

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. ~~However, any such building which consists of two or more that do not meet the definition of semi-detached dwellings shall be considered or~~ a townhouse development ~~and shall be subject to the requirements of Section 11.10, whether or not subdivided lots are to be created.~~

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. ~~Such subdivided lot may be less than 5000 square feet. A subdivided lot, as controlled in Section 11.14 is applicable only to townhouse development.~~

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 ~~three~~ 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 A-1 District | Single-family dwellings |
| 3. | Residence A-2 District | Single-family dwellings |
| 4. | Residence B District | Two family or semi-detached dwellings |
| 5. | Residence C District | Multifamily dwellings |
| 62. | Residence C-1 District | Multifamily dwellings |
| 73. | Residence C-1A District | Multifamily dwellings |
| 84. | Residence C-2 District | Multifamily dwellings |
| 95. | Residence C-2B District | Multifamily dwellings |
| 106. | Residence C-2A District | Multifamily dwellings |
| 117. | Residence C-3A District | Multifamily dwellings and limited office |
| 128. | Residence C-3 District | Multifamily dwellings |
| 139. | Residence C-3B District | Multifamily dwellings |
| 1410. | Office 1 District | Business and professional office and multifamily dwellings (Apartment house, hotel, dormitory) |
| 1511. | Office 2A District | Business, research and professional offices, limited research oriented manufacturing |
| 1612. | Office 2 District | Business, research and professional offices, limited research oriented manufacturing |
| 1713. | Office 3A District | Business and professional offices and multifamily dwellings |
| 1814. | Office 3 District | Business and professional offices and multifamily dwellings |
| 1915. | Business A-3 District | Neighborhood business |
| 2016. | Business A-1 District | Local business |
| 2117. | Business A-2 District | Local business |
| 2218. | Business A District | Local and drive in retail business offices and multifamily dwellings |
| 2319. | Business A-4 District | Local business |
| 2420. | Business A-5 District | Local business and multifamily dwellings |
| 2521. | Business C District | General business, professional offices, multifamily dwellings. |
| 2622. | Business B-1 District* | General business, business and professional offices, and multifamily dwellings |
| 2723. | Business B-2 District* | General business, business and professional offices and multifamily dwellings |
| 2824. | Business B District | General business |
| 2925. | Industry B-2 District | Office, warehouse and light manufacturing |
| 3026. | Industry A-1 District | Limited impact business and industry |

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| 3127. | Industry B-1 District | Heavy manufacturing, warehouses, and offices |
| 3228. | Industry A-2 District | Limited impact business and industry |
| 3329. | Industry A District | Warehouse, storage and light manufacturing |
| 3430. | Special Business, Office and Industrial District 1 | Various Uses governed by the requirements of Article 17.000 |
| 3531. | Special Business, Office and Industrial District 2 | Various Uses governed by the requirements of Article 17.000 |
| 3632. | Special Business, Office and Industrial District 3 | Various Uses governed by the requirements of Article 17.000 |
| 3733. | Special Business, Office and Industrial District 4 and 4A | Various Uses governed by the requirements of Article 17.000 |
| 3834. | Special Business, Office and Industrial District 5 | Various Uses governed by the requirements of Article 17.000 |
| 3935. | Special Business, Office and Industrial District 6 | Various Uses governed by the requirements of Article 17.000 |
| 4036. | Special Business, Office and Industrial District 7 | Various Uses governed by the requirements of Article 17.000 |
| 4137. | Special Business, Office and Industrial District 8 | Various Uses governed by the requirements of Article 17.000 |
| 4238. | Special Business, Office and Industrial District 8A | Various Uses governed by the requirements of Article 17.000 |
| 4339. | Special Business, Office and Industrial District 9 | Various Uses governed by the requirements of Article 17.000 |
| 4440. | Special Business, Office and Industrial District 10(F) | Various Uses governed by the requirements of Article 17.000 |
| 4541. | Special Business, Office and Industrial District 10(H) | Various Uses governed by the requirements of Article 17.000 |
| 4642. | Special Business, Office and Industrial District 11 | Various Uses governed by the requirements of Article 17.000 |
| 4743. | Special Business, Office and Industrial District 12 | Various Uses governed by the requirements of Article 17.000 |
| 4844. | Special Business, Office and Industrial District 13 | Various Uses governed by the requirements of Article 17.000 |
| 4945. | Special Business, Office and Industrial District 14 | Various Uses governed by the requirements of Article 17.000 |
| 5046. | Special Business, Office and Industrial District 15 | Various Uses governed by the requirements of Article 17.000 |
| 5147. | Mixed Use Development (MXD) District: Kendall Center | Various uses governed by the requirements of Article 14.000 |
| 5248. | Cambridgeport Revitalization Development District | Various uses governed by the requirements of Article 15.000 |
| 5349. | North Point Residence, Office and Business District | Various uses governed by the requirements of Article 16.000 |
| 5450. | Industry B District | Heavy Industry |

~~*subject to the requirements of Sections 4.26, 11.40, and other requirements of this Ordinance.~~

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), ~~the Board of Zoning Appeal may grant a special permit allowing~~ any of the less restrictive dimensional regulation(s) ~~to 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 ~~Dwelling units and/or~~ 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 ~~dwelling units or~~ 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, ~~provided that where accessory to residential uses in Residence A and B districts such garage or parking space shall be limited to the accommodation of three passenger vehicles, or two passenger vehicles for each dwelling unit, whichever is greater.~~

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

- h. In Residence ~~A, B, C, and~~ C-1 Districts an accessory building shall not be located nearer ~~than ten (10) feet to the principal building or nearer than five (5) feet to any side or rear lot line or nearer to the front~~ any lot line than the minimum setback in the zoning district.

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

- j. ~~A dwelling or mobile home shall not be considered an~~ No accessory building ~~shall be used as a dwelling~~ 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.

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

- k. An accessory building in Residence ~~A, B, C,~~ C-1, and Office-1 districts shall not exceed fifteen (15) feet in height above the ground level.

Amend Section 4.22 to read as follows:

4.22 ~~Accessory Apartments~~ Accessory Apartments shall be permitted in all zoning districts where Residences are permitted. The purpose of this Subsection 4.22 is to allow for the creation of accessory apartments in all districts. Many large existing single and two-family dwellings or other accessory buildings on their lots are underutilized. Alteration of these buildings to provide one additional dwelling unit on the lot would be prohibited in most cases due to the existing floor area ratio and/or lot area per dwelling unit requirements of Subsection 5.31, among other zoning limitations. Given contemporary lifestyles,

~~housing needs, and energy and maintenance costs, it is beneficial to the City to allow greater flexibility in the use of such buildings to add new dwelling units without substantially altering the environmental quality of their surrounding neighborhoods. This Subsection 4.22 gives the Board of Zoning Appeal the authority to relax such requirements in certain instances as enumerated below.~~

~~4.22.1~~In all districts the Board of Zoning Appeal may grant a special permit for the alteration of an existing single family detached dwelling, two family dwelling, or accessory building on the same lot as a single family or two family dwelling to provide one accessory apartment if the following conditions are met:

- ~~1. The building containing the accessory apartment has been in existence since on or before February 1, 2019.~~
- ~~2. In the case of an accessory apartment within a single family or two family dwelling, prior to alteration the dwelling contains at least one thousand eight hundred (1800) square feet of gross floor area.~~
- ~~3. In the case of an accessory apartment within a single family or two family dwelling, such accessory apartment shall not occupy more than 900 square feet or thirty five (35) percent of the gross floor area of the principal dwelling, whichever is less. An accessory apartment created within an accessory building shall not occupy more than 900 square feet.~~
- ~~4. No more than one accessory apartment shall be allowed on any lot.~~

~~4.22.2~~In all districts any existing two family dwelling may be converted to a single family detached dwelling with one accessory apartment by right, without need for a Special Permit, if the conditions set forth in Section 4.22.1 above are met.

~~4.22.3~~In granting a special permit for an accessory apartment, the Board may relax or waive applicable zoning requirements to enable the creation of the accessory apartment as set forth below:

- ~~1. Accessory apartments shall not be counted in applying the lot area per dwelling unit limitations of the zoning district.~~
- ~~2. The Board may relax applicable floor area ratio (FAR) or gross floor area (GFA) limitations, to the extent necessary, to enable the creation of an accessory apartment within the envelope of an existing structure; however, any additional GFA created outside the envelope of the existing structure shall comply with applicable FAR or GFA limitations for the lot.~~
- ~~3. The Board may alter applicable yard setback or height limitations, to the extent necessary, to enable site improvements that may be required to ensure the safe habitation of the accessory apartment, including but not limited to emergency egress routes; however, any movement or alteration to the principal exterior walls or roof of a building shall comply with applicable yard setback and height limitations for the lot.~~
- ~~4. No off-street parking shall be required for an accessory apartment.~~

~~4.22.4~~In granting a special permit for an accessory apartment, the Board shall determine that the General Special Permit Criteria set forth in Section 10.43 of this Zoning Ordinance are met and that any alterations that are visible from the exterior of the building shall be compatible with the appearance and character of the neighborhood and are minimally necessary to enable the creation of the accessory apartment. The Board may impose such conditions as it may deem appropriate to ensure ongoing compliance with such criteria and to avoid undue detriment to the neighborhood or to nearby persons or property.

Delete Section 4.26 as follows:

4.26~~[Deleted]~~ *Multifamily Special Permit Applicability.*

~~4.26.1~~ The construction of a multifamily dwelling containing twelve (12) or more dwelling units or of elderly oriented congregate housing containing twenty-four (24) or more separate living spaces in a Residence C, Residence C-1, Residence C-1A, Office 1, Business A-1, or Business A-3 district shall require a special permit granted by the Planning Board.

~~4.26.2~~ The construction of a multifamily dwelling or of elderly oriented congregate housing in a Residence C, Residence C-1, Residence C-1A, Office 1, Business A-1 or Business A-3 district which contains less than twelve (12) dwelling units or twenty-four (24) dwelling living spaces shall require a special permit if both of the following conditions pertain to the development.

~~(1)~~ another permit for a multifamily dwelling or elderly oriented congregate housing has been granted within the twelve-month period immediately preceding the date of permit application for the lot on which the development would be located or on an abutting lot;

~~(2)~~ the development for which the permit is being sought would increase the total number of dwelling units on said lot(s) to twelve (12) or more, the total number of living spaces to twenty-four (24) or more, or the total number of dwelling units and living spaces to eighteen (18) or more.

~~4.26.3~~ The construction of multifamily dwellings and elderly oriented congregate housing in Industry A and A-2 districts, Industry B, B-1, and B-2 districts, and the Industry C district shall require a special permit granted by the Planning Board where any one of the following conditions exists:

~~1.~~ The development exceeds fifty thousand (50,000) square feet of Gross Floor Area;

~~2.~~ The lot area per dwelling unit proposed is less than one thousand, two hundred (1,200) square feet in an Industry C district, six hundred (600) square feet in an Industry A, or three hundred (300) square feet in an Industry A-2, Industry B or Industry B-1 district; or

~~3.~~ Twelve (12) or more dwelling units are proposed where any portion of the development is located within one hundred (100) feet of a Residence A-1, A-2, B, C, or C-1 district.

~~4.26.4~~ A special permit from the Planning Board shall be required for development of elderly oriented housing if a building permit, special permit or variance application filed for construction of elderly oriented housing on a lot on which a permit to demolish a dwelling has been granted within the previous three (3) years and on which said dwelling was demolished or will be demolished prior to construction of said elderly oriented housing.

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~~, 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~~, 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~~, C-1, C-2A, C-2B, C-3, C-3A, C-3B and Office Districts:

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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 , 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 | <u>Yes</u> PB | <u>Yes</u> PB | <u>Yes</u> PB |
| | b. Dwelling, two-family | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes | <u>Yes</u> PB | <u>Yes</u> PB | <u>Yes</u> PB |
| | c. [Deleted]Existing single family detached dwelling converted to a two-family dwelling^{15,16} | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes | PB | PB | PB |
| | d. Townhouse development or semi-detached dwelling | No | Yes ³ | Yes | Yes ³ | Yes | Yes | Yes | Yes | <u>Yes</u> PB ³ | <u>Yes</u> PB ³ | <u>Yes</u> PB ³ |
| | e. Elderly oriented congregate housing | No | Yes ⁵ | Yes ⁵ | Yes ⁵ | Yes | Yes | Yes | Yes | <u>Yes</u> PB ⁵ | <u>Yes</u> PB ⁵ | <u>Yes</u> PB ⁵ |
| | f. [Deleted]Existing dwelling converted for elderly oriented congregate housing¹⁷ | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes | PB | PB | PB |
| | g. Dwelling, multifamily | No | Yes ⁵ | Yes ⁵ | Yes ⁵ | Yes | Yes | Yes | Yes | <u>Yes</u> PB ⁵ | <u>Yes</u> PB ⁵ | <u>Yes</u> PB ⁵ |
| | h. [Deleted]Existing dwelling converted to a multifamily dwelling or townhouse development¹⁶ | No | Yes | Yes | Yes | Yes | Yes | Yes | Yes | PB | PB | PB |
| | 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 |

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

2. ~~[Deleted] Provided that in Residence A districts the exterior design of the structure is not changed.~~
 3. ~~[Deleted] Planning Board Special Permit for developments specified in Section 11.12.~~
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In Section 4.40, delete footnote 5 as follows:

5. ~~[Deleted] Planning Board special permit for dwellings specified in Section 4.26.~~
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In Section 4.40, amend footnote 7, paragraph a. to read as follows:

- (a) Hotels and motels shall be prohibited in ~~Residence C or~~ Residence C-1 districts;
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In Section 4.40, delete footnotes 15 through 17 as follows:

15. ~~[Deleted] Provided that in Residence A districts the exterior design of the structure is not changed.~~
 16. ~~[Deleted] See also Section 4.26.~~
 17. ~~[Deleted] Provided that in the Residence A districts the exterior design of the structure is not changed unless a special permit is granted by the Planning Board.~~
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In Section 4.40, amend footnote 43 to read as follows:

43. Except that in Residence ~~C and~~ C-1 districts this use shall be subject to the regulations of Section 4.50, Institutional Use Regulations.
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In Section 4.40, amend the first sentence of footnote 59 to read as follows (with no change to the remainder):

59. In Residence ~~B, C,~~ 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:
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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 ~~A-1, A-2, B, C and~~ 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 ~~A-1, A-2, B, C and~~ 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 ~~A-1, A-2, B, C and~~ 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 ~~five (5)~~ zoning districts, 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 lot sizes, minimum lot area for each dwelling unit or equivalent, minimum lot width,~~ 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]For residential uses permitted in Residence A, B, C, and Office districts which are not divided into dwelling units, each one thousand square feet of gross floor area of the building shall be considered equivalent to one dwelling unit for purposes of computing minimum lot area.~~

Amend Section 5.15 to read as follows:

5.15 No 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. ~~This paragraph shall not apply to townhouse development, as governed by Section 11.10.~~

Amend Section 5.21.1 to read as follows:

5.21.1 ~~There shall be no required minimum lot area or width except as set forth below. On lots of less than the required area for the district in which they are located and which have been duly recorded by plan or deed with the Registry of Deeds before the date of the first passage of the applicable provisions of this or any prior Ordinance the minimum lot size and lot width regulations need not apply, but the floor area ratio and the minimum lot area regulations for each dwelling unit shall be applicable. In case of such lots of less than the required width the sum of the two required side yards need not be more than thirty (30) percent of the lot width, except that each side yard shall be a minimum of seven feet, six inches (7' 6").~~

Amend Section 5.21.2 to read as follows:

5.21.2 No 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 ~~A-1, A-2, B, C,~~ 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.

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- (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:

- ~~**5.26** Conversion of Dwellings. No new dwelling unit created by the conversion of an existing dwelling into a greater number of units or by addition or enlargement of an existing dwelling shall be permitted unless the requirements of minimum lot area for each dwelling unit, maximum ratio of floor area to lot area, private open space and off-street parking are satisfied for all dwelling units (in existence and proposed) in the dwelling after the conversion or enlargement.~~
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Amend Section 5.27 (to be renumbered 5.25.7) to read as follows:

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~~5.25.57~~ Calculation for lot in two or more zoning districts. The maximum residential density (lot area per dwelling unit) and gross floor area allowed on lots located in two or more zoning districts shall be calculated using the formulas specified in this Subsection 5.27.

~~5.27.1~~ The total number of dwelling units allowed shall be the sum of the total dwelling units allowed in each district, determined by adding the lot area in each district divided by the minimum lot area per dwelling unit for each district.

$$\text{Max \# dwelling units} = \frac{\text{Lot area in district 1}}{\text{district 1 min. lot area/du}} + \frac{\text{Lot area in district 2}}{\text{district 2 min. lot area/du}}$$

~~Where the computation of the total number of dwelling units allowed in each district results in two fractional numbers and where the sum of the resulting remainders from both districts equals or exceeds one, an additional unit shall be permitted.~~

~~5.27.2~~ 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 allowed gross floor area permitted for that use in each district portion of the lot, typically determined by adding multiplying the lot area in each district multiplied by the maximum allowed floor area ratio (FAR) for that use in that for each 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]~~ Dwellings in Non-Residential Districts. A dwelling shall be subject to the dimensional standards generally applicable in the district set forth in the Tables of Dimensional Requirements in Section 5.30, except as provided for below.

- ~~a.~~ A dwelling in a Business A district shall be subject to the same dimensional requirements and other restrictions as a dwelling in a Residence C-2B district, except that the height limitation on lots abutting Hampshire Street shall be sixty-five (65) feet.
 - ~~b.~~ A dwelling in a Business A-1 district shall be subject to the same dimensional requirements and other restrictions as a dwelling in a Residence C-1 district.
 - ~~c.~~ A dwelling in a Business B district shall be subject to the same dimensional requirements and other restrictions as a dwelling in a Residence C-3 district.
-

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. ~~However, where some or all of those requirements cannot be met, including any use, dimensional or procedural requirement that may apply in the base district, the~~

~~following provisions shall apply to such conversion~~ 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 ~~Gross Floor Area~~ 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. The Gross Floor Area permitted shall be that which is the result of the application of the FAR permitted in the district in which the structure is located, or the existing Gross Floor Area of the structure itself, whichever is greater. However, the Planning Board may permit additional Gross Floor Area to be added to the non-residential structure without limit provided all construction creating additional Gross Floor Area occurs within the physical limits of the existing structure. Where it is proposed to add Gross Floor Area above what would normally be allowed in the zoning district, the Planning Board shall determine that such additional floor area is necessary to accommodate a reasonable arrangement and layout of residential units within the existing structure.~~

~~If Gross Floor Area is added to an existing structure such that the resulting Gross Floor Area is greater than twice what would be allowed under normal zoning district regulations (including the Inclusionary Housing provisions of Section 11.200 if applicable), then half the amount of Gross Floor Area added to the existing structure such that it exceeds twice the normal district limit shall be deducted from the total Gross Floor Area of the structure for the purpose of calculating the maximum permissible number of dwelling units under Subsection 5.28.22 below.~~

~~For projects of at least 30,000 square feet or twenty (20) dwelling units for which the total Gross Floor Area is greater than twice what would be allowed under normal zoning district regulations (including the Inclusionary Housing provisions of Section 11.200 if applicable), no more than seventy percent (70%) of the project's total Gross Floor Area shall be occupied by living space within private dwelling units, and the remaining Gross Floor Area shall be occupied by common areas such as hallways, stairways, lobbies, fitness/recreational spaces, common storage areas, above-grade parking facilities, laundry or other resident services, or approved non-residential uses.~~

5.28.22 *Dwelling Units.*

~~There shall be no limit on the number of dwelling units permitted shall be the number of dwelling units allowed under normal zoning district regulations (including the Inclusionary Housing provisions of Section 11.200 if applicable).~~

~~However, the Planning Board may permit a greater number of dwelling units, with the maximum permissible number of units determined by dividing the Gross Floor Area of the structure as permitted in Section 5.28.21 above, after subtracting any Gross Floor Area occupied exclusively by non-residential uses as permitted under Section 5.28.20, by 1,100 square feet for the first ten (10) units and by 1,900 square feet for any additional units.~~

~~If a portion of the dwelling units meet the definition of Elderly-Oriented Housing (notwithstanding the number of such units within the building), the Planning Board may permit the number of units to exceed the allowed maximum only for the specific purpose of accommodating such units, which may be smaller than conventional housing units.~~

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 ~~that height~~those permitted for residential uses in the district in which the structure is located, or ~~the building height~~the pre-existing conditions of the non-residential building, whichever ~~is~~are greater. ~~However, a~~

(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~~Private~~ *Open Space Requirements.*

The ~~Private~~ 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. ~~In instances where 6.36 does not apply due to the proposed use not being allowed in the base zoning district, required off-street parking for approved residential uses shall be provided at a rate of one space per dwelling unit, and required off-street parking for non-residential uses shall be determined by the Planning Board after reviewing the requirements for that use within other zoning districts.~~

5.28.28 *Criteria for Approval of a Special Permit.*

In ~~acting upon this~~granting any special permit, the Planning Board shall consider the standards and criteria set forth in Sections 10.43, ~~10.47 and 10.47.1~~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) Provision of Parking. Where it is proposed to add dwelling units above the limits established in the base zoning regulations, the Board shall evaluate the impact of increased numbers of dwelling units above that normally permitted in the district on the demand for on-street parking by residents and visitors to the proposed building, particularly in neighborhoods where off street parking is limited.~~

~~In reaching a determination, the Board may require that the Applicant provide elements of a Parking Analysis as set forth in Section 6.35.3 of the Zoning Ordinance. Where a project is subject to additional criteria as specified in Section 5.28.28.2 below, a Parking Analysis shall be required to be included with the Special Permit Application.~~

~~(ba)~~ 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.

~~(eb)~~ Reduction in ~~Private~~ Open Space. Where it is proposed to reduce the amount of on-site ~~Private~~ 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

~~(ec)~~ 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 ~~Gross Floor Area or number of dwelling units is~~ 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.

~~5.30.1 Rules for Applying Certain Provisions of the Tables of Dimensional Requirements~~

~~5.30.11 FAR and Height. Where two numbers appear in Column (1) – Maximum Ratio of Floor Area to Lot Area and Column (6) Maximum Height in Feet, the first number shall apply to all permitted uses in the district except Residential Uses, Section 4.31 a-h, and Dormitory (but excluding resident fraternity or sorority) Uses, Section 4.33 b(7), both of which shall be governed by the second number.~~

~~5.30.12 Calculation of Permitted Gross Floor Area on a Lot~~

~~Where two numbers regulate the permitted FAR on a lot, the Gross Floor Area of any uses proposed on the lot shall be determined by the following formula:~~

$$\text{Gross Floor Area Permitted} = \{(A \times \text{FAR}_{-1}) \times \text{Lot Area}\} + \{(B \times \text{FAR}_{-2}) \times \text{Lot Area}\}$$

~~Where A equals the percentage of Gross Floor Area in the building to be used for nonresidential use(s), and~~

~~Where B equals the percentage of Gross Floor Area in the building to be used for residential and dormitory use(s), and~~

~~Where A + B = 100% (or 1.0) or less, and~~

~~FAR₋₁ equals permitted FAR for nonresidential uses, and~~

~~FAR₋₂ equals permitted FAR for residential and dormitory uses.~~

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⁾ | <u>6</u> | <u>75</u> | <u>10</u> ⁽²⁾ | <u>none</u> | 35 | $\frac{H+L^{(a3)}}{4}$ | $\frac{H+L^{(a12)(13)}}{5}$ | $\frac{H+L^{(e5)}}{4}$ | 0.75 |
| Res. C-1A | 15% | <u>6</u> | <u>75</u> | <u>10</u> ⁽²⁾ | <u>none</u> | 45 | 10 | $\frac{H+L^{(f10)}}{7}$ | $\frac{H+L^{(f10)}}{5}$ | 1.25 |
| Res. C-2 | 15% | <u>7</u> | <u>85</u> | <u>10</u> ⁽²⁾ | <u>none</u> | 85 | $\frac{H+L^{(a3)}}{4}$ | $\frac{H+L^{(13)}}{5}$ | $\frac{H+L^{(e5)}}{4}$ | 1.75 |
| Res. C-2A | 10% ^(h8) | <u>6</u> | <u>75</u> | <u>5</u> ⁽²⁾ | <u>none</u> | 60 | $\frac{H+L^{(b4)(g7)}}{5}$ | $\frac{H+L^{(g7)(13)}}{6}$ | $\frac{H+L^{(e5)}}{5}$ | 2.5 |
| Res. C-2B | 15% | <u>6</u> | <u>75</u> | <u>10</u> ⁽²⁾ | <u>none</u> | 45 | $\frac{H+L^{(a3)(k9)}}{4}$ | $\frac{H+L^{(k9)(13)}}{5}$ | $\frac{H+L^{(e5)(k9)}}{4}$ | 1.75 |
| Res. C-3 | 10% | <u>10</u> | <u>120</u> | <u>5</u> ⁽²⁾ | <u>none</u> | 120 | $\frac{H+L^{(b4)}}{5}$ | $\frac{H+L^{(13)}}{6}$ | $\frac{H+L^{(e5)}}{5}$ | 3.0 |
| Res. C-3A | 10% | <u>10</u> | <u>120</u> | <u>5</u> ⁽²⁾ | <u>none</u> | 120 | $\frac{H+L^{(b4)(e6)}}{5}$ | $\frac{H+L^{(f6)(13)}}{6}$ | $\frac{H+L^{(e6)}}{5}$ | 3.0 ^(e6) |
| Res. C-3B | 10% | <u>10</u> | <u>120</u> | <u>10</u> ⁽²⁾ | <u>none</u> | 120 ⁽³⁴⁾ | 10 | none | none | 3.0/ 4.0 ⁽¹¹⁾⁽³⁴⁾ |
| 5.32 Office Districts | | | | | | | | | | |
| Office 1 | 15% | <u>6</u> | <u>75</u> | <u>10</u> ⁽²⁾ | <u>none</u> | 35 | $\frac{H+L^{(a3)(31)}}{4}$ | $\frac{H+L^{(32)}}{5}$ | $\frac{H+L^{(e14)(32)}}{4}$ | 0.75 |
| Office 2A | 15% | <u>6</u> | <u>75</u> | <u>10</u> ⁽²⁾ | <u>none</u> | 60/ 70 ⁽³⁴⁾ | $\frac{H+L^{(a3)(31)}}{4}$ | $\frac{H+L^{(32)}}{5}$ | $\frac{H+L^{(e14)(32)}}{4}$ | 1.25/ 1.5 ⁽³⁴⁾ |
| Office 2 | 15% | <u>7</u> | <u>85</u> | <u>10</u> ⁽²⁾ | <u>none</u> | 70/ 85 ^{(e4)(34)} | $\frac{H+L^{(a3)(31)}}{4}$ | $\frac{H+L^{(32)}}{5}$ | $\frac{H+L^{(e14)(32)}}{4}$ | 1.50/ 2.0 ⁽³⁴⁾ |
| Office 3 | 10% | <u>10</u> | <u>120</u> | <u>5</u> ⁽²⁾ | <u>none</u> | 90/ 120 ⁽³⁴⁾ | $\frac{H+L^{(b4)(31)}}{5}$ | $\frac{H+L^{(32)}}{6}$ | $\frac{H+L^{(e14)(32)}}{5}$ | 2.0/ 3.0 ⁽³⁴⁾ |

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| 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 3A | 10% | <u>10</u> | <u>120</u> | <u>5⁽²⁾</u> | <u>none</u> | <u>90</u> / 120 ⁽³⁴⁾ | <u>H+L^(b4)(31)</u> 5 | <u>H+L⁽³²⁾</u> | <u>H+L^(e14)(32)</u> | 2.0/ 3.0 ⁽³⁴⁾ |
| 5.33 Business Districts | | | | | | | | | | |
| Bus. A | none | <u>6</u> | <u>75</u> | <u>none</u> | <u>none</u> | <u>35</u> / 45 ⁽³⁴⁾ to 65^(b)(34) | <u>none⁽³¹⁾</u> | <u>none⁽³²⁾</u> | <u>H+L^(e14)(32)</u> 5 | 1.0/ 1.75 ⁽³⁴⁾ |
| Bus. A-1 | none | <u>6</u> | <u>75</u> | <u>none</u> | <u>none</u> | 35 | <u>none⁽³¹⁾</u> | <u>none⁽³²⁾</u> | <u>H+L^(e14)(32)</u> 5 | 1.0/ 0.75 ⁽³⁴⁾ |
| Bus. A-2 | none | <u>6</u> | <u>75</u> | <u>5⁽²⁾⁽²⁶⁾</u> | <u>none</u> | <u>45^(e22)(34)</u> | <u>5^(e23)(31)</u> | <u>10^(e13)(20)(32)</u> | <u>20^(e21)(32)</u> | 1.0/ 1.75 ⁽³⁴⁾ |
| Bus. A-3 | 30% | <u>6</u> | <u>75</u> | <u>10⁽²⁾</u> | <u>none</u> | 35 | <u>H+L^(e4)</u> <u>/4⁽³⁾(31)</u> | <u>H+L/5⁽³²⁾</u> | <u>H+L^(e4)</u> <u>/4⁽¹⁴⁾(32)</u> | 0.75 ^(e18) |
| Bus. A-4 | none | <u>6</u> | <u>75</u> | <u>10⁽²⁾⁽²⁶⁾</u> | <u>none</u> | <u>35^(e24)(34)</u> | <u>H+L/4^(e24)(31)</u> | <u>H+L/5^(e24)(32)</u> | <u>H+L/5^(e24)(32)</u> | 1.0 ^(e24) / 1.75 ⁽³⁴⁾ |
| Bus. A-5 | none | <u>7⁽²⁵⁾</u> | <u>85⁽²⁵⁾</u> | <u>none</u> | <u>none</u> | <u>80^(e25)(34)</u> | <u>none⁽³¹⁾</u> | <u>none⁽³²⁾</u> | <u>none⁽³²⁾</u> | 1.0/ 3.0 ^(e25) (34) |
| Bus. B | none | <u>7</u> | <u>85</u> | <u>none</u> | <u>none</u> | <u>80⁽³⁴⁾</u> | <u>none⁽³¹⁾</u> | <u>none⁽³²⁾</u> | <u>none⁽³²⁾</u> | 2.75/ 3.0 ⁽³⁴⁾ |
| Bus. B-1 | <u>See note^(e16)</u> | <u>8</u> | <u>95⁽¹⁵⁾</u> | <u>none</u> | <u>none</u> | <u>55</u> / 90 ^(e15) ⁽³⁴⁾ | <u>none⁽³¹⁾</u> | <u>none^(e17)(32)</u> | <u>none^(e17)(32)</u> | 1.50/ 3.25 ⁽³⁴⁾ |
| Bus. B-2 | <u>See note^(e16)</u> | <u>6</u> | <u>75</u> | <u>none</u> | <u>none</u> | <u>45⁽³⁴⁾</u> | <u>none⁽³¹⁾</u> | <u>none^(e17)(32)</u> | <u>none^(e17)(32)</u> | 1.50/ 3.0 ⁽³⁴⁾ |
| Bus. C | none | <u>6</u> | <u>75</u> | <u>none</u> | <u>none</u> | <u>55^(e19)(33)</u> ⁽³⁴⁾ | <u>none⁽³¹⁾</u> | <u>none⁽³²⁾</u> | <u>20^(e21)(32)</u> | 1.25/ 2.0 ⁽³⁴⁾ |
| 5.34 Industrial Districts | | | | | | | | | | |
| Ind. A-1 | none | <u>6</u> | <u>75</u> | <u>none</u> | <u>none</u> | <u>45⁽³⁴⁾</u> | <u>0⁽³¹⁾</u> | <u>0^(b27)(32)</u> | <u>0^(b27)(32)</u> | 1.25/ 1.50 ⁽³⁴⁾ |
| Ind. A-2 | none | <u>6</u> | <u>75</u> | <u>none</u> | <u>none</u> | <u>70⁽³⁴⁾</u> | <u>0⁽³¹⁾</u> | <u>0^(b27)(32)</u> | <u>0^(b27)(32)</u> | 2.75/ 4.0 ⁽³⁴⁾ |
| Ind. A | none | <u>6</u> | <u>75</u> | <u>none</u> | <u>none</u> | <u>45^(e28)(34)</u> | <u>none⁽³¹⁾</u> | <u>none⁽³²⁾</u> | <u>none⁽³²⁾</u> | 1.25/ 1.50 ⁽³⁴⁾ |
| Ind. B-1 | none | <u>6</u> | <u>75</u> | <u>none</u> | <u>none</u> | <u>60</u> / 70 ⁽³⁴⁾ | <u>0⁽³¹⁾</u> | <u>0⁽³²⁾</u> | <u>0⁽³²⁾</u> | 1.5/ 3.0 ⁽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) |
| Ind. B-2 | none | <u>6</u> | <u>75</u> | <u>10⁽²⁾</u> | <u>none</u> | 35 | 15 ⁽³¹⁾ | 0 ^{(b27)(32)} | 0 ^{(b27)(32)} | 0.75 |
| Ind. B | none | <u>10</u> | <u>120</u> | <u>none</u> | <u>none</u> | 120 ⁽³⁴⁾ | none ⁽³¹⁾ | none ⁽³²⁾ | none ⁽³²⁾ | 2.75/ <u>4.0</u> ^{(e29)(f30)} ₍₃₄₎ |
| 5.35 Open Space Districts | | | | | | | | | | |
| OS | 60% | <u>N/A</u> | <u>N/A</u> | <u>N/A</u> | <u>N/A</u> | 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.
- (a3) Measured from the centerline of the street, but in no case may a non-residential building be nearer the street than ten (10) feet.
- (b4) 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
- (e5) 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~~ and 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. ~~In Residence A-1, A-2, and B districts, no building may be nearer the rear lot line than twenty five (25) feet plus one additional foot of rear yard for each four feet that the depth of the lot exceeds one hundred (100) feet, up to a maximum of thirty five (35) feet.~~ For purposes of this Footnote ~~C~~, 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.
- (d6) ~~The maximum ratio of floor area to lot area f~~For buildings containing principal uses specified in Section 4.34:
 - (a) The FAR shall not exceed 1.25.
 - (eb) ~~For buildings subject to the floor area ratio limitation specified in footnote (d) above, t~~The minimum front yards may be reduced to no less than five (5) feet measured from the street line.

- (~~f~~c) ~~For buildings subject to the floor area ratio limitation specified in footnote (d) above, t~~The minimum side yards may be reduced to no less than five (5) feet measured from the street line.
- (~~e~~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 ~~A-1 and A-2, B, C, 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 ~~A-1, A-2, B, C, C-1, C-2, or C-2B~~ district.
- (~~h~~8) The minimum ratio of ~~private~~ open space to lot area required for a lot which abuts/or is separated only by a public or private way from a Residence ~~A-1, A-2, B, C, C-1, C-2 or C-2B~~ district shall be equal to the amount of ~~private~~ open space required in the residential district which said lot abuts or from which it is separated by a way.
- ~~(i) — The dimensional requirements of the Residence C-1 district as detailed in this Section 5.31 shall apply in the Residence C district for structures in existence as of December 1, 1986 under the following limitations and conditions:~~
- ~~(1) — Any increase in floor area or numbers of units, provided all construction occurs within the limits of the existing structure: or~~
- ~~(2) — For any construction without limit as to cost (notwithstanding any contrary provisions of Section 8.23) of a nonconforming structure destroyed or damaged by fire or other catastrophe provided the structure as restored shall not be greater in lot coverage or volume, or shall not extend further into required yards, than the original structure; all other provisions of Section 8.23, however, shall continue to apply.~~
- ~~(j) — Applicable to the first five thousand (5,000) square feet of lot area. For those portions of any lot exceeding five thousand (5,000) square feet, the applicable Maximum Ratio of Floor Area to Lot Area shall be 0.35 for all permitted residential uses and the Minimum Lot Area for Each Dwelling Unit shall be four thousand (4,000) square feet. However, for any lot in existence as of June 30, 1995 that is subsequently subdivided into two or more lots, the total amount of gross area and number of units on the subdivided lots, in total, shall at no time exceed that permitted by this footnote (j) on the lot before the subdivision occurred. Unless otherwise permitted by special permit from the Board of Zoning Appeal, the gross floor area and dwelling units permitted on each subdivided lot shall be in the same ratio as that lot's area is to the area of the unsubdivided lot. Nothing in this footnote (j) shall prohibit the subdivision of a Townhouse Development conforming at the time of its construction, as permitted in Section 11.10.~~
- (~~k~~9) Yard Requirements for non-residential buildings in the Residence C-2B District
- ~~1~~(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.
- ~~2~~(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.

- (3c) 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.
- (4d) 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.
- (5e) 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).
- (6f) Pedestrian and vehicular access.
 - (a) 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.
 - (b)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.
 - (c)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.
- (7g) 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.

~~3. — Setback exceptions:~~

~~(a) — In a Residence A-1 or A-2 district a dwelling need not set back more than the average of the setbacks of the buildings, other than accessory buildings, on the lots adjacent thereto on either side, but in no case may any part of a building or accessory building extend nearer to any street line, or building line if such has been established, than fifteen (15) feet. A vacant lot or lot occupied by a building set back more than twenty-five (25) feet in a Residence A-1 district and more than twenty (20) feet in a Residence A-2 district shall be considered as though occupied by a building set back twenty-five (25) feet and twenty (20) feet respectively.~~

~~(b) — In a Residence B district a dwelling need not set back more than the average of the setbacks of the buildings, other than accessory buildings, on the lots adjacent thereto the on either side, but in no case may any part of a building or accessory building extend nearer to any street line, or building line if such has been established, than ten (10) feet. A vacant lot or a lot occupied by a building set back more than fifteen (15) feet shall be considered as though occupied by a building set back fifteen (15) feet.~~

(€13) In a Residence ~~C~~, 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.

~~(a) — Measured from the centerline of the street, but in no case may a building be nearer the street line than ten (10) feet.~~

~~(b) — Measured from the centerline of the street, but in no case may a building be nearer to the street line than five (5) feet.~~

(€14) In no case may a non-residential building be nearer the rear lot line than twenty (20) feet.

~~(d) — Deleted.~~

~~(a) — In no case may a building be nearer the rear lot line than twenty (20) feet.~~

~~(b) — As set forth in Section 5.28.1.~~

(€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.
- (~~1a~~) Minimum required total area reserved for both types of open space = lot area multiplied by .15.
- (~~2b~~) Share of development devoted to residential uses = gross residential floor area divided by gross floor area of entire development.
- (~~3c~~) Minimum required private open space associated with residential use = total open space required multiplied by residential share.
- (~~4d~~) Share of development devoted to other uses = other gross floor area divided by gross floor area of entire development.
- (~~5e~~) 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.
- ~~(h) Measured from the centerline of the street but in no case may a building be nearer the street than ten (10) feet.~~
- (~~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 ~~the following paragraph~~footnote (13) shall continue to apply.

~~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 no less than the required side yard setback shall be provided. In the case that any portion of a side wall of the existing building contains windows or is set back from the property line, then a building hereafter erected on the lot adjacent to such an existing building shall be set back from the side lot line as required.~~

- (~~j~~21) Or two-thirds (2/3) of the height of the rear wall whichever is greater; however in the Business C ~~and Business C-1~~ districts no rear yard shall be required where the rear lot line abuts a lot all of which lies in a business or industrial district.
- (~~k~~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.

- ~~(l) — The maximum height of a building may be increased to sixty (60) feet provided the average height of the building is fifty (50) feet (excluding any portion of the building devoted to parking which is not covered with building included in gross floor area). The heights of the several parts of the building shall be such that the volume of building exceeding fifty (50) feet in height shall be equal to or less than the volume of space lying between the fifty (50) foot height and portions of building less than fifty (50) feet in height, as illustrated below:~~

~~Volume 1 (area of a building at a single height — 1 above fifty feet x the difference between height — 1 and fifty feet) + Volume 2 (area of building at a single height — 2 above fifty feet x the difference between the height — 2 and fifty feet) MUST EQUAL OR BE LESS THAN THE SUM OF Volume 1' (area of building at a single height — 1' below fifty feet x the difference between height 1' and fifty feet) + Volume 2' (area of building at single height — 2' below fifty feet x the difference between height — 2' and fifty feet).~~

- (~~m~~23) Or the setback of the principal front wall plane of any adjacent building facing the same street, whichever is less.

- ~~(n) — Of the total FAR permitted on the lot the maximum ratio of floor area to lot area for permitted principal uses other than residential uses specified in Section 4.31 shall not exceed 2.75. The maximum ratio of floor area to lot area for permitted residential uses specified in Section 4.31 shall be 2.5 as of right; it may be increased to 3.0 and lot area per dwelling unit decreased to three hundred (300) after the issuance of a special permit by the Planning Board provided the following conditions are met:~~

- ~~1. — At least seventy five (75) percent of the gross floor area on the lot is devoted to residential uses specified in Section 4.31.~~
- ~~2. — All parking on site is covered and enclosed.~~

~~3. — Fifteen (15) percent or more of the lot is green area or other open space acceptable to the Planning Board.~~

~~4. — The building shall be subject to mandatory design review.~~

~~(e) — H+L/6 for all buildings having fifty (50) percent or more of their gross floor area devoted to residential uses specified in Section 4.31 where the side lot line abuts or is within fifty (50) feet of a lot residentially used, the majority of which lies in a residential district.~~

~~(p24)~~ For development in which all parking is provided entirely below grade, the following dimensional modifications shall be allowed:

~~(i)a~~ FAR may be increased to 2.0

~~(i)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 if greater than 35 feet in height.

~~(i)ii~~ ~~Building height for a residential or mixed-use structure may be increased to a maximum of forth four (44) feet. However, for any portion of a structure that abuts a lot in a residential district, the height of the building shall not exceed thirty five (35) feet within fifteen (15) feet of the lot line.~~

~~(q25)~~ The following dimensional modifications shall apply in the Business A-5 district:

~~(i)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').

~~(i)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.

~~(i)ii)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.

~~3. — Deleted.~~

~~4. — Deleted.~~

~~5. — Deleted.~~

~~6. — Deleted.~~

~~7. — Deleted.~~

~~8. (26)~~ ~~A special permit may be granted by the Board of Zoning Appeal to reduce t~~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.

~~(a)~~ Deleted.

~~(b27)~~ A side yard setback of H+L/7 and a rear yard setback of H+L/5 shall be required only ~~for residential uses in new structures and~~ 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.

~~(c)~~ ~~Thirty five (35) foot height limit within one hundred (100) feet of a residential structure less than thirty five (35) feet in height or a residential district.~~

~~(d28)~~ One hundred and thirty (130) feet by special permit for buildings related to storage and processing of materials permitted in Section 4.37m.

~~(e29)~~ 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.

~~(f30)~~ ~~Notwithstanding Section 5.30.11, i~~n the Industry B District, a hotel use (Section 4.31.1.b) shall ~~be governed by the second number (4.0) for purposes of determining the~~ have a Maximum ~~Ratio of Floor Area to Lot Area~~ FAR of 4.0.

5.40 TRANSITIONAL REQUIREMENTS

~~5.41~~ ~~Front yard:~~ ~~(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.

~~5.42~~ ~~Side yard:~~ ~~(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.

~~5.43~~ ~~Height:~~ ~~(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.

| <u>District</u> | <u>Maximum Building Height in Feet for Dormitories</u> | <u>Maximum FAR for Dormitories</u> |
|------------------|--|------------------------------------|
| <u>Res. C-3B</u> | <u>120</u> | <u>4.0</u> |

MARKUP VERSION -- Additions and creations underlined, deletions in strikethrough
 Multifamily Housing Zoning Petition – Part One

| | | |
|------------------|--|-------------|
| <u>Office 2A</u> | <u>70</u> | <u>1.5</u> |
| <u>Office 2</u> | <u>85</u> | <u>2.0</u> |
| <u>Office 3</u> | <u>120</u> | <u>3.0</u> |
| <u>Office 3A</u> | <u>120</u> | <u>3.0</u> |
| <u>Bus. A</u> | <u>45</u> | <u>1.75</u> |
| <u>Bus. A-2</u> | <u>45</u> | <u>1.75</u> |
| <u>Bus. A-4</u> | <u>35 (subject to footnote 24 above)</u> | <u>1.75</u> |
| <u>Bus. A-5</u> | <u>80</u> | <u>3.0</u> |
| <u>Bus. B</u> | <u>80</u> | <u>3.0</u> |
| <u>Bus. B-1</u> | <u>90</u> | <u>3.25</u> |
| <u>Bus. B-2</u> | <u>45</u> | <u>3.0</u> |
| <u>Bus. C</u> | <u>55</u> | <u>2.0</u> |
| <u>Ind. A-1</u> | <u>45</u> | <u>1.50</u> |
| <u>Ind. A-2</u> | <u>70</u> | <u>4.0</u> |
| <u>Ind. A</u> | <u>45</u> | <u>1.50</u> |
| <u>Ind. B-1</u> | <u>70</u> | <u>3.0</u> |
| <u>Ind. B</u> | <u>120</u> | <u>4.0</u> |

Delete Sections 5.51, 5.52, and 5.53 as follows:

- 5.51**~~[Deleted]~~ *Lot Size Requirements for Elderly Oriented Housing.* The required number of square feet of lot area per dwelling unit in elderly oriented housing or for each living space in elderly oriented congregate housing is decreased to one half (1/2) the number of square feet of lot area per dwelling unit customarily required in Section 5.30 of this Ordinance.
- 5.52**~~[Deleted]~~ *Townhouse Development.* The dimensional requirements of this article may be reduced for townhouse developments as governed by the regulations of Article 11.000.

~~5.53~~ ~~In Residence A-1 and Residence A-2 districts, only one structure containing a principal use shall be allowed on a lot.~~

~~In Residence B districts only one structure containing a principal residential use shall be allowed on a lot except as set forth below:~~

- ~~1. More than one structure containing a principal residential use shall be allowed on a lot provided all portions of all structures are located no farther than seventy five (75) feet from any street line to which the lot abuts. However, those elements of a structure that are permitted to extend into required yards as set forth in Section 5.24.2, may extend in a similar manner beyond the seventy five foot limit.~~
- ~~2. By special permit from the Planning Board provided the Board finds~~
 - ~~(a) that development in the form of two or more structures on the lot will not significantly increase or may reduce the impact of the new construction should it occur in a single structure; or~~
 - ~~(b) That two or more structures may provide identifiable benefits beyond that provided should all construction be in a single structure. In making its findings the Board shall consider the impact of the new construction on the following:~~
 - ~~(1) the extent to which the preservation of a large contiguous open space in the rear of the lot or series of adjacent lots is achieved through the provision of a rear yard setback significantly greater than that required and through the dedication of that rear yard as Green Area, as defined in this Ordinance,~~
 - ~~(2) incentives for the location of buildings and parking facilities in the front half of a lot in a pattern compatible with the development pattern prevailing in the neighborhood,~~
 - ~~(3) the extent to which two or more structures provides an enhanced living environment for residents on the lot,~~
 - ~~(4) incentives to retain existing structures on a lot, particularly any structure determined to be a Preferably Preserved Significant structure by the Cambridge Historical Commission,~~
 - ~~(5) the opportunities presented to reduce the visual impact of parking from the public street and from adjacent lots,~~
 - ~~(6) The increased opportunities to reduce the height and bulk as new construction is deeper into a lot or closer to structures on abutting lots.~~

~~In Residence A-1, A-2 and B districts there shall be no limit on the number of those structures on a lot that contain principal nonresidential uses exclusively, provided all other requirements of this Zoning Ordinance are met.~~

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 townhouse developments specified in Section 11.10,~~ 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, Res A-1, A-2, Res B | Maximum Off Street Parking Requirements in Res C , 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. | Existing one-family detached dwelling converted for two families [Deleted] | No max | No max | No max | No max | n/a | R1 | R1 |
| d. | Townhouse development ² | 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. | Existing dwelling converted for elderly oriented congregate housing [Deleted] | No max | No max | No max | No max | n/a | R3 | R3 |

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| | | | | | | | | |
|----|--|-----|---------------|---------------|---------------|-----|----|----|
| g. | Multifamily dwelling | n/a | No max | No max | No max | n/a | R2 | R2 |
| h. | <u>Existing dwelling converted for more than two families</u> [Deleted] | n/a | <u>No max</u> | <u>No max</u> | <u>No max</u> | n/a | R2 | R2 |
| 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. See also Section 11.16. [Deleted]~~

In the “Parking Table Footnotes” in Section 6.36, amend footnote 13 to read as follows:

13. In Residence ~~C~~-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 A-1, A-2, B, C, 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, existing single-family dwellings converted for two families , 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, <u>existing single-family dwellings converted for two families</u> ; 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 A, B, C, and C-1 district.

Amend Section 7.20 to read as follows:

7.20 ILLUMINATION

In Residence A, B, C, and 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** *Procedure for Townhouses and Multifamily Dwellings.* An application for a special permit for a townhouse development or for a multifamily dwelling required by Section 4.31 shall also meet the requirements of this Subsection 10.47. Where this Subsection and Subsection 10.42 are in conflict, this Subsection shall control.~~

~~**10.47.1** Applications for special permits shall be accompanied by three copies of a development plan containing the following graphic and written information:~~

- ~~(1) An accurately scaled map showing the existing conditions on the parcel on which development is proposed and on lots abutting or directly across any street from said parcel. Said map shall indicate property lines, existing structures and all trees in excess of 3" caliper.~~
- ~~(2) Information concerning current land use of said parcels (including the number of existing dwelling units).~~
- ~~(3) Photographs showing conditions on the development parcel at the time of application and showing structures on abutting lots.~~

- ~~(4) A site plan of the development parcel, drawn to scale, showing proposed lot subdivision, if any, the location of proposed buildings, retained and proposed vegetation, location of parking spaces, driveways, proposed curb cuts and walkways, proposed treatment of the perimeter of the parcel including techniques and materials used (screens, fences, walls) and the location of required private open space.~~
- ~~(5) Front, side and rear elevations for each structure on the lot indicating building height and heights of buildings on abutting lots.~~
- ~~(6) Quantitative data on the proposed development including floor area ratio, floor area per unit, number of bedrooms and the amount of private open space allocated to each unit and reserved for common use of the residents.~~
- ~~(7) A list of any zoning violations which would customarily require variances from the requirements of this Ordinance.~~
- ~~(8) A Tree Study, certified complete by the City Arborist, as required by the Tree Protection Ordinance of the City of Cambridge, Chapter 8.66.~~

~~**10.47.2** No application shall be accepted by the Planning Board until all of the information required in Subsection 10.47.1 is completed and included in the development plan. Any changes in the development plan by the applicant following submittal of the application, other than those which might be negotiated at the public hearing, shall require resubmittal of an application for a special permit.~~

~~**10.47.3** Upon receipt of the application and development plans, the Planning Board shall transmit forthwith one copy of the plan to the Traffic Department. Within forty five (45) days of receipt of the plan, the Traffic Department shall review said plan and submit a report and recommendation on the development proposal to the Planning Board. The Planning Board shall not render any decision on an application for a special permit for a townhouse development or for a multifamily dwelling subject to those requirements until said report has been received and considered or until the forty five (45) day period has expired without the receipt of such report, which ever is earlier.~~

~~**10.47.4** Criteria for approval of Townhouses and Multifamily Dwellings. In reviewing applications for townhouse developments and multifamily dwelling, the special permit granting authority shall consider and address the following site plan criteria as applicable:~~

- ~~(1) Key features of the natural landscape should be preserved to the maximum extent feasible. Tree removal should be minimized and other natural features of the site, such as slopes, should be maintained.~~
- ~~(2) New buildings should be related sensitively to the existing built environment. The location, orientation and massing of structures in the development should avoid overwhelming the existing buildings in the vicinity of the development. Visual and functional disruptions should be avoided.~~
- ~~(3) The location, arrangement, and landscaping of open space should provide some visual benefits to abutters and passersby as well as functional benefits to occupants of the development.~~
- ~~(4) Parking areas, internal roadways and access/egress points should be safe and convenient.~~
- ~~(5) Parking area landscaping should minimize the intrusion of onsite parking so that it does not substantially detract from the use and enjoyment of either the proposed development or neighboring properties.~~
- ~~(6) Service facilities such as trash collection apparatus and utility boxes should be located so that they are convenient for resident, yet unobtrusive.~~

~~**10.47.41** Additional Criteria for Townhouses and Multifamily Dwellings in Industry A and A-2 districts, Industry B, B-1 and B-2 districts, and the Industry C district. In addition to the criteria set forth in Section 10.47.4 above, the following shall be considered by the Planning Board in these industrial districts:~~

- ~~(1) On balance the location is appropriate for the proposed residential uses, because:
 - ~~(a) Residential use at the proposed location will not preempt space particularly suitable for nonresidential uses; and~~
 - ~~(b) Existing or anticipated uses on nearby premises will not make residential use inappropriate because of external impacts such as noise, glare, odors or safety concerns; and~~
 - ~~(c) The proximity of the proposal to other residential development or reasonably anticipated residential development in the future, helps to establish an amount of housing sufficient to ensure a viable, supportive and healthy residential environment; or~~
 - ~~(d) The proposal will act as a transition to neighboring residential districts and uses; or~~
 - ~~(e) The proposal is of sufficient scale to create its own supportive residential environment.~~~~
- ~~(2) The proposed design includes amenities appropriate to provide a supportive service environment for the anticipated residential uses.~~
- ~~(3) Other potential benefits can be identified, including:
 - ~~(a) The proposed residential use may make feasible the preservation of an historic structure;~~
 - ~~(b) The proposed residential use and nearby commercial uses are linked through work/live arrangements or in other ways.~~~~

Amendments to Article 11.000.

Delete Section 11.10 and subsequent subsections as follows:

11.10 ~~DELETED~~TOWNHOUSE DEVELOPMENT

~~**11.11** *Statement of Purpose.* This Section 11.10 has been adopted to encourage the development of one and two family townhouses. The townhouse development use created herein is intended to promote development designs that are compatible with traditional neighborhood development patterns and sensitive to existing streetscapes, to encourage a townhouse pattern of development where higher densities are permitted and to discourage the demolition of existing residential structures as well as the excessive infill of townhouses on lots already containing residential structures.~~

~~Provisions for the townhouse development use are intended to overcome obstacles to the development of one and two family townhouses, by providing special incentives where appropriate. This section provides guidelines for both as of right and townhouse developments which require special permit review. The distinction allows for expeditious review and approvals for smaller scale infill townhouse developments, while ensuring detailed examination of the site and building plans for larger developments and consideration of their neighborhood impacts.~~

~~**11.12** *Applicability of Regulations.* The development standards specified in this Section 11.10 are applicable only to townhouse developments and do not change the development standards for other uses in the Residence, Office and Business, and Industry A-1 districts. Townhouse developments which meet the requirements specified in Sections 11.14, 11.15, and 11.16 shall be allowed in Residence B, C, C-1, C-1A, C-2, C-2A, C-2B, C-3, C-3A, C-3B, Office and Business and Industry A-1 districts as follows:~~

~~11.12.1~~ Construction of a townhouse development containing six (6) or more dwelling units in a Residence B district and Residence C district shall require a special permit.

~~11.12.2~~ Construction of a townhouse development containing twelve (12) or more dwelling units in a Residence C-1, Residence C-1A, Office 1, Office 2, Business A-1, Industry A-1 or Business A-3 district shall require a special permit.

~~11.12.3~~ Construction of a townhouse development in a Residence B, C, C-1, Residence C-1A, Office 1, Business A-1 or Business A-3 district which contains fewer units than specified in Section 11.12.1 or 11.12.2 shall require a special permit if both of the following conditions pertain to the development:

~~(1) Another permit for townhouse development has been granted within the twelve (12) month period immediately preceding the date of permit application for the lot on which the development would be located or on an abutting lot;~~

~~(2) The townhouse development for which the permit is being sought would increase the total number of dwelling units on said lot(s) to the threshold specified in Section 11.12.1 or 11.12.2.~~

~~11.12.4~~ Construction of all townhouse development in Industry A and A-2 districts, Industry B, B-1 and B-2 district, and the Industry C district shall require a special permit granted by the Planning Board where any one of the following conditions exist:

~~1) The development exceeds fifty thousand (50,000) square feet of gross floor area;~~

~~2) The lot area per dwelling unit proposed is less than one thousand two hundred (1,200) square feet in an Industry C district six hundred (600) square feet in an Industry A district, or three hundred (300) square feet in an Industry A-2, Industry B, or Industry B-1 district; or~~

~~3) Twelve units or more dwelling units are proposed where any portion of the development is located within one hundred (100) feet of a Residence A-1, A-2, B, C, or C-1 district.~~

~~11.12.5~~ Where a townhouse development is constructed on two or more abutting lots, the requirements applicable to the development shall be determined as if the parcel were a single lot.

~~11.12.6~~ Where a townhouse development is constructed on a lot or lots with other buildings existing prior to such development, the dimensional requirements of this Section 11.10 shall apply to those structures or portions of structures on the lot(s) which constitute the townhouse development.

~~11.12.7~~ Where a townhouse development is proposed on a lot on which a preferably preserved significant building, as determined by the Cambridge Historical Commission under the provisions of the Demolition Ordinance #965, has been demolished within the five (5) years immediately preceding the application for a building permit or a special permit or where such building is proposed to be demolished to permit the townhouse development under the provisions of this Section 11.10, the provisions of Subsections 11.14, 11.15, and 11.15.1–11.15.4 shall not apply; the townhouse development shall in such circumstances be subject to the dimensional requirements normally applicable in the district.

~~11.13~~ *Special Permit Granting Authority.* The Planning Board shall be the special permit granting authority for any townhouse development included in Section 11.12.1, 11.12.2, or 11.12.3. The Board of Zoning Appeal shall be the special permit granting authority for special permits required by Sections 11.15.5, 11.16.2, and 11.16.4 for any townhouse development which does not require a special permit from the Planning Board.

~~11.14~~ *Subdivided Lots.* A developer, or any subsequent owner, who desires to subdivide a townhouse development must record a subdivision plan with the Registry of Deeds of Middlesex County. A copy of the recorded subdivision plan must also be filed with the Building Commissioner. Subdivided lots may

~~be less than five thousand (5,000) square feet and must include an individual dwelling, together with front and rear yards or rights to yards in common areas.~~

~~**11.15 Dimensional Standards for Townhouse Development.** The following development controls apply to the parcel of land upon which a townhouse development is constructed and are not applicable to the initial subdivision of the townhouse parcel into individual lots. The townhouse development parcel as a whole must conform to these controls. But once satisfied for the total parcel, the controls are waived for the subsequent subdivision into individual lots. The required minimum lot size for a townhouse development shall conform to the existing regulations for the district in which the townhouse development is constructed.~~

~~However, modifications to the townhouse development after a subdivision plan has been recorded in the Registry of Deeds shall be subject to the dimensional standards as set forth in this Section 11.15 applied to the individual lot lines of the subdivided lots; modifications that do not so conform may be permitted as set forth below:~~

- ~~a. For any townhouse development, after issuance of a building permit, projecting eaves, chimneys, bay windows, and balconies that do not project more than three and one half (3 1/2) feet.~~
- ~~b. For any townhouse development for which a special permit has been granted by the Planning Board, modifications specifically enumerated in the special permit. For those modifications not so enumerated, or where the special permit fails to specifically enumerate allowed modifications, after issuance of a new special permit (a Major Amendment to the original special permit) by the Planning Board to allow the proposed modification(s).~~
- ~~c. For any townhouse development originally constructed as of right, after issuance of a special permit by the Board of Zoning Appeal.~~

~~Where a special permit is required in paragraphs b. and c. above, all owners of lots that together constitute the original townhouse development parcel shall receive notice of the special permit public hearing, in the manner provided for in Chapter 40A for parties of interest; such owners shall be considered parties in interest, however, only as they are so defined in Section 11, Chapter 40A.~~

~~**11.15.1** Minimum Lot Width. In a townhouse development there shall be no minimum lot width, except that in Residence B, Residence C, and Residence C-1 districts the minimum lot width applicable in the district shall apply.~~

~~**11.15.2** Maximum Floor Area Ratio. In a townhouse development, the maximum permitted floor area ratio in districts where townhouse developments are permitted shall be as normally applicable in the district.~~

~~**11.15.3** Maximum Height. In a townhouse development the maximum permitted height shall be four habitable stories and the maximum height of the cornice line shall be thirty (30) feet. Any part of a townhouse structure which projects above the cornice line shall be set below an imaginary inclined plane beginning at the thirty (30) foot cornice line on any facade of the structure facing a street or facing any lot line abutting a residentially zoned lot, and thereafter rising at a forty five degree (45°) angle. However, portions of the building may rise above the imaginary inclined plane provided the area of those portions above the inclined plane projected onto the vertical plane does not exceed ten (10) percent of the area of the vertical plane lying between the thirty (30) foot cornice line and the maximum height of the structure, calculated for and limited to each separate plane.~~

~~However, the maximum height of any portion of a townhouse development shall be forty (40) feet, except that in a Residence B district the maximum height shall be thirty five (35) feet.~~

~~11.15.31~~In any zoning district that limits building height to thirty-five (35) feet or less, the maximum permitted height in a Townhouse Development shall be thirty-five (35) feet.

~~11.15.32~~In all other districts the maximum permitted height in a townhouse development shall be four habitable stories and the maximum height of the cornice line shall be thirty (30) feet. Any part of a townhouse structure which projects above the cornice line shall be set below an imaginary inclined plane beginning at the thirty (30) cornice line on any façade of the structure facing a street or facing any lot line abutting a residentially zoned lot, and thereafter rising at a forty-five (45) degree angle. However, portions of the building may rise above the imaginary inclined plane provided the area of those portions above the inclined plane projected into the vertical plane does not exceed ten (10) percent of the area of the vertical plane lying between the thirty (30) foot cornice line and the maximum height of the structure, calculated for and limited to each separate plane.

However, the maximum height of any portion of a townhouse development shall be forty (40) feet, except that in a Residence B district the maximum height shall be thirty-five (35) feet.

~~11.15.4~~Yard Requirements. The yard requirements in the district shall be applicable for each townhouse development.

~~11.15.5~~Minimum Private Open Space. In a townhouse development the minimum ratio of private open space as defined in Article 2.000 to lot area shall be twenty-five (25) percent or that amount required in the district, whichever is greater.

(1) The minimum dimension of any area counted toward required private open space shall be fifteen (15) feet. A ten (10) foot minimum open space dimension may be allowed on special permit by the Special Permit Granting Authority upon its determination that the peculiarities of the parcel warrant such a reduction, that the smaller dimension will result in a superior site design, and that the total amount of private open space will not be reduced.

(2) Where it is proposed to subdivide a townhouse development in accordance with the requirements of Section 11.14 then the minimum ratio of private open space to subdivided lot area shall be that required for the Townhouse Development as a whole.

Where the townhouse development is not to be subdivided into individual lots and therefore the private open space in a townhouse development is not to be provided on subdivided lots but is to be provided on a common basis to be held in joint ownership by a group of townhouse owners such as a cooperative or an association, then the minimum ratio of private space to the total lot area in the townhouse development shall be that required in this Section 11.15.5.

~~11.16~~Parking Standards for Townhouse Development.

A Townhouse Development shall be subject to the requirements of Article 6.000 except as they may be modified below.

~~11.16.1~~One off street parking space per dwelling unit in a townhouse development shall be provided unless a special permit is granted in accordance with Section 11.16.2(4) below.

~~11.16.2~~Required parking spaces may be located as follows:

(1) Within the townhouse structure or a separate structure on the parcel.

(2) On a lot in accordance with the requirements of Sections 6.20 and 6.40.

(3) On lots not more than two hundred (200) feet away from the building to be served subject to the conditions set forth in Sections 6.20 and 6.40.

~~(4) On street in the vicinity of the townhouses if the special permit granting authority determines that the lack of off street parking for the townhouse development will not unreasonably reduce the quantity of on street parking in the area. Applicants for an exception from off street parking shall submit a report on parking usage and availability in the vicinity of the development with their permit application.~~

~~11.16.3~~ Landscaping of On-Grade Open Parking.

~~(1) On grade open parking areas should be arranged and landscaped to properly screen cars from adjacent properties as well as from streets and sidewalks and to diminish the negative environmental impacts of multiple automobiles parked on site in residential neighborhoods.~~

~~(2) Twenty five (25) percent of the area devoted to on grade open parking shall be landscaped. The area devoted to on grade open parking shall be that portion of the lot containing parking spaces, driveways, and landscaped area located between or adjacent to parking spaces and drives. No portion of the lot required as a setback between a parking space and a building or a lot line shall be counted in computing the twenty five (25) percent landscaping requirement.~~

~~(3) Where more than one "area devoted to on grade open parking" exists within a townhouse development twenty five (25) percent of each such area shall be landscaped.~~

~~(4) For every two (2) on grade open parking spaces or fraction thereof there shall be a minimum of one three (3) inch caliper tree located within the area devoted to on grade open parking.~~

~~(a) The special permit granting authority may grant a special permit for a reduction of this planting requirement upon its determination that such a reduction will not prevent suitable screening of on grade parking and will result in a superior site plan. Any reduction shall require a special permit.~~

~~(b) The trees required for the landscaping of on site parking areas—whether such trees are coniferous or deciduous, flowering or nonflowering—should be tolerant to urban environmental conditions; able to screen parking areas by virtue of their size, form, density of foliage and spread; and easy to maintain. A suggested list of trees which meet these criteria is:~~

~~Deciduous. Botanical name (common name)~~

~~Acer platanoides (Norway Maple); Acer rubrum (Red Maple); Acer saccharum (Sugar Maple); Carpinus betulus (European Hornbeam); Fraxinus americana (White Ash); Ginkgo biloba (Ginkgo); Gleditsia triacanthos inermis (Thornless Honey Locusts); Liquidambar styraciflua (Sweet Gum); Liriodendron tulipifera (Tulip Tree); Platanus occidentalis (Syamore); Quercus coccinea (Scarlet Oak); Quercus palustris (Pin Oak); Quercus rubra (Red Oak); Tilia cordata greenspire (Littleleaf Linden); Tilia europea (Common Linden).~~

~~(5) On grade open parking areas located in front of the townhouse structure(s) shall maintain the visual definition of the front lot line and separation of public from private space in keeping with the appearance and character of the existing streetscape. Such definition shall be achieved by using a change of ground materials at the front lot line and by installing at least one of the following: fences, plantings, walls, or stone monuments which mark the transition from street or sidewalk to residential lot.~~

~~11.17~~ Additional Requirements.

~~(1) Fences may not exceed four (4) feet in height in any front yard unless otherwise permitted by the special permit granting authority.~~

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~~(2) Any townhouse unit directly abutting a street or streets shall have a principal entrance on a facade facing a street unless otherwise permitted by the special permit granting authority.~~

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, T~~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, T~~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, ~~Section 4.26 Multifamily Special Permit, and Section 11.10 Townhouse Development Special Permit.~~

Amendments to Article 13.000.

Amend Section 13.12.1(1) to read as follows:

- (1) Townhouse Development.
~~Any special permits for parking arrangements for townhouse development required by Section 11.10 shall be granted by the Planning Board in a Planned Unit Development in a PUD-KS district.~~
-

Amend Section 13.13.3 to read as follows:

~~**13.13.3** Residential Density. For the purpose of computing residential density, the minimum lot size for each dwelling unit shall be three hundred (300) square feet. Residential density shall be computed based on the entire development parcel. [Deleted]~~

Amend Section 13.17.1 thru 13.17.2 to read as follows:

13.17.10 Off street parking facilities shall be provided as follows:

- (1) Residence: ~~1 space per unit minimum,~~ 1.5 spaces per unit maximum.
- ~~(2) Public Assembly: Number of seats requiring one space: 15.~~
- ~~(3) Institutional: 1 space per 1,800 square feet.~~

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~~(4) — Retail (except as noted in Section 13.17.2 below) and Office:~~

~~Ground floor: 1,125 square feet~~

~~Other level: 1,800 square feet~~

~~**13.17.2** Ground Floor Retail and Customer Service Uses. Retail and customer service uses fronting on and having a public entrance onto a public street or a public open space, located at the first floor level of a multistory building, and not exceeding 10,000 square feet for each separately leased establishment shall not be required to provide any accessory parking. Where parking is provided it shall be subject to Section 13.17.1 above.~~

Amend Section 13.23.3 to read as follows:

~~**13.23.3** For the purpose of computing residential density, the minimum land area for each dwelling unit shall be six hundred (600) square feet. Residential density shall be computed based on the entire development parcel. [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, ~~except as modified by this Section 13.27.~~~~

~~**13.27.1** Off street parking facilities shall be provided as follows:~~

~~(1) — Residence: Minimum number of spaces per group of dwelling units: 10 per 10~~

~~(2) — Public Assembly: Number of seats requiring one space: 15.~~

~~**13.27.2** Institutional, Retail and Office: Number of Square Feet of Gross Floor Area Requiring One Space:~~

~~(1) — Institutional: 1,800 square feet.~~

~~(2) — Retail and Office:~~

~~Ground Floor: 900 square feet~~

~~Other Level: 1,800 square feet~~

Amend Section 13.33.3 to read as follows:

~~**13.33.3** For the purpose of computing residential density, the minimum land area for each dwelling unit shall be three hundred (300) square feet. Residential density shall be computed based on the entire development parcel. [Deleted]~~

Amend Section 13.36.1 thru Section 13.36.2 to read as follows:

~~**13.36.1** [Deleted] Off street parking facilities shall be provided as follows:~~

~~(1) — Residence: Minimum number of spaces per group of dwelling units: 10 per 10~~

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~~(2) Public Assembly: Number of seats requiring one space: 15~~

13.36.2~~[Deleted] Institutional, Retail and Office: Number of Square Feet of Gross Floor Area Requiring One Space:~~

~~(1) Institutional: 1,800 square feet.~~

~~(2) Retail and Office:~~

~~Ground Floor: 900 square feet~~

~~Other Level: 1,800 square feet~~

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. ~~The total number of parking spaces leased and constructed for the planned unit development shall be as least equivalent to the requirements specified in subsections 13.36.1 and 13.36.2.~~

Amend Section 13.42.1(1) to read as follows:

- (1) Townhouse Development. ~~Any special permits for parking arrangements for townhouse development required by Section 11.10 shall be granted by the Planning Board in a Planned Unit Development in a PUD-3 district.~~
-

Amend Section 13.43.3 to read as follows:

13.43.3~~For the purpose of computing residential density, the minimum lot size for each dwelling unit shall be three hundred (300) square feet. Residential density shall be computed based on the entire Development Parcel. [Deleted]~~

Amend Section 13.47.1 thru Section 13.47.2 to read as follows:

13.47.1~~Off street parking facilities shall be provided as follows:~~

~~(1) Residence: Minimum number of spaces per group of dwelling units: 10 per 10.~~

~~(2) Public Assembly: Number of Seats requiring one space: 15. [Deleted]~~

13.47.2~~Institutional, Retail and Office: Number of Square Feet of Gross Area Requiring One Space:~~

~~(1) Institutional: 1,800 square feet~~

~~(2) Retail and Office:~~

~~Ground Floor: 900 square feet~~

~~Other level: 1,800 square feet. [Deleted]~~

Amend Section 13.53.3 to read as follows:

~~13.53.3~~ Dwelling Unit Density. For the purpose of computing residential dwelling unit density, the minimum land area for each dwelling unit shall be four hundred and fifty (450) square feet. Residential density shall be computed based on the entire Development Parcel. Wherever a residential FAR of 3.0 is permitted, the Planning Board may increase the dwelling unit density to one unit per three hundred (300) square feet of land area. ~~[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, ~~except as modified by Section 13.57.1 – 3 below.~~ 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]~~ Off street parking facilities shall be provided as follows:

~~(1) — Residence: 1 space per unit minimum, 1.5 spaces per unit maximum.~~

~~(2) — Public Assembly: Number of seats requiring one space: 15.~~

~~(3) — Institutional: 1 space per 1,800 square feet.~~

~~(4) — Retail (except as noted in Section 13.57.2 below) and Office:~~

~~Ground floor: 1,125 square feet~~

~~Other level: 1,800 square feet~~

13.57.2 ~~[Deleted]~~ Ground Floor Retail and Customer Service Uses. Retail and customer service uses fronting on and having a public entrance onto First Street, located at the first floor level of a multistory building, and not exceeding 10,000 square feet for each separately leased establishment shall not be required to provide any accessory parking. Where parking is provided it shall be subject to Section 13.57.1 above.

13.57.3 The 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 total number of parking spaces leased and constructed for the planned unit development shall be at least equivalent to the requirements specified in Article 6.000.~~ 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:

13.59.5 Parking.

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

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underground structured parking, provided that a Development Parcel may contain on grade parking equal in number to 5% of the parking ~~otherwise required~~ 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:

13.76.2 Parking and loading requirements shall be as follows:

- (1) Residential Uses: ~~1 space per unit minimum and~~ 1.5 spaces per unit maximum.
 - (2) General Office Uses: ~~1 space per 1,250 gross square feet minimum and~~ 1 space per 625 gross square feet maximum.
 - (3) Technical Office for Research and Development Uses: ~~1 space per 1,675 gross square feet minimum and~~ 1 space per 840 gross square feet maximum.
 - ~~(4) Retail and Consumer Services: No accessory parking shall be required if the retail and consumer service uses are located on the ground floor and front on and have a public entry directly onto a publicly accessible street.~~
-

Delete Section 13.84.2.

~~**13.84.2** Minimum Lot Area Per Dwelling Unit. There shall be no required minimum Lot Area per dwelling unit in the PUD-5 District.~~

Amend Section 13.88.3 to read as follows:

~~**13.88.3** Minimum Parking. In approving a Final Development Plan for a Development Parcel, the Planning Board may waive any minimum parking requirements applicable in the zoning district, with the exception that parking for residential uses shall not be less than 0.5 parking spaces per dwelling unit. The Planning Board may approve arrangements for shared parking of such residential parking spaces with commercial spaces. The Planning Board shall specify a minimum parking requirement for a PUD based on review and analysis of Transportation Impact Studies and other relevant information on parking demand provided in application documents, including the Shared Parking Study as required further below, and with the guidance of City agencies. [Deleted]~~

Amend Section 13.93.3 to read as follows:

~~**13.93.3** Residential Density. There shall be no required minimum Lot Area Per Dwelling Unit in the PUD-7 District. [Deleted]~~

Amend Section 13.204.2 to read as follows:

~~**13.204.2** Residential Density: There shall be no required minimum lot area for Dwelling Units in the PUD-CDK District. [Deleted]~~

Amend Section 13.205.2.1 to read as follows:

~~13.205.2.1 Minimum Parking. There shall be no minimum parking requirements within the PUD-CDK District; provided, however, the Planning Board in approving a Final Development Plan may specify a minimum parking requirement based on review and analysis of Transportation Impact Studies and other relevant information on parking demand provided in application documents, and with the guidance of City agencies. [Deleted]~~

Amendments to Article 14.000.

Amend Section 14.52.2 to read as follows:

~~14.52.2 With the exception of multi-family residential development, t~~There are no minimum parking requirements for new development in the District. ~~Residential development shall provide at a minimum 0.25 automobile parking spaces per dwelling unit.~~ 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~~ ~~Parking. The minimum number of spaces for multifamily residential uses shall be 0.50 per dwelling unit.~~ ~~[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.* ~~The minimum lot area per dwelling unit requirement in the District shall be six hundred (600) square feet.~~ 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. ~~The minimum lot area shall be twenty thousand (20,000) square feet.~~

Amend Section 16.51.2 to read as follows:

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

- (1) Residential Uses: ~~1 space per unit minimum and~~ 1.5 spaces per unit maximum.
- (2) General Office Use: ~~1 space per 1,250 gross square feet minimum and~~ 1 space per 625 gross square feet maximum.
- (3) Technical Office for Research and Development Uses: ~~1 space per 1,675 gross square feet minimum and~~ 1 space per 840 gross square feet maximum.
- ~~(4) Retail and Consumer Service Uses: No accessory parking shall be required if the retail and consumer service uses are located on the ground floor and front on and have a public entry directly onto a publicly accessible street.~~

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 3.0 as of right for Residential Uses, Section 4.31 a - h, and 1.50 for all other permitted uses;
 - (2) ~~The maximum FAR for any lot northeasterly of Monsignor O'Brien Highway may be increased by special permit from the Planning Board to 3.5 for Residential Uses, Section 4.31 a - h, provided the requirements and conditions of Section 17.17.4 d and e are met.~~
-

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]Residential Density. The minimum lot area per dwelling unit shall be three hundred (300) square feet.~~

Amend Section 17.14.1 to read as follows:

~~**17.14.1**Minimum Parking Requirements. Off street parking and loading requirements shall be as specified in Article 6.000 for uses in Business B, Industry B and Residence C-3 zoning districts[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 B~~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-B~~ district shall be equally allowed in Special District 2 except as modified by the following provisions.

17.23.1Additional Permitted Residential Uses. Multifamily Dwelling, Section 4.31.g shall be permitted, ~~subject to the special permit requirements for Townhouse development in a Residence B District.~~

Amend Section 17.24 to read as follows:

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

17.24.1Maximum FAR.

1. The FAR applicable to non-residential uses in the Special District 2 shall be 0.50.
2. ~~Notwithstanding the limitations of Paragraph (1) above, where it is proposed to reuse a nonresidential structure in existence as of September 1, 1998 for permitted residential uses, the following Gross Floor Area shall be permitted.~~
 1. ~~The Gross Floor Area that is the result of the application of the FAR generally permitted in the district, or the existing Gross Floor Area of the structure itself, whichever is greater.~~
 2. ~~Additional Gross Floor Area may be added to the nonresidential structure without limit provided all construction creating additional Gross Floor Area occurs within the limits of the existing structure.~~
 3. ~~Where it is proposed to demolish an existing nonresidential structure that has a Gross Floor Area greater than that permitted by the application of an FAR of 0.50 for the purpose of converting the site entirely to permitted residential uses, the total Gross Floor Area contained in the nonresidential structure shall be permitted in the new residential structures up to a maximum FAR of 0.50.~~

17.24.2~~[Deleted]~~Minimum Lot Area for Each Dwelling Unit.

1. ~~The Minimum Lot Area for Each Dwelling Unit shall be two thousand and five hundred (2,500) square feet.~~
2. ~~Where it is proposed to reuse a nonresidential structure in existence as of September 1, 1998 for permitted residential uses, the number of units permitted in the structure shall be that number permitted in Paragraph (1) above or that number of units which is the Gross Floor Area of the structure as permitted in Section 17.24.1(2) above divided by one thousand and two hundred (1,200) square feet, whichever is greater.~~

3. ~~Where it is proposed to demolish an existing nonresidential structure that has a Gross Floor Area greater than that permitted by the application of an FAR of 0.50 for the purpose of converting the site entirely to permitted residential uses, the number of units permitted in the new structures shall be the Gross Floor Area of the structures as permitted in Section 17.24.1(3) above divided by one thousand and eight hundred (1,800) square feet.~~

17.24.3 Other Dimensional Requirements.

- 1) ~~[Deleted] The provisions of Section 5.53 related to multiple buildings on a lot in Residence B districts shall not apply in Special District 2.~~
- 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 ~~Private~~ 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 ~~Private~~ 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.
- 4) ~~Additional Special Permit Criteria. In evaluating applications for Multifamily or Townhouse Special Permits in Special District 2, in addition to the existing criteria set forth in Section 10.47.4, the Planning Board shall also consider as a criterion the development of residential units of various sizes and with various numbers of bedrooms, with specific attention to three and more bedroom units, with the overall goal of providing dwelling units suitable for diverse household sizes~~

Amend Section 17.30 to read as follows:

17.33.2 ~~[Deleted] Minimum Lot Area of Each Dwelling Unit. The minimum Lot Area per Dwelling Unit shall be two thousand and five hundred (2,500) square feet.~~

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:

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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 ~~and except it shall be~~ 1.5 for ~~Residential Uses, Section 4.31 a-h and~~ 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 ~~residential uses, excluding hotels and motels, and for~~ dormitory uses, Section 4.33 b(7).

Amend Section 17.54.2 to read as follows:

17.54.2~~Minimum Parking Requirement. The minimum parking requirement shall be one space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit, and for dormitory uses, Section 4.33 b(7), one parking space for each twelve (12) beds. [Deleted].~~

Amend Section 17.64.1 to read as follows:

17.64.1~~Minimum Parking Requirement. The minimum parking requirement shall be one space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit, and for dormitory uses, Section 4.33 b(7) one parking space for each twelve (12) beds. [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 ~~Residential Uses, Section 4.31 a-h, and~~ 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~~Minimum Parking Requirement. The minimum parking requirement shall be one space for two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit. [Deleted].~~

Amend Section 17.81.32 to read as follows:

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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.
-

Amend Section 17.81.34 to read as follows:

17.81.34 ~~Residential Density. The minimum lot area per dwelling unit shall be six hundred and fifty (650) square feet.~~

Amend Section 17.81.42 to read as follows:

17.81.42 ~~Minimum Parking Requirement. The minimum parking requirements shall be one parking space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit and for dormitory uses, Section 4.33 b.(7) one parking space for each twelve (12) beds.~~

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, 1.50 for permitted residential uses, and 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:

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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 ~~Residential Density. The minimum lot area per dwelling unit shall be six hundred and fifty (650) square feet.~~

Amend Section 17.82.42 to read as follows:

17.82.42 Minimum Parking Requirement. ~~The~~ re shall be no minimum parking requirements ~~shall be as provided in Section 17.81, for those uses permitted in this Section 17.82.~~

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

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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.
-

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:

17.203.1 Maximum 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 permitted residential uses, excluding hotels and motels, and~~ 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:

17.204.2 Minimum Parking Requirement. ~~The re shall be no minimum parking requirement shall be one space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit, and for dormitory uses, Section 4.33 b(7), one parking space for each twelve (12) beds.~~

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]The Minimum Lot Area Per Dwelling Unit shall be 800 square feet.~~
- 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 Private open space shall be thirty (30) percent.

Amend Section 17.303.2 to read as follows:

17.303.2 Building 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]Minimum Lot Area Per Dwelling Unit. The minimum Lot Area Per Dwelling Unit shall be 300 square feet. Permitted dwelling units may be located anywhere within the District and shall not be otherwise restricted as to lot area per dwelling unit requirements.~~

Amend Section 17.303.6 to read as follows:

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17.303.6 Minimum Ratio of ~~Private~~ open space to Lot Area. The required ~~Private~~ 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; ~~provided, however, that one parking space shall be provided for each affordable housing unit constructed within Special District 12.~~ 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 ~~residential uses and~~ 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. ~~The special permit provisions of Sections 4.26 and 11.10 for Multifamily and Townhouse Development shall not apply.~~

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]The minimum Lot Area per Dwelling Unit shall be 800 square feet.~~
 - (iv) The minimum Private-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]The minimum Lot Area per Dwelling Unit shall be 1200 square feet.~~
 - (iv) The minimum Private-total open space shall be fifteen (15) percent.
- d. In the Athens Terrace Subdistrict the following dimensional limitations shall apply:
 - (i) ~~[Deleted]The minimum Lot Area per Dwelling Unit shall be 1200 square feet.~~
 - (ii) The minimum Private-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:

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17.505.3 ~~[Deleted] Minimum Lot Area Per Dwelling Unit. In the Cowperthwaite Subdistrict, each 1,000 square feet of Gross Floor Area shall be considered equivalent to one dwelling unit for purposes of calculating Minimum Lot Area per Dwelling Unit.~~

17.505.4 Minimum Ratio of ~~Private~~ open space to Lot Area. The required ~~Private~~ 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 ~~Private~~ open space requirements of Table 5-1 as modified in Section 17.504 above shall not apply.

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

17.505.6 Building 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, ~~and may contain no more than six dwelling units.~~

Amend Section 17.604.1 to read as follows:

17.604.1 Maximum 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:

20.11.2 Boundaries 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 ~~A-2C-1~~ zoning district;
-

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

20.11.51 Maximum 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:

20.11.52 Minimum 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.

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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-1A-2 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 A-2C-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-1A-2 zoning district.

20.12.64 ~~Private~~ Open space. Open space requirements in the Transition Overlay District shall be the same as in the Residence C-1A-2 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. Residence C: 0.6 [Deleted]

Delete Section 20.43 as follows:

20.43 *Residential Development Density.* ~~The maximum permitted FAR for all residential uses shall be twice the non-residential FAR permitted in the underlying base zoning district, except that for those areas whose underlying base zoning district is Residence C-1 the FAR shall be 0.75. For all areas within the ECHO District, the permitted number of dwelling units on a lot shall be that permitted in the base zoning district. However, where the proposed~~

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~~development has a residential FAR of at least 2.0 the permitted number of dwelling units may be increased but shall not exceed one dwelling unit for every 300 square feet of total lot area. [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** *Maximum Height in all areas having a base Residence C-1 zoning district.*
1. ~~Thirty five (35) feet. [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 ~~for residential uses~~

Amend Section 20.46 to read as follows:

20.46 *Transfer of Development Rights.* ~~Non-residential d~~Development capacity may be transferred from the areas designated within the ECHO District consistent with the regulations set forth in ~~Section 20.30~~ 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.:

20.54.6Maximum 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 ~~for all Non-Residential Uses and 4.0 for all Residential Uses (4.31 a-h)~~; Office 3 district: 3.0 ~~for all uses~~; Office 2 district: 2.0 ~~for all uses~~; Residence C-3 district: 3.0 ~~for all uses~~; Residence C-2B district: 1.75 ~~for all uses~~; Residence C-1 district: 0.75 ~~for all uses~~; Business A district: 1.0 ~~for all uses except dwellings, 1.75 for dwellings~~.

20.54.7Additional 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 residential use in section 4.31 (a-h) or 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:

20.64.2Maximum 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-1B~~ 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.

20.69.1Notwithstanding 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 structure 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:

20.84.2For 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] *Special Gross Floor Area Provisions in the Office 2 District.* In order to facilitate the rehabilitation of the parkway character of Memorial Drive within the Overlay District, additional Gross Floor Area for residential uses (Section 4.31, Paragraphs a-h) shall be permitted. That additional Gross Floor Area shall be above the Floor Area Ratio limit otherwise set in the applicable base zoning district, subject to the issuance of a Special Permit from the Planning Board and subject to the following conditions and limitations. The additional floor area is intended as an incentive to encourage the construction of additional housing to replace existing automobile-oriented retail uses and site improvements abutting the Drive or the residential neighborhood edge, which have produced an unsightly environment of parking lots, parking garages, driveways, garish signs and featureless facades.~~

- a. ~~These provisions shall only apply to a lot, abutting Memorial Drive, in existence as of July 1, 2004.~~
- b. ~~Up to a maximum of fifty thousand (50,000) square feet of additional GFA shall be permitted subject to the following limitations:~~
 - i. ~~Where development on the lot is at, or exceeds, the maximum GFA permitted on the lot as determined by the existing mix of uses on the lots and the applicable base zoning district regulations (exclusive of any bonus GFA permitted in Section 11.200) as of July 1, 2004, a total of fifty thousand (50,000) square feet shall be permitted for additional residential development.~~
 - ii. ~~Where additional GFA is available on the lot under the provisions of the applicable base zoning district (exclusive of any bonus GFA permitted in Section 11.200) as of July 1, 2004, only that portion of the fifty thousand (50,000) square feet that exceeds the GFA otherwise available on the lot (exclusive of any bonus GFA permitted in Section 11.200) shall be permitted.~~
- c. ~~The new residential construction shall conform to the Overlay District and any applicable base district regulations with the exception of the GFA limitations imposed in the applicable base zoning district. Notwithstanding the foregoing, for purposes of computing lot area per dwelling unit, the provisions of Article 5.14 shall not apply.~~
- d. ~~In granting the Special Permit the Planning Board shall find that the additional GFA proposed can be reasonably accommodated on the site without significant negative traffic, environmental or other similar impacts while at the same time significantly improving the impact of all development on the site, particularly along Memorial Drive and the residential neighborhood edge.~~

~~Among the visual and urban design improvements demonstrating such improvement are:~~

- i. ~~The elimination of curb cuts on Memorial Drive;~~
- ii. ~~The provisions of landscaping in lieu of parking, driveway and other vehicular paving between the buildings on the site on Memorial Drive or the abutting neighborhood edge;~~
- iii. ~~The elimination of visually intrusive auto-oriented uses such as gas stations etc.~~
- iv. ~~The introduction of building facades that relate positively to the Drive or the abutting neighborhood with ample amounts of glass, places of pedestrian entry etc.~~
- v. ~~The screening of automobile-oriented areas, such as parking garages, with active uses.~~

Amend Section 20.95.1 to read as follows:

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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 ~~for non-residential uses; 2.0 for residential uses~~. 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 ~~for non-residential uses; 2.0 for residential uses~~.

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** Dwelling Unit Density. In any instance where the required Minimum Lot Area Per Dwelling Unit in any base district is greater than 600 square feet the Planning Board may issue a special permit to reduce the required Minimum Lot Area Per Dwelling Unit to 600 square feet.~~

~~In any instance where additional Gross Floor Area is permitted on a lot as provided for in Section 20.95.11, or Transfer of Development Rights, Section 21.40, the Planning Board may allow additional dwelling units on the lot at the rate of one dwelling unit for each 1,000 square feet of additional Gross floor Area.~~

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 ~~structure 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 ~~or Residence B~~ 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-1B 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-1B 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-1B 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:

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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-1B~~ zoning district, the Planning Board may grant a Special Permit to allow accessory Hotel or Motel Use parking within the Residence ~~C-1B~~ 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-1B~~ 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-1B~~ 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] FAR. Notwithstanding the general applicability standards set forth in Subsection 20.103.1, the following Floor Area Ratio (FAR) limitations shall apply in place of those set forth in the base zoning district or elsewhere in the Overlay District to the portions of a lot contained within the BA-2 Districts, provided that such lot has direct frontage onto Massachusetts Avenue. For a lot with no direct frontage onto Massachusetts Avenue, and for portions of a lot that are not contained within the BA-2 Districts, the FAR requirements generally applicable in the base district or elsewhere in the Overlay District shall apply.~~

- ~~1. Mixed Use Lots. The maximum allowed FAR shall be 1.75 for any lot that consists entirely of residential or dormitory uses, as listed in Subsections 4.31 (a-h) and paragraph 4.33(b)(7), above the ground floor and includes ground floor active non-residential uses meeting the requirements of Subsection 20.110.21.~~
- ~~2. Other Lots. The maximum allowed FAR shall be 1.0 for any lot that does not meet the definition of a Mixed Use Lot as set forth in Paragraph (1) above. This shall include any lot that is predominantly non-residential in use or any lot that is predominantly residential or dormitory in use but does not meet the requirements of Subsection 20.110.21, and shall specifically include any lot for which a waiver has been granted as set forth in Subsection 20.110.23.~~

20.110.32 ~~[Deleted] Basement Gross Floor Area Exemption. Notwithstanding any provision of the applicable base zoning district, in the BA-2 Districts the Gross Floor Area of any basement space directly accessed through and serving a ground floor establishment of any mixed use building facing Massachusetts Avenue shall be exempt from the calculation of FAR on a Mixed Use Lot as set forth in Section 20.110.31 above.~~

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] Maximum Height. Generally, the maximum height of any structure shall be the height applicable in the base district. However, notwithstanding the base district regulations and notwithstanding the general applicability standards set forth in 20.103.1, to the extent that the height of the ground floor non-residential space exceed ten (10) feet as measured in the manner described in Paragraph 20.110.42 below, the maximum height may be increased to fifty (50) feet in the included BA-2 Districts for any mixed use building with direct frontage onto Massachusetts Avenue and located on a Mixed Use Lot as set forth in Section 20.110.31 above. Additionally, the portion of such a mixed use building that faces Massachusetts Avenue shall be exempt from the bulk control plane requirements of Footnote 5.33(k) in the Table of Dimensional Requirements; however, the provisions of Footnote 5.33(k) shall nonetheless apply to rear portions of a building within 50 feet of a residential zoning district line.~~

Amend Section 20.110.36 to read as follows:

20.110.36 Required Front Yards. In the BA-2 District south of Arlington Street, notwithstanding the provisions of footnote (23m) in Section 5.4033, Paragraph 2 of 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 requirement would support the purpose and objectives of the Massachusetts Avenue Overlay District.

Amend Section 20.110.62 to read as follows:

20.110.62 Any 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. ~~If the applicable requirements of Section 20.110.21 are not met, the lot shall not be considered a Mixed Use Lot under the provisions of Subsection 20.110.31 above. However, notwithstanding any other provisions of Subsection 20.110.31, t~~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.:

20.304.2 Building 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 ~~limited~~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 ~~shall be 3.0~~ in the Office 3 base zoning district ~~for Residential Uses, Section 4.31 a-h, and shall be 2.0, for all other uses; 4.0 for all Residential uses in the Business B base zoning district; 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. ~~Special Permit for Additional FAR for Affordable Housing. The maximum FAR on any lot in an Office 3 District may be increased to 3.75 upon issuance of a special permit from the Planning Board provided a minimum of twenty (20) percent of the total gross floor area authorized is devoted to affordable housing as defined in Section 11.201. The affordable housing shall conform to the standards of Section 11.204 except that lodging housing or single room occupancy facilities shall be specifically permitted. The additional FAR bonus permitted in Section 11.203.2, however, shall not apply to developments employing this Section 20.304.3e[Deleted]~~
4. ~~Additional FAR for Residential Uses. Upon issuance of a special permit, the Planning Board may increase the allowed FAR on any lot or portion of a lot located within the Business B (BB) portion of the Central Square Overlay District to a total FAR of 4.00 for all non-residential and residential uses combined, notwithstanding the Rules for Calculation of Permitted Gross Floor Area on a Lot as set forth in Section 5.30.12, provided that the maximum FAR permitted for non-residential uses on a lot shall not exceed the limitation on non-residential FAR applicable in the base zoning district and that the proposed FAR of all non-residential uses on the lot shall not exceed the proposed FAR of all residential uses on the lot.[Deleted]~~
5. ~~FAR exemption for Residential Balconies. In the Business B district only, notwithstanding any other provision of this Zoning Ordinance, the Gross Floor Area of balconies, porches, stoops, or mezzanines on any floor of a structure that are accessory to residential uses and not exceeding six (6) feet in depth measured back from the adjacent wall plane of a building shall be exempted from the calculation of Gross Floor Area permitted on the applicable lot. Also, terraces that are created by stepping back the upper floors of a building, provided that they are open to the sky and a~~

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~~minimum of eight (8) feet in depth measured from the façade of the story beneath, shall be exempted from the calculation of Gross Floor Area permitted on the lot.~~~~[Deleted]~~

Delete Section 20.304.6, Paragraph 2. as follows:

2. ~~Minimum Parking and Loading. The minimum parking and loading requirements as specified in Section 6.36 Schedule of Parking and Loading Requirements shall apply except as set forth below:~~
 - ~~(a) For Residential Uses (6.36.1), excluding Hotel and Motel (i-2 and i-3), the minimum required parking ratio shall be 0.50 space per dwelling unit.~~
 - ~~(b) Where the minimum number of parking spaces derived from the requirements of Article 6.000 is greater than the maximum number of parking spaces derived from Paragraph 1 above, the minimum required number of parking spaces shall be reduced to the greatest number that conforms to the maximum requirements derived from Paragraph 1 above.~~~~[Deleted]~~
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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 ~~and the minimum requirements set forth in Paragraph 2 above.~~
-

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

- a. ~~The minimum required parking for Residential Mixed Income Projects shall be 0.5 parking spaces per residential unit and shall be further subject to waiver/reduction in accordance with the provisions of Section 20.304.6 and Article 6.000. The maximum permitted parking for Residential Mixed Income Projects shall be 0.75 parking spaces per residential unit.~~~~[Deleted]~~
 - b. ~~No separate off-street parking shall be required for ground floor retail uses in a Residential Mixed Income Project.~~~~[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~~-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. ~~The Planning Board may reduce or waive the number of accessory off-street motor vehicle parking spaces required by Article 6.000 upon making a finding that such reduction will not result in substantial adverse impacts to on-street parking, based on information provided by the Applicant regarding the availability of alternate transportation options or other factors that would result in a reduced demand for parking. As a condition of a special permit, the Planning Board may require measures to minimize parking demand generated by the building. The requirements of Article 6.000 may not otherwise be waived.~~ [Deleted]
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Delete Section 20.800 as follows:

20.800 CAMBRIDGE HIGHLANDS OVERLAY DISTRICT DELETED

~~**20.801 Purpose.** It is the purpose of the Cambridge Highlands Overlay District to modify the base zoning requirements applicable in the Cambridge Highlands neighborhood with the intent of supporting the unique character of that district, which is predominantly modest-sized single-family and two-family homes. Stricter controls are applied to development on larger lots so that they might better fit the established character of the neighborhood.~~

~~**20.802 Establishment and Applicability.** There is hereby established on the Zoning Map of the City of Cambridge the Cambridge Highlands Overlay District. Except as set forth in this Section, the requirements applicable in the base zoning district shall apply within the Cambridge Highlands Overlay District.~~

~~**20.803 Lot Area Per Dwelling Unit.** The permitted number of dwelling units on a lot within the Cambridge Highlands Overlay District shall be calculated as follows. A minimum lot area per dwelling unit of two thousand five hundred (2,500) square feet shall apply to the first five thousand (5,000) square feet of lot area. For those portions of any lot exceeding five thousand (5,000) square feet, the minimum lot area of each permitted dwelling unit shall be five thousand (5,000) square feet. However, for any lot in existence as of May 5, 2014 that is subsequently subdivided into two or more lots, the total number of units on the subdivided lots, in total, shall at no time exceed that permitted on the lot before the subdivision occurred. Unless otherwise permitted by special permit from the Board of Zoning Appeal, the dwelling units permitted on each subdivided lot shall be in the same ratio as that lot's area is to the area of the unsubdivided lot. Nothing in this Section shall prohibit the subdivision of a Townhouse Development conforming at the time of its construction, as permitted in Section 11.10. Where the base zoning sets forth a more restrictive standard, the more restrictive standard shall apply.~~

~~**20.804 Townhouse and Multifamily Special Permit Applicability.** A special permit pursuant to the Procedure for Townhouses and Multifamily Dwellings set forth in Section 10.47 of the zoning Ordinance shall be required for any development resulting in a total of three (3) or more units on a lot that is wholly or partially within the Cambridge Highlands Overlay District.~~

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

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

Amendments to Article 21.000.

Amend Sections 21.25.2 and 21.25.21 to read as follows:

~~21.25.2~~ Residual ~~Gross Floor Area Available for~~ Residential Development on a Donating Lot after the Non-residential GFA Transfer has been Authorized. The ~~total Gross Floor Area available for~~ residential development on any Donating Lot shall ~~be the greater of the following conform to the applicable dimensional regulations of the zoning district.:~~

- ~~(1) The total amount of residential GFA permitted on the Donating Lot after the non-residential GFA has been transferred, including existing residential GFA and residential GFA allowed through the application of the provisions of Section 5.28.2 – Conversion of Non-Residential Structures to Residential Use, where it is proposed to reuse a non-residential structure for residential use, or.~~
- ~~(2) The GFA resulting from an FAR of 0.75 in Residence C-1 base district or 1.25 in any non-residential base district.~~

~~21.25.21~~ Residual Residential Gross Floor Area on a Donating Lot Available for Transfer to a Lot in the Receiving District. The residential GFA permitted on a lot in any residential or non-residential zoning district as determined by Section 20.34.2 above may be transferred to any receiving lot provided the future residential development potential on the Donating Lot is not reduced below an FAR of 0.75.

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. ~~Where residential development is proposed to be established, the future residential development shall not have an FAR of less than 0.75.~~ 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 residential GFA on a Donating Lot may contain any office or retail use permitted in the applicable base district ~~up to ten (10) percent of the within the ground story or basement of a building otherwise containing~~ permitted residential ~~GFA~~uses.
-

Amend Section 21.26(3) to read as follows:

- (3) ~~Residential GFA transferred, as permitted in Section 20.34.21 above, shall only be used for residential uses on the receiving lot. [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 ~~residential and~~ 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~~structure 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;

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- 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.
-

Amend Section 21.43.1.3 to read as follows:

- 3. ~~Residential Gross Floor Area transferred from a Donating Lot may only be used for residential purposes on the Receiving Lot. Non-residential Gross Floor Area transferred from a Donating Lot may be used for any permitted use on the Receiving Lot. [Deleted]~~
-

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. ~~An FAR of 0.75 shall be authorized on the site, in addition to that authorized for transfer to the Receiving Lot. Such additional FAR, however, shall not be granted for transfers of GFA that only occur within the boundaries of a single Overlay District.~~
-

Amend Section 21.43.3.3 to read as follows:

- 3. ~~Transferred Residential GFA shall only be used for residential uses on the receiving lot. [Deleted]~~