

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

ORDINANCE

An Ordinance Amending "The Code of Ordinances City of Lowell, Massachusetts," with respect to Chapter 290 Thereof Entitled, "Lowell Zoning Ordinance" by Amending Article IV Use Regulations, specifically section 4.3.3 entitled Home Occupation – As of Right.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOWELL, as follows

"The Code of Ordinances City of Lowell, Massachusetts", hereinafter called the "Code," adopted by the City Council on December 23, 2008, as amended, is hereby further amended with respect to Chapter 290 thereof entitled, "Lowell Zoning Ordinance," adopted December 7, 2004, as amended, as follows:

1. In Section 4.3.3 Subsection 2, delete the phrase "and is the only home occupation on the lot".

This Ordinance shall take effect upon its passage in accordance with Section 1.7 of the "Lowell Zoning Ordinance" and the provisions of Chapter 43 and 40A of the General Laws of Massachusetts.

APPROVED AS TO FORM:



Christine P. O'Connor
City Solicitor

Proposed Change to Section 4.3.3 Home Occupation – As of Right

4.3.3. Home Occupation - As of Right. A home occupation may be allowed as of right provided that it:

1. work done on the lot is confined to within a dwelling and is conducted solely by the person(s) occupying the dwelling as a primary residence; [Ord. 4-3-07]
2. is clearly incidental and secondary to the use of the premises for residential purposes; ~~and is the only home occupation on the lot;~~
3. does not produce offensive noise, vibration, smoke, dust, odors, heat, lighting, electrical interference, radioactive emission or environmental pollution;
4. does not utilize exterior storage of material or equipment;
5. does not exhibit any exterior indication, including signs, of its presence or any variation from residential appearance;
6. does not produce any customer, pupil, employee or client trips to the occupation site and has no nonresident employees;
7. is registered as a business with the City Clerk.



Thomas A. Golden, Jr.
City Manager

May 31, 2022

Mayor Sokhary Chau
And
Members of the Lowell City Council

Dear Mayor Chau and Members of the Lowell City Council,

I respectfully request that the Lowell City Council consider the attached ordinance amending Article IV Use Regulations, specifically section 4.3.3 entitled Home Occupation – As of Right. This proposed zoning amendment was a result of an Economic Development/Downtown Subcommittee meeting. We believe that the amendment, as proposed, will support existing and aspiring small entrepreneurs in the digital marketplace. We are seeing an increase in our local economy for the need to operate businesses from residential kitchens, offices, and garages. However, our zoning code is restrictive for small entrepreneurs who operate internet based businesses. We believe this minor change to the zoning code will increase economic development opportunities for small entrepreneurs and will not negatively impact our residential neighborhoods.

Please do not hesitate to let me know if you have any questions.

Sincerely,

Thomas A. Golden, Jr.
City Manager

Cc: Christine McCall, Assistant City Manager/DPD Director