



# City of Malden

Malden City Hall  
215 Pleasant Street  
Malden, MA 02148

## Master

**File Number: 383-21**

**File ID:** 383-21

**Type:** Ordinance

**Status:** Enrolled

**Version:** 1

**Reference:**

**In Control:** City Council

**Department:**

**Cost:**

**File Created:** 09/01/2021

**File Name:**

**Final Action:**

**Title:** Order: Alternative #1: ORDER: Be it hereby ordained that Section 12 of the Revised Ordinances of 2020 effective 1/1/2020 be amended by amending Section 12.030 Use Regulations to indicate that Warehouse and Wholesale and Distribution Uses are not allowable uses in BH (Highway Business Zones).

Order: Alternative #2: ORDER: Be it hereby ordained that Section 12 of the Revised Ordinances of 2020 effective 1/1/2020 be amended by striking the first three lines of Section 12.12.010 Paragraph B and replacing that with the following, (See attached final amendment).

### Internal Notes:

### Code Sections:

**Agenda Date:** 09/07/2021

### Indexes:

**Agenda Number:**

**Sponsors:** Stephen Winslow, Deborah DeMaria and Amanda Linehan

**Enactment Date:**

**Attachments:** CCP 383 2021 PBR, CCP 383 2021 PBR w Att

**Enactment Number:**

### Contact:

**Hearing Date:**

### Drafter:

**Effective Date:**

### Related Files:

## History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	09/07/2021	referred	Rules & Ordinance Committee			Pass

**Action Text:** A motion was made by Councillor Winslow, seconded by Councillor Murphy, that the Order be referred to a joint hearing Planning Board and Rules & Ordinance Committee. The motion carried by the following vote:

**Notes:** *Councillor Winslow as sponsor for the paper spoke of the need to control warehouses in the city. Councillor Winslow mentioned a petition for a warehouse on Broadway that will be heard next Monday, September 13 by the Planning Board. This paper would control the increase of warehouses no matter what happens at the Planning Board on September 13th. Any decision by the Planning Board on September 13th regarding this topic will not set a precedence for future applications for warehouses if this paper is adopted.*

*Councillor Sica reiterated the paper has nothing to do with the petition for 735 Broadway that the Planning Board has a hearing on for September 13th. Councillor Winslow acknowledged the paper would not stop the development planned for 735 Broadway.*

Yea: 10 Council President Anderson, Councillor Condon, Councillor Crowe, Councillor DeMaria, Councillor Linehan, Councillor Murphy, Councillor O'Malley, Councillor Sica, Councillor Spadafora and Councillor Winslow

1 City Council 11/23/2021 enrolled City Council Pass

**Action Text:** A motion was made by Councillor Spadafora, seconded by Councillor Winslow, that the Ordinance be enrolled to the City Council. The motion carried by the following vote:

Yea: 10 Council President Anderson, Councillor Camell, Councillor Condon, Councillor Crowe, Councillor DeMaria, Councillor Linehan, Councillor Murphy, Councillor Sica, Councillor Spadafora and Councillor Winslow

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### Text of Legislative File 383-21

Order: Alternative #1: ORDER: Be it hereby ordained that Section 12 of the Revised Ordinances of 2020 effective 1/1/2020 be amended by amending Section 12.030 Use Regulations to indicate that Warehouse and Wholesale and Distribution Uses are not allowable uses in BH (Highway Business Zones).

Order: Alternative #2: ORDER: Be it hereby ordained that Section 12 of the Revised Ordinances of 2020 effective 1/1/2020 be amended by striking the first three lines of Section 12.12.010 Paragraph B and replacing that with the following, (See attached final amendment).

Paragraph B Except for Warehousing, Wholesale and Distribution in a Highway Business District, where a special permit will be required by the City Council in accordance with this section or otherwise herein provided, for all institutional, business, industrial and other uses, where a special permit is required, as indicated by the letters "SP", the use may be allowed only by Special Permit granted by the Planning Board in conformance with the following controls: