

ARTICLE III
Section 3-70

RESIDENCE C DISTRICTS

Section 3-70.1 – Intent. Residence C Districts are intended to accommodate the full range of housing types, including single family detached, single family attached, single family semi-detached, two family dwellings and multiple family dwellings at the higher densities appropriate in the established urban neighborhoods. For the purposes of this section only, Project Area is defined as any proposed multi family project containing ten (10) or more units, regardless of the square footage of the site.

Section 3-70.2 – Permitted Uses.

1. Agriculture, horticulture or floriculture including the planting growing, storing, and selling of plants or produce therefrom and the harvesting, milling and selling of trees grown on the site. Any new agriculture, horticultural or floricultural activities in a Residence C zone must be carried out on lots of at least five acres.
2. Commercial nursery, greenhouse, provided that all buildings erected from these uses after the passage of this ordinance be at least two hundred (200) 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 (5) acres in size.
3. Accredited public or sectarian schools, accredited public or private colleges, public libraries, churches, other places of worship, parish houses, Sunday Schools buildings and day care, nursery school or adult day care center for not more than five (5) clients.
4. Municipal recreation buildings, playgrounds and parks.
5. Municipal building and telephone exchange buildings.
6. Cemeteries adjacent to or in extension on existing cemeteries.
7. Single family and two family dwellings.
8. Multiple family dwellings with less than a total of ten (10) units which meet all the area and density regulations of this district, provided that the applicant has received Site Plan Approval from the Planning Board.
9. 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)

10. All necessary utility lines that meet the requirements of 3-130.2.21. (12/3/09)

Section 3-70.3 – Permitted Accessory Uses

1. Private home swimming pools in accordance within Article IV, Section 4-80.
2. Signs as permitted in Article VIII.
3. 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 vehicle not to exceed one and one half (1 ½) tons. The owner or driver of said commercial vehicle must reside at the property upon which the vehicle is parked.
4. Accessory buildings such as but not restricted to garages and tool sheds.
5. Home Occupation (See Section 5-100.1) (7/1/10)

Section 3-70.4 – Special Permit Uses.

1. Lodging house including bed and breakfast inns (City Council).
2. Residential rehabilitation center if not serving State clients or receiving State or County funding (City Council).
3. A project area contain less than ten units which does not meet the minimum area and density regulations of the district (Planning Board).
4. A project area containing ten (10) or more multiple family dwelling units (Planning Board).
5. Fraternity houses and dormitories not within the property lines of the main campus (City Council).
6. Rest homes, convalescent and nursing homes (Planning Board).
7. Multiple family dwellings for the Elderly (Planning Board).
8. 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 of Superintendent of Buildings. (Planning Board). (9/16/93)

9. Dimensional Special Permit for the rear and side yard requirements found in Section 3-70.5, number 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)

10. Continuing Care Retirement Community (Planning Board) (1/2/92)
11. 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) (01/19/06)
12. Home Based Business (See Sections 5-100.1) (7/1/10)

Section 3-70.5 -Area and Density Regulations

1. Lot Area, Frontage and Width (unless otherwise stated in another applicable Section):

Use	Lot Area, with both public water and public sanitary sewer ¹ (minimum square feet)	Frontage/Width (min. feet)
Single Family	10,000	75
Two Family	15,000	100
Multi-Family	10,000 plus	80
for each dwelling unit:		
- 1 bedroom	1,500	
- 2 or more bedrooms	2,000	
- elderly units	1,000	
Other Uses	10,000	100

¹ if public water and/or public sewer is not available or utilized, minimum lot area shall be increased by 15,000 square feet per dwelling unit.

Note: Lot shape is also regulated by the Lot Layout provisions of Section 2-20.1 (11/15/16)

2. Building Area Not more than twenty five (25) percent of the area of each lot may be occupied by buildings except in the case of a multiple family dwellings which may occupy thirty five (35) percent of the lot. At least twenty (20) percent of the balance shall be planted in grass or otherwise landscaped.

3. Yards /Setbacks

- a. Front yard (minimum). The lesser of 25 feet or the front yard setback of a corresponding part of the nearest comparable building on either side thereof which faces on the same street.

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.

- b. Side yard. 15 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. 30 feet minimum.
- d. There shall be a minimum distance of 25 feet between dwelling buildings located on the same lot.

Section 3-70.6 - Height - 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)

Section 3-70.7 - Off Street Parking Two and two-tenths (2.2) off street parking spaces shall be provided for each dwelling unit. For additional off street parking and loading requirements see Article VII.

Section 3-70.8 - Private Yards and Balconies Multiple family structures constructed after the adoption of the ordinance will have private yards set aside for each unit on the ground floor equal to at least fifty (50) percent of that units floor space. Second story units will leach be provided with balconies of at least sixty (60) square feet unless direct access to private yard space is practical.

Section 3-70.9 - Prohibited Uses Recycling facilities are prohibited. (1/18/90)

3-70.4(9) added second paragraph (10/07/04)
3-70.4(11) added (01/19/06)
3-70.2(10) added (12/03/09)
3-70.3(5) added (07/01/10)
3-70.4(12) added (07/01/10)
3-70.5(1),(3) revised (11/15/16)