

Section 3-40

RURAL RESIDENTIAL DISTRICT

3-40.1 – Intent.

Rural Residentials are intended to accommodate agriculture, horticulture or floriculture as well as single family detached dwellings at low densities plus other land uses which minimally impact the aquifer and preserve or respect the City's open space.

3-40.2 – Permitted Uses.

A building may be erected or used and a lot may be used or occupied for any of the following purposes:

- 1. Agriculture, horticulture or floriculture including the planting growing, storing, and selling of plants or produce as well as the harvesting, milling and selling of trees grown on the site. Any new agriculture, horticultural or floricultural activities in a Rural Residence zone must be carried out on lots of at least five acres.*
- 2. Commercial nursery, greenhouse, poultry or livestock raising provided that all buildings erected for these uses after the passage of this ordinance be at least one hundred and fifty (150) feet from a property line and provided that all new parcels devoted to these uses after the passage of this ordinance be at least five acres in size.*
- 3. Single family detached dwelling.*
- 4. Accredited public or sectarian schools, accredited public or private colleges, public libraries, churches, other places of worship, parish houses and Sunday School buildings.*
- 5. Municipal recreation buildings, playgrounds and parks.*
- 6. Municipal building and telephone exchange buildings.*
- 7. Cemeteries adjacent to or in extension of existing cemeteries.*
- 8. Day Care Center and/or School Age Child Care Program provided said center or program is in compliance with the licensing requirements of Massachusetts General Laws Chap. 28A, Sec. 10 and provided further, a copy of said license is filed with the City Superintendent of Buildings. (9/16/93)*
- 9. All necessary utility lines that meet the requirements of 3-130.2.21. (12/3/09)*

3-40.3 – Permitted Accessory Uses.

On the lot with and customarily incidental to any of the foregoing permitted uses.

- 1. Up to three (3) roomers including the furnishings of table board for said roomers, provided that such use not be located in an accessory building, and provided that all other required permits from the building and health departments are obtained. Where an active agricultural use exists, there is no limitation to the number of roomers permitted as long as they are in the employ of the owner or lease of the property and provided that all other required permits from the Building and Health Department are obtained.*
- 2. Home Occupation (See Section 5-100.1) (7/1/10)*
- 3. Private home swimming pools in accordance with Article IV, Section 4-80.*
- 4. Signs as permitted in Article VIII.*
- 5. In the case of a single or a two family dwelling lot where there is no agricultural use associated with it there shall only be permitted one commercial vehicles not to exceed one and one half (1 ½) tons. In no instance shall cabs with trailers be stored on residential lots.*
- 6. Accessory buildings such as but not restricted to garages and tool sheds.*

3-40.4 – Special Permit Uses.

The following uses shall require a special permit from the designated authority:

1. *Family Day Care Home, provided said home is in compliance with the licensing requirements of Massachusetts General Laws Chap. 28A, Sec. 10 and, provided further a copy of said license is filed with the City Superintendent of Buildings. (Planning Board) (9/16/93)*
2. *Conversion of a single family dwelling to a two family dwelling (Board of Appeals)*
3. *Radio or TV broadcasting studio (Planning Board).*
4. *Day or residence camps (City Council).*
5. *Manufactured Home Retirement Parks in accordance with Article V (City Council) (6/28/02)*
6. *Mobile home or trailer camp for temporary recreation or vacation use only (City Council)*
7. *Residential kennel, commercial kennel, or veterinary hospital (Planning Board). Residential kennels must have a minimum lot size of 60,000 square feet. For Commercial kennels, the area where animals are housed or contained must have a 150 foot minimum setback from any property line. This ordinance shall become effective on July 1, 2006. (6/1/06)*
8. *Lodging house including bed and breakfast inns provided that off street parking and two thousand (2,000) square feet of open space be provided for each room for rent (City Council).*
9. *Riding academy or like activity provided that the stables are located not less than two hundred (200) feet from a dwelling (Planning Board)*
10. *New Cemeteries with approval of the Health Department (City Council)*
11. *Wood/Stump Reclamation Facility (City Council). (11/3/88)*
 - a. *Special Permit shall be for two years;*
 - b. *No part of the operation shall be visible from the road or and residence.*
 - c. *All requirements of the Department of Environmental Quality Engineering (D.E.Q.E.), Health Board, Conservation Commission, and Article IV, Section 4-120 of the General Regulations shall be complied with;*
 - d. *The Health Department shall monitor the operation if any violations are found, the permit shall be revoked immediately pending investigation by the City Council.*
 - e. *The owner of the operation shall acquire a bond, to be filed with the Treasurer and the City Clerk, in the amount equal to removal costs of six-(6) month's storage of stumps, logs, mulch, sawdust and firewood on the property.*
12. *New golf courses, driving ranges, country clubs and associated recreational facilities. (Planning Board) (5/7/92)*
13. *Dimensional Special Permit for the rear and side yard requirements found in Article III, Section 3-40-5 Paragraph 3, provided adjoining areas have been previously developed by the creation of lots and the construction of buildings or structures with side and rear yards generally smaller than is prescribed by the Westfield Zoning Ordinance. (Zoning Board of Appeals) (11/19/90)*

An application for a Dimensional Special Permit for a use or structure that also requires an additional Use Special Permit and/or Site Plan Approval shall be heard by the same Special Permit granting authority at the same time and as part of the Use Special Permit and/or Site Plan Review. (10/7/04)
14. *Open Space Subdivisions (Planning Board) (4/16/92)*
15. *Continuing Care Retirement Community (Planning Board) (1/2/92)*

16. Any proposed use that will discharge a cumulative total of more than 25,000 gallons per day of waste into the city's sanitary sewer system, or any use categorized as a Significant Industrial User (SIU). This shall apply to both new uses and to any alteration, extension or expansion of an existing use which would result in a cumulative total of more than 25,000 gallons per day of waste being discharged into the city's sanitary sewer system, or any use categorized as a Significant Industrial User (SIU). (Planning Board) (1/19/06)
17. Home Based Business (see Section 5-100.2) (7/1/10)
18. The raising of chickens for non-commercial use (i.e. for egg laying and meat for personal use) may be permitted by Special Permit issued by the Planning Board on parcels which do not meet the above referenced 150' setback or 5 acre minimum where all of the following apply:
 - a. the raising of the chickens is for the personal use and consumption of the persons residing on the parcel only
 - b. the number of chickens or chicks does not exceed:
 - i. six (6) for a lot $\frac{3}{4}$ acre (32,670sf) or larger
 - ii. three (3) for a lot smaller than $\frac{3}{4}$ acre (32,670sf)
 - c. there are no roosters
 - d. There shall be a coop with a minimum of 3sf per chicken and a fenced run (no free range) with a minimum 10sf per chicken all of which is:
 - i. located in the rear yard area behind the principal structure
 - ii. setback at least 50' from any property line
 - e. A site plan shall be submitted showing the layout of all structures and uses on the lot.
 - f. A construction and maintenance plan of the coop and run shall be submitted showing:

i. design and materials	vii. manure disposal
ii. accessibility for cleaning	viii. insect and pest control
iii. year round ventilation	ix. expired animal disposal
iv. heat	x. odor control
v. desiccant	xi. lighting
vi. security against predators	(Planning Board) (7/7/11)
19. Large Scale Solar Power Generator, provided that the Planning Board has also issued a site plan approval and found that there will be no unmitigated impacts to health, safety or welfare of the public. (9/8/15)

3-40.5 – Area and Density Regulations.

1. Lot Area, Frontage and Width: Unless otherwise stated in another applicable Section, minimum requirements are determined as follows, with not more than one single family dwelling permitted per lot:

Use	Lot Area (square feet)	Frontage/Width (feet)
Residential, with:	<i>per dwelling unit</i>	
- both private water & private septic system	60,000	150
- public water or public sewer (not both)	40,000	150
- both public water & public sanitary sewer	30,000	150
Non-Residential /Other	60,000	150

Note: Refer to Section 4-40 for additional lot requirements (7/13/21)

2. Building Area. Not more than twenty five (25) percent of the area of each lot may be occupied by buildings.

3. Yards /Setbacks

- a. Front yard (minimum). The lesser of 40 feet or the front yard setback of a corresponding part of the nearest comparable building on either side thereof, but within 600 feet, which faces on the same street; not to be less than 15 feet.

A landscape area shall be provided (consisting of natural vegetation, lawn, or otherwise landscaped) which occupies least 75% percent of the required front yard. Motor vehicle parking within the front yard area shall not be permitted within the landscape area and shall be limited to driveways. (11/15/16)

- b. Side yard. 20 feet minimum. In the case of a corner lot, the front yard setback shall also apply to the side street lot line.
- c. Rear yard. 50 feet minimum.

3-40.6 – Heights.

No buildings or structures shall exceed two and one half (2 ½) stories or thirty-five (35) feet in height. Except that a school, college, library, municipal facility, or barn may be erected to a height not to exceed three (3) stories or sixty (60) feet. Exempted from this maximum height restriction, provided they are not more than 15' taller than the principal structure, nor that the total height (combined with the principal structure) exceeds 50' , are:

- *chimneys, water towers, elevator bulkheads, skylights, solar panels, ventilators and other necessary appurtenant features usually carried above roofs;*
- *dome towers and spires if such features are not used for human occupancy;*
- *ornamental towers, observation towers,*
- *other permitted uses/structures where expressly regulated elsewhere in this Ordinance.*
- *buildings or structures located within the designated Airport Landing Zone, height will be whichever is the most restrictively regulated.*

The Planning Board may issue a Special Permit permitting heights in excess of the maximum permitted.(2/24/03)

3-40.7 – Off Street Parking.

Three (3) off street parking spaces shall be provided for each dwelling unit. For additional off street parking and loading requirements, see Article VII.

3-40.8 – Prohibited Uses.

Recycling facilities prohibited (1/18/90)