



Gloucester City Council

CERTIFICATE OF VOTE

Certificate Number: 2022-084

Consistent with chapter 20 of the Acts of 2021, the Gloucester City Council, at a meeting held on **June 14, 2022** at 7:00 p.m. by remote participation, voted to approve the following:

IN CITY COUNCIL:

MOTION: On a motion by Councilor Grow, seconded by Councilor O'Neil, the City Council voted by **ROLL CALL 7** in favor, 2 (Gross, Nolan) opposed, to initiate a temporary amendment to the Gloucester Zoning Ordinance, pursuant to M.G.L. ch. 40A, Section 5, and Section 1.11.2(e) and to amend the Zoning Ordinance to provide for temporary zoning relief to businesses post COVID-19 Pandemic as follows:

Insert a new 5.32 Temporary Zoning Relief to Businesses Recovering from COVID-19 Pandemic

1. Purpose and Duration.

The purpose of this Section is to provide temporary zoning relief to businesses in the City of Gloucester recovering from the COVID-19 Pandemic to facilitate to provide opportunities to stimulate economic activity during this time. The City takes this action to continue to allow businesses some flexible options and use of outdoor spaces to the extent reasonably safe and feasible to operate as approved by the City. This Section 5.32 is temporary and shall expire on October 10, 2022. This Section shall apply only to temporary structures and to temporary uses and only to the structures and uses described below. Such structures and uses shall not remain on the site or in use after the expiration of this Section, unless otherwise permitted by law.

2. Temporary Permit Exemption.

Existing business uses as identified in Section 2.3.4 Business Uses including existing retail and consumers services as identified in Section 2.3.4(27) and restaurants as identified in Section 2.3.4(9) of the Zoning Ordinance shall be allowed to temporarily add outdoor seating, display, or takeout without requiring a special permit from the Zoning Board of Appeals or the City Council, or approval of the Planning Board under Section 5.9 Site Plan Review, as applicable. Such outdoor seating, display, or takeout operations may be proposed on public or private sidewalks, in parking spaces, or in parking lots, however all other codes, requirements and permissions shall be in effect. In lieu of a special permit or Site Plan Review requirements, applicants for outdoor seating, display, or takeout, shall be required to obtain a temporary use permit from the Building Department after an administrative application review by, including but not limited to, the Building Department, Health Department, and Public Safety Departments to ensure the safe use of the outdoor space.

Also to include the following condition: The restaurants are required to compensate the City for parking spaces taken by outdoor seating of an amount of \$100 per space per month, or as specified by Administration on the day of the Public Hearing.

Joanne M. Senos, City Clerk

Date: June 21, 2022

APPROVED BY THE MAYOR

VETOED BY THE MAYOR

Greg Verga

Greg Verga

SIGNED THIS 21st DAY OF JUNE, 2022

All Ordinances shall become effective 31 days after passage except Emergency Orders and Zoning Amendments shall become effective the next day