



CITY COUNCIL
Regular Meeting

City Councillor Joseph A. DelGrosso
City Council Chamber – Revere City Hall
281 Broadway, Revere, Massachusetts 02151
Calendar
Monday, November 13, 2023, 6:00 PM

5:00PM Zoning Sub-Committee Meeting

Salute to the Flag

1. **Roll Call of Members**
2. Approval of the Journal of the Regular Meeting of October 30, 2023
3. **23-225** Cataldo Ambulance and the Revere Fire Department will appear before the City Council to discuss the City's ambulance services.
4. **23-231** Lauren Buck, Chief of Health & Human Services will appear before the City Council to provide an update on the Overdose Outreach program.

Zoning Sub-Committee Report

5. **23-219** Zoning Ordinance Establishing Outdoor Dining Regulations for the City of Revere
6. **23-246** Zoning Ordinance Further Amending the Revised Ordinances of the City of Revere Relative to Prequalified Lots, Signage, and Driveways.
7. **23-247** 465 Revere Beach Boulevard Realty Trust, 24 Bellingham Ave., Revere, MA 02151 seeking permission from the Revere City Council to modify and alter an existing nonconforming five (5) unit apartment structure by constructing an additional six (6) units to enable the appellant to develop an eleven (11) unit apartment structure and providing seventeen (17) off street parking spaces at 465 Revere Beach Boulevard, Revere, MA 02151.
8. **23-248** 1784 Holdings, LLC, Attn: John Auchenback, 8777 North Gainey Center Drive, Scottsdale, AZ 85258 requesting a special permit from the Revere City Council to enable appellant to operate a self-storage facility located within the IP District at 195 American Legion Highway, Revere, MA 02151.

Communications

9. **23-250** Communication from the Chairman of the Board of Assessors requesting that the City Council hold a public hearing for the purpose of adopting the Minimum Residential Factor for Fiscal Year 2024.
10. **23-251** Communication from the Chief of Planning & Community Development requesting an amendment to the Revised Zoning Ordinances of the City of Revere establishing Smart Growth Overlay Districts for the purpose of complying with the MBTA Communities Law.

Motions

11. **23-252** Motion presented by Councillor Cogliandro: That the Acting Mayor direct the Chief of Police to provide police presence to curb speeding and assist overall with traffic enforcement at every school during pick up and drop off.
12. **23-253** Motion presented by Councillor Cogliandro: That the Acting Mayor direct the Superintendent of the DPW to install speed tables near every school to curb speeding.
13. **23-254** Motion presented by Councillor Cogliandro, President Pro Tempore McKenna: That the City Council award a Certificate of Appreciation to Anthony Parziale for hosting a fundraiser for the Good Diner and Hector's Barbershop, which were both heavily impacted by a water main break on Broadway.
14. **23-255** Motion presented by Councillor Cogliandro: That the City Council order to a public hearing, AN ORDINANCE FURTHER AMENDING THE REVISED ORDINANCES OF THE CITY OF REVERE RELATIVE TO RESIDENCY AND PERSONNEL (see attached).
15. **23-256** Motion presented by Councillor Cogliandro: That the City Council order to a public hearing, AN ORDINANCE FURTHER AMENDING THE REVISED ORDINANCES OF THE CITY OF REVERE RELATIVE TO THE ASSISTANT CITY CLERK AND ZONING BOARD OF APPEALS CLERK (see attached).
16. **23-257** Motion presented by Councillor Novoselsky: That the Acting Mayor request the MBTA to install a shelter with seats at the bus stop across from 1465 North Shore Road for the 110,116 and 119 bus routes.
17. **23-258** Motion presented by President Pro Tempore McKenna, Councillor Silvestri: That the Acting Mayor be requested to investigate the feasibility of converting the green space at the end of Previte Way (formerly Unity Avenue), into a passive park by planting a "Unity Tree" and installing seating for residents to enjoy the view.
18. **23-259** Motion presented by President Pro Tempore McKenna, Councillor Silvestri: That the Acting Mayor request the appropriate staff at City Hall to assist the residents and businesses of Previte Way (formerly Unity Avenue) to change their address and cover any costs associated with said change.
19. **23-260** Motion presented by Councillor Silvestri: That the Acting Mayor be requested to investigate the feasibility of installing illuminated stop signs at the intersection of Newhall and Malden Streets. The stops signs that were recently installed are very difficult to see during the evening hours.
20. **23-261** Motion presented by Councillor Silvestri: That the City Council award Certificates of Merit to Officer Brendon Leslie (Medal of Honor), Officer Christopher Panzini (Medal of Valor), and Sgt. Jackie Dean (Medal of Valor) in recognition of receiving the Trooper George L. Hanna Memorial Award.



CITY COUNCIL
Regular Meeting

City Councillor
Joseph A. DelGrosso
City Council Chamber
Journal
Monday, October 30, 2023

Regular Meeting of the City Council was called to order at 6:00 PM. President Pro Tempore Joanne McKenna presiding.

Salute to the Flag

1 Roll Call of Members

Attendee Name	Title	Status	Arrived
Anthony Cogliandro	Councillor	Present	
Steven Morabito	Councillor	Absent	
Ira Novoselsky	Councillor	Present	
John F. Powers	Councillor	Present	
Dan Rizzo	Councillor	Present	
Richard J. Serino	Councillor	Present	
Marc Silvestri	Councillor	Present	
Gerry Visconti	Councillor	Present	
Anthony T. Zambuto	Councillor	Present	
Joanne McKenna	President Pro Tempore	Present	

2 Approval of the Journal of the Regular Meeting of October 16, 2023

RESULT: ACCEPTED

- 3 23-153 Motion presented by Councillor Zambuto: That the Revere City Council award a Certificate of Commendation to Philip Imperato in recognition of his 90th birthday.

Councillor Zambuto presented Phil Imperato with a 90th birthday citation.

RESULT: PLACED ON FILE

Public Hearings

- 4 23-219 Hearing called as ordered on a Zoning Ordinance Establishing Outdoor Dining Regulations for the City of Revere.

Proponents

Tom Skwierawski, Chief of Planning
Claire Inzerillo, Policy Writer

Opponents

Ralph DeCicco, Disability Commission Chair

**A ZONING ORDINANCE ESTABLISHING OUTDOOR DINING REGULATIONS FOR
THE CITY OF REVERE**

Section 1. Title 17, Chapter 17.08 of the Revised Ordinances of the City of Revere is hereby amended by inserting the following new section:

17.08.654 - Restaurant.

“Restaurant” means an establishment where the primary business is the service, by a waiter or waitress, of food and beverages to be consumed exclusively at tables or a bar or counter on the premises.

Section 2. Title 17, Chapter 17.08, Section 17.08.655 of the Revised Ordinances of the City of Revere is hereby amended by deleting this section in its entirety and inserting in place thereof the following new section:

17.08.655 - Restaurant, outdoor dining.

“Restaurant, outdoor dining” means a covered or uncovered but not fully enclosed portion of a restaurant which is located in a public space that is outside of a wholly enclosed building or structure, including but not limited to a sidewalk, street, or municipal parking lot, and is used for the service and consumption of food and drinks by the patrons of the restaurant.

Section 3. Title 17, Chapter 17.16, Section 17.16.040 of the revised ordinances of the City of Revere is hereby amended by removing “sp” in the TED district following “Restaurant” and inserting in place thereof “yes” within the Table of Uses.

Section 4. Title 17, Chapter 17.16, Section 17.16.040 of the Revised Ordinances of the City of Revere is hereby amended by placing a new entry for “Restaurant, outdoor dining” in the Table of Uses, which shall be inserted directly beneath “Restaurant,” and which shall be followed by “no” in the RA, RA1, RB, RB1, RC3, and LI Districts, and “yes” in the RC2, PDD1, PDD2, GB, CB, HB, TED, and IP Districts, and “yes%” in the RC, RC1, NB, and GB1 Districts.

Section 5. Title 17, Chapter 17.16, Section 17.16.040 of the Revised Ordinances of the City of Revere is hereby amended by inserting footnote “%=See 17.16.310(B)(1) for outdoor dining in Districts where Restaurants are allowed by Special Permit” below the Table of Uses.”

Section 6. Title 17, Chapter 17.16, Section 17.16.310 of the revised ordinances of the City of Revere is hereby amended by deleting this section in its entirety and inserting in place thereof the following new section:

17.16.310 - Restaurants (non-fast food).

- A. Restaurant (non-fast food) establishments are allowed by right in the RC2, PDD1, PDD2, GB, CB, HB, TED, and IP districts. In the RC, RC2, NB, and GB1 districts restaurants (non-fast food) may be erected, constructed, placed, altered, converted, or otherwise changed only by special permit granted by the city council in conformance with the dimensional and parking control requirements of this title, and the following minimum requirements:
1. The use in question shall be located and principally assessed from the frontage (street address) portion of the lot in question.
 2. The minimum frontage utilized by the use in question shall be at least sixty feet.
 3. Restaurant (non-fast food) establishments must utilize a space equivalent to fifty percent of the first-floor gross square footage of the building (building footprint) in which it's located.
 4. Parking requirements set forth in Section 17.28.020 pertaining to restaurants (non-fast food) i.e., one space per four seats, shall be provided on-site and in addition to any other parking spaces required for commercial or residential uses. In no instance shall any other commercial or residential parking spaces be counted or shared by the restaurant (non-fast food) establishment.
 5. The above criteria, subsections 1-3, shall pertain to restaurant (non-fast food) establishments on the first three stories of buildings in the RC1 district and shall not apply to restaurant (non-fast food) establishments above the fourth floor.
- B. Outdoor dining in the public way. Food and/or alcoholic beverages shall not be served outside of the licensed premises without written approval of the License Commission expanding the license's premises. All outdoor dining areas in the public way shall comply with all applicable state and municipal codes, and the American with Disabilities Act (ADA) requirements.
1. In the RC, RC1, NB, and GB1 districts, outdoor dining in the public way shall be an allowable use in conformance with the conditions set by the city council in the establishment's Special Permit.
 2. Site Plan Review Committee shall review applications for Outdoor dining and make recommendations for conformance prior to approval from the License Commission expanding the license's premises.
- C. Every license and permit issued shall contain a condition that the person accepting the same shall conform to the laws of the commonwealth, the provisions of this revision, and all other ordinances of the City of Revere and the specifications in the license or permit; that the license or permit may be revoked at any time by the authority issuing it unless otherwise provided by law; that the licensee will indemnify and hold harmless the city from any damages it may sustain or be required to pay by reason of performing the work licensed or permitted, or by reason of any act or neglect by the licensee or permittee, or by any of the licensee's or permittee's employees relating to such work, or by reason of the violation of any specification contained in the license or permit; provided, that nothing contained in this section shall be construed to

prevent the insertion of any other specification deemed advisable by the authority issuing the license or permit.

RESULT:	REFERRED TO ZONING	Next: 11/13/2023 6:00 PM
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5 23-246 Hearing called as ordered on a Zoning Ordinance Further Amending the Revised Ordinances of the City of Revere Relative to Prequalified Lots, Signage, and Driveways.

Proponents

Tom Skwierawski, Chief of Planning

Opponents

John Stamatopoulos, 15 Sewall Street, Revere, MA

A ZONING ORDINANCE FURTHER AMENDING THE REVISED ORDINANCES OF THE CITY OF REVERE RELATIVE TO PREQUALIFIED LOTS, SIGNANGE, AND DRIVEWAYS

Section 1. Title 17, Chapter 17.24, Section 17.24.030(D) of the Revised Ordinances of the City of Revere is hereby amended by removing the third sentence and inserting in place thereof the following two sentences, “The term ‘vacant’ means that no structure existed on the lot, including but not limited to a garage, shed (larger than 200 square feet), deck, cabana, inground swimming pool or any other accessory structure. For the purpose of this Section, an above ground swimming pool shall not be considered a permanent structure.”

Section 2. Title 17, Chapter 17.28, Section 17.28.110 of the Revised Ordinances of the City of Revere is hereby amended by removing the words “eight percent” and inserting in place thereof the words "nine percent.”

Section 3. Title 17, Chapter 17.36, Section 17.36.042(B)(2) of the Revised Ordinances of the City of Revere is hereby amended by removing the words “thirty feet” and inserting in place thereof the words “twenty feet.”

Section 4. Title 17, Chapter 17.36, Section 17.36.060(A)(2) of the Revised Ordinances of the City of Revere is hereby amended by removing the words “beyond the face of any wall or building, or.”

RESULT:	REFERRED TO ZONING	Next: 11/13/2023 6:00 PM
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6 23-217 Hearing called as ordered for the purpose of changing the name of Whitin Avenue EXT to Gibson Way pursuant to Section 12.04.020 Street Names of the Revised Ordinances of the City of Revere.

Proponents

Minutes Acceptance: Minutes of Oct 30, 2023 6:00 PM (Salute to the Flag)

none

Opponents

none

“PURSUANT TO SECTION 12.04.020 OF THE REVISED ORDINANCES OF THE CITY OF REVERE, SHALL THE CITY COUNCIL CHANGE THE NAME OF WHITIN AVENUE EXT TO GIBSON WAY?”

RESULT:	ORDERED - ROLL CALL [UNANIMOUS]
AYES:	Cogliandro, Novoselsky, Powers, Rizzo, Serino, Silvestri, Visconti, Zambuto, McKenna
ABSENT:	Morabito

- 7 23-224 Hearing called as ordered for the purpose of changing the name of Unity Avenue to Previte Way pursuant to Section 12.04.020 Street Names of the Revised Ordinances of the City of Revere.

Proponents

John Stamatopoulos, 15 Sewall Street, Revere, MA

Opponents

Mary Turner, 112 Bradstreet Avenue, Revere, MA
Carol Tye, 51 Endicott Avenue, Revere, MA

“PURSUANT TO SECTION 12.04.020 OF THE REVISED ORDINANCES OF THE CITY OF REVERE, SHALL THE CITY COUNCIL CHANGE THE NAME OF UNITY AVENUE TO PREVITE WAY?”

RESULT:	ORDERED - ROLL CALL [8 TO 1]
AYES:	Cogliandro, Novoselsky, Rizzo, Serino, Silvestri, Visconti, Zambuto, McKenna
NAYS:	Powers
ABSENT:	Morabito

- 8 23-247 Hearing called as ordered on the application of 465 Revere Beach Boulevard Realty Trust, 24 Bellingham Ave., Revere, MA 02151 seeking permission from the Revere City Council to modify and alter an existing nonconforming five (5) unit apartment structure by constructing an additional six (6) units to enable the appellant to develop an eleven (11) unit apartment structure and providing seventeen (17) off street parking spaces at 465 Revere Beach Boulevard, Revere, MA 02151.

Proponents

Lawrence Simeone, Attorney for the applicant

Opponents

Alison Humphrey, 474 Revere Beach Boulevard, Revere, MA
Luanne Meola, 474 Revere Beach Boulevard, Revere, MA

Minutes Acceptance: Minutes of Oct 30, 2023 6:00 PM (Salute to the Flag)

Opponents cited concerns over loss of views from their properties and traffic.

RESULT:	REFERRED TO ZONING	Next: 11/13/2023 6:00 PM
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- 9 23-248 Hearing called as ordered on the application of 1784 Holdings, LLC, Attn: John Auchenback, 8777 North Gainey Center Drive, Scottsdale, AZ 85258 requesting a special permit from the Revere City Council to enable appellants to operate a self-storage facility located within the IP District at 195 American Legion Highway, Revere, MA 02151.

Proponents

Larry Beals, Project Manager for the applicant
Vin Conte, 195 American Legion Highway

Opponents

none

RESULT:	REFERRED TO ZONING	Next: 11/13/2023 6:00 PM
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- 10 23-234 Hearing called as ordered by National Grid to install underground conduits beginning at a point approximately 100 feet south of the centerline of the intersection of Walnut Ave., Revere, MA 02151 and Beach St., Revere, MA 02151 and continuing approximately 30 feet in the east direction. Install 2-4" duct from existing proposed pole in front of 37 Walnut Ave., Revere MA, 02151 and continuing east +/- 30 feet through sidewalk to property at 38 Walnut Ave., Revere, MA 02151. (Plan # 30814924)

Proponents

Rafa Kerguelen, National Grid

Opponents

none

“SHALL THE CITY COUNCIL GRANT THE RELIEF REQUESTED BY NATIONAL GRID?”

RESULT:	ORDERED - ROLL CALL [UNANIMOUS]
AYES:	Cogliandro, Novoselsky, Powers, Rizzo, Serino, Silvestri, Visconti, Zambuto, McKenna
ABSENT:	Morabito

- 11 23-235 Hearing called as ordered by National Grid and Verizon to install (1) JO Pole on Walnut Ave., Revere, MA 02151 and (1) JO Pole in front of 37 Walnut Ave., Revere, MA 02151 to serve as the permanent electric service for the building at 38 Walnut Ave., Revere MA 02151. (Plan # 30814924)

Proponents

Minutes Acceptance: Minutes of Oct 30, 2023 6:00 PM (Salute to the Flag)

Rafa Kerguelen, National Grid

Opponents

none

“SHALL THE CITY COUNCIL GRANT THE RELIEF REQUESTED BY NATIONAL GRID AND VERIZON?”

RESULT:	ORDERED - ROLL CALL [UNANIMOUS]
AYES:	Cogliandro, Novoselsky, Powers, Rizzo, Serino, Silvestri, Visconti, Zambuto, McKenna
ABSENT:	Morabito

- 12 23-236 Hearing called as ordered on the application of Massachusetts Electric d/b/a National Grid of North Andover, MA to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way of ways in accordance with the plan marked: Sherman St – Revere- Massachusetts. (Plan No. 30787836)

Proponents

Rafa Kerguelen, National Grid

Opponents

none

“SHALL THE CITY COUNCIL GRANT THE RELIEF REQUESTED BY NATIONAL GRID?”

RESULT:	ORDERED - ROLL CALL [UNANIMOUS]
AYES:	Cogliandro, Novoselsky, Powers, Rizzo, Serino, Silvestri, Visconti, Zambuto, McKenna
ABSENT:	Morabito

- 13 23-237 Hearing called as ordered on a petition submitted by National Grid & Verizon to relocate (1) JO Pole on Sherman St., Revere, MA 02151. Relocate (1) JO (Joint Owned) Pole in front of 810 Washington Ave., Revere, MA 02151 to serve as the permanent electric service for the building at 810 Washington Ave., Revere, MA. (Plan #30787836)

Proponents

Rafa Kerguelen, National Grid

Opponents

none

“SHALL THE CITY COUNCIL GRANT THE RELIEF REQUESTED BY NATIONAL GRID AND VERIZON?”

Minutes Acceptance: Minutes of Oct 30, 2023 6:00 PM (Salute to the Flag)

RESULT:	ORDERED - ROLL CALL [UNANIMOUS]
AYES:	Cogliandro, Novoselsky, Powers, Rizzo, Serino, Silvestri, Visconti, Zambuto, McKenna
ABSENT:	Morabito

14 23-238 Hearing called as ordered by National Grid to excavate and construct a line of (2) 4" underground electrical conduits beginning at the intersection of Beach Street and North Shore Road. Plan # 30851812

Proponents

Rafa Kerguelen, National Grid

Opponents

None

Councillor Novoselsky indicated that this portion of North Shore Road was just repaved last year. Pursuant to Section 12.04.080(A)(5) Street and Sidewalk Openings of the Revised Ordinances of the City of Revere, “The superintendent of public works shall not issue any street or sidewalk opening permits to any permittee or excavator within five years of the final approval of any newly paved street or sidewalk by the superintendent of public works and the city planner unless the reason for doing so is a justified emergency. A justifiable emergency shall be defined as gas leaks, water breaks, water leaks, sewer breaks or sewer blockages. New installations for gas, water lines, sewer lines or connections shall not be permitted during this moratorium.”

“SHALL THE CITY COUNCIL GRANT THE RELIEF REQUESTED BY NATIONAL GRID SUBJECT TO THE CONDITION THAT NATIONAL GRID REPAVE AND BRING BACK TO NEW CONDITION THE ENTIRE PORTION OF NORTH SHORE ROAD FROM BEACH STREET TO SHIRLEY AVENUE?”

RESULT:	ORDERED - ROLL CALL [UNANIMOUS]
AYES:	Cogliandro, Novoselsky, Powers, Rizzo, Serino, Silvestri, Visconti, Zambuto, McKenna
ABSENT:	Morabito

Communications

15 23-239 Communication from the City Auditor requesting an appropriation to the Capital Improvement Stabilization Fund for Tide Gate Design and Permitting in the amount of \$128,970.

CFO Rich Viscay addressed the City Council on this request.

“SHALL THE CITY COUNCIL APPROVE AN APPROPRIATION IN THE AMOUNT OF \$128,970 FROM THE CAPITAL IMPROVEMENT STABILIZATION FUND TO THE MVP MATCHING GRANT FUNDS ACCOUNT?”

Minutes Acceptance: Minutes of Oct 30, 2023 6:00 PM (Salute to the Flag)

RESULT:	ORDERED - ROLL CALL [UNANIMOUS]
AYES:	Cogliandro, Novoselsky, Powers, Rizzo, Serino, Silvestri, Visconti, Zambuto, McKenna
ABSENT:	Morabito

- 16 23-240 Communication from the City Auditor requesting an appropriation of the transportation network assessment in the amount of \$91,728.70.

CFO Rich Viscay addressed the City Council on this request.

“PURSUANT TO CHAPTER 187 OF THE ACTS OF 2016, SHALL THE CITY COUNCIL APPROVE AN APPROPRIATION IN THE AMOUNT OF \$91,728.70 FROM THE TRANSPORTATION FUND TO THE ROADWAY CAPITAL FUND?”

RESULT:	ORDERED - ROLL CALL [UNANIMOUS]
AYES:	Cogliandro, Novoselsky, Powers, Rizzo, Serino, Silvestri, Visconti, Zambuto, McKenna
ABSENT:	Morabito

- 17 23-241 Communication from the City Auditor requesting the establishment of the "Substance Use Disorder and Homeless Initiatives Gift Account."

CFO Rich Viscay addressed the City Council on this request.

“PURSUANT TO MGL CHAPTER 44, SECTION 53A, SHALL THE CITY COUNCIL APPROVE THE ESTABLISHMENT OF THE SUBSTANCE USE DISORDER AND HOMELESS INITIATIVES GIFT ACCOUNT?”

RESULT:	ORDERED - ROLL CALL [UNANIMOUS]
AYES:	Cogliandro, Novoselsky, Powers, Rizzo, Serino, Silvestri, Visconti, Zambuto, McKenna
ABSENT:	Morabito

Motions

- 18 23-242 Motion presented by Councillor Cogliandro: That the Acting Mayor direct the Chief of Police to have a patrol officer directing traffic between the hours of 2:00PM and 3:30PM at the intersections of Cushman Avenue and Broadway, and School Street and True Street.

RESULT:	ORDERED - VOICE VOTE
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- 19 23-243 Motion presented by Councillor Morabito: That the Acting Mayor be requested to establish a Water Main Break Recovery Grant Program that offer grants to affected business and property owners who suffer financial material losses due to water main breaks. This will allow certain eligible businesses and property owners who sustain damage and losses not covered from their insurance to apply for funds of up to \$5,000.

RESULT: REFERRED TO LEGISLATIVE AFFAIRS

20 23-244 Motion presented by Councillor Cogliandro: That the Acting Mayor direct the Chief of Police to, again, increase patrols on Eastern Avenue and True Street.

RESULT: ORDERED - VOICE VOTE

21 23-245 Motion presented by Councillor Novoselsky: That the Acting Mayor request the Traffic Commission to hold a public hearing for the purpose of amending Schedule IV of Title 10 to add a stop sign on Shirley Avenue eastbound at Thornton Street.

RESULT: REFERRED TO TRAFFIC COMMISSION

Late Motion

22 23-249 Motion presented by Councillor Rizzo, Councillor Serino, Councillor Silvestri: That the Acting Mayor request the Traffic Commission to determine an appropriate location for a crosswalk to be installed on Sargent Street for safe pedestrian and dog access to the Paws and Play Dog Park.

RESULT: ORDERED - VOICE VOTE

Ordered adjourned at 8:02 PM.

Attest:

City Clerk

Minutes Acceptance: Minutes of Oct 30, 2023 6:00 PM (Salute to the Flag)

City of Revere, Massachusetts

Tom Skwierawski

Chief of Planning and Community Development
 Department of Planning and Community Development
 281 Broadway, Revere, MA 02151 781. 286. 8181



Patrick M. Keefe Jr.
 Acting Mayor

November 1, 2023

Honorable City Council
 Revere City Hall
 Revere, Ma 02151

RE: Zoning Amendments

Dear Members:

Pursuant to Section 17.56.040 of the Revised Revere Zoning Ordinance, the Planning Board at a regular meeting held on October 31, 2023, subsequent to a public hearing held on October 31, 2023, voted to recommend the following with respect to the proposed zoning ordinance amendments for Outdoor Dining; standing accessory signs and attached signs; vacant lots; and maximum driveway grade:

1. **Outdoor Dining Ordinance:** The Planning Board voted unanimously to favorably recommend to the City Council the adoption of the Outdoor Dining Ordinance as written.
2. **Standing Accessory Signs and Attached Signs,** Section 17.36.042 (B) (2) and Section 17.36.060 (A) (2): The Planning Board voted unanimously to favorably recommend to the City Council the adoption of the zoning amendment for standing accessory signs and attached signs as written.
3. **Vacant Lots,** Section 17.24.030(D): The Planning Board voted unanimously to favorably recommend to the City Council the adoption of the vacant lot amendment as written to exempt above ground swimming pools and sheds under 200 sf for a qualified vacant lot.
4. **Maximum Driveway Grade,** Section 17.28.110: The Planning Board voted unanimously to favorably recommend to the City Council the adoption of the maximum driveway grade to be modified to 10%.

Meg Simmons-Herling
 Meg Simmons-Herling
 Planning Board Chair
 August 30, 2023

CZ-23-04

**City of Revere, MA
Public Hearing Notice**

Notice is hereby given, in accordance with the provisions of Section 5 of Chapter 40A of the Massachusetts General Laws and Title 17, Chapter 17.56, Sections 17.56.010 – 17.56.080 of the Revised Ordinances of the City of Revere, that (a) the Revere City Council will conduct a public hearing on Monday, October 30, 2023 at 6:00PM in the City Councillor Joseph A. DelGrosso City Council Chamber of Revere City Hall, 281 Broadway, Revere, Massachusetts 02151, and (b) the Revere Planning Board will conduct a public hearing on Tuesday, October 31, 2023 at 5:30PM in the City Councillor Joseph A. DelGrosso City Council Chamber of Revere City Hall, 281 Broadway, Revere, Massachusetts 02151, relative to the following proposed amendment to the Revised Ordinances of the City of Revere:

A ZONING ORDINANCE ESTABLISHING OUTDOOR DINING REGULATIONS FOR THE CITY OF REVERE

Section 1. Title 17, Chapter 17.08 of the Revised Ordinances of the City of Revere is hereby amended by inserting the following new section:

17.08.654 – Restaurant.

“Restaurant” means an establishment where the primary business is the service, by a waiter or waitress, of food and beverages to be consumed exclusively at tables or a bar or counter on the premises.

Section 2. Title 17, Chapter 17.08, Section 17.08.655 of the Revised Ordinances of the City of Revere is hereby amended by deleting this section in its entirety and inserting in place thereof the following new section:

17.08.655 – Restaurant, outdoor dining.

“Restaurant, outdoor dining” means a covered or uncovered but not fully enclosed portion of a restaurant which is located in a public space that is outside of a wholly enclosed building or structure, including but not limited to a sidewalk, street, or municipal parking lot, and is used for the service and consumption of food and drinks by the patrons of the restaurant.

Section 3. Title 17, Chapter 17.16, Section 17.16.040 of the revised ordinances of the City of Revere is hereby amended by removing “sp” in the TED district following “Restaurant” and inserting in place thereof “yes” within the Table of Uses.

Section 4. Title 17, Chapter 17.16, Section 17.16.040 of the Revised Ordinances of the City of Revere is hereby amended by placing a new entry for “Restaurant, outdoor dining” in the Table of Uses, which shall be inserted directly beneath “Restaurant,” and which shall be followed by “no” in the RA, RA1, RB, RB1, RC3, and LI Districts, and “yes” in the RC2, PDD1, PDD2, GB, CB, HB, TED, and IP Districts, and “yes%” in the RC, RC1, NB, and GB1 Districts.

Section 5. Title 17, Chapter 17.16, Section 17.16.040 of the Revised Ordinances of the City of Revere is hereby amended by inserting footnote “%=See 17.16.310(B)(1) for outdoor dining in Districts where Restaurants are allowed by Special Permit” below the Table of Uses.”

Section 6. Title 17, Chapter 17.16, Section 17.16.310 of the revised ordinances of the City of Revere is hereby amended by deleting this section in its entirety and inserting in place thereof the following new section:

17.16.310 – Restaurants (non-fast food).

- A. Restaurant (non-fast food) establishments are allowed by right in the RC2, PDD1, PDD2, GB, CB, HB, TED, and IP districts. In the RC, RC2, NB, and GB1 districts restaurants (non-fast food) may be erected, constructed, placed, altered, converted, or otherwise changed only by special permit granted by the city council in conformance with the dimensional and parking control requirements of this title, and the following minimum requirements:
1. The use in question shall be located and principally assessed from the frontage (street address) portion of the lot in question.
 2. The minimum frontage utilized by the use in question shall be at least sixty feet.
 3. Restaurant (non-fast food) establishments must utilize a space equivalent to fifty percent of the first-floor gross square footage of the building (building footprint) in which it’s located.
 4. Parking requirements set forth in Section 17.28.020 pertaining to restaurants (non-fast food) i.e., one space per four seats, shall be provided on-site and in addition to any other parking spaces required for commercial or residential uses. In no instance shall any other commercial or residential parking spaces be counted or shared by the restaurant (non-fast food) establishment.
 5. The above criteria, subsections 1-3, shall pertain to restaurant (non-fast food) establishments on the first three stories of buildings in the RC1 district and shall not apply to restaurant (non-fast food) establishments above the fourth floor.
- B. Outdoor dining in the public way. Food and/or alcoholic beverages shall not be served outside of the licensed premises without written approval of the License Commission expanding the license’s premises. All outdoor dining areas in the public way shall comply with all applicable state and municipal codes, and the American with Disabilities Act (ADA) requirements.
1. In the RC, RC1, NB, and GB1 districts, outdoor dining in the public way shall be an allowable use in conformance with the conditions set by the city council in the establishment’s Special Permit.
 2. Site Plan Review Committee shall review applications for Outdoor dining and make recommendations for conformance prior to approval from the License Commission expanding the license’s premises.
- C. Every license and permit issued shall contain a condition that the person accepting the same shall conform to the laws of the commonwealth, the provisions of this revision, and all other ordinances of the City of Revere and the specifications in the license or permit; that the license

or permit may be revoked at any time by the authority issuing it unless otherwise provided by law; that the licensee will indemnify and hold harmless the city from any damages it may sustain or be required to pay by reason of performing the work licensed or permitted, or by reason of any act or neglect by the licensee or permittee, or by any of the licensee's or permittee's employees relating to such work, or by reason of the violation of any specification contained in the license or permit; provided, that nothing contained in this section shall be construed to prevent the insertion of any other specification deemed advisable by the authority issuing the license or permit.

A copy of the aforementioned zoning amendment is on file and available for public inspection in the Office of the City Clerk, Revere City Hall, 281 Broadway, Revere, Massachusetts, Monday through Thursday from 8:15 A.M. to 5:00 P.M. and Friday from 8:15 A.M. to 12:15 P.M.

Attest:
Ashley E. Melnik
City Clerk

Attest:
Megan Simmons-Herling
Planning Board, Chair

Revere Journal
Send Invoice to: amelnik@revere.org
October 11, 2023
October 18, 2023

City of Revere, Massachusetts

Tom Skwierawski

Chief of Planning and Community Development

Department of Planning and Community Development

281 Broadway, Revere, MA 02151 781. 286. 8181



Patrick M. Keefe Jr.

Acting Mayor

TO: Honorable City Council
 FR: Frank Stringi, City Planner *FS*
 RE: Zoning amendments
 DATE: October 3, 2023

Attached please find amendments to Title 17 of the Revised Ordinances of the City of Revere. Regarding restaurants and outdoor dining, see new Section 17.08.655 which will define “Restaurant, outdoor dining” as it pertains to the use of public space (e.g. a sidewalk or street) by patrons of a restaurant. The City has been operating under the extended guidelines that were issued during the COVID-19 public health emergency, and as the PHE declaration ended on May 11, 2023, the City now looks to put permanent measures in place governing the use of a public way for outdoor dining. The attached amendments propose adding Outdoor dining as a use in Section 17.16.040 – Table of Uses, as well as strict conformance with all state and municipal codes, and Americans with Disabilities Act (ADA) requirements.

The Department of Planning and Community Development will work with restaurant owners throughout the application process, which includes presenting an outdoor dining plan to the Site Plan Review Committee, before ultimately requesting an expansion of their licensed premises from the City of Revere License Commission.

Please also find attached small amendments to Title 17 regarding prequalified lots, signage, and driveways.

As always, I will be available to answer any questions regarding these proposed zoning amendments that are designed to benefit the economic growth and sense of community within the City.

C: Acting Mayor Patrick M. Keefe, Jr.
 Tom Skwierawski, Chief of Planning and Community Development

AN ORDINANCE CREATING OUTDOOR DINING ZONING
REGULATIONS FOR THE CITY OF REVERE

Section 1. Title 17, Chapter 17.08 of the Revised Ordinances of the City of Revere is hereby amended by inserting the following new section:

17.08.654 – Restaurant.

“Restaurant” means an establishment where the primary business is the service, by a waiter or waitress, of food and beverages to be consumed exclusively at tables or a bar or counter on the premises.

Section 2. Title 17, Chapter 17.08, Section 17.08.655 of the Revised Ordinances of the City of Revere is hereby amended by deleting this section in its entirety and inserting in place thereof the following new section:

17.08.655 – Restaurant, outdoor dining.

“Restaurant, outdoor dining” means a covered or uncovered but not fully enclosed portion of a restaurant which is located in a public space that is outside of a wholly enclosed building or structure, including but not limited to a sidewalk, street, or municipal parking lot, and is used for the service and consumption of food and drinks by the patrons of the restaurant.

Section 3. Title 17, Chapter 17.16, Section 17.16.040 of the revised ordinances of the City of Revere is hereby amended by removing “sp” in the TED district following “Restaurant” and inserting in place thereof “yes” within the Table of Uses.

Section 4. Title 17, Chapter 17.16, Section 17.16.040 of the Revised Ordinances of the City of Revere is hereby amended by placing a new entry for “Restaurant, outdoor dining” in the Table of Uses, which shall be inserted directly beneath “Restaurant,” and which shall be followed by “no” in the RA, RA1, RB, RB1, RC3, and LI Districts, and “yes” in the RC2, PDD1, PDD2, GB, CB, HB, TED, and IP Districts, and “yes%” in the RC, RC1, NB, and GB1 Districts.

Section 5. Title 17, Chapter 17.16, Section 17.16.040 of the Revised Ordinances of the City of Revere is hereby amended by inserting footnote “%=See 17.16.310(B)(1) for outdoor dining in Districts where Restaurants are allowed by Special Permit” below the Table of Uses.”

Section 6. Title 17, Chapter 17.16, Section 17.16.310 of the revised ordinances of the City of Revere is hereby amended by deleting this section in its entirety and inserting in place thereof the following new section:

17.16.310 – Restaurants (non-fast food).

- A. Restaurant (non-fast food) establishments are allowed by right in the RC2, PDD1, PDD2, GB, CB, HB, TED, and IP districts. In the RC, RC2, NB, and GB1 districts restaurants (non-fast food) may be erected, constructed, placed, altered, converted, or otherwise changed only by special permit granted by the city council in conformance with the dimensional and parking control requirements of this title, and the following minimum requirements:
1. The use in question shall be located and principally assessed from the frontage (street address) portion of the lot in question.
 2. The minimum frontage utilized by the use in question shall be at least sixty feet.
 3. Restaurant (non-fast food) establishments must utilize a space equivalent to fifty percent of the first-floor gross square footage of the building (building footprint) in which it's located.
 4. Parking requirements set forth in Section 17.28.020 pertaining to restaurants (non-fast food) i.e., one space per four seats, shall be provided on-site and in addition to any other parking spaces required for commercial or residential uses. In no instance shall any other commercial or residential parking spaces be counted or shared by the restaurant (non-fast food) establishment.
 5. The above criteria, subsections 1-3, shall pertain to restaurant (non-fast food) establishments on the first three stories of buildings in the RC1 district and shall not apply to restaurant (non-fast food) establishments above the fourth floor.
- B. Outdoor dining in the public way.
- Food and/or alcoholic beverages shall not be served outside of the licensed premises without written approval of the License Commission expanding the license's premises. All outdoor dining areas in the public way shall comply with all applicable state and municipal codes, and the American with Disabilities Act (ADA) requirements.
1. In the RC, RC1, NB, and GB1 districts, outdoor dining in the public way shall be an allowable use in conformance with the conditions set by the city council in the establishment's Special Permit.
 2. Site Plan Review Committee shall review applications for Outdoor dining and make recommendations for conformance prior to approval from the License Commission expanding the license's premises.
- C. Every license and permit issued shall contain a condition that the person accepting the same shall conform to the laws of the commonwealth, the provisions of this revision, and all other ordinances of the City of Revere and the

specifications in the license or permit; that the license or permit may be revoked at any time by the authority issuing it unless otherwise provided by law; that the licensee will indemnify and hold harmless the city from any damages it may sustain or be required to pay by reason of performing the work licensed or permitted, or by reason of any act or neglect by the licensee or permittee, or by any of the licensee's or permittee's employees relating to such work, or by reason of the violation of any specification contained in the license or permit; provided, that nothing contained in this section shall be construed to prevent the insertion of any other specification deemed advisable by the authority issuing the license or permit.

AN ORDINANCE FURTHER AMENDING THE ZONING ORDINANCE OF THE CITY OF REVERE REGARDING
PREQUALIFIED LOTS, SIGNAGE, AND DRIVEWAYS.

- Section 1.** Title 17, Chapter 17.24, Section 17.24.030(D) of the Revised Ordinances of the City of Revere is hereby amended by removing the third sentence and inserting in place thereof the following two sentences, "The term 'vacant' means that no structure existed on the lot, including but not limited to a garage, shed (larger than 200 square feet), deck, cabana, inground swimming pool or any other accessory structure. For the purpose of this Section, an above ground swimming pool shall not be considered a permanent structure."
- Section 2.** Title 17, Chapter 17.28, Section 17.28.110 of the Revised Ordinances of the City of Revere is hereby amended by removing the words "eight percent" and inserting in place thereof the words "nine percent."
- Section 3.** Title 17, Chapter 17.36, Section 17.36.042(B)(2) of the Revised Ordinances of the City of Revere is hereby amended by removing the words "thirty feet" and inserting in place thereof the words "twenty feet."
- Section 4.** Title 17, Chapter 17.36, Section 17.36.060(A)(2) of the Revised Ordinances of the City of Revere is hereby amended by removing the words "beyond the face of any wall or building, or."

**City of Revere, MA
Public Hearing Notice**

Notice is hereby given, in accordance with the provisions of Section 5 of Chapter 40A of the Massachusetts General Laws and Title 17, Chapter 17.56, Sections 17.56.010 – 17.56.080 of the Revised Ordinances of the City of Revere, that (a) the Revere City Council will conduct a public hearing on Monday, October 30, 2023 at 6:00PM in the City Councillor Joseph A. DelGrosso City Council Chamber of Revere City Hall, 281 Broadway, Revere, Massachusetts 02151, and (b) the Revere Planning Board will conduct a public hearing on Tuesday, October 31, 2023 at 5:30PM in the City Councillor Joseph A. DelGrosso City Council Chamber of Revere City Hall, 281 Broadway, Revere, Massachusetts 02151, relative to the following proposed amendment to the Revised Ordinances of the City of Revere:

A ZONING ORDINANCE FURTHER AMENDING THE REVISED ORDINANCES OF THE CITY OF REVERE RELATIVE TO PREQUALIFIED LOTS, SIGNANGE, AND DRIVEWAYS

- Section 1.** Title 17, Chapter 17.24, Section 17.24.030(D) of the Revised Ordinances of the City of Revere is hereby amended by removing the third sentence and inserting in place thereof the following two sentences, “The term ‘vacant’ means that no structure existed on the lot, including but not limited to a garage, shed (larger than 200 square feet), deck, cabana, inground swimming pool or any other accessory structure. For the purpose of this Section, an above ground swimming pool shall not be considered a permanent structure.”
- Section 2.** Title 17, Chapter 17.28, Section 17.28.110 of the Revised Ordinances of the City of Revere is hereby amended by removing the words “eight percent” and inserting in place thereof the words "nine percent.”
- Section 3.** Title 17, Chapter 17.36, Section 17.36.042(B)(2) of the Revised Ordinances of the City of Revere is hereby amended by removing the words “thirty feet” and inserting in place thereof the words “twenty feet.”
- Section 4.** Title 17, Chapter 17.36, Section 17.36.060(A)(2) of the Revised Ordinances of the City of Revere is hereby amended by removing the words “beyond the face of any wall or building, or.”

A copy of the aforementioned zoning amendment is on file and available for public inspection in the Office of the City Clerk, Revere City Hall, 281 Broadway, Revere, Massachusetts, Monday through Thursday from 8:15 A.M. to 5:00 P.M. and Friday from 8:15 A.M. to 12:15 P.M.

Attest:
Ashley E. Melnik
City Clerk

Attest:
Megan Simmons-Herling
Planning Board, Chair

Revere Journal
Send Invoice to: amelnik@revere.org
October 11, 2023
October 18, 2023



City of Revere

Patrick M. Keefe, Jr.
Acting Mayor

BOARD OF ASSESSORS

Dana E. Brangiforte
John J. Verrengia
Mathew M. McGrath

Revere City Council
c/o Ashley Melnick, City Clerk
281 Broadway
Revere, MA 02151

November 7, 2023

Dear Honorable Revere City Council,

In accordance with the provisions of Section 56 of Chapter 40 of the Massachusetts General Laws, the Revere Board of Assessors request that the Honorable City Council conduct a public hearing for the purpose of establishing the Minimum Residential Factor. Adopting a Residential Factor will allow the Board of Assessors to proceed with the establishment of the tax rate for Fiscal Year 2024.

Sincerely,

Dana Brangiforte, Chairman Revere Board of Assessors

CC: Patrick Keefe, Acting Mayor

Richard Viscay, Chief Financial Officer

Attachment: Minimum Residential Factor Hearing Request 1132023 (23-250 : Public Hearing Request - Min. Residential Factor FY2024)

AN ORDINANCE FURTHER AMENDING THE ZONING ORDINANCE OF THE
CITY OF REVERE REGARDING SMART GROWTH

Section 1. Title 17 of the Revised Ordinances of the City of Revere is hereby amended by inserting the following new chapter:

CHAPTER [17.29]: SMART GROWTH OVERLAY DISTRICTS (SGODs)

A. General Regulations that apply to all Smart Growth Overlay Districts

Section 17.29.010 - PURPOSE

The purpose of this Section [17.29] is to establish Green Street and Shirley Avenue Smart Growth Overlay Districts, to encourage smart growth in accordance with the purposes of G. L. Chapter 40R and to the extent the following other purposes are not in conflict with the Governing Laws;

[add other objectives as applicable]

Section 17.29.020 - DEFINITIONS

For purposes of this Section [17.29], the following definitions shall apply. All capitalized terms shall be defined in accordance with the definitions established under the Governing Laws or Section 2.0, or as set forth in the PAA Regulations. With respect to their application to this Section [17.29], to the extent that there is any conflict between the definitions or terms set forth in, or otherwise regulated by, the Governing Laws and those defined or used in this Section [17.29], inclusive of any applicable Design Standards, PAA Regulations, or any other applicable associated local zoning requirement (e.g., zoning requirement contained in another section of the Zoning Ordinance that is nonetheless incorporated by reference), the terms of the Governing Laws shall govern.

1. ***Affordable Homeownership Unit*** means an Affordable Housing unit required to be sold to an Eligible Household.
2. ***Affordable Housing means*** housing that is affordable to and occupied by Eligible Households and aligns with Revere Title 17 definitions
3. ***Apartment House*** means a dwelling for more than two families under one roof, or for one or more families above a first floor used for nonresidential purposes, including structures or buildings owned in condominium ownership under General Laws, Chapter 183A
4. ***Affordable Housing Restriction means***a deed restriction of Affordable Housing meeting the statutory requirements in G.L. Chapter 184, Section 31 and the requirements of Chapter 17.29 of this Ordinance.

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5. Affordable Rental Unit means an Affordable Housing unit required to be rented to an Eligible Household.

6. Applicant means the individual or entity that submits a Project application for Plan Approval.

7. As-of-right means a use allowed under Section 5.0 without recourse to a special permit, variance, zoning amendment, or other form of zoning relief other than waivers issued hereunder Section 11.3. A Project that requires Plan Approval by the PAA pursuant to Sections 9.0 through 13.0 shall be considered an as-of-right Project, subject to review and approval by EOHLC of any Municipal 40R regulations, guidelines, application forms, or other requirements applicable to review of Projects by the Plan Approval Authority under the 40R Zoning and 760 CMR 59.00.

8. Bank or Financial Institution means an establishment that provides retail banking services, mortgage lending, or similar financial services to individuals and businesses. This use type also includes record storage and data processing and shall also include free standing automated teller machines (ATM).

9. EOHLC or Secretariat means the Massachusetts Executive Office of Housing and Livable Communities, or any successor agency.

10. Design Standards means provisions of Section 13 made applicable to Projects within the SGOD that are subject to the Plan Approval process.

11. Eligible Household means an individual or household whose annual income is less than or equal to 80 percent of the area-wide median income as determined by the United States Department of Housing and Urban Development (HUD), adjusted for household size, with income computed using HUD's rules for attribution of income to assets.

12. Governing Laws means G.L. Chapter 40R and 760 CMR 59.00.

13. Health Club means a commercial business establishment that provides facilities for individual physical health activities, including, but not limited to the use of exercise equipment, including free weights, exercise machines, treadmills, stationary bicycles, and other aerobic equipment, personal trainers, yoga classes, aerobic exercise classes, running and jogging, saunas, steam rooms, showers and lockers. Such establishments are considered commercial establishments operating as a business whether open to members and their guests on a membership basis only or open to the public at large paying a daily admission fee.

14. Mixed-Use Development Project means a Project containing a mix of one or more residential uses and one or more non-residential uses, as allowed in Section 5.2, and subject to all applicable provisions of this Chapter [17.29].

15. Monitoring Agent or Administering Agent means the local housing authority or other qualified housing entity designated by the municipality, chief executive, pursuant to Section 17.29.050, to review and implement the Affordability requirements affecting Projects under Section 50.

16. PAA Regulations means the rules and regulations of the PAA adopted pursuant to Section 17.29.080.

11/8/2023

17. Plan Approval means standards and procedures which certain categories of Projects in the SGOD must meet pursuant to Chapter 17 and the Governing Laws.

18. Plan Approval Authority (PAA) means The local approval authority authorized under Section 17.030 to conduct the Plan Approval process for purposes of reviewing Project applications and issuing Plan Approval decisions within the SGOD.

19. Project means a Residential Project or Mixed-use Development Project undertaken within the SGOD in accordance with the requirements of this Chapter [17.29].

20. Recreation, Gainful Business means commercial recreational activities such as amusement centers, game arcades or similar activities. For the purposes of this title, this definition does not pertain to such activities as health clubs, physical fitness, racetracks, arenas and similar athletic facilities.

21. Residential Project means a Project that consists solely of residential use and any parking and accessory uses as may be permitted/required and further defined in Section 5.1.

22. Restaurant means an establishment where the primary business is the service, by a waiter or waitress of food and beverages to be consumed exclusively at tables or at a counter on the premises.

23. SGOD means the Smart Growth Overlay District established in accordance with this Chapter [17.29].

24. Single-Family Dwelling means a detached building used for, or occupied exclusively by, one dwelling unit.

25. Two-Family Dwelling means a building used for, or occupied by, two dwelling units.

26. Zoning Ordinance means Title 17, the Zoning Ordinance of the City of Revere

[add other definitions as required, either here or in the PAA Regulations]

Section 17.29.030 - APPLICABILITY OF SGODs – SCOPE AND AUTHORITY

3.1 Applicability of SGODs. An Applicant may seek development of a Project located within the SGOD in accordance with the provisions of the Governing Laws and this Chapter [17.29], including a request for Plan Approval by the PAA, if necessary. In such case, notwithstanding anything to the contrary in Title 17, the Zoning Ordinance, such application shall not be subject to any other provisions of the Zoning Ordinance, including limitations upon the issuance of building permits for residential uses related to a rate of development

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or phased growth limitation or to a local moratorium on the issuance of such permits, or to other building permit or dwelling unit limitations. To the extent that there is any conflict between the Governing Laws and this Chapter [17.29], inclusive of the Design Standards, the PAA Regulations, and any applicable associated local zoning requirement (e.g., zoning requirement contained in another section of the Zoning Ordinance that is nonetheless incorporated by reference), the Governing Laws shall govern.

3.2 Underlying Zoning. The SGOD is an overlay district superimposed on all underlying zoning districts. The regulations for use, dimension, and all other provisions of the Zoning Ordinance governing the underlying zoning district(s) shall remain in full force, except for those Projects undergoing development pursuant to this Section [17.29]. Within the boundaries of the SGOD, a developer may elect either to develop a Project in accordance with the requirements of the Smart Growth Zoning, or to develop a project in accordance with requirements of the regulations for use, dimension, and all other provisions of the Zoning Ordinance governing the underlying zoning district(s).

3.3 Administration, Enforcement, and Appeals. The provisions of this Section [17.29] shall be administered by the Building Commissioner, except as otherwise provided herein. Any legal appeal arising out of a Plan Approval decision by the PAA under Sections 9 through 13 shall be governed by the applicable provisions of G. L. Chapter 40R. Any other request for enforcement or appeal arising under this Section [17.29] shall be governed by the applicable provisions of G. L. Chapter 40A..

Section 17.29.040 - PERMITTED USES - GENERAL

The following uses are permitted As-of-right for Projects within SGODs unless otherwise specified under the corresponding section of the district-specific requirements.

1. Residential Projects. A Residential Project within the SGOD may include:

- a) Single-family, two- and three-family, and/or Multi-family Residential Use(s).
- b) Parking accessory to any of the above permitted uses, including surface, garage-under, and structured parking (e.g., parking garages); and
- c) Accessory uses customarily incidental to any of the above permitted uses.

Section 17.29.050 - HOUSING AND HOUSING AFFORDABILITY

1. Number of Affordable Housing Units. For all Projects containing at least 8 residential units, not less than twenty percent (20%) of housing units constructed shall be Affordable Housing.

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For the purpose of calculating the number of units of Affordable Housing required within a Project, any fractional unit shall be deemed to constitute a whole unit. A Project shall not be segmented to evade the Affordability threshold set forth above – this provision is only necessary if certain Projects (those with 8 or fewer units as may be specified in the SGZ) are exempt from the Affordability requirement.. Furthermore, the total number of affordable units within the entire SGZD equals not less than 20%.

2. Monitoring Agent. A Monitoring Agent which may be the local housing authority or other qualified housing entity shall be designated by the chief executive (the “designating official”). In a case where the Monitoring Agent cannot adequately carry out its administrative duties, upon certification of this fact by the designating official or by EOHLC such duties shall devolve to and thereafter be administered by a qualified housing entity designated by the designating official. In any event, such Monitoring Agent shall ensure the following, both prior to issuance of a Building Permit for a Project within the SGOD, and on a continuing basis thereafter, as the case may be:

- a. prices of Affordable Homeownership Units are properly computed; rental amounts of Affordable Rental Units are properly computed;
- b. income eligibility of households applying for Affordable Housing is properly and reliably determined;
- c. the housing marketing and resident selection plan conform to all requirements, have been approved by EOHLC specifically with regard to conformance with M.G.L. c.40R and 760 CMR 59.00, and are properly administered;
- d. sales and rentals are made to Eligible Households chosen in accordance with the housing marketing and resident selection plan (a.k.a., Affirmative Fair Housing Marketing Plan (AFHMP)) with appropriate unit size for each household being properly determined and proper preference being given; and
- e. an Affordable Housing Restriction (AHR) meeting the requirements of this Chapter is approved by EOHLC specifically regarding conformance with M.G.L. c.40R and 760 CMR. 59.00, recorded with the proper registry of deeds.

3. Submission Requirements. As part of any application for Plan Approval for a Project within the SGOD submitted under Sections 9.0 through 13.0 (or, for Projects not requiring Plan Approval, prior to submission of any application for a Building Permit), the Applicant must submit the following documents to the PAA and the Monitoring Agent:

- 1) evidence that the Project complies with the cost and eligibility requirements of Section 6.4:
- 2) Project plans that demonstrate compliance with the requirements of Section 6.5; and

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- 3) a form of Affordable Housing Restriction that satisfies the requirements of Section 6.6.

These documents in combination, to be submitted with an application for Plan Approval (or, for Projects not requiring Plan Approval, prior to submission of any application for a Building Permit), shall include details about construction related to the provision, within the development, of units that are accessible to the individuals with disabilities and appropriate for diverse populations, including households with children, other households, individuals, households including individuals with disabilities, and the elderly.

4. Cost and Eligibility Requirements. Affordable Housing shall comply with the following requirements:

1. Affordable Housing required to be offered for rent or sale shall be rented or sold to and occupied only by Eligible Households.
2. For an Affordable Rental Unit, the monthly rent payment, including applicable utility allowances, shall not exceed 30 percent of the maximum monthly income permissible for an Eligible Household, assuming a family size equal to the number of bedrooms in the unit plus one, unless another affordable housing program methodology for calculating rent limits, as approved by EOHLC, applies.
3. For an Affordable Homeownership Unit the monthly housing payment, including mortgage principal and interest, private mortgage insurance, property taxes, condominium and/or homeowner's association fees, and insurance, shall not exceed 30 percent of the maximum monthly income permissible for an Eligible Household, assuming a family size equal to the number of bedrooms in the unit plus one, unless another affordable housing program methodology for calculating mortgage payments, as approved by EOHLC, applies.

Prior to the granting of any building permit for a Project, the Applicant must demonstrate, to the satisfaction of the Monitoring Agent, that the method by which such affordable rents or affordable purchase prices are computed shall be consistent with state or federal guidelines for Affordability applicable to Revere.

5. Design and Construction. Units of Affordable Housing shall be finished housing units. With respect to the minimum number of units in a given Project that are required to be Affordable Housing under Chapter 17.29 and the Governing Laws, such units shall be equitably integrated and proportionately dispersed throughout the residential portion of the Project of which they are part, across all residential buildings, floors, distinct unit types, and with respect to the gross floor area devoted to residential units, in accordance with the Affordable Housing Restriction and the Affirmative Fair Housing Marketing and Resident Selection Plan, as approved by EOHLC. The Affordable Housing units shall be comparable in initial construction quality, size, amenities, and exterior design to the other housing units in the Project. Unless expressly required otherwise under one or more applicable state or federal housing subsidy programs, the bedroom-

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per-unit average for the Affordable Housing must be equal to or greater than the bedroom-per-unit average for the unrestricted/market-rate units.

6. Affordable Housing Restriction. Each Project shall be subject to an Affordable Housing Restriction which is recorded with the applicable registry of deeds or district registry of the Land Court, and which contains the following:

1. specification of the term of the Affordable Housing Restriction which shall be stipulated in the Plan Approval decision but in no case be less than a thirty-year period.
2. the name and address of the Monitoring Agent with a designation of its power to monitor and enforce the Affordable Housing Restriction.
3. a description of the Affordable Homeownership Unit(s), if any, by address and number of bedrooms; and a description of the overall quantity, initial unit designations and number of bedrooms and number of bedroom types of Affordable Rental Units in a Project or portion of a Project which are rental. Such restriction shall apply individually to the specifically identified Affordable Homeownership Unit and shall apply to a percentage of rental units of a rental Project or the rental portion of a Project with the initially designated Affordable Rental Units identified in, and able to float subject to specific approval by EOHLC in accordance with, the corresponding Affirmative Fair Housing Marketing Plan (AFHMP) and EOHLC's AFHMP guidelines.
4. reference to an Affirmative Fair Housing Marketing and Resident Selection Plan, to which the Affordable Housing is subject, and which includes an affirmative fair housing marketing program, including public notice and a fair resident selection process. Such plan shall be consistent with EOHLC guidance and approved by EOHLC. Consistent with EOHLC guidance, such plan shall include a preference based on need for the number of bedrooms in a unit and a preference based on need for the accessibility features of a unit where applicable and may only provide for additional preferences in resident selection to the extent such preferences are also consistent with applicable law and approved by EOHLC.
5. a requirement that buyers or tenants will be selected at the initial sale or initial rental and upon all subsequent sales and rentals from a list of Eligible Households compiled in accordance with the housing marketing and selection plan;
6. reference to the formula pursuant to which the maximum rent of an Affordable Rental Unit or the maximum resale price of an Affordable Homeownership Unit will be set;
7. a requirement that only an Eligible Household may reside in Affordable Housing and that notice of any lease of any Affordable Rental Unit shall be given to the Monitoring Agent;
8. provision for effective monitoring and enforcement of the terms and provisions of the Affordable Housing Restriction by the Monitoring Agent;

11/8/2023

9. provision that the AHR on an Affordable Homeownership Unit shall run in favor of the Monitoring Agent and/or the municipality, in a form approved by municipal counsel, and shall limit initial sale and re-sale to and occupancy by an Eligible Household;
10. provision that the AHR on Affordable Rental Units in a rental Project or rental portion of a Project shall run with the rental Project or rental portion of a Project and shall run in favor of the Monitoring Agent and/or the municipality, in a form approved by municipal counsel, and shall limit rental and occupancy to an Eligible Household;
11. provision that the owner(s) or manager(s) of Affordable Rental Unit(s) shall file an annual compliance report with the Monitoring Agent, in a form specified by that agent certifying compliance with the Affordability provisions of this Ordinance and containing such other information as may be reasonably requested in order to ensure Affordability; and
12. a requirement that residents in Affordable Housing provide such information as the Monitoring Agent may reasonably request in order to ensure Affordability.

7. Costs of Affirmative Fair Housing Marketing and Resident Selection Plan. The Affirmative Fair Housing Marketing and Resident Selection Plan and/or any associated Monitoring Services Agreement may make provision for payment by the Project Applicant of reasonable costs to the Monitoring Agent to monitor and enforce compliance with Affordability requirements consistent with the Affordable Housing Restriction and otherwise fulfill the responsibilities contained in Section 6.2.

8. Age Restrictions. Nothing in this Section [17.29] shall permit the imposition of restrictions on age upon Projects unless proposed or agreed to voluntarily by the Applicant. However, in its review of a submission under Section 6.3 for a given SGOD, the PAA may allow a specific Project, designated exclusively for the elderly, persons with disabilities, or for assisted living, provided that any such Project shall be in compliance with all applicable federal, state and local fair housing laws and regulations and not less than twenty-five percent (25%) of the housing units in such a restricted Project shall be restricted as Affordable Housing units.

9. Phasing. For any Project that is approved and developed in phases in accordance with Section 9.4, the percentage of Affordable units in each phase shall be at least equal to the minimum percentage of Affordable Housing required under Section 6.1 or 6.8, as applicable. Where the percentage of Affordable Housing is not uniform across all phases, the unit dispersal and bedroom proportionality requirements under Section 6.5 shall be applied proportionately to the Affordable Housing provided for in each respective phase.

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10. No Waiver. Notwithstanding anything to the contrary herein, the Affordability provisions in this Section 6.0 shall not be waived unless expressly approved in writing by EOHLC under the 40R Smart Growth Zoning Program pursuant to the Governing Laws, in order to eliminate conflict with an associated state or federal housing financing program and/or at the request of the Plan Approval Authority.

Section 17.29.060 - DIMENSIONAL AND DENSITY REQUIREMENTS - GENERAL

1. **Table of Requirements.** Notwithstanding anything to the contrary in this Zoning Ordinance, the dimensional requirements applicable in any SGOD are as follows:

Dimensional Requirement	
Maximum Building Height	60 feet
Max. Stories	6
Lot Area Frontage (ft)	100 feet
Side Yard Setbacks (ft)	20 feet
Rear Yard Setbacks (ft)	20 feet
Max Fence Height (ft)	10

2. **Dimensional Waivers in Substantially Developed Sub-district.** The PAA may, in order to encourage the development of infill housing units on undeveloped lots within a Substantially Developed Sub-district, grant a waiver to the dimensional standards of Section 7.1, in accordance with Section 11.3.

Section 17.29.070 - PARKING REQUIREMENTS - GENERAL

The parking requirements applicable for Projects within SGODs are as follows.

1. Off-street parking and loading shall be provided in accordance with the schedule set out in this article in Section 17.28.010 and as otherwise required elsewhere in this title::

USE	Number of Parking Spaces	Minimum Loading Bay	Minimum Loading Space
Residential Units:			
Single Family	2	0	0
Two Family	4	0	0

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1. Visitor Parking Spaces . The PAA may allow for additional visitor parking spaces, no greater than .25 spaces maximum spaces per unit. if deemed appropriate given the design, layout and density of the proposed residential or other development. The PAA may allow for a decrease in any required parking as provided in Sections 2 and 3 below.

2.. Shared Parking. Notwithstanding anything to the contrary herein, the use of shared parking to fulfill parking demands noted above that occur at different times of day is strongly encouraged. Any minimum parking requirements above may be reduced by the PAA through the Plan Approval process (or, for Projects not requiring Plan Approval, prior to submission of any application for a Building Permit), if the Applicant can demonstrate that shared spaces will meet parking demands by using accepted methodologies (e.g. the Urban Land Institute Shared Parking Report, ITE Shared Parking Guidelines, or other approved studies).

3. Reduction in parking requirements. Notwithstanding anything to the contrary herein, any minimum required amount of parking may be reduced by the PAA through the Plan Approval process (or, for Projects not requiring Plan Approval, prior to submission of any application for a Building Permit), if the Applicant can demonstrate that the lesser amount of parking will not cause excessive congestion, endanger public safety, or that lesser amount of parking will provide positive environmental or other benefits, taking into consideration:

- a) the availability of surplus off-street parking in the vicinity of the use being served and/or the proximity of a bus stop or transit station;
- b) the availability of public or commercial parking facilities in the vicinity of the use being served;
- c) shared use of off-street parking spaces serving other uses having peak user demands at different times;
- d) To the extent consistent with 760 CMR 59.04(1)(g) and 760 CMR 59.04(1)(i)1., age or other occupancy restrictions which are likely to result in a lower level of auto usage;
- e) impact of the parking requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, or loss of pedestrian amenities along public ways; and
- f) Any applicable transportation demand management strategies that will be integrated into the Project or such other factors as may be considered by the PAA.

4. Location of Parking. Any surface parking lot shall, to the maximum extent feasible, be located at the rear or, where not feasible or otherwise preferred by the PAA, side of a building, relative to any principal street, public open space, or pedestrian way.

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Section 17.29.080 - PLAN APPROVAL OF PROJECTS: GENERAL PROVISIONS

1. Plan Approval. An application for Plan Approval shall be reviewed by the PAA for consistency with the purpose and intent of Chapter 17.17 of Revere Revised Ordinance. Such Plan Approval process shall be construed as an As-of-right review and approval process as required by and in accordance with the Governing Laws. The following categories of Projects shall be subject to the Plan Approval process:

- a) Any Residential Project containing at least 8 residential units;
- b) Any Mixed-use Development Project;
- d) Any Project seeking a waiver.

2. Plan Approval Authority (PAA). The Revere Site Plan Review Committee, consistent with G.L. Chapter 40R and 760 CMR 59.00, shall be the Plan Approval Authority (the “PAA”), and it is authorized to conduct the Plan Approval process for purposes of reviewing Project applications and issuing Plan Approval decisions within any SGOD as may be established in Section

17.129.100

3. PAA Regulations. The Plan Approval Authority may adopt administrative rules and regulations relative to Plan Approval. Such rules and regulations and any amendments thereof must be approved by the Executive Office of Housing and Livable Communities.

4. Project Phasing. An Applicant may propose, in a Plan Approval submission, that a Project be developed in phases, provided that the submission shows the full buildout of the Project and all associated impacts as of the completion of the final phase, and subject to the approval of the PAA. Any phased Project shall comply with the provisions of Section 6.9.

Section 17.29.090 - PLAN APPROVAL PROCEDURES

1. Preapplication. Prior to the submittal of a Plan Approval submission, a “Concept Plan” may be submitted to help guide the development of the definitive submission for Project buildout and individual elements thereof. If submitted, such Concept Plan should reflect the following:

- A. Overall building envelope areas;
- B. Open space and natural resource areas; and
- C. General site improvements, groupings of buildings, and proposed land uses.

The Concept Plan is intended to be used as a tool for both the Applicant and the

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PAA to ensure that the proposed Project design will be consistent with the Design Standards and other requirements of the corresponding SGOD.

2. Required Submittals. An application for Plan Approval shall be submitted to the PAA on the form provided by the PAA and approved by EOHLIC, [along with application fee(s)] which shall be as set forth in the PAA Regulations. The application shall be accompanied by such plans and documents as may be required and set forth in the PAA Regulations. For any Project that is subject to the Affordability requirements of Section 50, the application shall be accompanied by all materials required under Section 50.3. All site plans shall be prepared by a certified architect, landscape architect, and/or a civil engineer registered in the Commonwealth of Massachusetts. All landscape plans shall be prepared by a certified landscape architect registered in the Commonwealth of Massachusetts. All building elevations shall be prepared by a certified architect registered in the Commonwealth of Massachusetts. All plans shall be signed and stamped, and drawings prepared at a scale of one-inch equals forty feet (1"=40') or larger, or at a scale as approved in advance by the PAA.

3. Filing. An Applicant for Plan Approval shall file the required number of copies of the application form and the other required submittals as set forth in the PAA Regulations with the City Clerk and a copy of the application including the date of filing certified by the City Clerk shall be filed forthwith with the PAA.

4. Circulation to Other Boards. Upon receipt of the application, the PAA shall immediately provide a copy of the application materials to the Planning Board, City Council, Board of Appeals, Board of Health, Conservation Commission, Fire Department, Police Department, Building Commissioner, Department of Public Works, Commissioner of Handicapped Affairs, the Monitoring Agent (if already identified, for any Project subject to the Affordability requirements of Section 50), and other municipal officers, agencies or boards for comment, and any such board, agency or officer shall provide any written comments within 30 days of its receipt of a copy of the plan and application for approval.

5. Hearing. The PAA shall hold a public hearing for which notice has been given as provided in Section 11 of G.L. Chapter 40A. The decision of the PAA shall be made, and a written notice of the decision filed with the City Clerk, within 120 days of the receipt of the application by the City Clerk. The required time limits for such action may be extended by written agreement between the Applicant and the PAA, with a copy of such agreement being filed in the office of the City Clerk. Failure of the PAA to take action within said 120 days or extended time, if applicable, shall be deemed to be an approval of the Plan Approval application.

6. Peer Review. The Applicant shall be required to pay for reasonable consulting fees to provide peer review of the Plan Approval application, pursuant to G.L. Chapter 40R, Section 11(a). Such fees shall be held by the City in a

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separate account and used only for expenses associated with the review of the application by outside consultants, including, but not limited to, attorneys, engineers, urban designers, housing consultants, planners, and others. Any surplus remaining after the completion of such review, including any interest accrued, shall be returned to the Applicant forthwith.

SECTION 17.29.100 PLAN APPROVAL DECISIONS

1. Plan Approval. Plan Approval shall be granted by simple majority vote where the PAA finds that:

- A. the Applicant has submitted the required fees and information as set forth in the PAA Regulations; and
- B. the Project as described in the application meets the requirements and standards set forth in this Chapter 17.29 and the PAA Regulations, or a waiver has been granted therefrom; and
- C. any extraordinary adverse potential impacts of the Project on nearby properties have been adequately mitigated.

For a Project subject to the Affordability requirements of Section 50, compliance with condition (2) above shall include written confirmation by the Monitoring Agent that all requirements of that Section have been satisfied. Any Plan Approval decision for a Project subject to the affordability restrictions of Section 50 shall specify the term of such affordability, which shall be no less than a thirty-year period. The PAA may attach conditions to the Plan Approval decision that are necessary to ensure substantial compliance with this Section 17.29, or to mitigate any extraordinary adverse potential impacts of the Project on nearby properties.

2. Plan Disapproval. A Plan Approval application may be disapproved only by simple majority vote where the PAA finds that:

1. the Applicant has not submitted the required fees and information as set forth in the Regulations; or
2. the Project as described in the application does not meet the requirements and standards set forth in this Chapter 17.29 and the PAA Regulations, or that a requested waiver therefrom has not been granted; or
3. it is not possible to adequately mitigate extraordinary adverse Project impacts on nearby properties by means of suitable conditions.

3. Waivers. Upon the request of the Applicant and subject to compliance with M.G.L. c. 40R, 760 CMR 59.00 and Section 6.10, the Plan Approval Authority may waive dimensional and other requirements of Section 17.29, including the Design Standards, in the interests of design flexibility and overall Project quality,

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and upon a finding of consistency of such variation with the overall purpose and objectives of the Smart Growth Zoning and corresponding SGOD, or if it finds that such waiver will allow the Project to achieve the density, affordability, mix of uses, and/or physical character allowable under this Section 17.29.

4. Project Phasing. The PAA, as a condition of any Plan Approval, may allow a Project to be phased at the request of the Applicant, or it may require a Project to be phased for the purpose of coordinating its development with the construction of Planned Infrastructure Improvements (as that term is defined under 760 CMR 59.00), or to mitigate any extraordinary adverse Project impacts on nearby properties. For Projects that are approved and developed in phases, unless otherwise explicitly approved in writing by EOHLC in relation to the specific Project, the proportion of Affordable units in each phase shall be at least equal to the minimum percentage of Affordable Housing required under Section 6.1 or 6.8, as applicable.

5. Form of Decision. The PAA shall issue to the Applicant a copy of its decision containing the name and address of the owner, identifying the land affected, and the plans that were the subject of the decision, and certifying that a copy of the decision has been filed with the Revere City Clerk and that all plans referred to in the decision are on file with the PAA. If twenty (20) days have elapsed after the decision has been filed in the office of the Revere City Clerk without an appeal having been filed or if such appeal, having been filed, is dismissed or denied, the City Clerk shall so certify on a copy of the decision. If a plan is approved by reason of the failure of the PAA to timely act, the City Clerk shall make such certification on a copy of the application. A copy of the decision or application bearing such certification shall be recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or recorded and noted on the owner's certificate of title. The fee for recording or registering shall be paid by the Applicant.

6. Validity of Decision. A Plan Approval shall remain valid and shall run with the land indefinitely, provided that construction has commenced within two years after the decision is issued, which time shall be extended by the time required to adjudicate any appeal from such approval and which time shall also be extended if the Project proponent is actively pursuing other required permits for the Project or there is other good cause for the failure to commence construction, or as may be provided in a Plan Approval for a multi-phase Project.

Section 17.29.110 -CHANGE IN PLANS AFTER APPROVAL BY PAA

1. Minor Change. After Plan Approval, an Applicant may apply to make minor changes to a Project involving minor utility or building orientation adjustments, or minor adjustments to parking or other site details that do not affect the overall buildout or building envelope of the site, or provision of open space, number of

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housing units, or housing need or affordability features. Such minor changes must be submitted to the PAA on redlined prints of the approved plan, reflecting the proposed change, and on application forms provided by the PAA. The PAA may authorize such changes at any regularly scheduled meeting, without the need to hold a public hearing. The PAA shall set forth any decision to approve or deny such minor change by motion and written decision and provide a copy to the Applicant for filing with the City Clerk.

2. Major Change. Those changes deemed by the PAA to constitute a major change to a Project because of the nature of the change in relation to the prior approved plan, or because such change cannot be appropriately characterized as a minor change as described above, shall be processed by the PAA as a new application for Plan Approval pursuant to Chapter 17.17..

Section 17.29.120 - DESIGN STANDARDS - GENERAL

1. Adoption of Design Standards. Any Project undergoing the Plan Approval process shall be subject to Design Standards as set forth below in this Section 120 (“Design Standards”)

2. Purpose. The Design Standards are adopted to ensure that the physical character of Projects within SGODs:

- a) will be complementary to nearby buildings and structures;
- b) will be consistent with the Comprehensive Housing Plan, an applicable master plan, an area specific plan, or any other plan document adopted by the City the specific version of which has been expressly approved by EOHLC as consistent with the Smart Growth Zoning and Governing Laws; and
- c) will provide for high-density quality development consistent with the character of building types, streetscapes, and other community features traditionally found in densely settled areas of the City or in the region of the City

3. Design Standards. The Plan Approval Authority may adopt, by simple majority vote, Design Standards which shall be applicable to Development Projects subject to Plan Approval by the Plan Approval Authority. Such Design Standards must be objective and not subjective and may only address the scale and proportions of buildings, the alignment, width, and grade of streets and sidewalks, the type and location of infrastructure, the location of building and garage entrances, off street parking, the protection of significant natural site features, the location and design of on-site open spaces, exterior signs, and buffering in relation to adjacent properties. At its discretion, EOHLC may require Design Standards to contain graphics illustrating a particular standard or definition in order to make such standard or definition clear and understandable.

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4. EOHLIC Approval. After adopting Design Standards, the PAA shall submit Design Standards to EOHLIC for approval. Design Standards shall not take effect until approved by EOHLIC and filed with the City Clerk. In submitting proposed Design Standard for EOHLIC approval, the PAA shall also submit sufficient documentation clearly showing that the proposed Design Standards will not add unreasonable costs to Development Projects or unreasonably impair the economic feasibility of a Development Project. A letter from a developer, property owner or other qualified party indicating that the Design Standards will not add unreasonable costs or unreasonably impair the economic feasibility of a Development Project shall not necessarily constitute sufficient documentation. At its discretion, EOHLIC may disapprove Design Standards if it finds that the PAA has not adopted objective Design Standards or has not submitted such documentation.

5. Plan Approval. An application for Plan Approval that has been submitted to the Revere City Clerk pursuant to this Chapter 17.29 shall not be subject to Design Standards that have not been approved by EOHLIC and filed with the Revere City Clerk.

17.29.130. - SEVERABILITY.

If any provision of this Chapter 17.29 is found to be invalid by a court of competent jurisdiction, the remainder of Chapter 17.29 shall not be affected but shall remain in full force. The invalidity of any provision of this Chapter 17.29 shall not affect the validity of the remainder of the City's Zoning Ordinance Title 17.

17.29.140 - Establishment and Delineation of the Smart Growth Overlay Districts

1. GREEN STREET SMART GROWTH OVERLAY DISTRICT

1.1 Establishment. The Green Street Smart Growth Overlay District hereinafter referred to as the "GSSGOD", is an overlay district having a land area of approximately 6.37 acres in size that is superimposed over the underlying zoning districts and is shown on the Zoning Map as set forth on the map entitled "Green Street | Smart Growth Overlay District "Exhibit A" dated , prepared by City of Revere." This map is hereby made a part of the Zoning By-law/Ordinance and is on file in the Office of the City Clerk.

2. PERMITTED USES – (DISTRICT-SPECIFIC)

The following uses are permitted As-of-right for Projects within the Green Street Smart Growth Overlay District (GSSGOD)

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2.1 Residential Projects. A Residential Project within the Green Street Smart Growth Overlay District may include:

- a) Single-family, 2 and 3 family, and/or Multi-family Residential Use(s);
- b) Parking accessory to any of the above permitted uses, including surface, garage-under, and structured parking (e.g., parking garages); and
- c) Accessory uses customarily incidental to any of the above permitted uses.

2.2 Mixed-use Development Projects. A Mixed-use Development Project within the Green Street Smart Growth Overlay District must include at least one residential use and one non-residential use from these respective use categories as permitted below and may further include parking and other accessory uses as additionally provided for:

- a) Single-family, Two- and Three-family, and/or Multi-family Residential Use(s), provided that the minimum allowable As-of-right density allowances for residential use specified in Section 60 shall apply to the residential portion of any Mixed-use Development Project;
- b) Any of the following Non-residential uses:
- c) Office or Laboratory Uses: General office Use or Building
- d) Business Uses and Consumer Services: Restaurant; General Retail Sales and Services; Neighborhood Retail and Sales and Service; Health Club
- e) **Industrial Uses (E)** Brew pub; Brewery/Distillery or Winery
- f) Parking accessory to any of the above permitted uses, including surface, garage-under, and structured parking (e.g., parking garages); and
- g) Accessory uses customarily incidental to any of the above permitted uses.

The total gross floor area devoted to residential uses within a Mixed-use Development Project shall be at least \geq 51% of the total gross floor area of the Project.

3. DIMENSIONAL AND DENSITY REQUIREMENTS – (DISTRICT-SPECIFIC)

11/8/2023

3.1 Table of Requirements. Notwithstanding anything to the contrary in this Chapter 17.29 , the dimensional requirements applicable in the SGOD are as follows:

]

Dimensional Requirement	
Minimum Front Setback*	20 feet
Interior Setback (between Buildings on same Lot)	15 feet
Minimum Lot Area Square Feet	10,000 Square Feet
Floor Area Ratio (FAR)	1.5

3.2 Dimensional Waivers in Substantially Developed Sub-district. In order to encourage the development of infill housing units on undeveloped lots within a Substantially Developed Sub-district, the PAA may grant a waiver to the dimensional standards of Section 7.1 and herein, in accordance with Section 11.3.

4. PARKING REQUIREMENTS – (DISTRICT-SPECIFIC)

The parking requirements applicable for Projects within the GSSGOD are as follows.

USE	Number of Parking Spaces	Minimum Loading Bay	Minimum Loading Space
General Retail sales and service	1/200 GSF	0	0
Office and Institutional	1/400 GSF for professional office uses greater than 20,000 GSF. 1/500 for professional office uses 20,000 GSF and less	0	1
Residential Units:			
Single Family	2	0	0
Two Family	4	0	0
Apartments (1 Bedroom, 2 Bedrooms, 3 Bedrooms or more)	1.5, 1.75, 2	0	0
Office and Storage	1/250 GSF	(b)	1
Medical or Dental Office	1/200 GSF	0	1
Restaurant (non-fast-food)	1 Per 4 Seats	0	1
Health Club	1/150 GSF	NA	NA

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2. THE SHIRLEY AVENUE SMART GROWTH OVERLAY DISTRICT

1.1 Establishment. The Shirley Avenue Smart Growth Overlay District hereinafter referred to as the “SASGOD,” is an overlay district having a land area of approximately 66.78 acres in size that is superimposed over the underlying zoning districts and is shown on the Zoning Map as set forth on the map entitled Shirley Avenue Smart Growth Overlay District “Exhibit B” dated ___, prepared by ___.” This map is hereby made a part of the Zoning Ordinance and is on file in the Office of the City Clerk.

2. PERMITTED USES – (DISTRICT-SPECIFIC)

The following uses are permitted As-of-right for Projects within the Shirley Avenue Smart Growth Overlay District (SASGOD)

2.1 Residential Projects. A Residential Project within the Shirley Avenue Smart Growth Overlay District may include:

- a) Single-family, 2 and 3 family, and/or Multi-family Residential Use(s);
- b) Parking accessory to any of the above permitted uses, including surface, garage-under, and structured parking (e.g., parking garages); and
- c) Accessory uses customarily incidental to any of the above permitted uses.

2.2 Mixed-use Development Projects. A Mixed-use Development Project within the Shirley Avenue Smart Growth Overlay District must include at least one residential use and one non-residential use from these respective use categories as permitted below and may further include parking and other accessory uses as additionally provided for:

- g) Single-family, Two- and Three-family, and/or Multi-family Residential Use(s), provided that the minimum allowable As-of-right density allowances for residential use specified in Section 7.1 shall apply to the residential portion of any Mixed-use Development Project;
- h) Any of the following Non-residential uses:

Office or Laboratory Uses (C):

General office Use or Building

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Business Uses and Consumer Services (D):

- Bank and Financial Institution
- Retail Greenhouse
- Medical and Dental Office
- Professional Office
- Restaurant
- General Retail Sales and Service
- Neighborhood Retail and Sales and Service
- Theatre Meeting Hall
- Health Club
- Recreation, gainful business
- Urban Ground Level Yard Farm (Small, Medium, and Large)
- Urban Roof Level Yard Farm (Small medium and Large)
- Home/Yard Garden

Industrial Uses (E):

- Brew pub
- Brewery/Distillery or Winery
- c) Parking accessory to any of the above permitted uses, including surface, garage-under, and structured parking (e.g., parking garages); and
- d) Accessory uses customarily incidental to any of the above permitted uses.

The total gross floor area devoted to residential uses within a Mixed-use Development Project shall be at least =>51% of the total gross floor area of the Project.

3. DIMENSIONAL AND DENSITY REQUIREMENTS – (DISTRICT-SPECIFIC)

3.1 Table of Requirements. Notwithstanding anything to the contrary in this Zoning Ordinance, the dimensional requirements applicable in the SGOD are as follows:

]

Dimensional Requirement	
Minimum Front Setback	0 feet
Interior Setback (between Buildings on same Lot)	15 feet
Minimum Lot Area Square Feet	5,000 Square Feet
Floor Area Ratio (FAR)	2

3.2 Dimensional Waivers in Substantially Developed Sub-district. In order to encourage the development of infill housing units on undeveloped lots

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within a Substantially Developed Sub-district, the PAA may grant a waiver to the dimensional standards of Section 17.29.140 and herein, in accordance with Section 11.3.

4. PARKING REQUIREMENTS – (DISTRICT-SPECIFIC)

The parking requirements applicable for Projects within the SASGOD are as follows.

USE	Number of Parking Spaces	Minimum Loading Bay	Minimum Loading Space
Residential Units:			
Single Family	2	0	0
Two Family	4	0	0
Apartments (1 Bedroom, 2 Bedrooms, 3 Bedrooms or more)	1, 1.5, 2	0	0

11/8/2023

TO: Honorable City Council
 FR: Tom Skwierawski, Chief of Planning and Community Development
 RE: Zoning Amendments: Smart Growth Overlay Districts in the Green Street and Shirley Avenue Neighborhoods
 DATE: November 8, 2023

Attached please find amendments to Title 17 of the Revised Ordinances of the City of Revere regarding establishing two Smart Growth Overlay Districts in the Green Street area (including the former Lee Trailer Park site) and the Shirley Ave neighborhood. These amendments are in alignment with [M.G.L Chapter 40R](#), a state program aimed at promoting compact residential or mixed-use districts with an affordability component in neighborhoods that are well served by public transit. Smart Growth districts are an overlay, which means the underlying zoning remains unchanged, but that program will provide density “bonus” for any developments that choose to comply with the requirements of this section.

The proposed Overlay Districts will allow us to fulfill the requirements of the 40A Section 3A (i.e., MBTA Communities), which we are required by law to do by December 31, 2023. As of now, we are not in compliance. If we remain non-compliant by the start of the new year, we will [lose eligibility for a variety of grant programs](#), including MassWorks, Municipal Vulnerability Preparedness (“MVP”), and the Underutilized Properties Program. In this past year alone, those programs provided over \$5.5m in funding to support Revere projects, such as the Riverfront Boathouse, the future Fitzhenry Dog Park, and traffic improvements along Route 60. In addition, according to a [recent advisory](#) by the Attorney General’s office, noncompliance could make the City liable for civil enforcement action or liability under federal and state fair housing laws.

By reducing the existing restrictions on dimensional and parking requirements, these zoning changes will help us meet the necessary minimum unit capacity threshold (i.e., 6,135 units allowable by-right) to come into compliance with this law. In addition, by creating a 40R zoning district, we will be eligible for two municipal incentives: (1) a Zoning Incentive Payment, of up to \$600,000, for getting a state-approved 40R district; and (2) a Density Bonus Payment, of up to \$3,000, for each additional unit of housing created through this overlay district.

I plan to reach out to you all in the coming days to discuss these changes and as always, I will be available to answer any questions regarding these proposed zoning amendments, that are designed to bring us into compliance with state law and ensure that these neighborhoods continue to thrive as affordable and transit-oriented communities.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tom Skwierawski', with a stylized flourish at the end.

Tom Skwierawski
Chief of Planning and Community Development

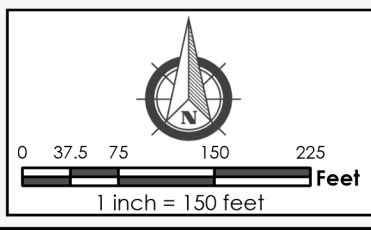
Cc: Acting Mayor Patrick M. Keefe Jr.; City Planner Frank Stringi



Attachment: Attachment 4-2_40R_Green_St (23-251 : Smarth Growth Overlay Districts - Zoning Amendment)

Legend

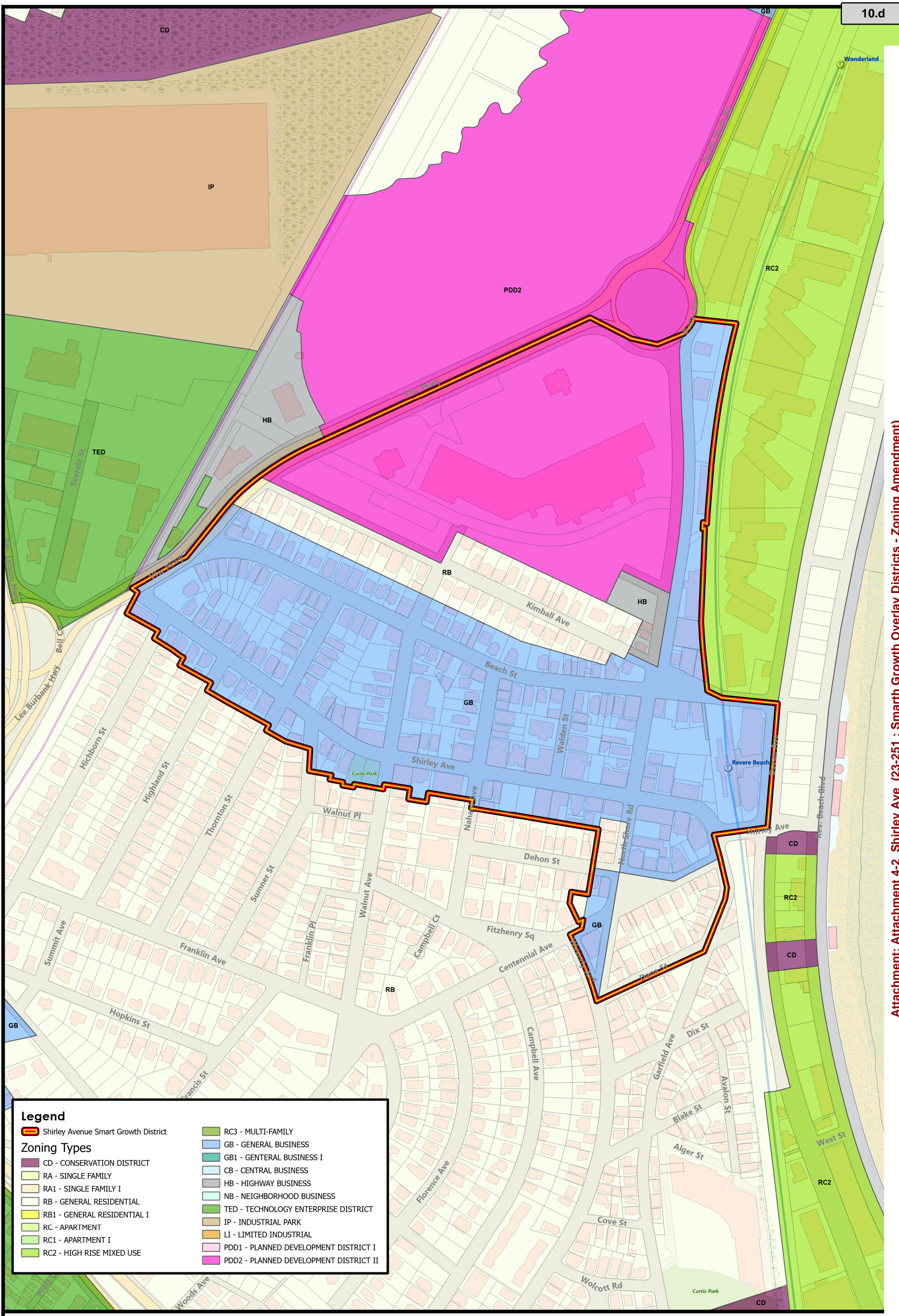
- Green Street Smart Growth District
- RC3 - MULTI-FAMILY
- GB - GENERAL BUSINESS
- GB1 - GENERAL BUSINESS I
- CD - CONSERVATION DISTRICT
- RA - SINGLE FAMILY
- RA1 - SINGLE FAMILY I
- RB - GENERAL RESIDENTIAL
- RB1 - GENERAL RESIDENTIAL I
- RC - APARTMENT
- RC1 - APARTMENT I
- RC2 - HIGH RISE MIXED USE
- CB - CENTRAL BUSINESS
- HB - HIGHWAY BUSINESS
- NB - NEIGHBORHOOD BUSINESS
- TED - TECHNOLOGY ENTERPRISE DISTRICT
- IP - INDUSTRIAL PARK
- LI - LIMITED INDUSTRIAL
- PDD1 - PLANNED DEVELOPMENT DISTRICT I
- PDD2 - PLANNED DEVELOPMENT DISTRICT II



Green Street Smart Growth District (GSSGD)

City of Revere, MA
September, 2023



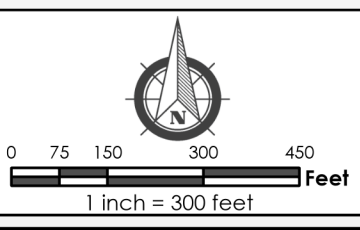


Legend

Shirley Avenue Smart Growth District

Zoning Types

CD - CONSERVATION DISTRICT	RC3 - MULTI-FAMILY
RA - SINGLE FAMILY	GB - GENERAL BUSINESS
RA1 - SINGLE FAMILY I	GB1 - GENERAL BUSINESS I
RB - GENERAL RESIDENTIAL	CB - CENTRAL BUSINESS
RB1 - GENERAL RESIDENTIAL I	HB - HIGHWAY BUSINESS
RC - APARTMENT	NB - NEIGHBORHOOD BUSINESS
RC1 - APARTMENT I	TED - TECHNOLOGY ENTERPRISE DISTRICT
RC2 - HIGH RISE MIXED USE	IP - INDUSTRIAL PARK
	LI - LIMITED INDUSTRIAL
	PDD1 - PLANNED DEVELOPMENT DISTRICT I
	PDD2 - PLANNED DEVELOPMENT DISTRICT II



Shirley Avenue Smart Growth District (SASGD)

City of Revere, MA
September, 2023



AN ORDINANCE FURTHER AMENDING THE REVISED ORDINANCES OF THE CITY OF REVERE RELATIVE TO RESIDENCY AND PERSONNEL.

Be it ordained by the City of Revere as follows:

Section 1. Article 1. - Residency, Sections 2.06.010 - 2.06.070 is hereby deleted in its entirety.

Section 2. This ordinance shall take effect upon its passage.

AN ORDINANCE FURTHER AMENDING THE REVISED ORDINANCES OF THE CITY OF REVERE RELATIVE TO THE ASSISTANT CITY CLERK AND ZONING BOARD OF APPEALS CLERK.

Be it ordained by the City of Revere as follows:

Section 1. Division 1 of Table III – Officers and Employees Generally, Section H. Schedule A-1 General Administration of the Revised Ordinances of the City of Revere is hereby amended by striking:

Effective	6/30/2007	7/1/2007	7/1/2008	7/1/2010	1/1/2011	6/30/2011
ASST CITY CLERK	40,284	41,090	42,322	43,169	44,032	44,473

And inserting in place thereof:

Effective	7/1/2024
Assistant City Clerk	75,000

Section 2. Division 1 of Table III – Officers and Employees Generally, Section I. Schedule A-2-A Executive Personnel of the Revised Ordinances of the City of Revere is hereby amended by deleting “nonmember appeals board clerk, six thousand dollars.” and inserting in place thereof “nonmember Zoning Board of Appeals Clerk, twelve thousand dollars.”

Section 3. Division 1 of Table III – Officers and Employees Generally, Section I. Schedule A-2-C Boards and Commissions of the Revised Ordinances of the City of Revere is hereby amended by deleting “Annual Rate Effective 7/1/85” and inserting in place thereof “Annual Rate Effective 07/01/2024”.

Attachment: Ordinances Relative to Personnel/Asst City Clerk/ZBAClerk (23-255 : Residency Waiver Ordinance Repeal)