

ZONING

97 Attachment 4

**Town of Newbury  
TABLE OF USE REGULATIONS**

**[Added 5-22-2012 ATM, Art. 20; amended 5-22-2012 ATM, Arts. 21, 22, 24; 10-23-2012 STM, Art. 7;  
5-21-2013 ATM, Art. 26; 5-20-2014 ATM, Art. 20; 4-24-2018 ATM, Art. 19]**

P – permitted by right in District	R-AG	Agricultural Residential	CHA	Commercial Highway A
SP – special permit of the Planning Board	PR	Parker River Residential	LIB	Light Industrial Byfield
SPS – special permit of the Board of Selectmen	R-LB	Residential-Limited Business	UGB	Upper Green Business
SPA – special permit of the Zoning Board of Appeals	BVB	Byfield Village Business	BLI	Business and Light Industrial
NP – not permitted in District	CH	Commercial Highway	PRM	Parker River Marine

PRINCIPAL USE	DISTRICT										
	R-AG	PR	R-LB	BVB	CH	CHA	LIB	UGB	BLI	PRM	
<b>COMMERCIAL USES</b>											
Professional and business offices and services including, but not limited to, medical, legal, and financial services	SPS	NP	SPS	P	P	P	NP	P	P	P	
Personal care establishments, including, but not limited to, barbers and hairdressers, salons, spas	NP	NP	NP	P	P	P	NP	P	P	NP	
Business repair services, including, but not necessarily limited to, appliances, televisions, computers, and office equipment	NP	NP	NP	P	P	P	NP	NP	P	NP	
Customary home occupation	P	P	P	P	P	NP	P	P	P	P	
Use customarily accessory to allowed use	P	P	P	P	P	P	P	P	P	P	
Mixed use structure	NP	NP	NP	P	P	P	NP	P	P	P	

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PRINCIPAL USE	DISTRICT										
	R-AG	PR	R-LB	BVB	CH	CHA	LIB	UGB	BLI	PRM	
<b>COMMERCIAL USES (cont'd)</b>											
Convenience store	NP	NP	NP	P	P	P	NP	P	P	P	
Retail establishment selling general merchandise including food	NP	NP	NP	P	P	P	NP	P	P	P	
Retail/service kiosk automated teller machine (standalone as primary use)	NP	NP	NP	P	P	P	NP	P	P	P	
Retail/service kiosk automated teller machine as an ancillary use to the primary use	NP	NP	NP	P	P	P	NP	P	P	P	
Sales by vending machines (standalone as primary use)	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Sales by vending machines as an ancillary use to the primary use	SP	NP	NP	P	P	P	NP	NP	P	P	
Indoor and outdoor recreation areas and facilities, including, but not limited to, play grounds, health and fitness centers, miniature golf, golf driving range, batting cage, tennis courts, skating rink, boating, fishing, and swimming	SPS	NP	NP	SPS	SPS	SPS	NP	NP	SPS	SPS	
Membership club, including, but not limited to, social club, country club, tennis or similar sports club	SPS	NP	NP	P	P	P	NP	NP	SP	P	
Performing arts center	NP	NP	NP	P	P	P	NP	P	P	P	
Museum	NP	NP	NP	P	P	P	P	P	P	P	
Establishment selling, and/or renting new and/or used automobiles, trucks, aircraft, motorcycles, and household and camping trailers, and enclosed repair facilities accessory thereto	NP	NP	NP	NP	P	NP	NP	NP	P	NP	

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PRINCIPAL USE	DISTRICT										
	R-AG	PR	R-LB	BVB	CH	CHA	LIB	UGB	BLI	PRM	
<b>COMMERCIAL USES (cont'd)</b>											
Establishment servicing automobiles, trucks, aircraft, motorcycles, and/or household and camping trailers	NP	NP	P	P	P	NP	P	P	P	NP	
Establishment selling motor vehicle parts and accessories	NP	NP	NP	P	P	P	NP	NP	P	NP	
Animal grooming	NP	NP	NP	P	P	P	NP	NP	P	NP	
Veterinary clinic	NP	NP	NP	SP	P	P	NP	NP	P	NP	
Feed Store	P	NP	NP	P	P	P	NP	NP	P	NP	
Building materials establishments	NP	NP	NP	NP	P	P	NP	NP	P	NP	
Temporary trailer for business purposes	NP	NP	P	P	P	P	P	P	P	P	
Radio/T.V. studio	NP	NP	NP	P	P	P	NP	P	P	P	
Shopping center	NP	NP	NP	NP	SP	SP	NP	NP	SP	NP	
Hospital and medical center	SPS	NP	NP	NP	SP	SP	NP	NP	SP	NP	
Nursing home and rehabilitation center	SPS	NP	NP	NP	SP	SP	NP	NP	SP	NP	
Registered Marijuana Dispensaries (see Notes 1, 4, and 5 below)	NP	NP	NP	NP	SP	NP	NP	NP	SP	NP	
Marijuana Retailer (see Notes 1 and 4 below)	NP	NP	NP	NP	SP	NP	NP	NP	SP	NP	
Marijuana Testing Facility (see Notes 1, 4 and 5 below)	NP	NP	NP	NP	NP	NP	NP	NP	SP	NP	
Assisted Living or Life Care	SPS	NP	NP	NP	SP	SP	NP	NP	SP	NP	
Rehabilitation residence	SPS	NP	NP	NP	SP	SP	NP	NP	SP	NP	
Congregate elderly housing	SPS	NP	NP	NP	SP	SP	NP	NP	SP	NP	
Gasoline, diesel oil, or fuel oil sales or distribution facilities	NP	NP	NP	NP	SP	NP	NP	SP	SP	SP	
Animal boarding, kennel - 24 hour operations	SP	NP	NP	NP	SP	SP	NP	NP	SP	NP	

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PRINCIPAL USE	DISTRICT										
	R-AG	PR	R-LB	BVB	CH	CHA	LIB	UGB	BLI	PRM	
<b>COMMERCIAL USES (cont'd)</b>											
Animal daycare — daytime only	SP	NP	NP	NP	SP	SP	NP	NP	SP	NP	
Car wash facility	NP	NP	NP	NP	NP	NP	NP	NP	SP	NP	
Funeral home or mortuary establishments	NP	NP	NP	NP	SP	SP	NP	NP	SP	NP	
Mini-storage warehouses	NP	NP	NP	NP	SP	SP	NP	NP	SP	NP	
Automobile graveyards and junkyards, as defined in MGL Chap. 140B, Section 1;	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
<b>FOOD SERVICES</b>											
Eating and drinking places, excluding formula fast food establishments	NP	NP	NP	P	P	P	NP	P	P	P	
Formula fast food establishments without “drive-thru” facilities	NP	NP	NP	NP	SP	SP	NP	NP	P	NP	
Formula fast food establishments with “drive-thru” facilities	NP	NP	NP	NP	SP	SP	NP	NP	SP	NP	
<b>MUNICIPAL AND COMMUNITY FACILITIES</b>											
Town Hall or other municipal building	P	NP	NP	P	P	P	NP	P	P	NP	
Public Works Department and garage	P	NP	NP	P	P	P	NP	P	P	NP	
Police Station	P	NP	NP	P	P	P	NP	P	P	NP	
Fire Station	P	NP	NP	P	P	P	NP	P	P	NP	
Library	P	NP	NP	P	P	P	NP	P	P	NP	
Church or other religious purpose	P	P	P	P	P	P	P	P	P	P	
U.S. Post Office	P	P	P	P	P	P	P	P	P	P	
Town outdoor recreation facility and any other outdoor non-commercial recreation use	SPS	NP	NP	P	P	P	NP	NP	P	P	

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PRINCIPAL USE	DISTRICT										
	R-AG	PR	R-LB	BVB	CH	CHA	LIB	UGB	BLI	PRM	
Non-profit recreational facility	SPS	NP	NP	SP	SP	SP	NP	SP	SP	SP	
Cemetery, municipal or private	SPS	NP	NP	NP	NP	NP	NP	NP	NP	NP	
<b>EDUCATIONAL USES</b>											
Educational purpose which is religious, sectarian, non-denominational, public, or non-profit	P	P	P	P	P	P	P	P	P	P	
Educational purpose which is operated for profit	P	P	P	P	P	P	P	P	P	P	
Preschool/child care facility	P	NP	NP	P	NP	P	NP	P	SP	P	
<b>INDUSTRIAL USES</b>											
Research offices or establishments devoted to research and development activities	NP	NP	NP	NP	P	P	P	NP	P	P	
Corporate headquarters or office park	NP	NP	NP	NP	P	P	NP	NP	P	NP	
Offices for general construction, landscaping, or similar contractors, with open storage of related supplies, equipment, or vehicles, and structures for storing such items	NP	NP	NP	NP	SP	SP	NP	NP	P	NP	
Non-retail bakery	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	
Retail sale of goods manufactured on premises	NP	NP	NP	NP	NP	NP	NP	NP	P	P	
Printing/publishing	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	
Services to industry, including environmental and maintenance	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	

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PRINCIPAL USE	DISTRICT										
	R-AG	PR	R-LB	BVB	CH	CHA	LIB	UGB	BLI	PRM	
<b>INDUSTRIAL USES (cont'd)</b>											
Light fabrication and repair, including but not limited to welding, carpentry, pipe/duct fabrication	NP	NP	NP	NP	NP	NP	P	NP	P	P	
Machine shops	NP	NP	NP	NP	NP	NP	P	NP	P	P	
Temporary construction trailer	P	P	P	P	P	P	P	P	P	P	
Small wind energy system accessory to principal use as provided for in Article X	P	P	P	P	P	P	P	P	P	P	
Light manufacturing	NP	NP	NP	NP	NP	NP	P	NP	P	P	
Food processing and distribution	NP	NP	NP	NP	NP	NP	NP	NP	SP	SP	
Seafood processing and distribution	NP	NP	NP	NP	NP	NP	NP	NP	SP	NP	
Seafood handling/distribution	NP	NP	NP	NP	NP	NP	NP	NP	NP	SP	
Electric power generation/distribution	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	SPS	
Natural gas distribution facilities	NP	NP	NP	NP	NP	NP	NP	NP	SP	NP	
Large wind energy facility as provided for in Article V	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	
Wind monitoring or meteorological tower	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	
Water and wastewater systems (not Town-owned)	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	
Landfills and open dumps as defined in 310 CMR 19.006	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Open storage, except where otherwise noted	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	

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PRINCIPAL USE	DISTRICT										
	R-AG	PR	R-LB	BVB	CH	CHA	LIB	UGB	BLI	PRM	
<b>INDUSTRIAL USES (cont'd)</b>											
Open storage of raw materials, finished products, or construction equipment	NP	NP	NP	NP	SP	NP	NP	NP	SP	NP	
Open storage of raw materials, finished products, or construction equipment as an ancillary use to the primary use	NP	NP	NP	NP	SP	NP	NP	NP	SP	P	
Mining or quarrying	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Hazardous material storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Laundry/dry cleaning plant	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Processing and treating of raw materials not enclosed, including but not limited to operations such as grading, drying, sorting, crushing, grinding, and milling	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Trash Transfer Stations	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Craft Marijuana Cultivator Cooperative (see Notes 1, 4 and 5 below)	NP	NP	NP	NP	SP	NP	NP	NP	SP	NP	
Marijuana Cultivator (see Notes 1, 4 and 5 below)	NP	NP	NP	NP	SP	NP	NP	NP	SP	NP	
Marijuana Product Manufacturer (see Notes 1, 4 and 5 below)	NP	NP	NP	NP	SP	NP	NP	NP	SP	NP	
<b>WHOLESALE &amp; TRANSPORTATION USES</b>											
Bus terminals and/or railroad passenger stations and any other passenger transportation services	NP	NP	NP	NP	P	NP	NP	NP	P	NP	

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PRINCIPAL USE	DISTRICT										
	R-AG	PR	R-LB	BVB	CH	CHA	LIB	UGB	BLI	PRM	
<b>WHOLESALE &amp; TRANSPORTATION USES (cont'd)</b>											
Misc. transportation services, including, but not limited to, taxi, van, limousine, and ambulance service and similar “for hire” vehicles	NP	NP	NP	NP	SP	NP	NP	NP	P	NP	
Commercial parking	NP	NP	NP	NP	NP	NP	NP	NP	P	NP	
Wholesale trade, warehousing and distribution	NP	NP	NP	NP	SP	SP	NP	NP	SP	NP	
Truck terminal	NP	NP	NP	NP	SP	NP	NP	NP	SP	NP	
Truck and bus maintenance facilities	NP	NP	NP	NP	SP	NP	NP	NP	SP	NP	
Heliports	SP	NP	NP	NP	SP	SP	NP	NP	SP	NP	
Airport and landing strip	SP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
<b>MARINE USES</b>											
Boat sales/service/storage/rental	NP	NP	NP	NP	NP	NP	NP	NP	P	P	
Water transport of goods and people	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	
Marine equipment sales	NP	NP	NP	NP	NP	NP	NP	NP	P	P	
Marine repair services	NP	NP	NP	NP	P	P	P	NP	P	P	
Boat parts and accessories manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	P	P	
Boat building and repair	NP	NP	NP	NP	NP	NP	NP	NP	P	P	
Commercial fishing	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	
Marina and related uses including gasoline uses and sales	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	
Wholesale trade, warehousing and distribution as an ancillary use to the primary use	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	

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PRINCIPAL USE	DISTRICT										
	R-AG	PR	R-LB	BVB	CH	CHA	LIB	UGB	BLI	PRM	
<b>MARINE USES (cont'd)</b>											
Open storage of raw materials, finished products, or construction equipment and structures for storing such equipment as an ancillary use to the primary use	NP	NP	NP	NP	NP	NP	NP	NP	NP	P	
<b>AGRICULTURAL USES</b>											
Agriculture, horticulture and floriculture (See Note 1 below)	P	NP	P	NP	P	NP	P	NP	P	NP	
Commercial forestry and growing of all vegetation	P	NP	P	NP	P	NP	P	NP	P	NP	
Greenhouse or stand for retail sale of agricultural or farm products raised locally	P	NP	P	P	P	P	NP	P	P	NP	
<b>RESIDENTIAL USES</b>											
Hotels and Motels	NP	NP	NP	NP	P	P	NP	NP	P	SP	
Single Family Residence	P	P	P	P	NP	NP	P	P	NP	P	
Two Family Residence	P	NP	P	P	NP	NP	P	P	NP	P	
A single family residence as an accessory use for the owner of or the security personnel employed by the commercial enterprise located thereon	NP	NP	NP	NP	NP	NP	P	NP	NP	NP	
Structures customarily accessory to single family residences	P	P	P	P	NP	NP	P	P	NP	P	
Multi-Family dwellings, five units or more	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Multi-family dwellings, up to a limit of four units	NP	NP	NP	SP	NP	NP	NP	SP	NP	NP	
Accessory apartment-attached	P	P	P	P	NP	NP	P	P	NP	P	

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PRINCIPAL USE	DISTRICT										
	R-AG	PR	R-LB	BVB	CH	CHA	LIB	UGB	BLI	PRM	
Accessory apartment-attached	P	P	P	P	NP	NP	P	P	NP	P	
Accessory apartment-detached	SPA	SPA	SPA	SPA	NP	NP	SPA	SPA	NP	SPA	
Bed and Breakfast establishment	SPS	NP	NP	SPS	NP	NP	SPS	SPS	NP	SPS	
Dormitory: resident, fraternity, or sorority	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Mobile homes and trailers for temporary residency	P	P	P	P	NP	NP	P	P	NP	P	

Notes:

- <sup>1</sup> Notwithstanding the above Table of Use Regulations, nothing in this By-Law shall prohibit or restrict the use of land or structures in any district for agriculture, horticulture, and floriculture on any parcel of five (5) acres or more, in accordance with MGL Chapter 40A, Section 3.
- <sup>2</sup> See District Specific Applicable Regulations above for additional regulations pertaining to each Use District.
- <sup>3</sup> See Article IV — Regulations of Overlay Districts for use regulations pertaining to zoning overlay districts, including Water Supply Protection, Wireless Communications, Plum Island, Flood Zone, and Adult Entertainment.
- <sup>4</sup> See Article V — Special Permits General for regulations pertaining to Bed and Breakfast Establishments, and Large Wind Energy Facilities, and Registered Marijuana Dispensaries and Marijuana Establishments.
- <sup>5</sup> The Zoning Districts in which RMDs, Craft Marijuana Cultivator Cooperatives, Marijuana Cultivators, Marijuana Product Manufacturers, and Marijuana Testing Facilities may be located are the Business & Light Industrial District (BLI) and the Commercial Highway District (CH), excluding that area of the Commercial Highway District at the Northwestern Junction of the right-of-way of 1-95 and Central Street.