



CITY OF CAMBRIDGE

Community Development Department

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To: Yi-An Huang, City Manager

From: Iram Farooq, Assistant City Manager for Community Development
Nancy Glowa, City Solicitor

Date: February 9, 2023

Re: **Policy Order 2023 #7 – Information on Blier, et al., Zoning Petition**

This memo contains the following information requested by Policy Order 2023 #7 at the City Council meeting on January 9, 2023, regarding the Blier, et al., Zoning Petition.

- That the City Manager is hereby requested to direct the CDD and the Law Department to examine the Citizen's Petition submitted by Suzanne P. Blier, et. al on the Harvard Square Zoning Petition Modification regarding Frontage of Financial Institutions and make recommendations for any amendments that are needed.

The staff suggested revisions included in this memo are primarily intended to respond to the Planning Board Recommendations made in their December 14, 2023 memo to the City Council (attached) and to clarify the following aspects of the text that seemed ambiguous:

- There was some uncertainty in the original text about whether the limitation is meant to apply to a single establishment or to all establishments within the building. For example, could two banks each occupy 25 feet of ground story frontage in the same building? The alternative text clarifies that the limitation applies to the entire building, which would not allow multiple banks to collectively exceed the limitation.
- There was concern about banks avoiding the frontage limitation by setting back behind a narrow section of the building façade. The alternative text clarifies that any bank use within 20 feet of the exterior ground story façade would be considered to "occupy" that frontage. The concept is that if the bank use is set 20 feet back from the façade, another principal use could reasonably occupy that space.

Additionally, Council Members at the January 9, 2023 meeting requested that the petitioners work with the Harvard Square Business Association (HSBA) and other local stakeholders to develop consensus on proposed zoning revisions. The petitioners have subsequently notified CDD staff of ongoing discussions with HSBA and possible amendments to the proposal.

Original Petition Text

The following is a markup version of the Petition that compares it to the current zoning (additions are underlined, deletions in strikethrough):

“20.54.9 Frontage Restrictions. Banks, trust companies, or similar financial institutions as identified in Section 4.34e shall occupy no more than twenty-five feet (25') of the ground-floor level frontage of a building facing any a street, aggregated over one or more streets and measured horizontally parallel to ~~the that street and wall faces~~. This limitation shall apply to the sum of all ground-floor frontage to a depth of 20 feet measured from the street. ~~In addition, such uses shall not occupy more than thirty percent (30%) of a building's total horizontal ground floor building frontage aggregated over one or more streets.~~ The Planning Board may grant a special permit to allow a minor increase in the permitted frontage upon finding that such increase would create a result that is more compatible with the unique conditions of a particular building or site and that the criteria set forth in Section 20.53.2 above are met.”

Alternative Zoning Text

The text suggested by staff below would better match the intended outcomes as discussed at the Planning Board hearing.

- 20.54.9** No more than 25 feet of the ground story street frontage of a building may be occupied by banks, trust companies, or similar financial institutions. The Planning Board may grant a special permit to allow a minor increase in the permitted frontage upon finding that such increase would create a result that is more compatible with the unique conditions of a particular building or site and that the criteria set forth in Section 20.53.2 above are met.
- (a) For the purpose of this Section 20.54.9, a building's ground story street frontage shall mean the cumulative length of all exterior building façades fronting all abutting streets, measured parallel to the street lines.
 - (b) A bank, trust company, or similar financial institution shall be considered to occupy ground story street frontage if it is contained within any portion of the ground story that is within 20 feet of the exterior building façade, measured perpendicular to the street line.