

Town of Falmouth, MA
Wednesday, November 1, 2017

Chapter 240. Zoning

Article XII. Light Industrial B Districts

§ 240-58. Permitted residential uses.

[Amended ATM 4-4-1979, Art. 102; ATM 4-7-1986, Art. 68]
Permitted residential uses:

- A. None.

§ 240-59. Permitted community service uses.

Permitted community service uses:

- A. Churches, schools, libraries, museums, parish houses, hospitals, sanatoria, educational, research and philanthropic institutions, cemeteries.
- B. All municipal purposes, including the administration of government, parks, playgrounds, recreation buildings, Town forests, watershed, water towers and reservoirs, beaches, fire and police stations and armories.
- C. Passenger stations.

§ 240-60. Permitted business, commercial and industrial uses.

[Amended ATM 4-4-1979, Art. 102]
Permitted business, commercial and industrial uses:

- A. Retail sales not more specifically listed.
- B. Business or professional offices, bank, medical clinic, computer center.
- C. Personal and household services.
- D. Restaurant or other place for serving food, except fast-food restaurants.
 - (1) Class I and Class II restaurants.
[Added ASTM 4-5-1999, Art. 13, approved 7-23-1999]
- E. Arts and crafts.
[Amended ATM 4-3-1983, Art. 56]

- F. Converting, fabricating, manufacturing, altering, finishing or assembling, provided that not more than one person shall be so employed for each 35 square feet of floor area and in no case shall building coverage be greater than 30% and as otherwise restricted by § 240-69 of this chapter.
[Amended STM 9-10-1981, Art. 48; ATM 4-7-1986, Art. 68]

- G. Research and development.
[Amended ATM 4-5-1983, Art. 56]

- H. Roadside stand.

§ 240-61. Other permitted principal uses.

Other permitted principal uses:

- A. Agriculture, horticulture and floriculture including farms, cranberry bogs, dairies, truck gardens, greenhouses and natural ice harvesting activities; if involving the raising and keeping of livestock other than for the private use of the residents of the premises, only on parcels of five acres or larger.
- B. Scientific research, provided that the applicant for a building or occupancy permit demonstrates to the Building Commissioner and the Board of Health on an annual basis that all federal, state and Town of Falmouth licenses, permits and standards for handling, use, storage and disposal of any regulated materials have been obtained or met. There may be accessory to said scientific research the production of related materials for the furtherance of such research. Such production shall be clearly accessory to the primary scientific research activity; shall not involve the outside storage of materials; and shall not produce any noxious or excessive noise, such as to be detectable on abutting properties.
[Added STM 10-27-1982, Art. 64; amended ATM 4-5-1983, Art. 56; ASTM 4-5-1993, Art. 21, approved 7-16-1993; AFM 11-30-1993, Art. 3, approved 2-25-1994]

§ 240-62. Permitted accessory uses.

[Amended ATM 4-9-1980, Art. 72; ATM 4-7-1986, Art. 68]
Permitted accessory uses:

- A. Such accessory uses as are customarily incidental to any of the above uses.
- B. Television or radio antennas not exceeding 50 feet above ground level.

§ 240-63. Special permit uses.

[Amended ATM 4-8-1981, Art. 48; ATM 4-8-1981, Art. 53]
Uses allowed on special permit from the Board of Appeals:

- A. Private clubs not conducted for profit.
- B. Television or radio antennas exceeding 50 feet above ground level.
- C. Blacksmith, builder, carpenter, mason, plumber, roofer, tinsmith, undertaker and similar uses which the Board of Appeals may in specific instances find to be compatible with the uses mentioned above.
- D.

Theaters, moving-picture shows, bowling alleys, skating rinks, but not to include billiard rooms and similar commercial amusement places with automated amusement devices.

E. Lumber, bulk fuel, feed and ice establishments, contractor yards and automobile repair shops. [Amended ATM 4-5-1983, Art. 56]

F. Airport or landing pad or strips.

G. The following accessory uses:
[Amended ATM 4-9-1980, Art. 52; ATM 4-5-1983, Art. 56; ATM 4-7-1986, Art. 68]

(1) Garage space for more than two cars. [1]
[1] Editor's Note: Former Subsection G(5), Windmills, amended AFTM 11-14-2005, approved 12-8-2005, which immediately followed this subsection, was repealed ATM 4-8-2013, Art. 7, approved 7-9-2013.

H. Any business or commercial shopping center with proposed gross floor area of 10,000 square feet or more.
[Added ATM 4-6-1992, Art. 15]

I. RDNA technology (genetic engineering) to be employed in production and research upon a finding by the Board of Appeals that the site is suitable and upon receipt of acceptable referral from the Board of Health and the Hazardous Materials Coordinator. Such amendment to the Zoning Bylaws cited shall not take effect until a Board of Health regulation outlining controls and procedures for using RDNA materials has been promulgated.
[Added ASTM 4-5-1993, Art. 22, approved 7-16-1993]

J. Common driveway, by special permit from the Planning Board.
[Added AFTM 11-7-1997, Art. 6, approved 2-27-1998]

K. Class III restaurants. Class IV restaurants are expressly prohibited in Light Industrial B Districts.
[Added ASTM 4-5-1999, Art. 13, approved 7-23-1999]

L. Wind energy systems, subject to the requirements of Article XXXIV (34).
[Added ATM 4-8-2013, Art. 7, approved 7-9-2013]