

**ENROLLED ORDINANCE**

*PUBLISHED PURSUANT TO CHAPTER 1 SECTION 4.5 OF THE REVISED ORDINANCES OF THE CITY OF EVERETT AND IN COMPLIANCE WITH MASSACHUSETTS GENERAL LAWS Chapter 43, Section 23.*

ENROLLED: 11/27/2023

DATE OF PROPOSED ORDAINMENT: 12/11/2023



**CITY COUNCIL..... No. C0279-23**

IN THE YEAR TWO THOUSAND AND TWENTY-THREE

**AN ORDINANCE AMENDING SECTION 33 “COMMERCIAL TRIANGLE ECONOMIC DEVELOPMENT DISTRICT” OF THE CITY OF EVERETT ZONING ORDINANCES**

Councilor /s/ Michael K. Marchese, as President

**Whereas:** This ordinance is to amend Section 33, “Commercial Triangle Economic Development District”, of the Everett Zoning Ordinance; and

**Whereas:** Section 12 of the City of Everett Zoning Ordinance enables the City Council to “...amend, supplement, or change these [Zoning] regulations or districts as provided by statute”; and

**Whereas:** M.G.L. c.40A, §3A requires that the City of Everett, as a Rapid Transit Community, allow for multi-family housing production as a by-right use in an applicable zoning district as a means to be compliant with State law.

**Now,** therefore, by the authority granted to the City Council of the City of Everett, Massachusetts to make and amend ordinances:

**Be it Ordained** by the City Council of the City of Everett, Massachusetts that Section 33 of the Revised Zoning ordinance is hereby amended as follows:

**Section 33, Subsection E (“Use Regulations”)**

To amend Section 33(E)(1), “Uses Allowed by Right”, to add a new subsection 33(E)(1)(f) – “Multifamily residential developments; provided that the maximum building height is 3-stories, or thirty-five (35) feet.”

To amend Section 33(E)(2), “Uses allowed by special permit from the planning board”, to delete the existing 33(E)(2)(a) – “Multifamily residential developments; provided, that the minimum density of such a development shall be fifty (50) units per acre, which density requirement shall be prorated based upon the size of the development parcel.” In making this change, all

subsequent existing subsections shall be re-sequenced [33(E)(2)(b) shall be re-sequenced to 33(E)(2)(a); 33(E)(2)(c) shall be re-sequenced to 33(E)(2)(b), etc.].

To amend Section 33(F) “Dimensional Requirements”, (5) “Height” by adding the following **bolded** language to the existing language:

“Height.      **Multifamily (non-mixed-use) residential developments shall be limited to a maximum height of thirty-five (35) feet.** All **other** buildings shall be limited to a maximum of eighty-five (85) feet. Other structures on the roof shall not count towards the height unless the area of such structures exceeds thirty-three percent (33%) of the area of the roof or any enclosed structure or mechanical equipment exceeds twelve (12) feet in height. The height of any building may be increased to a maximum of one hundred (100) feet upon the grant of a special permit.”

This ordinance shall take effect upon passage by the City Council and subsequent approval of both by His Honor the Mayor.

November 27, 2023	Enrolled by the City Council 8 yeas, 0 nays, Absent – Cardillo, Le, Martins
December 11, 2023	Ordained by the City Council 9 yeas, 0 nays, Absent – Cardillo, Le
December 21, 2023	Signed: Mayor Carlo DeMaria, Jr.

A true copy attest:



Sergio Cornelio, City Clerk