

Offered by City Councilor Julia Mejia



Flynn, Breadon, Essaibi-George, Arroyo, Edwards, Bok, Wu, Campbell, Flaherty and O'Malley

**CITY OF BOSTON  
IN CITY COUNCIL**

**AN ORDER REGARDING A TEXT AMENDMENT FOR THE  
BOSTON ZONING CODE TO ADD RETAIL RESIDENTIAL  
KITCHENS AS AN ACCESSORY HOME OCCUPATION**

- WHEREAS,** The Boston City Council is currently considering an Ordinance to Establish Guidelines for Permitting Retail Residential Kitchens, submitting by Councilor Julia Mejia and placed into the committee on Government Operations; *and*
- WHEREAS,** The Zoning Commission of the City of Boston currently has an existing definition for Accessory Home Occupations, which while stating that individuals can operate certain types of businesses, it does not explicitly mention Retail Residential Kitchens ; *and*
- WHEREAS,** Retail Residential Kitchens are currently permitted under state guidelines 105 CMR 590.001(C) and cities and towns across Massachusetts have already begun to implement them; *and*
- WHEREAS,** The City of Boston has previously created innovative pathways to entrepreneurship, such as our Food Truck Program. The time has come again for Boston to encourage new and creative ways to start a business;  
***NOW THEREFORE BE IT***
- ORDERED,** That the Boston City Council by and through Councilor Julia Mejia submits a petition to amend the text of the Boston Zoning Code, as established under Chapter 665 of the Acts of 1956, as amended, to update certain aspects of the Accessory Home Occupations definition to include Retail Residential Kitchens.

Filed in Boston City Council: March 5, 2021

TO THE ZONING COMMISSION OF THE CITY OF BOSTON:

Boston City Council through and by *Boston City Councilor Julia Mejia* petitions to amend the text of the Boston Zoning Code, as established under Chapter 665 of the Acts of 1956, as amended, as follows:

1. By amending the Article 2A (Definitions applicable in neighborhood districts) definition of *“Accessory Home Occupations”* as follows
  - a. Subject to the provisions of Article 10, an occupation for profit customarily carried on in a dwelling unit by a person residing therein. Such occupation shall be carried on in a main building, require only equipment ordinarily incident to a dwelling unit, not require nonresident help, and not involve trading in merchandise. Home occupations include, but shall not be limited to sewing, piano lessons, tutoring, a Retail Residential Kitchen permitted to produce Cottage Food Products, as regulated by 105 CMR 590.001(C) and with proper permitting issued by ISD, and similar uses which are clearly incidental to the dwelling for dwelling purposes and do not change the character thereof.