

Committee on Rules, Orders, Appointments, & Ordinances

***Councilor David A. Murphy
Councilor Maureen T. Carney
Councilor Ryan R. O'Donnell***

***Meeting Date: October 13, 2015
Meeting Time: 5:00 pm
City Council Chambers, 212 Main Street
Northampton, Massachusetts***

Meeting Agenda

****Activate NCTV Camera to Record Minutes***

1. Meeting Called To Order

A. Announcement Of Audio/Video Recording Of Meeting

B. Members Present/Absent

- 2. 5:05 P.M. Public Hearing Regarding Zoning Standards For Significant Trees**
Refer to ordinance 15.377 Zoning for Significant Trees

Date Referred to ---
Committee

Documents: [15.377_ordinance_pertaining_to_trees.pdf](#)

- 3. 5:15 P.M. Public Hearing Regarding Zoning Standards For Rural Residential And Suburban Residential Areas**

Date Referred to ---
Committee

4. Public Comment

5. Approve Minutes Of The Previous Meeting

6. Orders And Ordinances For Review

A. 15.492 Ordinance Pertaining To Rural Residential Zoning

Date Referred To Sept. 3, 2015

Committee

Documents: [15.492_ordinancepertainingtoruralresidential.pdf](#)

B. 15.493 Ordinance Pertaining To Suburban Residential Zoning

Date Referred To September 3, 2015
Committee

Documents: [15.493_ordinancepertainingtosuburbanresidential.pdf](#)

C. 15.377 Ordinance Pertaining To Zoning For Significant Trees

Date Referred To March 5, 2015
Committee

Documents: [15.377_ordinance_pertaining_to_trees.pdf](#)

D. 15.501 Ordinance Pertaining To Bike Lanes On N. Elm Street

Date Referred To October 1, 2015
Committee

Documents: [15.501_ordinance_312-80_bike_lanes_prospect_nelm.pdf](#)

E. 15.502 Ordinance Pertaining To South Street

Date Referred To October 1, 2015
Committee

Documents: [15.502_ordinance_south_street.pdf](#)

7. Appointments For Committee Approval

8. New Business

9. Adjourn

*Contact: Pamela L. Powers
Administrative Assistant to the City Council
ppowers@northamptonma.gov
(413) 587-1210*

**City of Northampton
MASSACHUSETTS**

In the Year Two Thousand Fifteen

Upon the Recommendation of City Councilor Jesse M. Adams and City Councilor Ryan R. O'Donnell

ORDINANCE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by amending section 350-2.1 and adding section 350-12.3 of said code; providing for standards for significant trees.

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

Section 1.

That § 350-2.1 be amended by inserting the following definitions in alphabetical order:

CALIPER DIAMETER

The diameter of a tree trunk of a new tree measured at 12 inches above the ground.

CRITICAL ROOT ZONE (CRZ)

The critical root zone (also known as essential root zone) is the portion of the diameter of a tree's root system that is the minimum necessary to maintain the stability and vitality of the tree. For the purposes of this section the critical root zone shall be calculated by using the following formula: the Diameter at Breast Height in inches multiplied by 24. For example, for a tree with a trunk diameter of 10 inches, the critical root zone would have a diameter of 20 feet.

DIAMETER AT BREAST HEIGHT (DBH)

The diameter of a tree trunk measured at 4.5 feet above the ground.

DRIP LINE

A circular area around a tree encompassing the tips of its outermost branches from which rainwater tends to drip.

SIGNIFICANT TREES

Any deciduous tree of 24 inches diameter breast height (DBH) or larger or any other tree specifically identified as a specimen tree on any Tree Inventory Plan adopted by the Planning Board.

Section 2.

That the following section be added to the Code of Ordinances after § 350-12.2:

§ 350-12.3 Significant Trees

- A. Legislative findings and intent. The City of Northampton finds that Significant Trees enhance air quality, reduce noise, reduce energy costs, create habitat, enhance aesthetics and property values, and benefit city neighborhoods. The intent of this section is to encourage the preservation and protection of Significant Trees during development and redevelopment projects that require a site plan approval, special permit, comprehensive permit, finding, or variance (collectively “zoning relief”).
- B. No person shall remove any Significant Tree associated with any site plan approval or any other zoning relief without a site plan approval from the Planning Board; if a site plan approval is otherwise required, or an administrative site plan approval from the Office of Planning and Sustainability if no site plan is otherwise required.
- C. The removal of any Significant Tree after July 1, 2015 or within eighteen (18) months immediately prior to such a site plan or zoning relief, whichever is later, shall be subject to this section.
- D. The requirements of this section shall not apply to:
1. Trees located on property under the jurisdiction of the Conservation Commission.
 2. City-owned Public Shade Trees pursuant to M.G.L. Chapter 87.
 3. Trees associated with emergency projects necessary for public safety, health and welfare as determined by the Building Commissioner, Director of Planning and Sustainability, or Director of Public Works.
 4. Trees that are hazardous due to disease, age, or shallow roots, as determined and confirmed in writing by a certified arborist.
- E. Any person removing a Significant Tree that is subject to this section shall satisfy either of the following conditions:
1. Provide for replacement trees according to the following standards:
 - i. Replacement trees shall be non-invasive deciduous trees on or off-site, as approved as part of a site plan or administrative site plan, so that for each inch of Diameter at Breast Height of the removed trees there shall be no less than one-half inch of Caliper Diameter of replacement trees.
 - ii. Replacement trees shall have a minimum of two inch Caliper Diameter.
 - iii. Replacement trees shall be maintained in good health a minimum of 24 months after they are planted.
 - iv. Replacement trees shall either be Approved Street Tree Species as defined in Section 290-38 or other trees that are hardy in all of the following USDA Plant Hardiness Zones: 6a, 6b, 7a, and 7b.

2. Pay funds to the city for a Tree Replacement Fund account that, in the city's estimate, will allow the city to plant new Public Shade Trees on city property in accordance with the above formula.

F. Protection of Significant Trees during Construction.

1. Any Significant Trees to be retained and any replacement trees on property where demolition and/or construction activity is planned shall be protected in an area shown on the approved site plan.
2. The protected area shall exceed both the critical root zone and drip-line of each Significant Tree unless the Planning Board approves an alternate maintenance and tree protection plan submitted by a certified arborist.
3. A certified arborist shall submit documentation to the Building Commissioner, Tree Warden and Office of Planning and Sustainability certifying that such area has been so protected in accordance with the site plan.

G. Recordkeeping. The Department of Planning and Sustainability shall collect annual totals of the number and Diameter at Breast Height measurements of Significant Trees preserved and replaced.

CITY OF NORTHAMPTON
MASSACHUSETTS

In the Year Two Thousand and Fifteen

Upon the Recommendation of Office of Planning and Sustainability

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section 350, 350B, 350 C of said code; updating layout for the RR district and eliminating nursing care/assisted living, junk cars, community centers, modifying setbacks for ground mounted PV among other changes.

ORDINANCE

An Ordinance of the City of Northampton, Massachusetts. Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

SECTION 1

That §350-B of the Code of Ordinances be amended as follows:

Delete “RR” column in its entirety

and

That §350C of the Code of Ordinances be amended as follows:

Delete section on dimensions for RR district from this table.

Add new “Table of Use and Dim Regs RR” as the following

RR District (Rural Residential)

Description:

Primarily low density residential and agricultural land. Pristine forested and wildlife habitat where if developed, conservation cluster design is encourage. Area is within the outermost portion of the city. Mostly served by private water and sewer systems. Within transect-based zoning, RR is a T2 Rural zone.

Example Uses/Structures



Lot Dimension Requirements

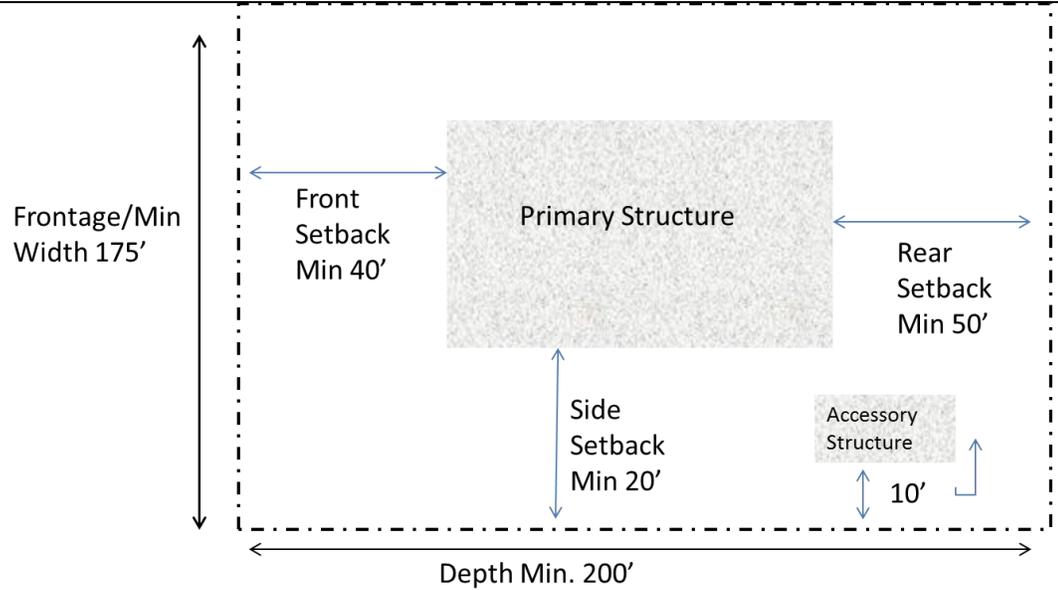
Lot Size- standard -
 40,000 square ft. minimum (80,000 square ft. if private water & sewer)
 Frontage/Width = 175' Min.
 Depth = 200' Min.

Setbacks (principal and detached accessory structures –Det. Acc.)
 Front = 40' Min
 Side = 20' Min (10' Det Acc structure)
 Rear = 50' Min (10' Det Acc structure)

Max Height
 35' (20' Det Acc Structure)

Open Space = 80%

Layout Setbacks



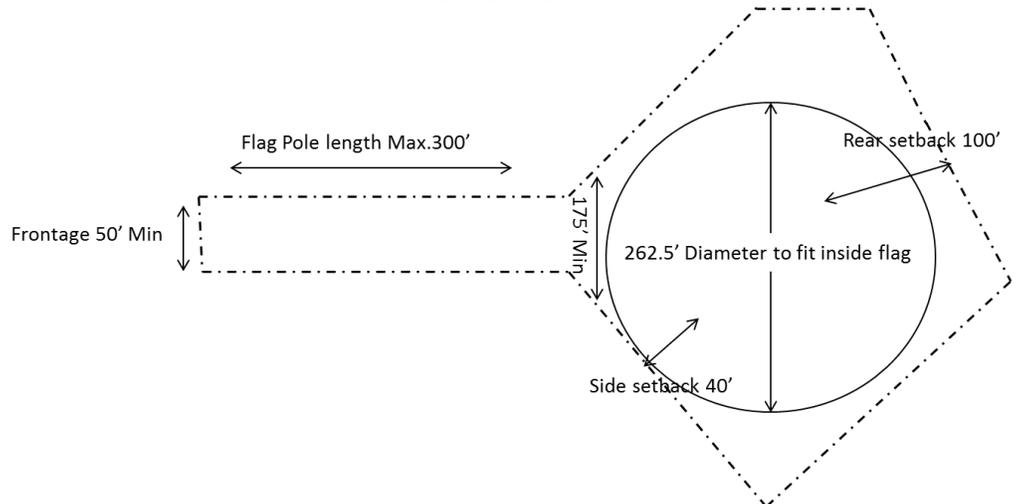
Flag Lot Size-

80,000 square ft. minimum
 Frontage/Width = 50' Min.
 Depth = 200' Min.

Setbacks
 Front = 80' Min
 Side = 40' Min (10' Det Acc structure)
 Rear = 100' Min (10' Det Acc structure)

Max Height = 35'
Open Space = 85%

FLAG LOT LAYOUT

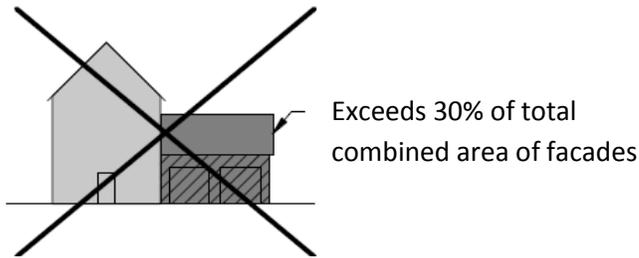
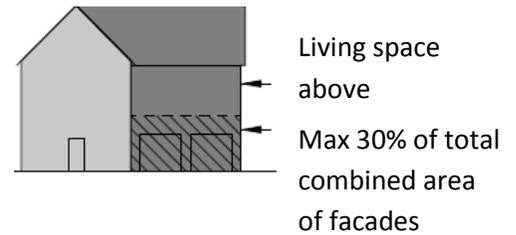
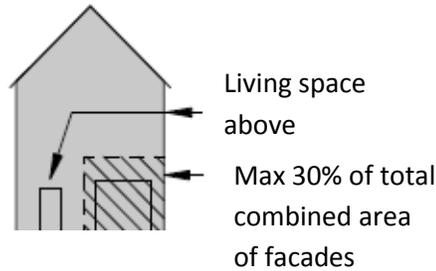
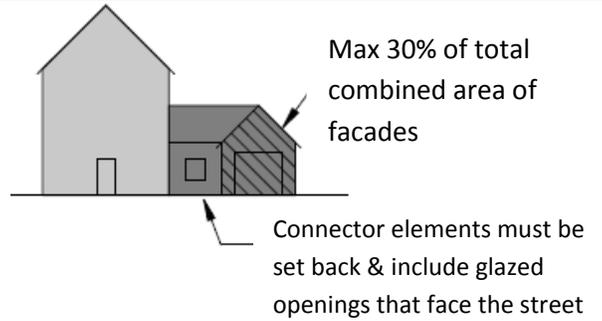


Design Standards Illustrated

Planning Board may waive, by site plan approval element 2, if it can be shown that a different design meets a pedestrian-scale design that encourages public/private transition and interface (e.g. similar elements facing internal courtyards or private streets)

1. If a garage or other parking structure is attached, it shall comprise no more than 30% of the front facade of the primary structure.

-  Primary Structure
-  Garage or Parking Structure
-  Area



Minimum Parking for residential uses

1 space per 1,000 ft² Gross Living Area (round up). No more than 2 spaces required per unit.

For other uses see table in 350-8.2

Front yard setback may only have parking for a maximum of two vehicles

RR USES ALLOWED

Uses Allowed By Right:

- Single Family residence
- Attached(to a single family) accessory dwelling unit not to exceed 900 F² Gross Living Area. See 350-10.10. Same setback as for principal structures.
- Home Business up to 25 visits per week as defined in sect.2.1
- Preexisting nonconforming uses (may trigger ZBA permit)
- Accessory uses to residential: Tag Sales -temporary sales of personal and household articles, Pets/animals section 5.3
- Accessory structures- detached (but no larger than 1,000 ft² of lot coverage or 3% of lot area whichever is greater unless it is used for agricultural purposes) See also § 350-6.7.
- Family day care (registration w/Building Commissioner required)
- Cemetery, including any crematory therein
- Temporary event as defined in 350-2.1
- 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
- Rooftop solar hot water and photovoltaic
- Accessory solar photovoltaic(PV) ground-mounted on a parcel with any building/ use, provided that the PV is sized to generate no more than 100% or 12 KW of the annual projected electric use of the non-PV building/use. Same setbacks as for detached accessory structures.
- Essential Facilities
- Municipal Facility

Site Plan Approval required for the following:

- Any Construction (other than for a single family home) greater than 2,000 ft²
- Detached accessory dwelling unit for single family home meeting same setback requirements as a single family home see §350-10.10. --*Administrative Site Plan*
- Educational use: non-profit, any religious use, day care, school-aged child-care program (MGL c. 28A, § 9) and
- Reuse of Historic Educational or Religious Building(s) for: Any residential use, live/work space, or office, provided however that no more than 20% of the floor space of the building(s) shall be used for medical, banking or any offices where a primary function is to provide services to retail customers or individuals. All such uses approved under this provision shall be within the footprint of existing building(s) and may only be approved contingent upon protection of all historically contributing portions of the building with a 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). The existing building may be expanded to accommodate elevators and stairwells. 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.
- Solar photovoltaic of any size, ground-mounted—*Administrative Site Plan:*
 1. Over any legal parking lot or driveway;
 2. At any landfill site not separate from the site-assigned property by any road; and
 3. At an airport not separated from the runways by any road
- Parking off site and combined parking. See § 350-8.5 and 350-8.7
- Creation or expansion of six or more parking spaces.
- Parking requirement reduction. See § 350-8.10F.
- Residential Shared driveways [see § 350-8.8R](#)
- Year-round greenhouse / stand for wholesale and retail sale of agricultural farm products raised on site

- Detached Accessory Dwelling Unit see 10.10—*Administrative Site Plan*
- 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)

Special Permit Approval required for the following uses by Planning Board unless otherwise noted:

- Home Business for personal service business by appointment only or Home Business more than 25 visits etc. see 10.12 for other criteria—*Zoning Board of Appeals Special Permit*
- Flag lots. See § 350-6.13.
- Tourist home/bed-and-breakfast
- 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.
- Outdoor Commercial Recreational use, miniature golf, temporary carnival
- Any other private school, college or university
- Historical association or society and nonprofit museum (may include the residence of a caretaker)
- Accessory solar photovoltaic ground-mounted on a parcel with any building or use, between 8 KW or over 100% but no more than 200% of the annual projected electric use of the non-PV building or use.
- Private Utility or Substation, small scale hydroelectric generation.
- New Telecommunications facility in accordance with §§350-2.1 and 10.9.
- Parking lot access for nonresidential uses across a residential lot. See § 350-8.9.
- 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.
- Removal of sand, gravel, quarry, or other raw material. See § 350-10.3.
- Filling of any land. See §10.4 Filling of water or any wet area. See §10.3.
- Private bridge, tunnel
- Railroad passenger terminal
- Municipal facility
- Heavy public use. See § 350-10.7.—*City Council Special Permit*
- Membership club operated as a not-for-profit corporation, as defined by MGL c. 180, excluding any adult establishments which display live nudity - *City Council Special Permit*
- Cluster residential development. See § 350-10.5.

Cluster Development Layout Standards

- a. Project lot = 4-acre minimum
- b. Project frontage = 175 feet
- c. Project depth = 200 feet
- d. Setbacks from project boundary:
 - Front = 40 feet
 - Side = 20 feet
 - Rear = 50 feet
- e. Individual lot frontage, setbacks, frontage = 0 feet
- f. Maximum height = 35 feet
- g. Project open space = 75%
- h. Design: Planning Board to review layout to ensure project transitions between existing neighborhood along street and proposed project. For new buildings, setback, scale, massing should fit within the area. Mature specimen trees shall be preserved unless shown to be infeasible. No minimum setbacks, lot size, frontage, or open space for internal lots. More than one structure may be located on a single lot.

CITY OF NORTHAMPTON
MASSACHUSETTS

In the Year Two Thousand and Fifteen

Upon the Recommendation of Office of Planning and Sustainability

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by revising section 350, 350B, 350 C of said code; updating layout for the SR district and eliminating nursing care/assisted living, junk cars, modifying setbacks for ground mounted PV among other changes.

ORDINANCE

An Ordinance of the City of Northampton, Massachusetts. Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

SECTION 1

That §350-B of the Code of Ordinances be amended as follows:

Delete “SR” column in its entirety

and

That §350C of the Code of Ordinances be amended as follows:

Delete section on dimensions for RR district from this table.

Add new “Table of Use and Dim Regs SR” as the following

SR District (Suburban Residential)

Description:

Lower density residential and agricultural land. Conservation cluster design is encourage. Areas are typically not within walking distance of goods/services some private and water services required. Within transect-based zoning SR is a T3 Sub-Urban zone.

Example Uses/Structures



Lot Dimension Requirements

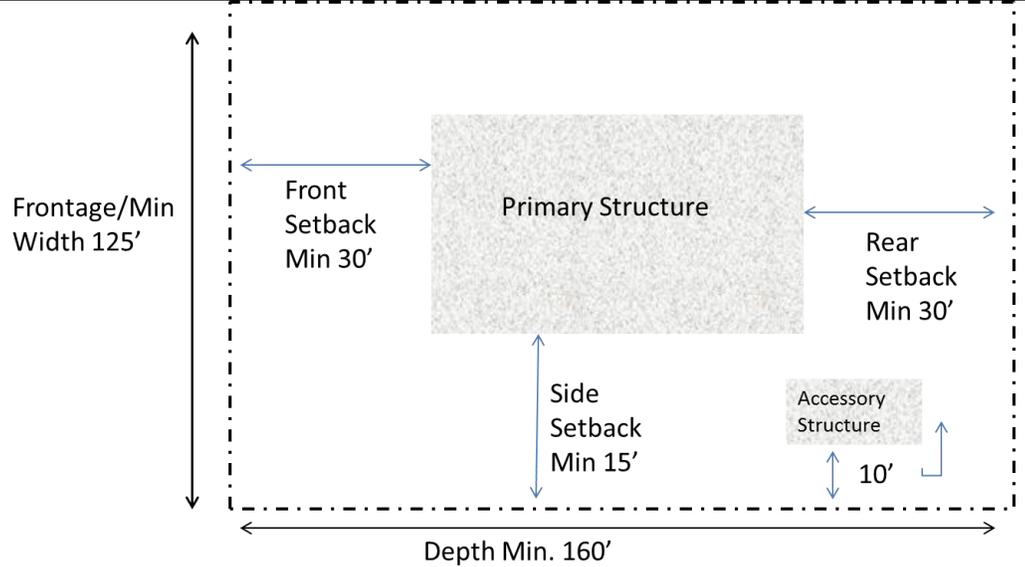
Lot Size- standard -
 30,000 square ft. minimum (80,000 square ft. if private water & sewer)
 Frontage/Width = 125' Min.
 Depth = 160' Min.

Setbacks (principal and detached accessory structures –Det. Acc.)
 Front =30' Min
 Side= 15' Min (10' Det Acc structure)
 Rear= 30' Min (10' Det Acc structure)

Max Height
 35' (20' Det Acc Structure)

Open Space = 70%

Layout Setbacks



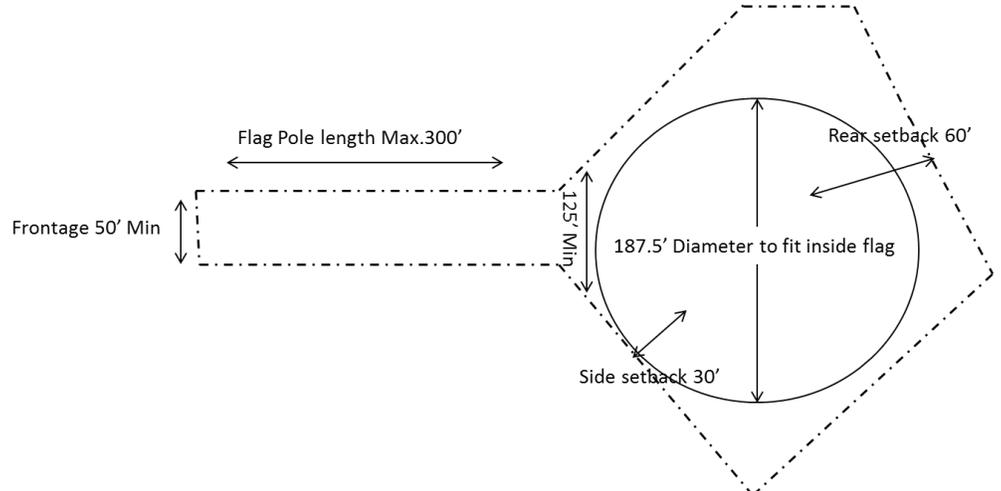
Flag Lot Size-

60,000 square ft. minimum (80,000 square ft. if private water & sewer)
 Frontage/Width = 50' Min.
 Depth = 160' Min.

Setbacks
 Front =60' Min
 Side=30' Min(10' Det Acc structure)
 Rear=60' Min(10' Det Acc structure)

Max Height = 35'
Open Space = 85%

FLAG LOT LAYOUT

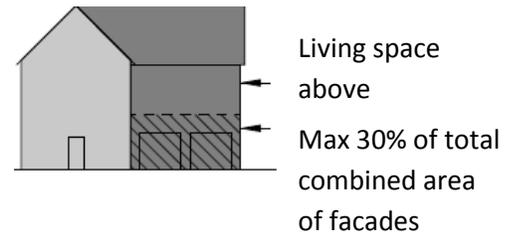
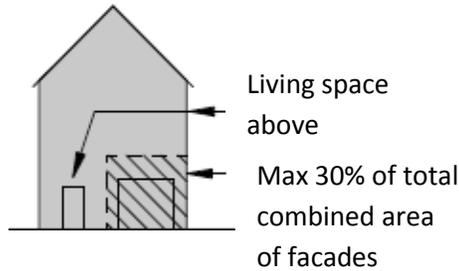
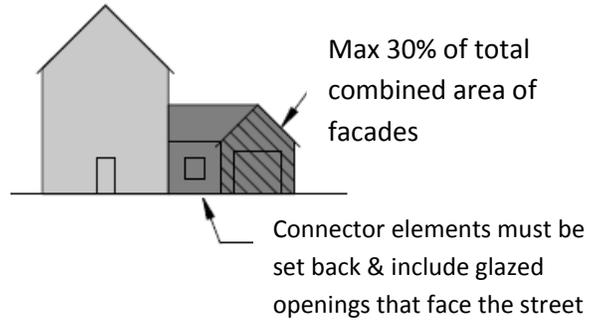


Design Standards Illustrated

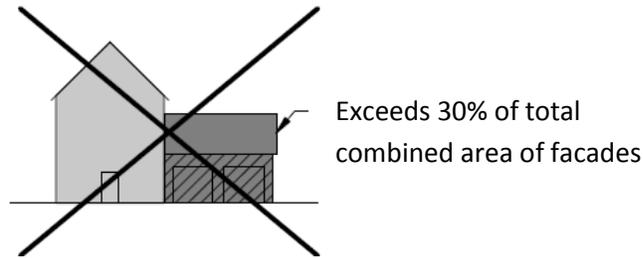
Planning Board may waive, by site plan approval element 2, if it can be shown that a different design meets a pedestrian-scale design that encourages public/private transition and interface (e.g. similar elements facing internal courtyards or private streets)

1. If a garage or other parking structure is attached, it shall comprise no more than 30% of the front facade of the primary structure.

-  Primary Structure
-  Garage or Parking Structure
-  Area



DOESN'T FIT



Minimum Parking for residential uses

1 space per 1,000 ft² Gross Living Area (round up). No more than 2 spaces required per unit.

For other uses see table in 350-8.2

Front yard setback may only have parking for a maximum of two vehicles

SR USES ALLOWED

Uses Allowed By Right:

- Single Family residence
- Attached(to a single family) accessory dwelling unit not to exceed 900 F² Gross Living Area. See 350-10.10. Same setback as for principal structures.
- Home Business up to 25 visits per week as defined in sect.2.1
- Preexisting nonconforming uses (may trigger ZBA permit)
- Accessory uses to residential: Tag Sales -temporary sales of personal and household articles, Pets/animals section 5.3
- Accessory structures- detached (but no larger than 1,000 ft² of lot coverage or 3% of lot area whichever is greater unless it is used for agricultural purposes) See also § 350-6.7.
- Family day care (registration w/Building Commissioner required)
- Cemetery, including any crematory therein
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- Rooftop solar hot water and photovoltaic
- Accessory solar photovoltaic(PV) ground-mounted on a parcel with any building/ use, provided that the PV is sized to generate no more than 100% or 12 KW of the annual projected electric use of the non-PV building/use. Same setbacks as for detached accessory structures.
- Essential Facilities
- Municipal Facility

Site Plan Approval required for the following:

- Any Construction (other than for a single family home) greater than 2,000 ft²
- Detached accessory dwelling unit for single family home meeting same setback requirements as a single family home see §350-10.10. --*Administrative Site Plan*
- Educational use: non-profit, any religious use, day care, school-aged child-care program (MGL c. 28A, § 9) and
- Reuse of Historic Educational or Religious Building(s) for: Any residential use, live/work space, or office, provided however that no more than 20% of the floor space of the building(s) shall be used for medical, banking or any offices where a primary function is to provide services to retail customers or individuals. All such uses approved under this provision shall be within the footprint of existing building(s) and may only be approved contingent upon protection of all historically contributing portions of the building with a 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). The existing building may be expanded to accommodate elevators and stairwells. 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.
- Solar photovoltaic of any size, ground-mounted—*Administrative Site Plan*:
 1. Over any legal parking lot or driveway;
 2. At any landfill site not separate from the site-assigned property by any road; and
 3. At an airport not separated from the runways by any road
- Parking off site and combined parking. See § 350-8.5 and 350-8.7
- Creation or expansion of six or more parking spaces.
- Parking requirement reduction. See § 350-8.10F.
- Residential Shared driveways [see § 350-8.8R](#)
- Year-round greenhouse / stand for wholesale and retail sale of agricultural farm products raised on site
- Detached Accessory Dwelling Unit see 10.10—*Administrative Site Plan*

- 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)

Special Permit Approval required for the following uses by Planning Board unless otherwise noted:

- Home Business for personal service business by appointment only or Home Business more than 25 visits etc. see 10.12 for other criteria—*Zoning Board of Appeals Special Permit*
- Flag lots. See § 350-6.13.
- Tourist home/bed-and-breakfast
- Community center
- 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.
- Outdoor Commercial Recreational use, miniature golf, temporary carnival
- Any other private school, college or university
- Historical association or society and nonprofit museum (may include the residence of a caretaker)
- Accessory solar photovoltaic ground-mounted on a parcel with any building or use, between 8 KW or over 100% but no more than 200% of the annual projected electric use of the non-PV building or use.
- Private Utility or Substation, small scale hydroelectric generation.
- New Telecommunications facility in accordance with §§350-2.1 and 10.9.
- Parking lot access for nonresidential uses across a residential lot. See § 350-8.9.
- 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.
- Removal of sand, gravel, quarry, or other raw material. See § 350-10.3.
- Filling of any land see §10.4. Filling of water or any wet area See §10.3.
- Private bridge, tunnel
- Railroad passenger terminal
- Municipal facility
- Heavy public use. See § 350-10.7.—*City Council Special Permit*
- Membership club operated as a not-for-profit corporation, as defined by MGL c. 180, excluding any adult establishments which display live nudity - *City Council Special Permit*
- Cluster residential development. See § 350-10.5.

Cluster Development Layout Standards

- Project lot = 4-acre minimum
- Project frontage = 125 feet
- Project depth = 160 feet
- Setbacks from project boundary:
 - Front = 30 feet
 - Side = 15 feet
 - Rear = 30 feet
- Individual lot frontage, setbacks, frontage = 0 feet
- Maximum height = 35 feet
- Project open space = 75%
- Design: Planning Board to review layout to ensure project transitions between existing neighborhood along street and proposed project. For new buildings, setback, scale, massing should fit within the area. Mature specimen trees shall be preserved unless shown to be infeasible. No minimum setbacks, lot size, frontage, or open space for internal lots. More than one structure may be located on a single lot.

**City of Northampton
MASSACHUSETTS**

In the Year Two Thousand Fifteen

Upon the Recommendation of City Councilor Jesse M. Adams and City Councilor Ryan R. O'Donnell

ORDINANCE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances, City of Northampton, Massachusetts, be amended by amending section 350-2.1 and adding section 350-12.3 of said code; providing for standards for significant trees.

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

Section 1.

That § 350-2.1 be amended by inserting the following definitions in alphabetical order:

CALIPER DIAMETER

The diameter of a tree trunk of a new tree measured at 12 inches above the ground.

CRITICAL ROOT ZONE (CRZ)

The critical root zone (also known as essential root zone) is the portion of the diameter of a tree's root system that is the minimum necessary to maintain the stability and vitality of the tree. For the purposes of this section the critical root zone shall be calculated by using the following formula: the Diameter at Breast Height in inches multiplied by 24. For example, for a tree with a trunk diameter of 10 inches, the critical root zone would have a diameter of 20 feet.

DIAMETER AT BREAST HEIGHT (DBH)

The diameter of a tree trunk measured at 4.5 feet above the ground.

DRIP LINE

A circular area around a tree encompassing the tips of its outermost branches from which rainwater tends to drip.

SIGNIFICANT TREES

Any deciduous tree of 24 inches diameter breast height (DBH) or larger or any other tree specifically identified as a specimen tree on any Tree Inventory Plan adopted by the Planning Board.

Section 2.

That the following section be added to the Code of Ordinances after § 350-12.2:

§ 350-12.3 Significant Trees

- A. Legislative findings and intent. The City of Northampton finds that Significant Trees enhance air quality, reduce noise, reduce energy costs, create habitat, enhance aesthetics and property values, and benefit city neighborhoods. The intent of this section is to encourage the preservation and protection of Significant Trees during development and redevelopment projects that require a site plan approval, special permit, comprehensive permit, finding, or variance (collectively “zoning relief”).
- B. No person shall remove any Significant Tree associated with any site plan approval or any other zoning relief without a site plan approval from the Planning Board; if a site plan approval is otherwise required, or an administrative site plan approval from the Office of Planning and Sustainability if no site plan is otherwise required.
- C. The removal of any Significant Tree after July 1, 2015 or within eighteen (18) months immediately prior to such a site plan or zoning relief, whichever is later, shall be subject to this section.
- D. The requirements of this section shall not apply to:
1. Trees located on property under the jurisdiction of the Conservation Commission.
 2. City-owned Public Shade Trees pursuant to M.G.L. Chapter 87.
 3. Trees associated with emergency projects necessary for public safety, health and welfare as determined by the Building Commissioner, Director of Planning and Sustainability, or Director of Public Works.
 4. Trees that are hazardous due to disease, age, or shallow roots, as determined and confirmed in writing by a certified arborist.
- E. Any person removing a Significant Tree that is subject to this section shall satisfy either of the following conditions:
1. Provide for replacement trees according to the following standards:
 - i. Replacement trees shall be non-invasive deciduous trees on or off-site, as approved as part of a site plan or administrative site plan, so that for each inch of Diameter at Breast Height of the removed trees there shall be no less than one-half inch of Caliper Diameter of replacement trees.
 - ii. Replacement trees shall have a minimum of two inch Caliper Diameter.
 - iii. Replacement trees shall be maintained in good health a minimum of 24 months after they are planted.
 - iv. Replacement trees shall either be Approved Street Tree Species as defined in Section 290-38 or other trees that are hardy in all of the following USDA Plant Hardiness Zones: 6a, 6b, 7a, and 7b.

2. Pay funds to the city for a Tree Replacement Fund account that, in the city's estimate, will allow the city to plant new Public Shade Trees on city property in accordance with the above formula.

F. Protection of Significant Trees during Construction.

1. Any Significant Trees to be retained and any replacement trees on property where demolition and/or construction activity is planned shall be protected in an area shown on the approved site plan.
2. The protected area shall exceed both the critical root zone and drip-line of each Significant Tree unless the Planning Board approves an alternate maintenance and tree protection plan submitted by a certified arborist.
3. A certified arborist shall submit documentation to the Building Commissioner, Tree Warden and Office of Planning and Sustainability certifying that such area has been so protected in accordance with the site plan.

G. Recordkeeping. The Department of Planning and Sustainability shall collect annual totals of the number and Diameter at Breast Height measurements of Significant Trees preserved and replaced.

CITY OF NORTHAMPTON
MASSACHUSETTS

In the Year Two thousand Fifteen

UPON THE RECOMMENDATION OF Transportation and Parking Commission and the Department of Public Works

ORDINANCE

An Ordinance of the City of Northampton, Massachusetts, providing that the Code of Ordinances City of Northampton, Massachusetts, be amended by revising section 312-80 of said Code providing that

Bike Lanes be established on North Elm Street and Prospect Street

Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows

Section 1. That section 312-80 of the Code of Ordinances of the City of Northampton, Massachusetts, be amended so that such section shall read as follows:

312-80: Bike Lane Designation

ADD:

<u>Street</u>	<u>Side</u>	<u>Location</u>
North Elm Street	North	Beginning at Elm Street westerly to the intersection of Prospect Avenue
North Elm Street	South	Beginning at a point 212 feet east of the intersection of Prospect Street and Locust Street easterly to Elm Street
Prospect Street	North	Beginning at the intersection of Finn Street westerly to the intersection of Massasoit Street
Prospect Street	South	Beginning at the intersection of Massasoit Street easterly to the intersection of Finn Street

Positive Recommendation from the Transportation and Parking Commission,
as amended below (9/15/2015).

**CITY OF NORTHAMPTON
MASSACHUSETTS**

In the Year Two Thousand and Fifteen

Upon the Recommendation of Councilor Gina-Louise Sciarra

ORDINANCE

An Ordinance of the City of Northampton, Massachusetts. Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

That §312-102 of the Code of ordinances be amended by adding the following:

§ 312-102 Schedule I: Parking Prohibited All Times.

Parking shall be prohibited in the following locations:

Location	Side	From	To
<u>South Street</u>	Westerly <u>Easterly</u>	<u>Columbus Ave</u>	<u>Point 50 feet</u> <u>southerly</u>