

09.29.2023

ARTICLE 15

Amend Zoning Bylaw: Use Regulation (Use Section and Category Organization)

To see if the Town will vote to amend the Natick Zoning Bylaw by adding, modifying, or deleting use sections, and then reordering the use sections and categories, including but not limited to amending § III-A.2 (Use Regulation Schedule); or otherwise act thereon.

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

MOTION – In Section III-A.2 (Use Regulation Schedule),

Delete the existing use section headers (Residential Use, Recreational Uses, Business Uses, Industrial Uses, Transportation Uses, Institutional Uses, and Other Uses).

Insert the following use section headers:

- A. Recreational Uses (primary)**
- B. Residential Uses (secondary)**
- C. Transient Accommodation Uses**
- D. Recreational, Amusement, Entertainment Uses**
- E. Agricultural and Natural Resource Uses**
- F. Retail or Consumer Service Establishment Uses**
- G. Motor Vehicle Related Sales and Service Uses**
- H. Transportation, Communication, Utility Uses**
- I. Professional and Medical Office Uses**
- J. Research and Development, Laboratory, and Technology Uses**
- K. Manufacturing and Industrial Uses**
- L. Institutional and Exempt Uses**
- M. Other Uses**

Assign Use Categories to appropriate sections and number the categories in order of appearance by section.

Divide

- Use Category “Administrative offices, statistical offices and establishments for research and development” into separate categories (“Administrative offices, clerical offices, statistical offices” and “Establishments for research and development”);
- Use Category “Municipal facility and building for public uses and purposes, including a Town-owned dump” into separate categories (“Municipal facility and building for public uses and purposes” and “Town-owned dump”).

So that the amended language reads:

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
A. RESIDENTIAL USES (primary)													
A1.	One-family detached dwelling	Y	N	Y	N	SP	Y	(*)	N	N	N	N	N
A2.	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	N
A3.	Two-family or semi-detached dwelling	Y	Y	N**	N	SP	N	(*)	N	N	N	N	SP
A4. *	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	Y
A5.	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	N
A6.	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	SP

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
A7.	Assisted Living Residence (Art. 44, Spring ATM, 4/27/10)	SP	SP	N	SP	SP	SP	SP	SP	N	SP	SP	SP
<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>													
B. RESIDENTIAL USES (accessory)													
B1.	Family Suite	N	N	SP	N	N	N	N	N	N	N	N	N
B2.	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	N
B3.	Customary home occupation within the principal building conducted by a resident of the premises (or by owners of the premises where such premises	Y	Y	Y	SP	N	N	(*)	SP	N	N	N	SP

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
	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)												
B4.	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	SP
B5.	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	SP
B6.	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	N
B7.	Home Occupation/Customary Home Occupation Dog Kennel (Art. 27, Spring TM 4/9/19)	SP	N	SP	N	N	N	(*)	SP	N	N	N	N
B8.	Personal Dog Kennel (Art. 27, Spring TM 4/9/19)	SP	N	SP	N	N	N	(*)	SP	N	N	N	N
C. TRANSIENT ACCOMMODATION USES													

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
C1.	Tourist Home	Y	N	N	N	N	N	(*)	N	N	N	N	SP
C2.	Hotel and Motel	N	Y	N	N	N	N	(*)	Y	N	SP*	N	SP

*Art. 29, FALL ATM 1997

Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3

D. RECREATIONAL, AMUSEMENT, ENTERTAINMENT USES

D1.	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	N
D2.	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. 1 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	N
D3.	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	Y
D4.	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	SP
D5.	Commercial outdoor amusement or recreation use, but not including outdoor movie theatre.	N	N	N	N	N	N	(*)	SP	N	N	N	SP
D6.	Outdoor movie theatre (deleted – Art. 45 ATM 04/27/10)												

“+ 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

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
E. AGRICULTURAL AND NATURAL RESOURCE USES													
E1.	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	N
E2.	Premises for the raising of swine, poultry, fowl and fur-bearing animals.	SP*	N	SP*	N	N	N	(*)	N	N	N	N	N
E3.	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	N
E4.	Greenhouse, nursery and truck garden.	Y	N	Y	N	N	N	(*)	SP	N	N	N	N
* 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.													
Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3													
F. RETAIL OR CONSUMER SERVICE ESTABLISHMENT USES													
F1.	Retail stores.	N	N	N	SP	N	N	(*)	Y	N	N	N	Y
F2.	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	Y
F3.	Craft, consumer, professional or commercial service establishments dealing directly with the general public.	N	N	N	SP	N	N	(*)	Y	N	N	N	Y
F4.	Adult Uses ¹ (Art. 48, Spring A.T.M., 4/17/97)	N	N	N	N	N	N	N	N	N	N	N	N
F5.	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	N
F6.	Restaurant, tea rooms, lunchrooms or other places serving permitted beverages inside a building.	N	N	N	N	N	N	(*)	Y	N	N	N	Y

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
F7.	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	Y
F8.	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	SP
F9.	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	SP
F10.	Ancillary Outlet** (Art. 28, Spring Town Meeting 4/14/15)	N	N	N	N	N	N	(*)	N	SP	N	N	SP
F11.	Undertaking establishment or funeral home.	N	N	N	N	N	N	(*)	Y	N	N	N	N
F12.	Cemetery	SP	N	A	N	N	N	(*)	N	N	N	N	N
F13.	Library or museum	Y	N	Y	N	N	SP	(*)	N	N	N	N	Y
F14.	Commercial Boarding or Training Dog Kennel (Art. 27, Spring TM 4/9/19)	N	N	N	N	N	N	(*)	SP	N	N	N	N
F15.	Commercial Breeder Dog Kennel (Art. 27, Spring TM 4/9/19)	N	N	N	N	N	N	(*)	SP	N	N	N	N

Note 1: See Section 323.4 Adult Uses (Art. 48, Spring A.T.M., 4/17/97)

Note 2: F5. 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.

* 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

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
<p>**Use F10. 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> <p>Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page 3</p>													
G. MOTOR VEHICLE RELATED SALES AND SERVICE USES													
G1.	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	N
G2.	Limited salesroom for motor vehicles (Article 5, FTM, 10/15/13)	N	N	N	N	N	N	(*)	SP	N	N	N	N
G3.	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	N
G4.	Repair garage for motor vehicles.	N	N	N	N	N	N	(*)	SP	SP	N	N	N
G5.	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	N
G6.	Motor freight or other transportation terminals; yards for the servicing of trucks and trailers.	N	N	N	N	N	N	(*)	N	N	SP	N	N
G7.	Carwash **	N	N	N	N	N	N	(*)	SP	N	N	N	N
G8.	Commercial parking lot or parking garage, filling or service station.*	N	N	N	N	N	N	(*)	SP	SP	N	N	N
G9.	Auto body, soldering, or welding shop.	N	N	N	N	N	N	(*)	SP	SP	N	N	N
<p>* For the Aquifer Protection District See Section III.A.5-5b).2. (Art. 22, Fall ATM, 10/5/93)</p> <p>** Mechanical vehicular washing system using water and chemical additives.</p>													

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
H. TRANSPORTATION, COMMUNICATION, AND UTILITY USES													
H1.	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	N
H2.	Off -street parking as hereinafter permitted.	Y	Y	Y	Y	N	SP	(*)	Y	Y	Y	N	Y
H3.	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	SP
H4.	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	SP
H5.	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	SP
H6.	Indoor Wireless Communications Facility (IWCF).◇	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
H7.	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	N
◇ (Amended Art. 30, Fall ATM, 10/8/98)													
**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													
I. PROFESSIONAL AND MEDICAL OFFICE USES													
I1.	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	Y
I2.	Administrative offices, clerical offices, statistical offices (Art. 8 S.T.M. 2 1975)	N	N	N	N	N	SP	(*)	N	SP*	SP*	N	Y
I3.	Health Care facility, including a hospital, diagnostic and health care professional offices.												

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
	i) under 2500 sq. ft.	N	N	N	N	N	Y	Y	Y	N	N	Y	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	Y
I4.	Animal or veterinary hospital providing it is located 200 ft. from nearest residential dwelling.	SP	N	N	N	N	N	(*)	Y	N	N	N	Y
* Any special permit granted for this use shall be subject to the provisions of Section VI DD													
J. RESEARCH AND DEVELOPMENT, LABORATORY, AND TECHNOLOGY USES													
J1.	Establishments for research and development. (Art. 8 S.T.M. 2 1975)	N	N	N	N	N	SP	(*)	N	SP*	SP*	N	Y
J2.	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	N
K. MANUFACTURING AND INDUSTRIAL USES													
K1.	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	Y
	a. over 5,000 sq. ft.	N	N	N	N	N	SP	(*)	SP	Y	Y	N	N
K2.	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	SP
K3.	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	SP
K4.	Light manufacturing uses (including renewable or alternative energy light manufacturing uses) when the processes involved entail only fabrication, assembly, finishing work, packaging, or commercial	N	N	N	N	N	N	(*)	N	Y	Y	N	SP

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
	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)												
K5.	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	N
K6.	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	N
K7.	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	N
K8.	Town-owned dump. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	N	SP	(*)	Y	Y	Y	N	SP
K9.	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	N
L. INSTITUTIONAL AND EXEMPT USES													
L1.	Municipal facility and building for public uses and purposes. (Art. 52 A.T.M. 1974)	SP	SP	SP	SP	N	SP	(*)	Y	Y	Y	N	SP
L2.	Church, rectory, convent, parish house, and other religious institutions. ‡	Y	Y	Y	Y	N	SP	(*)	Y	Y	Y	N	Y

		RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H	CG
‡ 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													
L3.	Schools: public, religious, sectarian, or private. ‡	Y	Y	Y	Y	N	SP	(*)	Y	Y	Y	N	Y
L4.	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	Y
* "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." * "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.) ‡ 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													
M. OTHER USES													
M1.	Signs as hereinafter permitted	Y	Y	Y	SP	SP	SP	(*)	Y	Y	Y	N	Y
M2.	Other accessory uses normally incidental to a permitted use	SP	SP	SP	SP	SP	SP	(*)	SP	SP	SP	N	SP
(Art. 45, Spring A.T.M. 04/27/10 – Deleted Drive in Theatres “D”) Note: For districts FP, HM-I, HM-II, HM-III, LC, HPU see Section III Page													