

# ARTICLE 1 PURPOSE

This **Zoning Bylaw** is enacted pursuant to, and under the authority of, Chapter 40A of the General Laws as amended, for the purpose of promoting the health, safety, convenience and general welfare of the inhabitants of the Town of Amherst, and to encourage the most appropriate use of land throughout Amherst. This Zoning Bylaw is in accordance with the recommendations of the Master Plan adopted by the Planning Board and is consistent with the comprehensive plan of the regional planning agency.

# ARTICLE 2 ZONING DISTRICTS

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## SECTION 2.0 ZONING DISTRICTS

For the purpose of this Bylaw, the Town of Amherst is hereby divided into the following classes of zoning districts:

### 2.01 Residential Districts

The purpose of all residential zones is to promote a suitable environment for residential life through the provision of recreational, religious and educational facilities as basic elements of a balanced neighborhood, to stabilize and protect the essential characteristics of existing residential development, and to foster development that is compatible with the other natural and built characteristics of the area.

#### **R-LD Low Density Residence**

The purpose of the R-LD District is to provide for residential areas that allow limited development, while providing protection for environmentally sensitive areas, agricultural resources, and other similar lands. To this end, this is the lowest density residential district.

#### **R-F Fraternity Residence**

The purpose of the R-F District is to provide for residential areas dedicated to the specific residential requirements of fraternities, sororities and similar residential facilities associated with educational institutions. To this end, uses other than sororities, fraternities and the like are restricted in this district.

#### **R-O Outlying Residence**

The purpose of the R-O District is to provide for lower density residential areas. In general, the R-O District is intended to be a transitional area between the low density R-LD District and medium density R-N District.

#### **R-N Neighborhood Residence**

The purpose of the R-N District is to provide for residential areas of medium densities. In general, the R-N District is appropriate for lands adjacent to higher density residential districts, near arterial or primary residential streets, or in areas transitional between the lower density districts and other districts.

#### **R-VC Village Center Residence**

The purpose of the R-VC District is to provide for residential neighborhoods, within and adjacent to village centers, that are of medium densities and that allow a limited mix of residential and office uses. The R-VC is, in general, intended to provide for a transition between the Business Village Center District and surrounding residential districts.

### **R-G General Residence**

The purpose of the R-G District is to provide for residential neighborhoods of medium to higher density in areas both near the Town Center and between the University and the Town Center. Such areas are convenient to the services, facilities, institutions and/or employment opportunities provided in the Town Center or by the University.

### **PURD Planned Unit Residential Development**

The purpose of the PURD District is to provide for a mixture of housing types and open space, with variations in dimensional requirements, in appropriate areas within the Town, at greater densities than would otherwise be allowed by the underlying zoning. The PURD is an overlay district. The requirements of this District are intended to encourage design of creative development, protection of the natural resources, and compatibility with surrounding areas.

## 2.02 Business Districts

### **B-G General Business**

The purpose of the B-G District is to provide for a mixed use area, of high density, containing a wide variety of commercial, office, residential, institutional, civic, and cultural uses. To this end, it is intended that this district be applied within the Town Center of Amherst.

### **B-VC Village Center Business**

The purpose of the B-VC District is to provide areas within the village centers of Amherst that allow for a mix of uses, including retail, commercial, office and housing of moderate to high density.

### **B-N Neighborhood Business**

The purpose of the B-N District is to provide for areas of mixed use and moderate density to serve as small centers providing goods and services within or near residential neighborhoods, or as a transitional zone between more densely-developed business areas and residential neighborhoods.

### **B-L Limited Business**

The purpose of the B-L District is to provide areas for moderate density, office, commercial and multifamily developments. It is intended to be located in transitional areas between high density business districts and high density residential districts or in appropriate areas along arterial or primary roads.

### **OP Office Park**

The purpose of the OP District is to provide areas for office and limited research activities. To this end, the standards and regulations are intended to limit the types of uses and to provide for a clean, open and quiet environment that will not adversely impact adjoining residential areas.

### **COM Commercial**

The purpose of the COM District is to provide areas for a wide range of retail uses and services and commercial activities in appropriate locations along primary roads within the Town.

## 2.03 Industrial/Research Park Districts

### **PRP Professional and Research Park**

The purpose of the PRP District is to provide an open and attractive environment for office, research and low intensity industrial activities. The standards and regulations are intended to limit development to those activities that are non-commercial in nature and that operate in a clean and quiet manner.

### **LI Light Industrial**

The purpose of the LI District is to provide areas for certain light manufacturing, warehousing, wholesaling and similar activities.

### **R&D Research & Development**

The R&D District is an overlay district intended to modify the regulations in underlying business and industrial/research park districts in order to facilitate research and development and testing uses and to provide specific additional regulations with regard to such uses.

## 2.04 Special Districts

### **ED Educational**

ED zoning allows any use of land and buildings which may legally be carried on by, or under the auspices of, the college or university which owns or manages the property. It is intended that the Educational District only include land which is owned or managed by Amherst College, Hampshire College, or the University of Massachusetts.

### **MP Municipal Parking**

The MP District is an overlay district intended to include selected areas of the downtown General Business (B-G) District and abutting General Residence (R-G) District. Within the MP District, a wide range of permitted retail, service, commercial and residential uses shall be exempted from the requirement to provide off-street parking spaces. It is the policy of the Town of Amherst to encourage dense multi-use development in its Town Center. Toward that end, provision of off-street parking is not required for selected uses within the MP District.

### **DR Design Review**

The DR District is an overlay district intended to include the General Business (B-G) District, and the abutting Limited Business (B-L) districts. The purpose of the DR District is to support the success and vitality of Amherst's Town Center by assuring that the historic character, aesthetic character, and functional quality of the design of Town Center buildings and sites are protected and enhanced. The DR District corresponds to those areas where the exterior design of new development or alterations requiring permits is subject to review by the Design Review Board.

### **TCDR Town Common Design Review**

The TCDR District is an overlay district intended to include the Amherst Town Common and sites within 150 feet of the Common greenspace, as measured from the outside edges of the curbs bordering the three sections of the Common, parking lots and interior roadways inclusive. The purpose of the TCDR District is to protect and enhance of the design of the historic Town Common and that of the surrounding buildings and landscapes. The TCDR District corresponds to those areas where the exterior design of new development or alteration on or within the vicinity of the Town Common is subject to review by the Design Review Board.

## 2.05 Resource Protection Districts

### **FPC Flood-Prone Conservancy**

The FPC District consists of those geographical areas which by virtue of their relationship to components of the natural hydrology of the Town of Amherst, have substantial importance to the protection of life and property against the hazards of floods, erosion, and pollution and in general are essential to the public health, safety, and welfare. To this end, the number and types of uses allowed are restricted.

### **WP Watershed Protection**

The WP District is an overlay district intended to provide additional protection to those lands which by virtue of their location, slope and soils, make up the watersheds of the public water supply.

### **ARP Aquifer Recharge Protection**

The ARP District is an overlay district intended to provide additional protection to those lands, which by virtue of their location, slope, soils, subsurficial geology and water tables, constitute the recharge area for Zones I, II and III of the public water supply wells of the Town of Amherst within the Lawrence Swamp Aquifer.

### **FC Farmland Conservation**

The FC District is an overlay district, configured to include, and intended to protect those lands which, by virtue of their soils, acreage, location adjacent to and contiguous with other farm land, and lack of protection under existing underlying zoning, comprise the critical farmland of the Town of Amherst.

## **SECTION 2.1 ZONING MAP**

The location and boundaries of zoning districts shall be as delineated on the Town of Amherst Geographic Information Systems (GIS) map entitled 'Official Zoning Map, Amherst, Massachusetts, May, 2011,' as amended. This map, including overlay districts, shall be on file in the Town Clerk's Office in electronic and hard-copy (paper) format with copies available upon request. The "Official Zoning Map" shall also be available for viewing on the Town of Amherst website.

Said Zoning Map and amendments thereto as shall be duly adopted shall be considered an integral part of this Bylaw. Amendments to zoning district boundaries adopted by action of Town Meeting shall be shown as amendments to this Map or shown on such other maps as may be incorporated as part of this Zoning Bylaw.

## **SECTION 2.2 BOUNDARY INTERPRETATION**

For purposes of interpretation, it shall be assumed that:

- 2.21 Boundaries which appear to follow streets, railroads or streams shall coincide with the center line thereof.
- 2.22 Boundaries which appear to follow public or institutional property lines shall coincide with such property lines.
- 2.23 Boundaries which appear to run parallel to the side lines of streets or railroad rights-of-way shall be considered to be parallel to and a multiple of 50 feet distant from such lines (as determined by scaling the map unless a different distance is specifically indicated) or in specific instances shall run parallel to said streets, railroads or streams at the exact distance indicated on the Zoning Map.
- 2.24 Where a district boundary shall include a numerical figure followed by the letters MSL, it is at that number of feet above mean sea level. The basic source for determining such a line shall be the U.S. Geological Survey or subsequent field surveys, based on U.S.G.S. bench marks, or by Registered Land Surveyors.
- 2.25 For boundary interpretations in the Flood Prone Conservancy district, see also Section 3.223, 3.224, 3.225, and 3.227 of this Bylaw.
- 2.26 The Watershed Protection (WP) District is bounded by the topographic ridge on the upside, the fall lines (lines normal to actual topographic contours) on the lateral sides, and the Shutesbury town line by Atkins Reservoir.