

Use Regulation Table (Formatting and Clarification)

To see if the Town will vote to amend the Natick Zoning Bylaw for the purposes of clarification and user ability through the formatting, notations, and spelling corrections, with no substantive changes, or otherwise act thereon.

Move that the Town vote to amend Section III-A – Use Regulations as follows:

MOTION A - Revise notations associated with permitted, prohibited, and special permit uses in zoning districts for clarity

Move to amend § III-A.1 PERMITTED USES IN DISTRICTS (ZONES AS SET OUT IN SECTION II-A & B) to delete the notation “P” and replace with Y for a permitted use; delete the notation “O” and replace with “N” for an excluded or prohibited use; and delete the notation “A” and replace with “SP” for a use allowed under a Special Permit, so that the amended language reads as follows

- a. *In such Districts no building or structure shall be erected or used and no premises shall be used except as set forth in the "Use Regulations Schedule" herein and in accordance with the following notations:*

Y - *A permitted use*

N - *An excluded or prohibited use*

SP - *Use allowed under a Special Permit as granted by a Special Permit Granting Authority and as designated elsewhere in this By-Law (RS includes all Single Residence Districts unless otherwise specified)*

MOTION B – Amend notations in the table as per Motion A; reformat Use Regulation Schedule as a table; and address scrivener’s errors

Move to amend Section III-A.2 USE REGULATION SCHEDULE by re-formatting the Use Regulation Table as a formal table; to amend the notations from P to Y for a permitted use, from O to N for an excluded or prohibited use, and from A to SP for a use allowed under a Special Permit; and to further correct the following existing typographical errors: Line 27A. delete “develop-ment” and replace with “development; Line 38. delete “entertain-ment” and replace with “entertainment”; Line 39. Delete “renewableor” and replace with “renewable or”; Line 41. delete “equip-ment” and replace with “equipment”; Line 48. add a comma between “religious” and “sectarian”, so that the amended table reads as follows

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H
Section III-A.1 reference:		Y – A permitted Use			SP – Use allowed under a Special Permit			N – An excluded or prohibited use				
RESIDENTIAL USE												
1.	One-family detached dwelling	Y	N	Y	N	SP	Y	(*)	N	N	N	N
1A.	Family Suite	N	N	SP	N	N	N	N	N	N	N	N
2.	One-family detached dwelling for personnel required for the Safe operation of a permitted use to reside on the premises thereof.	N	N	N	SP	SP	N	(*)	SP	SP	SP	N
3.	Two-family or semi-detached dwelling	Y	Y	N**	N	SP	N	(*)	N	N	N	N
4. *	Multiple family building types for not less than three (3) dwelling units in any one building, such as: apartment houses and/or town houses, subject to and compliant with the provisions of Section V-J. (Art. 44 A.T.M. 1965, Art.1 S.T.M. June 17, 1969 & Art. 3. S.T.M. 11/18/75) (Art. 2 S.T.M. #2, Oct. 10, 2000) (Art. 52 F.T.M. (10/17/17) (Art. 32 Fall TM 10/16/18)	N	Y+	N**	Y+	SP	N	(*)	N	N	N	N
5.	Alteration and conversion of a one-family house existing at the time of the adoption of this by-law, to accommodate two families if located on a lot having an area at least twenty-five percent greater than required for a one-family house.	Y	Y	N	N	SP	N	(*)	N	N	N	N
<p>“+ On and after January 1, 2000 all new projects exercising this use which are not a replacement of a prior existing structure within the same footprint; and all modifications to prior-existing projects exercising this use which expand such use; shall require the issuance of a special permit in accordance with Section VI-DD”</p> <p>FP - See Flood Plain regulations at the end of this Section.</p> <p>HM-I - See Highway Mixed Use-I District regulations at Section III-B.</p> <p>HM-II - See Highway Mixed Use-II District regulations at Section III-C.</p> <p>LC - See Limited Commercial District regulations at Section III-D.</p> <p>HM-III - See Highway Mixed Use-III District regulations at Section III-G (Page III-43).</p> <p>HPU - See Highway Planned Use regulations at Section III-G (Page III-46).</p> <p>(*)DM - See Downtown Mixed Use Regulations in Section III-E</p> <p>*1. Dwellings presently occupied for multi-family purposes, that have been in existence prior to 1948, and used continuously as such, may continue to be occupied for multi-family purposes under a non-conforming status subject to the provisions of Section V-A, 1., 2., 3. and 4. of the Natick Zoning By-Laws.</p> <p>2. Proof of continuous multi-family use must be documented with the Inspector of Buildings, who shall issue a certificate of such documentation.</p> <p>3. A copy of this certificate shall be filed with the Town Clerk, Board of Assessors and Board of Health.</p> <p>**4. See special regulations in Section III-F for alternative uses allowed by Special Permit in certain single family districts.</p>												
6.	Tourist Home	Y	N	N	N	N	N	(*)	N	N	N	N
7.	Hotel and Motel	N	Y	N	N	N	N	(*)	Y	N	SP*	N

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H
8.	Renting of one or two rooms and the furnishing of board by a resident family to not more than three non-transient persons.	Y	N	N	N	SP	N	(*)	N	N	N	N
9.	Private garage or outdoor vehicle storage in connection with a dwelling for not more than three motor vehicles which shall not include more than one commercial vehicle two and one-half tons gross weight or more than one vehicle owned by a non-resident of the premises except in the case of a farm operated on a full-time basis by a resident thereon.	Y	Y	Y	Y	SP	N	(*)	N	N	N	N
10.	Country club, including golf, by natural light only, riding, tennis and boat houses. (Art. 6 S.T.M. 11/24/64 & Art. 54 A.T.M. 1962)	Y	N	N	SP	N	N	(*)	N	N	N	N
*Art. 29, FALL ATM 1997 Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3												
RECREATIONAL USES												
10A.	Country club, including golf, by natural light only, riding, tennis and boat houses and community centers for exclusive use of the residents of the particular district in which it is located (Art. I S.T.M. June 17, 1969)(Art. 2 S.T.M. #2, Oct. 10, 2000)	N	N	N	Y+	N	N	(*)	N	N	N	N
11.	Lodge building or other non-profit social or civic use, but not including any use the principal activity of which is one customarily conducted as business.	Y	N	SP	SP	SP	N	(*)	N	N	N	N
12.	Indoor amusement or recreation place or place of assembly provided that the building is so insulated and maintained as to confine noise to the premises and is located not less than one hundred feet from a residential district.	N	N	N	N	SP	N	(*)	SP	N	N	N
13.	Commercial outdoor amusement or recreation use, but not including outdoor movie theatre.	N	N	N	N	N	N	(*)	SP	N	N	N
"+ On and after January 1, 2000 all new projects exercising this use which are not a replacement of a prior existing structure within the same footprint; and all modifications to prior-existing projects exercising this use which expand such use; shall require the issuance of a special permit in accordance with Section VI-DD" Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3												
14.	Outdoor movie theatre (deleted – Art. 45 ATM 04/27/10)											

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H
15.	Farm for the raising, keeping and sale of cattle, horses, sheep, goats and for the growing and sale of all agricultural products including fruits, vegetables, hay and grain, all dairy produce, and eggs.	SP*	N	SP*	N	N	N	(*)	SP*	N	N	N
16.	Premises for the raising of swine, poultry, fowl and fur-bearing animals.	SP*	N	SP*	N	N	N	(*)	N	N	N	N
17.	A stall or stand for selling farm or garden products a major portion of which is raised or produced on the premises by the owner or lessee thereof.	Y	N	Y	N	N	N	(*)	Y	N	N	N
<p>* If such land is used for the primary purpose of agriculture, horticulture, floriculture or viticulture, including those facilities for the sale of produce, wine and dairy products, insofar as a majority of such products for sale have been produced by the owner of the land on which the facility is located, and provided that such parcel is more than five (5) acres in area, no special permit for such use shall be required.</p> <p>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3</p>												
BUSINESS USES												
18.	Greenhouse, nursery and truck garden.	Y	N	Y	N	N	N	(*)	SP	N	N	N
19	Customary home occupation within the principal building conducted by a resident of the premises (or by owners of the premises where such premises abut Route 135 (Central Street) and are within the Central Fire District) provided that not more than one other person is regularly employed herein in connection with such use; that not more than twenty-five per cent of the total floor area not to exceed four hundred square feet is regularly devoted to such use; that there is no exterior storage of materials or equipment; and that no display of products is visible from the street. (Art. 64 A.T.M. 1968)	Y	Y	Y	SP	N	N	(*)	SP	N	N	N
20.	Building accessory to a dwelling or premises to be used as an office or workroom for the conduct of a professional office or studio or customary home occupation by a resident thereon provided that the same conditions shall apply as hereinbefore set forth for such use in a dwelling (Art. 52 A.T.M. 1974)	SP	N	SP	N	N	N	(*)	SP	N	N	N

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H
21.	Dumps and use of land for the disposal of refuse by the sanitary-fill method provided the same is also approved by the Board of Health and vote of the Town.	SP	N	SP	N	N	N	(*)	N	SP	SP	N
22.	Retail stores.	N	N	N	SP	N	N	(*)	Y	N	N	N
22A.	Adult Uses ¹ (Art. 48, Spring A.T.M., 4/17/97)	N	N	N	N	N	N	N	N	N	N	N
22B.	Body Art Establishments *See Note 2 (Art. 37, Spring A.T.M., 4/24/01)	N	N	N	N	N	N	N	N	N	N	N
23.	Salesroom for motor vehicles, trailers, boats, farm implements, or machinery, with no repair services excluding used-car lots.	N	N	N	N	N	N	(*)	Y	N	N	N
23A.	Limited salesroom for motor vehicles (Article 5, FTM, 10/15/13)	N	N	N	N	N	N	(*)	SP	N	N	N
<p>Note 1: See Section 323.4 Adult Uses (Art. 48, Spring A.T.M., 4/17/97)</p> <p>Note 2: 22B. Body Art Establishments: Body Art Establishments shall be allowable only on parcels of land situated within the Regional Corridor (RC) overlay district upon the grant of a special permit by the Planning Board acting as a Special Permit Granting Authority (SPGA). This use is prohibited on all parcels which are not located totally within the RC overlay district and specifically prohibited on any premises zoned Highway Mixed Use III (HM-III), even if said HM-III premises are overlaid by the RC zoning district.</p> <p>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3</p>												
24.	Salesroom for motor vehicles, trailers, boats, farm implements, or machinery, with repair services and storage including used-car lots.	N	N	N	N	N	N	(*)	SP	SP	N	N
25.	Wholesale or retail office or showroom with inside storage of goods for sale on premises only.	N	N	N	N	N	N	(*)	Y	N	N	N
26.	For an office, studio or workroom connected and strictly accessory to the residence of the occupant, and in which no activity inappropriate to the district shall be carried on. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	N	N	(*)	Y	N	N	N
27.	Business or professional office or agency, bank or other financial institution (Art. 24 Fall A.T.M. 1996)	N	N	N	SP	N	SP	(*)	Y	Y	SP	N
27A.	Administrative offices, clerical offices, statistical offices and establishments for research and development. (Art. 8 S.T.M. 2 1975)	N	N	N	N	N	SP	(*)	N	SP*	SP*	N
28.	Craft, consumer, professional or commercial service establishments dealing directly with the general public.	N	N	N	SP	N	N	(*)	Y	N	N	N
29.	Undertaking establishment or funeral home.	N	N	N	N	N	N	(*)	Y	N	N	N

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H
30.	Repair garage for motor vehicles.	N	N	N	N	N	N	(*)	SP	SP	N	N
31.	Commercial parking lot or parking garage, filling or service station.*	N	N	N	N	N	N	(*)	SP	SP	N	N
* Any special permit granted for this use shall be subject to the provisions of Section VI DD												
31A.	A facility exclusively for, or whose principal activity is, the changing of oil and related lubrication services on motor vehicles.*	N	N	N	N	N	N	(*)	SP	SP	N	N
31B.	Carwash **	N	N	N	N	N	N	(*)	SP	N	N	N
32.	Auto body, soldering, or welding shop.	N	N	N	N	N	N	(*)	SP	SP	N	N
33.	Animal or veterinary hospital providing it is located 200 ft. from nearest residential dwelling.	SP	N	N	N	N	N	(*)	Y	N	N	N
* For the Aquifer Protection District See Section III.A.5-5b).2. (Art. 22, Fall ATM, 10/5/93)												
** Mechanical vehicular washing system using water and chemical additives.												
34.	Printing or publishing establishment provided that not more than five thousand feet are used for work and storage	N	N	N	N	N	SP	(*)	Y	N	N	N
	a. over 5,000 sq. ft.	N	N	N	N	N	SP	(*)	SP	Y	Y	N
35.	Off -street parking as hereinafter permitted.	Y	Y	Y	Y	N	SP	(*)	Y	Y	Y	N
36.	Restaurant, tea rooms, lunchrooms or other places serving permitted beverages inside a building.	N	N	N	N	N	N	(*)	Y	N	N	N
37.	Cafeteria or restaurant for sole use of personnel employed on the premises of permitted use.	N	N	N	N	N	N	(*)	Y	Y	Y	N
38.	Restaurant or other places serving food or permitted beverages and providing live or mechanical entertainment or serving customers outside of buildings.	N	N	N	N	N	N	(*)	SP	N	N	N
38A.	The serving of food and/or permitted beverages, with or without accompanying entertainment, on the premises of a hotel, including without limitation, all restaurants cocktail lounges, room service facilities, meeting and function rooms on said premises. (Art. 3 S.T.M. #1 1977)	N	N	N	N	N	N	(*)	Y	N	N	N
38B.	Specialty craft fabrication, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises. (Art. 31, Fall TM 10/15/19)	N	N	N	N	N	N	(*)	Y	SP	SP	N

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H
INDUSTRIAL USES												
38C.	Creative Production, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises. (Art. 30, Fall TM 10/15/19)	N	N	N	N	N	SP	(*)	SP	SP	SP	N
39.	Light manufacturing uses (including renewable or alternative energy light manufacturing uses) when the processes involved entail only fabrication, assembly, finishing work, packaging, or commercial food production, conducted in such a manner that noise, smoke, dust, odor, vibration or similar objectionable features are confined to the premises. (Art. 58, Fall ATM 10/20/09)	N	N	N	N	N	N	(*)	N	Y	Y	N
39A	Ancillary Outlet** (Art. 28, Spring Town Meeting 4/14/15)	N	N	N	N	N	N	(*)	N	SP	N	N
<p>* Acceptance of this article shall not be considered acceptance of Chapter 808 of the Acts of 1975 by this town. Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3 **Use 39A. Ancillary Outlet shall not be permitted in any Industrial Zones covered by or underlying the Regional Center Overlay District or HOOP Overlay Districts. The Ancillary Outlet Setback from a residential zone to an Ancillary Outlet inclusive of its outside parking and vehicular access is 85 feet. (Art. 28, Spring Town Meeting, 4/14/15)</p>												
40.	General industrial uses including manufacturing, renewable or alternative energy manufacturing, processing, or other industrial operations that will not be offensive to adjoining districts in respect to obnoxious noise, smoke, dust, odor, waste disposal, vibration or similar objectionable features. (Art. 58, Fall ATM 10/20/09)	N	N	N	N	N	N	(*)	N	N	Y	N
40A.	Renewable or alternative energy research and development facilities (Art. 58, Fall ATM 10/20/09)	N	N	N	N	N	N	(*)	N	Y	Y	N
41.	Warehouses (excluding retail warehouses), for storage of any personal property with no sales taking place on the premises; and open storage yards of lumber, stone, brick, gravel, cement, and contractor's equipment, or other bulky merchandise, which may be sold on the premises. (Art. 73 A.T.M. 1963, Art. 49 A.T.M. 1976 & Art. 24 Fall A.T.M. 1996)	N	N	N	N	N	N	(*)	N	N	SP*	N

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H
42.	Junk yards (Enclosed by a 10' high fence or other closed screen acceptable to Building Inspector.	N	N	N	N	N	N	(*)	N	N	SP	N
TRANSPORTATION USES												
43.	Private landing area to be used solely for the landing, taking off, and storage of privately owned airplanes and/or helicopter.	SP	N	SP	N	N	N	(*)	N	N	N	N
44.	Motor freight or other transportation terminals; yards for the servicing of trucks and trailers.	N	N	N	N	N	N	(*)	N	N	SP	N
INSTITUTIONAL USES												
45.	Municipal facility and building for public uses and purposes, including a Town-owned dump. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	N	SP	(*)	Y	Y	Y	N
46.	Public service and public utility structure including telephone exchange. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	N	SP	(*)	Y	Y	Y	N
46A.	Wireless Communications Facility, including only a BMWCF, an AWCF, and co-locating a WCF on an existing free standing monopole or lattice tower.◊	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
46B.	Wireless Communications Facility, including only a free standing monopole.◊ (Art. 25, Spring ATM 4/9/19)	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
46C.	Indoor Wireless Communications Facility (IWCF).◊	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
◊ (Amended Art. 30, Fall ATM, 10/8/98)												
46D.	Facilities for housing telecommunications equipment, such as sites where network systems can be interconnected to the fiber optic highband cable network, or to such network as it may be modified hereafter. (Art. 5, S.T.M. #2, 10/10/00)**	N	N	N	N	N	N	SP	SP	SP	SP	N
**Special Permit by SPGA in the HM-I, HM-II, HM-III, HPU, RC and HC Districts Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3												
47.	Church, rectory, convent, parish house, and other religious institutions. ‡	Y	Y	Y	Y	N	SP	(*)	Y	Y	Y	N
‡ Except as such Use is otherwise exempted from permitting by Massachusetts General Laws chapter 40A, section 3, or other State or Federal statute, in which case it is subject to Section III – A.7.(Art. 3, STM#1, 5/9/17) Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3												
48.	Schools: public, religious, sectarian, or private. ‡	Y	Y	Y	Y	N	SP	(*)	Y	Y	Y	N

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H
49.	Licensed nursery school or other use for the day care of children, but not including day or summer private camps operated for profit.* ‡	SP	N	SP	SP	N	SP	(*)	SP	SP	N	SP
50.	Sanitarium, or nursing, or rest home. (Art. 12, S.T.M. #1 Jan. 21, 1992)	SP	N	N	N	N	SP	SP	N	N	N	SP
50A.	Health Care facility, including a hospital, diagnostic and health care professional offices.											
	i) under 2500 sq. ft.	N	N	N	N	N	Y	Y	Y	N	N	Y
	ii) over 2500 sq. ft. (Art. 12, S.T.M. #1 Jan. 21, 1992)	N	N	N	N	N	SP	SP	SP	N	N	SP
50B.	Assisted Living Residence (Art. 44, Spring ATM, 4/27/10)	SP	SP	N	SP	SP	SP	SP	SP	N	SP	SP
51.	Cemetery	SP	N	SP	N	N	N	(*)	N	N	N	N
52.	Library or museum	Y	N	Y	N	N	SP	(*)	N	N	N	N
<p>* "However, no special permit shall be required for the day care of children in a private residence by a daycare provider, who is licensed and operates under the rules and regulations of the Commonwealth of Massachusetts, Department of Children, and who on a regular basis, receives for temporary custody and care, during part or all of the day, children under sixteen years of age, provided however, in either case that the total number of children under sixteen in a family day care home shall not exceed six, including participating children living in the residence."</p> <p>* "Licensed Nursery Schools and/or Daycare Centers, if located in an existing building, in a (CII), INI, or (H) district, shall not be subject to section VI-DD, "Site Plan Review"; and licensed Nursery Schools and Daycare Centers, shall not be subject to the requirements of section III-A.5, Aquifer Protection District, provided they shall be located in an existing building and further provided no impervious materials shall be added to the site." (Art. 14, 1987 Fall A.T.M.)</p> <p>‡ Except as such Use is otherwise exempted from permitting by Massachusetts General Laws chapter 40A, section 3, or other State or Federal statute, in which case it is subject to Section III – A.7." (Art. 3, STM#1, 5/9/17)</p> <p>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3</p>												
OTHER USES												
53.	Commercial Boarding or Training Dog Kennel (Art. 27, Spring TM 4/9/19)	N	N	N	N	N	N	(*)	SP	N	N	N
53A.	Commercial Breeder Dog Kennel (Art. 27, Spring TM 4/9/19)	N	N	N	N	N	N	(*)	SP	N	N	N
53B.	Home Occupation/Customary Home Occupation Dog Kennel (Art. 27, Spring TM 4/9/19)	SP	N	SP	N	N	N	(*)	SP	N	N	N
53C.	Personal Dog Kennel (Art. 27, Spring TM 4/9/19)	SP	N	SP	N	N	N	(*)	SP	N	N	N
54.	Signs as hereinafter permitted	Y	Y	Y	SP	SP	SP	(*)	Y	Y	Y	N
55.	Other accessory uses normally incidental to a permitted use	SP	SP	SP	SP	SP	SP	(*)	SP	SP	SP	N
(Art. 45, Spring A.T.M. 04/27/10 – Deleted Drive in Theatres "D")												

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H
Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page												