

CITY OF SALEM, MASSACHUSETTS
PLANNING DEPARTMENT

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**Notice of Meeting
City of Salem
Zoning Ordinance Review Committee**

You are hereby notified that the City of Salem Zoning Ordinance Review Committee will hold its final public meeting, prior to the start of the City Council/Planning Board Public Hearing process pertaining to review of the Salem Zoning Ordinance. The meeting is scheduled to be held on **Monday, March 5, 2001, at 5:30 PM in the second floor conference room at One Salem Green.**

Attached please find a table referring to the changes from the old Zoning Ordinance to the new. If you would like a copy of the entire draft Zoning Ordinance, please contact Denise Sullivan at the Salem Planning Department at 745-9595, extension 311 and one will be provided to you.

OLD/NEW CHART RECODIFIED SALEM ZONING ORDINANCE		
OLD ZONING ORDINANCE SECTION	NEW ZONING ORDINANCE SECTION	COMMENTS
PREFACE	No corresponding section	The PREFACE has been deleted. The provision's underlying purpose and philosophy has been incorporated throughout the ordinance.
SECTION 1.1 PURPOSE	SECTION 1100. PURPOSE	The language has been modified and updated. Specific reference is made to the Zoning Act, Section 2A of 1975 Mass. Acts 808, and the Home Rule Amendment.
No corresponding section.	SECTION 1200 AUTHORITY	This provision is new. It previously resided within the PURPOSE section of the old ordinance (§ 1.1).
No corresponding section.	SECTION 1300 SCOPE	This provision is new.
SECTION 1.2 DECLARED MINIMUM REQUIREMENTS	No corresponding section.	The provision has been deleted.
SECTION 1.3 EFFECT OF MORE RESTRICTIVE REQUIREMENTS	No corresponding section.	The provision has been deleted.
ARTICLE II DEFINITIONS	SECTION 10000 DEFINITIONS	The language has been modified and updated. Rules of construction remain the same. In addition, <u>fifty-three</u> new definitions have been added, and <u>three</u> definitions have been deleted (i.e., <i>capital improvements program</i> , <i>development permit</i> , and <i>dwelling multi-family garden type</i>).
SECTION 3.1 TYPES OF DISTRICTS	SECTION 2100 DISTRICTS: ESTABLISHMENT	No substantive changes made. The districts remain the same.

No corresponding section.	SECTION 2200 OVERLAY DISTRICT	This provision is new. A <i>Wetlands and Flood Hazard District</i> and <i>Entrance Corridor Overlay District</i> have been created.
SECTION 3.2(a) ZONING MAP	SECTION 2310 MAP: ESTABLISHMENT	No substantive changes made. A sentence has been added to addresses land boundaries that adjoin tidal waters.
SECTION 3.2(b) ZONING MAP	No corresponding section.	The provision has been deleted.
SECTION 3.2(c) ZONING MAP	No corresponding section.	The provision has been deleted.
SECTION 3.3 INTERPRETATION OF DISTRICT BOUNDARIES	SECTION 2320 MAP: INTERPRETATION OF DISTRICT BOUNDARIES	No substantive changes made. Subsection 3.3(9) has been deleted.
SECTION 4.1 MINIMUM REGULATIONS; UNIFORM APPLICABILITY	No corresponding section.	The provision has been deleted.
ARTICLE V USE REGULATIONS	SECTION 3100 USE REGULATIONS & APPENDIX A TABLE OF USE REGULATIONS	Previous scattered provisions are now consolidated into an easy to follow table format. In addition, <i>Accessory Uses</i> scattered throughout ARTICLE V of the old ordinance have been moved to a general ACCESSORY BUILDINGS AND USES section in the new ordinance (§ 3200).
ARTICLE VI DENSITY REGULATIONS	SECTION 4100 DIMENSIONAL REGULATIONS & APPENDIX B TABLE OF DIMENSIONAL REQUIREMENTS	Previous scattered provisions are now consolidated into an easy to follow table format. In addition, § 6.1(b)(6) of the old ordinance has been deleted.
SECTION 7.1 TRAILERS	No corresponding section.	The provision has been deleted. The section entitled FLEXIBLE DEVELOPMENT in the new ordinance now governs (§ 7100).
SECTION 7.2 AUTOMOBILE SERVICE STATIONS	SECTION 6400 AUTOMOBILE SERVICE STATIONS	No substantive changes made aside from the addition of headings.

SECTION 7.3(a) OFF-STREET PARKING	SECTION 5110 OFF-STREET PARKING: GENERAL	No substantive changes made aside from the addition of a heading.
SECTION 7.3(b) OFF-STREET PARKING	SECTION 5111 OFF-STREET PARKING (no subheading)	No substantive changes made.
SECTION 7.3(c) OFF-STREET PARKING	No corresponding section.	The provision has been deleted.
No corresponding section.	SECTION 5112 OFF-STREET PARKING (no subheading)	This provision is new. It provides that "common parking areas may be permitted for the purpose of servicing two or more principal uses on the same or separate lot, provided that [certain requirements are met]."
No corresponding section.	SECTION 5113 OFF-STREET PARKING: SPECIAL PERMIT	This provision is new.
SECTION 7.3(d) OFF-STREET PARKING	SECTION 5114 OFF-STREET PARKING (no subheading)	No substantive changes made.
SECTION 7.3(e) OFF-STREET PARKING	SECTION 5120 DESIGN OF OFF-STREET PARKING FACILITIES	Parking spaces have been <i>increased</i> in size from 7 ½ feet in width and 18 feet in length to <u>9 feet in width</u> and <u>20 feet in length</u> . In addition, the phrase "except that aisles providing access primarily for overnight parking . . .," which is found in § 7.3(e)(2)(d) of the old ordinance, has been deleted. Further, §§ 5126, 5127, and 5128 are new provisions.
SECTION 7.3(f) OFF-STREET PARKING	SECTION 5115 OFF-STREET PARKING (no subheading)	No substantive changes made.

SECTION 7.3(g) OFF-STREET PARKING	SECTION 5130 NUMBER OF PARKING SPACES & APPENDIX C TABLE OF PARKING REQUIREMENTS	Special permit authority to vary the number of parking spaces is now explicit. Moreover, two provisions from the old ordinance have been deleted: the phrase beginning “and not less than one hundred seventy square feet . . .” and the sentence beginning “[i]n R-3 Districts, the restriction on off-street parking . . .” Furthermore, parking provisions are now consolidated for clarity into an easy to follow table.
SECTION 7.3(h) OFF-STREET PARKING	SECTION 5150 PARKING REQUIREMENTS IN THE B5 DISTRICT	No substantive changes made aside from the addition of a heading.
SECTION 7.3(i) OFF-STREET PARKING	SECTION 5160 PARKING LOTS FOR TEN OR MORE VEHICLES	No substantive changes made. A provision requiring <i>planted areas</i> has been added (§ 5162). Moreover, § 7.3(i)(2) of the old ordinance has been deleted. Further, § 7.3(i)(3) of the old ordinance has been moved to § 5129 in the new ordinance.
SECTION 7.4 OFF-STREET LOADING	SECTION 5210 OFF-STREET LOADING: GENERAL	No substantive changes made. However, special permit authority to reduce the requirements of this section is now explicit (§ 5211).
SECTION 7.4(1) OFF-STREET LOADING	SECTION 5220 OFF-STREET LOADING: SAME LOT	No substantive changes made aside from the addition of a heading.
SECTION 7.4(2) OFF-STREET LOADING	SECTION 5230 OFF-STREET LOADING: NO REDUCTION	The language has been modified and updated. The new section provides for <i>site plan review</i> .
SECTION 7.4(3) OFF-STREET LOADING	SECTION 5240 OFF-STREET LOADING: SHARED LOADING	No substantive changes made.

SECTION 7.4(4) OFF-STREET LOADING	SECTION 5250 OFF-STREET LOADING: NUMBER OF LOADING SPACES	No substantive changes made. However, the required area for tractor-trailer loading bays has been <i>increased</i> from 540 square feet to <u>780 square feet</u> . In addition, the provision entitled NUMBER OF LOADING BAYS REQUIRED FOR NEW STRUCTURES has been converted to a table format.
SECTION 7.4(5) OFF-STREET LOADING	SECTION 5260 OFF-STREET LOADING: B5 DISTRICT	No substantive changes made aside from the addition of a heading and a clearer table format.
No corresponding section.	SECTION 5270 OFF-STREET LOADING: LOCATION	This provision is new.
SECTION 7.5 SIGNS	SECTION 5300 SIGNS	No substantive changes made.
No corresponding section.	SECTION 5400 GENERAL LANDSCAPING REQUIREMENTS	This provision is new.
No corresponding section.	SECTION 5500 ENVIRONMENTAL PERFORMANCE STANDARDS	This provision is new.
No corresponding section.	SECTION 6100 PERSONAL WIRELESS SERVICE FACILITIES	This provision is new.
No corresponding section.	SECTION 6200 RECREATION BUILDINGS	This provision is new.
No corresponding section.	SECTION 6300 COMMERCIAL AMUSEMENT DEVICES	This provision is new.
SECTION 7.6 REMOVAL OF EARTH PRODUCTS	SECTION 6500 REMOVAL OF EARTH PRODUCTS	No substantive changes made aside from the addition of headings.
No corresponding section.	SECTION 6700 ADULT VIDEO SHOPS	This provision is new.
SECTION 7.7 VISIBILITY AT INTERSECTIONS	SECTION 4230 VISIBILITY AT INTERSECTIONS	No substantive changes made.
SECTION 7.8 ACCESSORY BUILDINGS AND STRUCTURES	SECTION 3200 ACCESSORY BUILDINGS AND USES	Previous scattered provisions are now consolidated into an easy to follow table format. In addition, the new ordinance provides a section for PERMITTED ACCESSORY USES (§ 3220), as well as PROHIBITED ACCESSORY USES (§ 3230).

No corresponding section.	SECTION 3300 HOME OCCUPATION	This provision is new.
SECTION 7.9 LOT IN TWO DISTRICTS	SECTION 4210 SPLIT LOTS	No substantive changes made.
No corresponding section.	SECTION 4220 MULTIPLE PRINCIPAL STRUCTURE	This provision is new.
No corresponding section.	SECTION 4310 ACCESSORY STRUCTURES: GENERAL	This provision is new.
No corresponding section.	SECTION 4320 ACCESSORY STRUCTURES: PERMITTED ACCESSORY STRUCTURES	This provision is new.
SECTION 7.10 SWIMMING POOLS	SECTION 4330 ACCESSORY STRUCTURES: SWIMMING POOLS	The language has been modified and updated. No substantive changes made.
No corresponding section.	SECTION 4340 ACCESSORY STRUCTURES: DRIVEWAYS	This provision is new.
SECTION 7.11 SALES OF MOTOR VEHICLES, BOATS, ETC.	SECTION 6600 SALES OF MOTOR VEHICLES AND BOATS	No substantive changes made aside from the addition of headings.
SECTION 7.12 ROOFING OVER OR ENCLOSING EXISTING PORCHES, ETC.	SECTION 4240 ROOFING OVER OR ENCLOSING EXISTING PORCHES	No substantive changes made. However, § 7.12(4) of the old ordinance has been deleted.
SECTION 7.13 RELIGIOUS OR EDUCATIONAL INSTITUTIONS	No corresponding section.	The provision has been deleted. The section entitled FLEXIBLE DEVELOPMENT in the new ordinance now governs (§ 7100).
SECTION 7.14 CLUSTER RESIDENTIAL DEVELOPMENT	No corresponding section.	The provision has been deleted. The section entitled FLEXIBLE DEVELOPMENT in the new ordinance now governs (§ 7100).
No corresponding section.	SECTION 7100 FLEXIBLE DEVELOPMENT	This provision is new. Previous scattered provisions are now consolidated into one general section.
SECTION 7.15 PLANNED UNIT DEVELOPMENT	SECTION 7200 PLANNED DEVELOPMENT DISTRICT	The language has been modified and updated. Repetitive provisions have been deleted and moved to the general SITE PLAN REVIEW section (§ 9400).
SECTION 7.16(a) WETLANDS AND FLOOD HAZARD DISTRICTS: PURPOSE	SECTION 8110 WETLANDS AND FLOOD HAZARD DISTRICTS: PURPOSE	No substantive changes made.

SECTION 7.16(b)(1) WETLANDS AND FLOOD HAZARD DISTRICTS: DEFINITIONS	SECTION 8121 WETLANDS AND FLOOD HAZARD DISTRICTS (no subheading)	The language has been modified and updated. The definition of <i>wetlands</i> has been deleted.
SECTION 7.16(b)(2) WETLANDS AND FLOOD HAZARD DISTRICTS: DEFINITIONS	SECTION 8122 WETLANDS AND FLOOD HAZARD DISTRICTS (no subheading)	The first and second paragraphs of the old section now comprise the new section.
SECTION 7.16(b)(2) WETLANDS AND FLOOD HAZARD DISTRICTS: DEFINITIONS	SECTION 8120 WETLANDS AND FLOOD HAZARD DISTRICTS: ESTABLISHMENT	The third paragraph of the old section now comprises the new section.
SECTION 7.16(c) WETLANDS AND FLOOD HAZARD DISTRICTS: PERMITTED USES	SECTION 8130 WETLANDS AND FLOOD HAZARD DISTRICTS: PERMITTED USES	No substantive changes made. However, the definition of <i>"substantial improvement,"</i> which is found in § 7.16(c)(9) of the old ordinance, has been moved to SECTION 10000 DEFINITIONS in the new ordinance.
SECTION 7.16(d)(1)-(4) WETLANDS AND FLOOD HAZARD DISTRICTS: SPECIAL PERMIT USES	SECTION 8140 WETLANDS AND FLOOD HAZARD DISTRICTS: GENERAL SPECIAL PERMIT FINDINGS	No substantive changes made.
SECTION 7.16(d)(5)-(8) WETLANDS AND FLOOD HAZARD DISTRICTS: SPECIAL PERMIT USES	SECTION 8150 WETLANDS AND FLOOD HAZARD DISTRICTS: GENERAL SPECIAL PERMIT FINDINGS – WETLANDS DISTRICT	No substantive changes made aside from the addition of a heading.
SECTION 7.16(d)(9)-(10) WETLANDS AND FLOOD HAZARD DISTRICTS: SPECIAL PERMIT USES	SECTION 8160 WETLANDS AND FLOOD HAZARD DISTRICTS: GENERAL SPECIAL PERMIT FINDINGS – FLOOD HAZARD DISTRICT	No substantive changes made aside from the addition of a heading.
SECTION 7.16(d)(11)-(13) WETLANDS AND FLOOD HAZARD DISTRICTS: SPECIAL PERMIT USES	SECTION 8170 WETLANDS AND FLOOD HAZARD DISTRICTS: GENERAL SPECIAL PERMIT FINDINGS – COASTAL HIGH HAZARD AREA	No substantive changes made aside from the addition of a heading.
SECTION 7.16(e) WETLANDS AND FLOOD HAZARD DISTRICTS: SPECIAL PERMIT PROCEDURE	SECTION 8180 WETLANDS AND FLOOD HAZARD DISTRICTS: SPECIAL PERMIT SUBMITTALS	No substantive changes made.

SECTION 7.16(e) WETLANDS AND FLOOD HAZARD DISTRICTS: SPECIAL PERMIT PROCEDURE	SECTION 8190 WETLANDS AND FLOOD HAZARD DISTRICTS: PROCEDURES	The section has been moved and consolidated into one general SPECIAL PERMITS section (§ 9300).
SECTION 7.16(f) WETLANDS AND FLOOD HAZARD DISTRICTS: AREA AND YARD REGULATIONS	No corresponding section.	The provision has been deleted.
SECTION 7.16(g) WETLANDS AND FLOOD HAZARD DISTRICTS: VARIANCE	No corresponding section.	Previous scattered provisions have been moved and consolidated into a general SPECIAL PERMITS (§ 9300) and SITE PLAN (§ 9400) section.
SECTION 7.16(h) WETLANDS AND FLOOD HAZARD DISTRICTS: ANNUAL REPORT	No corresponding section.	The provision has been deleted.
SECTION 7.16(i) WETLANDS AND FLOOD HAZARD DISTRICTS: AMENDMENTS TO THIS SECTION	No corresponding section.	The provision has been deleted.
SECTION 7.16(j) WETLANDS AND FLOOD HAZARD DISTRICTS: APPLICATION	No corresponding section.	The provision has been deleted.
SECTION 7.17(a) BUSINESS PARK DEVELOPMENT DISTRICT: PURPOSE	SECTION 8210 BUSINESS PARK DEVELOPMENT DISTRICT: PURPOSE	No substantive changes made.
SECTION 7.17(b)(1) BUSINESS PARK DEVELOPMENT DISTRICT: SPECIAL PERMIT	SECTION 8220 BUSINESS PARK DEVELOPMENT DISTRICT: SPECIAL PERMIT	No substantive changes made.
SECTION 7.17(b)(2) BUSINESS PARK DEVELOPMENT DISTRICT: SPECIAL PERMIT	SECTION 8230 BUSINESS PARK DEVELOPMENT DISTRICT: SUBMITTALS	Repetitive sections have been moved and consolidated into a general SPECIAL PERMITS (§ 9300) and SITE PLAN (§ 9400) section.
SECTION 7.17(b)(3) BUSINESS PARK DEVELOPMENT DISTRICT: SPECIAL PERMIT	SECTION 8240 BUSINESS PARK DEVELOPMENT DISTRICT: PROCEDURES	No substantive changes made.
SECTION 7.17(b)(4) BUSINESS PARK DEVELOPMENT DISTRICT: SPECIAL PERMIT	No corresponding section.	The provision has been deleted.
SECTION 7.17(b)(5) BUSINESS PARK DEVELOPMENT DISTRICT: SPECIAL PERMIT	SECTION 8250 BUSINESS PARK DEVELOPMENT DISTRICT: STANDARDS	The language has been modified and updated. No substantive changes made. Sections 7.17(b)(5)(g) and 7.17(b)(5)(h) of the old

		ordinance have been deleted. The general SPECIAL PERMITS (§ 9300) and SITE PLAN (§ 9400) sections now govern.
SECTION 7.18 SITE PLAN REVIEW	SECTION 9400 SITE PLAN REVIEW	Previous scattered provisions are now consolidated into one general section. The language has been modified and updated. Moreover, new sections have been added. For example, the new ordinance now addresses <u>both Major and Minor</u> site plan approval. Further, § 7.18(d) of the old ordinance, which deals with failure of the planning board to take action within 90 days, has been deleted.
SECTION 7.19 ENTRANCE CORRIDOR OVERLAY DISTRICT	SECTION 8300 ENTRANCE CORRIDOR OVERLAY DISTRICT	The language has been modified and updated. Repetitive provisions have been deleted (i.e., §§ 7.19(c)(4), 7.19(c)(5), and 7.19(c)(6)).
SECTION 8.1 – 8.6 NONCONFORMITY	SECTION 3400 NONCONFORMING USES AND STRUCTURES	The language has been modified and updated. Previous scattered provisions are now consolidated into one general section. Moreover, the entire section has been <u>greatly expanded</u> with the addition of new subsections. For example, the following subsections are new: § 3440 VARIANCE REQUIREMENT, § 3450 NONCONFORMING SINGLE AND TWO FAMILY RESIDENTIAL STRUCTURES, § 3470 RECONSTRUCTION AFTER CATASTROPHE OR DEMOLITION, and § 3480 REVERSION TO NONCONFORMITY.

SECTION 9.1 ENFORCEMENT	SECTION 9110 PERMITS & SECTION 9120 ENFORCEMENT	The language has been modified and updated.
SECTION 9.2 VIOLATIONS	SECTION 9130 PENALTIES	The language has been modified and updated. The penalty for a violation has been <i>increased</i> from \$100.00 per violation to <u>\$300.00</u> per offense.
No corresponding section.	SECTION 9140 NON-CRIMINAL DISPOSITION	This provision is new.
SECTION 9.3 BOARD OF APPEALS	SECTION 9200 BOARD OF APPEALS	The language has been modified and updated. Reference is made to Chapters 40A, 40B, and 41 of the General Laws. In addition, a new section has been added to address comprehensive permits for the construction of low or moderate income housing (§ 9224).
SECTION 9.4 SPECIAL PERMITS	SECTION 9300 SPECIAL PERMITS	The language has been modified and updated. Previous scattered provisions are now consolidated into one general section. Moreover, the entire section has been <u>greatly expanded</u> with the addition of new subsections. For example, the following subsections are new: § 9320 CRITERIA and § 9340 PLANS AND OTHER SUBMITTALS (which requires the submittal of a <i>development impact statement</i>). Further, § 9.4(e) of the old ordinance, which deals with failure of the planning board to take action within 90 days, has been deleted.
SECTION 9.5 VARIANCE	No corresponding section.	The provision has been deleted.

SECTION 9.6 AMENDMENTS	SECTION 1500 AMENDMENTS	The language has been modified and updated. The new provision has been moved to a general PURPOSE AND AUTHORITY section of the new ordinance (§ 1000).
SECTION 9.7 REQUIREMENTS FOR DEVELOPMENT PERMIT	No corresponding section.	Repetitive sections have been moved and consolidated into a general SPECIAL PERMITS (§ 9300) and SITE PLAN (§ 9400) section.
SECTION 9.8 PROCEDURE FOR DEVELOPMENT PERMIT APPLICATION	No corresponding section.	Repetitive sections have been moved and consolidated into a general SPECIAL PERMITS (§ 9300) and SITE PLAN (§ 9400) section.
SECTION 9.9 STANDARDS FOR ISSUANCE OF DEVELOPMENT PERMIT	No corresponding section.	Repetitive sections have been moved and consolidated into a general SPECIAL PERMITS (§ 9300) and SITE PLAN (§ 9400) section. In addition, the system of calculating <i>development point values</i> has been deleted.
SECTION 9.10 VESTED APPROVAL OF DEVELOPMENT PERMIT	No corresponding section.	Repetitive sections have been moved and consolidated into a general SPECIAL PERMITS (§ 9300) and SITE PLAN (§ 9400) section.
SECTION 9.11 APPEAL FOR RELIEF	No corresponding section.	Repetitive sections have been moved and consolidated into a general SPECIAL PERMITS (§ 9300) and SITE PLAN (§ 9400) section.
SECTION 9.12 DOCUMENTATION OF DEVELOPMENT POINT VALUES	No corresponding section.	Repetitive sections have been moved and consolidated into a general SPECIAL PERMITS (§ 9300) and SITE PLAN (§ 9400) section. In addition, the system of calculating <i>development point values</i> has been deleted.

SECTION 9.13 REVIEW OF APPLICATIONS	No corresponding section.	Repetitive sections have been moved and consolidated into a general SPECIAL PERMITS (§ 9300) and SITE PLAN (§ 9400) section.
ARTICLE X CERTIFICATE OF OCCUPANCY	No corresponding section.	The provision has been deleted.
SECTION 11.1 INTERPRETATION	SECTION 1400 APPLICABILITY	The language has been modified and updated. The new provision has been moved to a general PURPOSE AND AUTHORITY section of the new ordinance (§ 1000).
SECTION 11.2 SEPARABILITY	SECTION 1600 SEPARABILITY	The language has been modified and updated. The new provision has been moved to a general PURPOSE AND AUTHORITY section of the new ordinance (§ 1000).
SECTION 11.3 REPEAL OF CONFLICTING ORDINANCES	No corresponding section.	The provision has been deleted.
SECTION 11.4 EFFECTIVE DATE	No corresponding section.	The provision has been deleted.
ARTICLE XII CONSTITUTIONALITY OF ORDINANCE	No corresponding section.	The provision has been deleted.