

CITY OF MALDEN

Inspectional Services Department

215 Pleasant Street
Malden, MA 02148
781.397.7000 ext. 2030

Nelson L. Miller Jr. CBO, Building Commissioner

TO: Malden City Council
FROM: Nelson Miller, Building Commissioner; Michelle Romero, City Planner
CC: Mayor Gary Christenson; Alex Pratt, Director, Zachary LeMel, Deputy Director,
Elena Eimert, Senior Planner, OSPCD
DATE: June 3, 2026
RE: CCP 256/2026 Economic Development Package Proposal - OSPCD Memo dated May 28, 2026

This memorandum supplements our prior memorandum to OSPCD dated April 27, 2026, attached for your reference, regarding zoning amendments introduced by Mayor Christenson in CCP 256/2026. We support the Mayor's request that several original amendments not be moved forward at this time to allow further study and understand the OSPCD memo identifies those amendments that are proceeding. We recommend the following additional amendments also be considered at this time:

1. Section 12.12.030 (Use Regulations). Allow the following businesses by right in the following business and industrial zoning districts:

Business School	Change SP to Yes in Highway Business, Industrial 1 and 2
Convenience Store	Change SP to Yes in Industrial 1 and 2
Licensed Massage Therapy Salon	Change SP to Yes in Residential Office, Industrial 1 and 2
Kennel	Change SP to Yes in Central Business
Towing	Change SP to Yes in Highway Business, Industrial 1 and 2
2. Section 12.28.010.E (Use Regulations for Preexisting Nonconforming Uses in business and industrial zoning districts). Reinstate the option to seek a special permit to allow extension of an existing business by amending the current provision as follows:

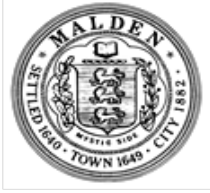
“Preexisting nonconforming uses, lots, buildings or structures in the Residential Office, all business and all industrial zoning districts, other than those provided for in Paragraph B, may be reconstructed in the same or lesser dimensions ~~and occupied for the same use~~, or extended, structurally changed or altered only for the same use or a use allowed by right in the district, by special permit granted by the Planning Board provided said Board finds that said reconstruction or, extension, structural change, or alteration is not more detrimental to the neighborhood; and provided however that a structural change or alteration that does not increase the size of the building shall not require a special permit. ~~Change of use without extension or structural change may only be to a use allowed by right in the district and shall not require a special permit; except for Marijuana Retailer, Marijuana Cultivator, Independent Marijuana Testing Laboratory, Marijuana Product Manufacturer, Marijuana Research Facility and Marijuana Transporter, where a special permit shall be required by the City Council in accordance with MCC 12.12.190, in all cases, whether or not there is extension or structural change.~~”

In our opinion, it is highly likely that this amendment would result in immediate economic development and commercial growth, given that two existing established businesses seeking to expand have sought to begin the permitting process. At this time of financial crisis, it seems imprudent to restrict the City from even considering a possible expansion of an existing commercial tax-paying business in a business or industrial district.

Finally, regarding proposals to establish new size thresholds and change parking requirements for business uses, we strongly recommend that any proposed changes be based on factual information; take into account existing conditions; be supported by actual data, including Malden-specific examples of buildings and parking usage by businesses currently in operation; and consider regional industry standards.

Please do not hesitate to contact us with any questions. Thank you.

BUILDING WIRING PLUMBING/GAS HEALTH PLANNING COMPLIANCE



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TO: Alex Pratt, Director, OSPCD; Zachary LeMel, Deputy Director;
Elena Eimert, Senior Planner

FROM: Nelson Miller, Building Commissioner; Michelle Romero, City Planner

DATE: April 27, 2026

RE: Proposal Summary, Draft for Policy Development Purposes, Economic
Development Package

Thank you for the opportunity to review the above-referenced narrative with proposed zoning amendments. Below please find our comments regarding the proposed zoning amendments.

A. We agree with moving forward for consideration all of the proposed amendments of Section 12.12.030 (Use Regulations), except those identified herein below.

B. We do not support moving forward with the following proposed amendments:

1. Section 12.12.030 (Use Regulations):

- Greenhouse: Yes (by right) in I1 and I2
- Convenience store: Yes (by right) in BN
- Supermarkets: Yes (by right) in BH
- Light manufacturing: Yes (by right) in BH
- Artist live/work: Yes (by right) in BN; SP in BH, I1 and I2

2. Reduce non-residential parking requirements by 50% in BH and BN.

3. Remove parking requirements in I1 and I2.

4. Modify “Artist Live/Work” use to “Live/Work” use.

C. Before moving forward with the following proposed amendments of Section 12.12.030 (Use Regulations), we strongly recommend that factual information be prepared and provided to justify the proposals, specifically, the basis for the proposed thresholds, including but not limited to, Malden-specific examples and an inventory of vacant storefronts and commercial space in the City that may be potentially re/developed under the amendments.

1. Medical center – new thresholds for by right and SP (3,000 SF, 5,000 SF, 10, 000 SF).

2. Retail sales – new thresholds for by right and SP (10,000 SF).

3. Warehouse – new thresholds for by right and SP (20,000 SF).

4. Wholesale and Distribution- new thresholds for by right and SP (20,000 SF).

D. We recommend the following additional amendments be moved forward for consideration:

1. Section 12.12.030 (Use Regulations):

- Restaurants: Yes (by right) in I1 and I2
- Restaurant, fast-food: Yes (by right) in I1 and I2 [without drive-thru/drive-thru still requires SP]
- Kennel: Yes (by right) in BC
- Adult Day Health Center: Yes (by right) in BH

2. Section 12.12.030 (Use Regulations) and Section 12.32.060 (Definitions).

- Reinstate the use category, “medical and dental offices.”
- Define to include: offices where medical and dental services are provided by a licensed physician or registered nurse, including consultation; medical aesthetics and cosmetic treatments and injections, such as Botox injections and dermal fillers; and IV wellness therapy; and excluding surgical procedures that require IV or general anesthesia, (add additional description of kinds of services included and allowed).
- Amend existing definition of “medical center,” as necessary, and to exclude “medical and dental offices.”

3. Section 12.28.010.E (General Regulations - Nonconforming Uses, Lots, Buildings and Structures). To reestablish an option that would allow an existing business to expand by special permit, amend the existing regulations as follows:

“Preexisting nonconforming uses, lots, buildings or structures in the Residential Office, all business and all industrial zoning districts, other than those provided for in Paragraph B, may be reconstructed in the same or lesser dimensions and occupied for the same use, or extended, structurally changed or altered ~~only for a use allowed by right in the district,~~ by special permit granted by the Planning Board provided said Board finds that said reconstruction or, extension, structural change, or alteration is not more detrimental to the neighborhood; and provided however that a structural change or alteration that does not increase the size of the building shall not require a special permit. Change of use ~~without extension or structural change~~ may only be to a use allowed by right in the district and shall not require a special permit; except for Marijuana Retailer, Marijuana Cultivator, Independent Marijuana Testing Laboratory, Marijuana Product Manufacturer, Marijuana Research Facility and Marijuana Transporter, where a special permit shall be required by the City Council in accordance with MCC 12.12.190, in all cases, ~~whether or not there is extension or structural change.~~”

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