

Land Use and Zoning Appendix

Town of Athol, Massachusetts Zoning Bylaws

Use Regulations Table

Use Regulations Table

Section 2.2: Use Regulations

2.2.1 Buildings or structures shall be erected or used and premises shall be used only as set forth in the "Use Regulations Schedule". Symbols employed shall mean the following:

P - A Permitted Use.

O - An excluded or prohibited use.

A - Use authorized under special permits as provided for in Section 1.2.6 herein.

PA - Use authorized by right or by special permit provided there is compliance with the Flood Plain District requirements.

2.2.2 Where an activity might be classified under more than one of the following uses, the more specific classification shall determine permissibility, or when equally specific, the more restrictive.

P = Permitted use; O = Prohibited use; A = Permitted under special permit;
PA = Permitted by right or by special permit provided there is compliance with the Flood Plain District regulations.

	RESIDENCE A	RESIDENCE B	RESIDENCE C	CENTRAL COMMERCIAL	NEIGHBORHOOD COMMERCIAL	GENERAL	INDUSTRIAL	FLOOD PLAIN
<u>2.3 Use Regulations Schedule</u>	<u>RA</u>	<u>RB</u>	<u>RC</u>	<u>CA</u>	<u>CB</u>	<u>G</u>	<u>I</u>	<u>F</u>
<u>AGRICULTURAL USES</u>								
Agriculture ^{1,2}	P	P	P	P	P	P	P	PA
Horticulture ²	P	P	P	P	P	P	P	PA
Floriculture ²	P	P	P	P	P	P	P	PA
Viticulture ²	P	P	P	P	P	P	P	PA
Nursery or Greenhouse								
Private	P	P	P	P	P	P	P	PA
With Retail Sales	O	O	A	P	P	P	P	PA
Wholesale Only	A	P	P	P	P	P	P	PA
Roadside Stand ^{2,3}	P	P	P	P	P	P	P	PA
Accessory Agriculture ⁴	O	A	A	O	O	O	O	PA
<u>COMMERCIAL USES</u>								
Animal Kennel or Hospital	O	O	A	O	A	A	A	PA
Automatic Amusement ⁵ Arcades	O	O	O	A	O	A	O	O
Bookstores								
Adult ⁶	O	O	O	A ⁷	O	O	O	O
Non-Adult	A	A	A	P	P	P	A	PA
Business or Professional Offices	A	A	A	P	P	P	P	PA
Funeral Home	A	A	A	O	P	P	O	PA
Home Occupation	P	P	P	P ⁸	P	P	P ⁸	PA
Motor Vehicles, Boat, or Farm Implements:								
Sales or Rental	O	O	O	O	A	P	O	PA
Light Service	O	O	O	O	A	P	O	PA
General Repairs	O	O	O	O	O	A	P	PA
Body Repairs (Amendment effective Sep. 19, 1983)	O	O	O	O	O	A	P	PA
Used Parts and Dismantling	O	O	O	O	O	O	A	PA
Parking								
Accessory	P	P	P	P	P	P	P	PA
Business	A	O	A	P	P	P	P	PA
Public	O	O	O	P	P	P	P	PA
Printing Shop	A	A	A	P	P	P	P	PA
Restaurant								
Indoor	O	O	O	P	P	P	P	PA
With Outside Service	O	O	O	A	A	A	O	PA
Retail Business	A	A	A	P	P	P	O	PA

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<u>COMMERCIAL USES</u>								
Wholesaling								
Without Storage	O	O	O	P	P	P	P	PA
With Storage	O	O	O	O	O	P	P	PA
Accessory to Business								
Residential use of upper floors in building used for commercial purposes	A	O	O	P	A	A	A	PA
Communication Towers with Transfer Stations to be allowed in Zones RC only, with a special permit. (Amendment effective July 9, 1997)								
<u>INDUSTRIAL USES</u>								
General	O	O	O	O	O	A	A	PA
Light, in existing bldg	A	O	A	A	A	P	P	PA
Light in, new bldg	O	O	O	O	O	P	P	PA
Bulk Storage ⁹	O	O	O	O	O	P	P	PA
Contractors' Yard ¹⁰	O	O	O	O	O	P	P	PA
Earth Removal	A	A	A	O	O	A	A	PA
Junk Yard	O	O	O	O	O	O	A	PA
Radio Transmission	O	O	A	O	O	P	P	PA
Transport Terminal	O	O	O	O	O	A	P	PA
Warehouses	O	O	O	O	O	P	P	PA
<u>INSTITUTIONAL USES</u>								
Municipal Use	P	P	P	P	P	P	P	PA
Religious Use ^{11, 12}	P	P	P	P	P	P	P	PA
Educational Use ^{11, 12}	P	P	P	P	P	P	P	PA
Nursery, profit-making school	P	A	P	O	P	O	O	PA
Private, profit-making school	O	O	O	P	P	P	O	PA
Social Day Care Center (Amendment effective May 1, 1991)	A	A	A	A	A	A	A	O
Day Care Center (Amendment effective May 4, 1992)	A	A	A	A	A	A	A	PA
Cemetery	P	P	P	P	P	P	P	PA
Hospital	P	P	P	P	P	P	P	PA
Philanthropic Institution	P	P	P	P	P	P	P	PA

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<u>INDUSTRIAL USES</u>								
Public Utility ¹³								
Building w/o service area	P	P	P	P	P	P	P	PA
Building w/ service area	O	O	O	O	A	P	P	PA
Service area, no bldg	O	O	O	O	O	A	A	PA
<u>RECREATIONAL USES</u>								
Boathouse								
Private	P	P	P	P	P	P	P	PA
Public	A	A	A	O	P	P	P	PA
Camping								
Commercial	O	O	A	O	O	O	A	PA
Supervised	A	O	P	O	O	O	A	PA
Club	A	O	A	P	P	P	O	PA
Golf Course	P	P	P	P	P	P	P	PA
Recreation								
Indoor commercial	O	O	O	P	P	P	P	PA
Adult motion picture theatre ⁶	O	O	O	A ¹⁴	O	O	O	O
Outdoor Commercial	O	O	O	O	O	A	O	O
Outdoor adult motion picture theatre	O	O	O	O	O	A ¹⁴	O	O
Private	P	P	P	P	P	P	P	PA
Sportsman's Club, game preserve	P	P	P	P	P	P	P	PA
Stables								
Private ¹⁵	A	O	A	O	A	A	A	PA
Public ¹⁵	O	O	A	O	O	A	A	PA
<u>RESIDENTIAL USES</u>								
Dwelling								
Single Family	P	P	P	O	P	P	O	PA
Two-Family	P	O	A	O	P	P	O	PA
Multi-Family up to Four Families	P	O	A	O	P	A	O	PA
Multi-Family over Four Families	A	O	A	O	A	A	O	PA
Mobile Home								
Single	O	O	O	O	O	O	O	O
Temporary Single ¹⁶	P	P	P	P	P	P	P	PA

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<u>RESIDENTIAL USES</u>								
Mobile Home Park (Amended at 5/1/00 Town Meeting. Approved by A.G. on September 18, 2000.)	O	O	O	O	O	O	O	O
Conversion of Single Family to Multi-family ¹⁷	A	A	A	O	O	A	O	PA
Boarding House	A	O	A	O	O	A	O	PA
Guest House								
Commercial	A	O	A	O	P	P	O	PA
Private	P	P	P	O	A	A	O	PA
Motel or Hotel	O	O	O	P	P	P	P	PA
Nursing, Convalescent, or Rest Home	A	O	A	O	A	A	O	PA
<u>OTHER USES</u>								
Accessory Uses to Activities Permitted as a Matter or Right for Scientific Research or Scientific Development or Related Production ¹⁸	A	A	A	A	A	A	A	PA
Customary Accessory Uses	P	P	P	P	P	P	P	PA
Airport	O	O	A	O	O	O	A	PA
Mobile Structures	O	O	O	O	O	O	O	PA
Signs ¹⁹								
Temporary ¹⁹	P	P	P	P	P	P	P	PA
Billboards	O	O	O	O	O	O	O	O
Permanent ¹⁹ See sign regulation schedule, sec. 3.9.								
Temporary Structures	P	P	P	P	P	P	P	PA

1. Provided that no structures housing poultry are within 100 ft. of any street or property line.
2. Provided that such activities shall be located on parcels of more than five acres in area.
3. For the sale of produce, wine and dairy products, a majority of which have been produced by the owner of the land on which the roadside stand is located and provided that the stand is not within 5 ft. of the street line, nor within 20 ft. of a lot line.
4. Provided the use is accessory to single family residential premises for the raising and keeping for non-commercial purposes of horses, livestock, or other farm animals by the owner of the land on which the use is located.
5. Automatic amusement includes devices licensed under General Laws, Chapter 140, Section 177A, Section 181, or both as appropriate.
6. As defined by General Laws, Chapter 40A, Section 9A.
7. Provided that such use is located at least 500 ft. from any residential zoning district, or from any residential bookstore or adult motion picture theatre, or from any establishment licensed under the provisions of General Laws, Chapter 138, Section 12, and further provided that no stock in trade as specified in General Laws, Chapter 40A, Section 9A, "Adult Bookstore" definition, shall be on display in any bookstore window or opening visible to the public, nor shall it otherwise be used as an advertisement, sign, or method of drawing attention.
8. In an existing residence only.

9. In a new building or conversion of an existing building to accommodate both residential and commercial uses. Each dwelling unit to be at least 600 sq. ft.
10. Provided no open storage within 50 ft. of a street or residence.
11. Provided that such use is on land owned or leased by the commonwealth or any of its agencies, subdivisions or bodies politic, or by a religious sect or denomination, or by a nonprofit educational corporation.
12. Subject to the intensity and dimensional regulations of sections 2.4 and 2.5, and the parking requirements of 3.5.
13. Provided that the land or structure used, or to be used, by a public service corporation by be exempted in particular respect from the operation of this by-law if, upon petition of the corporation, the Department of Public Utilities shall, after notice given pursuant to General Laws, Chapter 40A, Sec. 11, and public hearing in Athol, determine the exemptions required, and find that the present or proposed use of the land or structure is reasonably necessary for the convenience or welfare of the public.
14. Provided that such use, if outside, is screened from public view, and is located at least 500 ft. from any residential zoning district, or from any other adult bookstore of adult motion picture theatre, or from any establishment licensed under the provisions of General Laws, Chapter 138, Section 12, and further provided that no material as specified in General Laws, Chapter 40A, Section 9A, "Adult motion picture theatre" definition, shall be on display visible to the public, nor should it otherwise be used as an advertisement, sign, or method of drawing attention.
15. Provided that no stables are located within 100 ft. of a lot line or street line.
16. Provided that such use shall only be by an owner, occupier or both, of a residence which has been destroyed by fire or other natural holocaust, and that the mobile home shall provide a temporary residence for no longer than 12 months while the residence, which was destroyed, is being rebuilt. Such temporary mobile home shall be subject to the provisions of the state sanitary code.
17. Each dwelling unit to be at least 500 sq. ft.
18. Provided the Board of Appeals finds that the proposed accessory use does not substantially derogate from the public good even though the accessory use does not have to be located on the same parcel of the principal use.
19. Subject to the Sign Regulation Schedule, section 3.9.4.