

ARTICLE 17

Amend Zoning Bylaw: Use Regulation (Update Use Categories and Definitions)

To see if the Town will vote to amend the Natick Zoning Bylaw by adding, deleting, or modifying definitions, use categories and permitting requirements by zoning district, including, but not limited to amending Section 200 – Definitions; III-A.2 (Use Regulation Schedule); or act in any other manner in relation thereto.

MOTION A –

Move that the Town vote to amend the Natick Zoning Bylaw by removing references to the obsolete Subsidized Housing (SH) zoning district as follows:

Section 103 - Purpose of Subsidized Housing (SH) District, deleting the title and body of the paragraph in its entirety and replacing it with the word ‘Reserved’)

Section 200 – Definitions, deleting the definitions for “Subsidized Housing” and “Assisted Housing”

Section II-A., Types of Use Districts, deleting the entry “Subsidized Housing, SH (Art. 83 A.T.M. 1973)”

Section III-A.2, Use Regulation Schedule, deleting the header and contents of the column “SH”

Section VI-DD (Special Permit Procedures and Site Plan Review, Section 2.A.a.2 (Special Permits), deleting the words “Subsidized Housing (SHA)”

Section VI-DD (Site Plan Review Applicability and SPGA Designation), Section 2.B.a), deleting the words “Subsidized Housing (SHA)”

Section VI-E (Board of Appeals), 2. Special Permits, deleting the entirety of paragraphs e) through k)

MOTION B –

Move that the Town vote to amend Section III-A.2, including Uses L2 (Church, rectory, convent, parish house, and other religious institutions), L3 (Schools: public, religious, sectarian, or private), and L4 (Licensed nursery school or other use for the day care of children, but not including day or summer private camps operated for profit) to ensure the compliance of the Natick Zoning Bylaw with Mass General Law Chapter 40A Section 3 (Dover amendment protected uses) as follows:

Amend designation for permitted uses for these uses to Permitted (“Y”) across all zoning districts

Delete all instances of footnotes in Section III-A.2 that read:

- “+Except as such Use is otherwise exempt 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”

Delete the asterisk on the entry for Use L4 (Licensed Nursery School) and the content of two footnotes each marked by a single asterisk and associated with Use L4 that read

- **“*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 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.”**

- **“*Licensed nursery schools and/or day care 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 day care centers, shall not be subject to the requirements of Section III-A.5, Aquifer Protection District, provided that they shall be located in an existing building and further provided no impervious materials shall be added to the site.”**