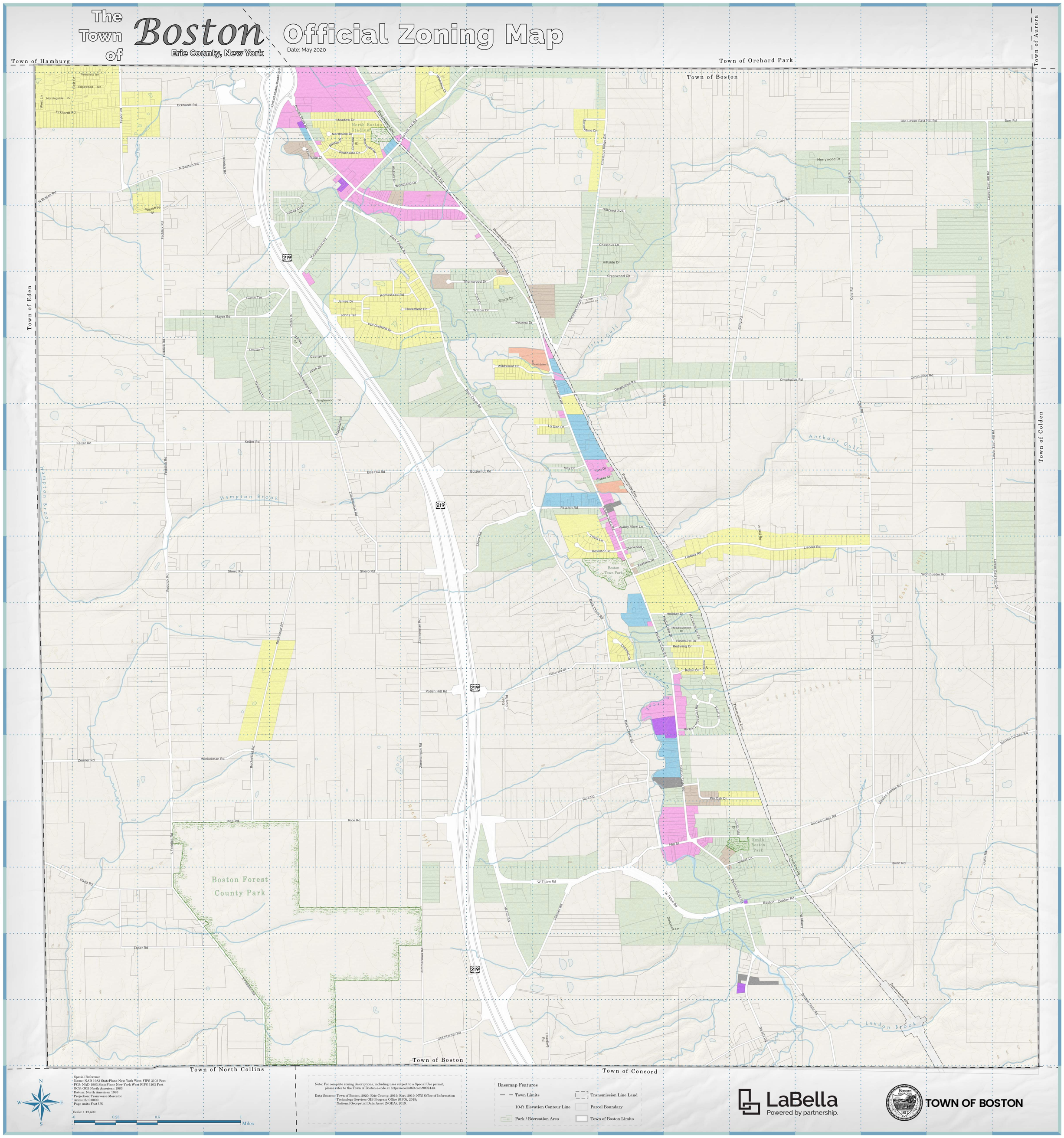
The Town of Boston Official Zoning Map

Erie County, New York

Date: May 2020



- Spatial Reference
- Name: NAD 1983 StatePlane New York West FIPS 3103 Feet
- PCS: NAD 1983 StatePlane New York West FIPS 3103 Feet
- GCS: GCS North American 1983
- Datum: North American 1983
- Projection: Transverse Mercator
- Azimuth: 0.0000
- Page units Foot US

Scale: 1:12,500

0 0.25 0.5 1 Miles

Note: For complete zoning descriptions, including uses subject to a Special Use permit, please refer to the Town of Boston e-code at https://ecode360.com/9002443.

Data Sources: Town of Boston, 2020; Erie County, 2019; Esri, 2019; NYS Office of Information Technology Services GIS Program Office (GPO), 2019; National Geospatial Data Asset (NGDA), 2019.

LaBella Powered by partnership.

TOWN OF BOSTON

Erie County, New York

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts, as shown on the Town of Boston Zoning Map and all sections thereof, the following rules shall apply:

a) Where district boundaries are indicated as approximately following the center lines of streets or highways, street lines or highway right-of-way lines, such center lines, street lines or highway right-of-way lines shall be construed to be said boundaries.
b) Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be said boundaries.
c) Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets or the center lines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the Zoning Map and all sections thereof.

R-1: Single-Family Residence District

Uses and structures permitted in the R-1 District are as follows:

a) Single-family detached dwellings.
b) Churches or other places of worship or religious education, parish houses, convents, rectories or parsonages.
c) Schools (public, private or nonprofit) offering an academic course accredited by the State Education Department.
d) Public libraries or public museums.
e) Fire stations without club facilities.
f) Golf courses, except miniature golf courses and practice driving ranges operated as individual commercial enterprises, including accessory buildings, structures and uses which are necessary for or customary to golf course operations; provided, further, that no building or structure shall be less than 100 feet from any street line or any other lot in an R District.

R-2: Single Family Residence District

Uses and structures permitted in the R-2 District are as follows:

a) Principal uses and structures permitted in the R-1 District, except those requiring a special use permit.
b) Cluster housing, subject to regulations set forth in Article **XXVI** and subject to a site plan approved by the Town Planning Board.
c) Hospitals or institutions of a religious, charitable or philanthropic nature, provided that they are not used for penal or correctional purposes. Such principal buildings shall be at least 50 feet from any other lot in any R-District.

R-3: Two-or-More Family Residence District

Uses and structures permitted in the R-3 District are as follows:

a) Principal uses and structures permitted in the R-2 District, except those requiring a special use permit.
b) Two-family dwellings.
c) Three-or-more family dwellings or condominiums, only where served by sanitary sewers.
d) Dwelling groups.

R-4: Mobile Home Court District

Uses and structures permitted in the R-4 District are as follows:

a) Principal uses and structures:
b) Licensed mobile home courts.
c) Accessory uses and structures:
d) Within a licensed mobile home court as provided by Chapter 70 of the Town Code.

C-1: Local Retail Business District

Uses and structures permitted in the C-1 District are as follows:

1. Permitted uses and structures permitted in an R-C District, except that no residential single-family, two-family or three-or-more-family dwellings, cluster housing, private horse stable or accessory apartments shall be permitted. [Amended 7-16-1997 by L.L. No. 5-1997]
2. The following uses, when conducted entirely within an enclosed building.
   a. Retail sales, but not including any use first permitted in the C-2, M-1 or M-2 District.
   b. Personal service establishments, including but not limited to barbershops, beauty parlors and shoe or hat cleaning or repair and martial arts or related physical fitness facilities.
   c. Hand laundries, laundromats and dry cleaning or laundry pickup stations.
   d. Dry-cleaning and pressing establishments limited to 2,000 square feet of floor area per establishment, provided that only solvents with a flash point of not less than 138.2° F. shall be used and the total aggregate dry load of machines shall not exceed 60 pounds.
   e. Theaters.
   f. Eating or drinking establishments, provided that any entertainment shall be limited to television, radio or music, and further provided that no sale of alcoholic beverages for consumption on the premises shall be permitted on any lot where the principal building is less than 100 feet from a side or rear lot line that abuts any R District boundary.
3. Hotels or motels, subject to the above restrictions on eating and drinking establishments.
4. Drive-in banks, provided that at least five reservoir spaces are provided on the lot for each drive-in teller's window. Such reservoir space shall be exclusive of required parking spaces.

C-2: General Commercial District

Uses and structures permitted in the C-2 District are as follows:

1. Principal uses and structures permitted in the C-1 District; provided, however, that open retail sales shall be permitted unless otherwise specified in this section. No cluster housing, bed-and-breakfast establishments, private horse stables, two-family dwellings or accessory apartments shall be permitted.
2. New or used motor vehicle sales and service.
3. Automobile collision repair and painting, provided that there is no dissemination of atmospheric pollutant, noise vibration or odor beyond the boundaries of the premises on which such use is located.
4. Gasoline stations, subject to Article XXIII.
5. Eating or drinking establishments; provided, however, that no live entertainment shall be permitted except by special permit [Amended 9-18-2002 by L.L. No. 4-2002]
6. Boat or marine sales and service.
7. Laundry or dry-cleaning plants.
8. Custom shops, including but not limited to printing, electrical, heating, plumbing or woodworking shops.
9. Warehouses, but not including the storage of highly flammable or explosive materials.
10. Billiard or pool halls, bowling alleys, skating rinks, dance halls or video game rooms.
11. Bairree or bottling of nonalcoholic beverages from previously prepared ingredients.
12. Wholesale sales and distribution.
13. Terminals for local trucking and delivery service, but not including any tractor, trailer or tractor-trailer combination or automobile conveyor, provided that all vehicle loading, unloading and parking is on the premises.
14. Commercial swimming pools.
15. Drive-in restaurants.
16. Driven theaters.
17. Golf driving ranges or miniature golf.
18. Commercial car washes.
19. The following uses, provided that they are conducted within a completely enclosed building or within an area enclosed by a solid wall or fence at least six feet in height:
   a. Public garages, but not including auto wrecking or the storage of motor vehicles not eligible for New York State motor vehicle inspection stickers.
   b. Building materials supply, including incidental millwork.
   c. Public utility storage, service buildings and yards.
   d. Small-animal hospitals.
   e. Machine and tool sales, rentals and service.
   f. Storage and sales of solid fuel.
   g. Storage and sales of feed for livestock.
   h. Contractor's equipment and materials storage.

M-1: Industrial Park Research and Development District

Uses and structures permitted in the M-1 District are as follows:

A. Principal uses and structures:

a) Office buildings and other administrative, professional or executive offices.
b) Medical and/or dental buildings, clinics and laboratories.
c) Trade or industrial schools, provided that such activity is conducted wholly within an enclosed building.
d) Research and development activities, including laboratories, testing, small-scale experimental and pilot plant operations and production operations incidental to research and development practice and techniques, provided that all necessary safeguards are employed to prevent hazard or annoyance to the community.
e) The manufacture, compounding and assembly of products from previously prepared materials including:
f) Electrical and electronics components and equipment.
g) Musical, scientific, medical, dental and photographic equipment and supplies.
h) Pharmaceutical products, cosmetics and toiletries.
i) Recreational equipment and toys.
j) Clothing and other textile products.
k) Printing, publishing and engraving.
l) Furniture and furnishings for households and offices and related wood and metal products.
m) Food and beverage products.
n) Warehousing and wholesale distribution when conducted within a completely enclosed building.
o) Lumberyards.
p) Repair of trucks and licensed commercial vehicles, including fabrication of miscellaneous parts and accessories.

M-2: General Industrial District

Uses and structures permitted in the M-2 District are as follows:

A. Principal uses and structures:

a) Principal uses and structures permitted in the M-1 District, but without the requirement of being within a completely enclosed building.
b) Coal yards.
c) Incinerators.
d) Concrete products manufacture or concrete- or cement-mixing plants. Storage of petroleum and petroleum products.
f) Manufacturing of abrasives.
g) Automobile assembly and fabrication.
h) Manufacture of heavy machinery.
i) Processing or treatment of bituminous products.
j) Metal casting and foundry products.
k) Open storage yards not otherwise limited in this section, including junkyards as regulated by the Town of Boston.
l) Adult uses, subject to the provisions of § 123-124.
m) Mining and reclamation activities, subject to a New York State permit. [Added 4-17-1991 by L.L. No. 1-1991]

R-C: General Residence-Restricted Business District

Uses and structures permitted in the R-C District are as follows:

A. Principal uses and structures:

a) Principal uses and structures permitted in the R-2 District, except cluster housing and those requiring a special use permit.
b) Three-or-more family dwellings.
c) Where a lot in the R-C District abuts an R-A District boundary, principal uses and structures as permitted and regulated in the R-A District, excluding those uses and structures requiring a special use permit in the R-A District.
d) Telephone exchanges.
e) Real estate or insurance offices.
f) Mortuaries.
g) Art, dance, music or photography studios.
h) Opticians or optometrists.
i) Tourist homes.
j) Fire stations with club facilities.
k) Meeting rooms for private clubs, lodges or fraternal organizations.
l) Medical and/or dental buildings, clinics and laboratories.
m) Trade or industrial schools, provided that such activity is conducted wholly within an enclosed building.
n) Racquetball clubs, squash courts, health spas and related physical fitness facilities.
o) Other administrative, professional or executive offices, but not including the handling, repairing, processing, keeping, displaying, selling, manufacturing, servicing or storing of any goods or merchandise upon the premises.

R-A: Residential-Agricultural District

Uses and structures permitted in the R-A District are as follows:

A. Permitted uses and structures:

a) Principal uses and structures permitted in the R-2 District.
b) Two-family dwellings.
c) Agricultural, floricultural and horticultural pursuits, including but not limited to, general farms, greenhouses, plant nurseries, truck gardens, dairy husbandry, animal husbandry and poultry and livestock, together with all customary buildings and other structures necessary for the production and storage of the products of such pursuits, provided that buildings, pens and runways for the confinement of livestock or poultry shall be at least 100 feet from any property line of an R District and no manure or other odor- or dust-producing substances shall be stored within 100 feet of any lot line.
d) Veterinarians, small-animal hospitals and dog kennels; provided, however, that buildings, pens or runways for the confinement of animals shall be at least 100 feet from the property line of an R District and no manure or other odor- or dust-producing substances shall be stored within 100 feet of any lot line.
e) Private wildlife reservations or conservation projects, including the customary buildings and structures therefor.
f) Cemeteries.
g) Hospitals or institutions of a religious, charitable, rehabilitative or philanthropic nature.
h) Nonprofit private clubs, including club swimming pools and/or tennis courts, catering exclusively to members and guests.

Official Signature Block

Signature

Date

Map Document File: Z:\GIS\Projects\Town_of_Boston\Maps\MXDs\BostonZoning.aprx