

ZONING

350 Attachment 2

City of Northampton

Table of Use Regulations: GB, NB and M Districts

Principal Use	Business		Medical
	GB	NB	M
Work in FEMA-mapped 100-year/500-year Floodplain (FP) Overlay District Only if use is otherwise allowed by zoning. See § 350-14. ²			
New commercial structures or substantial improvements in FP, meeting all requirements under the State Building Code, Wetlands Protection Act, and city ordinances	Site	Site	Site
Work in Water Supply Protection (WSP) Overlay District Only if use is otherwise allowed by zoning. See § 350-16.			
Business/Industrial activities	PB	PB	No
Any excavation within 3 feet of groundwater	PB	PB	No
Impervious cover of more than 15% with a system for artificial recharge of precipitation	PB	PB	No
Site alteration, structure or impervious surface within 200 feet of any watercourse (including intermittent) which are tributaries to a public water supply	PB	PB	No
Residential NOTE: Other types of affordable housing with a comprehensive permit from the Zoning Board of Appeals may be allowed in any zoning district.			
One-family dwellings	No	PB	No
Accessory apartment in single-family homes. See § 350-10.10.	No	A	No
Detached accessory apartment for single-family home meeting same setback requirements as a new single-family home in that district. See § 350-10.10.	No	ZBA	No
Reduced lot line development. See § 350-6.13.	No	No	No
Two-family dwellings with a single front entrance and with both units sharing a party wall and/or floor/ceiling and not separated by accessory features, such as an attached garage or breezeway. At least 75% of wall or floor/ceilings of the units facing each other must be shared.	No	PB	No
Other two-family dwellings meeting all dimensional requirements for a newly created lot without grandfathering from any dimensional standards	No	PB	No
Three-family dwellings	No	A	No
Multifamily dwellings not exceeding three stories	No	Site	No
Multifamily dwellings exceeding three stories	No	PB	No
Townhouses	No	PB	No
Home occupations. See § 350-10.12.	A	A	No
Home office. See § 350-10.12.	A	A	No
Residential (cont'd)			

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Accessory structures and fences (ZBA approval or special conditions may be required for some structures. See §§ 350-6.7 and 350-6.8.)	A	A	No
Tag sale (as accessory use) for the purpose of disposing of used personal and household articles from the vendor's residence on a temporary basis	A	A	A
Horses and animals as accessory uses in accordance with § 350-5.3	A	A	No
Flag lots. See § 350-6.13.	No	No	No
Dormitories	No	PB	No
Cluster residential development. See § 350-10.5.	No	No	No
Assisted living residences. See also nursing home.	No	No	No
Bed-and-breakfast	No	A	No
Short-term rental ³	A	A	
Lodging houses (Special permit for reduced parking. See § 350-8.2.)	No	PB	No
Halfway houses	No	PB	No
One-, two- and three-family homes and townhouses within the RI Overlay with a minimum of 33% of affordable units, in accordance with § 350-10.11	No	No	No
Mixed residential/work space which conforms to all Building and Life Safety Codes and is located above the first floor (as described in the definition)	A	A	No
Mixed residential/retail service, commercial uses Service, commercial uses	A ¹	A ¹	No
Residential development and cluster development using a transfer of development rights (TDR) obtained by a special permit from the Farms, Forests and Rivers District	No	No	No
Reuse of an historic educational or religious building for any residential use, live/work space or office ⁴	No	No	No
Reuse of an historic educational or religious building for any residential use on the ground floor or any other commercial use not otherwise allowed in the district ¹	Site	Site	No

NOTES:

- ¹ In GB and NB Districts, all residential units, except for those in the NB District, must be located above the first floor. Uses may be mixed in the building and, above the first floor, within each unit within a building. All uses normally permitted in these districts are allowed. A special permit is required if a special permit would otherwise be required for the use.
- ² No more than 20% of the floor space of the building shall be used for medical, banking or any offices where a primary function is to provide services to retail customers or individuals; and further provided that such use is within the footprint of the existing building. The existing building may be expanded to accommodate elevators and stairwells, provided that all historically contributing portions of the building are retained and covered 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). 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.
- ³ Short-term rentals must be registered with the City and are only valid for the year in which registration is completed and expires December 31 each year.

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Community and Recreational Facilities			
Cemetery, including any crematory therein	No	No	No
Community center	A	Site	PB
Educational use which is religious, sectarian, denominational or public and other religious use “A” (allowed by-right “A” in EU Overlay District), subject to applicable site plan approval	A	A	A
Any other private school, college or university	PB	PB	No
Day care, school-aged child-care program (as permitted by state statute) and family day care (with registration with Building Commissioner)	A	A	A
Hospital	No	No	A
Historical association or society and nonprofit museum (may include the residence of a caretaker)	A	A	No
Membership club or health or athletic facility operated for profit	A	No	No
Membership club operated as a not-for-profit corporation, as defined by MGL c. 180, excluding any adult establishments which display live nudity	A	CC	No
Outdoor commercial recreational use	No	No	No
Temporary event or use with a temporary events permit from City Council, a license from the Parking Commission for short-term temporary use of facilities under their jurisdiction, or a permit from the Board of Public Works for use of streets, sidewalks or Pulaski Park, in accordance with the Northampton Code of Ordinances and any applicable regulations	A	A	A

NOTE:

¹ Provided that such use is within the footprint of the existing building. The existing building may be expanded to accommodate elevators and stairwells, provided that all historically contributing portions of the building are retained and covered 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). 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.

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Agricultural Uses			
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	A	A	No
Year-round greenhouse or stand for wholesale and retail sale of agricultural or farm products	A	No	No
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.	No	No	No
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	No	No	No
Veterinary hospital in which all animals are kept inside permanent buildings	A	A	No
Retail and Commercial Uses			
Planned Village (see also § 350-10.15) consisting of the following uses, which are expressly allowed as part of a Planned Village special permit even if the use is otherwise prohibited in the PV Zoning District: 1. Any type of residential uses and mixed residential uses, allowed in the Table of Use Regulations; provided, however, that the gross floor area devoted to residential use shall not exceed 85% of the gross floor area of the commercial uses in the planned village, as defined in Item 4 of this entry. (This cap shall no longer apply when the project reaches 400,000 square feet of commercial uses in the PV Zoning District.) 2. Nursing homes, assisted living residence, and residential units above first floor commercial space (not subject to above cap) 3. The following community uses: religious or educational uses; nursery; kindergarten; day care; membership clubs (not for profit and for profit); public recreation or open space; and municipal use 4. The following commercial uses: Business offices (as defined elsewhere in this table), research and development facilities, and manufacturing; also retail uses and sit-down restaurants, not to exceed 5% of the gross floor area of the planned village. Also miscellaneous professional offices (as defined elsewhere in the table), not to exceed 5% of the gross floor area of the Planned Village	No	No	No

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Retail and Commercial Uses (cont'd)			
Reuse of contributing structures in the National Register of Historic Places for any residential use or community facility listed in this table, tradesman, business offices and services, miscellaneous professional offices, research and development facilities, and manufacturing. Also for retail uses or restaurants, when the gross floor area in these uses does not exceed 10% of the gross floor area of the building or complex of historical buildings being redeveloped under this section. For all uses under this table entry, the Planning Board must find that the rehabilitation and reuse, and all future alterations, will be done in accordance with U.S. Department of Interior Standards for Rehabilitating Historic Buildings, and in particular that, to the extent practicable, historically significant exterior facades are preserved or restored and original rooflines are preserved.	No	No	No
Adult establishments, which display live or private booth nudity and adult establishments with adult material. See § 350-10.13.	No	No	No
Artist's space where artists create original and creative works (such as books, writings, paintings, sculptures, traditional and fine crafts, creation or acting of films, creating of dance), but not performance or residential use, other than what is otherwise allowed in the Table of Use Regulations.	A	A	A
Retail and personal services with a maximum floor area of: A: Less than or equal to 10,000 square feet for any single establishment B: 10,000 – 90,000 square feet, single establishment (See §§ 350-6.2, 350-10.15, 350-11); ¹ or C: Over 10,000 square feet (single or cumulative) with two or more stories and all parking in rear or side. (2 nd + floor may include other permitted uses) ^{1,2} ; or	A PB PB	A No No	No No No
D: Less than or equal to 10,000 square feet single establishment and less than or equal to 15,000 square feet of cumulative development in a three-year period on the same parcel of land which has been in common or affiliated ownership within the same three-year period; or	PB	No	No
E: Less than or equal to 10,000 square feet single establishment and over 15,000 square feet of cumulative development in a three-year period on the same parcel of land or on land which has been in common or affiliated ownership within the same three-year period ¹	PB	No	No
F: Over 90,000 square foot footprint for single establishment	No	No	No

NOTES:

- ¹ Applies to new projects and substantial improvements. (For the purposes of this section, exclude the value of improvements to repair or replacement of roofs, mechanical systems, elevators, parking lots, or landscaping from calculations.)
- ² Second story must be at least 50% of the footprint and must include the entire frontage.

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Retail and Commercial Uses (cont'd)			
Automobiles: establishment selling, leasing, renting automobiles and/or used automobiles and trucks, new automobile tires and other accessories, boats, motorcycles and household and camping trailers	PB	No	No
Automotive repair (not junkyard) without gasoline sales	Site	Site	No
Automotive service station (not junkyard) with or without convenience commercial	PB	PB	No
Junk cars, motor vehicle accessories, scrap metal. See § 350-8.8L.	PB	PB	PB
Business service and supply service establishments	PB	No	No
Commercial parking lot or structure including a public garage	A	A	No
Parking off site and combined parking. See §§ 350-8.5 and 350-8.7.	PB	PB	PB
Parking lot access for nonresidential uses across a residential lot. See § 350-8.9.	PB	PB	PB
Parking requirement reduction. See § 350-8.10F.	PB	PB	PB
Fees in lieu of parking. See § 350-8.11.	No	No	No
Filling of any land. See § 350-10.4.	PB	PB	No
Filling of water or wet area. See § 350-10.3.	PB	PB	No
Funeral establishment	PB	A	No
Hotels/Motels	PB	No	No
Movie picture and live theater, indoor, not including night club/dance hall or adult uses	PB	No	No
Miniature golf course, temporary carnival	No	No	No
Night club/dance hall	PB	No	No
Pool or billiard hall, amusement arcade, bowling alley, teen center	PB	No	No
Medical center including accessory medical research and associated facilities	PB	No	PB
Miscellaneous professional and business offices and services including, but not limited to, medical, legal, and other professional services and finance, banking, insurance and real estate offices	A	A	No (PB) ¹
Business offices including such uses as corporate offices, bank offices, and insurance processing and any other office excluding medical, banking and any offices where a primary function is to provide services to retail customers or individuals	A	A	No
Nursing homes (any facility licensed/sanctioned by the state as a nursing home or skilled nursing center, but not assisted living residences. See also assisted living residences.	No	No	No
Repair service establishments	PB	No	No
Restaurants and drinking places where consumption is primarily intended to be within the building	A	PB	No

NOTE:

¹ Medical and dental offices (only).

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Retail and Commercial Uses (cont'd)			
Takeout restaurants or other establishments selling foods prepared on premises where consumption is primarily off the premises	PB	No	No
Drive-in establishment	No	No	No
Tradesman	A	PB	No
Retail marijuana ¹	A	No	No
Medical marijuana	Site	No	No
Any marijuana independent testing laboratory or other testing labs only when located below grade, above the first floor or behind a street-front unit reserved for an allowed commercial use, which is at least 30 feet deep, or in a building that does not abut on a public way maintained by the City	A	No	No
Utilities, Telecommunications, Municipal Facilities			
Facilities for essential services	A	A	A
Heavy public use. See § 350-10.7.	CC	CC	No
Municipal facility	A	A	No
Power plant	No	No	No
Private utility, substation, or similar facility or building	PB	PB	PB
Small-scale hydroelectric generation	PB	PB	No
Telecommunications facilities (in accordance with §§ 350-2.1 and 350-10.9)	PB	PB	PB
Telecommunication antennas which are located on existing telecommunications towers or other structures which do not require the construction of a new tower (in accordance with § 350-10.9)	Site	Site	Site

NOTE:

¹ No establishment shall be located within 200 feet of a preexisting public or private school providing education in kindergarten or any of grades 1 through 12. Building facades and property must be consistent with the character of the neighborhood, including such items as transparent storefront windows with a view into the interior of the building. Security measures must appear from outside of the building to be consistent with the character of the neighborhood.

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Wholesale, Transportation and Industrial Uses			
Airport, including aircraft sales	No	No	No
Heliport	PB	No	No
Bus passenger terminal and taxi facilities	A	No	No
Construction supply establishments	No	No	No
Contractor's yard, open storage of raw materials, finished goods, or construction equipment and structures for storing such equipment, provided that outside storage areas shall be screened from outside view	No	No	No
Commercial motor vehicle maintenance, garaging and parking facilities (Outside parking shall be screened from the public view.)	No	No	No
Manufacturing	No	No	No
Accessory uses supporting manufacturing, motor freight and warehousing and wholesale trade and distribution on the same or immediately adjoining lots as the principal use, including storage, offices, wholesale sales, employee-only recreation and eating facilities, and retail sales, provided that not more than 10% of the gross floor area is devoted to sales and that sales are limited to goods produced or distributed by the principal use	A	No	No
Motor freight terminal and warehousing associated with adjacent commercial and industrial uses	No	No	No
Warehousing and storage not associated with adjacent commercial and industrial uses	No	No	No
Planned business park	No	No	No
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.	No	No	No
Removal of sand, gravel, quarry, or other raw material. See § 350-10.3.	No	No	No
Private bridge, tunnel	PB	PB	PB
Railroad passenger terminal	A	No	No
Railroad yards and railway express service	PB	No	No
Storage of a fluid other than water (as principal use)	PB	PB	No
Acceptance, storage or disposal of radioactive waste, deregulated or otherwise, at any solid, liquid, or hazardous waste facility (notwithstanding any provision of this chapter permitting sanitary landfills or waste disposal facilities), other than one established by the Commonwealth of Massachusetts in accordance with MGL c. 111H	No	No	No
Research and development facilities	PB	PB	No
Wholesale bakery, wholesale laundry, or dry-cleaning plant	PB	No	No
Wholesale trade and distribution	A	No	No

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