

**Part 1A: Create New Definitions in Article 2.000 as set forth below, inserted in alphabetical order.**

**Retail or Consumer Service Establishment.** An establishment whose principal ~~purpose-use~~ is the commercial provision of goods, personal services, prepared food and beverage, entertainment, recreational activities, ~~and-or~~ similar services (but excluding professional or financial services) directly to consumers. Such provision of goods and consumer services shall be conducted on-site, but may be supplemented by telephone and online transactions and delivery services.

**Convenience Store.** A type of Retail or Consumer Service Establishment whose principal ~~function-use~~ is the retail sale of convenience goods directly to consumers, such as drug stores, food stores, tobacco, newspaper and magazine stores, variety stores, and liquor stores, not exceeding 5,000 square feet in total sales area (excluding storage).

**Merchandise Store.** A type of Retail or Consumer Service Establishment, not otherwise defined as a Convenience Store, Grocery Store, Cannabis Retail Store, or other use defined in this Zoning Ordinance, whose principal ~~function-use~~ is the retail sale of consumer goods on the premises and where no manufacturing, production or assembly of products occurs on the premises.

**Grocery Store.** A type of Retail or Consumer Service Establishment whose principal ~~function-use~~ is the sale of fresh or packaged food products to consumers for use off the premises, which may additionally provide general household supplies.

**Craft Retail and Production Shop.** A type of Retail or Consumer Service Establishment whose principal ~~function-use~~ is the sale of consumer goods that are manufactured, produced or assembled for sale on the premises for use by consumers off the premises (although such goods may additionally be distributed at wholesale), provided that all manufacturing, production, assembly, packaging, display, and sales activities are conducted within a building and do not occupy more than 10,000 square feet of Gross Floor Area (manufacturing or assembly uses exceeding such size or excluding retail sales shall be classified as Light Industry).

**Personal Services Establishment.** A type of Retail or Consumer Service Establishment whose principal ~~function-use~~ is to provide non-professional services directly to the consumer, including but not limited to hair, skin and nail care, tailoring, repair of shoes and other household items, electronics repair, bicycle repair, self-service or drop-off laundry (including off-site dry cleaning), printing, copying, and photographic services, mailing and shipping services, or similar services, but not including the servicing of automobiles or other activities involving the use of hazardous materials on the premises.

**Restaurant.** A type of Retail or Consumer Service Establishment whose principal ~~function-use~~ is to serve prepared food and beverages (including alcoholic beverages served with meals, if properly licensed) to be consumed on the premises using non-disposable dishware, glassware, and utensils, and providing table seating for patrons.

**Bar.** A type of Retail or Consumer Service Establishment whose principal ~~function-use~~ is to serve alcoholic beverages, but which is not licensed to prepare or serve food.

**Craft Beverage Establishment.** A type of Retail or Consumer Service Establishment whose principal ~~function-use~~ is to serve non-alcoholic or alcoholic (if properly licensed) beverages that are produced and consumed on the premises (although such beverages may additionally be

packaged and distributed at wholesale), provided that all production and packaging activities are conducted principally within a building and such activities do not occupy more than 10,000 square feet of Gross Floor Area (activities exceeding such size or excluding on-premises service shall be classified as Light Industry).

**Food Stand or Kiosk.** A type of Retail or Consumer Service Establishment located within a Food Hall or another indoor or outdoor gathering space open to the public serving prepared foods and/or beverages to be consumed immediately on or off the premises, for which the area devoted to food preparation and service is no greater than 1,250 square feet and for which any seating (if provided) is open to the general public or shared among multiple establishments.

**Food Hall.** A type of Retail or Consumer Service Establishment containing two or more Food Stands or Kiosks, in which seating, if provided, is located in a common area, and which may contain shared facilities devoted to food preparation and service which occupy a combined area no larger than 1,250 square feet times the number of individual Food Stands or Kiosks utilizing such facilities.

**Dance Hall or Nightclub.** A type of Retail or Consumer Service Establishment whose principal functionuse is to provide live or recorded music and dancing for which patrons are charged a use or membership fee or are required to make other purchases to participate.

**Theater.** A type of Retail or Consumer Service Establishment whose principal functionuse is to host live or recorded performances, lectures, or exhibitions for seated audiences, including but not limited to cinemas, performance halls, and other halls for public gatherings.

**Fitness Center.** A type of Retail or Consumer Service Establishment whose principal functionuse is to provide space and/or equipment for physical exercise by individuals or groups, which may or may not include instructor-led fitness classes, in exchange for a use or membership fee.

**Funeral Home.** A type of Retail or Consumer Service Establishment whose principal functionuse is to prepare the deceased for burial display and for rituals before burial or cremation, including but not limited to chapels, crematoriums, and showrooms for the display and sale of caskets, vaults, urns, and other items related to burial services.

**Animal Services Facility.** A type of Retail or Consumer Service Establishment whose principal functionuse is to provide services related to household pets where such animals are kept on the premises, including but not limited to veterinary care, grooming, shelter, kenneling, obedience training, pet day care, or interaction with pets housed on the premises.

**Indoor Auto Sales Facility.** A type of Retail or Consumer Service Establishment whose principal functionuse is to display new and used cars, trailers, motorcycles, or similar automotive vehicles for sale or rental, provided that all activities are conducted entirely within a building and no major repairs are made on the premises.

**Performing Arts Studio.** A room or group of rooms used by performing artists for the study, practice, or rehearsal of performing arts, including but not limited to music, dance, and theater, which may host occasional small performances by users of the space but which is not primarily intended to host performances for the general public.

**Outdoor Retail or Consumer Service Establishment.** An establishment otherwise meeting the definition of a Retail or Consumer Service Establishment but for which sales and/or services are customarily conducted partly or wholly outdoors.

**Open-Lot Retail Sales Establishment.** A type of Outdoor Retail or Consumer Service Establishment whose principal [functionuse](#) is the sale of goods directly to consumers for use off the premises where such goods are customarily displayed in an outdoor environment, including but not limited to flowers, garden supplies, agricultural produce, landscape materials, and gravestones.

**Drive-In Food Service Establishment.** A type of Outdoor Retail or Consumer Service Establishment whose principal [functionuse](#) is to provide prepared meals and beverages to customers who do not have to leave their cars during the transaction.

**Drive-In Consumer Service Establishment.** A type of Outdoor Retail or Consumer Service Establishment, other than a Drive-In Food Service Establishment, whose principal [functionuse](#) is to provide retail goods or other consumer services (including, for the purpose of this definition, banking services) to customers who do not have to leave their cars during the transaction.

**Outdoor Entertainment and Recreation Facility.** A type of Outdoor Retail or Consumer Service Establishment, not including a public park or public recreation facility, whose principal [functionuse](#) is to provide entertainment and/or recreational activities taking place partly or wholly outdoors to patrons who are charged a use, entrance, or membership fee [or required to make other purchases to participate](#) and which does not require the use of an automobile, including but not limited to neighborhood skating rinks, climbing areas, lawn or court games, playgrounds, sports fields, or similar facilities.

**Drive-In Theater.** A type of Outdoor Retail or Consumer Service Establishment whose principal [functionuse](#) is to show films or provide other forms of live or recorded entertainment to patrons who do not have to leave their cars.

**Outdoor Auto Sales Facility.** A type of Outdoor Retail or Consumer Service Establishment in which new and used cars, trailers, motorcycles, or similar automotive vehicles are displayed for sale or rental partly or wholly on an open-air lot, provided that no major repairs are made on the premises.

**Auto Service Station.** A type of Outdoor Retail or Consumer Service Establishment whose principal [functionuse](#) is to provide petroleum fuel for automobiles and other vehicles within an open or partially enclosed area and/or where inspections and services such as oil changes, tire changes, and minor repairs are conducted within a building, but where no major repairs are made.

**Auto Wash.** A type of Outdoor Retail or Consumer Service Establishment whose principal [functionuse](#) is to clean automobiles and other vehicles using mechanical equipment.

**Temporary Outdoor Retail or Consumer Service Use.** The use of an open-air lot containing another principal or accessory use (including, but not limited to, a parking lot), for the purpose of any retail and/or consumer service activities such as sales, food service, entertainment, and/or recreation, provided that:

- (a) such activities are in full compliance with federal, state and local laws, codes, and regulations, including applicable licensing and/or permitting requirements;
- (b) such activities take place during limited hours on a total of no more than 120 consecutive or non-consecutive days within a calendar year;
- (c) any temporary structures, such as tents, booths, tables, stages, or other equipment, are secured or removed during periods when not in use.

***Part 1B: Amend the Definition of “Bakery, Retail” in Article 2.000 to read as follows:***

***Bakery, Retail.*** A type of Retail or Consumer Service Establishment whose principal ~~function~~use is the sale of breads, pastries, cakes, pies and similar baked goods for consumption by the final customer at home whether or not final baking occurs on premises.

***Part 1C: Amend the Definition of “Commercial Recreation” in Article 2.000 to read as follows:***

***Commercial Recreation Establishment.*** A type of Retail or Consumer Service Establishment whose principal ~~function~~use is to provide entertainment or recreation services to the general public, wholly in an enclosed building, and for which user fees are charged and which is operated for profit, such as but not limited to a bowling alley, skating or skateboard rink, pool hall, billiard parlor, establishment containing more than three pinball machines or similar automatic amusement devices, or game room, ~~but is not a Restaurant or Bar, Dance Hall, Theater, Fitness Center, or private club with admission to facilities by limited membership only.~~

***Part 1D: Delete the Definition of “Fast Order Food” and Amend the Definition of “Fast Order Food Establishment” in Article 2.000 to read as follows:***

~~***Fast Order or Quick-Service Food Establishment.***~~ A type of Retail or Consumer Service Establishment, ~~not otherwise defined as a Restaurant or Bar, Food Stand or Kiosk, or Food Hall, whose primary function is~~ whose principal use is the service of food or beverages available upon a short waiting time and packaged and presented in such a manner that it can be readily eaten on or off the premises, but does not meet the definition of a Food Stand or Kiosk.

**Part 2: Create a new Section 4.210 following Section 4.29 to read as follows:**

**4.210 Combined Retail or Consumer Service Uses**

(a) A permitted Retail or Consumer Service Establishment may combine the functions of two or more principal uses that are permitted in the district.

(b) ~~Additional Allowed Retail and Consumer Service Uses.~~—The following ~~Retail and Consumer Service Uses~~ principal uses, if not otherwise permitted in the district, shall be permitted as additional allowed principal uses ~~at a property with~~ if combined with another permitted principal non-residential use, subject to the limitations below: provided that they occupy no more than 25% of the total Gross Floor Area of the other principal use, or that they are limited in duration to no more than 25% of the total hours of operation of the other principal non-residential use on a weekly basis. Any Retail or Consumer Service Use conforming to the limitations set forth herein shall be allowed as a principal Retail or Consumer Service Use at a property but shall be exempt from the following requirements: ~~No additional parking or loading facilities shall be required or provided for the additional Retail or Consumer Service Use (additional bicycle parking may be provided but shall not be required), and signage requirements set forth in Article 7.000 of this Zoning Ordinance shall be calculated for the property as a whole rather than individually for each component use. All Retail and Consumer Service Uses shall conform to all applicable licensing requirements and all other laws, codes, and regulations.~~

- (1) Sales. The display and sale of goods that are directly related to the operation of the other principal use at the property and are intended for sale to occupants, patrons, or visitors of the other principal use, including but not limited to supplies that are utilized in the operation of the other principal use or promotional materials for the other principal use.
- (2) Programs and Services. On-site activities including but not limited to minor repairs, instructional classes, presentations, workshops, consultations, or similar programs and services provided to occupants, patrons, or visitors of the other principal use.
- (3) Food and Beverage Service. The provision of meals, snacks, beverages, and other food products prepared on-site or off-site and intended for consumption on-site by occupants, patrons, or visitors of the other principal use.
- (4) Entertainment and Recreation. The provision of activities including but not limited to live or recorded music, video entertainment, other live performances, group games or contests, or other entertainment or recreational activities for the enjoyment of occupants, patrons, or visitors of the other principal use.

Limitations:

(i) ~~provided that they~~—The additional use may occupy no more than 25% of the total Gross Floor Area of the other principal use, or ~~that they are~~ must be limited in duration to no more than 25% of the total hours of operation of the other principal ~~non-~~ residential use on a weekly basis.

- ~~(ii) Any Retail or Consumer Service Use conforming to the limitations set forth herein shall be allowed as a principal Retail or Consumer Service Use at a property but shall be exempt from the following requirements: No additional parking or loading facilities shall be required or provided for the additional Retail or Consumer Service Use (additional bicycle parking may be provided but shall not be required), and.~~
- ~~(iii) Signage requirements set forth in Article 7.000 of this Zoning Ordinance shall be calculated for the property establishment as a whole rather than individually for each component use.~~
- ~~(iv) All Retail and Consumer Service Uses shall conform to all applicable licensing requirements and all other laws, codes, and regulations.~~

**Part 3A: Amend Sections 4.35 and 4.36 of the Table of Use Regulations to read as follows:**

	Open Space	Res A 1&2	Res B	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 <sup>1</sup>	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	
<b>4.35 Retail or Consumer Service Establishments</b>														
Retail or Consumer Service Establishment, not otherwise defined	No	No	No	No	No	SP	SP	SP	SP	SP	SP	SP	SP	
a-1. Convenience Store	No	No	SP <sup>59</sup>	SP <sup>59</sup>	Yes <sup>12</sup>	Yes	Yes	Yes <sup>10</sup>	Yes	Yes	Yes	Yes <sup>51</sup>	Yes	
a-2. Merchandise Store	No	No	No	No	Yes <sup>12</sup>	Yes	Yes	Yes <sup>10</sup>	Yes	Yes	Yes	Yes <sup>51</sup>	Yes	
a-3. Grocery Store	No	No	SP <sup>59</sup>	SP <sup>59</sup>	Yes <sup>12</sup>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
b. Craft Retail and Production Shop	No	No	No	No	Yes <sup>12</sup>	SP <sup>60</sup>	SP <sup>60</sup>	Yes <sup>10</sup>	Yes	Yes	Yes	Yes <sup>51</sup>	Yes	
c. Personal Services Establishment	No	No	SP <sup>59</sup>	SP <sup>59</sup>	Yes <sup>12</sup>	Yes	Yes	Yes <sup>10</sup>	Yes	Yes	Yes	Yes <sup>51</sup>	Yes	
d. <i>[Deleted]</i>														
e. <i>[Deleted]</i>														
f-1. Restaurant	No	No	No	No	Yes <sup>12</sup>	Yes	Yes	Yes <sup>10</sup>	Yes	Yes	Yes	Yes <sup>51</sup>	Yes	
f-2. Bar	No	No	No	No	Yes <sup>12</sup>	Yes	Yes	Yes <sup>13</sup>	Yes	SP	Yes	Yes <sup>51</sup>	Yes	
f-3. Craft Beverage Establishment	No	No	No	No	SP <sup>12</sup>	SP	SP	SP	SP	Yes	Yes	Yes	Yes	
f-4. Food Stand or Kiosk	No	No	No	No	Yes <sup>12</sup>	SP	SP	Yes	Yes	Yes	Yes	Yes	Yes	

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	Open Space	Res A 1&2	Res B	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 <sup>1</sup>	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	
f-5. Food Hall	No	No	No	No	SP <sup>12</sup>	SP	SP	Yes	Yes	Yes	Yes	Yes	Yes	
g. Dance Hall or Nightclub	No	No	No	No	Yes <sup>12</sup>	SP	SP	Yes <sup>13</sup>	Yes	SP	Yes	Yes <sup>51</sup>	Yes	
h. Theater	No <sup>11</sup>	No	No	No	Yes <sup>12</sup>	SP	SP	Yes <sup>10</sup>	Yes	SP	Yes	Yes <sup>51</sup>	Yes	
i-1. Commercial Recreation Establishment	No <sup>11</sup>	No	No	No	Yes <sup>12</sup>	SP	SP	Yes <sup>10</sup>	Yes	SP	Yes	Yes <sup>51</sup>	Yes	
i-2. Fitness Center	No	No	SP <sup>59</sup>	SP <sup>59</sup>	Yes <sup>12</sup>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
j. Funeral Home	No	No	No	No	SP	Yes	Yes	Yes <sup>10</sup>	Yes	Yes	Yes	Yes <sup>51</sup>	Yes	
k. <i>[Deleted]</i>														
l. Animal Services Facility	No	No	No	No	SP <sup>12,29</sup>	SP <sup>29</sup>	SP <sup>29</sup>	SP <sup>10,29</sup>	SP	SP	SP	Yes <sup>51</sup>	SP	
m. Indoor Auto Sales Facility	No	No	No	No	Yes <sup>12</sup>	Yes	Yes	Yes <sup>10</sup>	Yes	SP	Yes	Yes <sup>51</sup>	Yes	
n. <i>[Deleted]</i>														
o. Fast Order or Quick-Service Food Establishment	No	No	SP <sup>59</sup>	SP <sup>59</sup>	Yes <sup>12</sup>	SP	SP	Yes <sup>10</sup>	Yes	SP	SP	Yes <sup>51</sup>	Yes	
p. Deleted														
q-1. Art/Craft Studio	No	No	No	SP <sup>50</sup>	SP <sup>50</sup>	Yes	Yes	Yes	Yes	Yes	Yes	Yes <sup>51</sup>	Yes	
q-2. Performing Arts Studio	No	No	No	SP <sup>50</sup>	SP <sup>50</sup>	Yes	Yes	Yes	Yes	Yes	Yes	Yes <sup>51</sup>	Yes	
r. Bakery, Retail	No	No	No	No	Yes <sup>12</sup>	Yes	Yes	Yes <sup>10</sup>	Yes	Yes	Yes	Yes <sup>51</sup>	Yes	



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	Open Space	Res A 1&2	Res B	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 <sup>1</sup>	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	
s. Cannabis Retail Store	No	No	No	No	No	PB <sup>58</sup>	PB <sup>58</sup>	PB <sup>58</sup>	PB <sup>58</sup>	PB <sup>58</sup>	No	PB <sup>58</sup>	PB <sup>58</sup>	
<b>4.36 Outdoor Retail or Consumer Service Establishments</b>														
Outdoor Retail or Consumer Service Establishment, not otherwise defined	No <sup>11</sup>	No	No	No	No	SP	SP	SP	SP	SP	SP	SP	SP	
a. Open-Lot Retail Sales Establishment	No	No	No	No	Yes <sup>12</sup>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
b. Drive-In Food Service Establishment	No	No	No	No	No	SP	SP	No	SP	No	SP	No	SP	
c. Drive-In Consumer Service Establishment	No	No	No	No	No	No	SP	SP <sup>13</sup>	SP	SP	SP	No	SP	
d. Outdoor Entertainment and Recreation Facility	No <sup>11</sup>	No	No	No	Yes <sup>12</sup>	No	No	SP	SP	SP	SP	SP	SP	
e. Drive-In Theater	No	No	No	No	No	No	No	No	No	No	Yes	No	Yes	
f. Outdoor Auto Sales Facility	No	No	No	No	No	No	SP	No	No	No	SP	No	SP	
g. Auto Service Station	No	No	No	No	No	SP	SP	SP <sup>13</sup>	SP	No	Yes	SP	Yes	
h. Auto Wash	No	No	No	No	No	No	SP	No	No	No	SP	SP	SP	
i. <i>[Deleted]</i>														
j. Temporary Outdoor Retail or Consumer Service Use	Yes	No	No	SP <sup>61</sup>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	

**Part 3B: Amend Section 4.40, Footnotes to the Table of Use Regulations, as set forth below.**

- **Amend Footnote 10 to read as follows:**

10. In a Business B-1 or Business B-2 District, this use shall be subject to the limitations specified in Section 4.27.

- **Amend Footnote 12 to read as follows:**

12. In all Office Districts, permitted Retail or Consumer Service Establishments shall meet the following standards, which may be modified by special permit from the Board of Zoning Appeal; however, such limitations shall not apply to a cafeteria or other eating/drinking facility which is accessory to permitted uses in a building or associated group of buildings in the same ownership and which is intended primarily for employees of those uses and their guests:

- (a) Retail or Consumer Service Establishments shall be located within buildings or on lots or Development Parcels containing other permitted office and/or residential uses;
- (b) Retail or Consumer Service Establishments shall occupy no more than 25% of the total Floor Area Ratio or Gross Floor Area permitted on the lot or Development Parcel;
- (c) Retail or Consumer Service Establishments shall be located at and/or below the Ground Story with entrances accessible to pedestrians directly from public sidewalks; and
- (d) all permitted Retail or Consumer Service Establishments in Office 1 Districts shall require a special permit.

- **Delete Footnote 14 and add the following text:**

14. [Deleted]

- **Delete Footnotes 23 through 28 and add the following text:**

[Footnotes 23-28 deleted]

- **Amend Footnote 29 to read as follows:**

29. Provided that, in Business and Office Districts, all animals are kept indoors and that no noise or odors are perceptible from adjoining lots.

- **Delete Footnotes 23 through 28 and add the following text:**

*[Footnotes 30-32 deleted]*

- **Create New Footnotes 59, 60, and 61 to read as follows:**

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:
- (a) The proposed use is located within the Ground Story of a building;
  - (b) the use is proposed to occupy a space that was originally built for non-residential use and has been previously occupied by one or more non-residential uses in the past;
  - (c) the use is proposed to occupy a space that has not contained a residential use at any point within the two (2) years prior to application for a special permit;
  - (d) the special permit shall be valid only for the entity to which the special permit was issued, and shall not be transferrable to a new entity unless a new special permit is granted; and
  - (e) the special permit shall be valid for a time period of ~~five (5)~~ten (10) years after its date of issuance, subject to reissuance upon application to the Board of Zoning Appeal at the end of that period, or the Board of Zoning Appeal in its discretion may set forth a ~~different longer or shorter~~ time period in the conditions of the special permit decision based on the lease duration or other considerations.
60. A Craft Retail and Production Shop shall be permitted as-of-right in a BA, BA-1, BA-2, BA-3, or BA-4 District if it occupies no more than 2,500 square feet of Gross Floor Area, including storage areas, and does not involve the use of equipment that produces dust, fumes, odors, smoke, vapors, noise, vibration, flashing, light trespass, or glare outside of the premises.
61. No special permit is required for Temporary Outdoor Retail or Consumer Service Uses on municipal-owned land.

**Part 4: Amend Section 6.32.1, Parking Exemptions for Small Business, to read as follows:**

6.32.1 *Small Business.* The minimum amount of parking required by Subsection 6.36 Schedule of Parking and Loading Requirements shall be waived for any nonresidential use in an office, business, or industrial district if such use would require four (4) or fewer spaces, and such nonresidential use is located in a building or row of attached buildings which contains a total of ten thousand (10,000) square feet or less of gross floor area devoted to nonresidential use. Furthermore, for a new nonresidential use within a building in existence on or before October 19, 2020, no new accessory parking shall be required.

**Part 5: Create a new Subsection 10.43.1 following Section 10.43, Criteria for Special Permits, to read as follows:**

10.43.1 *Conditional Retail or Consumer Service Establishments.* Where a special permit is required for a Retail or Consumer Service Establishment listed in Section 4.35 or 4.36 of this Zoning Ordinance, the special permit granting authority shall consider the following factors when evaluating the criteria in Section 10.43:

- (a) Anticipated delivery and loading operations, their potential impacts on neighboring uses and the overall neighborhood, and the extent to which those impacts are mitigated;
- (b) The extent to which neighboring uses would be impacted by environmental nuisance such as dust, fumes, odors, smoke, vapors, noise, vibration, flashing, light trespass, or glare, and the extent to which those impacts are mitigated;
- (c) The extent to which storefronts and other elements of the façade visible to the public are compatible with the visual character of the surrounding area and conform to the City's urban design objectives for retail uses in the area; and
- (d) ~~The extent to which the establishment serves a public objective identified in Where citywide or neighborhood plans have been published by the City that identify types of retail uses that are preferred or desirable in the area, such plans may be considered in support of such identified uses where they are proposed would offset potential adverse impacts.~~

**Supplement to Proposed Retail Zoning Amendments**

Overview: The proposed zoning amendments, which include definitions of Retail or Consumer Service Establishments in Article 2.000 and amendments to the Table of Use Regulations in Section 4.30, result in the need to amend other sections of the Zoning Ordinance that may contain outdated references to those Definitions or Sections. While any zoning amendment can have unintended outcomes, the changes suggested in this document are intended to maintain consistency within the language of the Zoning Ordinance and minimize potential substantive changes.

**i. In Article 3.000 Zoning Districts, amend Section 3.11 to read as follows:**

Explanatory note not to be included in zoning text: The amendments below delete “Business C-1” and “Industry C” districts, which are no longer included on the Cambridge Zoning Map, and add “Business C” which appears to have been inadvertently excluded. It also revises inaccuracies in the numbering of districts.

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.	Residence B District .....	Two family or semi-detached dwellings
5.	Residence C District .....	Multifamily dwellings
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

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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 C District .....	General business, professional offices, multifamily dwellings.
25.	Business B-1 District* .....	General business, business and professional offices, and multifamily dwellings
26.	Business B-2 District* .....	General business, business and professional offices and multifamily dwellings
27.	Business B District .....	General business
28.	Industry B-2 District .....	Office, warehouse and light manufacturing

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29.	Industry A-1 District .....	Limited impact business and industry
30.	Industry B-1 District .....	Heavy manufacturing, warehouses, and offices
31.	Industry A-2 District .....	Limited impact business and industry
32.	Industry A District .....	Warehouse, storage and light manufacturing
33.	Special Business, Office and Industrial District 1 .....	Various Uses governed by the requirements of Article 17.000
34.	Special Business, Office and Industrial District 2 .....	Various Uses governed by the requirements of Article 17.000
35.	Special Business, Office and Industrial District 3 .....	Various Uses governed by the requirements of Article 17.000
36.	Special Business, Office and Industrial District 4 and 4A .....	Various Uses governed by the requirements of Article 17.000
37.	Special Business, Office and Industrial District 5 .....	Various Uses governed by the requirements of Article 17.000
38.	Special Business, Office and Industrial District 6 .....	Various Uses governed by the requirements of Article 17.000
39.	Special Business, Office and Industrial District 7 .....	Various Uses governed by the requirements of Article 17.000
40.	Special Business, Office and Industrial District 8 .....	Various Uses governed by the requirements of Article 17.000
41.	Special Business, Office and Industrial District 8A .....	Various Uses governed by the requirements of Article 17.000
42.	Special Business, Office and Industrial District 9 .....	Various Uses governed by the requirements of Article 17.000
43.	Special Business, Office and Industrial District 10(F) .....	Various Uses governed by the requirements of Article 17.000
44.	Special Business, Office and Industrial District 10(H) .....	Various Uses governed by the requirements of Article 17.000
45.	Special Business, Office and Industrial District 11 .....	Various Uses governed by the requirements of Article 17.000
46.	Special Business, Office and Industrial District 12 .....	Various Uses governed by the requirements of Article 17.000
47.	Special Business, Office and Industrial District 13 .....	Various Uses governed by the requirements of Article 17.000
48.	Special Business, Office and Industrial District 14 .....	Various Uses governed by the requirements of Article 17.000

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49.	Special Business, Office and Industrial District 15 .....	Various Uses governed by the requirements of Article 17.000
50.	Mixed Use Development (MXD) District: Kendall Center .....	Various uses governed by the requirements of Article 14.000
51.	Cambridgeport Revitalization Development District .....	Various uses governed by the requirements of Article 15.000
52.	North Point Residence, Office and Business District .....	Various uses governed by the requirements of Article 16.000
53.	Industry B District .....	Heavy Industry

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

- ii. In Article 4.000, amend the header row of Section 4.30 Table of Use Regulations by deleting the text “Bus. C, C-1” and replacing with “Bus. C”, and delete the rightmost column from the table with the heading “Ind. C”.**

Explanatory note not to be included in zoning text: As indicated above, the “Business C-1” and “Industry C” districts are no longer found on the Cambridge Zoning Map.



**iii. In Article 6.000, amend Sections 6.36.5 and 6.36.6 of the Schedule of Parking and Loading Requirements to read as follows:**

Explanatory note not to be included in zoning text: The amendments below mirror the proposed changes to the Table of Use Regulations in Section 4.30. Where these changes result in the need to create new parking, loading, and bicycle parking requirements, or to amend existing requirements, the proposed requirements are intended (a) to be consistent among uses that have similar trip-generation patterns, and (b) to use Gross Floor Area as a standard rather than occupancy or other standards that are difficult to apply through zoning.

Land Use Category		Open Space, Res A-1, A-2, Res B	Res C, C-1, C-1A, Off 1, Bus A (Comm), Bus A-1, A-2, Bus A-3 <sup>14</sup> , A-4, Ind A-1, Ind B-2, Ind C	Bus. C, C-1, Ind A, Off 2, 2A, Res C-2, C-2A, Res C-2B, Bus A (res)	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)
<b>6.36.5</b>	<b>Retail Business and Consumer Service Establishments</b>  Retail Business and Consumer Service Establishment, not otherwise defined	n/a	1 per 500 sq. ft. <sup>6</sup> 1 per 250 sq. ft. <sup>6</sup>	1 per 700 sq. ft. <sup>6</sup> 1 per 500 sq. ft. <sup>6</sup>	1 per 900 sq. ft. <sup>6</sup> 1 per 600 sq. ft. <sup>6</sup>	B <sup>6</sup>	N4 <sup>6</sup>	N2 <sup>6</sup>
a-1.	Convenience Store	n/a	1 per 1000 sq. ft. 1 per 500 sq. ft.	1 per 1400 sq. ft. 1 per 700 sq. ft.	1 per 1800 sq. ft. 1 per 1200 sq. ft.	B	N4	N1
a-2.	Merchandise Store	n/a	1 per 500 sq. ft. 1 per 250 sq. ft.	1 per 700 sq. ft. 1 per 500 sq. ft.	1 per 900 sq. ft. 1 per 600 sq. ft.	B	N4	N2

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Land Use Category		Open Space, Res A-1, A-2, Res B	Res C, C-1, C-1A, Off 1, Bus A (Comm), Bus A-1, A-2, Bus A-3 <sup>14</sup> , A-4, Ind A-1, Ind B-2, Ind C	Bus. C, C-1, Ind A, Off 2, 2A, Res C-2, C-2A, Res C-2B, Bus A (res)	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)
a-3.	Grocery Store	n/a	1 per 1000 sq. ft. 1 per 500 sq. ft.	1 per 1400 sq. ft. 1 per 700 sq. ft.	1 per 1800 sq. ft. 1 per 1200 sq. ft.	B	N4	N1
b.	Craft Retail and Production Shop	n/a	1 per 800 sq. ft.	1 per 1200 sq. ft.	1 per 1600 sq. ft.	A	N5	N5
c.	Personal Services Establishment	n/a	1 per 1000 sq. ft. 1 per 500 sq. ft.	1 per 1400 sq. ft. 1 per 700 sq. ft.	1 per 1800 sq. ft. 1 per 1200 sq. ft.	D	N4	N2
d.	Reserved							
e.	Reserved							
f-1.	Restaurant	n/a	1 per 400 sq. ft. <sup>9</sup> 1 per 200 sq. ft.	1 per 800 sq. ft. <sup>9</sup> 1 per 400 sq. ft.	1 per 1200 sq. ft. <sup>9</sup> 1 per 600 sq. ft.	C	N3	N1
f-2.	Bar	n/a	1 per 400 sq. ft. <sup>9</sup> 1 per 200 sq. ft.	1 per 800 sq. ft. <sup>9</sup> 1 per 400 sq. ft.	1 per 1200 sq. ft. <sup>9</sup> 1 per 600 sq. ft.	C	N3	N1

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Land Use Category		Open Space, Res A-1, A-2, Res B	Res C, C-1, C-1A, Off 1, Bus A (Comm), Bus A-1, A-2, Bus A-3 <sup>14</sup> , A-4, Ind A-1, Ind B-2, Ind C	Bus. C, C-1, Ind A, Off 2, 2A, Res C-2, C-2A, Res C-2B, Bus A (res)	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)
f-3.	Craft Beverage Establishment	n/a	1 per 400 sq. ft. <sup>9</sup> 1 per 200 sq. ft.	1 per 800 sq. ft. <sup>9</sup> 1 per 400 sq. ft.	1 per 1200 sq. ft. <sup>9</sup> 1 per 600 sq. ft.	C	N3	N1
f-4.	Food Stand or Kiosk	n/a	1 per 400 sq. ft. <sup>9</sup> 1 per 200 sq. ft.	1 per 800 sq. ft. <sup>9</sup> 1 per 400 sq. ft.	1 per 1200 sq. ft. <sup>9</sup> 1 per 600 sq. ft.	C	N3	N1
f-5.	Food Hall	n/a	1 per 400 sq. ft. <sup>9</sup> 1 per 200 sq. ft.	1 per 800 sq. ft. <sup>9</sup> 1 per 400 sq. ft.	1 per 1200 sq. ft. <sup>9</sup> 1 per 600 sq. ft.	C	N3	N1
g.	Dance Hall or Nightclub	n/a	1 per 400 sq. ft. 1 per 200 sq. ft.	1 per 800 sq. ft. 1 per 400 sq. ft.	1 per 1200 sq. ft. 1 per 600 sq. ft.	C	N3	N1
h.	Theater	n/a	1 per 400 sq. ft. 1 per 200 sq. ft.	1 per 800 sq. ft. 1 per 400 sq. ft.	1 per 1200 sq. ft. 1 per 600 sq. ft.	F	N5	N1
i-1.	Commercial Recreation Establishment	n/a	1 per 400 sq. ft. 1 per 200 sq. ft.	1 per 800 sq. ft. 1 per 400 sq. ft.	1 per 1200 sq. ft. 1 per 600 sq. ft.	F	N4	N1
i-2.	Fitness Center	n/a	1 per 400 sq. ft. 1 per 200 sq. ft.	1 per 800 sq. ft. 1 per 400 sq. ft.	1 per 1200 sq. ft. 1 per 600 sq. ft.	F	N4	N1

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Land Use Category		Open Space, Res A-1, A-2, Res B	Res C, C-1, C-1A, Off 1, Bus A (Comm), Bus A-1, A-2, Bus A-3 <sup>14</sup> , A-4, Ind A-1, Ind B-2, Ind C	Bus. C, C-1, Ind A, Off 2, 2A, Res C-2, C-2A, Res C-2B, Bus A (res)	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)
j.	Funeral Home	n/a	4 per chapel, parlor or reposing room	4 per chapel, parlor or reposing room	4 per chapel, parlor or reposing room	F	N4	N2
k.	Reserved							
l.	Animal Services Facility		1 per 300 sq. ft. 1 per 150 sq. ft.	1 per 400 sq. ft. 1 per 200 sq. ft.	1 per 500 sq. ft. 1 per 330 sq. ft.	F	N3	N3
m.	Sales place for new and used cars, vehicle rental agencies	n/a	1 per 1000 sq. ft. 1 per 500 sq. ft.	1 per 1400 sq. ft. 1 per 700 sq. ft.	1 per 1800 sq. ft. 1 per 1200 sq. ft.	C	N5	N5
n.	Reserved							
o.	Fast Order Food Establishment	n/a	1 per 400 sq. ft. <sup>9</sup> 1 per 200 sq. ft.	1 per 800 sq. ft. <sup>9</sup> 1 per 400 sq. ft.	1 per 1200 sq. ft. <sup>9</sup> 1 per 600 sq. ft.	C	N3	N1

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Land Use Category		Open Space, Res A-1, A-2, Res B	Res C, C-1, C-1A, Off 1, Bus A (Comm), Bus A-1, A-2, Bus A-3 <sup>14</sup> , A-4, Ind A-1, Ind B-2, Ind C	Bus. C, C-1, Ind A, Off 2, 2A, Res C-2, C-2A, Res C-2B, Bus A (res)	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)
q-1.	Art/Craft Studio <sup>13</sup>	n/a	1 per 1000 sq. ft.	1 per 1000 sq. ft.	1 per 1000 sq. ft.	n/a	N1	N5
q-2.	Performing Arts Studio <sup>13</sup>	n/a	1 per 1000 sq. ft.	1 per 1000 sq. ft.	1 per 1000 sq. ft.	n/a	N1	N5
r.	Bakery, Retail	n/a	1 per 1000 sq. ft. 1 per 500 sq. ft.	1 per 1400 sq. ft. 1 per 700 sq. ft.	1 per 1800 sq. ft. 1 per 1200 sq. ft.	B	N4	N1
s.	Cannabis Retail Store	n/a	1 per 1000 sq. ft. 1 per 500 sq. ft.	1 per 1400 sq. ft. 1 per 700 sq. ft.	1 per 1800 sq. ft. 1 per 1200 sq. ft.	B	N4	N2
6.36.6	<b>Outdoor Retail or Consumer Service Establishments</b>	n/a	1 per 330 sq. ft. <sup>6</sup> 1 per 170 sq. ft. <sup>6</sup>	1 per 450 sq. ft. <sup>6</sup> 1 per 230 sq. ft. <sup>6</sup>	1 per 600 sq. ft. <sup>6</sup> 1 per 400 sq. ft. <sup>6</sup>	D <sup>6</sup>	N4 <sup>6,15</sup>	N2 <sup>6,15</sup>
	Outdoor Retail or Consumer Service Establishment, not otherwise defined							
a.	Open-Lot Retail Sales Establishment	n/a	1 per 330 sq. ft. 1 per 170 sq. ft.	1 per 450 sq. ft. 1 per 230 sq. ft.	1 per 600 sq. ft. 1 per 400 sq. ft.	D	N4 <sup>15</sup>	N2 <sup>15</sup>

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Land Use Category		Open Space, Res A-1, A-2, Res B	Res C, C-1, C-1A, Off 1, Bus A (Comm), Bus A-1, A-2, Bus A-3 <sup>14</sup> , A-4, Ind A-1, Ind B-2, Ind C	Bus. C, C-1, Ind A, Off 2, 2A, Res C-2, C-2A, Res C-2B, Bus A (res)	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)
b.	Drive-In Food Service Establishment	n/a	n/a <sup>6</sup>	n/a <sup>6</sup>	n/a <sup>6</sup>	C	N3 <sup>15</sup>	N1 <sup>15</sup>
c.	Drive-In Consumer Service Establishment	n/a	n/a <sup>6,10</sup>	n/a <sup>6,10</sup>	n/a <sup>6,10</sup>	D	N1 <sup>15</sup>	N5 <sup>15</sup>
d.	Outdoor Entertainment and Recreation Facility	n/a	n/a <sup>6</sup>	n/a <sup>6</sup>	n/a <sup>6</sup>	n/a	N4 <sup>15</sup>	N1 <sup>15</sup>
e.	Drive-In Theater	n/a	n/a	1 per 2000 sq. ft. of lot area	1 per 2000 sq. ft. of lot area	n/a	N4 <sup>15</sup>	N1 <sup>15</sup>
f.	Outdoor Auto Sales Facility	n/a	1 per 1000 sq. ft. of sales area	1 per 1400 sq. ft. of sales area	1 per 1800 sq. ft. of sales area	C	N5 <sup>15</sup>	N5 <sup>15</sup>
g.	Auto Service Station	n/a	2 spaces per bay but not less than 1 space <sup>10</sup>	2 spaces per bay but not less than 1 space <sup>10</sup>	2 spaces per bay but not less than 1 space <sup>10</sup>	D	N5 <sup>15</sup>	N5 <sup>15</sup>
h.	Auto Wash	n/a	n/a <sup>6,10</sup>	n/a <sup>6,10</sup>	n/a <sup>6,10</sup>	D	N5 <sup>15</sup>	N5 <sup>15</sup>
i.	Reserved							

Land Use Category		Open Space, Res A-1, A-2, Res B	Res C, C-1, C-1A, Off 1, Bus A (Comm), Bus A-1, A-2, Bus A-3 <sup>14</sup> , A-4, Ind A-1, Ind B-2, Ind C	Bus. C, C-1, Ind A, Off 2, 2A, Res C-2, C-2A, Res C-2B, Bus A (res)	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)
j.	Temporary Outdoor Retail or Consumer Service Use	No max. or min.	No max. or min.	No max. or min.	No max. or min.	No max. or min.	No max. or min.	No max. or min.

**iv. In Article 6.000, amend the Parking Table Footnotes that follow the Schedule of Parking and Loading Requirements in Section 6.36 to read as follows:**

Parking Table Footnotes

1. Required parking may be reduced if a special permit is granted by the Board of Appeals upon determination that the criteria of Subsection 6.35 will be satisfied.
2. See also Section 11.16.
3. Special permit granting authority may require visitor spaces in excess of the minimum requirement.
4. The requirement for elderly oriented housing may be reduced below the requirement specified in the table but not below one space per four dwelling units.
5. Additional parking spaces shall be provided for public restaurants in excess of two thousand (2000) square feet for a hotel or motel containing up to one hundred (100) rooms, in excess of five thousand (5000) square feet for one containing between one hundred and one (101) rooms and two hundred and fifty (250) rooms, and eight thousand (8,000) square feet in one containing more than two hundred and fifty (250) rooms. The number of such spaces shall equal fifty (50) percent of the requirement for such uses specified in Subsection 6.36.5. Additional parking spaces shall also be provided for function rooms in an amount equal to one space per three hundred (300) square feet of floor area contained in such rooms.
6. The minimum and maximum amount of parking, loading, and bicycle parking required for a use requiring a special permit may be established at the discretion of the special permit granting authority. In making its determination of required parking, the Board shall consider the size of the staff customarily occupying the premises, the nature of the client, resident, or customer population and the extent to which additional off street parking will be detrimental to the physical character of the neighborhood.

7. The required number of spaces shall be reduced by not more than fifty (50) percent if the place of worship is located within five hundred (500) feet of any public parking facility or any other parking facility where an equivalent number of spaces are available without charge during the time of services.
8. The requirement for areas devoted to fabrication shall be based on the parking requirement for the applicable industrial use category listed in Subsection 6.36.7 or 6.36.8.
9. This requirement shall not apply to accessory employee cafeterias.
10. A queue line for five (5) cars shall be provided for each window, bay, or other service providing unit. Such unit shall not block any parking spaces and shall be in addition to other applicable requirements.
11. A queue line for three (3) cars or comparable loading or live parking area shall also be provided for dropping off and picking up students.
12. *[Deleted]*
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.
14. No accessory parking or loading shall be required for any permitted nonresidential use in Business A-3 district.
15. Also see Subsection 6.107.4 regarding bicycle parking for Open-Air Uses.



Explanatory note not to be included in zoning text: The remaining amendments are intended to update terminology and references used through the Zoning Ordinance to avoid inconsistency with the proposed new Definitions of Retail or Consumer Service Establishments and Outdoor Retail or Consumer Service Establishments, as well as references to Sections 4.35 and 4.36 of the Table of Use Regulations.

**v. In Article 2.000, amend the Definition of “Incentive Project” to read as follows:**

**Incentive Project.** Any new development that consists of at least thirty thousand (30,000) square feet of Gross Floor Area devoted to one or more of the following uses listed in Section 4.30 of the Zoning Ordinance: Sections 4.31 i-2 (Hotel or motel), 4.32 f (Radio and television studio), 4.33 b-5 (College or University not exempt by statute, specifically including those uses and facilities listed in Subsection 4.56 c-4, c-5, and c-6), 4.33 c (Noncommercial Research Facility), 4.33 d (Health Care Facilities), 4.33 e (Social Service Facilities), 4.34 (Office and Laboratory Use), 4.35 (Retail or Consumer Service Establishments), 4.36 (Outdoor Retail or Consumer Service Establishments), 4.37 (Light Industry, Wholesale Business and Storage), and 4.38 (Heavy Industry). For the purpose of this definition, new development shall mean (1) construction of new buildings or additions to existing buildings to accommodate uses in the above list, (2) substantial rehabilitation of buildings to accommodate uses in the above list for which the buildings were not originally used, or (3) Gross Floor Area whose use is changed from a use not included in the above list to a use included in the above list. In no case shall Gross Floor Area devoted to a Municipal Service Facility or Other Government Facility be considered an Incentive Project.

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**vi. In Article 4.000, amend Paragraph o. “Beekeeping” in Section 4.21 “Accessory Uses” to read as follows:**

- o. Beekeeping, conducted in conformance with the Standards for Urban Agriculture set forth in Article 23.000 of this Zoning Ordinance and all other applicable laws, rules and regulations, shall be considered an allowed accessory use when conducted on the lot or and in conjunction with one of the following principal uses: residential (all uses listed in Section 4.31, including transient accommodations), institutional (all uses listed in Section 4.33), office and laboratory (all uses listed in Section 4.34), Convenience Store (Section 4.35.a-1), Merchandise Store (Section 4.35 a-2), Grocery Store (4.35 a-3), Craft Retail and Production Shop (Section 4.35 b), and light industry (all uses listed in Section 4.37).

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**vii. In Article 11.000, amend Section 11.30 to read as follows:**

11.30 - FAST ORDER OR QUICK-SERVICE FOOD ESTABLISHMENTS

11.31 In considering applications for Special Permits for Fast Order or Quick-Service Food Establishments and Drive-In Food Service Establishments, the Board of Zoning Appeal shall find, in addition to the other criteria specified in Section 10.40, that the following requirements are met:

- (a) The operation of the establishment shall not:

- (1) Create traffic problems,
  - (2) Reduce available parking,
  - (3) Threaten the public safety in the streets and sidewalks, or
  - (4) Encourage or produce double parking on the adjacent public street(s),
- (b) The physical design, including color and use of materials, of the establishment shall be compatible with and sensitive to the visual and physical characteristics of other buildings, public spaces and uses in the particular location;
  - (c) The establishment fulfills a need for such a service in the neighborhood or in the city;
  - (d) The establishment will attract patrons primarily from walk in trade as opposed to drive in or automobile related trade; however, should the Board specifically find that the district or area within which the establishment is proposed to be located does not have significant pedestrian traffic, this requirement need not be met.
  - (e) The establishment shall, to the greatest extent feasible, utilize biodegradable materials in packaging the food and in the utensils and other items provided for consumption thereof;
  - (f) The establishment shall provide convenient, suitable and well marked waste receptacles to encourage patrons properly to dispose of all packaging materials, utensils and other items provided with the sale of food; and
  - (g) The establishment complies with all state and local requirements applicable to ingress, egress, and use of all facilities on the premises for handicapped and disabled persons.

11.32 Establishments seeking to relocate their operations inside the boundary line of the zoning district in which the establishment is located shall not be required to obtain a special permit if both of the following conditions will be met.

11.32.1 The new site shall be within five hundred (500) feet of the original site of the establishment.

11.32.2 There will be no increase in the gross floor area of the establishment at the new site.

11.33 A Special Permit issued for a Fast Order or Quick-Service Food Establishment hereunder may be utilized only by the owner or operator of such establishment as described in the application documents or as those documents may be modified by the conditions of the Special Permit as granted.

In granting a Special Permit under this Section 11.30 the Board shall specifically detail in its decision the types of foods for which the Permit is granted and shall also identify those other aspects of the establishment as outlined in the application documents for which alterations will require the issuance of a new Special Permit. ***In Article 13.000, amend Section 13.12.4 (PUD-KS District Development Controls) to read as follows:***

13.12.4 Retail or Consumer Service Establishments. The following retail uses shall be permitted, provided that the total amount of retail GFA in the District does not exceed 70,000 square feet and no individual establishment exceeds ten thousand (10,000) square feet of Gross Floor Area unless the Planning Board determines in writing that more retail GFA and establishments of a greater size better serve the residents within

the PUD district and in adjacent districts and better advance the policies set forth in the Eastern Cambridge Plan and the Eastern Cambridge Design Guidelines.

- (1) Merchandise Store for the sale of stationery and office supplies.
- (2) *[Deleted]*
- (3) Other Merchandise Store located in a structure primarily containing non-retail use provided no manufacturing, assembly or packaging occur on the premises.
- (4) Personal Services Establishments.
- (5) Restaurants or other eating and drinking establishments listed in Subsection 4.35 f-1, f-2, f-3, f-4, f-5, and g.
- (6) Theaters.

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**viii. In Article 13.000, amend Section 13.32.4 (PUD-2 District Development Controls) to read as follows:**

13.32.4 Retail or Consumer Service Establishments.

- (1) Convenience Store or Merchandise Store located in a structure primarily containing non-retail uses, provided that no such establishment shall exceed two thousand five hundred (2500) square feet gross floor area and that no manufacturing, assembly or packaging occur on the premises.
- (2) Personal Services Establishments.
- (3) Restaurants or other eating and drinking establishments listed in Subsections 4.35 f-1, f-2, f-3, f-4, f-5, and g.
- (4) Theaters.

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**ix. In Article 13.000, amend Section 13.42.4 (PUD-3 and PUD-3A District Development Controls) to read as follows:**

13.42.4 Retail or Consumer Service Establishments.

- (1) Merchandise Store for the sale of stationery and office supplies.
- (2) *[Deleted]*
- (3) Other Convenience Store, Merchandise Store, or Grocery Store located in a structure primarily containing nonretail use, provided that no such establishment shall exceed two thousand, five hundred (2,500) square feet gross floor area (except in a PUD-3A district, where such establishments shall not exceed 12,000 gross square feet), and that no manufacturing, assembly or packaging occur on the premises.
- (4) Personal Services Establishment.

- (5) Restaurants or other eating and drinking establishments listed in Subsection 4.35 f-1, f-2, f-3, f-4, f-5, and g.
- (6) Theaters, including Performing Arts Centers as hereinafter defined.
- (7) Commercial Recreation Establishments.

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***x. In Article 13.000, amend Sections 13.52.4 and 13.52.5 (PUD-4, PUD-4A, PUD-4B and PUD-4C District Development Controls) to read as follows:***

- 13.52.4 Retail or Consumer Service Establishments. All uses listed in Section 4.35.
- 13.52.5 Outdoor Retail or Consumer Service Establishments.
  - (1) Open-Lot Retail Sales Establishment;
  - (2) Outdoor Entertainment and Recreation Facility;
  - (3) Auto Service Station located within or attached to a parking garage or other structure as accessory use.

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***xi. In Article 13.000, amend Sections 13.82.5 and 13.82.6 (PUD-5 District Development Controls) to read as follows:***

- 13.82.5 Retail or Consumer Service Establishments. All uses listed in Section 4.35.
- 13.82.6 Outdoor Retail or Consumer Service Establishments. All uses listed in Sections 4.36a. (Open-Lot Retail Sales Establishment) and 4.36f. (Outdoor Entertainment and Recreation Facility), but not including 4.36e. (Drive-In Theater).

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***xii. In Article 13.000, amend Sections 13.92.4 and 13.92.5 (PUD-5 District Development Controls) to read as follows:***

- 13.92.4 Retail or Consumer Service Establishments. All uses listed in Section 4.35 with the exception of j. (Funeral Home).
- 13.92.5 Outdoor Retail or Consumer Service Establishments. Uses listed in Sections 4.36 a. (Open-Lot Retail Sales Establishment) and 4.36 f. (Outdoor Entertainment and Recreation Facility), but not including 4.36e. (Drive-In Theater).

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***xiii. In Article 13.000, amend Section 13.103 (PUD-8 District Development Controls) to read as follows:***

- 13.103 ***Uses Allowed in a PUD-8 District*** . The uses listed in this Section 13.103, alone or in combination with each other, shall be allowed, provided that the amount and extent of uses may be further regulated and limited as set forth elsewhere in this Section 13.100, including, without limitation, Section 13.107. This Section 13.103 shall refer to uses as they are listed in Article 4.000 and otherwise defined in this Zoning

Ordinance as of the effective date of the enactment of this Section 13.100. For the avoidance of doubt, the Planning Board shall be the sole permit granting authority with respect to determining uses allowed under this Zoning Ordinance in the PUD-8 District.

- (a) Residential Uses. All uses listed in Section 4.31 a-h, and i.2.
- (b) Transportation, Communication and Utility Uses. All uses listed in Section 4.32, which are allowed or conditionally allowed in the base zoning district.
- (c) Institutional Uses. All uses listed in Section 4.33, which are allowed or conditionally allowed in the applicable base zoning district.
- (d) Office and Laboratory Uses. All uses listed in Section 4.34.
- (e) Retail or Consumer Service Establishments. All uses listed in Section 4.35.
- (f) Outdoor Retail or Consumer Service Establishments.
  - i. Open-Lot Retail Sales Establishment;
  - ii. Outdoor Entertainment and Recreation Facility.
- (g) Light Industry, Wholesale Business and Storage. All uses listed in Section 4.37.
- (h) Other Uses. Any use not listed in subsections 13.103(a) through 13.103(g) above, otherwise allowed in a Business A District, may be allowed by the Planning Board upon written determination by the Board that such use is consistent with the objectives of the PUD-8 District and is consistent with the predominant uses in the PUD-8 District.

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**xiv. In Article 14.000, amend Sections 14.21.3 and 14.21.5 (MXD District Development Controls) to read as follows:**

14.21.3 Retail and Consumer Service Establishments

- (1) Store for retail sale of merchandise, including Convenience Store, Merchandise Store, and Grocery Store, but not an Indoor Auto Sales Facility except for auto rentals as provided below.
- (2) Eating and/or drinking establishment, whether or not liquor is sold or consumed, including Restaurant, Bar, Craft Beverage Establishment, Food Stand or Kiosk, Food Hall, and food commissary.
- (3) Fast Order or Quick-Service Food Establishment only if (i) it is not located in a separate structure, (ii) it does not exceed three thousand (3,000) square feet of gross floor area, (iii) there will be no more than fifteen (15) such establishments within the District (a maximum of eight (8) of which shall be located in the Ames Street District and a maximum of seven (7) of which shall be located in the portions of the District outside of the Ames Street District) and (iv) it is granted a Special Permit, as provided in Section 10.40 and 11.30.
- (4) Personal Services Establishment.
- (5) Rental agency for autos or other products, but not including taxi companies. Such agencies shall be operated entirely within a building and no major automobile repairs shall be made on the premises.

- (6) Auto Service Station, provided that it is located within or attached to a parking garage or other structure as an accessory use.

[...]

14.21.5 Entertainment and Recreational Uses.

- (1) Dance Hall or Nightclub.
- (2) Commercial Recreation Establishment, Fitness Center, or Outdoor Entertainment and Recreation Facility. Such recreation facilities shall be allowed only if they are located in or attached to structures containing other principal uses.
- (3) Theater.
- (4) Park or playground

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**xv. In Article 15.000, amend Sections 15.21.3 and 15.21.5 (CRDD District Development Controls) to read as follows:**

15.21.3 Retail and Consumer Service Establishments.

- (1) Convenience Store, Merchandise Store, or Grocery Store.
- (2) Eating and/or drinking establishment, whether or not liquor is sold or consumed, including Restaurant, Bar, Craft Beverage Establishment and food commissary.
- (3) Fast Order or Quick-Service Food Establishment subject to the Special Permit requirements of Section 11.30, unless such use is enclosed in a structure principally containing other uses and is a Food Stand or Kiosk or Food Hall.
- (4) Personal Services Establishment.
- (5) Rental agency for autos or other products, but not including taxi companies. Such agencies shall be operated entirely within a building and no major automobile repairs shall be made on the premises.
- (6) Auto Service Stations.

[...]

15.21.5 Entertainment and Recreational Uses.

- (1) Dance Hall or Nightclub.
- (2) Commercial Recreation Establishment, Fitness Center, or Outdoor Entertainment and Recreation Facility. Such recreation facilities shall be allowed only if they are located in or attached to structures containing other principal uses.
- (3) Theater.
- (4) Park or playground.

**xvi. In Article 16.000, amend Section 16.21.3 (NP District Development Controls) to read as follows:**

16.21.3 Retail or Consumer Service Establishments (Section 4.35). The following uses shall be permitted provided they are located on the first floor of the structure, front on a public way, and occupy no more than 10 (10) percent of the total Gross Floor Area of the structure in which they are located, excluding from that calculation any Gross Floor Area devoted to parking facilities located in the structure.

- (1) Convenience Store, Merchandise Store, or Grocery Store (Sections 4.35 a-1, a-2, and a-3).
- (2) Eating and /or drinking establishment, whether or not liquor is sold or consumed, including Restaurant, Bar, Craft Beverage Establishment, Food Stand or Kiosk, Food Hall, and food commissary (Sections 4.35 f-1, f-2, f-3, f-4, f-5, g).
- (3) Fast Order or Quick-Service Food Establishment subject to the Special Permit requirements of Section 11.30 (Section 4.35.o).
- (4) Personal Services Establishment (Section 4.35 c, and similar establishments).
- (5) Bank, trust company or similar financial institution located on the first floor (Section 4.34.e).

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**xvii. In Article 17.000, amend Section 17.12 (SD-1 Development Controls) to read as follows:**

17.12 *Permitted Uses* . Uses permitted in the Industry A-1 District shall be equally allowed in the Special District 1 with the exception of the following:

- (1) The following uses shall be permitted by special permit from the Board of Zoning Appeal:
  - a. Hotel and Motel Uses, Section 4.31 i (2)
  - b. Auto Wash, Section 4.36 h.
- (2) The following uses shall be prohibited:

Parking lot or parking garage for private passenger cars, Section 4.32 b.

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**xviii. In Article 17.000, amend Section 17.23.21 (SD-2 Development Controls) to read as follows:**

17.23.21 The following nonresidential uses, not otherwise permitted in a Residence B District, shall be permitted as of right in this Special District 2 provided the conditions set forth in Section 17.23.22 are met. Nevertheless, for purposes of the Zoning Ordinance, Special District 2 shall be considered a residential district.

- (a) Section 4.34 - Office and Laboratory Use, Paragraph a (medical professional), Paragraph b (nonmedical professional), Paragraph c (agency office), Paragraph d (general office).
- (b) Section 4.35 - Retail or Consumer Service Establishments, Paragraph q-1 (Art/Craft Studio) and q-2 (Performing Arts Studio).

(c) Section 4.36 - Outdoor Retail or Consumer Service Establishments, Paragraph a (Open-Lot Retail Sales Establishment).

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**xix. In Article 17.000, amend Section 17.32.2 (SD-3 Development Controls) to read as follows:**

17.32.2 Permitted Nonresidential Uses.

Section 4.34 - Office and Laboratory Use, Paragraphs a-f

Section 4.33 - Institutional Uses, all uses.

Section 4.35 - Retail or Consumer Service Establishments, Paragraph a, c, f-1, q-1, q-2, and r provided that no individual retail establishments exceeds one thousand and two hundred (1,200) square feet in gross floor area, except that a single retail establishment containing a grocery store or supermarket may total no more than fifty-five thousand (55,000) square feet provided that nothing in this section alters any other limitations as set forth in this district.

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**xx. In Article 17.000, amend Section 17.52 (SD-5 Development Controls) to read as follows:**

17.52 *Permitted Uses* . Uses permitted in the Office 2 District shall be equally allowed in the Special District 5 with the exception of the following:

a. The following additional uses shall be permitted:

- (1) Manufacturing, processing, assembly and/or packaging of articles and products listed in Section 4.37 a, and Section 4.37 b 4,5,9 provided the fully assembled product regularly produced shall not exceed two hundred (200) pounds in weight.
- (2) Retail or Consumer Service Establishments, Section 4.35 a-1, a-2, a-3, and b as would otherwise be permitted in a Business B District, provided such uses are in a building containing uses permitted in an Office 2 District and do not exceed in area an amount equal to ten (10) percent of the gross floor area of the building in which they are located, or twenty-five thousand (25,000) square feet, whichever is less.
- (3) Residential Uses Section 4.31 a-h shall be permitted as of right.

b. The following uses shall be prohibited:

Parking lot or parking garage for private passenger cars, Section 4.32 b.

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**xxi. In Article 17.000, amend Sections 17.81.2 and 17.82.21 (SD-8 and SD-8A Development Controls) to read as follows:**

17.81.2 *Permitted Uses* . Uses permitted in the Industry A-1 District shall be equally allowed in the Special District 8 with the exception of the following:



- a. The following additional uses shall be permitted as of right:
  - (1) Dormitory and resident fraternity or sorority, Section 4.33 b (7).
  - (2) Residential uses, Section 4.31 a-h.
  - (3) Heavy Industry, Section 4.38 e, but only if the specific use has been established on a lot on or before January 1, 1991 and which use shall remain in continuous operation thereafter. Once said industrial use has been discontinued, the lot shall only be used for those uses otherwise permitted in this Special District 8.
- b. The following uses shall be prohibited:
  - (1) Parking lot or parking garage for private passenger cars, Section 4.32 b.
  - (2) All Retail or Consumer Service Establishments Section 4.35 with the exception of 4.35 a-1 and 4.35 b, c, and f-1.

[...]

17.82.21 Retail, business and Consumer Service Establishments Section 4.35.a-1 and 4.35.b, c, and f-1 shall be permitted as of right provided they are located in a building with other permitted uses, are located on the first floor or the basement of the building, do not exceed twenty-five (25) percent of the total Gross Floor Area of the building in which they are located. No individual establishment may exceed two thousand and five hundred (2,500) gross floor feet in area.

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**xxii. In Article 17.000, amend Section 17.105 (SD-10 Development Controls) 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 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.
  - (1) All uses in Section 4.34, Office and Laboratory Uses, shall be permitted but only if the following conditions are met:
    - a. The building thereon, (or that portion of the building proposed to be reused) is vacant and not occupied by a residential use in the five years immediately preceding the time of application for a Certificate of Occupancy for the proposed use, or if occupied, the current use is any office and laboratory use, Section 4.34; any retail or consumer service establishment, Section 4.35; any light industry, wholesale business or storage use, Section 4.37; or any heavy industry use, Section 4.38.
  - (2) All uses in Section 4.35, Retail or Consumer Service Establishments, Paragraphs a-1, a-2, a-3, and c shall be permitted, but only if the following conditions are met:

- a. The use existing at the time of application for a Certificate of Occupancy for the proposed new use, or that first legally established use immediately preceding the application for a proposed new use should the premises be vacant (provided that the previous use was in operation within the two years immediately preceding the application for a Certificate of Occupancy), is any Retail or Consumer Service Establishment, Section 4.35; or any light industry, wholesale business and storage use, Section 4.37; or any heavy industry use, Section 4.38; and
  - b. The use shall occupy only that gross floor area meeting the use limitations of Paragraph a above.
- (3) All uses in Section 4.37, light industry, wholesale business, and storage, Paragraphs a and b shall be permitted, but only if the following conditions are met:
- a. The use existing at the time of application for a Certificate of Occupancy for the proposed use, or that first legally established use immediately preceding the application for a Certificate of Occupancy for a proposed new use should the premises be vacant (provided that the previous use was in operation within the two years immediately preceding the application for a Certificate of Occupancy), is light industry, wholesale business or storage use, Section 4.37; or any heavy industry use, Section 4.38; and
  - b. The use shall occupy only that gross floor area meeting the Use Limitations of Paragraph a above.
- (B) Notwithstanding the provisions of Paragraphs (A) (1) - (3) above, in any structure containing a residential use which is less than fifty (50) percent of the total gross floor area of the building within which it is located, that residential use may be replaced by any one of the permitted uses in Paragraphs (A) (1) - (3) above, which use shall thereafter be subject to all of the provisions of this Section 17.107.
- (C) Notwithstanding the provisions of Paragraphs (A) (1) - (3) above, in any structure containing a use which is less than fifty (50) percent of the total gross floor area of the building within which it is located, that use may be replaced by any one of the permitted uses in Paragraphs (A) (1) - (3) above, which use shall thereafter be subject to all of the provisions of this Section 17.107.
- (D) For structures satisfying the requirements of (B) above and in existence as of January 1, 1991, the maximum gross floor area on a lot may be increased by an amount equal to twenty-five (25) percent of the gross floor area present on the lot on January 1, 1991.

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**xxiii. In Article 17.000, amend Section 17.202 (SD-11 Development Controls) to read as follows:**

- 17.202 *Permitted Uses* . Uses permitted in the Office 2 District shall be equally allowed in the Special District 11 with the exception of the following:
- a. The following additional uses shall be permitted:
    - (1) Manufacturing, processing, assembly and/or packaging of articles and products listed in Section 4.37 a, and Section 4.37 b 4,5,9 provided the fully assembled product regularly produced shall not exceed two hundred (200) pounds in weight.
    - (2) Retailor Consumer Service Establishments, Section 4.35 a-1, a-2, a-3, and b as would otherwise be permitted in a Business B District, provided such uses are in a building containing uses permitted in an Office 2 District and do not exceed in area an amount equal to ten (10) percent of the gross floor area of the building in which they are located, or twenty five thousand (25,000) square feet, whichever is less.
    - (3) Residential Uses Section 4.31 a-h shall be permitted as of right.

- b. The following uses shall be prohibited:  
 Parking lot or parking garage for private passenger cars, Section 4.32 b.

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**xxiv. In Article 19.000, amend Section 19.23 (Special Permit Thresholds for Required Traffic Study) to read as follows:**

19.23 *Special Permit Threshold* . A Project Review Special Permit shall be required for new building construction 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. 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 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
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

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**xxv. In Article 20.000, amend Section 20.86.2 (Memorial Drive Overlay District Development Controls) to read as follows:**

20.86.2 Additional Permitted Uses. In any office the following retail uses shall be permitted by Special Permit from the Planning Board: Convenience Store, Merchandise Store, Restaurant, Bar, Food Stand or Kiosk, Food Hall. Such uses shall be intended to provide services to the abutting residential neighborhoods or to persons making use of the open space recreational amenities of the Charles River waterfront and its constituent parks. Such retail uses shall be subject to the following limitations and conditions.

- a. The retail use shall be located on a lot that abuts Memorial Drive.
- b. The principal entrance to the retail use shall be on Memorial Drive.
- c. The total Gross Floor Area on the lot devoted to retail uses permitted in this Section 20.86.2 shall not exceed five thousand (5,000) square feet.
- d. No additional accessory parking shall be provided for the retail use unless specifically authorized by the Planning Board. The accessory parking requirements for these uses otherwise specifically required in Article 6.000 in herein specifically waived.
- e. The use shall be located in a building principally containing uses otherwise permitted in the office or residential district.

**xxvi. In Article 20.000, amend Section 20.110.21 (Massachusetts Avenue Overlay District Development Controls) to read as follows:**

20.110.21 Required Ground Floor Non-Residential Uses. The ground floor of any building that fronts directly onto Massachusetts Avenue shall consist of at least one (1) active non-residential use meeting the following requirements:

1. Range of Qualifying Uses. The required ground floor active non-residential uses shall be limited to one or a combination of the following uses, to the extent permitted in the base zoning district:
  - a. Section 4.34 a (office of a physician, dentist or other medical practitioner not located in a clinic listed under subsection 4.33(d)), b (office of an accountant, attorney, or other non-medical professional person (includes properly licensed massage therapists), c (real estate, insurance or other agency office), d (general office use), e (bank, trust company or similar financial institution (retail banking only));
  - b. Section 4.35 a-1 (Convenience Store), a-2 (Merchandise Store), a-3 (Grocery Store), c (Personal Services Establishment), f-1 (Restaurant), f-2 (Bar), f-3 (Craft Beverage Establishment), f-4 (Food Stand or Kiosk), f-5 (Food Hall), g (Dance Hall or Nightclub), h (Theater), i-1 (Commercial Recreation Establishment), i-2 (Fitness Center), l (Animal Services Facility), o (Fast Order or Quick-Service Food Establishment), q-1 (Art/Craft Studio), q-2 (Performing Arts Studio), r (Bakery, retail);
  - c. Section 4.36 a (Open-Lot Retail Sales Establishment);
  - d. Section 4.56 a(4) (religious or social recreation center), c(4) (college theater), e(4,5,6) (medical clinics), f (social service or community center), g(3) (museum), g(5) (public park, playground, or public recreation building), i(2) (museum or non commercial gallery).
2. Minimum Depth. The required ground floor uses shall have a minimum depth of forty (40) feet measured from the Massachusetts Avenue frontage of the building (or the full depth of the building if less than forty (40) feet).
3. Floor Elevation. The floor elevation of the required ground floor uses shall be at the mean grade of the adjacent public sidewalk.
4. Minimum Linear Frontage. The required ground floor non-residential use shall occupy a minimum of 75% of the linear frontage of the building facing Massachusetts Avenue.
5. Individual Store Size.
  - a. In portions of the included BA-2 Districts north of Porter Square, any separately leased required ground floor non-residential use shall contain no more than 5,000 square feet of Gross Floor Area, which calculation of square footage shall include any floor area located below grade.
  - b. In portions of the included BA-2 Districts south of Porter Square, any separately leased required ground floor non-residential use shall contain no more than 2,500 square feet of Gross Floor Area, which calculation of square footage shall exclude any floor area located below grade. However, the Planning Board may grant modifications to such Gross Floor Area limitation, pursuant to Section 20.110.22 below, to accommodate a pre-existing non-residential use of building or for other reasons that are in support of the non-residential use purposes of the Massachusetts Avenue Overlay District.

6. Minimum Ground Floor Height. For any ground floor portion of a building containing a required non-residential use the minimum ground floor height shall be fifteen (15) feet measured in the manner described in Paragraph 20.110.42. If the ground floor height is reduced below fifteen (15) feet by special permit or variance, there shall be a commensurate reduction in the total height of the building.
7. Maximum Bank Frontage. No bank, trust company or similar financial institution may occupy a building frontage of more than twenty-five (25) feet.

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**xxvii. In Article 20.000, amend Paragraphs 1, 2, and 3 of Section 20.304.5 (Central Square Overlay District Development Controls) to read as follows:**

20.304.5 Use Limitations and Restrictions. In addition to the use regulations applicable in each base zoning district the following use restrictions and limitations shall apply in the Central Square Overlay District:

1. Ground Floor Restrictions. The ground (first) floor of that portion of a building facing or abutting Massachusetts Avenue and/or Main Street and which is on a lot which shares a common lot line with Massachusetts Avenue or Main Street shall consist of Gross Floor Area devoted to any one or combination of uses permitted in the applicable base zoning district [except that such gross floor area in buildings abutting Massachusetts Avenue and/or Main Street between Inman and Pleasant Streets on the west and Columbia and Sidney Streets on the east shall be devoted to one or a combination of the following uses: Residential Uses (Section 4.31); Office and Laboratory Uses (Section 4.34 c and e); Retail or Consumer Service Establishments (Section 4.35)], but specifically excluding Gross Floor Area in structured parking counted as Gross Floor Area, and shall in addition meet the following conditions:
  - a. At least eighty (80) percent of the floor elevation of the ground (first) floor shall be at the mean grade of the abutting Massachusetts Avenue and/or Main Street at the property line except that residential uses may be located no higher than four (4) feet above the mean grade of the abutting street at the property line.
  - b. The use shall have a minimum depth of twenty (20) feet.
  - c. Where other than residential uses are established, the ground (first) floor facade shall consist of a minimum of fifty (50) percent clear glass.
2. Prohibited Uses. The following uses shall be prohibited in the Central Square Overlay District: (1) Outdoor Retail or Consumer Service Establishments, Sections 4.36 b, f, g, h.
3. Restricted Uses.
  - a. In the Central Square Overlay District, a Dance Hall or Nightclub (Section 4.35g) shall be permitted by right if the principal public entrance or entrances are directly from Massachusetts Avenue, Prospect Street between Massachusetts Avenue and Bishop Allen Drive, or Main Street, or by Special Permit from the Planning Board in the Business B (BB) district where the principal public entrance or entrances are on another side street that intersects with Massachusetts Avenue if the Board finds that such location will not adversely impact adjacent residential uses, with consideration to hours of operation, proximity to a residential neighborhood, signage, lighting, and sound mitigation.

- b. Unless specifically waived upon the granting of a special permit by the Planning Board, no individual bank or financial institution (Section 4.34e) shall occupy more than twenty-five (25) feet of building frontage facing Massachusetts Avenue or Main Street, and no more than thirty percent (30%) of a lot's aggregate building frontage facing one or more public streets may be occupied by such uses.