

Zoning Update

Amendments to Zoning Ordinance

1. Section 2 is hereby amended by striking in its entirety Section 2.1 and inserting in place thereof:

2.1. Division into district: For the purpose of this ordinance, the City of North Adams is hereby divided into the following classes of districts:

Base Zoning Districts

Residential Districts, comprising

RU-1* (Low Density Rural Residential)

R-2* (Low-Med Density Residential)

R-3 (Medium Density Residential)

R-4 (Med-High Density Residential)

R-5 (High Density Residential)

Affordable Housing District, comprising

AH-1 (Affordable Housing)

Business Districts, comprising

B-1* (Local Business)

B-2 (General Business)

CBD (Central Business District)

S-1 (Service District)

Industrial Districts, comprising

I-1* (Industrial)

Airport District, comprising

AP-1 (Airport)

*Note: May require compliance with Section 9.2, Floodway District, and Section 9.3, Floodplain District.

Overlay Zoning Districts

Floodplain Districts, comprising

FP Districts

Floodway Districts, comprising

FW Districts

Windsor Lake Watershed District, comprising

Windsor Lake Watershed District

Urban Renewal Project Areas

UR-2 (Western Gateway Heritage State Park)

2. Section 6 is hereby amended by striking from Section 6.1 the following:
 - a CB-1 or CB-2 DistrictAnd inserting place thereof:
 - the CBD
3. Section 7 is hereby amended by striking from Section 7.4.1(1) the following:
 - CA-1, CA-2, CB-1, CB-2, CC-1, CC-2, I-1, I-2, I-P, or AP-1And inserting in place thereof:
 - B-1, B-2, CBD, S-1, I-1, or AP-1
4. Section 8 is hereby amended by striking in its entirety Section 8.1 and is hereby further amended by striking from Section 8.2 the following:
 - 8.2And inserting in place thereof:
 - 8.1
5. Section 10 is hereby amended by striking from Section 10.3.2 the following:
 - R1-A
 - CC-1And inserting in place thereof

R-2

B-2

6. Section 10 is further amended by striking from Section 10.12(3)(b) the following:

,I-2 or I-P Zone Districts

And inserting in place thereof:

District.

7. Section 13 is hereby amended by inserting in alphabetical order the following:

**CRAFT SPIRITS (BEER, WINE, LIQUOR) PRODUCTION, DISTRIBUTION,
AND ACCESSORY RETAIL SALES**

Establishments, licensed under the relevant state and federal statutes, for the production and packaging of alcoholic beverages including but not limited to beer, wine, liquor, and hard cider beverages for distribution retail or wholesale, on or off the premise, with a capacity of not more than fifteen thousand (15,000) barrels (a barrel being equivalent to thirty-one (31) gallons) per year, and which may include a tap room where beverages produced on the premises may be sold and consumed. Such facilities may include other uses such as a restaurant, including outdoor dining if otherwise permitted in the zoning district.

8. Section 14 is hereby amended by striking from Section 14.4.1 the following:

Industrial Park (I-P) District, Airport (AP-1) District, and the Residential (R-1A) District

And inserting in place thereof:

AP-1 (Airport) District and the R-2 (Low-Med Density Residential) District

Sections to be amended as they currently appear in Zoning Ordinance with language to be removed shown in strikethrough.

2.1. ~~Division into districts: For the purpose of this ordinance, the City of North Adams is hereby divided into the following classes of districts:~~

~~Base Zoning Districts~~

~~Residence Districts, comprising~~

~~R-1 Districts*~~

~~R-1A Districts~~

~~R-2 Districts~~

~~R-3 Districts~~

~~Rural Districts, comprising~~

~~RU-1 Districts*~~

~~Affordable Housing Districts, comprising~~

~~AH-1 Districts~~

~~Neighborhood Commercial Districts, comprising~~

~~CA-1 Districts*~~

~~CA-2 Districts~~

~~CP-1 Districts~~

~~Central Business Districts, comprising~~

~~CB-1 Districts~~

~~CB-2 Districts~~

~~Heavy Business Districts, comprising~~

~~CC-1 Districts~~

~~CC-2 Districts~~

~~Airport District, comprising~~

~~AP-1 Districts~~

~~Industrial Districts, comprising~~

~~I-1 Districts*~~

~~I-2 Districts~~

~~I-P Districts~~

~~*Note: May require compliance with Section 9.2,~~

~~Floodway District, and Section 9.3, Floodplain District.~~

~~Overlay Zoning Districts~~

~~Floodplain Districts, comprising~~

~~FP Districts~~

~~Floodway Districts, comprising~~

~~FW Districts~~

~~Windsor Lake Watershed District, comprising~~

~~Windsor Lake Watershed District~~

~~Urban Renewal Project Areas~~

~~Urban Renewal Projects, comprising~~

~~UR-1 Main Street Urban Renewal Project~~

~~UR-2 Western Gateway Heritage State Park~~

6.1. Parking facilities required: Off-street parking facilities shall be provided to serve all buildings and uses erected, moved, established, altered, enlarged or which change in use except when located in a ~~CB-1 or CB-2~~ District. Such facilities shall be sufficient to accommodate the motor vehicles of all occupants, employees, customers and other persons normally visiting such building or premises at any one time.

7.4. Signs related to commercial activities:

7.4.1. Permitted by right. The following types of signs advertising commercial business and services may be placed upon a lot in the City of North Adams as follows:

- (1) Within a ~~CA-1, CA-2, CB-1, CB-2, CC-1, CC-2, I-1, I-2, I-P, or AP-1~~ District the total area of all signs may be at least 16 square feet or two square feet per linear foot of frontage of the building, but not to exceed 200 square feet. The total area of all signs for a building fronting on two streets may be at least 32 square feet or two square feet per linear foot of frontage, not to exceed 200 square feet. In no case shall standing signs aggregate more than 25% of the maximum sign area permitted.

~~8.1. Main Street Urban Renewal Project: The land use controls of the urban renewal plan entitled "Main Street Urban Renewal Plan, Code R-213," approved by the City Council of the City of North Adams on May 9, 1967, which plan is made a part hereof and incorporated herein by reference, shall be in full force and effect in the UR-1 District in said City of North Adams; excluding therefrom, however, any provision therein allowing or permitting the redevelopment authority to modify, amend, change, or alter at their discretion any provision thereof.~~

~~8.2. Western Gateway Urban Heritage Park: The land use controls of the urban renewal plan entitled "Western Gateway Urban Heritage Park Urban Renewal Plan," approved by the City Council of the City of North Adams as Council Paper No. 8704-3 and incorporated herein by reference, shall be in full force and effect in the UR-2 District in said City of North Adams; excluding therefrom, however, any provision therein allowing or permitting the redevelopment authority to modify, amend, change, or alter at their discretion any provision thereof.~~

10.3.2. Special permits can only be granted in the following zoning districts:

Residential	RU-1, R-1A
Commercial	CC-1
Industrial	I-1

- (3) Designated locations for marijuana establishments. The locations designated by the City of North Adams where an LME may be sited are delineated in Appendix A[1] (Use Regulation Schedule): Retail, Service and Commercial Uses; Wholesale, Utilities, Transportation and Industrial Uses;

Editor's Note: Appendix A is included as an attachment to this chapter.

- (a) All LMEs must be set back at least 500 feet from any school, day-care center or similar facility where organized youth activities occur. Distances shall be measured by a straight line between the nearest structure of the said facility and the LME building. Outdoor facilities or structures, such as playgrounds, shall be considered part of the facility. The special permit granting authority may modify or waive this requirement.
- (b) Any type of LME not specified in Appendix A may be located in the I-1, I-2 or I-P Zone Districts.

14.4. Designated locations for commercial-scale ground-mounted solar energy systems.

- 14.4.1. Commercial-scale ground-mounted solar energy systems may be sited as-of-right, subject to site plan approval in accordance with Chapter Z, Section 12.4 of this chapter, in the Industrial (I-1) District. Commercial-scale groundmounted solar energy systems may be sited in the Industrial Park (I-P) District, Airport (AP-1) District, and the Residential (R-1A) District by special permit in accordance with Chapter Z, Section 12.3, and site plan approval in accordance with Chapter Z, Section 12.4. Commercial-scale ground-mounted solar energy systems are prohibited in all other zoning districts within the City of North Adams.

Sections to be amended as they are intended to appear in Zoning Ordinance. Inserted language appears in red italics.

2.1. Division into district: For the purpose of this ordinance, the City of North Adams is hereby divided into the following classes of districts:

Base Zoning Districts

Residential Districts, comprising

RU-1 (Low Density Rural Residential)*

R-2 (Low-Med Density Residential)*

R-3 (Medium Density Residential)

R-4 (Med-High Density Residential)

R-5 (High Density Residential)

Affordable Housing District, comprising

AH-1 (Affordable Housing)

Business Districts, comprising

B-1 (Local Business)*

B-2 (General Business)

CBD (Central Business District)

S-1 (Service District)

Industrial District, comprising

I-1 (Industrial)*

Airport District, comprising

AP-1 (Airport)

**Note: May require compliance with Section 9.2, Floodway District, and Section 9.3, Floodplain District.*

Overlay Zoning Districts

Floodplain Districts, comprising

FP Districts

Floodway Districts, comprising

FW Districts

Windsor Lake Watershed District, comprising

Windsor Lake Watershed District

Urban Renewal Project Areas

UR-2 (Western Gateway Heritage State Park)

- 6.1. Parking facilities required: Off-street parking facilities shall be provided to serve all buildings and uses erected, moved, established, altered, enlarged or which change in use except when located in *the CBD* District. Such facilities shall be sufficient to accommodate the motor vehicles of all occupants, employees, customers and other persons normally visiting such building or premises at any one time.
- 7.4. Signs related to commercial activities:
 - 7.4.1. Permitted by right. The following types of signs advertising commercial business and services may be placed upon a lot in the City of North Adams as follows:
 - (1) Within a *B-1, B-2, CBD, S-1, I-1, or AP-1* District the total area of all signs may be at least 16 square feet or two square feet per linear foot of frontage of the building, but not to exceed 200 square feet. The total area of all signs for a building fronting on two streets may be at least 32 square feet or two square feet per linear foot of frontage, not to exceed 200 square feet. In no case shall standing signs aggregate more than 25% of the maximum sign area permitted.
- 8.1.** Western Gateway Urban Heritage Park: The land use controls of the urban renewal plan entitled "Western Gateway Urban Heritage Park Urban Renewal Plan," approved by the City Council of the City of North Adams as Council Paper No. 8704-3 and incorporated herein by reference, shall be in full force and effect in the UR-2 District in said City of North Adams; excluding therefrom, however, any provision therein allowing or permitting the redevelopment authority to modify, amend, change, or alter at their discretion any provision thereof.

10.3.2. Special permits can only be granted in the following zoning districts:

Residential	RU-1, <i>R-2</i>
Commercial	<i>B-2</i>
Industrial	I-1

(3) Designated locations for marijuana establishments. The locations designated by the City of North Adams where an LME may be sited are delineated in Appendix A[1] (Use Regulation Schedule): Retail, Service and Commercial Uses; Wholesale, Utilities, Transportation and Industrial Uses;

Editor's Note: Appendix A is included as an attachment to this chapter.

- (a) All LMEs must be set back at least 500 feet from any school, day-care center or similar facility where organized youth activities occur. Distances shall be measured by a straight line between the nearest structure of the said facility and the LME building. Outdoor facilities or structures, such as playgrounds, shall be considered part of the facility. The special permit granting authority may modify or waive this requirement.
- (b) Any type of LME not specified in Appendix A may be located in the I-1 *District*.

13.1. ***CRAFT SPIRITS (BEER, WINE, LIQUOR) PRODUCTION, DISTRIBUTION, AND ACCESSORY RETAIL SALES***

Establishments, licensed under the relevant state and federal statutes, for the production and packaging of alcoholic beverages including but not limited to beer, wine, liquor, and hard cider beverages for distribution retail or wholesale, on or off the premise, with a capacity of not more than fifteen thousand (15,000) barrels (a barrel being equivalent to thirty-one (31) gallons) per year, and which may include a tap room where beverages produced on the premises may be sold and consumed. Such facilities may include other uses such as a restaurant, including outdoor dining if otherwise permitted in the zoning district.

14.4. Designated locations for commercial-scale ground-mounted solar energy systems.

14.4.1. Commercial-scale ground-mounted solar energy systems may be sited as-of-right, subject to site plan approval in accordance with Chapter Z, Section 12.4 of this chapter, in the Industrial (I-1)

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District. Commercial-scale groundmounted solar energy systems may be sited in the *AP-1 (Airport) District and the R-2 (Low-Med Density Residential) District* by special permit in accordance with Chapter Z, Section 12.3, and site plan approval in accordance with Chapter Z, Section 12.4. Commercial-scale ground-mounted solar energy systems are prohibited in all other zoning districts within the City of North Adams.