

Sponsor: *Administration*

TOWN OF FRANKLIN

ZONING BY-LAW AMENDMENT 17-782

Changes to §185-7 Compliance required.

**A ZONING BY-LAW TO AMEND CHAPTER 185 SECTION 7 OF THE CODE OF THE
TOWN OF FRANKLIN**

Note: Within this section, changes are shown in **Bold** type to retain the readability of the document, and appear as additions (**xvz**) and as deletions (~~xyz~~).

BE IT ENACTED BY THE FRANKLIN TOWN COUNCIL THAT:

Chapter 185 of the Code of the Town of Franklin is hereby amended by the following additions and deletions to §185-7. Compliance required:

185 Attachment 3
USE REGULATION SCHEDULE
PART II (Continued)

| Principal Uses | | District | | | | | | | | | | | | | |
|----------------|------------------------------------|------------|--------------|--------|-------|-------------------|----------------|----|------|------|------|------|-----------------|----------------|----------------|
| | | RRI RVI | RRII RVII | SFRIII | SFRIV | GRV | NC | RB | CI | CII | DC | B | I | LI | O |
| 2.10 | Shopping center | N | N | N | N | N | N | N | PB | PB | N | PB | N | N | N |
| 2.11 | Storage facility | N | N | N | N | N | N | N | N | PB | N | N | N | N | N |
| 2.12 | Tattoo parlor/body-piercing studio | N | N | N | N | N | N | N | N | N | N | N | PB | N | N |
| 2.13 | Tourist home | PB | PB | P/SP | P/SP | P/SP | P/SP | N | P/SP | P/SP | N | P/SP | N | N | N |
| 2.14 | Office park | N | N | N | N | PB | N | N | PB | PB | N | PB | PB | N | Y |
| 2.15 | Other retail sales, services | | | | | | | | | | | | | | |
| a. | General | N | N | N | N | N | N | N | P/SP | P/SP | P/SP | P/SP | N ⁴ | N ⁴ | N ⁴ |
| b. | Personal | N | N | N | N | P/SP ⁵ | N ⁴ | N | P/SP | P/SP | P/SP | P/SP | N ⁴ | N ⁴ | N ⁴ |
| c. | Other | N | N | N | N | N | N | N | P/SP | P/SP | P/SP | P/SP | N ⁴ | N ⁴ | N ⁴ |
| 2.16 | Vehicular service establishment | N | N | N | N | N | N | N | PB | PB | PB | PB | N | N | N |
| 2.17 | Trade center | N | N | N | N | N | N | N | N | N | N | N | N | P/SP | PB |
| 2.18 | Catering | PB | PB | PB | PB | PB | PB | N | PB | PB | PB | PB | Y | Y | N |
| 2.19 | Function Hall | PB | N | PB | PB | PB | PB | N | PB | PB | PB | PB | Y | Y | N |
| 2.20 | Psychic services/fortune-telling | N | N | N | N | PB | N | N | N | N | N | N | PB | N | N |
| 2.21 | Bed-and-breakfast | PB | PB | P/SP | P/SP | P/SP | P/SP | N | P/SP | P/SP | P/SP | P/SP | N | N | N |
| 2.22 | Country Store | N | N | N | N | Y | PB | Y | Y | Y | N | Y | N | N | N |
| 2.23 | Non-Medical Marijuana Facility | N | N | N | N | N | N | N | N | N | N | N | PB ⁷ | N | N |

NOTES:

1. If any part of a principal use is considered a VSE (see § 185-3, Definitions), the requirements for VSE must be met.
2. Except as permitted by a special permit within the Adult Use Overlay District as described in § 185-47.
3. Except BA if involving live or mechanical entertainment.
4. Only allowed as an accessory use to an otherwise permitted use as detailed in Use Regulations Schedule, Part VII, Accessory Uses.
5. Establishments are limited to a maximum gross building footprint of 2,800 square feet.
6. Not allowed on sidewalk level in multilevel development.

7. Non-Medical Marijuana Facilities may be permitted by Planning Board special permit in portions of the Industrial Zone which are in the Marijuana Use Overlay District, see §185-49.

185 Attachment 5
USE REGULATION SCHEDULE
PART IV

Symbols in the Use Regulations Schedule shall mean the following:

- Y = A permitted use.
N = An excluded or prohibited use.
BA = A use authorized under special permit from the Board of Appeals.
PB = A use authorized under special permit from the Planning Board.
P/SP = Permitted as of right. A special permit from the Board of Appeals is required if the proposed project results in an increase in estimated water consumption of more than 15,000 gallons per day.

| Principal Uses | District | | | | | | | | | | | | | |
|--|----------------------|--------|-------|-----|----|----|----|-----|----|----|--------------------------------|----|----------------|--|
| | RRI RRII RVI RVII | SFRIII | SFRIV | GRV | NC | RB | CI | CII | DC | B | I | LI | O | |
| 4. Institutional | | | | | | | | | | | | | | |
| 4.1 Cemetery | Y | Y | Y | N | N | N | N | N | N | N | N | N | N | |
| 4.2 Hospital | N | N | N | N | N | N | N | PB | N | PB | PB | N | N | |
| a. Medical Marijuana Treatment Facility | N | N | N | N | N | N | N | N | N | N | Y ⁴ PB ⁴ | N | N | |
| b. Medical Marijuana Testing Facility | N | N | N | N | N | N | N | N | N | N | Y ⁴ PB ⁴ | N | N | |
| 4.3 Charitable institution | N | N | N | PB | PB | N | Y | Y | PB | N | N | N | N | |
| 4.4 Correctional facility | N | N | N | N | N | N | N | N | N | N | BA | N | N | |
| 4.5 Library, museum, art gallery | N | Y | Y | Y | N | N | Y | Y | Y | Y | N | N | N | |
| 4.6 Lodge, social nonprofit | N | N | N | N | N | N | Y | Y | Y | Y | N | N | N | |
| 4.7 Public use | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | N ³ | N | N ³ | |
| a. Municipal public safety | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | |
| 4.8 Religious or educational use: | | | | | | | | | | | | | | |
| a. Exempt from zoning prohibition ² | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | Y | |
| b. Dormitories | N | Y | Y | Y | Y | Y | Y | Y | Y | Y | N | N | N | |

NOTES:

1. But not including any use, the principal activity of which is one customarily conducted as a business.

2. See MGL c. 40A, § 3.

3. Except for municipal public safety.

4. Medical Marijuana Treatment Facilities and Testing Facilities ~~are permitted~~ may be permitted by Planning Board special permit in portions of the Industrial Zone which are in the ~~Medical~~ Marijuana Use Overlay District, see §185-49.

DPCD 11/16/2016

The foregoing Zoning By-law amendment shall take effect in accordance with the Franklin Home Rule Charter and Massachusetts General Law Chapter 40A, Section 5.

DATED: _____, 2017

VOTED:

UNANIMOUS _____

A True Record Attest:

YES _____ **NO** _____

ABSTAIN _____

Teresa M. Burr
Town Clerk

ABSENT _____

Judith Pond Pfeffer, Clerk