

ARTICLE 8

REGULATION OF USES

SECTION 8-1. **Uses Regulated by Districts.** In each district the use of land and structures is hereby regulated as provided in the following sections.

SECTION 8-2. **Allowed Uses.** No land or structure in any district shall be erected, used, or arranged or designed to be used, in whole or in part, for any use except under the provisions of Section 8-3 and Article 6, unless such use is specified in the use item column of Table A of Section 8-7, and the letter "A" is set against such use in the column headed by the designation of such district. Any use so marked shall be allowed as a matter of right, subject only to the requirements set forth in the use item column.

↔SECTION 8-3. **Conditional Uses.** No land or structure in any district shall be erected, used, or arranged or designed to be used, in whole or in part, for any use under the provisions of Article 6 unless such use is specified in the use item column of Table A of Section 8-7, and the letter "C" is set against such use in the column headed by the designation of such district. The granting of a permit for any use so marked may be authorized conditionally by the Board of Appeal acting under the provisions of Article 6, subject to the requirements set forth in the use item column. The continued right to a conditional use is dependent upon maintaining the character and extent of operations and structures.

(↔As amended on April 11, 1979)

SECTION 8-4. **Forbidden Uses.** No land or structure in any district shall be erected, used, or arranged or designed to be used, in whole or in part, for any use specified in the use item column of Table A of Section 8-7 if the letter "F" is set against such use in the column headed by the designation of such district, except for such nonconforming uses as may be allowed to be continued under the provisions of Article 9.

SECTION 8-5. **Uses Subject to Other Regulations.** Allowed and conditional uses shall be subject, in addition to use regulations of height, area, yard, setback, lot size and area, lot width, and building bulk, to such provisions for off-street parking and loading, and to such other provisions as are specified in other sections of this code.

↔SECTION 8-6. **Pre-Existing Conditional Uses.** Any use existing on the effective date of this code which this code classifies as a conditional use in the district in which the land occupied by the use is located, and also any use existing on the effective date of any amendment of this code which such amendment so classifies, shall be deemed to have been authorized as a conditional use subject to maintaining the character and extent of operations and structures existing on the effective date of this code or of such amendment, as the case may be. Any application for a change in use or an increase in the area

devoted to such use shall be subject to the provisions of Article 6, but no conditional use permit shall be required for the replacement of gross floor area lost by fire or other casualty.

(↔As amended on January 8, 1982)

↔SECTION 8-7. **Use Regulations.** No land or structure shall be erected, used, or arranged or designed to be used, in whole or in part, except in conformity with the following table or as otherwise provided in regulations pertaining to a special purpose overlay district, neighborhood district, downtown district, waterfront service district, waterfront manufacturing district, light manufacturing district, or the Harborpark District:

TABLE A: USE REGULATIONS

Key:

Residential	Business	Industrial	Open Space	Status
S = Single	L = Local	M = Restricted	OS* = Open	A = Allowed
R = General	B = General	I = General	Space	C = Conditional
H = Apartment		MER = Maritime Economy Reserve		F = Forbidden
		W = Waterfront		

See Section 3-1 for further explanation of the above districts.

For a district or subdistrict with the letter "N" added to its designation, see the article of this code pertaining to the neighborhood district within which such district or subdistrict lies.

For a downtown district, as established under Section 3-1C, see the article of this code pertaining to such downtown district.

For the Harborpark District, see Articles 42A, 42B, 42E, and 42F and other provisions of this code expressly referenced therein.

ID = Institutional District. See Section 3-1A for specific regulations.

*OS districts are not included in the table below. All uses except Use Items No. 27 and 27A are forbidden in OS districts. Use Item No. 27 is allowed and Use Item No. 27A is

conditional in OS districts, subject to the provisions of Article 33 of this code and of St. 1956, c. 665, s. 2, as amended.

(↔As amended on April 11, 1979, on January 4, July 15, and August 30, 1988, on February 1 and March 20, 1989, on April 27 and June 14, 1990, and on January 28, 1991)

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
SINGLE FAMILY DWELLINGS											
1	Detached dwelling, occupied by not more than one family	A	A	A	A	A	F	F	F	F	
↔1A	Mobile home on a permanent foundation and occupied by not more than one family	C*	C*	C*	C*	C*	F	F	F	F	
*Except F in a flood hazard district.											
(↔As inserted on June 29, 1984)											
2	Semi-detached dwelling occupied by not more than one family on each side of a party wall.....	F	A	A	A	A	F	F	F	F	
3	Attached or row house occupied by not more than one family in each structure between fire walls	F	A	A	A	A	F	F	F	F	
TWO-FAMILY DWELLINGS											
4	Detached dwelling occupied by not more than two families	F	A	A	A	A	F	F	F	F	
5	Semi-detached dwelling occupied by not more than two families on each side of a party wall.....	F	A	A	A	A	F	F	F	F	
6	Attached or row house occupied by not more than two families in each structure between fire walls	F	A	A	A	A	F	F	F	F	

ARTICLE 8 – REGULATION OF USES

District

NO.	USE ITEM	S	R	H	L	B	M	I	W	MER
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MULTI-FAMILY DWELLINGS

7	Building or group of buildings for occupancy by three or more families in separate dwelling units including apartment hotel without accessory uses specified in Use Item No. 78	F	#	A	A	A	C	F	C	F
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F in R-.5; A in R-.8.

GROUP CARE RESIDENCES

↔7A	Group care residence, general, as defined in Section 2-1, clause 22A	C	C	C	C	C	C	F	F	F
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(↔As inserted on November 9, 1978)

↕7B	Group residence, limited, as defined in clause (22B) of Section 2-1	A	A	A	A	A	C	F	F	F
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(↕ As inserted on August 10, 1979 and amended on February 22, 1991)

CONVERSION OF DWELLING STRUCTURES

↕ 8	Any dwelling converted for more families in separate dwelling units	F	A* C [↑]	A* C [↑]	A* C [↑]	A* C [↑]	C [↑]	F	C [↑]	F
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*Where structures after conversion will conform to this code; provided that, in a density limitation district, the maximum number of dwelling units with usable interior living area of (1) less than 750 square feet, in a building having a gross floor area of 2,000 or more square feet, or (2) less than 525 square feet, in a building having a gross floor area of less than 2,000 square feet, is as follows, unless

District

NO.	USE ITEM	S	R	H	L	B	M	I	W	MER
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after public notice and hearing and subject to the provisions of Sections 6-2, 6-3, and 6-4 the Board of Appeal grants permission for a larger number: one such unit, if the number of stories containing dwelling units is one to five inclusive; two such units, if the number of stories containing dwelling units is six or seven; and such units not limited if the number of stories containing dwelling units is eight or more.

↑ Provided that after conversion, the lot area per dwelling unit, the open space, and the off-street parking each meet not less than one-half the requirements of this code and that after conversion any nonconformity as to floor area ratio and yard dimension is no greater than prior to conversion.

(↓ As amended on April 14, 1967, April 11, 1979, and September 23, 1987)

↔8A	Any lodging or boarding house converted for three or more families in separate dwelling units	F	A* C↑	A* C↑	A* C↑	A* C↑	F	F	F	F
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*Where structures after conversion will conform to this code; provided that, in a density limitation district, the maximum number of dwelling units with usable interior living area of (1) less than 750 square feet, in a building having a gross floor area of 2,000 or more

District

NO.	USE ITEM	S	R	H	L	B	M	I	W	MER
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square feet, or (2) less than 525 square feet, in a building having a gross floor area of less than 2,000 square feet, is as follows, unless after public notice and hearing and subject to the provisions of Sections 6-2, 6-3, and 6-4 the Board of Appeal grants permission for a larger number: one such unit, if the number of stories containing dwelling units is one to five inclusive; two such units, if the number of stories containing dwelling units is six or seven; and such units not limited if the number of stories containing dwelling units is eight or more.

↑ Provided that after conversion the lot area per dwelling unit, the open space, and the off-street parking each meet not less than one-half the requirements of this code and that after conversion any non-conformity as to floor area ratio and yard dimension is no greater than prior to conversion.

(↔As inserted on September 23, 1987)

TEMPORARY DWELLINGS

9	Temporary dwelling structure	C	C	C	C	C	C	C	C	F
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LODGING HOUSES, DORMITORIES, HOTELS, etc.

↑ 10	Lodging or boarding house	F	C	C	A*	A*	F	F	F	F
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*Except C in L-2-65 and B-3-65.

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District

NO.	USE ITEM	S	R	H	L	B	M	I	W	MER
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(↑ As amended on September 16, 1965, February 17, 1971, March 20, 1972, March 28, 1975, October 19, 1978, and October 31, 1980)

↑ 11	Dormitory on the same lot as, and accessory to, a use specified in Use Item No. 16A or Use Item No. 18 on a lot of three acres or more	C	C	C*	C	C	F	F	F	F
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*Except F in H-2-65.

(↔As amended on September 16, 1965, December 5, 1966, May 26, 1970, February 17, 1971, March 20, 1972, and February 28, 1979)

↑ 12	Dormitory on the same lot as, and accessory to, a use specified in Use Item No. 16A or Use Item No. 18 on a lot of less than three acres	C	C	C*	C	C	F	F	F	F
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*Except F in H-2-65.

(↑ As amended on December 5, 1966, May 26, 1970, February 17, 1971, March 20, 1972, and February 28, 1979)

↑ 13	Dormitory not upon the same lot as, but accessory to, a use specified in Use Item No. 16A or Use Item No. 18	C	C	C*	C	C	F	F	F	F
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*Except F in H-2-65.

(↑ As amended on December 5, 1966, May 26, 1970, February 17, 1971, March 20, 1972, and February 28, 1979)

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
↔13A	Dormitory not accessory to a use specified in Use Item No. 16A or Use Item No. 18	F	C	C*	C	C	F	F	F	F	

*Except F in H-2-65 and H-3-65.

(↔As inserted on February 3, 1966, and amended on December 5, 1966, May 26, 1970, February 17, 1971, March 20, 1972, October 19, 1978, and October 31, 1980)

↓ 14	Fraternity or sorority house	F	C	C*	C	C	F	F	F	F
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*Except F in H-2-65, H-3-65 and H-5.

(↓ As amended on September 16, 1965, December 5, 1966, May 26, 1970, February 17, 1971, March 20, 1972, February 28, 1979, and October 31, 1980)

↓ 15	Hotel; motel; apartment hotel	F	F	C*	#	A	F	F	F	F
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*Except F in H-2-65 and H-3-65.

#F in L-.5 and L-1; A in L-2; C in L-2-65.

(↓ As amended on October 22, 1974, October 19, 1978, and October 31, 1980)

EDUCATIONAL INSTITUTIONS

↓ 16 ID	Elementary or secondary school attendance at which satisfies the requirements of the compulsory education laws of the Commonwealth of Massachusetts	A*	A*	#	A*	A [↑]	C	F	C	F
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District

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
	<p>*Provided that no play space or parking area is nearer any lot line than the front yard depth required by this code for the lot, and that the requirements of St. 1956, c.665, s.2, where apt, are met.</p> <p>#A* except C* in H-2-65 and except C* in H-3-65 if an elementary school and F in H-3-65 if a secondary school.</p> <p>↑ Subject to St. 1956, c.665, s.2.</p> <p>(↓ As amended on September 7, 1967, May 26, 1970, October 19, 1978, April 11, 1979, and October 31, 1980)</p>										
↓ 16A	College or university granting degrees by authority of the Commonwealth of Massachusetts	C	C	C*	C	C	C	C	F	F	
	<p>*Except F in H-2-65 and H-3-65; provided, however, that the use shall be C in these districts if it will occupy space being used by the same educational institution for Use Item No. 11, 12, 13, 20, 24, or 79 at the time that such change in use is proposed.</p> <p>(↓ As amended on September 7, 1967, May 26, 1970, November 23, 1979, and October 31, 1980)</p>										
↓ 17 ID	Day care center; nursery school; kindergarten	C	C ⁺	A*	A	A	A	A	C	F	

District

NO.	USE ITEM	District								
		S	R	H	L	B	M	I	W	MER

+Except A in an R-.8 district, provided that the facility accommodates no more than 60 children and the use is accessory to Use Item 16, 16A, 20, 21, 27, 28, or 29; otherwise C.

*Provided that the facility accommodates no more than 60 children; otherwise conditional; and except C in H-2-65 and H-3-65 regardless of the number of children accommodated.

(↓ As amended on March 20, 1972, June 7 and October 22, 1974, October 19, 1978, April 11, 1979, and October 31, 1980)

↓ 18	Trade, professional or other school	F	F	C*	C	C	C	C	C	F
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*Except F in H-2-65 and H-3-65.

(↓ As amended on May 26, 1970, October 19, 1978, and October 31, 1980)

↓ 19	Machine shop or other noisy activity accessory to a school, college or university	C*	C*	C* [↑]	C*	C*	C	C	C	F
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[↑]Except F in H-2-65 and H-3-65.

*Provided that it is located at least one hundred feet from all lot lines and in the opinion of the Board of Appeal is adequately sound-insulated to protect the neighborhood from unnecessary noise.

District

NO.	USE ITEM	S	R	H	L	B	M	I	W	MER
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(↓ As amended on May 26, 1970, October 19, 1978, and October 31, 1980)

OTHER INSTITUTIONAL USES

↓ 20 ID	Library or museum, not conducted for profit and not accessory to a use listed under Use Item No. 16A, 18, 22, 23, or 24	A	A	A	A	A	A	A	C	F
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(↓ As amended on July 9, 1973, October 19, 1978, April 11, 1979, October 31, 1980, and January 8, 1982)

↔20A	Library or museum not conducted for profit, and accessory to a use listed under Use Item No. 16A, 18, 22, 23, or 24, whether or not in the same lot	C*	C*	C*	C*	C*	C*	C*	C*	F
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*Except A if accessory to Use Item No. 22 and if at least one of the provisos in the footnote of Use Item 22 is met.

(↔As inserted on January 8, 1982)

↓ 21	Place of worship; monastery; convent; parish house	A	A	A*	A*	A	A	A	A	F
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*Except C in H-2-65, H-3-65 and L-2-65.

(↓ As amended on April 14, 1967, October 19, 1978, and October 31, 1980)

District

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
↕ 22	Hospital or sanatorium not providing custodial care for drug addicts, alcoholics or mentally ill or mentally deficient persons; clinic or professional offices accessory to a hospital or sanatorium whether or not on the same lot	F	F	C*	C*	C*	F	F	F	F	

*Except A provided that (1) the land or structure occupied by such use is located in an urban renewal area (U) overlay district or planned development area (D) overlay district as those areas are defined in Section 3-1A; or (2) such use is the subject of an application for determination of need filed on or before October 22, 1981, with the Department of Public Health of the Commonwealth under Section 25C of Chapter 111 of the General Laws, and such application, as it may be amended or modified, has been granted either prior or subsequent to October 22, 1981, or (3) an extension of a pre-existing structure contains no more than 2,500 square feet of gross floor area or a free standing building contains no more than 500 square feet of gross floor area and, in either case, occupies land in medical institutional use prior to October 22, 1981, or (4) such use will occupy interior space being used by the same institution for Use Item No. 20A, 22, 24, 29, 77 or 79 at the time such change is proposed.

District

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
	(↓ As amended on April 14, 1967, June 8, 1977, October 19, 1978, July 11, 1979, October 31, 1980, and January 8, 1982)										
↓ 22A	Convalescent, nursing or rest home; home for the aged; orphanage; or similar institution not for correctional purposes	F	F	A*	A*	A*	F	F	F	F	
	*Provided that custodial care is not provided for drug addicts, alcoholics or mentally ill or mentally deficient persons.										
	(↓ As amended on April 14, 1967, June 8, 1977, and April 11, 1979)										
↓ 23	Any use listed under Use Item No. 22 or 22A providing custodial care for drug addicts, alcoholics or mentally ill or mentally deficient persons		F	F	F	C	C	C	C	F	F
	(□As amended on October 19, 1978)										
↓ 24	Scientific research and teaching laboratories not conducted for profit and accessory to a use listed under Use Item No. 16, 16A, 18, 22, or 23, whether or not on the same lot, provided that all resulting cinders, dust, flashing, fumes, gases, odors, refuse matter, smoke and vapor are effectively confined to the lot or so disposed of as not to be a nuisance or hazard to health or safety; and provided also that no noise or vibration is perceptible										

NO.	USE ITEM	District								
		S	R	H	L	B	M	I	W	MER
	without instruments more than fifty feet from the lot or any part of the lot	F	F	C*	C*	C*	C*	C*	C*	F
	*Except A if accessory to Use Item No. 16 and also A if accessory to Use Item No. 22 and at least one of the provisos in the footnote of Use Item No. 22 is met.									
	(↑ As amended on July 9, 1973, October 19, 1978, October 31, 1980, and January 8, 1982)									
25	Penal or correctional institution; detention home	F	F	F	F	C	C	C	F	F
↑ 26	a. New cemetery	C	C	C	C	C	C	C	C	F
	b. Extension of a cemetery existing on the effective date of this code	A	A	A	A	A	A	A	F	F
	c. Mortuary chapel in a cemetery	A*	A*	A*	A*	A*	A*	A*	F	F
	*Provided that such chapel is located more than one hundred and fifty feet from every lot line of the cemetery that abuts land in a S, R or H district that is not part of a cemetery.									
	d. Crematory in a cemetery	A*	A*	A*	A*	A*	A*	A*	F	F
	*Provided that such crematory is located more than three hundred feet from every lot line of the cemetery that abuts land in a S, R or H district that is not part of a cemetery.									

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
e.	Columbarium in a cemetery	A	A	A	A	A	A	A	F	F	

(↓ As amended on April 11, 1979)

RECREATIONAL USES

↓ 27	Open space in public ownership dedicated to or appropriated for active or passive recreational use or to the conservation of natural resources; including but not limited to the waterway areas, beaches, reservations, parks, and playgrounds within the boundaries of the City of Boston; or, open space in private ownership for active or passive recreational use or for the conservation of natural resources. In an OS district there shall be no structures except those accessory to open space uses, in accordance with Use Item No. 27A	A*	A*	A*	A*	A*	A	A	A	F
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*Subject to St. 1956, c. 665, s.2, as amended.

(↓ As amended on January 4 and October 12, 1988)

↓ 27A	Open space recreational building, a structure on an open space area that is necessary and/or appropriate to the enhanced enjoyment of the particular open space area	C*	C*	C*	C*	C*	C	C	C	F
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In an OS district, such structure is C and, further, is subject to the provisions of Article 33.

*Subject to St. 1956, c. 665, s.2, as amended.

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
	(↓ As inserted on January 4, 1988 and amended on October 12, 1988)										
↓ 28 ID	Private grounds for games and sports not conducted for profit	A*	A*	A*	A	A	C	C	C	F	

*Provided (1) that no parking area or active outdoor recreation area is nearer any lot line than the front yard depth required by this code for the lot, and (2) that, unless after public notice and hearing and subject to the provisions of Sections 6-2, 6-3 and 6-4, the Board of Appeal grants permission therefor, there are no accommodations for spectators nor outdoor floodlights nor any indoor or outdoor activity which is in itself noisy.

(↓ As amended on April 11, 1979)

↓ 29 ID	Adult education center building; community center building; settlement house	A*	A*	A* [↑]	A [↑]	A	C	C	C	F
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*Provided (1) that no parking area or active outdoor recreation area is nearer any lot line than the front yard depth required by this code for the lot, and (2) that, unless after public notice and hearing and subject to the provisions of Sections 6-2, 6-3, and 6-4, the Board of Appeal grants permission therefor, there are no accommodations for spectators nor outdoor floodlights nor any indoor or outdoor activity which is in itself noisy.

District

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	

↑ Except C in H-2-65, H-3-65 and L-2-65.

(↓ As amended on October 19, 1978, April 11, 1979, and October 31, 1980)

↑ 30 ID	Private club (including quarters of fraternal organizations) operated for members only	F	C*	C*	C	A [↑]	C	C	C	F
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*Provided (1) that no parking area or active outdoor recreation area is nearer any lot line than the front yard depth required by this code for the lot, and (2) that there are no accommodations for spectators nor outdoor floodlights nor any indoor or outdoor activity which is in itself noisy.

↑ Except C in B-3-65.

(↓ As amended on April 17, 1974, October 19, 1978, April 11, 1979, and October 31, 1980)

PUBLIC SERVICE USES

↑ 31	Public service pumping station; public service sub-station, automatic telephone exchange; telecommunications data distribution center	C*	C*	C*	C*	C*	C*	C*	C*	F*
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*Provided that the structure is essential to service in the residential area in which it is located, that no business office nor any storage building or yard is maintained in connection with

District

NO.	USE ITEM	S	R	H	L	B	M	I	W	MER
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it, and that the requirements of St. 1956, c. 665, s.2, where apt, are met.

*Subject to St. 1956, c. 665, s.2.

(↓ As Amended October 20, 2000.)

32	Telephone exchange (other than automatic)	F	F	F	A*	A	A	A	C	F
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*Provided that it is essential to service in the area in which it is located.

↓ 33	Fire station; police station	A*	A*	A*	A*	A*	A	A	A	F
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*Subject to St. 1956, c. 665, s.2.

(↓ As amended on April 14, 1967)

RETAIL BUSINESS

↓ 34	Store primarily serving the local retail business needs of the residents of the neighborhood, but not constituting a business as described in Use Item No. 34A, including, but not limited to, store retailing one or more of the following: food, baked goods, groceries, packaged alcoholic beverages, drugs, tobacco products, clothing, dry goods, books, flowers, paint, hardware and minor household appliances	F	F	F	A*	A+	A	A	C	F
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*Except C in all L and in B-1 and B-2 districts if the hours during which such establishment is open to the public begin before 6 A.M.

District

NO.	USE ITEM	S	R	H	L	B	M	I	W	MER
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or extend beyond 12 midnight, or if such merchandise is sold or displayed out of doors on the premises of such store.

+Except C if merchandise is sold or displayed out of doors on the premises of such store.

(↑ As amended on May 26, 1972, June 7, 1978, and October 14, 1981, and July 15, 1988)

↑ 34A	A shop for the barter, rental or sale of printed matter, pictures or motion picture film, if such shop is not open to the public generally but only to one or more classes of the public excluding any minor by reason of age; or if such shop keeps a part of such stock segregated as available to only one or more classes of the public excluding any minor by reason of age; or shop for the barter, rental or sale of printed matter, pictures or motion picture film bearing a legend restricting it to adults only or to one or more classes of the public excluding any minor by reason of age	F	F	F	F	F*	F	F	F	F
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*Except A in an adult entertainment district.

(↑ As inserted on May 26, 1972, and amended on April 11, 1973, September 27, 1973, and November 27, 1974)

NO.	USE ITEM	District								
		S	R	H	L	B	M	I	W	MER
↓ 34B	Pawnshop	F	F	F	C	C	C	C	C	F

(↓ As inserted on February 16, 2001, and amended on April 9, 2001)

↓ 35	Department store, furniture store, general merchandise mart, or other store serving the general retail business needs of a major part of the city, including accessory storage	F	F	F	C*	A+ [↑]	A [↑]	A [↑]	C	F
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*The sale or display of merchandise out of doors on the premises of such store shall require a supplementary or separate conditional use permit granted by the Board of Appeal under Sections 6-2, 6-3, and 6-4.

+Except C if merchandise is sold or displayed out of doors on the premises of such store.

[↑]Except C if such use will occupy a gross floor area of seventy-five thousand (75,000) or more square feet after it is established or enlarged; provided, however, that this footnote shall not apply in an I-2 district within the area bounded on the northeast by Interstate 93, on the northwest by the Midland Division railroad right-of-way, and on the southwest by Massachusetts Avenue.

(↓ As amended on October 14, 1981 and December 19, 1994.)

NO.	USE ITEM	District								
		S	R	H	L	B	M	I	W	MER
↔35A	Sale within a building of automotive parts, including, but not limited to, batteries, seat covers, tires, alternators, generators, carburetors, headlamps, fanbelts, motor oil, and similar automotive parts and accessories and supplies	F	F	F	C	C	A	A	C	+

+C if a maritime-dependent use; otherwise F.

(↔As inserted on November 7, 1996.)

36	Sale of automobiles and trucks where operation is carried on within a structure	F	F	F	F	A	A	A	C	F
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RETAIL CATERING

↔36A	Sale over the counter, not wholly incidental to a use listed under Use Item No. 34 or Use Item No. 37 or Use Item No. 50, of on-premises prepared food or drink for off-premises consumption or for on-premises consumption if, as so sold, such food or drink is ready for take-out	F	F	F	C	C	A	A	C	F
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(↔As inserted on August 12, 1971)

NO.	USE ITEM	District								
		S	R	H	L	B	M	I	W	MER
EATING PLACES AND ENTERTAINMENT										
↓ 37	Lunch room, restaurant, cafeteria or other place for the service or sale of food or drink for on-premises consumption, provided that there is no dancing nor entertainment other than phonograph, radio and television, and that neither food nor drink is served to, or consumed by, persons while seated in motor vehicles	F	F	F	A*	A*	A	A	C	F
*Except C in L-2-65, B-3-65, B-6-90a, and B-8-120a.										
(↓ As amended on August 12, 1971, February 10, 1972, June 7 and October 22, 1974, October 31, 1980, and April 2, 1987)										
↓ 37A	The maintenance and operation of any amusement game machine in a private club, dormitory, fraternity or sorority house, or similar noncommercial establishment (other than as an accessory use described in Use Item No. 86a)	F	C	C	C	A*	A*	A	C	F
*Except C in B-3-65, B-6-90a, B-8-120a, B-8-120b, and M-8.										
(↓ As inserted on June 2, 1983 and amended on April 2, 1987)										

District

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
↑ 38	Place for sale and consumption of food and beverages (other than drive-in restaurant) providing dancing or entertainment or both; theater (including motion picture theater but not drive-in theater); concert hall; dance hall; skating rink; bowling alley; pool room; billiard parlor; other social, recreational or sports center conducted for profit; or any commercial establishment maintaining and operating any amusement game machine (other than as an accessory use described in Use Item No. 86b or 86c); provided that such establishment is customarily open to the public at large and does not exclude any minor by reason of age as a prevailing practice	F	F	F	F	A*	#	A	C	F	

*A in B-1, B-2, B-4, B-8 and B-10; C in B-3-65, B-6-90a, B-8-120a, and B-8-120b.

#A in M-1, M-2, M-4; C in M-8.

(↑ As amended on April 14, 1967, April 11 and September 27, 1973, November 27, 1974, October 31, 1980, June 2, 1983, and April 2, 1987)

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
↔38A	Any of the uses enumerated in Use Items 38 and 52 if such establishment is customarily not open to the public generally but only to one or more classes of the public excluding any minor by reason of age	F	F	F	F	F*	F	F	F	F	F

*Except A in an adult entertainment district.

(↔As inserted on November 27, 1974)

OFFICE USES

↕ 39	Office of accountant, architect, attorney, dentist, physician, or other professional person, not accessory to a main use	F	F	C*	A	A	A+	A+	C	F
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*Except F in H-2-65 and H-3-65; C in H-1, H-1-40, H-1-50, H-2, H-2-45 or H-3 only if it is within two hundred feet of an H-4, H-5, L, B, M, I or W district.

+Except subject to Article 34, for a period of three years from its effective date. [Editor's note: The effective date of Article 34 was April 29, 1988.]

(↕ As amended on February 17, 1971, March 20, 1972, July 9, 1973, October 19, 1978, February 28, 1979, October 31, 1980, June 16, 1982, April 29, 1988, June 23, 1989, and May 3, 1990)

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
↑ 39A	Clinic not accessory to a main use	F	F	C*	C	C	C	A	C	F	
	*Provided that if in an H-1, H-1-40, H-1-50, H-2, H-2-45, H-2-65 or H-3 district, it is within two hundred feet of an H-3-65, H-4, H-5, L, B, M, I or W district.										
	(↓ As amended on October 19, 1978, February 28, 1979, October 31, 1980, June 16, 1982, and September 20, 1996.)										
↑ 40	Real estate, insurance or other agency office	F	F	F	A	A	A*	A*	C	F	
	*Except subject to Article 34, for a period of three years from its effective date. [Editor's note: The effective date of Article 34 was April 29, 1988.]										
	(↓ As amended on April 29, 1988, June 23, 1989, and May 3, 1990)										
↑ 41	Office building, post office, bank (other than drive-in bank) or similar establishment	F	F	F	A	A	A*	A*	C	F	
	*Except subject to Article 34, for a period of three years from its effective date. [Editor's note: The effective date of Article 34 was April 29, 1988.]										
	(↓ As amended on November 30, 1973, April 29, 1988, June 23, 1989, and May 3, 1990)										

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
↕ 42	Office or display or sales space of a wholesale, jobbing or distributing house	F	F	F	F	A*	A	A	A	F	

*Provided that not more than twenty-five percent of gross floor area devoted to this use is used for assembling, packaging and storing merchandise unless after public notice and hearing and subject to the provisions of Sections 6-2, 6-3 and 6-4, the Board of Appeal grants permission for a greater percentage to be so used.

(↕ As amended on April 14, 1967)

SERVICE ESTABLISHMENTS

↕ 43	Barber shop; beauty shop; shoe repair shop; self-service laundry; pick-up and delivery station of laundry or dry-cleaner; or similar use	F	F	F	A#	A	A	A	C	F
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#Except C if the hours during which such establishment is open to the public begin before 6 A.M. or extend beyond 12 midnight.

(↕ As amended on April 14, 1967, and June 7, 1978)

↔43A	Body Art Establishment	F	F	F	C	C	C	A	C	F
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(↔As inserted on April 9, 2001)

44	Tailor shop; hand laundry; dry-cleaning shop	F	F	F	A*	A*	A	A	C	F
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ARTICLE 8 – REGULATION OF USES

NO.	USE ITEM	District								
		S	R	H	L	B	M	I	W	MER
	*Provided that only nonflammable solvents are used for cleaning; and in L districts, provided also that not more than five persons at a time work in the establishment.									
↕ 45	Laundry plant; dry-cleaning plant; rug cleaning plant	F	F	F	F	F	A	A	C	F
	(↕ As amended on April 14, 1967)									
↕ 46	Caterer's establishment; photographer's studio; printing plant; taxidermist's shop; upholsterer's shop; carpenter's shop; electrician's shop; plumber's shop; radio and television repair shop	F	F	F	A*	A	A	A	C	F
	*Provided that not more than five persons at a time work in such establishment, studio, plant or shop.									
	(↕ As amended on April 14, 1967)									
47	Funeral home; undertaker's establishment; mortuary	F	F	F	C	A	A	A	C	F
48	Research laboratory; radio or television studio	F	F	F	A	A	A	A	C	F
↕ 48A	Check cashing business.....	F	F	F	F	C	C	C	+	+
	+C if a maritime-dependent use; otherwise F.									
	(↕ As inserted on October 6, 1994 and amended on July 31, 1997)									

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
49	Animal hospital or clinic; kennel; pound	F	F	F	F	A	A	A	C	F	
↓ 49A	Container redemption..... center	F	F	F	F	C*	A*	A*	+	+	

All storage of beverage containers shall be located entirely within a building.

*Except F within fifty (50) feet of a residential district or sub-district, Open Space district or subdistrict, or Conservation Protection subdistrict.

+A if a maritime-dependent use; otherwise F.

(↓ As inserted on September 30, 1993 and amended on October 6, 1994)

OPEN AIR AND DRIVE-IN USES

↓ 50	Drive-in bank; drive-in restaurant; drive-in cafeteria; or other place for the service or sale of on-premises prepared food or drink for on-premises or off-premises consumption, providing off-street parking facilities for its customers while doing business on the premises; outdoor sale or display for sale of garden supplies, agricultural produce, flowers and the like		F	F	F	C	C	A	A	C	F
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(↓ As amended on August 12, 1971, and November 30, 1973)

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
↕ 51	Outdoor sale or display for sale of new or used motor vehicles	F	F	F	F	C	A	A	C	F	

(↕ As amended on December 9, 1975)

↕ 52	Drive-in theater; stadium, or other outdoor place of assembly, operated for profit; golf driving range; other outdoor place of recreation operated for profit, provided that such establishment is customarily open to the public at large and does not exclude any minor by reason of age as a prevailing practice	F	F	F	F	C	A	A	C	F
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(↕ As amended on November 27, 1974)

↕ 53	Mobile home park	F	F	F	F	C*	A*	A*	C*	F
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*Except F in a flood hazard district.

(↕ As amended on March 26, 1982)

WHOLESALE BUSINESS AND STORAGE

54	Wholesale business, including accessory storage (other than of flammable liquids, gases and explosives) in roofed structures	F	F	F	F	C	A	A	A	F
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55	Outdoor storage of: new building materials, contractor's equipment, machinery, metals (other than scrap and junk), and the like	F	F	F	F	F	A*	A	A	F
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*Provided that any material or equipment stored to a height greater than four feet above grade level is surrounded by a wall or tight fence not less than

District

NO.	USE ITEM	District								
		S	R	H	L	B	M	I	W	MER
	seven feet high.									
56	Warehouse; storage, outdoors or in silos or hoppers, of coal, coke or other solid fuel or of crushed stone, sand or similar material; storage of fifteen thousand gallons or less of flammable liquids or of ten thousand cubic feet or less of gases	F	F	F	F	F	A*	A*	A*	F

*Provided that all dust and dirt incident to storage or handling is effectively confined to the lot; and in M districts, provided also that any material stored to a height greater than four feet above grade level is surrounded by a wall or tight fence not less than seven feet high.

↔56A	Storage of dumpsters not accessory or ancillary to a Main Use, nor used in conjunction with the ongoing operation of a permitted site with explicit legal use and occupancy as a dumpster repair facility, waste hauling contractor yard, or site assigned and licensed solid waste management facility	F	F	F	C	C	C	C	C	F
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(↔As inserted on September 18, 2000)

57	Outdoor storage of second-hand lumber or other used building material, junk, scrap, paper, rags, unrepaired or uncleaned containers, or other articles; storage of more than fifteen thousand gallons of flammable liquids and of more than ten thousand cubic feet of gases;									
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NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
	wrecking and dismantling of motor vehicles	F	F	F	F	F	F	C*	C*	F	

*Provided the use is screened by a wall or tight fence not less than seven feet high.

↔57A	Outdoor storage of damaged or disabled motor vehicles	F	F	F	F	F	C*	A*	C*	F
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*Provided there is no dismantling of motor vehicles or sale of used parts on the lot.

(↔As inserted on June 16, 1982)

VEHICULAR STORAGE AND SERVICE

↕ 58	Parking lot	C*	C*	C [↑]	C+	#	A+	A+	C+	F
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*Provided that the parking lot abuts or is across the street from an L, B, M, I or W district and is operated by an establishment in such district exclusively for the parking of motor vehicles (other than trucks) of, and without charge to, its employees, customers and guests; and provided further, in either case, that no vehicle is parked in the front yard required by this code or within a distance equal to the side yard so required from any side or rear lot line adjoining a lot in an S, R or H district, that all lighting is so arranged as to shine downward and away from streets and adjoining lots, and that the parking lot is adequately screened from all streets and

District

NO.	USE ITEM	S	R	H	L	B	M	I	W	MER
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adjoining lots.

↑ Except F in H-2-65 and H-3-65; also F unless the parking lot either is operated exclusively for the parking of motor vehicles (other than trucks) of persons living in the neighborhood, or abuts or is across the street from a L, B, M, I or W district and is operated by an establishment in such district exclusively for the parking of motor vehicles (other than trucks) of, and without charge to, its employees, customers and guests; and provided further, in either case, that no vehicle is parked in the front yard required by this code or within a distance equal to the side yard so required from any side or rear lot line adjoining a lot in a S, R or H district, that all lighting is so arranged as to shine downward and away from streets and adjoining lots and that the parking lot is adequately screened from all streets and adjoining lots.

#A+ in B-1 and B-2; C+ in other B districts.

+Except C in a restricted parking district and except F in a limited parking district.

(↓ As amended on May 30, 1969, February 17, 1971, September 27, 1973, October 19, 1978, October 31, 1980, and December 30, 1983)

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
↕ 59	Parking garage	F	F	C*	C [↑]	A [↑]	A [↑]	A [↑]	C [↑]	F	

*Provided that the parking garage is operated exclusively for the parking of motor vehicles (other than trucks) of persons living in the neighborhood except that gasoline and oil may be sold if sales thereof are limited to tenants of the garage and are completely consummated entirely within the garage.

[↑] Except C in a restricted parking district and except F in a limited parking district.

(↕ As amended on September 27, 1973, and December 30, 1983)

↔59A	Airport-related remote parking facility	F	F	F	C*	C*	A*	A*	C*+	F
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*Except F in:

- (a) a restricted parking district;
- (b) a limited parking district;
- (c) the area of North Dorchester bounded on the north by Southampton Street, on the west and east by the Roxbury and Dorchester Avenue Neighborhood Districts, respectively, and on the south by Dudley, Stoughton, and Thornley Streets.

+C if a maritime-dependent use; otherwise F.

(↔As inserted on November 21, 1996.)

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
↕ 60	Repair garage; gasoline service station; car wash	F	F	F	C*	C*	A	A	C	F	

*Provided that all washing, painting, lubricating, and making of repairs is carried on inside a building and that any auto body shop, car wash, repair shop and paint shop is sufficiently sound-insulated to confine all noise to the lot and that all flashing, fumes, gases, smoke and vapor are effectively confined to the lot; and further provided that there is no outdoor storage of damaged, disabled or unregistered motor vehicles for a period of more than one month.

(↕ As amended on April 14, 1967, and June 16, 1982)

↔60A	Sale and installation within a building of batteries, seat covers, tires and similar automotive parts and accessories	F	F	F	C	A	A	A	C	F
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(↔As inserted on April 14, 1967)

↕ 61	Rental agency, storing, servicing, and/or washing rental motor vehicles and trailers	F	F	F	F	C*	C*	A*	C*	F
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*Provided that no rental vehicles or trailers are parked on the street and that exterior lighting shall be arranged to shine downward and away from residences.

(↕ As amended December 9, 1975)

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
TRANSPORTATION USES											
62	Bus terminal; bus station	F	F	F	A	A	A	A	C	F	
63	Railroad passenger station	F	F	F	A	A	A	A	C	F	
64	Motor freight terminal; yard for storing or servicing trucks or buses; rail freight terminal; storage yard accessory to rail-road operation	F	F	F	F	F	C*	A*	C*	F	

*Provided that the terminal or yard is at least one hundred and fifty feet from every S, R and H district; and provided further, that the roadway of every street upon which a truck entrance or exit thereof abuts is at least forty feet wide and that every loading platform facing such an entrance or exit is at least eighty feet from the centerline of the street and at least fifty feet from the nearest sideline of the street.

↕ 65	Water freight or passenger terminal facility, including docks, piers, wharves, storage sheds for waterborne commodities, and rail and truck facilities accessory to a waterborne freight terminal	F	F	F	F	F	C*	A*	A*	+
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*Provided that the facility is at least one hundred and fifty feet from every S, R and H district; and provided further, that the roadway of every street upon which a truck entrance or exit thereof abuts is at least forty feet wide and that every loading

NO.	USE ITEM	District								
		S	R	H	L	B	M	I	W	MER
	platform facing such an entrance or exit is at least eighty feet from the centerline of the street and at least fifty feet from the nearest sideline of the street.									
	+A if a maritime-dependent industrial use; otherwise F.									
	(↓ As amended on April 14, 1967)									
66	Helicopter landing facility	F	F	F	F	C	C	C	C	F
67	Airport or other aircraft landing or servicing facility	F	F	F	F	F	F	C	C	F
	INDUSTRIAL USES									
68	Any of the following uses:.....	F	F	F	F	#	A	A	*	+
	#F in B-1, B-2, B-4; C in B-8, B-10.									
	*A if waterfront access required for receipt or dispatch of goods or for any other reason; otherwise C.									
	+A if a maritime-dependent industrial use; otherwise F.									
	Any industrial use, other than a use described in Use Item No. 70, which does not result in noise or vibration perceptible without instruments more than fifty feet outside the perimeter of the lot.									

District

NO.	USE ITEM	S	R	H	L	B	M	I	W	MER
	Bottling works for beverages.									
	Cotton ginning.									
	Manufacture or repair of									
	Advertising displays (including billboards).									
	Apparel or other products (including hat bodies and like) from textiles or similar materials.									
	Beverages containing less than 0.5% of alcohol by volume at 60 degrees F.									
	Boats less than one hundred feet long.									
	Brooms or brushes.									
	Cameras or other photographic equipment, except flammable film.									
	Carpets.									
	Canvas or canvas products.									
	Ceramic products, including pottery, small glazed tile and the like.									
	Cosmetics or toiletries.									
	Cotton wadding or lintens.									
	Electric lamp bulbs.									
	Electric lighting fixtures, electric irons, electric fans, electric toasters, electric toys or similar electric appliances.									
	Electric wiring supplies, dry cell batteries and the like.									
	Electronic components and supplies.									
	Food products except the curing, smoking or drying of meat or fish.									
	Fur goods (exclusive of curing, dyeing and tanning).									

District

NO.	USE ITEM	S	R	H	L	B	M	I	W	MER
	Gases in amounts not exceeding two thousand cubic feet a day.									
	Glass products from previously manufactured glass.									
	Hair, felt or feather products (exclusive of curing, dyeing and washing).									
	Hosiery.									
	Ice (dry or natural).									
	Ink or inked ribbon.									
	Leather products, including shoes, machine belting and the like.									
	Luggage.									
	Mattresses (including rebuilding and renovating).									
	Metal furniture, cabinets, doors, fencing and the like.									
	Metal products made by stamping or extrusion, including costume jewelry, pins and needles, razor blades, bottle caps, buttons, kitchen utensils and the like.									
	Musical instruments, including pianos and organs.									
	Novelty products.									
	Optical equipment, clocks, or similar precision instruments.									
	Orthopedic or medical appliances, including artificial limbs, braces, supports, stretchers and similar appliances.									
	Paper products, including envelopes, stationery, bags, boxes, shipping containers, wallpaper printing and similar products.									
	Pharmaceutical products.									
	Plastic products, including tableware, phonograph records, buttons, and the like.									

District

NO.	USE ITEM	District																		
		S	R	H	L	B	M	I	W	MER										
	Rubber products (exclusive of rubber and synthetic processing), including washers, gloves, footwear, bathing caps, atomizers and the like.																			
	Shoddy.																			
	Silverware (plate or sterling).																			
	Sporting goods or athletic equipment, including balls, baskets, cues, gloves, bats, racquets, rods and the like.																			
	Statuary, mannequins, figurines, or religious or church art goods, exclusive of foundry operations.																			
	Textiles, knit goods, yarn goods, thread or cordage, including spinning, weaving, dyeing and printing.																			
	Tobacco products, including curing tobacco.																			
	Tools or hardware, including hand tools, drills, cutlery, bolts, nuts, screws, doorknobs, hinges, house hardware, locks, nonferrous metal castings, plumbing appliances, and the like.																			
	Toys.																			
	Umbrellas.																			
	Vehicles for children, including baby carriages, scooters, wagons, bicycles, and the like.																			
	Venetian blinds, window shades, and awnings.																			
	Wax products.																			
	Wood products, including furniture, boxes, crates, barrels, baskets, pencils, and the like.																			
	Packaging chemicals, detergents or soap.																			

District

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
	Poultry or rabbit slaughtering or packing.										
	Printing or newspaper publishing, including engraving, or photo-engraving.										
	Scenery construction.										
	Stone cutting or lettering.										
	Storage of gases in amounts not exceeding ten thousand cubic feet.										
	Upholstering.										

(□As amended on April 14, 1967, and July 9, 1973)

↓ 69	Any industrial use other than a use described in Use Item No. 70	F	F	F	F	F	F	A	*	+
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*A if waterfront access required for receipt or dispatch of goods or for any other reason; otherwise C.

+A if a maritime-dependent industrial use; otherwise F.

(↓ As amended on July 9, 1973)

↓ 70	Any of the following uses:	F	F	F	F	F	F	C	C	*
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*C if a maritime-dependent industrial use; otherwise F.

Any use which is objectionable or offensive because of special danger or hazard, or because of cinders, dust, smoke, refuse matter, flashing, fumes, gases, vapor or odor not effectively confined to the lot, or because of noise or vibration perceptible

District

NO.	USE ITEM	S	R	H	L	B	M	I	W	MER
	without instruments more than two hundred and fifty feet outside the perimeter of the lot or, if a residential district is within two hundred and fifty feet of the lot, at any point inside such residential district.									
	Batching or casting of concrete including handling and/or storage of cement, lime, sand, stone or other aggregates.									
	Curing, dyeing, washing or bulk processing feathers, felt or hair.									
	Curing, dyeing, finishing or tanning fur or leather.									
	Curing, drying or smoking of fish or meat.									
	Disposal, handling or storage of radioactive waste.									
	Distillation of wood or bones.									
	Incineration or reduction of garbage, offal or dead animals.									
	Manufacture of									
	Asphalt or asphalt products.									
	Charcoal, fuel briquettes, or lampblack.									
	Chemicals including acetylene, aniline dyes, ammonia, carbide, caustic soda, cellulose, chlorine, carbon black or bone black, cleaning or polishing preparations, creosote, disinfectants, exterminating agents, fungicides, hydrogen or oxygen, industrial alcohol, insecticides, potash, plastic materials or synthetic rosins, or hydrochloric, picric or sulfuric acids or derivatives.									

District

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
	Coal, coke, or tar products, including gas.										
	Fertilizers.										
	Gases in amounts exceeding two thousand cubic feet a day.										
	Gelatin, glue or size.										
	Gypsum.										
	Linoleum or oil cloth.										
	Matches.										
	Paint, turpentine or varnish.										
	Plastic (raw).										
	Rubber (natural or synthetic) including tires, tubes, or similar products.										
	Soaps or detergents, including fat rendering.										
	Reduction, refining or smelting metal or metal ores.										
	Refining petroleum or petroleum products.										
	Removal of gravel, loam, sand or stone except for re-use on the same lot or incident to the erection of a building on such lot.										
	Sewage disposal plant.										
	Solvent extracting.										
	Storage of gases in amounts exceeding ten thousand cubic feet.										
	Wool scouring or pulling.										

(↕ As amended on April 14, 1967, and July 17, 1981)

ANCILLARY USES

- 71 Any use on a lot adjacent to, or across the street from, but in the same district as, a lawful use to which it is ancillary and ordinarily

District

NO.	USE ITEM	District								
		S	R	H	L	B	M	I	W	MER
	incident and for which it would be a lawful accessory use if it were on the same lot; any such use on such a lot in another district unless such use is a use specifically forbidden in such other district	C*	C*	C*	C*	C*	C*	C*	C*	C*

*Provided that any such use shall be subject to the same restrictions, conditions, limitations, provisos and safeguards as the use to which it is ancillary.

ACCESSORY USES

↕ 72 ID	As an accessory use subject to the limitations and restrictions of Article 10, a garage or parking space for occupants, employees, customers, students and visitors; provided that, in the case of a lot lying in two or more districts, such parking is accessory to a use that is lawful in the district in which such parking is located	A ^{↑*}	A ^{↑*}	A ^{↑*}	A [↑]	A [↑]	A [↑]	A [↑]	A [↑]	A [↑] +
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[↑]Except C in a restricted parking district if accessory to any use other than Use Items numbered 1 through 15.

*Provided that where a garage or parking space is accessory to a dwelling use in an S, R, or H district, there is space for no more than three vehicles for each dwelling unit, none of which shall be a commercial

District

NO.	USE ITEM	S	R	H	L	B	M	I	W	MER
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vehicle with a maximum load capacity of more than 1-1/2 tons and not more than one of which shall be a commercial vehicle with a maximum load capacity of 1-1/2 tons or less.

+A if accessory to a maritime-dependent industrial use; otherwise F.

(↓ As amended on April 14, 1967, September 27, 1973, September 2, 1976, April 11, 1979, and June 18, 1981)

↓ 72A	As an accessory use subject to the limitations and restrictions of Article 10, a swimming pool or tennis court not within a required front yard	A*	A*	A*	A*	A*	A*	A*	A*	F
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*Provided that it is more than four feet from every lot line, and in the case of a swimming pool, that it is protected by a six-foot-high fence with a gate which is locked from the outside, and that if the pool is within ten feet of a lot line, the fence is concealing to a height of at least six feet.

(↓ As inserted on April 14, 1967, and amended on September 23, 1987)

NO.	USE ITEM	District								
		S	R	H	L	B	M	I	W	MER
73	As an accessory use subject to the limitations and restrictions of Article 10, an office, within a main building, of an accountant, architect, attorney, dentist, physician or other professional person who resides in such building	C*	A*	A*	A	A	A	A	C	F

*Provided that nonresident assistants do not exceed: one in a S district, two in a R district, and three in an H district.

74	As an accessory use subject to the limitations and restrictions of Article 10, an occupation for profit customarily carried on in a dwelling unit by a person residing therein	C*	A*	A*	A	A	A	A	C	F
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*Provided that such occupation is carried on in a main building and requires only equipment ordinarily incident to a dwelling unit, that no non-resident help is employed and that there is no trading in merchandise.

75	As an accessory use subject to the limitations and restrictions of Article 10, the keeping of horses, cows, goats or similar animals other than pigs	C*	C*	C*	C*	C*	C*	C*	C*	F
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*Provided that every stable and enclosure is at least one hundred feet from every residential building on another lot; and provided further that every stable

District

NO.	USE ITEM	S	R	H	L	B	M	I	W	MER
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and enclosure sheltering more than four such animals is at least one hundred feet from every lot on which there is a church, school playground, library, or public or eleemosynary institution unless that distance is intersected by a street at least sixty feet wide; and provided also in a S, R or H district, that no more than twenty-five animals at a time are kept on the lot and that every stable and enclosure is more than one hundred feet from the nearest street.

A condition of this use shall be that if on another lot a residential building is erected within one hundred feet of a stable or enclosure, the use of such stable or enclosure shall cease, and such stable or enclosure shall be removed.

76	As an accessory use subject to the limitations and restrictions of Article 10, the keeping of poultry, pigeons, rabbits or bees	C*	C*	C*	C*	C*	C*	C*	C*	F
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*Provided that every enclosure therefor is at least fifty feet from every residential building on another lot; and provided further in a S, R or H district, that not more than twenty-five birds and rabbits in the aggregate or more than three colonies of bees are kept on the lot at one time, and

District

NO.	USE ITEM	S	R	H	L	B	M	I	W	MER
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that every enclosure is more than fifty feet from the nearest street. A condition of this use shall be that if on another lot a residential building is erected within fifty feet of an enclosure, the use of such enclosure shall cease, and such enclosure shall be removed.

↕ 77	As an accessory use subject to the limitations and restrictions of Article 10, the keeping of laboratory animals incidental to an educational or institutional use, provided that all resulting noise, dust, fumes, gases, odors and refuse matter are effectively confined to the lot or so disposed of as not to be a nuisance or hazard to health or safety	F	C	C*	C*	C*	C	C	C	F
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*Except A if accessory to Use Item No. 22 and if at least one of the provisos in the footnote of Use Item No. 22 is met.

(↕ As amended on October 19, 1978, October 31, 1980, and January 8, 1982)

78	As an accessory use subject to the limitations and restrictions of Article 10, in buildings with more than fifty dwelling units, and in hotels with more than fifty sleeping rooms, newsstand, barber shop, dining room and similar services primarily for the occupants thereof, when conducted wholly within the building and entered solely from within the building	F	F	A	A	A	C	C	C	F
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District

NO.	USE ITEM	District								
		S	R	H	L	B	M	I	W	MER
↕ 79	As an accessory use subject to the limitations and restrictions of Article 10, in hospitals with more than fifty beds, and in educational institutions with more than four hundred full time students, incidental uses and services ordinarily found in connection therewith and primarily for the patients and staff or students and faculty, when conducted wholly within a building and entered solely from within the building where there is but one building on the lot or from an entrance not directly facing a street or lot line where there is more than one building on a lot	C	C	C*	C*	C*	F	F	F	F

*Except A if accessory to Use Item No. 22 and if at least one of the provisos in the footnote of Use Item 22 is met.

(↕ As amended on October 19, 1978, October 31, 1980, and January 8, 1982)

80	As an accessory use subject to the limitations and restrictions of Article 10, the storage of flammable liquids and gases incidental to a lawful use	A	A	A	A	A	A	A	A	+
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+A if accessory to a maritime-dependent industrial use; otherwise F.

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
81	As an accessory use subject to the limitations and restrictions of Article 10, the manufacture, assembly or packaging of products sold on the lot	F	F	F	A*	A	A	A	C	C	

*Provided that no products are processed for sale elsewhere than on the lot and that at any one time no more than five persons are employed in such manufacture, assembly and packaging.

82	As an accessory use subject to the limitations and restrictions of Article 10, a repair garage incident to auto sales	F	F	F	F	A*	A*	A*	C*	F
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*Providing that all washing, lubricating and making of repairs is carried on inside a building, and that all noise, flashing, dust, fumes, gases, smoke and vapor are effectively confined to the lot.

↔82A	As an accessory use subject to the limitations and restrictions of Article 10, sale within a building of automotive parts, including, but not limited to, batteries, seat covers tires, alternators, generators, carburetors, headlamps, fanbelts, motor oil, and similar automotive parts and accessories and supplies	F	F	F	C	C	A	A	C	+
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+C if a maritime-dependent use; otherwise F.

(↔As inserted on November 7, 1996.)

NO.	USE ITEM	District									
		S	R	H	L	B	M	I	W	MER	
83	As an accessory use subject to the limitations and restrictions of Article 10, permanent dwellings for personnel required to reside on a lot for the safe and proper operation of a lawful main use of such lot	A	A	A	A	A	C	C	C	C	
↕ 84	As an accessory use subject to the limitations and restrictions of Article 10, any non-residential use lawful in an I district	F	F	F	F	F	C*+		C	F	

*Provided that such use is so carried on as not to be either a hazard to the health or safety of persons on any adjacent lot or a nuisance.

+Subject, in the case of an accessory office, to Article 34, for a period of three years from its effective date. [Editor's note: The effective date of Article 34 was April 29, 1988.]

(↕ As amended on April 29, 1988, June 23, 1989, and May 3, 1990)

↕ 85	As an accessory use subject to the limitations and restrictions of Article 10, any use ancillary to, and ordinarily incident to, a lawful main use	A*	A*	A*	A*	A*	A*+	A*+	A*	A*
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*Provided that such use is not a use specifically forbidden in such district; and provided further that any such use shall be subject to the same restrictions, conditions, limitations, provisos and safeguards as the use to which it is accessory.

District

NO.	USE ITEM	District								
		S	R	H	L	B	M	I	W	MER
	+Except, in the case of an accessory office, subject to Article 34, for a period of three years from its effective date. [Editor's note: The effective date of Article 34 was April 29, 1988.]									
	(↑ As amended on April 29, 1988, June 23, 1989, and May 3, 1990)									
↓ 86	As an accessory use subject to the limitations and restrictions of Article 10, the maintenance and operation of not more than four amusement game machines:									
	a. in a private club, dormitory, fraternity or sorority house, or similar noncommercial use	F	A	A*	A*	A*	A	A	C	F
	*Except C in H-2-65, H-3-65, L-2-65, B-3-65, B-6-90a, and B-8-120a.									
	b. in a bar, tavern, or other commercial establishment where alcoholic beverages are sold and consumed	F	F	F	A*	A*	A	A	C	F
	*Except C in L-2-65, B-3-65, B-6-90a, and B-8-120a.									
	c. in a store, self-service laundry, restaurant, or other commercial establishment (other than a commercial establishment where alcoholic beverages are sold and consumed)	F	F	F	C	A*	A*	A	C	F

District

NO.	USE ITEM	S	R	H	L	B	M	I	W	MER
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*Except C in B-3-65, B-6-90a, B-8-120a, B-8-120b, and M-8.

(↕ As inserted on June 2, 1983, and amended on April 2, 1987)

↔87	As an accessory use subject to the limitations and restrictions of Article 10, facilities for the temporary berthing on shore of personnel of vessels under repair	*	*	*	*	*	+	+	A	A
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*Not applicable.

+A if accessory to a maritime-dependent industrial use; otherwise F.

(↔As inserted on August 30, 1988)

↔88	As an accessory use not subject to Article 10, family day care home	A	A	A	A	A	C	C	C	C
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(↔As inserted on October 12, 1988)

↔SECTION 8-8. **Use Regulations of Urban Renewal Subdistricts.** The use regulations of Section 8-7 shall apply to each of the Urban Renewal Subdistricts, with the following additions:

- (a) As an accessory use to housing developments, and subject to limitations and restrictions of Article 10, Section 10-1, business uses such as a food store, drug store, physician or dentist office, barber shop or restaurant shall be permitted within the H-1U through H-5U districts, when such uses are intended primarily for the convenience of residents of such housing.

(↔As inserted on September 7, 1967)