

**IN THE YEAR TWO THOUSAND AND TWENTY AN ORDINANCE AMENDING THE
CITY OF LYNN ZONE ORDINANCE AND CITY OF LYNN ZONE MAP in the W3
AND W4 DISTRICTS**

Be it ordained by the City Council of the City of Lynn and by the authority of the same, the Zone Ordinance of the City of Lynn is amended as follows:

Part I

The Zoning Map is hereby amended by extending the existing Waterfront Zone 3 District located on the Southeasterly side of the Lynnway to include all the land bounded by the Lynnway, Carolyn Road, Circle Avenue and Day Street, being City of Lynn Assessors Parcels 035-755-001, 035-755002, 035-755-003, 035-755-004, 035-755-005, 035-755-007, 035-755-008, 035-755-009 and 035-755-012, all the land bounded by the Lynnway, Day Street and Circle Avenue being City of Lynn Assessors Parcels 035-757-001, 035-757-005, 035-757-006, 035-757-002, 035-757-003 also including City of Lynn Assessors Parcels 035-756-011, 035-756-012, 035-756-013 and 035-756015 and the land bounded by Circle Avenue and Harding Street being City of Lynn Assessors Parcel 034-752-027 all of said land except for those Parcels excluded hereinafter may be incorporated into the City of Lynn Zoning Map as located in a Waterfront Zone 3 District (WF3).

Part 2

Section 5 entitled CLASSIFICATION OF USES is hereby amended by adding the following uses and by designating these uses as permitted in a WF3 District by the insertion of a P in Section 4 of the Ordinance entitled Table of Use Regulations.

Truck Repair facility: An establishment operating from a stand alone, single level building, with the building having no more than 11,000 square feet of floor space and where the principal service is to perform maintenance on and repair commercial trucks. A Truck Repair facility is subject to footnote (23) of Section 4.4

Warehousing: An operation from a structure, or part of a structure, for storing goods, wares, commodities, cold storage and merchandise, whether for the owner thereof or for others, and whether it is a public or private warehousing operation, but excluding self-storage centers. Self-storage center is a building or group of buildings divided into separate compartments used to meet the temporary storage needs of small businesses, apartment dwellers and other residential uses; and may include refrigerated facilities. Storage areas within a Warehouse shall be a minimum of 5,000 square feet per storage user and are subject to footnote (24) of Section 4.4

Part 3

Section 4.4 Uses/Districts WF3 is hereby amended to read as follows:

In the WF3 District the following uses are designated as permitted by the insertion of a P in the Table of Use Regulations:

- Artist/Live/Work Space
- Boat Construction, Maintenance and Repair
- Research and Development
- Commercial Fishing/Fish Processing
- Fish Market
- Fitness Center (22)
- Hotels
- Ice Establishment
- Light Manufacturing

In the WF3 District the following uses are designated as permitted by the insertion of a SP in the Table of Use Regulations:

- Assisted Living Facilities
- Places of assembly for commercial recreation

Section 4.4 entitled Footnotes is amended by adding Footnote 22, 23 and 24 as follows:

(22) Fitness Center is only allowed in a WF3 District as part of a Hotel or Multi-Family Residential High Rise

(23) A Truck Repair facility is only permitted in a WF3 District in a building that is a conforming or legally nonconforming building as of January 1, 2019 and remains conforming or legally nonconforming as of the date the use is commenced. Said conforming or nonconforming building when used for a Truck Repair facility shall not be altered or extended beyond the same footprint as existed on January 1, 2019 and must remain at the same or lesser height as existed on January 1, 2019. While parking of Trucks waiting for repair is an allowed Accessory Use no more than 25 Trucks waiting for repair or service shall be allowed at any one time.

(24) Warehousing is only permitted in a WF3 District in a building that contains at least 35,000 square feet available for the use and is conforming or legally nonconforming as of January 1, 2019 and remains conforming or legally nonconforming as of the date the use is commenced. Said conforming or nonconforming building when used for Warehousing cannot be altered or extended beyond the same footprint and must remain at the same or lesser height as existed on January 1, 2019.

Part 4

Section 6 ACCESSORY USES

Section 6.1 The first sentence is stricken and the following sentence is inserted. "Accessory uses shall be permitted only on the same lot building to which they are accessory, except in the WF1, WF2, WF3 and WF4 Zoning Districts where Accessory Uses shall be permitted on land under the same ownership and within 1,000 feet of the land used for the permitted use.

Part 5

Section 8 Footnotes to the Table of Dimensional Regulations is hereby amended by replacing Footnotes 20, 21 and 22 with amended Footnotes 20, 21 and 22 below as follows:

FOOTNOTES

(20) In a WF3 and a WF4 District, Footnote 2 shall not apply. In addition, buildings supporting accessory uses shall not be subject to minimum height requirements as set forth for WF3 and WF4.

(21) In a WF3 and a WF4 District, rooftop equipment, including, but not limited to HVAC equipment, communications antennae and related apparatus, mechanical penthouses, roof decks, canopies and observation areas, shall not be included in such building's maximum height or maximum number of stories calculations.

(22) In a WF3 and a WF4 District, multiple buildings shall be permitted to be located on one lot.

Part 6

Section 9.1, Subsection 3 entitled Principal Use is hereby amended by deleting the last sentence of subsection 3.a.(i) and replacing it with the following:

In a WF3 and a WF4 District, required parking facilities may be provided on the same lot, or on a contiguous lot or on a lot within 1,000 feet under the same ownership or control as the building or buildings they serve. Without limitation, required parking maybe provided in designated parking areas, on private ways, and in parking structures provided such facilities are considered to be part of the same development.

Part 7

Section 10 is hereby amended by adding the following footnote to the Table of Loading Requirements:

FOOTNOTES

(1) Off-street loading requirements shall not apply to mixed use buildings in the WF3 District and the WF4 District.

Part 8

Section 8 entitled TABLE OF DIMENSIONAL REQUIREMENTS is hereby amended by replacing Zoning District row WF3 Min Height (ft.) and Stories to 5 stories and 60 feet.

(24) A Building less than five (5) stories shall be permitted in the WF3 District with a Special Permit from the Lynn City Council.

Part 9

Section 12.1.3 is added to read as follows:

12.1.4. A Building less than five (5) stories shall be permitted in the WF3 District with a Special Permit from the Lynn City Council.