



ORDINANCE COMMITTEE

COMMITTEE MEETING

~ MINUTES ~

Thursday, January 16, 2025

3:00 PM

Sullivan Chamber
795 Massachusetts Avenue
Cambridge, MA 02139

Call to Order

Attendee Name	Present	Absent	Late	Arrived
Burhan Azeem	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Marc C. McGovern	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Patricia Nolan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sumbul Siddiqui	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Jivan Sobrinho-Wheeler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Paul F. Toner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Ayesha M. Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Catherine Zusy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
E. Denise Simmons	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

A public meeting of the Cambridge City Council’s Ordinance Committee was held on Thursday, January 16, 2025. The meeting was Called to Order at 3:00 p.m. by the Co-Chair, Vice Mayor McGovern. Pursuant to Chapter 2 of the Acts of 2023 adopted by Massachusetts General Court and approved by the Governor, the City is authorized to use remote participation. This public meeting was hybrid, allowing participation in person, in the Sullivan Chamber, 2nd Floor, City Hall, 795 Massachusetts Avenue, Cambridge, MA and by remote participation via Zoom.

At the request of the Chair, City Clerk LeBlanc called the roll.

- Councillor Azeem – Present/In Sullivan Chamber
- Vice Mayor McGovern – Present/In Sullivan Chamber
- Councillor Nolan – Present/In Sullivan Chamber
- Councillor Siddiqui – Present/Remote
- Councillor Sobrinho-Wheeler – Present/In Sullivan Chamber
- Councillor Toner – Present/In Sullivan Chamber
- Councillor Wilson – Present/In Sullivan Chamber
- Councillor Zusy – Present/In Sullivan Chamber
- Mayor Simmons – Present/In Sullivan Chamber

Present – 9. Quorum established.

The Chair, Vice Mayor McGovern made opening remarks.

The Chair, Vice Mayor McGovern recognized Mayor Simmons who made a motion to amend the Multifamily Housing Zoning Petition Part One, by substitution with the language provided by the Community Development Department in response to POR 2024 #163.

City Clerk LeBlanc called the roll.

- Councillor Burhan Azeem – Yes
- Vice Mayor Marc C. McGovern – Yes
- Councillor Patricia Nolan – Yes
- Councillor Sumbul Siddiqui – Yes
- Councillor Jivan G. Sobrinho-Wheeler – Yes
- Councillor Paul F. Toner – Yes

Councillor Ayesha M. Wilson – Yes
Councillor Catherine Zusy - Yes
Mayor E. Denise Simmons – Yes
Yes-9. Motion passed.

The Chair, Vice Mayor McGovern recognized Mayor Simmons who made a motion to amend the Multifamily Housing Zoning Petition Part Two by substitution with the language provided by the Community Development Department in response to POR 2024 #163.

City Clerk LeBlanc called the roll.

Councillor Burhan Azeem – Yes
Vice Mayor Marc C. McGovern – Yes
Councillor Patricia Nolan – Yes
Councillor Sumbul Siddiqui – Yes
Councillor Jivan G. Sobrinho-Wheeler – Yes
Councillor Paul F. Toner – Yes
Councillor Ayesha M. Wilson – Yes
Councillor Catherine Zusy - Yes
Mayor E. Denise Simmons – Yes

Yes-9. Motion passed.

The Chair, Vice Mayor McGovern recognized City staff present including Iram Farooq, Assistant City Manager for Community Development (CDD), Jeff Roberts, Director of Zoning and Development, CDD, Chris Cotter, Housing Director, CDD, Melissa Peters, Chief of Planning Strategy, CDD and Megan Bayer, City Solicitor, Daniel Messplay, Senior Zoning Manager, Evan Spetrini, Associate Zoning Planner for Zoning and Development, Peter McLaughlin, Commissioner, Inspectional Services Division (ISD), and Jacob Lazzara, Assistant Commissioner, ISD. CDD staff gave a presentation, copy attached. The Chair, Vice Mayor McGovern recognized Mayor Simmons and Councillors for discussion. City staff including City Solicitor Megan Bayer responded to questions.

The Chair, Vice Mayor McGovern recognized Councillor Azeem who made a motion to amend the Multifamily Housing Zoning Petition Part One by increasing the Inclusionary Residence C-1 Zoning Height to 74' and adding a local context exemption for other setbacks similar to the one for front setbacks. After discussion with City staff, the motion was refined to read: To amend Multifamily Housing Zoning Petition Part One by increasing the Inclusionary Residence C-1 Zoning Height to 74'.

City Clerk LeBlanc called the roll.

Councillor Burhan Azeem – Yes
Vice Mayor Marc C. McGovern – Yes
Councillor Patricia Nolan – Yes
Councillor Sumbul Siddiqui – Yes
Councillor Jivan G. Sobrinho-Wheeler – Yes
Councillor Paul F. Toner – Yes
Councillor Ayesha M. Wilson – Yes
Councillor Catherine Zusy - Yes
Mayor E. Denise Simmons – Yes

Yes-9. Motion passed.

The Chair, Vice Mayor McGovern recognized Councillor Toner who made a motion to extend the meeting for an additional 30 minutes.

City Clerk LeBlanc called the roll.

Councillor Burhan Azeem – Yes
Vice Mayor Marc C. McGovern – Yes
Councillor Patricia Nolan – Yes
Councillor Sumbul Siddiqui – Yes
Councillor Jivan G. Sobrinho-Wheeler – Yes
Councillor Paul F. Toner – Yes
Councillor Ayesha M. Wilson – Yes
Councillor Catherine Zusy - Yes

Mayor E. Denise Simmons – Yes
Yes-9. Motion passed.

The Chair, Vice Mayor McGovern recognized Councillor Toner who made a motion to amend Multifamily Housing Zoning Petition Part Two by Changing 75,000 square feet to 50,000 square feet in Section 19.23 – Special Permit Threshold – Table 1 RESIDENCES: ALL USES in SECTION 4.31, a-j.

The Chair, Vice Mayor McGovern recognized Councillors for discussion on the motion.

City Clerk LeBlanc called the roll.

Councillor Burhan Azeem – No
Vice Mayor Marc C. McGovern – No
Councillor Patricia Nolan – No
Councillor Sumbul Siddiqui – No
Councillor Jivan G. Sobrinho-Wheeler – No
Councillor Paul F. Toner – Yes
Councillor Ayesha M. Wilson – No
Councillor Catherine Zusy - Yes
Mayor E. Denise Simmons – No

Yes-2, No-7. Motion failed.

The Chair, Vice Mayor McGovern recognized Mayor Simmons who made a motion to extend the meeting by an additional 10 minutes.

City Clerk LeBlanc called the roll.

Councillor Burhan Azeem – Yes
Vice Mayor Marc C. McGovern – Yes
Councillor Patricia Nolan – Yes
Councillor Sumbul Siddiqui – Yes
Councillor Jivan G. Sobrinho-Wheeler – Yes
Councillor Paul F. Toner – Yes
Councillor Ayesha M. Wilson – Yes
Councillor Catherine Zusy - Yes
Mayor E. Denise Simmons – Yes

Yes-9. Motion passed.

The Chair, Vice Mayor McGovern recognized Councillor Azeem who made a motion to send the Multifamily Housing Zoning Petition Part One, as Amended, to the City Council with a favorable recommendation that it be Passed to a Second Reading.

City Clerk LeBlanc called the roll.

Councillor Burhan Azeem – Yes
Vice Mayor Marc C. McGovern – Yes
Councillor Patricia Nolan – Yes
Councillor Sumbul Siddiqui – Yes
Councillor Jivan G. Sobrinho-Wheeler – Yes
Councillor Paul F. Toner – Yes
Councillor Ayesha M. Wilson – Yes
Councillor Catherine Zusy - No
Mayor E. Denise Simmons – Yes

Yes-8, No-1. Motion passed.

The Chair, Vice Mayor McGovern recognized Councillor Siddiqui who made a motion to send the Multifamily Housing Zoning Petition Part Two, as Amended, to the City Council with a favorable recommendation that it be Passed to a Second Reading.

City Clerk LeBlanc called the roll.

Councillor Burhan Azeem – Yes
Vice Mayor Marc C. McGovern – Yes
Councillor Patricia Nolan – Yes
Councillor Sumbul Siddiqui – Yes

Councillor Jivan G. Sobrinho-Wheeler – Yes
Councillor Paul F. Toner – Yes
Councillor Ayesha M. Wilson – Yes
Councillor Catherine Zusy - No
Mayor E. Denise Simmons – Yes
Yes-8, No-1. Motion passed.

Vice Mayor McGovern recognized Mayor Simmons who made a motion to send CMA 2024 #207 to the City Council with a recommendation that it be Placed on File.

City Clerk LeBlanc called the roll.

Councillor Burhan Azeem – Yes
Vice Mayor Marc C. McGovern – Yes
Councillor Patricia Nolan – Yes
Councillor Sumbul Siddiqui – Yes
Councillor Jivan G. Sobrinho-Wheeler – Yes
Councillor Paul F. Toner – Yes
Councillor Ayesha M. Wilson – Yes
Councillor Catherine Zusy - No
Mayor E. Denise Simmons – Yes

Yes-8, No-1. Motion passed.

Vice Mayor McGovern recognized Councillor Wilson who made a motion to send CDD's response dated January 14, 2025, to the City Council with a recommendation that it be Placed on File.

City Clerk LeBlanc called the roll.

Councillor Burhan Azeem – Yes
Vice Mayor Marc C. McGovern – Yes
Councillor Patricia Nolan – Yes
Councillor Sumbul Siddiqui – Yes
Councillor Jivan G. Sobrinho-Wheeler – Yes
Councillor Paul F. Toner – Yes
Councillor Ayesha M. Wilson – Yes
Councillor Catherine Zusy - No
Mayor E. Denise Simmons – Yes

Yes-8, No-1. Motion passed.

The Chair, Vice Mayor McGovern recognized Councillors for closing comments.
The Chair, Vice Mayor McGovern offered closing comments.

The Chair, Vice Mayor McGovern recognized Councillor Toner who made a motion to adjourn.

City Clerk LeBlanc called the roll.

Councillor Burhan Azeem – Yes
Vice Mayor Marc C. McGovern – Yes
Councillor Patricia Nolan – Yes
Councillor Sumbul Siddiqui – Yes
Councillor Jivan G. Sobrinho-Wheeler – Yes
Councillor Paul F. Toner – Yes
Councillor Ayesha M. Wilson – Yes
Councillor Catherine Zusy - Yes
Mayor E. Denise Simmons – Yes

Yes-9. Motion passed.

The Ordinance Committee adjourned at 5:30 p.m.

Attached is a complete transcript of this meeting. Also attached are key documents referenced during the meeting. This communication and attachments constitute the Ordinance Committee Report.

Attachments:

- A - Full Transcript of the Ordinance Committee Meeting held on January 16, 2025
- B - CDD Memo Relative to POR 2024 #163 and POR 2025 #1
- C - CDD Multifamily Housing Zoning Presentation
- D - Multifamily Housing Zoning Petition Part One – Mark up Version – Amendment by Substitution
- E - Multifamily Housing Zoning Petition Part Two – Mark up Version – Amendment by Substitution
- F - Councillor Azeem Amendment to Multifamily Zoning Petition Part One
- G - Multifamily Housing Zoning Petition Part One, As Amended, Clean Copy
- H - Multifamily Housing Zoning Petition Part Two, As Amended, Clean Copy
- I - Written Communications Received from the Public

Clerk's Note: The City of Cambridge/22 City View records every City Council meeting and every City Council Committee meeting. It can be viewed at this link:

https://cambridgema.granicus.com/player/clip/939?view_id=1&redirect=true

A communication was received from Melissa Peters, Chief of Planning Strategy, transmitting a presentation related to Multifamily Housing Citywide.

A communication was received from Jeff Roberts, Director of Zoning and Development, transmitting a response to Policy Order 2024 #163 and Policy Order 2025 #1, regarding amendments to the Multifamily Housing Zoning Petitions.

A communication was received from Jeff Roberts, Director of Zoning and Development, transmitting revised language to the Multifamily Housing Zoning Petition Part One .

A communication was received from Jeff Roberts, Director of Zoning and Development, transmitting revised language to the Multifamily Housing Zoning Petition Part Two.

A communication was received from Jeff Roberts, Director of Zoning and Development, transmitting information related to proposed zoning residential height limits.

That the Council accept Multi Family Zoning Petition -Part 1, as presented in CMA 2024 #207, as a City Council Zoning Petition. CHARTER RIGHT EXERCISED BY COUNCILLOR NOLAN IN COUNCIL SEPTEMBER 23, 2024

That the Council accept Multi Family Zoning Petition - Part 2, as presented in CMA 2024 #207, as a City Council Zoning Petition. CHARTER RIGHT EXERCISED BY COUNCILLOR NOLAN IN COUNCIL SEPTEMBER 23, 2024



CAMBRIDGE CITY COUNCIL ORDINANCE COMMITTEE

VICE MAYOR MARC MCGOVERN, CHAIR

COMMITTEE MEETING

TRANSCRIPT OF PROCEEDINGS

JANUARY 16, 2025

3:00 PM, SULLIVAN CHAMBER

VICE MAYOR MARC MCGOVERN: (gavel) Good afternoon, everyone. A quorum of the Ordinance Committee being present. I call today's meeting to order. The call of today's meeting is to continue the discussion on two Multifamily Zoning Petitions. There is no public comment today. Members of the public are welcome to submit written communications to the City Clerk's Office at cityclerk@cambridgema.gov.

Pursuant to Chapter 2 of the acts of 2023 adopted by Massachusetts General Court and approved by the governor, the City is authorized to use remote participation at meetings of the Cambridge City Council and its Committees. Please note that the City of Cambridge audio and video records this meeting and makes it available to the public for future viewing.

In addition, third parties may also be audio and video recording this meeting. To watch the meeting, please tune into Channel 22 or visit the open meeting portal on the City's website.

And I'll go to the clerk for a roll call, please.

CITY CLERK DIANE LEBLANC: Councillor Azeem.

COUNCILLOR BURHAN AZEEM: Present.

CITY CLERK DIANE LEBLANC: Present. Vice Mayor McGovern

VICE MAYOR MARC MCGOVERN: Present

CITY CLERK DIANE LEBLANC: Present, Councillor Nolan.

COUNCILLOR PATRICIA M. NOLAN: Present

CITY CLERK DIANE LEBLANC: Present. Councillor Siddiqui

COUNCILLOR SUMBUL SIDDIQUI: Present

CITY CLERK DIANE LEBLANC: Present, Councillor Sobrinho-Wheeler

COUNCILLOR JIVAN SOBRINHO-WHEELER: Present.

CITY CLERK DIANE LEBLANC: Present. Councillor Toner

COUNCILLOR PAUL F. TONER: Present

CITY CLERK DIANE LEBLANC: Present. Councillor Wilson

COUNCILLOR AYESHA M. WILSON: Present

CITY CLERK DIANE LEBLANC: Present. Councillor Zusy.

COUNCILLOR CATHERINE ZUSY: Present.

CITY CLERK DIANE LEBLANC: Present. Mayor Simmons

MAYOR E. DENISE SIMMONS: Absent.

CITY CLERK DIANE LEBLANC: Mr. Chair, you have eight members who are present, one member is absent.

VICE MAYOR MARC MCGOVERN: Okay. So just a quick sort of summary of what we're going to do today. There's some sort of housecleaning we have to do just to bring the proper, version of this Ordinance in front of us. We'll then hear from CDD, and their presentation will then go to council Committee questions, comments, and if there are any amendments that, are being brought up in Committee, we will discuss those as well.

In terms of the timeline, the -- there are a couple of things that the Ordinance Committee can do today. The Ordinance Committee can refer the Ordinance to the full City Council with either a favorable, unfavorable, or no recommendation, or the Committee can choose not to refer it. It stays in Committee and at which -- in which case, the, Ordinance it would die. It would expire. There's not enough time, for, if it stays in Committee to get this passed by the deadline.

If this moves forward out of Committee today with whatever recommendation, Monday is obviously a holiday. The City Council does not meet. At the following Monday, this -- the Ordinance and the minutes will

appear on the regular City Council Agenda. That public comment would obviously be allowed at -- as it is -- at a any regular City Council meeting. The Council would then vote to, either send the Ordinance, to a second reading. It could vote not to send it to a second reading or just let it sit on, the sit on the agenda and expire. If it is voted to a second meeting, it has to sit for two meetings and so the following Monday, no action would be taken, but public comment would be allowed. And then that following meeting, the Council would make a final determination on whether or not to pass or not pass, the Ordinance.

So still a little ways to go getting close to a final decision either way, but, still a few more meetings, to take place.

CITY CLERK DIANE LEBLANC: Mayor Simmons.

MAYOR E. DENISE SIMMONS: Present.

VICE MAYOR MARC MCGOVERN: Okay. So, the first thing we need to do before we go to, to CDD, I need a motion, to amend the Multifamily Zoning Petition part one by substitution with the text provided by CDD in response to policy order 2024 number 163. It's essentially the what's in front of us today, but we have to officially bring it forward.

COUNCILLOR BURHAN AZEEM: So, moved.

VICE MAYOR MARC MCGOVERN: What was that?

COUNCILLOR BURHAN AZEEM: Point of order.

VICE MAYOR MARC MCGOVERN: Is that Councillor Siddiqui? Sorry. I'm looking around, like--

COUNCILLOR BURHAN AZEEM: Right here.

CITY CLERK DIANE LEBLANC: No, it's Azeem.

VICE MAYOR MARC MCGOVERN: All right, so on a motion by the Mayor.

CITY CLERK DIANE LEBLANC: Point of order.

MAYOR E. DENISE SIMMONS: When a vote -- when a motions as I rescind my, my call to take a vote, you can't, you know, you can't ask a question. I don't believe so. I will rescind my motion if to allow my colleague to--

VICE MAYOR MARC MCGOVERN: Yeah. I'm sorry. I didn't give, give time for questions on that.

COUNCILLOR BURHAN AZEEM: Apologies. I just want to understand the motion. So, the motion would replace the text in front of us. So, any votes we would take would be on the new amended text?

VICE MAYOR MARC MCGOVERN: Correct. That that it is to replace the old text with the text that is in front of us today.

COUNCILLOR BURHAN AZEEM: Okay. Great. Thank you.

VICE MAYOR MARC MCGOVERN: So, amendments would be on the, the new text that that we have in front of us today. Any other questions, comments? No? So, on a motion by the Mayor, to amend multifamily zoning petition part one by substitution with the text provided by CDD in response to policy order 2024 number 163, roll call.

CITY CLERK DIANE LEBLANC: Councillor Azeem?

COUNCILLOR BURHAN AZEEM: Yes.

CITY CLERK DIANE LEBLANC: Yes. Vice Mayor McGovern.

VICE MAYOR MARC MCGOVERN: Yes.

CITY CLERK DIANE LEBLANC: Yes. Councillor Nolan?

COUNCILLOR PATRICIA M. NOLAN: Yes.

CITY CLERK DIANE LEBLANC: Yes, Councillor Siddiqui.

COUNCILLOR SUMBUL SIDDIQUI: Yes

CITY CLERK DIANE LEBLANC: Yes, Councillor Sobrinho-Wheeler
COUNCILLOR JIVAN SOBRINHO-WHEELER: Yes.
CITY CLERK DIANE LEBLANC: Yes, Councillor Toner.
COUNCILLOR PAUL F. TONER: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Wilson
COUNCILLOR AYESHA M. WILSON: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Zusy.
COUNCILLOR CATHERINE ZUSY: Yes.
CITY CLERK DIANE LEBLANC: Yes. Mayor Simmons?
MAYOR E. DENISE SIMMONS: Yes.
CITY CLERK DIANE LEBLANC: Yes. Mister Chair, nine members have voted

yes.

VICE MAYOR MARC MCGOVERN: Okay. And then the second is because there are two parts to this is essentially the same thing, so a motion by Mayor Simmons to amend the multifamily zoning petition part 2 by substitution with the text provided by CDD in response to policy order 2024 number 163. Roll call?

CITY CLERK DIANE LEBLANC: Councillor Azeem?
COUNCILLOR BURHAN AZEEM: Yes.
CITY CLERK DIANE LEBLANC: Yes. Vice Mayor McGovern?
VICE MAYOR MARC MCGOVERN: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Nolan?
COUNCILLOR PATRICIA M. NOLAN: Yes.
CITY CLERK DIANE LEBLANC: Yes, Councillor Siddiqui.
COUNCILLOR SUMBUL SIDDIQUI: Yes
CITY CLERK DIANE LEBLANC: Yes, Councillor Sobrinho-Wheeler
COUNCILLOR JIVAN SOBRINHO-WHEELER: Yes.
CITY CLERK DIANE LEBLANC: Yes, Councillor Toner.
COUNCILLOR PAUL F. TONER: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Wilson
COUNCILLOR AYESHA M. WILSON: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Zusy.
COUNCILLOR CATHERINE ZUSY: Yes.
CITY CLERK DIANE LEBLANC: Yes. Mayor Simmons?
MAYOR E. DENISE SIMMONS: Yes.

CITY CLERK DIANE LEBLANC: Mr. Chair, nine members have voted yes.

VICE MAYOR MARC MCGOVERN: Alright. So now the most updated language is on is in front of us for discussion. So, with that, I will kick it off to CDD to lead us through their presentation.

IRAM FAROOQ: Thank you, Chair. Thank you, Vice Mayor, Iram Farooq, Assistant Manager, Community Development. Just before we dive in, I have to say this is my last hearing with all of you. And I just want to take a moment to say what an incredible privilege it has been to be here to work with all of you on incredibly consequential changes that shape our City and the future of our City for favorably for the community today and into the future. So, thank you for that, excuse me, for that privilege.

Just wanted to mention before we start off that in today's in the package that we sent to the Ordinance Committee, it includes a memo that is responsive to policy order 2024-163, as the Chair mentioned, that provides updated language, for the zoning petition as requested by the Ordinance Committee, and it also responds to legal opinions that the

Council had requested and that is included in the same memo.

We are also bringing forward some of the responses to some of the questions, comparing a couple of the scenarios that were discussed. And that is in a slide deck that we will be bringing up in just a moment. I want to introduce the team that is here because we have some folks who have not been in the meetings on multifamily here -- multifamily zoning changes. So, from ISD joining us, we have Peter McLaughlin and Jacob Lazara. We have from the Law Department, the Solicitor, Megan Bayer. From the Housing Department, Chris Cotter. From CDD, Melissa Peters and Jeff Roberts. And watching on the Zoom are folks who have really worked hard in the background on this. So, I just want to give a shout out to Lev McCarthy and Evan Spetrini as well, and Casiano. And so, oh, and Daniel Messplay. I completely missed Daniel. Daniel is just back recently from parental leave, so I mentioned Evan. So, with that, I'm going to turn it over to Jeff Roberts to kick us off through the presentation.

JEFF ROBERTS: Thank you, Iram. Thanks, to the Chair and to the Committee. It's always good to be here. We have a few things to talk about. As Iram mentioned, we did provide a response to the policy order that was -- that emerged from the last Ordinance Committee. I guess it was two Ordinance Committee sessions ago on December 19th, and then there were some additional, questions directed to us on January 6th.

We are not going to talk about that right now. We just for the sake of time, we wanted to address a few other brief things that were asked about in the interim between sessions. We are certainly happy to answer any questions or provide any additional clarification on the policy order responses. We can go to the next slide, please.

So next, so the just we wanted to start as we often do at this stage in the process of just recapping, where we've come to. This is a process that, of course, the subject has been talked about for a long time, both in Cambridge and elsewhere. This particular initiative emerged from the Housing Committee. We participated in several discussions with the Housing Committee where we brought some information about different ways to approach multifamily, zoning for multifamily, what some of the issues are. We heard from developers. We heard from our economic consultant and, and used that information to, craft a proposal, which then became a zoning petition. So that was the sort of pre-petition stage of review.

And the next slide. And then since the, the filing of that zoning petition, we've had a number of discussions, some community meetings to provide information and gather input, including a mailer that, that went out to the whole City, and then a series of public hearings, at the Planning Board and the Ordinance Committee. The Planning Board submitted its report, and the Council has received that in the intervening time since we spoke to you last. We -- this is the 6th session I can see just based on this of the of the Ordinance Committee. And this is you know, we're getting to the point where, it's about a month from the statutory deadline to take a final action on zoning petition. And as the Council knows, by that point, the Council could act to, adopt the petition or to or not adopt the petition, but the Council could also not take action and refile it. Those are the -- kind of results as we get past, that time period.

Next, please. A reminder of the overarching goals as we go back

through the zoning, especially when we go back to look at potential amendments to the zoning, we always try to stay rooted in what was the motivating purpose behind all of this. So, it's really a largely a three-pronged effort, maybe a fourth one. They're the first, you know, ending exclusionary zoning, making sure that we're enabling multifamily development throughout the City, whereas our current zoning, as we've explained, does not necessarily do that, that we're using this effort to look at ways to provide more multifamily housing to grow our housing supply. And Melissa will be talking again as she has several times about how we've been looking at, different zoning scenarios and how that helps to contribute to, the creation of new housing, particularly, through our inclusionary housing program to provide affordable housing, which, of course, supplements the City's own efforts to the Affordable Housing Trust to create affordable housing.

And then finally, just, having a zoning ordinance that makes housing allowed, I guess, makes housing, the housing that we have in Cambridge, which I think many people appreciate, conforming to zoning, and just making it a more streamlined and easy process to determine what it is that is permissible under zoning. And then the fourth point, which I don't think shows up here, but we did focus and have been focusing all along on affordable housing, developed under the affordable housing overlay and how changes to the base zoning track so that the affordable housing continues to provide advantages and sort of, continues to align with the base zoning in that way.

Next, please. And this is something we've shown before but just wanted to remind that the essence of this zoning proposal is about changing the dimensions and the uses of housing that are permitted throughout the City. We have lots of other standards, both in zoning and outside of zoning, that, regulate the development of housing, including our affordable housing, regulations which continue to apply as they have and are not being changed. The climate resilient zoning, both for flood resilience and for mitigating heat. There are green building requirements for sustainable design and development, you know, which work along with, a new building code and other regulations, the fossil fuel free pilot that enabled our new development to be environmentally sustainable. The historic districts are governed by different -- separate ordinances from zoning, so those -- those historic jurisdictions don't change with any change to the zoning, and the building code similarly is not something that's affected by changes to the zoning. So, fire safety, sanitary code, all of those requirements are still, in place.

Next. And one final thing we wanted to show because there have been a lot of questions about the development review process, and we've talked about this several times. We've shown it kind of in various ways. This is sort of just a slightly different way of showing, what the -- how the current and proposed zoning compare. There's, you know, I've been also talk about sort of site plan review and what that means, and we wanted to kind of reiterate that site plan review is something that we do have in our zoning, which in most areas kicks in at 25,000 square feet. But our current zoning has sort of different tracks, as it were for review in residency one versus other parts of the City. There's the townhouse multifamily special permit, which is one of the things that makes

multifamily development not always an as of right use in those zoning districts. And so, the proposal is to remove those special permits and move to a citywide system where we have the same thresholds for review with that site plan which is an administrative review at 25,000 square feet, the advisory review by the Planning Board, replacing a project review special permit at 50,000 square feet, and then the project review special permit coming into effect at 75,000 square feet. So, with that, I'm going to turn it -- next slide. I'm got to turn over to Melissa to talk a little bit more about, how this plays out.

MELISSA PETERS: Thanks, Jeff. Next slide. So in previous Ordinance Committee meetings, we've presented, housing development projections under various versions of the zoning petition, and we wanted to bring forward some additional analysis we did that looked at some of the discussion around proposed amendments, specifically, the idea to have a minimum lot size requirement of 5,000 square feet or larger for any buildings that go up to six stories, and then also this idea of three plus three, which is you can do three stories, and if you want to do an additional three you'd have to comply with the inclusionary zoning ordinance. So that's similar to the four plus two that we've been discussing. So, I'll focus on the numbers for those in particular. If you go to the next slide.

COUNCILLOR NOLAN: Just Chair. Just there was a typo on that just to point it out, as people know, on the last two scenarios. So just so people know, you're talking about three plus three, but both eight and nine suggested it's still four plus two. So just want to make sure we're all we all know that, but I wanted to point that out and make it clear to anybody reading this. Thank you.

COUNCILLOR BURHAN AZEEM: Point of information? I just think that I don't actually think it's wrong. Right? Because it's like oh, no, no. I understand. I'm sorry. I apologize. Okay. Go ahead.

MELISSA PETERS: Okay. Next slide, please. So, this slide is comparing housing development projections of four plus two, which we previously shared, and the new three plus three concept. This does not have any minimum lot size requirements. And what -- the analysis shows us is that the amount of market units by 2030 and by 2040 is less in the three-story version compared to the four story. But the numb -- but very, it's not a significant margin. It's about 100 units by 2030 difference, and then about 325 by 2040. The inclusionary units stay the same in either case, and this is because the sites that would choose to go inclusionary under both cases are the same sites. And so, this seems a little counterintuitive, but I find an example to be helpful. So, if you're looking at a 5,000 square foot lot, and you had a 75% lot coverage, you have about 3,500 square feet per floor. If you're doing three stories, you already have to do inclusionary zoning, so you're going to opt to do six stories. And that's true for four stories as well. So, the data, as, our assumptions predict, that the same sites would go to inclusionary.

Next slide. The more significant difference in projections is when we add in the 5,000 square foot minimum lot requirement. And so, compared to the previous slide, you get about 300 units less under the market, in by both -- in both of these scenarios. And again, comparing four to three, it's about 100 units less. And again, those are sites that are really falling under that 5,000 square foot threshold. So, lots that are over

that are going to be developing six stories, whether because it makes sense to do that compared to three for us. It's really you lose units when you go down from four to three. But again, not a very significant number. About 100 units in five years and about 300 units by 2040.

Next slide. So, this is just a summary of that by 2030, and next slide is by 2040. I'm happy to answer additional questions on that.

Next slide. The final part of this presentation is we've been receiving lots of questions of how did these numbers that would be developed under this new multifamily zoning petition, how does that feed into our overall development projections as we're trying to reach that 12,500 goal? And there was a lot of questions of how we looked at the current development log versus how do we, project future development under potential re-zonings in areas that the city is considering. So, I wanted to spend a little bit of time on that. And I'm looking I'm ahead of myself in my slides, but prior to I get into that, I'll speak to this slide, which is there was this question of what is the impact of minimum lot requirements, and how many lots in the city does that impact? And so, approximately, 35.5% of lots, in our residential districts are larger than 5,000 square feet, and that's why you see that, that decrease in housing production when you add in that requirement.

Next slide. And so, this is where I was getting to talk about how we use the Development Log. So, for those that aren't familiar, the CDD tracks quarterly large scale residential and commercial development across the city. We look at it in various, categories of the permitting process. So pre-permitting, when it's just a concept from a developer, when it gets a permit, going through Planning Board, building permit, CFO, and construction. And so, each quarter, the projects sometimes stay in their same category and oftentimes they move one step further, depending on progression.

Next slide. And so, when we fed -- we used the development log to look at what's currently being built and what that would mean for how much units we're going to get by 2030 and 2040. And so, we looked at categories of what is currently permitted, and then what is expected under our plan unit developments, and then what is -- what has received a building permit granted.

So, if you go to the next slide, things that have a building permit granted are considered housing starts, and we use that to inform our Envision Cambridge 5year Progress Report and that is what fed into our number of 3,050 units built since 2019. And then the rest of the Development Log, we looked at the different categories. And if something had a permit granted, and it was a single site, we assumed that that would be a 100% completed by 2030. Where we assumed it wouldn't be completed by 2030 is if it was a large PUD project. So, for instance, in North Pointe, if it's saying it'll get 2,400 units, are in the Development Log, we assume that 33% of those would be completed by 2030, and the remaining would be by 2040, recognizing, the longevity of the development pipeline.

And so that feeds into those, yellow and orange bars on those charts. And again, that goes into the 2030 count and then 2040 count. On top of that, what's not even known to us yet, future development, that is what we considered as part of our housing projections. And that's when we looked at, we recently rezoned ALI, how much housing. We haven't heard anything

from, you know, all those sites haven't filed a permit yet, but we know those are likely to happen, and there's a percentage that'll happen by 2030 and by 2040, and those are additional to what's in the Development Log.

Next slide. And then lastly, we've got questions about how we incorporated AHO Projects. And originally, we wanted to keep it consistent and clean because we recognize that, if a site is developed as an AHO Project, it won't be developed as a market project, and we didn't want to double count. But given that there's been this concern that we're not counting for all those City funded projects, and that could potentially help us meet our goal, which it does get us further along. We did want to clarify that even if we were to make an estimate of a 100 AHO units per year, we're still shy of our housing goal. And so that doesn't negate the need to do significant zoning reform.

Next, and I think that's the remainder of the slide, but I know there are a lot of questions around how, how that was incorporated into the analysis, and so we wanted to kind of clarify those concerns with the community.

VICE MAYOR MARC MCGOVERN: Councillor Azeem

COUNCILLOR BURHAN AZEEM: Thank you, Mr. Chair. I wanted to thank you guys for the presentation. It's really helpful and sometimes hard to also see those numbers. I know that, you know, many others are excited about the amendments, and I'll talk with them in a sec. It was also personally hard that we had 5,000-ish units we were expecting beforehand, and now it's down to 3,500 with the amendments that we've adopted. And so that's, like, 1,500 units that will not get built. I think that it's important that we compromise and get to the finish line, but that was hard to see. I just first want to say thank you guys for all these amendments. I think that we've tried to do something for everyone. If you are nervous about the higher density, now 70, 65.5%, I guess, of lots won't have, you know, six story buildings. They'll only be allowed to go to four. If you were on it to go for, like, lower base zoning, you know, maybe we'd not get to the exact number you wanted, but it's now at four stories with a two-story density bonus. I was looking through all of these zoning, documents you have provided, and I had three points that I wanted to make and two questions in that that were a little bit more technical.

So, I think in our policy order, we had asked for setbacks to be readded to zoning C1. Instead, you guys added it back to all of the residential districts. I think that's fine, but did want to acknowledge that that went further than the policy order, asked for. I did have one question within that. In your definition of context, you know, I think of like, in the front setback piece, there was, like, an exception if there was already nonconforming or, like, the neighboring lots were never being are not conforming. And I think a lot about that in terms of East Cambridge, the Port, Wellington, Harrington, where you have a lot of buildings which are not conforming mainly because of the side setback. And I was wondering if it would be possible to have a very narrow, small, like, similar exemption if, like, the lot or neighboring lots are not conforming for the side setbacks the same way we do for front setbacks, just so we could get some of those lots to be conforming. It would just be sad to, like, not be able to, like, you know, add an extension or add a

unit or all those sorts of things because the building is, like, not conforming because of, like, a foot of setbacks or something.

JEFF ROBERTS: Thank you. Through the Chair, I'll address this, Jeff Roberts. That's a good point, that was that was raised, I think there the phrase context can mean a number of things. I think in the case of side setbacks, you know, one of the things that we thought was important is to note that because there's patterns of development around the city where buildings tend to be sort of shifted on the lot, where they're sort of up against one lot line but not up against the other, that's some flexibility to let new development reduce the setback on one side in order to increase the setback on the other side to kind of fit within that pattern was important. So that's why we put that in. We hadn't really thought about that that, point that you just raised about existing buildings being, add added to, having additions put on them or being redone to have additional units in them. That's something that, in some cases, could be dealt with in Article 8, but I think we can -- if the Ordinance Committee would like to do that, we can look at some provisions that would, for example, say that if you're making an addition or alteration to an existing building, those existing setbacks can be considered conforming. And so, you can do that within zoning. One of the potential concerns is, as we've talked about before with side setbacks, is building code. So, there's, there's the zoning, but then there's also building code requirements. So, it might not be practical in all cases to say, like, build a whole new building that's in the same position as you would see in some neighborhoods where it's only maybe a few feet away from the adjacent building. However, there may be circumstances, like you've said, where an addition or an alteration could work, both within the building code, and we could also allow that under zoning.

VICE MAYOR MARC MCGOVERN: Councillor Azeem?

COUNCILLOR BURHAN AZEEM: Thank you. Yeah. Both of the points I was going to make are very small, and so I would love to hear from the rest of, my colleagues. They're not the biggest deals, but they were just, like, small things that I thought would be nice to have. The second is one thing that I struggle with a little bit is that, obviously, this is for housing, and we all support housing, and, like, that's what the conversation debate has been around. Also, I think about Hampshire Street as an example of a street that has first floor retail, but it's not actually zoned for commercial. Right? In fact, I think most of those, developments, most of those buildings, just like, in Cambridge Port, there was the Pearl Street Market or, like, a Black Sheet, are grandfathered in, right? And one thing that kind of happens is that, like, over time, those would disappear because they're not zoned for it. Right? And it would be kind of sad to lose, like, you know, Formaggio Kitchen and all these other places that are really nice. If we wanted to keep them, I understand that the zoning piece of allowing commercial use would be in a separate petition that maybe someday the Council wants to talk about keeping those. But the other part is that you would need a few extra feet because typically residential heights are nine to 12 feet and then commercial that tend to be, like, five feet taller. And so, in this petition I saw that originally, we had a height of 75 feet for six story buildings. We could not keep it at 75 feet because 75 feet was the 13-story threshold, so you

guys reduced it. So, we would not trigger 13 stories but instead go to nine. I was wondering if it would be, acceptable to just make it 74 feet such that we wouldn't go to 13 stories, but we would have that additional flexibility if, you know, someday the Council did want to, like, relegalize the commercial on, like, those various streets and places in the residential.

JEFF ROBERTS: Through the Chair. I think we could, make that change. The one point again not to harp on the building code too much, is that, in most cases buildings that are six stories because there's kind of a 70 foot above grade cut-off on the building code. Most buildings, if they're allowed to go a few feet above 70, even if that would, you know, make more sense from a zoning standpoint, they might not really be able to do that from a building code standpoint. But that is something we could, you know, we could build that flexibility into the zoning if, you know, at some point in the future, the building code maybe became more flexible to make that work.

COUNCILLOR BURHAN AZEEM: Thank you. I counted a couple of the six story buildings we have, and they might be older than the current building code, but they were, like, around 75 feet with the first-floor retail. But anyway, so those were I know there's more contentious topics, but I think just like the height, like, lowering it from 75 to 74 and then also having a little exemption for already nonconforming buildings were the two motions if the my other colleagues end up being supportive of, I would like to bring forward at the end, very, very minor changes, but things that I thought would help in little ways that I just wanted to mention. Thank you.

VICE MAYOR MARC MCGOVERN: I have Councillor Toner followed by Councillor Nolan.

COUNCILLOR PAUL F. TONER: Thank you very much, Mr. Chair. First, I want to thank you for all the work of pulling stuff together. I know we're we are constantly getting questions, and I keep sending them to you and asking if you can provide some insight into it, so I really appreciate it. One thing, that I did want to point out that I think, you mentioned on the first slide about why we're doing this, but what it was wrapped up in other things. One thing that I know a lot of people, over the years in Cambridge have actually left or had to move because they couldn't improve upon their home with dormers or additions because it was, you know, too much of a process, et cetera. And that is another thing that this solves for, which I am completely in in favor of. Those of you know where I live, I live in a pretty small single-family house and even though as many eight, as eight people living in it at one point or another in its history, I think most people would probably want to buy my house and put some ex -- an extra bedroom or two or a bathroom on it. I know my wife and I would like to do that at some point. So, this also, solves for a problem that many people have complained about in the past. Just going back to the AHO part, I guess I'm a little bit confused. If the solution is to make it 70 feet, that's fine. I thought we originally were simply going to make it very clear that nine feet was, was the top height for AHO projects and residential. Sorry, nine stories. Sorry not nine feet, nine stories. But it sounds like you instead, you're simply switching the number of feet in this proposal so it wouldn't trigger the 13 story AHO. Is that my

understanding of what's being done here?

JEFF ROBERTS: Through the Chair that, basically, yeah, the logic of the AHO Heights has always been that no matter what the underlying base height limit is, you can kind of cross reference that with the AHO, and it gives you a height that's taller than that. So that if there are changes to the base zoning over time, there's always a logic -- underlying logic to where you go from the base to the affordable housing overlay.

You know, could it be done differently, could be done by simply saying, you know, in residency one, this is, this is the height limit. If that were an addition that, the, Council wanted to make we could, we could put it in. It's just, you know, the, the in some ways, that's the cleanest way to make sure that the, that that system always works of the, you know, the lower base and then the higher affordable housing overlay is to have it, is to have it track with whatever the base height is.

COUNCILLOR PAUL F. TONER: Okay. I won't attempt to do that today on the floor, but I might talk to some of my colleagues about what the best way to go forward is. My main concern was just, you know, many people are concerned that suddenly 13 story AHO buildings will pop up next to single family homes and residential neighborhoods, which, you know, that was a concern we were trying to address. Which my understanding is this would address it, but it wouldn't address it if we ever go to 80 feet or 90 feet or something like that. So, I'll, I'll take that up for another day. Been getting emails a lot, and I am no environmental scientist. I'll let my colleague, Council Nolan chime in on this, but we're getting a lot of emails about, first of all, predictions that this is going to lead to enormous numbers of tear downs. I know you can't really make those predictions. Some people say there'll be all kinds of tear downs. Other people say there won't be. But just on the simple question or issue that keeps being raised is the tear downs have a much more negative, environmental impact, you know, than leaving an old house there and working with what you have. Do you have any information or feedback on that? Because I know we're all concerned about the climate. We want, you know, to do the best we can by the climate, but I actually always thought by building a new house, you're making a more climate efficient building with more climate efficient materials going forward. But I don't know if you have any feedback on that.

VICE MAYOR MARC MCGOVERN: Mr. Roberts?

JEFF ROBERTS: Thanks. Through the through the Chair, I'll, do my best and we have had some conversations with some of our, you know, some of the environmental planning group in the city about this. You know, it is true that new development is subject now to a wide array of environmental standards that existing buildings, you know, were never really contemplated to have. In fact, you know, now we're at a point where new development in Cambridge due to the fossil fuel free pilot is, you know, banned from having, new fossil fuel hookups, which is, you know, from the standpoint of our, you know, sustainable planners is really a huge improvement and a big step in working on our emissions. We know one of the emerging areas in looking at Climate -- climate planning is this question of embodied emissions or embodied carbon where, you know, existing buildings, there was, you know, there was energy that went into making those and providing the materials, and then the new, you know, new

development has, you know, energy involved in new materials as well. It's always a, you know, balance, a trade off between the what's happening with the embodied carbon versus the improvements that you get from, you know, the energy use of new buildings compared to older buildings. So, it can be tricky to evaluate. I think there are -- we do have -- we incorporated standards into the zoning ordinance a few years ago under -- and this was, you know, the Council was supportive of this initiative to have embodied carbon reporting for buildings subject to green building. It was the Council decided to exempt that reporting for residential buildings, you know, due to, you know, I think concern about whether that would, you know, create an additional impediment to housing development. So, I think that's a concern as well. But that's, you know, there is a lot of work being done currently in the architecture and construction world to try to figure out ways to mitigate and reduce embodied carbon in construction.

I think the final piece is that, as you said, teardowns are, you know, something that happen regardless of what the zoning is, you know, buildings have a natural life cycle, you know, most buildings weren't, you know, necessarily intended to last forever. And even if buildings are preserved at a certain point, they often have to have substantial, you know, work done, structural work, which, you know, has its own similar set of, set of considerations in terms of embodied carbon.

So it's it is a little bit tricky to compare, but I think that that is a -- I'm just saying that's an area of sustainability planning that, you know, our team and, you know, lots of, lots of other people are really actively working on to try to, to try to address that the same way that, you know, we've tried to address issues around energy use.

COUNCILLOR PAUL F. TONER: Thank you. And now just two more questions, Mr. Chair. One, I'm glad the Solicitor is there here. Maybe she can help. I know you can't give me an exact number, and I think I asked something similar last time. But a lot of people are hoping looking for some level of review, of new building, in residential neighborhoods. Currently if you build under the regular code, you're fine. If you need to seek a variance then you go before the BZA for approval and that can, you know, possibly the litigation. But, in general, if we were to propose something where there is, some feedback from abutters to a property but without is there a way to structure that so that that doesn't also trigger lawsuits as a result of it? It gives people the opportunity to give feedback meaningful feedback to a developer of a project before things get moving.

MEGAN BAYER: Through the Chair. So, the review process like we have in place for the AHO and that is built into this petition, is a way for abutters to give feedback. It's not binding. So, ultimately, the developer doesn't have to do what someone suggests but, I think the experience with the AHO has been that it does result in an end product that people are happy with or more happy with because they had some say in the process and some opportunity for feedback. With a special permit, there always is going to be a mechanism for appeal. There is, in some communities, a process called site plan review, and site plan review is similar to our design review, and in that it's not whether or not to allow the use, but whether there should be certain conditions or requirements put on a site, in order to make it consistent with the planning and design goals. But

even the site plan review does have an appeal opportunity. It can be appealed. It's not, it's a little bit of a harder burden on appeal because the use is presumed to be allowed, and the site plan decision shouldn't be saying that the use is not allowed. So, you're then only talking about are the conditions reasonable, but it is still something that can be appealed.

COUNCILLOR PAUL F. TONER: Okay. Thank you. And my last question, since you did a lot of writing about the whole solar panel, solar system issue, I mean, I read it quickly. It sounds like it's not as simple as just adopting the state code and that makes everything better. Do you have any suggestions on what course we could take in terms of trying to help protect people's investment in their solar, systems on their homes? If somebody does build something four to six stories next to the house. I know you talked about easements, and I'm not enough of a real estate attorney to know how well that would work.

MEGAN BAYER: Through the Chair. So, if private parties wanted to work together and come up with an easement from one property owner to the other to protect solar access, so meaning the ability for sunlight to reach the property, that's always an option that they have. I don't recommend that the city adopt the provision in the Zoning Act Section 9 (b) that would allow the city to impose an easement by special permit. That's been in the Zoning Act, but I don't think any cases have interpreted it. I don't think it is something that's been used, and I think it has some significant legal vulnerability to have the Planning Board be essentially forcing one property owner to give another property owner an easement. There -- but there is always the ability of zoning to put in place requirements that are aimed at protecting solar energy systems and solar access. So, there could be a separate zoning initiative to look at what should be in place for dimensional requirements to protect solar, or there could be something worked out in this petition here where we're saying, you know, if we do in the current version that's before the Council with four stories as of right and then two additional stories, where the Council is allowing with certain conditions, and those conditions would be inclusionary and the lot size. And so, another condition could be that there are some, and you'd have to ask the planning folks to explain this more, but there could be some -- I don't even know if I have it right, bulk point -- Bulk Control to restrict the size somewhat of those top stories to accommodate the solar access on abutting properties.

COUNCILLOR PAUL F. TONER: Thank you. I yield.

VICE MAYOR MARC MCGOVERN: Thank you. Councillor Nolan.

COUNCILLOR PATRICIA M. NOLAN: Thank you. Through you, Chair. Just a quick follow-up on that last point. I thought when I read the memo that if we were to do that solar, that it would have to be in a different petition. And I was thinking we should hold a Committee meeting and talk about that, but am I wrong that we could add it to this one?

MELISSA PETERS: Through the Chair, if the Council wants to add, additional dimensional protections to solar universally throughout, that would have to be a different petition. That's not part of this. But if we're just looking at what requirements we're putting on allowing a property owner to do those additional two stories, then there's room to consider that.

COUNCILLOR PATRICIA M. NOLAN: Okay. Thank you. Thanks. Like my colleagues, I really appreciate this. And as far as through you Chair to Councillor Azeem depending on whether that changes it, the two changes seem reasonable as long as it doesn't unintended consequences, right? Allow people to, oh, well now I can build to the property line and get around these even the five-foot setback. So that's seems like something we could do and also similar to the 70 versus 74 feet, I think we're concerned about stories. And so, depending on what the height limit means, it seems reasonable to ensure that we're doing what we need to do to especially to protect small business. I do -- I did send a couple of questions earlier, questions on the model that, I'll ask now because I really appreciate the work that went into the model, and yet, and when I looked at it, it -- the model came up with projections that I couldn't understand and explain. So let me, let me, talk about why. So, there's a result, and I'm looking at the models where it's four plus two versus three plus three and four plus two with 5,000 versus three plus three with 5,000. And a key result that I couldn't understand is that the projections show that under the three plus three projects, 22.5 percent of the entire units would be affordable, which is more than the required 20% affordable. So, I don't under -- that suggests either that some projects are going to voluntarily have more than the 20% minimum required because we're not talking about any AHO or any other projects in here. So that seemed surprising to me. And, and similarly, even that's with the three plus three, it was 22.5%, but even with the four plus two, it's 21% of projects would be affordable. And we've already heard that why the model would project no difference in affordable units between the scenarios because it's basically the same lots. And as was said, the same inclusionary projects would get built. And yet given this 21 or 22 percent, it seems that the model, the projections that were thrown out by the model show that there would be not a single additional infill unit under either the three plus three model or the four plus two which doesn't make sense to me, because as the lot size shows, all the units in Res A and a huge percentage of units in Res B are prime candidates for infill. I mean, I just did a scan which I sent a few days ago to the city of some properties around my neighborhood that suggests these would be infill, not so market rate, not the affordable that, you know, there's a 20,000 square foot lot with a building that is kind of falling down on it and that would be a prime candidate for six luxury townhouses with 4,000 square feet. You know, it wouldn't trigger inclusionary even with three stories and yet this model with the seems to suggest that there would be none of those. So, if that could be explained how it is that unless I'm missing something, it just seems that there are discrepancies between what seems realistic and what is projected on that level.

MELISSA PETERS: Great. Thank you. Through you, Chair. I agree the percentage should be 20 or less for all these scenarios. I'm wondering if it's a rounding year because we, you know, we put these to the nearest 10th digit. But we could look into that. In both scenarios, there's the projects that would go to six stories, those would have 20%, and they'd be the same number of inclusionary units, because you're still getting 20% of six stories, whether the alternate is three or four. But there is a subset of projects that are less than 5,000 square feet that would choose to do,

three or four stories in whatever the alternative is. And the way that the model was set up, we assumed projects would only go inclusionary if they could do at least 14 units, so that was held consistent through all scenarios. So, we, you know, we kind of expect again, people are going to make a determination if it is, is it worth it to do inclusionary, but if they're -- if they have to at a certain scale, because at three stories, they're got to do it at six stories. So that's kind of how the model was thinking. Again, this model is kind of a high level, cursory planning study. We didn't look at specific sites and dimensional requirements and, economic development considerations, so, I recognize it's both an art and a science, and, I think our intent was always to be consistent in how we applied it so that we could compare scenarios, recognizing that there certainly are going to be nuanced scenarios when you look at a site-by-site basis.

VICE MAYOR MARC MCGOVERN: Councillor Nolan?

COUNCILLOR PATRICIA M. NOLAN: Yeah. But it's still it doesn't make sense. It says that every single project is going to be inclusionary, and the numbers show that not a single project would be infill, would be three or four stories, or would be would not have inclusionary. Otherwise, you couldn't possibly get to 20% overall unless I'm missing something, and some projects would have 25 or 30 percent affordable. But since we've already heard 20% is really a stretch. You know, if you're doing 1,000 units and 20% are affordable, that means you end up with 200 inclusionary units. But there there's not a single other project that's an infill project. I mean, again, unless I'm missing something, I really think we need to better understand that.

VICE MAYOR MARC MCGOVERN: Councillor Nolan?

COUNCILLOR PATRICIA M. NOLAN: Yeah.

VICE MAYOR MARC MCGOVERN: Yeah. Councillor Azeem is chomping to answer this question. So--

COUNCILLOR BURHAN AZEEM: I actually have the same point, so that's why I was raising that. Like, I went through all the data, and I was like, how did we get here? And then the answer is when you go through it, is that this has net new units. And so, if you had a 10-unit building, right, and now you're redeveloping a bit and get to 20, you'll get 20 with four affordable under 20%. Right? But the net new units is 10. So, if you just look at 10 net new units and four affordable, you're like, wow, 40% affordable. But it's because it doesn't include existing units in the calculation, it's just the net new units. I think that the raw numbers were, like, something 70 projects of which, like, most were inclusionary, but not all of them.

COUNCILLOR PATRICIA M. NOLAN: This is all net new -- this is all new projects.

COUNCILLOR BURHAN AZEEM: But there's units--

VICE MAYOR MARC MCGOVERN: Okay.

CITY CLERK DIANE LEBLANC: Use your mic.

VICE MAYOR MARC MCGOVERN: So, let's yeah. Either use your mic or let's go through the Chair too just so I can keep the okay. Ms. Peters?

MELISSA PETERS: I want to confirm I'm getting updates from staff who are intimately involved in the analysis, and they're saying it's because it's net new and not the total. So, Councillor Azeem, I concur.

COUNCILLOR PATRICIA M. NOLAN: So, what are those numbers then?

MELISSA PETERS: The total numbers? I don't have that, currently. I could get those for you though.

COUNCILLOR PATRICIA M. NOLAN: Right. I mean, just we have a document that says it's all going to be 20%. So again, I sent you this earlier. If I'm missing that element, then that should be really clear in all of our analysis. The second question is on this question of lot size and the dramatic or not dramatic, it's not huge but it's a couple 100 units when 5,000 minimum lot size is put into the projections and since we've all heard and I've talked directly to developers said nobody's going to build six story units on any lot size even less than 8,000 square feet and this is 5,000 square feet, and this the when I asked the staff earlier, it said, no, we did not reach out to talk to developers about it. Do we know and have we examples of lot sizes under 5,000 that would be six story buildings and inclusionary? Because that seems to be a change. But, again, since I'm not a developer, but I've heard from folks in the community that that's the case, it's surprising that that would go down by again, while a couple 100 units isn't huge, it's still huge.

VICE MAYOR MARC MCGOVERN: Mr. Roberts?

JEFF ROBERTS: Sure. Through the Chair. As noted, we, you know, we don't have such, you know, specific information. And even when, you know, we've talked to developers about these things, you know, we're -- they might not necessarily, you know, be able to give us a definitive answer about, you know, a very specific and narrow kind of hypothetical. I think what I would say just from my perspective and looking at what kinds of developments, you know, residential developments we do see around the city, you know, we tend not to see particularly tall buildings on particularly small lots. Part of that is that the zoning is limiting, so it's very hard to make an assessment without, you know, the zoning actually changing of what might happen. There are some parts of the city where you have some, you know, I can think of a few examples where there are, you know, higher height and higher density zoning districts that allow, that have some smaller lots. And we've seen some, you know, five story buildings built on sort of 5,000 or less than 5,000 square foot lots. They're few and far between, but they, but they do happen. So, I think that's the -- that's sort of the -- that's why it's hard to come up with a really definitive response to that is because we're in some ways, we're not really sure, exactly what will happen because it's not, it's not currently allowed. But we know that -- but we do know, and we've heard from developers based on, you know, the conversations we had in the Housing Committee that economies of scale make a difference. So, if you have more lot size and you can build more units, it's going to be an easier project to get, you know, financed. It's going to help. But it doesn't, it doesn't necessarily mean that certain types of development are impossible.

VICE MAYOR MARC MCGOVERN: Councillor Nolan.

COUNCILLOR PATRICIA M. NOLAN: Yeah. I understand. I just this has been around for a couple weeks, and we've heard for the last few weeks that this is not going to happen, which is part of why we felt comfortable saying, well, let's put in 5,000 to lay people's concerns. And yet then there's a decrease in the number even though we heard that wouldn't

happen. And we have no example of I mean, I did scale in the city, and it didn't seem like there's examples of small lot sizes where people would do it. Plus, given the thousands of lot sizes available that are larger, if I'm a developer, it's going to be easier for me to build on a larger lot size. So, it was just surprising that this model didn't -- wasn't based on reaching out to folks and it would be really good if between now and final ordination if we could confirm that, because I think I'd certainly feel more comfortable making sure that that's, I mean, I heard it. I know many of my colleagues heard it. So we should understand that, since it's a major concern that people in the city have for, for saying that, you know, that we all saw that, well, most people, because the Council was sent a mock up of, so you're saying I could have this six story building, you know, right next to my two story house? Yes. And if there's not a lot size in there, a lot size requirement, that would be possible. And yet we don't want to limit the number of units being built across the city, which is why we might want to consider what the appropriate lot size would be.

So, and then my -- another question that I had sent is it, it was also surprising to me that, the same number of affordable units would happen under both the four plus two and the three plus three, which suggests that an additional story doesn't make any difference whatsoever that a developer faced with. Well, I have a triple decker and I can -- if I can go up to four stories I might want to take it down and then build a four story in its place but if I can go to three I might keep that and then still build a three story but, I might go up to six because that means that I can have three extra stories, not just two extra stories. So was that -- how does that match up with the scenario that the number of additional affordable housing seems to make no difference whatsoever that you're adding an entirely, 50% more. You have three stories under three plus three as opposed to only two under four plus two for an incentive for affordable housing.

VICE MAYOR MARC MCGOVERN: Ms. Peters.

MELISSA PETERS: Thank you. Through you, Chair. So, this is the, the example that based on the assumptions of if you, if you have to do, you'll do inclusionary zoning if you can do at least 14 units. And when you look at the sites that were in the model, they would either have to do inclusionary at three or four stories anyway, so you know they're going to opt to six so that they can get over that 14 unit threshold. And they are the same sites in both case.

VICE MAYOR MARC MCGOVERN: Councillor.

COUNCILLOR PATRICIA M. NOLAN: Thanks. And there are examples of 14 units on less than a 5,000 square foot lot. Does that seem reasonable? But because the model says that if you -- that there's still an inclusionary, you know, that there's inclusionary units. Presumably, that's why we're keeping --that's why.

MELISSA PETERS: The model the model covers all the lots. It doesn't -- when it looks at the 5,000, it doesn't -- it still includes lots that are under 5,000, but projects those at either three or four without inclusionary.

COUNCILLOR PATRICIA M. NOLAN: Well, except for the it's still very close to 20%. It's still 20% affordable.

MELISSA PETERS: And I think that's where the--

COUNCILLOR PATRICIA M. NOLAN: The net new comes from.

MELISSA PETERS: The net new versus the total company.

COUNCILLOR PATRICIA M. NOLAN: I think that's really important to have us all understand.

MELISSA PETERS: And we can be happy to clarify that and spell that out and differentiate total versus net new, because I agree that should be clarified. Thank you for raising that.

COUNCILLOR PATRICIA M. NOLAN: Great. Okay.

VICE MAYOR MARC MCGOVERN: And just, you know, just to point out again, I mean, I think, these are estimates, right? There's a whole lot of variables that go into that we can't control that go into projections and estimates. And so, I know everybody wants an exact number, you know, what is going to happen. I don't think that's possible, you know? I think you're, you know, one thing that include in terms of and correct me if I'm wrong on this, but inclusionary kicks in at, as we know, at 10 units or 10,000 square feet. So, theoretically, this talks about this inclusionary number is only based on six story buildings. If you have a big enough lot, you could build four story buildings and, you know, two or three four story buildings that have a lot more than 10 units in it and a lot more than 10,000 square feet, which would kick in inclusionary, which could make up for that number. Right? We don't know that number either. So, you know, there's just -- I just think I just want to caution folks because everyone's looking for exact, you know, they want predictability and exact numbers, and we can get really bogged down and say, well, what about this and what about that? What -- and, you know, I'm just not sure there's going to be a lot of those questions we're going to be able to answer with the certainty that people want. So just a little, you know--

COUNCILLOR PATRICIA M. NOLAN: Yeah. I would yield, Chair McGovern. I totally understand. It's really about we're trying to assess various scenarios, so it's all we have to understand what the differences are among those and what the assumptions have led us to.

VICE MAYOR MARC MCGOVERN: So, in terms of questions, comments about the presentation before we get into any kind of potential changes. Councillor Zusy.

COUNCILLOR CATHERINE ZUSY: I was going to yield. I think that Councillor Sobrinho-Wheeler had his hand up before me.

VICE MAYOR MARC MCGOVERN: Alright.

COUNCILLOR JIVAN SOBRINHO-WHEELER: Sorry. I don't actually have questions about the presentation. Mine was more of a comment on potential changes, so I'm happy to yield for now.

VICE MAYOR MARC MCGOVERN: Okay. Councillor Zusy.

COUNCILLOR CATHERINE ZUSY: Okay. Thank you. Thank you, Chair McGovern. I wanted to ask actually a question that, Councillor Sobrinho-Wheeler had asked earlier. He was trying to figure out we wanted to discourage the production of McMansions. And, so Solicitor Bayer, you had said that would be difficult to do, or I guess that what was proposed wouldn't work. But I think it's really important that we come up with some language that will discourage the creation of bigger houses on lots, with this proposal. And I wondered if we proposed that we that we were -- I talked to Professor Levine about this, and he had said in Portland, they played with the idea of requiring that a minimum number of units, maybe

two or three units, be required by developers benefiting from the proposal. Would language like that, work?

MEGAN BAYER: Through the Chair. We don't, in the current petition have a minimum number of units required, And so that's a new kind of control that would have been introduced into the petition. So, I think that's likely outside the scope, and it would be a change to the fundamental character of the petition. So potentially something that could be considered separately, but I'm not sure could be brought into this petition at this point.

COUNCILLOR CATHERINE ZUSY: Thank you. And then I have, two broader questions. And, again, I'm grateful to all of you for all your work on this. My big takeaways from the presentation last Wednesday, were two things. One, that multifamily housing everywhere though it's a noble goal, something that we all agree we want to do, won't produce, lower- and middle-income housing. It'll mostly produce market rate housing. And my other takeaway, big takeaway, was that we should really consider using, or developing some form-based zoning. And I wanted to ask you, one, I understand that we're partway there if we wanted to develop form-based zoning. I wanted to understand better sort of where we are with that and how soon we might be able to have it if we can build on foundational work that CDD has already done. So, I guess that's my first question.

VICE MAYOR MARC MCGOVERN: Who wants it? Mr. Roberts?

JEFF ROBERTS: I'll take a swing at that. Thank you, through the Chair. So, I was listening to some of that discussion too. It was it was a really interesting discussion. And, in terms of form -- in terms of form-based zoning is something that I've sort of talked about in the past. There, you know, people have sort of different, in some ways it's become almost like form-based code like TM. There's sort of a bit of a marketing effort behind form-based codes and what exactly they mean and how they get produced, and there's firms that sort of specialize in doing it. And, you know, some communities have adopted form-based codes. Somerville adopted one, you know, one thing one takeaway from that, it was a very long process to get that done. It necessarily required a lot of, you know, detailed work getting into the type of design and form-based standards they incorporate into their zoning ordinance. A lot of the -- I would say that, you know, some of the print and we've been, you know, working to think about what some of the principles of form-based zoning are that would be appropriate to apply to Cambridge's zoning. And I think some, you know, examples, regulating housing by the number of stories and moving away from FAR, that is a form-based approach that you find in a lot of form-based codes. But, you know, another, another element is the idea of, you know, more kind of architectural based standards. And I know that our urban design team has been working pretty hard in recent you know, actually, over a few years now, working on, design guidelines. So, we've seen those emerge for the affordable housing overlay. And, you know, there's other, you know, areas of zoning that, or of development that that the urban design team is focusing on developing, design guidelines for. I think there may be an opportunity as we look at how that takes shape to see what could be, you know, incorporated into the zoning ordinance. I mentioned, you know, we have a set of -- we call it different things, e could call it site plan review, you could call it, you know, design --

design based standards, where there are requirements in our zoning ordinance that are specifically intended to serve our urban design objectives. Those are put in place in the 2001 citywide rezoning and could very well use a refresh. This zoning petition incorporates a few of the form-based or design-based standards that were included in the affordable housing overlay, where we looked at it and thought that there were some places where we could, you know, transfer some of what was in the affordable housing overlay into, the zoning that would apply to all development that that triggers that site plan review over 25,000 square feet. And I think we can continue to pursue that. But it is a -- it's a longer process, requires, you know, requires more time. And I've mentioned to the Council before when they've asked about form-based codes, it's often a trade off between, you know, being able to move more quickly with policy initiatives, sort of working with what you have versus trying to develop something that's entirely new, which can, you know, sometimes take years to get all the way through the process and enacted.

COUNCILLOR CATHERINE ZUSY: I'm just thinking that in most cities, there are taller buildings some places and shorter buildings other places. And even in Cambridge, I guess the reason I feel like you already must have a foundation is because, you know, so at universe I live in Cambridge Port. University Park is like six to eight stories. You know, we know that Cambridge Crossing is all taller. Alewife Quad is taller. Alewife Triangle is taller. Kendall is taller. So, there are already sections of the city that have been zoned for taller. So that would sort of fold into a larger form-based zoning proposal. I mean, it seems like maybe you've done a lot of the work already. And I know you've been doing neighborhood studies and talking with neighborhoods about how they want to grow. I mean, what realistically or when realistically do you think you could develop a complete form-based plan building on what we have now if the Council requested that.

VICE MAYOR MARC MCGOVERN: Mr. Roberts.

JEFF ROBERTS: Well, through the Chair, just to, you know, clarify one point. This zoning proposal still does result in, you know, different height limits in different parts of the city. So, there are, you know, what we focused a lot on the neighborhoods, and one of the key changes, is to have more equitable zoning in the residentially zoned areas in East Cambridge and West Cambridge, where right now there's sort of a disparity between what's allowed in terms of multifamily use. And, in fact, the height limit in those areas is currently, you know, the same. It's 35 feet, and, you know, this is proposing to increase that, but there are also parts of the city where, you know, residential development would be allowed at, you know, six to 10 stories, you know, based on what the, you know, what the underlying base zoning allows, and that's sort of maintaining the height limits that are that are currently in zoning. And there are places like you mentioned, you know, Alewife, you know, North Point, Kendall Square, where even taller heights might be allowed under some of our PUD provisions. So, there is still a lot of variation in what forms of development are allowed in different parts of the city. So, I think that's, that's something that we, you know, we can continue to look at where we allow different heights and to think about areas that could be rezoned from one, you know, type of district to another type of district.

But I think that's, you know, this this isn't, you know, sort of doing away with that variation, in heights. The second piece about, you know, what I was mentioning about where we might be able to incorporate some, some more thinking around form-based standards is specifically in our design standards, you know, things that go beyond just height and, you know, setbacks and sort of the traditional zoning limitations, but talk about things like, you know, windows, you know, fenestration, to talk about, you know, articulation of facades, other things that, that help to promote a particular kind of a visual character that, you know, that might be consistent in some places. It might vary in other places around the city. So, that's something that we continue to work on.

VICE MAYOR MARC MCGOVERN: I think, Councillor Zusy, I think, Assistant Manager Iram Farooq had a point.

IRAM FAROOQ: Thank you, Vice Mayor, through you. Just wanted to say that the form based full transition of the zoning code is a multiyear process. What we have been trying to do is build in some form-based components into the ordinance as we make changes. What, Councillor Zusy, you are asking for could take upwards of five years to accomplish. I know there is a lot of -- there are a lot of priorities that the Council has in terms of what to take forward as the next items. I do think that we had very good discussions around prioritization for what would be advancing this particular year as things that the Council wanted to accomplish. I would say it might be worth a conversation as we get past this work to have another conversation about what are the priorities that the Council wants to take on in 2025 and onwards, and that could certainly be contemplated in that context. It's not something that could be done within the scope of -- what we are looking at now, and it's definitely a five year plus endeavor.

VICE MAYOR MARC MCGOVERN: Councillor Zusy.

COUNCILLOR CATHERINE ZUSY: One last question. Thank you. Thank you for that. So, another so along with talking about being bold, Professor Cox talked about working incrementally with the community, because you don't want to alienate the community, you want to work with the community. And he was talking about, well, if something doesn't work, we can just -- you could just institute another overlay. And my question though is if we or if and when we pass this, how would you, how would you roll it? How could you roll it back? I mean, wouldn't adding an overlay couldn't if you rolled out an overlay after this, if we found that all of a sudden there were six story buildings in dense neighborhoods that were shading people's light and gardens and infuriating neighbors. What I mean, what recourse could you have? You could, withdraw the petition. Right? You could amend it, or I mean, it seems like adding I don't know enough, I'm learning. But adding an overlay, wouldn't that usually be increasing density rather than rolling something back? How -- what hopefully this overpasses will serve the city, but if it doesn't, how what would we do then?

MELISSA PETERS: Yeah. Thank you. Through you, Chair. So, if after some time, you varied type of development that's going up is not consistent with the objectives that the Council decided, it could always change the zoning again. So, this is not permanent change. I will say one of the amendments that the Council brought up was this idea of a one and five year review so that we could look at, how the zoning is meeting our

objectives across a variety of factors. So, I think that will be important. And at any time, the Council could, roll back the zoning, amend it to address particular concerns that they're seeing. I think, what Professor Cox had you know, was right in saying that, change development happens slowly. So, it's you know, tomorrow, we're not going to see buildings go up. This is there's going to be time to react and see if this is happening the way, but there is a cost in in inaction, given the housing crisis.

VICE MAYOR MARC MCGOVERN: Councillor Zusy.

COUNCILLOR CATHERINE ZUSY: I understand that. I think I'm just a little nervous because developers have been visiting us, all of us Councillors, and they're ready if this passes, they're ready to go with big development. So, it does seem as though things will move if this is passed. I thank you and I yield.

VICE MAYOR MARC MCGOVERN: So again, questions on I have a couple of questions just on the, on the presentation. Anybody else on the Councillor Wilson.

COUNCILLOR AYESHA M. WILSON: Thank you, Chair, and through you, thank you to, our staff, our CDD staff for doing for everyone for doing the great work. We know that we've been throwing a lot of things at you all, and really off of the strength of really wanting to be as well informed as we possibly can. This is going -- this is a big deal, and this decision that we are making by this body is going to impact the City of Cambridge for the next decade plus. Right? And so, we want to be mindful of making sure that we are making the best-informed decision possible. And so, I just want to appreciate all the questions and the thoughts and the conversation that we're having around it, even if it does feel -- I don't know, maybe contentious at times. So, I just want to recognize that and name it, but I want to thank you all because you're all alone on the ground doing the work from the Solicitor's Office to CDD to Inspectional Services and so on. So, it's just it's a lot of work, from the Planning Board and everybody, so I just want to thank you. The couple of questions that I have and really, you know, an ah, ah moment, I think so, for me, is really seeing the piece around you know? And I know we've been talking a lot and folks in our community have talked about three plus three, and I know I presented an amendment around that and being able to see the numbers have been really helpful in understanding, like, even from the affordable sense, the affordable units don't change much. Right? And I know for you Ms. Peters, like, you spoke to because of the parcels that we would be working that that the potential of the parcels that may be used, whether it's either being four plus two or three plus three, that really doesn't shift. Can you just speak to a little bit more of, like so as we are developing and creating these predictions, what neighborhoods are we thinking about? And I think maybe Mr. Roberts might have spoke a little bit to it, but can you just reiterate for our community, like, where are we talking about across our city?

VICE MAYOR MARC MCGOVERN: Ms. Peters.

MELISSA PETERS: Yeah. The assumptions that we used in the development projections methodology looked at parcel size, and as you where development is more likely to happen, which is what this, analysis looks at, is at larger sites. It's on single ownership sites. And they're

across the city, I would say -- but as we saw on one of the slides we presented earlier, larger sites tend to be in Res A districts. Ownership patterns are distributed and we don't have that with us, but we don't have, you know, we can't predict, there's so many factors into why a site may or may not develop and it could be from a paper analysis, it could be like, this is checking all the boxes, but there's a homeowner there who just moved in and is plans to live and grow their family there for the next 20 years and has no desire to move. So, there's so many factors that we can't incorporate in our analysis, so this is really our, planning level best guess to give you information that you can make a comparative analysis of the scenarios.

COUNCILLOR AYESHA M. WILSON: Thank you. And just one other question and just thinking about as we look through the slides and have, the variation from, either the 5,000 square foot minimum or not, I am curious about why maybe we don't have any update on maybe the setbacks and how might that be filtered, factored into. So, if we were looking at side or front setbacks, is that something that you could speak to?

VICE MAYOR MARC MCGOVERN: So actually, one of the -- thank you. Because one of the things I was going to point out when it got to me was you ended your presentation and said thank you and we jumped to discussion and question. But there actually were a few more slides in here about addressing the amendments, and I think setbacks were might have been part of that. So do you want to -- I mean, certainly address Councillor Wilson's question, but I also do want to give you the opportunity to if you need to finish you know, if you have more slides you need to finish, but I ant to make sure we go back to that.

MELISSA PETERS: We included those as an appendix if it was helpful to talk high level about the amendments, and we're happy to discuss those. In terms of the specific question, Councillor Wilson, you're asking on setbacks. I think you're asking how that impact the numbers. And I think the broad-based answer is, not significantly and is not incorporated. We -- when we looked at sites and determined development capacity, we applied a percentage of the site that would be redeveloped. So, if you had a 5,000 square foot site, we said, given the open space requirement that's been contemplated of 30%, you're at, 3,500 square feet of floor. And so that's how we projected it. The setbacks are going to be part of that open space requirement, so it's really not going to change, as we went from zero to five. If you start talking about more significant changes, that would have an impact on open space as well because you'd have to meet the setback and it would, automatically increase the open space. So, for purposes of this analysis it's not impactful.

COUNCILLOR AYESHA M. WILSON: Thank you. I'll leave at that.

VICE MAYOR MARC MCGOVERN: Okay. Thank you. I'll ask a couple of other people who can certainly jump in after. Oh, it's starting to get my attention. So just to --in terms of the presentation, Slide 18, if I'm reading it correctly, you know, and that's the 2030 or the you know, built since 2019 and the 2030 projections and so forth that, under current zoning, if we do nothing, we, are going to be almost 6,000 -- 5,750 units shy of our goal. So, when people say we're already meeting our goal, we don't have to do anything, you're -- if I'm reading this correctly, we're not meeting our goal.

MELISSA PETERS: Through you, Vice Mayor. We're not meeting our goal. And under current zoning and the residential districts, we estimate about 70 units per year, as compared to, or 70 units by 2030 as compared to almost 1600.

VICE MAYOR MARC MCGOVERN: And I think what's -- thank you. I think sort of what's difficult is that, you know, and I don't, I certainly don't, blame anybody for -- I think the information is sort of hard to come by. Right? And, you know, what and, yeah, I think, Ms. Peters, you had mentioned this as sort of, you know, how are you determining if we're meeting our goal? Is it what's permanent already? What's built already? For example, you know, some folks look and say, well, we're meeting our goal because we're going to include the 1200 units at Volpe. God knows when those are going to be built. Right? I mean, they're certainly not going to be built by 2030. Right? I don't even think they're -- I'm not even sure that they've gone forward with permits yet, I mean, we've changed the zoning, so that will come on board at some point hopefully, right, but I wouldn't include that in terms of whether or not we're meeting our goal because, again, that's those are realistically, those are probably it could be 10 years out by the time that they get to that. So, I do think as we you know, I think it's just really important that we're clear as to where we're getting the numbers from and how we're getting the numbers because you could pull numbers from a lot of different places that seemingly make sense but if you're looking at a set of numbers and somebody else is looking at a different set of numbers, it just doesn't seem to fit. So, I think as clear as we can be, on that is really important. I want to circle back to Councillor Toner's, question. You know, this whole question of special permit versus variances versus design review things, things like that, because I think we've been, we've been trying really hard, probably all of us, although, you know, I haven't talked to everybody about it, to really figure out how we sort of thread this needle and address this concern from a lot of folks in the community that we're not -- I'm going to butter, and I'm going to have no say in in what goes up. And so, you know, I want this to go through a special permit process so that, you know, there are going to be Planning Board meetings and right to appeal and all that kind of stuff. You know, and I think we're trying to figure out a way to not do something that causes unnecessary delay or legal battles on one side, but also I think everybody sort of understands that, you know, there should be some mechanism for people to have input and we and like you said, we do this with the AHO. So, I was a little -- I sort of came into this, and I had some language drafted, you know, for a potential amendment, but I sort of was under the impression that if we, if we required, you know, let's say we required a developer because you are CDD already meets with developers, right, and does design review. If we said we're going to require a developer hold to abutter community meetings to discuss their project or, you know, to hear from the community, however, we word it. I thought that would not be legally binding, but then I was a little, Solicitor Bayer. I was -- I thought I heard you say it actually would be. So, I guess my question is am I misinterpreting that? But also, is there a way that we can create some opportunity for abutters to see what the project's going be, give their input with between the between a abutters, CDD, and the developer.

Again, it may not be binding, and I know some people that's a line in the sand for them, and we may not be able to give them that, but something so that people aren't feeling like they're just you know, they've got no say in, in what gets built next to them. Is there is there any mechanism to do that? I mean, those meetings that you have with the developer and CDD, can they be public meetings? I mean, right now, they come into your office, you guys sit down, you look at plans, you talk about the design review guidelines, you have a meeting. Does the mere fact of making those public mean that they're automatically open to potential lawsuits, or can those meetings just be public and people can hear and offer input?

JEFF ROBERTS: Through the Chair or to the Chair. The model that we currently have for that kind of review is something we in the, in the new petition, we've kind of renamed public advisory review. So, it's something that's, it's short of, you know, going to the Planning Board the way that the AHO or Planning Board advisory review works, but it's, you know, basically a community meeting to get advisory meeting to get input. And we currently use that only in what we call areas of special planning concern. So that might be, you know, areas that have had special planning attention to them, like, Mass Ave or Prospect Street has this provision. You know, a few other places in the city have that provision. I think, you know, I would need to, you know, consult with the City Solicitor about whether something like that, you know, trying to expand that kind of public advisory review, was something that could be introduced at this point. And I would also, you know, ask the question back of what, what do we think the threshold for that review might be? Because, you know, I don't know that it would be sensible or not sure if it would be legal to say under, you know, under base zoning. I don't know if it'd be practical to say under base zoning, anything that anyone proposes to do, you know, to get a building permit for would have to be subject to public advisory review. I don't I don't know we would do that. In in the areas of special planning concern, there's usually a size threshold of and it usually applies only to new construction, not to alterations or anything like that. So those would sort of be my questions is where is that, you know, what would be the expectation for, for where that would kick in? Because it could end up creating a real, you know, a really sizable burden if lots and lots of, you know, projects, people doing lots and lots of small things all had to go through this, you know, additional process to get public.

VICE MAYOR MARC MCGOVERN: Tell me again what you called it?

JEFF ROBERTS: Well, we call it -- we actually call it large project review current in -- our current zoning. We're proposing to rename that to public advisory review because that's basically what it is. It's a, it's a just a public meeting to get advisory input on a development, and I won't get into why it's called large project review. But it's kind of a misnomer now because it actually applies to smaller things than what currently requires other levels of review.

VICE MAYOR MARC MCGOVERN: Alright. Well, I'll come back to that when we talk about amendments because maybe we could just ask if an amendment passed, just ask for you to come back to confer with the City Solicitor and come back with some potential language, because we don't you know, we can amend this moving forward. It doesn't not every amendment has to be tonight. But I do think, you know, I mean, I do think that if there's a

way that, you know, if there's a way that we can offer folks some degree of input and, again, it's not -- I'm not for it to be binding. I, you know, I understand that, but I don't -- the all or nothing is kind of uncomfortable. So, if we can figure out a way to thread that needle, even if it's not perfect in some folks' eyes, it could be better. So, I'd like us to think about that.

There was a question, Councillor Zusy asked a question about, you know, the McMansions and people, you know, down knocking down a triple decker and building a McMansion. And I do believe we talk, we have talked about this in the past and I think there was no real legal way, legal way that we could deny someone the opportunity to do that. But does, Councillor Sobrinho-Wheeler's amendment from last week by limiting the unit size to of the building to 2,000 square feet. Would that make it less likely? Do you think that someone would because they could only build a 2,000 square foot house on that lot, and so they wouldn't build these massive, you know, \$5 million houses. I mean, would that be a way around that a little bit? Or, I don't want to say way around that because I don't want to move it, but would that be, would that be an option to achieve our goal? Thank you, Councillor Nolan.

JEFF ROBERTS: Through the Chair. I'll just add some thoughts to what Megan already said, which I think is that it's in and she's advised us that that's sort of outside the scope of this petition. So, you know, there are potential, you know, benefits and drawbacks to kind of trying to trying to flip the requirements we have and sort of say, you know, instead of having, you know, minimum kind of number of units, you or perhaps instead of having a maximum number of units, you have kind of, like, a minimum number of units. I think that there is, there is a lot of variety in different kind of housing around the city, and I think Councillor Toner had had made the point that, you know, one of the potential outcomes of this is somebody who has a, you know, a home currently that, you know, needs a little bit more space, you know, has a little bit more flexibility to do that. That could be kind of unwound a little bit by try by putting additional unit-based standards in place that would say, well, no. You actually can't do that because that, you know, increases your home size in a way that then violates this other, you know, provision that we put in place. But there, you know, there may be, you know, ways to -- to there may be ways to think about that, and we're willing to kind of come to Council as this would probably have to be a separate petition and try to come up with some alternatives that might, you know and kind of point out what the benefits and drawbacks of those different kinds of approaches might be. So that's all I'd say about it now. I wouldn't necessarily want to suggest any solutions because I think it involves some trade offs.

VICE MAYOR MARC MCGOVERN: And thank you. And, you know, and I think, you know, what we're seeing you know, one of the things if we all agree or, you know, if people agree that developers are profit motivated, they want to make money, I don't think that's a horrible thing. I think everybody wants to make some money. But if you look at certain examples now, I mean, I just I the corner of Western Avenue and Soden Street, you know, by my house where a triple decker was knocked down, the lot is large enough that that if the zoning was passed, the developer could have built a four story building or a six story it's right next to a six story

building, but instead built two single family homes that sold for, like, 2.5 or, you know, 2.3, you know, we see that at Pearl Street Market where, you know, on that site where it happened, I know some folks have brought up some examples in East Cambridge and other neighborhoods. So, you know, if we assume that developers want to do what's most profitable and we don't want them to knock down a triple decker to build a single family, we have to give them something else that would be more profitable than that. And so right now the way the current zoning is it is more profitable to knock down a triple decker and build a single-family home in a lot of cases than it is to knock down a triple decker and build another triple decker.

So, you know, I think we're seeing that happen all of you know, in various neighborhoods around the city already, and if we don't want -- if we can't make that legally impossible to do, then you have to give them a more profitable option to do what we want them to do. And if we want them to build more units, you have to make them more profitable, otherwise, they won't do it.

So that's my -- that's all I have on, on the slides themselves. Did you want to -- I know you put in the appendix; did you want to address the specifics? We had the, you know, we added the setbacks back in. I think you've talked about that. There was another amendment about going to 40% open space. Did you want to talk about that? Because we're going to have to vote on whether to do that or not and then we can get into I know, Councillors, there's been a few amendments circulated. We can sort of get into that, but did you want to talk about any of the ones we passed last week or two weeks ago, whatever it was?

MELISSA PETERS: I think if it's helpful, that the deeper analysis is in the memo, but if it's helpful to bring up the slides again and Jeff can quickly go through the--

VICE MAYOR MARC MCGOVERN: So, I guess I'll just ask. Does anybody have it was in the memo. Does anybody have questions about, you know, like the raising the open space? I mean, I think what you do you want to say quickly for people who didn't I mean, I don't think you said that that that it would reduce the number of unit you know, potential number of units, I believe, and do you want to just talk about that real quickly, the open space?

MELISSA PETERS: The open space?

VICE MAYOR MARC MCGOVERN: Yeah. Because you talked, we already talked about the four plus two versus three plus three. You already answered the setbacks that got put in. The other amendment was increasing open space to 40%. What was your analysis of that?

MELISSA PETERS: So, we didn't incorporate the additional open space requirement on the impact of housing units. I think for that particular amendment, it's the idea was that as you add additional stories, provide more open space for the greater density of population that is there. But we didn't look at that in terms of the impact on the numbers. I would say, you know, depending -- it really depends on the parcel size and the design of the building. I would generally, I think you're not going to see a significant decrease.

VICE MAYOR MARC MCGOVERN: Anything else on before we open it up to, Councillor Nolan?

COUNCILLOR PATRICIA M. NOLAN: A quick follow-up to your question, Chair McGovern. On the review, you know, we might not have time to understand how that is. Would it be possible or make sense to, assuming this passes in February, to then have it take effect three months hence or something to work out some of how those questions might be answered or how those reviews might unfold? I'm just curious when I think about this. I don't know if that makes sense at all, but I just thought I'd throw it out there.

VICE MAYOR MARC MCGOVERN: I don't I know we've been able to do that on some municipal ordinances, like, for example, plastic bags. You know, we passed it, and we said it takes effect a year later. I don't know if we can do that. I guess I would look to the Solicitor.

MEGAN BAYER: Through the Chair, you know, we did with, a cannabis zoning, for example. We had it not go into effect right away because we were waiting to work it out on the cannabis business permitting side. So, I think there can be a delay, but thinking through the protections that are given to properties when a petition is filed. I think here where this isn't reducing what's allowed right now, it's not so much of an issue. Maybe Jeff has any thoughts, and, otherwise, I think I would need to get back to you with any further thoughts.

JEFF ROBERTS: Well yeah through the Chair, what I would say is, we, you know, we have recommended a delayed effective date for things like, you know, when we're updating our green building requirements, for instance, because we might have developments that are in process, but we, you know, we don't want to change the zoning right, you know, right as they're getting ready to apply for their permits, and then they have to go back and kind of redo everything. So that's, that's why we've -- we sometimes give a little bit advanced time for people to, you know, adjust to whatever the new requirements would be. In this case, because we're not, we're not adding any new requirements, we're just changing the, you know, the base dimensional standards, I don't think I would recommend a delayed effective date, I think what that would do is it would just make it would sort of build up the pressure where people would know that some zoning was affect -- the zoning would be in effect, but it wouldn't be in effect yet. So they'd all be kind of sitting there, like, in front of ISD with, like, their building permit applications in hand and every and it would kind of create a bit of a pressure release that might, you know, again, as we were saying, it's -- this is something that we would expect if the zoning changed, it would kind of roll out slowly and just having it delayed and kind of take effect all at once might, you know, create more, more issues around, you know, having a lot of things happening all at once. So, I think we can and also just in terms of a delay -- in terms of considering additional zoning, approaches to take, it, it probably would, you know, take because, you know, like, this process has taken a long time. I think any other zoning amendment process takes a long time. So, if we were delaying it in order to consider additional zoning, it would, you know, potentially take a long time and, again, would kind of counteract the purpose.

VICE MAYOR MARC MCGOVERN: Okay. Alright. I'm also being mindful of the clock, and I know some people have a hard stop, so I do want to move this along a little bit. Thank you. We have two amendments in front of us

that I want to deal with first. The first one is by Councillor Azeem, motion to amend Multifamily Zoning Petition Part One. Ms. Stephen, you have it. Right? It reads to amend the Multifamily Housing Ordinance by increasing the inclusionary residence C1 zoning height to 74 feet in adding a local context exemption for other setbacks similar to the one for front setbacks. Councillor Azeem, it's your motion, go first.

COUNCILLOR BURHAN AZEEM: Again, this is supposed to be small and relatively noncontroversial. I would love from CDD if they have, like, language edits. This again, this one was supposed to be small, so I that was the goal.

VICE MAYOR MARC MCGOVERN: Mr. Roberts?

JEFF ROBERTS: Through the Chair. I guess maybe we just, try to provide some clarification because I think the in the previous version when we looked at what context meant, maybe we didn't we didn't get exactly what was intended. So, I want to make sure we're clear. So, what we had talked about previously was, you know, in addition to the two exceptions that that we had recommended, an exception having to do with an existing building with existing setbacks that might be less than five feet, being able to make additions and alterations. I think you had mentioned maybe something about replacement of the building, which maybe might be a little bit different. Again, you know, building a new building, if it's, if it's that close to the property line or that close to another building, might not really be feasible anyway and might be, you know, result in some confusion. We could allow it if that's what the, you know, Ordinance Committee wanted to pursue, we could allow that under zoning, but it might, you know, not really play out that way. But I just want to be really clear about are we, are we talking about, A, just maintaining the existing building setbacks, and B, is it only for additions and alterations, or would it be for other types of construction?

VICE MAYOR MARC MCGOVERN: Councillor Azeem.

COUNCILLOR BURHAN AZEEM: Existing buildings and alterations, not for new development.

VICE MAYOR MARC MCGOVERN: Mr. Roberts?

JEFF ROBERTS: Thank you.

VICE MAYOR MARC MCGOVERN: Councillor Nolan?

COUNCILLOR PATRICIA M. NOLAN: I just want to understand, as I said, this sounds reasonable. Are we still saying this is six stories? Because if you could fit seven stories and 74 feet, would that be allowed?

VICE MAYOR MARC MCGOVERN: Ms. Peters?

MELISSA PETERS: Yeah. It's, it's both height and story limitation, so it's six stories max.

COUNCILLOR PATRICIA M. NOLAN: We're not changing that. Great. Thank you.

VICE MAYOR MARC MCGOVERN: Any?

JEFF ROBERTS: So, again, to the sorry through the Chair. Just to clarify again, just to make sure I'm getting it right. So the intent of the motion is to allow under and this again, this is the footnote exception under Residency 1, which is normally four stories under the what's currently in front of the Council or in front of the Ordinance Committee, that the, exception would allow up to six stories and up to 74 feet for up to six stories and up to 74 feet for development that's

subject to, the inclusionary zoning. We currently have the minimum lot size of 5,000 square feet, and those are the conditions. And it wouldn't be condition -- I guess the clarification was it wouldn't be conditioned on an existing non-residential space, because I think that -- it sounded like that was the intent was to deal with, like, if there was an existing retail that needed additional height, but you'd be you think that would just we should just have that, generally?

VICE MAYOR MARC MCGOVERN: Councillor Azeem?

COUNCILLOR BURHAN AZEEM: I guess the intention was for non-residential, but I don't know if that's within the scope of the petition. So, I was just trying to keep it simple. It was at 75 feet before. I was, like, just truncate by one. And so, I was just trying to keep things simple.

VICE MAYOR MARC MCGOVERN: So one thing just let me because when I was talking earlier about, you know, is there some way to do some kind of, you know, public process, the Clerk reminded me that what I would be asking for wouldn't be an amendment, it would be a Policy Order asking you to look into this and we can't pass that in Committee. And so, I was going to sort of talk with you offline and see if what's possible and then develop some amendment language. Councillor Azeem, is this possible? Do you want to actually offer this as an amendment to what's in front of us or do you want to sort of take a -- because you can bring in amendments again up until the end, and I do caution us from doing that, because it -- it's not the best way to do business. But do you want, do you want to do this as an amendment tonight, or do you want to take some time so that you can talk with CDD and get the language the way you want it?

COUNCILLOR BURHAN AZEEM: I would defer to CDD, whatever they think is better. My hope was that again, this was supposed to be a very tiny edit such that CDD would feel comfortable just taking it. But if they want it, I can introduce it separately.

JEFF ROBERTS: Through the Chair, I think the -- if the 74 feet is really just changing the 70 feet to the 74 feet, that's the simplest change, and that that could be, you know, done as an amendment. I wouldn't have any concern about that. The additional exemptions that we discussed, I think we might need some time internally to work out that text and then provide what I was expecting was that perhaps we would provide a report with the requested text to the City Council when they take this up at, I believe it'll be on January 27th so that the Council at that time could vote to accept that amendment.

VICE MAYOR MARC MCGOVERN: Councillor Azeem.

COUNCILLOR BURHAN AZEEM: I don't know what the right answer is. I had initially sent this to the Clerk as, like, a Policy Order, but then she changed it to a motion. So, I think that the motion is still here. Is that fine to vote on?

VICE MAYOR MARC MCGOVERN: Mr. Roberts, you I mean, do you need time to -- would you need time to sort of come up with clear language or is that something you can, you can offer right now, and we can vote on that, if this language isn't clear enough?

IRAM FAROOQ: Chair, through to you, maybe if the Committee wants to vote on the 74 feet today, that would be that -- that's clean. And then, we, Jeff, will provide you with language on the contextual piece. So, I

think if you could just amend this to the 74 feet and remove the context exemption, we can certainly provide language for that.

VICE MAYOR MARC MCGOVERN: So, what that would -- what that would be is we would have to -- we would put a period after 74 feet and the rest of that and adding local, which is take that would all come out. So that the motion, would read to amend the Multifamily Housing Ordinance by increasing the inclusionary resident C1 zoning height to 74 feet. So that's how that would read. Discussion, Councillor Zusy.

COUNCILLOR CATHERINE ZUSY: Just a point of information. So, we would be going from 75 feet to 74 feet so that we wouldn't be triggering a 13 story AHO building. We'd be triggering a nine story AHO building

VICE MAYOR MARC MCGOVERN: Exactly.

COUNCILLOR CATHERINE ZUSY: And this would be only with the four plus two or the three plus three. So, we're not saying that we're allowing every building to be 74 feet. Thank you.

VICE MAYOR MARC MCGOVERN: And it would give a little more flexibility if there was ground floor retail that needed a higher. Okay. If there's no questions, comments on this, roll call.

CITY CLERK DIANE LEBLANC: Councillor Azeem?

COUNCILLOR BURHAN AZEEM: Yes.

CITY CLERK DIANE LEBLANC: Yes. Vice Mayor McGovern.

VICE MAYOR MARC MCGOVERN: Yes.

CITY CLERK DIANE LEBLANC: Yes. Councillor Nolan?

COUNCILLOR PATRICIA M. NOLAN: Yes.

CITY CLERK DIANE LEBLANC: Yes, Councillor Siddiqui.

COUNCILLOR SUMBUL SIDDIQUI: Yes.

CITY CLERK DIANE LEBLANC: Yes, Councillor Sobrinho-Wheeler

COUNCILLOR JIVAN SOBRINHO-WHEELER: Yes.

CITY CLERK DIANE LEBLANC: Yes, Councillor Toner.

COUNCILLOR PAUL F. TONER: Yes.

CITY CLERK DIANE LEBLANC: Yes. Councillor Wilson.

COUNCILLOR AYESHA M. WILSON: Yes.

CITY CLERK DIANE LEBLANC: Yes. Councillor Zusy.

COUNCILLOR CATHERINE ZUSY: Yes.

CITY CLERK DIANE LEBLANC: Yes. Mayor Simmons?

MAYOR E. DENISE SIMMONS: Yes.

CITY CLERK DIANE LEBLANC: Yes. Mister Chair, nine members have voted yes.

VICE MAYOR MARC MCGOVERN: Okay. Great. Now we move on to Councillor Toner's amendment. This is for part two of the Multifamily Housing. Change 70,000 -- 75,000 square feet to 50,000 Square Feet in Section 19.23, Special Permit Threshold Table 1, Residences, all uses in Section 4.31 A through J. And this is discussion I mean, we've -- I think we've voted on this sort of similar to what we voted on before. Councillor Toner, it's your motion you can--

COUNCILLOR PAUL F. TONER: Yep. Try, try again. I'm just bringing it back. I don't know if people some people had time to consider it. This is what it currently is. It's 50,000 square feet, for a special permit. We are making some big changes here. 50,000 isn't a small project. Most people I talk to who build stuff say that they actually are able to work with the special permit process and the BZA and the Planning Board and CDD

staff and generally, you know, that that works. So, I'm just hoping people will consider keeping it at 50,000 square feet. Thank you, Mr. Chair.

VICE MAYOR MARC MCGOVERN: Thank you. Councillor Sobrinho-Wheeler, Councillor Nolan.

COUNCILLOR JIVAN SOBRINHO-WHEELER: Thanks, Mr. Chair. And I would still like a chance to weigh in on the general petition as it is tonight. Haven't gotten a chance to speak at, so with this, the amendment, you know, I'm against, I think with the 5,000 square foot minimum, as you know, the slide shows we're losing 1,000 units, including, you know, 100 of affordable units. I think there's a bunch of potential with this, amendment to lose, you know, maybe another 1,000 units, including we'd lose 100 more affordable units. If we change the threshold down to 50,000 square feet and required any project more than that to have a special permit, is just, you know, really, taking the effectiveness of this petition, you know, losing a lot of, especially the affordable units. Right? Because any affordable unit is going to be in the larger buildings. We're losing a lot of affordable units, in a scenario like this. So, there's, there's no way I could support this.

VICE MAYOR MARC MCGOVERN: Okay. Councillor Nolan.

COUNCILLOR PATRICIA M. NOLAN: Thank you. Through you, I don't know if anyone has any numbers of what number of projects have been in the 50,000 to 75,000 square foot range.

VICE MAYOR MARC MCGOVERN: Mr. Roberts, anybody?

JEFF ROBERTS: We didn't compile a spreadsheet of that. I can say that there are cases that are, that are within that range. You know, one of the cases, was, that we saw previously was 600 Mass Ave. So that was a project that was just over 50,000 square feet. So there are you know, in they tend to be in, you know, areas like some of our corridors and, you know, areas where, you have, you know, not so -- not the kind of large larger lots like you have in Alewife or, you know, Kendall or Northpoint, but areas where you have a sizable enough lot that you can get, you know, say six story building, you know, you might be in that range of 50 to 75.

VICE MAYOR MARC MCGOVERN: Okay.

COUNCILLOR PATRICIA M. NOLAN: Yeah. Thanks. I'm torn on this one, because it is true that Planning Board, you know, it's a good process to go through, but I also think 75,000 square feet makes sense, so I will not support this.

VICE MAYOR MARC MCGOVERN: Okay. Before I go to you, we're coming up against the clock. I know, again, I know some people have some, conflicts. I'm going to ask for another 30 minutes just to be safe.

COUNCILLOR PAUL F. TONER: So moved.

VICE MAYOR MARC MCGOVERN: On a motion by Councillor Toner to extend till 5:30. Roll call.

CITY CLERK DIANE LEBLANC: Councillor Azeem?

COUNCILLOR BURHAN AZEEM: Yes.

CITY CLERK DIANE LEBLANC: Yes. Vice Mayor McGovern.

VICE MAYOR MARC MCGOVERN: Yes.

CITY CLERK DIANE LEBLANC: Yes. Councillor Nolan?

COUNCILLOR PATRICIA M. NOLAN: Yes.

CITY CLERK DIANE LEBLANC: Yes, Councillor Siddiqui.

COUNCILLOR SUMBUL SIDDIQUI: Yes

CITY CLERK DIANE LEBLANC: Yes, Councillor Sobrinho-Wheeler
COUNCILLOR JIVAN SOBRINHO-WHEELER: Yes.
CITY CLERK DIANE LEBLANC: Yes, Councillor Toner.
COUNCILLOR PAUL F. TONER: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Wilson
COUNCILLOR AYESHA M. WILSON: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Zusy.
COUNCILLOR CATHERINE ZUSY: Yes.
CITY CLERK DIANE LEBLANC: Yes. Mayor Simmons?
MAYOR E. DENISE SIMMONS: Yes.
CITY CLERK DIANE LEBLANC: Yes. Mister Chair, nine members have voted

yes.

CITY CLERK DIANE LEBLANC: Mr. Chair, nine members have voted yes.

VICE MAYOR MARC MCGOVERN: Thank you. Councillor Zusy?

COUNCILLOR CATHERINE ZUSY: Thank you, Chair McGovern. I think this is a great idea. Again, if we want this, proposal to have staying power, we need our residents to feel comfortable with it. And I think, I think we, you know, we should work incrementally. I think if we find that, we don't need a review with a 50,000 square foot building, we could always change that later. But I think that that, the as of right nature of this proposal really frightens many, many people. You know, for most people, their home is their greatest financial asset, and they feel like it's at risk with this proposal. Anything could happen beside their building, so I think it's good to start with 50,000, and again, if we find it isn't necessary, we could go up. And I will say, I guess I understand from David Carlson who worked for the Boston Redevelopment Authority when it used to be called that that, apparently, Boston has had tiered project review, and apparent I think they have special permit review at 50,000. Thank you. I yield.

VICE MAYOR MARC MCGOVERN: Okay. Do you want to just like, people probably know how they're going to vote or if they've changed their mind since the last time? So, on Councillor Toner's, amendment, roll call?

CITY CLERK DIANE LEBLANC: Councillor Azeem?

COUNCILLOR BURHAN AZEEM: No.

CITY CLERK DIANE LEBLANC: No. Vice Mayor McGovern.

VICE MAYOR MARC MCGOVERN: No.

CITY CLERK DIANE LEBLANC: No. Councillor Nolan?

COUNCILLOR PATRICIA M. NOLAN: No.

CITY CLERK DIANE LEBLANC: No, Councillor Siddiqui.

COUNCILLOR SUMBUL SIDDIQUI: No.

CITY CLERK DIANE LEBLANC: No, Councillor Sobrinho-Wheeler.

COUNCILLOR JIVAN SOBRINHO-WHEELER: No.

CITY CLERK DIANE LEBLANC: No, Councillor Toner.

COUNCILLOR PAUL F. TONER: Yes.

CITY CLERK DIANE LEBLANC: Yes. Councillor Wilson.

COUNCILLOR AYESHA M. WILSON: No.

CITY CLERK DIANE LEBLANC: No. Councillor Zusy.

COUNCILLOR CATHERINE ZUSY: Yes.

CITY CLERK DIANE LEBLANC: Yes. Mayor Simmons?

MAYOR E. DENISE SIMMONS: No.

CITY CLERK DIANE LEBLANC: No. Mister Chair, two members have voted

yes, and seven members have voted no.

VICE MAYOR MARC MCGOVERN: Okay. So those are the only two amendments that I have placed in front of me. Now we sort of can move on to the discussion of the bigger question of what we're going to do with this, as amended. I'm going to -- Councillor Sobrinho-Wheeler has not really spoken, so I'm going to start with him. And I have Councillor Nolan.

COUNCILLOR JIVAN SOBRINHO-WHEELER: Thanks, Mr. Chair. I'll try to be brief. Thanks to the City staff for the presentation, which was really helpful in comparing the different scenarios. I'm not going to put any amendments quite yet because I'd like to hear where their Councillors are at, but I did want to make the case for some of the updates I'd like to see in the petition. I want to make the case for the three plus three stories and removing the 5,000 square foot lot minimum, which is scenario eight in the presentation that CDD presented. As one of the slides, slide 12 shows it's more units than the current version of the proposal, the four plus two with the minimum lot size. It's also more affordable units than that current version of the petition. But it's not just more affordable units. It's also more market rate units, which I think is super interesting. Some folks have suggested three plus three is about less density. I think the numbers show it's actually the opposite. If we remove the 5,000 square foot lot minimum, three plus three has the biggest density bonus. Right? Three plus three story three stories with a three-story density bonus is a big increase for density. It's, you know, more of an increase even than four plus two, and that would create 100 more units, including 100 more affordable units. The part that would have a big impact rather than four plus two or three plus three is removing that 5,000 square lot, lot minimum. We have nine different scenarios, a lot of the changes, setbacks, open space are not that big of difference. That 5,000 square foot lot minimum means we lose almost 1000 units, including hundreds of affordable units. It's still, you know, this is still be a compromise. We're still not allowing five story buildings. I don't have any issue with five stories, you know, I don't really understand why we took that out of the scenario. We still wouldn't allow them, you know, it's a compromise, but I think we could have the votes for it, and I think it creates the most units and the most affordable units. Regardless, I do want to see something move forward with this, you know, whether that's three plus three or four plus two, and, you know, just made the case for three plus three. I go back to think of what Dr. Cox said in the meeting, which I thought he put it really well. We can't afford to do nothing, we've got to do something. It doesn't have to be perfect. We can continue to refine this. The idea that we're going to pass this, and then all of a sudden, the next day, half the City is going to look different is just not true. Right? It takes folks time to decide what to do with their property, folks to redevelop it, folks to, you know, move, move on. If we see it's heading in a direction and or not having a direction, not having the result we made, we have times to make to refine that. I thought that that point was really well made. There's also, you know, the argument of folks disagreeing that there's been a lack of outreach or engagement or deliberation on this. I think we've done more on any other topic this term, than we have, you know, more on more outreach, more engagement, more meetings on this than we have on the City budget or on policing or on the

charter or climate or transportation. So, if to say there's not been enough, you know, outreach to do something on this is to say there's not been enough outreach or in or meetings on any topic, and we just shouldn't be doing anything, which I don't think most of us would agree with. I think all of these plans are better than our current zoning. Our current zoning incentivizes the creation of large multimillion dollar single unit houses over any kind of multifamily housing, which is what the vast majority of folks, in Cambridge already live in. Right? Our multiunit housing, our triple deckers, our apartments, our duplexes, our eight-unit buildings. And so, what the vast majority of people in Cambridge can afford to live in, but it's not what our current zoning allows and that's because of all the down zoning that has happened over time. So, all of these would be an improvement over our current exclusionary zoning. And I when I say exclusionary zoning, I don't just mean A and B zoning. I think there's this idea that if we just went C1 everywhere, if we just got rid of A and B zones, that that would be ending exclusionary zoning. I live in in one of the -- Cambridge Port, which is currently C and C1. We don't actually see that much multifamily housing in Cambridge Port. What we're seeing are as, Chair McGovern you talked about older triple deckers being torn down and replaced by single unit \$2-\$3 million houses or just that's what's being built because that's what our current zoning incentivizes. You know, I think the version of this that creates the most units and has the votes to pass as the three plus three with removing the 5,000 square foot lot minimum. I'm not got to support further amendments to lower the special permit threshold or anything else because I think that'd be a step backwards, but I think there are multiple versions here that would be an improvement over our current zoning. So, looking forward to moving forward with this. I'll get back.

VICE MAYOR MARC MCGOVERN: Councillor Nolan?

COUNCILLOR PATRICIA M. NOLAN: Thanks. Couple of things. I do want us to continue to look into the protecting solar but given the legal opinion putting it into this current petition sounds like it would be a challenge. So, I will be working on with my colleagues on seeing a way that in a future petition we can figure out how to do that. I think it's that kind of thing is really important message. We have asked the city residents to step up and for those who have, they've invested some of them have invested a lot in their renewable energy and we should make sure that we protect that. However, I think it's better that that's on a different path, which is why that explains why I'm not going to try to bring forth any amendments on that right now. I do still prefer that we would stay with the three plus three makes a lot of sense to me. I am still struggling with and hopefully we'll get the information to understand why the 5,000 lot minimum has, according to these projections which we know as Chair McGovern noted is they're just estimates but we are using them. We're actually basing a lot of decisions on them. So even if there's some error rate around it, we are literally just making a decision based on these numbers. So, I personally also do think that we would be better off as a city of, waiting on this, not six months or six years, but an artificial deadline of February. It would be better if we just took another month or two. However, the sense of this Council is very clear that there's not, more than maybe two or three people who are interested

in doing that. So, I really hope that as we move this forward that we, get more information and look closely at the scenarios before us and, figure out which of these we can do where there's a highest percentage of affordable housing, not an incentive to do tear downs, which is implied for me. That's one reason why I think three is better than four as of right because there's just by definition, logically, more incentive to do a teardown with a four versus a, versus a three.

VICE MAYOR MARC MCGOVERN: Councillor Azeem?

COUNCILLOR BURHAN AZEEM: Thank you, Mr. Chair. I will just say that, I'm just on team. Pass whatever we can at this point. I feel like, you know, we've lost, in my opinion, 1500 units from the original proposal. I still like the original petition better, but at the same, but at the same time, I want to pass something and try to get, broad support. So, happy enough with these compromises, I guess. I just wanted to make a motion to forward both part one and part two with a favorable.

VICE MAYOR MARC MCGOVERN: Let's not do that now. We're still in discussion.

COUNCILLOR BURHAN AZEEM: Okay. Sorry. So I will make that motion, I guess.

VICE MAYOR MARC MCGOVERN: Yeah. And they need to, and they need to be two separate.

COUNCILLOR BURHAN AZEEM: Okay. Cool.

VICE MAYOR MARC MCGOVERN: I got my script.

COUNCILLOR BURHAN AZEEM: You got it.

VICE MAYOR MARC MCGOVERN: I got it. I mean, I got it. Councillor Toner.

COUNCILLOR PAUL F. TONER: Thank you, Mr. Chair. I'll just say as I've said before, personally, I would prefer that we were having -- I wish this was the meeting we were having where we're voting on the corridors and the square petition first. That's not going to happen, but I know that we're this the team is focused on working on that as rapidly as possible after we dispense with this. I'll just say that, as many have said before, universally, we want to get rid of single family only. I won't call it exclusionary. I'm going to call it getting rid of single family only housing, zoning in our neighborhoods. I think everybody supports that. I also think that, you know, there are plenty of places that you can do four stories comfortably and six stories comfortably, but I'm glad that, at least as of now, and I hope it holds, that we're going to stick with a four plus two proposal with a 5,000 square foot minimum lot. I think that's more than enough, and that is very bold for us to move forward with while the team works on design guidelines and review processes. And as Professor Cox said, and I'll remind people that building permits are not going to fly off, the shelf, if this passes tonight or in a month. And there's an awful lot of factors here. I appreciate the hard work and the numbers that the team has put together. They are all -- this is possible. It's possible if I get \$10 million to build a building, if interest rates come down, if construction materials aren't going through the roof, if Mr. Smith is willing to sell me his property so I can do this project. There are so many contingencies on this. So, I even though we're some people are saying, well, I'm giving up 1500 units of housing, you're not really giving up anything because this is all just a possibility that could be

done mathematically under these proposed zoning reforms. There are so many other factors to be considered. So, I think if we can go from, I forget the number, I know somebody shared the -- this year, I think was it only, like, 45 actual new units were built this year in the City of Cambridge? If we get to a couple of 100 over the next year, that's multiples more than what we've had in the past. You know, if we can meet our goals that have been laid out in Envision Cambridge and we keep talking about, great. I think if we just make forward progress in building more market rate and affordable rate, inclusionary housing, I'm happy with that. So, I'm hopeful, I'm voting to -- I'll be voting to move this forward to the City Council, and if the parameters of this stay, I will be voting for it. Thank you, Mr. Chair, I yield.

VICE MAYOR MARC MCGOVERN: Thank you. Mayor Simmons?

MAYOR E. DENISE SIMMONS: Thank you, Mr. Chair. A couple of questions. One to Ms. Peters. Did we -- did you provide some language about -- because I couldn't find it, in terms of the project got higher scaling the open space? Because I didn't see it. And it might because I got it late, didn't get and I was going through it really quick. So, providing open space as the building gets taller.

JEFF ROBERTS: So, through sorry. Through the Chair. So, in the response that we provided on page seven of that response, and I think we briefly were about to touch on it, and then we moved on to something else. So, the policy order asked for that to be looked at separately from the changes that were voted on. So, on that page, there's some language that suggested that could be an additional -- it would be an additional sort of paragraph C, to the, the footnote on, allowing up to six stories with conditions, with the inclusionary and the 5,000 square feet. So, the suggestions were made of a minimum of 40 percent open space, and, potentially so currently, under zoning and under the proposal, an open space requirement would have, a minimum of at least half permeable. And, so this version, because it was asked for in the policy order, says that that could be increased to 75% permeable. So, this is, you know, one of those things. It's a, you know, a trade off that could it makes the requirement potentially a little bit more difficult to meet, but, you know, it also you know, the trade off is it could provide, you know, greater open space and permeability. And so, we just offered that language because it was asked for, but because it was asked for separately, I think the Council would need to act separately to amend that into the petition.

MAYOR E. DENISE SIMMONS: Thank you. Mr. Chair, through you to my colleague, Councillor Sobrinho-Wheeler. So, in the proposal, you're three plus three. Could you go through what you're saying? I think I heard it, but I won't hear it again. It's three plus three, no setbacks. Rather me rather me repeat it to you. Could you just say it again?

COUNCILLOR JIVAN SOBRINHO-WHEELER: Sure. Yeah. No. Keep them set up.

VICE MAYOR MARC MCGOVERN: But also, just for the record, he there's no formal amendment on the floor for that? I mean, he can answer the question. I don't want people--

MAYOR E. DENISE SIMMONS: Okay. Well, he was talking about it, and they think he's going to bring it forward.

COUNCILLOR JIVAN SOBRINHO-WHEELER: It's three plus three with no minimum lot size requirement. So, without the current 5,000 square foot.

MAYOR E. DENISE SIMMONS: And setbacks?

COUNCILLOR JIVAN SOBRINHO-WHEELER: Setbacks would stay no changes to setbacks.

MAYOR E. DENISE SIMMONS: No changes to the setback. Okay. Thank you.

VICE MAYOR MARC MCGOVERN: I have Councillor Siddiqui, and then I'll go to Councillor Zusy.

COUNCILLOR SUMBUL SIDDIQUI: Thank you through you. I'm sorry I'm not with everyone today. I actually am in DC at the moment. The moment for housing is now summit. And so, I'll just kind of say that I think the moment for housing is now. And I think that there's been a lot of work that's, been done on this. I will say that I do think what Councillor Sobrinho-Wheeler says is compelling around the affordable. I think where I am glad that we have the overlay, that we'll be, you know, simultaneously, building units under that as well. That that, makes it a little better. But I hear what he's saying, I think right now given our conversations, I'm -- I think there's more support for probably four plus two and, what we've been discussing. So, you know, support that. But, you know, I think, I appreciate that. That's -- it's an -- there's just looking at the sheer numbers, that that's, you know, stronger. And, yeah, I think I'll just end with that. I think we have a lot more, you know, we have a few more weeks. But I do think that the compromises we've made, kind of all the questions that have been asked, were, I think, moving, to the right place, in my opinion. So, I just wanted to get that on the record. And then also just shout out to, Iram for her last meeting. So, well thank you for everything, that you've, done. And sorry this is going longer, but as is our fashion, we're going to go longer in these meetings. But I wanted to just say that, so thank you.

VICE MAYOR MARC MCGOVERN: Thank you. Councillor Zusy.

COUNCILLOR CATHERINE ZUSY: Thank you. I just wanted to say that I continue to believe that this proposal is flawed, and that I think we should allow it to expire. It encourages tearing down affordable housing, our NOA units, naturally affordable units in building what is not affordable. I support our passing today multifamily housing in all districts in committing to developing form-based housing for the city. And I believe that if we did those two things, that would be bold. I'm concerned that if we pass today's proposal, whether it be four plus two or three plus three, though I think three plus three is better, it'll be hard to walk back, and it could cause a lot of damage fast. Our focus should be on building middle class housing, and I think we should explore creative ways to raise additional funds to produce that housing. In Detroit, they've created a strategic neighborhood fund to revitalize neighborhoods and in Minneapolis, they have a project they call Itasca, where businesses, banks, and individuals fund housing development. We could create a new Cambridge housing production fund that our local universities, corporations, and citizens invest in. They should be part of the solution. I'm well aware that we already have an affordable housing trust, and that Harvard has generously provided funding for housing with their local housing collaborative. We've got to build on these. We should also partner with local universities, with planning departments to build, to develop build out -- density build out scenarios on underutilized parcels. I think that would be very, very informing. These are concrete

ways that we can advance solving our problem, creating middle class housing, lower income and middle-class housing without encouraging the destruction of the physical and social fabric of our city, without inflating the value of real estate, rents, and taxes, and displacing residents, and without wreaking havoc on our neighborhoods. I can tell you there's a big construction project happening two doors down from me. And if I didn't love those neighbors, it would be really hard to tolerate. I can also tell you, just speaking personally, that my yard is about 55,100 square feet, and it's hard to imagine a smaller lot having a six-story building on it, you know. So, I feel like that the 5,000 square foot threshold is a good one that should be left in. I'm concerned about advancing without community buy in, and I know they'll never be complete community buy in. But I worry that if we alienate most of our homeowners, that it's not a good idea. I don't think of them just as NIMBYs. Many of them are learned professors, top lawyers, architects, urban planners, and thought leaders. I think we should be working with them and not against them, and I think they're likely to be part of the solution. Do we want a future of social harmony or of lawsuits? Do we want long term housing reform that developers can bank on or short-term solutions that are likely to be rescinded? These are my concerns. I thank everybody for their thoughtful work and thoughts about this. I am as committed as you are to solving this problem of producing lower and providing more lower- and middle-income units in the city, and I understand that if we want to remain a vital city, which we do, we've got to have housing for younger individuals and families. So, I thank you for all of your energy and thought and hard work in refining this proposal, but I don't think I'll be able to support it today. I thank you.

VICE MAYOR MARC MCGOVERN: Yeah. Councillor Wilson?

COUNCILLOR AYESHA M. WILSON: Thank you, Chair. I really have been reflecting, especially off of Martin Luther -- Reverend Dr. Martin Luther King Junior, who speaks heavily about a beloved community and thinking about what does it mean and take for us to get to a beloved community, or what are the impacts that we all hold, as we share in this duty of creating, a city that we all can thrive in and be and make sure that it's a community that is seeking the betterment of all who call this city home. So, you know, a lot of what I've been able to -- a lot of what I've talked about along the way is really thinking about displacement and how might the decisions that are made at this body add to displacement in our community and in our city. And I think this is a challenging one for me because these are people that I grew up with, that I, you know, that I've raised and taught their children, all sorts of things. And there are young people in our city now that think about how much money they need to actually earn to continue to be a Cambridge. And those -- that ideology, when you're thinking about that as a sixth grader or a seventh grader, it's hard to envision, like, I have to make over \$100,000 plus in order to continue to live in the city that raised me. And so, what is our duty here today, and ongoing as we talk about housing in our city? Personally, I don't believe that we're going to be able to build ourselves out of the out of the situation, but I do think that we can make strides in doing the right thing that would allow us to build, to be creative around building, to add another tool to our toolbox, as to what actually building the

restrictions that we currently have, how we can remove those restrictions so that more building and more housing, especially affordable housing, can actually be built, that's critically important to me. And so, this is why I think the introduction of the three plus three amendment was something that was very strong and really helps to thread that needle as that phrase has been brought into this space. Really thinking about what is that middle ground and while the production of overall units is a lower number, I think in terms of bringing our beloved community along in the process together is what maybe -- is what we should maybe be honing in on a bit more. And so, I think there's further conversations that we need to have, but I respectfully believe that we as this elected body, are committed to doing the work to make sure that we are meeting the needs, listening to the voices, and trying to make the best and most informed decision possible. So tonight, based on kind of what we have before us, I will move this forward, recognizing that there's room for opportunity for more conversations around what things look like and what may be introduced at our next meetings. Thank you.

VICE MAYOR MARC MCGOVERN: Thank you. Alright. I'll try to wrap it up. First of all, I want to thank everybody, you know, for their hard work. Like you said, like we've heard before, we've thrown a lot of things at you, and I respect what you do and I respect your positions and your experience. Assistant Manager Farooq, you know, everyone always talks about how we need outside consultants. Now that you're going to Harvard, do we get to bring you back as an outside consultant? So, but I obviously wish you the best and thank you as well. You know, to just follow-up real quickly on one of Councillor Wilson's points about, you know, the whole supply and demand question and can we build our way out of this. You know, I don't know whether we can or we can't. I mean, we could extend this for another two years, and I could bring up a million people that will say supply and demand does apply. Someone else can bring up a million people, you know, saying supply and demand does it. You know, we can say, don't compare us to Austin, but compare us to Vancouver. Well, we're not - we may not be Austin, but we sure as hell aren't in Vancouver either. We could do this, you know, I can line up experts. Somebody else can line up experts. We can -- it's a tough question to answer. There's no -- this isn't like climate change where 99.9% of the scientists believe something. This is contentious. But what I do know is not building housing isn't the answer, okay, for a lot of reasons. And, you know, to Councillor Zusy's point about we need our residents to feel comfortable, I just want to point out a couple things. Number one, every meeting that we've had, the amount of people who have come out concerned about this ordinance has been equaled by the amount of people who have come out in support of this ordinance. So, which residents do we want to feel comfortable, right? So, we have half the residents or, you know, large chunks of the residents that wanted the original version. I'm getting beat up by some people because I'm willing to drop to four stories based zoning instead of sticking with the six. And those people certainly aren't going to be happy if we delay this and don't do anything. Don't they count? Aren't they residents? Don't they matter? So, I think this Council has worked really, really hard, this Committee. I really want to thank Councillor Toner because, you know, I knew where you were when you came into this, and I

knew the pressure that you were under, Councillor Toner, from your constituencies and your supporters, and you held a number of meetings that, you know, were challenging, but you were willing to come to the table and try to find a compromise that that addressed a lot of those concerns but also was willing to move this forward in a way that didn't undermine the overall goal of being at making it easier to build more housing. And I think we have done that, as a Council, you know. If for folks to feel comfortable, if folks to feel comfortable means they get everything, that's not a compromise. Right? So, I would if folks you know, when you look at where we started, six stories as of right across the city, it's now four. There was no amendment or there was no, at the six stories, there was no guarantee that we would get inclusionary out of six stories. Someone could build a nine unit, six story building. We fixed that. You only get six stories if you do 20% inclusionary. People were concerned about losing rear inside setbacks, we fixed that. People were concerned that someone's going to throw up a six-story building right next to me on a small lot, 5,000 square foot lot size. That's going to limit the number of units that get that get built, but some of us are willing to compromise on that to address the concern that some of the folks had who were upset about this. If getting 80% or 75% of what you want isn't enough to help you feel comfortable, I don't know, I don't know what to do. Now you're talking about setting up a situation where there are winners and losers, and I think we're trying not to do that. And I think we've done that, and I think that's a good thing even though I also am not getting everything that I want and the people who are advocating with me are not getting everything that they want, that's okay. So, I'm proud of the work that we've done, I think we have addressed a large number of concerns that people have had, but yet we're still moving forward with making it easier to build more housing across the city, which is what you need to do when you have a housing shortage. So, you know, I wish more people felt comfortable and more people could realize that there's -- there have been a lot of compromises here and can at least accept that maybe I didn't get everything, but I got a lot. And if people are willing to do that, I think people on both sides of this issue will feel okay, but that's up to them. So, obviously, I will be voting to forward these today. So, we got to get -- we got a couple votes we have to take.

CITY CLERK DIANE LEBLANC: Mister Chair, do you want to just extend a few more minutes because we're at 5:27, and we said we've got to extend to 5:30?

VICE MAYOR MARC MCGOVERN: We have three minutes. I think we got four votes. So long as nobody wants to talk anymore.

CITY CLERK DIANE LEBLANC: Motions so moved.

VICE MAYOR MARC MCGOVERN: Okay. Extend for 10 more minutes. We won't need it?

CITY CLERK DIANE LEBLANC: Councillor Azeem?

COUNCILLOR BURHAN AZEEM: Yes.

CITY CLERK DIANE LEBLANC: Yes. Vice Mayor McGovern.

VICE MAYOR MARC MCGOVERN: Yes.

CITY CLERK DIANE LEBLANC: Yes. Councillor Nolan?

COUNCILLOR PATRICIA M. NOLAN: Yes.

CITY CLERK DIANE LEBLANC: Yes, Councillor Siddiqui.

COUNCILLOR SUMBUL SIDDIQUI: Yes
CITY CLERK DIANE LEBLANC: Yes, Councillor Sobrinho-Wheeler
COUNCILLOR JIVAN SOBRINHO-WHEELER: Yes.
CITY CLERK DIANE LEBLANC: Yes, Councillor Toner.
COUNCILLOR PAUL F. TONER: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Wilson.
COUNCILLOR AYESHA M. WILSON: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Zusy.
COUNCILLOR CATHERINE ZUSY: Yes.
CITY CLERK DIANE LEBLANC: Yes. Mayor Simmons?
MAYOR E. DENISE SIMMONS: Yes.
CITY CLERK DIANE LEBLANC: Yes. Mr. Chair, nine members have voted

yes.

VICE MAYOR MARC MCGOVERN: Okay. So, on a motion by Councillor Azeem makes a motion to forward the Multifamily Zoning Petition Part One as amended to the full City Council with a favorable recommendation that it be passed to a second reading. Roll call.

CITY CLERK DIANE LEBLANC: Councillor Azeem?
COUNCILLOR BURHAN AZEEM: Yes.
CITY CLERK DIANE LEBLANC: Yes. Vice Mayor McGovern.
VICE MAYOR MARC MCGOVERN: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Nolan?
COUNCILLOR PATRICIA M. NOLAN: Yes.
CITY CLERK DIANE LEBLANC: Yes, Councillor Siddiqui.
COUNCILLOR SUMBUL SIDDIQUI: Yes.
CITY CLERK DIANE LEBLANC: Yes, Councillor Sobrinho-Wheeler.
COUNCILLOR JIVAN SOBRINHO-WHEELER: Yes.
CITY CLERK DIANE LEBLANC: Yes, Councillor Toner.
COUNCILLOR PAUL F. TONER: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Wilson.
COUNCILLOR AYESHA M. WILSON: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Zusy.
COUNCILLOR CATHERINE ZUSY: No.
CITY CLERK DIANE LEBLANC: No. Mayor Simmons?
MAYOR E. DENISE SIMMONS: Yes.
CITY CLERK DIANE LEBLANC: Yes. Mr. Chair, eight members have voted

yes, one member has voted no.

VICE MAYOR MARC MCGOVERN: Great. On a motion by Councillor Siddiqui, to make a motion to forward the Multifamily Zoning Petition Part Two as amended to the full City Council with a favorable recommendation that'd be passed to a second reading. Roll call?

CITY CLERK DIANE LEBLANC: Councillor Azeem?
COUNCILLOR BURHAN AZEEM: Yes.
CITY CLERK DIANE LEBLANC: Yes. Vice Mayor McGovern.
VICE MAYOR MARC MCGOVERN: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Nolan?
COUNCILLOR PATRICIA M. NOLAN: Yes.
CITY CLERK DIANE LEBLANC: Yes, Councillor Siddiqui.
COUNCILLOR SUMBUL SIDDIQUI: Yes.
CITY CLERK DIANE LEBLANC: Yes, Councillor Sobrinho-Wheeler
COUNCILLOR JIVAN SOBRINHO-WHEELER: Yes.

CITY CLERK DIANE LEBLANC: Yes, Councillor Toner.
COUNCILLOR PAUL F. TONER: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Wilson.
COUNCILLOR AYESHA M. WILSON: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Zusy.
COUNCILLOR CATHERINE ZUSY: No.
CITY CLERK DIANE LEBLANC: No. Mayor Simmons?
MAYOR E. DENISE SIMMONS: Yes.

CITY CLERK DIANE LEBLANC: Yes. Mr. Chair, eight members have voted yes, one member has voted no.

VICE MAYOR MARC MCGOVERN: Okay. On a motion by Mayor Simmons to Send City Manager Agenda item 2024 number 207 to the full City Council with the recommendation that it be placed on file. Roll call.

CITY CLERK DIANE LEBLANC: Councillor Azeem?
COUNCILLOR BURHAN AZEEM: Yes.
CITY CLERK DIANE LEBLANC: Yes. Vice Mayor McGovern.
VICE MAYOR MARC MCGOVERN: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Nolan?
COUNCILLOR PATRICIA M. NOLAN: Yes.
CITY CLERK DIANE LEBLANC: Yes, Councillor Siddiqui.
COUNCILLOR SUMBUL SIDDIQUI: Yes
CITY CLERK DIANE LEBLANC: Yes, Councillor Sobrinho-Wheeler
COUNCILLOR JIVAN SOBRINHO-WHEELER: Yes.
CITY CLERK DIANE LEBLANC: Yes, Councillor Toner.
COUNCILLOR PAUL F. TONER: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Wilson
COUNCILLOR AYESHA M. WILSON: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Zusy.
COUNCILLOR CATHERINE ZUSY: No.
CITY CLERK DIANE LEBLANC: No. Mayor Simmons?
MAYOR E. DENISE SIMMONS: Yes.

CITY CLERK DIANE LEBLANC: Yes. Mr. Chair, eight members have voted yes, one member has voted no.

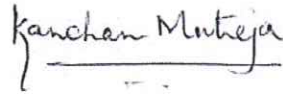
VICE MAYOR MARC MCGOVERN: On a motion by Councillor Wilson to send the Community Developments Department's response dated January 14, 2025, to the full City Council with a recommendation that it be placed on file. Roll call.

CITY CLERK DIANE LEBLANC: Councillor Azeem?
COUNCILLOR BURHAN AZEEM: Yes.
CITY CLERK DIANE LEBLANC: Yes. Vice Mayor McGovern.
VICE MAYOR MARC MCGOVERN: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Nolan?
COUNCILLOR PATRICIA M. NOLAN: Yes.
CITY CLERK DIANE LEBLANC: Yes, Councillor Siddiqui.
COUNCILLOR SUMBUL SIDDIQUI: Yes.
CITY CLERK DIANE LEBLANC: Yes, Councillor Sobrinho-Wheeler.
COUNCILLOR JIVAN SOBRINHO-WHEELER: Yes.
CITY CLERK DIANE LEBLANC: Yes, Councillor Toner.
COUNCILLOR PAUL F. TONER: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Wilson.
COUNCILLOR AYESHA M. WILSON: Yes.

CITY CLERK DIANE LEBLANC: Yes. Councillor Zusy.
COUNCILLOR CATHERINE ZUSY: No.
CITY CLERK DIANE LEBLANC: No. Mayor Simmons?
MAYOR E. DENISE SIMMONS: Yes.
CITY CLERK DIANE LEBLANC: Yes. Mr. Chair, eight members have voted
yes, one member has voted no.
VICE MAYOR MARC MCGOVERN: Right. I have a motion to adjourn.
COUNCILLOR PAUL F. TONER: Yes.
VICE MAYOR MARC MCGOVERN: Councillor Toner moves to adjourn.
CITY CLERK DIANE LEBLANC: Councillor Azeem?
COUNCILLOR BURHAN AZEEM: Yes.
CITY CLERK DIANE LEBLANC: Yes. Vice Mayor McGovern.
VICE MAYOR MARC MCGOVERN: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Nolan?
COUNCILLOR PATRICIA M. NOLAN: Yes.
CITY CLERK DIANE LEBLANC: Yes, Councillor Siddiqui.
COUNCILLOR SUMBUL SIDDIQUI: Yes.
CITY CLERK DIANE LEBLANC: Yes, Councillor Sobrinho-Wheeler.
COUNCILLOR JIVAN SOBRINHO-WHEELER: Yes.
CITY CLERK DIANE LEBLANC: Yes, Councillor Toner.
COUNCILLOR PAUL F. TONER: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Wilson.
COUNCILLOR AYESHA M. WILSON: Yes.
CITY CLERK DIANE LEBLANC: Yes. Councillor Zusy.
COUNCILLOR CATHERINE ZUSY: Yes.
CITY CLERK DIANE LEBLANC: Yes. Mayor Simmons?
MAYOR E. DENISE SIMMONS: Yes.
CITY CLERK DIANE LEBLANC: Yes. Mr. Chair, nine members have voted
yes.
VICE MAYOR MARC MCGOVERN: Thank you all. We are adjourned.
The Cambridge City Council Ordinance Committee adjourned at
approximately 5:30 p.m.

C E R T I F I C A T E

I, **Kanchan Mutreja**, a transcriber for Datagain, do hereby certify:
That said proceedings were listened to and transcribed by me and were prepared using standard electronic transcription equipment under my direction and supervision; and I hereby certify that the foregoing transcript of the proceedings is a full, true, and accurate transcript to the best of my ability.
In witness whereof, I have hereunto subscribed my name this 21st day of January 2025.

Handwritten signature of Kanchan Mutreja in cursive script, with a horizontal line underneath the name.

Signature of Transcriber

B



CITY OF CAMBRIDGE
Community Development Department

IRAM FAROOQ
Assistant City Manager for
Community Development

SANDRA CLARKE
Chief of Admin/Operations

MELISSA PETERS
Chief of Planning Strategy

To: Ordinance Committee
From: Iram Farooq, Assistant City Manager for Community
Development
Megan Bayer, City Solicitor
Date: January 14, 2025
Subject: Response to Policy Order POR 2024 #163 dated December 19, 2024 and
Policy Order POR 2025 #1 dated January 6, 2025 regarding amendments
to the Multifamily Housing Zoning Petitions

The Ordinance Committee during its meeting on December 19, 2024 voted in favor of six changes to the Multifamily Housing Zoning Petitions and requested additional information about four related topics. These changes and requests were adopted by the full Council on December 23, 2024 in Policy Order 2024 #163. The Council later adopted Policy Order 2025 #1 on January 6, 2025, which requested further information about two additional topics discussed at the December 19 meeting of the Ordinance Committee. A description of the requested changes to the zoning petitions and additional information are detailed below.

Attached to this response are revised versions of the text of both zoning petitions reflecting the six changes described above. The suggested changes are highlighted in the text and described below. Additional changes in the revised zoning text provide minor clarifications or corrections, and are also highlighted. Also attached is a revised map of proposed residential height limits. We suggest that the Council amend both Petitions by substitution with the revised text.

Changes to the Multifamily Housing Zoning Petitions

1. *Reducing the base zoning height limit from six stories to four stories*

Incorporated in Petition One, Page 18, Section 5.30 Table of District Dimensional Requirements. See Page 18. The height limit for C-1 districts has been reduced from 6 stories and 75 feet to 4 stories and 45 feet. All other zoning districts remain unchanged from the original petition.

2. *Establishing a two-story density bonus for inclusionary developments*

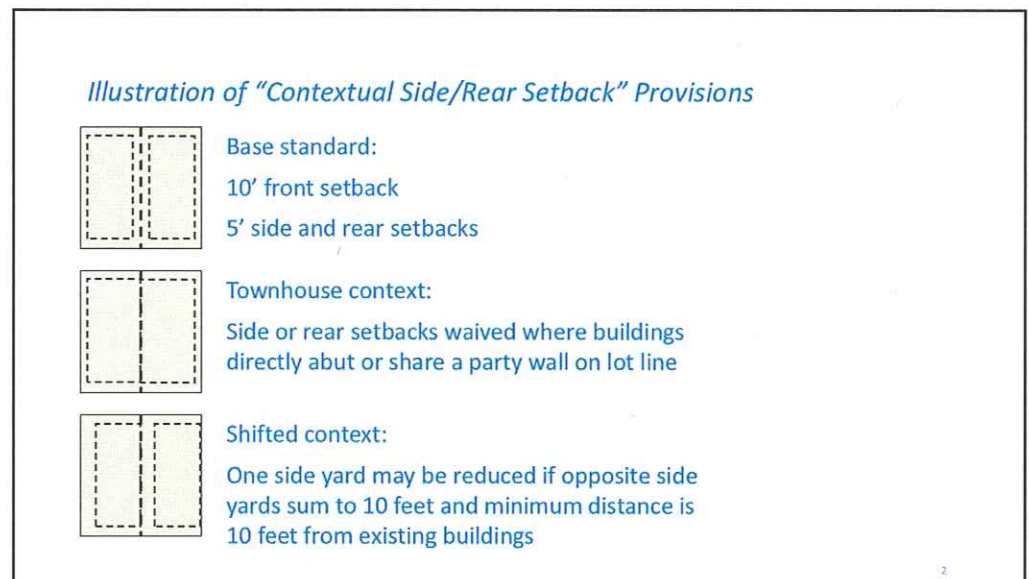
Incorporated in Petition One, Page 20, Section 5.30 Table of District Dimensional Requirements and 5.40 Footnote (2). The new Footnote (2) states that the height of buildings that comply with Inclusionary Housing requirements may be increased to six stories and 70 feet.

3. *Adding back contextual 5-foot side and rear setbacks for all developments, with exceptions for townhouses*

344 Broadway
Cambridge, MA 02139
Voice: 617 349-4600
Fax: 617 349-4669
TTY: 617 349-4621
www.cambridgema.gov

Incorporated in Petition One, Page 18, Section 5.30 Table of District Dimensional Requirements, and Page 20, 5.40 Footnote (4). Minimum side and rear setback requirements have been increased from 0 to 5 feet in all Residential districts.

Footnote (4) describes two “contextual” circumstances in which the required setbacks may be reduced. In the first circumstance, which would apply to townhouse-style development, the side yards for abutting lots may be reduced to zero reciprocally where two buildings directly abut each other or share a party wall along the lot line. In the second circumstance, which would account for development in an area where existing buildings have unequal side yards, the side yard could be reduced on one side with an equivalent increase on the opposite side, so long as a minimum 10-foot separation from existing buildings is maintained. See illustration below.



4. *Requiring a minimum lot size of 5,000 square feet for developments greater than four stories*

Incorporated in Petition One, Page 20, Section 5.30 Table of District Dimensional Requirements and 5.40 Footnote (2).

5. *Ensuring the Affordable Housing Overlay (AHO) still scales with base zoning, allowing for heights of up to nine stories*

Incorporated in Petition Two, Page 5, Section 11.207.5.2. The clearest way to achieve this result is to clarify how the incremental height increases change within the Affordable Housing Overlay Building Heights section. The

suggested revision allows up to 9 stories for an AHO project where the underlying zoning district permits less than 75 feet in residential height, and up to 13 stories for an AHO project where the underlying zoning permits 75 feet or more in residential height, except where the heights are increased in an AHO Corridor or AHO Square (permitting up to 12 stories and 15 stories, respectively). Because the original petition would effectively increase the allowable AHO Building Heights to 13 stories in all districts, this added change is intended as a clarification. In order to be as clear as possible, the proposed revision simplifies the text by removing references to lower AHO height limits that would no longer be applicable with the proposed changes to base zoning.

6. *Implementing a regular 5-year review of the Multifamily Zoning Ordinance with an annual update*

Incorporated in Petition Two, Page 1, as a new Section 1.80. Because this is not an actual zoning requirement and is associated with the effects of the Zoning Ordinance as a whole and not any particular special section, the suggestion is to include it in the Preamble and associate the review with the purpose of zoning, which includes “to encourage housing for persons of all income levels.”

The suggested process would include an Annual Housing Report that summarizes specific changes to the housing stock, including market-rate and affordable homes, and a Five-Year Housing Evaluation that analyzes longer-term trends in housing along with other planning objectives that may be impacted.

Additional Information Requested

1. *Rezoning the corridors and squares;*

Following a vote of the multifamily zoning petition, CDD will work with City Council to prioritize planning and zoning for key squares and corridors. The following are the status of current planning and zoning initiatives:

- Central Square Rezoning: Zoning recommendations under development
- Mass Ave Planning Study: Planning and community process underway.
- Cambridge Street: Planning process and zoning recommendations completed.

CDD would appreciate an opportunity at a future Council committee meeting to discuss additional squares and corridors for rezoning consideration and prioritize sequencing for zoning development and adoption.

2. *What legal protections can be provided in local and state law for solar systems on residential properties?*

State law offers several types of protection for solar access for residential properties.

G.L. c.40A, §3

First, in the Zoning Act, G.L. c.40A, §3, there is broad protection of solar. In 1985, Section 3 was amended to make solar a protected use that municipalities cannot outright prohibit. Section 3 states: “No zoning ordinance or by-law shall prohibit or unreasonably regulate the installation of solar energy systems or the building of structures that facilitate the collection of solar energy, except where necessary to protect the public health, safety or welfare.” This section has been reviewed by the courts in cases involving large scale solar energy systems. This section is not relevant here because the Multifamily Zoning Petitions are not adding regulations that prohibit or unreasonably regulate solar energy systems.

G.L. c.40A, §9B

Next, Section 9B of the Zoning Act offers two types of protection to solar access and solar energy systems. “Solar access” is defined as the access of a solar energy system to sunlight. The first type of protection is:

“[z]oning ordinances or by-laws adopted or amended pursuant to section five of this chapter may encourage the use of solar energy systems and protect solar access by regulation of the orientation of streets, lots and buildings, maximum building height limits, minimum building set back requirements, limitations on the type, height and placement of vegetation and other provisions.”

This provision would allow the City Council to adopt regulations, including dimensional regulations, to protect solar access. This could include height or setback regulations that serve the purpose of allowing sunlight on abutting properties for solar access. This section does not prohibit zoning regulations that allow additional height or reduce setbacks that may have the impact of reducing sunlight on abutting properties, but rather provides statutory authorization for zoning regulations that are in place for the purpose of encouraging solar energy systems and protecting solar access.

The second type of protection is that a municipality could adopt an ordinance/bylaw that allows for a special permit that would allow one property owner to obtain an easement on abutting property for solar access on the applicant’s property. This would be applied on a property-by-property

basis when one property owner applies for the special permit that would impose the easement on abutting property. There do not appear to be any cases that have interpreted this section of the statute, and this section may be vulnerable to challenge because the common law rule is that easements must be negotiated by the two property owners.

The two forms of solar protection in Section 9B do not prevent the City from enacting zoning that allows taller buildings and buildings closer together, even though resulting development may impact solar access on abutting properties. If the City wishes to separately enact zoning regulations that provide protection to solar energy systems and solar access on residential properties, Section 9B authorizes such zoning regulations.

Protection of Solar Between Private Parties

In addition to the above zoning protections for solar, there are ways private parties can work together or against one another to protect solar access for residential properties. General Laws c.187, §1A authorizes private landowners to agree to easements to preserve direct sunlight over the land of another for the protection of solar access. The easements can contain conditions such as the dimensions of buildings allowed and restrictions on vegetation or other objects that could obstruct sunlight. If a private landowner wants to preserve direct sunlight on their property they can negotiate and enter into an easement with another property owner for that purpose.

It is also possible that if a private property owner experiences a diminished amount of sunlight on their property as a result of a development on abutting property, and the reduction in sunlight impacts their solar energy system, they may have a basis to bring a nuisance case against the abutting property owner. A nuisance case is based on the premise that one must not use their land in a way that unreasonably impairs the use or enjoyment of another property owner. We do not know whether a court would find that development on one property that blocks sunlight to another property constitutes a private nuisance, but it is possible.

What Could the Multifamily Zoning Petitions do to Protect Solar Access

There have been questions about what the Multifamily Zoning Petitions can do to protect existing solar energy systems on residential properties, and whether a developer can be required to work with an impacted neighbor to avoid impacts to existing solar energy systems. It would not be permissible to have different dimensional regulations in place only for properties that happen to be abutting existing residential solar energy systems. It would

also not be permissible to require property owners who are developing property next to existing residential solar energy systems to work with the abutting property owner to come to some type of agreement concerning solar access. Both of those requirements would likely violate the uniformity provision in zoning because each class or kind of structure or use permitted in a zoning district must be treated uniformly. G.L. c.40A, §4. It is likely a violation of the uniformity provision if some properties have to build smaller multifamily buildings than other properties based only on whether there is an existing solar energy system next door or based on the negotiation they had with the abutting owner. Additionally, a zoning regulation like that would essentially penalize properties that have not yet installed a solar energy system could have unintended consequences.

The Council could consider a separate zoning petition pursuant to G.L. c.40A, §9B that uniformly imposes regulations to encourage the use of solar energy systems and protect solar access. Also, in the current Multifamily Zoning Petitions if the Council is only going to allow multifamily structures between 4 stories and 6 stories in certain instances, such as with inclusionary zoning and on lots that are 5,000 feet or greater, the Council could also consider requiring the structures over 4 stories have some type of bulk plane restriction to protect solar access.

3. *Requiring a minimum lot size of 5,000 square feet for developments greater than four stories unless the development includes 50% affordable units*

It is a change to the fundamental character of the Multifamily Zoning Petitions to require 50% affordable units if a development that is greater than four stories is constructed on a lot that is smaller than 5,000 square feet. This proposal would allow as of right development, i.e. multifamily greater than four stores on a lot less than 5,000 square feet, but only on the condition that it be subject to the City's inclusionary housing requirements. However, this proposal would impose different inclusionary housing requirements than are currently in the Zoning Ordinance. The Zoning Ordinance currently sets a 20% inclusionary requirement. The original Multifamily Zoning Petitions do not change the 20% inclusionary requirement in any way. So, adding a provision to the Multifamily Zoning Petitions that changes the inclusionary requirement, even if only in certain instances, is a change to the fundamental character of the petition. Additionally, in order to withstand a legal challenge, inclusionary housing requirements must have an essential nexus between proposed development and the need for affordable housing, and the contribution must be roughly proportional to the impact the development will have on that public interest. There is no evidence that a 50% inclusionary housing requirement is proportional to the impact market rate development will

have on the need for affordable housing. The Council should have this evidence before making changes to the inclusionary housing requirement.

4. *Ensure that buildings of five or six stories include 40% open space, with at least 50% being permeable; and a consideration of up to 75% permeability*

If the Council wished to include it, this amendment could be made in alternative version of Footnote (2) described above that establishes criteria for allowing up to 6 stories in Residence C-1 districts. Alternative text is shown below with an additional Paragraph “(c)” included. Because this is not included in the attached revised petition text, the Council would need to amend that revised text by substituting the version below for Section 5.40, Footnote (2).

- (2) The height of buildings or portions of buildings used as Residences may exceed the base height limit, up to a maximum of 6 stories above grade and 70 feet above grade, if all of the following criteria are met:
 - (a) The building complies with the Inclusionary Housing Requirements in Section 11.203 of this Zoning Ordinance, regardless of whether it exceeds the size threshold requiring compliance;
 - (b) The area of the lot on which the building is located is not less than 5,000 square feet; and
 - (c) The Open Space Ratio is increased to a minimum of 40% of the lot area and at least seventy-five percent (75%) of the required Open Space shall meet the definition of Permeable Open Space, notwithstanding Footnote (1) above.
5. *Setting an average maximum unit size of 2,000 square feet per lot area for new construction*

The current Multifamily Zoning Petitions do not set a maximum or minimum unit size per lot area, so to add such a requirement now would be a change to the fundamental character of the petition. Adding a new dimensional or density requirement is not a clarifying change or a change in scope but is imposition of a new type of requirement that requires re-filing of a petition or filing a new petition so that there can be new notice and a hearing to get public input. The courts have held that “when changes are made to a proposal during the legislative process, whether new notice and hearing are required depends on the degree of similarity between the amendment originally proposed and the one ultimately recommended or adopted. Specifically, new notice and hearing are not required if the changes to the original proposal are ‘not of a fundamental character.’” Penn v. Town of Barnstable, 96 Mass. App. Ct. 205, 210–11, review denied sub nom. Penn v. Town of Barnstable, 483 Mass. 1108 (2019); quoting Burlington v. Dunn, 318 Mass. 216, 218, 61 N.E.2d 243 (1945).

There is currently no standard in zoning that establishes a maximum unit size or minimum number of units on a lot. Like all standards in zoning, creating a new standard of this type would have benefits and drawbacks, including unintended consequences. If the Council wanted to pursue this type of standard, CDD staff could present alternatives to be discussed with Council and work on a separate zoning petition.

6. *Whether the City could subsidize the creation of affordable units into the City's inclusionary program in buildings below the current thresholds of the inclusionary zoning ordinance*

The City regularly subsidizes the creation of affordable housing with funding offered to housing providers through the Cambridge Affordable Housing Trust and funds available through Federal grants.

One of the stated purposes of the Affordable Housing Trust is to assist in the creation of new affordable housing. The Trust has flexibility in how it can use its funds to create affordable housing. Under terms of the Trust's Amended and Restated Declaration of Trust, Trust funds can be made available to "private, profit or non-profit entities, in the form of gifts, grants, loans, loan guarantees, letters of credit or other forms of credit enhancement, or in such other manner as the [Trust] Board may deem necessary and appropriate to fulfill the purposes of the Trust."

A developer of a market-rate residential building who is including affordable units in that building that meet the requirements of funding for the Trust could request funding assistance from the Trust. Requests for funding could include funding for voluntary inclusionary units, such as affordable units in developments that are not subject to the Inclusionary Housing provisions or additional units beyond those required by zoning.

The Trust regularly considers requests for funding to create new affordable housing in fully affordable buildings, and could also consider requests to fund affordable units in a mixed-income building. Trust considerations for such a funding request would likely include the amount of funding compared to other current or anticipated funding requests, the level of affordability of the units, other funds leveraged to create new affordable units, and the capacity and experience of the developer in building and/or operating high quality housing.

Federal funding through the HOME Investment Partnership (HOME) or Community Development Block Grant (CDBG) programs might also be used to fund affordable units in mixed-income buildings. However, as most City

funds for creating new affordable housing now flow through the Trust, it is unlikely that Federal funds would be considered.



City of Cambridge
Community Development Department
Citywide Multifamily Housing
Zoning Petition

Ordinance Committee Hearing
January 16, 2025



C



Process So Far

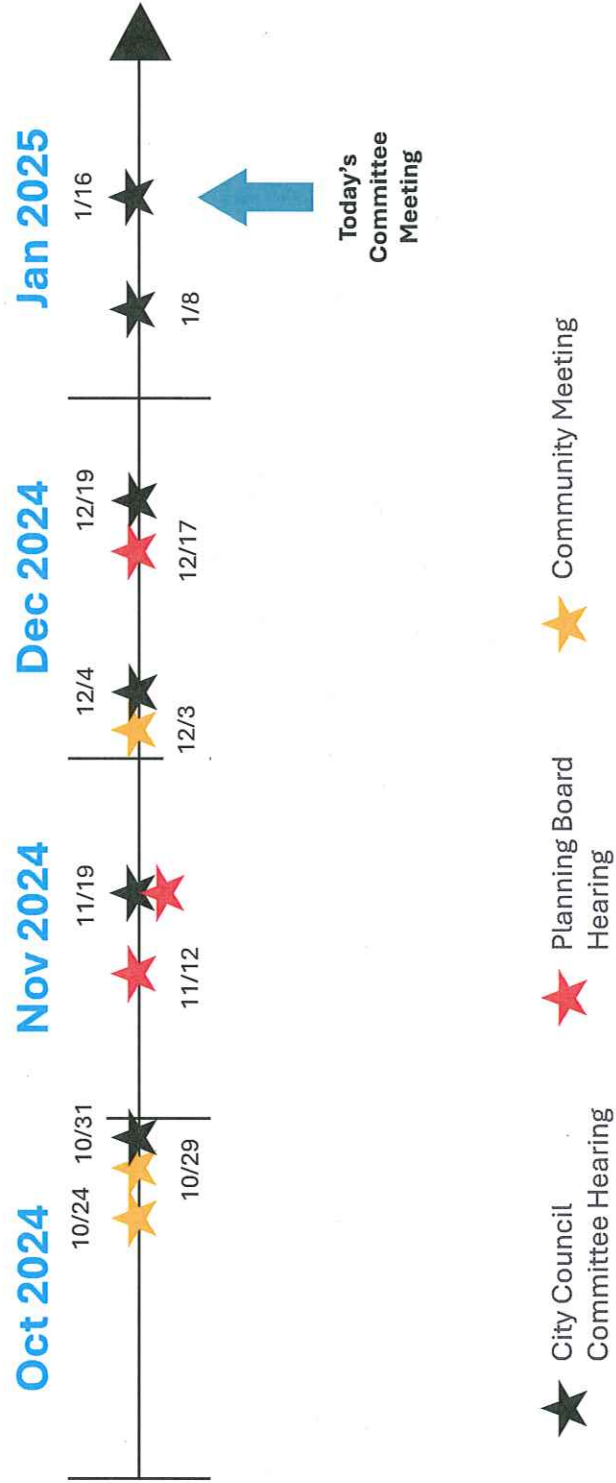
Housing Committee Process



Referring a Zoning Petition starts a process to talk about a proposed zoning change and get public input before the City Council can consider adopting the change.

City Council & Planning Board Process

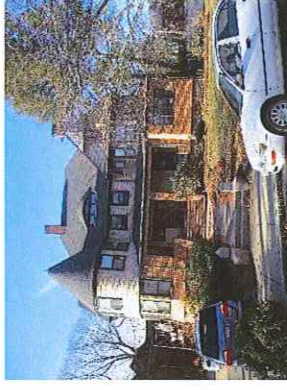
State law requires that the City Council must act on the petition on or before **February 17, 2025**. If no action is taken by then, the petition can be refilled.



City Council Goals

Issues in Policy Order (May, 2024):

- End “exclusionary zoning” in Cambridge
- Promote more multi-family housing, including income-restricted affordable housing (through inclusionary program), throughout the city
- Make multifamily housing more conforming and easier to build by removing barriers that add cost



What's Not Changing?

Requirement	What it does
Inclusionary Housing	10+ housing units or 10,000+ square feet requires 20% affordable to low-moderate income households
Climate Resilience	All new buildings must protect to future long-term flooding and mitigate heat through trees, plantings, and site design
Green Building Requirements	25,000+ square feet (all uses) must be designed to Green Building standards and install Green Roof
Historic Regulations	Rules for historic districts and buildings (Demolition Delay, Conservation District Commission review) are separate from zoning and don't change
Building Codes, Other Requirements	Fire safety codes, state sanitary code, stretch energy code, fossil-fuel-free pilot, tree protection ordinance, &c., are separate from zoning and don't change

Development Review for Housing

Project Size	Res. C-1			Other Districts*	
	Current Zng	Proposed Zng	Current Zng	Proposed Zng	Proposed Zng
< 12 units	None	None	None	None	None
12 units- 25,000 SF	Townhouse/ multi-family SP	None	None**	None	None
25,000- 50,000 SF	Townhouse/ multi-family SP	Site Plan Review (admin.)	Site Plan Review (admin.)**	Site Plan Review (admin.)	Site Plan Review (admin.)
50,000- 75,000 SF	Townhouse/ multi-family SP	PB Advisory Review	Project Review SP	PB Advisory Review	PB Advisory Review
75,000+ SF	Townhouse/ multi-family SP	Project Review SP	Project Review SP	Project Review SP	Project Review SP

* More advisory review in Areas of Special Planning Concern ** Project Review SP at 20,000 SF in BA, BA-1, BA-2

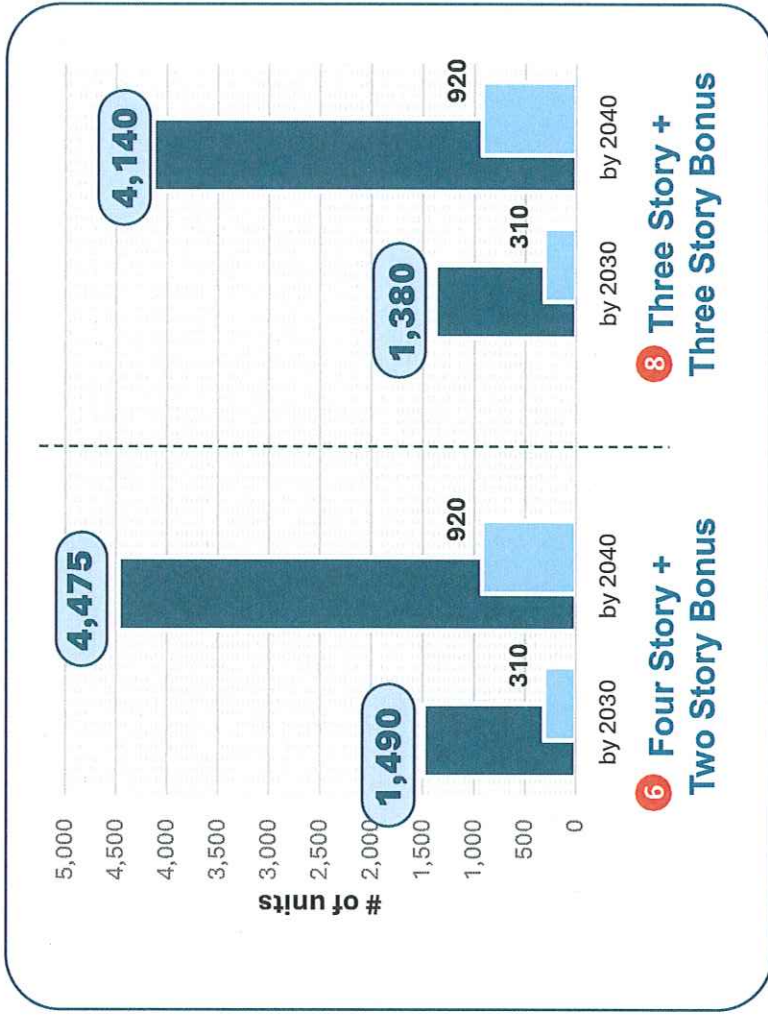
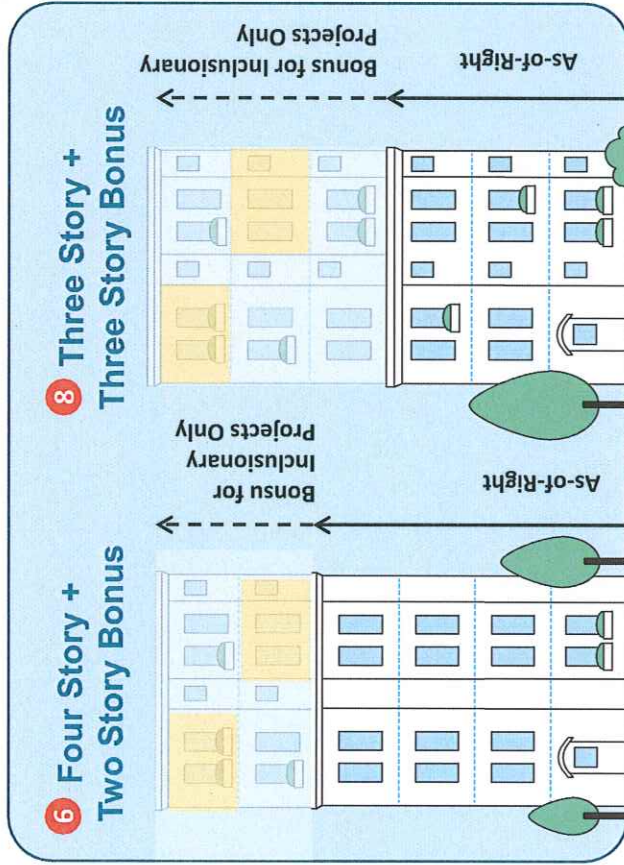


Housing Projections

Residential Scenarios Overview

- 1 Six Story As-of-Right:** Six story multifamily housing allowed in all Residential Districts
- 2 Four Story in A & B and 6 Story in C:** Four story multifamily housing allowed in Residential Districts A and B, six stories allowed in Residential District C
- 3 Six Story for Inclusionary Zoning Projects Only:** Six story multifamily housing allowed in all Residential Districts only if development includes affordable housing consistent with the Inclusionary Zoning Ordinance. Zoning for projects without Inclusionary Zoning remain unchanged.
- 4 Four Story As-of-Right + Up to Eight Stories on Select Neighborhood Streets:** Four story multifamily housing allowed in all Residential Districts, and six or eight stories allowed along select neighborhood streets (Broadway, Prospect St, Huron Ave, Concord Ave)
- 5 Four Story As-of-Right:** Four story multifamily housing allowed in all Residential Districts
- 6 Four Story + Two Story Bonus Only for Inclusionary Zoning Projects:** Four story multifamily housing allowed in all Residential Districts, with an additional two stories for projects that include affordable housing consistent with the Inclusionary Zoning Ordinance.
- 7 Four Story + Two Story Bonus Only for Inclusionary Zoning Projects on 5,000+ sq ft lots:** Four story multifamily housing allowed in all Residential Districts, with an additional two stories for projects on lots **5,000 square feet or larger** that include affordable housing consistent with the Inclusionary Zoning Ordinance.
- 8 Three + Three Story Bonus Only for Inclusionary Zoning Projects:** Four story multifamily housing allowed in all Residential Districts, with an additional two stories for projects that include affordable housing consistent with the Inclusionary Zoning Ordinance.
- 9 Three Story + Three Story Bonus Only for Inclusionary Zoning Projects on 5,000+ sq ft lots:** Four story multifamily housing allowed in all Residential Districts, with an additional two stories for projects on lots **5,000 square feet or larger** that include affordable housing consistent with the Inclusionary Zoning Ordinance.

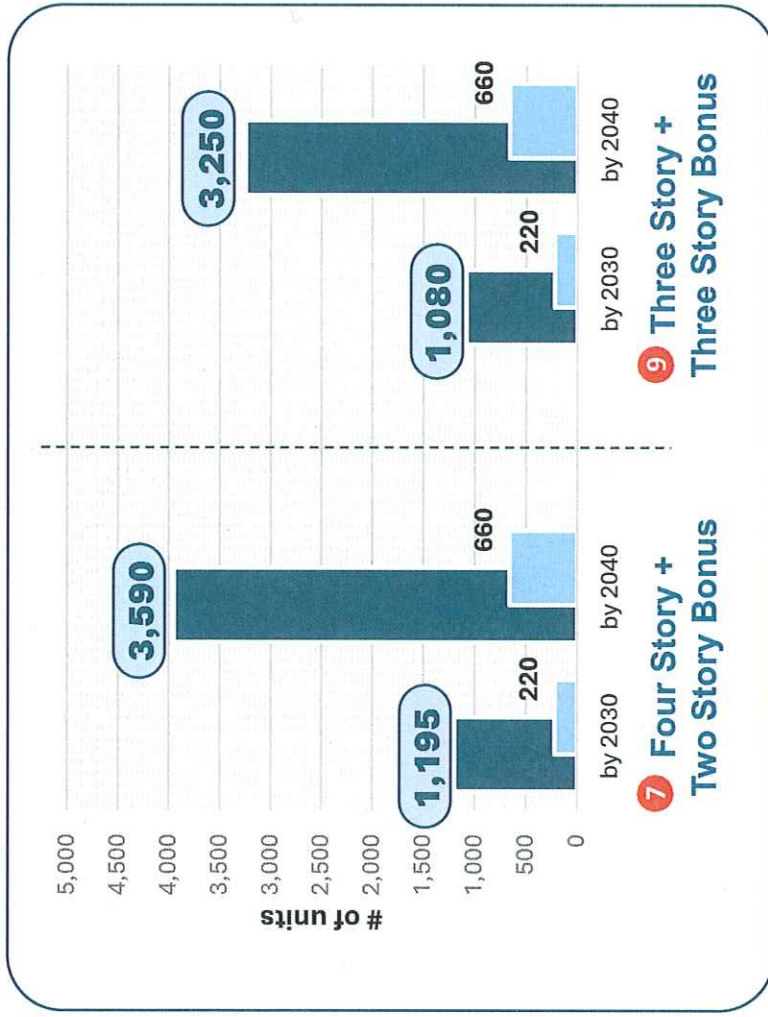
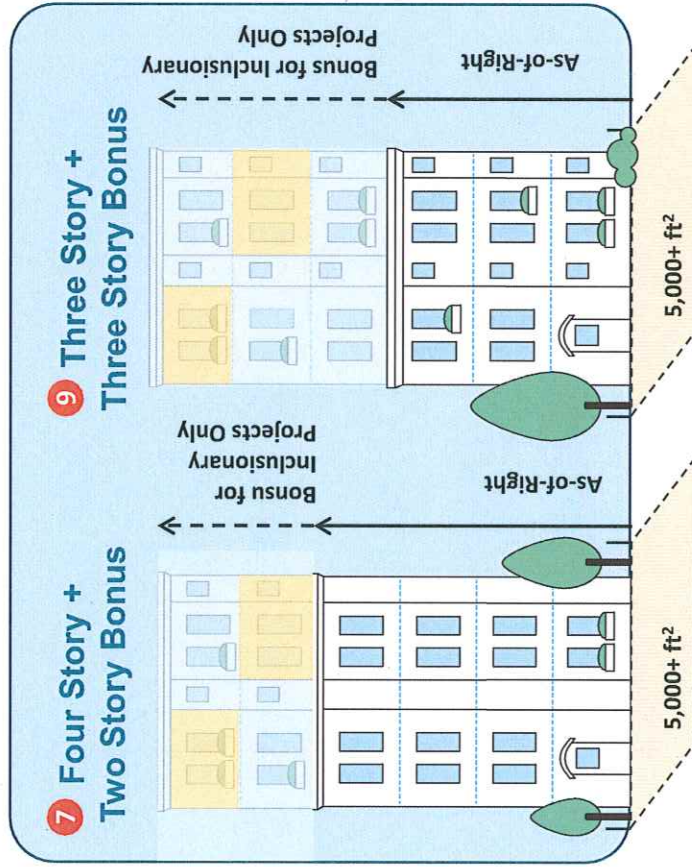
4 + 2 vs. 3 + 3 (no lot size constraints)



Net new units
Affordable units*

*does not include units developed under AHO and/or funded by Affordable Housing Trust

4 + 2 vs. 3 + 3 (5,000ft² Minimum Lot Requirement)

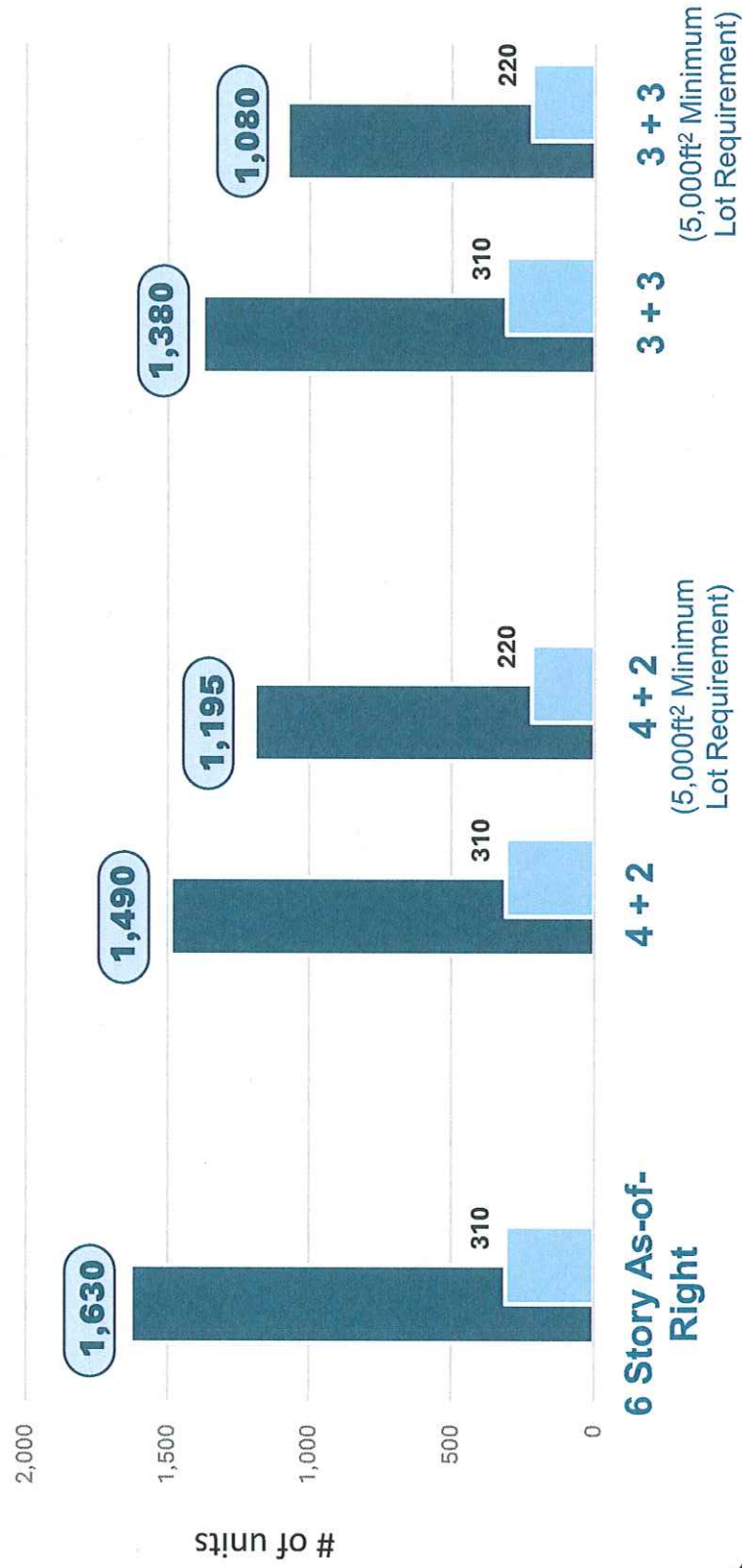


*does not include units developed under AHO and/or funded from Affordable Housing Trust

Comparing Residential Scenarios by 2030

Net new units
 Affordable units*

*does not include units developed under AHO and/or funded from Affordable Housing Trust



1

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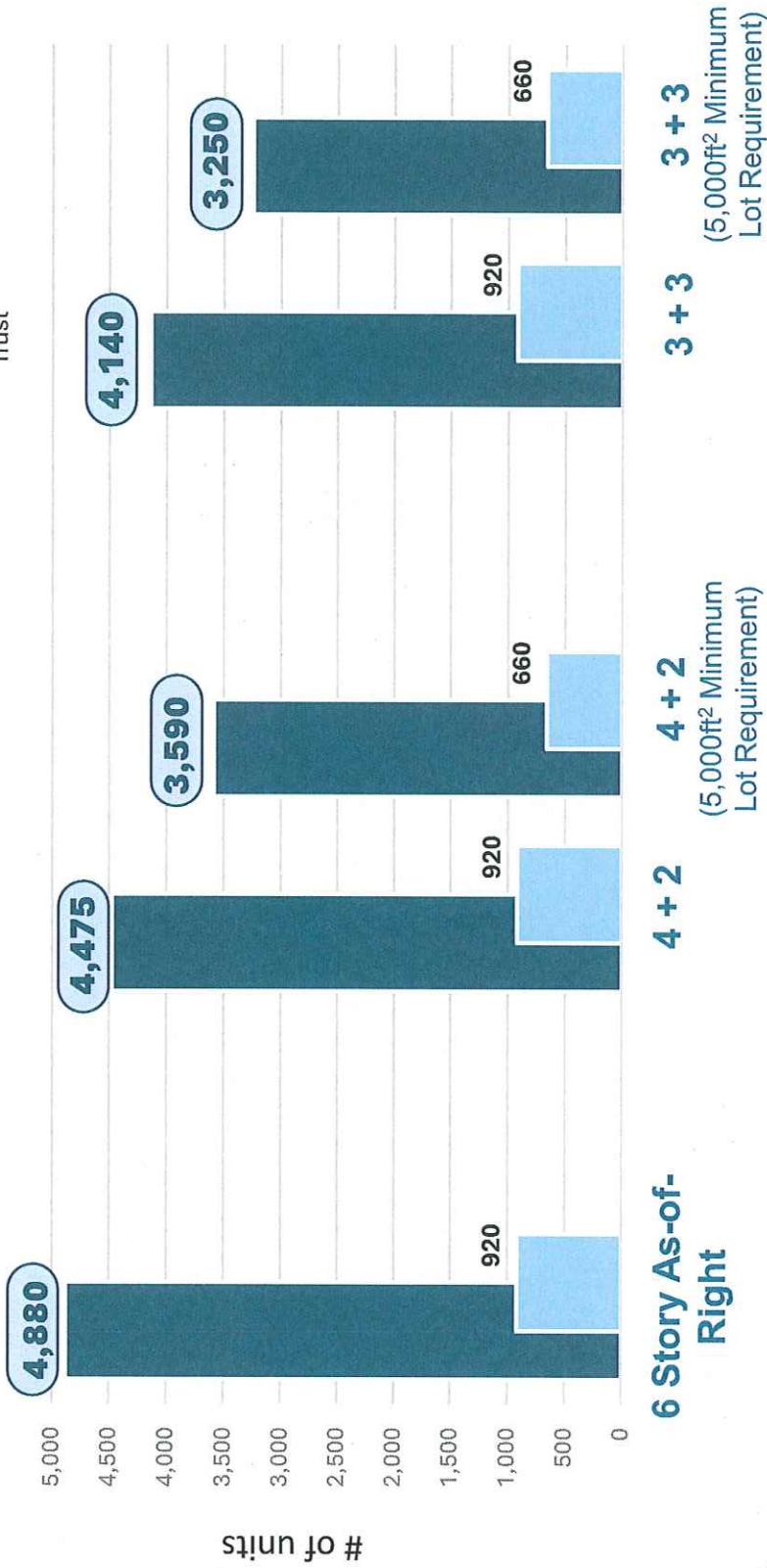
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Comparing Residential Scenarios by 2040

Net new units
 Affordable units

* does not include units developed under AHO and/or funded from Affordable Housing Trust



1

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Lot Size in Residential A, B, and C Zones

- Approximately 35.5% of lots in the A, B, and C zones are larger than 5,000 ft²
- Lot size varies across zoning districts. The median residential lot size in the A districts is more than 2x larger than the median residential lot size in the B or C districts

Residential Lot Size Breakdown*

Lot Size	Count	Percentage
Smaller than 4,000 ft ²	5387	48.8%
Larger than 4,000 ft ²	5647	51.2%
Larger than 5,000 ft ²	3918	35.5%
Larger than 8,000 ft ²	1621	14.7%
Larger than 10,000 ft ²	1148	89.6%

Median Lot Size By Zone**

Zoning District	Count	Median Lot Size (sq ft)
A	799	8,846
B	3,483	4,317
C	5,370	3,247

*lots were included if the centroid falls within the A, B, or C zones
 **lots were included if they are completely within the zones

The Housing Development Log

Housing Development Log

- The *Development Log*, published quarterly, tracks larger-scale residential and commercial development projects currently in permitting or construction phases
- Between the quarterly reports CDD staff are regularly updating the *Development Log* to have data that is as accurate as possible
- Housing projections use data from the *2024 Q1 Development Log* published in May 2024

Residential Projects in the Upcoming 2024 Q4 Development Log

All Residential Projects (Market and AHO)

Category	Project Count	Residential Units	Affordable Units
Zoning Permit Granted or As-of-Right	15	950	357
Expected Development Remaining for Approved PUD Projects	2	2,400	TBD
Building Permit Granted	12	1,349	560
TOTAL	39	4,699	917+PUD

- The unit counts include replacement units, so the net new units will be lower than what is shown
- Zoning Permit Granted includes 4 AHO projects (87-101 Blanchard Rd, 4 Mellen St, 430 Rindge Ave, Walden Sq II, and 49 Sixth St)
- Building Permit Granted includes 3 AHO projects (Jefferson Park, 52 New St, and 116 Norfolk St)

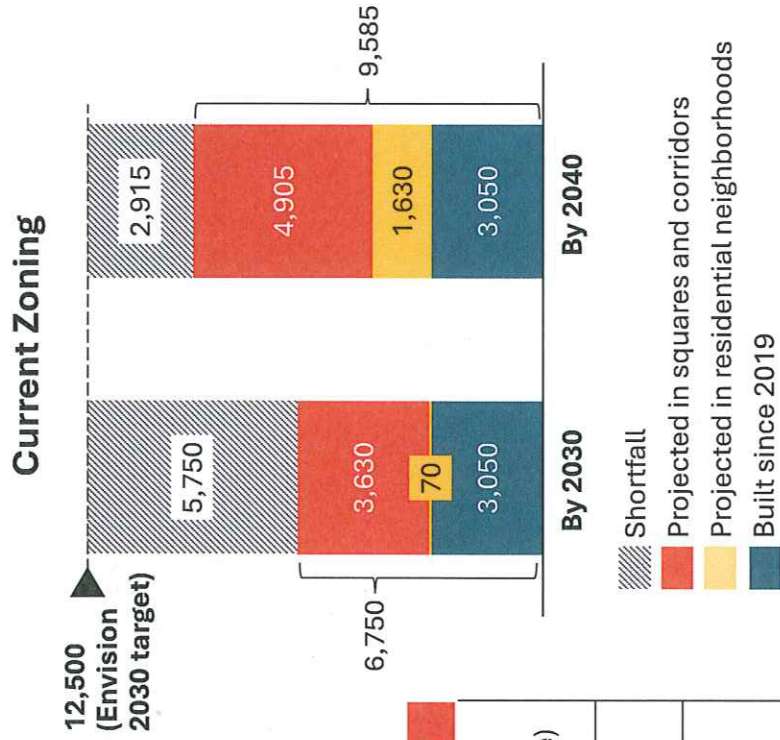
How the Development Log was Used in Projections

Built Since 2019

Category	Source	Count
Units Built Since Envision	Envision Cambridge 5-Year Progress Report	3,050 units

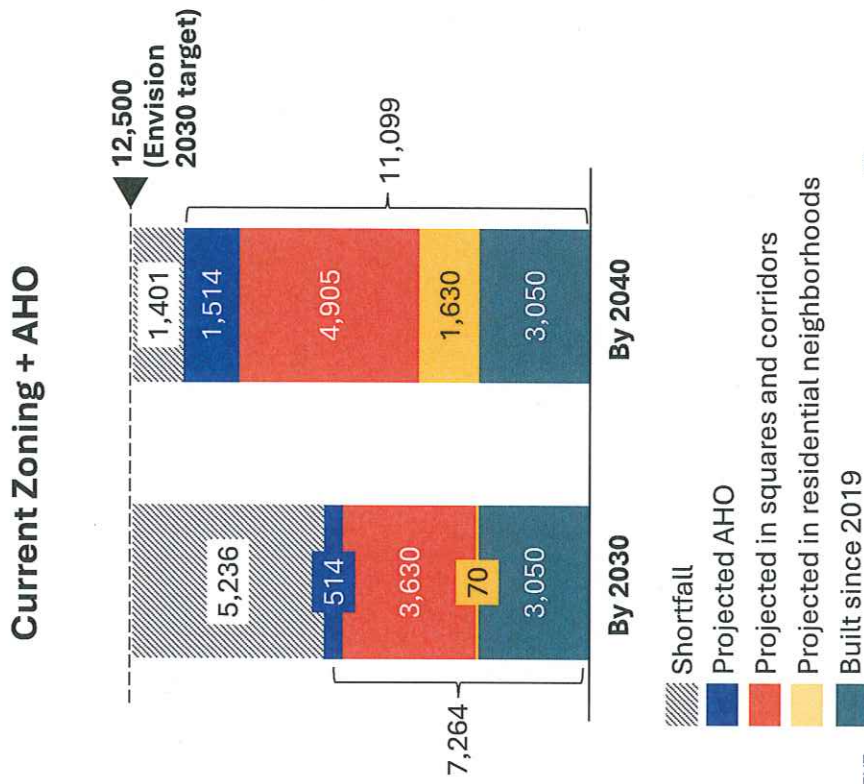
Projected in Squares, Corridors, and Neighborhoods

Category	Source	Count by 2030	Count by 2040
Expected Development Remaining for Approved PUD Projects	2024 Q1 Development Log	800 (33% complete)	2,400 (100% complete)
Building Permit Granted	2024 Q1 Development Log	1,349	1,349
Housing Projections (planned areas + softsite analysis)	CDD Planning-level Analysis	1,551	2,786



Affordable Housing Overlay in the Projections

- AHO projects were not included in the initial analysis to avoid double-counting; we expect AHO units will be built on sites included in both corridor and residential area projections
- ~514 net new units in 7 AHO projects that have completed the AHO permitting process, and are expected to be built by 2030
- Seven projects are in or are about to start the permitting process. The number of units and timeline are TBD
- If we estimate 100 AHO units could be added per year (based on Housing Trust funding and AHO amendments) we would still only expect a total of 11,009 new market-rate and affordable units by 2040



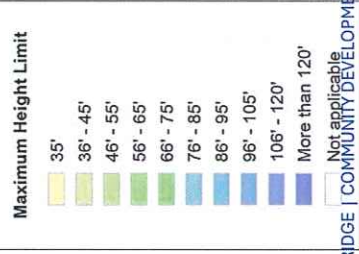
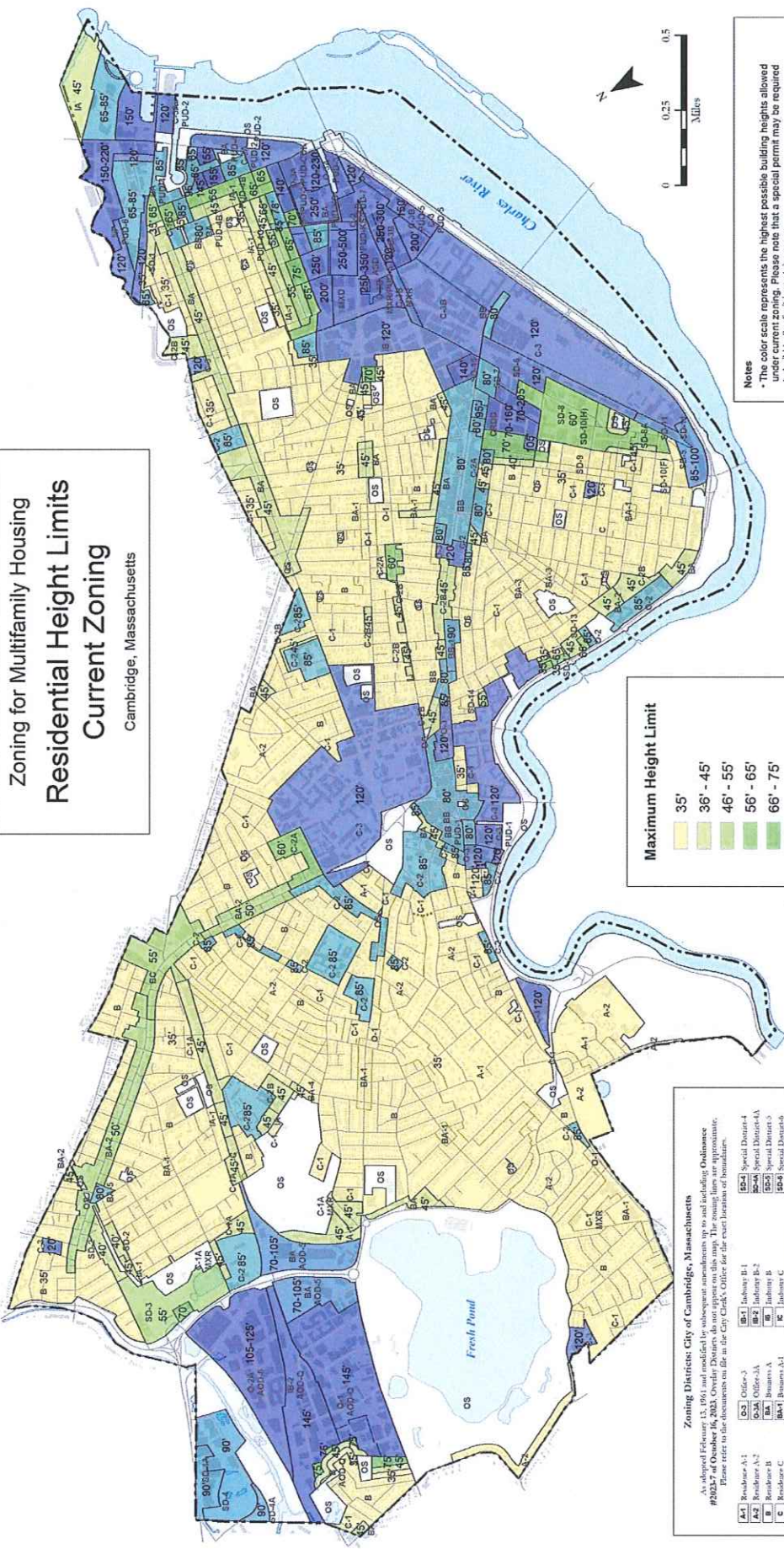


Thank You



Latest Amendments

Zoning for Multifamily Housing Residential Height Limits Cambridge, Massachusetts



Zoning Districts: City of Cambridge, Massachusetts
 As adopted February 13, 1963 and modified for subsequent amendments up to and including Ordinance #2023-7 of October 16, 2023. Overlay Districts do not appear on this map. The zoning lines are approximate. Please refer to the documents on file in the City Clerk's Office for the exact location of boundaries.

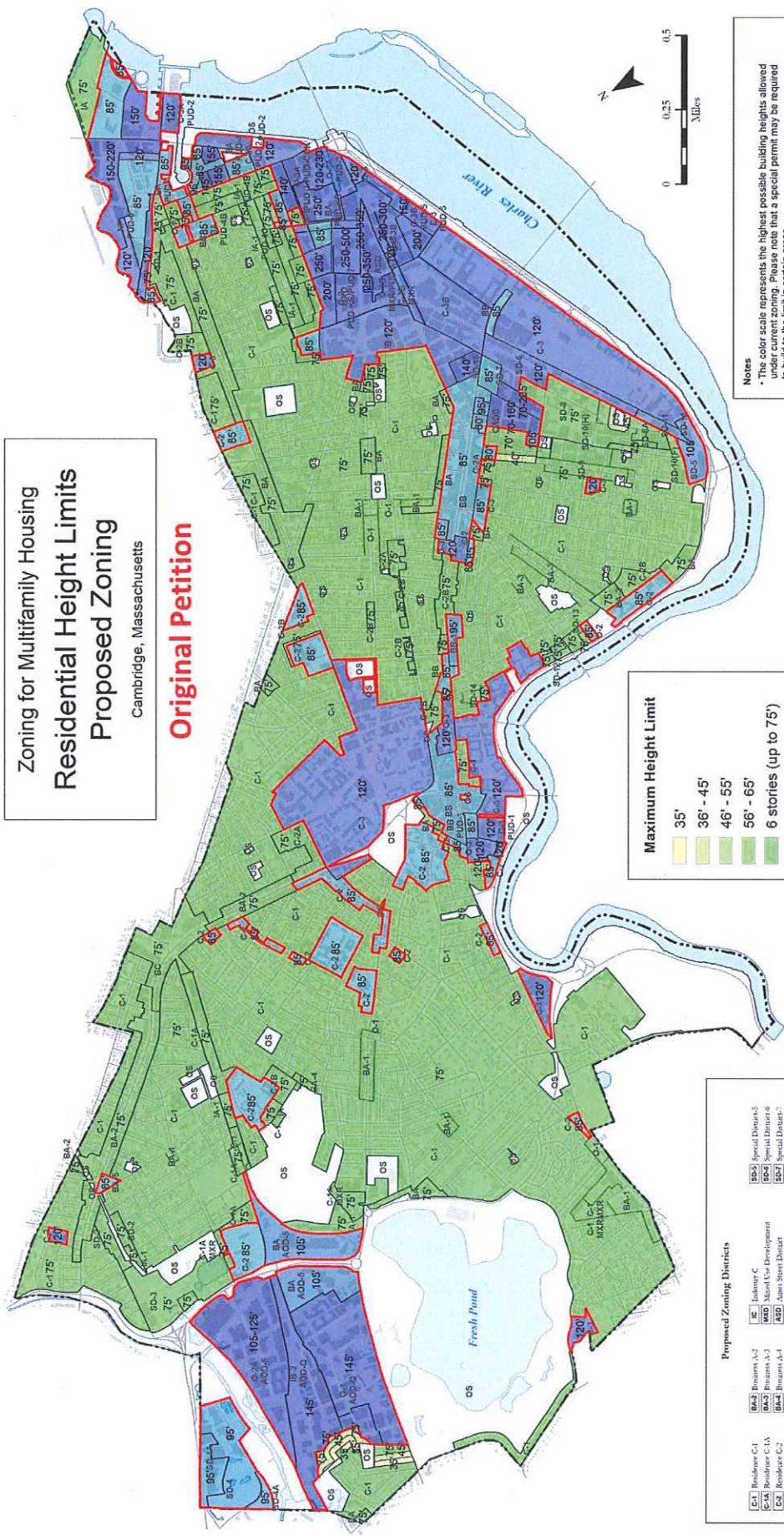
BA-1	Residence A-1	OS	Office-3	SD-2	Special District 4
BA-2	Residence A-2	OS-A	Office-3A	SD-3	Special District 5
B	Residence B	OS-B	Business A	SD-4	Special District 6
C	Residence C	OS-C	Business A-1	SD-5	Special District 7
C-1	Residence C-1	OS-C1	Business A-2	SD-6	Special District 8
C-2	Residence C-2	OS-C2	Business A-3	SD-7	Special District 9
C-3	Residence C-3	OS-C3	Business A-4	SD-8	Special District 10
C-4	Residence C-4	OS-C4	Business A-5	SD-9	Special District 11
C-5	Residence C-5	OS-C5	Business B	SD-10	Special District 12
C-6	Residence C-6	OS-C6	Business B-1	SD-11	Special District 13
C-7	Residence C-7	OS-C7	Business C	SD-12	Special District 14
C-8	Residence C-8	OS-C8	Business C-1	SD-13	Special District 15
C-9	Residence C-9	OS-C9	Business C-2	SD-14	Special District 16
C-10	Residence C-10	OS-C10	Business C-3	SD-15	Special District 17
C-11	Residence C-11	OS-C11	Business C-4	SD-16	Special District 18
C-12	Residence C-12	OS-C12	Business C-5	SD-17	Special District 19
C-13	Residence C-13	OS-C13	Business C-6	SD-18	Special District 20
C-14	Residence C-14	OS-C14	Business C-7	SD-19	Special District 21
C-15	Residence C-15	OS-C15	Business C-8	SD-20	Special District 22
C-16	Residence C-16	OS-C16	Business C-9	SD-21	Special District 23
C-17	Residence C-17	OS-C17	Business C-10	SD-22	Special District 24
C-18	Residence C-18	OS-C18	Business C-11	SD-23	Special District 25
C-19	Residence C-19	OS-C19	Business C-12	SD-24	Special District 26
C-20	Residence C-20	OS-C20	Business C-13	SD-25	Special District 27
C-21	Residence C-21	OS-C21	Business C-14	SD-26	Special District 28
C-22	Residence C-22	OS-C22	Business C-15	SD-27	Special District 29
C-23	Residence C-23	OS-C23	Business C-16	SD-28	Special District 30
C-24	Residence C-24	OS-C24	Business C-17	SD-29	Special District 31
C-25	Residence C-25	OS-C25	Business C-18	SD-30	Special District 32
C-26	Residence C-26	OS-C26	Business C-19	SD-31	Special District 33
C-27	Residence C-27	OS-C27	Business C-20	SD-32	Special District 34
C-28	Residence C-28	OS-C28	Business C-21	SD-33	Special District 35
C-29	Residence C-29	OS-C29	Business C-22	SD-34	Special District 36
C-30	Residence C-30	OS-C30	Business C-23	SD-35	Special District 37
C-31	Residence C-31	OS-C31	Business C-24	SD-36	Special District 38
C-32	Residence C-32	OS-C32	Business C-25	SD-37	Special District 39
C-33	Residence C-33	OS-C33	Business C-26	SD-38	Special District 40
C-34	Residence C-34	OS-C34	Business C-27	SD-39	Special District 41
C-35	Residence C-35	OS-C35	Business C-28	SD-40	Special District 42
C-36	Residence C-36	OS-C36	Business C-29	SD-41	Special District 43
C-37	Residence C-37	OS-C37	Business C-30	SD-42	Special District 44
C-38	Residence C-38	OS-C38	Business C-31	SD-43	Special District 45
C-39	Residence C-39	OS-C39	Business C-32	SD-44	Special District 46
C-40	Residence C-40	OS-C40	Business C-33	SD-45	Special District 47
C-41	Residence C-41	OS-C41	Business C-34	SD-46	Special District 48
C-42	Residence C-42	OS-C42	Business C-35	SD-47	Special District 49
C-43	Residence C-43	OS-C43	Business C-36	SD-48	Special District 50
C-44	Residence C-44	OS-C44	Business C-37	SD-49	Special District 51
C-45	Residence C-45	OS-C45	Business C-38	SD-50	Special District 52
C-46	Residence C-46	OS-C46	Business C-39	SD-51	Special District 53
C-47	Residence C-47	OS-C47	Business C-40	SD-52	Special District 54
C-48	Residence C-48	OS-C48	Business C-41	SD-53	Special District 55
C-49	Residence C-49	OS-C49	Business C-42	SD-54	Special District 56
C-50	Residence C-50	OS-C50	Business C-43	SD-55	Special District 57
C-51	Residence C-51	OS-C51	Business C-44	SD-56	Special District 58
C-52	Residence C-52	OS-C52	Business C-45	SD-57	Special District 59
C-53	Residence C-53	OS-C53	Business C-46	SD-58	Special District 60
C-54	Residence C-54	OS-C54	Business C-47	SD-59	Special District 61
C-55	Residence C-55	OS-C55	Business C-48	SD-60	Special District 62
C-56	Residence C-56	OS-C56	Business C-49	SD-61	Special District 63
C-57	Residence C-57	OS-C57	Business C-50	SD-62	Special District 64
C-58	Residence C-58	OS-C58	Business C-51	SD-63	Special District 65
C-59	Residence C-59	OS-C59	Business C-52	SD-64	Special District 66
C-60	Residence C-60	OS-C60	Business C-53	SD-65	Special District 67
C-61	Residence C-61	OS-C61	Business C-54	SD-66	Special District 68
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C-68	Residence C-68	OS-C68	Business C-61	SD-73	Special District 75
C-69	Residence C-69	OS-C69	Business C-62	SD-74	Special District 76
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C-71	Residence C-71	OS-C71	Business C-64	SD-76	Special District 78
C-72	Residence C-72	OS-C72	Business C-65	SD-77	Special District 79
C-73	Residence C-73	OS-C73	Business C-66	SD-78	Special District 80
C-74	Residence C-74	OS-C74	Business C-67	SD-79	Special District 81
C-75	Residence C-75	OS-C75	Business C-68	SD-80	Special District 82
C-76	Residence C-76	OS-C76	Business C-69	SD-81	Special District 83
C-77	Residence C-77	OS-C77	Business C-70	SD-82	Special District 84
C-78	Residence C-78	OS-C78	Business C-71	SD-83	Special District 85
C-79	Residence C-79	OS-C79	Business C-72	SD-84	Special District 86
C-80	Residence C-80	OS-C80	Business C-73	SD-85	Special District 87
C-81	Residence C-81	OS-C81	Business C-74	SD-86	Special District 88
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C-83	Residence C-83	OS-C83	Business C-76	SD-88	Special District 90
C-84	Residence C-84	OS-C84	Business C-77	SD-89	Special District 91
C-85	Residence C-85	OS-C85	Business C-78	SD-90	Special District 92
C-86	Residence C-86	OS-C86	Business C-79	SD-91	Special District 93
C-87	Residence C-87	OS-C87	Business C-80	SD-92	Special District 94
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C-89	Residence C-89	OS-C89	Business C-82	SD-94	Special District 96
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C-92	Residence C-92	OS-C92	Business C-85	SD-97	Special District 99
C-93	Residence C-93	OS-C93	Business C-86	SD-98	Special District 100
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C-96	Residence C-96	OS-C96	Business C-89	SD-101	Special District 103
C-97	Residence C-97	OS-C97	Business C-90	SD-102	Special District 104
C-98	Residence C-98	OS-C98	Business C-91	SD-103	Special District 105
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C-103	Residence C-103	OS-C103	Business C-96	SD-108	Special District 110
C-104	Residence C-104	OS-C104	Business C-97	SD-109	Special District 111
C-105	Residence C-105	OS-C105	Business C-98	SD-110	Special District 112
C-106	Residence C-106	OS-C106	Business C-99	SD-111	Special District 113
C-107	Residence C-107	OS-C107	Business C-100	SD-112	Special District 114
C-108	Residence C-108	OS-C108	Business C-101	SD-113	Special District 115
C-109	Residence C-109	OS-C109	Business C-102	SD-114	Special District 116
C-110	Residence C-110	OS-C110	Business C-103	SD-115	Special District 117
C-111	Residence C-111	OS-C111	Business C-104	SD-116	Special District 118
C-112	Residence C-112	OS-C112	Business C-105	SD-117	Special District 119
C-113	Residence C-113	OS-C113	Business C-106	SD-118	Special District 120
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C-115	Residence C-115	OS-C115	Business C-108	SD-120	Special District 122
C-116	Residence C-116	OS-C116	Business C-109	SD-121	Special District 123
C-117	Residence C-117	OS-C117	Business C-110	SD-122	Special District 124
C-118	Residence C-118	OS-C118	Business C-111	SD-123	Special District 125
C-119	Residence C-119	OS-C119	Business C-112	SD-124	Special District 126
C-120	Residence C-120	OS-C120	Business C-113	SD-125	Special District 127
C-121	Residence C-121	OS-C121	Business C-114	SD-126	Special District 128
C-122	Residence C-122	OS-C122	Business C-115	SD-127	Special District 129
C-123	Residence C-123	OS-C123	Business C-116	SD-128	Special District 130
C-124	Residence C-124	OS-C124	Business C-117	SD-129	Special District 131
C-125	Residence C-125	OS-C125	Business C-118	SD-130	Special District 132
C-126	Residence C-126	OS-C126	Business C-119	SD-131	Special District 133
C-127	Residence C-127	OS-C127	Business C-120	SD-132	Special District 134
C-128	Residence C-128	OS-C128	Business C-121	SD-133	Special District 135
C-129	Residence C-129	OS-C129	Business C-122	SD-134	Special District 136
C-130	Residence C-130	OS-C130	Business C-123	SD-135	Special District 137
C-131	Residence C-131	OS-C131	Business C-124	SD-136	Special District 138
C-132	Residence C-132	OS-C132	Business C-125	SD-137	Special District 139
C-133	Residence C-133	OS-C133	Business C-126	SD-138	Special District 140
C-134	Residence C-134	OS-C134	Business C-127	SD-139	Special District 141
C-135	Residence C-135	OS-C135	Business C-128	SD-140	Special District 142
C-136	Residence C-136	OS-C136	Business C-129	SD-141	Special District 143
C-137	Residence C-137	OS-C137	Business C-130	SD-142	Special District 144
C-138	Residence C-138	OS-C138	Business C-131	SD-143	Special District 145
C-139	Residence C-139	OS-C139	Business C-132	SD-144	Special District 146
C-140	Residence C-140	OS-C140	Business C-133	SD-145	Special District 147
C-141	Residence C-141	OS-C141	Business C-134	SD-146	Special District 148
C-142	Residence C-142	OS-C142	Business C-135	SD-147	Special District 149
C-143	Residence C-143	OS-C143	Business C-136	SD-148	Special District 150
C-144	Residence C-144	OS-C144	Business C-137	SD-149	Special District 151
C-145	Residence C-145	OS-C145	Business C-138	SD-150	Special District 152
C-146	Residence C-146	OS-C146	Business C-139	SD-151	Special District 153
C-147	Residence C-147	OS-C147	Business C-140	SD-152	Special District 154
C-148	Residence C-148	OS-C148	Business C-141	SD-153	Special District 155
C-149	Residence C-149	OS-C149	Business C-142	SD-154	Special District 156
C-150	Residence C-150	OS-C150	Business C-143	SD-155	Special District 157
C-151	Residence C-151	OS-C151	Business C-144	SD-156	Special District 158
C-152	Residence C-152	OS-C152	Business C-145	SD-157	Special District 159
C-153	Residence C-153	OS-C153	Business C-146	SD-158	Special District 160
C-154	Residence C-154	OS-C154	Business C-147	SD-159	Special District 161
C-155	Residence C-155	OS-C155	Business C-148	SD-160	Special District 162
C-156	Residence C-156	OS-C156	Business C-149	SD-161	Special District 163
C-157	Residence C-157	OS-C157	Business C-150	SD-162	Special District 164
C-158	Residence C-158	OS-C158	Business C-151	SD-163	Special District 165
C-159	Residence C-159	OS-C159	Business C-152	SD-164	Special District 166
C-160	Residence C-160	OS-C160	Business C-153	SD-165	Special District 167
C-161	Residence C-161	OS-C161	Business C-154	SD-166	Special District 168
C-162	Residence C-162	OS-C162	Business C-155	SD-167	Special District 169
C-163	Residence C-163	OS-C163	Business C-156	SD-168	Special District 170
C-164	Residence C-164	OS-C164	Business C-157	SD-169	Special District 171
C-165	Residence C-165	OS-C165	Business C-158	SD-170	Special District 172
C-166	Residence C-166	OS-C166	Business C-159	SD-171	Special District 173
C-167	Residence C-167	OS-C167	Business C-160	SD-172	Special District 174
C-168	Residence C-168	OS-C168	Business C-161	SD-173	Special District 175
C-169	Residence C-169	OS-C169	Business C-162	SD-174	Special District 176
C-170	Residence C-170	OS-C170	Business C-163	SD-175	Special District 177
C-171	Residence C-171	OS-C171	Business C-164	SD-176	Special District 178
C-172	Residence C-172	OS-C172	Business C-165	SD-177	Special District 179
C-173	Residence C-173	OS-C173	Business C-166	SD-178	Special District 180
C-174	Residence C-174	OS-C174	Business C-167	SD-179	Special District 181
C-175	Residence C-175	OS-C175	Business C-168	SD-180	Special District 182
C-176	Residence C-176	OS-C176	Business C-169	SD-181	Special District 183
C-177	Residence C-177	OS-C177	Business C-170	SD-182	Special District 184
C-178	Residence C-178	OS-C178	Business C-171	SD-183	Special District 185
C-179	Residence C-179	OS-C179	Business C-172	SD-184	Special District 186
C-180	Residence C-180	OS-C180	Business C-173	SD-185	Special District 187
C-181	Residence C-181				

Zoning for Multifamily Housing Residential Height Limits

Proposed Zoning

Cambridge, Massachusetts

Original Petition



Maximum Height Limit

35'
36' - 45'
46' - 55'
56' - 65'
6 stories (up to 75')
7 stories (up to 85')
8 stories (up to 95')
9 stories (up to 105')
10 stories (up to 120')
More than 120'

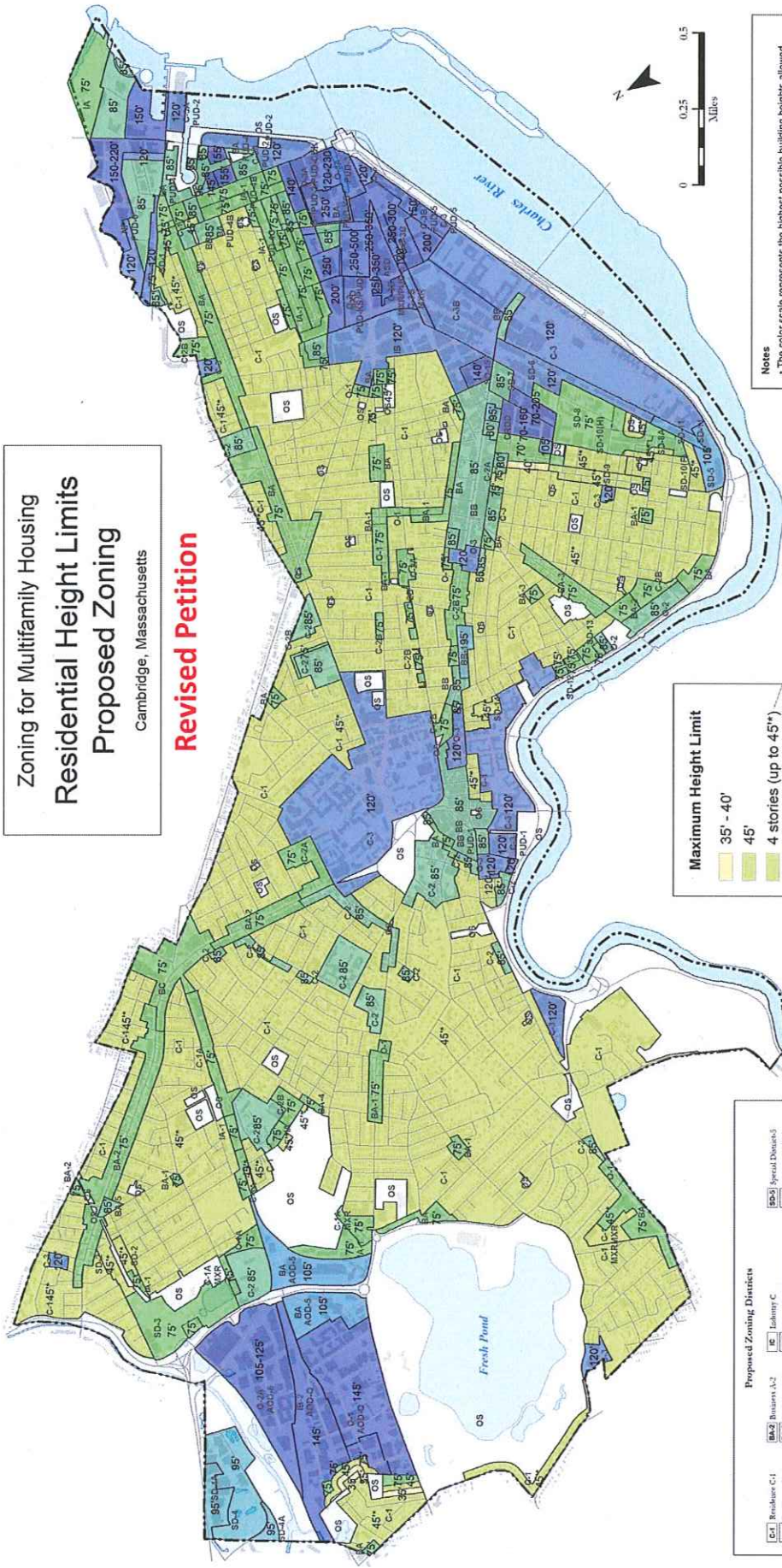
- ### Notes
- The color scale represents the highest possible building heights allowed under current zoning. Please note that a special permit may be required to build to the limit in certain areas.
 - Height limits that vary by type of use are labelled with a slash. For example, 35/45' indicates a 35-foot limit for non-residential buildings, and a 45-foot limit for residential buildings.
 - Height labels separated by a hyphen (e.g., 120-220') indicate areas where height is increased when certain conditions are met, such as under a special permit.
 - This map represents a broad summary of detailed zoning requirements. Please refer to the Zoning Ordinance for full information on the types and sizes of buildings allowed, and for the exact locations of height limit boundaries.

Proposed Zoning Districts

BA-1	Residence C-1A
BA-2	Residence C-1B
BA-3	Residence C-2A
BA-4	Residence C-2B
BA-5	Residence C-3A
BA-6	Residence C-3B
BA-7	Residence C-4A
BA-8	Residence C-4B
BA-9	Residence C-5A
BA-10	Residence C-5B
BA-11	Residence C-6A
BA-12	Residence C-6B
BA-13	Residence C-7A
BA-14	Residence C-7B
BA-15	Residence C-8A
BA-16	Residence C-8B
BA-17	Residence C-9A
BA-18	Residence C-9B
BA-19	Residence C-10A
BA-20	Residence C-10B
BA-21	Residence C-11A
BA-22	Residence C-11B
BA-23	Residence C-12A
BA-24	Residence C-12B
BA-25	Residence C-13A
BA-26	Residence C-13B
BA-27	Residence C-14A
BA-28	Residence C-14B
BA-29	Residence C-15A
BA-30	Residence C-15B
BA-31	Residence C-16A
BA-32	Residence C-16B
BA-33	Residence C-17A
BA-34	Residence C-17B
BA-35	Residence C-18A
BA-36	Residence C-18B
BA-37	Residence C-19A
BA-38	Residence C-19B
BA-39	Residence C-20A
BA-40	Residence C-20B
BA-41	Residence C-21A
BA-42	Residence C-21B
BA-43	Residence C-22A
BA-44	Residence C-22B
BA-45	Residence C-23A
BA-46	Residence C-23B
BA-47	Residence C-24A
BA-48	Residence C-24B
BA-49	Residence C-25A
BA-50	Residence C-25B
BA-51	Residence C-26A
BA-52	Residence C-26B
BA-53	Residence C-27A
BA-54	Residence C-27B
BA-55	Residence C-28A
BA-56	Residence C-28B
BA-57	Residence C-29A
BA-58	Residence C-29B
BA-59	Residence C-30A
BA-60	Residence C-30B
BA-61	Residence C-31A
BA-62	Residence C-31B
BA-63	Residence C-32A
BA-64	Residence C-32B
BA-65	Residence C-33A
BA-66	Residence C-33B
BA-67	Residence C-34A
BA-68	Residence C-34B
BA-69	Residence C-35A
BA-70	Residence C-35B
BA-71	Residence C-36A
BA-72	Residence C-36B
BA-73	Residence C-37A
BA-74	Residence C-37B
BA-75	Residence C-38A
BA-76	Residence C-38B
BA-77	Residence C-39A
BA-78	Residence C-39B
BA-79	Residence C-40A
BA-80	Residence C-40B
BA-81	Residence C-41A
BA-82	Residence C-41B
BA-83	Residence C-42A
BA-84	Residence C-42B
BA-85	Residence C-43A
BA-86	Residence C-43B
BA-87	Residence C-44A
BA-88	Residence C-44B
BA-89	Residence C-45A
BA-90	Residence C-45B
BA-91	Residence C-46A
BA-92	Residence C-46B
BA-93	Residence C-47A
BA-94	Residence C-47B
BA-95	Residence C-48A
BA-96	Residence C-48B
BA-97	Residence C-49A
BA-98	Residence C-49B
BA-99	Residence C-50A
BA-100	Residence C-50B
BA-101	Residence C-51A
BA-102	Residence C-51B
BA-103	Residence C-52A
BA-104	Residence C-52B
BA-105	Residence C-53A
BA-106	Residence C-53B
BA-107	Residence C-54A
BA-108	Residence C-54B
BA-109	Residence C-55A
BA-110	Residence C-55B
BA-111	Residence C-56A
BA-112	Residence C-56B
BA-113	Residence C-57A
BA-114	Residence C-57B
BA-115	Residence C-58A
BA-116	Residence C-58B
BA-117	Residence C-59A
BA-118	Residence C-59B
BA-119	Residence C-60A
BA-120	Residence C-60B
BA-121	Residence C-61A
BA-122	Residence C-61B
BA-123	Residence C-62A
BA-124	Residence C-62B
BA-125	Residence C-63A
BA-126	Residence C-63B
BA-127	Residence C-64A
BA-128	Residence C-64B
BA-129	Residence C-65A
BA-130	Residence C-65B
BA-131	Residence C-66A
BA-132	Residence C-66B
BA-133	Residence C-67A
BA-134	Residence C-67B
BA-135	Residence C-68A
BA-136	Residence C-68B
BA-137	Residence C-69A
BA-138	Residence C-69B
BA-139	Residence C-70A
BA-140	Residence C-70B
BA-141	Residence C-71A
BA-142	Residence C-71B
BA-143	Residence C-72A
BA-144	Residence C-72B
BA-145	Residence C-73A
BA-146	Residence C-73B
BA-147	Residence C-74A
BA-148	Residence C-74B
BA-149	Residence C-75A
BA-150	Residence C-75B
BA-151	Residence C-76A
BA-152	Residence C-76B
BA-153	Residence C-77A
BA-154	Residence C-77B
BA-155	Residence C-78A
BA-156	Residence C-78B
BA-157	Residence C-79A
BA-158	Residence C-79B
BA-159	Residence C-80A
BA-160	Residence C-80B
BA-161	Residence C-81A
BA-162	Residence C-81B
BA-163	Residence C-82A
BA-164	Residence C-82B
BA-165	Residence C-83A
BA-166	Residence C-83B
BA-167	Residence C-84A
BA-168	Residence C-84B
BA-169	Residence C-85A
BA-170	Residence C-85B
BA-171	Residence C-86A
BA-172	Residence C-86B
BA-173	Residence C-87A
BA-174	Residence C-87B
BA-175	Residence C-88A
BA-176	Residence C-88B
BA-177	Residence C-89A
BA-178	Residence C-89B
BA-179	Residence C-90A
BA-180	Residence C-90B
BA-181	Residence C-91A
BA-182	Residence C-91B
BA-183	Residence C-92A
BA-184	Residence C-92B
BA-185	Residence C-93A
BA-186	Residence C-93B
BA-187	Residence C-94A
BA-188	Residence C-94B
BA-189	Residence C-95A
BA-190	Residence C-95B
BA-191	Residence C-96A
BA-192	Residence C-96B
BA-193	Residence C-97A
BA-194	Residence C-97B
BA-195	Residence C-98A
BA-196	Residence C-98B
BA-197	Residence C-99A
BA-198	Residence C-99B
BA-199	Residence C-100A
BA-200	Residence C-100B

Zoning for Multifamily Housing Residential Height Limits Proposed Zoning Cambridge, Massachusetts

Revised Petition



Maximum Height Limit

- 35' - 40'
- 45'
- 4 stories (up to 45')
- 6 stories (up to 75')
- 7 stories (up to 85')
- 8 stories (up to 95')
- 9 stories (up to 105')
- 10 stories (up to 120')
- More than 120'

Notes

- The color scale represents the highest possible building heights allowed under proposed zoning. Please note that a special permit may be required to build to the limit in certain areas.
- Height limits that vary by type of use are labeled with a slash. For example, 35/45 indicates a 35-foot limit for non-residential buildings, and a 45-foot limit for residential buildings.
- Height labels separated by a hyphen (e.g., 120-230) indicate areas where height is increased when certain conditions are met, such as under a special permit.
- This map represents a broad summary of proposed zoning requirements. Please refer to the zoning petition for full information on the types and sizes of buildings allowed, and for the exact locations of height limit boundaries.

- Proposed Zoning Districts**
- BA.1 Business A.1
 - BA.2 Business A.2
 - BA.3 Business A.3
 - BA.4 Business A.4
 - BA.5 Business A.5
 - BB Business B
 - BB.1 Business B.1
 - BB.2 Business B.2
 - BB.3 Business B.3
 - BB.4 Business B.4
 - BB.5 Business B.5
 - BB.6 Business B.6
 - BB.7 Business B.7
 - BB.8 Business B.8
 - BB.9 Business B.9
 - BB.10 Business B.10
 - BB.11 Business B.11
 - BB.12 Business B.12
 - BB.13 Business B.13
 - BB.14 Business B.14
 - BB.15 Business B.15
 - BB.16 Business B.16
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 - BB.27 Business B.27
 - BB.28 Business B.28
 - BB.29 Business B.29
 - BB.30 Business B.30
 - BB.31 Business B.31
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 - BB.100 Business B.100

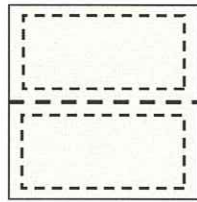
CITY OF CAMBRIDGE | COMMUNITY DEVELOPMENT DEPARTMENT
JANUARY 16, 2023

Min. Residential Side/Rear Yard Setbacks

District Type	Current Zoning	Original Proposal	Amended Proposal
Residence Districts	7.5-25 feet and/or “H+L” formula	No min.	5 feet w/context exceptions
Office Districts	“H+L” formula	No min.	No min.
Business Districts	0-10 feet and/or “H+L” formula	No min.	No min.
Industry Districts	None or “H+L” formula	No min.	No min.

Min. Residential Side/Rear Yard Setbacks

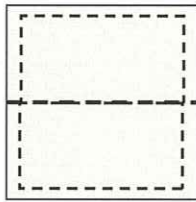
Illustration of “Contextual Side/Rear Setback” Provisions



Base standard:

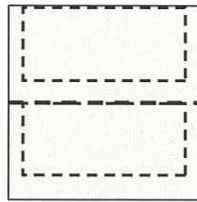
10' front setback

5' side and rear setbacks



Townhouse context:

Side or rear setbacks waived where buildings directly abut or share a party wall on lot line

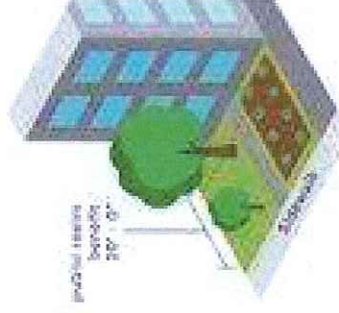


Shifted context:

One side yard may be reduced if opposite side yards sum to 10 feet and minimum distance is 10 feet from existing buildings

Open Space

Green Factor is required in all cases



High-SRI paving +Turf +Planting area +Medium tree +Large tree	1.02
---------------------------------------------------------------------------	-------------

District Type	Current Zoning	Original Proposal	Amended Proposal
Res. A-1, A-2, B, C	36-50% min.		
	≥ 50% permeable ≥ 50% private	30% min. ≥ 50% permeable ≥ 50% private	30% min. ≥ 50% permeable ≥ 50% private
Res. C-1	30% min.		
	≥ 50% permeable ≥ 50% private		
Other Res. Districts	10-15% min.	10-15% min.	10-15% min.
Other Districts	Required for res. only	Not required	Not required

Housing Review

- Proposed to include in Article 1.000, tied to the purpose statement
- Annual report on supply/creation of market-rate and affordable housing
- 5-year review of longer-term trends and impacts

1

MULTIFAMILY HOUSING ZONING PETITION PART ONE
AMENDMENT BY SUBSTITUTION

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:

3.11 For 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.	<u>Residence B District</u>	<u>Two family or semi-detached dwellings</u>
5.	<u>Residence C District</u>	<u>Multifamily dwellings</u>
6.	Residence C-1 District	Multifamily dwellings
7.	Residence C-1A District	Multifamily dwellings
8.	Residence C-2 District	Multifamily dwellings
9.	Residence C-2B District	Multifamily dwellings
10.	Residence C-2A District	Multifamily dwellings
11.	Residence C-3A District	Multifamily dwellings and limited office
12.	Residence C-3 District	Multifamily dwellings
13.	Residence C-3B District	Multifamily dwellings
14.	Office 1 District	Business and professional office and multifamily dwellings (Apartment house, hotel, dormitory)
15.	Office 2A District	Business, research and professional offices, limited research oriented manufacturing
16.	Office 2 District	Business, research and professional offices, limited research oriented manufacturing
17.	Office 3A District	Business and professional offices and multifamily dwellings
18.	Office 3 District	Business and professional offices and multifamily dwellings
19.	Business A-3 District	Neighborhood business
20.	Business A-1 District	Local business
21.	Business A-2 District	Local business
22.	Business A District	Local and drive in retail business offices and multifamily dwellings
23.	Business A-4 District	Local business
24.	Business A-5 District	Local business and multifamily dwellings
25.	Business C District	General business, professional offices, multifamily dwellings.
26.	Business B-1 District*	General business, business and professional offices, and multifamily dwellings
27.	Business B-2 District*	General business, business and professional offices and multifamily dwellings
28.	Business B District	General business
29.	Industry B-2 District	Office, warehouse and light manufacturing
30.	Industry A-1 District	Limited impact business and industry

MARKUP VERSION – Additions and creations underlined, deletions in strikethrough

Multifamily Housing Zoning Petition – Part One – **Revised Per Ordinance Committee Request 12/19/2024**

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~~ 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:

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. Existing single-family detached dwelling converted to a two-family dwelling^{15,16}	No	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>
d. Townhouse development or semi-detached dwelling	No	<u>Yes</u> ³	Yes	<u>Yes</u> 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	<u>Yes</u> ⁵	<u>Yes</u> ⁵	<u>Yes</u> ⁵	Yes	Yes	Yes	Yes	<u>Yes</u> ^{PB} ⁵	<u>Yes</u> ^{PB} ⁵	<u>Yes</u> ^{PB} ⁵
f. Existing dwelling converted for elderly-oriented congregate housing¹²	No	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>
g. Dwelling, multifamily	No	<u>Yes</u> ⁵	<u>Yes</u> ⁵	<u>Yes</u> ⁵	Yes	Yes	Yes	Yes	<u>Yes</u> ^{PB} ⁵	<u>Yes</u> ^{PB} ⁵	<u>Yes</u> ^{PB} ⁵
h. Existing dwelling converted to a multifamily dwelling or townhouse development¹⁶	No	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>
i. Lodging House	No	<u>Yes</u> ⁷	<u>Yes</u> ⁶	Yes	Yes	Yes	Yes	SP	PB	No	SP
j. Trailer Park or mobile home park	No	No	No	SP	SP	No	No	No	No	No	No

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

2. ~~Provided that in Residence A districts the exterior design of the structure is not changed.~~
3. ~~Planning Board Special Permit for developments specified in Section 11.17.~~

In Section 4.40, delete footnote 5 as follows:

5. ~~Planning Board special permit for dwellings specified in Section 4.26.~~

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;

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

15. ~~Provided that in Residence A districts the exterior design of the structure is not changed.~~
16. ~~See also Section 4.26.~~
17. ~~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.~~

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.

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:

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 developments 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.

(b) Buildings or portions of buildings used for any uses other than those listed in Section 4.31 a-i 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.

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;

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-i 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.

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.~~

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

~~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~~ ~~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.

5.28.26Conforming 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.

5.28.27Required 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.~~

5.28.28Criteria 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.

5.28.28.1Criteria 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 4.32 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

FAR₁ equals permitted FAR for nonresidential uses, and

FAR₂ 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 in feet (5.24)	5. Min. Side or Rear Yard Setback in feet (5.24)	6. Max. Building Height in feet (5.23)	7. Min. Front Yard Setback in feet (5.24)	8. Min. Side Yard Setback in feet (5.24)	9. Min. Rear Yard Setback in feet (5.24)	10. Max. FAR (5.25)
5.31 Residence Districts										
Res. C-1	30% ⁽¹⁾	<u>4</u> ⁽²⁾	<u>45</u> ⁽²⁾	<u>10</u> ⁽³⁾	<u>5</u> ⁽⁴⁾	35	<u>H+L</u> ^(a5) 4	<u>H+L</u> ⁽ⁿ¹⁴⁾⁽¹⁵⁾ 5	<u>H+L</u> ^(e7) 4	0.75
Res. C-1A	15%	<u>6</u>	<u>75</u>	<u>10</u> ⁽³⁾	<u>5</u> ⁽⁴⁾	45	10	<u>H+L</u> ⁽¹¹²⁾ 7	<u>H+L</u> ⁽¹¹²⁾ 5	1.25
Res. C-2	15%	<u>7</u>	<u>85</u>	<u>10</u> ⁽³⁾	<u>5</u> ⁽⁴⁾	85	<u>H+L</u> ^(a5) 4	<u>H+L</u> ⁽¹⁵⁾ 5	<u>H+L</u> ^(e7) 4	1.75
Res. C-2A	10% ^(h10)	<u>6</u>	<u>75</u>	<u>5</u> ⁽³⁾	<u>5</u> ⁽⁴⁾	60	<u>H+L</u> ^{(b6)(e9)} 5	<u>H+L</u> ^{(e9)(15)} 6	<u>H+L</u> ^(e7) 5	2.5
Res. C-2B	15%	<u>6</u>	<u>75</u>	<u>10</u> ⁽³⁾	<u>5</u> ⁽⁴⁾	45	<u>H+L</u> ^{(a5)(k11)} 4	<u>H+L</u> ^{(k11)(15)} 5	<u>H+L</u> ^{(e7)(k11)} 4	1.75
Res. C-3	10%	<u>10</u>	<u>120</u>	<u>5</u> ⁽³⁾	<u>5</u> ⁽⁴⁾	120	<u>H+L</u> ^(b6) 5	<u>H+L</u> ⁽¹⁵⁾ 6	<u>H+L</u> ^(e7) 5	3.0
Res. C-3A	10%	<u>10</u>	<u>120</u>	<u>5</u> ⁽³⁾	<u>5</u> ⁽⁴⁾	120	<u>H+L</u> ^{(b6)(e8)} 5	<u>H+L</u> ^{(e8)(15)} 6	<u>H+L</u> ^(e8) 5	3.0 ⁽⁴⁸⁾
Res. C-3B	10%	<u>10</u>	<u>120</u>	<u>10</u> ⁽³⁾	<u>5</u> ⁽⁴⁾	120 ⁽³⁶⁾	10	none	none	3.0/ <u>4.0</u> ⁽¹³⁾⁽³⁶⁾
5.32 Office Districts										
Office 1	15%	<u>6</u>	<u>75</u>	<u>10</u> ⁽³⁾	none	35	<u>H+L</u> ^{(a5)(33)} 4	<u>H+L</u> ⁽³⁴⁾ 5	<u>H+L</u> ^{(e16)(34)} 4	0.75
Office 2A	15%	<u>6</u>	<u>75</u>	<u>10</u> ⁽³⁾	none	60/ <u>70</u> ⁽³⁶⁾	<u>H+L</u> ^{(a5)(33)} 4	<u>H+L</u> ⁽³⁴⁾ 5	<u>H+L</u> ^{(e16)(34)} 4	1.25/ <u>1.5</u> ⁽³⁶⁾
Office 2	15%	<u>7</u>	<u>85</u>	<u>10</u> ⁽³⁾	none	70/ <u>85</u> ⁽⁴⁾ <u>36</u>	<u>H+L</u> ^{(a5)(33)} 4	<u>H+L</u> ⁽³⁴⁾ 5	<u>H+L</u> ^{(e16)(34)} 4	1.50- <u>2.0</u> ⁽³⁶⁾
Office 3	10%	<u>10</u>	<u>120</u>	<u>5</u> ⁽³⁾	none	90/ <u>120</u> <u>36</u>	<u>H+L</u> ^{(b6)(33)} 5	<u>H+L</u> ⁽³⁴⁾ 6	<u>H+L</u> ^{(e16)(34)} 5	2.0/ <u>3.0</u> ⁽³⁶⁾

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 in feet (5.24)	5. Min. Side or Rear Yard Setback in feet (5.24)	6. Max. Building Height in feet (5.23)	7. Min. Front Yard Setback in feet (5.24)	8. Min. Side Yard Setback in feet (5.24)	9. Min. Rear Yard Setback in feet (5.24)	10. Max. FAR (5.25)
Office 3A	10%	<u>10</u>	<u>120</u>	<u>5</u> ⁽³⁾	<u>none</u>	<u>90/120</u> ⁽³⁶⁾	<u>H+L</u> ^{(b6)(33)} 5	<u>H+L</u> ⁽³⁴⁾ 6	<u>H+L</u> ^{(e16)(34)} 5	<u>2.0/3.0</u> ⁽³⁶⁾
5.33 Business Districts										
Bus. A	<u>none</u>	<u>6</u>	<u>75</u>	<u>none</u>	<u>none</u>	<u>35/45</u> to 65 ^{(b4)(36)}	<u>none</u> ⁽³³⁾	<u>none</u> ⁽³⁴⁾	<u>H+L</u> ^{(e16)(34)} 5	<u>1.0/1.75</u> ⁽³⁶⁾
Bus. A-1	<u>none</u>	<u>6</u>	<u>75</u>	<u>none</u>	<u>none</u>	35	<u>none</u> ⁽³³⁾	<u>none</u> ⁽³⁴⁾	<u>H+L</u> ^{(e16)(34)} 5	<u>1.0/0.75</u> ⁽³⁶⁾
Bus. A-2	<u>none</u>	<u>6</u>	<u>75</u>	<u>5</u> ⁽³⁾⁽²⁶⁾	<u>none</u>	<u>45</u> ^{(e24)(36)}	<u>5</u> ^{(e25)(33)}	<u>10</u> ^{(f15)(22)(34)}	<u>20</u> ^{(f23)(34)}	<u>1.0/1.75</u> ⁽³⁶⁾
Bus. A-3	30%	<u>6</u>	<u>75</u>	<u>10</u> ⁽³⁾	<u>none</u>	35	<u>H+L</u> ^(b4) <u>/4</u> ⁽³⁾⁽³³⁾	<u>H+L/5</u> ⁽³⁴⁾	<u>H+L</u> ^(b4) <u>/4</u> ⁽¹⁶⁾⁽³⁴⁾	<u>0.75</u> ^(f20)
Bus. A-4	<u>none</u>	<u>6</u>	<u>75</u>	<u>10</u> ⁽³⁾⁽²⁶⁾	<u>none</u>	<u>35</u> ^{(e26)(36)}	<u>H+L/4</u> ^{(e26)(33)}	<u>H+L/5</u> ^{(e26)(34)}	<u>H+L/5</u> ^{(e26)(34)}	<u>1.0</u> ^{(e26)(36)} /1.75 ⁽³⁶⁾
Bus. A-5	<u>none</u>	<u>7</u> ⁽²⁷⁾	<u>85</u> ⁽²⁷⁾	<u>none</u>	<u>none</u>	<u>80</u> ^{(e27)(36)}	<u>none</u> ⁽³³⁾	<u>none</u> ⁽³⁴⁾	<u>none</u> ⁽³⁴⁾	<u>1.0/3.0</u> ^{(e27)(36)}
Bus. B	<u>none</u>	<u>7</u>	<u>85</u>	<u>none</u>	<u>none</u>	<u>80</u> ⁽³⁶⁾	<u>none</u> ⁽³³⁾	<u>none</u> ⁽³⁴⁾	<u>none</u> ⁽³⁴⁾	<u>2.75/3.0</u> ⁽³⁶⁾
Bus. B-1	<u>See note</u> ^(e18)	<u>8</u>	<u>95</u> ⁽¹⁷⁾	<u>none</u>	<u>none</u>	<u>55/90</u> ^{(e17)(36)}	<u>none</u> ⁽³³⁾	<u>none</u> ^{(e19)(34)}	<u>none</u> ^{(e19)(34)}	<u>1.50</u> /3.25 ⁽³⁶⁾
Bus. B-2	<u>See note</u> ^(e18)	<u>6</u>	<u>75</u>	<u>none</u>	<u>none</u>	<u>45</u> ⁽³⁶⁾	<u>none</u> ⁽³³⁾	<u>none</u> ^{(e19)(34)}	<u>none</u> ^{(e19)(34)}	<u>1.50</u> /3.0 ⁽³⁶⁾
Bus. C	<u>none</u>	<u>6</u>	<u>75</u>	<u>none</u>	<u>none</u>	<u>55</u> ^{(e21)(35)} ⁽³⁶⁾	<u>none</u> ⁽³³⁾	<u>none</u> ⁽³⁴⁾	<u>20</u> ^{(f23)(34)}	<u>1.25/2.0</u> ⁽³⁶⁾
5.34 Industrial Districts										
Ind. A-1	<u>none</u>	<u>6</u>	<u>75</u>	<u>none</u>	<u>none</u>	<u>45</u> ⁽³⁶⁾	<u>0</u> ⁽³³⁾	<u>0</u> ^{(e29)(34)}	<u>0</u> ^{(e29)(34)}	<u>1.25/1.50</u> ⁽³⁶⁾
Ind. A-2	<u>none</u>	<u>6</u>	<u>75</u>	<u>none</u>	<u>none</u>	<u>70</u> ⁽³⁶⁾	<u>0</u> ⁽³³⁾	<u>0</u> ^{(e29)(34)}	<u>0</u> ^{(e29)(34)}	<u>2.75/4.0</u> ⁽³⁶⁾
Ind. A	<u>none</u>	<u>6</u>	<u>75</u>	<u>none</u>	<u>none</u>	<u>45</u> ^{(e30)(36)}	<u>none</u> ⁽³³⁾	<u>none</u> ⁽³⁴⁾	<u>none</u> ⁽³⁴⁾	<u>1.25/1.50</u> ⁽³⁶⁾
Ind. B-1	<u>none</u>	<u>6</u>	<u>75</u>	<u>none</u>	<u>none</u>	<u>60/70</u> ⁽³⁶⁾	<u>0</u> ⁽³³⁾	<u>0</u> ⁽³⁴⁾	<u>0</u> ⁽³⁴⁾	<u>1.5/3.0</u> ⁽³⁶⁾

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 in feet (5.24)	5. Min. Side or Rear Yard Setback in feet (5.24)	6. Max. Building Height in feet (5.23)	7. Min. Front Yard Setback in feet (5.24)	8. Min. Side Yard Setback in feet (5.24)	9. Min. Rear Yard Setback in feet (5.24)
Ind. B-2	none	<u>6</u>	<u>75</u>	<u>10⁽³⁾</u>	<u>none</u>	35	15 ⁽³³⁾	0 ^{(b29)(34)}	0 ^{(b29)(34)}	0.75
Ind. B	none	<u>10</u>	<u>120</u>	<u>none</u>	<u>none</u>	120 ⁽³⁶⁾	none ⁽³³⁾	none ⁽³⁴⁾	none ⁽³⁴⁾	2.75/4.0 ^{(e31)(e32)(36)}
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 Private Open Space in 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) The height of buildings or portions of buildings used as Residences may exceed the base height limit, up to a maximum of 6 stories above grade and 70 feet above grade, if all of the following criteria are met:
 - (a) The building complies with the Inclusionary Housing Requirements in Section 11.203 of this Zoning Ordinance, regardless of whether it exceeds the size threshold requiring compliance; and
 - (b) The area of the lot on which the building is located is not less than 5,000 square feet.
- (3) 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.
- (4) The required side or rear yard setback may be reduced in either of the ways described below:
 - (a) No side or rear yard setback shall be required for a building or portion thereof that directly abuts a building or portion thereof on an adjacent lot, as in the case of semi-detached dwellings or other adjoining buildings that share a party wall. However, portions of the building that do not directly abut portions of the building on an adjacent lot shall conform to the required side or rear yard setback.
 - (b) The required setback for one side yard of a lot may be reduced if the setbacks for two opposite side yards of the lot sum to at least 10 feet, and if no portion of a building is closer than 10 feet to the exterior wall of an existing building on an abutting lot.
- (a5) Measured from the centerline of the street, but in no case may a non-residential building be nearer the street than ten (10) feet.
- (b6) 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

- (e7) 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.
- (d8) ~~The maximum ratio of floor area to lot area 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~~he minimum front yards may be reduced to no less than five (5) feet measured from the street line.
- (fc) ~~For buildings subject to the floor area ratio limitation specified in footnote (d) above, t~~he minimum side yards may be reduced to no less than five (5) feet measured from the street line.
- (e9) 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.
- (h10) 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.~~

(k11) 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.
- 3(c) Lots with more than four yards. If the shape of a lot creates a situation where there are more than four yards, this green area requirement shall apply to half of the yards, rounded up in the instance of an odd number of yards.
- 4(d) Lots in two or more zoning districts. Where a zoning district boundary line or lines split a lot, a lot partially in the Residence C-2B district shall comply with provisions elsewhere in this zoning ordinance with regard to lots in two or more zoning districts, except that the setback and green area requirements of this footnote shall apply to all parts of the lot regardless of zoning district.
- 5(e) Lots abutting more restrictively zoned districts. When any lot abuts a more restrictively zoned district or districts, all yards abutting the more restrictively zoned district(s) shall be designated as yards required to comply with the green area requirements of this footnote. This provision shall apply to that quantity of abutting yards numbering up to and including the maximum number of green area yards required by this footnote. The total number of green area yards required on a lot shall not be changed by the provisions of this subsection (5).
- 6(f) Pedestrian and vehicular access.
 - a(i) When a yard used to satisfy the Green Area Open Space requirement of this footnote is a front yard, the Green Area Open Space may be interrupted by not more than one path for pedestrian access to the building. Said pedestrian path shall be constructed perpendicular to the lot line and shall not be more than eight (8) feet wide. The green area yard may also be interrupted by not more than one driveway constructed perpendicular to the lot line and which is not more than twelve (12) feet wide.
 - 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.

(12) 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.

(13) 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.

(14) 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 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.~~

(15) 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 non-residential 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.~~

(16) 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.

~~(e17)~~ 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.

~~(e18)~~ 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.

~~(4a)~~ 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.

~~(2c)~~ 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.

~~(e19)~~ 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.

~~(20)~~ Subject to the provisions of Footnote 1 in Section 4.40 - Footnotes to the Table of Use Regulations.

~~(e21)~~ 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.

~~(i22)~~ 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 (152) 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.

~~(j23)~~ 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.

~~(k24)~~ 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).

~~(m25)~~ 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.~~

~~(o) — 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.~~

~~(p26)~~ For development in which all parking is provided entirely below grade, the following dimensional modifications shall be allowed:

- ~~(ia)~~ FAR may be increased to 2.0
- ~~(ib)~~ 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.
- ~~(iii)~~ 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.

~~(q27)~~ The following dimensional modifications shall apply in the Business A-5 district:

- ~~(ia)~~ 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').
- ~~(ib)~~ 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.
- ~~(ic)~~ 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.(28)~~ A special permit may be granted by the Board of Zoning Appeal to reduce ~~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.~~

~~(b)29~~ 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.~~

~~(d)30~~ One hundred and thirty (130) feet by special permit for buildings related to storage and processing of materials permitted in Section 4.37m.

~~(e)31~~ 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.

~~(f)32~~ Notwithstanding Section ~~5.20.11,~~ in 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: (33)~~ 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: (34)~~ 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: (35)~~ 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.

~~(36)~~ 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

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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>
<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 26 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~~ ~~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~~ ~~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 ⁸	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.	<u>Existing dwelling converted for elderly oriented congregate housing</u> [Deleted]	<u>No max</u>	<u>No max</u>	<u>No max</u>	<u>No max</u>	<u>n/a</u>	<u>R3</u>	<u>R3</u>
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]	<u>n/a</u>	<u>No max</u>	<u>No max</u>	<u>No max</u>	<u>n/a</u>	<u>R2</u>	<u>R2</u>
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, <u>existing single-family dwellings converted for two families</u> ; two-family dwellings, rectory or parsonage	No minimum

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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, or 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, whichever 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 stores 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 facade 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 are 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 (Sycamore); 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.~~
- ~~(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, ~~the~~ Gross Floor Area permitted by the applicable zoning may be increased by thirty percent (30%), as long as such additional Gross Floor Area is used for residential uses not including hotel or motel use.
- (b) If a limitation on the number of dwelling units is applicable within the district, ~~the~~ number of dwelling units permitted by the applicable zoning through rules for minimum lot area per dwelling unit or other applicable rules may be increased by thirty percent (30%).
- (c) The additional Gross Floor Area or dwelling units permitted herein shall be counted toward the determination of any applicable threshold triggering the requirement of a special permit, including but not limited to Section 19.20 Project Review Special Permit, Section 4.26 Multifamily Special Permit, and Section 11.10 Townhouse Development Special Permit.
- (d) In a Residence C-1 district, the maximum height of buildings or portions of buildings used as Residences may be increased to a maximum of 6 stories above grade and 70 feet above grade per the provisions of Section 5.40, Paragraph (2) of this Zoning Ordinance.

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:

13.17.1 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 13.17.2 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:~~

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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~~

~~(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:

13.36.4 The 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 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~~here 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	

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	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:

17.13.1 Maximum 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 ~~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:

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~~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:

17.17 Transfer 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.

17.23.1 Additional 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.

17.24.1 Maximum 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 ~~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) ~~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~~ ~~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:

Amend Section 17.42.12 to read as follows:

17.42.12 Special 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:

17.42.3 Maximum 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:

17.53.1 Maximum 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:

17.81.32Building 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:

17.81.32.1For 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~~[Deleted] 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~~[Deleted] 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:

17.81.5Transfer 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:

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 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 17.303.3, paragraph (h) to read as follows:

- (h) The requirements of Section 5.40, Footnote (k11) shall not apply in the Special District 12.
-

Amend Section 17.303.4 to read as follows:

~~17.303.4~~ ~~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:

~~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.

17.403.3Yard 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) ~~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) ~~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) ~~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:

17.505.2 Building Height Limitations.

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

Amend Section 17.505.3 through 17.505.6 to read as follows:

17.505.3 ~~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 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.

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]~~
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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 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]~~
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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 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.:

20.54.6 *Maximum Ratio of Floor Area to Lot Area (FAR) in the Harvard Square Historic Overlay District.* Notwithstanding the FAR limits set forth in Article 5.000 or elsewhere in this Ordinance, the maximum FAR applicable to non-residential uses in the Harvard Square Historic Overlay District shall be as follows: Business B district: 4.0 ~~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~~.

20.54.7 *Additional FAR.* Upon the issuance of a special permit, the special permit granting authority (Planning Board) may increase the allowable FAR on any lot or portion of a lot in the Business B district located within the Harvard Square Overlay District for any 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:

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

Amend Section 20.69 and Subsection 20.69.1 to read as follows:

20.69 *Concord Avenue Parkway Subdistrict.* For the purposes of providing additional protection to a portion of Concord Avenue that abuts the Fresh Pond Reservation and which serves as a gateway to Cambridge, this section hereby creates a "Concord Avenue Parkway Subdistrict" within the Parkway Overlay District. The subdistrict is that portion of the Parkway Overlay District along Concord Avenue that is bounded on the west by the dividing line between the Residence ~~C-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.

20.69.1 Notwithstanding any other provisions in either the Parkway Overlay District and/or the base zoning district, the maximum height for any building or portion of a building 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:

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

Delete Section 20.810 as follows:

20.810 ~~[Deleted] *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 4.21, 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.~~

~~e. 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:

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 footnote (33), footnote (34), and footnote (35) of Section 5.40 for Hotel or Motel Use provided the Board finds that the intended buffering provided by the provisions of footnote (33), footnote (34), and footnote (35) 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:

- 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 exempt 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 (25m) 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,~~ 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.
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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 20.304.3c [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 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]~~~~

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]~~

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.gj.

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;
 - 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]~~
-

E

MULTIFAMILY HOUSING ZONING PETITION PART TWO
AMENDMENT BY SUBSTITUTION

Petition: To amend Articles 1.000, 5.000, 11.000, 15.000, 17.000, 19.000, and 20.000 of the Cambridge Zoning Ordinance as follows with the intent of:

- (1) revising open space standards to provide greater flexibility by allowing all types of open space to contribute to meeting requirements;
- (2) revising certain standards of the Affordable Housing Overlay so they are not more restrictive than comparable standards for residences in base zoning;
- (3) making project review special permit requirements applicable in all zoning districts and applicable to residential development of 75,000 square feet or more;
- (4) updating advisory development review procedures and introducing a new Planning Board Advisory Consultation for some larger development not subject to a special permit, similar to what is currently required in the Affordable Housing Overlay; and
- (5) revising other parts of the Zoning Ordinance for internal consistency.

Amendments to Article 1.000.

Create a new Section 1.80 and subsequent subsections to read as follows:

1.80 ANNUAL AND FIVE-YEAR HOUSING REVIEW

1.81 To further the purpose of encouraging housing for persons of all income levels, and the specific objective of encouraging the construction of multifamily housing, including income-restricted affordable housing, in every neighborhood of Cambridge, the City Manager shall provide updates to the City Council on the state of housing production in the city generally as follows.

1.82 Annual Housing Report. Beginning in 2026, an annual housing report will summarize changes to the housing stock that have occurred within the previous year, including both market-rate housing and housing with affordability restrictions.

1.83 Five-Year Housing Evaluation. Beginning in 2030, a five-year housing evaluation will analyze longer-term trends in the city's housing stock, including overall growth and changes in affordability, as well as other public planning objectives that may be impacted by housing growth such as open space, tree canopy, public infrastructure, and resident services, and will recommend potential changes to zoning policy that would further the purpose of this Zoning Ordinance.

Amendments to Article 5.000.

Amend Section 5.22 and subsequent subsections to read as follows:

5.22 Open Space. Where a new building is constructed on a lot or where the footprint of an existing building is enlarged, the lot shall conform to the Open Space Ratio required in the zoning district. The total Open Space on the lot shall be the sum of all areas that meet the definition and standards for at least one of the following types of Open Space: Private, Public, Publicly Beneficial, and Green Area, or Permeable Open Space, which is a specific type of Green Area Open Space. All five terms are defined in Article 2.000 and additional standards are set forth below. Areas that meet the definition of more than one type of Open Space shall only be counted once when calculating the total Open Space on the lot. The Open Space Ratio on a lot shall be the total Open Space area divided by the lot area, expressed as a percentage.

5.22.1 Private Open Space. Private Open Space shall be open and unobstructed to the sky, except that up to fifty (50) percent of the total Private Open Space may be Shaded Area. Trees, plantings, arbors, fences, flagpoles, sculpture, fountains and recreational and drying apparatus and similar objects shall not be considered obstructions when located within a private open space. Objects or structures intended exclusively for bicycle parking, designed and located in accordance with Section 6.100, which may be uncovered, partially covered or fully enclosed, shall not be considered obstructions provided that such objects or structures are not used for motor vehicle parking, general storage or any other use, and further provided that any such structure exceeding six feet (6') in height conforms to the requirements for an accessory building in Section 4.21. Beehives and apiaries conforming to the Standards for Urban Agriculture in Article 23.000 of this Zoning Ordinance shall not be considered obstructions provided that they are no more than six (6) feet in height. Structures or features that are necessary for a building to comply with the Flood Resilience Standards in Section 22.80, such as stairs, ramps, or window wells, shall not be considered obstructions. To the extent permitted in this Ordinance, balconies and roof areas may also be considered as Private Open Space.

5.22.1(a) Private Open Space shall include areas that are shared by all building occupants or available to occupants of separately tenanted areas of a building, such as dwelling units. Private Open Space may include either hardscaped or permeable areas but shall be provided on every lot used for residential purposes except for those in the Cambridge-Center MXD District, and shall be a percentage of the lot area as set forth in Section 5.31. An area designated as Private Open Space may not have a slope greater than ten percent (10%). Private Open Space must meet the following other dimensional characteristics:

- a. If located at grade~~With the exception of balconies,~~ Private Open Space must have both a width and a length of at least fifteen (15) feet and shall may be accessible to shared by all occupants of a building or divided into areas that are accessed separately. At least fifty percent (50%) of the required private open space shall be provided at ground level, within ten (10) feet of the level of the lowest floor used for residential purposes, or elevated to the 1% Probability Long-Term Flood Elevation as determined by the Flood Resilience Standards set forth in Section 22.80 of this Zoning Ordinance.
- b. If located above grade, Areas at other levels, such as balconies, decks, and roofs of garages and buildings, may be calculated as Private Open Space if they are and shared by accessible to all occupants of a buildings, are not used as walkways or corridors, Private Open Space must have both a width and a length of at least six (6) feet, and have a minimum area of seventy-two (72) square feet.
- c. If located above grade or partially below grade~~Any other Private Open Space and accessible to separately tenanted spaces,~~ such as balconies and decks or lower-level patios accessible only to some building occupants, shall count for no more than twenty five percent (25%) of the required Private Open Space must have a width and length of at least three (3) feet and have a minimum area of twenty (20) square feet.

5.22.1(b)~~Where nonresidential and residential uses are mixed in a building, the required minimum Private Open Space for residential use shall be calculated in relation to the portion of the lot which the residential floor area is to the total floor area in the building.~~

5.22.1(c)~~Special Requirements in Residence A-1, A-2, B, C, and C-1. At least fifty percent (50%) of the required Private Open Space in these districts shall meet all of the requirements of Section 5.22.1 above. At least fifty percent (50%) of the required Private 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.~~

5.22.2 Public Open Space. Public Open Space shall be open and unobstructed to the sky, except that up to fifty (50) percent of the total Public Open Space may be Shaded Area. Public Open Space may include but is not limited to lawns, decorative plantings, interior walkways, abutting sidewalks, active and passive recreation areas, playgrounds, fountains, and public performance areas. Public Open Space shall not include rooftop areas, patios, balconies, parking lots, or driveways. Limited paved surfaces may be designed to accommodate occasional use by motor vehicles servicing the park facility. If the facility is not held in fee simple by the City of Cambridge or other public entity, the Public Open Space may be land remaining in private ownership but

protected for public use by means of a permanent easement, conservation restriction, or other similar legal device acceptable to the City.

5.22.3 Publicly Beneficial Open Space. Such space shall be customarily available or shall be readily visible to such occupants and visitors, though physically inaccessible, by being located and treated to enhance the amenity of the development through a general appearance of openness. Publicly beneficial open space shall include parks, plazas, lawns, landscaped areas, decorative plantings, and active and passive recreational areas. Publicly beneficial open space shall also include loggias, atriums, arcades and pedestrian ways listed and defined in Section 14.45. Streets, parking lots, driveways, service roads, loading areas, and areas normally inaccessible to pedestrian circulation beneath pedestrian bridges, decks, or shopping bridges shall not be counted in determining required calculating publicly beneficial open space.

5.22.4 Green Area Open Space. Green Area Open Space shall be open and unobstructed to the sky except that up to fifty (50) percent of the total required Green Area Open Space may be Shaded Area. Green Area Open Space shall be land at grade and shall consist of friable, permeable materials (including but not limited to loam, gravel, sand, crushed stone, and including naturally occurring soil, bedrock, and incidental pipes and other underground utilities) having a minimum depth of three (3) feet. Said land shall be capable of supporting the growth of trees, grass, ground cover, shrubs, and similar vegetation. Such area may not include any portion of the lot used for parking areas and access drives or other hard surface areas, except walks and terraces designed and intended for non-motor vehicle use.

Green Area Open Space shall consist entirely of living trees, grass, ground cover, bushes, shrubs, and/or similar vegetation, as well as water and other natural features of the site. However, in no case shall hard surfaced walks and terraces, or pervious ground covers like gravel, stone, and wood chips not being used as mulch beneath vegetation, exceed twenty-five (25) percent of the total required area counted as Green Area Open Space.

5.22.4(a) Permeable Open Space. Permeable Open Space shall consist of a surface material that may include vegetation; rocks, pebbles, wood chips and similar landscaping materials; or unit pavers. All other materials (for example, continuously poured asphalt or concrete) are not allowed except that any material may be used for pedestrian walkways not exceeding forty-eight (48) inches 5 feet in width or half the width of the area in which they are located, whichever amount is less.

5.22.5 Green Factor. Where any new building, new addition to a building that seeks to increase the footprint of a building by at least 50% in area, or new surface parking area is created on or after the enactment of this Section, the lot or Development Parcel shall be designed to conform to the Green Factor Standard set forth in Section 22.90 of this Zoning Ordinance before issuance of a building permit or special permit if applicable.

Amendments to Article 11.000.

Amend Section 11.207.3 to read as follows:

11.207.3 Standards for Eligibility, Rent, and Initial Sale Price for AHO Dwelling Units

- (a) All dwelling units in an AHO Project shall comply with the standards for AHO Dwelling Units as set forth in this Section.
- (b) For all AHO Dwelling Units:
 - (i) AHO Dwelling Units shall be rented or sold only to AHO Eligible Households, with preference given to Cambridge residents, and former Cambridge residents who experienced a no-fault eviction in Cambridge in the last twelve (12) months, in accordance with standards and procedures related to selection, asset limits, and marketing established by the Community Development Housing Department (~~CDD~~) and applicable state funding requirements.

- (ii) AHO Dwelling Units shall be created and conveyed subject to recorded covenants approved by ~~CDD~~ the Housing Department guaranteeing the permanent availability of the AHO Dwelling Units for AHO Eligible Households.
- (c) For rental AHO Dwelling Units:
 - (i) The gross household income of an AHO Eligible Household upon initial occupancy shall be no more than one-hundred percent (100%) of AMI.
 - (ii) At least eighty percent (80%) of AHO Dwelling Units within the project shall be occupied by AHO Eligible Households whose gross household income upon initial occupancy is no more than eighty percent (80%) of AMI.
 - (iii) Rent, including utilities and any other fees routinely charged to tenants and approved by ~~CDD~~ the Housing Department, shall not exceed thirty percent (30%) of the gross household income of the AHO Eligible Household occupying the AHO Dwelling Unit or other similar standard pursuant to an applicable housing subsidy program which has been approved by ~~CDD~~ the Housing Department.
 - (iv) After initial occupancy, the gross household income of an AHO Eligible Household shall be verified annually, or on such other basis required by an applicable housing subsidy program which has been approved by ~~CDD~~ the Housing Department, to determine continued eligibility and rent, in accordance with policies, standards, and procedures established by ~~CDD~~ the Housing Department.
 - (v) An AHO Eligible Household may continue to rent an AHO Dwelling Unit after initial occupancy even if the AHO Eligible Household's gross household income exceeds the eligibility limits set forth above, but may not exceed one hundred twenty percent (120%) of AMI for more than one year after that Eligible Household's gross household income has been verified to exceed such percentage, unless otherwise restricted pursuant to an applicable housing subsidy program which has been approved by ~~CDD~~ the Housing Department.
 - (vi) Notwithstanding the requirements set forth in (i) through (v) above, an owner may voluntarily choose to charge a lower rent than as provided herein for AHO Dwelling Units.
- (d) For owner-occupied AHO Dwelling Units:
 - (i) The gross household income of an AHO Eligible Household upon initial occupancy shall be no more than one-hundred percent (100%) of AMI.
 - (ii) At least fifty percent (50%) of AHO Dwelling Units shall be sold to AHO Eligible Households whose gross household income upon initial occupancy is no more than eighty percent (80%) of AMI.
 - (iii) The initial sale price of an AHO Dwelling Unit shall be approved by ~~CDD~~ the Housing Department and shall be determined to ensure that the monthly housing payment (which shall include debt service at prevailing mortgage loan interest rates, utilities, condominium or related fees, insurance, real estate taxes, and parking fees, if any) shall not exceed thirty percent (30%) of the monthly income of:
 - 1) A household earning ninety percent (90%) of AMI, in the case of an AHO Dwelling Unit to be sold to an AHO Eligible Household whose income upon initial occupancy is no more than one-hundred percent (100%) of AMI; or
 - 2) A household earning seventy percent (70%) of AMI, in the case of an AHO Dwelling Unit to be sold to an AHO Eligible Household whose income upon initial occupancy is no more than eighty percent (80%) of AMI
- (e) An AHO Project meeting the standards set forth herein as approved by ~~CDD~~ the Housing Department shall not be required to comply with the Inclusionary Housing Requirements set forth in 11.203 of this Zoning Ordinance.

Amend Section 11.207.5.1, paragraph (b) to read as follows:

- (b) District Dimensional Standards shall include the most permissive standards allowable on a lot, whether such standards are permitted as-of-right or allowable by special permit, and inclusive of any additional development permissible under the Inclusionary Housing provisions of Section 11.203.5. A District Dimensional Standard that is allowable by special permit shall include any nondiscretionary requirements or limitations that would otherwise apply.

Amend Section 11.207.5.2.1 to read as follows:

11.207.5.2.1 Building Height and Stories Above Grade. For an AHO Project, the standards set forth below shall apply in place of any building height limitations set forth in the District Development Standards.

- (a) ~~Where the District Dimensional Standards set forth a maximum residential building height of forty (40) feet or less, an AHO Project shall contain no more than four (4) Stories Above Grade and shall have a maximum height of forty-five (45) feet, as measured from existing Grade. For AHO Projects containing active non-residential uses on the ground floor, the maximum height may be increased to fifty (50) feet but the number of Stories Above Grade shall not exceed four (4) stories.~~
- (ba) Where the District Dimensional Standards set forth a maximum residential building height of more than forty (40) feet but not more than sixty-five (65) less than seventy-five (75) feet, an AHO Project shall contain no more than nine (9) Stories Above Grade and shall have a maximum height of one hundred (100) feet, as measured from existing Grade, ~~except as further limited below.~~
- (i) ~~Except where the AHO Project abuts a non-residential use, portions of an AHO Project that are within thirty-five (35) feet of a lot whose District Dimensional Standards allow a maximum residential building height of forty (40) feet or less shall be limited by the provisions of Paragraph (a) above.~~
- (eb) The height of an AHO Project on an AHO Corridor Lot may be increased from the height limits in Paragraphs (a) ~~or (b)~~ above, not to exceed twelve (12) Stories Above Grade and a building height of one hundred and forty (140) feet, ~~subject to the limitations in Section 11.207.5.2.1(b)(i) above.~~
- (ec) Where the District Dimensional Standards set forth a maximum residential building height of more than sixty-five (65) seventy-five (75) feet or more, an AHO Project shall contain no more than thirteen (13) Stories Above Grade and shall have a maximum height of one hundred and fifty (150) feet, as measured from existing Grade, ~~except as further limited below.~~
- (i) ~~Except where the AHO Project abuts a non-residential use, portions of an AHO Project that are within thirty-five (35) feet of a district whose District Dimensional Standards allow a maximum residential building height of forty (40) feet or less shall be reduced to a minimum of five (5) Stories Above Grade or a maximum height of sixty (60) feet, as measured from existing Grade, except that if the AHO project parcel extends into that District, then the height limitation shall only extend thirty-five (35) feet from the property line.~~
- (ed) The height of an AHO Project within an AHO Square District may be increased from the height limits in Paragraphs (a) through (ec) above, not to exceed fifteen (15) Stories Above Grade and a building height of one hundred and seventy (170) feet, ~~subject to the limitations in Section 11.207.5.2.1(d)(i) above.~~
- (fe) An AHO Project may exceed the allowable height limitations of the previous paragraphs of this Section, not to exceed three additional stories and thirty-five feet (35') of additional building height, under the following circumstances:
- (i) The Residential Density limitations set forth in Section 11.207.5.2.2 will be met, or, if the AHO Project is not subject to an FAR restriction in Section 11.207.5.2.2, then the total gross floor area on the AHO Lot will not exceed 70% of the total lot area multiplied by the maximum number of stories otherwise permitted under the previous paragraphs of this Section; and
- (ii) pre-existing, contiguous Green Area Open Space on the AHO Lot will be preserved or expanded, consisting of at least 5% or more of the total area of the AHO Lot; and

- (iii) the AHO Project will exceed the minimum required open space as set forth in Section 11.207.5.2.4 of this Article.
 - (ef) If the height of an existing building on the AHO Lot, or on an abutting lot, exceeds the height limits in the previous paragraphs of this Section 11.207.5.2.1, then the height of the AHO Project may be increased, not to exceed the building height and Stories Above Grade of the existing building.
 - (hg) Where an AHO Project has different applicable Building Height and Stories Above Grade limitations as specified in the preceding paragraphs of this Section 11.207.5.2.1, the most permissive height limitations shall control.
 - (ih) The Height Exceptions set forth in Section 5.23 of this Zoning Ordinance shall apply when determining the building height of an AHO Project.
-

Amend Section 11.207.5.2.4 to read as follows:

11.207.5.2.4 Open Space.

- (a) ~~Except where~~ The Open Space requirements set forth in the District Dimensional Standards shall apply except as set forth below:
 - (a) establish a less restrictive requirement or as otherwise provided below If the application of the District Dimensional Standards results in a required percentage of Open Space to lot area greater than thirty percent (30%), then the minimum percentage of open Open space Space to lot area for an AHO Project shall be thirty percent (30%).
 - (b) ~~However,~~ If the application of the District Dimensional Standards results in a required percentage of Open Space to lot area greater than fifteen percent (15%), then the minimum percentage of open space to lot area may be reduced to no less than fifteen percent (15%) if the AHO Project includes the preservation and protection of an existing building included on the State Register of Historic Places.
 - (bc) ~~The required open space shall be considered~~ Private Open Space ~~but shall be subject to the limitations set forth below and~~ shall not be subject to the dimensional ~~and other~~ limitations set forth in Section 5.22.1 of this Zoning Ordinance, paragraphs a. through c., but, ~~Private Open Space~~ shall exclude parking and driveways for automobiles.
 - (c) ~~All of the required open space that is located at grade shall meet the definition of Permeable Open Space as set forth in this Zoning Ordinance.~~
 - (d) ~~The required open space shall be located at Grade or on porches and decks that are no higher than the floor elevation of the lowest Story Above Grade, except that up to twenty five percent (25%) of the required open space may be located at higher levels, such as balconies and decks, only if it is accessible to all occupants of the building.~~
 - (e) ~~For the purpose of this Affordable Housing Overlay, area used for covered or uncovered bicycle parking spaces that are not contained within a building shall be considered Private Open Space.~~
 - (fd) Notwithstanding the foregoing, lots consisting of five thousand (5,000) square feet or less in total lot area that directly abut a Public Open Space consisting of at least one thousand five hundred (1,500) square feet of area shall not have a minimum open space requirement under this Article.
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Delete Section 11.207.6.1, Paragraph (b).

- (b) ~~An AHO Project of greater than 20 units, for which no off street parking is provided shall provide or have access to either on street or off street facilities that can accommodate passenger pick-up and drop-off by motor vehicles and short term loading by moving vans or small delivery trucks. The Cambridge Traffic, Parking, and Transportation Department shall certify to the Superintendent of Buildings that the AHO Project is designed to reasonably accommodate such activity without causing significant hazard or congestion. The Cambridge Director of Traffic, Parking, and Transportation shall~~

have the authority to promulgate regulations for the implementation of the provisions of this Paragraph.

Delete Section 11.207.6.5.

~~11.207.6.5~~ Transportation Demand Management.

~~An AHO Project not providing off-street parking at a ratio of 0.4 space per dwelling unit or more shall provide, in writing, to the Community Development Department a Transportation Demand Management program containing the following measures, at a minimum:~~

- ~~(a) Offering either a free annual membership in a Public Bicycle Sharing Service, at the highest available tier where applicable, or a 50% discounted MBTA combined subway and bus pass for six months or pass of equivalent value, to up to two individuals in each household upon initial occupancy of a unit.~~
 - ~~(b) Providing transit information in the form of transit maps and schedules to each household upon initial occupancy of a unit, or providing information and a real-time transit service screen in a convenient common area of the building such as an entryway or lobby.~~
-

Amend Section 11.207.7.1, Paragraph (b) to read as follows:

- (b) The following design standards shall apply to new construction and to additions to existing structures where such construction creates 25,000 or more square feet of GFA. Except as otherwise provided, an existing building that is altered or moved to accommodate an AHO Project shall not be subject to the following standards, provided that such alterations do not create a condition that is in greater nonconformance with such standards than the existing condition.
-

Delete Section 11.207.7.4, Paragraph (a) as follows:

- (a) ~~[Deleted]The elevation at floor level of the Ground Story shall be at the mean Grade of the abutting public sidewalk, or above such mean Grade by not more than four feet. Active non-residential uses at the Ground Story shall be accessible directly from the sidewalk without requiring use of stairs or a lift. The requirements of this paragraph shall not apply if it is determined by the City Engineer that a higher Ground Story elevation is necessary for the purpose of flood protection.~~
-

Delete Section 11.207.7.4, Paragraph (e) as follows:

- (e) ~~[Deleted]Ground Stories shall be designed to accommodate at least one space, with a total frontage equaling at least fifty percent (50%) of the existing retail frontage, for an active non-residential use, which may include retail or consumer establishments as well as social service facilities supporting the mission of the owner of the AHO Project, on sites that are located in a Business base zoning district, and where the project site contains or has contained a retail and or consumer service use at any point within the past two years prior to application for a building permit for an AHO Project.~~
-

Amend Section 11.207.7.4, Paragraph (f) to read as follows:

- (f) ~~Private living spaces within dwelling units, including bedrooms, kitchens, and bathrooms, may only be contained within Stories Above Grade. New habitable space may be created within Stories Below Grade only if the Flood Resilience Standards of Section 22.70 of this Zoning Ordinance are met.~~ may only contain portions of dwelling units providing entries, exits, or mechanical equipment, or common facilities for residents of the building, such as lobbies, recreation rooms, laundry, storage, parking, bicycle parking, or mechanical equipment.
-

Amend Section 11.207.8 to read as follows:

11.207.8 Advisory Design Consultation Procedures.

No special permit shall be required for an AHO Project. However, an AHO Project shall be subject to the non-binding design consultation procedures in Section 19.40 of this Zoning Ordinance as set forth below:

Prior to application for a building permit, the developer of an AHO Project shall comply with the following procedure, which is intended to provide an opportunity for non-binding community and staff input into the design of the project.

- (a) An AHO Project that would otherwise require a Project Review Special Permit shall instead be subject to the Planning Board Advisory Consultation procedure set forth in Section 19.47.
- (b) An AHO Project that exceeds the height limitations of the underlying district, inclusive of any additional height permissible under the Inclusionary Housing provisions of Section 11.203.5, but does not otherwise meet the size threshold for a Planning Board Advisory Consultation set forth in Section 19.47, shall nonetheless be subject to a Planning Board Advisory Consultation except that the developer may waive the preliminary design consultation and submit all required materials to be reviewed at a single final consultation session.
- (c) Except as set forth in (a) and (b) above, an AHO Project shall be subject to Section 19.40 to the extent that a review threshold set forth in that section has been met.
- (d) The intent of this non-binding review process is to advance the City's desired outcomes for the form and character of AHO Projects. To promote the City's goal of creating more affordable housing units, AHO Projects are permitted to have a greater height, scale, and density than other developments permitted by the zoning for a given district. This procedure is intended to promote design outcomes that are compatible with the existing neighborhood context or with the City's future planning objectives for the area.
- (~~be~~) The City's "Design Guidelines for Affordable Housing Overlay," along with [the Citywide Urban Design Objectives in Section 19.30](#) and other design objectives and guidelines established for the part of the city in which the AHO Project is located, are intended to inform the design of AHO Projects and to guide the Planning Board's consultation and report ~~as set forth below~~ [where required](#). It is intended that designers of AHO Projects, City staff, the Planning Board, and the general public will be open to creative variations from any detailed provisions set forth in such objectives and guidelines as long as the core values expressed are being served.
- (~~c~~) ~~At least two community meetings shall be scheduled at a time and location that is convenient to residents in proximity to the project site. The Community Development Department (CDD) shall be notified of the time and location of such meetings, and shall give notification to abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred feet of the property line of the lot on which the AHO Project is proposed and to any individual or organization who each year files with CDD a written request for such notification, or to any other individual or organization CDD may wish to notify.~~
 - (i) ~~The purpose of the first community meeting shall be for the developer to share the site and street context analysis with neighborhood residents and other interested parties prior to building design, and receive feedback from community members.~~
 - (ii) ~~The purpose of the subsequent community meeting(s) shall be to present preliminary project designs, answer questions from neighboring residents and other interested members of the public, and receive feedback on the design. The date(s), time(s), location(s), attendance, materials presented, and comments received at such meeting(s) shall be documented and provided to CDD.~~
- (~~d~~) Following one or more such community meeting(s), the developer shall prepare the following materials for review by the Planning Board. CDD shall review to certify that the submitted written and graphic materials provide the required information in sufficient detail. All drawings shall be drawn to scale, shall include a graphic scale and north arrow for orientation, and shall provide labeled distances and dimensions for significant building and site features.

- ~~(i) A context map indicating the location of the project and surrounding land uses, including transportation facilities.~~
- ~~(ii) A context analysis, discussed with CDD staff, including existing front yard setbacks, architectural character, and unique features that inform and influence the design of the AHO Project.~~
- ~~(iii) An existing conditions site plan depicting the boundaries of the lot, the locations of buildings, open space features, parking areas, trees, and other major site features on the lot and abutting lots, and the conditions of abutting streets.~~
- ~~(iv) A proposed conditions site plan depicting the same information above as modified to depict the proposed conditions, including new buildings (identifying building entrances and uses on the ground floor and possible building roof deck) and major anticipated changes in site features.~~
- ~~(v) A design statement on how the proposed project attempts to reinforce existing street/context qualities and mitigates the planned project's greater massing, height, density, &c.~~
- ~~(vi) Floor plans of all proposed new buildings and existing buildings to remain on the lot.~~
- ~~(vii) Elevations and cross-section drawings of all proposed new buildings and existing buildings to remain on the lot, depicting the distances to lot lines and the heights of surrounding buildings, and labeling the proposed materials on each façade elevation.~~
- ~~(viii) A landscape plan depicting and labeling all hardscape, permeable, and vegetated areas proposed for the site along with other structures or appurtenances on the site.~~
- ~~(ix) Plans of parking and bicycle parking facilities, as required by Section 6.50 of this Zoning Ordinance.~~
- ~~(x) Materials palettes cataloguing and depicting with photographs the proposed façade and landscape materials.~~
- ~~(xi) Existing conditions photographs from various vantage points on the public sidewalk, including photos of the site and of the surrounding urban context.~~
- ~~(xii) Proposed conditions perspective renderings from a variety of vantage points on the public sidewalk, including locations adjacent to the site as well as longer views if proposed buildings will be visible from a distance.~~
- ~~(xiii) A dimensional form, in a format provided by CDD, along with any supplemental materials, summarizing the general characteristics of the project and demonstrating compliance with applicable zoning requirements.~~
- ~~(xiv) A brief project narrative describing the project and the design approach, and indicating how the project has been designed in relation to the citywide urban design objectives set forth in Section 19.30 of the Zoning Ordinance, any design guidelines that have been established for the area, and the "Design Guidelines for Affordable Housing Overlay."~~
- ~~(xv) Viewshed analysis and shadow studies that show the impact on neighboring properties with existing Solar Energy Systems.~~
- ~~(xvi) An initial development budget that shows anticipated funding sources and uses including developer fee and overhead.~~
- ~~(e) Within 65 days of receipt of a complete set of materials by CDD, the Planning Board shall schedule a design consultation as a general business matter at a public meeting and shall give notification to abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred feet of the property line of the lot on which the AHO Project is proposed and to any individual or organization who each year files with CDD a written request for such notification, or to any other individual or organization CDD may wish to notify. The materials shall be made available to the public in advance, and the Planning Board may receive written comments prior to the meeting from City staff, abutters, and members of the public.~~
- ~~(f) At the scheduled design consultation, the Planning Board shall hear a presentation of the proposal from the developer and oral comments from the public. The Board may ask questions or seek additional information from the developer or from City staff.~~

- ~~(g) The Planning Board shall evaluate the proposal for general compliance with the requirements of this Section, for consistency with City development guidelines prepared for the proposal area and the "Design Guidelines for Affordable Housing Overlay," for appropriateness in terms of other planned or programmed public or private development activities in the vicinity, and for consistency with the Citywide Urban Design Objectives set forth in Section 19.30. The Board may also suggest specific project adjustments and alterations to further the purposes of this Ordinance. The Board shall communicate its findings in a written report provided to the developer and to CDD within 20 days of the design consultation.~~
 - ~~(h) The developer may then make revisions to the design, in consultation with CDD staff, and shall submit a revised set of documents along with a narrative summary of the Planning Board's comments and changes made in response to those comments.~~
 - ~~(i) The Planning Board shall review and discuss the revised documents at a second design consultation meeting, which shall proceed in accordance with Paragraphs (c) and (d) above. Following the second design consultation, the Planning Board may submit a revised report and either the revised report or if there are no revisions the initial report shall become the final report (the "Final Report"). Any additional design consultations to review further revisions may occur only at the discretion and on the request of the developer or the Cambridge Affordable Housing Trust.~~
 - (jf) The Final Report from the Planning Board or other applicable report required by the procedures of Section 19.40 shall be provided to the Cambridge Affordable Housing Trust in addition to the Superintendent of Buildings to certify compliance with the procedures set forth herein.
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Amend Section 11.207.9, Paragraph (b) to read as follows:

- (b) The Housing Department or Community Development Department may develop standards, design guidelines, and procedures appropriate to and consistent with the provisions of this Sections 11.207 and the above regulations.
-

Amend Section 11.207.11 to read as follows:

11.207.11 Review of Affordable Housing Overlay.

- (a) Annual Report. ~~CDD~~ The Housing Department shall provide an annual status report to the City Council, beginning eighteen (18) months after ordination and continuing every year thereafter. The report shall contain the following information:
 - (i) List of sites considered for affordable housing development under the Affordable Housing Overlay, to the extent known by ~~CDD~~ the Housing Department, including site location, actions taken to initiate an AHO Project, and site status;
 - (ii) Description of each AHO Project underway or completed, including site location, number of units, unit types (number of bedrooms), tenure, and project status; and
 - (iii) Number of residents served by AHO Projects.
- (b) Five-Year Progress Review. Five (5) years after ordination, ~~CDD~~ the Housing Department shall provide to the City Council, Planning Board and the Affordable Housing Trust, for its review, a report that assesses the effectiveness of the Affordable Housing Overlay in increasing the number of affordable housing units in the city, distributing affordable housing across City neighborhoods, and serving the housing needs of residents. The report shall also assess the effectiveness of the Advisory Design Consultation Procedure in gathering meaningful input from community members and the Planning Board and shaping AHO Projects to be consistent with the stated Design Objectives. The report shall evaluate the success of the Affordable Housing Overlay in balancing the goal of increasing affordable housing with other City planning considerations such as urban form, neighborhood character, environment, and mobility. The report shall discuss citywide outcomes as well as site-specific outcomes.

Amendments to Article 15.000.

Amend Section 15.36(2) to read as follows:

- (2) The Public Advisory Consultation ~~Large Project~~ Procedure (Section 19.43-3) shall be modified so that the required consultation session shall occur within fourteen (14) days of the submission of the required documents and the required written comments shall be issued within fourteen (14) days of that session;
-

Amend Section 15.37 to read as follows:

15.37For those portions of the District along Massachusetts Avenue located within the Central Square Overlay District, notwithstanding anything set forth in Section 20.300, Public Advisory Consultation~~the Large Project Review~~ shall be undertaken by the Planning Board. Where applicable, the Planning Board shall be guided by the objectives and criteria contained in the publications "Central Square Action Plan", City of Cambridge, November 1987, and "Central Square Development Guidelines", June 1989, and by any additional relevant zoning or planning studies subsequently undertaken by or on behalf of the City. To the extent any provision in these documents is in conflict with the Design Guidelines for the Cambridgeport Revitalization Development District ("CRDD"), the Planning Board shall determine which guideline is most appropriate to be considered in the ~~Large Project Development~~Public Advisory Consultation.

Amendments to Article 17.000.

Amend Section 17.16 to read as follows:

17.16Special District 1 shall be considered an area of special planning concern and shall be subject to the applicable Development Consultation Procedure, Section 11.40~~development review procedures as set forth in Article 19.000 of this Zoning Ordinance.~~

Amend Section 17.36.5 to read as follows:

17.36.5Area of Special Planning Concern. Special District 3 shall be considered an area of Special Planning Concern. All development within the District shall comply with the ~~Development Consultation Procedures~~development review procedures as specified in ~~Section 11.40~~Article 19.000, except as modified below:

1. ~~The Planning Board shall conduct the Large Project Procedure in lieu of the Community Development Department.~~
 2. The ~~Large Project~~Public Advisory Consultation Procedure shall be modified so that the Community Development Department shall have ten (10) business days to certify that an application is complete, ten (10) business days from certification to hold a public meeting, and ten (10) business days thereafter to make a report.
 3. In reviewing a proposal the Planning Board shall be guided by the provisions of the Design Guidelines for Special District 3.
-

Amend Section 17.36.6 to read as follows:

17.36.6Traffic Study. Before issuance of any building permit for construction of GFA within Special District 3, a Traffic Study shall be prepared and made available to the Planning Board for the ~~Large Project Procedure~~applicable development review procedure as established in Article 19.000. The traffic study may be prepared for the total amount of development allowed in the District when the first building permit is requested and shall be applicable to all future building permits issued in the district except that traffic data shall be updated at least every five (5) years after the initial submission of the study whenever a new building permit is sought. The Traffic Study shall include the following elements.

Amend Section 17.37.1 to read as follows:

1. Certification from ~~the Planning Board~~the Community Development Department that ~~the Large Project Procedure~~the applicable development review procedure has been applied and conducted in accordance with Article 19.000 of the Zoning Ordinance, and that all other requirements of the District have been met~~has been held.~~

Amend Section 17.306.a to read as follows:

17.306*Other Provisions.* The following additional provisions shall apply.

- (a) Special District 12 shall be considered an Area of Special Planning Concern, subject to the Development Consultation Procedure specified in Section 19.40~~applicable development review procedures as set forth in Article 19.000 of this Ordinance.~~

Amend Section 17.507 to read as follows:

17.507*Other Provisions.* The following additional provisions shall apply.

- (a) Special District 14 shall be considered an Area of Special Planning Concern, subject to the Development Consultation Procedure specified in Section 19.40~~applicable development review procedures as set forth in Article 19.000.~~

Amendments to Article 19.000.

Amend Sections 19.22 and 19.23 to read as follows, leaving subsection 19.23.1 and subsequent subsections unchanged:

19.22*Applicable Zoning Districts.* The Project Review Special Permit shall apply to construction and changes of use located in the following zoning districts.

- (1) All Office, Business, and Industrial Districts, any PUD district, and NP districts, and any Special District for which an office, business or industrial district serves as the underlying base regulation (SD-1, SD-3, SD-5, SD-7, SD-8 and SD-11), but excluding the MXD district.
- (2) Residence C-1, C-1A, C-2, C-2A, C-2B, C-3, C-3A, and C-3B districts, and any Special District for which any one of these residence districts serves as the underlying base regulation (SD-2, SD-6, SD-12 and SD-13) and SD-14. A Project Review Special Permit in these districts shall be required only where the construction or portion of the construction is located within one hundred (100) feet of a public way unless the uses proposed in the building are subject to the thresholds established in Table 1.

19.23*Special Permit Threshold.* In all applicable zoning districts, A-a Project Review Special Permit shall be required for new building construction or change of use (pursuant to Subsection 19.23.1 below) of fifty thousand (50,000) gross square feet or more, in all applicable zoning districts [except that in a Business A, Business A-1, and Business A-2 districts a Project Review Special Permit shall be required for new building construction of twenty thousand (20,000) gross square feet or more], or for building construction of less than fifty thousand square feet [or twenty thousand square feet in the BA, BA-1, and BA-2 Districts] where a Table I threshold has been met, on a lot or combination of contiguous lots held in common ownership at any time after September 15, 2000. In a Business A, Business A-1, or Business A-2 district, a Project Review Special Permit shall also be required for new building construction of 20,000 square feet or more of non-residential Gross Floor Area (GFA), though a Traffic Study shall not be required if a Table I threshold is not met. Where a mix of uses is proposed the threshold shall be determined by the application of the Mixed Use Formula set forth in Table 1.

Notwithstanding the provisions of this Section 19.23 set forth above, the Project Review Special Permit requirement shall not apply to existing gross floor area on a lot built and occupied prior to the effective date

of this Article 19.000 that is demolished and subsequently rebuilt as part of a building project, provided (1) there is no change of use, (2) the reconstruction commences within two years of the start of demolition of the building, and (3) the standards of Section 19.50 are met.

Where a threshold is set forth below in square feet (“sf”) it shall refer to the total GFA calculated pursuant to Section 5.25 but shall exclude GFA in parking facilities, except as otherwise noted. Where reference is made in this Section 19.23 to Gross Floor Area thresholds as set forth in Table 1, the term shall also encompass any other measure of quantity enumerated in the Table (e.g. dwelling units, beds, acres, parking spaces).

Table 1
Thresholds for Required Traffic Study by Land Use Type

Land Use Category	Threshold
Standard Threshold: All Land Uses Set forth in Tables 4.30 and 4.56 except as enumerated below.	50,000 sf**
<u>Residences: All uses in Section 4.31, a-j</u>	<u>75,000 sf</u>
Transportation Communication & Utility Uses: Section 4.32	
a. Bus or railroad passenger station	Required
b. Automobile parking lot or parking garage for private passenger cars	150 parking spaces
c. Railroad freight terminal, railroad yards and shops	50 acres
d. Truck or bus terminal, yard or building for storage or servicing of trucks, trailers, or buses; parking lot for trucks	Required
Institutional Uses: Section 4.56 (See also Section 4.33)	
a. Religious purposes	
[1.] Social or recreation center	40,000 sf
[2.] Other use with religious purpose	40,000 sf
[b.] Educational purposes	
1. Preschool, day care center, kindergarten	25,000 sf
2. Primary school	40,000 sf
3. Secondary school	40,000 sf
4. College or university athletic facility, auditorium, theatre, library, museum or similar facility, any of which is customarily accessible to the general public on a paid admission fee or other basis	Creation of 150 new parking spaces or the relocation of 250 existing parking spaces or any combination thereof. ^{1,2}
5. College or university laboratory or research facility customarily involving radioactive materials and other controlled substances, high intensity electromagnetic radiation or chemical or biological processes which could entail a high level of danger to the public health	
6. Other college or university facility	
Dining halls, canteens and similar eating areas	
Administrative faculty and staff offices, teaching facilities, service facilities, and facilities not specified above	
1. The addition to or relocation of parking spaces in the inventory of institutional parking in existence as of September 15, 2000 (see Section 6.32.2) in association with the construction of a new building.	
2. Relocation shall mean the construction of parking spaces at a new location, where the distance between that entrance at the new location most proximate to the closest entrance at the old location is 1,000 feet or more.	
7. Vocational or other schools	40,000 sf
e. Health Care Facilities	
1. Hospital	35,000 sf

	2. Infirmary	25,000 sf
	3. Nursing home, convalescent home	250 beds
	4. Clinic not affiliated with any other institution	25,000 sf
	5. Clinic affiliated with a hospital or accredited university medical school	25,000 sf
	6. Clinic connected to a community center	25,000 sf
	7. Other health care facilities	25,000 sf
f. Social Service Facilities		
	1. Social service center	40,000 sf
	2. Community Center	40,000 sf
g. Local Government		
	[1.] Fire or police station	Not Required
	[2.] Public parks, playgrounds or public recreation buildings	400 acres
i. Other Institutional Uses		
	[1.] Cemetery	100 acres
	[2.] Other institutional use	40,000 sf
Office and Laboratory Uses: Section 4.34		
	a. Office of a physician, dentist or other medical practitioner not located in a clinic listed under Subsection 4.33(d)	25,000 sf
	[b.] Bank, trust company or similar financial institution	25,000 sf
Retail or Consumer Service Establishments: Section 4.35		25,000 sf
Outdoor Retail or Consumer Service Establishments: Section 4.36		
	a. Open-Lot Retail Sales Establishment	25,000 sf
	b. Drive-In Food Service Establishments	Required
	c. Drive-In Consumer Service Establishments	Required
	d. Outdoor Entertainment and Recreation Facility	300 seats
	e. Drive-In Theater	300 seats
	f. Outdoor Auto Sales Facility	25,000 sf
	g. Auto Service Station	5 fueling positions
	h. Auto Wash	Required
Light Industry, Wholesale Business and Storage: Section 4.37		
	[a.] Auto body or paint shop	25,000 sf
	[b.] Automotive repair garage not including [1.] above	25,000 sf

~~**Gross Floor Area exclusive of GFA in parking facilities, except as noted.~~

Mixed Use Formula

Where it is proposed to include a mix of uses in a new development, or substitute a mix of uses for an existing use in an existing building, a special permit shall not be required under the provisions of Section 19.20 if:

$$(GFA \div \text{Threshold}_a) + (GFA \div \text{Threshold}_b) + (GFA \div \text{Threshold}_c) \leq 1$$

Where "GFA" is the proposed Gross Floor Area (or other indicated quantity measure) for a use denoted by a subscript and where "Threshold" is the Threshold for that use in Table 1.

Amend Section 19.40 and subsequent subsections, including the creation of a new subsection 19.47, to read as follows:

19.40 CITYWIDE ADVISORY DEVELOPMENT CONSULTATION PROCEDURES

19.41*General Purpose.* This Section 19.40 provides the opportunity for City staff and the general public (1) to review and comment on development proposals prior to the formulation of final plans and before the issuance of a building permit and (2) to determine compliance with the zoning requirements applicable to the development. Each application for a building permit for one of the categories of development specified in Sections 19.42 and 19.43 shall be accompanied by a written certification from the Cambridge Community Development Department (CDD) indicating that the applicant has participated in the Development Consultation Procedure specified in this Section 19.40, for the proposal for which the permit is being sought. In each instance where the application for a building permit occurs more than six (6) months after the consultation session, ~~the Community Development Department~~CDD shall additionally certify to the Superintendent of Buildings whether the plans submitted for a building permit are consistent with those reviewed at the consultation session, and if not how they differ. Unless otherwise indicated elsewhere in the Zoning Ordinance, the Community Development Department shall conduct the consultation session. No certification pursuant to provisions of this Section 19.40 shall be deemed to be in lieu of the responsibility of the Superintendent of Buildings to enforce all provisions of the Zoning Ordinance - each Certificate of Compliance is advisory to the applicant and the Superintendent of Buildings. The failure of CDD to hold the consultation session or to issue the Certificate of Compliance within the review time periods specified in this Section 19.42-3 shall not prevent an applicant for a building permit from receiving such permit after such time period has expired.

19.41.1 Types of Advisory Development Consultations

- a. Staff Advisory Consultations are intended for City staff from CDD and other departments with relevant expertise to discuss requirements and City standards that will be applicable to the project and to provide non-binding comments on the project's conformance with the Citywide Urban Design Objectives and design objectives specific to an area. The process is informal with few requirements for submission.
- b. Public Advisory Consultations are intended for members of the public to learn about a proposed development and provide non-binding input directly to the developer, sometimes through an appointed Advisory Committee which makes a report. The process is more structured with requirements for materials submission, scheduling and notification.
- c. Planning Board Advisory Consultations are intended to provide a forum for input from the public, city staff, and the Planning Board through a process similar to a special permit hearing but not resulting in an approval or denial of permits for the proposed development.

19.41.1*Purpose of the Small Project Review Procedure.* In zoning districts designated as Areas of Special Planning Concern, the advisory Small Project Review is intended to provide an informal forum within which the small details of a proposal can be reviewed by city staff. Small, incremental changes to a building, a streetscape, or a neighborhood can over time significantly alter the character and quality of the urban environment. This procedure provides an opportunity for city staff to influence the design of such small details in order to encourage that the changes are consistent with city urban design objectives, individually and as they accumulate overtime.

19.41.2*Purpose of the Large Project Review Procedure.* In zoning districts designated as Areas of Special Planning Concern, the advisory Large Project Review serves the same purpose as the Small Project Review for somewhat larger changes in the environment with somewhat greater impacts on the public realm. The Large Project Procedure provides the opportunity for abutters and the general public, as well as city staff, to review and make comment on the proposal at the consultation session.

19.42*Small Project Review*Staff Advisory Consultation Procedure.

19.42.1*Applicability of* Small Project ReviewStaff Advisory Consultation Procedure.

a. For those zoning districts identified in Section 19.46 as Areas of Special Planning Concern, the following types of development proposals shall be subject to the Small Project Development Staff Advisory Consultation Procedure (unless the regulations for an individual Area of Special Planning Concern provide for specific exceptions or additional types):

- (1) Construction of any new building having a gross floor area of less than two thousand (2,000) square feet devoted to uses other than Residences listed in Section 4.31 a-j;
- (2) Construction of any other new structure having a floor area of less than two thousand (2,000) square feet devoted to uses other than Residences listed in Section 4.31 a-j;
- (3) Any exterior building alteration increasing gross floor area by one hundred (100) square feet or more; or
- (4) Construction of five or more parking spaces, whether on grade or in a structure;
- ~~(5) Erection of a sign;~~
- ~~(6) Any other exterior building alteration facing a street but not including painting, brick repointing or masonry repairs, building cleaning, gutter replacement or similar routine repair, replacement, or maintenance.~~

b. Where a Staff Advisory Consultation is not required by Paragraph b. above, it shall be required if the development is subject to the Building and Site Plan Requirements in Section 19.50.

c. A Staff Advisory Consultation may be requested voluntarily for any development proposal, and is strongly encouraged for any development before requesting a Public or Planning Board Advisory Consultation procedure and before applying for any special permit from the Planning Board.

19.42.2 Application Request for a Small Project Review Staff Advisory Consultation. Prior to application for a building permit, the applicant shall contact the Community Development Department CDD and request a development consultation session. Upon making such a request, the applicant shall present for review such written or graphic materials necessary to give a reasonably complete, though not necessarily detailed, indication of the nature and scope of the development proposal. For projects that involve the construction of a new building or an addition to a building on a new foundation, for advisory purposes only, the materials should include those required by the Flood Resilience standards set forth in Section 22.80 and the Green Factor standards set forth in Section 22.90. For projects that involve an increase in the amount or area of surface parking, or a decrease in the amount of open space provided, the materials should include those required by the Green Factor standards set forth in Section 22.90. The consultation session shall occur no later than five-ten working-business days after the request for such a consultation, unless a longer timeframe is mutually agreed to by the developer and CDD.

19.42.3 Conduct of the Small Project Review Completion of the Staff Consultation. In most cases the Community Development Department CDD and other City staff person will provide feedback during the consultation session and will discuss with the developer if further review will be needed to determine compliance with applicable standards complete the review and issue the certification of the compliance with this Section 19.42 at the end of the consultation session. However, if questions arise during the session suggesting the need for advice and assistance of other city departments or others, the development proposal materials may be kept for further review.

However Where the Staff Advisory Consultation is required, the final staff comments and the issuance of the Certificate of compliance shall be made within five (5) ten business days of the consultation session, unless a longer timeframe is mutually agreed to by the developer and CDD.

The failure of the Community Development Department to hold the consultation session or to issue the Certificate of Compliance within the review time periods specified in this Section 19.42.3 shall not prevent an applicant for a building permit from receiving such permit after such time period has expired. The specified review period may be extended by mutual agreement of the applicant and the Community Development Department.

19.43 ~~Large Project Review~~ Public Advisory Consultation Procedure.

19.43.1 Applicability of Large Project Review Public Advisory Consultation Procedure. For those zoning districts identified in Section 19.46 as Areas of Special Planning Concern, any development proposal involving the construction of a new building or new structure or an alteration of an existing building or structure that increases the gross floor by two thousand (2,000) square feet but ~~less than twenty five thousand (25,000) square feet~~ does not require a Planning Board Advisory Consultation or a special permit from the Planning Board.

19.43.2 Application for a Large Project Review Public Advisory Consultation. Prior to application for a building permit, the applicant shall submit the following materials to ~~the Community Development Department~~ CDD for its review. The written and graphic materials listed below shall give a reasonably complete indication of the nature and scope of the development proposal. Each of the following shall be submitted as appropriate to the proposal:

- (1) A site plan indicating the general location and boundaries of the lot, major anticipated changes in natural features, existing and proposed buildings, publicly beneficial open space and/or useable beneficial open space and/or private open space, existing and proposed curb cuts, off street parking areas, loading and service facilities, and generalized landscaping scheme or other anticipated treatment of open spaces.
- (2) Cross section(s), generalized floor plans and other diagram(s) indicating the anticipated locations of various land uses within the building and on the site and major pedestrian pathways.
- (3) Architectural elevations or sketches indicating anticipated facade treatment along public ways including the proposed entrances, fenestration, and signage.
- (4) A summary indicating compliance with applicable zoning requirements.
- (5) For projects that involve the construction of a new building or an addition to a building on a new foundation, materials identified in the Flood Resilience standards set forth in Section 22.80 shall be submitted to CDD for review and approval. If Section 22.80 is not applicable to the project, the materials shall nonetheless be provided for advisory purposes.
- (6) For projects that involve the construction of a new building, enlargement of an existing building footprint, increase in the amount or area of surface parking, or decrease in the amount of open space provided, materials identified in the Green Factor standards set forth in Section 22.90 shall be submitted to CDD for review and approval. If Section 22.90 is not applicable to the project, the materials shall nonetheless be provided for advisory purposes.

19.43.3 Conduct of the Large Project Review Public Advisory Consultation. Abutters and representatives of various agencies and interest groups shall be invited to participate in a consultation session for Large Project proposals submitted for review in accordance with Section 19.43.2. Where an advisory committee has been established in this Zoning Ordinance for the area where the proposal is located (for example, the Harvard Square Overlay District or Central Square Overlay District), the consultation session shall be held at a public meeting of that advisory committee. Otherwise, The Community Development Department ~~CDD~~ shall schedule a public meeting and give notification of any scheduled development consultation to each abutting property owner and to any individual or organization who each year files with ~~the Community Development Department~~ CDD a written request for such notification, or to any other individual or organization ~~the Department~~ CDD may wish to notify.

Within ~~ten-twenty (4020)~~ ten-twenty (4020) business days of submittal of the application documents, or at a regularly scheduled meeting of an advisory committee if applicable, the Department will schedule and hold a consultation session with the applicant or ~~his designee~~ the applicant's representatives and any parties listed in this Section 19.43.3. Within ten (10) days of the consultation session, ~~the Community Development Department~~ CDD shall issue to the applicant written comments on the development proposal as expressed by City staff and others in attendance, which shall constitute the Certificate of Compliance. Timeframes may be extended by mutual agreement of the applicant and CDD.

~~The Community Development Department CDD~~ may seek the advice and assistance of other City departments and of the organizations given notice of the consultation procedure in reviewing a development proposal.

~~The failure of the Community Development Department to hold the consultation session or to issue the Certificate of Compliance within the review time period specified in this Section 19.43.3 shall not prevent an applicant for a building permit from receiving such permit after such time period has expired. The specified review period may be extended by mutual agreement of the applicant and the Community Development Department.~~

19.43.4 Review Criteria and Required Findings of the Large Project Review Public Advisory Consultation Procedure. In reviewing each application, ~~the Community Development Department CDD~~ shall:

- (1) Evaluate the proposal for general compliance with zoning requirements, for consistency with City development guidelines prepared for the proposal area, for appropriateness in terms of other planned or programmed public or private development activities in the vicinity and for consistency with the Citywide Urban Design Objectives set forth in Section 19.30. The Department shall consider the proposal in terms of the specific and general impact of the use and/or dimensions proposed therein on the area of special planning concern and on adjacent neighborhoods and shall further take account of the following considerations: scale, bulk, density, aesthetic qualities, land use, traffic impacts and other functional characteristics; parking and loading; and impact on public services and facilities.
 - (a) Additional Criteria in Business A-4 District Ground Floor Retail uses of less than 2,000 square feet which will serve as an amenity for the surrounding residential neighborhood should be included in any building greater than 20,000 square feet.
- (2) Make recommendations in a written report to the applicant including general approval or disapproval of the proposal and in connection therewith may suggest specific project adjustments and alterations to further the purposes of this Ordinance.

19.44 The Memorandum of Understanding ("MOU") dated October 5, 2015, signed by Eric Hoagland on behalf of Observatory Hill Apartments, LLC (the "LLC"), acting on behalf of the LLC as developer of the proposed development at 253 Walden Street, identified as Map 272, Lot 17 in the records of the City of Cambridge (the "Project"), and the Neighborhood Review Committee ("NRC"), consisting of residents of the surrounding community, is incorporated by reference hereto and shall be binding upon the Project as set forth in the MOU. The issues of any building permit or certificate of occupancy for the Project shall be conditioned upon certification by the Commissioner of Inspectional Services that the Project is in compliance with all provisions of the aforementioned MOU.

19.45 ~~Waiver of Procedures. Where a special permit issued by the Planning Board is required for a proposed development, no separate Small or Large Project Review Procedure shall be required under the provisions of this Section 19.40. [Deleted]~~

19.46 *Areas of Special Planning Concern.* The following zoning districts shall be considered Areas of Special Planning Concern: Business A-1 and Business A-2 and Business A-4 Districts, the Parkway Overlay District, the Kirkland Place Overlay District, the Harvard Square Overlay District, the Central Square Overlay District, The Cambridgeport Revitalization Development District, the Massachusetts Avenue Overlay District, Special District 12, Special District 13, Special District 14 and the Memorial Drive Overlay District, Prospect Street Overlay District and the Alewife Overlay Districts.

19.47 Planning Board Advisory Consultation Procedure

19.47.1 Applicability of Planning Board Advisory Consultation Procedure.

- a. The Planning Board Advisory Consultation Procedure shall be required as set forth below, except it shall not be required for any development requiring a special permit from the Planning Board.

- b. The Planning Board Advisory Consultation Procedure shall be required for new construction of at least 50,000 square feet of GFA in those districts where the Project Review Special Permit is applicable pursuant to Section 19.22. In the case of a change of use, as described in Section 19.23.1, projects containing at least 50,000 square feet of GFA devoted to a new use shall require a Planning Board Advisory Consultation Procedure only to review proposed changes to the exterior of the building, including but not limited to changes to the site design or roof layout.
- c. The Planning Board Advisory Consultation may be required in other instances as set forth elsewhere in this Zoning Ordinance.

19.47.2 Preliminary Consultation

- a. The developer shall request a preliminary consultation by submitting the following plans and other documents to the Planning Board for review. Meeting with CDD staff is strongly encouraged before preparing materials. All drawings shall be drawn to scale and shall include a graphic scale and north arrow for orientation. For the preliminary consultation, the submitted plans do not need to be detailed but must sufficiently describe the proposed layout of buildings and major site features, the height and massing of proposed buildings in relation to surrounding buildings, and circulation routes through the site for pedestrians, bicycles, and motor vehicles.
 - 1. A preliminary dimensional form, in a format provided by CDD, along with any supplemental materials, summarizing the dimensional characteristics of the project (such as height, Gross Floor Area, dwelling units, parking, and bicycle parking) and demonstrating compliance with applicable zoning requirements. Figures may be approximate for the preliminary consultation but must be accurate for the final consultation.
 - 2. A brief project narrative describing the project and the design approach, and indicating how the project has been designed in relation to the citywide urban design objectives set forth in Section 19.30 of the Zoning Ordinance and any design guidelines that have been established for the area and for the type of project.
 - 3. A context map indicating the location of the project and surrounding land uses, including transportation facilities.
 - 4. Existing conditions photographs and narrative information describing the site and the context of surrounding lots including building heights, setbacks, architectural character, and unique features that inform and influence the design of the project.
 - 5. An existing conditions site plan depicting the boundaries of the lot, the locations of buildings, open space features, parking areas, trees, landscape/hardscape, and other major site features on the lot and abutting lots, and the conditions of abutting streets.
 - 6. A proposed conditions site plan depicting the same information above as modified to depict the proposed conditions, including new buildings (with one version showing a plan of building entrances and uses on the ground story, and a second version showing a plan of building roofs) and major anticipated changes in site features including but not limited to parking and bicycle parking locations.
 - 7. Elevation drawings of all proposed new buildings and/or existing buildings on the site that are within the scope of the proposal, depicting the ground story elevations and heights of proposed and existing buildings (including portions of buildings that abut the site) and the locations of entrances and window openings.
 - 8. Proposed conditions perspective renderings from a variety of vantage points on the public sidewalk and from public open space, including locations adjacent to the site as well as longer views if proposed buildings will be visible from a distance.
 - 9. Example photographs and specifications of surface materials being considered for use on different portions of building façades.

10. A statement of intent describing applicable development standards in this Zoning Ordinance and how they are proposed to be met, including but not limited to sustainable development standards in Article 22.000 and affordable housing standards in Section 11.200.
 11. A summary of community engagement efforts as described below.
- b. In the process of preparing plans and materials, the developer shall conduct a process to inform members of the surrounding community about the proposal and receive advisory feedback.
 1. The community engagement shall include, at a minimum, one in-person opportunity and one virtual opportunity for community members to ask questions and provide input, which could be conducted at separate times or simultaneously in a hybrid meeting format.
 2. The developer shall create a notification in physical and digital formats that includes the location of the project, a general description of the project, the date, time, location, and other information necessary for people to attend engagement events, and contact information (telephone and e-mail, at minimum) for the developer.
 3. The developer shall provide the notification to CDD. CDD shall provide the developer with a list of abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred feet of the property line of the lot and to any individual or organization who each year files with CDD a written request for such notification. The developer shall provide notification to those parties at least two weeks in advance of any meeting or event and is expected to reach out to other individuals and groups within the community surrounding the site to reach a diverse range of community members with an interest in the proposal. The developer shall also post a notification at a physical location on or near the site that is visible and legible from the public sidewalk.
 4. The preliminary submission to the Planning Board shall include a description of what outreach was conducted, what feedback was received, and how it informed the design approach.
 - c. CDD shall review the submitted written and graphic materials to certify that they provide the required information in sufficient detail for the preliminary consultation. Within 65 days of receipt of a complete set of materials, or longer if the developer and CDD mutually agree in writing to a longer timeframe, CDD shall schedule a preliminary consultation as a general business matter at a regular public meeting of the Planning Board and shall send written notification to abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred feet of the property line of the lot on which the project is proposed and to any individual or organization who each year files with CDD a written request for such notification, and to any other individual or organization CDD may wish to notify. The submitted materials shall be made available to the public in advance. Members of the public may send written comments to the Planning Board in advance of the consultation in accordance with the Planning Board's rules for written comment.
 - d. The developer shall prepare a physical or digital massing model of the proposal to be presented at the scheduled consultation. The purpose of the model is to illustrate the scale and massing of new buildings in relation to nearby buildings, streets and open spaces. The developer shall consult with CDD staff to determine the appropriate scale and extent of the model given the characteristics of the site and of the proposal. CDD may determine that a model is not required if it does not propose any new construction or significant enlargement of a building or otherwise does not represent a significant change from existing conditions in terms of the scale or height of buildings.
 - e. At the scheduled consultation, the Planning Board shall hear a presentation of the proposal from the developer and oral comments from the public in accordance with the Planning Board rules. The Board may ask questions or seek additional information from the developer or from City staff.
 - f. The Planning Board shall evaluate the proposal for general compliance with the requirements of the zoning district and for consistency with the Citywide Urban Design Objectives set forth in Section

19.30 and other plans or guidelines established by the City that are applicable to the development. The Board may also suggest improvements to the proposal to further the purposes of this Ordinance.

- g. The Planning Board shall conclude the session by making a preliminary report to the developer with comments and suggestions to be discussed at a final consultation. The written report shall be provided to the developer within 20 business days of the preliminary consultation.

19.47.3 Final Consultation

- a. To request a final consultation, after receiving the preliminary report, the developer shall provide revised versions of the materials provided for the preliminary consultation at a level of design development sufficient to verify that applicable standards are being met and to accurately represent the project's final design. Plans shall include labeled distances and dimensions of significant building and site features. The following specific materials shall be included in addition to those listed above, or in place of those materials where they provide greater detail.
1. Narrative information describing the feedback received in the preliminary report and how the revised proposal has incorporated that feedback.
 2. Floor plans of all proposed new buildings and/or remaining existing buildings proposed to be altered.
 3. Elevations and cross-section drawings of all proposed new buildings and/or remaining existing buildings proposed to be altered, depicting the distances to lot lines and the heights of surrounding buildings, and labeling the proposed materials on each façade elevation.
 4. A landscape plan depicting and labeling all hardscape, permeable, and vegetated areas proposed for the site along with other structures or appurtenances on the site and locations of light fixtures.
 5. Plans of parking and bicycle parking facilities, as required by Section 6.50 of this Zoning Ordinance.
 6. Materials palettes cataloguing and depicting with photographs the proposed façade and landscape materials.
 7. Shadow studies that show the impact on neighboring properties and public spaces.
 8. Materials required to verify compliance with applicable sustainable development standards in Article 22.000, as would be required at the special permit stage of review.
- b. CDD shall review the submitted written and graphic materials to certify that they provide the required information in sufficient detail for the final consultation. Within 65 days of receipt of a complete set of materials, or longer if the developer and CDD mutually agree in writing to a longer timeframe, CDD shall schedule a final consultation as a general business matter at a regular public meeting of the Planning Board. CDD shall provide notification, and written comments may be submitted in advance, in accordance with the same procedures as the preliminary consultation.
- c. At the final consultation, the Planning Board shall hear a presentation of the proposal from the developer, focusing on changes and additional details provided since the preliminary consultation, and oral comments from the public. A massing model, revised to reflect any design changes, will again be made available for review. The Board may ask questions or seek additional information from the developer or from City staff.
- d. The Planning Board shall evaluate the revised design for general compliance with the requirements of the zoning district and for consistency with the Citywide Urban Design Objectives set forth in Section 19.30 as well as any other plans or guidelines established by the City that are applicable to the development. The Board may also suggest specific project adjustments and alterations to further the purposes of this Ordinance.
- e. The Planning Board shall conclude the final consultation by making a final report to the developer with general comments and suggestions for further design improvements, if any, to be considered

before seeking a building permit. The written report shall be provided to the developer within 20 business days of the design consultation and shall be provided to the Superintendent of Buildings to certify that the procedural requirements have been met before issuance of a building permit.

Amend Section 19.51.1 to read as follows:

19.51.1 Applicable Zoning Districts. This Section 19.50 shall apply in the following zoning districts:

- (1) All Office, Business, and Industrial Districts and NP districts, and any Special District for which an office, business or industrial district serves as the underlying base regulation (SD-1, SD-3, SD-5, SD-7, SD-8, and SD-11).
 - (2) Residence C-1, C-1A, C-2, C-2A, C-2B, C-3, C-3A, and C-3B districts, and any Special District for which any one of these residence districts serves as the underlying base regulation (SD-2, and SD-6) for a building or portion of a building within one hundred (100) feet of a public street.
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Amend Section 19.52 to read as follows:

19.52 ~~Heights, and Setbacks~~ and Building Façades. The provisions of this Section 19.52 shall not apply to Special District 8.

- (1) For development on a lot abutting a lot in a residential zoning district having a more restrictive height limit, the cornice line of the principal wall plane facing the residential zoning district line shall not exceed by more than twenty (20) feet at any point the maximum height permitted in the residential zoning district. Any portion of the building rising above the cornice line shall be located below a forty-five (45) degree bulk control plane starting at ground level at the zoning district line, subject to the following provisions.
 - (a) Where the zoning district line lies within a lot, the bulk control plane shall begin at the lot line in the residential zoning district that divides the subject lot (including any intervening lots held in identical ownership but not part of the development lot and such lots located across the street) from another lot in different ownership.
 - (b) Where the zoning district line occurs within a public street, the provisions of this Section 19.52 shall apply but the bulk control plane shall be measured from the centerline of the street regardless of the location of the zoning district line.
- (2) For development on a lot abutting a residential zoning district having more restrictive yard requirements, the yard requirements of the residential district shall apply to any portion of the development rising above the bulk control plane set forth in Paragraph (1) above. As in (1) above, where the zoning district line lies within a lot, the bulk control plane shall begin at the lot line in the residential zoning district that divides the subject lot (including any intervening lots held in identical ownership but not part of the development lot) from another lot in different ownership. This Paragraph (2) shall not apply where the zoning district line lies within or across a street.
- (3) A building footprint exceeding two hundred and fifty (250) feet in length, measured parallel to the street, shall contain a massing recess extending back at least fifteen (15) feet in depth measured from and perpendicular to the front lot line and at least fifteen (15) feet in width measured parallel to the front lot line so that the maximum length of unbroken façade is one hundred fifty (150) feet.
- (4) For portions of buildings containing residential uses, building façades shall incorporate architectural elements that project or recess by at least two feet from the adjacent section of the façade. Such projecting or recessed elements shall occur on an average interval of 40 linear horizontal feet or less for portions of the façade directly facing a public street, and on an average interval of 80 linear horizontal feet or less for other portions of the façade. Such projecting or recessed elements shall not be required on the lowest Story Above Grade or on the highest Story Above Grade, and shall not be required on the highest two Stories Above Grade of a building containing at least six Stories Above Grade. The intent is to incorporate elements such as bays, balconies, cornices, shading devices, or

similar architectural elements that promote visual interest and residential character, and to allow variation at the ground floor and on upper floors where a different architectural treatment may be preferable.

Amend Section 19.56, Paragraph (1) to read as follows:

- (1) The actively used area shall have a depth of at least 20 feet, or the depth of the building if less. If the area is occupied by uses other than Residences or Dormitories, the height of the Ground Story for that portion of the building shall be at least fifteen (15) feet and the depth shall be at least thirty-five (35) feet on average measured from the portion of the façade that is nearest to the front lot line in a direction perpendicular to the street, and measured toward at least one street in instances where the space abuts two or more streets.
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In Section 19.56, create a new Paragraph (5) to read as follows:

- (5) The façade of a Ground Story facing a public street shall consist of expanses no longer than twenty-five (25) feet in length, measured parallel to the street, which contain no transparent windows or pedestrian entryways.
-

Amendments to Article 20.000.

Amend Section 20.11.4 to read as follows:

20.11.4 Review Process. The Hammond and Gorham Streets Transition Overlay District shall be considered an area of special planning concern. Development proposals shall be subject to the applicable development review procedures as set forth in Article 19.000 of this Zoning Ordinance listed in Sections 19.42 and 19.43 shall be subject to the Development Consultation Procedure specified in those Sections.

Amend Section 20.12.4 to read as follows:

20.12.4 The Kirkland Place Transition Overlay District shall be considered an area of special planning concern and shall be subject to the applicable development review procedures as set forth in Article 19.000 of this Zoning Ordinance.

Development proposals listed in Subsection 19.42 and 19.43, Development Consultation Procedures, shall be subject to the Development Consultation Procedure specified in Section 19.40.

Amend Sections 20.53.1 and 20.53.2 to read as follows:

20.53.1 The Harvard Square Overlay District shall be considered an area of special planning concern. Development proposals listed in Subsection 19.42 and 19.43, Development Consultation Procedures, shall be subject to the Development Consultation Procedure specified in Article 19.40 except that any Large Project Review Public Advisory Consultation (new buildings of 2,000 square feet or more) shall be conducted by the Harvard Square Advisory Committee using procedures specified in Subsection 20.54.1 of this Section 20.50.

20.53.2 Criteria for Advisory Development Consultations Review and Review of Applications for Special Permits and Variances. In reviewing applications for variances, special permits or development consultation reviews the permit or special permit granting authority or the Harvard Square Advisory Committee shall be guided by the objectives and criteria contained in the publication Harvard Square Development Guidelines [Document compiled from the Guidelines for Development and Historic Preservation as contained in the Final Report of the Harvard Square Neighborhood Conservation District Study Committee, dated November 29, 2000 and the Harvard Square Development Guidelines, 1986], in addition to the requirements of Sections 10.30 (Variances) and 10.40 (Special Permits) and this Section 20.50. These guidelines are also intended to assist in shaping any contemplated physical change within the Harvard Square Overlay District

Amend Section 20.54.1, Paragraph 2. to read as follows:

2. Responsibilities. The Committee shall undertake all ~~Large Project Reviews~~Public Advisory Consultations and shall receive all applications for variances and special permits for activities within the Harvard Square Overlay District for review and comment. In addition, the Committee may comment on any preliminary proposal for which any public agency or private interest has planned for the Overlay. The Committee shall meet on an approximately monthly basis or with as much frequency as is needed to address pertinent issues in the Harvard Square Overlay District, with the schedule to be determined at the discretion of the Chair.

Amend Section 20.54.1, Paragraph 3. Subparagraph a. to read as follows:

- a. Within six (6) months preceding any application for (1) a building permit for any project subject to ~~Large Project Development Consultation Review~~the Public Advisory Consultation Procedure or (2) a special permit or variance for any project within the Harvard Square Overlay District, the graphic and other material required in Section 19.43.2 - Application for a ~~Large Project Review~~Public Advisory Consultation shall be submitted to the Harvard Square Advisory Committee for their review and comment.

Amend Section 20.68 to read as follows and delete Subsection 20.68.1:

20.68~~Development Consultation Procedure.~~ The Parkway Overlay District shall be considered an area of special planning concern and shall be subject to the applicable development review procedures as set forth in Article 19.000 of this Zoning Ordinance. ~~Except as modified by Subsection 20.68.1, development proposals listed in Subsection 19.42 shall be subject to the development consultation procedure.~~

~~**20.68.1**Development proposals requiring a special permit or exempted under Subsections 20.63.2, 20.63.3, or 20.63.4 shall not be subjected to the development consultation procedure. [Deleted]~~

Amend Section 20.69.2 to read as follows:

20.69.2Notwithstanding any other provisions in either the Parkway Overlay District and/or the base zoning district, any building within the Concord Avenue Parkway Subdistrict containing greater than twenty-five thousand (25,000) square feet ~~in of non-residential~~ floor area shall require a special permit under this paragraph. When determining whether to grant a special permit under this paragraph, the Planning Board shall require compliance with the following criteria, in addition to the general special permit criteria set forth in section 10.43:

Amend Section 20.811 to read as follows:

20.811The Memorial Drive Overlay District shall be considered an area of special planning concern subject to the provisions of ~~section 19.40~~Article 19.000.

Amend Section 20.93.1 to read as follows:

20.93.1The Alewife Overlay Districts shall be considered areas of special planning concern and shall be subject to the applicable development review procedures as set forth in Article 19.000 of this Zoning Ordinance. ~~Development proposals listed in Subsection 19.42 and 19.43—Development Consultation Procedures, shall be subject to the Development Consultation Procedure specified in Article 19.40.~~

Amend Section 20.111 to read as follows:

20.111The Massachusetts Avenue Overlay District shall be considered an area of special planning concern and subject to the applicable requirements of Article 19.000. ~~Notwithstanding the provisions in Section 19.43.1—Applicability of Large Project Review Procedure, in the Massachusetts Avenue Overlay District the Large Project Review Procedure shall apply to any development proposal containing more than two thousand (2,000) square feet of Gross Floor Area but less than fifty thousand (50,000) square feet, unless such development is exempt by virtue of the provisions of Section 19.45.~~

Amend Section 20.204.2 to read as follows:

20.204.2 Minimum Green Area Open Space in the Prospect Street Overlay District. If such Open Space is not required under the applicable base zoning district for some or all permitted uses, a minimum of 15% Green Area Open Space shall be required. This Green Area Open Space may serve to help meet the requirement for Private Open Space in any applicable base zoning district provided all dimensional standards for Private Open Space are met. Notwithstanding the definition of Green Area Open Space in Article 2.000, Definitions, a paved expansion of three (3) feet wide or less of the adjacent public sidewalk devoted exclusively to pedestrian use, as permitted in Section 20.204.32, may serve to help meet this Green Area Open Space requirement.

Amend Section 20.208 to read as follows:

20.208 *Area of Special Planning Concern.* The Prospect Street Overlay District shall be considered an area of special planning concern and subject to the applicable requirements of Article 19.000. Notwithstanding the provisions in Section 19.43.1 – Applicability of Large Project Review Public Advisory Consultation Procedure, in the Prospect Street Overlay District the Large Project Review Public Advisory Consultation Procedure shall apply to any development proposal containing Gross Floor Area of two thousand (2,000) square feet or more but less than fifty thousand (50,000) square feet, unless such development is exempt by virtue of the provisions of Section 19.45.

For parcels that fall within both the Prospect Street Overlay District and the Central Square Overlay District, this Large Project Review Consultation Public Advisory Consultation shall be conducted by the Central Square Advisory Committee.

Before issuance of any special permit for development proposed within the Prospect Street Overlay District that is subject to the Large Project Review Public Advisory Consultation Procedure or any special permit required in this Section 20.200, Section 11.10 – Townhouse Development, Section 4.26 – Multifamily Special Permit, and Section 19.20 - Project Review, the Planning Board shall determine that the proposal is consistent with the Prospect Street Design Guidelines.

Amend Section 20.301.1 to read as follows:

20.303.1 The Central Square Overlay District shall be considered an area of special planning concern and shall be subject to the applicable development review procedures as set forth in Article 19.000 of this Zoning Ordinance. Development proposals listed in Subsection 19.42 and 19.43, Development Consultation Procedures, shall be subject to the Development Consultation Procedures specified in Article 19.000 except that any Large Project Review Public Advisory Consultation (new buildings of two thousand (2,000) square feet or more) shall be conducted by the Central Square Advisory Committee using procedures as specified in Subsection 20.304.1 of this Section 20.300.

Amend Section 20.304.1, Paragraph 2. to read as follows:

2. Responsibilities. The Committee shall undertake all Large Project Reviews Public Advisory Consultations and shall receive all applications for variances and special permits for activities within the Central Square Overlay District for review and comment. In addition, the Committee may comment on any preliminary proposal, for which any public agency or private interest may wish to receive advice and recommendations.
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Amend Section 20.304.1, Paragraph 3. Subparagraph a. to read as follows:

- a. Within the six (6) months preceding any application for (1) a building permit for any project subject to a Large Project Development Consultation Review Public Advisory Consultation Procedure or (2) a special permit or variance for any project within the Central Square Overlay District, the graphic and

other material required in Section 19.43 - ~~Large Project Review~~Public Advisory Consultation Procedure shall be submitted to the Central Square Advisory Committee for their review and comment.

Amend Section 20.304.4, Paragraph 2. to read as follows:

2. ~~Private~~ Open Space. Open Space shall be provided as required in the Base Zoning District, however the Planning Board may allow, by Special Permit, the reduction of required Open Space, and permit such Open Space to be located at levels other than at grade if the applicant can demonstrate that the urban design objectives as set forth in the Central Square Overlay District can be met.
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Amend Sections 20.1100.8.2 through 20.1100.8.3.2 to read as follows:

- 8.2~~Small Project Review~~Staff Advisory Consultation. In addition to the provisions of Section 19.42.1, the ~~Small Project Review~~Staff Advisory Consultation procedure shall be required of any project that includes the rehabilitation of at least 2,000 square feet of GFA within an existing building to accommodate a new use.
- 8.3~~Large Project Review~~Public Advisory Consultation. A ~~Large Project Review~~Public Advisory Consultation ~~development consultation~~ shall be required for any development proposal involving the construction of a new building or new structure or an alteration of an existing building or structure that increase the gross floor area by two thousand (2,000) square feet but is not seeking a special permit.
 - 8.3.1 The ~~Large Project Review~~Public Advisory Consultation procedure shall be conducted by the Planning Board.
 - 8.3.2 Before applying for a development consultation with the Planning Board, applicants for the ~~Large Project Review~~Public Advisory Consultation Procedure shall first consult with Community Development Department staff to discuss the procedure and to receive advisory input on the proposal.

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Councillor Azeem

Amendment to Multifamily Zoning Petition Part One

To amend the Multi-Family Housing Ordinance by increasing the Inclusionary Residence C-1 Zoning Height to 74'.

G

**MULTIFAMILY HOUSING ZONING PETITION PART ONE
AS AMENDED IN COMMITTEE ON JANUARY 16, 2025**

CLEAN VERSION

Multifamily Housing Zoning Petition – Part One – Revised Per Ordinance Committee Vote 1/16/2025

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 to permit four stories above grade in Residence C-1 Districts, with allowable increases up to six stories for inclusionary housing projects subject to certain limitations, and at least six stories above grade in all other districts except Open Space to allow for additional housing units beyond what is permitted under current zoning;
- (4) removing remaining references to minimum parking requirements; and
- (5) revising other parts of the Zoning Ordinance for internal consistency.

Amendments to the Zoning Map.

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

Amendments to Article 2.000.

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

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

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

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

Amendments to Article 3.000.

CLEAN VERSION
 Multifamily Housing Zoning Petition – Part One – Revised Per Ordinance Committee Vote 1/16/2025

Amend Section 3.11 to read as follows:

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

1.	Open Space District	Public parks and recreation facilities and other public facilities
2.	Residence C-1 District	Multifamily dwellings
3.	Residence C-1A District	Multifamily dwellings
4.	Residence C-2 District	Multifamily dwellings
5.	Residence C-2B District	Multifamily dwellings
6.	Residence C-2A District	Multifamily dwellings
7.	Residence C-3A District	Multifamily dwellings and limited office
8.	Residence C-3 District	Multifamily dwellings
9.	Residence C-3B District	Multifamily dwellings
10.	Office 1 District	Business and professional office and multifamily dwellings (Apartment house, hotel, dormitory)
11.	Office 2A District	Business, research and professional offices, limited research oriented manufacturing
12.	Office 2 District	Business, research and professional offices, limited research oriented manufacturing
13.	Office 3A District	Business and professional offices and multifamily dwellings
14.	Office 3 District	Business and professional offices and multifamily dwellings
15.	Business A-3 District	Neighborhood business
16.	Business A-1 District	Local business
17.	Business A-2 District	Local business
18.	Business A District	Local and drive in retail business offices and multifamily dwellings
19.	Business A-4 District	Local business
20.	Business A-5 District	Local business and multifamily dwellings
21.	Business C District	General business, professional offices, multifamily dwellings.
22.	Business B-1 District	General business, business and professional offices, and multifamily dwellings
23.	Business B-2 District	General business, business and professional offices and multifamily dwellings
24.	Business B District	General business
25.	Industry B-2 District	Office, warehouse and light manufacturing
26.	Industry A-1 District	Limited impact business and industry
27.	Industry B-1 District	Heavy manufacturing, warehouses, and offices
28.	Industry A-2 District	Limited impact business and industry
29.	Industry A District	Warehouse, storage and light manufacturing
30.	Special Business, Office and Industrial District 1	Various Uses governed by the requirements of Article 17.000

CLEAN VERSION
 Multifamily Housing Zoning Petition – Part One – Revised Per Ordinance Committee Vote 1/16/2025

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

Amend Sections 3.32.1 and 3.32.2 to read as follows:

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

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3.32.2 Gross floor area allowed in the more restricted district, according to the formulas specified in Subsection 5.27, may be located in the less restricted district, but gross floor area allowed in the less restricted districted 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.

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

- h. In Residence C-1 Districts an accessory building shall not be located nearer to any lot line than the minimum setback in the zoning district.

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

- j. A dwelling or mobile home shall not be considered an accessory building except in an Industrial District for the accommodation of a night watchman or janitor or if it otherwise meets the definition of an Accessory Apartment.

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

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

Amend Section 4.22 to read as follows:

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

Delete Section 4.26 as follows:

4.26 [Deleted]

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

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

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

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

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

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

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

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

2. [Deleted]
3. [Deleted]

In Section 4.40, delete footnote 5 as follows:

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5. [Deleted]

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

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

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

15. [Deleted]

16. [Deleted]

17. [Deleted]

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

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

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

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

Amend Section 4.53 to read as follows:

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

Amend Section 4.54 to read as follows:

4.54*Institutional Overlay District.* The designation Institutional Overlay District is hereby established on the Zoning Map as provided for in Subsection 3.12. An Institutional Overlay District delimits an area where there has been extensive contiguous development of institutional use types subject to regulation under this Section 4.50. Institutional Overlay Districts are defined in order to identify areas where prior development patterns create a precedent for more flexible institutional use regulation than in areas where non institutional uses predominate. The conditions regarding development of new or expanded institutional uses under Subsections 4.55 and 4.56 are determined in part by whether a lot is located inside or outside an Institutional Overlay District. The boundaries of these districts are drawn based on several physical factors; consequently, for purposes of definitional clarity, they encompass areas both inside and outside zoning districts subject to use regulation under this Section 4.50. Regardless of the location of an Institutional Overlay District boundary, the special institutional use regulations of this Section 4.50 shall only apply within the Residence C-1 districts. The following Institutional Overlay Districts are hereby established on the Zoning Map.

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Amend Section 4.55 to read as follows:

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

Amendments to Article 5.000.

Amend Section 5.11 to read as follows:

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

Amend Section 5.13 to read as follows:

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

Delete Section 5.14 as follows:

5.14[Deleted]

Amend Section 5.15 to read as follows:

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

Amend Section 5.21.1 to read as follows:

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

Amend Section 5.21.2 to read as follows:

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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 C-1, C-1A, C-2, C-2A, C-2B district. In these instances, the following height limitations shall apply to those building elements:

Create a new Section 5.23.3 to read as follows:

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

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

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;

Create a new Section 5.25.4 to read as follows:

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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.

Delete Section 5.26 as follows:

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

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

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

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

Delete Section 5.28.1 as follows:

5.28.1 [Deleted]

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

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

Where it is proposed to convert an existing principal use structure, designed and built for non residential use, to residential use (excluding Transient Accommodations listed in Section 4.31.1 and Trailer Park or Mobile Home Park listed in Section 4.31 (J)), the dimensional standards generally applicable in the district as set forth in the Tables of Dimensional Requirements in Section 5.30 and other applicable regulations in this Ordinance, including permitted uses, Section 4.30 - Table of Use Regulations, shall apply except where modifications are permitted, either as-of-right or after issuance of a

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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.

5.28.20A/lowed 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.

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5.28.21 *GFA and FAR.*

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

5.28.22 *Dwelling Units.*

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

5.28.23 *Yard Requirements.*

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

5.28.24 *Maximum Stories Above Grade and Building Height.*

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

5.28.25 *Open Space Requirements.*

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

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

5.28.26 *Conforming Additions.*

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

5.28.27 *Required Parking.*

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

5.28.28*Criteria for Approval of a Special Permit.*

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

5.28.28.1*Criteria Applicable to All Projects.*

- (a) Privacy Considerations. Where significant variations from the normally required dimensional standards for the district are proposed, the Board shall evaluate the impact on residential neighbors of the new housing use and any other proposed use as it may affect privacy. The location and size of windows, screening elements, decks, entries, security and other lighting, and other aspects of the design, including the distribution of functions within the building, shall be reviewed in order to assure the maintenance of reasonable levels of privacy for abutters. In reviewing a proposed development plan, the Board shall consider, among other factors, the potential negative impacts of the new activity on abutters as a result of the location, orientation, and use of the structure(s) and its yards as proposed.
- (b) Reduction in Open Space. Where it is proposed to reduce the amount of on-site Open Space below that required in the applicable district, the Board shall evaluate the proposal in light of the following:
 - (1) The extent to which screening and buffering from neighbors will be accomplished
 - (2) The quality and viability of the proposed open spaces as they are designed
 - (3) The tradeoff in benefits and negative impacts of the loss of green space in order to provide the required amount of parking, including consideration of the feasibility of alternate parking arrangements that might produce additional green area, such as placing some or all parking within the structure
 - (4) The availability of common recreational spaces within the building to compensate for the loss of usable outdoor open space
- (c) Community Outreach. The Planning Board shall consider what reasonable efforts have been made to address concerns raised by abutters and neighbors to the project site. An applicant seeking a special permit under this Section 5.28.2 shall solicit input from affected neighbors before submitting a special permit application. The application shall include a report on all outreach conducted and meetings held, shall describe the issues raised by community members, and shall describe how the proposal responds to those issues.

5.28.28.2*Additional Criteria Applicable to Larger Projects.*

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

- (a) The implications of the size or number of additional dwelling units on the anticipated demand for parking. In order to assist the Planning Board in evaluating parking impacts, an applicant for a special permit shall be required to submit a Parking Analysis, as set forth in Section 6.35.3 of the Zoning Ordinance, as part of the special permit application.
- (b) The appropriateness of the proposed layout of floor space within the building for a multifamily residential use, with attention to the typical range of unit sizes and types that would be expected for housing in the neighborhood. Considerations may include the suitability of proposed unit

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configurations for a variety of households, the extent to which unusual unit sizes or shapes may impact parking or overall quality of life for residents or neighbors, and the availability of customary amenities for residents such as storage, utilities, common rooms and recreational facilities.

(c) The potential mitigating effects of the proposed occupancy of dwelling units. For instance, units designed for elderly residents or live/work spaces for professionals or artists may provide desirable housing options for Cambridge residents with fewer adverse impacts on parking or neighborhood character.

Delete Sections 5.30.1, 5.30.11, and 5.30.12.

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

5.30 DISTRICT DIMENSIONAL REGULATIONS

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

Table 5-1: Table of District Dimensional Requirements

District	All Uses		Residential Uses (Section 4.31 a-j.)				Non-Residential Uses (Section 4.30 except 4.31 a-j.)			
	1. Min. Open Space Ratio (5.22)	2. Max. Stories Above Grade (5.23)	3. Max. Building Height in feet (5.23)	4. Min. Front Yard Setback in feet (5.24)	5. Min. Side or Rear Yard Setback in feet (5.24)	6. Max. Building Height in feet (5.23)	7. Min. Front Yard Setback in feet (5.24)	8. Min. Side Yard Setback in feet (5.24)	9. Min. Rear Yard Setback in feet (5.24)	10. Max. FAR (5.25)
5.31 Residence Districts										
Res. C-1	30% ⁽¹⁾	4 ⁽²⁾	45 ⁽²⁾	10 ⁽³⁾	5 ⁽⁴⁾	35	$\frac{H+L^{(5)}}{4}$	$\frac{H+L^{(14)(15)}}{5}$	$\frac{H+L^{(7)}}{4}$	0.75
Res. C-1A	15%	6	75	10 ⁽³⁾	5 ⁽⁴⁾	45	10	$\frac{H+L^{(12)}}{7}$	$\frac{H+L^{(12)}}{5}$	1.25
Res. C-2	15%	7	85	10 ⁽³⁾	5 ⁽⁴⁾	85	$\frac{H+L^{(5)}}{4}$	$\frac{H+L^{(15)}}{5}$	$\frac{H+L^{(7)}}{4}$	1.75
Res. C-2A	10% ⁽¹⁰⁾	6	75	5 ⁽³⁾	5 ⁽⁴⁾	60	$\frac{H+L^{(6)(9)}}{5}$	$\frac{H+L^{(9)(15)}}{6}$	$\frac{H+L^{(7)}}{5}$	2.5

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District	Residential Uses (Section 4.31 a-j.)					Non-Residential Uses (Section 4.30 except 4.31 a-j.)				
	All Uses	2. Max. Stories Above Grade (5.23)	3. Max. Building Height in feet (5.23)	4. Min. Front Yard Setback in feet (5.24)	5. Min. Side or Rear Yard Setback in feet (5.24)	6. Max. Building Height in feet (5.23)	7. Min. Front Yard Setback in feet (5.24)	8. Min. Side Yard Setback in feet (5.24)	9. Min. Rear Yard Setback in feet (5.24)	10. Max. FAR (5.25)
Res. C-2B	15%	6	75	10 ⁽³⁾	5 ⁽⁴⁾	45	$\frac{H+L^{(5)(11)}}{4}$	$\frac{H+L^{(11)(15)}}{5}$	$\frac{H+L^{(7)(11)}}{4}$	1.75
Res. C-3	10%	10	120	5 ⁽³⁾	5 ⁽⁴⁾	120	$\frac{H+L^{(6)}}{5}$	$\frac{H+L^{(15)}}{6}$	$\frac{H+L^{(7)}}{5}$	3.0
Res. C-3A	10%	10	120	5 ⁽³⁾	5 ⁽⁴⁾	120	$\frac{H+L^{(6)(8)}}{5}$	$\frac{H+L^{(8)(15)}}{6}$	$\frac{H+L^{(8)}}{5}$	3.0 ⁽⁸⁾
Res. C-3B	10%	10	120	10 ⁽³⁾	5 ⁽⁴⁾	120 ⁽³⁶⁾	10	none	none	3.0 ⁽¹³⁾⁽³⁶⁾
5.32 Office Districts										
Office 1	15%	6	75	10 ⁽³⁾	none	35	$\frac{H+L^{(5)(33)}}{4}$	$\frac{H+L^{(34)}}{5}$	$\frac{H+L^{(16)(34)}}{4}$	0.75
Office 2A	15%	6	75	10 ⁽³⁾	none	60 ⁽³⁶⁾	$\frac{H+L^{(5)(33)}}{4}$	$\frac{H+L^{(34)}}{5}$	$\frac{H+L^{(16)(34)}}{4}$	1.25 ⁽³⁶⁾
Office 2	15%	7	85	10 ⁽³⁾	none	70 ⁽³⁶⁾	$\frac{H+L^{(5)(33)}}{4}$	$\frac{H+L^{(34)}}{5}$	$\frac{H+L^{(16)(34)}}{4}$	1.50 ⁽³⁶⁾
Office 3	10%	10	120	5 ⁽³⁾	none	90 ⁽³⁶⁾	$\frac{H+L^{(6)(33)}}{5}$	$\frac{H+L^{(34)}}{6}$	$\frac{H+L^{(16)(34)}}{5}$	2.0 ⁽³⁶⁾
Office 3A	10%	10	120	5 ⁽³⁾	none	90 ⁽³⁶⁾	$\frac{H+L^{(6)(33)}}{5}$	$\frac{H+L^{(34)}}{6}$	$\frac{H+L^{(16)(34)}}{5}$	2.0 ⁽³⁶⁾
5.33 Business Districts										
Bus. A	none	6	75	none	none	35 ⁽³⁶⁾	none ⁽³³⁾	none ⁽³⁴⁾	$\frac{H+L^{(16)(34)}}{5}$	1.0 ⁽³⁶⁾
Bus. A-1	none	6	75	none	none	35	none ⁽³³⁾	none ⁽³⁴⁾	$\frac{H+L^{(16)(34)}}{5}$	1.0 ⁽³⁶⁾
Bus. A-2	none	6	75	5 ⁽³⁾⁽²⁸⁾	none	45 ⁽²⁴⁾⁽³⁶⁾	5 ⁽²⁵⁾⁽³³⁾	10 ⁽¹⁵⁾⁽²²⁾⁽³⁴⁾	20 ⁽²³⁾⁽³⁴⁾	1.0 ⁽³⁶⁾
Bus. A-3	30%	6	75	10 ⁽³⁾	none	35	$\frac{H+L}{4}$ ⁽³⁾⁽³³⁾	$\frac{H+L}{5}$ ⁽³⁴⁾	$\frac{H+L}{4}$ ⁽¹⁶⁾⁽³⁴⁾	0.75 ⁽²⁰⁾
Bus. A-4	none	6	75	10 ⁽³⁾⁽²⁸⁾	none	35 ⁽²⁶⁾⁽³⁶⁾	$\frac{H+L}{4}$ ⁽²⁵⁾⁽³³⁾	$\frac{H+L}{5}$ ⁽²⁶⁾⁽³⁴⁾	$\frac{H+L}{5}$ ⁽²⁶⁾⁽³⁴⁾	1.0 ⁽²⁶⁾⁽³⁶⁾

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District	Residential Uses (Section 4.31 a-j.)				Non-Residential Uses (Section 4.30 except 4.31 a-j.)					
	All Uses	2. Max. Stories Above Grade (5.23)	3. Max. Building Height in feet (5.23)	4. Min. Front Yard Setback in feet (5.24)	5. Min. Side or Rear Yard Setback in feet (5.24)	6. Max. Building Height in feet (5.23)	7. Min. Front Yard Setback in feet (5.24)	8. Min. Side Yard Setback in feet (5.24)	9. Min. Rear Yard Setback in feet (5.24)	10. Max. FAR (5.25)
Bus. A-5	none	7 ⁽²⁷⁾	85 ⁽²⁷⁾	none	none	80 ⁽²⁷⁾ (36)	none ⁽³⁴⁾	none ⁽³⁴⁾	1.0 ⁽²⁷⁾ (36)	
Bus. B	none	7	85	none	none	80 ⁽³⁶⁾	none ⁽³⁴⁾	none ⁽³⁴⁾	2.75 ⁽³⁶⁾	
Bus. B-1	See note ⁽¹⁸⁾	8	95 ⁽¹⁷⁾	none	none	55 ⁽¹⁷⁾ (36)	none ⁽¹⁹⁾ (34)	none ⁽¹⁹⁾ (34)	1.50 ⁽³⁶⁾	
Bus. B-2	See note ⁽¹⁸⁾	6	75	none	none	45 ⁽³⁶⁾	none ⁽¹⁹⁾ (34)	none ⁽¹⁹⁾ (34)	1.50 ⁽³⁶⁾	
Bus. C	none	6	75	none	none	55 ⁽²¹⁾ (35) (36)	none ⁽³³⁾	20 ⁽²³⁾ (34)	1.25 ⁽³⁶⁾	
5.34 Industrial Districts										
Ind. A-1	none	6	75	none	none	45 ⁽³⁶⁾	0 ⁽³³⁾	0 ⁽²⁹⁾ (34)	1.25 ⁽³⁶⁾	
Ind. A-2	none	6	75	none	none	70 ⁽³⁶⁾	0 ⁽³³⁾	0 ⁽²⁹⁾ (34)	2.75 ⁽³⁶⁾	
Ind. A	none	6	75	none	none	45 ⁽³⁰⁾ (36)	none ⁽³³⁾	none ⁽³⁴⁾	1.25 ⁽³⁶⁾	
Ind. B-1	none	6	75	none	none	60 ⁽³⁶⁾	0 ⁽³³⁾	0 ⁽³⁴⁾	1.5 ⁽³⁶⁾	
Ind. B-2	none	6	75	10 ⁽⁵⁾	none	35	15 ⁽³³⁾	0 ⁽²⁹⁾ (34)	0.75	
Ind. B	none	10	120	none	none	120 ⁽³⁶⁾	none ⁽³³⁾	none ⁽³⁴⁾	2.75 ⁽³¹⁾ (32) (36)	
5.35 Open Space Districts										
OS	60%	N/A	N/A	N/A	N/A	35	25	15	25	0.25

5.40 FOOTNOTES TO THE TABLE OF DIMENSIONAL REQUIREMENTS

- (1) At least fifty percent (50%) of the required Open Space in a Residence C-1 district shall meet all of the requirements of Private Open Space in 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) The height of buildings or portions of buildings used as Residences may exceed the base height limit, up to a maximum of 6 stories above grade and 74 feet above grade, if all of the following criteria are met:

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- (a) The building complies with the Inclusionary Housing Requirements in Section 11.203 of this Zoning Ordinance, regardless of whether it exceeds the size threshold requiring compliance; and
- (b) The area of the lot on which the building is located is not less than 5,000 square feet.
- (3) 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.
- (4) The required side or rear yard setback may be reduced in either of the ways described below:
 - (a) No side or rear yard setback shall be required for a building or portion thereof that directly abuts a building or portion thereof on an adjacent lot, as in the case of semi-detached dwellings or other adjoining buildings that share a party wall. However, portions of the building that do not directly abut portions of the building on an adjacent lot shall conform to the required side or rear yard setback.
 - (b) The required setback for one side yard of a lot may be reduced if the setbacks for two opposite side yards of the lot sum to at least 10 feet, and if no portion of a building is closer than 10 feet to the exterior wall of an existing building on an abutting lot.
- (5) Measured from the centerline of the street, but in no case may a non-residential building be nearer the street than ten (10) feet.
- (6) 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
- (7) In no case may a non-residential building be nearer the rear lot line than twenty (20) feet in Residence C-2, C-2B, C-2A, C-3, C-3A, C-3B districts. In Residence C-1 districts, no non-residential building may be nearer the rear lot line than twenty (20) feet plus one additional foot of rear yard for each four feet that the depth of the lot exceeds 100 feet, up to a maximum of thirty (30) feet. For purposes of this Footnote, the lot depth shall be that distance measured along a line perpendicular to the front lot line and extending to that point on the rear lot line most distant from the front lot line.
- (8) For buildings containing principal uses specified in Section 4.34:
 - (a) The FAR shall not exceed 1.25.
 - (b) The minimum front yards may be reduced to no less than five (5) feet measured from the street line.
 - (c) The minimum side yards may be reduced to no less than five (5) feet measured from the street line.
- (9) In no case may a non-residential building on any lot which abuts or is separated only by a public or private way from a Residence C-1, C-2, or C-2B district be nearer the street line or side line of the lot than the minimum front and side yard requirements for a non-residential building in the residential district which said lot abuts or from which it is separated by a way. However, such increased setback requirements shall only apply to any part of a building which is located within one hundred and twenty five (125) feet of a Residence C-1, C-2, or C-2B district.
- (10) The minimum ratio of open space to lot area required for a lot which abuts/or is separated only by a public or private way from a Residence C-1, C-2 or C-2B district shall be equal to the amount of open space required in the residential district which said lot abuts or from which it is separated by a way.
- (11) Yard Requirements for non-residential buildings in the Residence C-2B District

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- (a) Setbacks—In the Residence C-2B District, non-residential buildings shall comply with these yard requirements by being set back above and below ground.
- (b) Green Area—general. Two of the yards on a lot shall consist exclusively of green area as defined in section 2.000. Contrary to the provisions of said definition, hard surfaced walks and terraces shall not exceed twenty-five (25) percent of the area of each yard. At a minimum, green area setback shall consist of permanently maintained densely planted trees and shrubs that may be expected to form within three (3) years after the time of planting a continuous unbroken, year round visual screen. Every effort shall be made to retain the best existing trees in said setbacks to meet the requirements this section in whole or in part. Plans for landscaping and maintenance shall be approved by the Committee on Public Planting as appointed by the City Manager. No Certificate of Occupancy may be granted until landscaping under the terms of this section is completed.
- (c) Lots with more than four yards. If the shape of a lot creates a situation where there are more than four yards, this green area requirement shall apply to half of the yards, rounded up in the instance of an odd number of yards.
- (d) Lots in two or more zoning districts. Where a zoning district boundary line or lines split a lot, a lot partially in the Residence C-2B district shall comply with provisions elsewhere in this zoning ordinance with regard to lots in two or more zoning districts, except that the setback and green area requirements of this footnote shall apply to all parts of the lot regardless of zoning district.
- (e) Lots abutting more restrictively zoned districts. When any lot abuts a more restrictively zoned district or districts, all yards abutting the more restrictively zoned district(s) shall be designated as yards required to comply with the green area requirements of this footnote. This provision shall apply to that quantity of abutting yards numbering up to and including the maximum number of green area yards required by this footnote. The total number of green area yards required on a lot shall not be changed by the provisions of this subsection (5).
- (f) Pedestrian and vehicular access.
 - (i) When a yard used to satisfy the Green Area Open Space requirement of this footnote is a front yard, the Green Area Open Space may be interrupted by not more than one path for pedestrian access to the building. Said pedestrian path shall be constructed perpendicular to the lot line and shall not be more than eight (8) feet wide. The green area yard may also be interrupted by not more than one driveway constructed perpendicular to the lot line and which is not more than twelve (12) feet wide.
 - (ii) The sum of the width of the said pedestrian path and driveway may not exceed the setback provided by the smallest of the yards provided on the lot.
 - (iii) The areas allowed to be used for access under this subsection (6) shall be counted as part of the twenty-five (25) percent of the total required green area which is allowed to be used for hard surfaced walks and terraces for the front yard in which the access areas are constructed.
- (g) Townhouse Development When a lot is used for townhouse development, the provisions of this footnote shall apply to the lot before subdivision into townhouse lots. Subdivision into townhouse lots shall be done in such a manner as to not affect the application of this footnote to the entire unsubdivided lot. In particular, the pedestrian path and driveways allowed.

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- (12) 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.
- (13) 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.
- (14) 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.
- (15) In a Residence C-1, C-2, C-2A, C-2B, C-3, or C-3A district or Business A-2 district if a non-residential 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.
- (16) In no case may a non-residential building be nearer the rear lot line than twenty (20) feet.
- (17) 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.
- (18) Open space requirements for a lot shall be determined by the mix of uses on the lot. Where one hundred (100) percent of the principal uses on a lot are residential uses listed in Subsections 4.31 a, b, d, e, and g, an area equivalent to fifteen (15) percent of the lot area shall be reserved as private open space. Where one hundred (100) percent of the principal uses on the lot are other uses, an area equivalent to fifteen (15) percent of the lot area shall be reserved as publicly beneficial open space. Where development on a lot contains both the aforesaid residential uses and other uses, an area equivalent to fifteen (15) percent of the lot area shall be devoted to both types of open space in relative proportion to the gross floor areas occupied by residential uses and other uses. The amount of each type of open space shall be determined by the formulae below. The results of said formulae notwithstanding, a minimum of fifteen (15) percent of the area of that portion of a lot within forty-five (45) feet of a front lot line facing Green Street shall be devoted to landscaped green space as specified in Subsection 4.27.3. Where more than fifty (50) percent of the area of that portion of a lot is devoted to landscaped green space, as specified in Subsections 4.27.2 and 4.27.3, none of such green space shall be counted in determining compliance with this Subsection 5.332d. Where fifty (50) percent or less of the area of that portion of a lot is devoted to landscaped green space, such area may be counted in determining compliance with this Subsection 5.33 2d.
- (a) Minimum required total area reserved for both types of open space = lot area multiplied by .15.

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- (b) Share of development devoted to residential uses = gross residential floor area divided by gross floor area of entire development.
 - (c) Minimum required private open space associated with residential use = total open space required multiplied by residential share.
 - (d) Share of development devoted to other uses = other gross floor area divided by gross floor area of entire development.
 - (e) Minimum required publicly beneficial open space = total open space requirement multiplied by other use share.
- (19) 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.
- (20) Subject to the provisions of Footnote 1 in Section 4.40 - Footnotes to the Table of Use Regulations.
- (21) 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.
- (22) However, for the side yard of any lot abutting another lot (where that lot does not abut Massachusetts Avenue and where all or a majority of it is located in a residence district) no non-residential building shall be set nearer than twenty feet to (1) either the residence/Business A-2 zoning district line where the lot line is located in the BA-2 District or (2) the side lot line itself where that lot line is located in the residence district. Nevertheless, the provisions of footnote (15) shall continue to apply.
- (23) Or two-thirds (2/3) of the height of the rear wall whichever is greater; however in the Business C district no rear yard shall be required where the rear lot line abuts a lot all of which lies in a business or industrial district.
- (24) 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.
- (25) Or the setback of the principal front wall plane of any adjacent building facing the same street, whichever is less.

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- (26) For development in which all parking is provided entirely below grade, the following dimensional modifications shall be allowed:
- (a) FAR may be increased to 2.0
 - (b) Front, Side and Rear yard requirements for non-residential buildings shall be modified to a minimum of ten (10) feet. Sites with two front yards that have a radiused front yard where two streets intersect may be considered as if the adjoining property lines are projected to intersect. Projecting bays and roof decks which are located on portions of a non-residential building below thirty-five (35) feet in height shall be eligible for the setback exception allow in Section 5.24.2 even if the structure itself is greater than 35 feet in height.
- (27) The following dimensional modifications shall apply in the Business A-5 district:
- (a) For any portion of a building within fifty feet (50') of a residential district, the height of that portion of the building shall not exceed thirty-five feet (35').
 - (b) The Planning Board may grant a special permit to exclude Retail or Consumer Service Establishments, as listed in Section 4.35 of the Zoning Ordinance, from the calculation of Gross Floor Area (GFA) and Floor Area Ratio (FAR) on the lot if they are located on the Ground Story. The conditions of the special permit shall clearly describe what areas are excluded and what range of uses shall be permitted, along with other conditions to ensure that the objectives of the area are met.
 - (c) Notwithstanding any other section of this Zoning Ordinance, roof decks on any Story of a building shall be exempt from gross floor area calculations provided the roof deck is not within 20' of a residential district.
- (28) 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.
- (29) A side yard setback of H+L/7 and a rear yard setback of H+L/5 shall be required only for nonresidential uses abutting residences, residential or open space districts or public parks and recreation areas. These requirements may be reduced to a minimum required setback of ten (10) feet on special permit, provided that the yard is suitably landscaped to effectively buffer building walls from abutting lots.
- (30) One hundred and thirty (130) feet by special permit for buildings related to storage and processing of materials permitted in Section 4.37m.
- (31) 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.
- (32) In the Industry B District, a hotel use (Section 4.31.1.b) shall have a Maximum FAR of 4.0.
- (33) 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.

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- (34) 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.
- (35) 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.
- (36) The maximum building height and FAR for Dormitory (but excluding resident fraternity or sorority) Uses, Section 4.33 b(7), shall be modified for certain districts as set forth in the table below. Where a lot contains a combination of dormitory and other non-residential uses, then the total FAR on the lot shall not exceed the maximum set forth in the table below, and the FAR for all non-residential uses other than Dormitory (determined by dividing the GFA occupied by all non-residential uses other than Dormitory by the total lot area) shall not exceed the maximum non-residential FAR otherwise applicable in the district.

District	Maximum Building Height in Feet for Dormitories	Maximum FAR for Dormitories
Res. C-3B	120	4.0
Office 2A	70	1.5
Office 2	85	2.0
Office 3	120	3.0
Office 3A	120	3.0
Bus. A	45	1.75
Bus. A-2	45	1.75
Bus. A-4	35 (subject to footnote 26 above)	1.75
Bus. A-5	80	3.0
Bus. B	80	3.0
Bus. B-1	90	3.25
Bus. B-2	45	3.0
Bus. C	55	2.0
Ind. A-1	45	1.50

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Ind. A-2	70	4.0
Ind. A	45	1.50
Ind. B-1	70	3.0
Ind. B	120	4.0

Delete Sections 5.51, 5.52, and 5.53 as follows:

- 5.51[Deleted]
- 5.52[Deleted]
- 5.53[Deleted]

Amendments to Article 6.000.

Amend Section 6.13 to read as follows:

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

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

Land Use Category	Maximum Off Street Parking Requirements in Open Space	Maximum Off Street Parking Requirements in Res C-1, C-1A, Off 1, Bus A (Comm), Bus A-1, A-2,	Maximum Off Street Parking Requirements in Bus. C, C-1, Ind A, Off 2, 2A, Res C-2,	Maximum Off Street Parking Requirements in Ind B-1, Res C-3, C-3A, C-3B, Off 3-A, 3, Bus B, Ind A-	Loading Facility Category	Long-Term Bicycle Parking (6.107.2)	Short-Term Bicycle Parking (6.107.3)

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			Bus A-3 ¹⁴ , A-4, Bus A-5, Ind A-1, Ind B-2, Ind C	C-2A, Res C- 2B, Bus A (res)	2, Ind B, Bus B-1, B-2		
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
b.	Two family dwelling	No max	No max	No max	No max	n/a	R2
c.	[Deleted]						
d.	Townhouse development	No max	No max	No max	No max	n/a	R2
e.	Elderly oriented housing, elderly oriented congregate housing	No max	No max	No max	No max	n/a	R3
f.	[Deleted]						
g.	Multifamily dwelling	n/a	No max	No max	No max	n/a	R2
h.	[Deleted]						
i.	Lodging House	n/a	No max	No max	No max	E	R4
j.	Trailer park or mobile home park	n/a	No max	No max	n/a	n/a	R2

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

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

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

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

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

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

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

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

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

Amendments to Article 7.000.

Amend Section 7.15, Paragraph C to read as follows:

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

Amend Section 7.20 to read as follows:

7.20 ILLUMINATION

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

Amendments to Article 8.000.

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

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

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

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

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

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

Amendments to Article 10.000.

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Delete Section 10.47 and subsequent subsections as follows:

10.47[Deleted]

Amendments to Article 11.000.

Delete Section 11.10 and subsequent subsections as follows:

11.10 DELETED

Amend Section 11.203.5 to read as follows:

11.203.5Relaxation of Dimensional Requirements for Inclusionary Housing Projects.

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

- (a) If a limitation on GFA or FAR is applicable within the district, the Gross Floor Area permitted by the applicable zoning may be increased by thirty percent (30%), as long as such additional Gross Floor Area is used for residential uses not including hotel or motel use.
- (b) If a limitation on the number of dwelling units is applicable within the district, the number of dwelling units permitted by the applicable zoning through rules for minimum lot area per dwelling unit or other applicable rules may be increased by thirty percent (30%).
- (c) The additional Gross Floor Area or dwelling units permitted herein shall be counted toward the determination of any applicable threshold triggering the requirement of a special permit, including but not limited to Section 19.20 Project Review Special Permit.
- (d) In a Residence C-1 district, the maximum height of buildings or portions of buildings used as Residences may be increased to a maximum of 6 stories above grade and 70 feet above grade per the provisions of Section 5.40, Paragraph (2) of this Zoning Ordinance.

Amendments to Article 13.000.

Amend Section 13.12.1(1) to read as follows:

- (1) Townhouse Development.

Amend Section 13.13.3 to read as follows:

13.13.3[Deleted]

Amend Section 13.17.1 thru 13.17.2 to read as follows:

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13.17.1 Off street parking facilities shall be provided as follows:

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

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

Amend Section 13.27 to read as follows:

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

Amend Section 13.33.3 to read as follows:

~~13.33.3~~[Deleted]

Amend Section 13.36.1 thru Section 13.36.2 to read as follows:

~~13.36.1~~[Deleted]

~~13.36.2~~[Deleted]

Amend Section 13.36.4 to read as follows:

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

Amend Section 13.42.1(1) to read as follows:

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

~~13.43.3~~[Deleted]

Amend Section 13.47.1 thru Section 13.47.2 to read as follows:

~~13.47.1~~[Deleted]

~~13.47.2~~[Deleted]

Amend Section 13.53.3 to read as follows:

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13.53.3[Deleted]

Amend Section 13.57 to read as follows:

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

13.57.1[Deleted]

13.57.2[Deleted]

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

13.59.5Parking.

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

Amend Section 13.76.2 to read as follows:

13.76.2Parking and loading requirements shall be as follows:

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

Delete Section 13.84.2.

Amend Section 13.88.3 to read as follows:

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13.88.3[Deleted]

Amend Section 13.93.3 to read as follows:

13.93.3[Deleted]

Amend Section 13.204.2 to read as follows:

13.204.2[Deleted]

Amend Section 13.205.2.1 to read as follows:

13.205.2.1[Deleted]

Amendments to Article 14.000.

Amend Section 14.52.2 to read as follows:

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

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

Table 1 MXD District Parking Requirements

Use	Maximum number of spaces
Light Industrial uses allowed by Section 14.21.1	.8/1000 sq. ft. ¹
Office uses and Biotechnology Manufacturing Uses allowed by Section 14.21.2	.9/1000 sq. ft.
Retail and consumer establishment allowed by Section 14.21.3	.5/1000 sq. ft.
Residential uses allowed by Section 14.21.4	
Multifamily residences	.75 dwelling unit

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Hotels or Motels	1/4 sleeping rooms
Public assembly uses allowed by Sections 14.21.3(2), 14.21.3(3), and Section 14.21.5	1/15 seats
Other uses allowed by Section 14.21.6 and 14.21.7	.9/1000 sq. ft. ²

¹ All space measurements are in terms of square feet of gross floor area.
² For assembly spaces having no fixed seating.

Amend Section 14.71.4 to read as follows:

14.71.4~~[Deleted]~~

Amendments to Article 16.000.

Amend Sections 16.41 and 16.42 to read as follows:

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

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

Amend Section 16.44 to read as follows:

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

Amend Section 16.51.2 to read as follows:

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

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

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

Amendments to Article 17.000.

Amend Section 17.13.1 to read as follows:

17.13.1Maximum FAR.

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

Amend Section 17.13.2(2) to read as follows:

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

Amend Section 17.13.3.d to read as follows:

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

Amend Section 17.13.4 to read as follows:

17.13.4[Deleted]

Amend Section 17.14.1 to read as follows:

17.14.1[Deleted].

Amend Section 17.17 to read as follows:

- 17.17**Transfer 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

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Section 17.13.1 above, from one or more lots (donating lots) to one or more to other lots (receiving lots) anywhere within the Special District 1 without regard to location of the lot or lots or their ownership, provided the following conditions are met or findings made:

Amend Section 17.21 to read as follows:

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

Amend Section 17.23 to read as follows:

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

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

Amend Section 17.24 to read as follows:

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

17.24.1 Maximum FAR.

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

17.24.2 [Deleted]

17.24.3 Other Dimensional Requirements.

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

Amend Section 17.30 to read as follows:

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17.33.2[Deleted]

Amend Section 17.33.5 to read as follows:

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

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

Amend Section 17.42.12 to read as follows:

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

Amend Section 17.42.3 to read as follows:

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

Amend Section 17.53.1 to read as follows:

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

Amend Section 17.54.2 to read as follows:

17.54.2[Deleted].

Amend Section 17.64.1 to read as follows:

17.64.1[Deleted].

Amend Section 17.73.1 to read as follows:

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

Amend Section 17.74.2 to read as follows:

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17.74.2[Deleted].

Amend Section 17.81.32 to read as follows:

17.81.32Building 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:

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

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

17.81.34[Deleted]

Amend Section 17.81.42 to read as follows:

17.81.42[Deleted]

Amend Section 17.81.5 to read as follows:

17.81.5Transfer 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:

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

Amend Section 17.82.32 to read as follows:

17.82.32Building 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.

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Amend Section 17.82.32.1 to read as follows:

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

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

Amend Section 17.82.34 to read as follows:

17.82.34[Deleted]

Amend Section 17.82.42 to read as follows:

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

Amend Section 17.91 to read as follows:

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

Amend Section 17.93 to read as follows:

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

Amend Section 17.94 to read as follows:

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

Amend Section 17.95(A) to read as follows:

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

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

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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.
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Amend Section 17.108 to read as follows:

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

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Amend Section 17.203.1 to read as follows:

17.203.1Maximum FAR.

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

Amend Section 17.204.2 to read as follows:

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

Amend Section 17.302 to read as follows:

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

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

Amend Section 17.303.2 to read as follows:

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

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

Amend Section 17.303.3, paragraph (h) to read as follows:

- (h) The requirements of Section 5.40, Footnote (11) shall not apply in the Special District 12.

Amend Section 17.303.4 to read as follows:

17.303.4[Deleted]

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Amend Section 17.303.6 to read as follows:

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

Amend Section 17.303.7 to read as follows:

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

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

Amend Section 17.403.1 thru 17.403.3 to read as follows:

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

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

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

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

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

Amend Section 17.505.1 to read as follows:

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

Amend Section 17.505.2 to read as follows:

17.505.2Building Height Limitations.

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

Amend Section 17.505.3 through 17.505.6 to read as follows:

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17.505.3[Deleted]

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

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

17.505.6 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.

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 C-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-1 residential district and the development options possible in the base Residence C-3 zone. It is the intent of this Section that these regulations will apply to a single area located at the westerly edge of Kirkland Place, north of Kirkland Street and bounded and described as follows:

Amend Subsections 20.12.61 through 20.12.64 to read as follows:

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

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

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

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

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

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

a. [Deleted]

Delete Section 20.43 as follows:

20.43 [Deleted]

Amend Section 20.44 to read as follows:

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

Delete Section 20.44.4 as follows:

20.44.4[Deleted]

Amend Section 20.44.5 to read as follows:

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

Amend Section 20.46 to read as follows:

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

Amend Section 20.54.2 to read as follows:

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

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

3. For any new building or portion of a building containing non-residential uses in a Business B district seeking a Special Permit a rear yard setback of twenty (20) feet shall be provided with upper floor ten (10) foot setbacks beginning at forty-five (45) feet above grade. The resulting yard shall create a landscaped open space.
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Amend Sections 20.54.6 and 20.54.7 to read as follows with no changes to Section 20.54.7, Paragraphs 1. through 5.:

20.54.6 Maximum Ratio of Floor Area to Lot Area (FAR) in the Harvard Square Historic Overlay District. Notwithstanding the FAR limits set forth in Article 5.000 or elsewhere in this Ordinance, the maximum FAR applicable to non-residential uses in the Harvard Square Historic Overlay District shall be as follows:

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Business B district: 4.0; Office 3 district: 3.0; Office 2 district: 2.0; Residence C-3 district: 3.0; Residence C-2B district: 1.75; Residence C-1 district: 0.75;
Business A district: 1.0.

20.54.7 Additional FAR. Upon the issuance of a special permit, the special permit granting authority (Planning Board) may increase the allowable FAR on any lot or portion of a lot in the Business B district located within the Harvard Square Overlay District for any commercial use in section 4.34 or 4.35 provided the Planning Board finds that the use and design complies with the goals and design guidelines set forth in the Harvard Square Conservation District and provides additional public benefits commensurate with the additional development, such as the following:

Amend Section 20.64.2 to read as follows:

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

Amend Section 20.69 and Subsection 20.69.1 to read as follows:

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

20.69.1 Notwithstanding any other provisions in either the Parkway Overlay District and/or the base zoning district, the maximum height for any building or portion of a building containing a non-residential use within Concord Avenue Parkway Subdistrict shall not exceed fifty (50) feet.

Amend Section 20.84.2 to read as follows:

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

Delete Section 20.810 as follows:

20.810 [Deleted]

Amend Section 20.95.1 to read as follows:

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

1. Shopping Center District: 1.25. However, Gross Floor Area shall be further limited as set forth below.
 - (a) No individual retail establishment (Section 4.35 and 4.36) shall have a Gross Floor Area exceeding 50,000 square feet, except in the case of a grocery store or supermarket, which may be as large as 60,000 square feet.
 - (b) Where the total amount of Gross Floor Area on a lot (which shall be any lot or combination of lots held in common ownership as of January 1, 2006) exceeds 100,000 square feet, the square footage devoted to non-residential uses shall be at a minimum 20% and shall not exceed 50%.
For a lot (which shall be any lot or combination of lots held in common ownership as of January 1, 2006) of ten acres or more, the required non-residential development shall consist of Retail Business and Consumer Service Establishments, Section 4.35, exclusively until at least 225,000 square feet of retail use is located on the lot, after which any non-residential use shall be permitted.
Where a project subject to the provisions of this Paragraph (b) has received a special permit from the Planning Board, the permit decision shall establish how the requirements of this Paragraph (b) are met if a project is constructed in phases over time.

2. Triangle District: 1.75.

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

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

Delete Section 20.95.4 as follows:

20.95.4[Deleted]

Amend Section 20.920 to read as follows:

20.920Special 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:

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

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Amend Section 20.104.3 to read as follows:

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

1. Modification of the Transitional Requirements of Section 5.40. The Planning Board may waive the requirements of footnote (33), footnote (34), and footnote (35) of Section 5.40 for Hotel or Motel Use provided the Board finds that the intended buffering provided by the provisions of footnote (33), footnote (34), and footnote (35) 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 Publicly Beneficial Open Space as defined in Article 2.000.
 - c. The portion of the lot dedicated to Open Space provides an adequate transition buffer between any structure constructed in the commercially zoned portion of the lot and adjacent residential uses in the residential district. Such Open Space shall have a minimum depth of twenty (20) feet.
2. Modification of the FAR limitations for a Hotel or Motel Use (Sections 5.30 and 5.33), for a lot located in both a Business C and a Residence C-1 Zoning District. The Planning Board may allow a FAR of 1.60, calculated on the area of the entire lot, in both the Business C and Residence C-1 districts, subject to the following conditions and limitations:
 - a. All of the resulting Gross Floor Area will be located on the Business C portion of the lot.
 - b. All parking required by this ordinance will be located in a below-grade parking facility.
 - c. The at-grade portion of the lot within the Residence C-1 District is substantially dedicated to Green Area, Permeable, or Publicly Beneficial Open Space as defined in Article 2.000.
 - d. The additional FAR of 1.60 shall only apply to the first 15,000 square feet of a lot. For portions of the lot greater than 15,000 square feet the FAR permitted in the applicable base Business C and residential districts shall continue to apply.
 - e. No preferably preserved significant building, as determined by the Cambridge Historical Commission, is demolished, as set forth in the City of Cambridge Demolition Ordinance #965.

Amend Section 20.106.1 to read as follows:

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

1. The portion of the lot in the Residence C-1 district is contiguous to the portion of the lot in the BC District.
2. The parking is located in a below-grade parking structure.

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3. The at-grade portion of the lot within the Residence C-1 district is substantially dedicated to Green Area, Permeable, or Publicly Beneficial Open Space as defined in this Ordinance.
-

Amend Section 20.110.3 to read as follows:

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

Delete Sections 20.110.31 and 20.110.32 as follows:

20.110.31 [Deleted]

20.110.32 [Deleted]

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

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

Delete Section 20.110.34 as follows:

20.110.34 [Deleted]

Amend Section 20.110.36 to read as follows:

20.110.36 Required Front Yards. In the BA-2 District south of Arlington Street, notwithstanding the provisions of footnote (25) in Section 5.40 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. 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.

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

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

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

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

Delete Section 20.304.6, Paragraph 2. as follows:

2. [Deleted]
-

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

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

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

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

Amend Section 20.403.2 to read as follows:

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

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

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

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

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

Delete Section 20.630, Paragraph e. as follows:

- e. [Deleted]

Delete Section 20.800 as follows:

20.800 DELETED

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

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

Amendments to Article 21.000.

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Amend Sections 21.25.2 and 21.25.21 to read as follows:

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

Amend Section 21.25.3(2) to read as follows:

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

Amend Section 21.25.3(4) to read as follows:

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

Amend Section 21.26(3) to read as follows:

- (3) [Deleted]
-

Amend Section 21.31.2 to read as follows:

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

Amend Section 21.31.4 to read as follows:

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

Amend Section 21.43.1.3 to read as follows:

3. [Deleted]
-

Amend Section 21.43.2.b to read as follows:

CLEAN VERSION

Multifamily Housing Zoning Petition – Part One – **Revised Per Ordinance Committee Vote 1/16/2025**

- 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.

Amend Section 21.43.3.3 to read as follows:

- 3. [Deleted]

H

**MULTIFAMILY HOUSING ZONING PETITION PART TWO
AS AMENDED IN COMMITTEE ON JANUARY 16, 2025**

Petition: To amend Articles 1.000, 5.000, 11.000, 15.000, 17.000, 19.000, and 20.000 of the Cambridge Zoning Ordinance as follows with the intent of:

- (1) revising open space standards to provide greater flexibility by allowing all types of open space to contribute to meeting requirements;**
- (2) revising certain standards of the Affordable Housing Overlay so they are not more restrictive than comparable standards for residences in base zoning;**
- (3) making project review special permit requirements applicable in all zoning districts and applicable to residential development of 75,000 square feet or more;**
- (4) updating advisory development review procedures and introducing a new Planning Board Advisory Consultation for some larger development not subject to a special permit, similar to what is currently required in the Affordable Housing Overlay;**
- (5) establishing a process for ongoing review and reporting on housing production throughout the city; and**
- (6) revising other parts of the Zoning Ordinance for internal consistency.**

Amendments to Article 1.000.

Create a new Section 1.80 and subsequent subsections to read as follows:

1.80 ANNUAL AND FIVE-YEAR HOUSING REVIEW

- 1.81** To further the purpose of encouraging housing for persons of all income levels, and the specific objective of encouraging the construction of multifamily housing, including income-restricted affordable housing, in every neighborhood of Cambridge, the City Manager shall provide updates to the City Council on the state of housing production in the city generally as follows.
- 1.82** Annual Housing Report. Beginning in 2026, an annual housing report will summarize changes to the housing stock that have occurred within the previous year, including both market-rate housing and housing with affordability restrictions.
- 1.83** Five-Year Housing Evaluation. Beginning in 2030, a five-year housing evaluation will analyze longer-term trends in the city's housing stock, including overall growth and changes in affordability, as well as other public planning objectives that may be impacted by housing growth such as open space, tree canopy, public infrastructure, and resident services, and will recommend potential changes to zoning policy that would further the purpose of this Zoning Ordinance.

Amendments to Article 5.000.

Amend Section 5.22 and subsequent subsections to read as follows:

- 5.22** *Open Space*. Where a new building is constructed on a lot or where the footprint of an existing building is enlarged, the lot shall conform to the Open Space Ratio required in the zoning district. The total Open Space on the lot shall be the sum of all areas that meet the definition and standards for at least one of the following types of Open Space: Private, Public, Publicly Beneficial, Green Area, or Permeable Open Space. All five terms are defined in Article 2.000 and additional standards are set forth below. Areas that meet the definition of more than one type of Open Space shall only be counted once when calculating the total Open Space on the lot. The Open Space Ratio on a lot shall be the total Open Space area divided by the lot area, expressed as a percentage.

5.22.1 Private Open Space. Private Open Space shall be open and unobstructed to the sky, except that up to fifty (50) percent of the total Private Open Space may be Shaded Area. Trees, plantings, arbors, fences, flagpoles, sculpture, fountains and recreational and drying apparatus and similar objects shall not be considered obstructions when located within a private open space. Objects or structures intended exclusively for bicycle parking, designed and located in accordance with Section 6.100, which may be uncovered, partially covered or fully enclosed, shall not be considered obstructions provided that such objects or structures are not used for motor vehicle parking, general storage or any other use, and further provided that any such structure exceeding six feet (6') in height conforms to the requirements for an accessory building in Section 4.21. Beehives and apiaries conforming to the Standards for Urban Agriculture in Article 23.000 of this Zoning Ordinance shall not be considered obstructions provided that they are no more than six (6) feet in height. Structures or features that are necessary for a building to comply with the Flood Resilience Standards in Section 22.80, such as stairs, ramps, or window wells, shall not be considered obstructions. To the extent permitted in this Ordinance, balconies and roof areas may also be considered as Private Open Space. Private Open Space shall include areas that are shared by all building occupants or available to occupants of separately tenanted areas of a building, such as dwelling units. Private Open Space may include either hardscaped or permeable areas but may not have a slope greater than ten percent (10%). Private Open Space must meet the following other dimensional characteristics:

- a. If located at grade, Private Open Space must have both a width and a length of at least fifteen (15) feet and may be shared by all occupants of a building or divided into areas that are accessed separately.
- b. If located above grade, such as balconies, decks, and roofs of garages and buildings, and shared by all occupants of a building, Private Open Space must have both a width and a length of at least six (6) feet and have a minimum area of seventy-two (72) square feet.
- c. If located above grade or partially below grade and accessible to separately tenanted spaces, such as balconies and decks or lower-level patios, Private Open Space must have a width and length of at least three (3) feet and have a minimum area of twenty (20) square feet.

5.22.2 Public Open Space. Public Open Space shall be open and unobstructed to the sky, except that up to fifty (50) percent of the total Public Open Space may be Shaded Area. Public Open Space may include but is not limited to lawns, decorative plantings, interior walkways, abutting sidewalks, active and passive recreation areas, playgrounds, fountains, and public performance areas. Public Open Space shall not include rooftop areas, patios, balconies, parking lots, or driveways. Limited paved surfaces may be designed to accommodate occasional use by motor vehicles servicing the park facility. If the facility is not held in fee simple by the City of Cambridge or other public entity, the Public Open Space may be land remaining in private ownership but protected for public use by means of a permanent easement, conservation restriction, or other similar legal device acceptable to the City.

5.22.3 Publicly Beneficial Open Space. Such space shall be customarily available or shall be readily visible to such occupants and visitors, though physically inaccessible, by being located and treated to enhance the amenity of the development through a general appearance of openness. Publicly beneficial open space shall include parks, plazas, lawns, landscaped areas, decorative plantings, and active and passive recreational areas. Publicly beneficial open space shall also include loggias, atriums, arcades and pedestrian ways listed and defined in Section 14.45. Streets, parking lots, driveways, service roads, loading areas, and areas normally inaccessible to pedestrian circulation beneath pedestrian bridges, decks, or shopping bridges shall not be counted in calculating publicly beneficial open space.

5.22.4 Green Area Open Space. Green Area Open Space shall be open and unobstructed to the sky except that up to fifty (50) percent of the total required Green Area Open Space may be Shaded Area. Green Area Open Space shall be land at grade and shall consist of friable, permeable materials (including but not limited to loam, gravel, sand, crushed stone, and including naturally occurring soil, bedrock, and incidental pipes and other underground utilities) having a minimum depth of three (3) feet. Said land shall be capable of supporting the growth of trees, grass, ground cover, shrubs, and similar vegetation. Such area may not

include any portion of the lot used for parking areas and access drives or other hard surface areas, except walks and terraces designed and intended for non-motor vehicle use.

Green Area Open Space shall consist entirely of living trees, grass, ground cover, bushes, shrubs, and/or similar vegetation, as well as water and other natural features of the site. However, in no case shall hard surfaced walks and terraces, or pervious ground covers like gravel, stone, and wood chips not being used as mulch beneath vegetation, exceed twenty-five (25) percent of the total area counted as Green Area Open Space.

5.22.4(a) Permeable Open Space. Permeable Open Space shall consist of a surface material that may include vegetation; rocks, pebbles, wood chips and similar landscaping materials; or unit pavers. All other materials (for example, continuously poured asphalt or concrete) are not allowed except that any material may be used for pedestrian walkways not exceeding 5 feet in width or half the width of the area in which they are located, whichever amount is less.

5.22.5 Green Factor. Where any new building, new addition to a building that seeks to increase the footprint of a building by at least 50% in area, or new surface parking area is created on or after the enactment of this Section, the lot or Development Parcel shall be designed to conform to the Green Factor Standard set forth in Section 22.90 of this Zoning Ordinance before issuance of a building permit or special permit if applicable.

Amendments to Article 11.000.

Amend Section 11.207.3 to read as follows:

11.207.3 Standards for Eligibility, Rent, and Initial Sale Price for AHO Dwelling Units

- (a) All dwelling units in an AHO Project shall comply with the standards for AHO Dwelling Units as set forth in this Section.
- (b) For all AHO Dwelling Units:
 - (i) AHO Dwelling Units shall be rented or sold only to AHO Eligible Households, with preference given to Cambridge residents, and former Cambridge residents who experienced a no-fault eviction in Cambridge in the last twelve (12) months, in accordance with standards and procedures related to selection, asset limits, and marketing established by the Housing Department and applicable state funding requirements.
 - (ii) AHO Dwelling Units shall be created and conveyed subject to recorded covenants approved by the Housing Department guaranteeing the permanent availability of the AHO Dwelling Units for AHO Eligible Households.
- (c) For rental AHO Dwelling Units:
 - (i) The gross household income of an AHO Eligible Household upon initial occupancy shall be no more than one-hundred percent (100%) of AMI.
 - (ii) At least eighty percent (80%) of AHO Dwelling Units within the project shall be occupied by AHO Eligible Households whose gross household income upon initial occupancy is no more than eighty percent (80%) of AMI.
 - (iii) Rent, including utilities and any other fees routinely charged to tenants and approved by the Housing Department, shall not exceed thirty percent (30%) of the gross household income of the AHO Eligible Household occupying the AHO Dwelling Unit or other similar standard pursuant to an applicable housing subsidy program which has been approved by the Housing Department.
 - (iv) After initial occupancy, the gross household income of an AHO Eligible Household shall be verified annually, or on such other basis required by an applicable housing subsidy program which has been

- approved by the Housing Department, to determine continued eligibility and rent, in accordance with policies, standards, and procedures established by the Housing Department.
- (v) An AHO Eligible Household may continue to rent an AHO Dwelling Unit after initial occupancy even if the AHO Eligible Household's gross household income exceeds the eligibility limits set forth above, but may not exceed one hundred twenty percent (120%) of AMI for more than one year after that Eligible Household's gross household income has been verified to exceed such percentage, unless otherwise restricted pursuant to an applicable housing subsidy program which has been approved by the Housing Department.
 - (vi) Notwithstanding the requirements set forth in (i) through (v) above, an owner may voluntarily choose to charge a lower rent than as provided herein for AHO Dwelling Units.
- (d) For owner-occupied AHO Dwelling Units:
- (i) The gross household income of an AHO Eligible Household upon initial occupancy shall be no more than one-hundred percent (100%) of AMI.
 - (ii) At least fifty percent (50%) of AHO Dwelling Units shall be sold to AHO Eligible Households whose gross household income upon initial occupancy is no more than eighty percent (80%) of AMI.
 - (iii) The initial sale price of an AHO Dwelling Unit shall be approved by the Housing Department and shall be determined to ensure that the monthly housing payment (which shall include debt service at prevailing mortgage loan interest rates, utilities, condominium or related fees, insurance, real estate taxes, and parking fees, if any) shall not exceed thirty percent (30%) of the monthly income of:
 - 1) A household earning ninety percent (90%) of AMI, in the case of an AHO Dwelling Unit to be sold to an AHO Eligible Household whose income upon initial occupancy is no more than one-hundred percent (100%) of AMI; or
 - 2) A household earning seventy percent (70%) of AMI, in the case of an AHO Dwelling Unit to be sold to an AHO Eligible Household whose income upon initial occupancy is no more than eighty percent (80%) of AMI
- (e) An AHO Project meeting the standards set forth herein as approved by the Housing Department shall not be required to comply with the Inclusionary Housing Requirements set forth in 11.203 of this Zoning Ordinance.

Amend Section 11.207.5.1, paragraph (b) to read as follows:

- (b) District Dimensional Standards shall include the most permissive standards allowable on a lot, whether such standards are permitted as-of-right or allowable by special permit, and inclusive of any additional development permissible under the Inclusionary Housing provisions of Section 11.203.5. A District Dimensional Standard that is allowable by special permit shall include any nondiscretionary requirements or limitations that would otherwise apply.

Amend Section 11.207.5.2.1 to read as follows:

11.207.5.2.1 Building Height and Stories Above Grade. For an AHO Project, the standards set forth below shall apply in place of any building height limitations set forth in the District Development Standards.

- (a) Where the District Dimensional Standards set forth a maximum residential building height of less than seventy-five (75) feet, an AHO Project shall contain no more than nine (9) Stories Above Grade and shall have a maximum height of one hundred (100) feet, as measured from existing Grade.
- (b) The height of an AHO Project on an AHO Corridor Lot may be increased from the height limits in Paragraph (a) above, not to exceed twelve (12) Stories Above Grade and a building height of one hundred and forty (140) feet.

- (c) Where the District Dimensional Standards set forth a maximum residential building height of seventy-five (75) feet or more, an AHO Project shall contain no more than thirteen (13) Stories Above Grade and shall have a maximum height of one hundred and fifty (150) feet, as measured from existing Grade.
- (d) The height of an AHO Project within an AHO Square District may be increased from the height limits in Paragraphs (a) through (c) above, not to exceed fifteen (15) Stories Above Grade and a building height of one hundred and seventy (170) feet.
- (e) An AHO Project may exceed the allowable height limitations of the previous paragraphs of this Section, not to exceed three additional stories and thirty-five feet (35') of additional building height, under the following circumstances:
 - (i) The Residential Density limitations set forth in Section 11.207.5.2.2 will be met, or, if the AHO Project is not subject to an FAR restriction in Section 11.207.5.2.2, then the total gross floor area on the AHO Lot will not exceed 70% of the total lot area multiplied by the maximum number of stories otherwise permitted under the previous paragraphs of this Section; and
 - (ii) pre-existing, contiguous Green Area Open Space on the AHO Lot will be preserved or expanded, consisting of at least 5% or more of the total area of the AHO Lot; and
 - (iii) the AHO Project will exceed the minimum required open space as set forth in Section 11.207.5.2.4 of this Article.
- (f) If the height of an existing building on the AHO Lot, or on an abutting lot, exceeds the height limits in the previous paragraphs of this Section 11.207.5.2.1, then the height of the AHO Project may be increased, not to exceed the building height and Stories Above Grade of the existing building.
- (g) Where an AHO Project has different applicable Building Height and Stories Above Grade limitations as specified in the preceding paragraphs of this Section 11.207.5.2.1, the most permissive height limitations shall control.
- (h) The Height Exceptions set forth in Section 5.23 of this Zoning Ordinance shall apply when determining the building height of an AHO Project.

Amend Section 11.207.5.2.4 to read as follows:

11.207.5.2.4Open Space.

The Open Space requirements set forth in the District Dimensional Standards shall apply except as set forth below:

- (a) If the application of the District Dimensional Standards results in a required percentage of Open Space to lot area greater than thirty percent (30%), then the minimum percentage of Open Space to lot area for an AHO Project shall be thirty percent (30%).
- (b) If the application of the District Dimensional Standards results in a required percentage of Open Space to lot area greater than fifteen percent (15%), then the minimum percentage of open space to lot area may be reduced to no less than fifteen percent (15%) if the AHO Project includes the preservation and protection of an existing building included on the State Register of Historic Places.
- (c) Private Open Space shall not be subject to the dimensional limitations set forth in Section 5.22.1 of this Zoning Ordinance, paragraphs a. through c., but shall exclude parking and driveways for automobiles.
- (d) Notwithstanding the foregoing, lots consisting of five thousand (5,000) square feet or less in total lot area that directly abut a Public Open Space consisting of at least one thousand five hundred (1,500) square feet of area shall not have a minimum open space requirement under this Article.

Delete Section 11.207.6.1, Paragraph (b).

Delete Section 11.207.6.5.

Amend Section 11.207.7.1, Paragraph (b) to read as follows:

- (b) The following design standards shall apply to new construction and to additions to existing structures where such construction creates 25,000 or more square feet of GFA. Except as otherwise provided, an existing building that is altered or moved to accommodate an AHO Project shall not be subject to the following standards, provided that such alterations do not create a condition that is in greater nonconformance with such standards than the existing condition.
-

Delete Section 11.207.7.4, Paragraph (a) as follows:

- (a) [Deleted]
-

Delete Section 11.207.7.4, Paragraph (e) as follows:

- (e) [Deleted]
-

Amend Section 11.207.7.4, Paragraph (f) to read as follows:

- (f) New habitable space may be created within Stories Below Grade only if the Flood Resilience Standards of Section 22.70 of this Zoning Ordinance are met.
-

Amend Section 11.207.8 to read as follows:

11.207.8 Advisory Design Consultation Procedures.

No special permit shall be required for an AHO Project. However, an AHO Project shall be subject to the non-binding design consultation procedures in Section 19.40 of this Zoning Ordinance as set forth below:

- (a) An AHO Project that would otherwise require a Project Review Special Permit shall instead be subject to the Planning Board Advisory Consultation procedure set forth in Section 19.47.
- (b) An AHO Project that exceeds the height limitations of the underlying district, inclusive of any additional height permissible under the Inclusionary Housing provisions of Section 11.203.5, but does not otherwise meet the size threshold for a Planning Board Advisory Consultation set forth in Section 19.47, shall nonetheless be subject to a Planning Board Advisory Consultation except that the developer may waive the preliminary design consultation and submit all required materials to be reviewed at a single final consultation session.
- (c) Except as set forth in (a) and (b) above, an AHO Project shall be subject to Section 19.40 to the extent that a review threshold set forth in that section has been met.
- (d) The intent of this non-binding review process is to advance the City's desired outcomes for the form and character of AHO Projects. To promote the City's goal of creating more affordable housing units, AHO Projects are permitted to have a greater height, scale, and density than other developments permitted by the zoning for a given district. This procedure is intended to promote design outcomes that are compatible with the existing neighborhood context or with the City's future planning objectives for the area.
- (e) The City's "Design Guidelines for Affordable Housing Overlay," along with the Citywide Urban Design Objectives in Section 19.30 and other design objectives and guidelines established for the part of the city in which the AHO Project is located, are intended to inform the design of AHO Projects and to guide the Planning Board's consultation and report where required. It is intended that designers of AHO Projects, City staff, the Planning Board, and the general public will be open to creative variations from any detailed provisions set forth in such objectives and guidelines as long as the core values expressed are being served.

- (f) The Final Report from the Planning Board or other applicable report required by the procedures of Section 19.40 shall be provided to the Cambridge Affordable Housing Trust in addition to the Superintendent of Buildings to certify compliance with the procedures set forth herein.

Amend Section 11.207.9, Paragraph (b) to read as follows:

- (b) The Housing Department or Community Development Department may develop standards, design guidelines, and procedures appropriate to and consistent with the provisions of this Sections 11.207 and the above regulations.

Amend Section 11.207.11 to read as follows:

11.207.11 Review of Affordable Housing Overlay.

- (a) Annual Report. The Housing Department shall provide an annual status report to the City Council, beginning eighteen (18) months after ordination and continuing every year thereafter. The report shall contain the following information:
 - (i) List of sites considered for affordable housing development under the Affordable Housing Overlay, to the extent known by the Housing Department, including site location, actions taken to initiate an AHO Project, and site status;
 - (ii) Description of each AHO Project underway or completed, including site location, number of units, unit types (number of bedrooms), tenure, and project status; and
 - (iii) Number of residents served by AHO Projects.
- (b) Five-Year Progress Review. Five (5) years after ordination, the Housing Department shall provide to the City Council, Planning Board and the Affordable Housing Trust, for its review, a report that assesses the effectiveness of the Affordable Housing Overlay in increasing the number of affordable housing units in the city, distributing affordable housing across City neighborhoods, and serving the housing needs of residents. The report shall also assess the effectiveness of the Advisory Design Consultation Procedure in gathering meaningful input from community members and the Planning Board and shaping AHO Projects to be consistent with the stated Design Objectives. The report shall evaluate the success of the Affordable Housing Overlay in balancing the goal of increasing affordable housing with other City planning considerations such as urban form, neighborhood character, environment, and mobility. The report shall discuss citywide outcomes as well as site-specific outcomes.

Amendments to Article 15.000.

Amend Section 15.36(2) to read as follows:

- (2) The Public Advisory Consultation Procedure (Section 19.43) shall be modified so that the required consultation session shall occur within fourteen (14) days of the submission of the required documents and the required written comments shall be issued within fourteen (14) days of that session;

Amend Section 15.37 to read as follows:

15.37 For those portions of the District along Massachusetts Avenue located within the Central Square Overlay District, notwithstanding anything set forth in Section 20.300, Public Advisory Consultation shall be undertaken by the Planning Board. Where applicable, the Planning Board shall be guided by the objectives and criteria contained in the publications "Central Square Action Plan", City of Cambridge, November 1987, and "Central Square Development Guidelines", June 1989, and by any additional relevant zoning or planning studies subsequently undertaken by or on behalf of the City. To the extent any provision in these documents is in conflict with the Design Guidelines for the Cambridgeport Revitalization Development District ("CRDD"),

the Planning Board shall determine which guideline is most appropriate to be considered in the Public Advisory Consultation.

Amendments to Article 17.000.

Amend Section 17.16 to read as follows:

17.16 Special District 1 shall be considered an area of special planning concern and shall be subject to the applicable development review procedures as set forth in Article 19.000 of this Zoning Ordinance.

Amend Section 17.36.5 to read as follows:

17.36.5 Area of Special Planning Concern. Special District 3 shall be considered an area of Special Planning Concern. All development within the District shall comply with the development review procedures as specified in Article 19.000, except as modified below:

2. The Public Advisory Consultation Procedure shall be modified so that the Community Development Department shall have ten (10) business days to certify that an application is complete, ten (10) business days from certification to hold a public meeting, and ten (10) business days thereafter to make a report.
 3. In reviewing a proposal the Planning Board shall be guided by the provisions of the Design Guidelines for Special District 3.
-

Amend Section 17.36.6 to read as follows:

17.36.6 Traffic Study. Before issuance of any building permit for construction of GFA within Special District 3, a Traffic Study shall be prepared and made available to the Planning Board for the applicable development review procedure as established in Article 19.000. The traffic study may be prepared for the total amount of development allowed in the District when the first building permit is requested and shall be applicable to all future building permits issued in the district except that traffic data shall be updated at least every five (5) years after the initial submission of the study whenever a new building permit is sought. The Traffic Study shall include the following elements.

Amend Section 17.37.1 to read as follows:

1. Certification from the Community Development Department that the applicable development review procedure has been applied and conducted in accordance with Article 19.000 of the Zoning Ordinance, and that all other requirements of the District have been met.
-

Amend Section 17.306.a to read as follows:

17.306 *Other Provisions.* The following additional provisions shall apply.

- (a) Special District 12 shall be considered an Area of Special Planning Concern, subject to the applicable development review procedures as set forth in Article 19.000 of this Ordinance.
-

Amend Section 17.507 to read as follows:

17.507 *Other Provisions.* The following additional provisions shall apply.

- (a) Special District 14 shall be considered an Area of Special Planning Concern, subject to the applicable development review procedures as set forth in Article 19.000.

Amendments to Article 19.000.

Amend Sections 19.22 and 19.23 to read as follows, leaving subsection 19.23.1 and subsequent subsections unchanged:

19.22*Applicable Zoning Districts.* The Project Review Special Permit shall apply to construction and changes of use located in the following zoning districts.

- (1) All Office, Business, and Industrial Districts, any PUD district, and NP districts, and any Special District for which an office, business or industrial district serves as the underlying base regulation (SD-1, SD-3, SD-5, SD-7, SD-8 and SD-11), but excluding the MXD district.
- (2) Residence C-1, C-1A, C-2, C-2A, C-2B, C-3, C-3A, and C-3B districts, and any Special District for which any one of these residence districts serves as the underlying base regulation (SD-2, SD-6, SD-12 and SD-13) and SD-14. A Project Review Special Permit in these districts shall be required only where the construction or portion of the construction is located within one hundred (100) feet of a public way unless the uses proposed in the building are subject to the thresholds established in Table 1.

19.23*Special Permit Threshold.* In all applicable zoning districts, a Project Review Special Permit shall be required for new building construction or change of use (pursuant to Subsection 19.23.1 below) where a Table I threshold has been met, on a lot or combination of contiguous lots held in common ownership at any time after September 15, 2000. In a Business A, Business A-1, or Business A-2 district, a Project Review Special Permit shall also be required for new building construction of 20,000 square feet or more of non-residential Gross Floor Area (GFA), though a Traffic Study shall not be required if a Table I threshold is not met. Where a mix of uses is proposed the threshold shall be determined by the application of the Mixed Use Formula set forth in Table 1.

Notwithstanding the provisions of this Section 19.23 set forth above, the Project Review Special Permit requirement shall not apply to existing gross floor area on a lot built and occupied prior to the effective date of this Article 19.000 that is demolished and subsequently rebuilt as part of a building project, provided (1) there is no change of use, (2) the reconstruction commences within two years of the start of demolition of the building, and (3) the standards of Section 19.50 are met.

Where a threshold is set forth below in square feet (“sf”) it shall refer to the total GFA calculated pursuant to Section 5.25 but shall exclude GFA in parking facilities, except as otherwise noted. Where reference is made in this Section 19.23 to Gross Floor Area thresholds as set forth in Table 1, the term shall also encompass any other measure of quantity enumerated in the Table (e.g. dwelling units, beds, acres, parking spaces).

**Table 1
Thresholds for Required Traffic Study by Land Use Type**

Land Use Category	Threshold
Standard Threshold: All Land Uses Set forth in Tables 4.30 and 4.56 except as enumerated below.	50,000 sf
Residences: All uses in Section 4.31, a-j	75,000 sf
Transportation Communication & Utility Uses: Section 4.32	
a. Bus or railroad passenger station	Required
b. Automobile parking lot or parking garage for private passenger cars	150 parking spaces
c. Railroad freight terminal, railroad yards and shops	50 acres
d. Truck or bus terminal, yard or building for storage or servicing of trucks, trailers, or buses; parking lot for trucks	Required
Institutional Uses: Section 4.56 (See also Section 4.33)	
a. Religious purposes	
[1.] Social or recreation center	40,000 sf
[2.] Other use with religious purpose	40,000 sf
[b.] Educational purposes	

	1. Preschool, day care center, kindergarten	25,000 sf
	2. Primary school	40,000 sf
	3. Secondary school	40,000 sf
	4. College or university athletic facility, auditorium, theatre, library, museum or similar facility, any of which is customarily accessible to the general public on a paid admission fee or other basis	Creation of 150 new parking spaces or the relocation of 250 existing parking spaces or any combination thereof. ^{1,2}
	5. College or university laboratory or research facility customarily involving radioactive materials and other controlled substances, high intensity electromagnetic radiation or chemical or biological processes which could entail a high level of danger to the public health	
	6. Other college or university facility	
	Dining halls, canteens and similar eating areas	
	Administrative faculty and staff offices, teaching facilities, service facilities, and facilities not specified above	
	1. The addition to or relocation of parking spaces in the inventory of institutional parking in existence as of September 15, 2000 (see Section 6.32.2) in association with the construction of a new building.	
	2. Relocation shall mean the construction of parking spaces at a new location, where the distance between that entrance at the new location most proximate to the closest entrance at the old location is 1,000 feet or more.	
	7. Vocational or other schools	40,000 sf
e. Health Care Facilities		
	1. Hospital	35,000 sf
	2. Infirmary	25,000 sf
	3. Nursing home, convalescent home	250 beds
	4. Clinic not affiliated with any other institution	25,000 sf
	5. Clinic affiliated with a hospital or accredited university medical school	25,000 sf
	6. Clinic connected to a community center	25,000 sf
	7. Other health care facilities	25,000 sf
f. Social Service Facilities		
	1. Social service center	40,000 sf
	2. Community Center	40,000 sf
g. Local Government		
	[1.] Fire or police station	Not Required
	[2.] Public parks, playgrounds or public recreation buildings	400 acres
i. Other Institutional Uses		
	[1.] Cemetery	100 acres
	[2.] Other institutional use	40,000 sf
Office and Laboratory Uses: Section 4.34		
	a. Office of a physician, dentist or other medical practitioner not located in a clinic listed under Subsection 4.33(d)	25,000 sf
	[b.] Bank, trust company or similar financial institution	25,000 sf
Retail or Consumer Service Establishments: Section 4.35		
Outdoor Retail or Consumer Service Establishments: Section 4.36		
	a. Open-Lot Retail Sales Establishment	25,000 sf
	b. Drive-In Food Service Establishments	Required
	c. Drive-In Consumer Service Establishments	Required
	d. Outdoor Entertainment and Recreation Facility	300 seats

e. Drive-In Theater	300 seats
f. Outdoor Auto Sales Facility	25,000 sf
g. Auto Service Station	5 fueling positions
h. Auto Wash	Required
Light Industry, Wholesale Business and Storage: Section 4.37	
[a.] Auto body or paint shop	25,000 sf
[b.] Automotive repair garage not including [1.] above	25,000 sf

Mixed Use Formula

Where it is proposed to include a mix of uses in a new development, or substitute a mix of uses for an existing use in an existing building, a special permit shall not be required under the provisions of Section 19.20 if:

$$(GFA \div \text{Threshold}_a) + (GFA \div \text{Threshold}_b) + (GFA \div \text{Threshold}_c) \leq 1$$

Where "GFA" is the proposed Gross Floor Area (or other indicated quantity measure) for a use denoted by a subscript and where "Threshold" is the Threshold for that use in Table 1.

Amend Section 19.40 and subsequent subsections, including the creation of a new subsection 19.47, to read as follows:

19.40 CITYWIDE ADVISORY DEVELOPMENT CONSULTATION PROCEDURES

19.41 General Purpose. This Section 19.40 provides the opportunity for City staff and the general public (1) to review and comment on development proposals prior to the formulation of final plans and before the issuance of a building permit and (2) to determine compliance with the zoning requirements applicable to the development. Each application for a building permit for one of the categories of development specified in Sections 19.42 and 19.43 shall be accompanied by a written certification from the Cambridge Community Development Department (CDD) indicating that the applicant has participated in the Development Consultation Procedure specified in this Section 19.40, for the proposal for which the permit is being sought. In each instance where the application for a building permit occurs more than six (6) months after the consultation session, CDD shall additionally certify to the Superintendent of Buildings whether the plans submitted for a building permit are consistent with those reviewed at the consultation session, and if not how they differ. Unless otherwise indicated elsewhere in the Zoning Ordinance, the Community Development Department shall conduct the consultation session. No certification pursuant to provisions of this Section 19.40 shall be deemed to be in lieu of the responsibility of the Superintendent of Buildings to enforce all provisions of the Zoning Ordinance - each Certificate of Compliance is advisory to the applicant and the Superintendent of Buildings. The failure of CDD to hold the consultation session or to issue the Certificate of Compliance within the review time periods specified in this Section shall not prevent an applicant for a building permit from receiving such permit after such time period has expired.

19.41.1 Types of Advisory Development Consultations

- a. Staff Advisory Consultations are intended for City staff from CDD and other departments with relevant expertise to discuss requirements and City standards that will be applicable to the project and to provide non-binding comments on the project’s conformance with the Citywide Urban Design Objectives and design objectives specific to an area. The process is informal with few requirements for submission.
- b. Public Advisory Consultations are intended for members of the public to learn about a proposed development and provide non-binding input directly to the developer, sometimes through an

appointed Advisory Committee which makes a report. The process is more structured with requirements for materials submission, scheduling and notification.

- c. Planning Board Advisory Consultations are intended to provide a forum for input from the public, city staff, and the Planning Board through a process similar to a special permit hearing but not resulting in an approval or denial of permits for the proposed development.

19.42*Staff Advisory Consultation Procedure.*

19.42.1*Applicability of Staff Advisory Consultation Procedure.*

- a. For those zoning districts identified in Section 19.46 as Areas of Special Planning Concern, the following types of development proposals shall be subject to the Staff Advisory Consultation Procedure (unless the regulations for an individual Area of Special Planning Concern provide for specific exceptions or additional types):
 - (1) Construction of any new building having a gross floor area of less than two thousand (2,000) square feet devoted to uses other than Residences listed in Section 4.31 a-j.;
 - (2) Construction of any other new structure having a floor area of less than two thousand (2,000) square feet devoted to uses other than Residences listed in Section 4.31 a-j.;
 - (3) Any exterior building alteration increasing gross floor area by one hundred (100) square feet or more; or
 - (4) Construction of five or more parking spaces, whether on grade or in a structure.
- b. Where a Staff Advisory Consultation is not required by Paragraph b. above, it shall be required if the development is subject to the Building and Site Plan Requirements in Section 19.50.
- c. A Staff Advisory Consultation may be requested voluntarily for any development proposal, and is strongly encouraged for any development before requesting a Public or Planning Board Advisory Consultation procedure and before applying for any special permit from the Planning Board.

19.42.2*Request for a Staff Advisory Consultation.* Prior to application for a building permit, the applicant shall contact CDD and request a development consultation session. Upon making such a request, the applicant shall present for review such written or graphic materials necessary to give a reasonably complete, though not necessarily detailed, indication of the nature and scope of the development proposal. For projects that involve the construction of a new building or an addition to a building on a new foundation, for advisory purposes only, the materials should include those required by the Flood Resilience standards set forth in Section 22.80 and the Green Factor standards set forth in Section 22.90. For projects that involve an increase in the amount or area of surface parking, or a decrease in the amount of open space provided, the materials should include those required by the Green Factor standards set forth in Section 22.90. The consultation session shall occur no later than ten business days after the request for such a consultation, unless a longer timeframe is mutually agreed to by the developer and CDD.

19.42.3*Completion of the Staff Consultation.* In most cases CDD and other City staff will provide feedback during the consultation session and will discuss with the developer if further review will be needed to determine compliance with applicable standards.

Where the Staff Advisory Consultation is required, the final staff comments and the issuance of the Certificate of compliance shall be made within ten business days of the consultation session, unless a longer timeframe is mutually agreed to by the developer and CDD.

19.43*Public Advisory Consultation Procedure.*

19.43.1*Applicability of Public Advisory Consultation Procedure.* For those zoning districts identified in Section 19.46 as Areas of Special Planning Concern, any development proposal involving the construction of a new building or new structure or an alteration of an existing building or structure that increases the gross floor by

two thousand (2,000) square feet but does not require a Planning Board Advisory Consultation or a special permit from the Planning Board.

19.43.2 Application for a Public Advisory Consultation. Prior to application for a building permit, the applicant shall submit the following materials to CDD for its review. The written and graphic materials listed below shall give a reasonably complete indication of the nature and scope of the development proposal. Each of the following shall be submitted as appropriate to the proposal:

- (1) A site plan indicating the general location and boundaries of the lot, major anticipated changes in natural features, existing and proposed buildings, publicly beneficial open space and/or useable beneficial open space and/or private open space, existing and proposed curb cuts, off street parking areas, loading and service facilities, and generalized landscaping scheme or other anticipated treatment of open spaces.
- (2) Cross section(s), generalized floor plans and other diagram(s) indicating the anticipated locations of various land uses within the building and on the site and major pedestrian pathways.
- (3) Architectural elevations or sketches indicating anticipated facade treatment along public ways including the proposed entrances, fenestration, and signage.
- (4) A summary indicating compliance with applicable zoning requirements.
- (5) For projects that involve the construction of a new building or an addition to a building on a new foundation, materials identified in the Flood Resilience standards set forth in Section 22.80 shall be submitted to CDD for review and approval. If Section 22.80 is not applicable to the project, the materials shall nonetheless be provided for advisory purposes.
- (6) For projects that involve the construction of a new building, enlargement of an existing building footprint, increase in the amount or area of surface parking, or decrease in the amount of open space provided, materials identified in the Green Factor standards set forth in Section 22.90 shall be submitted to CDD for review and approval. If Section 22.90 is not applicable to the project, the materials shall nonetheless be provided for advisory purposes.

19.43.3 Conduct of the Public Advisory Consultation. Abutters and representatives of various agencies and interest groups shall be invited to participate in a consultation session for proposals submitted for review in accordance with Section 19.43.2. Where an advisory committee has been established in this Zoning Ordinance for the area where the proposal is located (for example, the Harvard Square Overlay District or Central Square Overlay District), the consultation session shall be held at a public meeting of that advisory committee. Otherwise, CDD shall schedule a public meeting and give notification of any scheduled development consultation to each abutting property owner and to any individual or organization who each year files with CDD a written request for such notification, or to any other individual or organization CDD may wish to notify.

Within twenty (20) business days of submittal of the application documents, or at a regularly scheduled meeting of an advisory committee if applicable, the Department will schedule and hold a consultation session with the applicant or the applicant's representatives and any parties listed in this Section 19.43.3. Within ten (10) days of the consultation session, CDD shall issue to the applicant written comments on the development proposal as expressed by City staff and others in attendance, which shall constitute the Certificate of Compliance. Timeframes may be extended by mutual agreement of the applicant and CDD.

CDD may seek the advice and assistance of other City departments and of the organizations given notice of the consultation procedure in reviewing a development proposal.

19.43.4 Review Criteria and Required Findings of the Public Advisory Consultation Procedure. In reviewing each application, CDD shall:

- (1) Evaluate the proposal for general compliance with zoning requirements, for consistency with City development guidelines prepared for the proposal area, for appropriateness in terms of other planned or programmed public or private development activities in the vicinity and for consistency with the

Citywide Urban Design Objectives set forth in Section 19.30. The Department shall consider the proposal in terms of the specific and general impact of the use and/or dimensions proposed therein on the area of special planning concern and on adjacent neighborhoods and shall further take account of the following considerations: scale, bulk, density, aesthetic qualities, land use, traffic impacts and other functional characteristics; parking and loading; and impact on public services and facilities.

- (a) Additional Criteria in Business A-4 District Ground Floor Retail uses of less than 2,000 square feet which will serve as an amenity for the surrounding residential neighborhood should be included in any building greater than 20,000 square feet.
- (2) Make recommendations in a written report to the applicant including general approval or disapproval of the proposal and in connection therewith may suggest specific project adjustments and alterations to further the purposes of this Ordinance.

19.44The Memorandum of Understanding ("MOU") dated October 5, 2015, signed by Eric Hoagland on behalf of Observatory Hill Apartments, LLC (the "LLC"), acting on behalf of the LLC as developer of the proposed development at 253 Walden Street, identified as Map 272, Lot 17 in the records of the City of Cambridge (the "Project"), and the Neighborhood Review Committee ("NRC"), consisting of residents of the surrounding community, is incorporated by reference hereto and shall be binding upon the Project as set forth in the MOU. The issues of any building permit or certificate of occupancy for the Project shall be conditioned upon certification by the Commissioner of Inspectional Services that the Project is in compliance with all provisions of the aforementioned MOU.

19.45 [Deleted]

19.46*Areas of Special Planning Concern.* The following zoning districts shall be considered Areas of Special Planning Concern: Business A-1 and Business A-2 and Business A-4 Districts, the Parkway Overlay District, the Kirkland Place Overlay District, the Harvard Square Overlay District, the Central Square Overlay District, The Cambridgeport Revitalization Development District, the Massachusetts Avenue Overlay District, Special District 12, Special District 13, Special District 14 and the Memorial Drive Overlay District, Prospect Street Overlay District and the Alewife Overlay Districts.

19.47 *Planning Board Advisory Consultation Procedure*

19.47.1 *Applicability of Planning Board Advisory Consultation Procedure.*

- a. The Planning Board Advisory Consultation Procedure shall be required as set forth below, except it shall not be required for any development requiring a special permit from the Planning Board.
- b. The Planning Board Advisory Consultation Procedure shall be required for new construction of at least 50,000 square feet of GFA in those districts where the Project Review Special Permit is applicable pursuant to Section 19.22. In the case of a change of use, as described in Section 19.23.1, projects containing at least 50,000 square feet of GFA devoted to a new use shall require a Planning Board Advisory Consultation Procedure only to review proposed changes to the exterior of the building, including but not limited to changes to the site design or roof layout.
- c. The Planning Board Advisory Consultation may be required in other instances as set forth elsewhere in this Zoning Ordinance.

19.47.2 *Preliminary Consultation*

- a. The developer shall request a preliminary consultation by submitting the following plans and other documents to the Planning Board for review. Meeting with CDD staff is strongly encouraged before preparing materials. All drawings shall be drawn to scale and shall include a graphic scale and north arrow for orientation. For the preliminary consultation, the submitted plans do not need to be detailed but must sufficiently describe the proposed layout of buildings and major site features, the height and massing of proposed buildings in relation to surrounding buildings, and circulation routes through the site for pedestrians, bicycles, and motor vehicles.

1. A preliminary dimensional form, in a format provided by CDD, along with any supplemental materials, summarizing the dimensional characteristics of the project (such as height, Gross Floor Area, dwelling units, parking, and bicycle parking) and demonstrating compliance with applicable zoning requirements. Figures may be approximate for the preliminary consultation but must be accurate for the final consultation.
 2. A brief project narrative describing the project and the design approach, and indicating how the project has been designed in relation to the citywide urban design objectives set forth in Section 19.30 of the Zoning Ordinance and any design guidelines that have been established for the area and for the type of project.
 3. A context map indicating the location of the project and surrounding land uses, including transportation facilities.
 4. Existing conditions photographs and narrative information describing the site and the context of surrounding lots including building heights, setbacks, architectural character, and unique features that inform and influence the design of the project.
 5. An existing conditions site plan depicting the boundaries of the lot, the locations of buildings, open space features, parking areas, trees, landscape/hardscape, and other major site features on the lot and abutting lots, and the conditions of abutting streets.
 6. A proposed conditions site plan depicting the same information above as modified to depict the proposed conditions, including new buildings (with one version showing a plan of building entrances and uses on the ground story, and a second version showing a plan of building roofs) and major anticipated changes in site features including but not limited to parking and bicycle parking locations.
 7. Elevation drawings of all proposed new buildings and/or existing buildings on the site that are within the scope of the proposal, depicting the ground story elevations and heights of proposed and existing buildings (including portions of buildings that abut the site) and the locations of entrances and window openings.
 8. Proposed conditions perspective renderings from a variety of vantage points on the public sidewalk and from public open space, including locations adjacent to the site as well as longer views if proposed buildings will be visible from a distance.
 9. Example photographs and specifications of surface materials being considered for use on different portions of building façades.
 10. A statement of intent describing applicable development standards in this Zoning Ordinance and how they are proposed to be met, including but not limited to sustainable development standards in Article 22.000 and affordable housing standards in Section 11.200.
 11. A summary of community engagement efforts as described below.
- b. In the process of preparing plans and materials, the developer shall conduct a process to inform members of the surrounding community about the proposal and receive advisory feedback.
1. The community engagement shall include, at a minimum, one in-person opportunity and one virtual opportunity for community members to ask questions and provide input, which could be conducted at separate times or simultaneously in a hybrid meeting format.
 2. The developer shall create a notification in physical and digital formats that includes the location of the project, a general description of the project, the date, time, location, and other information necessary for people to attend engagement events, and contact information (telephone and e-mail, at minimum) for the developer.
 3. The developer shall provide the notification to CDD. CDD shall provide the developer with a list of abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred feet of the property line of the lot and to any individual or organization who each year files with CDD a written request for such notification. The developer

shall provide notification to those parties at least two weeks in advance of any meeting or event and is expected to reach out to other individuals and groups within the community surrounding the site to reach a diverse range of community members with an interest in the proposal. The developer shall also post a notification at a physical location on or near the site that is visible and legible from the public sidewalk.

4. The preliminary submission to the Planning Board shall include a description of what outreach was conducted, what feedback was received, and how it informed the design approach.
- c. CDD shall review the submitted written and graphic materials to certify that they provide the required information in sufficient detail for the preliminary consultation. Within 65 days of receipt of a complete set of materials, or longer if the developer and CDD mutually agree in writing to a longer timeframe, CDD shall schedule a preliminary consultation as a general business matter at a regular public meeting of the Planning Board and shall send written notification to abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred feet of the property line of the lot on which the project is proposed and to any individual or organization who each year files with CDD a written request for such notification, and to any other individual or organization CDD may wish to notify. The submitted materials shall be made available to the public in advance. Members of the public may send written comments to the Planning Board in advance of the consultation in accordance with the Planning Board's rules for written comment.
- d. The developer shall prepare a physical or digital massing model of the proposal to be presented at the scheduled consultation. The purpose of the model is to illustrate the scale and massing of new buildings in relation to nearby buildings, streets and open spaces. The developer shall consult with CDD staff to determine the appropriate scale and extent of the model given the characteristics of the site and of the proposal. CDD may determine that a model is not required if it does not propose any new construction or significant enlargement of a building or otherwise does not represent a significant change from existing conditions in terms of the scale or height of buildings.
- e. At the scheduled consultation, the Planning Board shall hear a presentation of the proposal from the developer and oral comments from the public in accordance with the Planning Board rules. The Board may ask questions or seek additional information from the developer or from City staff.
- f. The Planning Board shall evaluate the proposal for general compliance with the requirements of the zoning district and for consistency with the Citywide Urban Design Objectives set forth in Section 19.30 and other plans or guidelines established by the City that are applicable to the development. The Board may also suggest improvements to the proposal to further the purposes of this Ordinance.
- g. The Planning Board shall conclude the session by making a preliminary report to the developer with comments and suggestions to be discussed at a final consultation. The written report shall be provided to the developer within 20 business days of the preliminary consultation.

19.47.3 *Final Consultation*

- a. To request a final consultation, after receiving the preliminary report, the developer shall provide revised versions of the materials provided for the preliminary consultation at a level of design development sufficient to verify that applicable standards are being met and to accurately represent the project's final design. Plans shall include labeled distances and dimensions of significant building and site features. The following specific materials shall be included in addition to those listed above, or in place of those materials where they provide greater detail.
 1. Narrative information describing the feedback received in the preliminary report and how the revised proposal has incorporated that feedback.
 2. Floor plans of all proposed new buildings and/or remaining existing buildings proposed to be altered.

3. Elevations and cross-section drawings of all proposed new buildings and/or remaining existing buildings proposed to be altered, depicting the distances to lot lines and the heights of surrounding buildings, and labeling the proposed materials on each façade elevation.
 4. A landscape plan depicting and labeling all hardscape, permeable, and vegetated areas proposed for the site along with other structures or appurtenances on the site and locations of light fixtures.
 5. Plans of parking and bicycle parking facilities, as required by Section 6.50 of this Zoning Ordinance.
 6. Materials palettes cataloguing and depicting with photographs the proposed façade and landscape materials.
 7. Shadow studies that show the impact on neighboring properties and public spaces.
 8. Materials required to verify compliance with applicable sustainable development standards in Article 22.000, as would be required at the special permit stage of review.
- b. CDD shall review the submitted written and graphic materials to certify that they provide the required information in sufficient detail for the final consultation. Within 65 days of receipt of a complete set of materials, or longer if the developer and CDD mutually agree in writing to a longer timeframe, CDD shall schedule a final consultation as a general business matter at a regular public meeting of the Planning Board. CDD shall provide notification, and written comments may be submitted in advance, in accordance with the same procedures as the preliminary consultation.
 - c. At the final consultation, the Planning Board shall hear a presentation of the proposal from the developer, focusing on changes and additional details provided since the preliminary consultation, and oral comments from the public. A massing model, revised to reflect any design changes, will again be made available for review. The Board may ask questions or seek additional information from the developer or from City staff.
 - d. The Planning Board shall evaluate the revised design for general compliance with the requirements of the zoning district and for consistency with the Citywide Urban Design Objectives set forth in Section 19.30 as well as any other plans or guidelines established by the City that are applicable to the development. The Board may also suggest specific project adjustments and alterations to further the purposes of this Ordinance.
 - e. The Planning Board shall conclude the final consultation by making a final report to the developer with general comments and suggestions for further design improvements, if any, to be considered before seeking a building permit. The written report shall be provided to the developer within 20 business days of the design consultation and shall be provided to the Superintendent of Buildings to certify that the procedural requirements have been met before issuance of a building permit.

Amend Section 19.51.1 to read as follows:

19.51.1Applicable Zoning Districts. This Section 19.50 shall apply in the following zoning districts:

- (1) All Office, Business, and Industrial Districts and NP districts, and any Special District for which an office, business or industrial district serves as the underlying base regulation (SD-1, SD-3, SD-5, SD-7, SD-8, and SD-11).
- (2) Residence C-1, C-1A, C-2, C-2A, C-2B, C-3, C-3A, and C-3B districts, and any Special District for which any one of these residence districts serves as the underlying base regulation (SD-2, and SD-6) for a building or portion of a building within one hundred (100) feet of a public street.

Amend Section 19.52 to read as follows:

19.52*Heights, Setbacks and Building Façades.* The provisions of this Section 19.52 shall not apply to Special District 8.

- (1) For development on a lot abutting a lot in a residential zoning district having a more restrictive height limit, the cornice line of the principal wall plane facing the residential zoning district line shall not exceed by more than twenty (20) feet at any point the maximum height permitted in the residential zoning district. Any portion of the building rising above the cornice line shall be located below a forty-five (45) degree bulk control plane starting at ground level at the zoning district line, subject to the following provisions.
 - (a) Where the zoning district line lies within a lot, the bulk control plane shall begin at the lot line in the residential zoning district that divides the subject lot (including any intervening lots held in identical ownership but not part of the development lot and such lots located across the street) from another lot in different ownership.
 - (b) Where the zoning district line occurs within a public street, the provisions of this Section 19.52 shall apply but the bulk control plane shall be measured from the centerline of the street regardless of the location of the zoning district line.
- (2) For development on a lot abutting a residential zoning district having more restrictive yard requirements, the yard requirements of the residential district shall apply to any portion of the development rising above the bulk control plane set forth in Paragraph (1) above. As in (1) above, where the zoning district line lies within a lot, the bulk control plane shall begin at the lot line in the residential zoning district that divides the subject lot (including any intervening lots held in identical ownership but not part of the development lot) from another lot in different ownership. This Paragraph (2) shall not apply where the zoning district line lies within or across a street.
- (3) A building footprint exceeding two hundred and fifty (250) feet in length, measured parallel to the street, shall contain a massing recess extending back at least fifteen (15) feet in depth measured from and perpendicular to the front lot line and at least fifteen (15) feet in width measured parallel to the front lot line so that the maximum length of unbroken façade is one hundred fifty (150) feet.
- (4) For portions of buildings containing residential uses, building façades shall incorporate architectural elements that project or recess by at least two feet from the adjacent section of the façade. Such projecting or recessed elements shall occur on an average interval of 40 linear horizontal feet or less for portions of the façade directly facing a public street, and on an average interval of 80 linear horizontal feet or less for other portions of the façade. Such projecting or recessed elements shall not be required on the lowest Story Above Grade or on the highest Story Above Grade, and shall not be required on the highest two Stories Above Grade of a building containing at least six Stories Above Grade. The intent is to incorporate elements such as bays, balconies, cornices, shading devices, or similar architectural elements that promote visual interest and residential character, and to allow variation at the ground floor and on upper floors where a different architectural treatment may be preferable.

Amend Section 19.56, Paragraph (1) to read as follows:

- (1) The actively used area shall have a depth of at least 20 feet, or the depth of the building if less. If the area is occupied by uses other than Residences or Dormitories, the height of the Ground Story for that portion of the building shall be at least fifteen (15) feet and the depth shall be at least thirty-five (35) feet on average measured from the portion of the façade that is nearest to the front lot line in a direction perpendicular to the street, and measured toward at least one street in instances where the space abuts two or more streets.

In Section 19.56, create a new Paragraph (5) to read as follows:

- (5) The façade of a Ground Story facing a public street shall consist of expanses no longer than twenty-five (25) feet in length, measured parallel to the street, which contain no transparent windows or pedestrian entryways.

Amendments to Article 20.000.

Amend Section 20.11.4 to read as follows:

20.11.4 Review Process. The Hammond and Gorham Streets Transition Overlay District shall be considered an area of special planning concern. Development proposals shall be subject to the applicable development review procedures as set forth in Article 19.000 of this Zoning Ordinance.

Amend Section 20.12.4 to read as follows:

20.12.4 The Kirkland Place Transition Overlay District shall be considered an area of special planning concern and shall be subject to the applicable development review procedures as set forth in Article 19.000 of this Zoning Ordinance.

Amend Sections 20.53.1 and 20.53.2 to read as follows:

20.53.1 The Harvard Square Overlay District shall be considered an area of special planning concern. Development proposals listed in Subsection 19.42 and 19.43, Development Consultation Procedures, shall be subject to the Development Consultation Procedure specified in Article 19.40 except that any Public Advisory Consultation (new buildings of 2,000 square feet or more) shall be conducted by the Harvard Square Advisory Committee using procedures specified in Subsection 20.54.1 of this Section 20.50.

20.53.2 Criteria for Advisory Development Consultations and Review of Applications for Special Permits and Variances. In reviewing applications for variances, special permits or development consultation reviews the permit or special permit granting authority or the Harvard Square Advisory Committee shall be guided by the objectives and criteria contained in the publication Harvard Square Development Guidelines [Document compiled from the Guidelines for Development and Historic Preservation as contained in the Final Report of the Harvard Square Neighborhood Conservation District Study Committee, dated November 29, 2000 and the Harvard Square Development Guidelines, 1986], in addition to the requirements of Sections 10.30 (Variances) and 10.40 (Special Permits) and this Section 20.50. These guidelines are also intended to assist in shaping any contemplated physical change within the Harvard Square Overlay District

Amend Section 20.54.1, Paragraph 2. to read as follows:

2. Responsibilities. The Committee shall undertake all Public Advisory Consultations and shall receive all applications for variances and special permits for activities within the Harvard Square Overlay District for review and comment. In addition, the Committee may comment on any preliminary proposal for which any public agency or private interest has planned for the Overlay. The Committee shall meet on an approximately monthly basis or with as much frequency as is needed to address pertinent issues in the Harvard Square Overlay District, with the schedule to be determined at the discretion of the Chair.
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Amend Section 20.54.1, Paragraph 3. Subparagraph a. to read as follows:

- a. Within six (6) months preceding any application for (1) a building permit for any project subject to the Public Advisory Consultation Procedure or (2) a special permit or variance for any project within the Harvard Square Overlay District, the graphic and other material required in Section 19.43.2 - Application for a Public Advisory Consultation shall be submitted to the Harvard Square Advisory Committee for their review and comment.
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Amend Section 20.68 to read as follows and delete Subsection 20.68.1:

20.68 *Development Consultation Procedure.* The Parkway Overlay District shall be considered an area of special planning concern and shall be subject to the applicable development review procedures as set forth in Article 19.000 of this Zoning Ordinance.

20.68.1 [Deleted]

Amend Section 20.69.2 to read as follows:

20.69.2 Notwithstanding any other provisions in either the Parkway Overlay District and/or the base zoning district, any building within the Concord Avenue Parkway Subdistrict containing greater than twenty-five thousand (25,000) square feet of non-residential floor area shall require a special permit under this paragraph. When determining whether to grant a special permit under this paragraph, the Planning Board shall require compliance with the following criteria, in addition to the general special permit criteria set forth in section 10.43:

Amend Section 20.811 to read as follows:

20.811 The Memorial Drive Overlay District shall be considered an area of special planning concern subject to the provisions of Article 19.000.

Amend Section 20.93.1 to read as follows:

20.93.1 The Alewife Overlay Districts shall be considered areas of special planning concern and shall be subject to the applicable development review procedures as set forth in Article 19.000 of this Zoning Ordinance..

Amend Section 20.111 to read as follows:

20.111 The Massachusetts Avenue Overlay District shall be considered an area of special planning concern and subject to the applicable requirements of Article 19.000.

Amend Section 20.204.2 to read as follows:

20.204.2 Minimum Green Area Open Space in the Prospect Street Overlay District. If such Open Space is not required under the applicable base zoning district for some or all permitted uses, a minimum of 15% Green Area Open Space shall be required. This Green Area Open Space may serve to help meet the requirement for Open Space in any applicable base zoning district provided all dimensional standards for Open Space are met. Notwithstanding the definition of Green Area Open Space in Article 2.000, Definitions, a paved expansion of three (3) feet wide or less of the adjacent public sidewalk devoted exclusively to pedestrian use, as permitted in Section 20.204.32, may serve to help meet this Green Area Open Space requirement.

Amend Section 20.208 to read as follows:

20.208 *Area of Special Planning Concern.* The Prospect Street Overlay District shall be considered an area of special planning concern and subject to the applicable requirements of Article 19.000.

For parcels that fall within both the Prospect Street Overlay District and the Central Square Overlay District, this Public Advisory Consultation shall be conducted by the Central Square Advisory Committee.

Before issuance of any special permit for development proposed within the Prospect Street Overlay District that is subject to the Public Advisory Consultation Procedure or any special permit required in this Section 20.200, and Section 19.20 - Project Review, the Planning Board shall determine that the proposal is consistent with the Prospect Street Design Guidelines.

Amend Section 20.301.1 to read as follows:

20.303.1 The Central Square Overlay District shall be considered an area of special planning concern and shall be subject to the applicable development review procedures as set forth in Article 19.000 of this Zoning Ordinance. Development proposals listed in Subsection 19.42 and 19.43, Development Consultation Procedures, shall be subject to the Development Consultation Procedures specified in Article 19.000 except that any Public Advisory Consultation shall be conducted by the Central Square Advisory Committee using procedures as specified in Subsection 20.304.1 of this Section 20.300.

Amend Section 20.304.1, Paragraph 2. to read as follows:

2. Responsibilities. The Committee shall undertake all Public Advisory Consultations and shall receive all applications for variances and special permits for activities within the Central Square Overlay District for review and comment. In addition, the Committee may comment on any preliminary proposal, for which any public agency or private interest may wish to receive advice and recommendations.
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Amend Section 20.304.1, Paragraph 3. Subparagraph a. to read as follows:

- a. Within the six (6) months preceding any application for (1) a building permit for any project subject to a Public Advisory Consultation Procedure or (2) a special permit or variance for any project within the Central Square Overlay District, the graphic and other material required in Section 19.43 - Public Advisory Consultation Procedure shall be submitted to the Central Square Advisory Committee for their review and comment.
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Amend Section 20.304.4, Paragraph 2. to read as follows:

2. Open Space. Open Space shall be provided as required in the Base Zoning District, however the Planning Board may allow, by Special Permit, the reduction of required Open Space, and permit such Open Space to be located at levels other than at grade if the applicant can demonstrate that the urban design objectives as set forth in the Central Square Overlay District can be met.
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Amend Sections 20.1100.8.2 through 20.1100.8.3.2 to read as follows:

- 8.2Staff Advisory Consultation.** In addition to the provisions of Section 19.42.1, the Staff Advisory Consultation procedure shall be required of any project that includes the rehabilitation of at least 2,000 square feet of GFA within an existing building to accommodate a new use.
- 8.3Public Advisory Consultation.** A Public Advisory Consultation shall be required for any development proposal involving the construction of a new building or new structure or an alteration of an existing building or structure that increase the gross floor area by two thousand (2,000) square feet but is not seeking a special permit.
- 8.3.1**The Public Advisory Consultation procedure shall be conducted by the Planning Board.
- 8.3.2**Before applying for a development consultation with the Planning Board, applicants for the Public Advisory Consultation Procedure shall first consult with Community Development Department staff to discuss the procedure and to receive advisory input on the proposal.