

ORDER:

Be it hereby ordained that Section 12 of the Revised Ordinances of 2020 effective 1/1/2020 be amended by adding Section 12.12.300 Site Plan Review

12.12.300 SITE PLAN REVIEW – OTHER

A. Purpose and Intent: To set forth the process to establish reasonable regulations consistent with MGL Chapter 40A Section 3 of the design and layout of new or expanded educational use or religious use of any building, or property.

B. Applicability.

No building or structure with a gross floor area exceeding 10,000 square feet, or surfacing parking exceeding 10,000 square feet for an educational or religious use, shall be constructed or extended, or established in an existing building, except in conformity with a site plan prepared in conformance with this section.

This section shall not apply to properties subject to Special Permit or Site Plan Review otherwise under Section 12, including but not limited to Section 12.12.140 (Site Plan Review RIO), Section 12.12.200 (Malden River Site Plan Review) and Section 12.28.140 (Rowe's Quarry Reclamation and Redevelopment District).

C. Relationship to the Building Permit and Occupancy Permit:

This section shall apply as a pre-condition of the issuance of any building permit, provided that this ordinance / amendment shall not apply to any application for a building permit filed before the posting of the City Council Agenda of the original paper proposing such ordinance / amendment.

D. Site Plan Submission Criteria:

The applicant shall submit 5 copies of a site plan proposal drawn at a scale not to exceed one-inch equals 20 feet (1"=20'). The Site Plan Review materials

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shall be submitted to the Building Commissioner; said office shall forward all materials to the City Clerk for the Site Plan Review Committee. A registered Professional Surveyor or registered Professional Engineer must stamp the submitted site plan.

At a minimum, the submittal materials shall include the following items as applicable:

1. a cover letter generally describing the nature and location of the project;
2. parcel lot lines for the proposed project and abutting parcels; and all easements boundaries, if any;
3. locations of existing and proposed buildings and public/private ways on the project site to allow determination of lot area, setbacks and yard sizes;
4. an architectural plan, which shall include the ground floor plan and architectural elevations of all proposed buildings so as to allow determination of building coverage requirements, the bulk and height of structures;
5. a parking plan to allow determination of parking requirements, including the number of spaces to serve employees, the location of access and egress for employees and deliveries, loading bays, proposed pick-up and drop-off areas for building users (whether on or off-site), pedestrian walkways, bicycle parking and the location of snow storage areas and solid waste containers, if any;
6. location, material, and size of all signs.
7. Landscaping plan, prepared by a Massachusetts Registered Landscape Architect showing to location of open space, including playgrounds and recreational facilities,

E. Site Plan Review Committee:

1. Composition.

The Site Plan Review Committee (SPRC) shall be comprised of 5 members:

- the Mayor or Mayor's designee;
- the President of the City Council or designee;
- the Ward Councillor representing the property or designee;

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h. Plants lists or schedule with the botanical and common name, quantity and spacing and size of all proposed landscape material at the time of plantings; and [2]

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- the Executive Director or designee of the Office of Strategic Planning & Economic Development;
- One resident appointed by the Mayor and confirmed by the City Council.

The City Council President or his/her designee shall serve as the Chair of the SPRC.

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2. Operation.

If the Building Commissioner determines the application requires variances, the Site Plan Review Committee shall provide comments to the Zoning Board of Appeals related to any requests for variances from zoning requirements within the schedule for public comment established by the Zoning Board of Appeals.

The Zoning Board of Appeals may request assistance of architects and engineers and other professionals during its deliberations and require that the applicant assist in paying for review costs consistent with Mass. Gen. Laws, Chapter §53G.

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Only Zoning Board of Appeal members may be party to any vote or agreement.

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A majority of Zoning Board of Appeals members present shall be required to approve any and all site plan review conditions applied to a development under review.

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F. Review Schedule: The SPRC shall publicize and hold in accordance with the Open Meeting Law a project review meeting with the applicant before the Zoning Board of Appeals Hearing schedule to review any zoning variances.

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The Site Plan Review Committee may consider written public comments during its project review meetings. Oral public comments may be consider with consent of the applicant.

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The department head or designee from the following city departments or agencies may provide written recommendations to the SPRC a minimum of

seven (7) days prior to a project review meeting held in conformance with the Open Meeting Law: Inspectional Services, Public Works, Fire Department, Police, Board of Health, Conservation Commission, City Engineer and City Planner.

The SPRC shall hold as many meetings as necessary within any statutory timeframe for review by the Zoning Board of Appeals and provide comments to the Zoning Board of Appeal prior to or during any public hearing to consider zoning variances.

G. Notice: Notice of the project review meeting shall be given in accordance with the provisions of the Open Meeting Law and the City of Malden Zoning Ordinance.

H. Site Plan Review Criteria: The SPRC shall review the site plans and requests for zoning variance and consider the bulk and height of structures, yard sizes, lot area, setbacks, open space, parking and building coverage so as to:

1. Comment to the Zoning Board of Appeals and propose reasonable conditions related to variances for the use and district from established standards for:

- the bulk and height of structures,
- yard sizes
- lot area
- setbacks
- parking, and
- building coverage

Additionally the SPRC review shall review and provide comment on other city permits and licenses the applicant may need or desire to seek for the project:

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2. Comment to the Traffic Commission and the Public Works Commission on any changes to street lay-outs, on-street parking rules, traffic signal improvements, sidewalks and curbs cuts to ensure:

- (a) convenient and safe vehicular, pedestrian and bicycle movement around the site, including travel by public safety and transit vehicles,
(b) adequate space for off-site loading and unloading of vehicles in legally-established zones for such purpose and that off-site pedestrian crossing plans show will limit adverse off-site traffic and parking impacts, and
(c) Nearby bus and transit stops and no parking areas established for public safety purposes, have sufficient separation and counter measures to ensure access and efficient passage of transit vehicles.

3. Comment to the City Council or Public Works Commission related to any permits related to lateral connections of utilities across City-owned rights of way including, but not limited to electric, telephone, and fire alarm to buildings and other structures shall be underground in all cases where the property to be served abuts any street where these utilities are installed underground.

4. Comment to the Recreation Commission related to limits on use permits so as to avoid the over use of nearby public open space.

I. Expiration: A Site Plan Review approval will expire on the date that is one year from date of the decision of the Zoning Board of Appeals unless a building permit has been issued or unless otherwise specified by the Site Plan Review Committee.

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Open Space Standard for Schools:

Amend Table 12.12.010 of the Table of Intensity of Uses

For Use - Public or Non-Profit School

Open Space Requirement: 15 square feet of Open Space per Student

15 square feet per student (