

Summary of primary changes reflected in proposed in Zoning Bylaw as compared to the existing Southampton Zoning Bylaw

Section Number	Section Name	Comments on Changes
Article I	General Provisions	This Article reflects some consolidations and updating of different provisions of the Zoning Bylaw
275-1.1	Title and authority	This section was subject of minor revisions primarily formatting
275-1.2	Purpose	This section was subject of minor revisions primarily formatting but also expanding on some of the purposes of the Zoning Bylaw
275-1.3	Severability	This is a standard provision that should be in all bylaws. The existing Zoning Bylaw appears to have this provision inserted into multiple sections as they were approved as amendments. It only needs to be in the bylaw in location.
275-1.4	Matters not covered	This is a clarifying provision
275-1.5	Interpretations	This section was subject of minor revisions primarily formatting
275-1.6	Repealer	This is a necessary new section
275-1.7	Subdivision Regulations	This is a new section to clarify the authority for subdivision regulation.
Article II	Definitions and Word Usage	This Article reflects revisions as described below
275-2.1	Word usage	This section was subject of minor revisions primarily formatting but also clarifying use of some terms.
275-2.2	Terms defined in other sections	This section was added to clarify that all terms are not defined in this section as some terms have specific definitions related to a particular provision.
275-2.3	Definitions	Except as noted in 275-2.2, definitions of terms were extracted from other sections and consolidated into this section. Some new terms were added with definitions. Some terms were redefined – such as “family”
Article III	Administration and Enforcement	This Article reflects some changes due to formatting and updating but also includes insertion of new provisions as noted (such as 275-3.2)
275-3.1	Applicability; mixed uses	This section was subject of minor revisions primarily formatting and relocation within the Zoning Bylaw
275-3.2	Zoning permit	This is a new provision
275-3.3	Enforcement; permits and certificates;	This section was subject of minor revisions primarily formatting, clarifying the language, updating provisions, and relocation within the Zoning Bylaw

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	violations and penalties	
275-3.4	Zoning Board of Appeals	This section was subject of minor revisions primarily formatting, clarifying the language and updating provisions
275-3.5	Appeals	This section was subject of minor revisions primarily formatting, clarifying the language, and updating provisions
275-3.6	Special permit	Provisions were revised and moved into a separate Article of the Zoning Bylaw – Article X
275-3.7	Variances	This section was subject of minor revisions primarily formatting, clarifying the language and updating provisions
275-3.8	Applications relating to nonconforming structures or uses	This section was subject of minor revisions primarily formatting, clarifying the language, and updating provisions
275-3.9	Site plan review and approval	This is a new section that is now detailed in a separate article – Article IX.
Article IV	Establishment of Districts	
275-4.1	Division into districts; purpose of districts	All districts, including overlay districts are listed in this section along with statement of the purpose of the district.
275-4.2	Zoning Map	This section was subject of minor revisions primarily formatting and updating provisions
275-4.3	Rules for determining district boundaries	This section contains revised provisions which clarify how district boundaries are to be determined – particularly when there is some alleged or apparent ambiguity.
Article V	Use Regulations	
275-5.1	Applicability of use regulations	This section was subject of minor revisions primarily formatting
275-5.2	Uses subject to other regulations	This section was subject of minor revisions primarily formatting
275-5.3	Table of Use Regulations	Where the existing Zoning Bylaw provided for some Special Permits being issued by the Zoning Board of Appeals, this is being changed to provide that those Special Permits would be issued by the Planning Board instead.
275-5.4	Special Regulations in	This is a new section substantially expanding on the existing provisions to conform to the new State floodplain guidance.

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	Floodplain Overlay District	
Article VI	Dimensional and Density Regulations	
275-6.1	Area, height, and bulk regulations	This section was subject of minor revisions primarily formatting
275-6.2	Screening and buffer strips in industrial and business districts	This section was subject of minor revisions primarily formatting
275-6.3	Other general dimensional and density provisions	This section was subject of minor revisions primarily formatting
275-6.4	Accessory structures	This section was subject of minor revisions primarily formatting
275-6.5	Infill and lot size/dimensional averaging	This is a new section
275-6.6	Reduction of requirements relative to land donations	This is a new section
275-6.7	Lots located in more than one zoning district or municipality	This is a new section
Article VII	Overlay Districts; Specific Use and Development Regulations	This Article reflects consolidation, clarification, and formatting changes but also some new provisions
275-7.1	Floodplain Overlay District	This is a new section conforming to the new State floodplain guidance.
275-7.2	Water Supply Protection District	This section was changed slightly to clarify some of the provisions and to be consistent with other sections of the Zoning Bylaw and update the references to State laws and regulations.
275-7.3	Wireless communications facilities	This section was changed slightly to clarify some of the provisions and to be consistent with other sections of the Zoning Bylaw and update the references to State laws and regulations.

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275-7.4	Common driveways	This section has been revised to clarify, update, and expand the requirements
275-7.5	Accessory apartments	This section has been revised to further the goals of the Town's Master Plan. Among the changes are that accessory apartments could be detached from the single-family dwelling on the parcel.
275-7.6	Solar electric generating facilities	This section was changed slightly to clarify some of the provisions and to be consistent with other sections of the Zoning Bylaw and update the references to State laws and regulations.
275-7.7	Inclusionary zoning	This section was subject of minor revisions primarily formatting
275-7.8	Cluster development	This section was changed slightly to clarify some of the provisions and to be consistent with other sections of the Zoning Bylaw and update the references to State laws and regulations.
275-7.9	Planned business development	This section was subject of minor revisions primarily formatting
275-7.10	Planned industrial development	This section was subject of minor revisions primarily formatting
275-7.11	Multifamily dwellings	This section reflects substantial changes to make multifamily housing development more feasible for a variety of dwelling unit sizes. The existing provisions impose significant burdens on housing for families. Among the changes made to this section were revisions to the open space requirements and elimination of the minimum frontage requirement.
275-7.12	Soil, loam, sand, gravel, quarry, or other earth materials	This section is a substantial revision of the existing Zoning Bylaw provisions relative to this topic. Among the changes include clarifying requirements, requiring a special Permit from the Planning Board for non-exempt activities, detailing of applicable requirements, expanding/updating requirements.
275-7.13	Home occupations	This section was subject of minor revisions primarily formatting
275-7.14	Radioactive waste facility	This section was subject of minor revisions primarily formatting and clarifying applicable requirements.
275-7.15	Adult use marijuana establishments	This section was subject of minor revisions primarily formatting
275-7.16	Registered marijuana dispensary	This section was subject of minor revisions primarily formatting

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Article VIII	General Regulations for Uses and Special Permits	
275-8.1	Preexisting nonconforming uses and structures	This section was subject of minor revisions primarily formatting
275-8.2	Off-street parking and loading	This section reflects changes in parking and loading space requirements including but not limited to, establishing minimum and maximum requirements, clarifying requirements, updating requirements to reflect current planning practices, detailing parking requirements for different uses.
275-8.3	Signs	This section was subject of minor revisions primarily formatting and clarifying applicable requirements.
Article IX	Site Plan Review and Approval	This Article is a new provision in the Zoning Bylaw. While the existing Zoning Bylaw has “Site Plan Review” and “Site Plan Approval” for different classes of Solar Generating Facilities, this Article requires such “Site Plan Review” or “Site Plan Approval” for different developments.
275-9.1	Site plan review	New provision
275-9.2	Site plan approval	New provision
Article X	Special Permits	This Article reflects changes in the existing Zoning Bylaw to clarify requirements and to provide that the Special Permit Granting Authority is to adopt rules policies, and procedures to detail application requirements. Since this effort began, the State Legislature has amended applicable statutes which offer different voting thresholds for approval of Special Permits.
275-10.1	Applicability	This section makes clear when a Special Permit is required.
275-10.2	Applicable provisions	This section provides the Special Permit Granting Authority is adopt rules policies, and procedures to detail application requirements
275-10.3	Site plan required	This section makes clear that a site plan is required for all special permits, and it must conform to Article IX and the Planning Board’s Policies and Procedures.
275-10.4	Public hearing	This section, in accordance with Chapter 40A, Section 9, MGL makes clear that a public hearing is required and

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		delineates the requirements for timing of the hearing and the notices.
275-10.5	Decisions	This section outlines what decisions the Special Permit Granting Authority may make and when the decision is due in accordance with Chapter 40A, Section 9, MGL
275-10.6	Findings required and review criteria	This section makes clear that written findings are required with all special permit decisions and the criteria the Special Permit Granting Authority must use in making a decision.
275-10.7	Imposition of special conditions	This section makes clear the type of special conditions that the Special Permit Granting Authority may impose when granting a special permit.
275-10.8	Relationship to building permit	This section follows the existing provisions but makes clear that special permit does not constitute issuance of a building permit.
275-10.9	Expiration of special permit	In accordance with changes made to Chapter 40A, Section 9, MGL, this provision reflects an increase in the duration of a special permit from one year to three years.
Table 1	Use Regulations	Instead of the Use Regulations Table being imbedded in the text of the Zoning Bylaw, the Use Regulations is to be a separate table attached to but still a part of the Zoning Bylaw.