

No. 12,322

An Ordinance to amend Chapter Z: G, by adding new Section 9.5 Entitled "Hospital Avenue Overlay District"; and by adding New Hospital Overlay District under Section 2.1, entitled " Overlay Zoning District; by adding new footnote 6 to Appendix B of Chapter Z; and to amend Zoning Map dated May 25, 2021 to include the Hospital Overlay District.

IN CITY COUNCIL

November 28, 2023

VOTED: by Roll Call vote to adopt.

(8) Yea's: (Councilors Barbeau,
Blackmer, Bona, Harpin,
Oleskiewicz, Sapienza, Shade
and Wilkinson);
(0) Nay's

Attest, Lisa Blackmer
President

Tina Marie Leonesio
City Clerk

Approved, November 29, 2023

Jennifer A. Macksey
Mayor

A True Copy
Attest, Tina Marie Leonesio
City Clerk

**AMENDING THE ORDINANCES OF THE CITY OF NORTH ADAMS
CHAPTER Z "ZONING ORDINANCE"**

Be it ordained by the City Council of the City of North Adams, as follows:

SECTION I

That Section 9 of Chapter Z of the Revised Ordinances of the City of North Adams be and is hereby amended by creating a new "Hospital Avenue Overlay District" and inserting in numerical order therein the following Section 9.5:

9.5 HOSPITAL AVENUE OVERLAY DISTRICT (HA OVERLAY DISTRICT)

9.5.1 PURPOSE.

The purpose of this Section 9.5 is to establish a Hospital Avenue Overlay District ("HA Overlay District") to enhance and facilitate the provision of hospital and medical services to the City of North Adams and northern Berkshire County. This will be accomplished by establishing an expanded mix of complementary medical and healthcare uses in the HA Overlay District and revisions to certain dimensional and parking requirements to complement the existing hospital campus land use pattern and built environment.

9.5.2 DEFINITIONS.

For the purposes of this Section certain words or terms shall be defined below. To any extent that conflict arises with respect to the definition of such words or terms as defined elsewhere in the Zoning Ordinance, the definitions set forth in this Section 9.5 shall control.

Change of Use HAOD – change of use in the HA Overlay District from one permitted use to another permitted use shall not constitute a Change of Use pursuant to Section 13 of this Ordinance.

HA Overlay District – the Hospital Avenue Overlay District established in accordance with this Section 9.5.

Hospital – Any hospital licensed by or under the supervision of the Massachusetts Department of Public Health or the Massachusetts Department of Mental Health and any support or allied administrative or medical service uses accessory to uses by such hospital, whether in the same or separate buildings or on the same or separate lots, including, but not limited to, ambulatory surgery, rehabilitation, radiological or optometric facilities, laboratories, pharmacies, wellness facilities, training facilities and facilities for the sale or lease of pharmaceutical, medical and orthopedic supplies.

Medical Office – an office used exclusively by physicians, dentists, chiropractors, acupuncturists, and other health-related providers, but not including an urgent care clinic or a hospital, clinic, or other health care center that provides hospital services.

Usable Floor Area – total floor area used by the owner or tenant, excluding spaces such as staircases, elevators, storage spaces, common corridors, common bathrooms, mechanical rooms, and spaces used for storage.

9.5.3. OVERLAY DISTRICT

9.5.3.1 Establishment. The North Adams Hospital Avenue Overlay District, hereinafter referred to as the "HA Overlay District," is an overlay district having a land area of approximately 29 acres in size that is considered as overlying other districts as indicated on the Zoning Map as set forth on the map entitled "North Adams Regional Hospital Corporation, Hospital Avenue, North Adams, Mass., Proposed Hospital Avenue Overlay District," dated October 6, 2023, prepared by Hill Engineers Architects & Planners. This map is hereby incorporated into and made a part of the Zoning Ordinance. All regulations of the underlying zoning districts shall apply except as modified by these regulations of the HA Overlay District.

9.5.3.2 Permitted Uses; Dimensional Requirements; Buildings.

9.5.3.2.1 Additional Permitted Uses. In addition to those uses permitted in the underlying zoning district, the following uses are permitted by right in the HA Overlay District:

SCHEDULE OF USES
Hospital
Federally Qualified Health Centers recognized by the Centers for Medicare and Medicaid Services
Medical Office

9.5.3.2.2 No Change of Use Site Plan Approval pursuant to Section 12.4 of this Ordinance shall be required for a change of use or tenant in the HA Overlay District if such use shall be an as of right use in the HA Overlay District.

9.5.3.2.3 Dimensional Requirements. All of the dimensional requirements under Appendix B to the Zoning Ordinance for the underlying zoning district shall apply except as follows:

- There shall be no minimum side yard setback distance requirement between buildings located in the HA Overlay District. The minimum Side Yard Setback to any Side Lot Line shall remain the distance set forth in the R-5 zoning district.

- The building height for existing buildings shall be deemed to meet the maximum height requirement of this Ordinance. The maximum height requirement for any new structure shall not exceed the height of the tallest existing building within the HA Overlay District.

- In this HA Overlay District more than one building or structure housing a principal use may be erected on a single lot, provided that area, width, frontage, yard and other requirements of the underlying zoning district, as amended by this HA Overlay District, shall be met for each building or structure as though it were on an individual lot, except as specifically provided herein.

9.5.3.3 Off Street Parking Requirements.

9.5.3.3.1 All existing surface parking and parking garage parking shall be deemed to meet the parking requirements for all existing buildings located in the HA Overlay District. The parking requirements applicable to the additional permitted uses set forth in Section 9.5.3.2.1 for any new structure shall meet the parking requirements, including setbacks and landscaping as set forth in the underlying zoning district, as amended by this HA Overlay District.

TABLE OF OFF-STREET PARKING REQUIREMENTS IN THE HA OVERLAY DISTRICT

USE	OFF-STREET PARKING REQUIREMENTS FOR NEW STRUCTURES
Hospital	One space for each bed (excluding bassinets), plus four spaces for each five doctors on the staff, plus two spaces for each three employees serving on the shift having the greatest number of employees, plus four spaces for each five teaching staff.
Federally Qualified Health Centers	One space for every two hundred fifty (250) square feet of usable floor area
Medical Office	One space for every two hundred fifty (250) square feet of usable floor area

9.5.3.3.2 Lots containing more than one principal use shall provide parking in the amount equal to the total of the requirements for all such uses. Required parking facilities may be located on the same lot as the building or other use which they serve, or on another lot located in the HA Overlay District.

9.5.3.3.3 The number of parking spaces required under the provisions of this ordinance for any use located within the HA Overlay District may be reduced or eliminated by the granting of a special permit by the Planning Board subject to the findings that said reduction in parking spaces does not substantially derogate from the public good and shall meet the general special permit criteria found in Section 12.3.4.

SECTION II

1. *That Chapter Z of the Revised Ordinances of the City of North Adams be and is hereby amended by adding to Section 2.1 Classes of Districts a new Zoning Overlay District as follows: "Hospital Avenue Overlay District"*
2. *That Appendix B of Chapter Z of the Revised Ordinances of the City of North Adams be and hereby is revised by adding a new reference to footnote 6 after the heading Dimensional Regulation Schedule and adding a new footnote 6, which shall read: "See Section 9.5 Hospital Avenue Overlay District regulations".*
3. *That Chapter Z of the Revised Ordinances of the City of North Adams be and is hereby amended by amending the zoning map, dated May 25, 2021, as amended, to establish a Hospital Avenue Overlay District as shown on the map attached hereto.*

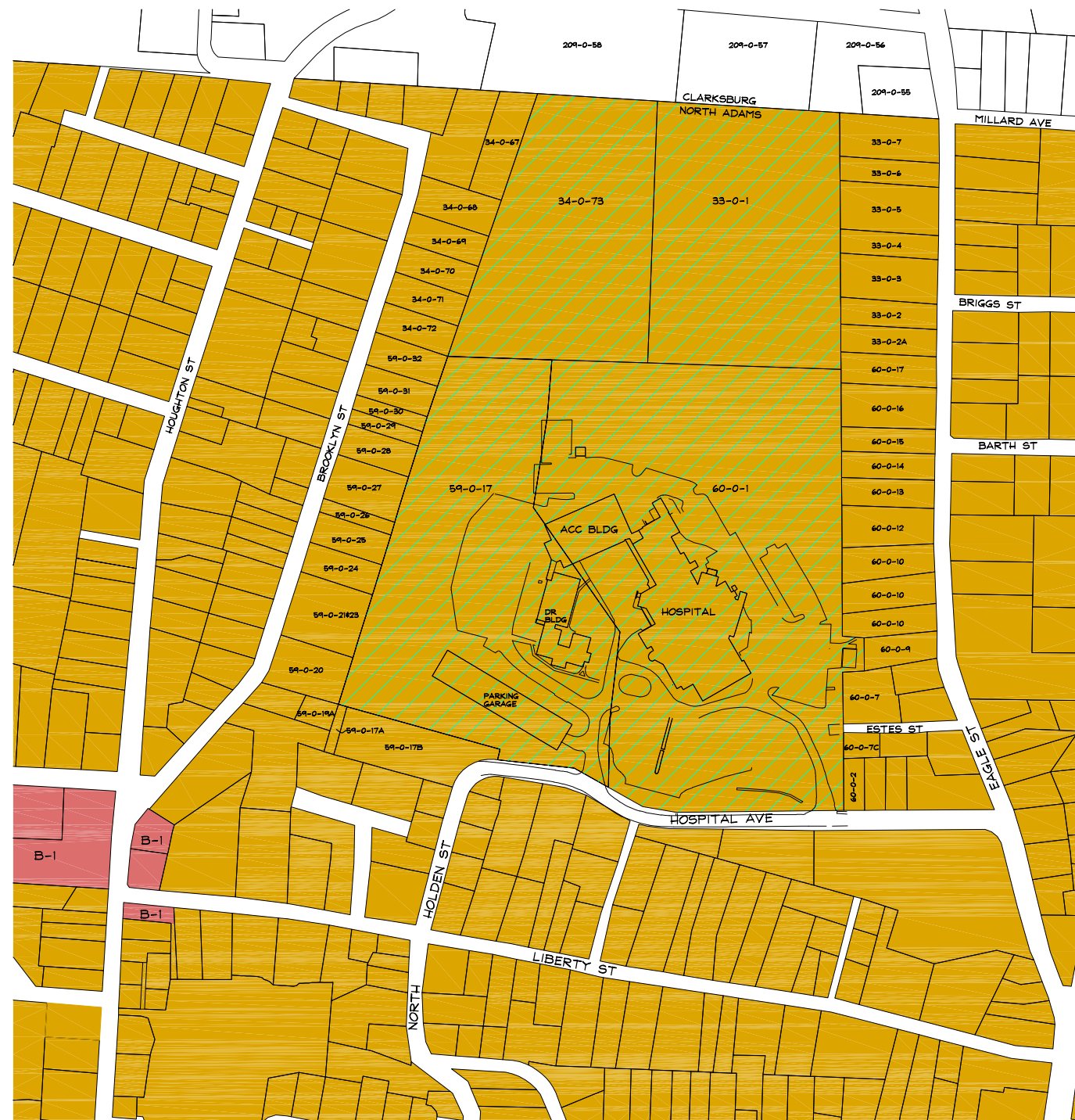
SECTION III

This Ordinance shall become effective upon enactment.



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LEGEND

- PROPOSED HOSPITAL AVENUE OVERLAY DISTRICT
- EXISTING ZONE B-1 LOCAL BUSINESS
- EXISTING ZONE R-5 HIGH DENSITY RESIDENTIAL

NOTES:

1. THE PARCEL LINES DEPICTED HEREON ARE COMPILED FROM DATA OBTAINED FROM MASSGIS AND DO NOT REPRESENT THE RESULTS OF AN ACTUAL BOUNDARY LINE SURVEY.
2. BUILDING, DRIVE AND PARKING LOT LOCATIONS SHOWN HEREON ARE APPROXIMATE AND ARE NOT COMPLETE.

DIMENSIONAL COMPARISONS

DIMENSIONAL REQUIREMENTS	ZONE R-5 EXISTING	PROPOSED HOSPITAL AVENUE OVERLAY DISTRICT
LOT AREA	7,200 SQ. FT.	NO CHANGE
LOT FRONTAGE	60 FEET	NO CHANGE
FRONT SETBACK	10 FEET	NO CHANGE
SIDE SETBACK	5 FEET	0 FEET WITHIN THE OVERLAY DISTRICT, OTHERWISE NO CHANGE
REAR SETBACK	8 FEET	NO CHANGE
MAX BUILDING COVERAGE (%)	33%	NO CHANGE
MAX. BUILDING HEIGHT	30 FEET	NOT TO EXCEED EXISTING BUILDING HEIGHT

REV.	ISSUED	DESCRIPTION	DATE
A			10-6-23

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NORTH ADAMS REGIONAL HOSPITAL CORPORATION
HOSPITAL AVENUE
NORTH ADAMS, MA

PROJECT DESCRIPTION: **PROPOSED HOSPITAL AVENUE OVERLAY DISTRICT**
DRAWING TITLE: **COMPILED PLAN**

DRAWN BY: MAC
DATE DRAWN: 10-6-2023
SCALE: 1" = 150'
AP'VD BY: _____

CAD CODE: NAH-48-01 V-101.DWG
GRAPHIC SCALE:

PROJECT NUMBER: **NAH-48-001**

DRAWING NUMBER	REV.
V-101	A