

ARTICLE IV
Establishment of Districts

§ 205-33.Division of Town into districts.

For the purpose of this bylaw the Town of Plymouth is hereby divided into those zoning districts which appear in Articles V, District Regulations, and Article VI, Overlay Districts and Special Regulations.

§ 205-34.Official Zoning Map.

The boundaries of the aforementioned zoning districts are established as shown on the Official Zoning Map of the Town of Plymouth, which is hereby adopted by reference as a part of this bylaw. ~~The Official Zoning Map shall be signed by the Chairman of the Selectmen and the members of the Planning Board, attested by the Town Clerk, and bear the official seal of the Town of Plymouth. These Official Zoning Maps shall be filed in the office of the Town Clerk and duplicate copies filed with the Attorney General of the commonwealth. Said maps shall be kept up to date with prompt record of all amendments.~~

Comment [EH1]: Is this necessary?

Comment [EAL2]: It is not, and may be deleted. See G. L. c. 40A, §4 – the Zoning Map is part of the ZBL and is adopted according to the same procedure.

§ 205-35.Interpretation of boundaries.

When uncertainty exists as to the interpretation of boundaries shown on the Official Zoning Map, the following rules shall govern:

Comment [EAL3]: Applicable to both lot and District boundaries?

- A. Boundaries indicated as approximately following the streets, highways, alleys, or other ways shall be construed as following the center line of such right-of-way or, if no right-of-way exists, the center line of the paved or otherwise established bed of the way.
- B. Railroad lines. District boundaries indicated as following railroad lines shall be construed as midway between the tracks.
- C. Streambeds or other bodies of water. Boundaries indicated as following streams or other moving bodies of water shall be construed as the center line of the main run, or, in the case of bodies of water or former bodies of water where no run can be determined, the boundary shall be midway between the generalized banks during the driest season of the year.
- D. Platted lot lines. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- E. Topography and natural features. Boundaries indicated as approximately following abrupt changes in topography, embankments walls or other natural or man-made features shall be construed as following the center line or midpoint of such features, insofar as can be determined, or following the contour of a specified elevation.
- F. Town limits. Boundaries indicated as approximately following Town limits shall be construed as such.
- G. Boundaries parallel to or extensions of above boundaries indicated as approximately parallel to or extensions of features indicated in Subsections A through F shall be construed as such and at such distances therefrom as indicated on the Official Zoning Map. Distances not specifically indicated shall be determined from the scale of the map.

§ 205-36. Reserved Board of Appeals to interpret uncertainties.

~~Where uncertainties exist in determination of district boundaries, the Board of Appeals shall interpret the boundaries as authorized under § 205-10.~~

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§ 205-37. Village/rural services area line. [Added 5-12-1981 ATM by Art. 32]

Comment [EAL4]: Neither this section nor 205-10 are necessary. See explanatory note at §205-10.

Comment [EAL5]: District Zoning Boundary Line?

Comment [EAL6]: Q: does this Program now exist?

A. **Intent.** The village/rural services area line, in accordance with the adopted Comprehensive Plan and Capital Improvement Program, delineates the village services area and the rural services area of the Town of Plymouth. The intent of this delineation is to identify two functionally distinct portions of the Town so as to allow for the application of different zoning techniques in each area consistent with the predominant characteristics of each area and with Town goals and objectives as expressed in the Comprehensive Plan. The village/rural services area line will aid in preserving the rural character of the Town; stimulating growth in the village services area; deterring sprawl and leapfrog development patterns; providing for orderly growth and development consistent with the availability of supporting facilities; and guiding capital improvements programming.

B. **Village services area.** That portion of the Town, as delineated on the Official Zoning Map, in which the major portion of growth and development is projected to occur and in which capital improvements will be provided to support development during the current capital improvements programming and planning period.

Comment [EAL7]: Meaning unclear – Is reference to Town program?

C. **Rural services area.** That portion of the Town, as delineated on the Official Zoning Map, in which only limited development is projected to occur, in which the rural character should be preserved, and in which major capital improvements necessary to support development will not be provided during the present planning and capital improvements programming period.

D. **Delineation of village/rural services area line on Official Zoning Map.** The village/rural services area line is hereby adopted as shown on the Official Zoning Map of the Town of Plymouth.

Comment [EAL8]: Is this delineation intended to be a District Zoning Boundary Line (DZBL) or something else? Is its location currently appropriate or in need of adjustment?

E. **Amendments to village/rural services area line.** Amendments shall be accomplished in accordance with § 205-13 of this Zoning Bylaw and pursuant to MGLG. L. c. 40A, § 5, except that in addition to the consideration specified in § 205-13A, the Planning Board shall consider the conformity of the proposed change with the adopted Comprehensive Plan and Capital Improvements Program or with the proposed amendments thereto; with the existing and/or proposed Zoning Bylaw and Subdivision Rules and Regulations of the Town; and with other Town policies, rules, regulations, and bylaws as may be applicable.

F. **Effect of village/rural services area line.** The village/rural services area line delineates the areas within which particular zoning bylaw provisions apply as follows:

- (1) In the village services area: § 205-29, Retirement mobile home planned unit development. [Amended 5-12-1981 ATM by Art. 34]

In the rural services area: § 205-28, High technology planned unit developments. [Amended 5-13-1981 ATM by Art. 36]

**ARTICLE V
District Regulations**

§ 205-38. General.

Comment [EH9]: Eliminate cross references from section to section

A. Regulations applying to each zoning district are contained in §§ 205-39 through 205-65 inclusive which are presented in text and table form.

B. Where subsections are duplicated in both text and table, the more detailed provisions of the text shall govern. ~~Uses not listed are prohibited and uses expressly allowed in one zone and not listed in others are prohibited in those zones~~

Comment [EH10]: B & C: Language re: uses not listed are prohibited and uses expressly allowed in one zone & not listed in others are prohibited in those zones

C. If any proposed use is not specifically referred to in any of the subsections in the zone in question, the Building **Commissioner** shall be responsible for determining whether the proposed use should be classified as an allowed use or a special permit use or a prohibited use, based on similarities of use or structures. Where the appropriate classification cannot be clearly determined, the Building **Commissioner** shall certify the proposed use as prohibited and the decision may be appealed to the Board of Appeals.

Comment [EH11]: Clarify language

§ 205-39. Wetlands Areas (WA). [Amended 4-5-1989 ATM by Art. 30] Deleted

Comment [EAL12]: This section could be omitted, as Chapter 40A and court decisions thereunder so provide.

§ 205-40. Rural Residential (RR).

Comment [EAL13]: This appears not to be an actual zoning district.

A. **Intent.** [Amended 5-12-1981 ATM by Art. 32]

- (1) To discourage development beyond the village centers and thereby reduce the need for uneconomical extension of roads, utilities and other community facilities and services. [Amended 4-10-2002 ATM by Art. 23]
- (2) ~~To utilize the provisions of transfer of development rights as specified in § 205-70 [Amended 4-10-2002 ATM by Art. 23 and 10-26-2004 FATM by Article 19]~~
- (3) To discourage development in areas whose soil and slope characteristics are generally less suitable for development than in other zones.
- (4) To preserve the natural, rural character of presently rural areas of the Town.
- (5) To prevent the division of small residential lots along principal Town ways in rural areas.

Comment [EAL14]: Sprawl?

Comment [EAL15]: The deleted sentence essentially repeats the one above.

Comment [EAL16]: Districts?

Comment [EAL17]: The term "division" includes lot creation by ANR endorsement.

To utilize Plymouth's tremendous land resources for appropriate uses other than residential development in order to conserve the value of land and natural resources and offer employment to local residents. [Added 5-13-1981 ATM by Art. 36]

Comment [EAL18]: This is not a zoning purpose – instead, refer to conserving land value, etc., quoted from the "outside section" of chapter 808 of the Acts of 1975, which enacted current Chapter 40A, and therefore unassailable.

B. **Allowed uses.**

- (1) Conservation of soil, water, and plants, including wildlife management shelters; outdoor recreation, including play and sporting areas, nature study, boating and boat landings; day camps; fishing and hunting where otherwise legally permitted; and proper operation of dams and other water control devices. [Amended 4-5-1989 ATM by Art. 30]
- (2) Single-family dwellings.
- (3) Home occupations.

C. **Special permit uses.** [Amended 4-5-1989 ATM by Art. 30]

- (1) Cemeteries.
- (2) Nonprofit clubs and lodges.
- ~~(3) Golf courses, country clubs, as well as customary residential uses and structures, such as tennis courts, and swimming pools, and other such customary accessory uses and structures.~~
- (4) Day nurseries and kindergartens.

Comment [EH19]: ? Exempt

Comment [EAL20]: Define – Family daycare, other forms of childcare, elder care?

Comment [EH21]: Delete if exempt or define as "for profit"

D. **Special permit uses subject to environmental design criteria.** [Amended 5-12-1981 ATM by Art. 32; 5-13-1981 ATM by Art. 36; 4-20-1982 ATM by Art. 52; 4-4-1988 ATM by Art. 53; 11-14-1995 STM by Art. 8; 4-11-1996 ATM by Art. 25; 9-1-1998 STM by Art. 7; 4-6-2000 STM by Art. 15]

- (1) Sand and gravel quarries and similar extractive industries, subject to § 205-18.
- (2) High technology planned unit development, which may include office buildings for administration, engineering and design and data processing uses, laboratories, research facilities, and other campus-type office structures or groups of structures, and supporting uses which are clearly accessory to above such as manufacturing and assembly facilities, warehouse space, conference center, and training facilities with overnight accommodations, recreational facilities and other similar uses on well-buffered sites of more than 250 acres in rural services area only and only where access to the PUD from a limited access divided highway such as Route 3 is by a major street where no residential development on lots whose size or front yard (setback) is equal to or smaller than that currently allowed in the zoning district has occurred.
- (3) Recreational campgrounds.
- (4) Recreational development as provided in Recreation Development, § 205-59, Rural Density Development, § 205-62, and Transfer of Development Rights, § 205-70. [Amended 4-10-2002 ATM by Art. 23 and 10-26-2004 FATM by Article 19]
- (5) Communication towers and/or antennas, including freestanding structures and those on the exterior of otherwise permitted structures, subject additionally to the height provisions of § 205-17I.

Comment [EAL22]: This seems an extremely incompatible use for a residential district. Was the intent to limit to accessory earth removal?

E. **Prohibited uses.**

- (1) Any commercial or industrial uses, except as specifically provided for above.
- (2) Automobile or other junkyards, salvage yards, storage of new or used building materials, scrap yards and the like.
- (3) Storage of any products, materials, or vehicles in connection with manufacturing or commercial uses outside the district.
- (4) High technology PUD on less than 250 acres, or within a village service area, or which cannot meet the access requirements stated above (to be considered a distinctly different use). [Added 5-13-1981 ATM by Art. 36]

F. **Dimensional and intensity requirements. See Table 5.**

§ 205-41. Large Lot Residential (R-40).

A. **Intent.**

- (1) To reserve areas for large lot single-family residential development within the perimeter of the various villages of the Town and within reasonable proximity of community facilities and utilities. [Amended 5-13-1981 ATM by Art. 36]
- (2) To utilize Plymouth's tremendous land resources for appropriate uses other than residential development which will help preserve land value ~~balance the tax base~~ and offer employment to local residents. [Amended 5-13-1981 ATM by Art. 36]

Comment [EAL23]: See preceding comment re "tax base" reference.

B. **Allowed uses.**

- (1) All uses allowed in Rural Residential Districts other than village density development which is provided for below. [Amended 4-7-1987 ATM by Art. 69]

C. **Special permit uses.**

- (1) Any use authorized by special permit in RR Districts except those requiring environmental design conditions.
- (2) For-profit Colleges, universities, and technical or vocational schools.
- (3) Two-family dwellings.
- (4) Village density development. [Added 4-7-1987 ATM by Art. 69]

Comment [EH24]: Delete if exempt or define "for profit"

D. **Special permit uses subject to environmental design review.** [Added 5-13-1981 ATM by Art. 36; Amended 5-20-06 ATM by Art. 30]

High technology planned unit development, ~~is restricted to which may only include~~ office buildings for administrative, engineering and design and data processing uses, laboratories, research facilities, and other campus-type office structures or groups of structures and supporting uses which are clearly accessory to the above, such as manufacturing and assembly facilities, warehouse space, conference center, and training facilities with necessary overnight accommodations only, recreational facilities and other similar uses on well-buffered sites of more than 250 acres in rural services area only, and only where access to the PUD from a limited access divided highway such as Route 3 is by a major street where no residential development on lots whose size or front yard (setback) is equal to or smaller than that currently allowed in the zoning district has occurred.

Rural density development as provided in Sec. 205-62, including provisions for transfer of development rights. [Added 5-20-06 STM by Art. 30]

E. **Special permit uses subject to adequate facility conditions.** [Added 4-7-1987 ATM by Art. 69]

- (1) Village density development.

Comment [EH25]: SPGA not Defined (BOA)

F. **Prohibited uses.**

- (1) All uses prohibited in RR Zone Districts.
- (2) Land and gravel quarries and other extractive industries.
- (3) High technology PUD on less than 250 acres, or within a village service area, or which cannot meet the access requirements stated above (to be considered a distinctly different use). [Added 5-13-1981 ATM by Art. 36]

G. **Dimensional and intensity requirements. See Table 5.**

§ 205-42. Medium Lot Residential (R-25).

A. **Intent.**

- (1) To retain suburban residential development of adequate spaciousness within close proximity of the several village centers of the Town and thus avoid ~~haphazard scattering of subdivisions~~ in rural areas.
- (2) To encourage the permanent protection of natural and open areas within developed areas and to authorize a variety of types of homes available by means of planned cluster and planned residential development techniques.

Comment [EAL26]: Is the intent "unplanned sprawl through excessive land division?"

Comment [EAL27]: Is "subdivision" what is intended?

- B. **Allowed uses.** All uses allowed in R-40 Large Lot Residential ~~Zone~~Districts.
- C. **Special permit uses.**
 - (1) All uses authorized by special permit in R-40 Districts except those subject to environmental design conditions.
 - (2) **Funeral homes.**
 - (3) ~~Rest homes, halfway~~ houses, convalescent homes, homes for the elderly, orphanages and similar institutions.
- D. **Special permit uses subject to environmental design conditions.** [Amended 5-12-1981 ATM by Art. 34; 4-6-2002 STM by Art. 16]
 - (1) All uses authorized by special permit subject to environmental design conditions in R-40 Districts.
 - (2) Hospitals, sanitariums, and similar institutions. "Similar institutions" shall be deemed to include office buildings located on land owned by, and contiguous to land owned by, a hospital or a hospital affiliate as of April 6, 2002.
 - (3) Retirement mobile home planned unit developments.
- E. **Special permit uses subject to adequate facility conditions.** [Added 4-7-1987 ATM by Art. 69]
- (1) Village density development.
- F. **Prohibited uses.** All uses prohibited in R-40 Districts.
- G. **Dimensional and intensity requirements. See Table 5.**

Comment [EAL28]: Depending on the exact nature of "halfway house," this use may be exempt per G. L. c. 40A, §3 as an educational use and may not be made subject to a special permit.

Comment [EH29]: Define and/or update

Comment [EH30]: SPGA not defined

§ 205-43.Small Lot Residential (R-20SL). [Amended 4-21-1974 ATM by Art. 65]

- A. **Intent.**
 - (1) To preserve rural portions of Plymouth by allowing compact, single-family development within existing village centers in keeping with historical New England building traditions.
 - (2) To broaden the range of lot sizes and housing types available to home buyers and to make homeownership feasible for more ~~Plymouthians~~ residents.
- B. **Allowed uses.**
 - (1) All uses allowed in R-40 ~~Zone~~Districts.
 - (2) Two-family dwellings.
- C. **Special permit uses.** All uses authorized by special permit in R-25 Districts except those subject to environmental design conditions and all village density development uses. [Amended 4-7-1987 ATM by Art. 69]
- D. **Special permit uses subject to environmental design conditions.**
 - (1) All uses authorized by special permit subject to environmental design conditions in R-25 Districts.

Comment [EAL31]: Ambiguous – it is not lawful to distinguish on the basis of birthplace or length of residence

- (2) Reduction of minimum lot area to 15,000 square feet subject to the following dimensional requirements and environmental design conditions.

E. **Special permit uses subject to adequate facility conditions.** [Added 4-7-1987 ATM by Art. 69]

- (1) Village density development.

F. **Prohibited uses.** All uses prohibited in R-40 [Districts](#).

G. **Dimensional requirements.** See Table 5 and [subsection H](#).

Environmental design conditions for small lots of less than 20,000 square feet. The following environmental design conditions shall be utilized by the Board of Appeals in establishing appropriate safeguards for lots of 15,000 square feet minimum area allowed by special permit.

Lot requirements with special permit.

Table 6

Width	Front Yard	Side Yards		
		Total	Major	Minor
75 feet minimum	10 feet minimum	28 feet minimum	20 feet minimum exclusive of driveway	3 feet minimum; recommend 6 feet maximum without driveway; recommend 14 feet maximum with driveway

- (2) **Front yard depth.** On minor streets or other streets whose pavement width is at least 26 feet, which have curbing and sidewalks, and which the Planning Board shall consider unlikely to be widened in the future, the minimum yard requirements may be altered as stated herein. Such setbacks shall be allowed only when appropriate in relationship to other setbacks on the street and to the general character of the area, as determined by the Board of Appeals. The requirements of § 205-17H shall be followed to create a variety in the setbacks along the street.
- (3) **Side yard requirements.** The principal structure should normally be sited so that one side yard is of minimum width and the other is thereby made larger and more useable. The major side yard shall normally be at least 20 feet wide. The minor side yard should not be less than three feet and should normally be no larger than six feet, unless it accommodates a driveway, in which case it should be no wider than 14 feet. The width of side yards and their relationship to principal structures on the lot and to yards and structures on adjacent lots should be varied along the street.
 - (a) The width of side yards should be carefully considered in relation to the depth of the front yard, placement of the driveway, placement of permanent walls and accessory structures, if any, trees and other major plantings, the topography, side yards and front yards on adjacent lots, and distances between structures on adjacent lots. These relationships should be varied from lot to lot along the street and shall not be the same for more than three contiguous lots.
 - (b) Where appropriate, accessory buildings of approved design and construction may be placed within four feet of the side lot line, provided that such structures shall not

violate any requirements controlling distances between buildings, nor shall any such structure be placed to cause any structure subsequently built on any adjacent lot not to comply with the intent of this section.

- (4) **Distances between buildings on adjacent lots.** No part of any structure shall be within 16 feet of any part of another structure on another lot, and no part of any principal residential structure shall be within 21 feet of any other principal residential structure.

(b) The yard space thus established for any wall may not overlap the yard space for any wall of any building on an adjacent lot. If the side of the principal building is broken up into more than one plane, the Board of Appeals shall determine which points of the walls shall be connected by a line to serve as the base of the triangular yard area.

- (5) **Accessory buildings.** Accessory buildings may be constructed in front or side yards as described previously. No accessory building may be constructed more than two stories high or within six feet of any other building on the same lot. All walls of accessory buildings which face adjacent lots shall have a triangular yard space as described in Subsection H(4) above. It is recommended that any accessory buildings be placed to help define yard spaces or to create privacy for yard spaces.

- (6) **Walls and other site elements.** It may be required, where considered necessary by the Board of Appeals, that permanent walls, fences, hedges, or other plant materials be used to define exterior yard spaces and to increase privacy for windows or yard spaces. Any such structures must be of compatible and durable nature. These elements should be carefully placed in relation to structures and yards and should contribute to a sense of variety and spatial enclosure along the street.

§ 205-45.Multifamily Residential (R-20MF). [Amended 3-28-1973 ATM by Art. 71; 4-21-1974 ATM by Art. 65]

A. **Intent.**

- (1) To encourage compact development, thus discouraging scattered, sprawling, inefficient patterns of development.
- (2) To provide alternative types of housing for people of differing housing needs. To ensure adequate open areas and high design quality through environmental design conditions.

B. **Allowed uses.** All uses allowed in R-20SL [Districts](#).

C. **Special permit uses.** All uses authorized by special permit except those subject to environmental design conditions in R-25 [Districts](#).

D. **Special permit uses subject to environmental design conditions.**

- (1) All uses authorized by special permit subject to environmental design conditions in R-25 [Districts](#).
- (2) Multifamily and single-family attached dwellings subject to the environmental design conditions specified herein.

E. **Prohibited uses.** Any use prohibited in R-40 [Districts](#).

F. **Dimensional and intensity requirements.** [Amended 4-8-1985 ATM by Art. 55]

- (1) See Table 5, Table 8 and Table 9 herein.

Table 8
Multifamily and Single-Family Attached Dimensional and Intensity Regulations
Minimum Lot Requirements

Area	Least Dimension	Front Yard	Other Yard
86,000	200 feet	30 feet minor street	2-story: 30 feet
		60 feet collector street	3-story: 50 feet
		100 feet major street	

(2) Net acreage may include up to 5% in water or in inaccessible wetland areas as determined by the Board of Appeals.

Comment [LAH32]: Inaccessible needs to be defined, or better yet, eliminate the word inaccessible.

(3) Lot utilization.

- (a) Maximum floor area ratio, gross (FAR, G): 0.45 (total gross floor area/total site area).
- (b) Minimum floor area net per dwelling unit: 768 square feet.
- (c) Maximum building coverage (including accessory): 25%.

(4) Parking requirements:

Type Unit	Minimum Spaces	Maximum Area For Parking
1-bedroom	1.3	25% of site or total car ratio = 0.83 (parking area/net floor area) whichever is least
2-bedroom	2.0	
3-bedroom	2.6	
4-bedroom	3.0	

(5) Total gross floor area is measured to the outside line of walls. Minimum useable open space equals 50% of site, exclusive of all aboveground structures and vehicular facilities and rights-of-way (not to include utility easements). Number of dwelling units depends on the size of unit.

G. **Environmental design conditions.** Multifamily and single-family attached dwellings shall be subject to the following conditions and safeguards in addition to those specified in other sections.

(1) **Surrounding areas.** The site plan shall ensure maximum compatibility with surrounding land uses and structures. The open space should normally create a greenbelt around the project to provide maximum buffering from more intense uses or traffic, to ease the transition to residential areas of lower density and preserve the overall natural character of the Town as much as possible. Where necessary, the Board of Appeals may specify adequate buffer planting. Where the site adjoins single-family residential areas, the building heights, masses, spacing, and setbacks from the lot line shall be compatible with those of the single-family area, and the Board of Appeals may require that the scale of intensity of the development be lowered in portions of the site where these relationships are critical.

- (2) **Vehicular circulation.**
 - (a) Streets within any multifamily complex shall be a minimum of 20 feet in width, except in portions of the complex where the possibility of occasional on-street parking or other congestion may require a minimum of 30 feet. The design guidelines and standards of § 205-22C shall apply where appropriate.
 - (b) Where appropriate, streets and rights-of-way shall be provided to the edges of the property to provide for necessary linking of the street system to that of adjacent developments or to possible future developments.
- (3) **Parking.** All parking shall be provided in off-street lots, and no parking shall be arranged to require backing into a street within the complex, although exception may sometimes be made for small cul-de-sac serving complexes of 20 dwelling units or fewer.
 - (a) Special areas shall be provided for the storage of large equipment, such as camper trailers, boats and trailers, utility trailers and similar items, and guest parking. These shall be provided at a ratio of one space per five dwelling units.
 - (b) Wherever possible, parking areas shall be separated into small lots of fewer than 20 cars to promote a residential scale. Large parking areas shall be visually interrupted by trees and/or shrubs of a meaningful height (at least three feet). The total mass of parking on the site, whether in separate small lots or continuous larger lots, should be broken into smaller visual units by the placement of buildings, walls, hedges, changes in level, wooded open space, banks of trees or tall shrubs, or individual trees. Parking lots shall be separated from buildings by adequate yard spaces, especially when adjacent to windows. These yard areas shall have attractive and durable ground cover or paving as necessary and should be buffered by hedges or shrubbery. In no case shall the paving material of the parking area requirements be extended to any face of the buildings. All other parking requirements shall be met as specified in § 205-23.
- (4) **Pedestrian circulation.** The pedestrian circulation system shall be planned to give safe and pleasant access to all dwelling units, parking areas, and community facilities and to areas outside the site. The walkways shall be designed to accommodate the desired travel lines of the residents and to fit the topography in a natural and logical manner. Paths shall not be laid out in rigid rectilinear fashion nor shall they follow the walls of buildings or the edges of vehicular streets or parking lots unless those can be demonstrated to be the most desirable paths.
- (5) **Building design.** The primary objectives of this section are to encourage residential architecture of a human scale and proportion which is compatible with existing development in the Town and require appropriate distances between structures to avoid undue density and monotony.
 - (a) Structures containing more than 15 dwelling units shall not normally be permitted. Wherever possible and appropriate, the mass and facades of structures shall be relieved by variations in height and by offsetting wall segments. Such structures should appear as a series of distinctly articulated masses, each segment of which imparts a sense of detached house scale and proportions.
 - (b) The following table indicates absolute maximum dimensions of structures and recommended maximum dimensions, according to whether the building mass is offset in segments as above.

Table 9
Dimensions of Multifamily or Single-Family Attached Structures
Building without Articulated Segments Building with Articulated

Segments	Size of Segments	Minimum Offset of Segments				
	Length	Width	Length	Width		
Desirable Maximum	120 feet	40 feet	75 feet	35 feet	30 to 35 feet	10 feet desirable
Maximum	200 feet	80 feet	120 feet	45 feet	45 feet	3 feet minimum

- (c) Maximum gross floor area per structure: total 15,000 square feet; ground floor, 12,000 square feet.
- (d) The desired residential character and human scale shall be reinforced through appropriate use of design elements such as balconies, articulation of doors and windows, sculptural or textural relief of facades ~~or~~ brick belt courses ~~or soldier courses~~, roof form and proportion, or other appurtenances such as lighting fixtures or planting. Blank walls and ~~scaleless~~ verticality are specifically discouraged, and walls not containing windows shall be given human scale and interest by use of design elements such as those above.
- (e) Pitched roofs should be utilized where possible but not for any span greater than 40 feet, and their slope should not be less than seven inches vertical to 12 inches horizontal.

Comment [EAL33]: Define "scaleless"?

(6) **Distances between structures.** The minimum distances between buildings shall be as follows in Table 10. Each wall of every building shall have a yard space in the shape of an isosceles triangle whose base shall be a straight line connecting the extreme ends of the wall and whose altitude (depth of yard) shall be equal to the length of the wall multiplied by the appropriate factor in Table 10.

Comment [EH34]: Insert language to simplify distance between buildings and delete Table 10

- (a) The yard space thus established for any wall shall not overlap the yard space for any other wall. If any wall is broken up into more than one plane, the Board of Appeals shall determine which points of the wall shall be connected by a line to serve as the base of the triangular yard area.
- (b) These distances are intended to provide adequate room for use of the exterior space, adequate light and air, and privacy within buildings. The triangular yard space allows structures to be closer at the corners where these considerations are less critical. Structures shall not normally be joined at the corners, unless they share a common party wall for at least 10 feet. When certain walls contain no windows, or the exterior space is used for similar purposes by both structures (such as utility yards), or where the configuration of the building warrants, the required yard spaces may be modified by the Board of Appeals.
- (c) Buildings shall not normally be sited in even rows, at a uniform distance from a street, or spaced at equal intervals. Long linear streets or parking lots flanked by rows of buildings are specifically prohibited. Relationships between buildings and other site elements shall be very carefully designed, and arbitrary, odd angles between structure, edges of roads or parking lots, major pedestrian paths, and other major site features

shall normally not be allowed except when such features are far enough apart not to conflict visually.

§ 205-46. Waterfront (WF).

A. Intent.

- (1) To encourage the development of marine, history or tourism related land uses and activities which take advantage of the peculiar characteristics of the waterfront as well as its central location in Plymouth Center and its proximity to the historic area.
- (2) To aid in revitalization of the central area by encouraging uses which attract people into the area and generate pedestrian-oriented activity.
- (3) To complement the seasonal nature of the waterfront and tourist areas by establishing uses of year-round activity and vitality.
- (4) To require special environmental design conditions for special permit uses to ensure, among other purposes, proper emphasis on a pedestrian environment, adequate pedestrian links between the proposed development and surrounding properties, high standards of site planning, and architectural design which is compatible with the adjoining historic area.

B. Allowed uses.

- (1) Boat sales, service, rentals, ramps, and docks and commercial sightseeing or ferrying.
- (2) Marine railways, repair yards, storage yards, and marine supply outlets.
- (3) Commercial fishing and seafood wholesale or retail outlets and related uses.

C. Special permit uses subject to environmental design conditions. [Amended 3-28-1973 ATM by Art. 71; 4-10-2002 ATM by Art. 24]

- (1) Restaurants and outdoor eating facilities.
- (2) Recreational, social, or cultural facilities such as a theater, playhouse, band shell, outdoor pavilion, nightclub, or community center.
- (3) Hotel, motel, or other tourist-related facility.
- (4) Specialty shopping facilities such as art galleries, gift shops, antique shops, import shops, and leather and natural goods stores, as part of a pedestrian-oriented shopping arcade or center, and including uses of a more general commercial nature which do not detract from the purposes of the waterfront and which are necessary to the economic viability of such a complex. All dimensional and intensity requirements as provided in § 205-45 hereof shall apply.
- (5) Multifamily and single-family attached residential, provided such complexes are designed not to preclude public access to and along the shoreline. All dimensional and intensity requirements as provided in § 205-45 hereof shall apply.

D. Prohibited uses.

- (1) Industrial uses.

General commercial uses not related to any of the stated purposes or activities of the waterfront which would not make appropriate use of its unique potential.

E. Dimensional and other requirements.

- (1) See Table 5.
- (2) All uses, premises, and structures should be designed to allow pedestrian access to and along the shore for a minimum distance of 10 feet inland from the mean high-water mark;
- (3) Minimum setback of major structures from mean high-water mark shall be 25 feet, unless the wetlands designation and regulations of § 205-39 apply.

§ 205-47. Neighborhood Commercial (NC).

A. Intent. This district is intended to provide locations for certain light retail and service establishments of a convenience nature which serve residential neighborhoods in a compatible manner. It prohibits uses of an incompatible nature or which serve a community or regional market and hence would be likely to create undue traffic, late hour operations or other characteristics of use not in harmony with a residential environment or the existing character of the residential neighborhood.

B. Allowed uses.

- (1) Churches, synagogues, and other places of worship.
- (2) Convenience retail establishments such as drugstores, small grocery stores, small variety stores, and newsstands.
- (3) Personal service establishments such as barber and beauty shops, laundry and dry-cleaning establishments (coin-operated or pickup stations only), and tailoring and garment repair shops.
- (4) Other convenience services such as branch banks or post office substations.

Comment [EH35]: ? exempt

C. Special permit uses.

- (1) Day nurseries and kindergartens.
- (2) Private clubs and lodges.
- (3) Private recreation facilities or neighborhood centers.

Comment [EH36]: Delete if exempt or define as "for profit"

Other convenience-type service or commercial establishments, which the Board of Appeals may, on appeal, determine to be in keeping with the nature and intent of the district.

D. Special permit uses subject to environmental design conditions.

- (1) Restaurants, limited to on-premises consumption.
- (2) Minor planned shopping center limited to the uses of this section.

Comment [EH37]: Need to define

Any of the uses listed above under Subsection B or C which exceeds 3,000 square feet of ground floor area or 5,000 square feet total area.

E. Prohibited uses.

- (1) Any use not specifically permitted above, including but not limited to all manufacturing and processing, wholesaling, warehousing, outdoor storage, outdoor advertising, automobile service stations, automotive and automotive parts sales, service or repair shops, junk, scrap or

lumber storage, general retail establishments, and drive-in restaurants or fast-food establishments.

- (2) Storage or occupancy of mobile homes, camper trailers, inoperative or unlicensed automobiles, or products, materials, or vehicles in connection with manufacturing or commercial uses outside the district, as provided for under § 205-40, Rural Residential, Subsection E, Prohibited uses.
- (3) Any use or structure incompatible with the nature of the district or dangerous or noxious to persons in the district or those who pass on public ways by reason of odor, smoke, particulate matter, fumes, noise, vibration, glare, radiation, electrical interference, or danger of fire or explosion.

F. **Dimensional and intensity requirements.** See Table 5.

§ 205-48. Transitional Commercial (TC).

A. **Intent.**

- (1) To preserve the residential amenity of existing residential streets which are undergoing pressures for commercial development, while easing their transition to more intensive but compatible uses.
- (2) To provide property owners in such transitional areas an opportunity for higher economic return on their land without diminishing the amenity and residential value of other properties in the District.
- (3) To prevent unnecessary congestion on major streets and to protect the attractive appearance of areas which are key elements of *the image of Plymouth*.

Comment [EAL38]: "Image" is ambiguous – "historical appearance"?

B. **Allowed uses.**

- (1) All uses allowed in R-20SL Districts.
- (2) Churches, synagogues and other places of worship.

Antique shops, small gift shops, art studios and galleries, and small professional or business offices in existing residential structures, provided there is no frequent or long-term exterior display or storage of merchandise and no exterior change in the residential character of the building other than a sign. [Amended 4-6-1978 ATM by Art. 57]

C. **Special permit uses.**

- (1) All uses authorized by special permit in R-25 Districts except those subject to environmental design conditions.

Barber and beauty shops.

D. **Special permit uses subject to environmental design conditions.**

- (1) Professional offices and services such as doctors, lawyers, architects, and design studios, provided that no major structures of greater than 15,000 square feet or 100 feet in any dimension shall be constructed.
- (2) Business offices such as accountants, realtors, insurance, offices of institutions or civic organizations and general offices, provided that major structures, as in Subsection D (1) above, shall not be allowed.

- (3) Office parks consisting of structures no greater than 15,000 square feet or 100 feet in any dimension.
- (4) Multifamily and single-family attached dwellings.
- (5) Hotels, motels and other lodging houses.
- (6) Small restaurants of no greater than 5,000 square feet of floor area, with no drive-through service, located within the North Plymouth Village Service Area only. [Added 4-1-1995 STM by Art. 12]

E. Prohibited uses.

- (1) All uses prohibited in R-40 Districts except limited commercial uses as specifically authorized above.
- (2) General commercial and industrial uses.

F. Dimensional and intensity requirements. See Table 5.

§ 205-49. General Commercial (GC).

A. Intent. This district is intended to provide centralized areas in which a full range of retail, service, office and other clean use establishments can function in efficient fashion to their mutual advantage and that of the community. Included in this District are the business centers of each village in the Town and certain other centralized commercial areas. Such centers are intended to be as compact as possible and oriented to pedestrian shoppers insofar as is practical. Offensive heavy commercial or industrial-type uses shall not be permitted, and expansive businesses which consume large amounts of land or are oriented to the automobile are to be discouraged. Larger commercial structures (exceeding 24,000 square feet in gross floor area) are prohibited within the Cedarville Village Service Area. [Amended 4-12-1994 ATM by Art. 23]

B. Allowed uses. The following uses are allowed provided that they occupy no more than 4,000 square feet of ground floor area and 6,000 square feet total floor area, provided further that, in the Cedarville Village Service Area, any building containing or serving such uses is to be no larger than 24,000 square feet in total gross floor area. [Amended 4-7-1990 STM by Art. 9; 4-12-1994 ATM by Art. 23]

- (1) All uses allowed under Neighborhood Commercial.
- (2) Retail establishments, including sales and display lots subject to restrictions under §§ 205-19 and 205-20, and also including establishments of goods for sale at retail only on the premises, provided that not more than five persons shall be employed in such manufacturing or processing. No retail establishment shall involve processes or activities of a heavy commercial or noxious nature.
- (3) Eating and drinking establishments, except establishments.
- (4) Personal service establishments, including such uses as barber and beauty shops, shoe repair shops, self-service laundry and cleaners, and laundry and dry-cleaner pickup only (see special permits).
- (5) Offices, studios, and laboratories.
- (6) Professional and business services.
- (7) Financial institutions and establishments.

Comment [EH39]: Review multiple buildings for commercial uses aggregate?

Comment [EH40]: NOTE: Clarify 4000-6000 allowed, 6000-24000 special permit, 24000 or greater prohibited, same for Section C & D

Comment [EH41]: Do we add drive-through as a special permit?

- (8) Commercial recreation uses, such as theaters, bowling alleys, pool rooms, swimming pools, gymnasiums, and the like, except for expansive outdoor uses such as golf courses, driving ranges, drive-in theaters, and the like.
- (9) Private clubs and lodges,
- (10) Parking lots and garages, whether public, private, or commercial.
- (11) Churches, synagogues, and other places of worship.
- (12) Other cultural and recreational uses, public or private.
- (13) Clinics, laboratories, and long-term care facilities.
- (14) Funeral homes.
- (15) Rental agencies, such as automobiles, miscellaneous appliances and equipment, and clothing.
- (16) Multifamily dwelling units which:
 - (a) Contain a minimum net floor area of 600 square feet for one-bedroom units, 720 square feet for two bedroom units, and $(720 + 100X)$ square feet for $(two + X)$ bedroom units.
 - (b) Are located within the net floor area of buildings in existence as of January 1, 1990; and
 - (c) Are located within stories of such buildings other than the street level story thereof.

C. **Special permit uses.** The following uses may be authorized by special permit, provided that they occupy no more than 4,000 square feet of ground floor area and 6,000 square feet total floor area, provided further that, in the Cedarville Village Service Area, any building containing or serving such uses is to be no larger than 24,000 square feet in total gross floor area.

- (1) Service and repair establishments (except automotive service stations and minor repair shops), provided that all repairs take place inside an enclosed structure, including all such uses as household appliance repair and servicing, office equipment repair, and miscellaneous small repair shops, provided that all repairs shall take place in completely enclosed structures or in areas completely screened from public ways and, where necessary, adjacent uses.
- (2) Day nurseries and kindergartens.
- (3) Wholesaling, distribution, and storage, involving not more than 2,000 square feet ~~or of~~ storage space.
- (4) Laundry and dry-cleaning establishments, with on-site laundering, cleaning, or finishing.
- (5) Hotels and motels.
- (6) All uses authorized by special permit in Neighborhood Commercial.
- (7) Bars and nightclubs.

Comment [EH42]: Delete if exempt or define as "for profit"

Comment [EH43]: ? necessary

D. **Special permit uses subject to environmental design conditions.** The following uses may be authorized by special permit subject to environmental design conditions, provided that they occupy no more than 4,000 square feet of ground floor area and 6,000 square feet total floor area, provided further that, in the Cedarville Village Service Area, any building containing or serving such uses is to be no larger than 24,000 square feet in total gross floor area. [Amended 4-12-1994 ATM by Art. 23]

- (1) Boardinghouses and lodging houses.
- (2) Planned shopping centers.
- (3) Passenger terminals for buses and railroads.
- (4)
- (54) Hospitals, sanitariums, nursing homes, rest homes, convalescent homes, orphanages, and homes for the aged, provided that such facility shall have no principal structure closer than 25 feet to any lot line.
- (65) Automobile service stations and minor repair shops, provided that all repairs shall take place in enclosed buildings or screened areas.
- (7) Colleges, universities, and technical or vocational schools and dormitories.
- (8) All uses authorized in Subsections B and C above which have more than 4,000 square feet of ground floor area or 6,000 square feet total area.

Comment [EH44]: Delete if exempt or define as "for profit" check for consistency with Chapter 40A

E. Prohibited uses.

- (1) Any use other than as permitted above, including exterior storage of products or merchandise in substantial quantities, or of new or used building materials, junk, scrap, salvage, or any other secondhand materials, warehouses containing over 2,000 square feet, permanent or regular outdoor displays of merchandise in any required yard, major automotive garages, and body shops, or any garage which conducts repairs out of doors, tire recapping and retreading, storage or distribution of bulk petroleum products, and any other use of any equal or greater nuisance level.
- (2) Any use which the Board of Appeals may determine to be potentially dangerous or offensive to persons in the district, or to those who pass on public ways, by reason of emission or odor, smoke, fumes, particulate matter, noise, vibration, glare, radiation, electrical interference or of threat of fire or explosion, or which is likely for any reason to be incompatible with the character and function of the district.

Any uses contained in or served by a building larger than 24,000 square feet in gross floor area if located in the Cedarville Village Service Area. [Added 4-12-1994 ATM by Art. 24]

F. Dimensional and other requirements.

- (1) See Table 5.
- (2) For land located in the North Plymouth Village Service Area (General Commercial District), the front line for a structure hereafter erected may extend to an alignment consistent with the predominant setback of the existing structures along the same side of the street within 500 feet of the site. For land located in the North Plymouth Village Service Area (General Commercial District), the side and rear yards of detached structures shall be a minimum of five feet, variable by special permit. Attached structures may have no side or rear setbacks provided that internal sprinkling and fire alarm systems are provided. [Added 4-12-1993 ATM by Art. 26]
- (3) The maximum front yard setback allowed within the Cedarville, Manomet, and West Plymouth Village Service Areas is 60 feet. The setbacks shall be imposed along the right-of-way where primary access to the site is gained. A principal building entrance must be located

parallel to the right-of-way. The setback can be varied by special permit. The following criteria must be met to vary the setback: [Added 4-12-1994 ATM by Art. 24]

- (a) That there are no feasible alternatives; or
 - (b) That the Board of Appeals finds that the proposed setback is superior in design and site layout to the allowed setbacks.
- (4) In no case shall the maximum building size for structures located within the General Commercial District in the Cedarville Village Service Area exceed 24,000 square feet in gross floor area. Larger structures are encouraged to be articulated to create an image of smaller buildings attractively joined together. This limitation on building size is intended to apply as a use regulation in addition to being a dimensional regulation. [Added 4-12-1994 ATM by Art. 23]
- (5) Entrance and exit drives shall be controlled as prescribed by §§ 205-23 and 205-24. Except for said entrances and exits, all uses and premises abutting any street shall be separated from the street by curbing of approved design and construction parallel to the right-of-way which shall be a minimum of 10 feet from the right-of-way line on minor streets, 15 feet on collector streets and 20 feet on major streets or highways. The area between said curbing and the right-of-way line shall be landscaped as follows:
- (a) There shall be at least three trees for every 200 linear feet of frontage and not less than one tree for each 100 feet of frontage, which shall be at least 12 feet in height and may be expected to attain a height of over 30 feet at maturity.
 - (b) Said area shall be protected by a ground cover or covers of a hardy and substantial nature whose durability shall be appropriate to the location and prospective wear or abuse. As large a proportion of the area as feasible shall be planted with durable evergreen shrubbery or other ground cover, but not less than 10%. Portions of said area may be covered by attractive paving, but asphalt or similar bituminous materials shall not be approved.
 - (c) There shall be at least one evergreen shrub for each 10 linear feet of frontage, which shall be at least one foot in height and which shall be expected to attain a height of not less than three feet in five years, and which desirably should be of a thick and spreading nature.
 - (d) All the above landscape materials shall be of an approved type which is suitable for the soil, climate, and other characteristics of the particular location, shall be of healthy stock and shall be maintained in good condition, and any required plant which dies shall be replaced within one year.

§ 205-50. Arterial Commercial (AC).

A. Intent.

- (1) To allow the development on major arteries or highways of appropriate commercial uses of a traffic-oriented or one-stop nature or which need large amounts of open land and would be inappropriate in pedestrian-oriented general commercial areas and to establish use requirements and site regulations which reflect the special needs of the motoring public and such roadside uses.
- (2) To prohibit most uses of a general commercial nature which do not have particular requirements or suitability for such a traffic-oriented location and whose inclusion in such a

district would tend to increase congestion or safety hazards, mar the appearance of the Town along major public ways, cause an inefficient dispersal of general commercial establishments, or oversaturate the general commercial market by overzoning.

Comment [EAL45]: Another term possible?

B. Allowed uses.

- (1) Vehicular-related uses, including new and useds automobile sales and auto rentals, provided that any outdoor service or repair areas shall be screened from public ways and abutting properties by walls, fence and/or evergreen vegetation at least five feet high.
- (2) Motels and hotels.
- (3) Commercial or private recreation facilities such as golf courses, driving ranges, bowling alleys, amusement parks, and skating rinks.

Comment [EH46]: ?define in buffering

C. Special permit uses subject to environmental design conditions.

- (1) Drive-in establishments, including laundries and dry cleaners, eating and drinking places, theaters and drive-in theaters.
- (2) Highway-related facilities such as truck stops, freight terminals, and trucking, wholesaling and distribution concerns.
- (3) Mobile home sales.
- (4) Planned shopping centers.
- (5) Planned office parks and major office buildings, over 10,000 square feet.
- (6) Hospitals, sanitariums, rest homes, halfway houses, convalescent homes, orphanages, homes for the aged, and other such institutions.
- (7) Automobile junkyards and other junk or salvage yards, provided that such uses shall be completely screened to a height of six feet or more if required by walls, fences, and/or thick evergreen planting. Where the topography of any proposed site is such that the interior of the yard would be exposed to view from any abutting way or future way, the Board of Appeals may deny a permit or require screening by evergreen trees or other means of an appropriate height and thickness, both at the periphery of the property and at specified locations within the site. No display or storage of merchandise, automobiles, salvage, and the like shall be permitted outside the screened area of the site.
- (8) Day nurseries and kindergartens, provided that the Board of Appeals shall determine that characteristics of the particular location and of nearby land uses and traffic will not be inappropriate for such a facility.
- (9) Convenience or one-stop type uses which cater to the needs of the motoring public or a community market, or commercial uses which require large amounts of land or which do not cater to a pedestrian market and which would be inappropriate in a compact, pedestrian-oriented general commercial shopping area. Such uses may include restaurants, bars and nightclubs, supermarkets, drugstores, variety stores and department stores, boat sales and service, oil dealerships, and uses of similar characteristics. In these cases, the applicant shall demonstrate why the use in question would be appropriate at the proposed location, what particular needs of the community would be served by location of the use in an Arterial Commercial District instead of a General Commercial District, and that the proposed use would not contribute to an unnecessary and inefficient extension of general commercial type uses along the major artery in question. Uses which bear no functional relationship to other

Comment [EH47]: ?define in buffering

uses along the street may be denied a permit, whereas cooperation among adjacent property owners in providing off-street parking, circulation, and coordination of building design and siting, signs, and landscape treatment may constitute grounds for issuing a permit.

- (10) Automotive service stations, repair shops and garages, body shops, and similar service or repair operations, provided that all repair areas shall be screened.

D. Prohibited uses.

- (1) General commercial uses which are not specifically related to a traffic-oriented market or the characteristics of a major artery, or which are not consolidated with other such uses in a planned shopping center or a coordinated group of stores, or which do not require large open sites which would be inappropriate in a pedestrian-oriented general commercial area.
- (2) Office buildings on separate sites, unless specifically catering to a traffic-oriented market or as part of another use permitted herein.

Any use dangerous to persons in the district, or those who pass on public ways, or detrimental to the Town by reason of emission or odor, noise, vibration, glare, radiation, electrical interference, threat of fire or explosion, or creation of traffic hazards.

E. Dimensional and other requirements.

- (1) See Table 5.
- (2) Entrances and exits to all uses abutting streets shall be controlled by curbed landscaped areas as required in General Commercial, § 205-49F(2) and (3) inclusive.
- (3) In order to reduce congestion and traffic hazards on Town streets, the off-street parking areas and driving lanes required on all lots shall be arranged such that parallel to and contiguous with the curbing required in Subsection E(2) above there shall be a paved driving lane or area free from obstruction for a distance of at least 20 feet from said curbing which shall extend the full width of the lot such that vehicles may travel from any lot to the contiguous lots, if any, on each side without having to enter upon the public way;

(4) —

§ 205-51. Light Industrial (LI). [Amended 10-26-2009 FTM by Art. 13]

Comment [EH48]: Or "Industrial" – Choose one and check language for consistency

A. **Intent.** This district is intended to reserve for a wide range of industries and certain commercial uses of a light intensity, clean operational nature. The special permit mechanism is provided to allow the establishment of heavier industries which would not be detrimental to lighter industries in the District or to uses/properties located in? adjoining Districts by reason of their location within the LI District, special site characteristics and safeguards or for other reasons which can best be determined on a case-by-case basis. IndustrieUses which are noxious or offensive by reason of odor, dust, or other pollution are prohibited. Also prohibited are general commercial and residential uses.

Comment [EAL49]: Not all are "industrial," since "commercial" uses are also contemplated.

B. **Allowed uses.** [Amended 5-13-1981 ATM by Art. 36; Amended 10-26-2009 FTM by Art. 13]

- (1) Light manufacturing, processing, and assembly in enclosed buildings with no greater than .25 floor area ratio.
- (2) Manufacturing, processing, and assembly of renewable and alternate energy products and equipment in enclosed buildings with no greater than .25 floor area ratio.
- (3) Trucking and freight terminals or depots.

- (4) Wholesaling, warehousing, and distribution facilities.
- (5) Office buildings, laboratories, research facilities, and other campus-type office structures or groups of structures on adequately buffered sites.

C. Special permit uses.

- (1) Contract construction, utility contractors, building supply and lumber yards, but not to include junkyards, saw mills, concrete or cement mixing plants, asphalt plants and the like.
- (2) Heavy commercial uses such as automotive garages and body shops, tire recapping companies, and heavy equipment sales and service.
- (3) Utility plants and substations.
- (4) Technical schools or other training facilities on spacious, adequately buffered sites.
- (5) Industrial uses of a character similar to any of the above which are not of a higher nuisance level. [Added 5-13-1981 ATM by Art. 36]
- (6) Convenience commercial establishments such as branch banks and full-service restaurants whose primary service area is the Industrial District and which are located in buildings whose major occupants are engaged in otherwise allowed or permitted industrial uses. Such commercial uses may not occupy more than 25% of the gross floor area of the building in which they are located or 10,000 square feet, whichever is the lesser. [Added 5-13-1981 ATM by Art. 36]
- (7) Motels or hotels. A freestanding restaurant structure may be allowed on the same or adjacent parcel, provided the motel or hotel and restaurant are designed and constructed as a unified complex. Drive-through facilities are prohibited. [Added 4-15-1997 ATM by Art. 23]
- (9) Commercial or public indoor and/or outdoor recreational uses, such as ball fields, soccer fields and other sports fields and courts, swimming pools, tennis and racquetball clubs, and the like. [Added 11-14-1995 STM by Art. 9]

D. Special permit uses subject to environmental design conditions. The Board of Appeals may prescribe such safeguards and restrictions concerning the site or operations as appear necessary to ensure compatibility with other uses of a less intense nature or with adjacent zones.

- (1) Heavy manufacturing, processing, fabrication or power-generating industries, except as prohibited under Subsection E, Prohibited uses, provided all open yards or lots containing storage, processing, manufacturing, or other operations which border other districts or which are visible from major highways, overpasses or thoroughfares passing through or adjacent to the district shall be visibly screened by substantial walls, fences or vegetation screening at least eight feet high.
- (2) Wrecking and salvage yards for the storage, processing, reduction, display, or sales of junk, scrap, salvage, secondhand materials, or by-products; provided, however, that such uses which border other districts or are visible from major highways, overpasses, or thoroughfares passing through or adjacent to the district shall be visually screened by substantial walls, fences, or vegetative material at least eight feet high.
- (3) Gravel pits and other extractive industries, subject to regulations under § 205-18.
- (4) Concrete mixing plants and asphalt plants.

E. Prohibited uses.

- (1) Any use which emits strong odors, or dust particles, or smoke, or poses danger, such as manufacture of acids, gases, fertilizers, and glue, petroleum refining, reduction of animal matter, and manufacture of cement, gypsum, or explosives.

Any other use dangerous to persons within or outside the district by reason of emission or odor, fumes, gases, particulate matter, smoke, noise, vibration, glare, radiation, electrical interference, threat of fire or explosion, or any other reason.

F. Dimensional and intensity requirements.

- (1) See Table 5.
- (2) Lot width of 400 feet with front yard of 500 feet, including a natural buffer of 150 feet, is required on numbered routes or highways except where reverse frontage is employed so that buildings are accessed off of service roads and a natural buffer strip of 15 feet is retained adjacent to the numbered route or highway. Where LI Districts abut residential districts, a buffer of 150 feet must be preserved. [Added 5-13-1981 ATM by Art. 36]
- (3) Development within a lot shall include areas along the lot lines to be in the form of new or existing grass, trees, and/or planting areas which afford a vegetative buffer 10 feet minimum in width along the lot lines of the land owned by the particular industry except at required driveways. [Added 5-13-1981 ATM by Art. 38]

§ 205-52. Airport (AP).

A. Intent.

- (1) To provide for future expansion of the airport to serve the community better.
- (2) To encourage the establishment of light industrial or other uses which would be compatible with the airport and would benefit the airport or the areas in proximity to the airport.
- (3) To prevent the encroachment of noise-sensitive or otherwise incompatible uses into present or future areas of potential aircraft noise disturbance and thereby to protect such uses from disruption or devaluation.

B. Allowed uses.

- (1) Aviation-related uses and structures on airport property.
- (3) Industrial uses as prescribed in § 205-51 and subject to all conditions therein, provided that no industry shall create significant smoke.
- (4) Private clubs and certain commercial or public recreation uses such as golf courses.

C. Special permit uses. [Amended 4-4-1988 STM by Art. 6]

- (1) Uses which can tolerate a high level of sound exposure:
 - (a) Limited commercial uses of a type related to aviation or to other aviation- or airport-oriented uses.
 - (b) Any industrial uses subject to special permit as required by § 205-51.
 - (c) Planned commercial parks which: [Amended 4-10-1989 ATM by Art. 40]

[1] Contain no more than 15,000 square feet of gross floor area of Neighborhood Commercial uses allowed in § 205-47B; and

[2] Are located in a village service area; and

[3] Are located on lots created prior to January 1, 1988, which lots may not be subdivided thereafter into lots containing additional planned commercial parks.

Comment [EH50]: Look at vote for need and intent - Clarify

(2) Any uses which may be incompatible with location in the Airport Zoning District, or in a village services area, or in a planned commercial park may be denied a permit. All sound-sensitive uses shall be appropriately insulated.

D. **Prohibited uses.** Residential uses are prohibited. Adequate sound insulation shall be required of all regularly occupied buildings.

Comment [EH51]: Add standards or delete

E. **Height limitations.** In order to prevent the erection of structures which, due to height, would create hazardous obstacles to air navigation in the vicinity of Plymouth Airport, the provisions of MGLG. L. c. 90, §§ 35A to 35D, inclusive, and the standards of the Federal Aviation Regulations, Part 77, as amended, are hereby adopted by reference and made a part of this bylaw. No structure shall be erected which exceeds the height limitations of the above regulations unless a permit shall have been issued by the Plymouth Airport Commission and, when appropriate, by the Massachusetts Aeronautics Commission or the Federal Aviation Agency. In order to aid in administration of these height regulations, Airport Zone 2 shall be an overlay of other surrounding zones within which these restrictions shall apply, administered as in Subsection F below.

Comment [EH52]: Double check current statutes for consistency – needs to show on Zoning Maps if we leave in.

F. **Special review.** All uses allowed by special permit in the Airport Zone shall be subject to environmental design conditions and shall also be reviewed by the Plymouth Airport Commission and a written report shall be made to the Planning Board. Prior to issuance of any special permit it shall be determined that the use causes no hazard to air navigation, visibility, or flight safety, excessive numbers of birds, or electrical interference.

§ 205-53. Light Industrial/Waterfront (LI/WF). [Added 4-10-1980 ATM by Art. 64]

A. **Intent.** [Amended 4-4-1988 ATM by Art. 52]

(1) This district is intended to encourage the development of certain waterfront-related uses and to allow for a mix of uses, including commercial uses of a light intensity and clean operational nature, residential uses and compatible industrial uses. The special permit mechanism is provided to allow for a broader range of retail, service and other commercial uses. The special permit mechanism will also allow for establishment of heavier industries which would not be detrimental to waterfront activities or other uses in the zone or to adjoining zones by reason of their location within the district, special site characteristics and safeguards or for other reasons which can best be determined on a case-by-case basis.

(2) The special environmental design conditions for certain uses are intended to ensure proper emphasis on pedestrian environment and its separation from industrial traffic, adequate pedestrian links between proposed development and surrounding properties, and high standards of the planning and architectural design which are compatible with the existing surroundings.

(3) Consistent with the mixed-use character of this district, all lots within this district greater than five acres in area which were existing prior to (the effective date of this amendment) and not devoted to single-family residential use shall be subject to the following planning guidelines: not more than 50% of the total gross floor area of all structures which existed on such lot as of the effective date of this Zoning Bylaw, and the gross floor area devoted to residential uses on any such lot shall not exceed an amount equal to 30% of such total gross floor area.

Comment [EH53]: Move to F.

B. **Allowed uses.**

- (1) Light manufacturing, processing, and assembly in enclosed buildings with no greater than .25 floor area ratio.
- (2) Trucking and freight terminals or depots.
- (3) Wholesaling, warehousing and distribution facilities.
- (4) Professional and other offices (including outpatient medical clinics and similar facilities), laboratories and research facilities. [Amended 4-4-1988 ATM by Art. 52]
- (5) Boat sales, service, rentals, ramps and docks and commercial sightseeing or ferrying.
- (6) Marine railways, repair yards, storage yards, and marine supply outlets.
- (7) Commercial fishing and seafood wholesale or retail outlets and related uses.

C. Special permit uses.

- (1) Contract construction, utility contractors, building supply and lumber yards, but not to include junkyards, saw mills, concrete or cement mixing plants, asphalt plants and the like.
- (2) Utility plants and substations.
- (3) Technical schools or other training facilities on spacious, adequately buffered sites.

Comment [EH54]: Remove if exempt or define as "for Profit"

D. Special permit subject to environmental design conditions. [Amended 4-4-1988 ATM by Art. 52]

- (1) Restaurants and outdoor eating facilities.
- (2) Recreational, social, or cultural facilities, such as a theater, playhouse, band shell, outdoor pavilion, nightclub, or community center.
- (3) Hotel, motel, or other tourist-related facility.
- (4) Specialty shopping facilities such as art galleries, gift shops, antique shops, import shops, and leather and natural goods stores, as part of a pedestrian-oriented shopping arcade or center.
- (5) Uses of a more general commercial nature allowed or authorized by special permit in the General Commercial district which do not detract from the purposes of this district.
- (6) Multifamily and single-family attached residential, provided complexes are designed not to preclude public access to and along the shoreline.

E. Prohibited uses.

- (1) Any use which emits strong odors, or dust particles, or smoke, or poses danger, such as manufacture of acids, gases, fertilizers, and glue, petroleum refining, reduction of animal matter, and manufacture of cement, gypsum, or explosives.
- (2) Any other use dangerous to persons within or outside the district by reason of emission of odor, fumes, gases, particulate matter, smoke, noise, vibration, glare, radiation, electrical interference, threat of fire or explosion, or any other reason.

General commercial uses not related to any of the stated purposes or activities of the waterfront which would not make appropriate use of its unique potential.

F. Dimensional and other requirements. [Amended 4-4-1988 ATM by Art. 52]

- (1) See Table 5.
- (2) All uses, premises, and structures should be designed to allow pedestrian access that is not inconsistent with such uses to and along the shore.
- (3) Minimum setback of major structures (other than existing structures or structures used in connection with marine uses) from mean high-water mark shall be 25 feet, unless the wetlands designation and regulations of § 205-39 apply.
- (4) In the case of multifamily and single-family attached residential uses, the dimensional and intensity requirements contained in § 205-45 shall be applicable, provided that the special permit granting authority may waive or modify any such requirements in connection with the reuse of existing structures in a manner that is not incompatible with adjacent uses.
- (5) Maximum height. For all structures erected after the effective date of this Zoning Bylaw (March 27, 1973), the maximum height shall be three stories or 35 feet. For any structure erected prior to the effective date of this Zoning Bylaw, the maximum height shall be the height of such structure as of the effective date of this Zoning Bylaw. Accessory or appurtenant improvements necessary to the operation of a structure (for example, elevator or stairway enclosures) may exceed the maximum height limit by not more than 15 feet.
- (6) In this district, where two or more lots in common ownership are contiguous or are separated by a right-of-way or other land not owned by the owner of such lots, so as not to preclude integrated development, such lots may be considered as one lot for the following purposes:
 - (a) Maximum lot coverage/maximum FAR.
 - (b) Maximum building coverage.
 - (c) Parking requirements.
 - (d) Minimum useable open space.
 - (e) Dwelling units per acre.
 - (f) Retail and residential planning guidelines provided in Subsection A of this section.

(g) Frontage.

(7) Consistent with the mixed-use character of this district, all lots within this district greater than five acres in area which were existing prior to (the effective date of this amendment) and not devoted to single-family residential use shall be subject to the following planning guidelines: not more than 50% of the total gross floor area of all structures which existed on such lot as of the effective date of this Zoning Bylaw, and the gross floor area devoted to residential uses on any such lot shall not exceed an amount equal to 30% of such total gross floor area.

Comment [EH55]: Move to F.

§ 205-54. Downtown/Harbor District (DH). [Added 4-6-1991 STM by Art. 17]

A. Intent.

- (1) To encourage a mix of commercial and residential uses on individual lots and throughout the district that complement the Town's rich historical background.
- (2) To create a pedestrian-oriented environment by creating links between existing and proposed areas of activity to better serve residents and tourists.

To preserve and protect the distinctive characteristics of buildings and places significant in the history of Plymouth or their architecture, through the maintenance and improvement of settings for such buildings and places and the encouragement of designs compatible therewith.

B. Allowed uses.

- (1) Single-family, two-family, and multifamily dwellings, containing fewer than nine units on the same lot, provided that:
 - (a) Each unit contains a minimum floor area of 600 square feet for one-bedroom units, 720 square feet for two-bedroom units, and $(720 + 100X)$ square feet for $(two + X)$ bedroom units; and
 - (b) Such uses are not allowed on the street floor of a building located on a state-numbered highway, as designated as of January 24, 1991.
- (2) Boat sales, service, rentals, ramps, and docks and commercial sightseeing or ferrying.
- (3) Marine railways, repair yards, storage yards, and marine supply outlets.
- (4) Commercial fishing and seafood wholesale or retail outlets and related uses.
- (5) Hotels, motels and inns, for occupancy of 25 rooms or fewer.
- (6) Indoor and outdoor eating and drinking establishments.
- (7) Retail establishments.
- (8) Personal service establishments, including such uses as barber and beauty shops, shoe repair shops, self-service laundry and cleaners, laundry and dry cleaners.
- (9) Offices, studios, and laboratories.
- (10) Professional and business services.
- (11) Financial institutions and establishments.
- (12) Recreational, social, or cultural facilities, such as a theater, playhouse, band shell, outdoor pavilion, museum, or community center.
- (13) Commercial recreation uses.
- (14) Private clubs and lodges.
- (15) Other cultural and recreational uses, public or private.
- (16) Parking lots and garages, whether public, private, or commercial.
- (17) Clinics and laboratories.
- (18) Funeral homes.
- (19) Day nurseries and kindergartens.
- (20) Colleges, universities, technical or vocational schools and dormitories.
- (21) Rental agencies, such as miscellaneous appliances and equipment.
- (22) Wholesaling, distribution, and storage, involving not more than 2,000 square feet or storage space.

Comment [EH56]: Remove if exempt or define as "for Profit"

Comment [EH57]: Remove if exempt or define as "for Profit"

- (23) Service and repair establishments (except automotive service stations and minor repair shop), provided that all repairs take place inside an enclosed structure, including all such uses as household appliance repair and servicing, office equipment repair, and miscellaneous small repair shops, provided that all repairs shall take place in completely enclosed structures or in areas completely screened from public ways and, where necessary, adjacent uses.

Comment [EH58]: Define in buffering

C. Special permit uses.

- (1) Drive-through establishments.
- (2) Rest homes, halfway houses, convalescent homes, homes for the elderly, orphanages and similar institutions.
- (3) Passenger station for buses and other types of mass transit.
- (4) Automobile service stations and minor repair shops, provided that all repairs shall take place in enclosed buildings or screened areas.
- (5) Multifamily uses of greater than eight units on the same lot, subject to the ~~density~~ provisions of Subsection ~~B~~(B) (1).
- (6) Lodging houses.
- (7) Hotels, motels, and inns, for occupancy of more than 25 rooms.

D. Prohibited uses.

- (1) Industrial uses not otherwise provided for above.
- (2) Any use other than as permitted above, including exterior storage of products or merchandise in substantial quantities, or of new or used building material, junk, scrap, salvage, or any other secondhand materials, warehouses and distribution facilities containing over 2,000 square feet, permanent or regular outdoor displays of merchandise in any required yard, major automotive garages, and body shops, or any garage which conducts repairs out of doors, tire recapping and retreading, storage or distribution of bulk petroleum products, and any other use of any equal or greater nuisance level.
- (3) Any use which is determined to be potentially dangerous or offensive to persons in the district, or to those who pass on public ways, by reason of emission or odor, smoke, fumes particulate matter, noise, vibration, glare, radiation, electrical interference or of threat of fire or explosion, or which is likely for any reason to be incompatible with the character and function of the district.

E. Dimensional requirements.

- (1) All uses, premises, and structures should be designed to allow pedestrian access to and along the shore.
- (2) The front line for a structure hereafter erected may extend to an alignment consistent with the predominant setback of existing structures along the same side of the street within 500 feet of the site.
- (3) The side and rear yards of detached structures shall be a minimum of five feet, variable by special permit. Attached structures may have no side or rear setback, provided that internal sprinkling and fire alarm systems are provided.

§ 205-55.Mixed Commerce (MC). [Added 4-12-1995 STM by Art. 11; Amended 4-5-05 SPTM by Art. 14; Amended 10-24-11 FTM by Art. 18]

- A. **Intent.** The intent of the Mixed Commerce District is to provide for a mix of retail and industrial uses in an area geographically suited to commerce activities. The district encourages a mix of low-intensity industrial uses as well as larger retail uses.
- B. **Allowed uses.**
- (1) Office buildings, laboratory, research facilities, and other campus-type office structures or groups of structures less than 10,000 square feet in size on adequately buffered sites.
 - (2) Hotels and motels less than 10,000 square feet in size.
 - (3) Wholesaling, warehousing, and distribution facilities less than 10,000 square feet in size.
- C. **Special permit uses.**
- (1) Technical schools or other training facilities on spacious, adequately buffered sites.
 - (2) Contract construction, utilities contractors, building supply and lumber yards, but not to include junkyards, saw mills, concrete or cement mixing plants, asphalt plants and the like.
 - (3) Retail uses under 10,000 square feet in size.
 - (4) Commercial recreation uses such as theaters, bowling alleys, swimming pools, and gymnasiums.
 - (5) Office buildings, laboratory, research facilities, and other campus-type office structures or groups of structures greater than 10,000 square feet in size on adequately buffered sites.
 - (6) Hotels and motels greater than 10,000 square feet in size.
 - (7) Wholesaling, warehousing, and distribution facilities greater than 10,000 square feet in size.
- D. **Special permit uses subject to environmental design conditions.**
- (1) Planned shopping centers.
 - (2) Planned office parks and major office buildings, over 10,000 square feet in size.
 - (3) Hospitals, sanitariums, rest homes, halfway houses, convalescent homes, orphanages, homes for the aged, and other such institutions.
 - (4) Restaurants.
 - (6) Retail uses greater than 10,000 square feet in size.
 - (7) Passenger terminals for buses and railroads.

Comment [EH59]: Remove if exempt or define as "for Profit"

Automotive service stations. [Amended 11-20-1996 STM by Art. 12]

Vehicle-related uses, including new and used automobile sales by licensed new car franchised dealers and auto rentals provided that any outdoor service or repair areas shall be screened from public ways by walls, fences and/or evergreen vegetation and further provided that such use (a) be located on a lot that contains a minimum of three acres of land beyond the 400' Area defined in subsection (c) below, (b) has a minimum of 400 feet of frontage, and (c) is not located within 400 feet of a street classified as a Major Street on or before October 24, 2011 (the "400' Area"). For a special permit for a licensed new car franchise dealer under this section and in lieu of the requirements of Section 205-21A (2)(a), a buffer

strip of a minimum of 100 feet shall be required. The buffer strip shall include screening adequate for the situation and characteristics of use and shall be retained or provided for in the form of a planted earthen berm, thick plantings, walls, fences, or any combination thereof, as required by the special permit granting authority. [Added 4-5-05 SPTM by Art. 14; Amended 10-24-11 FTM by Art. 18]

E. Prohibited uses.

- (1) Any use which emits strong odors, dust particles, or smoke, or poses danger, such as manufacture of acids, gases, fertilizers, glue, petroleum refining, or reduction of animal matter, and manufacture of cement, gypsum, or explosives.
- (2) Any other use dangerous to persons within or outside the district by reason of emission of odor, fumes, gases, particulate matter, smoke, noise, vibration, glare, radiation, electrical interference, or threat of fire or explosion.

Comment [EH60]: Match E1, Section 205-53 & 205-51

F. Dimensional and intensity requirements.

- (1) Minimum requirements are as follows: [Amended 11-20-1996 STM by Art. 12]
 - (a) Lot size: 40,000.
 - (b) Lot width: 200 feet.
 - (c) Lot depth: 150 feet.
 - (d) Side yard setback: 40 feet (except planned shopping centers).
 - (e) Front yard setback: 40 feet (except for automotive service station canopies which may be 10 feet).
 - (f) Rear yard setback: 50 feet.
 - (g) Maximum lot coverage: 30% or 0.75 FAR.
 - (h) Maximum height: 35 feet.
- (2) A two-hundred-foot natural buffer is required on numbered routes or highways.

§ 205-56. Highway Commercial (HC). [Added 4-6-2000 ATM by Art. 27; amended 10-24-2000 STM by Art. 13; amended 10-26-09 FTM by Art. 28; amended 4-3-2010 SSTM by Art. 18; amended 4-3-10 STM by Art. 19]

Comment [EH61]: NOTE: most current version – reference to aquifer map is outdated and needs to be corrected

Intent. To provide industrial and commercial opportunities, to allow for more effective and efficient uses of large tracts of land in the industrially zoned areas, and to minimize Town service responsibilities.

Comment [EH62]: ? What about existing curb cuts

B. Objectives.

- (1) To allow for expanded numbers and types of uses within the Highway Commercial District on specific large parcels which are capable of supporting them.
- (2) To increase the flexibility and creativity of development regulations while ensuring appropriate high-quality design and site planning.
- (3) To encourage uses of land which provide the residents of Plymouth enhanced services and retail opportunities where appropriate infrastructure is present or is to be provided.
- (4) To minimize curb cuts along major roadways and to promote internal vehicular and pedestrian circulation.

- C. **Allowed uses.** All uses authorized in this Subsection C which:
- (1) Do not require a vehicular curb cut on a Major Street, and
 - (2) Have either:
 - a. Less than 10,000 square feet of ground floor area, or
 - b. Are located on a lot that:
 - i. existed prior to October 26, 2009 and
 - ii. is five acres or less in area.
 - (3) All uses allowed in the Light Industrial District, § 205-51.
 - (4) Retail establishments, including sales and display lots subject to restrictions under §§ 205-19 and 205-20, and also including establishments of goods for sale at retail.¹
 - (5) Eating and drinking establishments.
 - (6) Personal service establishments, including such uses as barber and beauty shops, shoe repair shops and similar services.
 - (7) Professional and business services.
 - (8) Financial institutions and establishments.
 - (9) Commercial recreational uses, such as theaters, bowling alleys, swimming pools, gymnasiums, and the like, except for expansive outdoor uses.
 - (10) Private clubs and lodges, except those with expansive open areas.
 - (11) Parking lots and garages.
 - (12) Clinics and laboratories.
 - (13) Rental agencies, such as automobile, miscellaneous appliances and equipment, and clothing.
 - (14) Motel and hotel.

¹Does not include new and used automobile sales.

D. **Special permit uses.**

- (1) All allowed uses authorized in Subsection C above which require a vehicular curb cut on a Major Street, or have both:
 - a. 10,000 square feet or more of ground floor area, and
 - b. A lot that is greater than five acres in area.
- (2) All uses allowed by special permit in the Light Industrial District, § 205-51.
- (3) Service and repair establishments.
- (4) Day nurseries associated ~~with~~ accessory to other uses allowed.
- (5) Drive ~~in-through~~ establishments. ~~establishments.~~
- (6) Convenience or one-stop type uses which cater to the needs of the motoring public or a community market, or commercial uses which require large amounts of land or which do not cater to a pedestrian market.

Comment [EH63]: Clarify

Comment [EH64]: Exemptions?

E. **Special permit uses subject to environmental design conditions.**

- (1) All uses allowed subject to environmental design conditions in the Light Industrial District, § 205-51.
- (2) Planned shopping centers.
- (3) Automobile filling stations.
- (4) Vehicular-related uses, including new and used automobile sales by licensed new car franchised dealers, provided that any outdoor service or repair areas shall be screened from public ways and abutting properties by walls, fence and/or evergreen vegetation at least five feet high and further provided that such use be located on a lot that is not located within a Department of Environmental Protection approved Zone II areas shown on Zoning Map No 4, Aquifer Protection District.

Comment [EH65]: Adapt to current bylaw

F. Prohibited uses.

- (1) All uses prohibited in the Light Industrial District, § 205-51.

Dimensional requirements. A maximum height of five stories or 55 feet may be allowed by special permit within the Five-Story Overlay Zone, as denoted on the Zoning Map.

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