

# ZONING

## 164 Attachment 1

### Town of Orleans Schedule of Use Regulations

**[Amended 5-9-2005 ATM, Art. 34; 5-8-2006 ATM, Art. 23; 5-10-2010 ATM, Art. 25;  
5-9-2011 ATM, Art. 28; 5-7-2012 ATM, Arts. 25, 27; 5-12-2014 ATM, Art. 29;  
5-12-2014 ATM, Art. 31; 10-16-2017 STM, Art. 14; 10-29-2018 STM, Art. 7; 5-7-2018  
ATM, Art. 41; 5-22-2021 ATM, Art. 62; 10-31-2020 STM by Art. 32; 10-31-2020 STM by  
Art. 37; 5-9-2022 ATM by Art. 72; 5-13-2024 ATM by Art. 43]**

P= Use Permitted      O= Use Prohibited      A= Use allowed: A, under Special Permit by the Board of Appeals as provided in section 164-44

<b>AGRICULTURAL</b>	<b>R</b>	<b>RB</b>	<b>LB</b>	<b>GB</b>	<b>VC<sup>5</sup></b>	<b>I</b>	<b>CD<sup>6</sup></b>	<b>SC</b>	<b>MB</b>
Agricultural, horticultural, floricultural, aquaculture use, storage of fishing gear and uses customarily necessary thereto except piggeries on parcels of less than five acres. [ATM 5/1/78 Article 48]	P	P	P	P	P	P	P	P	P
Cultivation, propagation, storage and sorting buildings in connection with the operation of cranberry bogs	P	P	P	P	P	P	P	P	O
Roadside stand for display and sale of natural products, 100 s.f. in area or larger	O	P	P	P	P	O	O	O	O
<b>INSTITUTIONAL</b>	<b>R</b>	<b>RB</b>	<b>LB</b>	<b>GB</b>	<b>VC<sup>5</sup></b>	<b>I</b>	<b>CD<sup>6</sup></b>	<b>SC</b>	<b>MB</b>
Burial grounds operated by a non-profit organization established for the sole purpose of maintaining a cemetery <sup>8</sup> [ATM 5/10/93 Article 23]	P	O	O	O	O	O	O	O	O
Educational or municipal uses <sup>7</sup>	P	P	P	P	P	P	P	P	P
Hospitals, sanatoriums or convalescent homes	O	P	P	P	O	O	O	O	O
Private clubs, except a club operated for profit or the chief activity of which is a service customarily carried on as a business, not providing sleeping accommodations for its members or their guests. [ATM 3/13/73 Article 46]	O	O	P	P	O	O	O	O	O
Religious use <sup>7</sup>	P	P	P	P	P	P	P	P	P
<b>RESIDENTIAL</b>	<b>R</b>	<b>RB</b>	<b>LB</b>	<b>GB</b>	<b>VC<sup>5</sup></b>	<b>I</b>	<b>CD<sup>6</sup></b>	<b>SC</b>	<b>MB</b>
Apartments, 3 to 6 units, subject to the conditions of § 164-31B, C, E, and G	O	P	P	P	P	O	O	O	O
Apartments, 7 or more units, subject to the conditions of § 164-31 [ATM 5/1/78 Article 57]	O	A	A	A	A	O	O	O	O

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<b>RESIDENTIAL</b>	<b>R</b>	<b>RB</b>	<b>LB</b>	<b>GB</b>	<b>VC<sup>5</sup></b>	<b>I</b>	<b>CD<sup>6</sup></b>	<b>SC</b>	<b>MB</b>
Boys' and girls' camps [ATM 3/13/73 Article 46]	O	O	O	O	O	O	A	O	O
Commercial structures with dwelling units, subject to § 164-32 [ATM 5/11/98 Article 25]	O	P	P	P	P	P	O	O	P
Congregate housing (See § 164-40B)	A	A	A	A	A	A	O	O	A
Conversion of existing dwelling to multiple dwellings, subject to the conditions in § 164-28	O	P	P	P	P	O	O	O	O
Detached 1- or 2-family dwelling	P	P <sup>1</sup>	P	P	P	O	O	O	P <sup>1</sup>
Lodging house [ATM 5/8/84 Article 83]	O	A	A	A	A	O	O	O	O
Open Space Residential Development [ATM 5/7/90 Article 42]	P	O	O	O	O	O	O	O	O
The renting or leasing of not more than 2 rooms, nor to more than 4 persons, by a family resident in a dwelling unit [ATM 5/8/84 Article 81]	P	P	P	P	P	O	O	O	P
<b>COMMERCIAL</b>	<b>R</b>	<b>RB</b>	<b>LB</b>	<b>GB</b>	<b>VC<sup>5</sup></b>	<b>I</b>	<b>CD<sup>6</sup></b>	<b>SC</b>	<b>MB</b>
Amusement Park	O	O	O	O	O	O	O	O	O
Art gallery	O	P <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	O
Bakery	O	P <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	O
Bank	O	P <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	O
Barber	O	P <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	O
Beauty salon and beauty parlors	O	P <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	O
Bicycle repair and sales	O	P <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	O
Book store	O	P <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	O
Building, sale, rental, charter, storage and repair of boats	O	O	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	P <sup>1</sup>
Cobbler	O	P <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	O
Contractor Yard	O	O	A	A	O	P <sup>4</sup>	O	O	O
Crafting and sale of handmade gifts	O	P <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	O
Dog Kennels or veterinary hospitals	O	O	O	O	O	P <sup>4</sup>	O	O	O
Drive-in, drive-through or similar pickup stations	O	O	A	A	O	O	O	O	O
Drug store	O	P <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	O
Fabric yarn and art store	O	P <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	O
Filling Station or garage	O	O	O	P <sup>4</sup>	O	P <sup>4</sup>	O	O	O
Florist shop	O	P <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	O
Fruit and vegetable stand	O	P <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	O
<b>COMMERCIAL</b>	<b>R</b>	<b>RB</b>	<b>LB</b>	<b>GB</b>	<b>VC<sup>5</sup></b>	<b>I</b>	<b>CD<sup>6</sup></b>	<b>SC</b>	<b>MB</b>

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General store (food and conveniences)	O	P <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	O
Gift Shops, antique shops	O	P <sup>2</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	O	O	O	O
Health club, fitness center	O	P <sup>2</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	O	O	O
Hotel, Motels and motor inns subject to the conditions of § 164-26	O	O	P <sup>4</sup>	P <sup>4</sup>	A	O	O	O	O
Liquor store	O	P <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	O
Marinas	A	P <sup>4</sup>	A	P <sup>4</sup>	O	P <sup>4</sup>	O	O	P <sup>4</sup>
Marijuana cultivator, up to 5,000 s.f. <sup>10</sup>	O	O	A	A	O	A	O	O	O
Marijuana cultivator, more than 5,000 s.f. <sup>10</sup>	O	O	A	A	O	A	O	O	O
Craft marijuana cooperative	O	O	A	A	O	A	O	O	O
Marijuana product manufacturer	O	O	A	A	O	A	O	O	O
Marijuana retailer	O	O	A	A	O	A	O	O	O
Marijuana transporter	O	O	A	A	O	A	O	O	O
Marijuana research facility	O	O	A	A	A	A	O	O	O
Marijuana testing laboratory	O	O	A	A	A	A	O	O	O
Marijuana microbusiness	O	O	A	A	O	A	O	O	O
Medical Marijuana Facility	O	O	O	A	O	O	O	O	O
Miniature Golf Course	O	O	O	O	O	O	O	O	O
Mobile Food Establishment	O	P	P	P	P	O	O	O	P
Museum	O	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	O	O	O
New and Used Motor Vehicle Sales [5/12/2003 Article 22]	O	O	O	O	O	P <sup>4</sup>	O	O	O
Newspaper or job printing	O	O	O	P <sup>4</sup>	A	P <sup>4</sup>	O	O	O
Offices	O	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	O	O	O
Photo store	O	P <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	O
Place of assembly [ATM 5/2/83 Article 61]	O	O	O	P <sup>4</sup>	A	P <sup>4</sup>	O	O	O
Places of Amusement other than Amusement Park or Miniature Golf Course. [ATM 5/11/92 Article 36]	O	O	O	A	A	A	O	O	O
Post office	O	P <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	O
Restaurant, fast food as defined in Section 164-4 [ATM 5/8/89 Article 14]	O	O	O	O	O	O	O	O	O
Restaurant, formula-based	O	O	A	A	O	A	O	O	O
Restaurants with entertainment and sale or dispensation of alcoholic beverages	O	O	A	P <sup>4</sup>	P <sup>4</sup>	O	O	O	O
Restaurant without entertainment	O	P <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	O
<b>COMMERCIAL</b>	<b>R</b>	<b>RB</b>	<b>LB</b>	<b>GB</b>	<b>VC<sup>5</sup></b>	<b>I</b>	<b>CD<sup>6</sup></b>	<b>SC</b>	<b>MB</b>
Restaurants without alcoholic	O	O	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	P <sup>1</sup>

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beverages									
Retail Business	O	P <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	O
Retail sale of fishing bait, fish and shellfish	O	A <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	P <sup>1</sup>
Retail sale of marine fishing and boating supplies	O	A <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	P <sup>1</sup>
Sale of agricultural, landscaping supplies (as a primary use) [5/13/2002 Article 24]	O	O	A	P <sup>4</sup>	O	P <sup>4</sup>	O	O	O
Service or public utility	O	O	A	P <sup>4</sup>	O	P <sup>4</sup>	O	O	O
The retail sale of agricultural, farming, gardening and landscaping needs and supplies, processing of trees, stumps and brush. [ATM 5/4/81 Article 34]	O	O	A	P <sup>4</sup>	O	P <sup>4</sup>	O	O	O
TV repair	O	P <sup>2</sup>	A	P <sup>4</sup>	P <sup>4</sup>	A <sup>2</sup>	O	O	O
<b>WHOLESALE AND STORAGE</b>	<b>R</b>	<b>RB</b>	<b>LB</b>	<b>GB</b>	<b>VC<sup>5</sup></b>	<b>I</b>	<b>CD<sup>6</sup></b>	<b>SC</b>	<b>MB</b>
Sale of fishing bait, fish and shellfish	O	O	O	O	O	A	O	O	P
Wholesale Business	O	O	O	O	O	P	O	O	O
<b>INDUSTRY AND MANUFACTURING</b>	<b>R</b>	<b>RB</b>	<b>LB</b>	<b>GB</b>	<b>VC<sup>5</sup></b>	<b>I</b>	<b>CD<sup>6</sup></b>	<b>SC</b>	<b>MB</b>
Light Industry or manufacturing	O	O	O	A	A	P	O	O	O
<b>OTHER USES</b>	<b>R</b>	<b>RB</b>	<b>LB</b>	<b>GB</b>	<b>VC<sup>5</sup></b>	<b>I</b>	<b>CD<sup>6</sup></b>	<b>SC</b>	<b>MB</b>
Amateur Radio Tower	P	P	P	P	P	P	P	P	P
Commercial and non-commercial Wind Energy Facilities [ATM 5/10/04 Article 23]	A	A	A	A	O	A	A	A	A
Communication Appurtenance (excluding towers and monopoles) [ATM 5/19/97 Article 29]	O	A	A	P	A	P	O	O	O
Communication Buildings [ATM 5/19/97 Article 29]	O	O	A	P	A	P	O	O	O
Communication Monopole [ATM 5/19/97 Article 29]	O	O	O	A	O	P	O	O	O
Communication Towers [ATM 5/19/97 Article 29]	O	O	O	O	O	A	O	O	O

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ACCESSORY USE	R	RB	LB	GB	VC <sup>5</sup>	I	CD <sup>6</sup>	SC	MB
Accessory dwelling (See § 164-40A) [ATM 5/6/85 Article 63]	P	P	P	P	P	P	O	O	P
Accessory scientific use (see § 164-16) [ATM 5/1/78 Article 48]	A	A	A	A	A	A	A	A	A
Building for the raising, boarding or breeding of dogs or livestock by principal occupant of agricultural premises	A	P	A	O	O	O	O	O	O
Garage, barn and boathouse for the principal occupant of residential premises [STM 6/8/72 Article 16]	P	P	P	A	A	O	O	O	P
Guest House	P	P <sup>4</sup>	P	O	O	O	O	O	P <sup>4</sup>
Roadside stand, for products raised on the premises, less than 100 s.f. in area	P	P	P	P	P	P	P	P	P
Shed or other building to house maintenance equipment and supplies for apartment complex [ATM 5/6/82 Article 49]	O	A	A	A	A	O	O	O	O
Storage Trailers	O	O	O	O	O	P <sup>9</sup>	O	O	O
The use of a room or rooms in a dwelling, the use of premises or buildings thereon by resident occupants for a recognized profession and for customary home occupations as defined in § 164-4	A	P	P	O	O	O	O	O	P

### NOTES:

- (1)** Intending that the retail business be incidental to and directly related to permitted use. [ATM 3/13/73 Article 46]
- (2)** Total retail business floor area, exclusive of storage and office space, shall be limited to 1,500 sq. ft. per business. No parking within the Front and Side yard setbacks is permitted.
- (3)** Must conform to minimum lot size currently in force in the Residential District. Any lot which existed prior to March 9, 1971 which contains 15,000 sq. ft. but less than the current minimum area may be used for a single-family dwelling but not for a two-family dwelling or a guest house, or any lot which existed prior to August 2, 1973 containing at least 20,000 sq. ft. but less than the current minimum area may be used for a single-family dwelling but not for a two-family dwelling or a guest house.
- (4)** Except "A" if creating more than 2,500 square feet of gross floor area in commercial use whether through new construction, addition, or change of use. Such special permits are subject to § 164-38 and § 164-39. The calculation of the total gross floor area in commercial use shall include all existing and proposed floor area.
- (5)** See § 164-19.1 for possible exclusions in the VC District.

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- (6)** Certain uses may require a Special Permit under Section 164-15-B (7). [STM 11/18/91 Article 3]
- (7)** See Section 164-40-2 for dimensional, parking and other requirements for Educational, Municipal and Religious Uses. [STM 11/18/91 Article 3]
- (8)** Said use shall be conducted in accordance with the requirements of the Board of Health imposed pursuant to General Laws, Chapter 114, Section 34, and may be carried on only in that portion of the Residence District R designated "d" on the existing zoning map which area is more specifically shown on a plan of land entitled "Topographic Plan of Land located in Orleans, MA prepared for Orleans Cemetery Association Scale 1" = 50', December 7, 1992 Revised February 24, 1993", a copy of which is on file in the Office of the Board of Health, Orleans Town Hall. [ATM 5/10/93 Article 23]
- (9)** See § 164-27 for storage trailer requirements.
- (10)** Area limitation refers to canopy as defined in 935 CMR 500.02.