

Petition: To amend the Zoning Map and Articles 2.000, 3.000, 4.000, 5.000, 6.000, 7.000, 8.000, 10.000, 11.000, 13.000, 14.000, 16.000, 17.000, 20.000, and 21.000 of the Cambridge Zoning Ordinance as follows with the intent of:

- (1) removing zoning districts that are intended to permit single-family or two-family but not multifamily residences;**
- (2) permitting multifamily and townhouse residences as-of-right in all zoning districts except Open Space and removing special requirements applicable to multifamily and townhouse residences;**
- (3) removing dimensional requirements including minimum lot width and area and minimum lot area per dwelling unit, removing floor area ratio (FAR) limitations for residences, reducing minimum yard requirements for residences, and increasing height limitations for residences to permit at least six stories above grade in all districts except Open Space to allow for additional housing units beyond what is permitted under current zoning;**
- (4) removing remaining references to minimum parking requirements; and**
- (5) revising other parts of the Zoning Ordinance for internal consistency.**

Amendments to the Zoning Map.

Delete the designations “Residence A-1, Residence A-2, Residence B, and Residence C” and change all districts currently designated Residence A-1, Residence A-2, Residence B, and Residence C to a designation of Residence C-1.

Amendments to Article 2.000.

Amend the definition of “Dwelling, multifamily” to read as follows:

Dwelling, multifamily. A building used as a residence containing three or more dwelling units that do not meet the definition of semi-detached dwellings or a townhouse development.

Amend the definition of “Subdivided lot” to read as follows:

Subdivided lot. A lot that has been created through the subdivision of a parcel of land on which a townhouse development is constructed. Said lot is created for the purpose of selling an individual semi-detached dwelling together with the land upon which it is constructed.

Amendments to Article 3.000.

Amend Section 3.11 to read as follows:

3.11For the purpose of this Ordinance, the City of Cambridge is hereby divided into fifty classes of districts listed below in order of decreasing restrictiveness as follows:

1.	Open Space District	Public parks and recreation facilities and other public facilities
2.	Residence C-1 District	Multifamily dwellings
3.	Residence C-1A District	Multifamily dwellings
4.	Residence C-2 District	Multifamily dwellings
5.	Residence C-2B District	Multifamily dwellings
6.	Residence C-2A District	Multifamily dwellings
7.	Residence C-3A District	Multifamily dwellings and limited office
8.	Residence C-3 District	Multifamily dwellings
9.	Residence C-3B District	Multifamily dwellings
10.	Office 1 District	Business and professional office and multifamily dwellings (Apartment house, hotel, dormitory)
11.	Office 2A District	Business, research and professional offices, limited research oriented manufacturing
12.	Office 2 District	Business, research and professional offices, limited research oriented manufacturing
13.	Office 3A District	Business and professional offices and multifamily dwellings
14.	Office 3 District	Business and professional offices and multifamily dwellings
15.	Business A-3 District	Neighborhood business
16.	Business A-1 District	Local business
17.	Business A-2 District	Local business
18.	Business A District	Local and drive in retail business offices and multifamily dwellings
19.	Business A-4 District	Local business
20.	Business A-5 District	Local business and multifamily dwellings
21.	Business C District	General business, professional offices, multifamily dwellings.
22.	Business B-1 District	General business, business and professional offices, and multifamily dwellings
23.	Business B-2 District	General business, business and professional offices and multifamily dwellings
24.	Business B District	General business
25.	Industry B-2 District	Office, warehouse and light manufacturing
26.	Industry A-1 District	Limited impact business and industry
27.	Industry B-1 District	Heavy manufacturing, warehouses, and offices
28.	Industry A-2 District	Limited impact business and industry
29.	Industry A District	Warehouse, storage and light manufacturing

30.	Special Business, Office and Industrial District 1	Various Uses governed by the requirements of Article 17.000
31.	Special Business, Office and Industrial District 2	Various Uses governed by the requirements of Article 17.000
32.	Special Business, Office and Industrial District 3	Various Uses governed by the requirements of Article 17.000
33.	Special Business, Office and Industrial District 4 and 4A	Various Uses governed by the requirements of Article 17.000
34.	Special Business, Office and Industrial District 5	Various Uses governed by the requirements of Article 17.000
35.	Special Business, Office and Industrial District 6	Various Uses governed by the requirements of Article 17.000
36.	Special Business, Office and Industrial District 7	Various Uses governed by the requirements of Article 17.000
37.	Special Business, Office and Industrial District 8	Various Uses governed by the requirements of Article 17.000
38.	Special Business, Office and Industrial District 8A	Various Uses governed by the requirements of Article 17.000
39.	Special Business, Office and Industrial District 9	Various Uses governed by the requirements of Article 17.000
40.	Special Business, Office and Industrial District 10(F)	Various Uses governed by the requirements of Article 17.000
41.	Special Business, Office and Industrial District 10(H)	Various Uses governed by the requirements of Article 17.000
42.	Special Business, Office and Industrial District 11	Various Uses governed by the requirements of Article 17.000
43.	Special Business, Office and Industrial District 12	Various Uses governed by the requirements of Article 17.000
44.	Special Business, Office and Industrial District 13	Various Uses governed by the requirements of Article 17.000
45.	Special Business, Office and Industrial District 14	Various Uses governed by the requirements of Article 17.000
46.	Special Business, Office and Industrial District 15	Various Uses governed by the requirements of Article 17.000
47.	Mixed Use Development (MXD) District: Kendall Center	Various uses governed by the requirements of Article 14.000
48.	Cambridgeport Revitalization Development District	Various uses governed by the requirements of Article 15.000
49.	North Point Residence, Office and Business District	Various uses governed by the requirements of Article 16.000
50.	Industry B District	Heavy Industry

Amend Sections 3.32.1 and 3.32.2 to read as follows:

3.32.1 Where more than one-half the area of said lot is in a less restricted district (either in terms of the district's overall regulations or a single regulation), any of the less restrictive dimensional regulation(s) may be extended up to twenty-five (25) feet into the more restricted district as-of-right for buildings or portions of buildings containing residential uses listed in Section 4.31 a-j or upon issuance of a special permit by the Board of Zoning Appeal for buildings or portions of buildings containing other uses. Uses not allowed in the more restricted districts shall not extend into the more restricted districts.

3.32.2 Gross floor area allowed in the more restricted district, according to the formulas specified in Subsection 5.27, may be located in the less restricted district, but gross floor area allowed in the less restricted district may be located in that portion of the lot located in the more restricted district only to the extent permitted in Section 3.32.1.

Amendments to Article 4.000.

Amend Section 4.21, Paragraph c. to read as follows:

- c. Provisions of garage or parking space for occupants, employees, customers, or visitors shall be considered as an accessory use.
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Amend Section 4.21, Paragraph h. to read as follows:

- h. In Residence C-1 Districts an accessory building shall not be located nearer to any lot line than the minimum setback in the zoning district.
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Amend Section 4.21, Paragraph j. to read as follows:

- j. A dwelling or mobile home shall not be considered an accessory building except in an Industrial District for the accommodation of a night watchman or janitor or if it otherwise meets the definition of an Accessory Apartment.
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Amend Section 4.21, Paragraph k. to read as follows:

- k. An accessory building in Residence C-1, and Office-1 districts shall not exceed fifteen (15) feet in height above the ground level.
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Amend Section 4.22 to read as follows:

4.22 Accessory Apartments shall be permitted in all zoning districts where Residences are permitted.

Delete Section 4.26 as follows:

4.26[Deleted]

Amend Section 4.28.1 and the first sentence of Paragraph a. to read as follows (with no change to the remainder of Paragraph a.):

4.28.1 The Board of Zoning Appeal may grant a special permit for the location of an art/craft studio or group of studios in Residence C-1, C-2, C-2A, C-2B, C-3, C-3A, C-3B and Office Districts provided that the following requirements are satisfied;

- a. Residence C-1, C-2, C-2A, C-2B, C-3, C-3A, C-3B Districts:

Amend Section 4.28.1, the first sentence of Paragraph b. to read as follows (with no change to the remainder of Paragraph b.):

- b. Residence C-1, C-2A, C-2B, C-3, C-3A, C-3B and Office Districts:

Amend the Table of Use Regulations in Section 4.30 by deleting the two columns with headings “Res A 1&2” and “Res B” and deleting the text “C,” from the heading of the column that begins “Res C” in the entire table, and amending Section 4.31 “Residences” to read as follows:

		Open Space	Res C-1, C-1A, 2, 2A, 2B, 3, 3A, 3B	Off 1, 2A, 2, 3, 3A	Bus A-1, A-2, A-3 ¹ , A-5	Bus A, A-4	Bus B, B-1, B-2	Bus C	Ind A-1, A-2	Ind A	Ind B-1, B-2	Ind B
4.31	Residences											
	a. Dwelling, single-family	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
	b. Dwelling, two-family	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
	c. [Deleted]											
	d. Townhouse development or semi-detached dwelling	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
	e. Elderly oriented congregate housing	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
	f. [Deleted]											
	g. Dwelling, multifamily	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
	h. [Deleted]											
	i. Lodging House	No	Yes ⁷	Yes ⁶	Yes	Yes	Yes	Yes	SP	PB	No	SP
	j. Trailer Park or mobile home park	No	No	No	SP	SP	No	No	No	No	No	No

In Section 4.40, delete footnotes 2 and 3 as follows:

2. [Deleted]

3. [Deleted]

In Section 4.40, delete footnote 5 as follows:

5. [Deleted]

In Section 4.40, amend footnote 7, paragraph a. to read as follows:

(a) Hotels and motels shall be prohibited in Residence C-1 districts;

In Section 4.40, delete footnotes 15 through 17 as follows:

15. [Deleted]

16. [Deleted]

17. [Deleted]

In Section 4.40, amend footnote 43 to read as follows:

43. Except that in Residence C-1 districts this use shall be subject to the regulations of Section 4.50, Institutional Use Regulations.

In Section 4.40, amend the first sentence of footnote 59 to read as follows (with no change to the remainder):

59. In Residence C-1, C-1A, 2, 2A, 2B, 3, 3A, and 3B Districts, certain Retail and Consumer Service Establishments identified in the Table of Use Regulations may be allowed by special permit from the Board of Zoning Appeal, subject to the criteria set forth in Sections 10.43 and 10.43.1 of this Zoning Ordinance, if all of the following conditions are met:

Amend Section 4.53 to read as follows:

4.53*Approach.* This Section 4.50 establishes special use regulations for institutional activities in the Residence C-1 zoning districts. These regulations encompass the full range of institutional uses. Each use is regulated based on its expected physical impacts on nearby residences, on the existing or recent use of the lot or structure proposed for such use, and on the location of the lot either within or outside of an area in which there has already been extensive institutional development.

Amend Section 4.54 to read as follows:

4.54*Institutional Overlay District.* The designation Institutional Overlay District is hereby established on the Zoning Map as provided for in Subsection 3.12. An Institutional Overlay District delimits an area where there has been extensive contiguous development of institutional use types subject to regulation under this Section 4.50. Institutional Overlay Districts are defined in order to identify areas where prior development patterns create a precedent for more flexible institutional use regulation than in areas where non institutional uses predominate. The conditions regarding development of new or

expanded institutional uses under Subsections 4.55 and 4.56 are determined in part by whether a lot is located inside or outside an Institutional Overlay District. The boundaries of these districts are drawn based on several physical factors; consequently, for purposes of definitional clarity, they encompass areas both inside and outside zoning districts subject to use regulation under this Section 4.50. Regardless of the location of an Institutional Overlay District boundary, the special institutional use regulations of this Section 4.50 shall only apply within the Residence C-1 districts. The following Institutional Overlay Districts are hereby established on the Zoning Map.

Amend Section 4.55 to read as follows:

4.55*Existing Lot Status.* The institutional use of land or structures for each category of institutional activity in a Residence C-1 district shall be governed by the Table of Institutional Use Regulations in Subsection 4.56. The institutional use regulation in the table shall be the same in the aforementioned zoning district, but shall differ according to: (1) the applicable use category, (2) the location of the lot in relation to the Institutional Overlay Districts, and (3) the status of the lot in relation to its existing or recent use. If two or more of the lot status types listed below would pertain to the proposed development of an institutional use, then the more restrictive designation among the types of lot status for the use would apply. The column heading in Subsection 4.56 refers to the types of lot status listed in Subsection 4.55.1 and applies to institutional development whether by conversion of an existing structure or lot or by new construction or new use of a lot.

Amendments to Article 5.000.

Amend Section 5.11 to read as follows:

5.11No building or structure shall be built nor shall any existing building or structure be enlarged which does not conform to the regulations as to maximum ratio of floor area and lot areas, minimum dimensions of front, side, and rear yards and maximum height of structures, in the several districts as set forth in Article 5.000, Section 5.30 except as hereinafter provided and except in the Cambridge Center MXD District, which shall be governed by the requirements of Section 14.30.

Amend Section 5.13 to read as follows:

5.13In the case of multiple buildings on a lot that do not contain Residences as listed in Section 4.31 a-j., the minimum distance between such buildings shall not be less than the sum of the heights of the buildings divided by six or ten feet, whichever is greater. In determining compliance with this section, portions of buildings exempted by Section 5.23 shall not be counted in computing building height.

Delete Section 5.14 as follows:

5.14[Deleted]

Amend Section 5.15 to read as follows:

5.15No lot or development parcel shall be changed in size, shape, or ownership so that the dimensional requirements or off-street parking and loading requirements prescribed in this Ordinance are no longer satisfied. This paragraph shall not apply where a portion of the lot or development parcel is acquired for a public purpose.

Amend Section 5.21.1 to read as follows:

5.21.1There shall be no required minimum lot area or width except as set forth below.

Amend Section 5.21.2 to read as follows:

5.21.2No building shall be erected on a lot which does not have at least twenty (20) feet of frontage on a street. This paragraph does not apply to subdivided lots within a townhouse development that have a combined lot frontage of at least twenty (20) feet. This requirement shall not be applicable in the Cambridge Center MXD District.

In Section 5.23, amend the first sentence to read as follows, with no change to following paragraphs (a) through (g):

5.23*Building Height and Stories Above Grade.*

5.23.1 *Height Exceptions.* The provisions of this Ordinance governing the height of buildings and structures in all districts shall generally not apply to the following:

Amend Section 5.23.1 to read as follows:

5.23.1.1 Building elements enumerated in (a) and (g) above shall be limited in height where they are placed on a building located in a non-residential district, which district abuts a Residence C-1, C-1A, C-2, C-2A, C-2B district. In these instances, the following height limitations shall apply to those building elements:

Create a new Section 5.23.3 to read as follows:

5.23.3 *Application of Height Limits to Residential and Non-residential Uses.* This Section explains how the height limits in the Table of District Dimensional Regulations in Section 5.30 apply.

- (a) Buildings or portions of buildings used as Residences, listed in Section 4.31 a-j of this Zoning Ordinance, are generally limited by the maximum number of Stories Above Grade and by the maximum building height above grade in feet, which is intended to enable the allowed number of Stories Above Grade while limiting excessive story height. Where there is no explicit limit on Stories Above Grade, including but not limited to special districts, overlay districts, or PUD districts, any number of Stories Above Grade shall be permitted within the applicable height limit.
- (b) Buildings or portions of buildings used for any uses other than those listed in Section 4.31 a-j of this Zoning Ordinance shall be considered non-residential and subject to the non-residential height limitations of the zoning district.

- (c) In a mixed-use building containing both residential (as described in Paragraph (a) above) and non-residential (as described in Paragraph (b) above) uses, the limit on Stories Above Grade shall apply to the entire building. Portion(s) of the building devoted to non-residential uses shall not be located above the non-residential height limit. Portion(s) of the building devoted to residential uses may exceed the non-residential height limit but shall not exceed the residential height limit.
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Amend Section 5.24.1, Paragraph (f) to read as follows:

- (f) Projecting eaves, chimneys, bay windows, balconies, open fire escapes and like projections which do not project more than three and one-half (3½') feet and which are part of a building not more than thirty-five (35') feet in height or more than thirty-five (35') feet in height if portions of the building above that height contain residential uses listed in Section 4.31 a-i.;
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Create a new Section 5.25.4 to read as follows:

- 5.25.4** *Application of FAR Limits to Residential and Non-residential Uses.* This Section explains how FAR limits in the Table of District Dimensional Regulations in Section 5.30 apply.
- (a) GFA in buildings or portions of buildings used as Residences, listed in Section 4.31 a-j of this Zoning Ordinance, shall not be subject to FAR limitations except where explicitly set forth in the standards for a particular district or overlay district, including but not limited to special districts or PUD districts. GFA in buildings or portions of buildings used as Residences shall be subject to other requirements as set forth in this Zoning Ordinance, including but not limited to Inclusionary Housing Requirements in Section 11.203.
 - (b) Buildings or portions of buildings used for any uses other than those listed in Section 4.31 a-j of this Zoning Ordinance shall be considered non-residential and subject to the non-residential FAR limitations of the zoning district.
 - (c) On a mixed-use lot containing both residential uses not subject to FAR limitations (as described in Paragraph (a) above) and non-residential uses subject to FAR limitations (as described in Paragraph (b) above), the district FAR limitation shall only apply to the GFA occupied by non-residential uses unless otherwise stated in the development controls for that district. In such cases, the GFA occupied by non-residential uses shall be divided by the total area of the lot to determine compliance with non-residential FAR limitations.
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Delete Section 5.26 as follows:

Amend Section 5.27 (to be renumbered 5.25.7) to read as follows:

5.25.5 *Calculation for lot in two or more zoning districts.*

To the extent that FAR or GFA limitations are applicable to a particular use, the maximum gross floor area permitted for that use on a lot located in two or more zoning districts shall be the sum of the total gross floor area permitted for that use in each portion of the lot, typically determined by multiplying the lot area in each district by the maximum allowed FAR for that use in that district and adding the results for each portion of the lot.

Maximum Gross Floor Area = (Lot area in district 1 x district 1 FAR applicable to that use) +
(Lot area in district 2 x district 2 FAR applicable to that use)

Delete Section 5.28.1 as follows:

5.28.1[Deleted]

Amend Section 5.28.2 as follows (with the intent of facilitating as-of-right conversions to residential use if they conform to existing conditions or underlying zoning standards):

5.28.2*Conversion of Non Residential Structures to Residential Use.*

Where it is proposed to convert an existing principal use structure, designed and built for non residential use, to residential use (excluding Transient Accommodations listed in Section 4.31.1 and Trailer Park or Mobile Home Park listed in Section 4.31 (j)), the dimensional standards generally applicable in the district as set forth in the Tables of Dimensional Requirements in Section 5.30 and other applicable regulations in this Ordinance, including permitted uses, Section 4.30 - Table of Use Regulations, shall apply except where modifications are permitted, either as-of-right or after issuance of a special permit by the Planning Board, as set forth below. The provisions in this Section 5.28.2 shall apply in all zoning districts with the exception of districts with an Open Space designation.

Intent of this Section:

- (a) To allow the economic reuse of buildings that may be substantially out of compliance with the dimensional requirements of the zoning district within which they are located, especially as they are converted to residential use.
- (b) To encourage the preservation of buildings of historic or cultural significance by providing opportunities for reuse of the structures.
- (c) To establish a framework of development standards and criteria within which existing non-residential buildings that are out of scale and character with surrounding residential uses can be converted to housing of an appropriate style and density while limiting potential negative impacts on neighbors.

5.28.20*Allowed Uses.*

The Planning Board may by special permit authorize uses not otherwise allowed in the base zoning district, subject to the following conditions and limitations:

- (a) The permitted uses shall be limited to the following:
 - (1) All residential uses listed in Section 4.31 (a-h), but specifically excluding Transient Accommodations listed in Section 4.31.1 and Trailer Park or Mobile Home Park listed in Section 4.31 (j).
 - (2) The following institutional uses: Religious uses (4.33.a); Public or non-profit educational uses (4.33.b.1); Private preschool, day care, kindergarten (4.33.b.2); Local government or other government facility (4.33.f, 4.33.g); Private museum, library, non-commercial gallery (4.33.h.2).

- (3) The following office uses: Office of an accountant, attorney, or other non-medical professional (4.34.b); Real estate, insurance or other agency office (4.34.c); General office use (4.34.d).
- (4) Any uses allowed as accessory uses to the permitted principal uses.
- (b) All permitted non-residential uses shall be limited to the ground floor or basement of the building. The Planning Board may permit non-residential uses to occupy other floors of the building only after determining that the location and design of such spaces, including access and egress, will not impact the privacy or security of residential occupants. However, the total floor area occupied by non-residential uses shall not exceed the floor area of the ground floor and basement.
- (c) The Planning Board shall determine that any proposed non-residential uses are generally compatible with residential uses in the area, including the dwelling units located within the same building, and will not cause harm or nuisance to surrounding uses.
- (d) The Planning Board shall determine that by permitting non-residential uses, there will be a compensating reduction in the number of dwelling units that would otherwise be permitted, and that the proposed non-residential uses will balance the potential adverse impacts of additional residential units, such as demand for nighttime parking.

5.28.21*GFA and FAR.*

Permitted residential uses shall not be limited by GFA or FAR. Permitted non-residential uses shall be subject to the FAR or GFA limitations applicable to non-residential uses in the zoning district.

5.28.22*Dwelling Units.*

There shall be no limit on the number of dwelling units permitted.

5.28.23*Yard Requirements.*

The required yards shall be those of the structure existing at the time of the conversion to residential use. However, any construction occurring outside the limits of the existing structure shall be subject to the yard requirements of the district in which the structure is located.

5.28.24*Maximum Stories Above Grade and Building Height.*

- (a) The maximum Stories Above Grade and maximum building height, respectively, shall be those permitted for residential uses in the district in which the structure is located, or the pre-existing conditions of the non-residential building, whichever are greater.
- (b) Any construction that occurs outside the existing limits of the structure, other than construction exempt from the height limit as set forth in Section 5.23, shall be subject to the applicable maximum Stories Above Grade and building height limit of the district in which the structure is located.
- (c) In granting a special permit, the Planning Board may approve the construction of additional Stories Above Grade beyond those permitted in Paragraph (a) if they are contained entirely within the existing structure and the Planning Board finds that the additional Stories provide space suitable for dwellings, in addition to meeting other applicable special permit criteria.

5.28.25*Open Space Requirements.*

The open space requirement shall be that required in the district in which the structure is located, except as modified herein.

The dimensional and locational limitations for Private open space set forth in Section 5.22 shall not apply; any combination of at-grade private open space and decks and balconies at other levels shall be permitted as shall walks intended for non vehicular use. However, in every case where those requirements of Section 5.22 waived by this Paragraph (a) are not met, all portions of the surface of the lot shall be Green Area as defined in Article 2.000 that are (1) not covered by the building or (2) devoted to the minimum area necessary to provide at grade, conforming parking spaces and the minimum necessary circulation and driveways for no more than one parking space per dwelling unit. The amount of Private open space required may be reduced upon issuance of a special permit by the Planning Board should the Board find that full compliance cannot reasonably be expected given the existing development of the lot and the provision of parking necessary to serve the dwelling units. However, where open space requirements are not met, the Applicant shall explore the use of portions of the interior of the building to provide recreational opportunities not possible on the exterior.

5.28.26 *Conforming Additions.*

Conforming additions to such non-residential structures shall be permitted without reference to the limitations set forth in Section 8.22 for such additions to non-conforming structures.

5.28.27 *Required Parking.*

Off-street parking shall be provided as required in the Schedule of Parking and Loading Requirements, Section 6.36.

5.28.28 *Criteria for Approval of a Special Permit.*

In granting any special permit, the Planning Board shall consider the standards and criteria set forth in Sections 10.43 and the Urban Design Objectives set forth in Section 19.30 of this Ordinance in addition to the following review standards.

5.28.28.1 *Criteria Applicable to All Projects.*

- (a) Privacy Considerations. Where significant variations from the normally required dimensional standards for the district are proposed, the Board shall evaluate the impact on residential neighbors of the new housing use and any other proposed use as it may affect privacy. The location and size of windows, screening elements, decks, entries, security and other lighting, and other aspects of the design, including the distribution of functions within the building, shall be reviewed in order to assure the maintenance of reasonable levels of privacy for abutters. In reviewing a proposed development plan, the Board shall consider, among other factors, the potential negative impacts of the new activity on abutters as a result of the location, orientation, and use of the structure(s) and its yards as proposed.
- (b) Reduction in Open Space. Where it is proposed to reduce the amount of on-site Open Space below that required in the applicable district, the Board shall evaluate the proposal in light of the following:
 - (1) The extent to which screening and buffering from neighbors will be accomplished
 - (2) The quality and viability of the proposed open spaces as they are designed

- (3) The tradeoff in benefits and negative impacts of the loss of green space in order to provide the required amount of parking, including consideration of the feasibility of alternate parking arrangements that might produce additional green area, such as placing some or all parking within the structure
- (4) The availability of common recreational spaces within the building to compensate for the loss of usable outdoor open space
- (c) Community Outreach. The Planning Board shall consider what reasonable efforts have been made to address concerns raised by abutters and neighbors to the project site. An applicant seeking a special permit under this Section 5.28.2 shall solicit input from affected neighbors before submitting a special permit application. The application shall include a report on all outreach conducted and meetings held, shall describe the issues raised by community members, and shall describe how the proposal responds to those issues.

5.28.28.2 *Additional Criteria Applicable to Larger Projects.*

Where the proposed project includes more than 10,000 Gross Square Feet or more than ten (10) dwelling units, and the proposed Stories Above Grade are increased above the maximum allowed under base zoning regulations, the Board shall evaluate the proposal in light of the following:

- (a) The implications of the size or number of additional dwelling units on the anticipated demand for parking. In order to assist the Planning Board in evaluating parking impacts, an applicant for a special permit shall be required to submit a Parking Analysis, as set forth in Section 6.35.3 of the Zoning Ordinance, as part of the special permit application.
- (b) The appropriateness of the proposed layout of floor space within the building for a multifamily residential use, with attention to the typical range of unit sizes and types that would be expected for housing in the neighborhood. Considerations may include the suitability of proposed unit configurations for a variety of households, the extent to which unusual unit sizes or shapes may impact parking or overall quality of life for residents or neighbors, and the availability of customary amenities for residents such as storage, utilities, common rooms and recreational facilities.
- (c) The potential mitigating effects of the proposed occupancy of dwelling units. For instance, units designed for elderly residents or live/work spaces for professionals or artists may provide desirable housing options for Cambridge residents with fewer adverse impacts on parking or neighborhood character.

Delete Sections 5.30.1, 5.30.11, and 5.30.12.

Replace in their entirety Sections 5.30 and 5.40 to read as follows. Note that this amendment will consolidate tables and footnotes that are separated by district type in the current zoning into a single Table of District Dimensional Requirements and set of footnotes. Where markups are shown below, they only indicate substantive changes to development standards and do not necessarily include all formatting changes:

5.30 DISTRICT DIMENSIONAL REGULATIONS

5.30.1 Dimensional regulations shall apply as set forth in the table below for the indicated zoning districts. Refer to the applicable subsections of Section 5.20 for additional detail about how the below standards are applied.

Table 5-1: Table of District Dimensional Requirements

District	All Uses	Residential Uses (Section 4.31 a-j.)				Non-Residential Uses (Section 4.30 except 4.31 a-j.)				
	1. Min. Open Space Ratio (5.22)	2. Max. Stories Above Grade (5.23)	3. Max. Building Height in feet (5.23)	4. Min. Front Yard Setback (5.24)	5. Min. Side or Rear Yard Setback (5.24)	6. Max. Building Height in feet (5.23)	7. Min. Front Yard Setback (5.24)	8. Min. Side Yard Setback (5.24)	9. Min. Rear Yard Setback (5.24)	10. Max. FAR (5.25)
5.31 Residence Districts										
Res. C-1	30% ⁽¹⁾	6	75	10 ⁽²⁾	none	35	$\frac{H+L^{(3)}}{4}$	$\frac{H+L^{(12)(13)}}{5}$	$\frac{H+L^{(5)}}{4}$	0.75
Res. C-1A	15%	6	75	10 ⁽²⁾	none	45	10	$\frac{H+L^{(10)}}{7}$	$\frac{H+L^{(10)}}{5}$	1.25
Res. C-2	15%	7	85	10 ⁽²⁾	none	85	$\frac{H+L^{(3)}}{4}$	$\frac{H+L^{(13)}}{5}$	$\frac{H+L^{(5)}}{4}$	1.75
Res. C-2A	10% ⁽⁸⁾	6	75	5 ⁽²⁾	none	60	$\frac{H+L^{(4)(7)}}{5}$	$\frac{H+L^{(7)(13)}}{6}$	$\frac{H+L^{(5)}}{5}$	2.5
Res. C-2B	15%	6	75	10 ⁽²⁾	none	45	$\frac{H+L^{(3)(9)}}{4}$	$\frac{H+L^{(9)(13)}}{5}$	$\frac{H+L^{(5)(9)}}{4}$	1.75
Res. C-3	10%	10	120	5 ⁽²⁾	none	120	$\frac{H+L^{(4)}}{5}$	$\frac{H+L^{(13)}}{6}$	$\frac{H+L^{(5)}}{5}$	3.0
Res. C-3A	10%	10	120	5 ⁽²⁾	none	120	$\frac{H+L^{(4)(6)}}{5}$	$\frac{H+L^{(6)(13)}}{6}$	$\frac{H+L^{(6)}}{5}$	3.0 ⁽⁶⁾
Res. C-3B	10%	10	120	10 ⁽²⁾	none	120 ⁽³⁴⁾	10	none	none	3.0 ⁽¹¹⁾⁽³⁴⁾
5.32 Office Districts										
Office 1	15%	6	75	10 ⁽²⁾	none	35	$\frac{H+L^{(3)(31)}}{4}$	$\frac{H+L^{(32)}}{5}$	$\frac{H+L^{(14)(32)}}{4}$	0.75
Office 2A	15%	6	75	10 ⁽²⁾	none	60 ⁽³⁴⁾	$\frac{H+L^{(3)(31)}}{4}$	$\frac{H+L^{(32)}}{5}$	$\frac{H+L^{(14)(32)}}{4}$	1.25 ⁽³⁴⁾
Office 2	15%	7	85	10 ⁽²⁾	none	70 ⁽³⁴⁾	$\frac{H+L^{(3)(31)}}{4}$	$\frac{H+L^{(32)}}{5}$	$\frac{H+L^{(14)(32)}}{4}$	1.50 ⁽³⁴⁾

District	All Uses	Residential Uses (Section 4.31 a-j.)				Non-Residential Uses (Section 4.30 except 4.31 a-j.)				
	1. Min. Open Space Ratio (5.22)	2. Max. Stories Above Grade (5.23)	3. Max. Building Height in feet (5.23)	4. Min. Front Yard Setback (5.24)	5. Min. Side or Rear Yard Setback (5.24)	6. Max. Building Height in feet (5.23)	7. Min. Front Yard Setback (5.24)	8. Min. Side Yard Setback (5.24)	9. Min. Rear Yard Setback (5.24)	10. Max. FAR (5.25)
Office 3	10%	10	120	5 ⁽²⁾	none	90 ⁽³⁴⁾	$\frac{H+L^{(4)(31)}}{5}$	$\frac{H+L^{(32)}}{6}$	$\frac{H+L^{(14)(32)}}{5}$	2.0 ⁽³⁴⁾
Office 3A	10%	10	120	5 ⁽²⁾	none	90 ⁽³⁴⁾	$\frac{H+L^{(4)(31)}}{5}$	$\frac{H+L^{(32)}}{6}$	$\frac{H+L^{(14)(32)}}{5}$	2.0 ⁽³⁴⁾
5.33 Business Districts										
Bus. A	none	6	75	none	none	35 ⁽³⁴⁾	none ⁽³¹⁾	none ⁽³²⁾	$\frac{H+L^{(14)(32)}}{5}$	1.0 ⁽³⁴⁾
Bus. A-1	none	6	75	none	none	35	none ⁽³¹⁾	none ⁽³²⁾	$\frac{H+L^{(14)(32)}}{5}$	1.0 ⁽³⁴⁾
Bus. A-2	none	6	75	5 ⁽²⁾⁽²⁶⁾	none	45 ⁽²²⁾⁽³⁴⁾	5 ⁽²³⁾⁽³¹⁾	10 ⁽¹³⁾⁽²⁰⁾⁽³²⁾	20 ⁽²¹⁾⁽³²⁾	1.0 ⁽³⁴⁾
Bus. A-3	30%	6	75	10 ⁽²⁾	none	35	$\frac{H+L}{4}^{(3)(31)}$	$\frac{H+L}{5}^{(32)}$	$\frac{H+L}{4}^{(14)(32)}$	0.75 ⁽¹⁸⁾
Bus. A-4	none	6	75	10 ⁽²⁾⁽²⁶⁾	none	35 ⁽²⁴⁾⁽³⁴⁾	$\frac{H+L}{4}^{(24)(31)}$	$\frac{H+L}{5}^{(24)(32)}$	$\frac{H+L}{5}^{(24)(32)}$	1.0 ⁽²⁴⁾⁽³⁴⁾
Bus. A-5	none	7 ⁽²⁵⁾	85 ⁽²⁵⁾	none	none	80 ⁽²⁵⁾⁽³⁴⁾	none ⁽³¹⁾	none ⁽³²⁾	none ⁽³²⁾	1.0 ⁽²⁵⁾⁽³⁴⁾
Bus. B	none	7	85	none	none	80 ⁽³⁴⁾	none ⁽³¹⁾	none ⁽³²⁾	none ⁽³²⁾	2.75 ⁽³⁴⁾
Bus. B-1	See note ⁽¹⁶⁾	8	95 ⁽¹⁵⁾	none	none	55 ⁽¹⁵⁾⁽³⁴⁾	none ⁽³¹⁾	none ⁽¹⁷⁾⁽³²⁾	none ⁽¹⁷⁾⁽³²⁾	1.50 ⁽³⁴⁾
Bus. B-2	See note ⁽¹⁶⁾	6	75	none	none	45 ⁽³⁴⁾	none ⁽³¹⁾	none ⁽¹⁷⁾⁽³²⁾	none ⁽¹⁷⁾⁽³²⁾	1.50 ⁽³⁴⁾
Bus. C	none	6	75	none	none	55 ⁽¹⁹⁾⁽³³⁾⁽³⁴⁾	none ⁽³¹⁾	none ⁽³²⁾	20 ⁽²¹⁾⁽³²⁾	1.25 ⁽³⁴⁾
5.34 Industrial Districts										
Ind. A-1	none	6	75	none	none	45 ⁽³⁴⁾	0 ⁽³¹⁾	0 ⁽²⁷⁾⁽³²⁾	0 ⁽²⁷⁾⁽³²⁾	1.25 ⁽³⁴⁾
Ind. A-2	none	6	75	none	none	70 ⁽³⁴⁾	0 ⁽³¹⁾	0 ⁽²⁷⁾⁽³²⁾	0 ⁽²⁷⁾⁽³²⁾	2.75 ⁽³⁴⁾
Ind. A	none	6	75	none	none	45 ⁽²⁸⁾⁽³⁴⁾	none ⁽³¹⁾	none ⁽³²⁾	none ⁽³²⁾	1.25 ⁽³⁴⁾

District	All Uses	Residential Uses (Section 4.31 a-j.)				Non-Residential Uses (Section 4.30 except 4.31 a-j.)				
	1. Min. Open Space Ratio (5.22)	2. Max. Stories Above Grade (5.23)	3. Max. Building Height in feet (5.23)	4. Min. Front Yard Setback (5.24)	5. Min. Side or Rear Yard Setback (5.24)	6. Max. Building Height in feet (5.23)	7. Min. Front Yard Setback (5.24)	8. Min. Side Yard Setback (5.24)	9. Min. Rear Yard Setback (5.24)	10. Max. FAR (5.25)
Ind. B-1	none	6	75	none	none	60 ⁽³⁴⁾	0 ⁽³¹⁾	0 ⁽³²⁾	0 ⁽³²⁾	1.5 ⁽³⁴⁾
Ind. B-2	none	6	75	10 ⁽²⁾	none	35	15 ⁽³¹⁾	0 ⁽²⁷⁾⁽³²⁾	0 ⁽²⁷⁾⁽³²⁾	0.75
Ind. B	none	10	120	none	none	120 ⁽³⁴⁾	none ⁽³¹⁾	none ⁽³²⁾	none ⁽³²⁾	2.75 ^{(29)(30) (34)}
5.35 Open Space Districts										
OS	60%	N/A	N/A	N/A	N/A	35	25	15	25	0.25

5.40 FOOTNOTES TO THE TABLE OF DIMENSIONAL REQUIREMENTS

- (1) At least fifty percent (50%) of the required Open Space in a Residence C-1 district shall meet all of the requirements of Section 5.22.1. At least fifty percent (50%) of the required Open Space shall meet the definition of Permeable Open Space and shall not be subject to the dimensional limitations of Section 5.22.1 as applied to Private Open Space.
- (2) A dwelling need not be set back from the street line, or building line where such may have been established on the lot, more than the average of the setbacks of the buildings, other than accessory buildings, on the lots adjacent thereto on either side.
- (3) Measured from the centerline of the street, but in no case may a non-residential building be nearer the street than ten (10) feet.
- (4) Measured from the centerline of the street, but in no case may a non-residential building be nearer the street line than five (5) feet
- (5) In no case may a non-residential building be nearer the rear lot line than twenty (20) feet in Residence C-2, C-2B, C-2A, C-3, C-3A, C-3B districts. In Residence C-1 districts, no non-residential building may be nearer the rear lot line than twenty (20) feet plus one additional foot of rear yard for each four feet that the depth of the lot exceeds 100 feet, up to a maximum of thirty (30) feet. For purposes of this Footnote, the lot depth shall be that distance measured along a line perpendicular to the front lot line and extending to that point on the rear lot line most distant from the front lot line.
- (6) For buildings containing principal uses specified in Section 4.34:
 - (a) The FAR shall not exceed 1.25.
 - (b) The minimum front yards may be reduced to no less than five (5) feet measured from the street line.
 - (c) The minimum side yards may be reduced to no less than five (5) feet measured from the street line.

- (7) In no case may a non-residential building on any lot which abuts or is separated only by a public or private way from a Residence C-1, C-2, or C-2B district be nearer the street line or side line of the lot than the minimum front and side yard requirements for a non-residential building in the residential district which said lot abuts or from which it is separated by a way. However, such increased setback requirements shall only apply to any part of a building which is located within one hundred and twenty five (125) feet of a Residence C-1, C-2, or C-2B district.
- (8) The minimum ratio of open space to lot area required for a lot which abuts/or is separated only by a public or private way from a Residence C-1, C-2 or C-2B district shall be equal to the amount of open space required in the residential district which said lot abuts or from which it is separated by a way.
- (9) Yard Requirements for non-residential buildings in the Residence C-2B District
 - (a) Setbacks—In the Residence C-2B District, non-residential buildings shall comply with these yard requirements by being set back above and below ground.
 - (b) Green Area—general. Two of the yards on a lot shall consist exclusively of green area as defined in section 2.000. Contrary to the provisions of said definition, hard surfaced walks and terraces shall not exceed twenty-five (25) percent of the area of each yard. At a minimum, green area setback shall consist of permanently maintained densely planted trees and shrubs that may be expected to form within three (3) years after the time of planting a continuous unbroken, year round visual screen. Every effort shall be made to retain the best existing trees in said setbacks to meet the requirements this section in whole or in part. Plans for landscaping and maintenance shall be approved by the Committee on Public Planting as appointed by the City Manager. No Certificate of Occupancy may be granted until landscaping under the terms of this section is completed.
 - (c) Lots with more than four yards. If the shape of a lot creates a situation where there are more than four yards, this green area requirement shall apply to half of the yards, rounded up in the instance of an odd number of yards.
 - (d) Lots in two or more zoning districts. Where a zoning district boundary line or lines split a lot, a lot partially in the Residence C-2B district shall comply with provisions elsewhere in this zoning ordinance with regard to lots in two or more zoning districts, except that the setback and green area requirements of this footnote shall apply to all parts of the lot regardless of zoning district.
 - (e) Lots abutting more restrictively zoned districts. When any lot abuts a more restrictively zoned district or districts, all yards abutting the more restrictively zoned district(s) shall be designated as yards required to comply with the green area requirements of this footnote. This provision shall apply to that quantity of abutting yards numbering up to and including the maximum number of green area yards required by this footnote. The total number of green area yards required on a lot shall not be changed by the provisions of this subsection (5).
 - (f) Pedestrian and vehicular access.
 - (i) When a yard used to satisfy the Green Area Open Space requirement of this footnote is a front yard, the Green Area Open Space may be interrupted by not more than one path for pedestrian access to the building. Said pedestrian path shall be constructed perpendicular to the lot line and shall not be more than eight (8) feet wide. The green area yard may also be interrupted by not more than one driveway constructed perpendicular to the lot line and which is not more than twelve (12) feet wide.

- (ii) The sum of the width of the said pedestrian path and driveway may not exceed the setback provided by the smallest of the yards provided on the lot.
 - (iii) The areas allowed to be used for access under this subsection (6) shall be counted as part of the twenty-five (25) percent of the total required green area which is allowed to be use for hard surfaced walks and terraces for the front yard in which the access areas are constructed.
- (g) Townhouse Development When a lot is used for townhouse development, the provisions of this footnote shall apply to the lot before subdivision into townhouse lots. Subdivision into townhouse lots shall be done in such a manner as to not affect the application of this footnote to the entire unsubdivided lot. In particular, the pedestrian path and driveways allowed.
- (10) These requirements may be reduced to a minimum required setback of ten (10) feet with the grant of a special permit from the Planning Board provided that the yard is suitably landscaped to effectively buffer the building walls from abutting lots.
 - (11) For purposes of calculating FAR and for no other purpose, notwithstanding the definition of Lot in Article 2.000, a Lot in the Residence C-3B district may contain non-contiguous parcels provided that all parcels are held in identical ownership, are all located within the Residence C-3B district or any abutting Business B district, and further provided that development on any contiguous portion of the lot does not exceed an FAR of 4.0.
 - (12) In a Residence C-1 District, no non-residential building plane (excluding projections as permitted by Section 5.24.2) may be nearer than seven feet, six inches (7'6") to a side lot line.
 - (13) In a Residence C-1, C-2, C-2A, C-2B, C-3, or C-3A district or Business A-2 district if a building is hereafter erected on a lot adjacent to a building having a blank wall directly on the side lot line, the new building may be so designed and erected that it will be flush with that portion of the blank wall of the former building which extends along the lot line; otherwise, however, not less than the required side yard shall be provided; in any case the required side yard shall be provided for the remainder of the full lot depth. In case a side wall contains windows or in case any part of a side blank wall of an existing building shall be set back from the side lot line, then a building hereafter erected on the lot adjacent to such an existing building shall be set back from the side lot line in accordance with the provisions thereof.
 - (14) In no case may a non-residential building be nearer the rear lot line than twenty (20) feet.
 - (15) The cornice line of the principal front wall plane of a non-residential building facing Massachusetts Avenue shall not exceed fifty-five (55) feet in height at the front lot line. Portions of non-residential buildings in excess of this height shall be set back behind a thirty-five (35) degree bulk control plane beginning at an elevation fifty-five (55) feet above the Massachusetts Avenue front lot line. The cornice line of the principal front wall plane of a non-residential building facing Green street shall not exceed thirty (30) feet in height at the front lot line. Portions of non-residential buildings in excess of thirty (30) feet shall be set back behind a forty-five (45) degree bulk control plane beginning at an elevation thirty (30) feet above the Green Street front lot line. No non-residential building or portion of a building within forty-five (45) feet of the Green Street front lot line shall exceed forty (40) feet in height.
 - (16) Open space requirements for a lot shall be determined by the mix of uses on the lot. Where one hundred (100) percent of the principal uses on a lot are residential uses listed in Subsections 4.31 a, b, d, e, and g, an area equivalent to fifteen (15) percent of the lot area shall be reserved as

private open space. Where one hundred (100) percent of the principal uses on the lot are other uses, an area equivalent to fifteen (15) percent of the lot area shall be reserved as publicly beneficial open space. Where development on a lot contains both the aforesaid residential uses and other uses, an area equivalent to fifteen (15) percent of the lot area shall be devoted to both types of open space in relative proportion to the gross floor areas occupied by residential uses and other uses. The amount of each type of open space shall be determined by the formulae below. The results of said formulae notwithstanding, a minimum of fifteen (15) percent of the area of that portion of a lot within forty-five (45) feet of a front lot line facing Green Street shall be devoted to landscaped green space as specified in Subsection 4.27.3. Where more than fifty (50) percent of the area of that portion of a lot is devoted to landscaped green space, as specified in Subsections 4.27.2 and 4.27.3, none of such green space shall be counted in determining compliance with this Subsection 5.332d. Where fifty (50) percent or less of the area of that portion of a lot is devoted to landscaped green space, such area may be counted in determining compliance with this Subsection 5.33 2d.

- (a) Minimum required total area reserved for both types of open space = lot area multiplied by .15.
 - (b) Share of development devoted to residential uses = gross residential floor area divided by gross floor area of entire development.
 - (c) Minimum required private open space associated with residential use = total open space required multiplied by residential share.
 - (d) Share of development devoted to other uses = other gross floor area divided by gross floor area of entire development.
 - (e) Minimum required publicly beneficial open space = total open space requirement multiplied by other use share.
- (17) Where any lot abuts a residential district, non-residential buildings above and below ground shall be set back a minimum of twenty (20) feet from the zoning district boundary line, notwithstanding anything to the contrary provided in Article 6.000 of this Ordinance. Said setback shall consist exclusively of landscaped green area as defined in Article 2.000. Where the zoning district boundary line splits a lot the minimum twenty (20) foot setback shall be measured from the lot line(s) located in the residential district. At a minimum green area setback shall consist of permanently maintained, densely planted trees and shrubs that may be expected to form within three (3) years after time of planting a continuous, unbroken, year round visual screen. Every effort shall be made to retain the best existing trees in said setbacks to meet the requirements of this section in whole or in part. Plans for landscaping and maintenance shall be approved by the Committee on Public Planting as appointed by the City Manager. No Certificate of Occupancy may be granted until landscaping under the terms of this section is completed.
- (18) Subject to the provisions of Footnote 1 in Section 4.40 - Footnotes to the Table of Use Regulations.
- (19) Thirty-five (35) feet [or maximum non-residential height permitted in the abutting residential district, but in no case higher than fifty-five (55) feet] within fifty (50) feet of a residential district line. Where the zoning district boundary splits a lot the fifty (50) feet shall be measured from the lot lines located in the residential district. The height, however, may exceed thirty-five (35) feet provided the non-residential building is set back a minimum distance equal to two-thirds (2/3) the height.
- (20) However, for the side yard of any lot abutting another lot (where that lot does not abut Massachusetts Avenue and where all or a majority of it is located in a residence district) no non-residential building shall be set nearer than twenty feet to (1) either the residence/Business A-2 zoning district line where the lot line is located in the BA-2 District or (2) the side lot line itself where that lot line is located in the residence district. Nevertheless, the provisions of footnote (13) shall continue to apply.

- (21) Or two-thirds (2/3) of the height of the rear wall whichever is greater; however in the Business C district no rear yard shall be required where the rear lot line abuts a lot all of which lies in a business or industrial district.
- (22) Provided however that any portion of a non-residential building having a height greater than thirty-five (35) feet shall be set back of a bulk control plane rising at an angle of forty-five (45) degree from the plane of the principal front wall and rear wall planes beginning at a height of thirty-five (35) feet.
- Where the parcel has frontage on two or more streets, this setback plane provision shall apply only to the front wall plane facing the principal abutting arterial street and to the opposite wall plane facing either a side or front property line.
- In addition to the above provisions, that portion of a non-residential building located within fifty (50) feet of a residential zoning district line shall be limited to thirty-five (35) feet where the maximum non-residential height permitted in the residential district is thirty-five (35) feet or less.
- (23) Or the setback of the principal front wall plane of any adjacent building facing the same street, whichever is less.
- (24) For development in which all parking is provided entirely below grade, the following dimensional modifications shall be allowed:
- (a) FAR may be increased to 2.0
 - (b) Front, Side and Rear yard requirements for non-residential buildings shall be modified to a minimum of ten (10) feet. Sites with two front yards that have a radiused front yard where two streets intersect may be considered as if the adjoining property lines are projected to intersect. Projecting bays and roof decks which are located on portions of a non-residential building below thirty-five (35) feet in height shall be eligible for the setback exception allow in Section 5.24.2 even if the structure itself is greater than 35 feet in height.
- (25) The following dimensional modifications shall apply in the Business A-5 district:
- (a) For any portion of a building within fifty feet (50') of a residential district, the height of that portion of the building shall not exceed thirty-five feet (35').
 - (b) The Planning Board may grant a special permit to exclude Retail or Consumer Service Establishments, as listed in Section 4.35 of the Zoning Ordinance, from the calculation of Gross Floor Area (GFA) and Floor Area Ratio (FAR) on the lot if they are located on the Ground Story. The conditions of the special permit shall clearly describe what areas are excluded and what range of uses shall be permitted, along with other conditions to ensure that the objectives of the area are met.
 - (c) Notwithstanding any other section of this Zoning Ordinance, roof decks on any Story of a building shall be exempt from gross floor area calculations provided the roof deck is not within 20' of a residential district.
- (26) The required front yard for a dwelling constructed entirely above a commercial establishment shall be reduced to the existing or permitted front yard of the commercial establishment in any Business district except the Business A-3 district.

- (27) A side yard setback of $H+L/7$ and a rear yard setback of $H+L/5$ shall be required only for nonresidential uses abutting residences, residential or open space districts or public parks and recreation areas. These requirements may be reduced to a minimum required setback of ten (10) feet on special permit, provided that the yard is suitably landscaped to effectively buffer building walls from abutting lots.
- (28) One hundred and thirty (130) feet by special permit for buildings related to storage and processing of materials permitted in Section 4.37m.
- (29) Except that within the area bounded by Binney Street on the north, a line one hundred and fifty (150) feet easterly of Cardinal Medeiros Avenue on the west, Broadway on the south, and the railroad right of way on the east, the FAR may be increased to 3.2 for non-residential uses for an addition to a building in existence as of June 1, 2001 provided that for each four hundred and fifty (450) square feet of GFA added above an FAR of 2.75 one existing parking space is permanently eliminated.
- (30) In the Industry B District, a hotel use (Section 4.31.1.b) shall have a Maximum FAR of 4.0.
- (31) In an Office, Business or Industrial district no non-residential building shall be erected nearer to the street line than is permitted in the adjacent Residence district within a distance of fifty (50) feet from the Residence district boundary line, except where such building is separated by a street from the Residence district.
- (32) In Office, Business or Industrial districts no non-residential building shall be erected within ten (10) feet of the side lot line of any abutting lot, all or the major portion of which is in a Residence district.
- (33) In a Business C district, within fifty (50) feet of a residential zone, no non-residential building shall be erected that is greater than thirty-five (35) feet in height.
- (34) The maximum building height and FAR for Dormitory (but excluding resident fraternity or sorority) Uses, Section 4.33 b(7), shall be modified for certain districts as set forth in the table below. Where a lot contains a combination of dormitory and other non-residential uses, then the total FAR on the lot shall not exceed the maximum set forth in the table below, and the FAR for all non-residential uses other than Dormitory (determined by dividing the GFA occupied by all non-residential uses other than Dormitory by the total lot area) shall not exceed the maximum non-residential FAR otherwise applicable in the district.

District	Maximum Building Height in Feet for Dormitories	Maximum FAR for Dormitories
Res. C-3B	120	4.0
Office 2A	70	1.5
Office 2	85	2.0
Office 3	120	3.0
Office 3A	120	3.0

Bus. A	45	1.75
Bus. A-2	45	1.75
Bus. A-4	35 (subject to footnote 24 above)	1.75
Bus. A-5	80	3.0
Bus. B	80	3.0
Bus. B-1	90	3.25
Bus. B-2	45	3.0
Bus. C	55	2.0
Ind. A-1	45	1.50
Ind. A-2	70	4.0
Ind. A	45	1.50
Ind. B-1	70	3.0
Ind. B	120	4.0

Delete Sections 5.51, 5.52, and 5.53 as follows:

5.51[Deleted]

5.52[Deleted]

5.53[Deleted]

Amendments to Article 6.000.

Amend Section 6.13 to read as follows:

6.13 Scope of Off Street Parking Regulations. All accessory parking facilities shall conform to all regulations set forth in this Article governing the use, design and operation of such facilities. However, the provisions of this Article 6.000, notwithstanding, any special parking requirements for planned unit developments specified in Article 13.000, for projects in the Mixed Use Development District specified in Article 14.000 or for special permits specified elsewhere in this Ordinance shall be applicable for those projects, except that the minimum accessory off-street parking required for all uses in those instances shall be zero (0) parking spaces.

Amend the Schedule of Parking and Loading Requirements in Section 6.36 by deleting the text “Res A-1, A-2, Res B” from the second column and deleting the text “C,” from the third column in the entire table, and amending Section 6.36.1 “Residential Uses” to read as follows:

Land Use Category		Maximum Off Street Parking Requirements in Open Space	Maximum Off Street Parking Requirements in Res C-1, C-1A, Off 1, Bus A (Comm), Bus A-1, A-2, Bus A-3 ¹⁴ , A-4, Bus A-5, Ind A-1, Ind B-2, Ind C	Maximum Off Street Parking Requirements in Bus. C, C-1, Ind A, Off 2, 2A, Res C-2, C-2A, Res C-2B, Bus A (res)	Maximum Off Street Parking Requirements in Ind B-1, Res C-3, C-3A, C-3B, Off 3-A, 3, Bus B, Ind A-2, Ind B, Bus B-1, B-2	Loading Facility Category	Long-Term Bicycle Parking (6.107.2)	Short-Term Bicycle Parking (6.107.3)
6.36.1	Residential Uses							
a.	Detached dwelling occupied by not more than one family	No max	No max	No max	No max	n/a	R1	R1
b.	Two family dwelling	No max	No max	No max	No max	n/a	R2	R2
c.	[Deleted]							
d.	Townhouse development	No max	No max	No max	No max	n/a	R2	R2
e.	Elderly oriented housing, elderly oriented congregate housing	No max	No max	No max	No max	n/a	R3	R3

f.	[Deleted]							
g.	Multifamily dwelling	n/a	No max	No max	No max	n/a	R2	R2
h.	[Deleted]							
i.	Lodging House	n/a	No max	No max	No max	E	R4	
j.	Trailer park or mobile home park	n/a	No max	No max	n/a	n/a	R2	R2

Amend the “Parking Table Footnotes” in Section 6.36 by deleting footnote 2 as follows:

2.[Deleted]In the “Parking Table Footnotes” in Section 6.36, amend footnote 13 to read as follows:

- 13. In Residence C-1, C-2, C-2A, C-2B, C-3, C-3A districts the amount of parking required for this use may be reduced at the discretion of the Board of Zoning Appeal in accordance with Section 4.28.

Amend Section 6.44.1, paragraph (e) to read as follows:

- (e) No on grade open parking shall be allowed in a Residence C-2A district within one hundred and twenty five (125) feet of a Residence C-1, C-2, or C-2B District.

In Section 6.107.2, amend the first table to read as follows, leaving the remainder of the section unchanged:

Category	Included Residential Uses	Min. Long-Term Bicycle Parking Rate
R1	Single-family dwellings, two-family dwellings, rectory or parsonage	No minimum
R2	Townhouse dwellings, multifamily dwellings, trailer park or mobile home park	1.00 space per dwelling unit for the first twenty (20) units in a building; 1.05 spaces per dwelling unit for all units over twenty (20) in a building
R3	Elderly oriented housing, elderly oriented congregate housing	0.50 space per dwelling unit
R4	Group housing, including: lodging houses, convents or monasteries, dormitories, fraternities and sororities	0.50 space per bed
R5	Transient accommodations, including: tourist houses in an existing dwelling, hotels, motels	0.02 space per sleeping room

In Section 6.107.3, amend the first table to read as follows, leaving the remainder of the section unchanged:

Category	Included Residential Uses	Min. Short-Term Bicycle Parking Rate
R1	Single-family dwellings, two-family dwellings, rectory or parsonage	No minimum
R2	Townhouse dwellings, multifamily dwellings, trailer park or mobile home park	0.10 space per dwelling unit on a lot
R3	Elderly oriented housing, elderly oriented congregate housing	0.05 space per dwelling unit
R4	Group housing, including: lodging houses, convents or monasteries, dormitories, fraternities and sororities	0.05 space per bed
R5	Transient accommodations, including: tourist houses in an existing dwelling, hotels, motels	0.05 space per sleeping room

Amendments to Article 7.000.

Amend Section 7.15, Paragraph C to read as follows:

- C. No illumination shall be permitted after 11 P.M. in any Residence C-1 district.

Amend Section 7.20 to read as follows:

7.20 ILLUMINATION

In Residence C-1 districts no outdoor floodlighting or decorative lighting, except lighting primarily designed to illuminate walks, driveways, outdoor living areas, or outdoor recreational facilities, and except temporary holiday lighting in use for not longer than a four week period in any calendar year, shall be permitted. Any permanent lighting permitted by the preceding sentence shall be continuous, indirect, and installed in a manner that will prevent direct light from shining onto any street or adjacent property.

Amendments to Article 8.000.

Amend Section 8.22.1, Paragraph f. to read as follows:

- f. Conforming additions, under Article 5.000, to a structure not conforming to the requirements of Article 5.000 provided that no nonconforming element or aspect of the nonconforming structure is extended or increased and further provided that the nonconforming structure is not thereby increased in area or volume by more than ten (10) percent since the structure first became nonconforming, except there shall be no such limit in area or volume for an addition containing Residences as listed in Section 4.31 a-j.
-

Amend Section 8.22.2, Paragraph a. to read as follows:

- a. In an Office, Business, or Industrial District the Board of Zoning Appeal may issue a special permit for the alteration or enlargement of a nonconforming structure, not otherwise permitted in Section 8.22.1 above, or the enlargement (but not the alteration) of a nonconforming use, provided any alteration or enlargement of such nonconforming use or structure is not further in violation of the dimensional requirements in Article 5.000 or the off street parking and loading requirements in Article 6.000 for the district in which such structure or use is located and provided, such nonconforming structure or use not be increased in area or volume by more than twenty-five (25) percent since it first began to be nonconforming, except there shall be no such limit in area or volume for an addition containing Residences as listed in Section 4.31 a-j.
-

Amend Section 8.22.2, Paragraph c. to read as follows:

- c. In a Residence District the Board of Zoning Appeal may grant a special permit for the alteration or enlargement of a nonconforming structure, not otherwise permitted in Section 8.22.1 above, but not the alteration or enlargement of a nonconforming use, provided any enlargement or alteration of such nonconforming structure is not further in violation of the dimensional requirements of Article 5.000 or the off street parking and loading requirements in Article 6.000 for the district in which such structure is located and provided such nonconforming structure will not be increased in area or volume by more than twenty-five (25) percent since it first began to be nonconforming, except there shall be no such limit in area or volume for an addition containing Residences as listed in Section 4.31 a-j.

Amendments to Article 10.000.

Delete Section 10.47 and subsequent subsections as follows:

10.47[Deleted]

Amendments to Article 11.000.

Delete Section 11.10 and subsequent subsections as follows:

11.10 DELETED

Amend Section 11.203.5 to read as follows:

11.203.5 Relaxation of Dimensional Requirements for Inclusionary Housing Projects.

The following relaxations of the dimensional requirements in any zoning district, including base or overlay zoning districts, shall be permitted as-of-right for an Inclusionary Housing Project:

- (a) If a limitation on GFA or FAR is applicable within the district, the Gross Floor Area permitted by the applicable zoning may be increased by thirty percent (30%), as long as such additional Gross Floor Area is used for residential uses not including hotel or motel use.
- (b) If a limitation on the number of dwelling units is applicable within the district, the number of dwelling units permitted by the applicable zoning through rules for minimum lot area per dwelling unit or other applicable rules may be increased by thirty percent (30%).
- (c) The additional Gross Floor Area or dwelling units permitted herein shall be counted toward the determination of any applicable threshold triggering the requirement of a special permit, including but not limited to Section 19.20 Project Review Special Permit.

Amendments to Article 13.000.

Amend Section 13.12.1(1) to read as follows:

- (1) Townhouse Development.

Amend Section 13.13.3 to read as follows:

13.13.3[Deleted]

Amend Section 13.17.1 thru 13.17.2 to read as follows:

13.17.1 Off street parking facilities shall be provided as follows:

- (1) Residence: 1.5 spaces per unit maximum.

Amend Section 13.23.3 to read as follows: **13.23.3**[Deleted]

Amend Section 13.27 to read as follows:

13.27 *Parking and Loading Requirements.* Development in a PUD-1 district shall conform to the Off street Parking and Loading Requirements set forth in Article 6.000.

Amend Section 13.33.3 to read as follows:

13.33.3[Deleted]

Amend Section 13.36.1 thru Section 13.36.2 to read as follows:

13.36.1[Deleted]

13.36.2[Deleted]

Amend Section 13.36.4 to read as follows:

13.36.4The parking requirements specified in this Section 13.36 may be satisfied in total or in part by a lease agreement between the developer and the City, other public entity, or private consortium for use of parking spaces in a public or pooled private parking facility located within the District.

Amend Section 13.42.1(1) to read as follows:

(1) Townhouse Development. Amend Section 13.43.3 to read as follows:

13.43.3[Deleted]

Amend Section 13.47.1 thru Section 13.47.2 to read as follows:

13.47.1[Deleted]

13.47.2[Deleted]

Amend Section 13.53.3 to read as follows:

13.53.3[Deleted]

Amend Section 13.57 to read as follows:

13.57*Parking and Loading Requirements.* Development in the PUD-4 districts shall conform to the off street Parking and Loading Requirements set forth in Article 6.000, and in the Schedule of Parking and Loading Requirements applicable to the Residence C-3, Office 3, Business B and Industry B districts. In the PUD-4C District these provisions shall be modified by the parking provisions of Section 13.59 for any development subject to the provisions of Section 13.59.

13.57.1[Deleted]

13.57.2[Deleted]

13.57.3The parking requirements specified in this Section 13.57 may be satisfied in total or in part by a lease agreement between the developer and the City, other public entity, or private consortium for use of parking spaces in the public or pooled private parking facilities located within the Districts. The parking requirements specified in this Section 13.57, as may be modified in Section 13.59 below for applicable development also may be satisfied anywhere on the Development Parcel, notwithstanding anything to the contrary contained in Article 6.000. Amend Section 13.59.5 to read as follows:

13.59.5Parking.

The approved Final Development Plan shall provide for parking for non-residential uses in new buildings at a ratio no greater than .9 spaces per 1,000 feet of Gross Floor Area for retail and office uses (including technical office and laboratory uses). The Planning Board may allow, consistent with the provisions of Section 6.35, parking at a ratio which is less than 1 space per dwelling unit for any residential use. All parking for nonresidential uses shall be underground structured parking, provided that a Development Parcel may contain on grade parking equal in number to 5% of the parking provided for the uses in the Final Development Plan (but in no event more than 60 spaces). In its approval of a Final Development Plan, the Planning Board may approve the location, layout and design of parking spaces which deviate from the requirements of Article 6.000 of this Ordinance.

Amend Section 13.76.2 to read as follows:

13.76.2Parking and loading requirements shall be as follows:

- (1) Residential Uses: 1.5 spaces per unit maximum.
 - (2) General Office Uses: 1 space per 625 gross square feet maximum.
 - (3) Technical Office for Research and Development Uses: 1 space per 840 gross square feet maximum.
-

Delete Section 13.84.2.

Amend Section 13.88.3 to read as follows:

13.88.3[Deleted]

Amend Section 13.93.3 to read as follows:

13.93.3[Deleted]

Amend Section 13.204.2 to read as follows:

13.204.2[Deleted]

Amend Section 13.205.2.1 to read as follows:

13.205.2.1[Deleted]

Amendments to Article 14.000.

Amend Section 14.52.2 to read as follows:

14.52.2There are no minimum parking requirements for new development in the District. All proposed development shall be restricted from constructing parking spaces, either on or off the lot within the District, beyond the maximum allowances of Table 1. If a development includes more than one category of use, then the number of spaces allowed for the development shall be the sum of the allowance for each category of use. Where the computation of required spaces results in a fractional number, only a fraction of one half or more shall be counted as one. The Planning Board may approve arrangements for shared parking of such residential parking spaces with commercial spaces or otherwise adjust the minimum parking requirements based on review and analysis of anticipated parking demand within the Transportation Impact Study.

At least ten (10) additional parking spaces reserved for car-sharing vehicles shall be provided by the first development project utilizing at least 100,000 square feet of Infill GFA. These spaces are not counted toward maximum parking space ratios. In the event that no car sharing or site-based car rental organization is prepared to offer services, the designated car share spaces may be rented on a monthly basis unless and until an organization agrees to provide the services, if there is clear documentation that such parking spaces are continuously offered to car sharing organizations.

Table 1 MXD District Parking Requirements

Use	Maximum number of spaces
Light Industrial uses allowed by Section 14.21.1	.8/1000 sq. ft. ¹
Office uses and Biotechnology Manufacturing Uses allowed by Section 14.21.2	.9/1000 sq. ft.
Retail and consumer establishment allowed by Section 14.21.3	.5/1000 sq. ft.
Residential uses allowed by Section 14.21.4	
Multifamily residences	.75 dwelling unit
Hotels or Motels	1/4 sleeping rooms
Public assembly uses allowed by Sections 14.21.3(2), 14.21.3(3), and Section 14.21.5	1/15 seats
Other uses allowed by Section 14.21.6 and 14.21.7	.9/1000 sq. ft. ²

¹ All space measurements are in terms of square feet of gross floor area.

² For assembly spaces having no fixed seating.

Amend Section 14.71.4 to read as follows:

14.71.4[Deleted]

Amendments to Article 16.000.

Amend Sections 16.41 and 16.42 to read as follows:

16.41*Lot Density Limitation.* For each lot within the District, a permitted floor area ratio (as defined in Article 2.000) of 1.0 is hereby established for non-residential uses on each lot, and shall not be exceeded. The area of the lot to be counted in determining the floor area ratio shall include land dedicated (after adoption of this Article 16.000) by the owner or former owner of the lot, whether in fee or by easement, deed restriction, covenant or comparable legal instrument enforceable by the City of Cambridge or other public entity, as a public way, private way open to the public use, or public open space.

16.42*Building Height Limitation.* The maximum building height for all portions of buildings containing non-residential uses within the District shall be forty (40) feet. The maximum building height for all buildings or portions of buildings containing residential uses shall be forty (40) feet or the applicable height limit in the Residence C-1 district, whichever is greater.

Amend Section 16.44 to read as follows:

16.44*Other Dimensional Regulations.* There shall be no requirement with respect to minimum lot width. Minimum front, side or rear yards shall be as required in the Residence C-2 District.

Amend Section 16.51.2 to read as follows:

16.51.2 Maximum Parking Requirements: Accessory off street parking shall be provided as follows:

- (1) Residential Uses: 1.5 spaces per unit maximum.
- (2) General Office Use: 1 space per 625 gross square feet maximum.
- (3) Technical Office for Research and Development Uses: 1 space per 840 gross square feet maximum.

All other uses shall be subject to the requirements of Article 6.000

Amendments to Article 17.000.

Amend Section 17.13.1 to read as follows:

17.13.1Maximum FAR.

- (1) The maximum FAR for any non-residential uses on a lot in the district shall not exceed 1.50.
- (2)

Amend Section 17.13.2(2) to read as follows:

- (2) Notwithstanding the provisions of this Subsection 17.13.2 above no portion of a building containing non-residential uses may exceed thirty-five (35) feet within fifty (50) feet of the Special District 1/Residence C-1 zoning district line, or where the zoning district line splits a lot, within fifty (50) feet of the lot line located in the residential district.

Amend Section 17.13.3.d to read as follows:

- d. Notwithstanding the requirements of Paragraphs a - c above all portions of buildings containing permitted non-residential uses shall be set back a minimum of twenty (20) feet from any Special District/Residence C-1 district line; said setback shall consist exclusively of landscaped green area as defined in Article 2.000. Where the zoning district line splits a lot the setback shall be measured from the lot lines located in the residential district.

Amend Section 17.13.4 to read as follows:

17.13.4[Deleted]

Amend Section 17.14.1 to read as follows:

17.14.1[Deleted].

Amend Section 17.17 to read as follows:

17.17Transfer of Development Rights. Notwithstanding the limitations of Article 2.000 with regard to the definition of "lot" and "owner", the Planning Board may by special permit authorize the transfer of some or all of the allowed gross floor area dedicated to permitted non-residential uses, as determined by Section 17.13.1 above, from one or more lots (donating lots) to one or more to other lots (receiving lots) anywhere within the Special District 1 without regard to location of the lot or lots or their ownership, provided the following conditions are met or findings made:

Amend Section 17.21 to read as follows:

17.21*Scope.* This Section regulates development in Special District 2 as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided this Section 17.20, all requirements of and regulations applicable to the Residence C-1 District shall apply equally to the Special District 2.

Amend Section 17.23 to read as follows:

17.23 *Use Regulations.* The uses allowed in the Residence C-1 district shall be equally allowed in Special District 2 except as modified by the following provisions.

17.23.1 Additional Permitted Residential Uses. Multifamily Dwelling, Section 4.31.g shall be permitted.

Amend Section 17.24 to read as follows:

17.24 *Dimensional Requirements.* The dimensional requirements of the Residence C-1 district shall apply to the Special District 2, except as modified by the provisions set forth below.

17.24.1 Maximum FAR.

1. The FAR applicable to non-residential uses in the Special District 2 shall be 0.50.

17.24.2 [Deleted]

17.24.3 Other Dimensional Requirements.

- 1) [Deleted]
- 2) Where it is proposed to convert an existing nonresidential structure to residential use, and where that structure covers fifty (50) percent or more of its lot, the Minimum Ratio of open space to Lot Area may be reduced to the ratio existing on the site at the time of conversion, if any. However, if the land area required for provided parking outside the building, including required setbacks is less than the area of land that has no structure on it, the remainder of the open land shall have any paving material (asphalt, concrete, or gravel) removed, topsoil of a minimum two foot depth shall be added, and the space shall be landscaped with trees, shrubs, and/or grass up to the maximum percentage of the lot required to be open space in the Ordinance.
- 3) The maximum building height for portions of buildings containing non-residential uses shall be forty (40) feet with a cornice height not to exceed thirty (30) feet. However, any portion of a building containing non-residential uses located fifty (50) feet or less from the boundary of any other zoning district with a maximum building height of thirty-five (35) feet or less or from the sideline of a street shall have a maximum height of thirty-five (35) feet.

Amend Section 17.30 to read as follows:

17.33.2 [Deleted]

Amend Section 17.33.5 to read as follows:

17.33.5 Maximum Height. The maximum height in Special District 3 shall be fifty-five (55) feet for portions of buildings containing non-residential uses and 75 feet and six Stories Above Grade for residential uses except as modified below.

1. For that portion of a structure exceeding thirty-five (35) feet in height, a setback shall be required from any public park or recreation area equal to one and a half (1.5) feet for every foot of building height.
 2. A maximum height of seventy (70) feet shall be permitted for portions of buildings containing non-residential uses within the following area bounded by:
-

Amend Section 17.42.12 to read as follows:

17.42.12Special District 4A. The maximum permitted FAR shall be 1.14 for all nonresidential uses except it shall be 1.5 for Dormitory Uses, Section 4.33.b.7.

Amend Section 17.42.3 to read as follows:

17.42.3Maximum Height. The maximum height in the Districts shall be sixty (60) feet for buildings or portions of buildings containing non-residential uses, except that it may be increased to eight-five (85) feet for nonresidential uses and ninety (90) for residential uses, by special permit from the Planning Board. The special permit shall be granted where the applicant demonstrates to the satisfaction of the Board that the additional height will better serve the objectives of this Section 17.40 to increase the amount of open space in the district and to limit the extent to which building and other hard surfaces cover the ground.

Amend Section 17.53.1 to read as follows:

17.53.1Maximum FAR. The FAR applicable on any lot in the district shall not exceed 1.25 for all permitted non-residential uses, including hotels and motels. However, the applicable FAR may be increased by an additional 0.75 to a maximum of 2.0, by special permit from the Planning Board, for permitted dormitory uses, Section 4.33 b(7).

Amend Section 17.54.2 to read as follows:

17.54.2[Deleted].

Amend Section 17.64.1 to read as follows:

17.64.1[Deleted].

Amend Section 17.73.1 to read as follows:

17.73.1Maximum FAR. The maximum FAR for any lot in the district shall not exceed 3.0 for Dormitory Uses, Section 4.33 b(7) and 2.0 for all other permitted non-residential uses.

Amend Section 17.74.2 to read as follows:

17.74.2[Deleted].

Amend Section 17.81.32 to read as follows:

17.81.32 Building Height Limitations. The maximum height permitted in the district shall be sixty (60) feet for all portions of buildings containing non-residential uses except as modified by the provisions of Sections 17.81.32.1 and 17.81.5.

Amend Section 17.81.32.1 to read as follows:

17.81.32.1 For all uses, the maximum height shall be further limited as follows:

- (a) Any portion of a building containing non-residential uses exceeding a height of sixty (60) feet shall be set back a minimum of twenty (20) feet from the adjacent front property lines on all abutting streets.
 - (b) Height shall be limited to forty-five (45) feet in that area defined by a line one hundred (100) feet distant from and parallel to all front and side property lines of Fort Washington Park, lot #72, Assessor's Plat #66, to the extent that the described area is within the Special District 8.
 - (c) Height shall be limited to forty-five (45) feet for all portions of buildings containing non-residential uses within one hundred (100) feet from the boundary of the existing Residence C-1 District.
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Amend Section 17.81.34 to read as follows:

17.81.34 [Deleted]

Amend Section 17.81.42 to read as follows:

17.81.42 [Deleted]

Amend Section 17.81.5 to read as follows:

17.81.5 Transfer of Development Rights and/or Additional Height to secure Publicly Accessible Open Space.

Transfer of permitted Gross Floor Area for non-residential uses, between two or more lots that may not be contiguous or held in common ownership shall be permitted in Special Districts 8, 8A, 9, and 10 pursuant to the provisions of Section 21.30 of the Zoning Ordinance. Additional height to accommodate such transferred GFA shall also be permitted subject to the limitations set forth in Section 21.30.

Amend Section 17.82.31 to read as follows:

17.82.31 Maximum FAR. The FAR applicable on any lot in the district shall not exceed 0.75 for permitted nonresidential uses except it may be increased to 1.75 for permitted dormitory uses.

Amend Section 17.82.32 to read as follows:

17.82.32 Building Height Limitations. The maximum height permitted in the district shall be sixty (60) feet for all portions of a building containing non-residential uses except as the permitted height may be modified by the provisions of Section 17.82.32.1 below.

Amend Section 17.82.32.1 to read as follows:

17.82.32.1 For all uses, the maximum height shall be further limited as follows:

- (a) Any portion of a building containing non-residential uses exceeding a height of sixty (60) feet shall be set back a minimum of twenty (20) feet from the adjacent front property lines on all abutting streets.
- (b) Maximum height shall be limited to forty-five (45) feet in that area defined by a line one hundred (100) feet distant from and parallel to all front and side property lines of Fort Washington Park, lot #72, Assessor's Plat #66.
- (c) Maximum height for portions of buildings containing non-residential uses shall be limited to forty-five (45) feet within one hundred (100) feet from the boundary of a Residence C-1 district.

Amend Section 17.82.34 to read as follows:

17.82.34[Deleted]

Amend Section 17.82.42 to read as follows:

17.82.42 Minimum Parking Requirement. There shall be no minimum parking requirements.

Amend Section 17.91 to read as follows:

17.91 *Scope.* This Section 17.90 regulates development within the Special District 9 as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.90, all requirements of and regulations applicable to the Residence C-1 District shall apply equally to the Special District 9.

Amend Section 17.93 to read as follows:

17.93 *Use Regulations.* The uses allowed in the Residence C-1 district shall be allowed except as may otherwise be permitted in Section 17.97 below. Use variances are hereby expressly prohibited, Section 10.31 notwithstanding.

Amend Section 17.94 to read as follows:

17.94 *Dimensional Requirements.* The dimensional requirements of the Residence C-1 district, as set forth in Section 5.31 shall apply in the Special District 9.

Amend Section 17.95(A) to read as follows:

17.95 *Additional Use and Gross Floor Area Provisions for Existing Nonresidential Uses and Structures.*

- (A) It is the intent of this Section 17.97 to encourage a gradual evolution of nonresidential uses in this Special District 9 now heavily nonresidential in character, from those least in harmony with the adjacent residential neighborhood and the residential uses ultimately desired in the district, to those nonresidential uses most compatible with residential uses and ultimately to residential uses exclusively. Therefore, in the Special District 9 the following additional uses not otherwise permitted in a Residence C-1 District shall be permitted as of right, provided the conditions set forth below are met. Notwithstanding the provisions of Section 10.31, no variance for use shall be permitted in this Special District 9. For the purposes of

Article 8.000 this Special District 9 shall continue to be considered a residential district and therefore Section 8.22, Paragraphs a and b shall not apply.

Amend Section 17.98 to read as follows:

17.98*Transfer of Development Rights and/or Additional Height to Secure Publicly Accessible Open Space.* Transfer of permitted Gross Floor Area for non-residential uses, between two or more lots that may not be continuous or held in common ownership shall be permitted in Special Districts 8, 8A, 9, and 10 pursuant to the provisions of Section 21.30 of the Zoning Ordinance.

Amend Section 17.101 to read as follows:

17.101*Scope.* This Section 17.100 regulates development within the Special District 10 as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.100, all requirements of and regulations applicable to the Residence C-1 District shall apply equally to the Special District 10. The provisions of this Section 17.100 are not severable and if a court declares any such provision invalid then this Section 17.100 shall cease to operate in its entirety.

Amend Section 17.103 to read as follows:

17.103*Use Regulations.* The uses allowed in the Residence C-1 district shall be allowed except as may otherwise be permitted in Section 17.107 below. Use variances are hereby expressly prohibited, Section 10.31 notwithstanding.

Amend Section 17.104 to read as follows:

17.104*Dimensional Requirements.* The dimensional requirements of the Residence C-1 District as set forth in Section 5.31 shall apply in the Special District 10.

Amend Section 17.105(A) to read as follows:

17.105*Additional Use and Gross Floor Area Provisions for Existing Nonresidential Uses and Structures.*

- (A) It is the intent of this Section 17.107 to encourage a gradual evolution of nonresidential uses in this Special District 10 now heavily nonresidential in character, from those least in harmony with the adjacent residential neighborhood and the residential uses ultimately desired in the district, to those nonresidential uses most compatible with residential uses and ultimately to residential uses exclusively. Therefore, in the Special District 10 the following additional uses not otherwise permitted in the Residence C-1 District shall be permitted as of right, provided the conditions set forth below are met. Notwithstanding the provisions of Section 10.31, no variance for use shall be permitted in the Special District 10. For the purposes of Article 8.000 the Special District shall continue to be considered a residential district and therefore Section 8.22, Paragraphs a and b shall not apply.
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Amend Section 17.108 to read as follows:

17.108*Transfer of Development Rights and/or Additional Height to Secure Publicly Accessible Open Space.* Transfer of permitted Gross Floor Area for non-residential uses between two or more lots that may not be contiguous or held in common ownership shall be permitted in Special Districts 8, 8A, 9, and 10 pursuant to the provisions of Section 21.30 of the Zoning Ordinance.

Amend Section 17.203.1 to read as follows:

17.203.1Maximum FAR.

- a. The FAR applicable on any lot in the district shall not exceed 1.25 for all permitted non-residential uses, including hotels and motels. However, the applicable FAR may be increased by an additional 0.75 to a maximum of 2.0, by special permit from the Planning Board for dormitory uses, Section 4.33 b(7).
- b. In that part of Special District 11 lying southeast of Vassar Street, the maximum FAR for all non-residential uses shall be increased to 1.7.

Amend Section 17.204.2 to read as follows:

17.204.2Minimum Parking Requirement. There shall be no minimum parking requirement.

Amend Section 17.302 to read as follows:

17.302*Dimensional Modifications Permitted.* The following dimensional modifications to the Residence C-2B district shall be permitted or further required in Special District 12.

- a. The maximum FAR for non-residential uses shall be 1.0.
- b. [Deleted]
- c. The maximum height for portions of buildings containing non-residential uses shall be thirty-five (35) feet in that portion of the district located south of Hingham Street and that portion of the district north of Hingham Street located within one hundred (100) feet of the westerly sideline of Banks Street.
- d. The Minimum Ratio of open space shall be thirty (30) percent.

Amend Section 17.303.2 to read as follows:

17.303.2Building Height Limitations. The maximum height permitted for portions of buildings containing non-residential uses shall be sixty-five (65) feet except as further regulated below:

- a. No building may be higher than thirty-five (35) feet on land shown as Lots #103, 104, 105 and 106 on Assessors Plat #130, and
- b. No building may be higher than thirty-five (35) feet within forty-five (45) feet of the westerly sideline of Banks Street.

Amend Section 17.303.4 to read as follows:

17.303.4[Deleted]

Amend Section 17.303.6 to read as follows:

17.303.6 Minimum Ratio of open space to Lot Area. The required open space in the district may be any combination of Useable, Green Area, Permeable or Public Open Space and shall be required for all uses permitted in the district.

Amend Section 17.303.7 to read as follows:

17.303.7 Parking. Except as otherwise provided in this Section 17.303.7, all requirements of Article 6.000 shall apply in Special District 12, except that with regard to the provisions of Section 6.22 - Location of accessory off street parking facilities, any accessory parking required by Article 6.000 to serve development constructed within Special District 12 shall be located within Special District 12. Provided it is located within Special District 12, said parking may be located on any lot without reference to the locational limitations of Section 6.22. All such parking shall be deemed institutional. In addition, all parking existing on October 27, 2003 on property in Special District 12 owned by any educational, religious or charitable institution shall be deemed institutional parking and shall be an allowed use. Off street loading facilities are not permitted for development in Special District 12. Up to four access drives may be provided to underground parking facilities.

For any development subject to the special permit provisions of Section 19.20 or 19.50, any provision of Sections 6.31.3, 6.35.2 and 6.40 - Design and Maintenance of Off Street Parking Facilities may be waived within the scope of those special permits in order to facilitate the location of significant portions of parking within the district in below grade facilities or to provide surface parking for residents in dwelling not conveniently served by an underground parking facility.

Amend Section 17.403.1 thru 17.403.3 to read as follows:

17.403.1 Maximum FAR. The maximum FAR for non-residential uses shall be 1.5 but shall be increased by special permit from the Planning Board to 2.0 for dormitories.

17.403.2 Maximum Height. The maximum height for portions of buildings containing non-residential uses shall be limited to sixty-five (65) feet, except that within ninety (90) feet of the westerly sideline of Blackstone Street and within two hundred and forty-five (245) feet of the southerly line of Western Avenue the height for portions of buildings containing non-residential uses shall be limited to forty-five (45) feet. The height of structures in existence in Special District 13 as of October 27, 2003 shall be deemed conforming.

17.403.3 Yard Requirements. The minimum requirement for all yards shall be five (5) feet. The required yards for structures in existence as of October 27, 2003 shall be the yards existing at that time. Any new construction shall be subject to the yard requirements of the Residence C-2 district; the yards for new construction, however, may be reduced to not less than five (5) feet after the issuance of a Special Permit from the Planning Board. In addition, the minimum distance between multiple buildings on a lot, as set forth in Section 5.13, if greater than ten (10) feet, may be reduced to not less ten (10) feet by special permit from the Planning Board.

Amend Section 17.503 to read as follows:

17.503 *Permitted Uses.* All uses permitted in the Residence C-1 District shall be allowed in Special District 14 including but not limited to residential housing for faculty, staff, employees, and students of educational, religious and charitable institutions in single-family, two-family, three-family and multi-family structures and accessory uses thereto. No other uses serving educational, religious and charitable institutions as set forth in Section 4.33 shall be allowed, notwithstanding the provisions of Section 4.50, except as otherwise allowed in this Section 17.500.

Amend Section 17.504, paragraphs b. through d. to read as follows:

- b. In the Cowperthwaite Subdistrict the following dimensional limitations shall apply:
 - (i) The maximum FAR for non-residential uses shall be 1.0.
 - (ii) The maximum height for portions of buildings containing non-residential uses shall be forty-five (45) feet.
 - (iii) [Deleted]
 - (iv) The minimum total open space shall be fifteen (15) percent.
- c. In the Grant Street Subdistrict the following dimensional limitations shall apply:
 - (i) The maximum FAR for non-residential uses shall be 1.0.
 - (ii) [Deleted]
 - (iv) The minimum total open space shall be fifteen (15) percent.
- d. In the Athens Terrace Subdistrict the following dimensional limitations shall apply:
 - (i) [Deleted]
 - (ii) The minimum total open space shall be fifteen (15) percent.

Amend Section 17.505.1 to read as follows:

17.505.1Maximum FAR. The maximum FAR for non-residential uses shall be 3.0 within the Cowperthwaite Subdistrict provided the FAR for non-residential uses in the Grant Street Subdistrict does not exceed 0.75 on land under the same ownership. If the property owner is in compliance with the provisions of the "Letter of Commitment" referenced in Section 17.303.5 above, in the Cowperthwaite Subdistrict additional FAR at the rate of 0.9 shall be permitted, and in the Athens Terrace and Grant Street Subdistricts additional FAR at the rate of 0.225 shall be permitted.

Amend Section 17.505.2 to read as follows:

17.505.2Building Height Limitations.

- a. The maximum height permitted for portions of buildings containing non-residential uses shall be fifty-five (55) feet in the Cowperthwaite Subdistrict subject to the further restrictions set forth in Paragraph b below; however no building or portion of a building within 40 feet of the westerly sideline of Banks Street shall be higher than thirty-five (35) feet.
- b. Any portion of a building containing non-residential uses in the Cowperthwaite Subdistrict in excess of forty-five (45) feet shall be set back behind a forty-five degree bulk control plane beginning at a height of forty-five (45) feet above the Cowperthwaite/Grant Street Subdistricts boundary line and rising thereafter toward Cowperthwaite Street.

Amend Section 17.505.3 through 17.505.6 to read as follows:

17.505.3[Deleted]

17.505.4Minimum Ratio of open space to Lot Area. The required open space in Special District 14 may be any combination of Useable, Green Area, Permeable or Public Open Space and shall be required for all uses permitted in the district. In the Cowperthwaite and Athens Terrace Subdistricts, the minimum open space requirements of Table 5-1 as modified in Section 17.504 above shall not apply.

17.505.5Cowperthwaite Minimum Side Yard. The minimum side yard for buildings containing non-residential uses in the Cowperthwaite Subdistrict shall be 15 feet, and the minimum front yard shall be 10 feet.

17.505.6Building Size. Except within the Cowperthwaite Subdistrict, each building containing non-residential uses in Special District 14 shall be freestanding and unattached to any other building, and may contain no more than 5,000 square feet of GFA.

Amend Section 17.604.1 to read as follows:

17.604.1Maximum FAR. The maximum FAR for non-residential uses on any lot in the district shall be 3.5.

Amendments to Article 20.000.

Amend Section 20.11.2, Paragraph b. to read as follows:

20.11.2Boundaries of the District. The boundaries of the district shall be as described below.

- b. Easterly, by the existing boundary lines between the Residence C-3 zoning district and the Residence C-1 zoning district;
-

Amend Section 20.11.51 to read as follows with no change to Paragraphs (a) through (c):

20.11.51Maximum Height for Non-residential Uses. The maximum height of a building or portion of a building containing non-residential uses shall be thirty-five feet. However, a building may exceed thirty-five feet in height provided all portions of the building above thirty-five feet in height are located beneath one or more roofs that are visible from Hammond, Gorham, Museum or Oxford Streets, that meet the following requirements:

Amend Section 20.11.52 to read as follows:

20.11.52Minimum Yard Requirement. The minimum front yard for portions of buildings containing non-residential uses at Hammond, Museum, and Gorham Streets shall be fifteen feet, as measured from the street line.

Amend Section 20.11.61 to read as follows with no change to Paragraphs (a) through (f):

20.11.61 Special Dimensional Limitations for Non-residential Uses. A number of special dimensional requirements shall be imposed on buildings or portions of buildings containing non-residential uses in the Hammond and Gorham Streets Transition Overlay District to ensure compatibility of future institutional building and site design with the residential scale of development across these streets. These requirements are subject to the following definitions.

Overlay Design Building Width. A width above grade no greater than forty-five feet measured at the widest point through the building along a line that (i) is parallel to the sideline of the street and that (ii) extends from the two most extreme points on opposite sides of the relevant portion of the building (excluding from that measurement any Permitted Projections).

Overlay Design Front Yard. A front yard that is a minimum of fifty feet measured from the streetline and required of all buildings in the Transition Overlay District except as may otherwise be provided in this Section 20.11.61.

Permitted Projections. (i) Trellises, pergolas, arbors, unenclosed steps, and unroofed porches that do not extend more than ten feet beyond the foundation wall, and (ii) bay windows that do not extend beyond 3.5 feet, cornices, projecting eaves, patios, chimneys, balconies, open fire escapes, and like projections with dimensions that do not exceed four feet beyond the line of the foundation wall.

The following requirements and limitations apply to all buildings or portions of buildings containing non-residential uses in the Transition Overlay District.

Amend the second sentence of Section 20.12.1 to read as follows:

20.12.1 Establishment and Scope. There is hereby established the Kirkland Place Transition Overlay District which shall be governed by the regulations and procedures specified in this Section 11.400. These regulations are intended to provide a transition between the character and scale of the abutting C-1 residential district and the development options possible in the base Residence C-3 zone. It is the intent of this Section that these regulations will apply to a single area located at the westerly edge of Kirkland Place, north of Kirkland Street and bounded and described as follows:

Amend Subsections 20.12.61 through 20.12.64 to read as follows:

20.12.61 Floor Area Ratio. The above ground floor area ratio for non-residential uses shall be the same as in the C-1 zoning district. The overall floor area ratio for non-residential uses in the Transition Overlay District shall be 3.0. Any non-residential floor area created in excess of .5 must be completely below grade.

20.12.62 Maximum Height. The maximum height in the Transition Overlay District shall be 35 feet for portions of buildings containing non-residential uses.

20.12.63 Setbacks. Building setbacks in the Transition Overlay District shall be the same as in the Residence C-1 zoning district.

20.12.64 Open space. Open space requirements in the Transition Overlay District shall be the same as in the Residence C-1 zoning district.

Delete Section 20.23, Paragraph a. as follows with no changes to Paragraphs b. through h.:

20.23 *Dimensional Limitations.* The Gross Floor Area for any non-residential use or combination of non-residential uses on a lot shall be limited by the FAR set forth below for the applicable residential base district.

a. [Deleted]

Delete Section 20.43 as follows:

20.43 [Deleted]

Amend Section 20.44 to read as follows:

20.44*Maximum Height of Buildings and Maximum Permitted Non-Residential FAR.* The following limitations as to height of buildings shall only apply to new buildings or additions to existing buildings. The permitted heights are set forth on the Eastern Cambridge Housing Overlay District Height Limitation Map, Map 20.41. The permitted heights are further described below, however, where the base zoning district establishes a more permissive height limitation for Residences as listed in Section 4.31 a-j, the more permissive shall apply. Where the maximum height permitted in this Section 20.44 is thirty-five feet, it shall apply to all uses permitted in the applicable base-zoning district. Where the height permitted is greater than forty-five feet, it shall apply only to permitted residential uses. For any location not appearing on Map 20.41 or described below, the permitted heights shall be those permitted in the base zoning district. The FAR set forth below shall apply to non-residential uses. Where no FAR is indicated the non-residential FAR shall be that permitted in the applicable base zoning district.

Delete Section 20.44.4 as follows:

20.44.4[Deleted]

Amend Section 20.44.5 to read as follows:

20.44.5*Maximum Height at All Other Locations.* At all other locations the maximum height permitted shall be the maximum height permitted in the base zoning district

Amend Section 20.46 to read as follows:

20.46*Transfer of Development Rights.* Non-residential development capacity may be transferred from the areas designated within the ECHO District consistent with the regulations set forth in Article 21.000 of this Ordinance.

Amend Section 20.54.2 to read as follows:

20.54.2*Building Height Limitations.* The maximum height of buildings in the Harvard Square Overlay District shall be governed by the requirements of this Section 20.54.2; however, at locations where the base zoning district establishes a more restrictive height limitation for non-residential uses, the more restrictive shall apply. Where the base zoning district establishes a more permissive height limitation for Residences as listed in Section 4.31 a-j, the more permissive shall apply.

Amend Section 20.54.5, Paragraph 3. to read as follows:

3. For any new building or portion of a building containing non-residential uses in a Business B district seeking a Special Permit a rear yard setback of twenty (20) feet shall be provided with upper floor ten (10) foot setbacks beginning at forty-five (45) feet above grade. The resulting yard shall create a landscaped open space.

Amend Sections 20.54.6 and 20.54.7 to read as follows with no changes to Section 20.54.7, Paragraphs 1. through 5.:

- 20.54.6**Maximum Ratio of Floor Area to Lot Area (FAR) in the Harvard Square Historic Overlay District. Notwithstanding the FAR limits set forth in Article 5.000 or elsewhere in this Ordinance, the maximum FAR applicable to non-residential uses in the Harvard Square Historic Overlay District shall be as follows: Business B district: 4.0; Office 3 district: 3.0; Office 2 district: 2.0; Residence C-3 district: 3.0; Residence C-2B district: 1.75; Residence C-1 district: 0.75; Business A district: 1.0.
- 20.54.7**Additional FAR. Upon the issuance of a special permit, the special permit granting authority (Planning Board) may increase the allowable FAR on any lot or portion of a lot in the Business B district located within the Harvard Square Overlay District for any commercial use in section 4.34 or 4.35 provided the Planning Board finds that the use and design complies with the goals and design guidelines set forth in the Harvard Square Conservation District and provides additional public benefits commensurate with the additional development, such as the following:

Amend Section 20.64.2 to read as follows:

- 20.64.2**Maximum Building Height. The transition from public open spaces to private development should not be abrupt. Therefore, the maximum height of the principal front wall plane of buildings in the Parkway Overlay District shall be fifty-five (55) feet. Portions of buildings may be allowed to extend to eighty-five (85) feet in height provided that those portions in excess of fifty-five (55) feet are set back from the principal front wall plane at least ten (10) feet and that those portions also set back from one or more sixty (60) degree building bulk control planes. Notwithstanding the foregoing, where the base zoning district establishes a more permissive height limitation for Residences as listed in Section 4.31 a-j, the more permissive shall apply.

Amend Section 20.69 and Subsection 20.69.1 to read as follows:

- 20.69***Concord Avenue Parkway Subdistrict.* For the purposes of providing additional protection to a portion of Concord Avenue that abuts the Fresh Pond Reservation and which serves as a gateway to Cambridge, this section hereby creates a "Concord Avenue Parkway Subdistrict" within the Parkway Overlay District. The subdistrict is that portion of the Parkway Overlay District along Concord Avenue that is bounded on the west by the dividing line between the Residence C-1 district and the Office 2 district, and is bounded on the east by the dividing line between the Business C district and the Office 2 district. This subdistrict includes the following parcels as shown on The City of Cambridge GIS Maps: map 267D, parcel numbers 323, 282, 327, 328, 289, 259, 304, 284, 300, 316, 307, 285, 287, 286, 291, 310, and 311; Map 267E, parcel numbers 234, 277, 261, 283, 270, 269, 288, 289, 17, and 242; and Map 267F, parcels 293, 274, and 301, and includes, but is not necessarily limited to, the following street address on Concord Avenue: 795, 777, 775, 773, 769, 763, 745, 737, 729, 725, 711, 701, 689, 681, 675, 665, 655, 653, 651, 650, 647, 645, 641, 625, 617, 603, and 591.
- 20.69.1**Notwithstanding any other provisions in either the Parkway Overlay District and/or the base zoning district, the maximum height for any building or portion of a building containing a non-residential use within Concord Avenue Parkway Subdistrict shall not exceed fifty (50) feet.

Amend Section 20.84.2 to read as follows:

20.84.2 For that portion of the Overlay District located north of the centerline of River Street and within ninety (90) feet of Blackstone Street the maximum height for portions of buildings containing non-residential uses shall be forty-five (45) feet where the base district permits heights greater than thirty-five (35) feet.

Delete Section 20.810 as follows:

20.810 [Deleted]

Amend Section 20.95.1 to read as follows:

20.95.1 Maximum Floor Area Ratio. The maximum ratio of non-residential floor area to the lot area may be increased as set forth below, after the issuance of a special permit from the Planning Board.

1. Shopping Center District: 1.25. However, Gross Floor Area shall be further limited as set forth below.
 - (a) No individual retail establishment (Section 4.35 and 4.36) shall have a Gross Floor Area exceeding 50,000 square feet, except in the case of a grocery store or supermarket, which may be as large as 60,000 square feet.
 - (b) Where the total amount of Gross Floor Area on a lot (which shall be any lot or combination of lots held in common ownership as of January 1, 2006) exceeds 100,000 square feet, the square footage devoted to non-residential uses shall be at a minimum 20% and shall not exceed 50%.

For a lot (which shall be any lot or combination of lots held in common ownership as of January 1, 2006) of ten acres or more, the required non-residential development shall consist of Retail Business and Consumer Service Establishments, Section 4.35, exclusively until at least 225,000 square feet of retail use is located on the lot, after which any non-residential use shall be permitted.

Where a project subject to the provisions of this Paragraph (b) has received a special permit from the Planning Board, the permit decision shall establish how the requirements of this Paragraph (b) are met if a project is constructed in phases over time.

2. Triangle District: 1.75.
-

Amend Section 20.95.2 to read as follows with no changes to Paragraphs 1. and 2.:

20.95.2 Maximum Permitted Height. The maximum height for any building may be increased as set forth below, after the issuance of a special permit from the Planning Board, however, where the base zoning district establishes a more permissive height limitation for Residences as listed in Section 4.31 a-j, the more permissive shall apply by right:

Delete Section 20.95.4 as follows:

20.95.4[Deleted]

Amend Section 20.920 to read as follows:

20.920 Special Provisions Related to Lots of 5,000 Square Feet or Less with buildings containing non-residential uses. Notwithstanding any provision of the applicable base district regulations or any provision of this Section 20.90, for lots of 5,000 square feet or less in existence as of January 1, 2005 and held in separate ownership from any abutting lot, the following dimensional standards shall apply as of right to non-residential uses. For residential uses, the base zoning shall control.

Amend Section 20.104.1 to read as follows:

20.104.1 Maximum Height for Non-residential Uses. The maximum height of any building or portions of a building containing non-residential uses in the Overlay District shall be sixty (60) feet or the height applicable in the base district, whichever is less, except that in the Business A-5 district the base district height limit shall control.

Amend Section 20.104.3 to read as follows:

20.104.3 Additional Dimensional Standards for Lots Located in both a Business C zoning district and an abutting Residence C-1 Zoning District. The provisions of this Section 20.104.3 shall apply to lots held in single ownership as of June 1, 2008 that are located entirely within the Overlay District and shall be granted after the issuance of a special permit from the Planning Board

1. Modification of the Transitional Requirements of Section 5.40. The Planning Board may waive the Front and Side Yard and Height requirements of Section 5.40 for Hotel or Motel Use provided the Board finds that the intended buffering provided by the provisions of Section 5.40 is reasonably provided through other means. The Board shall specifically find the following:
 - a. The lot contains a contiguous area that is within the adjoining residential district.
 - b. The portion of the lot in the residential district is substantially dedicated to at grade Green Area, Permeable, or Publically Beneficial Open Space as defined in Article 2.000.
 - c. The portion of the lot dedicated to Open Space provides an adequate transition buffer between any structure constructed in the commercially zoned portion of the lot and adjacent residential uses in the residential district. Such Open Space shall have a minimum depth of twenty (20) feet.
2. Modification of the FAR limitations for a Hotel or Motel Use (Sections 5.30 and 5.33), for a lot located in both a Business C and a Residence C-1 Zoning District. The Planning Board may allow a FAR of 1.60, calculated on the area of the entire lot, in both the Business C and Residence C-1 districts, subject to the following conditions and limitations:
 - a. All of the resulting Gross Floor Area will be located on the Business C portion of the lot.
 - b. All parking required by this ordinance will be located in a below-grade parking facility.
 - c. The at-grade portion of the lot within the Residence C-1 District is substantially dedicated to Green Area, Permeable, or Publically Beneficial Open Space as defined in Article 2.000.

- d. The additional FAR of 1.60 shall only apply to the first 15,000 square feet of a lot. For portions of the lot greater than 15, 000 square feet the FAR permitted in the applicable base Business C and residential districts shall continue to apply.
 - e. No preferably preserved significant building, as determined by the Cambridge Historical Commission, is demolished, as set forth in the City of Cambridge Demolition Ordinance #965.
-

Amend Section 20.106.1 to read as follows:

20.106.1 Accessory Parking and Vehicular Access for Hotel Use. Notwithstanding the provisions of Table 4.30 and Section 6.22, for a lot located in both a Business C and a Residence C-1 zoning district, the Planning Board may grant a Special Permit to allow accessory Hotel or Motel Use parking within the Residence C-1 District, including vehicular access to the parking facility and loading facility, with the following limitations and conditions:

1. The portion of the lot in the Residence C-1 district is contiguous to the portion of the lot in the BC District.
 2. The parking is located in a below-grade parking structure.
 3. The at-grade portion of the lot within the Residence C-1 district is substantially dedicated to Green Area, Permeable, or Publically Beneficial Open Space as defined in this Ordinance.
-

Amend Section 20.110.3 to read as follows:

20.110.3 Dimensional Regulations. The requirements of the base zoning district, as modified by the other provisions set forth in Section 20.100, shall apply except as set forth below.

Delete Sections 20.110.31 and 20.110.32 as follows:

20.110.31 [Deleted]

20.110.32 [Deleted]

Amend Section 20.110.33 to read as follows with no change to Paragraphs 1. and 2.:

20.110.33 Floor Area Waiver for Enclosed Bays and Projections. The following provisions shall apply in place of the provisions set forth in Subsection 20.104.2. Notwithstanding the definition of Gross Floor Area contained in Article 2.000 - Definitions, the floor area contained within enclosed bays and other small projections from the principal wall plane of a building or portions of a building containing non-residential uses, including projections and bays carried to the ground, normally defined as Gross Floor Area, shall be exempted from the calculation of GFA and FAR on a lot, provided all of the following standards are met:

Delete Section 20.110.34 as follows:

20.110.34 [Deleted]

Amend Section 20.110.36 to read as follows:

20.110.36Required Front Yards. In the BA-2 District south of Arlington Street, notwithstanding the provisions of footnote (23) in Section 5.40of this Zoning Ordinance, a five-foot front yard setback shall be required in all instances unless the Planning Board reduces or waives the requirement upon granting a special permit. Such special permit may be granted if the Planning Board finds, that considering the size of the sidewalk and the setbacks of the abutting buildings, a reduction or waiver of the regiment would support the purpose and objectives of the Massachusetts Avenue Overlay District.

Amend Section 20.110.62 to read as follows:

20.110.62Any lot containing a historic structure as listed below, or as may be designated a Preferably Preserved Significant building by the Cambridge Historical Commission, shall be exempt from the requirements of 20.110.21. The Planning Board may grant a special permit to increase the allowed non-residential FAR in the BA-2 Districts, but not to exceed 1.75, for any combination of permitted uses upon finding that the increased FAR would (a) facilitate the preservation of the historic structure through economic reuse, (b) preserve the essential historically significant elements of the structure's architecture and setting, (c) introduce uses that are respectful of the structure's historic character, and (d) advance the stated purpose of the Massachusetts Avenue Overlay District and the purpose of the standards applicable in the BA-2 Districts.

Lots Containing Identified Historic Structures. The following street address numbers on Massachusetts Avenue shall designate lots containing historic structures for the purpose of this Subsection 20.110.62: 1675, 1676, 1679, 1684,1686, 1696, 1705, 1720,1734, 1735, 1741, 1749, 1751, 1753, 1759, 1771, 1800, 1991, 1996-2006, 2014-2018, 2020-2024, 2026-2080, 2029, 2067, 2088-2098, 2103, 2161, 2179, 2200, 2203, 2210, 2211, 2218, 2222-2224 , 2240, 2254, 2270, 2301, 2307, 2343, 2508-2596, 2535, 2557-2585; and in addition, 3 Linnaean Street.

Amend Section 20.304.2 to read as follows with no change to Paragraphs 2. and 3.:

20.304.2Building Height Limitations. The maximum height of buildings in the Central Square Overlay District shall be governed by the requirements of this Section 20.304.2; however, at locations where the base zoning district establishes a more restrictive height limitation for non-residential uses, the more restrictive shall apply, and where the base zoning district establishes a more permissive height limitation for Residences as listed in Section 4.31 a-j, the more permissive shall apply.

1. As of Right Height Limitations. The maximum height of any building shall be fifty-five (55) feet except as further modified below:
 - (a) Where the lot abuts Bishop Allen Drive or Prospect Street between Bishop Allen Drive and Harvard Street, any portion of the building above forty-five (45) feet shall be set back behind a forty-five degree (45°) bulk control plane beginning at an elevation of forty-five (45) feet above the front lot lines on Bishop Allen Drive and/or Prospect Street and rising over one or more lots at a forty-five degree (45°) angle.
 - (b) Where the Residence C-2A district serves as the base district, the maximum height shall be forty-five feet for non-residential uses. No additional height shall be permitted in this district notwithstanding any provision in Paragraph 2 below.
-

Amend Section 20.304.3 to read as follows with no change to Paragraphs 6. and 7.:

20.304.3 Floor Area Ratio Limitation for Non-residential Uses. The maximum Floor Area Ratio (FAR) limitations for non-residential uses established in the applicable base zoning district shall continue to apply to any lot in the Central Square Overlay District unless specifically modified by the following provisions:

1. As Of Right Limitation. The maximum as of right FAR in the Office 3 base zoning district shall be 2.0, and shall be 2.0 in the Residence C-3 and Residence C-2A base zoning districts.
2. Special Permit for additional FAR. The maximum FAR on any lot in a Residence C-3 or Residence C-2A district may be increased to 3.0 and 2.5 respectively upon issuance of a special permit from the Planning Board.
3. [Deleted]
4. [Deleted]
5. [Deleted]

Delete Section 20.304.6, Paragraph 2. as follows:

2. [Deleted]

Amend Section 20.304.6, Paragraph 3. to read as follows with no change to Subparagraphs (a) and (b):

3. Waiver of Parking and Loading Requirements. Uses in the Central Square Overlay District which meet the following requirements shall be exempt from the parking and loading requirements as specified in Section 6.36 - Schedule of Parking and Loading Requirements.

Delete Section 20.307.7, Paragraphs a. and b. as follows:

- a. [Deleted]
- b. [Deleted]

Amend Section 20.403.2 to read as follows:

20.403.2 Additional Permitted FAR. Where a fee or easement property interest is conveyed to the City of Cambridge (in a form acceptable to the City and recorded in the Registry of Deeds) for any portion of land within the Pathway Overlay District, for use by the City in the future to construction of a bicycle or pedestrian pathway, the applicable permitted non-residential FAR on that portion of land conveyed shall be equal to twice the FAR otherwise permitted on the property as-of-right or by special permit in the applicable base zoning district or Overlay district.

Amend Section 20.504.2, Paragraph 2. to read as follows:

2. For the Mt Vernon Lots located westerly of Massachusetts Avenue, the maximum height for non-residential uses shall be limited to 45 for the lot located north of Mount Vernon Street and forty (40) feet for the lot located south of Mount Vernon Street and shall be measured from grade as provided for in Paragraph 1 above. The 35 foot transition height limit required in Sections 5.33.2 and 5.43 shall continue to apply.
-

Amend Section 20.620, Paragraph a. to read as follows:

- a. The structure is located wholly or partially within a Residence C-1, C-1A, C-2A, C-2, C-2A, C-2B, C-3, C-3A, or C-3B base zoning district;
-

Delete Section 20.630, Paragraph e. as follows:

- e. [Deleted]
-

Delete Section 20.800 as follows:

20.800 DELETED

Amend Section 20.1100.41, Paragraph (a) to read as follows:

- (a) Residential Uses: All uses in Section 4.31.d through 4.31.j.
-

Amendments to Article 21.000.

Amend Sections 21.25.2 and 21.25.21 to read as follows:

21.25.2Residual Residential Development on a Donating Lot after the Non-residential GFA Transfer has been Authorized. The residential development on any Donating Lot shall conform to the applicable dimensional regulations of the zoning district.

Amend Section 21.25.3(2) to read as follows:

- (2) Development on the Donating Lot is limited to residential use or a public park. All existing gross floor area not redeveloped to residential use shall be demolished where housing is to be established on the site. The entire site shall be cleared if it is to be developed as a public park.
-

Amend Section 21.25.3(4) to read as follows:

- (4) Notwithstanding the provisions of Paragraphs (1) - (3) above, or other provisions of this Section 20.30, the remaining GFA on a Donating Lot may contain any office or retail use permitted in the applicable base district within the ground story or basement of a building otherwise containing permitted residential uses.
-

Amend Section 21.26(3) to read as follows:

- (3) [Deleted]
-

Amend Section 21.31.2 to read as follows:

- 2. The FAR on the Receiving Lot does not exceed 2.5 for nonresidential uses or 3.0 FAR for dormitory use.
-

Amend Section 21.31.4 to read as follows:

- 4. The maximum height of any building or portions of a building containing non-residential uses on the Receiving Lot may be increased subject to the following limitations:
 - a. Sixty (60) feet in that area lying between Sidney Street and a line, which line is parallel to, southeasterly of and one hundred (100) feet distant from Sidney Street;
 - b. Ninety (90) feet in that area lying between the parallel line described in Paragraph (a) above and Albany Street;
 - c. One hundred (100) feet in that area lying southeasterly of Albany Street.
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Amend Section 21.43.1.3 to read as follows:

- 3. [Deleted]
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Amend Section 21.43.2.b to read as follows:

- b. For any residential use permitted in a Residence C-1 District in a building or buildings meeting all the dimensional requirements of the Residence C-1 District.
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Amend Section 21.43.3.3 to read as follows:

- 3. [Deleted]