

Gift of:  
Ms. Marjorie O'Dell

# CITY OF CAMBRIDGE MASSACHUSETTS

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## ZONING ORDINANCE



PUBLISHED BY  
AUTHORITY OF THE COUNCIL OF THE  
CITY OF CAMBRIDGE, MASSACHUSETTS

1943

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# Foreword



The Cambridge Zoning Ordinance is dedicated to the promotion of the general welfare of the City of Cambridge, to protect the health of its inhabitants, to encourage the most appropriate use of land within the city, to insure the value of property, to lessen the congestion in the streets and ways, to avoid undue concentration of population, to provide an adequate supply of light and air by regulating the location, use, and height of buildings and the area of open spaces about them, and to reduce the hazard from fire.

Committee appointed for the purpose of modernizing the Cambridge Zoning Ordinance.

James J. Casey, Principal Assessor—Chairman.

William M. Hogan, Jr., City Councillor—Vice Chairman.

William L. Galvin, Member, Board of Appeal—Secretary.

Frederick J. Adams, Associate Professor, Mass. Institute of Technology.

Joseph Clarke, Member, Planning Board.<sup>a</sup>

George L. Dow, Member, Planning Board.

Edward F. Crane, City Councillor.

Herman Gutheim, Chief, Fire Department.

John H. Hegarty, Banker.

Walter R. MacCornack, Dean, School of Architecture, M. I. T.

Haven Parker, City Councillor.

John E. Quinn, Chairman, License Commission.

Martin W. Ryan, Contractor and Builder.

John J. Terry, Superintendent of Buildings.

Frank Townsend, President, Chamber of Commerce.

Aldrich Durant, Business Agent, Harvard University.<sup>b</sup>

## Technical Staff

J. Ross McKeever—Zoning Law.

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a. Deceased.

b. Appointed in place of Joseph Clarke.

# City of Cambridge

In the Year One Thousand Nine Hundred and Forty-Three

## AN ORDINANCE

entitled "Zoning Ordinance of the City of Cambridge"

### Article I. Administration and Enforcement.

- § 1. Purpose, Interpretation, and Conflict.
- § 2. Enforcement.
- § 3. Certificate of Occupancy.
- § 4. The Board of Appeal.
- § 5. Special Permits by the Board of Appeal.
- § 6. Amendments to the Ordinance and to the Zoning Map.

### Article II. Districts and District Boundaries

- § 1. Establishment of Districts.
- § 2. Boundaries of Districts.
- § 3. Regulations of Districts.

### Article III. Definitions.

### Article IV. Use Regulations.

- § 1. Residence A Districts.
- § 2. Residence B Districts.
- § 3. Residence C-1 Districts.
- § 4. Residence C-2 and C-3 Districts.
- § 5. Business A Districts.
- § 6. Business B Districts.
- § 7. Industry A Districts.
- § 8. Industry B Districts.

### Article V. Height and Area Regulations: Front, Rear and Side Yard Requirements.

### Article VI. General Provisions: Supplementary Use, Height and Area Regulations, and Exceptions.

- § 1. Existing Buildings.
- § 2. Frontage and Reduction of Area.
- § 3. Non-Conforming Uses.
- § 4. Accessory Uses and Accessory Buildings.

- § 5. Height Exceptions.
- § 6. Additional Area and Yard Regulations and Exceptions.
- § 7. Transition Requirements between Residence Districts and Business A and B Districts.
- § 8. Violation and Penalty.
- § 9. Validity.
- § 10. When Effective.

*Be It Ordained by the City Council of the City of Cambridge, as Follows:*

ARTICLE I. ADMINISTRATION AND ENFORCEMENT.

**Sec. 1. Purpose, Interpretation, and Conflict.**

1. The purposes of this ordinance are to promote the general welfare of the City of Cambridge, to protect the health of its inhabitants, to encourage the most appropriate use of land within the city, to insure the value of property, to lessen the congestion in the streets and ways, to avoid undue concentration of population, to provide an adequate supply of light and air by regulating the location, use, and height of buildings and the area of open spaces about them, and to reduce the hazard from fire.

2. In interpreting and applying the provisions of this ordinance, the requirements contained herein are declared to be the minimum requirements for the purposes set forth.

3. This ordinance shall not nullify the more restrictive provisions of covenants, agreements, other ordinances or laws, but shall prevail notwithstanding such provisions which are less restrictive.

**Sec. 2. Enforcement.**

1. The Superintendent of Buildings, appointed under the provisions of the Building Code of the City of Cambridge, is hereby designated and authorized as the officer charged with the enforcement of this ordinance.

2. From the time of the effective date of this ordinance the Superintendent of Buildings shall not grant a permit for the construction or alteration of any building or structure if such construction or alteration would be in violation of any of the provisions of this ordinance; nor shall any municipal officer grant any permit or license for the use of any building or land if such use would be in violation of any of the provisions of this ordinance.

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3. Whenever such permit is refused because of the violation of some provision of this ordinance the reason for such refusal shall be clearly stated in writing.

4. Every applicant for a permit for any construction, alteration, or use of any building or land for which a permit is required by law shall, upon request of the Superintendent of Buildings, file such written information, plans, specifications, or other such data as shall be deemed necessary for the full and accurate exposition of the proposed construction, alteration or use with relation to the regulations of this ordinance. Such material shall be kept on file in the records of the office of the Superintendent of Buildings.

5. The Superintendent of Buildings, upon accurate information in writing from any citizen, or upon his own initiative, may institute any appropriate action or proceedings in the name of the City of Cambridge to prevent, correct, restrain, or abate violations of this ordinance.

6. Nothing in this ordinance shall require any change in the construction, size, or designated use of a building or structure for which a building permit has been legally granted before the enactment of this ordinance, and the construction of which building shall have been started within ninety (90) days of such enactment; except that if such building operation is discontinued for a period of six (6) months, any further construction shall be in conformity with the provisions of this ordinance.

### **Sec. 3. Certificate of Occupancy.**

1. No land shall be occupied or used and no building hereafter erected or structurally altered shall be occupied or used, in whole or in part, for any purpose until a certificate is issued by the Superintendent of Buildings stating that the building and use comply with the provisions of this ordinance and with the Building Code of the City of Cambridge. No such certificate shall be issued unless the building and its uses and its accessory uses and the uses of all premises are in conformity with the provision of this ordinance and with the Building Code.

2. Certificates of occupancy shall be required for any of the following in conformity with the Building Code and the Zoning Ordinance:

- a. Occupancy and use of a building hereafter erected or structurally altered.



- b. Change in use of an existing building to a use of a different classification.
- c. Change in the character or the intensity of the use of land.
- d. Any change in use of a non-conforming use.

3. Certificates of occupancy and compliance shall be applied for coincidentally with the application for a building permit, and shall be issued within ten (10) days after the lawful erection or alteration of the building is completed.

#### **Sec. 4. The Board of Appeal.**

1. The Board of Appeal established under the provisions of the Building Code of the City of Cambridge shall constitute the Board of Appeal hereby established under this ordinance. This Board shall act in accordance with and pursuant to the powers and duties as prescribed by Statute and as provided for hereinafter.

2. Any person aggrieved by any order, requirement, decision or determination made by the Superintendent of Buildings in the enforcement of this ordinance may appeal to the Board of Appeal as provided in Chapter 40 of the General Laws, Tercentenary Edition, as amended.

3. Such appeal shall be taken within ten (10) days time after the applicant is notified in writing of such decision by the enforcing officer by filing with the Superintendent of Buildings and with the Board of Appeal a notice of appeal specifying the grounds thereof and by paying the exact cost in cash of advertising and mailing to the Superintendent of Buildings at the time the notice is filed, which the Superintendent of Buildings shall forthwith pay over to the City Treasurer to the credit of the general revenue fund of the City of Cambridge. The enforcing officer shall transmit to the Board of Appeal all the papers constituting the record upon which the action appealed from is taken.

4. The Board of Appeal shall have full power to adopt all rules and procedures for the transaction of its business, and for the carrying-out of the functions granted to it by the provisions herein set forth not inconsistent therewith.

5. The Board of Appeal shall consider any appeal or other matter properly before it, or any petition for a variance, at a public hearing and shall fix a reasonable time for the hearing. The Board shall give

due notice of the hearing by posting a notice thereof upon the property with respect to which the appeal is filed, and by sending a written notice to the petitioner and to the owners of the property adjoining and opposite such property as shown on the most recent tax list of the Board of Assessors, and to such other owners as may be deemed by the Board of Appeal to be injuriously affected, and by publishing a notice in a newspaper of general circulation within the City of Cambridge. In the case of an appeal involving a change in use of land or building, the Board shall also send a written notice to all owners of property within three hundred feet of the boundaries of the property in question and shall send to the City Planning Board a statement giving details of the appeal and the date on which the public hearing will be held.

6. The Board of Appeal shall have the following powers and duties:

a. To hear and decide appeals where it is alleged by the applicant for a permit that there is error in any order or decision made by an administrative official in the enforcement of this ordinance.

b. To hear and decide requests for special permits upon which the Board is required to pass under Section 5 of this Article.

c. To authorize upon appeal with respect to a particular parcel of land a variance from the terms of this ordinance where, owing to conditions especially affecting such parcel but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of this ordinance would involve substantial hardship to the appellant, and where desirable relief may be granted without substantial detriment to the public good and without substantially derogating from the intent or purpose of this ordinance, but not otherwise.

The Board shall consider the case at a public hearing as prescribed in the preceding paragraph 5 of this section. Before any variance may be granted, it shall be shown that special circumstances attach to the property covered by the application which do not generally apply to the other property in the same district; that because of said special circumstances, property covered by application is deprived of privileges possessed by other properties in the same district and that the granting of the variance is essential to the enjoyment of a substantial property right possessed by other property in the same district; and that granting the variance will not

result in material damage or prejudice to other property in the same district and vicinity.

If the Board of Appeal determines by a concurring vote of all of its members that the proposed variation relating to the use, construction, or alteration of a building or premises, or the use of the land can be granted without impairing the general purpose and intent of this ordinance, then the Board shall adopt a motion embodying their findings in the above mentioned specific points and shall direct the issuance of a permit which the Superintendent of Buildings shall issue fifteen (15) days after the decision of the Board of Appeal shall have been filed with the City Clerk.

No appeal or petition and no application for a special exception to the terms of this ordinance shall be considered on its merits by the Board of Appeal within two years after the date of such unfavorable action except with the consent of all the members of the City Planning Board.

7. Any person aggrieved by a decision of the Board of Appeal, whether or not previously a party to the proceeding, or any municipal officer or board, may appeal to the superior court sitting in equity for the county in which the land concerned is situated; provided, that such appeal is filed in said court within fifteen (15) days after such decision is recorded.

### **Sec. 5. Special Permits by the Board of Appeal.**

1. When in its judgment the public convenience and welfare will be substantially served, the Board of Appeal in the following specific cases may on petition, after public notice and hearing and subject to such appropriate conditions and safeguards as it may impose, determine and vary the application of the district regulations hereinafter established in harmony with their general intent and purpose as follows:

a. Permit such variations as are authorized under the provisions of Section 30, Chapter 40 of the General Laws, (Ter. Ed.) as amended.

b. Permit, where the zone line divides a lot in single ownership at the time of the effective date of this ordinance and more than one-half the area of said lot is in the less restricted district, a use permitted in the less restricted district to extend to the entire lot with such provisions as may be deemed appropriate; but in no case may the regulations of the less restricted district be permitted to

extend more than twenty-five (25) feet within the more restricted district.

c. Permit the alteration or extension of a non-conforming building or use, provided such building or use is neither increased in volume nor in area during its life by more than twenty-five (25) per cent or is altered during its life to an extent not exceeding fifty (50) per cent of its assessed valuation at the time this ordinance takes effect, and provided such use is not altered to a less restricted use.

**Sec. 6. Amendments to the Ordinance and to the Zoning Map.**

1. The City Council of the City of Cambridge may from time to time amend this ordinance, or a district boundary indicated upon the Zoning Map, in the manner prescribed in Section 27, Chapter 40 of the General Laws, (Ter. Ed.) as amended.

2. In all cases notice of a proposed amendment shall be given by the City Clerk to the Planning Board at least twenty (20) days prior to final action by the City Council. If a proposed amendment involves a change in district boundaries and if the Planning Board shall fail to approve said amendment prior to such final action, it may be granted only by a three-fourths vote of all of the members of the City Council; otherwise it may be granted by a two-thirds vote of all of the members of the City Council.

3. No proposed amendment to this ordinance which has been unfavorably acted upon by the City Council shall be considered on its merits within two years after the date of such unfavorable action unless the addition of such an amendment is recommended in the report which the City Planning Board is required to make to the City Council.

**ARTICLE II. DISTRICTS AND DISTRICT BOUNDARIES.**

**Sec. 1. Establishment of Districts.**

For the purpose of this ordinance, the City of Cambridge is hereby divided into ten classes of districts, as follows:

- 1. Residence A-1 District..... Single-family residence
- 2. Residence A-2 District..... Single-family residence
- 3. Residence B District..... Two-family residence

4. Residence C-1 District.....	Multi-family residence
5. Residence C-2 District.....	Multi-family residence
6. Residence C-3 District.....	Multi-family residence
7. Business A District.....	Local and retail business
8. Business B District.....	General and wholesale business
9. Industry A District.....	Light industry
10. Industry B District.....	Heavy industry

**Sec. 2. Boundaries of Districts.**

1. The boundaries of each of the said districts are hereby established as shown on the map entitled *Zoning Map of the City of Cambridge*, or as hereafter amended, which map is attached to and made a part of this ordinance. The said Zoning Map and all boundaries, notations, and other data shown thereon are made by this reference as much a part of this ordinance as if fully described and detailed herein. The said map shall be filed in the custody of the City Clerk of Cambridge and may be examined by the public subject to any reasonable regulations established by the City Clerk.

2. The boundaries between districts are as shown on the Zoning Map. Where uncertainty exists with respect to the boundaries of the various districts as shown on the map accompanying and made a part of this ordinance, the following rules shall apply:

Where the district boundary is a street, the boundary line shall be the center line of the street. Where the boundary line is indicated approximately parallel to the street, it shall be taken as parallel thereto and, unless otherwise indicated, one hundred (100) feet distant from the nearest side line of the street right of way. If there is any variance between the scaled distance from the boundaries to the side line of the street and the distance as marked in feet upon the map, the latter shall govern. Where the districts designated on the map are bounded by lot lines, the lot lines shall be construed to be the boundary lines, unless the boundary lines are otherwise indicated on the map.

**Sec. 3. Regulations of Districts.**

1. The regulations set forth in this Article and elsewhere in the Articles hereinafter contained are the regulations governing the use, height, area, and yard requirements for buildings and premises and the use of land in each class of district.

## ARTICLE III. DEFINITIONS.

For the purpose of this ordinance, certain words and terms are hereby defined. Other definitions applicable in the phrasing of this ordinance are those set forth in the Building Code of the City of Cambridge. Words used in the present tense include the future; the singular number includes the plural, and the plural the singular; the word "lot" includes "plot"; the word "building" includes "structure"; the word "occupied" includes the words "designed, arranged, or intended to be occupied." Where the verb "use" is employed it shall be construed as if followed by the words "or is intended, arranged, designed, built, altered, converted, rented, or leased to be used"; the word "shall" is mandatory and not directory.

1. *Accessory building.* A subordinate building, the use of which is incidental to that of the principal building.

2. *Accessory use.* The use of a building or premises for a purpose customarily incidental to a use permitted in the district.

3. *Apartment house.* A multi-family dwelling, see below.

4. *Building height.* The vertical distance of the highest point of the roof above the mean grade of the curbs of all the streets upon which the building abuts, or, if it does not abut on a street, above the mean grade of the ground adjoining the building.

5. *Community garage.* A building arranged for the storage of four or more private automobiles each being housed in one unit of a row of separated sections or stalls, entrance and exit being directly by means of independent, tenant-operated doors.

6. *District.* A section of the city for which the zoning regulations governing the use of land, the use of buildings and premises, and the permitted height of buildings, and the area or open space about buildings are uniform.

7. *Dwelling.* A house, building, or portion thereof, which is arranged, intended, or designed to be occupied by one family or more.

*Group dwelling.* A building, arranged, intended or designed to provide, for rental purposes only, single-family accommodations, vertically separated, as required by the Building Code and not exceeding six (6) in a row. The building shall occupy one lot in single ownership throughout and shall answer the lot area requirements per family.

*Multi-family dwelling.* A building arranged, intended, or designed to be occupied by three or more families.

*Semi-detached dwelling.* A building arranged, intended, or designed to be occupied by two families living side by side, vertically separated as required by the Building Code. A semi-detached dwelling shall be considered as one main building occupying one lot for the purpose of determining yard requirements.

*Single-family dwelling.* A building arranged, intended, or designed to be occupied by one family.

*Two-family dwelling.* A building arranged, intended, or designed to be occupied by two families, one living above the other.

8. *Family.* Any number of individuals living together as a single housekeeping unit.

9. *Gross building area.* The maximum horizontally projected ground area of a building, including covered porches, but excluding steps and terraces.

10. *Home occupation.* The use of a room in a dwelling as an office, studio, or work room for occupation at home by a person residing on the premises and in connection with which there is kept no stock in trade nor commodity sold on the premises. No sign other than a name-plate not more than two square feet in area shall be displayed which will indicate from the street that a portion of the building is being used for any purpose other than that of a dwelling.

11. *Lodging house.* A dwelling where lodgings are let to five or more persons not within the second degree of kindred to the person conducting it, but not including dormitories or charitable, educational, or philanthropic institutions.

12. *Lot.* A parcel of land in identical ownership throughout which is occupied or is to be occupied by a building and its accessory buildings, together with such open yard areas as are required under the provisions of this ordinance.

*Corner Lot.* A lot abutting upon two or more intersecting streets twenty feet or more in width, or a lot at a change in direction of a street provided that at such change in direction, the interior angle is less than one hundred twenty (120) degrees. Only that part of a lot contiguous to a corner, bend or curve, and having an area not in excess of ten thousand square feet, and a maximum length on either street, except in case of a bend or curve, of not more than one hundred and fifty (150) feet, shall be deemed a corner lot. The provision of this paragraph shall apply to a lot fronting on an open

space dedicated to the public use in the same manner as to a lot fronting on a street.

*Depth of lot.* The mean horizontal distance between the front and rear lot lines.

*Front of lot.* The portion of a lot bordering on one side a public or private street right of way and measured along the right of way. In the case of a corner lot, the owner may elect by a statement on his plans either street boundary as the front.

*Interior lot.* A lot other than a corner lot.

*Lot lines.* The property lines which determine the boundaries of the lot.

*Rear of lot.* The side opposite the front.

*Width of lot.* The mean horizontal distance between the side lot lines.

13. *Yard.* The required open space on the same lot as the building. In measuring a yard for the purpose of determining the width of a side yard, the depth of a rear yard, or the depth of a front yard, the mean horizontal distance between the corresponding lot line and the building line shall be used.

*Front yard.* The yard extending across the full width of the lot and lying between the front line of the lot and the nearest line of the building.

*Rear yard.* The yard extending across the full width of the lot and lying between the rear line of the lot and the nearest line of the building.

*Side yard.* The yard between the side line of the lot and the nearest line of the building and extending from the front yard to the rear yard, or, in the absence of either of such yards, to the front or rear lot line, as may be.

## ARTICLE IV. USE REGULATIONS.

### Sec. 1. Residence A Districts.

In a Residence A-1 or A-2 District, as indicated on the Zoning Map, no building or land shall be used for any purpose except one or more of the following:

1. Single-family dwelling.
2. Church, cemetery.



3. College, school, library, or similar use of an educational nature, but not a dormitory.

4. Municipal building, park, or playground.

5. Building, structure or land to be used by a public service corporation, if the Department of Public Utilities decides that the building, structure or land is necessary for the convenience or welfare of the public, and provided further that the proposed use does not include a storage yard or repair shop.

6. Customary home occupation (See definition).

7. The office of a physician, surgeon, dentist, architect, engineer, lawyer or musician. Such offices shall be situated in the dwelling used by the professional person as his private residence and shall occupy not more than 25% of the gross floor area of the building. Signs shall be limited to professional announcement signs not over one square foot in area.

8. Real estate sign, or signs totaling not over six square feet in area, advertising the sale, rental, or lease of the premises only on which such sign is erected.

9. A use accessory to any of the foregoing uses (see Article VI, Sec. 4).

Nothing in this section shall prevent the alteration of a single-family dwelling, existing at the time of the passage of this ordinance, into a dwelling for occupancy by two families provided that the exterior design of the structure is not changed from the character of a single-family dwelling. In addition, there shall be no increase in the gross story area of the building.

## **Sec. 2. Residence B Districts.**

In a Residence B District, as indicated on the Zoning Map, no building or land shall be used for any purpose except one or more of the following:

1. Any use or accessory use which is permitted in a Residence A-2 District.

2. Two-family dwelling.

3. Semi-detached dwelling.

4. A use accessory to any of the foregoing uses (See Article VI, Section 4).

Nothing in this section shall prevent the alteration of a single-family or a two-family dwelling, existing at the time of the passage

of this ordinance, into a dwelling for occupancy by not more than four families provided that there shall be no increase in the gross story area of the building, and provided further that there is at least 1,500 square feet of lot area for each family housed thereon.

### **Sec. 3. Residence C-1 Districts.**

In a Residence C-1 District, as indicated on the Zoning Map, no building or land shall be used for any purpose except one or more of the following:

1. Any use or accessory use which is permitted in a Residence B District.
2. Lodging house.
3. Dormitory.
4. Multi-family dwelling, apartment house.
5. Private membership club, lodge, social, recreational and community center organization, and grounds for games and sports, provided that the chief activity is not a service customarily carried on as a business.
6. Group dwelling.
7. A use accessory to any of the foregoing uses (See Article VI, Section 4).

### **Sec. 4. Residence C-2 and C-3 Districts.**

In a Residence C-2 or C-3 District, as indicated on the Zoning Map, no building or land shall be used for any purpose except one or more of the following:

1. Any use or accessory use which is permitted in a Residence C-1 District.
2. Hotel, including retail business conducted only for the convenience of the occupants of the building. There shall be no entrance to such place of business except from inside the building nor shall any display or stock in trade be so arranged that it can be viewed from outside the building.
3. A use accessory to any of the foregoing uses (See Article VI, Section 4).

### **Sec. 5. Business A Districts.**

In a Business A District, as indicated on the Zoning Map, no

building or land shall be used for any purpose except one or more of the following:

1. Any use which is permitted in a Residence C-3 District.
2. Bakery, the products of which are sold at retail and only on the premises.
3. Bank.
4. Barber shop and beauty parlor.
5. Commercial conservatory and greenhouse.
6. Funeral home.
7. Professional office; hospital and sanitarium.
8. Public garage, provided no pumps are located and no petroleum products are dispensed outside the building.
9. Restaurant and other eating place.
10. Sales and show room.
11. Shop for the collection and distribution of clothing and articles from dyeing and cleaning establishments.
12. Theatre, hall, and club.
13. Store, shop, and studio for the conduct of a retail business similar in character to the foregoing permitted uses.

**Sec. 6. Business B Districts.**

In a Business B District, as indicated on the Zoning Map, no building or land shall be used for any purpose except one or more of the following:

1. Any use which is permitted in a Business A District.
2. Automobile parking lot.
3. Gasoline and oil filling station.
4. Storage warehouse.
5. Wholesale business and warehouse.
6. Any other use similar in character to the foregoing permitted uses and not hereinafter prohibited.

In a Business A or B District, any building erected for commercial purposes shall be designed in such a way that loading and unloading of motor vehicles delivering or receiving goods to or from

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such premises shall take place in a manner that will not obstruct or interfere with the free pedestrian or vehicular movement on the public right of way.

In a Business B District, all manufacturing and industrial enterprises together with their accessories, except as they are clearly incidental to a business lawfully conducted on the premises, are specifically prohibited, provided that such manufacturing as is permitted shall not give rise to dust, odor, fumes, smoke, gas, wastes, refuse matter, noise or excessive vibrations, to danger of explosion or fire, or be otherwise detrimental to a business district.

### **Sec. 7. Industry A Districts.**

In an Industry A District, as indicated on the Zoning Map, no building or land shall be used for any purpose except one or more of the following:

1. Any use or accessory use which is permitted in the Business B District.
2. Dyeing and cleaning establishment.
3. Food products manufacture.
4. Laundry.
5. Milk distributing station.
6. Machine shop.
7. Any other light manufacturing use similar in character to the foregoing uses and not hereinafter prohibited.

### **Sec. 8. Industry B District.**

In an Industry B District, as indicated on the Zoning Map, no building or land shall be used for any purpose except one or more of the following:

1. Any use or accessory use which is permitted in an Industry A District.
2. Blacksmith shop, livery stable.
3. Bottling works.
4. Building materials storage yard, lumber yard.
5. Carting, express, hauling yard.
6. Coal, coke or wood yard.
7. Cooperage works, box manufacturing establishment.

8. Monument works, stone yard.
9. Rubber processing.
10. Soap manufacture.
11. Storage tanks for the storage of gasoline and oil, as regulated by the Building Code of the City of Cambridge.
12. Storage of waste material, but only when such storage is contained within a wholly enclosed building.
13. Textile manufacture and manufacture of boots and shoes.
14. Such other manufacturing establishments which are not obnoxious or offensive by reason of the emission of smoke, dust, gas, noise, or odor; but the following are expressly prohibited.
  - a. Acid manufacture.
  - b. Cement, lime gypsum manufacture.
  - c. Explosives or fireworks manufacture.
  - d. Incineration or reduction of garbage, offal, or dead animals, excepting such processing conducted by the municipality.
  - e. Glue manufacture.
  - f. Petroleum refining.
  - g. Smelting of zinc, copper, tin or iron ores.
  - h. Stock yard or abattoir.

In an Industry A or B District, the requirements for the loading and unloading of motor vehicles shall be the same as in a Business District.

#### ARTICLE V. HEIGHT AND AREA REGULATIONS: FRONT, REAR AND SIDE YARD REQUIREMENTS.

For each class of district, the regulations governing the maximum allowable height of buildings, the minimum lot area and lot width for dwellings, and the requirements of maximum and minimum front yard setbacks, rear yards, and side yards are hereby established as set forth in the accompanying table, entitled, "Table of Height and Area Regulations and Front, Rear, and Side Yard Requirements," and by this reference the said table and the regulations provided therein are declared to be an integral part of this ordinance.

*Table of Height and Area Regulations and Front, Rear and Side Yard Requirements*

District	Maximum Height See footnote 1	Minimum Lot Area Lot Width See footnote 3	Minimum Front Yard	Minimum Rear Yard	Minimum Side yard
Residence A-1	2½ stories and 35 feet	8000 sq. feet and 75 ft. frontage	20 ft. subject to exceptions (Article VI Section 6)	20 feet	20 feet
Residence A-2	2½ stories and 35 feet	6000 sq. feet and 65 ft. frontage	20 ft. subject to exceptions (Article VI Section 6)	20 ft. but the rear yard need not be more than 20% of the full lot depth	10 ft. and the sum of the two required side yards shall be 25 feet
Residence B	2½ stories and 35 feet	5000 sq. feet and 50 ft. frontage	15 ft. subject to exceptions (Article VI Section 6)	20 ft. but the rear yard need not be more than 20% of the full lot depth	7 ft. 6 in. and the sum of the two required side yards shall be 20 feet

District	Maximum Height see footnote 1	Minimum Lot Area Lot Width See footnote 3	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Building Coverage see footnote 4
Residence C-1	2½ stories and 35 feet	See footnote 2	10 ft. subject to exceptions (Article VI Section 6)	20 ft. but the rear yard need not be more than 25% of the full lot depth	7 feet 6 in. and there are two such side yards required	50%
Residence C-2	65 feet see footnote 1	See footnote 2	5 feet but in no case shall a building be nearer the center line of the street on which it faces than ½ height of building	20 ft. for a building height up to 30 ft. but this minimum yard shall be increased by ¼ the bldg's height in excess of 30 feet	7 feet 6 in. for a building height up to 30 feet but this minimum yard shall be increased by ¼ the bldg's ht. in excess of 30 feet subject to special exceptions (Article VI Section 6)	4 stories or less 60% 5 stories 55% 6 stories 50%
Residence C-3	100 feet see footnote 1	See footnote 2	Same as Residence C-2	Same as Residence C-2	Same as Residence C-2	4 stories 60% or less 5 stories 55% 6 or 7 stories 50% 8 or 9 stories 45% 10 stories 40%

Maximum Height	Minimum Lot Area Lot Width	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard

District	Maximum Height see footnote 1	Minimum Lot Area Lot Width See footnote 3	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard
Business A	60 feet except that no business uses shall be permitted at a height greater than 30 feet see footnote 1	None	None required unless subject to transition requirement (Article VI Section 7)	None required unless subject to transition requirement. For dwellings same as yard requirement in Residence C-2 District	None required unless subject to transition requirement For dwellings same as yard requirement in Residence C-2 District
Business B	100 feet see footnote 1	None	None required unless subject to transition requirement (Article VI Section 7)	Same as Business A	Same as Business A
Industry A	40 feet see footnote 1	None	None required. For dwellings same as yard requirement in Residence C-2 District	None required. For dwellings same as yard requirement in Residence C-2 District	None required. For dwellings same as yard requirement in Residence C-2 District
Industry B	80 feet see footnote 1	None	None required	Same as Industry A	Same as Industry A

1. Maximum height regulations for all districts are subject to height exceptions as provided in Article V, Section 5.
2. Minimum lot area and lot width for all permitted uses are the same as the minimum lot area and lot width required in the Residence B District.
3. Minimum lot area and lot width, see also Article VI, Sections 2 and 6.
4. Buildings on corner lots or on lots adjoining or facing a public open space at least 100 feet in depth, may cover 10% more of the lot than the minimum prescribed in the above table.



ARTICLE VI. GENERAL PROVISIONS: SUPPLEMEN-  
TARY USE, HEIGHT AND AREA REGULATIONS,  
AND EXCEPTIONS.

(The regulations hereinafter set forth qualify or supplement, as may be, the district regulations appearing elsewhere in this ordinance.)

**Sec. 1. Existing Buildings.**

1. This ordinance shall not apply to existing buildings or structures, nor to the existing use of any building or structure, or of land to the extent to which it is used at the time of adoption of this ordinance, but it shall apply to any change of use thereof and to any alteration of a building or structure when the same would amount to reconstruction, extension or structural change, and to any alteration of a building or structure to provide for its use for a purpose or in a manner substantially different from the use to which it was put before alteration, or for its use for the same purpose to a substantially greater extent.

2. Except as herein provided, no building or land shall be used and no building or other structure or part thereof shall be constructed, extended or structurally altered except in conformity with the Building Code of the City of Cambridge and with the provisions of this ordinance applying to the district in which such building, structure, or land is located.

**Sec. 2. Frontage and Reduction of Area.**

1. No building shall be erected on a lot which does not have frontage on a street, road or way at least twenty (20) feet in width.

2. No lot shall be changed in size or shape so that the height, area, or yard provisions herein prescribed are no longer satisfied. This paragraph shall not apply where a portion of a lot is acquired for a public purpose.

**Sec. 3. Non-Conforming Uses.**

A non-conforming use is the use of any building or land lawfully occupied at the time of the passage of this ordinance which does not conform to the regulations of the district in which it is located.

1. Any building, part of a building, or land which at the time of

the passage of this ordinance is being put to a non-conforming use may be:

- a. Continued in that use.
- b. Altered or enlarged in that use, but only after the granting of a permit therefor by the Board of Appeals as provided for in Article I, Section 5, Paragraph "d."
- c. Changed to a more restricted use, provided that when so changed it shall not be returned to a less restricted use.
- d. Rebuilt or restored and again used as previously, in case of a building destroyed or damaged by fire, explosion or other catastrophe, provided that such rebuilding or restoring shall be completed within twelve (12) months after such catastrophe; and further provided that the building as restored shall be not greater in volume or area than the original non-conforming structure.

#### **Sec. 4. Accessory Uses and Accessory Buildings.**

1. The accessory use shall be permitted only on the same lot as the building to which it is accessory.

2. The renting of rooms or the furnishing of table board in a dwelling to not more than four lodgers, tourists, or boarders shall be considered an accessory use in the Residence A-1, or A-2 or B District, provided that no goods are publicly displayed or offered for sale and no sign or nameplate is displayed.

3. An accessory building which is detached and not part of the main building may be built in the rear yard area, provided that not more than twenty-five (25) per cent of the required rear yard area is occupied by accessory buildings. An accessory building shall not be located nearer than ten (10) feet to the principal building. An accessory building may be placed on the rear or side lot line provided that the written consent of the abutting property owner or owners is obtained for such location of the building; otherwise it shall be placed not nearer than five (5) feet to any side or rear lot line.

4. Garage or storage space for private automobiles is an accessory use in a Residence district and such use shall be permitted as follows:

- a. Residence A-1, A-2, and B Districts: Private garage for three automobiles not nearer than five (5) feet to any side or rear lot line, except as provided in paragraph 3 above, nor nearer to the front street line than the prescribed minimum set-back distance of

the respective districts. No storage of automobiles shall be permitted to take place in the front yard area.

b. Residence C-1 and C-2 Districts: The same regulations as above, except that for *Group Dwellings* individual garages for each family accommodated on the lot may be provided either as an integral part of the building or in an accessory building. Such a garage or group of garages must not be located nearer than ten (10) feet to any side or rear lot line. This provision shall in no case be interpreted as permitting the erection of community garages except on a lot occupied by a group dwelling.

For *multi-family dwellings* garage or storage space for each family accommodated on the lot may be provided either as an integral part of the building or as a roofed-over basement structure occupying any part of the yard area. There shall be only one entrance and one exit and such structure shall not be closer than five (5) feet to any property line. Outdoor parking may be provided as an alternate arrangement for the accommodation of the tenants of the building provided there is allotted for each car three hundred (300) square feet of yard area, including access drives and turning space. Such parking space shall be paved with suitable surfacing and shall be laid out in a manner that prevents any parked automobile being nearer than ten (10) feet to any property line.

c. Residence C-3 District: In a multi-family dwelling or hotel hereafter erected there shall be provided, as an integral part of the building, garage storage space for the automobiles owned by the tenants of the building for such number as will constitute one-third (1/3) of the total number of families housed in the case of a multi-family dwelling, and for at least one-third (1/3) of the number of guest rooms or suites in the case of a hotel.

5. No accessory building, except a private garage in a Residence A-1 or A-2 District which may provide living quarters for servants, shall be used as a dwelling.

6. An accessory building shall not exceed fifteen (15) feet in height above the ground level, except such accessory building as may be used for dwelling purposes as provided in paragraph 5 preceding.

### **Sec. 5. Height Exceptions.**

The provisions of this ordinance governing the height of buildings in all districts shall not apply to chimneys, cooling towers, elevator bulkheads, skylights, ventilators and other necessary appurtenant

features usually carried above roofs; nor to domes, towers, stacks or spires if such features are not used for human occupancy; nor to ornamental towers, observation towers, wireless or broadcasting towers, water towers, and other like structures which occupy less than twenty-five (25) per cent of the lot area. Such features and structures may be erected to their required height and in excess of the height limits otherwise provided for the district in which the structure is built.

### **Sec. 6. Additional Area and Yard Regulations and Ex-ceptions.**

1. Every part of a required yard shall be open to the sky and unobstructed except for accessory buildings in the yard area, and except for ordinary projections of the belt courses, cornices, sills, skylights, and ornamental features projecting from the building not more than twelve (12) inches. Open or lattice-enclosed fire escapes and the ordinary projections of chimneys and flues are permitted.

2. Projecting eaves, chimneys, bay windows, balconies, open fire escapes and like projections which do not project more than three and one-half ( $3\frac{1}{2}$ ) feet, and unenclosed steps, unroofed porches and the like, which do not project more than ten (10) feet beyond the line of the foundation wall, may extend beyond the minimum yard regulations otherwise provided for the district in which the structure is built.

3. On corner lots, the set-back provisions governing the location of buildings on each of the abutting streets shall apply.

4. On lots of less than the required area for the district in which they are located and which have been duly recorded by plan or deed with the Registry of Deeds before the date of the passage of this ordinance, the lot area and width regulations need not apply, except that the ratio of gross story area to lot area shall conform. In case of such lots of less than the required width, the sum of the two required side yards need not be more than forty (40) per cent of the lot width, except that the minimum side yard shall be seven feet six inches (7' 6").

5. Exceptions to the yard regulations set forth in the table governing the yard requirements for buildings are as follows:

a. In a Residence A-1 or A-2 District: A dwelling need not set back more than the average of the set-backs of the buildings on the

## Art. 6. § 7

lots adjacent thereto on either side, but in no case may any part of a building extend nearer to any street line than fifteen (15) feet. A vacant lot or lot occupied by a building set back more than twenty (20) feet shall be considered as though occupied by a building set back twenty (20) feet.

b. In a Residence B District: A dwelling need not set back more than the average of the set-backs of the buildings on the lots adjacent thereto on either side, but in no case may any part of a building extend nearer to any street line than ten (10) feet. A vacant lot or a lot occupied by a building set back more than fifteen (15) feet shall be considered as though occupied by a building set back fifteen (15) feet.

c. In a Residence C-1, C-2, or C-3 District: If a building is hereafter erected on a lot adjacent to a building having a blank wall directly on the side lot line, the new building may be so designed and erected that the required side yard is omitted for that portion of the side lot line along which the existing blank wall extends. The required side yards shall be provided, however, for the remainder of the full lot depth. In case a side wall contains windows or in case any part of a side blank wall of an existing building shall be set back from the side lot line, then a building hereafter erected on the lot adjacent to such an existing building shall be set back from the side lot line in accordance with the provisions regulating the width and depth of courts contained in the Building Code of the City of Cambridge.

### **Sec. 7. Transition Requirements between Residence Districts and Business A and B Districts.**

1. Front Yard: In a Business A District where a lot abuts a Residence District no building shall be erected in the less restricted district nearer than ten (10) feet from any street line within fifty (50) feet of the boundary line between the two districts.
2. Rear Yard: Where the rear of a lot in a Business A or B District abuts a Residence District, there shall be provided on such lot a rear yard of not less than fifteen (15) feet.
3. Side Yard: Where the side of a lot in a Business A or B District abuts a Residence District, there shall be provided on such lot in the less restricted district a side yard of not less than ten (10) feet.

**Sec. 8. Violation and Penalty.**

Any person, firm or corporation who violates or refuses to comply with any of the provisions of this ordinance, shall, upon conviction, be fined a sum not to exceed twenty dollars (\$20.00) for each offense. Each day, or portion of a day, that any violation is allowed to continue constitutes a separate offense.

**Sec. 9. Validity.**

Should any section, provision or paragraph of this ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the portion so declared to be invalid.

**Sec. 10. When Effective.**

This ordinance shall be, and is hereby declared to be in full force and effect from and after 30 days from its date of final passage by the City Council.

In City Council December 27, 1943.

Passed to be ordained.

JOHN H. CORCORAN,  
*Mayor.*

A true copy.

Attest:

FREDERICK H. BURKE,  
*City Clerk.*

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