

***In Article 4.000, Amend Section 4.21 “Accessory Uses,” Paragraph “d.” to read as follows:***

- d. The following Home Occupations shall be considered accessory uses, provided that the primary practitioner is a residential occupant of the dwelling unit, that no more than one person is practicing or employed on the premises at any one time unless otherwise specified below, that all activities take place entirely within a building, that no offensive noise, vibration, smoke, dust or other particulate matter, heat, humidity, glare, or other objectionable effects are produced, and that the following Home Occupations remain accessory and incidental to the primary residential use:
- (1) The office of a resident physician, dentist, attorney-at-law, architect, landscape architect, engineer, or member of another recognized profession, in which case up to three persons may practice or be employed on the premises at any one time;
  - (2) The salon of a properly licensed massage therapist;
  - (3) The studio of an artist, performing artist, craftsperson, graphic designer, photographer, or similar creative professional; and
  - (4) A Retail Residential Kitchen permitted to produce Cottage Food Products, as regulated by 105 CMR 590.001(C), as it may be amended.

Potential Zoning Amendments related to Home Occupations. Current text of the Zoning Ordinance is unformatted. Additions or creations are shown in underline format, deletions are shown in ~~strikethrough format~~.

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**Article 2.000 Definition of Home Occupation (for reference – no amendment suggested)**

**Home Occupation.** For an occupation customarily carried on at home, the use of a room in a dwelling as an office, studio, or work room by a person residing on the premises and in connection with which there is kept no stock in trade nor commodity sold on the premises.

**Amendments to Section 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

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accommodation of three passenger vehicles, or two passenger vehicles for each dwelling unit, whichever is greater.

- d. **The following Home Occupations shall be considered accessory uses, provided that the primary practitioner is a residential occupant of the dwelling unit, that no more than one person is practicing or employed on the premises at any one time unless otherwise specified below, that all activities take place entirely within a building, that no offensive noise, vibration, smoke, dust or other particulate matter, heat, humidity, glare, or other objectionable effects are produced, and that the following Home Occupations remain accessory and incidental to the primary residential use:**

**(1) A customary home occupation or t**~~The office of a resident physician, dentist, attorney-at-law, architect, **landscape architect**, engineer, properly licensed massage therapist, or member of another recognized profession shall be considered as an accessory use, provided that no more than **in which case up to** three persons shall ~~may~~ practice or be employed on the premises at any one time;~~

**(2) .In the case-**~~The salon~~ of a **properly licensed** massage therapist, ~~no more than one person shall practice or be employed on the premises at any one time;~~

**(3) The studio of an artist, performing artist, craftsperson, graphic designer, photographer, or similar creative professional; and**

**(4) A Retail Residential Kitchen permitted to produce Cottage Food Products, as regulated by 105 CMR 590.001(C), as it may be amended.**

- 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:

Explanatory note: The suggested language is intended to clarify the range of uses that are permitted as home occupations, particularly artists and other creative professionals, and to clarify the conditions in which they may operate.

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- (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.

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- (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.
- o. Beekeeping, conducted in conformance with the Standards for Urban Agriculture set forth in Article 23.000 of this Zoning Ordinance and all other applicable laws, rules and regulations, shall be considered an allowed accessory use when conducted on the lot or and in conjunction with one of the following principal uses: residential (all uses listed in Section 4.31, including transient accommodations), institutional (all uses listed in Section 4.33), office and laboratory (all uses listed in Section 4.34), store for retail sale of merchandise (Section 4.35.a), place for the manufacturing, assembly, or packaging of consumer goods (Section 4.35 B), and light industry (all uses listed in Section 4.37).