City of Salem
Second Passage

In the year two thousand and twenty-two

An ordinance to amend an ordinance relative to zoning

Be it ordained by the City Council of the City of Salem, as follows:

Section 1. Section 8.2 – Entrance Corridor Overlay District of Section 8.0 Special District Regulations is hereby amended as follows:

A) Add to the first paragraph Section 8.2.5 – Parking Area - "Trees are a crucial component of the entry corridor, available in a broad range of species and sizes. Shade trees are preferred for their medium to large canopy width and height for a full range of community benefits identified in the tree ordinance, including cooling and stormwater uptake." Before the sentence "The requirements for such landscaping are as follows:"

B) Delete paragraphs 1 through 3 within Section 8.2.5 Parking Areas in their entirety and replace them with:

"1. Landscaping shall include one (1) medium to large shade tree of three and one-half-inch to four-inch caliper diameter at breast height (DBH) for each three (3) parking spaces unless otherwise waived pursuant to Section 8.2.9 of this section. Trees shall be planted in plant beds bounded by six-inch granite curbing.

2. No plant bed shall be less than fifteen (15) square feet, and no dimension of such plant bed shall be less than forty-two (42) inches, measured from inside face of curb to inside face of curb or wall.

3. A planting strip of no less than forty-two (42) inches wide shall separate vehicles parked face to face in a parking area. Such planting strip shall include one (1) three and one-half-inch to four-inch caliper tree every twenty-seven (27) feet."

C) Insert a new section

"8.2.9 Design Waivers.

1. Upon the request of the Applicant, the Planning Board may grant a Special Permit pursuant to Section 9.4 to waive the following requirements in the interests of design flexibility and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the Entrance Corridor Overlay District. Applicants shall annotate plans to identify this distinction prior to approval.

A. In lieu of the standard three and one-half-inch to four-inch caliper DHB shade trees required per Section 8.2.5(1), the Planning Board may grant a waiver to allow up to 20% of the trees located within an ECOD to be smaller two-inch to three-inch caliper DBH ornamental trees and or container grown multi-stem and hedge species with a corresponding applicant payment to the Tree Replacement fund per Salem Code of Ordinances Ch. 43 Sec. 61, amount to be determined by the Tree Warden."

Section 2. This Ordinance shall take effect as provided by City Charter.

In City Council March 10, 2022
Referred to the Planning Board to hold a Joint Public Hearing by a roll call vote of 11 yeas, 0 nays and 0 absent
Joint Public Hearing held on April 13, 2022 and advertised in the Salem News on March 30, 2022 and April 6, 2022
Joint Public Hearing closed by a roll call vote of 10 yeas, 0 nays and 1 absent
Referred to the Planning Board for their recommendation by a roll call vote of 10 yeas, 0 nays and 1 absent
In City Council April 28, 2022
Adopted as amended for first passage by a roll call vote of 11 yeas, 0 nays and 0 absent
In City Council May 12, 2022
Adopted for second and final passage by a roll call vote of 11 yeas, 0 nays and 0 absent
Approved by the Mayor on May 17, 2022

Any claims of invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

ATTEST: ILENE SIMONS
CITY CLERK

Adv: 05/25/2022