

4. BUSINESS USES

The following section of the Use Table deals with Business Uses as they may be permitted in the Town of Walpole. Where a Zoning District is not included in this Section, Business Uses as principal uses are categorically prohibited in those districts unless otherwise provided for in the notes at the end of this section. Several Business Uses are potentially allowable in other Districts as part of the Accessory Uses section of the Land Use Table.

The uses listed in the following section of the Use Table are taken from the 2007 edition of the North American Industrial Classification System (NAICS 2007) with only a few exceptions, which are noted. Definitions for these uses shall be those provided by the NAICS 2007 unless otherwise provided in the Zoning Bylaw. The 2007 North American Industry Classification System hard copy manual shall be the official source for those definitions not specifically listed in the Zoning Bylaw and final interpretation of those definitions shall be made by the applicable permit granting authority. The current NAICS website may also be used for reference at: <http://www.census.gov/eos/www/naics/>. Any definitions posted on the NAICS website or any other publication other than the 2007 manual shall not be considered a credible source where conflicts or disputes arise regarding the Zoning Bylaw.

Business Uses are regulated in this section of the Use Table by the Gross Floor Area (GFA) associated with the use. The GFA requirement shall be applied to individual operations and to the aggregate GFA for collections of smaller operations in a coordinated development. A coordinated development shall be any development that includes multiple buildings on the same lot, any building that contains multiple uses or tenants, or any collection of parcels that are otherwise connected through the use of shared driveways, travel lanes, or parking areas. For example, any particular use that is allowed to have 5,000 GFA, but is prohibited from having more than 5,000 GFA, shall mean that no more than 5,000 GFA in the aggregate for that type of use shall be allowed, regardless of how many buildings the use may be contained in on a parcel. Similarly, if a use requires a special permit if a particular threshold of GFA is exceeded, then, once that threshold GFA is reached in the aggregate, the special permit requirement shall apply, regardless of how many buildings the use may be contained in on a parcel.

Many of the uses provided in this section of the Use Table represent broader categories or subcategories according to the NAICS 2007. Where that is the case, all of the more specific uses within a broader category shall be regulated in accordance with the table unless explicitly exempted. For example, where the Use Table provides a line for “Finance and Insurance” each of the more specific uses under Finance and Insurance in the NAICS 2007 will be regulated in that fashion (e.g. Monetary Authorities-Central Bank, Commercial Banking, Savings Institutions, etc.) Where a subcategory or a specific use is provided in the following table, and a subcategory or specific use from the same larger grouping is not provided, the subcategory or specific use that is not provided is prohibited. For example, the Use Table provides an allowance for “Performing Art Companies” but not “Spectator Sports”. These subcategories are parts of the larger “Performing Arts, Spectator Sports, and Related Activities” group. Since Performing Art Companies is included in the table, but Spectator Sports is not, Spectator Sports and all associated subcategories are prohibited. It is important to note that a subcategory that is not allowed within this Business section of the use table may be allowed in other sections of the Land Use Table.

	USE DESCRIPTION	NAICS CODE	CBD	B	HB	LM	IND	PARKING CODE
a	Office of a Business engaged in Construction of Buildings and Heavy and Civil Engineering Construction as defined further in Section 14 of this Bylaw	236, 237 (with the stipulation of definition in Section 14)						4
	Less than or equal to 20,000 square feet GFA		A	A	A	A	A	
	Greater than 20,000 square feet GFA		X	SPZ	A	A	A	

	USE DESCRIPTION	NAICS CODE	CBD	B	HB	LM	IND	PARKING CODE
b	Office and/or Shop of a Specialty Trade Contractor	238 (with the stipulation of being an office and/or shop)						4
	Less than or equal to 5,000 square feet GFA		SPP	A	A	A	A	
	Greater than 5,000 square feet, less than or equal to 20,000 square feet GFA		X	SPZ	A	A	A	
	Greater than 20,000 square feet GFA		X	X	SPZ	A	A	
c	Retail Trade with the exception of Motor Vehicle and Parts Dealers, Gasoline Stations, Miscellaneous Store Retailers, and Nonstore Retailers	44-45 (with the exception of 441, 447, 453, 454)						4
	Less than or equal to 5,000 square feet GFA		A	A	A	A	A	
	Greater than 5,000 square feet, less than or equal to 20,000 square feet GFA		SPP	A	A	A	A	
	Greater than 20,000 square feet, less than or equal to 50,000 square feet GFA		X	SPZ	A	A	A	
	Greater than 50,000 square feet GFA		X	SPZ	SPZ	SPZ	SPZ	
d	Motor Vehicle and Parts Dealers, Gasoline Stations, and Nonstore Retailers	441, 447, 454						4
	Less than or equal to 5,000 square feet GFA		X	SPZ	A	A	A	
	Greater than 5,000 square feet GFA		X	SPZ	SPZ	SPZ	SPZ	
e	Miscellaneous Store Retailers as defined further in Section 14 of this Bylaw with the exception of Manufactured (Mobile) Home Dealers	453 (with the exception of 453930 and with the stipulation of definition in Section 14)						4
	Less than or equal to 5,000 square feet GFA		A	A	A	A	A	
	Greater than 5,000 square feet, less than or equal to 20,000 square feet GFA		SPP	A	A	A	A	
	Greater than 20,000 square feet, less than or equal to 50,000 square feet GFA		X	SPZ	A	A	A	
	Greater than 50,000 square feet GFA		X	SPZ	SPZ	SPZ	SPZ	
f	Manufactured (Mobile) Home Dealers	453930						6
	Less than or equal to 20,000 square feet GFA		X	SPZ	A	A	A	
	Greater than 20,000 square feet GFA		X	X	A	A	A	

	USE DESCRIPTION	NAICS CODE	CBD	B	HB	LM	IND	PARKING CODE
g	Taxi and Limousine Service and Support Activities for Road Transportation	4853, 4884						6
	Less than or equal to 20,000 square feet GFA		X	SPZ	A	A	A	
	Greater than 20,000 square feet GFA		X	X	SPZ	SPZ	SPZ	
h	Scenic and Sightseeing Transportation and Couriers and Messengers	487, 492						6
	Less than or equal to 20,000 square feet GFA		X	SPZ	A	A	A	
	Greater than 20,000 square feet GFA		X	X	SPZ	SPZ	SPZ	
i	Information Services with the exception of Motion Picture and Video Exhibition	51 (with the exception of 512131)						4
	Less than or equal to 5,000 square feet GFA		A	A	A	A	A	
	Greater than 5,000 square feet GFA		SPP	A	A	A	A	
j	Motion Picture Theaters (except Drive-Ins)	512131						3
	Less than or equal to 5,000 square feet GFA		A	A	A	A	X	
	Greater than 5,000 square feet, less than or equal to 20,000 square feet GFA		SPP	A	A	A	X	
	Greater than 20,000 square feet GFA		X	SPZ	A	A	X	
k	Finance and Insurance ⁽¹⁾	52						4
	Less than or equal to 5,000 square feet GFA		A	A	A	A	A	
	Greater than 5,000 square feet		SPP	A	A	A	A	
l	Real Estate ⁽¹⁾	531						4
	Less than or equal to 5,000 square feet GFA		A	A	A	A	A	
	Greater than 5,000 square feet		SPP	A	A	A	A	
m	Rental and Leasing Services with the exception of Consumer Electronics and Appliances Rental, Formal Wear and Costume Rental, Video Tape and Disc Rental, Home Health Equipment Rental, and General Rental Centers	532 (with the exception of 53221, 53222, 53223, 532291, 53231)						4
	Less than or equal to 5,000 square feet GFA		SPP	A	A	A	X	
	Greater than 5,000 square feet, less than or equal to 20,000 square feet GFA		SPP	SPZ	A	A	A	
	Greater than 20,000 square feet GFA		X	SPZ	SPZ	SPZ	A	

	USE DESCRIPTION	NAICS CODE	CBD	B	HB	LM	IND	PARKING CODE
n	Consumer Electronics and Appliances Rental, Formal Wear and Costume Rental, Video Tape and Disc Rental, Home Health Equipment Rental, and General Rental Centers	53221, 53222, 53223, 53231						4
	Less than or equal to 5,000 square feet GFA		A	A	A	A	X	
	Greater than 5,000 square feet, less than or equal to 20,000 square feet GFA		SPP	A	A	A	SPZ	
	Greater than 20,000 square feet GFA		X	SPZ	A	A	SPZ	
o	Home Health Equipment Rental	532291						4
	Less than or equal to 5,000 square feet GFA		A	A	A	A	X	
	Greater than 5,000 square feet, less than or equal to 20,000 square feet GFA		SPP	A	A	A	SPZ	
	Greater than 20,000 square feet GFA		X	SPZ	A	A	SPZ	
p	Professional, Scientific and Technical Services with the exception of Testing Laboratories and Research and Development in Biotechnology ⁽¹⁾	54 (with the exception of 541380, 541711)						4
	Less than or equal to 5,000 square feet GFA		A	A	A	A	SPZ	
	Greater than 5,000 square feet		SPP	A	A	A	A	
q	Testing Laboratories and Research and Development in Biotechnology with the exception of uses that exceed Biosafety Level 2 as defined by the Centers for Disease Control and Prevention and further defined within Section 14 of this Bylaw	541380 and 541711 (with the stipulation of not exceeding Biosafety Level 2 as defined in Section 14)						4
	Less than or equal to 20,000 square feet GFA		SPP	A	A	A	A	
	Greater than 20,000 square feet, less than or equal to 50,000 square feet GFA		X	SPZ	A	A	A	
	Greater than 50,000 square feet GFA		X	X	SPZ	SPZ	SPZ	
r	Management of Companies and Enterprises ⁽¹⁾	55						4
	Less than or equal to 5,000 square feet GFA		A	A	A	A	SPZ	
	Greater than 5,000 square feet		SPP	A	A	A	A	
s	Office Administrative Services, Business Support Services, and Travel Arrangement and Reservation Services ⁽¹⁾	5611, 5614, 5615						4
	Less than or equal to 5,000 square feet GFA		A	A	A	A	A	
	Greater than 5,000 square feet		SPP	A	A	A	A	

	USE DESCRIPTION	NAICS CODE	CBD	B	HB	LM	IND	PARKING CODE
t	Employment Services, Investigation and Security Services, Services to Buildings and Dwellings, and Other Support Services as defined further in Section 14 of this Bylaw	5613, 5616, 5617, 5619 (with the stipulation of the definition in Section 14)						4
	Less than or equal to 5,000 square feet GFA		SPP	A	A	A	A	
	Greater than 5,000 square feet, less than or equal to 20,000 square feet GFA		SPP	SPZ	A	A	A	
	Greater than 20,000 square feet GFA		X	SPZ	SPZ	SPZ	A	
u	Septic Tank and Related Services as defined further in Section 14 of this Bylaw	562991 (with the stipulation of the definition in Section 14)						4
	Less than or equal to 20,000 square feet GFA		X	SPZ	SPZ	SPZ	SPZ	
	Greater than 20,000 square feet GFA		X	X	X	X	X	
v	All Other Miscellaneous Waste Management Services as defined further in Section 14 of this Bylaw	562998 (with the stipulation of the definition in Section 14)						4
	Less than or equal to 20,000 square feet GFA		X	SPZ	SPZ	SPZ	SPZ	
	Greater than 20,000 square feet GFA		X	X	X	X	X	
w	Offices of Physicians, Dentists, Other Health Practitioners, and Medical Diagnostic Laboratories ⁽¹⁾	6211, 6212, 6213, 6215						4
	Less than or equal to 20,000 square feet GFA		A	A	A	A	A	
	Greater than 20,000 square feet GFA		SPP	A	A	A	A	
x	Performing Arts Companies and Independent Artists, Writers and Performers	7111, 7115						3
	Less than or equal to 20,000 square feet GFA		SPP	A	A	A	X	
	Greater than 20,000 square feet GFA		SPP	SPZ	SPZ	SPZ	X	
y	Promoters of Performing Arts, Sports and Similar Events	7113						4
	Less than or equal to 5,000 square feet GFA		A	A	A	A	A	
	Greater than 5,000 square feet GFA		SPP	A	A	A	A	
z	Zoos and Botanical Gardens and Natural Parks and Other Similar Institutions	712130, 712190						6
	Less than or equal to 20,000 square feet GFA		X	A	A	A	X	
	Greater than 20,000 square feet GFA		X	SPZ	SPZ	SPZ	X	

	USE DESCRIPTION	NAICS CODE	CBD	B	HB	LM	IND	PARKING CODE
aa	Amusement Arcades	713120						4
	Less than or equal to 20,000 square feet GFA		SPP	A	A	A	X	
	Greater than 20,000 square feet GFA		X	SPZ	SPZ	SPZ	X	
bb	Private Golf Courses and Country Clubs	713910	X	X	A	A	X	6
cc	Fitness and Recreation Sports Centers	713940						4
	Less than or equal to 5,000 square feet GFA		A	A	A	A	A	
	Greater than 5,000 square feet, less than or equal to 20,000 square feet GFA		SPP	SPZ	A	A	A	
	Greater than 20,000 square feet GFA		SPP	SPZ	SPZ	SPZ	SPZ	
dd	Bowling Centers	713950						6
	Less than or equal to 5,000 square feet GFA		SPP	A	A	A	X	
	Greater than 5,000 square feet, less than or equal to 20,000 square feet GFA		SPP	SPZ	A	A	SPZ	
	Greater than 20,000 square feet GFA		X	SPZ	SPZ	SPZ	SPZ	
ee	All Other Amusement and Recreation Industries as further defined within Section 14 of this Bylaw	713990 (with the stipulation of the definition in Section 14)						6
	Less than or equal to 20,000 square feet GFA		SPP	SPZ	A	A	X	
	Greater than 20,000 square feet GFA		X	SPZ	SPZ	SPZ	X	
ff	Hotels (except Casino Hotels) and Motels	721110						2
	Less than or equal to 20,000 square feet GFA		SPP	SPZ	A	A	SPZ	
	Greater than 20,000 square feet, Less than or equal to 50,000 square feet GFA		X	SPZ	A	SPZ	SPZ	
	Greater than 50,000 square feet GFA		X	X	A	SPZ	SPZ	
gg	Bed-and-Breakfast Inns	721191						2
	Less than or equal to 5,000 square feet GFA		A	A	A	A	X	
	Greater than 5,000 square feet, less than or equal to 20,000 square feet GFA		SPP	SPZ	A	A	X	
	Greater than 20,000 square feet GFA		X	SPZ	SPZ	SPZ	X	
hh	Full-Service Restaurant	7221						3
	Less than or equal to 5,000 square feet GFA		A	A	A	A	A	
	Greater than 5,000 square feet GFA		SPP	A	A	A	SPZ	
ii	Limited-Service Eating Places	7222						3
	Less than or equal to 5,000 square feet GFA)		A	A	A	A	A	
	Less than or equal to 20,000 square feet GFA		A	A	A	A	X	
	Greater than 20,000 square feet GFA		X	X	SPZ	SPZ	X	

	USE DESCRIPTION	NAICS CODE	CBD	B	HB	LM	IND	PARKING CODE
jj	Special Foods Service	7223						4
	Less than or equal to 5,000 square feet GFA		SPP	A	A	A	SPZ	
	Greater than 5,000 square feet, less than or equal to 20,000 square feet GFA		SPP	SPZ	A	A	SPZ	
	Greater than 20,000 square feet GFA		X	SPZ	SPZ	SPZ	A	
kk	Drinking Places (Alcoholic Beverages) ⁽³⁾	7224						3
	Less than or equal to 5,000 square feet GFA		A	A	A	A	A	
	Greater than 5,000 square feet GFA		SPP	SPZ	SPZ	SPZ	SPZ	
ll	Automotive Repair and Maintenance	8111						4
	Less than or equal to 5,000 square feet GFA		X	SPZ	A	A	A	
	Greater than 5,000 square feet GFA		X	SPZ	SPZ	SPZ	SPZ	
mm	Electric and Precision Equipment Repair and Maintenance and Commercial and Industrial Machinery and Equipment (except Automotive and Electric) Repair and Maintenance	8112, 8113						4
	Less than or equal to 5,000 square feet GFA		A	A	A	A	A	
	Greater than 5,000 square feet, less than or equal to 20,000 square feet GFA		SPP	SPZ	A	A	A	
	Greater than 20,000 square feet, less than or equal to 50,000 square feet GFA		X	SPZ	SPZ	SPZ	A	
	Greater than 50,000 square feet GFA		X	X	X	SPZ	SPZ	
nn	Personal and Household Goods Repair and Maintenance	8114						4
	Less than or equal to 5,000 square feet GFA		A	A	A	A	A	
	Greater than 5,000 square feet, less than or equal to 20,000 square feet GFA		SPP	SPZ	A	A	A	
	Greater than 20,000 square feet GFA		X	SPZ	SPZ	SPZ	A	
oo	Personal and Laundry Services with the exception of Parking Lots and Garages ⁽²⁾	812 (with the exception of 81293)						4
	Less than or equal to 5,000 square feet GFA		A	A	A	A	SPZ	
	Greater than 5,000 square feet, less than or equal to 20,000 square feet GFA		SPP	SPZ	SPZ	SPZ	SPZ	
	Greater than 20,000 square feet GFA		X	SPZ	SPZ	SPZ	SPZ	
pp	Parking Lots and Garages	81293	SPP	SPZ	SPZ	SPZ	SPZ	6

	USE DESCRIPTION	NAICS CODE	CBD	B	HB	LM	IND	PARKING CODE
qq	Any Adult Establishment defined in Section 14 of the Bylaw, provided that such use is not less than five hundred (500) feet from a residential district, school, religious institution, or day care facility or from any other adult bookstore or adult motion picture theatre or from any establishment licensed to sell alcoholic wine and malt beverages under the provisions of M.G.L. Chapter 138, Section 12	NA	X	X	X	X	SPZ	6
rr	General Warehousing and Storage	493110						5
	Less than or equal to 20,000 square feet GFA		X	SPZ	A	A	A	
	Greater than 20,000 square feet		X	X	A	A	A	

- (1) Such uses may be allowed by a Special Permit application to the Zoning Board of Appeals in the General Residence District, but shall be limited to 2,000 square feet of gross floor area per establishment.
- (2) Death Care Services may be allowed by Special Permit application to the Zoning Board of Appeals in the General Residence District. Such services shall be those customarily associated with funeral parlors or undertaking establishments.
- (3) Subject to licensing approval from the Board of Selectmen.

Commentary: The above notes were placed in the Use Table to reflect the fact that certain business uses are allowed in GR today. The allowances for these uses today do not have any restrictions relative to size or other criteria outside of the standard Special Permit criteria used by the ZBA. The size limit of 2,000 square feet was added to this version to limit the size of individual operations that could potentially be developed in the GR.

Commentary: These use allowances in subsections “m” and “n” deal with rental services and have been separated generally by large bulk items and machinery versus smaller items such as clothing, costumes or movies. These uses would likely be regulated as Retail Sales and Services under the existing Use Table in Section 3, letters “a” through “c”. Unlike other more general retail uses, rental operations are very much a “niche” operation and often look to locate in areas of lower rent and lower foot traffic, especially those operations dealing with larger equipment. These operations also can require large storage areas, making them more suitable to less restrictive business or industrial zones.