



CITY OF CAMBRIDGE

Community Development Department

IRAM FAROOQ

*Assistant City Manager for
Community Development*

SANDRA CLARKE

*Deputy Director
Chief of Administration*

KHALIL MOGASSABI

*Deputy Director
Chief Planner*

To: The Ordinance Committee
From: Iram Farooq, Assistant City Manager for Community
Development
Date: April 12, 2023
Subject: Council Order Response – Monestime et al Citizens Zoning Petition
(the “Petition”)

The Community Development Department (CDD), in consultation with the Law Department, have developed the following in response to Council Order No. O-5 of 4/3/23, which directed CDD and Law Department staff to review the Citizens Zoning Petition received from Michael Monestime et al. regarding Outdoor Use Zoning for the Central Square Cultural District (APP 2023 #12) for form and content.

Enclosed herein are recommended changes to the language of the Petition for the purpose of clarity and consistency. These changes do not address the substance or policy considerations of the Petition, and are strictly offered for the purpose of improving the overall construction of the zoning text.

4.36	Outdoor Retail or Consumer Service Establishments													
	Outdoor Retail or Consumer Service Establishment, not otherwise defined	No ¹¹	No	No	No	No	SP	SP	SP ⁶²	SP	SP	SP	SP	SP
	a. Open-Lot Retail Sales Establishment	No	No	No	No	Yes ¹²	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 ¹³	SP	SP	SP	No	SP
	d. Outdoor Entertainment and Recreation Facility	No ¹¹	No	No	No	Yes ¹²	No	No	SP ⁶²⁶³	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 ¹³	SP	No	Yes	SP	Yes
	h. Auto Wash	No	No	No	No	No	No	SP	No	No	No	SP	SP	SP
	i. [Deleted]													
	j. Temporary Outdoor Retail or Consumer Service Use	Yes	No	No	SP ⁶¹	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

⁶² For development within the Central Square Overlay District, see Section 20.304.5 For the Central Square Overlay see section 20.304.5 (5)

⁶³ For the Central Square Overlay see section 20.305.5 (6)

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

5. Outdoor Retail or Consumer Service Establishment, not otherwise defined shall be a permitted use within the Central Square Overlay, subject to a special permit granted by the Planning Board. In granting the special permit the Planning Board must make the required findings in Section 10.43 and 10.43.1 of this Ordinance and may impose conditions pursuant to Section 10.44 of this Ordinance. ~~be able to find the proposed use has been designed and located to minimize the impact on neighboring uses, including but not limited to light trespass, noise mitigation, hours of operation, and other measures to ensure ongoing compliance with the Planning Board's findings.~~
6. Outdoor Entertainment and Recreation Facility, 4.36 (d), shall be a permitted use ~~permitted as of right~~ within the Business B District of the Central Square Overlay.