

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 SC district and allowing reuse of existing historic religious and educational buildings.

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 "SC" column in its entirety

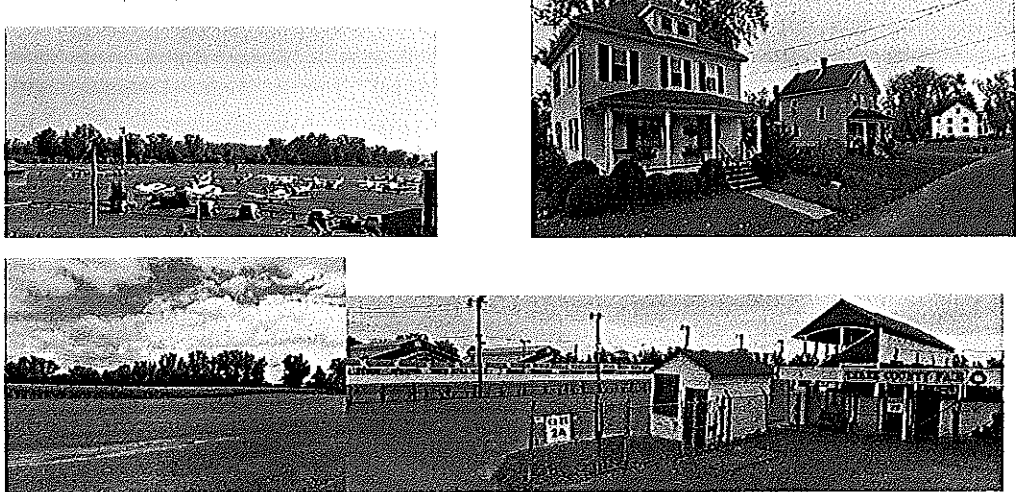
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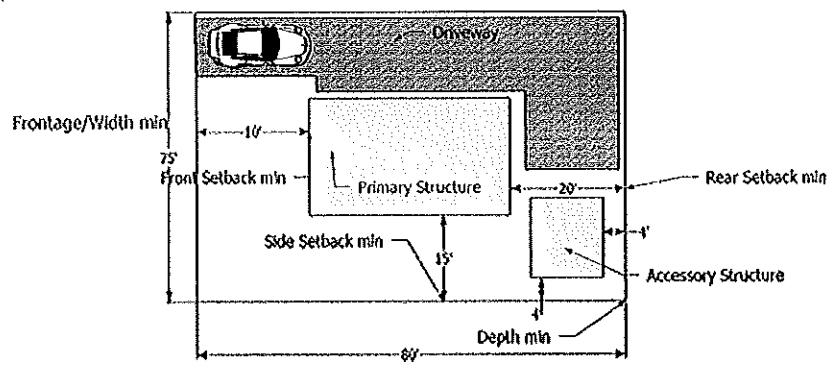
That §350C of the Code of Ordinances be amended as follows:

Delete section on dimensions for SC district from this table.

Add new "Table of Use and Dim Regs SC" as the following

SC District (Special Conservancy)

Description:	Example Uses/Structures
<p>All areas are in the FEMA mapped 100/500 year floodplain or in areas determined to be floodplain along smaller streams. Most structures built prior to floodplain mapping and exist either in the Connecticut River floodplain /Meadows or Mill River floodplain. Some historic business use in Meadows. No new residential uses allowed</p>	

Lot Dimension Requirements	Layout Setbacks
<p>Lot Size -Existing Residential with public water: 8,000 ft² minimum (80,000 ft² if private water & sewer) Frontage/Width = 75' Min. Depth = 80' Min.</p> <p>Setbacks (principal and detached accessory structures –Det. Acc.) Front =10' Min Side = 15' Min (4' Det Acc Structure) Rear = 20' Min (4' Det Acc Structure)</p> <p>Max Height 35' (20' Det Acc Structure)</p> <p>Open Space = 50%</p>	 <p style="text-align: center;">SC Detached House & Accessory Structure layout</p>




<p>Lot Size- Existing Non-Residential, Ground-Mounted PV 40,000 ft² minimum Frontage/Width = 175' Min. Depth = 200' Min.</p> <p>Setbacks Front =40' Min Side = 20' Min (4' Ground- PV) Rear = 50' Min (4' Ground- PV)</p> <p>Max Height = 45'</p> <p>Open Space = 50%</p>	
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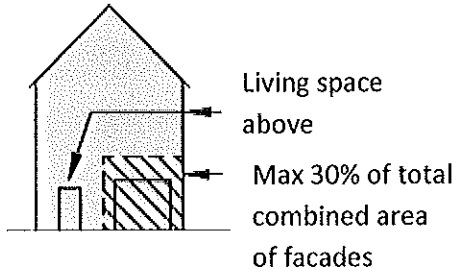
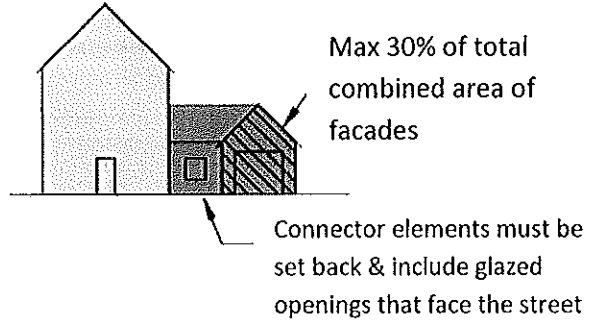
<p>Any New Use (except open space agriculture or reuse of existing historic religious/school) 40 Acre minimum Frontage/Width = 175' Min. Depth = 200' Min</p> <p>Open Space = 99%</p> <p>Setback Front =40' Min Side = 50' Min Rear = 80' Min</p>	
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Design Standards Illustrated

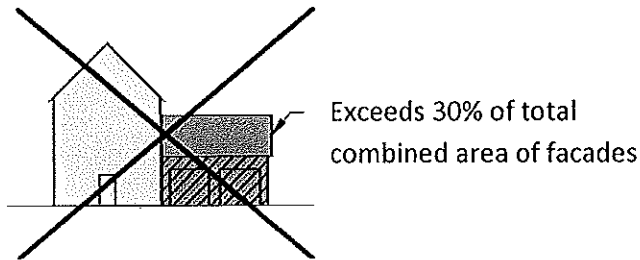
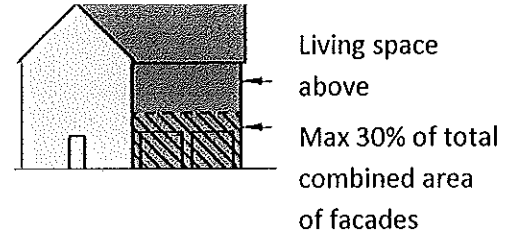
Planning Board may waive, by site plan approval element 2, if it can be shown that a different design meets a pedestrian-scale design that encourages public/private transition and interface (e.g. similar elements facing internal courtyards or private streets)

1. If a garage or other parking structure is attached, it must be set back 20' and the garage/structure shall comprise no more than 30% of the front facade of the primary structure. Side setback may be 10' for the garage only when not used as living area.

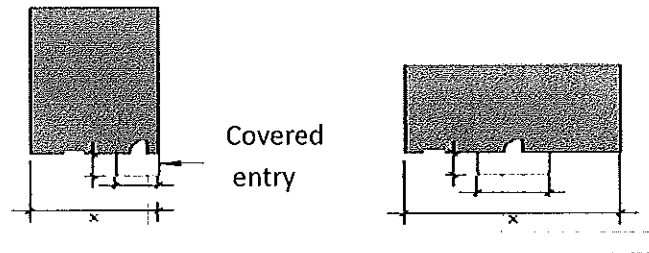
-  Primary Structure
-  Garage or Parking Structure
-  Area



DOESN'T FIT



2. Front doors must face the street. Buildings must have a covered entry.



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

SC USES ALLOWED

Flood elevation certificates are required prior to any building permit and again prior to any certificate of occupancy for all substantial improvements as defined by the Federal Emergency Management Agency (any rehabilitation, addition or other improvement of a building when the cost of the improvement equals or exceeds 50% of the market value of the building before start of construction of the improvement).

Any new structure may also require approval from the Northampton Conservation Commission under the Wetlands Protection Act and/or Northampton Wetlands Ordinance.

Uses Allowed By Right: (see above)

- Replacement of Single Family homes allowed where homes existed or received permits by June 30, 2005. However, such replacements must be built within three years of demolition of previous home. (No new residential structures)
- 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. Allowed ONLY within homes existing as of June 30, 2005, and for those that meet all State Building Code and requirements under the Wetlands Protection Act and wetlands ordinance.
- 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.
 - Setbacks: 20'(front), 4' (side), 4' (rear)
 - Must meet all State Building Code for construction in a floodplain and requirements under the Wetlands Protection Act and wetlands ordinance
- Family day care (registration w/Building Commissioner required)
- 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 8 KW of the annual projected electric use of the non-PV building/use. Same setbacks as for detached accessory structures.
- Essential Facilities

Site Plan Approval required for the following:

- Any Construction (other than for a single family home) greater than 2,000 ft²
- 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. Lot size equal requirements: "existing residential uses"

- 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

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

- Detached Accessory Dwelling Unit see 10.10—*Zoning Board of Appeals Special Permit*
- 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*
- Airport, including aircraft sales, heliport
- 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.
- 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
- 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
- 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.
- Private bridge, tunnel
- Railroad passenger terminal
- Municipal facility
- Heavy public use. See § 350-10.7.—*City Council Special Permit*