

CITY of MALDEN PLANNING BOARD



AGENDA

Special Meeting

August 16, 2022 at 7:00 pm

Herbert L. Jackson Council Chamber

Malden City Hall, 215 Pleasant Street, Malden, MA

- I. Call to Order.
- II. Roll Call.
- III. PUBLIC HEARINGS. (*Order of hearings to be determined by Chairman*)
 - A. **Zoning Amendments: Joint Public Hearing w/City Council Ordinance Committee/ §12.32.050.A, Title 12, Code of City of Malden.**
 - 1) **CCP 286/2022.** To Amend Use Regulations for Marijuana Establishments. §§12.12.010.A, 12.12.190, 12.12.190.B, 12.12.190.G, 12.12.190.G.4, 12.12.190.H & 12.28.010.E: To change the special permit granting authority.
 - 2) **CCP 315/2022.** To Amend Use Regulations for Marijuana Establishments.
 - a) §12.12.190.A: For use of new buildings, to clarify relief required for noncompliance with buffer zones, dimensional controls and parking requirements.
 - b) §12.12.190.B: For use of existing buildings, to clarify relief required for violations of dimensional controls and parking requirements, and to change relief required for noncompliance with buffer zones.

NOTE: The public hearing on August 16, 2022 re: CCP 315/2022 is contingent on the date of action and outcome of the pending reconsideration by the City Council of its referral of CCP 315/2022 to Planning Board for public hearing.
 - 3) **CCP 316/2022.** To Amend Use Regulations for Marijuana Establishments. §12.12.190.E: To delete principal use requirement.
 - 4) **CCP 317/2022.** To Amend Use Regulations for Marijuana Establishments. §12.12.190.H.2: To amend required condition re: Security Plans.
 - 5) **CCP 318/2022.** To Amend Use Regulations for Marijuana Establishments. §12.12.190.H.9: To amend required condition re: issuance of building permit & occupancy permit.

- 6) **CCP 319/2022.** To Amend Use Regulations for uses allowed by Special Permit, of new & existing buildings. To amend the following Sections to clarify and update language to reflect current protocol and administration and render consistent with current interpretation re: relief required for noncompliance with dimensional controls and parking requirements:
- a) Residential Uses, Except for All Structures More than Six Stories. §§12.12.010.A1 & 12.12.010.A.2.
 - b) Institutional, Business, Industrial, Other Uses. §§12.12.010.B.1 & 12.12.010.B.2.
 - c) Property with a Preferably Preserved Building. §§12.12.010.C.1 & 12.12.010.C.2.
 - d) Fast-food Service Restaurants. §§12.12.060.A & 12.12.060.B.
 - e) Restaurants. §§12.12.070.A & 12.12.070.B.
 - f) Drive-thrus. §§12.12.150.A & 12.12.150.B.
 - g) Gasoline Filling & Service Stations. §§12.12.160.A & 12.12.160.B.

IV. PUBLIC MEETING. (Order of items to be determined by Chairman)

A. Status Updates.

- 1) Community Preservation Committee.

B. Old and New Business.

V. Next meeting: September 14, 2022.

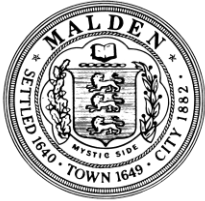
VI. Adjournment.

Full texts of the proposed zoning amendments are available for public review on the City of Malden website at <https://cityofmalden.legistar.com/Legislation.aspx> and with the City Planner, Inspectional Services, 3rd floor, and the City Clerk, 2nd Floor, 215 Pleasant Street, Malden, MA.

Petitions and plans are available for public review on the City website at https://permits.cityofmalden.org/EnerGov_Prod/SelfService

This meeting may be recorded Urban Media Arts, formerly Malden Access Television.

To request a reasonable accommodation, please contact Maria Luise, ADA Compliance Coordinator at mluise@cityofmalden.org or 781-397-7000, Ext 2005.



City of Malden

Massachusetts

215 Pleasant Street, 3rd Floor
Malden, Massachusetts 02148
(781) 397-7000 ext. 2044

MALDEN PLANNING BOARD

and

MALDEN CITY COUNCIL ORDINANCE COMMITTEE

PUBLIC HEARING

The Malden Planning Board and Malden City Council Ordinance Committee will jointly hold a public hearing in the Herbert L. Jackson Council Chamber, Malden City Hall, 215 Pleasant Street, Malden, MA at 7:00 P.M. on Tuesday, August 16, 2022, in accordance with Title 12, Chapter 32, Section 050 of the Code of the City of Malden, regarding petitions for zoning amendments, as proposed in City Council Papers ##286/2022, 315/2022, 316/2022, 317/2022, 318/2022 and 319/2022, to further amend the following sections of Title 12, Chapter 12, of the Code of the City of Malden, as follows:

1. To amend Use Regulations for Marijuana Establishments as follows:
 - A. To change the special permit granting authority (Sections 12.12.010.A, 12.12.190, 12.12.190.B, 12.12.190.G, 12.12.190.G.4, 12.12.190.H and 12.28.010.E) (CCP 286/2022).
 - B. For use of new buildings, to clarify the relief required for noncompliance with buffer zones, dimensional controls and parking requirements (Section 12.12.190.A); and for use of existing buildings, to clarify the relief required for violations of dimensional controls and parking requirements, and to change the relief required for noncompliance with buffer zones (Section 12.12.190.B) (CCP 315/2022).

NOTE: The public hearing on August 16, 2022 re: CCP 315/2022 is contingent on the date of action and outcome of the pending reconsideration by the City Council of its referral of CCP 315/2022 to Planning Board for public hearing.
 - C. To delete the principal use requirement (Section 12.12.190.E) (CCP 316/2022).
 - D. To amend the required condition re: Security Plans (Section 12.12.190.H.2) (CCP 317/2022).
 - E. To amend the required condition re: issuance of building permit and occupancy permit (Section 12.12.190.H.9) (CCP 318/2022).
2. For use of new and existing buildings for the following uses allowed by special permit, to amend the Use Regulations to clarify and update language to reflect current protocol and administration and render consistent with current interpretation re: relief required for noncompliance with dimensional controls and parking requirements (CCP 319/2022):
 - A. Residential Uses, Except for All Structures More than Six Stories (Sections 12.12.010.A1 and 12.12.010.A.2)
 - B. Institutional, Business, Industrial and Other Uses (Sections 12.12.010.B.1 and 12.12.010.B.2)
 - C. Property with a Preferably Preserved Building (Sections 12.12.010.C.1 and 12.12.010.C.2)
 - D. Fast-food Service Restaurants (Sections 12.12.060.A and 12.12.060.B).
 - E. Restaurants (Sections 12.12.070.A and 12.12.070.B).
 - F. Drive-thrus (Sections 12.12.150.A and 12.12.150.B).
 - G. Gasoline Filling & Service Stations (Sections 12.12.160.A and 12.12.160.B).

The full texts of the proposed zoning amendments (City Council Papers ##286/2022, 315/2022, 316/2022, 317/2022, 318/2022 and 319/2022) are available for public review on the City of Malden website at <https://cityofmalden.legistar.com/Legislation.aspx> and with the City Planner, Inspectional Services, 3rd floor, and the City Clerk, 2nd Floor, 215 Pleasant Street, Malden, MA.

By: Kenneth Antonucci, Clerk
Malden Planning Board

By: Peg Crowe, Chair
Malden City Council Ordinance Committee