities and other infrastructure;
 - iii) The design of the exterior building facade and materials and fenestration, including compliance with the Everett Design Regulations promulgated by the Planning Board;

- iv) The adequacy of the arrangement of parking, drop-off/pick-up and loading areas in relation to the proposed use of the site; and
- v) The adequacy of the phased mitigation attributable to the project undergoing site plan review based on the mitigation phasing set forth in the Master Plan Special Permit.
- b) Adequate parking shall be provided in compliance with the Master Plan Special Permit either on the proposed lot or otherwise within the Development Site.
- c) The site drainage shall be designed in accordance with applicable provisions of the Zoning and General Ordinances.
- d) The design and adequacy of the sewage disposal system(s) to serve the proposed development shall be in accordance with water and sewer department requirements.
- e) The site plan shall demonstrate conformance with applicable lot area, setback and height regulations pursuant to the Master Plan Special Permit for the zoning district.
- ii. The Planning Board shall approve an application for site plan approval in the form submitted or with reasonable conditions which shall pertain to this Section unless the Planning Board finds that the application is incomplete or otherwise not in conformance with the applicable provisions of the Zoning Ordinance.
- iii. Waiver: The board may, after review of the completed application and at its discretion, waive certain criteria if it deems it appropriate.
- iv. When considering a revision to a previously approved Master Plan Special Permit, the Planning Board shall limit its review to the proposed changes to the previously approved application and any material changes in circumstances relating to the infrastructure serving the development area subsequent to issuance of the Master Plan Special Permit.

6. Conditions

- i. The review board may attach reasonable conditions and limitations that it deems necessary or appropriate in order to ensure compliance with the Board's findings and the standards for granting of a Site Plan.
- ii. Conditions must have a reasonable nexus to potential impacts of the proposed development, and be roughly proportional, both in nature and extent, to the impacts of the proposed development.

7. Permit Duration and Extension

- i. Approval of a Site Plan will remain valid for three (3) years from the date the decision is filed with the Office of the City Clerk, excluding any time required awaiting the decision of an appeal, and remain valid so long as progress is being made in accordance with the approved phasing of development.
- ii. The Planning Board may extend the duration of validity for a Site Plan upon making a finding that a demonstrated hardship has prevented utilization of the rights authorized by the Site Plan.

8. Amendment of a Site Plan Approval.

- i. Proposed revisions to an approved site plan shall be submitted to the Director of Planning and Development.
- ii. Minor Amendments. Revisions deemed minor by the Director of Planning and Development (or designee) may be approved without a public hearing. Revisions shall be considered de minimis upon the Director of Planning and Development findings that:
 - a) The proposed changes would not contravene the legal notice, any finding, or condition of the Planning Board in the original approval;
 - b) The proposed changes would not detrimentally impact matters of substance identified in meeting minutes of original hearings;
 - c) The proposed changes would not alter the character of the development; and
 - d) The proposed changes would be so insignificant as not to be noticeable to persons generally familiar with the original approval.
- iii. Major Amendments. Revisions that are not minor shall be subject to the full notice and hearing provisions and shall be submitted to other City boards, department and agencies for review and comment.
- iv. When considering an amendment to an approved Site Plan Approval, review shall be limited to the proposed revision to the previously approved Site Plan Approval and any material changes in circumstances relating to the infrastructure serving the parcel or phase with proposed changes subsequent to issuance of the Master Plan Special Permit.

9. Appeals: The appeal of any decision of the Planning Board regarding a Site Plan Approval or amendment thereto shall be made in accordance with the provisions of G.L. c. 40A §17.

Section 37 **EVERETT DOCKLANDS INNOVATION DISTRICT (“EDID”)**

A. Intent

- a. To establish zoning regulations in accordance with the land use policy objectives in the City and to encourage comprehensive planning across multiple properties.
- b. To permit development in accordance with a Master Plan Special Permit pursuant to Section 36 of the Ordinance.
- c. To encourage economic development, job creation and to strengthen the tax base in the City of Everett.

B. Purpose

- a. To permit comprehensive planning and development across a Development Site that would otherwise not be permitted in other zoning districts in the City; to allow a diversity of land uses in close proximity, within a limited area; to facilitate development responsive to current and future market conditions; to facilitate integrated physical design; and to encourage interaction among activities located within the EDID.
- b. To allow for the aggregation and compliance of certain build out standards across a Development Site rather than by individual lots in a Master Plan.

C. Applicability

- a. This Section is applicable to all real property within the EDID as shown on the Official Zoning Map of the City of Everett.
- b. All use, parking and dimensional regulations governing land within the EDID are set forth within this Section. All other requirements of the Zoning Ordinance that do not conflict with the provisions of this section shall apply to property within the EDID, provided that the Planning Board shall have the discretion to waive any such provisions in approving a Master Plan Special Permit if it determines such waiver to be in the public interest. Where provisions of the Zoning Ordinance conflict with the EDID, the provisions of the EDID control. Projects developed pursuant to a Master Plan Special Permit shall be subject to site plan review pursuant to Section 36 of the Zoning Ordinance rather than Section 19 of the Zoning Ordinance.

D. Master Planned Development Standards

- a. Design Guidelines and Regulations
 - 1. The Planning Board shall adopt, and may from time to time amend, regulations governing Master Planned Developments, including without

limitation regulations governing the design of open space, building design, and roadway layout and design.

b. Inclusionary Housing

1. A Master Plan Special Permit may aggregate required inclusionary housing, thereby allowing certain buildings and development phases to contain fewer inclusionary housing units than would otherwise be required, with construction of the remaining required units deferred to a future phase, if it finds:
 - a) Adequate surety or conditions of approval will ensure that all inclusionary housing units will be constructed in a timely manner.
 - b) Aggregation of inclusionary housing units will not result in undue concentration of inclusionary housing units in specific phases or building types.
 - c) Aggregation of inclusionary housing units is warranted based upon economic or other circumstances.

c. Building Standards

1. The dimensional requirements applicable to the EDID are:

Dimension:	All Non-Master Planned Uses	Allowable Pursuant to Master Plan Special Permit
Minimum Lot Size	5,000 sf	2,000 sf
Required Frontage	40 ft.	20 ft
FAR	1.0*	NA
Minimum Lot Area per Dwelling Unit	2,000 sf**	NA
Minimum Front Yard Setback	10 ft.	0 ft.
Minimum Side Yard Setback	10 ft.	0 ft.
Minimum Rear Yard Setback	20 ft.	0 ft.
Minimum Setback to Master Planned Area Boundary		10 ft.
Minimum Open Space***	15%	15%
Maximum Height	65 ft****	370 ft*****

*FAR may be increased to 4.0 by special permit.

**For a Development Site two acres or more the minimum square footage of land area per dwelling unit shall be 350 square feet.

***Limited Access Open Space may comprise up to 20% of the minimum required Open Space, and the remainder shall be Public Access Open Space.

****For a Development Site two acres or more the maximum height is 85 feet.

***** 370 ft. is the maximum allowed by the Federal Aviation Administration (“FAA”). The maximum allowed height by the FAA ranges from to 250 ft. to 370 ft. depending on the location within the EDID.

2. Notwithstanding the creation of separate lots within a Development Site, which are separated by streets, driveways, Open Space and other buildings or structures, Development Sites approved under a Master Plan Special Permit shall be permitted to aggregate all project components, including, but not limited to, FAR, parking, drainage structures, retail space requirements, inclusionary housing units and Open Space, so that individual lots need not comply with otherwise applicable requirements provided that the overall Development Site complies, and provided further that the Approving Authority finds that the aggregation adequately serves the area covered by the Master Plan Special Permit. Buildings, structures or open spaces which are part of an approved Master Plan Special Permit may be subdivided and conveyed to third parties as separate lots and remain in compliance with the Master Plan Special Permit, provided such division does not result in any violation of the EDID or the requirements of a Master Plan Special Permit.

d. Use Provisions

1. The EDID has two subdistricts shown as “Subdistrict A” and Subdistrict B” shown on the Zoning Map referenced above in Section 37.3.

2. The standards of the following Table are the permitted uses for the EDID based on the following notations.

a) Permitted Uses.

i) Master Plan Developments: “Y” indicates that the Planning Board may, in its discretion, permit a use as part of the Master Plan Special Permit. Any use of such land must be specifically identified and approved in such Master Plan Special Permit. Any use not specifically identified in an approved Master Plan Special Permit shall only be permitted upon modification of such Special Permit.

ii) Non-Master Plan Developments: “Y” indicates that the use is allowed by right in the district.

b) Special Permit Uses.

Auto showrooms for the sale of automobiles and light trucks, and service facilities which are associated with the sales facilities in the same building	Y	Y	-	-	-	-
Bank	Y	Y	SP	SP	SP	SP
Bar, Pub, Tavern, Cocktail Lounge	Y	Y	SP	SP	SP	SP
Body Art/Tattoo/Piercing Studio	Y	Y	-	-	-	-
Brewery, including on site service and manufacturing	Y	Y	SP	SP	SP	SP
Business, Finance or other Professional Office Use ²	Y	Y	Y	Y	SP	SP
Car wash	-	-	-	-	-	-
Convenience Store	Y	Y	Y	Y	SP	SP
Dance club / night club	Y	Y	-	-	-	-
Entertainment facilities including Concert Venue	Y	Y	-	-	-	-
Fast Order Food Establishment	Y	Y	SP	SP	SP	SP
For Profit Educational Schools, including but not limited to Vocational Schools	Y	Y	Y	Y	SP	SP
Freight or Trucking Terminal	-	Y	-	-	-	-
Gaming Establishment	-	-	-	-	-	-
Gasoline Station	Y	Y	-	-	-	-
Gazebo, outdoor performance space	Y	Y	Y	Y	Y	Y
Grocery Store	Y	Y	-	-	-	-
Hotel	Y	Y	Y	Y	SP	SP
Kennel, pet day care establishment	Y	Y	SP	SP	SP	SP
Marina	Y	Y	SP	SP	SP	SP
Medical Services, including Hospitals, Medical Office Buildings, Community Health Centers, and Urgent Care Centers	Y	Y	Y	Y	Y	Y
Membership Club	Y	Y	SP	SP	SP	SP
Motel	-	-	-	-	-	-
Movie theater or cinema	Y	Y	Y	Y	Y	Y
Neighborhood Market	Y	Y	Y	Y	SP	SP
Parking garage (including sub-surface) provided there shall be no door or driveway for vehicles in connection with any public garage within fifty (50) feet of any Residential sub-district boundary line. A parking garage can be a use on a separate lot or an accessory parking garage that is on a separate lot.	Y	Y	SP	SP	SP	SP

² Including, but not limited to offices for high technology and biotech users.

Parking, surface lots as a principal use pending the construction of structured parking pursuant to a master plan special permit (To discuss limitations on time and the public)	Y	Y	-	-	-	-
Recreational use such as bowling alley, arcade, billiards/pool hall, roller rink, tennis courts, swimming, theater, etc.	Y	Y	SP	SP	SP	SP
Resort Casino	-	-	-	-	-	-
Restaurants, not including Fast Order Food Establishments, and provided that there are no drive-through facilities.	Y	Y	SP	SP	SP	SP
Retail sales and services, including large format Retail	Y	Y	SP	SP	SP	SP
Retail sales & service, w/outside storage	Y	Y	SP	SP	SP	SP
Retail sales & service, w/no outside storage	Y	Y	SP	SP	SP	SP
Service and repair stations for automobile or light truck, but not including gasoline stations	-	-	-	-	-	-
Sports/Fitness Facilities; Health Club and Spa	Y	Y	Y	Y	SP	SP
Taxicab business	-	-	-	-	-	-
Transportation related uses including railroad or street railroad passenger stations including customary accessory services therein; not including switching, storage, or freight yards or sidings.	Y	Y	-	-	-	-
Veterinary or pet grooming establishment	Y	Y	SP	SP	SP	SP
Water Taxi or Water Shuttle	Y	Y	Y	Y	Y	Y
Wholesale	Y	Y	-	-	-	-
INNOVATION						
Advanced/Light Manufacturing	Y	Y	SP	SP	SP	SP
Battery Energy Storage Systems	Y	Y	SP	SP	SP	SP
Converter Station	-	Y	SP	SP	SP	SP
Data Center	Y	Y	SP	SP	SP	SP
Retail Electric Vehicle Charging Station	Y	Y	Y	Y	SP	SP
Laboratory	Y	Y	SP	SP	SP	SP
Life Science	Y	Y	SP	SP	SP	SP
Life Science (Manufacturing)	Y	Y	SP	SP	SP	SP
Research and Development	Y	Y	SP	SP	SP	SP
INDUSTRIAL						
Assembly Related Uses	-	Y	-	-	SP	SP

Automotive Supply and Repair	-	-	-	-	-	-
Central heating or cooling plant	-	Y	SP	SP	SP	SP
Electric Generation Plants/Substation (C0221-17)	Y	Y	-	-	-	-
Heavy manufacturing providing there is no outside storage work and there are no emissions of noxious odors, smoke or noise, and no vibration discernible on the exterior of the building.	-	Y	-	-	-	-
Light manufacturing (excluding scrap metal), producing, processing, fabricating, printing, converting, altering, finishing or assembling, entirely contained within the structure with no associated emissions of noxious odors or noise, on a scale requiring not more than a total of five horsepower or steam pressure in excess of 15 pounds gauge pressure. Examples include, but are not limited to, wood cabinetry, modular housing, metal product fabrication, roofing, assembly of plumbing components, HVAC manufacturing, etc.	-	Y	-	-	SP	SP
Manufacture, assembly, processing, packing or other industrial operations associated with medium to heavy industry which involves machining, welding, shearing, forging, stamping or similar operations.	-	Y	-	-	-	SP
Power, gas or fuel generating facilities.	-	Y	-	-	-	-
Storage and sale of building materials or machinery.	-	Y	-	-	-	SP
Storage of goods in containers where all storage is contained within the building, not including storage of any raw or natural materials.	-	Y	-	-	-	SP
Trucking terminals and freestanding product distribution centers.	-	Y	-	-	-	-
Warehouse, Distribution, including E-Commerce, Last Mile, and Same Day Delivery	-	Y	-	-	-	SP
ACCESSORY USES						
Drive-through facilities for first-floor commercial uses in multi-story buildings	Y	Y	SP	SP	SP	SP
Electric car charging station	Y	Y	Y	Y	Y	Y
Home Occupation	Y	Y	-	-	-	-
Hospitality uses customarily accessory to Hotel, including restaurant, bar, spa, etc.	Y	Y	-	-	-	-
Gas stored in quantities below the maximum allowable quantities (MAQs) established for hazardous materials; High-Hazard Group H occupancies as outlined by the Massachusetts State Building Code 780 CMR, the Massachusetts Comprehensive Fire Safety Code 527 CMR 1.00, and their referenced standards	Y	Y	SP	SP	SP	SP
Limo service / driving service	-	-	-	Y	-	SP
Meeting and conference space	Y	Y	Y	Y	SP	SP

Offices of a doctor, dentist or other member of a recognized profession, teacher or musician residing on the premises; provided there is no display or advertising except for a small professional name plate.	Y	Y	Y	-	SP	-
Office	Y	Y	Y	Y	Y	Y
Parking (surface lot) accessory to any permitted principal use (10 or fewer spaces)	Y	Y	Y	Y	Y	Y
Parking (surface lot) accessory to any permitted principal use (greater than ten spaces)	Y	Y	-	-	Y	Y
Solar Uses	Y	Y	Y	Y	Y	Y
Uses accessory to activities permitted as a matter of right, which activities are necessary in connection with scientific research or scientific development or related production.	Y	Y	SP	SP	SP	SP
Wholesale merchandising incidental and subordinate to a primary retail business	Y	Y	Y	Y	Y	Y
EXEMPT						
Agriculture, horticulture or floriculture and the expansion or reconstruction of existing structures thereon for the primary purpose of agriculture, horticulture or floriculture.	Y	Y	Y	Y	Y	Y
Municipal use such as library, fire station, police station, park, and soldiers' and sailors' memorial building.	Y	Y	Y	Y	Y	Y
Public or charitable institutional building not of a correctional nature	Y	Y	Y	Y	Y	Y
Religious use including church, synagogue, mosque, parish house and Sunday School building.	Y	Y	Y	Y	Y	Y
Nonprofit educational use.	Y	Y	Y	Y	Y	Y
PROHIBITED USES						
Adult Bookstore	-	-	-	-	-	-
Adult Club	-	-	-	-	-	-
Adult Theater	-	-	-	-	-	-
Adult Video Store	-	-	-	-	-	-
Body Piercing Studio	-	-	-	-	-	-
Bulk storage or processing plants involving the use of flammable or combustible liquids, gases or solids.	-	-	-	-	-	-
Check-Cashing Establishment	-	-	-	-	-	-
Bulk storage or processing plants involving the use of flammable liquids, gases or solids.	-	-	-	-	-	-
Fortune Teller	-	-	-	-	-	-

Gas stored in quantities exceeding the maximum allowable quantities (MAQs) established for hazardous materials where not located within High-Hazard Group H occupancies as outlined by the Massachusetts State Building Code 780 CMR, the Massachusetts Comprehensive Fire Safety Code 527 CMR 1.00, and their referenced standards; or gas stored within ten (10) feet of any street line or party lot line, except in the case of gas contained or generated in fire extinguishers.	-	-	-	-	-	-
Gun Shop	-	-	-	-	-	-
Industrial operations, either outside or inside the building, which produce outside noxious odors, smoke, steam, or other emissions, or which produce industrial noise or require excessive use of large trucks or trailers or transfer of large amounts of industrial materials.	-	-	-	-	-	-
Industrial plants for the generation of power, steam or any other type of energy involving the use of solid fuel.	-	-	-	-	-	-
Open lot or enclosed storage of coal, coke, sand or similar materials.	-	-	-	-	-	-
Open lot storage, handling or hauling of used materials including, but not limited to building materials, metal junk, scrap, paper, rags or motor vehicles.	-	-	-	-	-	-
Parking (surface lot) as a principal use	-	-	-	-	-	-
Pawn Shop	-	-	-	-	-	-
Salvage operations or junk yard	-	-	-	-	-	-
Uses which produce offensive odors, emissions, fumes, gases, or smoke, which produce noise or vibrations which are discernible beyond the limits of the property lines or which produce dust or waste on the exterior of the building.	-	-	-	-	-	-

E. Parking & Mobility

- a. Table of Parking Requirements.

Table of Parking Requirements	
Use	Minimum Required Parking
Bar, Cocktail Lounge, Pub Tavern	1 space for each 6 seats
Churches, Synagogues and other Places of Assembly used as Places of Worship	1 space for each 50 square feet of assembly area
Dwelling, Multifamily	0.75 spaces per unit
Elderly and Handicap Housing	0.5 spaces per unit
Hotel	0.25 Spaces per hotel room
Industrial	1 space per 4,000 SF of GSF
Medical or Dental Office	1 space per 1,000 GSF
Office Use	1 space per 2,000 GSF
Places of Assembly, including Schools, Auditoriums, Museums, Theaters and Cinemas	1 space for each room plus 1 space for each 6 persons designated for the largest single room occupancy
Restaurants	1 space per 600 SF of dining area
Retail Use	1 space per 600 GSF
Warehouse	1 space per 3,000 GSF
All other uses	To be determined by the Building Commissioner based on a similar use in this table, taking into account data as may be submitted by the Applicant

b. Notes to Table of Parking Requirements.

1. If a change of use from one use to another use is proposed and the new use requires a greater number of parking spaces than the existing use, review by the Director of Planning & Development is required. Depending on the permitting requirements applicable to the proposed use, review by the Approving Authority may also be required. Required parking can be delivered in any combination of surface, structured parking, freestanding parking garages, (including centralized garages), or parking contained within occupied buildings.
2. When the application of the required parking standards in the Table of Parking Requirements results in a number that includes a fraction, the fraction shall be rounded up to the next whole number if the fraction is 0.5 or more. If the result includes a fraction below 0.5, the fraction shall be rounded down to the next whole number.

3. Parking spaces shall be at least nine feet wide and at least eighteen feet long. At the Applicant's option, up to fifteen percent of required parking spaces may be compact parking spaces, which shall be at least eight feet wide and at least eighteen feet long.
 4. Any proposed use or building that would not meet the off-street parking requirements of subsection (E)(a) of this section will be subject to the requirements of Section 35 (Transportation Demand Management).
- c. Location of Required Parking.
1. Newly constructed surface parking for new Development Projects shall be located exclusively at the side or rear of a new building relative to any Street right-of-way. Parking for new construction is not permitted to be located within the required front yard setbacks. Remote parking may be authorized by special permit from the Planning Board.
- d. Reduction of Required Parking. Notwithstanding anything to the contrary herein, any minimum required number of parking spaces may be reduced by the Approving Authority by up to fifty percent (50%) as a condition of special permit, provided the Applicant demonstrates that the fewer parking will not cause excessive congestion, endanger public safety, or that fewer parking spaces will provide positive environmental or other benefits, taking into consideration:
1. The availability of a sufficient amount, in the opinion of the Approving Authority, of available public or commercial parking in the vicinity of the use(s) being served, and including parking dedicated to the use(s) being served; and/or
 2. The availability of a Fixed Public Transportation Stop within six hundred (600) linear feet of a pedestrian entrance to the Development Project, taking into account the proposed use(s) and the extent to which residents, employees and/or patrons of the proposed use(s) may be reasonably expected to access the site via public transit; and/or
 3. The availability of shared use of parking spaces serving other uses having peak user demands at different times, may be permitted at the discretion of the Approving Authority, shared use may be made of required parking spaces by intermittent use establishments such as certain commercial uses or residential uses whose peak parking demand is only at night and by other uses whose peak demand is only during the day. Where such shared parking is authorized, the Approving Authority shall indicate in its written decision the basis for such reduction and may within the special permit impose conditions of use or occupancy appropriate to such reduction.

F. Definitions applicable to EDID

The Definitions set forth in Section 2 of the Zoning Ordinance are applicable herein except as specifically modified in the EDID.

- a. Advanced/Light Manufacturing: Fabrication, processing or assembly employing primarily electric or other substantially noiseless and inoffensive motive power, utilizing hand labor or quiet machinery and processes, and free from neighborhood disturbing agents, such as odors, gas fumes, smoke, cinders, flashing or excessively bright lights, refuse matter, electromagnetic radiation, heat or vibration. Examples include manufacturing of pharmaceuticals, medical devices, computer components, robotics, additive manufacturing, 3D printing, and advanced materials.
- b. Battery Energy Storage Systems: The storage of energy, including, but not limited to, from sources such as wind and solar, or other available sources, and subsequent dispersal.
- c. Converter Station: A specialized type of substation which forms the terminal equipment for a high-voltage direct current transmission line that converts direct current to alternating current or the reverse. In addition to the converter, the station usually contains:
 - 1. three-phase alternating current switch gear;
 - 2. transformers;
 - 3. capacitors or synchronous condensers for reactive power;
 - 4. filters for harmonic suppression; and
 - 5. direct current switch gear
- d. Data Center: Data Center shall mean a use involving a building/premise in which the primary use is occupied by computers and/or telecommunications and related equipment, including supporting equipment, where information is processed, transferred and/or stored.
- e. Electric Vehicle Charging Station: As a principal use, a retail location for the charging of electric vehicles, including accessory retail services.
- f. Floor Area Ratio or "FAR": The result of dividing the gross floor area of the building or buildings on a lot by the total area of the lot, expressed as a decimal number. FAR shall not include stairs, utility shafts, mechanical shafts, elevator shafts, electrical rooms, mechanical rooms, telephone rooms, spaces less than seven feet in height, bathrooms, loading docks, and structured parking.
- g. Fixed Public Transportation Stop – A stop on a system using buses, vans, light rail, rail, or other vehicles to operate on a predetermined route according to a predetermined schedule.

- h. Frontage: The distance measured as a straight line along the Right of Way between the intersection of the Right of Way boundary and the lot lines or along the curve of the Right of Way and the intersection of the Right of Way boundary and the lot lines.
- i. Height: The vertical distance of the highest point of the roof beam in the case of a flat roof and of the mean level of the highest gable of a sloping roof as measured from the average finished grade at the perimeter of the building. Excluded from the definition of height:
 1. On any building located within the EDID, domes, cupolas and other ornamental features, solar collectors, chimneys, ventilators, skylights, tanks, bulkheads, penthouse for stairs, parapets, elevator penthouse, machinery, antennas, transceivers, and other accessory features which are required above roofs may not exceed twenty (20) feet measure vertically from the highest point of the entire building.
 2. On any building located within the EDID, rooftop screens, fully enclosed mechanical penthouses or fences erected to conceal equipment shall not exceed forty (40) feet in height and shall not be included in the height calculation of the building, provided that such rooftop screens, fully enclosed mechanical penthouses or fences are set back a minimum of ten (10) feet from the edge of the roof of the building.
- j. Laboratory: A designated area within a building equipped to conduct scientific experiments, tests, investigations, research, prototype manufacture, experimental and testing activities including, but not limited to, the fields of biology, life science, chemistry, electronics, computer science, engineering, geology, medicine and physics, including vivariums. Laboratory shall include Biosafety Level 1 and 2 facilities.
- k. Life Science: Research, development and/or prototype manufacturing utilizing microorganisms, chemical or biological substances, vivariums, or biomechanical equipment in the fields of Life Science, biotechnology, medical, pharmaceutical, environmental science, microbiology, comparative medicine, apparatus, machines and devices for research, development, pharmaceuticals, biomedical technologies, life systems technologies, environmental and biomedical devices manufacturing and advanced and practical application in any such field or areas. Life Science shall include accessory office. Life Science and Biotechnology uses are subject to all federal, state and local regulations and best management practices.
 - l. Life Science (Manufacturing): A life science or biotechnology laboratory engaged in the manufacturing of life science technologies and medicines for commercial production to the market, including accessory office.
- m. Lot: A parcel of land under one (1) sole or undivided ownership separate from that of any adjoining lots. A corner lot for the purposes of this Ordinance is any

lot which occupies the interior angle at the intersection of two (2) street lines which make an angle of more than forty-five (45) degrees and less than one hundred thirty-five (135) degrees with each other [note: consultants are checking this]. The Applicant shall, for the purposes of this Ordinance, have the privilege of calling either street lot line the front, without reference to the building arrangement.

- n. Open Space (Limited Access): An area of land or outdoor built space such as a square, green, park, linear park, water feature, stormwater garden, landscape buffer, planting zone, bike lane, sidewalk, shared-use path, balcony, or roof deck which is located and designed for access primarily or exclusively by residents, employees and/or patrons of a Development Project, including provision for access by pedestrians and/or bicyclists for passive or active recreation. For purposes of calculating the percentage of open space in a given application, the denominator in the ratio shall include the total site area, excluding: public roads or private roads with easements (including drive lanes and parking areas) and curbs.
- o. Open Space (Public Access): An area of land or outdoor built space such as a square, green, park, linear park, water feature, stormwater garden, landscape buffer, planting zone, bike lane, sidewalk, shared-use path, balcony, or roof deck which is located and designed for access by the public, including provision for access by pedestrians and/or bicyclists for passive or active recreation. For purposes of calculating the percentage of open space in a given application, the denominator in the ratio shall include the total site area, excluding: public roads or private roads with easements (including drive lanes and parking areas) and curbs.
- p. Research and Development: Research, development, and testing activities that do not involve the mass manufacturing, fabrication, processing, or sale of products. Such uses shall not violate any odor, dust, smoke, gas, noise, radiation, vibration or similar pollution standard. Research and Development shall include, but is not limited to the fields of biology, life science, chemistry, electronics, computer science, engineering, geology, medicine and physics and vivariums.
- q. Solar Uses: Any photovoltaic, solar energy, or solar thermal system that converts solar energy into electricity or useful forms of energy for water heating, space heating, or space cooling, provided the system is mounted on a building or public structure.
- r. Setback: The shortest horizontal distance from the lot line to the nearest building wall or building part except as otherwise noted.
- s. Substation: A substation is a part of an electrical generation, transmission, and distribution system. Substations transform voltage from high to low, or the reverse, or perform any of several other important functions. Between the generating station and consumer, electric power may flow through several substations at different voltage levels.

G. Administration**a. Master Plan Special Permits**

1. Amendments: An increase in floor area ratio, height, ground coverage or trip generation of less than 15%, in and of itself, shall not alone constitute a Major Amendment for purposes of Section 36 of the Ordinance. In addition, changes to uses allocated in Phases approved in a Master Plan Special Permit shall not constitute a Major Amendment, provided that the Director of Planning and Development determines that the overall impacts after the change remain consistent with the impacts identified and mitigated for in the Master Plan Special Permit.
2. Mitigation Phasing: In approving a Master Plan Special Permit pursuant to Section 36 of the Ordinance, if the Planning Board determines, after evaluating the size, complexity, timing and scope of the proposed development, that required mitigation for the Master Plan Development can reasonably be determined at the time of issuance of a Master Plan Special Permit, it may approve a mitigation phasing plan. Alternatively, the Master Plan Special Permit may contain conditions regarding mitigation generally required for the Master Plan Development as a whole and reserving phase-specific mitigation to be determined during site plan review for each separate phase of the development.
3. Vesting of Master Plan Special Permits: Significant investment in site work, environmental remediation work or other work conducted pursuant to (including such work performed prior to approval) and in furtherance of the development described in a Master Plan Special Permit and development authorized by a Master Plan Special Permit within, three (3) years of issuance thereof, shall constitute exercise and vesting of the rights granted under the entire Master Plan Special Permit. Provided the Master Plan Special Permit is thus exercised within three (3) years, the development authorized thereunder shall not be subject to amendments to this Ordinance enacted after the date of the Planning Board's vote to approve the Master Plan Special Permit, provided that any Major Amendment of the Master Plan Special Permit shall require compliance with the Ordinance as in effect at the time of amendment. If requested, the Building Commissioner shall be authorized to issue a binding written determination establishing that the work performed on-site satisfies the vesting provision of this Section.

b. Waivers:

1. For non-Master Plan projects, the SPGA may, within its reasonable discretion, waive application or other procedural special permit or site plan requirements upon a determination that such waivers are insubstantial and are consistent

with the intent and purpose of the EDID, but may only waive zoning requirements through the special permit process.

2. For Master Plan projects the SPGA may approve waivers as provided in Section 36 of the Ordinance.

#3- C0260-24

Legislative Affairs & Election Committee
September 23, 2024

The Committee on Legislative Affairs & Elections met on Monday, September 23, 2024 at 6pm in the City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Michael Marchese, presiding, Councilors Stephanie Smith, Katy Rogers and Robert Van Campen, as ex-officio. Member absent was Councilor Stephanie Martins.

The Committee considered an Ordinance offered by Councilor Robert Van Campen, as President: An Ordinance proposing the addition of two new sections to Appendix A – Zoning of the Revised Ordinances of the City of Everett Section 36 – Master Planned Development and Section 37 – Everett Docklands Innovation District (“EDID”)

Director of Planning Matt Lattanzi and Attorney Jonathan Silverstein, Planning Consultant were also present.

The Committee voted to amend the agenda to reflect the correct sections 36 and 37. Councilor Smith inquired why the zoning ordinances were being amended now instead of waiting for the overall zoning recodification. Mr. Lattanzi explained that it was prompted by a potential proponent coming into the City. He noted that the masterplan was a city wide zoning initiative and Dockland was a zoning initiative strictly for the old Exxon Mobil site. Upon questioning from Councilor Smith Mr. Lattanzi explained that the Masterplan had been reduced from one acre to a half acre. He explained further that what is now before the Committee is what was recommended out by the Planning Board with many changes. Chairman Marchese requested that he review the proposed changes that were made and Mr. Lattanzi provided the Committee with an overview of each change made by the Planning Board. He noted that there were no formal development plans until the zoning proposals were finalized. He assured Councilor Smith that there would be a construction management plan. Councilor Rogers inquired about the naming of any new streets and Mr. Silverstein explained that it could be part of the submittal process in naming of streets. Councilor Rogers responded that she would like the City to have a say on street names and would like to see any new development in the Dockland area to include Police – Fire – EMT Facilities.

The Committee voted: To report back to the City Council with a recommendation for Favorable action.

Respectfully Submitted,

John W. Burley
Clerk of Committees

ENROLLED ORDINANCE

PUBLISHED PURSUANT TO CHAPTER 1 SECTION 4.5 OF THE REVISED ORDINANCES OF THE CITY OF EVERETT AND IN COMPLIANCE WITH MASSACHUSETTS GENERAL LAWS Chapter 43, Section 23.

ENROLLED: 10/15/2024

DATE OF PROPOSED ORDAINMENT: 10/28/2024



CITY COUNCIL..... No. C0260-24

IN THE YEAR TWO THOUSAND AND TWENTY-

AN ORDINANCE ADDING TWO NEW SECTIONS TO THE CITY’S ZONING ORDINANCE – SECTION 36 (MASTER PLANNED DEVELOPMENT) AND SECTION 37 (EVERETT DOCKLANDS INNOVATION DISTRICT (EDID”))

Councilor /s/ Robert J. Van Campen, as President

Whereas: this ordinance is to amend the Everett Zoning Ordinance to add two new sections, Section 36 “Master Planned Development” and Section 37 “Everett Docklands Innovation District” and to amend the Zoning Map to incorporate certain parcels of land into the new EDID Zoning District; and

Whereas: Section 12 of the City of Everett Zoning Ordinance enables the City Council to “...amend, supplement, or change these [Zoning] regulations or districts as provided by statute”; and

Whereas: by amending the Zoning Map to rezone certain parcels of land, the City will create new development opportunities for an otherwise underutilized area of land.

Now, therefore, by the authority granted to the City Council of the City of Everett, Massachusetts to make and amend ordinances:

Be it Ordained by the City Council of the City of Everett, Massachusetts that Appendix A – Zoning of the Revised Ordinances of the City of Everett is hereby amended aby adding a new Section 36 as follows:

Appendix A – Zoning of the Revised Ordinances of the City of Everett is hereby amended by adding a new Section 36 as follows:

SECTION 36 MASTER PLANNED DEVELOPMENT
(C0260-24)

(a) Intent

- (1) To utilize dynamic, long-term planning to implement the recommendations of the city for transformational development or redevelopment of land in a comprehensive manner allowing for the conceptual layout of synergistic uses and connections between buildings, social settings, streets and the surrounding environment.
- (2) To implement comprehensive planning and permitting to design and create destination districts at underdeveloped properties through the authorization of a long-term plan for future development, while allowing for flexibility to meet changing market demands.

(b) Purpose

- (1) To allow a Master Plan Special Permit for the coordinated development of land as a Development Site allowing for comprehensive planning and compliance with the Everett Zoning Ordinance in the aggregate across a Development Site rather than by individual lots.
- (2) To provide for foreseeability in the implementation and build out of individual projects, uses and mitigation for approved Master Plans.
- (3) Permit some flexibility in the development of individual tracts of land by required and predetermined standards.
- (4) To allow for subsequent subdivision and conveyance of separate parts of the Master Plan while maintaining overall compliance.
- (5) To provide certainty to the city and project proponents that once a Master Plan is approved, the approved Master Plan is protected against future zoning changes.

(c) Applicability

1. Master Plan Special Permits may be granted pursuant to this section for property in any zoning district except Dwelling Districts. The zoning for specific districts may alter the procedures and requirements for Master Plan Special Permits set forth in this Section.

(d) Definitions

- (1) Approving Authority. The Planning Board of the City of Everett.
- (2) Development Project. A Project undertaken pursuant to this section that requires Master Plan Special Permit and Site Plan Approval.
- (3) Development Site. One or more lots on which a Development Project is proposed.
- (4) Gross Square Feet (“GSF”). The measure of floor area of space on all floors inclusive of heated basements, hallways, mechanical rooms, storage space and other miscellaneous space, whether or not exclusively occupied by a single tenant or occupant, measured from the exterior faces of exterior walls. Gross floor area does not include covered walkways, open roofed-over areas, porches, exterior terraces or steps, chimneys, roof overhangs, parking garages and unheated basements.

- (5) Height. The vertical distance of the highest point of the roof beam in the case of a flat roof and of the mean level of the highest gable of a sloping roof as measured from the mean ground level of the finished grade at all elevations of a building.
 - (6) FAR. The result of dividing the gross floor area of the building or buildings on a lot by the total lot area expressed as a decimal number.
 - (7) Lot. A parcel of land under 1 sole or undivided ownership separate from that of any adjoining lots. A corner lot for the purposes of this section is any lot which occupies the interior angle at the intersection of two 2 street lines which make an angle of more than 45 degrees and less than 135 degrees with each other. The Applicant shall, for the purposes of this section, have the privilege of calling either street lot line the front, without reference to the building arrangement. However, it shall remain the authority of the Planning Board to dictate the frontage of any subject residential building on a lot for purposes of calculating the eligible number of residential on-street parking permits.
 - (8) Open Space. An area of land such as a square, green, park, and linear park which is located and designed for access by residents, employees and/or patrons of a Development Project, including provision for access by pedestrians and/or bicyclists for passive or active recreation and landscape buffers around structures.
 - (9) Site Plan. A plan depicting a proposed Development Project which is submitted to the Approving Authority for its review and approval in accordance with the provisions of this section.
 - (10) Site Plan Approval. The Approving Authority's authorization for a proposed Development Project in accordance with this section after the conduct of a Site Plan Review.
 - (11) Special Permit Granting Authority. The Planning Board of the City of Everett.
- (e) Development Review
- (1) General
 - 2. Development approval under this section includes a two-tiered permitting process consisting of:
 - a. Master Plan Special Permit: Development approval under this Section allows for a Master Planned Development through the issuance of Master Plan Special Permit prior to and as a prerequisite to Site Plan Review; and
 - b. Site Plan Review: Development on individual lots within a Master Planned Development Property subject to an approved Master Plan Special Permit shall be subject to Site Plan Review pursuant to the provisions of this Section.
 - (2) Master Planned Development
 - a. Proposed development or redevelopment of ½ acre of land or more may proceed as a Master Plan Special Permit.

- b. Notwithstanding the creation of separate lots within a Development Site, which are separated by streets, driveways, Open Space and other buildings or structures, Development Sites approved under a Master Plan Special Permit shall be permitted to aggregate all project components, including, but not limited to, FAR, parking, and Open Space, so that any one lot may not comply with otherwise applicable requirements provided that the overall Development Site complies, provided the Approving Authority finds that the aggregation adequately serves the area covered by the Master Plan Special Permit. Land containing buildings, structures or open spaces which are part of an approved Master Plan Special Permit may be subdivided and conveyed to third parties as separate lots and remain in compliance with the Master Plan Special Permit, provided such division does not result in any violation of this section or the requirements of the Master Plan Special Permit.
- c. Previously permitted development may be included in a Development Site and proposed build out of a Master Plan, provided that the date of the first certificate of occupancy for the subject real property is not more than 2 years prior to the decision date of the Master Plan Special Permit.

(f) Master Plan Standards

3. An application for a Master Plan Development Special Permit shall include the following:

(1) Quantitative data including:

- a. Parcel size;
- b. Proposed lot coverage of structures;
- c. Floor area ratio;
- d. Total amount of private open space, both private and public;
- e. Total number and type of dwelling units by number of bedrooms;
- f. Approximate gross residential densities;
- g. Total amount in square footage of nonresidential construction by type of use;
- h. Number of parking spaces to be provided by use;
- i. Total length of streets to be conveyed to the city government;
- j. Total length of streets to be held as private ways within the development;
- k. Total length by type of other public works to be conveyed to the city government;
- i. Number and types of public facilities.

(2) Graphic materials shall include, but not be limited to, the following:

- a. Map of existing site conditions, including contours, water course, floor plains, unique nature features, existing vegetation, soil types, existing buildings;
 - b. Map of existing land use;
 - c. Existing and proposed lot lines;
 - d. Location and size of gross floor area of all existing and proposed buildings, structures, and other improvements including maximum heights, types of dwelling units, and nonresidential structures by use;
 - e. Location and size in square feet of all private open space and areas to be conveyed, dedicated, or reserved as common open spaces, public parks, recreational areas, school sites, and similar public and semi-public uses;
 - f. The existing and proposed circulation system of arterial, collector, and local streets, including off-street parking areas, service areas, loading areas, and all points of access to existing public rights of way;
 - g. Proposed pedestrian circulation system;
 - h. Existing and proposed utility systems including sanitary sewers, storm sewers, and water, electric, gas, and telephone lines;
 - i. General landscaped plan indicating the treatment of materials used for private and common open spaces;
 - j. Description of adjacent land areas, including land uses, zoning, densities, circulation systems, public facilities, and unique natural features of the landscape;
 - k. Proposed treatment of the perimeter of the development, including materials and techniques used such as screens, fences, and walls.
- (3) A transportation impact and demand analysis conducted by a qualified transportation engineer. The analysis shall include:
- a. Traffic counts on arterial streets that provide access to the development site showing data on average daily traffic (ADT) and a.m. and p.m. peak periods (conducted for 2 hours divided into 15-minute segments);
 - b. Intersection turning movement counts at intersections likely to be affected by the proposed development (conducted for 2 hours divided into 15-minute segments);
 - c. An inventory of roadway characteristics showing the width of the principal approach streets and the presence or absence of pedestrian, bicycle and other transit infrastructure and accommodations and the condition of any such infrastructure and accommodations;
 - d. Estimated trip generation showing the projected inbound and outbound trip demand for the a.m. and p.m. peak periods and a typical 1 hour off-peak trip generation. Estimated trip generation shall be delineated by mode, including single-occupancy vehicle (“SOV”), mass-transit and any

other applicable mode of transportation. For purposes hereof, trips utilizing ride share services shall be considered SOV trips;

- e. A comprehensive Transportation Demand Management Plan, which is consistent with the requirements of Section 35.
 - f. The estimated distribution of new vehicle trips by approach streets;
 - g. The effect of additional traffic generated by the development on impacted intersections and roadways;
 - h. Estimated off-street parking and loading requirements and time of peak accumulation.
- (4) Submitted master plans must propose and detail sustainability and climate resiliency measures, including but not limited to the following:
- a. Identification of all master plan scale efforts to mitigate project impacts to the environment;
 - b. A storm water management and infrastructure plan demonstrating incorporation of best management practices relative to the control and treatment of storm water within the Master Plan Development;
 - c. Use of best available environmentally sustainable building and infrastructure design to the maximum extent reasonably practicable.
- (5) Submitted master plans must include: proposed development phasing for buildings, open space, infrastructure, mitigation projects and other improvements.
- (6) If the Planning Board determines, after evaluating the size, complexity, timing and scope of the proposed development, that required mitigation for the Master Plan Development can reasonably be determined at the time of issuance of a Master Plan Special Permit, it may approve a mitigation phasing plan. Alternatively, the Master Plan Special Permit may contain conditions regarding mitigation generally required for the Master Plan Development as a whole and reserving phase-specific mitigation to be determined during site plan review for each separate phase of the development.
- (g) Streets & Open Space
- (1) Streets and Open Space provided in any Master Plan shall be shown on submittals for a Master Plan Special Permit.
 - (2) Any streets or Open Space created as part of a Master Plan may be dedicated to the public in perpetuity by a covenant or other deed restriction or by transfer to the City in fee or by easement, subject to the City's acceptance of any such interest, without impacting the FAR or other dimensional criteria of the approved Master Plan Special Permit.
 - (3) Open Space created through easement or discontinuance of an existing street or other abutting right-of-way within the Development Site may be counted toward any required amount of Open Space required by this section or otherwise by the Zoning Ordinance.

- (4) Roadway design shall be consistent with best practices for urban, multi-modal neighborhoods. Proponents should refer to example guidelines including National Association of City Transportation Officials (“NACTO”) design guidance, the City of Boston’s Complete Streets Design Guidelines and MassDOT’s Bicycle Facilities guide. Arterial roadways shall be designed to accommodate existing transit services and, when practicable, should accommodate any planned or anticipated transit services identified by planning staff during Pre-Submittal Meeting.
- (h) Master Plan Development Standards
- (1) Sustainable Development: At a minimum, each phase of a Master Plan Development must, to the maximum extent reasonably practicable, be developed in accordance with all best practices with respect to sustainable development standards at the time when each phase undergoes Site Plan Review.
- (2) Parking & Mobility
- a. Motor vehicle parking may be provided as underground or aboveground structured parking, surface parking (on and off street) or as shared parking (parking for multiple uses during alternating peak times).
- b. Development subject to a Master Plan Special Permit may provide parking pursuant to the provisions of the zoning district in the aggregate across the Development site and locate parking serving any property or use within the Master Plan on any property within the Development Site regardless of location or ownership and such parking may be allocated among the properties within a Development Site at the discretion of the project proponent, subject to the special permit granting authority determining that the aggregation adequately serves the area covered by the Master Plan Special Permit.
- c. Parking facilities shall be designed to be sufficient to adequately serve the Master Plan Development but shall not be designed to encourage use of SOVs. All reasonably practicable measures shall be taken to maximize the non-SOV mode share and to minimize the amount of SOV parking within the Development Site.
- (i) Master Plan Special Permit Process
- (1) Purpose: A Master Plan Special Permit authorizes a long-term plan for future development and for an applicant to move forward with subsequent Site Plan Review.
- (2) Applicability: Approval of a Master Plan Special Permit authorizes the applicant to submit applications for subsequent Site Plan Review required by this section only and vests the right to develop property in accordance with the Master Plan.
- (3) Authority
- a. The Planning Board is the permit granting authority for a Master Plan Special Permit.

- b. Waiver: The Planning Board may within its reasonable discretion waive application or other procedural requirements for a Master Plan Special Permit upon a determination that such waivers are insubstantial and are consistent with intent and purposes of the zoning district.

(4) Procedures

- a. The following review procedures are required:
 1. Step 1: Pre-Submittal Meeting with Planning Staff
 2. Step 2: Application Review & Staff Report
 3. Step 3: Public Notice
 4. Step 4: Public Hearing
 5. Step 5: Decision
 6. Step 6: Appeal Period
 7. Step 7: Certification of Decision and Recording
- b. The review procedures required for a Master Plan Special Permit may, at the discretion of the designated review board, be conducted simultaneously with the review procedures required for other discretionary or administrative permits, as indicated elsewhere in this section.

(5) Review Criteria

- a. In its discretion to approve or deny a Master Plan Special Permit, the Planning Board shall make findings considering, at least, each of the following:
 1. The intent of the zoning district.
 2. Existing plans and standards established by the city.
 3. The gross floor area allocated to different use categories.
 4. The proposed alignment and connectivity of the streets in the Development Site and their relationship to streets outside the Development Site.
 5. Mitigation proposed to alleviate any adverse impacts on municipal and utility infrastructure.
 6. Proposed development and mitigation phasing.
 7. Proposed parking to address demand by residents and users of the proposed uses.
 8. Aggregation of parking, open space or other requirements, if proposed in the Master Plan, is acceptable.
- b. Waiver: The Planning Board may approve a Master Plan Special Permit that deviates from the standards of this Section upon a finding that such waiver(s) will not adversely affect public safety and will equally or better

serve the purposes of the zoning district in which the Development Site is located.

- c. When considering a revision to a previously approved Master Plan Special Permit, the Planning Board shall limit its review to the proposed changes to the previously approved application.

(6) Conditions

- a. The Planning Board may attach reasonable conditions and limitations that it deems necessary or appropriate.
- b. Conditions must have a reasonable nexus to potential impacts of the proposed development, and be roughly proportional, both in nature and extent, to the impacts of the proposed development.
- c. The Planning Board shall require applicants to provide for infrastructure mitigation, transportation mitigation, and community impact mitigation as a condition of any Master Plan Special Permit.
- d. The Planning Board and the Building Department shall establish construction permitting requirements for the phasing of development, if applicable, as a condition of any Master Plan Special Permit.

(7) Permit Duration and Extension

- a. Master Plan Special Permits remain valid for 3 years from the date the decision is filed with the Office of the City Clerk, excluding any time required awaiting the decision of an appeal, and remain valid so long as progress is being made in accordance with the approved phasing of development. The nature and extent of work necessary to constitute exercise of a Master Plan Special Permit may be specified in the zoning for individual districts or in the Master Plan Special Permit.
- b. The Planning Board may reduce the time period that a Master Plan Special Permit remains valid to a shorter time period as a condition attached to the permit for projects of less than 2 acres or 200,000 square feet of gross floor area.
- c. The Planning Board may extend the duration of validity for a Master Plan Special Permit upon making a finding that a demonstrated hardship has prevented utilization of the rights authorized by the Special Permit.

(8) Amendment of a Master Plan Special Permit.

- a. Major Amendments. A proposed amendment to a Master Plan Special Permit shall be presented to the Director of Planning and Development, who shall, within 30 days, determine whether the proposed amendment is a major amendment or a minor amendment. If the amendment is determined to be a major amendment, it shall require approval by the Planning Board after a public hearing held in accordance with the provisions of G.L. c.40A, §§9 and 11. The following matters generally will be considered major amendments:

1. Increases in floor area or ground coverage by 10 percent or more across the Development Site;
2. Substantial changes to the roadway networks, access or other infrastructure serving the Development Site;
3. Addition of 1 or more uses not approved in the Master Plan Special Permit; or
4. Results in a condition that the Director of Planning and Development determines to be substantially more detrimental to the surrounding neighborhood or the city than the existing condition(s) and approved plans.

- b. Minor Amendments. Any other modification shall be considered a minor amendment. Minor amendments shall require the approval of the Director of Planning and Development.
- c. When considering an Amendment to a Master Plan Special Permit, review shall be limited to the proposed revision to the parcel or phase with proposed changes to the previously approved Master Plan but may include aggregation of the impacts of the proposed amended plan as a whole.

(9) Appeals

4. The appeal of any decision of the Planning Board regarding a Master Plan Special Permit or amendment thereto shall be made in accordance with the provisions of G.L. c. 40A §17.

(j) Site Plan Review Process for Approved Master Plan Special Permits

- (1) Purpose: Site Plan Review is the administrative review and approval of a development to confirm compliance with the provisions of this section and an approved Master Plan Special Permit so that the development is conforming to the provisions of this section and adequately addresses any potential impacts.
- (2) Applicability:
 - a. Site Plan Review is required for any development, including buildings, open space and streets, subject to a Master Plan Special Permit.
 - b. The provisions of this Section relating to Site Plan Review supersede the requirements for Site Plan Review found otherwise in this section.
- (3) Authority
 - a. The Planning Board is the decision-making authority for Site Plan Review within an approved Master Plan Special Permit.
 - b. Waiver: The Planning Board may within its reasonable discretion waive application or other procedural requirements for Site Plan Review within an approved Master Plan Special Permit upon a determination that such waivers are insubstantial and are consistent with intent and purposes of the zoning district.

(4) Procedure

- a. The following review procedures are required:
 1. Step 1: Pre-Submittal Meeting with Planning Staff
 2. Step 2: Application Review & Staff Report
 3. Step 3: Public Notice
 4. Step 4: Public Hearing
 5. Step 5: Decision
 6. Step 6: Appeal Period
 7. Step 7: Certification of Decision and Recording
- b. The Planning Board shall have 90 days from the time of submittal of a complete Site Plan Review application to render its decision.

(5) Review Criteria

- a. The Planning Board's review of an application for Site Plan Review shall be limited to the following criteria:
 1. Compliance with the approved Master Plan Special Permit, including:
 - a) The bulk and height of any proposed structure(s) and accessory structure(s), adequacy of open spaces, the building coverage on the site, yard sizes (setbacks) and lot areas;
 - b) The physical layout of the structure(s), driveways, parking areas, utilities and other infrastructure;
 - c) The design of the exterior building facade and materials and fenestration, including compliance with the Everett Design Regulations promulgated by the Planning Board;
 - d) The adequacy of the arrangement of parking, drop-off/pick-up and loading areas in relation to the proposed use of the site; and
 - e) The adequacy of the phased mitigation attributable to the project undergoing site plan review based on the mitigation phasing set forth in the Master Plan Special Permit.
 2. Adequate parking shall be provided in compliance with the Master Plan Special Permit either on the proposed lot or otherwise within the Development Site.
 3. The site drainage shall be designed in accordance with applicable provisions of the Zoning and General Ordinances.

4. The design and adequacy of the sewage disposal system(s) to serve the proposed development shall be in accordance with water and sewer department requirements.
 5. The site plan shall demonstrate conformance with applicable lot area, setback and height regulations pursuant to the Master Plan Special Permit for the zoning district.
- b. The Planning Board shall approve an application for site plan approval in the form submitted or with reasonable conditions which shall pertain to this Section unless the Planning Board finds that the application is incomplete or otherwise not in conformance with the applicable provisions of the Zoning Ordinance.
 - c. Waiver: The board may, after review of the completed application and at its discretion, waive certain criteria if it deems it appropriate.
 - d. When considering a revision to a previously approved Master Plan Special Permit, the Planning Board shall limit its review to the proposed changes to the previously approved application and any material changes in circumstances relating to the infrastructure serving the development area subsequent to issuance of the Master Plan Special Permit.
- (6) Conditions
- a. The review board may attach reasonable conditions and limitations that it deems necessary or appropriate in order to ensure compliance with the Board's findings and the standards for granting of a Site Plan.
 - b. Conditions must have a reasonable nexus to potential impacts of the proposed development, and be roughly proportional, both in nature and extent, to the impacts of the proposed development.
- (7) Permit Duration and Extension
- a. Approval of a Site Plan will remain valid for 3 years from the date the decision is filed with the Office of the City Clerk, excluding any time required awaiting the decision of an appeal, and remain valid so long as progress is being made in accordance with the approved phasing of development.
 - b. The Planning Board may extend the duration of validity for a Site Plan upon making a finding that a demonstrated hardship has prevented utilization of the rights authorized by the Site Plan.
- (8) Amendment of a Site Plan Approval.
- a. Proposed revisions to an approved site plan shall be submitted to the Director of Planning and Development.
 - b. Minor Amendments. Revisions deemed minor by the Director of Planning and Development (or designee) may be approved without a public hearing. Revisions shall be considered de minimis upon the Director of Planning and Development findings that:

1. The proposed changes would not contravene the legal notice, any finding, or condition of the Planning Board in the original approval;
 2. The proposed changes would not detrimentally impact matters of substance identified in meeting minutes of original hearings;
 3. The proposed changes would not alter the character of the development; and
 4. The proposed changes would be so insignificant as not to be noticeable to persons generally familiar with the original approval.
- c. Major Amendments. Revisions that are not minor shall be subject to the full notice and hearing provisions and shall be submitted to other city boards, department and agencies for review and comment.
- d. When considering an amendment to an approved Site Plan Approval, review shall be limited to the proposed revision to the previously approved Site Plan Approval and any material changes in circumstances relating to the infrastructure serving the parcel or phase with proposed changes subsequent to issuance of the Master Plan Special Permit.
- (9) Appeals: The appeal of any decision of the Planning Board regarding a Site Plan Approval or amendment thereto shall be made in accordance with the provisions of G.L. c. 40A §17.

Appendix A – Zoning of the Revised Ordinances of the City of Everett is hereby further amended by adding a new Section 37 as follows:

SECTION 37 EVERETT DOCKLANDS INNOVATION DISTRICT (“EDID”)
(C0260-24)

(a) Intent

- (1) To establish zoning regulations in accordance with the land use policy objectives in the City and to encourage comprehensive planning across multiple properties.
- (2) To permit development in accordance with a Master Plan Special Permit pursuant to Section 36 of the Zoning Ordinance.
- (3) To encourage economic development, job creation and to strengthen the tax base in the City of Everett.

(b) Purpose

- (1) To permit comprehensive planning and development across a Development Site that would otherwise not be permitted in other zoning districts in the City; to allow a diversity of land uses in close proximity, within a limited area; to facilitate development responsive to current and future market conditions; to facilitate integrated physical design; and to encourage interaction among activities located within the EDID.

- (2) To allow for the aggregation and compliance of certain build out standards across a Development Site rather than by individual lots in a Master Plan.

(c) Applicability

- (1) This section is applicable to all real property within the EDID as shown on the Official Zoning Map of the City of Everett.
- (2) All use, parking and dimensional regulations governing land within the EDID are set forth within this section. All other requirements of the Zoning Ordinance that do not conflict with the provisions of this section shall apply to property within the EDID, provided that the Planning Board shall have the discretion to waive any such provisions in approving a Master Plan Special Permit if it determines such waiver to be in the public interest. Where provisions of the Zoning Ordinance conflict with the EDID, the provisions of the EDID control. Projects developed pursuant to a Master Plan Special Permit shall be subject to site plan review pursuant to Section 36 of the Zoning Ordinance rather than Section 19 of the Zoning Ordinance.

(d) Master Planned Development Standards

(1) Design Guidelines and Regulations

The Planning Board shall adopt, and may from time to time amend, regulations governing Master Planned Developments, including without limitation regulations governing the design of open space, building design, and roadway layout and design.

(2) Inclusionary Housing

Master Plan Special Permit may aggregate required inclusionary housing, thereby allowing certain buildings and development phases to contain fewer inclusionary housing units than would otherwise be required, with construction of the remaining required units deferred to a future phase, if it finds:

- a. Adequate surety or conditions of approval will ensure that all inclusionary housing units will be constructed in a timely manner.
- b. Aggregation of inclusionary housing units will not result in undue concentration of inclusionary housing units in specific phases or building types.
- c. Aggregation of inclusionary housing units is warranted based upon economic or other circumstances.

(3) Building Standards

- a. The dimensional requirements applicable to the EDID are:

Dimension:	All Non-Master Planned Uses	Allowable Pursuant to Master Plan Special Permit
Minimum Lot Size	5,000 sf	2,000 sf

Required Frontage	40 ft.	20 ft
FAR	1.0*	NA
Minimum Lot Area per Dwelling Unit	2,000 sf**	NA
Minimum Front Yard Setback	10 ft.	0 ft.
Minimum Side Yard Setback	10 ft.	0 ft.
Minimum Rear Yard Setback	20 ft.	0 ft.
Minimum Setback to Master Planned Area Boundary		10 ft.
Minimum Open Space***	15%	15%
Maximum Height	65 ft****	370 ft*****

- * FAR may be increased to 4.0 by special permit.
 - ** For a Development Site of 2 acres or more, the minimum square footage of land area per dwelling unit shall be 350 square feet.
 - *** Limited Access Open Space may comprise up to 20% of the minimum required Open Space, and the remainder shall be Public Access Open Space.
 - **** For a Development Site of 2 acres or more, the maximum height is 85 feet.
 - ***** 370 ft. is the maximum allowed by the Federal Aviation Administration (“FAA”). The maximum allowed height by the FAA ranges from 250 ft. to 370 ft. depending on the location within the EDID.
- b. Notwithstanding the creation of separate lots within a Development Site, which are separated by streets, driveways, Open Space and other buildings or structures, Development Sites approved under a Master Plan Special Permit shall be permitted to aggregate all project components, including, but not limited to, FAR, parking, drainage structures, retail space requirements, inclusionary housing units and Open Space, so that individual lots need not comply with otherwise applicable requirements provided that the overall Development Site complies, and provided further that the Approving Authority finds that the aggregation adequately serves the area covered by the Master Plan Special Permit. Buildings, structures or open spaces which are part of an approved Master Plan Special Permit may be subdivided and conveyed to third parties as separate lots and remain in compliance with the Master Plan Special Permit, provided such division does not result in any violation of the EDID or the requirements of a Master Plan Special Permit.

(4) Use Provisions

- a. The EDID has 2 subdistricts shown as “Subdistrict A” and Subdistrict B” shown on the Zoning Map referenced above in subsection 37(c)(3).
- b. The standards of the following table are the permitted uses for the EDID based on the following notations.
 - 1. Permitted Uses.
 - a) Master Plan Developments: “Y” indicates that the Planning Board may, in its discretion, permit a use as part of the

Master Plan Special Permit. Any use of such land must be specifically identified and approved in such Master Plan Special Permit. Any use not specifically identified in an approved Master Plan Special Permit shall only be permitted upon modification of such Special Permit.

b) Non-Master Plan Developments: “Y” indicates that the use is allowed by right in the district.

2. Special Permit Uses.

“SP” indicates that a use allowed only if approved by the Special Permit Granting Authority (“SPGA”), in accordance with the special permit review procedures prescribed in this section. For the EDID, the Planning Board is the SPGA.

3. Uses Not Permitted.

“-“ indicates that a use is not allowed in the district.

4. Determination of Use Category.

For specific uses which are not listed but are clearly within a category listed in the Table of Use Regulations, the Building Commissioner shall determine whether the proposed use is permitted, and if so, into which category it will be classified. The Building Commissioner shall note the applicable use classification in the issuance of a building permit on the EDID.

c. Multiple uses in the same structure within the EDID:

There shall be no restriction on combining different categories of use within the same building other than those imposed by the State Building Code or other federal, state or local regulations other than the Zoning Ordinance.

USE CATEGORY	Master Planned Uses		Non-Master Planned Uses Less Than 5,000 sq ft of Gross Floor Area		Non-Master Planned Uses Greater Than 5,000 sq ft of Gross Floor Area	
	Sub A	Sub B	Sub A	Sub B	Sub A	Sub B
RESIDENTIAL						
Single Family Dwelling	-	-	-	-	-	-
Two Family Dwelling	-	-	-	-	-	-
Three Family Dwelling Residential units may not comprise more than 50% of the residential building. Common amenities, rental and administrative space accessory to multifamily residential use shall not count toward the gross floor area of the building.	-	or area of	-	ory of any	-	ly -
Attached Dwelling Development Multifamily Residential containing residential units shall contain one or more commercial units for each residential unit contained within the structure. Such units shall be located on a separate site or sites to a	-	ffices, park limit. The	-	er uses cu s of each	-	-
Multifamily Residential containing residential units shall contain one or more commercial units for each residential unit contained within the structure. Such units shall be located on a separate site or sites to a	Y	es compris y include	Y	a of at lea uses listed	SP	re feet ted SP
COMMERCIAL under the “Commercial” category in this use table and may be used for any purpose consistent with the objective of the EDID.		gated acro		e sites to a		overall

Active boating, water taxi, recreational boating	Y	Y	SP	SP	SP	SP
Amusement, including indoor entertainment facilities	Y	Y	Y	Y	SP	SP
Arts Center	Y	Y	Y	Y	Y	Y
Auto showrooms for the sale of automobiles and light trucks, and service facilities which are associated with the sales facilities in the same building	Y	Y	-	-	-	-
Bank	Y	Y	SP	SP	SP	SP
Bar, Pub, Tavern, Cocktail Lounge	Y	Y	SP	SP	SP	SP
Body Art/Tattoo/Piercing Studio	Y	Y	-	-	-	-
Brewery, including on site service and manufacturing	Y	Y	SP	SP	SP	SP
Business, Finance or other Professional Office Use ²	Y	Y	Y	Y	SP	SP
Car wash	-	-	-	-	-	-
Convenience Store	Y	Y	Y	Y	SP	SP
Dance club / night club	Y	Y	-	-	-	-
Entertainment facilities including Concert Venue	Y	Y	-	-	-	-
Fast Order Food Establishment	Y	Y	SP	SP	SP	SP
For Profit Educational Schools, including but not limited to Vocational Schools	Y	Y	Y	Y	SP	SP
Freight or Trucking Terminal	-	Y	-	-	-	-
Gaming Establishment	-	-	-	-	-	-
Gasoline Station	Y	Y	-	-	-	-
Gazebo, outdoor performance space	Y	Y	Y	Y	Y	Y
Grocery Store	Y	Y	-	-	-	-
Hotel	Y	Y	Y	Y	SP	SP
Kennel, pet day care establishment	Y	Y	SP	SP	SP	SP
Marina	Y	Y	SP	SP	SP	SP
Medical Services, including Hospitals, Medical Office Buildings, Community Health Centers, and Urgent Care Centers	Y	Y	Y	Y	Y	Y
Membership Club	Y	Y	SP	SP	SP	SP
Motel	-	-	-	-	-	-
Movie theater or cinema	Y	Y	Y	Y	Y	Y
Neighborhood Market	Y	Y	Y	Y	SP	SP

² Including, but not limited to offices for high technology and biotech users.

Parking garage (including sub-surface) provided there shall be no door or driveway for vehicles in connection with any public garage within 50 feet of any Residential sub-district boundary line. A parking garage can be a use on a separate lot or an accessory parking garage that is on a separate lot.	Y	Y	SP	SP	SP	SP
Parking, surface lots as a principal use pending the construction of structured parking pursuant to a master plan special permit (To discuss limitations on time and the public)	Y	Y	-	-	-	-
Recreational use such as bowling alley, arcade, billiards/pool hall, roller rink, tennis courts, swimming, theater, etc.	Y	Y	SP	SP	SP	SP
Resort Casino	-	-	-	-	-	-
Restaurants, not including Fast Order Food Establishments, and provided that there are no drive-through facilities.	Y	Y	SP	SP	SP	SP
Retail sales and services, including large format Retail	Y	Y	SP	SP	SP	SP
Retail sales & service, w/outside storage	Y	Y	SP	SP	SP	SP
Retail sales & service, w/no outside storage	Y	Y	SP	SP	SP	SP
Service and repair stations for automobile or light truck, but not including gasoline stations	-	-	-	-	-	-
Sports/Fitness Facilities; Health Club and Spa	Y	Y	Y	Y	SP	SP
Taxicab business	-	-	-	-	-	-
Transportation related uses including railroad or street railroad passenger stations including customary accessory services therein; not including switching, storage, or freight yards or sidings.	Y	Y	-	-	-	-
Veterinary or pet grooming establishment	Y	Y	SP	SP	SP	SP
Water Taxi or Water Shuttle	Y	Y	Y	Y	Y	Y
Wholesale	Y	Y	-	-	-	-
INNOVATION						
Advanced/Light Manufacturing	Y	Y	SP	SP	SP	SP
Battery Energy Storage Systems	Y	Y	SP	SP	SP	SP
Converter Station	-	Y	SP	SP	SP	SP
Data Center	Y	Y	SP	SP	SP	SP
Retail Electric Vehicle Charging Station	Y	Y	Y	Y	SP	SP
Laboratory	Y	Y	SP	SP	SP	SP
Life Science	Y	Y	SP	SP	SP	SP
Life Science (Manufacturing)	Y	Y	SP	SP	SP	SP

Research and Development	Y	Y	SP	SP	SP	SP
INDUSTRIAL						
Assembly Related Uses	-	Y	-	-	SP	SP
Automotive Supply and Repair	-	-	-	-	-	-
Central heating or cooling plant	-	Y	SP	SP	SP	SP
Electric Generation Plants/Substation	Y	Y	-	-	-	-
Heavy manufacturing providing there is no outside storage work and there are no emissions of noxious odors, smoke or noise, and no vibration discernible on the exterior of the building.	-	Y	-	-	-	-
Light manufacturing (excluding scrap metal), producing, processing, fabricating, printing, converting, altering, finishing or assembling, entirely contained within the structure with no associated emissions of noxious odors or noise, on a scale requiring not more than a total of five horsepower or steam pressure in excess of 15 pounds gauge pressure. Examples include, but are not limited to, wood cabinetry, modular housing, metal product fabrication, roofing, assembly of plumbing components, HVAC manufacturing, etc.	-	Y	-	-	SP	SP
Manufacture, assembly, processing, packing or other industrial operations associated with medium to heavy industry which involves machining, welding, shearing, forging, stamping or similar operations.	-	Y	-	-	-	SP
Power, gas or fuel generating facilities.	-	Y	-	-	-	-
Storage and sale of building materials or machinery.	-	Y	-	-	-	SP
Storage of goods in containers where all storage is contained within the building, not including storage of any raw or natural materials.	-	Y	-	-	-	SP
Trucking terminals and freestanding product distribution centers.	-	Y	-	-	-	-
Warehouse, Distribution, including E-Commerce, Last Mile, and Same Day Delivery	-	Y	-	-	-	SP
ACCESSORY USES						
Drive-through facilities for first-floor commercial uses in multi-story buildings	Y	Y	SP	SP	SP	SP
Electric car charging station	Y	Y	Y	Y	Y	Y
Home Occupation	Y	Y	-	-	-	-
Hospitality uses customarily accessory to Hotel, including restaurant, bar, spa, etc.	Y	Y	-	-	-	-
Gas stored in quantities below the maximum allowable quantities (MAQs) established for hazardous materials; High-Hazard Group H occupancies as outlined by the Massachusetts State Building Code 780 CMR, the Massachusetts	Y	Y	SP	SP	SP	SP

Comprehensive Fire Safety Code 527 CMR 1.00, and their referenced standards						
Limo service / driving service	-	-	-	Y	-	SP
Meeting and conference space	Y	Y	Y	Y	SP	SP
Offices of a doctor, dentist or other member of a recognized profession, teacher or musician residing on the premises; provided there is no display or advertising except for a small professional name plate.	Y	Y	Y	-	SP	-
Office	Y	Y	Y	Y	Y	Y
Parking (surface lot) accessory to any permitted principal use (10 or fewer spaces)	Y	Y	Y	Y	Y	Y
Parking (surface lot) accessory to any permitted principal use (greater than ten spaces)	Y	Y	-	-	Y	Y
Solar Uses	Y	Y	Y	Y	Y	Y
Uses accessory to activities permitted as a matter of right, which activities are necessary in connection with scientific research or scientific development or related production.	Y	Y	SP	SP	SP	SP
Wholesale merchandising incidental and subordinate to a primary retail business	Y	Y	Y	Y	Y	Y
EXEMPT						
Agriculture, horticulture or floriculture and the expansion or reconstruction of existing structures thereon for the primary purpose of agriculture, horticulture or floriculture.	Y	Y	Y	Y	Y	Y
Municipal use such as library, fire station, police station, park, and soldiers' and sailors' memorial building.	Y	Y	Y	Y	Y	Y
Public or charitable institutional building not of a correctional nature	Y	Y	Y	Y	Y	Y
Religious use including church, synagogue, mosque, parish house and Sunday School building.	Y	Y	Y	Y	Y	Y
Nonprofit educational use.	Y	Y	Y	Y	Y	Y
PROHIBITED USES						
Adult Bookstore	-	-	-	-	-	-
Adult Club	-	-	-	-	-	-
Adult Theater	-	-	-	-	-	-
Adult Video Store	-	-	-	-	-	-
Body Piercing Studio	-	-	-	-	-	-
Bulk storage or processing plants involving the use of flammable or combustible liquids, gases or solids.	-	-	-	-	-	-

Check-Cashing Establishment	-	-	-	-	-	-
Bulk storage or processing plants involving the use of flammable liquids, gases or solids.	-	-	-	-	-	-
Fortune Teller	-	-	-	-	-	-
Gas stored in quantities exceeding the maximum allowable quantities (MAQs) established for hazardous materials where not located within High-Hazard Group H occupancies as outlined by the Massachusetts State Building Code 780 CMR, the Massachusetts Comprehensive Fire Safety Code 527 CMR 1.00, and their referenced standards; or gas stored within ten (10) feet of any street line or party lot line, except in the case of gas contained or generated in fire extinguishers.	-	-	-	-	-	-
Gun Shop	-	-	-	-	-	-
Industrial operations, either outside or inside the building, which produce outside noxious odors, smoke, steam, or other emissions, or which produce industrial noise or require excessive use of large trucks or trailers or transfer of large amounts of industrial materials.	-	-	-	-	-	-
Industrial plants for the generation of power, steam or any other type of energy involving the use of solid fuel.	-	-	-	-	-	-
Open lot or enclosed storage of coal, coke, sand or similar materials.	-	-	-	-	-	-
Open lot storage, handling or hauling of used materials including, but not limited to building materials, metal junk, scrap, paper, rags or motor vehicles.	-	-	-	-	-	-
Parking (surface lot) as a principal use	-	-	-	-	-	-
Pawn Shop	-	-	-	-	-	-
Salvage operations or junk yard	-	-	-	-	-	-
Uses which produce offensive odors, emissions, fumes, gases, or smoke, which produce noise or vibrations which are discernible beyond the limits of the property lines or which produce dust or waste on the exterior of the building.	-	-	-	-	-	-

(5) Parking & Mobility

a. Table of Parking Requirements

Table of Parking Requirements	
Use	Minimum Required Parking
Bar, Cocktail Lounge, Pub Tavern	1 space for each 6 seats
Churches, Synagogues and other Places of Assembly used as Places of Worship	1 space for each 50 square feet of assembly area
Dwelling, Multifamily	0.75 spaces per unit
Elderly and Handicap Housing	0.5 spaces per unit
Hotel	0.25 Spaces per hotel room
Industrial	1 space per 4,000 SF of GSF
Medical or Dental Office	1 space per 1,000 GSF
Office Use	1 space per 2,000 GSF
Places of Assembly, including Schools, Auditoriums, Museums, Theaters and Cinemas	1 space for each room plus 1 space for each 6 persons designated for the largest single room occupancy
Restaurants	1 space per 600 SF of dining area
Retail Use	1 space per 600 GSF
Warehouse	1 space per 3,000 GSF
All other uses	To be determined by the Building Commissioner based on a similar use in this table, taking into account data as may be submitted by the Applicant

b. Notes to Table of Parking Requirements.

1. If a change of use from one use to another use is proposed and the new use requires a greater number of parking spaces than the existing use, review by the Director of Planning & Development is required. Depending on the permitting requirements applicable to the proposed use, review by the Approving Authority may also be required. Required parking can be delivered in any combination of surface, structured parking, freestanding parking garages, (including centralized garages), or parking contained within occupied buildings.
2. When the application of the required parking standards in the Table of Parking Requirements results in a number that includes a fraction, the fraction shall be rounded up to the next whole number if the fraction is 0.5 or more. If the result includes a fraction below 0.5, the fraction shall be rounded down to the next whole number.

3. Parking spaces shall be at least 9 feet wide and at least 18 feet long. At the Applicant's option, up to 15 percent of required parking spaces may be compact parking spaces, which shall be at least 8 feet wide and at least 18 feet long.
4. Any proposed use or building that would not meet the off-street parking requirements of subsection (d)(5)a. of this section will be subject to the requirements of Section 35 (Transportation Demand Management).

c. Location of Required Parking.

Newly constructed surface parking for new Development Projects shall be located exclusively at the side or rear of a new building relative to any Street right-of-way. Parking for new construction is not permitted to be located within the required front yard setbacks. Remote parking may be authorized by special permit from the Planning Board.

d. Reduction of Required Parking.

Notwithstanding anything to the contrary herein, any minimum required number of parking spaces may be reduced by the Approving Authority by up to 50 percent as a condition of special permit, provided the Applicant demonstrates that the fewer parking will not cause excessive congestion, endanger public safety, or that fewer parking spaces will provide positive environmental or other benefits, taking into consideration:

1. The availability of a sufficient amount, in the opinion of the Approving Authority, of available public or commercial parking in the vicinity of the use(s) being served, and including parking dedicated to the use(s) being served; and/or
2. The availability of a Fixed Public Transportation Stop within 600 hundred linear feet of a pedestrian entrance to the Development Project, taking into account the proposed use(s) and the extent to which residents, employees and/or patrons of the proposed use(s) may be reasonably expected to access the site via public transit; and/or
3. The availability of shared use of parking spaces serving other uses having peak user demands at different times, may be permitted at the discretion of the Approving Authority, shared use may be made of required parking spaces by intermittent use establishments such as certain commercial uses or residential uses whose peak parking demand is only at night and by other uses whose peak demand is only during the day. Where such shared parking is authorized, the Approving Authority shall indicate in its written decision the basis for such reduction and may within the special permit impose conditions of use or occupancy appropriate to such reduction.

(e) Definitions applicable to EDID

The definitions set forth in Section 2 of the Zoning Ordinance are applicable herein except as specifically modified in the EDID.

- (1) **Advanced/Light Manufacturing:** Fabrication, processing or assembly employing primarily electric or other substantially noiseless and inoffensive motive power, utilizing hand labor or quiet machinery and processes, and free from neighborhood disturbing agents, such as odors, gas fumes, smoke, cinders, flashing or excessively bright lights, refuse matter, electromagnetic radiation, heat or vibration. Examples include manufacturing of pharmaceuticals, medical devices, computer components, robotics, additive manufacturing, 3D printing, and advanced materials.
- (2) **Battery Energy Storage Systems:** The storage of energy, including, but not limited to, from sources such as wind and solar, or other available sources, and subsequent dispersal.
- (3) **Converter Station:** A specialized type of substation which forms the terminal equipment for a high-voltage direct current transmission line that converts direct current to alternating current or the reverse. In addition to the converter, the station usually contains:
 - a. Three-phase alternating current switch gear;
 - b. Transformers;
 - c. Capacitors or synchronous condensers for reactive power;
 - d. Filters for harmonic suppression; and
 - e. Direct current switch gear
- (4) **Data Center:** Data Center shall mean a use involving a building/premise in which the primary use is occupied by computers and/or telecommunications and related equipment, including supporting equipment, where information is processed, transferred and/or stored.
- (5) **Electric Vehicle Charging Station:** As a principal use, a retail location for the charging of electric vehicles, including accessory retail services.
- (6) **Floor Area Ratio or "FAR":** The result of dividing the gross floor area of the building or buildings on a lot by the total area of the lot, expressed as a decimal number. FAR shall not include stairs, utility shafts, mechanical shafts, elevator shafts, electrical rooms, mechanical rooms, telephone rooms, spaces less than seven feet in height, bathrooms, loading docks, and structured parking.
- (7) **Fixed Public Transportation Stop –** A stop on a system using buses, vans, light rail, rail, or other vehicles to operate on a predetermined route according to a predetermined schedule.
- (8) **Frontage:** The distance measured as a straight line along the Right of Way between the intersection of the Right of Way boundary and the lot lines or along the curve of the Right of Way and the intersection of the Right of Way boundary and the lot lines.

- (9) Height: The vertical distance of the highest point of the roof beam in the case of a flat roof and of the mean level of the highest gable of a sloping roof as measured from the average finished grade at the perimeter of the building. Excluded from the definition of height:
- a. On any building located within the EDID, domes, cupolas and other ornamental features, solar collectors, chimneys, ventilators, skylights, tanks, bulkheads, penthouse for stairs, parapets, elevator penthouse, machinery, antennas, transceivers, and other accessory features which are required above roofs may not exceed 20 feet measure vertically from the highest point of the entire building.
 - b. On any building located within the EDID, rooftop screens, fully enclosed mechanical penthouses or fences erected to conceal equipment shall not exceed 40 feet in height and shall not be included in the height calculation of the building, provided that such rooftop screens, fully enclosed mechanical penthouses or fences are set back a minimum of 10 feet from the edge of the roof of the building.
- (10) Laboratory: A designated area within a building equipped to conduct scientific experiments, tests, investigations, research, prototype manufacture, experimental and testing activities including, but not limited to, the fields of biology, life science, chemistry, electronics, computer science, engineering, geology, medicine and physics, including vivariums. Laboratory shall include Biosafety Level 1 and 2 facilities.
- (11) Life Science: Research, development and/or prototype manufacturing utilizing microorganisms, chemical or biological substances, vivariums, or biomechanical equipment in the fields of Life Science, biotechnology, medical, pharmaceutical, environmental science, microbiology, comparative medicine, apparatus, machines and devices for research, development, pharmaceuticals, biomedical technologies, life systems technologies, environmental and biomedical devices manufacturing and advanced and practical application in any such field or areas. Life Science shall include accessory office. Life Science and Biotechnology uses are subject to all federal, state and local regulations and best management practices.
- (12) Life Science (Manufacturing): A life science or biotechnology laboratory engaged in the manufacturing of life science technologies and medicines for commercial production to the market, including accessory office.
- (13) Lot: A parcel of land under 1 sole or undivided ownership separate from that of any adjoining lots. A corner lot for the purposes of this section is any lot which occupies the interior angle at the intersection of 2 street lines which make an angle of more than 45 degrees and less than 135 degrees with each other. The Applicant shall have the privilege of calling either street lot line the front, without reference to the building arrangement.
- (14) Open Space (Limited Access): An area of land or outdoor built space such as a square, green, park, linear park, water feature, stormwater garden, landscape buffer, planting zone, bike lane, sidewalk, shared-use path, balcony, or roof deck

which is located and designed for access primarily or exclusively by residents, employees and/or patrons of a Development Project, including provision for access by pedestrians and/or bicyclists for passive or active recreation. For purposes of calculating the percentage of open space in a given application, the denominator in the ratio shall include the total site area, excluding: public roads or private roads with easements (including drive lanes and parking areas) and curbs.

- (15) **Open Space (Public Access):** An area of land or outdoor built space such as a square, green, park, linear park, water feature, stormwater garden, landscape buffer, planting zone, bike lane, sidewalk, shared-use path, balcony, or roof deck which is located and designed for access by the public, including provision for access by pedestrians and/or bicyclists for passive or active recreation. For purposes of calculating the percentage of open space in a given application, the denominator in the ratio shall include the total site area, excluding: public roads or private roads with easements (including drive lanes and parking areas) and curbs.
- (16) **Research and Development:** Research, development, and testing activities that do not involve the mass manufacturing, fabrication, processing, or sale of products. Such uses shall not violate any odor, dust, smoke, gas, noise, radiation, vibration or similar pollution standard. Research and Development shall include, but is not limited to the fields of biology, life science, chemistry, electronics, computer science, engineering, geology, medicine and physics and vivariums.
- (17) **Solar Uses:** Any photovoltaic, solar energy, or solar thermal system that converts solar energy into electricity or useful forms of energy for water heating, space heating, or space cooling, provided the system is mounted on a building or public structure.
- (18) **Setback:** The shortest horizontal distance from the lot line to the nearest building wall or building part except as otherwise noted.
- (19) **Substation:** A substation is a part of an electrical generation, transmission, and distribution system. Substations transform voltage from high to low, or the reverse, or perform any of several other important functions. Between the generating station and consumer, electric power may flow through several substations at different voltage levels.

(f) Administration

- (1) **Master Plan Special Permits**
 - a. **Amendments:** An increase in floor area ratio, height, ground coverage or trip generation of less than 15%, in and of itself, shall not alone constitute a Major Amendment for purposes of Section 36 of the Zoning Ordinance. In addition, changes to uses allocated in Phases approved in a Master Plan Special Permit shall not constitute a Major Amendment, provided that the Director of Planning and Development determines that the overall impacts after the change remain consistent with the impacts identified and mitigated for in the Master Plan Special Permit.
 - b. **Mitigation Phasing:** In approving a Master Plan Special Permit pursuant to Section 36 of the Zoning Ordinance, if the Planning Board determines,

after evaluating the size, complexity, timing and scope of the proposed development, that required mitigation for the Master Plan Development can reasonably be determined at the time of issuance of a Master Plan Special Permit, it may approve a mitigation phasing plan. Alternatively, the Master Plan Special Permit may contain conditions regarding mitigation generally required for the Master Plan Development as a whole and reserving phase-specific mitigation to be determined during site plan review for each separate phase of the development.

- c. Vesting of Master Plan Special Permits: Significant investment in site work, environmental remediation work or other work conducted pursuant to (including such work performed prior to approval) and in furtherance of the development described in a Master Plan Special Permit and development authorized by a Master Plan Special Permit within, 3 years of issuance thereof, shall constitute exercise and vesting of the rights granted under the entire Master Plan Special Permit. Provided the Master Plan Special Permit is thus exercised within 3 years, the development authorized thereunder shall not be subject to amendments to this section enacted after the date of the Planning Board’s vote to approve the Master Plan Special Permit, provided that any Major Amendment of the Master Plan Special Permit shall require compliance with the Zoning Ordinance as in effect at the time of amendment. If requested, the Building Commissioner shall be authorized to issue a binding written determination establishing that the work performed on-site satisfies the vesting provision of this section.

(2) Waivers

- a. For non-Master Plan projects, the SPGA may, within its reasonable discretion, waive application or other procedural special permit or site plan requirements upon a determination that such waivers are insubstantial and are consistent with the intent and purpose of the EDID, but may only waive zoning requirements through the special permit process.
- b. For Master Plan projects the SPGA may approve waivers as provided in Section 36 of the Zoning Ordinance.

This ordinance shall take effect upon passage by the City Council and subsequent approval by His Honor the Mayor.

October 15, 2024

Enrolled by the City Council

9 yeas, 2 nays (Nays – Garcia, Pietrantonio)



A true copy attest

Sergio Cornelio

Sergio Cornelio, City Clerk



C0296-24

To: Mayor and City Council
From: Councilor Robert J. Van Campen
Date: September 23, 2024

Agenda Item:

A petition requesting that National Grid be permitted to install approximately 1,100 feet of 8-inch of gas main in Boston Street

Background and Explanation:

Attachments:

Questions contact – Diana Cuddy 508-596-0381

Petition of the Boston Gas Company d/b/a National Grid, Waltham, Massachusetts

To City Council of Everett, Massachusetts

Respectfully requests the Boston Gas Company d/b/a National Grid, Waltham, Massachusetts your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways and places of the City of Everett and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and digging up and opening the ground to lay or place same:

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways and places of the **City of Everett** and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same: **Second Street, Boston Street & Third Street - Everett - Massachusetts.**

The following are the streets and highways referred to:

Work Order #'s 1589804, 1589811, 1589813, 1589814 – National Grid to install approximately 1,100 feet of 8-inch of gas main in Boston Street; approximately 350 feet of 6-inch gas main in Third Street; approximately 200 feet of 8-inch gas main in Second Street and approximately 10 feet of 6-inch gas main crossing Second Street as shown and in accordance with the attached plans.

Boston Gas Company d/b/a National Grid

BY _____
Engineering Department

PETITION OF NATIONAL GRID FOR GAS MAIN LOCATIONS

City of Everett:

Boston Gas dba as Nationalgrid, hereby respectfully requests your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways and places of the **City of Everett** and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

To install approximately 1,100 feet of 8-inch of gas main in Boston Street; approximately 350 feet of 6-inch gas main in Third Street; approximately 200 feet of 8-inch gas main in Second Street and approximately 10 feet of 6-inch gas main crossing Second Street as shown and in accordance with the attached plans.

Date: August 28, 2024

By: _____
Diana Cuddy
Gas Ops-NE

City of Everett/City Council:

IT IS HEREBY ORDERED that the locations of the mains of the Nationalgrid for the transmission and distribution of gas in and under the public streets, lanes, highways and places of the **City of Everett** substantially as described in the petition date **August 28, 2024**, attached hereto and hereby made a part hereof, and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and/or accomplish the objects of said Company, and the digging up and opening the ground to lay or place same, are hereby consented to and approved.

The said Boston Gas dba Nationalgrid, shall comply with all applicable provisions of law and ordinances of the **City of Everett** applicable to the enjoyment of said locations and rights.

Date this _____ day of _____, 20____.

I hereby certify that the foregoing order was duly adopted by the _____ of the City of _____, MA on the _____ day of _____, 20____.

By: _____

Title

WO # 1589804; 1589811; 1589813; 1589814

**RETURN ORIGINAL TO THE PERMIT SECTION
NATIONAL GRID
170 DATA DRIVE, WALTHAM, MA 02451
RETAIN DUPLICATE FOR YOUR RECORDS**

LEGEND

---	EXISTING UTILITY
---	EXISTING DUCT
---	EXISTING WATER
---	EXISTING GAS MAIN
---	EXISTING SANITARY SEWER
---	EXISTING TELEPHONE
---	EXISTING CABLE TV
---	EXISTING FIBER OPTIC
---	EXISTING OTHER
---	PROPOSED GAS MAIN
---	PROPOSED DUCT
---	PROPOSED WATER
---	PROPOSED SANITARY SEWER
---	PROPOSED TELEPHONE
---	PROPOSED CABLE TV
---	PROPOSED FIBER OPTIC
---	PROPOSED OTHER
---	PROPOSED 8" GAS MAIN
---	PROPOSED 2" GAS MAIN
---	PROPOSED 6" WATER MAIN
---	PROPOSED 12" SANITARY SEWER
---	PROPOSED 4" TELEPHONE
---	PROPOSED 4" CABLE TV
---	PROPOSED 4" FIBER OPTIC
---	PROPOSED 4" OTHER

NOTE:
THE PROPOSED AND EXISTING DATA SHOWN ON THIS PLAN IS BASED ON PUBLIC SOURCES AND WAS NOT CERTIFIED TO BE CORRECT AND/OR ACCURATE BY ANY ENGINEER OR SURVEYOR. THE DATA AT YOUR OWN RISK. VERIFY DATA SOURCES AND DATA BEFORE YOU DIG. CALL 811 BEFORE YOU DIG.

PROJECT SPECIFICS
SHEET # 3 OF 3
SHEET SIZE 30" X 42"
DATE 11/07/2024
SCALE 1" = 30'



NO.	DATE	BY	REVISION
1	11/07/2024	LM	ISSUED FOR PERMITTING

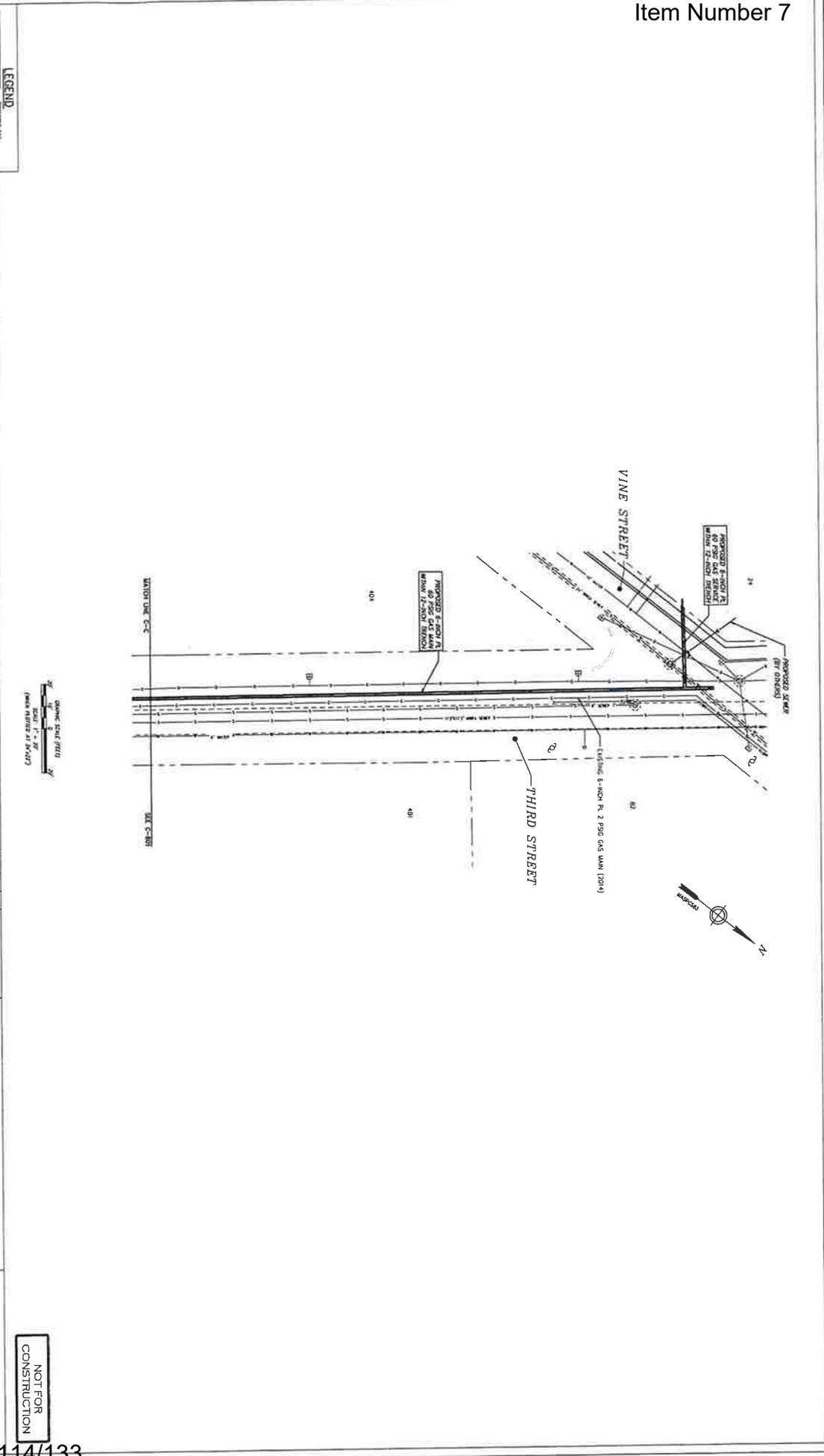
national grid
1100 EAST BROADWAY
ANNAPOLIS, MD 21403
TEL: 410.291.1000
WWW.NATIONALGRID.COM

GRANT OF LOCATION PERMIT PLAN

PROPOSED GAS MAIN INSTALLATION
337 SECOND STREET
CROFTON, MD

DATE	11/07/2024
BY	LM
CHECKED	
IN CHARGE	
DATE	
ISSUED TO	
ISSUED BY	
ISSUED FOR	

DATE 11/07/2024
PAGE 3 OF 3
DRAWING NO. DP1-EV-087092-1053
SHEET NO. C-803



#2-C0296-24

Government Operations, Public Safety & Public Service Committee
October 7, 2024

The Committee on Government Operations, Public Safety & Public Service met on Monday, October 7, 2024 at 6pm in City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Stephanie Martins, presiding and Councilors Peter Pietrantonio, Guerline Alcy Jabouin and Holly Garcia.

Councilor John Hanlon, National Grid Operations Support Diana Cuddy as well as two other representatives from National Grid were also present.

The Committee considered a Petition offered by Councilor Robert Van Campen, as President; A petition from National Grid requesting permission to install the following gas mains:

- Approximately 1,100 feet of 8 inch gas main in Boston Street
- Approximately 350 feet of 6 inch gas main in Third Street
- Approximately 200 feet of 8 inch gas main in Second Street
- Approximately 10 feet of 6 inch gas main crossing Second Street

Councilor Garcia asked how long the project would last and Ms. Cuddy responded that it depended on when the Petition and permitting was approved as well as other variables such as whether work can be performed at night and if there were any impacts to school, etc.. Councilor Garcia asked if there would be any staging areas of pipes and Ms. Cuddy explained that National Grid would work that out with the City during the permitting process. Councilor Alcy-Jabouin inquired to National Grid reimbursing for parking and Ms. Cuddy explained that it would only be for private parking areas that National Grid would utilize as staging areas. Councilor Alcy-Jabouin requested that National Grid add date on the notices that they send out. Ms. Cuddy noted that the Project Supervisors name should also be on the notice. Councilor Pietrantonio asked if there would be equipment on site and Ms. Cuddy stated that would be determined as part of the permitting process. Councilor Pietrantonio asked who was paying for this project and Ms. Cuddy informed the Committee that the customers in the project area would be paying for this work which will service a couple of buildings. Councilor Pietrantonio asked if the newer gas line would be hooked up to an older gas line and the National Grid representative informed him that it would be hooked up to a newer line. Councilor Hanlon asked if there were any residents in the project area and Ms. Cuddy responded no. Councilor Hanlon asked if there would be any work on Revere Beach Parkway and Ms. Cuddy responded no. Councilor Hanlon asked if there would be any stoppage in gas service to existing customers during project and Ms. Cuddy responded no. Councilor Hanlon asked if the new high pressure gas line would be connected to a low pressure line and Ms. Cuddy responded no. Ms. Cuddy acknowledged that there would be some work on the east side of Second street but would be working with City on hours of operation and a traffic management plan. She noted that they would either be installing temporary plates or patching. Councilor Hanlon asked if he could watch the process and Ms. Cuddy agreed to welcome him to watch.

The Committee voted 3-1 with Councilor Pietrantonio in opposition: To report back to the City Council with no recommendation.

Respectfully Submitted,

John W. Burley
Clerk of Committees



C0302-24

To: Mayor and City Council
From: Councilor Robert J. Van Campen
Date: September 9, 2024

Agenda Item:

An order requesting the confirmation on the appointment of Mirlande Felissaint as Director of Elections/Registrar for a for a term ending January 5, 2026

Background and Explanation:

Attachments:



CARLO DeMARIA
MAYOR

CITY OF EVERETT - OFFICE OF THE MAYOR
484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ mayorcarlo.demaria@ci.everett.ma.us

September 4, 2024

Honorable City Council
484 Broadway
Everett, MA 02149

Dear Honorable Members:

In accordance with Section 3-3 of the City of Everett Home Rule Charter, I hereby appoint and submit for your confirmation, Mirlande Felissaint as Director of Elections/Registrar for a for a term ending January 5, 2026.

I recommend your favorable passage of this order.

Respectfully submitted,

Carlo DeMaria
Mayor



September 4, 2024
City of Everett, Massachusetts
CITY COUNCIL

Offered By: _____
Councilor Robert VanCampen, as President

Bill Number:

Bill Type: Order

BY THE CITY COUNCIL OF THE CITY OF EVERETT, as Follows:

I hereby appoint and submit for your confirmation, Mirlande Felissaint as Director of Elections/Registrar for a term ending January 5, 2026.

#4- C0302-24

Legislative Affairs & Election Committee
September 23, 2024

The Committee on Legislative Affairs & Elections met on Monday, September 23, 2024 at 6pm in the City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Michael Marchese, presiding, Councilors Stephanie Smith, Katy Rogers and Robert Van Campen, as ex-officio. Member absent was Councilor Stephanie Martins.

The Committee considered an Order offered by Councilor Robert Van Campen, as President: An Order requesting the confirmation of the appointment of Mirlande Felissaint as Director of Elections/Registrar for a term ending January 5, 2026.

Mirlande Felissaint, appointee to Director of Elections; Erin Deveney, Mayor's Chief of Staff and Terri Ronco, Director of Human Resources were also present.

Councilor Rogers noted that she did not have any resume of the appointee before her and asked Ms. Felissaint if she had any election experience in which Ms. Felissaint responded no. Councilor Rogers asked Ms. Felissaint what her experience was in and Ms. Felissaint responded that she had management, political, criminal justice and leadership skills. Councilor Rogers asked Ms. Felissaint if she lived in Everett and if she votes in Everett. Ms. Felissaint responded that she did live in Everett but lives in the City of Chelsea now but has been active in the community and had worked for the Mayor. Councilor Van Campen remarked that he needed to understand the process for filling this role where the position was critical towards election integrity in the City. He noted that no applicant information was provided as was requested and mentioned that the position was filled in July with someone who has no experience in elections and wanted to know who was on the interview committee. Ms. Deveney acknowledged that appointments from the Mayor to the City Council was different in the past, with the City Council now wanting to review applicants before hiring. She informed the Committee that the City Solicitor had advised that other resumes are not a matter of public record if the applicants were not made aware their resumes would be made public. Ms. Ronco informed the Committee that the position was posted internally and externally and that four resumes were received for the position with 2 being internal and 1 external with the Mayor being the hiring authority. Councilor Van Campen asked if any had election experience and Ms. Ronco responded yes. Councilor Van Campen requested to receive redacted versions of resumes noting that this is not a position for on the job training with elections being so critical. Ms. Ronco stated that she would defer to the City Solicitor on the redacted resume request. Councilor Smith noted that the Budget for the position was increased by \$16,000 as a means to attract better candidates with election experience and she remarked that she was concerned with the way this was conducted. Councilor Smith inquired if this was considered a Department Head position and should be included in the Administrative Code. Ms. Deveney agreed that this was a significant position but wasn't sure if it should be included as a Department Head due to concerns with the influence of authority, but concurred that the position with regards to reporting needed clarification.

The Committee voted: To grant further time.

Respectfully Submitted,

John W. Burley
Clerk of Committees

#2- C0302-24

Legislative Affairs & Election Committee
October 15, 2024

The Committee on Legislative Affairs & Elections met on Tuesday, October 15, 2024 at 6pm in the City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Michael Marchese, presiding, Councilors Stephanie Smith, Katy Rogers, Stephanie Martins and Robert Van Campen, as ex-officio.

The Committee considered an Order offered by Councilor Robert Van Campen, as President: An Order requesting the confirmation of the appointment of Mirlande Felissaint as Director of Elections/Registrar for a term ending January 5, 2026.

Councilor Van Campen referenced the redacted resumes the Committee had requested for the Director of Elections position at the last meeting and noted that he was in discussions with the Administration for the past few days with regards to this request but was informed that the Administration would not provide since it was not a matter for public record as stated at the last meeting. Councilor Van Campen stated that it was important to have this information relative to the experiences others may have had in elections whereas the Candidate being appointed by the Administration has no experience in elections. He remarked that since the Administration had provided no additional information on the appointment nor did the Committee receive any resume from the Candidate being appointed by the Administration and suggested that the matter be referred out of Committee with an unfavorable recommendation.

The Committee voted: To report back to the City Council with an unfavorable recommendation.

Respectfully Submitted,

John W. Burley
Clerk of Committees

**OFFICE OF THE CITY COUNCIL**

484 BROADWAY
EVERETT, MA. 02149
617-394-2237

John F. Hanlon

Councilor At-Large

October 17, 2024

To City Clerk Sergio Cornelio,

I, Councilor John F. Hanlon hereby officially request under the Rules of the Everett City Council to reconsider City Council item C0302-24 which failed to pass on Tuesday October 15, 2024. I voted against the Order which was the prevailing side, so I request to reconsider the item at our next Council meeting on October 28th, 2024. This request is being presented to Clerk of the City Council, Sergio Cornelio on October 17th, 2024 at 10:15 a.m.

Respectfully submitted,

John F. Hanlon



C0321-24

To: Mayor and City Council
From: Councilor Peter Pietrantonio
Date: October 15, 2024

Agenda Item:

That the DPW Director appear at the next meeting to update the Council on how the DPW is doing

Background and Explanation:

Attachments:



C0324-24

To: Mayor and City Council

From: Councilor Stephanie Martins, Councilor Stephanie V. Smith, Councilor Peter Pietrantonio

Date: October 15, 2024

Agenda Item:

That the administration provide an update on appointment of the permanent fire chief now that the results from the assessment center have been posted

Background and Explanation:

Attachments:



C0326-24

To: Mayor and City Council
From: Councilor Stephanie Martins
Date: October 15, 2024

Agenda Item:

That the administration and/or engineering department consider creating a list of standards or a final punch list for construction sites across the city and actually check each site prior to payment being released to make sure job sites are cleaned up and built to satisfaction

Background and Explanation:

Attachments:



C0329-24

To: Mayor and City Council

From: Councilor Holly D. Garcia, Councilor Stephanie Martins, Councilor Peter Pietrantonio

Date: October 15, 2024

Agenda Item:

That the Substance Abuse Services Coordinator Chris Simonelli appears at our October 28th meeting to discuss his role and data for calls and placements

Background and Explanation:

Attachments:



C0334-24

To: Mayor and City Council
From: Councilor Guerline Alcy Jabouin
Date: October 15, 2024

Agenda Item:

A resolution that the Administration consider replenishing the Emergency Food and Shelter Assistant Program Account at the Connolly Center from the ARPA funds as their budget has dried out

Background and Explanation:

The goal of this fund is to ensure that residents who are having difficulties keeping up with their utility bills can get the help they need. RAFT have been great but is only able to help with past due balances or shut off notices. It's important to serve our most vulnerable residents with services that are critical to their well being as the winter is fast approaching

Attachments:



C0335-24

To: Mayor and City Council
From: Councilor Robert J. Van Campen
Date: October 15, 2024

Agenda Item:

That the Administration provide the City Council with copies of any lease, rental or operating agreements in effect at the former Everett High School by and between the City of Everett and the Broadway Boxing Club, and the City of Everett and the Elliot Family Resource Center

Background and Explanation:

Attachments:



C0336-24

To: Mayor and City Council

From: Councilor Robert J. Van Campen, Councilor Holly D. Garcia

Date: October 15, 2024

Agenda Item:

That the Administration provide the City Council with an update on its ongoing efforts to reclaim the former Everett High School for expanded school purposes, including the relocation of certain other non-educational uses within the facility, and the reuse and redevelopment of the former Pope John property

Background and Explanation:

Attachments:



C0340-24

To: Mayor and City Council

From: Councilor Wayne A. Matewsky

Date: October 28, 2024

Agenda Item:

That the auto repair company at 35 Garden St stop parking their cars on the sidewalks, double parking, and repairing and cleaning cars on the street, which is in violation of their license.

Background and Explanation:

Attachments:



C0341-24

To: Mayor and City Council
From: Councilor Robert J. Van Campen
Date: October 28, 2024

Agenda Item:

That the Director of Planning & Development provide an update and timeline of the ongoing Zoning Ordinance re-codification process, as well as a schedule for any public/community outreach meetings

Background and Explanation:

Attachments:



C0342-24

To: Mayor and City Council
From: Councilor Robert J. Van Campen
Date: October 28, 2024

Agenda Item:

That the tree warden for the City of Everett provide the City Council with the process, procedure and timeframe that is followed when determining the removal and/or placement of public shade trees throughout the City

Background and Explanation:

Attachments:



C0343-24

To: Mayor and City Council
From: Councilor Guerline Alcy Jabouin
Date: October 28, 2024

Agenda Item:

That the Everett City Council engage the State Auditor's office for an audit of accounts, programs, activities and other public functions (in accordance with Mass General Law Part I, Title II, Section 12).

Background and Explanation:

Attachments: