

- repairs, shall be conducted entirely within a building. No vehicle service station or car wash shall be located within 1,300 feet of another vehicle service station or car wash.
- 3.5.20 Vehicle Repair – Establishment where the principal service is the mechanical repair, excluding body work, of automobiles, trucks, boats, motorcycles, trailers, recreational vehicles, farm equipment or similar motor vehicles, having a maximum gross vehicle weight of 14,000 pounds, provided that all but minor repairs shall be conducted entirely within a BUILDING.
- 3.5.21 Vehicle Body Shop – Establishment where the principal service is the repair and painting of automobiles, trucks, boats, motorcycles, trailers, recreational vehicles, farm equipment or similar motor vehicles having a maximum gross vehicle weight of 14,000 pounds, provided that all but minor repairs shall be conducted entirely within a BUILDING.
- 3.5.22 Vehicle Sale, Rental – Facility for the rental, leasing or sale of automobiles, trucks, boats, motorcycles, trailers, recreational vehicles, farm equipment or similar motor vehicles having a maximum gross vehicle weight of 14,000 pounds; including open-air display. The open-air display area shall comply with the standards of Section 6.7 of this Bylaw.
- 3.5.23 Parking Facility – Commercial parking open to the public for automobiles and similar light motor vehicles.
- 3.5.24 Transportation Services – The parking or storage of ground transportation vehicles including buses, ambulances, limousines, taxies, liveries, wagons, or carriages. The primary purpose of the business shall be to provide transportation services to passengers. All vehicles stored or parked upon the premises shall be registered or licensed.
- 3.5.25 Adult USES – An establishment having a substantial or significant portion of its stock in trade or other materials for sale, rental or display, which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to sexual conduct as defined in MGL Ch. 272, s. 31, such as but not limited to an adult bookstore, adult paraphernalia store, adult video store, or adult motion picture theater. Also, adult entertainment, which shall be an establishment in which workers or performers appear in a state of nudity or in a manner intended to arouse sexual excitement, as defined in MGL Ch. 272, s.31, for a substantial or significant portion of the time the establishment is open for business, or which derives a substantial or significant portion of its revenues from such occasions. The terms “substantial or significant portion” as used herein shall mean either ten percent or more of the business inventory or stock of merchandise for sale or rental at any point in time; or ten percent or more of the annual number of sales, rentals or other business transactions; or ten percent or more of the annual business revenue; or ten percent or more of the hours during which the establishment is open to the public. No Special Permit for an Adult USE shall be issued to any person convicted of violating the provisions of MGL, Ch. 119, s. 63 or Ch. 272, s. 28.

3.6 Industrial USES

- 3.6.1 Warehouse – A BUILDING for the enclosed storage of goods and materials, including office, administrative, and support facilities related to the foregoing, but not a distribution plant; a personal self-storage facility or mini-warehouse.
- 3.6.2 Distribution Plant – Establishment for the temporary storage of merchandise, products, or equipment and its wholesale, distribution or re-distribution to the market, usually in smaller lots, or its sale directly to the consumer via remote sales, such as sales conducted via telephone or Internet; and support services for the foregoing, such as office and laboratory.

- 3.6.3 **Manufacturing** – A manufacturing facility, such as a printing or publishing plant; manufacturing of building systems and components; fabrication and assembly of electronic components, precision instruments, or other high technology products; manufacturing of metal products or office supplies; software or hardware development or manufacturing; research or testing of new and emerging technologies and technological devices; establishments engaged in services related to the environment; development and manufacturing of renewable energy or alternative energy (RE/AE) equipment and systems; or similar USES and activities; including office, administrative, laboratory, and support facilities related to the foregoing; but excluding scientific USE as defined in Section 3.6.4. All operations shall confine disturbing smoke, fumes, dust, noise, and other emissions within the premises. No research or testing shall be conducted outside of a BUILDING. In the KC District, the maximum NET FLOOR AREA of an establishment that is classified as a Manufacturing USE shall not exceed 10,000 square feet.
- 3.6.4 **Scientific** – Research and development in the fields of biotechnology, medical, pharmaceutical, physical, environmental, biological, or behavioral sciences and technology; wildlife medicine; genetic engineering; comparative medicine; bioengineering; cell biology; human and animal nutrition; and veterinary medicine; including the production of equipment, apparatus, machines or other devices for research, development, manufacturing advance, and practical application in any such field or area, and including offices, administrative, laboratory, and support facilities related to any of the foregoing activities. In the KC District, the maximum NET FLOOR AREA of an establishment that is classified as a Scientific USE shall not exceed 10,000 square feet.
- 3.7 **Prohibited USES** – All USES that pose a present or potential hazard to human health, safety, welfare, or the environment through the emission of smoke, particulate matter, noise or vibration, or through fire or explosive hazard, or glare are expressly prohibited in all zoning districts. In addition, the following USES are expressly prohibited in all zoning districts.

Aircraft assembly; landing or takeoff of motorized aircraft	Amusement park
Asphalt, block, or concrete plant	Billboard
Bottling plant	Chemical storage and production facility
Commercial extraction of earth products such as sand, gravel, soil, loam, rock, ore, or minerals, except when connected with the construction of BUILDINGS, STREETS, ways or other improvements to land in accordance with applicable laws and regulations.	Commercial or private dump, landfill, refuse incinerator, or other commercial or private solid waste disposal or processing facility
Commercial or private sludge storage or disposal facility	Drive-in or outdoor cinema
Fertilizer plant	Heating fuel sales, service and storage
Manufacture, use, storage, transport or treatment, disposal and/or processing of explosive, toxic or hazardous materials as a principal activity	Lumber Yard
Mobile home; mobile home park; mobile home sales	Meat packing and pet food plants, slaughterhouses
Nuclear power generation	Motor vehicle assembly
Paper or pulp mill	Privately owned cemetery
Radioactive waste disposal or reprocessing of radioactive materials	Refinery
Repair facility for trucks, buses, construction and industrial equipment	Reclamation and Reprocessing of asphalt and/or concrete
Retail Store larger than 60,000 sq. ft.	Sale of heavy vehicles, equipment or buses
Salvage yard and all open air storage of salvage	Stadium, coliseum, sports arena, race track

materials and debris	
Storage or reprocessing of waste products and salvage materials such as non-operable vehicles or appliances	Storage yard, contractor's yard or other open air establishment for storage, distribution, or sale of materials, merchandise, products or equipment
Tanneries, smelting or rendering plants, gelatin factory	Trailer camp
Truck or trailer cleaning, washing facility or terminal	Water resources development for private commercial sale

3.8 ACCESSORY USE Regulations – ACCESSORY USES shall be permitted in all districts on the same LOT with the PRINCIPAL USE. The ACCESSORY USES listed below are subject to the conditions and requirements stated in the respective Sections.

3.8.1 ACCESSORY USES Permitted in the Residential Districts and dwellings in the Non-Residential Districts:

3.8.1.1 Private garages or carports; solar systems; greenhouses; tool sheds; barns; swimming pools or tennis courts provided that such recreational facilities are used only by the residents and their guests.

3.8.1.2 A home occupation, other than retail sales, conducted entirely within the DWELLING UNIT or an accessory BUILDING by a resident and employing no persons other than the residents. In the Village Residential District, the portion of the DWELLING UNIT or accessory BUILDING used for a home occupation shall be limited to 500 square feet of NET FLOOR AREA. The Board of Appeals may authorize by special permit a home occupation which 1) conducts retail sales, or 2) employs non-residents provided that no more than two such non-resident employees shall be present on the premises at any one time.

3.8.1.3 The renting of rooms or boarding for not more than three persons; except that by Special Permit from the Board of Appeals the renting of rooms or boarding to more than three persons may be allowed. In either case, the service shall be operated by a resident owner of the premises.

3.8.1.4 Breeding for sale of dogs, cats or other pets, provided that not more than four such animals more than one year old shall be permitted.

3.8.1.5 Common Drives for vehicular and non-vehicular ACCESS by way of rights-of-way or easements serving more than one LOT. Common Drives are not STREETS and do not provide FRONTAGE for LOTS. Common Drives shall not serve more than 12 LOTS. Common Drives serving 6 or more LOTS shall require a special permit by the Planning Board. Common Drives serving more than two LOTS but less than six LOTS shall also require a special permit by the Planning Board unless they are in compliance with the requirements a) through q) below. All Common Drives shall be completed prior to the occupancy of any DWELLING UNIT served by the Common Drive.

- a) All curb radii and radii of pavement edges shall be designed to accommodate SU-30 design vehicles (fire engine). In determining the adequacy of the radii at the Common Drive intersection with a STREET, it shall be assumed that on local STREETS the entire pavement width is available for turns, whereas on collector and arterial STREETS a turn shall be possible without obstructing oncoming traffic (local, collector and arterial STREETS as defined in the Acton Subdivision Rules and Regulations).
- b) There shall be a turn around for fire and other emergency vehicles (SU-30 design vehicle) at the end of the Common Drive.
- c) The maximum grade within 50 feet of the intersection with a STREET shall be 5%.
- d) The intersection angle between the Common Drive centerline and the STREET centerline shall be not less than 60 degrees.
- e) The maximum grade shall be 10%. The minimum grade shall be 1%.