ON-LINE ZONING ORDINANCE DISCLAIMER

The Web version of the City of Cambridge, Massachusetts Zoning Ordinance is provided for reference and the convenience of having the Ordinance in a computer-readable format. The print version of the Zoning Ordinance, together with any amendments adopted by the City Council subsequent to the most recent update to the print version, remains the official version of the Ordinance. If any discrepancies exist between the print and web versions of the Zoning Ordinance, the print version, together with any City Council amendments, shall be considered correct. Recent amendments to the Zoning Ordinance may appear on the Web prior to being incorporated into the print version of the Ordinance.

ARTICLE 4.000 USE REGULATIONS

Text current through Ordinance #1357 of June 3, 2013.

4.10 GENERAL CLASSIFICATION RULES
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4.10 GENERAL CLASSIFICATION RULES

4.11 In each district, except the Cambridge Center Mixed Use Development (MXD) District, the use of land, buildings, and structures shall be regulated as set forth in Section 4.30 of this Article, Table of Use Regulations, and as provided elsewhere in this Ordinance. Uses in the Cambridge Center MXD District shall be governed by Section 14.20.

4.12 A use listed in Section 4.30 is permitted as of right in any district under which it is denoted by the word **"YES"**. Uses designated in the Table by the letters **"SP"** may be allowed only if a special permit is issued by the Board of Zoning Appeal. Uses designated in the Table by the letters **"PB"** may be allowed only if issued a special permit by the Planning Board. Special permits shall be issued in accordance with the provisions of Section 10.40 and may be subject to such restrictions as the special permit granting authority may establish. Uses designated in the Table by the **"PUD"** may be allowed only if the use is part of a Planned Unit Development approved by the Planning Board in accordance with the applicable requirements of Articles 12.000 and 13.000. Uses denoted by the word **"NO"** in Section 4.30 shall be prohibited. Uses in certain districts designated in the Table by the letters **"IUR"** shall be governed by the applicable provisions of Section 4.50, Institutional Use Regulations.

4.13 No building, structure, or land in any district may be used, erected or designed to be used, in whole or in part, for any use not listed in Section 4.30, except nonconforming uses which may be continued under the provisions of 8.20.

4.20 SPECIAL CLASSIFICATION RULES

4.21 *Accessory Uses.*

a. An accessory use shall be permitted only on the same lot as the building or use to which it is accessory, with the following exceptions:

(1) Off street parking facilities complying with the requirements of Section 6.50 may be located on a separate lot;

(2) The Board of Zoning Appeal may grant a Special Permit for a use accessory to a scientific research, scientific development, or related production activity, whether or not on the same lot as such activity. A Special Permit shall be granted where said Board finds that the proposed accessory use does not substantially derogate from the public good.

(3) A use accessory to other permitted uses within the Cambridge Center MXD District may be located on other lots in the MXD District.

b. Providing nontransient lodging within a residential structure shall be considered an accessory use only if there is compliance with each of the following conditions:
   (1) The residential structure is a detached, semi-detached or two family building;
   (2) The owner of the building resides on the premises;
   (3) Lodging is provided to not more than two roomers or boarders;
   (4) Separate cooking facilities are not maintained for the roomers or boarders;
   (5) No sign or nameplate for said roomers or boarders is displayed; and
   (6) Signs advertising the availability of such lodging is not regularly displayed on the premises.

c. Provisions of garage or parking space for occupants, employees, customers, or visitors shall be considered as an accessory use, provided that where accessory to residential uses in Residence A and B districts such garage or parking space shall be limited to the accommodation of three passenger vehicles, or two passenger vehicles for each dwelling unit, whichever is greater.

d. A customary home occupation or the office of a resident physician, dentist, attorney-at-law, architect, engineer, properly licensed massage therapist, or member of other recognized profession shall be considered as an accessory use, provided that no more than three persons shall practice or be employed on the premises at any one time. In the case of a massage therapist, no more than one person shall practice or be employed on the premises at any one time.

e. In multifamily dwellings containing twenty-five or more dwelling units, hospitals or hotels with more than fifty sleeping rooms, a newsstand or other retail shop, a barber shop or similar service establishment, a dining room or other eating establishment shall be considered as an accessory use provided that (1) the establishment is primarily intended for occupants of the building, hotel or hospital; (2) the establishment is conducted entirely within and only entered from the interior of the dwelling, hospital or hotel; and (3) no signs or other advertising is visible from outside the building.

f. In an office building containing at least one hundred thousand (100,000) square feet of gross floor area, a newsstand, candy/tobacco stand, barbershop or other similar service establishment primarily intended for occupants of the building shall be a permitted accessory use provided that such activities are conducted and entered only from within the building and no signs or advertising devices thereof are visible from outside the building.

g. The area occupied by accessory uses shall be subject to the following limitations:
   (1) The total area of uses accessory to the principal use may not occupy more than twenty-five (25) percent of the gross floor area of the building in which the principal use is located or twenty-five (25) percent of the area of the dwelling unit when the accessory use is located in a residence.
   (2) The total area of uses or buildings accessory to the principal use except for parking facilities and driveways may not occupy more than fifteen (15) percent of the area of the lot.
   (3) The area limitations of this paragraph 4.21 g shall be applicable in all zoning districts except the Cambridge Center MXD District; however, if explicitly stated

elsewhere in this Ordinance certain accessory uses in specified districts may exceed the foregoing area limitation.

h. In Residence A, B, C, and C-1 Districts an accessory building shall not be located nearer than ten (10) feet to the principal building or nearer than five (5) feet to any side or rear lot line or nearer to the front lot line than the minimum setback in the zoning district.

i. In a Residence District an accessory use shall not involve the maintenance of a stock in trade or the use of signs, illumination, show windows or displays either exterior or interior, except such signs as are permitted by Article 7.000.

j. No accessory building shall be used as a dwelling except in an Industrial District for the accommodation of a night watchman or janitor.

k. An accessory building in Residence A, B, C, C-1, and Office-1 districts shall not exceed fifteen (15) feet in height above the ground level.

l. No accessory building may be converted to a residential use unless it conforms with the district dimensional regulations specified in Section 5.30.

m. Limited manufacturing activity shall be considered an allowed accessory use to a technical research and development office, laboratory or research facility in a nonindustrial district provided that the following requirements are satisfied:

(1) Such manufacturing activity is related to research and development activities of the principal use.

(2) No manufacturing activity customarily occurs within fifty (50) feet of a residence or residential district.

(3) All manufacturing activity customarily occurs inside of buildings; however, outside research work and incidental outside fabrication of equipment to conduct outside experimentation shall be permitted.

(4) Outside research in nonindustrial districts should not customarily involve noxious activity which creates disturbances off of the premises.

(5) Manufacturing activity, excluding incidental fabrication of outside experiments, shall not occupy an area in excess of sixty (60) percent of the gross floor area of a building or group of associated buildings owned by the same establishment.

n. A helipad or airport shall not be considered as an accessory use.

4.22 *Accessory Apartments.* The purpose of this Subsection 4.22 is to allow for the creation of accessory apartments in Residence A districts. These districts contain a number of large single family homes that are underutilized. Alteration of these homes to provide additional dwelling units would be prohibited in most cases due to the existing floor area ratio and/or lot area per dwelling unit requirements of Subsection 5.31. Given contemporary life styles, housing needs and energy and maintenance costs, it is beneficial to the City to allow greater flexibility in the use of such dwellings without substantially altering the environmental quality of such residential districts. This Subsection 4.22 gives the Board of Zoning appeal authority to relax such requirements in certain instances as enumerated below.

4.22.1 In a Residence A District the Board of Zoning Appeal may grant a special permit for alteration of a single family, detached dwelling legally in existence as of the effective date of this Subsection 4.22, (6/29/81) to provide one accessory apartment if the following conditions are met:

1. The dwelling was constructed prior to June 1, 1940, and has not been substantially enlarged since that date. The addition in the aggregate of two hundred and fifty (250) square feet or more of gross floor area shall be considered a substantial enlargement.
2. Prior to alteration the dwelling contains at least three thousand five hundred (3,500) square feet of gross floor area.
3. The lot on which such accessory apartment is located contains at least three thousand (3,000) square feet of lot area per dwelling unit.
4. Such accessory apartment shall not occupy more than thirty-five (35) percent of the gross floor area of the principal dwelling in existence prior to the effective date of this Subsection 4.22 and shall not be located in a garage.
5. Any alteration which would increase the floor area ratio beyond that permitted in the district or which would further increase an existing violation of the applicable floor area ratio shall not be permitted.

In granting a special permit the Board may impose such conditions, including requirements for off street parking and limitations on other accessory uses of the premises, as it may deem appropriate to avoid detriment to the neighborhood or to nearby persons or property. The Board of Zoning Appeal shall evaluate each special permit application which involves exterior changes with the appearance of and character of the neighborhood and may require that there be no change or minimal change to any face of a building oriented toward a public way or visible from a public way.

4.22.2 The requirement for an off street parking space specified in Article 6.000 shall apply for the addition of one accessory apartment in a single family, detached dwelling in a Residence A district.

4.23 *Offices in Residences.* In a Residence C-2A, C-3, or C-3B district, offices for physicians and dentists may be located on the first or second floor of a residential building where such office space does not exceed ten (10) percent of the gross floor area of the building. In a Residence C-3A district, up to forty (40) percent of the gross floor area of a residential building may be devoted to business and professional offices, but not technical offices.

4.24 *Temporary Buildings and Uses.* The Superintendent of Buildings may grant a permit for a temporary building or use incidental to a building development, which does not comply with the provisions of this Ordinance, where reasonably required for such development. Such permit may be issued for an initial period of not more than one year, and in the case of a building, only upon application accompanied by a bond and bill of sale to the City, effective in case the building is not removed prior to the expiration of the permit. Permits may be renewed by the Superintendent of Buildings for successive periods of not more than one year each, not to exceed a total of three years.

4.25 *Non Open Space Uses in Open Space Districts.* The purpose of this section is to provide for public notification and review of governmental and institutional nonopen space development statutorily exempt from prohibition in designated Open Space Districts. All uses in an Open Space District other than a park or recreation use permitted by Subsection 4.33.1 shall comply with the procedural requirements of this Subsection prior to the issuance of any building or special permit, variance or other approval or before conveyance of any lot within the district.

4.25.1 A report shall be submitted to the Planning Board and filed with the City Clerk by the agency or other party proposing such non open space development or proposing to convey a lot. This report shall include the following information, as appropriate:

(1) A map indicating the location and area of the land proposed for nonopen space development or for conveyance.

(2) A description of the proposed development and future use of the area including information concerning the proposed site plan, physical design, and user population.

(3) An analysis of alternative sites for the development outside of the district.

(4) Evaluation of the anticipated impacts of the development or property transfer on the remainder of the open space district, upon the ability of alternative park and recreation areas in the neighborhood and city to meet the needs served by the affected open space district which would be displaced by the proposed action, and upon other land uses in the neighborhood.

(5) Any other information reasonably determined pertinent by the Planning Board.

4.25.2 Within thirty (30) days of the receipt of a report required by Section 4.25.1, the Planning Board shall hold a public hearing concerning the proposed development or conveyance. Notice for the hearing shall comply with the requirements of Section 11, Chapter 40A, G.L.

4.25.3 The Planning Board shall prepare a report with recommendations concerning the proposed development or conveyance, including conditions that should be attached to such action. This report shall be filed with the City Clerk within thirty (30) days of the public hearing required in Section 4.25.2. Filing of such a report shall satisfy the requirements of this Section 4.25. Failure of the Board to file a report within thirty (30) days of the public hearing shall obviate any further actions under this Section 4.25.

4.26 *Multifamily Special Permit Applicability*

4.26.1 The construction of a multifamily dwelling containing twelve (12) or more dwelling units or of elderly oriented congregate housing containing twenty-four (24) or more separate living spaces in a Residence C, Residence C-1, Residence C-1A, Office 1, Business A-1, or Business A-3 district shall require a special permit granted by the Planning Board.

4.26.2 The construction of a multifamily dwelling or of elderly oriented congregate housing in a Residence C, Residence C-1, Residence C-1A, Office 1, Business A-1 or Business A-3 district which contains less than twelve (12) dwelling units or twenty-four (24) dwelling living spaces shall require a special permit if both of the following conditions pertain to the development.

(1) another permit for a multifamily dwelling or elderly oriented congregate housing has been granted within the twelve month period immediately preceding the date of permit application for the lot on which the development would be located or on an abutting lot;

(2) the development for which the permit is being sought would increase the total number of dwelling units on said lot(s) to twelve (12) or more, the total number of living spaces to twenty-four (24) or more, or the total number of dwelling units and living spaces to eighteen (18) or more.

4.26.3 The construction of multifamily dwellings and elderly oriented congregate housing in Industry A and A-2 districts, Industry B, B-1, and B-2 districts, and the Industry C district shall require a special permit granted by the Planning Board where any one of the following conditions exits:

1. The development exceeds fifty thousand (50,000) square feet of Gross Floor Area;

2. The lot area per dwelling unit proposed is less than one thousand, two hundred (1,200) square feet in an Industry C district, six hundred (600) square feet in an Industry A, or three hundred (300) square feet in an Industry A-2, Industry B or Industry B-1 district; or

3. Twelve (12) or more dwelling units are proposed where any portion of the development is located within one hundred (100) feet of a Residence A-1, A-2, B, C, or C-1 district.

4.26.4 A special permit from the Planning Board shall be required for development of elderly oriented housing if a building permit, special permit or variance application filed for construction of elderly oriented housing on a lot on which a permit to demolish a dwelling has been granted within the previous three (3) years and on which said dwelling was demolished or will be demolished prior to construction of said elderly oriented housing.

4.27 Special Use Limitations in the Business B-1 and B-2 Districts.

4.27.1 In the Business B-1 and B-2 districts, the uses specified in Subsection 4.35 shall be permitted provided that they occupy no more than twenty-five (25) percent of the maximum gross floor area allowed on the lot. However, the gross floor area of any single retail establishment shall not exceed twelve thousand (12,000) square feet.

4.27.2 In the Business B-1 district, the portion of any parcel within forty-five (45) feet of a front lot line facing Green Street shall be limited to the following uses: (1) residential uses permitted by Subsections 4.31 a, b, d, and g; (2) parking which is both covered and enclosed and which is accessory to dwelling units located within said aforementioned portion of the parcel; and (3) landscaped green space subject to the requirements of Subsection 4.27.3; however, where more than fifty (50) percent of the area of said portion of a lot is devoted to landscaped green space a special permit shall be secured from the Planning Board. Development plans for parcels which face Green Street shall show how such portion will be used in compliance with this Subsection 4.27.2. Completion of plans for said forty-five (45) foot portion shall be required prior to the issuance of a Certificate of Occupancy for development on other portions of the parcel. It is the intention of this

Subsection 4.27.2 that the pattern of property ownership rights existing at the time of adoption of these regulations not be altered in a way to circumvent the creation of a residential or green space buffer next to Green Street. Therefore, for the purposes of this Subsection 4.27.2, a parcel shall consist of one or more lots as defined in Article 2.000 or parts of such lots which, at the time of the effective date of this Subsection 4.27.2 were either in the same ownership or which had some legal relationship to one another through purchase and sales agreements, purchase options, lease agreement, or options, or through some similar agreement or instrument.

4.27.3 Landscaped green space within the forty-five (45) foot portion of a lot described in Subsection 4.27.2 shall be open to the sky and shall be located at an elevation within five (5) feet of the grade level at the Green Street lot line. Such space shall include a minimum of one three inch caliper tree for each nine hundred (900) square feet of area within such landscaped portion. A suggested list of trees is contained in Section 11.16.4, under 4b. In addition to the criteria listed in Subsection 10.40, the Planning Board shall evaluate special permit applications with respect to the following: continuity with other open spaces, relationship to other lots, and/or creative design features.

4.27.4 The Business B-1 and Business B-2 districts shall be considered areas of special planning concern. Development proposals listed in Subsection 11.42 shall be subject to the development consultation procedures specified in Article 19.000.

4.28 *Art/Craft Studio.* The purpose of this Section 4.28 is to ensure that art/craft studios located in Residence C and Office Districts will be compatible with other permitted uses, particularly in residential neighborhoods.

4.28.1 The Board of Zoning Appeal may grant a special permit for the location of an art/craft studio or group of studios in Residence C, C-1, C-2, C-2A, C-2B, C-3, C-3A, C-3B and Office Districts provided that the following requirements are satisfied;

a. Residence C, C-1, C-2, C-2A, C-2B, C-3, C-3A, C-3B Districts:

1. The studio shall be located in a principal use nonresidential building in existence as of May 1, 1984. Structures or buildings accessory to residential uses shall not be so used.

2. The required amount of parking in Article 6.000 may be reduced only if the Board determines that a lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood.

b. Residence C, C-1, C-2A, C-2B, C-3, C-3A, C-3B and Office Districts:

1. The studio will be principally used as a studio for independent artists and crafts people in the creation of their own work. Mass production and assembly line techniques are prohibited.

2. The type of studio use shall be appropriate to the particular building and its location:

a. the building shall be structurally sound.

b. the proposed studio use will not generate traffic in volume or type in excess of that normally occurring in the adjacent neighborhood.

c. no bulk storage of toxic or highly flammable materials shall occur.

d. the proposed studio use shall satisfy all applicable building, fire safety, and health codes.

e. noise shall be restricted to levels customarily permitted in the districts as regulated in General Ordinance #887 “Regulations for the Control of Noise,” or as customarily produced by other permitted uses in the district, whichever is less.

f. noxious odors, dust, and/or fumes shall be effectively disposed of and confined to the premises to avoid air pollution and nuisance to the adjacent neighborhood.

3. All activity must be carried out within the building, including the storage of materials.

4. No more than three (3) persons shall practice or be employed at one time per studio.

5. There shall be no retail sales except as may occur as an activity incidental to exhibition permitted in b(6) below:

6. Public exhibitions shall not be permitted except as specifically authorized in the special permit. The number and duration of any such exhibitions shall be specifically stated, shall be for arts/crafts created on the premises, and shall only be permitted upon finding that the residential or other prevailing neighborhood character will not be significantly, negatively affected.

4.28.2 In issuing a special permit under this Section 4.28 the Board of Zoning Appeal shall state the specific arts and crafts uses or range of uses being authorized for each studio granted a permit.

4.28.3 Nothing in this Section 4.28 shall prohibit the establishment of residential uses, permitted in the district, subsequent to the issuance of a special permit under this Section 4.28. The establishment of residential uses shall not alter the principal use nonresidential status of the building for the purpose of continuing or future authorizations for art/craft studios under provisions of this Section 4.28

4.29 *Conversion of Non Residential Structures to Residential Use*

Where it is proposed to convert an existing principal-use structure designed and built for non residential use to residential uses or to certain non-residential uses not otherwise allowed in the applicable zoning district as set forth in the following Section 4.30 - Table of Use Regulations, such uses may be allowed after issuance of a special permit by the Planning Board consistent with the provisions of Section 5.28.2.

4.30 TABLE OF USE REGULATIONS

	Open Space	Res A 1&2	Res B	Res C, C-1, C-1A, 2, 2A, 2B, 3, 3A, 3B	Off 1, 2A,2, 3,3A	Bus A-1, A-2, A-3[1]	Bus A	Bus B, B-1, B-2	Bus C, C-1	Ind A-1, A-2	Ind A	Ind B-1, B-2	Ind B	Ind C
4.31 Residential Uses														
a. Detached dwelling occupied by not more than one family	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	PB	PB	PB	PB
b. Two family dwelling	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	PB	PB	PB	PB
c. Existing one-family detached dwelling converted for two families [15,16]	No	Yes[2]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	PB	PB	PB	PB
d. Townhouse development	No	No	Yes[3]	Yes[3]	Yes	Yes[3]	Yes	Yes	Yes	Yes	PB[3]	PB[3]	PB[3]	PB[3]
e. Elderly oriented congregate housing	No	PB	PB	Yes[5]	Yes[5]	Yes[5]	Yes	Yes	Yes	Yes	PB[5]	PB[5]	PB[5]	PB[5]
f. Existing dwelling converted for elderly oriented congregate housing [17]	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	PB	PB	PB	PB
g. Multifamily dwelling	No	No	No	Yes[5]	Yes[5]	Yes[5]	Yes	Yes	Yes	Yes	PB[5]	PB[5]	PB[5]	PB[5]
h. Existing dwelling converted for more than two families [16]	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	PB	PB	PB	PB
i. Transient accommodations														
1. Tourist house in an existing dwelling	No	No	No	Yes	Yes	No	SP	Yes	Yes	SP	PB	PB	PB	PB
2. Hotel or motel	No	No	No	SP[7]	Yes[6]	No	SP	Yes	Yes[53]	No	SP	No	SP	PUD[4]
3. Lodging House	No	No	No	Yes[7]	Yes[6]	Yes	Yes	Yes	Yes	SP	PB	No	SP	PB
j. Trailer Park or mobile home park	No	No	No	No	No	SP	SP	No	No	No	No	No	No	No
4.32 Transportation, Communication & Utility Uses														
a. Bus or railroad passenger station	No	No	No	No	No	Yes	Yes	Yes	Yes	SP	Yes	Yes	Yes	Yes
b. Automobile parking lot or parking garage for private passenger cars [18]	No	No	No	No	Yes	SP	SP	Yes	Yes	Yes	Yes	Yes	Yes	Yes
c. Railroad freight terminal, railroad yard and shops	No	No	No	No	No	No	No	No	No	No	No	Yes	Yes	No

Space	Open 1&2	Res A B	Res 3, 3A, 3B	Res C, C-1, C-1A, 2, 2A, 2B, 3,3A	Off 1 2A,2, A-3[1]	Bus A-1, A-2, A	Bus B-2	Bus B, B-1, C-1	Bus C, A-2	Ind A-1, A	Ind B-2	Ind B-1, B	Ind C	Ind
d. Truck or bus terminal, yard or building for storage or servicing of trucks, trailers or buses, parking lot for trucks	No	No	No	No	No	No	No	No	No	No	SP	No	Yes	No
e. Radio and Television transmission station, including towers	No	No	No	No	No	No	No	No	No	SP[8]	SP	No	SP	SP
f. Radio and television studio	No	No	No	No[9]	Yes	Yes	Yes	Yes[10]	Yes	Yes	Yes	Yes	Yes	Yes
g. Utilities														
1. Telephone exchange (including switching, relay and transmission facilities serving mobile communications systems) and any towers or antennas accessory thereto[49]	No	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
2. Transformer station, substation, gas regulator station, or pumping station	No	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
3. Power Plant for the non-nuclear production, generation, and distribution of electricity or steam.	No	No	No	No	No	No	No	No	No	No	No	No	No	No
h. Helipad or Airport	No	No	No	No	No	No	No	No	No	No	No	No	No	No
j. Wind Turbine Installation	PB[57]	PB[57]	PB[57]	PB[57]	PB[57]	PB[57]	PB[57]	PB[57]	PB[57]	PB[57]	PB[57]	PB[57]	PB[57]	PB[57]
k. Public Bicycle-Sharing Station	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
4.33 Institutional Uses														
a. Religious Purposes [19]														
1. Place of worship	Yes[11]	IUR	IUR	Yes[43]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
2. Rectory, parsonage	Yes[11]	IUR	IUR	Yes[43]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
3. Convent, monastery	Yes[11]	IUR	IUR	Yes[43]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
4. Social or recreation center	Yes[11]	IUR	IUR	Yes[43]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
5. Other use with religious purposes	Yes[11]	IUR	IUR	Yes[43]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

	Open Space	Res A 1&2	Res B	Res C, C-1, C-1A, 2, 2A, 2B, 3, 3A, 3B	Off 1 2A,2, 3,3A	Bus A-1, A-2, A-3[1]	Bus A	Bus B, B-1, B-2	Bus C, C-1	Ind A-1, A-2	Ind A	Ind B-1, B-2	Ind B	Ind C
b. Educational Purposes														
1. Use of land or structures for educational purposes on land owned or leased by the Commonwealth or any of its agencies, subdivisions or bodies politic - by a religious sect or denomination or by a nonprofit educational corporation [44]	Yes[11]	IUR	IUR	Yes[43]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
2. Preschool, day care center, kindergarten, not exempt by statute	No	IUR	IUR	Yes[43]	Yes	Yes	Yes	Yes	Yes	SP	Yes	SP	Yes	PUD
3. Primary school, not exempt by statute	No	IUR	IUR	No[43]	Yes	Yes	Yes	Yes	Yes	SP	Yes	SP	Yes	PUD
4. Secondary school, not exempt by statute	No	IUR	IUR	No[43]	Yes	Yes	Yes	Yes	Yes	SP	Yes	SP	Yes	PUD
5. College or university not exempt by statute [45]	No	IUR	IUR	No[43]	Yes	Yes	Yes	Yes	Yes	SP	Yes	SP	Yes	PUD
6. Vocational or other schools not exempted by statute	No	IUR	IUR	No[43]	Yes	Yes	Yes	Yes	Yes	SP	Yes	SP	Yes	PUD
7. Dormitory, resident fraternity or sorority	No	IUR	IUR	Yes[43]	Yes[46]	Yes	Yes	Yes	Yes	No	SP	No	SP	PUD
c. Noncommercial Research Facility [20]	No	IUR	IUR	SP[43]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
d. Health Care Facilities														
1. Hospital [21]	No	IUR	IUR	Yes[43]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No
2. Infirmary	No	IUR	IUR	Yes[43]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	SP	Yes	Yes
3. Nursing or convalescent home	No	IUR	IUR	Yes[43]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No
4. Clinic not affiliated with any other institution	No	IUR	IUR	No[43]	Yes	Yes	Yes	Yes	Yes	SP	Yes	No	Yes	PUD
5. Clinic affiliated with a hospital or an accredited university medical school	No	IUR	IUR	Yes[43]	Yes	Yes	Yes	Yes	Yes	SP	Yes	No	Yes	PUD

	Open Space	Res A 1&2	Res B	Res C, C-1, C-1A 2, 2A, 2B, 3, 3A, 3B	Off 1, 2A,2, 3,3A	Bus A-1, A-2, A-3[1]	Bus A	Bus B, B-1, B-2	Bus C, C-1	Ind A-1, A-2	Ind A	Ind B-1, B-2	Ind B	Ind C
6. Clinic connected to a community center	No	IUR	IUR	Yes[43]	Yes	Yes	Yes	Yes	Yes	SP	Yes	No	Yes	PUD
7. Other health care facility	No	IUR	IUR	No[43]	Yes	Yes	Yes	Yes	Yes	SP	Yes	No	Yes	PUD
e. Social Service Facilities														
1. Social service center	No	IUR	IUR	Yes[43]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	PUD
2. Community Center	No	IUR	IUR	Yes[43]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	PUD
f. Local Government [47]														
1. Administrative Office	No	IUR	IUR	No[43]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
2. Fire or police station[55]	Yes[11]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
3. Museum	SP[11]	IUR	IUR	Yes[43]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	PUD
4. Municipal service facility	SP[11]	IUR	IUR	No[43]	SP	No	SP	SP	SP	SP	Yes	Yes	Yes	PUD
5. Public park, playground or public recreation building	Yes	IUR	IUR	Yes[43]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
6. Municipal Library	Yes[54]	Yes[54]	Yes[54]	Yes[54]	Yes[54]	Yes[54]	Yes[54]	Yes[54]	Yes[54]	Yes[54]	Yes[54]	Yes[54]	Yes[54]	Yes[54]
g. Other Governmental Facility	Yes	IUR	IUR	Yes[43]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
h. Other Institutional Uses														
1. Club, lodge or other fraternal or sororal meeting facility	No[11]	IUR	IUR	Yes[43]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	PUD
2. Private library, museum or noncommercial gallery [48]	SP[11]	IUR	IUR	Yes[43]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	PUD
3. Cemetery	Yes[11]	IUR	IUR	Yes[43]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	Yes
4. Institutional use not listed in any other category	No	IUR	IUR	No[43]	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP

	Open Space	Res A 1&2	Res B	Res C, C-1, C-1A 2, 2A, 2B, 3, 3A, 3B	Off 1, 2A,2, 3,3A	Bus A-1, A-2, A-3[1]	Bus A	Bus B, B-1, B-2	Bus C, C-1	Ind A-1, A-2	Ind A	Ind B-1, B-2	Ind B	Ind C
4.34 Office and Laboratory Use														
a. Office of a physician, dentist or other medical practitioner not located in a clinic listed under Subsection 4.33(d).	No	No	No	No[9]	Yes	Yes	Yes	Yes[10]	Yes	Yes	Yes	Yes	Yes	Yes
b. Office of an accountant, attorney, or other non-medical professional person (includes properly licensed massage therapists)	No	No	No	No[9]	Yes	Yes	Yes	Yes[10]	Yes	Yes	Yes	Yes	Yes	Yes
c. Real Estate, insurance or other agency office	No	No	No	No[9]	Yes	Yes	Yes	Yes[10]	Yes	Yes	Yes	Yes	Yes	Yes
d. General office use	No	No	No	No[9]	Yes	Yes	Yes	Yes[10]	Yes	Yes	Yes	Yes	Yes	Yes
e. Bank, trust company or similar financial institution	No	No	No	No[9]	Yes	Yes	Yes	Yes[10]	Yes	Yes	Yes	SP	Yes	Yes
f. Technical office for research and development, laboratory & research facility subject to the restrictions in Section 4.21m	No	No	No	No[9]	Yes	Yes	Yes	Yes[10]	Yes	Yes	Yes	Yes	Yes	Yes
4.35 Retail Business and Consumer Service Establishments														
a. Store for retail sale of merchandise [23]														
1. Establishment providing convenience goods such as drug stores, food stores, tobacco, newspaper and magazine stores, variety stores, and liquor stores. [24]	No	No	No	No	No	Yes	Yes	Yes[10]	Yes	Yes	Yes	No[51]	Yes	Yes
2. Other retail establishments	No	No	No	No	No	Yes	Yes	Yes[10]	Yes	SP	Yes	No[51]	Yes	No
b. Place for the manufacturing, assembly or packaging of consumer goods [25]	No	No	No	No	No	SP	SP	Yes[10]	Yes	Yes	Yes	SP[51]	Yes	Yes
c. Barber shop, beauty shop, laundry and dry cleaning pickup agency, shoe repair, self-service laundry or other similar establishment	No	No	No	No	No	Yes	Yes	Yes[10]	Yes	Yes	Yes	No[51]	Yes	Yes
d. Hand laundry, dry cleaning or tailoring shop [26]	No	No	No	No	No	Yes	Yes	Yes[10]	Yes	Yes	Yes	No[51]	Yes	Yes

	Open Space	Res A 1&2	Res B	Res C, C-1, C-1A, 2, 2A, 2B, 3, 3A, 3B	Off 1, 2A,2, 3,3A	Bus A-1, A-2, A-3[1]	Bus A	Bus B, B-1, B-2	Bus C, C-1	Ind A-1, A-2	Ind A	Ind B-1, B-2	Ind B	Ind C
e. Lunchroom, restaurant, cafeteria [27]	No	No	No	No	No[12]	Yes	Yes	Yes[10]	Yes	Yes	Yes	No[51]	Yes	Yes
f. Establishments where alcoholic beverages are sold and consumed and where no dancing or entertainment is provided														
1. Lunchroom, restaurant, cafeteria	No	No	No	No	No[12]	Yes	Yes	Yes[10]	Yes	Yes[28]	Yes	No[51]	Yes	Yes
2. Bar, saloon, or other establishment serving alcoholic beverages but which is not licensed to prepare or serve food	No	No	No	No	No[12]	Yes	Yes	Yes[13]	Yes	SP[28]	Yes	No[51]	Yes	SP
g. Bar or other establishment where alcoholic beverages are sold and consumed and where dancing and entertainment is provided. Dance hall or similar place of entertainment	No	No	No	No	No	No	No	Yes[13]	Yes	No	Yes	No[51]	Yes	PUD
h. Theatre or hall for public gatherings	No[11]	No	No	No	SP	SP	SP	Yes[10]	Yes	SP	Yes	No[51]	Yes	PUD
i. Commercial recreation	No[11]	No	No	No	No	SP	SP	SP[10]	SP	SP	SP	No[14, 51]	SP	PUD
j. Mortuary, undertaking or funeral establishment	No	No	No	No	SP	Yes	Yes	Yes[10]	Yes	Yes	Yes	No[51]	Yes	No
k. Printing shop, photographer's studio	No	No	No	No	SP	Yes	Yes	Yes[10]	Yes	Yes	Yes	No[51]	Yes	Yes
l. Veterinary establishment, kennel, pet shop or similar establishment [29]	No	No	No	No	No	SP	SP	SP[10]	SP	SP	SP	No[51]	SP	No
m. Sales place for new and used car, rental agency for autos, trailers and motorcycles [30]	No	No	No	No	Yes	Yes	Yes	Yes[10]	Yes	SP	Yes	No[51]	Yes	PUD
n. Office including display or sales space of a wholesale, jobbing or similar establishment [31]	No	No	No	No	No	SP	SP	Yes[10]	Yes	Yes	Yes	Yes[51]	Yes	Yes
o. Fast Order Food Establishment	No	No	No	No	No	No	SP	SP[10]	SP	No	SP	No[51]	SP	PUD
p. Deleted														
q. Art/Craft Studio	No	No	No	SP[50]	SP[50]	Yes	Yes	Yes	Yes	Yes	Yes	Yes[51]	Yes	Yes
r. Bakery, Retail	No	No	No	No	No	Yes	Yes	Yes[10]	Yes	Yes	Yes	No[51]	Yes	PUD

	Open Space	Res A 1&2	Res B	Res C, C-1, C-1A, 2, 2A, 2B, 3, 3A, 3B	Off 1, 2A,2, 3,3A	Bus A-1, A-2, A-3[1]	Bus A	Bus B, B-1, B-2	Bus C, C-1	Ind A-1, A-2	Ind A	Ind B-1, B-2	Ind B	Ind C
4.36 Open Air or Drive In Retail & Service														
a. Sales place for flowers, garden supplies agricultural produce conducted partly or wholly outdoors; commercial greenhouse or garden	No	No	No	No	No	Yes	Yes	No	No	Yes	Yes	No	Yes	Yes
b. Automobile oriented fast order food service establishment	No	No	No	No	No	SP	SP	No	SP	No	SP	No	SP	No
c. Drive in bank and other retail or consumer service establishment where motorist does not have to leave his or her car	No	No	No	No	No	No	SP	SP[13]	SP	SP	SP	No	SP	No
d. Outdoor amusement park, outdoor sports facility conducted for profit	No	No	No	No	No	No	No	No	No	No	SP	No	SP	No
e. Open air or drive in theatre or other open air place of entertainment	No	No	No	No	No	No	No	No	No	No	Yes	No	Yes	No
f. Sale of new or used cars conducted partly or wholly on open lots, or rental agency for automobiles, trailer, motorcycles, conducted partly or wholly outdoors	No	No	No	No	No	No	SP	No	No	No	SP	No	SP	No
g. Automobile service station where no major repairs are made [32]	No	No	No	No	No	SP	SP	SP[13]	SP	No	Yes	SP	Yes	SP
h. Car washing establishment using mechanical equipment for the purpose of cleaning automobiles and other vehicles	No	No	No	No	No	No	SP	No	No	No	SP	SP	SP	No
I. Place for exhibition, lettering or sale of gravestones	No	No	No	No	No	SP	SP	No	No	Yes	Yes	No	Yes	No
4.37 Light Industry, Wholesale Business and Storage														
a. Assembly or packaging of articles [33]	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes[14]	Yes	Yes
b. Manufacturing, processing, assembly and packaging the following: [34]														
1. Clothing, but not the manufacture of the cloth or other material of which the clothing is made	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes

	Open Space	Res A 1&2	Res B	Res C, C-1, C-1A 2, 2A, 2B, 3, 3A, 3B	Off 1, 2A,2, 3,3A	Bus A-1, A-2, A-3[1]	Bus A	Bus B, B-1, B-2	Bus C, C-1	Ind A-1, A-2	Ind A	Ind B-1, B-2	Ind B	Ind C
2. Food products, including bakery, confectionery and dairy products	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
3. Drugs	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
4. Electrical, electronic and communication instruments	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
5. Engineering, laboratory and scientific instruments, temperature controls	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
6. Jewelry, insignia, emblems and badge, lapidary, scale models, dolls, costume jewelry and costume novelties	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
7. Lamp shades except of glass or metal	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
8. Leather goods, excluding footwear and saddlery	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
9. Medical and dental instruments and supplies, optical instruments and lenses	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
10. Paper and paperboard products [35]	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
11. Pens and mechanical pencils	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
12. Plaster of Paris or papier mache products	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
13. Office machines, including cash registers, computing machines and typewriters, scales and balances	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
14. Umbrellas, parasols and canes	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
15. Watches, clocks, watchcases, clockwork mechanisms	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
c. Bottling of beverages	No	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes
d. Distribution center, parcel delivery center, delivery warehouse	No	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes
e. Laundry, dry cleaning plant	No	No	No	No	No	No	No	No	No	SP	Yes	SP	Yes	Yes

	Open Space	Res A 1&2	Res B	Res C, C-1, C-1A 2, 2A, 2B, 3, 3A, 3B	Off 1, 2A,2, 3,3A	Bus A-1, A-2, A-3[1]	Bus A	Bus B, B-1, B-2	Bus C, C-1	Ind A-1, A-2	Ind A	Ind B-1, B-2	Ind B	Ind C
f. Printing, binding, publishing and related arts and trades	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes
g. Auto body or paint shop [36]	No	No	No	No	No	No	No	No	No	SP	Yes	SP	Yes	No
h. Automotive repair garage not including auto body or paint shop [37]	No	No	No	No	No	SP	SP	SP[13]	SP	SP	Yes	SP	Yes	SP
i. Food Commissary	No	No	No	No	No	No	No	No	No	SP	Yes	Yes	Yes	Yes
j. Wholesale business and storage in roofed structure, but not including wholesale storage of flammable liquids, gas or explosives	No	No	No	No	No	No	No	No	No	SP	Yes	Yes[14]	Yes	Yes
k. Storage warehouse, cold storage plant, storage building, but not including storage or bailing of junk, scrap metal, rags, waste paper or used rubber	No	No	No	No	No	No	No	No	No	Yes	Yes	Yes[14]	Yes	Yes
l. Open lot storage of new building materials, machinery, and new metals, but not including junk, scrap metal, rags, waste paper and similar materials [38]	No	No	No	No	No	No	No	No	No	SP	SP	SP	Yes	SP
m. Open lot storage of coal, coke, sand, or other similar material, or such storage in silos or hoppers [39]	No	No	No	No	No	No	No	No	No	No	SP	No	Yes	No
4.38 Heavy Industry														
a. Dismantling or wrecking of used motor vehicles and storage or sale of dismantled, inoperative or wrecked vehicles or their parts [38]	No	No	No	No	No	No	No	No	No	No	No	No	SP	No
b. Rendering or preparation of grease, tallow, fats and oils, manufacture of shortening, table oil, margarine and other food oils, but not including garbage, dead animals, offal or refuse reduction	No	No	No	No	No	No	No	No	No	No	No	No	Yes	No
c. Stone cutting, shaping, and finishing, in completely enclosed buildings	No	No	No	No	No	No	No	No	No	No	No	SP	Yes	SP

	Open Space	Res A 1&2	Res B	Res C, C-1, C-1A, 2, 2A, 2B, 3, 3A, 3B	Off 1 2A,2, 3,3A	Bus A-1, A-2, A-3[1]	Bus A	Bus B, B-1, B-2	Bus C, C-1	Ind A-1, A-2	Ind A	Ind B-1, B-2	Ind B	Ind C
d. Textile mill, except mill for processing of jute, burlap or sisal	No	No	No	No	No	No	No	No	No	No	No	SP	Yes	No
e. Manufacturing, processing, assembly, packaging or other industrial operation without limit as to category or product, but the following are expressly prohibited [40]	No	No	No	No	No	No	No	No	No	SP	SP[52]	Yes[14]	Yes	SP
1. Acid Manufacture	No	No	No	No	No	No	No	No	No	No	No	No	No	No
2. Cement, lime or gypsum manufacture	No	No	No	No	No	No	No	No	No	No	No	No	No	No
3. Explosives or fireworks manufacture	No	No	No	No	No	No	No	No	No	No	No	No	No	No
4. Glue manufacture	No	No	No	No	No	No	No	No	No	No	No	No	No	No
5. Incineration or reduction of garbage, offal or dead animals [41]	No	No	No	No	No	No	No	No	No	No	No	No	No	No
6. Petroleum refining	No	No	No	No	No	No	No	No	No	No	No	No	No	No
7. Smelting of zinc, copper, tin or iron ores	No	No	No	No	No	No	No	No	No	No	No	No	No	No
8. Stockyard or abattoir	No	No	No	No	No	No	No	No	No	No	No	No	No	No
f. Open lot storage of second hand lumber or other used building material [38,42]	No	No	No	No	No	No	No	No	No	No	No	No	Yes	No
g. Open lot storage of junk, scrap, paper, rags, unrepaired or unclean containers, or other salvage articles [38]	No	No	No	No	No	No	No	No	No	No	No	No	Yes	No

4.40 FOOTNOTES TO THE TABLE OF USE REGULATIONS

1. All uses except residential uses in Section 4.31 (a)-(h) and (i) 3 shall be subject to the following limitations:
    a. Permitted nonresidential uses must be located in a building containing the above enumerated residential uses;
    b. Permitted nonresidential uses may not occupy more than 40%(forty percent) of the Gross Floor Area in the building; all remaining GFA must be devoted to permitted residential uses.
    c. The permitted nonresidential uses may only be located on the first floor or basement of the building.
    d. No accessory parking shall be provided for any nonresidential use.
2. Provided that in Residence A districts the exterior design of the structure is not changed.
3. Planning Board Special Permit for developments specified in Section 11.12.
4. Deleted
5. Planning Board special permit for dwellings specified in Section 4.26.
6. No in the Office 1 District.
7. Subject to the following provisions:
    (a) Hotels and motels shall be prohibited in Residence C or Residence C-1 districts;
    (b) Hotels and motels shall be permitted as of right in Residence C-3A districts and in Residence C-2, 2A, 2B, and 3 districts where at least fifty (50) [percent of the area of the lot upon which the hotel or motel is located, and the point of entry from a street for all vehicular access to the hotel or motel, is located within the Harvard Square Overlay District the Central Square Overlay District or the Massachusetts Avenue Overlay District.
    (c) Hotels or motels shall be permitted by special permit from the Board of Zoning Appeal (BZA) in Residence 2, 2A, 2B, and 3 districts, where paragraph (b) above does not apply. In granting such special permit the BZA shall find that the proposed location and its surrounding neighborhood is predominately institutional or commercial in use, and specifically not a low-density residential area. The Board shall further find that the physical development of the site for hotel use will be similar to, and compatible with, the existing (or potential) site development pattern on surrounding sites for other uses permitted in the applicable zoning district or districts; and that the operation of the hotel or motel, with regard to delivery of goods, the kind and volume of vehicular trips to and from the site, and the numbers of people visiting the site on foot, among other factors, is compatible with the use of adjacent properties for uses permitted in the applicable zoning district or districts. In making these findings the Board shall consider the following, among other considerations:
        1. The scale of the building in the immediate neighborhood;

2. The extent of non-residential development in the neighborhood, including the size of buildings, the specific uses, the kind and number of vehicular trips generated by those uses;
3. The density of residential use on adjacent lots and within the immediate neighborhood;
4. The details of operation of the proposed hotel or motel use including the kinds and number of vehicle trips to the site, including service trips;
5. The extent of access to arterial streets that customarily accommodate or provide direct service to non-residential uses;
6. The nature of side development on adjacent sites including setbacks from property lines, location and quantity of vehicular parking, the presence of accessory activities such as loading facilities, waste storage facilities, mechanical service equipment, landscaped green spaces, etc.

8. No towers in Industry A-1 Districts.
9. Yes in a Residence C-3A District subject to the limitations specified in Section 5.31.
10. Except in a Business B District, this use shall be subject to the limitations specified in Section 4.27.
11. The Following provisions, which modify the Table of Use Regulations, shall apply to certain uses and development in the Open Space District.
    1. The establishment or development in an Open Space district of these uses, and those enumerated in Paragraph (b) below, shall be reviewed in accordance with the requirements of Section 4.25
    2. The following modifications to the Table of Use Regulations shall apply:
        a. Except that in the Open Space district a yacht, rowing or similar club or association, related to recreational boating use on a lake or river, shall be permitted by special permit. [Section 4.33h(1)]
        b. Provided, however, that the theater or hall for public gathering is operated under the aegis of a nonprofit agency or organization and is open to the general public. [Section 4.35h]

    In an Open Space district the following Commercial Recreation uses only shall be permitted, by Special Permit: a golf course; yacht club or marina; boat docks, ticket offices and other support facilities for ferry services, boat rentals and boat cruises services. [Section 4.35i]
12. Yes in an Office 2 District provided that the establishment is located within a building principally containing uses listed in Subsection 4.34 and that the total gross floor area of all establishments included under items 4.35e and 4.35f in this table do not exceed ten (10) percent of the gross floor area of the building. However, this ten (10) percent floor area limitation shall not apply to a cafeteria or other eating/drinking facility which is accessory to permitted uses in a building or associated group of buildings in the same ownership and which is intended primarily for employees of those uses and their guests.
13. No in the Business B-1 and Business B-2 Districts.

14. Board of Zoning Appeal special permit in the Industry B-2 District.
15. Provided that in Residence A districts the exterior design of the structure is not changed.
16. See also Section 4.26.
17. Provided that in the Residence A districts the exterior design of the structure is not changed unless a special permit is granted by the Planning Board.
18. Where not an accessory use, and no repairs, servicing, or sale of gasoline is carried out.
19. Unless explicitly stated to the contrary elsewhere in this Ordinance, all bulk, height, yard, lot area, setback, open space, parking, sign and building coverage requirements shall be considered reasonable regulations under Section 3, Chapter 40A, G.L., and shall apply to the uses in this Subsection 4.33a.
20. Noncommercial research facilities shall include laboratories and other research facilities or educational institutions which supply services for a fee to persons other than enrolled students. No manufacturing shall be permitted on the premises unless the noncommercial research facility is located within a district that would customarily permit such manufacturing under the provisions of Subsection 4.37 or 4.38 of the Table of Use Regulations.
21. May include related teaching facilities and offices for its medical staff not to exceed twenty-five (25) percent of the gross floor area of the hospital.
22. Where facilities are primarily used by faculty and students and where the public is admitted on payment of a fee.
23. Where all display and sales are conducted within a building or where a permit has been issued by City Council for an outdoor sale, and where no manufacturing assembly, or packaging occur on the premises, except in Industrial districts as permitted elsewhere in this Ordinance.
24. Provided that the establishment is located in a structure also containing retail uses, and that no establishment shall exceed two thousand five hundred (2,500) square feet gross floor area.
25. Provided that at least fifty (50) percent of such merchandise is sold at retail on the premises and that all display and sales are conducted within a building.
26. Provided that only nonflammable solvents are used for cleaning and not more than nine (9) persons are employed.
27. Provided that no alcoholic beverages are sold or consumed on the premises. Such establishments shall not exceed two thousand five hundred (2,500) square feet in the Industry A-1 districts.
28. Such establishments shall not exceed two thousand five hundred (2,500) square feet in Industry A-1 districts.
29. Provided that, in Business A and B zones, all animals are kept indoors and that no noise or odors are perceptible from adjoining lots.
30. Conducted entirely within a building and provided no major repairs are made.

31. Where not more than twenty-five (25) percent of the floor area is used for assembling, packaging, or storage of merchandise.
32. Provided that in Business and Industry C districts all lubrication and repairs are carried out within the building and further provided that in Industry C districts, the service station will be located within or attached to a parking garage or other structure as an accessory use.
33. Provided that no such article exceeds two hundred (200) pounds in weight and provided that no manufacturing or processing is carried out.
34. Provided that the following restrictions shall apply.
    (a) in Industry A, A-1, A-2, and B-2 districts any fully assembled product regularly produced shall not exceed two hundred (200) pounds in weight.
    (b) in Industry A, A-1, A-2, B-2 and C districts no process shall involve coating with rubber,
    (c) all dust, fumes, odors, smoke or vapors are effectively confined to the premises or disposed of so as to avoid air pollution and,
    (d) any noise, vibration or flashing is not normally perceptible without instruments at a distance of fifty (50) feet from the premises in Industry A-1 districts, at a distance of one hundred (100) feet from the premises in Industry A, A-2, B-2, and Industry C districts or at a distance of five hundred (500) feet from the premises in Industry B and B-1 districts.
35. Provided that such products are made from purchased paper or purchased paperboard and that there is no manufacture or process of pulp, waste paper or waste paper products.
36. Provided that all work is carried out inside the building.
37. Provided that in Business, Industry A-1 and Industry C districts all servicing and repairs are carried out inside the building.
38. Provided that the area so used is surrounded by a six foot high wall or tight fence.
39. Provided that all dust incident to storage or handling is effectively confined to the premises or so disposed of so as to avoid air pollution and that the area so used is surrounded by a six foot high wall or tight fence.
40. Subject to the Building Department and Health Department regulations and further provided that
    (a) all dust, fumes, odors, smoke or vapor are effectively confined to the premises or so disposed of as to avoid air pollution, and
    (b) any noise, vibration or flashing are not normally perceptible without instruments at a distance of five hundred (500) feet from the premises, fifty (50) feet from the premises in an Industry A-1 district or one hundred (100)

feet from the premises in an Industry A-2, Industry B-2 or an Industry C district.

41. Except such processing as may be conducted by the City of Cambridge.

42. Storage of flammable liquids or gas permitted by the Building Code.

43. Except that in Residence C and C-1 districts this use shall be subject to the regulations of Section 4.50, Institutional Use Regulations.

44. Unless explicitly stated to the contrary elsewhere in this Ordinance, all bulk, height, yard, lot area, setback, open space, parking, sign and building coverage requirements shall be considered reasonable regulations under Section 3, Chapter 40A, G.L., and shall apply to all uses and facilities which have educational purposes and which are protected by said statute.

45. This use designation shall include all uses and facilities listed in Subsection 4.56(c)4, 5, and 6.

46. Any dormitory, fraternity, or sorority which is not exempt by statue shall not be allowed in the Office 1 district and shall require a special permit from the Board of Zoning Appeal in the Office 2 and Industry B districts. Such uses shall only be permitted as part of a planned unit development (PUD) in the Industry C district.

47. Local government shall include all nonresidential facilities and activities of the City of Cambridge, the Cambridge Housing Authority, Cambridge Redevelopment Authority and their component agencies, but shall not include public schools.

48. This use designation shall include facilities for cultural and ethnic heritage appreciation.

49. But not including a tower facility as a principal use, serving multiple operators, or as a freestanding structure on a lot.

    In reviewing a special permit application for mobile communications facilities in particular, the Board of Zoning Appeal shall consider the following in reaching its determination:

    1. The scope of or limitations imposed by any license secured from any state or federal agency having jurisdiction over such matters.

    2. The extent to which the visual impact of the various elements of the proposed facility is minimized:

        (1) Through the use of existing mechanical elements on a building's roof or other features of the building as support and background,

        (2) Through the use of materials that in texture and color blend with the materials to which the facilities are attached, or

        (3) Other effective means to reduce the visual impact of the facility from off the site.

    3. Where it is proposed to erect such a facility in any residential zoning district, the extent to which there is a demonstrated public need for the facility at the proposed locations, the existence of alternative, functionally suitable sites in nonresidential locations, the character of the prevailing uses in the area, and the prevalence of other, existing mechanical systems and equipment carried on or above the roof of nearby structures. The Board of Zoning Appeal shall grant a

special permit to erect such a facility in a residential zoning district only upon a finding that nonresidential uses predominate in the vicinity of the proposed facility's location and that the telecommunication facility is not inconsistent with the character that does prevail in the surrounding neighborhood.

In granting a special permit the Board of Zoning Appeal shall set forth in its decision under which circumstances or procedures, if any, the permittee shall be allowed to replace and upgrade its equipment without the necessity of seeking a new special permit.

50. Subject to the requirements of Section 4.28.

51. Permitted in the Industry B-1 district as the use would be permitted as of right or by special permit in the Business B district subject to the following limitations:

(a). The retail use is located on the ground floor or in the basement of a building containing other uses,

(b) The retail use constitutes no more than 25% of the GFA of the building in which it is located, exclusive of GFA devoted to parking uses,

(c) The retail use fronts on a public street and has a direct public access to that street, and

(d) No separately leased establishment may exceed 10,000 square feet in GFA.

52. Uses so permitted in existence as of July 1, 1988 may continue and expand, within the dimensional limits of Section 5.34, without the granting of a special permit.

53. No in Business C-1 districts.

54. Any dimensional or other relief from the provisions of this Ordinance required to construct or locate a municipal library use shall be permitted by grant of a special permit from the Planning Board. In granting such a special permit, where the library is proposed to be located within an Open Space zoning district, the Planning board shall, in addition to the criteria set forth in Section 10.43, find that there will be no substantial reduction in the recreational and/or open space use, excluding parking areas and roadways. Where the Board does find there will be a substantial reduction in the recreational and/or open space use the special permit shall be granted upon assurance by the City Manager that he will offset such reduction by increased recreational and/or open space uses at another location, subject to necessary appropriations.

55. The provisions of Article 5 and Article 6 of this Ordinance shall not apply to the construction or location of a municipal police or fire station.

57. Subject to the provisions of Section 22.70.

4.50 INSTITUTIONAL USE REGULATIONS

4.51 *Legal Authority.* In accordance with Chapter 565 of the 1979 General Court, and as amended by Chapter 387 of the Acts of 1980, the use of land for institutional purposes in residentially zoned districts which require a lot of one thousand two hundred (1,200) square feet or more per dwelling unit shall be governed by the provisions of this Section 4.50.

4.52 *Purpose.* It is the purpose of this Section 4.50 to protect lower density residential neighborhoods from unlimited expansion of institutional activities, to reduce pressures for conversion of the existing housing stock to nonresidential uses, to minimize the development of activities which are different from and incompatible with activity patterns customarily found in lower density residential neighborhoods and to provide a framework for allowing those institutions which are compatible with residential neighborhoods to locate and expand there. This Section 4.50 is intended to accomplish these purposes in a manner consistent with the findings and objectives of the Community Development Department's *Cambridge Institutional Growth Management Plan (1981).*

4.53 *Approach.* This Section 4.50 establishes special use regulations for institutional activities in the Residence A-1, A-2, B, C and C-1 zoning districts. These regulations encompass the full range of institutional uses. Each use is regulated based on its expected physical impacts on nearby residences, on the existing or recent use of the lot or structure proposed for such use, and on the location of the lot either within or outside of an area in which there has already been extensive institutional development.

4.54 *Institutional Overlay District.* The designation Institutional Overlay District is hereby established on the Zoning Map as provided for in Subsection 3.12. An Institutional Overlay District delimits an area where there has been extensive contiguous development of institutional use types subject to regulation under this Section 4.50. Institutional Overlay Districts are defined in order to identify areas where prior development patterns create a precedent for more flexible institutional use regulation than in areas where non institutional uses predominate. The conditions regarding development of new or expanded institutional uses under Subsections 4.55 and 4.56 are determined in part by whether a lot is located inside or outside an Institutional Overlay District. The boundaries of these districts are drawn based on several physical factors; consequently, for purposes of definitional clarity, they encompass areas both inside and outside zoning districts subject to use regulation under this Section 4.50. Regardless of the location of an Institutional Overlay District boundary, the special institutional use regulations of this Section 4.50 shall only apply within the Residence A-1, A-2, B, C and C-1 districts. The following Institutional Overlay Districts are hereby established on the Zoning Map.

4.54.1 The Harvard, Radcliffe, Lesley District

4.54.2 The Episcopal Divinity School District.

4.54.3 The Observatory Hill District.

4.54.4 The Mount Auburn Hospital District

4.54.5 The Shady Hill School, and Buckingham, Browne, and Nichols School District.

4.54.6 The Matignon School District

4.54.7 The Cambridge Street Health Center District

4.54.8 The Massachusetts Institute of Technology District.

4.55 *Existing Lot Status.* The institutional use of land or structures for each category of institutional activity in a Residence A-1, A-2, B, C and C-1 district shall be governed by the Table of Institutional Use Regulations in Subsection 4.56. The institutional use regulation in the table shall be the same in the aforementioned five (5) zoning districts, but shall differ according to: (1) the applicable use category, (2) the location of the lot in relation to the Institutional Overlay Districts, and (3) the status of the lot in relation to its existing or recent use. If two or more of the lot status types listed below would pertain to the proposed development of an institutional use, then the more restrictive designation among the types of lot status for the use would apply. The column heading in Subsection 4.56 refers to the types of lot status listed in Subsection 4.55.1 and applies to institutional development whether by conversion of an existing structure or lot or by new construction or new use of a lot.

4.55.1 The Existing Lot Status pertaining to the proposed institutional development shall be defined according to one of the following three types:

(1) A lot which contains a residential use listed in Subsection 4.31, or which is vacant and which within the twenty-four (24) month period prior to the date of permit application, but subsequent to March 23, 1980, contained such residential use;

(2) A lot which contains any use other than those residential and institutional uses listed in Subsection 4.31 or 4.33, or which is vacant and did not within the twenty-four (24) month period prior to the date of permit application, but subsequent to March 23, 1980, contain a use listed in Subsection 4.31 or 4.33; or

(3) A lot which contains an institutional use listed in Subsection 4.33, or which is vacant and which within the twenty-four (24) month period prior to the date of permit application, but subsequently to March 23, 1980, contained such institutional use.

4.56 TABLE OF INSTITUTIONAL USE REGULATIONS

Use Categories	Inside Institutional Overlay Districts Existing Lot Status (1)	(2)	(3)	Outside Institutional Overlay Districts Existing Lot Status (1)	(2)	(3)
a. Religious Purposes						
1. Place or Worship	SP[4]	Yes	Yes	No	SP	Yes
2. Rectory, parsonage	SP[4]	Yes	Yes	No	SP	Yes
3. Convent, monastery	SP[4]	Yes	Yes	No	SP	Yes
4. Social or recreational center	SP[4]	Yes	Yes	No	SP	SP[5]
5. Other use with religious purposes	SP[4]	Yes	Yes	No	SP	Yes
b. Use of Land or Structure for Educational Purposes on Land Owned or Leased by the Commonwealth or any of its Agencies, Subdivisions or Bodies Politic	Yes	Yes	Yes	Yes	Yes	Yes
c. Use of Land or Structure for Educational Purposes on Land Owned or Leased by Entities not included in Subsection 4.56b						
1. Pre-school, day care center or kindergarten	SP[4]	Yes	Yes	No	SP	Yes
2. Primary School	SP[4]	SP	Yes	No	SP	SP[5]
3. Secondary School	SP[4]	SP	SP	No	No	No
4. College or university athletic facility, auditorium, theater or similar facility, any of which is customarily accessible to the general public on a paid admission fee or other basis	SP[4]	SP	SP	No	No	No[6]
5. College or university laboratory or research facility customarily involving radioactive materials and other controlled substances, high Intensity electromagnetic radiation or chemical or biological processes potentially entailing a high level of danger to the public health and safety.	SP[4]	SP	SP	No	No	No
6. Other College or university facility [1]	SP[4]	SP	Yes	No	No	No[6]
7. Vocational or other schools	SP[4]	SP	Yes	No	SP	SP[5]
8. Dormitory, resident fraternity or sorority	SP[4]	SP	SP	No	No	No[6]
d. Non-Commercial Research Facilities						
1. Laboratory or other research facility customarily involving research with radioactive materials, controlled substances, high intensity electromagnetic radiation or chemical or biological processes potentially entailing a high level of danger to the public health and safety	SP[4]	SP	SP	No	No	No
2. Private library, study center or other research facility	SP[4]	SP	Yes	No	SP	SP[5]
e. Health Care Facilities						
1. Hospital	SP[4]	SP	SP	No	No	No
2. Infirmary	SP[4]	SP	Yes	No	SP	SP[5]
3. Nursing or Convalescent home	SP[4]	SP	Yes	No	SP	SP[5]

Use Categories	Inside Institutional Overlay Districts Existing Lot Status (1)	(2)	(3)	Outside Institutional Overlay Districts Existing Lot Status (1)	(2)	(3)
4. Clinic not affiliated with any other institution	SP[4]	SP	Yes	No	SP	SP[5]
5. Clinic affiliated with a hospital or an accredited university medical school	SP[4]	SP	SP	No	No	No[6]
6. Clinic connected to a community center	SP[4]	SP	Yes	No	SP	SP[5]
7. Other health care facility	SP[4]	SP	Yes	No	SP	SP[5]
f. Social Service Facilities						
1. Social service center	SP[4]	Yes	Yes	No	SP	SP[5]
2. Community Center	SP[4]	SP	SP	No	No	No[6]
g. Local Government [2]						
1. Administrative office	SP[4]	SP	SP	No	No	No[6]
2. Fire or police station	SP[4]	SP	Yes	No	SP	SP[5]
3. Museum	SP[4]	SP	Yes	No	SP	SP[5]
4. Municipal service facility	SP[4]	SP	SP	No	No	No
5. Public park, playground, or public recreation building	SP[4]	Yes	Yes	SP[4]	Yes	Yes
6. Municipal Library	Yes[8]	Yes[8]	Yes[8]	Yes[8]	Yes[8]	Yes[8]
h. Other Governmental Facility	Yes	Yes	Yes	Yes	Yes	Yes
i. Other Institutional Uses						
1. Club, lodge, or other fraternal or sororal meeting facility	SP[4]	SP	Yes	No	SP	SP[5]
2. Museum or noncommercial gallery [3]	SP[4]	Yes	Yes	No	SP	SP[5]
3. Cemetery	SP[4]	Yes	Yes	No	Yes	Yes
4. Institutional use not listed in any other category	SP[4]	SP	SP	No	SP	SP[5]

FOOTNOTES TO TABLE OF INSTITUTIONAL REGULATIONS

1. Other college or university facility shall include administrative offices, faculty and staff offices, teaching and research facilities not included in Subsection 4.56c(4) or c(5), libraries, museums, dining halls and service facilities including facilities listed in Subsection 4.56c(4) which are not accessible to the general public.
2. Local government shall include all nonresidential facilities and activities of the City of Cambridge, the Cambridge Housing Authority, Cambridge Redevelopment Authority and their component agencies, but shall not include public schools.
3. This use designation shall include facilities for cultural and ethnic heritage appreciation.
4. The Board of Zoning Appeal shall grant a special permit for this use only if the applicant demonstrates that he will act to replace indefinitely the dwelling units removed from the lot or converted to institutional use with an equivalent number of units, not previously on the housing market, at another location or locations within the

City of Cambridge, before the units are removed or converted, and only if the applicant adequately provides at his own expense for the relocation of the occupants of the existing units to comparable units within the City of Cambridge. In every case, this replacement housing shall include units suitable for and available to low and moderate income households in an amount equal to ten (10) percent of the total number of units to be replaced. The remaining replacement units shall be comparable to the units removed. Comparability shall be determined by dwelling unit mix in terms of number of bedrooms, special facilities (such as handicapped access or common areas), amenities, including those existing in the surrounding neighborhood and range of price/rent levels. The Board of Zoning Appeal may require that the applicant submit whatever evidence it deems necessary to determine that the replacement units will be comparable and the applicant is bound to provide such units. Otherwise the special permit will not be issued. Replacement units shall be available for occupancy before the existing dwelling units are removed or converted and shall remain available as low and moderate income and comparable units unless otherwise authorized by the Board of Zoning Appeal. No building or demolition permit for the proposed institutional development shall be issued until the replacement units are available for occupancy and the occupants of the existing units have been relocated.

5. This use is allowed as of right if the pre-existing institutional use of the lot is in the same use table category in Subsection 4.56, otherwise a special permit from the Board of Zoning Appeal shall be required. Such special permit shall be granted only if the Board determines that the use will have fewer adverse impacts on the neighborhood than the pre-existing institutional use. In making this determination, the Board shall consider and comment on the physical attributes of the use, including those evaluated in the *Cambridge Institutional Growth Management Plan.* The Board may require the applicant to submit whatever documentation it deems necessary, to assist it in making said determination.
6. This use may be allowed upon issuance of a special permit by the Board of Zoning Appeal if the pre-existing institutional use of the lot is in the same use table category in Subsection 4.56 or if the Board determines that the use will have fewer adverse impacts on the neighborhood than the pre-existing institutional use. In making this determination, the Board shall consider and comment on the physical attributes of the use, including those evaluated in the *Cambridge Institutional Growth Management Plan.* The Board may require the applicant to submit whatever documentation it deems necessary to assist it in making said determination.
7. Subject to the provision of Section 11.20.
8. Any dimensional or other relief from the provisions of this Ordinance required to construct or locate a municipal library use shall be permitted by grant of a special permit from the Planning Board. In granting such a special permit, where the library is proposed to be located within an Open Space zoning district, the Planning Board shall, in addition to the criteria set forth in Section 10.43, find that there will be no substantial reduction in the recreational and/or open space use, excluding parking areas and roadways. Where the Board does find there will be a substantial reduction in the recreational and/or open space use the special permit shall be granted upon

assurance by the City Manager that he will offset such reduction by increased recreational and/or open space uses at another location, subject to necessary appropriations.

4.57 *Special Permit Criteria.* The Board of Zoning Appeal shall grant a special permit for a use in Subsection 4.56 only if it determines that the benefits of the proposed use at that location will outweigh it detriments. In addition to any particular determinations which must be made under footnotes 4, 5, or 6 of said Subsection and Subsection 10.43, "Special Permit Criteria", the Board shall consider and address the following factors as appropriate:

Benefits

1. The building design or site plan would be compatible with the neighborhood.
2. The institution would be accessible to or primarily oriented toward neighborhood residents.
3. The institution would fulfill an identified neighborhood need.
4. The institution would fulfill an identified citywide need.
5. Institutional use would be particularly appropriate on the lot given previous use of the lot.
6. Institutional use would be particularly appropriate on the lot given institutional use of adjacent or nearby lots.
7. Residential development would not be feasible or reasonably practical on the site.
8. The proposed institutional use would create a stronger buffer or a more gentle transition between residential and nonresidential areas.
9. The proposed institutional use would result in a net improvement to the neighborhood by being more compatible than the previous use of the lot.

Detriments

1. Development of the institutional use would substantially contravene the objectives of the *Cambridge Institutional Growth Management Plan*.
2. The intensity of the institutional use would be substantially greater than the use intensity of residences in the neighborhood, including traffic, building bulk, parking demands, etc.
3. The activity patterns, including pedestrian and vehicle travel to and from the institution would differ from existing neighborhood activity patterns so as to adversely impact the neighborhood.
4. Development of an institutional use would eliminate existing dwelling units.
5. Development of an institutional use would eliminate nonresidential services or activities which are beneficial to the neighborhood.

4.58 *Special Permit Procedures.* Applications for a special permit from the Board of Zoning Appeal under Subsection 4.56 shall be subject to the general procedural requirements specified in Article 19.000.

4.58.1 Applications shall include all of the following and shall be submitted in triplicate.

1. A completed Special Permit Application form.
2. A completed Property Ownership Certificate.
3. An accurately scaled map showing existing conditions on the lot(s) on which the institutional development is proposed. Said map shall indicate property lines, existing structures and major landscaped features including trees in excess of three inch caliper, parking areas and driveways.
4. A description of the current use of said lot(s) or of the use within the previous twenty-four (24) months if the lot or structures are vacant.
5. A written description of the proposed use of the lot including the intensity of use, expected activity patterns, and probable users.
6. A statement of how the anticipated physical attributes of the use will be similar to or different from those predicted for that category of use generally in the *Cambridge Institutional Growth Management Plan*.
7. If germane to the proposal, a plan for replacing dwelling units to be displaced by the institutional use as required by footnote 4 of Subsection 4.56.
8. A list of any zoning violations which would customarily necessitate variances from the requirements of this Ordinance.

4.58.2 No application shall be accepted by the Board of Zoning Appeal until all of the information required in this Subsection 4.57 is submitted. Any changes in the application following submittal, other than those requested by the Board of Zoning Appeal, or its agent, shall require resubmittal of an application for a special permit. During the course of the special permit application, the Board of Zoning Appeal may require the applicant to provide any additional information which it deems is necessary and reasonable to determine that criteria of Subsection 4.57 will be satisfied.