

# ZONING

350 Attachment 18

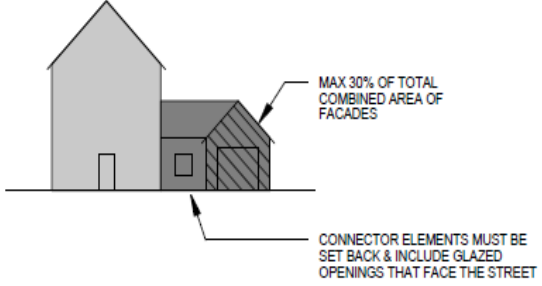
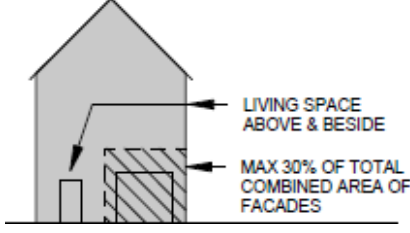
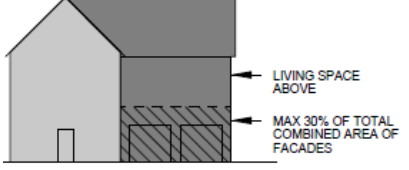
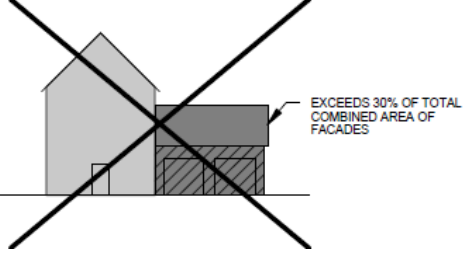
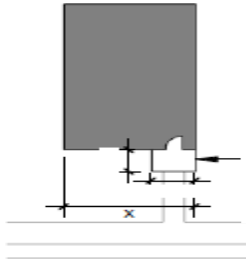
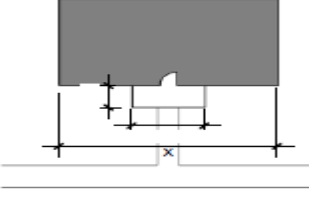
## City of Northampton Table of Use and Dimensional Regulations

<b>SC District (Special Conservancy)</b>	
<b>Description:</b>	<b>Example Uses/Structures</b>
<p>All areas are in the FEMA mapped 100-/500-year floodplain or in areas determined to be floodplain along smaller streams. Most structures built prior to floodplain mapping and exist either in the Connecticut River floodplain/Meadows or Mill River floodplain. Some historic business use in Meadows. No new residential uses allowed</p>	 
	 
<b>Lot Dimension Requirements</b>	<b>Layout Setbacks</b>
<p><b>Lot Size: existing residential with public water:</b> 8,000 ft<sup>2</sup> minimum (80,000 ft<sup>2</sup> if private water and sewer) Frontage/Width = 75 feet min. Depth = 80 feet min.</p> <p><b>Setbacks [principal and detached accessory (Det Acc) structures]</b> Front = 10 feet min. Side = 15 feet min. (4 feet Det Acc structure) Rear = 20 feet min. (4 feet Det Acc structure)</p> <p><b>Max. Height = 35 feet</b> (20 feet Det Acc structure)</p> <p><b>Open Space = 50%</b></p>	 <p style="text-align: center;"><b>SC Detached House &amp; Accessory Structure layout</b></p>

NORTHAMPTON CODE

<p><b>Lot Size: existing nonresidential, ground-mounted PV</b></p> <p>40,000 ft<sup>2</sup> minimum</p> <p>Frontage/Width = 175 feet min.</p> <p>Depth = 200 feet min.</p> <p><b>Setbacks</b>          Front = 40 feet min.          Side = 20 feet min. (4 feet ground-PV)          Rear = 50 feet min. (4 feet ground-PV)</p> <p><b>Max. Height = 45 feet</b></p> <p><b>Open Space = 50%</b></p>	
<p><b>Any new use (except open space agriculture or reuse of existing historic religious/school)</b></p> <p>40-acre minimum</p> <p>Frontage/Width = 175 feet min.</p> <p>Depth = 200 feet min.</p> <p><b>Open Space = 99%</b></p> <p><b>Setbacks</b>          Front = 40 feet min.          Side = 50 feet min.          Rear = 80 feet min.</p>	

# ZONING

<b>Design Standards Illustrated</b> Planning Board may waive, by site plan approval element 2, if it can be shown that a different design meets a pedestrian-scale design that encourages public/private transition and interface (e.g., similar elements facing internal courtyards or private streets)	
<p>1. If a garage or other parking structure is attached, it must be set back 20 feet and the garage/structure shall comprise no more than 30% of the front facade of the primary structure. Side setback may be 10 feet for the garage only when not used as living area.</p>	<div style="display: flex; align-items: flex-start;"> <div style="margin-right: 20px;"> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #cccccc; border: 1px solid black; margin-right: 5px;"></span> Primary Structure</li> <li><span style="display: inline-block; width: 15px; height: 15px; background-color: #666666; border: 1px solid black; margin-right: 5px;"></span> Garage or Parking Structure</li> <li><span style="display: inline-block; width: 15px; height: 15px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, #ccc 2px, #ccc 4px); border: 1px solid black; margin-right: 5px;"></span> Area</li> </ul> </div> <div>  </div> </div> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;">  </div> <div style="text-align: center;">  </div> </div> <div style="text-align: center; margin-top: 20px;"> <p>DOESN'T FIT</p>  </div>
<p>2. Front doors must face the street. Buildings must have a covered entry.</p>	<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  </div> <div style="text-align: center;"> <p>Covered entry</p>  </div> </div>
<p>Minimum parking for residential uses  For other uses, see table in § 350-8.2</p>	<p>1 space per 1,000 ft<sup>2</sup> gross living area (round up). No more than 2 spaces required per unit.  Front yard setback may only have parking for a maximum of 2 vehicles.</p>

## NORTHAMPTON CODE

### SC USES ALLOWED

Flood elevation certificates are required prior to any building permit and again prior to any certificate of occupancy for all substantial improvements as defined by the Federal Emergency Management Agency (any rehabilitation, addition or other improvement of a building when the cost of the improvement equals or exceeds 50% of the market value of the building before the start of construction of the improvement).

Any new structure may also require approval from the Northampton Conservation Commission under the Wetlands Protection Act and/or Northampton Wetlands Ordinance.

#### **Uses Allowed By Right: (see above)**

- Replacement of single-family homes allowed where homes existed or received permits by June 30, 2005. However, such replacements must be built within three years of demolition of previous home (No new residential structures.)
- Attached (to a single-family) accessory dwelling unit not to exceed 900 ft<sup>2</sup> gross living area. See § 350-10.10. Same setback as for principal structures. Allowed ONLY within homes existing as of June 30, 2005, and for those that meet all State Building Code and requirements under the Wetlands Protection Act and Wetlands Ordinance.
- Home business up to 25 visits per week as defined in § 350-2.1
- Preexisting nonconforming uses (may trigger ZBA permit)
- Accessory uses to residential:
  - Tag sales: temporary sales of personal and household articles
  - Pets/animals (§ 350-5.3)
- Accessory structures, detached (but no larger than 1,000 ft<sup>2</sup> of lot coverage or 3% of lot area, whichever is greater unless it is used for agricultural purposes). See also § 350-6.7.
  - Setbacks: 20 feet(front); 4 feet (side); 4 feet (rear)
  - Must meet all State Building Code for construction in a floodplain and requirements under the Wetlands Protection Act and Wetlands Ordinance
- Family day care (registration w/Building Commissioner required)
- Temporary event as defined in § 350-2.1
- Agriculture, horticulture, floriculture, noncommercial forestry, the growing of all vegetables and a temporary (not to exceed erection or use for a period of four months in any one year) greenhouse or stand for retail sale of agricultural or farm products raised primarily on the same premises
- Rooftop solar hot water and photovoltaic
- Accessory solar photovoltaic (PV) ground-mounted on a parcel with any building/use, provided that the PV is sized to generate no more than 100% or 8 KW of the annual projected electric use of the non-PV building/use; same setbacks as for detached accessory structures.
- Essential facilities

#### **Site Plan Approval Required for the Following:**

- Any construction (other than for a single-family home) greater than 2,000 ft<sup>2</sup>
- Educational use: nonprofit, any religious use, day care, school-aged child-care program (MGL c. 28A, § 9)
- Reuse of historic educational or religious building(s) for: any residential use, live/work space, or office; provided, however, that no more than 20% of the floor space of the building(s) shall be used for medical, banking or any offices where a primary function is to provide services to retail customers or individuals. All such uses approved under this provision shall be within the footprint of existing building(s) and may only be approved contingent upon protection of all historically contributing portions of the building with an historic preservation restriction granted to the City of Northampton in a form acceptable to the Planning Board, with input from the Historical Commission, as preserving the key character-defining features visible from the road (and not necessarily meeting federal or state preservation standards for the entire building). The existing

## ZONING

building may be expanded to accommodate elevators and stairwells. Portions of the building that are not part of the original architecture of the building and which do not contribute to the historical or architectural significance of the building as determined by the Planning Board, with input from the Historical Commission, may be demolished. Lot size equal requirements: “existing residential uses”

- Solar photovoltaic of any size, ground-mounted—*Administrative Site Plan*:
  1. Over any legal parking lot or driveway;
  2. At any landfill site not separate from the site-assigned property by any road; and
  3. At an airport not separated from the runways by any road
- Parking off site and combined parking. See § 350-8.5 and § 350-8.7.
- Creation or expansion of six or more parking spaces.
- Parking requirement reduction. See § 350-8.10F.
- Residential shared driveways. See § 350-8.8R.
- Year-round greenhouse/stand for wholesale and retail sale of agricultural farm products raised on site
- Open/Outdoor marijuana cultivation.
  1. All security fencing that includes razor wire or other physical security measures that are not typically residential in character must be screened with vegetation so that it is not visible from public ways nor from other principal residential structures within 300 feet.
  2. If a fence or other security structure is planned within a FEMA-mapped floodplain, it must be shown to be engineered to withstand expected floodwaters or it must be engineered to include a breakaway that opens during flood conditions.

### **Special Permit Approval Required for the Following Uses by Planning Board Unless Otherwise Noted:**

- Detached accessory dwelling unit. See § 350-10.10—*Zoning Board of Appeals Special Permit*
- Home business for personal service business by appointment only or home business more than 25 visits etc. See § 350-10.12 for other criteria—*Zoning Board of Appeals Special Permit*
- Airport, including aircraft sales, heliport
- Agricultural fair and/or exhibition grounds operated either for profit or not for profit, to promote agricultural activities, or including, but not limited to, any of the following uses: entertainment, amusement, sports, recreation, racing, wagering, including “simulcasting” associated with approved race track activities, storage and handling of animals, judging, showing and auctioning of animals, consumer trade shows, overnight camping related to authorized events or exhibitions. No other gaming/gambling activities allowed.
- Commercial stable or kennel in which all animals, fowl, or other forms of life are completely enclosed in pens or other structures. See § 350-10.8 and exemptions MGL c. 40A.
- Outdoor commercial recreational use, miniature golf, temporary carnival
- Historical association or society and nonprofit museum (may include the residence of a caretaker)
- Accessory solar photovoltaic ground-mounted on a parcel with any building or use, between 8 KW or over 100% but no more than 200% of the annual projected electric use of the non-PV building or use
- Solar photovoltaic (PV) nonaccessory ground-mounted only when the following three conditions exist:
  - The location is over soils that are not considered “prime agricultural soils” as listed by NRCS and the Department of Agricultural Resources; and
  - The panels are located within 100 feet of a power line and/or pole; and
  - The system will not exceed 8 KW.
- Private utility or substation, small-scale hydroelectric generation
- Parking lot access for nonresidential uses across a residential lot. See § 350-8.9.

## NORTHAMPTON CODE

- Processing and treating of raw materials, including operations appurtenant to the taking, such as grading, drying, sorting, crushing, grinding and milling operations. See § 350-10.3.
- Removal of sand, gravel, quarry, or other raw material. See § 350-10.3.
- Private bridge, tunnel
- Railroad passenger terminal
- Municipal facility
- Heavy public use. See § 350-10.7.—*City Council Special Permit*