

# ***The Zoning Guide***

***A User Guide to the  
City of Cambridge Zoning Ordinance  
2nd Edition - Updated Fall 2004***



***Cambridge Community Development Department  
344 Broadway, Cambridge, Massachusetts 02139  
Phone: 617.349.4647 Fax: 617.349.4669 TTY: 617.349.4621  
E-mail: [lpaden@cambridgema.gov](mailto:lpaden@cambridgema.gov)***



# Zoning Guide

## City of Cambridge, Massachusetts

Robert W. Healy,  
*City Manager*

Richard C. Rossi,  
*Deputy City Manager*

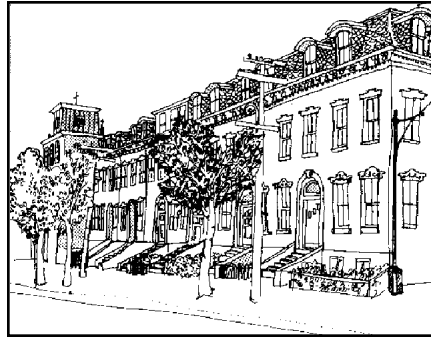
## Cambridge City Council

Michael A. Sullivan, *Mayor*  
Marjorie C. Decker, *Vice Mayor*  
Henrietta Davis  
Anthony D. Gallucio  
David P. Maher  
Brian Murphy  
Kenneth E. Reeves  
E. Denise Simmons  
Timothy J. Toomey, Jr.

## Community Development Department

Beth Rubenstein,  
*Assistant City Manager for  
Community Development*

Susan Glazer, *Deputy Director*



## Original Zoning Guide Team

Donald Balcom  
*Director of Land Use and Zoning*

Marc Levy  
*Associate Land Use Planner*  
Elizabeth McCarthy  
*Assistant Land Use Planner*

## Publication Design

Joan M. Levy  
*Art Director*  
Edie Kraska Moran  
*Illustrator*  
Maxine Novek  
*Illustrator*  
Juanita B. Paige  
*Clerical*

## Second Edition, Updated 2004

Stuart Dash  
*Director of Community Planning*  
Lester Barber  
*Director of Land Use and Zoning*  
Elizabeth Paden  
*Associate Land Use Planner*

## Publication Design

Robin Shore  
*Graphics Director*





## Table of Contents

### I. INTRODUCTION - ZONING IN CAMBRIDGE

### II. Zoning Regulations: WHAT, WHERE AND HOW MUCH

- Zoning Ordinance
- Zoning Map
- Zoning Text
- Use Regulations
- Dimensional Regulations
- Parking Regulations
- Special Regulations

### III. Summary of District Regulations

- Residential Districts
- Office Districts
- Business Districts
- Industrial Districts
- Special Districts
- Overlay Districts

### IV. Zoning Procedures

- Building and Occupancy Permits
- Special Permits
- Variances
- Zoning Amendment Procedure

### V. How Zoning Affects Existing Buildings

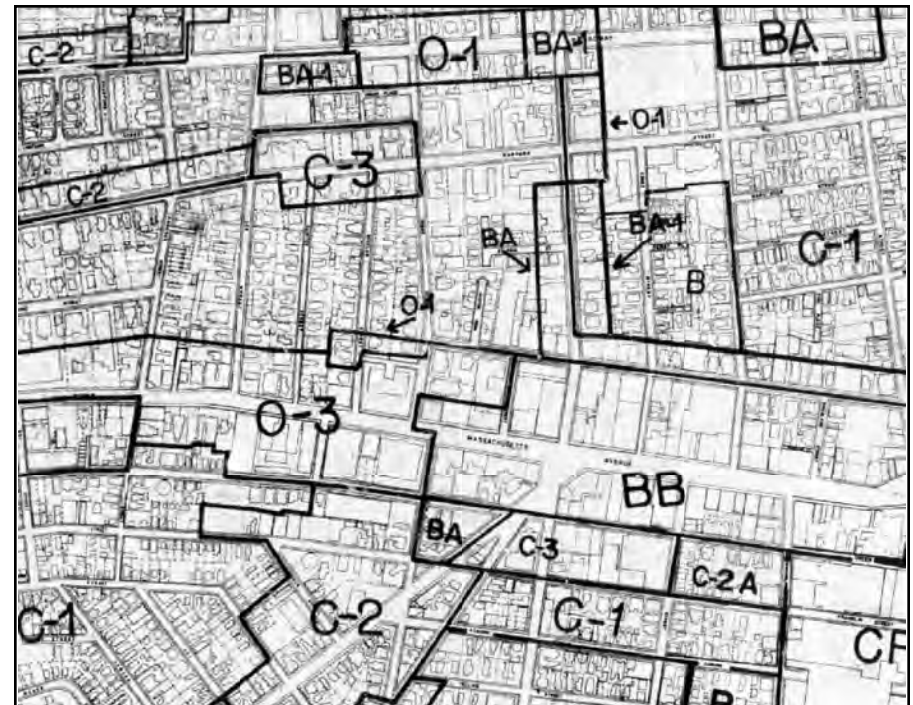
### VI. Who's Who in Zoning

- Inspectional Services
- Board of Zoning Appeal
- City Council
- Community Development Department
- Planning Board

## Zoning Information: Where to find out more

This Zoning Guide only gives an overview of Cambridge's Zoning Ordinance. As such it does not contain all of the regulations that may be applied to any given property. The Ordinance itself contains a lot of complex technical language but it should be consulted to determine the zoning status of a lot or building. Copies of the Zoning Ordinance are on file for public inspection during business hours at the Office of the City Clerk (1st floor, 795 Massachusetts Avenue), at the Inspectional

Services Department in the Lombardi Building (1st floor, 831 Massachusetts Avenue), at the Community Development Department (344 Broadway) and at the main branch of the Cambridge Public Library. Copies of the Ordinance may be purchased at the City Clerk's Office. It is also available online at [www.cambridgema.gov](http://www.cambridgema.gov).





## I. Zoning in Cambridge

The Cambridge Zoning Ordinance is the law which governs how land and buildings in the city may be used. While zoning is a local law, adopted by the City Council, the local regulations and procedures must comply with the State Zoning Act (Chapter 40A of the General Laws of the Commonwealth).

Because zoning sets the “rules of the game” for land and building use, the Ordinance is a statement of the City’s official policy toward physical development and redevelopment. As municipal policy toward physical development and redevelopment changes over time, the Zoning Ordinance is amended to reflect these changes. Cambridge first adopted zoning in 1924 and it has amended the Ordinance over 150 times since then. An amendment may affect only a section of one neighborhood, or it may affect properties citywide. Since zoning regulations have a significant impact on an individual property, anyone who occupies, uses, purchases, or leases property in the city should be familiar with the rules applicable to its use and to the use of other land in the vicinity.

This booklet has been prepared by the Cambridge Community Development Department to provide a summary of the Zoning Ordinance. It also introduces the municipal agencies responsible for zoning.

## II. Zoning Regulations: what, where and how much

The **Zoning Ordinance** defines what people may and may not do with their property. There are two parts to the Ordinance, the map and the text.

The **Zoning Map** divides the city into zoning districts. It shows district boundaries that have been described in legally precise terms when an area is zoned or rezoned.

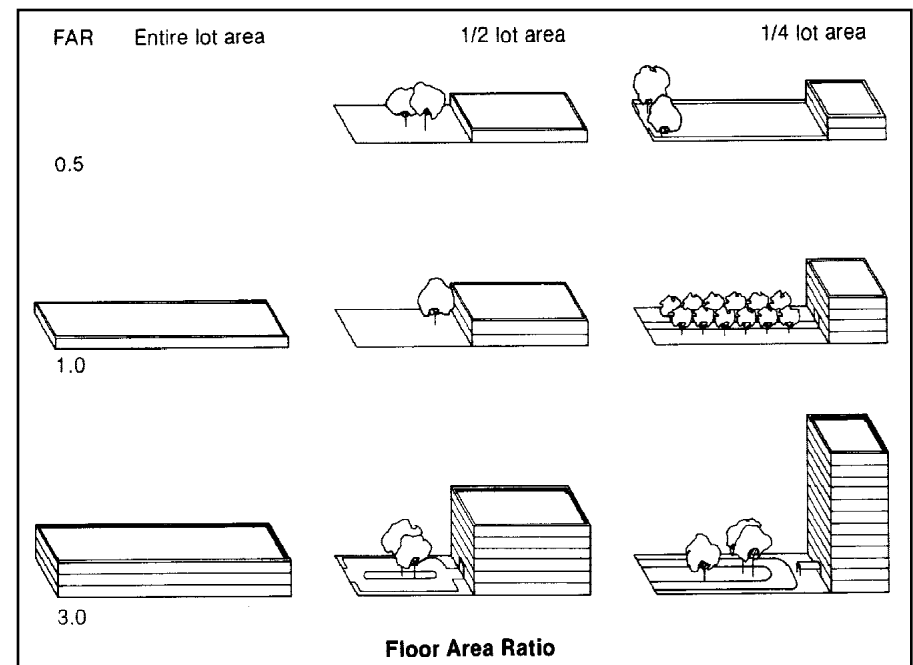
The **Zoning Ordinance Text** spells out the regulations for each class of district. Each regulation usually applies to all locations within a given district classification. Four principal types of regulations may be found in the text of the ordinance: use, dimensional, parking and special regulations. The text also describes the procedures for enforcing and administering those regulations.

**Use Regulations** specify which types of land use (e.g. apartment building, store, restaurant, warehouse) may be located in each zoning district. The Ordinance contains a Table of Use Regulations listing over one hundred different land use types. For each type, in each class of district, the table specifies whether that use is allowed as-of-right, prohibited or conditionally permitted. A conditionally allowed use will be permitted only if granted a special permit, as described in the fourth part of this booklet.

**Dimensional Regulations** limit the intensity of activity and the size and location of buildings on a piece of land. These regulations specify maximum gross floor area, density, height and minimum yards and open space.

**Floor area ratio (FAR)** limits how intensively a lot may be built upon. Indirectly it controls building volume. FAR is the gross floor area of the

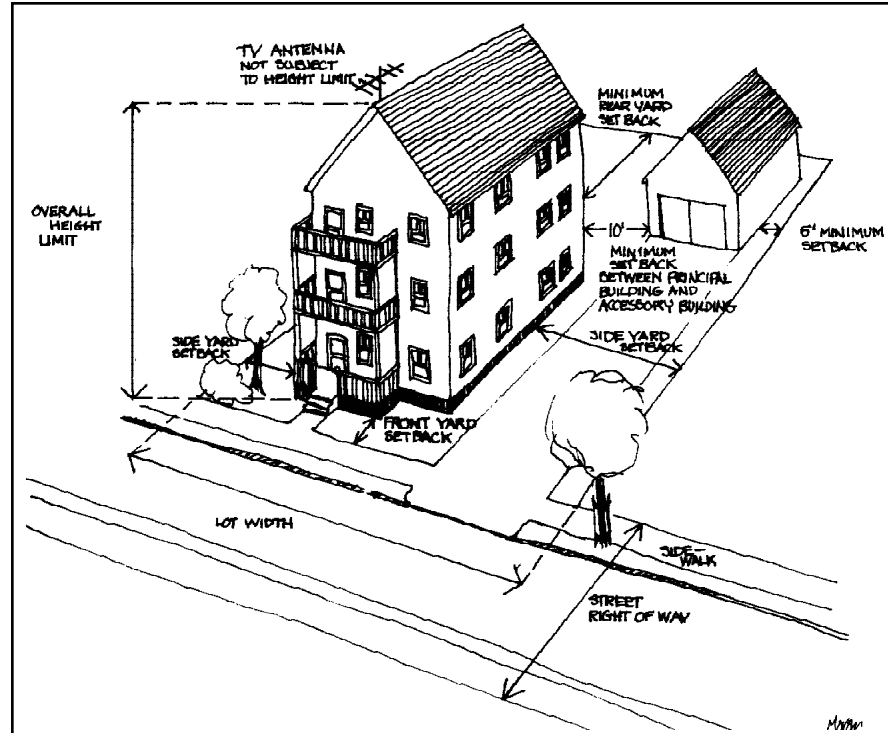
building divided by the area of the lot. Areas devoted to parking, to building mechanical systems and certain other areas are not counted when calculating gross floor area, Business districts such as Harvard Square and Central Square have much larger FAR limits than most residential neighborhoods. The accompanying diagrams show how floor area ratio allowances are applied.





**Density regulations** limit the number of dwelling units which may be built on a piece of land by requiring a minimum number of square feet of lot area per dwelling unit. A dwelling unit is a portion of a building containing the living space for one family or household. A 6,000 square foot lot in an apartment district with a 1200 square foot minimum lot area could contain a five-unit ( $6000 \div 1200$ ) apartment building. It is often useful to convert the minimum required lot area for one dwelling unit to units per acre. This provides a measure of how many new units exist or are allowed on a city block or other larger tract of land.

**Height regulations** limit how tall buildings may be. This is expressed as a maximum number of feet. As a rule of thumb, a single story of a building is about 10 feet high. Some zoning



districts have different height limits at the edge of the district than at other locations within the district.

**Setback regulations** control the distance between the building and street and lot lines. These distances define the yards on a lot. The Zoning Ordinance specifies minimum front, side and rear yard setbacks for residential and office districts and for some business and industrial districts.

**Open space regulations** require that a specified minimum portion of a lot remain open and usable.

Several dimensional regulations are illustrated in the accompanying diagram.

**Parking Regulations** specify the amount of off-street parking required for each type of land use. These are usually expressed as one space per some unit of measure (e.g. dwelling unit, gross floor area, or number of seats). Parking regulations also control the location of the parking, and layout and landscaping of parking facilities.

**Special Regulations** in the Ordinance provide special controls for activities and land uses which have characteristics not

sufficiently regulated by the three classes of general regulations. There are special regulations for accessory uses and fast food restaurants, for example.

**Townhouse Zoning** is an option that developers may exercise in the Residence B and C, Office, Business and Industry A-1 districts enabling the construction of one and two family row houses. This zoning allows more flexible dimensional requirements permitting the creation of lots without side yards. The overall density of a townhouse development (number of units per acre) is the same as other dwellings in the district in which it is located. Larger townhouse projects in Residence B and C districts require a special permit from the Planning Board.





### III. Summary of District Regulations

**TABLE 1: Residential Districts - Zoning Summary**

		FAR	Maximum Height	Minimum Lot Area Per Dwelling Unit	Maximum Dwelling Units Per Acre
<b>A1</b>	Residence Single Family	.5	35'	6000 sq. ft.	7
<b>A2</b>	Residence Single Family	.5	35'	4500 sq. ft.	9
<b>B</b>	Residence Two Family	.5	35'	2500 sq. ft.	17
<b>C</b>	Residence	.60	35'	1800 sq. ft.	24
<b>C1</b>	Residence Multifamily, Apts., Dorms	.75	35'	1500 sq. ft.	29
<b>C1A</b>	Residence Multifamily, Apts., Dorms	1.25	45'	1000 sq. ft.	43
<b>C2</b>	Residence Multifamily	1.75	85'	600 sq. ft.	72
<b>C2B</b>	Residence Multifamily	1.75	45'	600 sq. ft.	72
<b>C2A</b>	Residence Multifamily	2.5	60'	300 sq. ft.	145
<b>C3</b>	Residence Multifamily	3.0	120'	300 sq. ft.	145
<b>C3A</b>	Residence Multifamily Limited Office	3.0	120'	300 sq. ft.	145
<b>C3B</b>	Residence Multifamily Limited Office	3.0/4.0	120'	300 sq. ft.	145

**Residential Districts**

There are twelve categories of residential districts with similar uses (residential, educational, institutional, recreational, and public utility) but with

different dimensional regulations. Some of these regulations are shown in Table 1. Accessory offices for customary home occupations (e.g. an accountant or a lawyer) are also permitted.

The **Residence A-1** district is the lowest density district in the City. Residential structures in this district are limited to detached single family dwellings.

The **Residence A-2** district contains the same use limitations as the Residence A-1 district but at a slightly higher density. New two family houses and apartments are prohibited but existing single family houses may be converted to a two-family in both Residence A districts.

The **Residence B** district is a two-family and townhouse district. Otherwise it contains the same use limitations as the Residence A districts.

The **Residence C** districts are multi-family housing districts. These districts may allow anything from a single family house to a high rise building containing more than one hundred dwelling units. Residence C districts permit more types of land use than Residence A and B districts, including transient residential uses (such as hotels) and institutional uses (schools and hospitals). The Residence C-2A, C-3, C-3A and C-3B districts also allow a limited amount of office space in residential buildings.

**TABLE 2: Office Districts - Zoning Summary**

		FAR	Maximum Height	Minimum Lot Area Per Dwelling Unit	Maximum Dwelling Units Per Acre
<b>O1</b>	Offices, Multi-family Housing	.75	35'	1200 sq. ft.	36
<b>O2</b>	Offices, Multi-family Housing	1.5/.2.0	70/85'	600 sq. ft.	72
<b>O3</b>	Offices, Multi-family Housing	2.0/3.0	90/120'	300 sq. ft.	145
<b>O3A</b>	Offices, Multi-family Housing	2.0/3.0	90/120'	300 sq. ft.	145

*FAR and Height: Where 2 numbers appear in any zoning summary chart, the first number applies to all permitted uses except Residential and Dormitory, both of which shall be governed by the second number.*

**Office Districts**

There are four classes of office districts with similar uses but different densities. Uses allowed in residential districts are usually allowed in these districts, as well as banks, business, professional and technical offices. Some commercial uses

such as theaters are also permitted. The major office districts are found along Massachusetts Avenue, Memorial Drive, Concord Avenue and Alewife Brook Parkway. Table 2 summarizes some of the office district dimensional requirements.

**TABLE 3 Business District - Zoning Summary**

	FAR	Maximum Height	Minimum Lot Area Per Dwelling Unit	Maximum Dwelling Units Per Acre
<b>BA-1</b> Business, Neighborhood Retail, Office	1.0	35'		
Multifamily Residence @ Res. C-1	.75	35'	1200 sq. ft.	36
<b>BA-2</b> Business, Neighborhood Retail, Office	1.0	45'		
Multifamily Residence	1.75	45'	600 sq. ft.	72
<b>BA-3</b> Business, Neighborhood Retail, Office Multifamily Residence	.75	35'	1500 sq. ft.	29
<b>BA</b> Business, Neighborhood Retail, Office	1.0	35'		
Multifamily Residence @ Res. C-2B	1.75	45' 65'	600 sq. ft. @ Hampshire St	72
<b>BC</b> Business, General Retail, Office, Multifamily Residence	1.25/2.0	55'	500 sq. ft.	87
<b>BC-1</b> Business, General Retail, Office	2.75	50'		
Multifamily Residence	3.0	50'	300 sq. ft.	145
<b>BB-1</b> Business, Neighborhood Retail, Office	1.5	55'		
Multifamily Residence	3.25	90'	300 sq. ft.	145

	FAR	Maximum Height	Minimum Lot Area Per Dwelling Unit	Maximum Dwelling Units Per Acre
<b>BB-2</b> Business, General Retail, Office	1.5	45'		
Multifamily Residence	3.0	45'	300 sq. ft.	145
<b>BB</b> Business, General Retail, Office	2.75	80'		
Multifamily Residence @ Res. C-3	3.0	80'	300 sq. ft.	145

**Business Districts**

There are nine categories of business districts. The principal uses permitted in the business districts, in addition to the uses allowed in residential and office districts, are retail establishments (stores, theaters, restaurants) and consumer service businesses (such as barber shops, repair shops, cleaning establishments).

Business districts vary in type and intensity of establishment permitted. The Business B district is a general business district that permits more retail uses as-of-right than the Business A districts and

permits more intense development than any other business district. Central Square and Harvard Square have this zoning. The Business B-1 and B-2 districts are special business districts with limited retail uses and are subject to additional height and setback requirements. The Business C district permits generally the same uses as the Business B district but has dimensional regulations which allow less intensive development. Table 3 summarizes the key restrictions for these nine districts.

**TABLE 4 Industrial Districts - Zoning Summary**

Uses	FAR	Maximum Height	Minimum Lot Area Per Dwelling Unit	Maximum Dwelling Units Per Acre
<b>IA-1</b> Light Manufacturing, Warehouse Limited Retail, Business, Office and Residence	1.25/1.50	45'	700 sq. ft.	62
<b>IA-2</b> Light Manufacturing, Warehouse Limited Retail, Business, Office and Residence	2.75/4.0	70'	None	
<b>IA</b> Light Manufacturing, Warehouse, Retail, Business, Office and Residence	1.25/1.50	45'/85'	None	
<b>IB-1</b> Manufacturing, Warehouse, Office and Residence	1.5/3.0	60'/70'	None	
<b>IB-2</b> Manufacturing, Warehouse, Office and Residence	1.5	85'	None	
<b>IB</b> All Uses	2.75/4.0	120'	None	
<b>IC</b> Light Manufacturing, Office, Retail, Business and Residence	1.0	45'	None	

**Industrial Districts**

The seven classes of industrial districts in the city are categorized into “light” or “heavy” industrial districts. Industry A-1 and Industry A-2 are light industrial districts which permit a broad range of industrial activity, subject to stringent regulations. Convenience retail, office, and limited residential uses are also permitted. The Industry A district is also a “light” industrial district permitting a limited amount of manufacturing uses, warehouses and all retail and office uses. The “heavy” industrial districts

include the Industry B-1, B-2, and B districts. The Industry B-1 and Industry B-2 districts permit most assembly, processing, and manufacturing activities (subject to limits on the off-site impacts of those activities) and office uses. The Industry B district permits all uses. This is the least restrictive zoning district in the City. The Industry C district is an office, research and light manufacturing district. The major development restrictions of these districts are summarized in Table 4.



**TABLE 5 Planned Unit Development Districts - Zoning Summary**

	Major Uses	Maximum FAR	Minimum Site Size	Location
<b>PUD-KS</b>	Mixed Use (Office,Retail, Residential)	3.0	40,000 sq. ft.	Kendall Square
<b>PUD-1</b>	Mixed Use (Office,Retail, Hotel Residential)	3.0	2.5 acres	Mt. Auburn St.
<b>PUD-2</b>	Residences Offices, Hotel	3.0 to 4.0	1 acres	East Cambridge Riverfront
<b>PUD-3</b>	General & Technical, Offices	3	2 acres	Kendall Square
<b>PUD-4, A,B</b>	Retail Services, Offices	2-3	25,000 sq. ft.	Lechmere Canal Park
<b>PUD-5</b>	Office, Retail, Hotel	2.0	25,000 sq. ft.	Cambridge Park Drive
<b>PUD NP</b>	Residences, Office, Business	2.0 to 3.5	100,000 sq. ft.	North Point

**SPECIAL DISTRICTS**

The Ordinance also includes nineteen districts with regulations tailored for certain limited areas within the City.

**Cambridge Center Mixed Use Development District (MXD)** was created to guide development in the Kendall Square Urban Renewal Area. The MXD District was designed to work with Design Guidelines and a Design Review Process adopted as part of the Urban Renewal Plan by the Cambridge Redevelopment Authority. These regulations require a balanced mixture of land uses developed in coordinated fashion as provided in the master plan for the area. Light Industrial, office , retail, institutional and residential uses are allowed within the district. There are overall limitations on the amount of each class of use. The height limit for the district is 250 feet and there are extensive public open space requirements.

**Open Space District** was created to safeguard the interests of Cambridge residents with respect to public open space. It is applicable to certain municipal open spaces which could be encroached upon for other purposes. Public park, playgrounds, and public recreation buildings are the only uses permitted as-of-right in open space districts. Maximum floor area ratio is .25 and maximum building height is 35 feet. Fresh Pond Reservation, Russell Field and Danehy Park are now included with the Open Space District.

**The Cambridgeport Revitalization District** implements the Blue Ribbon Report allowing a diversity of land uses in close proximity within a limited area; encouraging a transition from the existing Cambridgeport residential neighborhoods to the business-oriented uses in the District and interaction among the activities located within the district, while providing for mixed income residential uses as an extension of the Cambridgeport neighborhood.

**Special Districts** regulate development in particular areas of the city. Currently there are 16 Special Districts, which have requirements of a standard zoning base district and additional requirements and regulations of the Special District for a reason specific to the Special District. Special Districts are located throughout Cambridge.

**OVERLAY DISTRICTS**

An overlay district is a set of zoning regulations for a defined area that are required either in addition to the base district's regulations or in lieu of those regulations. Overlay zoning is used to protect the character of an area of special concern or to encourage new development subject to additional controls. The categories of overlay districts are described below.

**The Harvard Square Overlay District and the Harvard Square Historic Overlay District** were created to preserve the unique functional and visual environment of the area and to reduce negative development impacts on adjacent residential neighborhoods. These districts establish regulations which are applicable in addition to the requirements of the base zoning districts. The overlay regulations establish a maximum height of 60'. This limit may be increased to 80' if certain setback requirements are met. Most development in these districts are subject to a consultation review process by the Harvard Square Advisory Committee.

**Flood Plain Overlay District** is intended to protect the health, safety, and general welfare, human life and property from the hazards of periodic

flooding, while preserving the natural flood control characteristics and the flood storage capacity of the flood plain, and ground water recharge areas.

**Massachusetts Avenue Overlay District** augments the base zoning regulations in the District in order to create a more harmonious and consistent image for the development of Mass. Avenue, adjacent areas, and abutting portions of the neighborhoods, north of the Cambridge Common.

**Central Square Overlay District** responds to the unique problems and pressures for change particular to Central Square. The District requires review of development proposals that may negatively impact the area and the unique environment and character of the Square and the abutting residential neighborhoods. The maximum as of right building height is 55' and FAR is 3.0, with special permit processes allowing greater height and FAR for particular uses, design review and satisfying specific goals and objectives.

**Kirkland Place Overlay District** provides a transition between the character and scale of the Residence A-2 district and the abutting institutional development in the Residence C-3 district.

**Hammond and Gorham Transition Overlay District** provide a transition between the character and scale of development existing and permitted in the abuttin residence C-1 district and the base C-3.

**Institutional Overlay Districts** identify areas of concentration of institutional activity. Expansion of institutional uses within the districts is more easily accom-

plished than expansion of such uses outside an overlay district. Special regulations limit institutional uses in Residence A, B, C, and C-1 districts.

**Mixed Use Residential Overlay District** modifies the base residential district regulations in areas with substantial non-residential uses to encourage residential conversion and retail and consumer services to support residential uses.

**Eastern Cambridge Development Rights Transfer District** reduces the density of development close to existing residential neighborhoods and encourages housing development compatible with those existing neighborhoods. It also supports residential, office, and research and development uses in those areas close to public transportation.

**Eastern Cambridge Housing Overlay District** provides an incentive to residential development through conversion of nonresidential uses to housing as well as permitting the development of mixed uses where desirable.

**Planned Unit Development (PUD) Districts** have been established to encourage new buildings in the city's major revitalization areas such as East Cambridge and Alewife. They also permit coordination of public and private development to implement urban design plans for those areas. There are nine areas of the city designated for PUD zoning. A developer in one of these areas may elect to follow either the base

zoning or the PUD zoning. The PUD designation encourages the establishment of mixed use developments by providing flexible guidelines that allow the integration of a variety of land uses and densities in one development. Typically, the PUD regulations allow more intense or more diverse development. PUD approval follows a special permit procedure administered by the Planning Board. A developer's plan is reviewed with respect to existing policy plans, construction of public improvements, landscaping, environmental impact, density, size of lots, setbacks, heights, open space, perimeter and transition, and parking and loading. Two public hearings are required. Table 5 outlines the general provisions and locations of each PUD district.

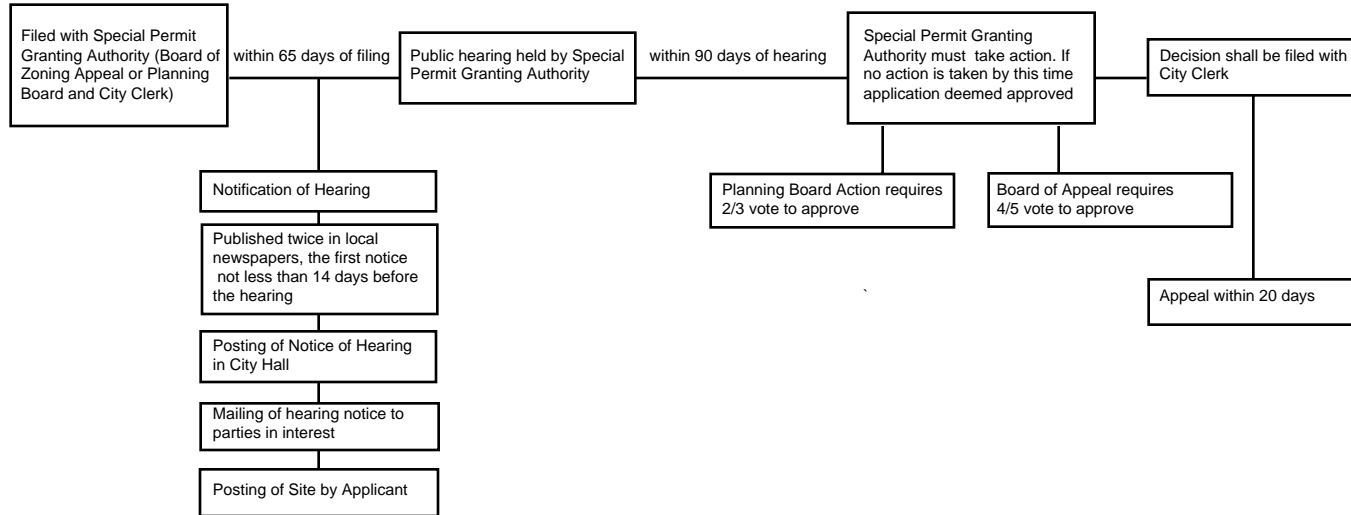
**Parkway Overlay District** is a 400 foot wide corridor along Alewife Brook Parkway, Concord Avenue, Fresh Pond Parkway and the Concord Turnpike. Its purpose is to update the image of the area by reducing haphazard development and to encourage development that will protect and enhance public open space. The district regulations include special setback, landscaping, and parking limitations.

**Memorial Drive Overlay District** is located in the area between Magazine and River Streets and establishes building and site development standards to enhance the area appearance.



## IV. Zoning Procedure

### 1. Special Permit Procedure



### ZONING PROCEDURE

The Cambridge Zoning Ordinance is administered through permit application processes of the Inspectional Services Department, the Board of Zoning Appeal, and the Planning Board. Changes to the Ordinance are accomplished through an amendment procedure involving the Planning Board and City Council.

### Building and Occupancy Permits

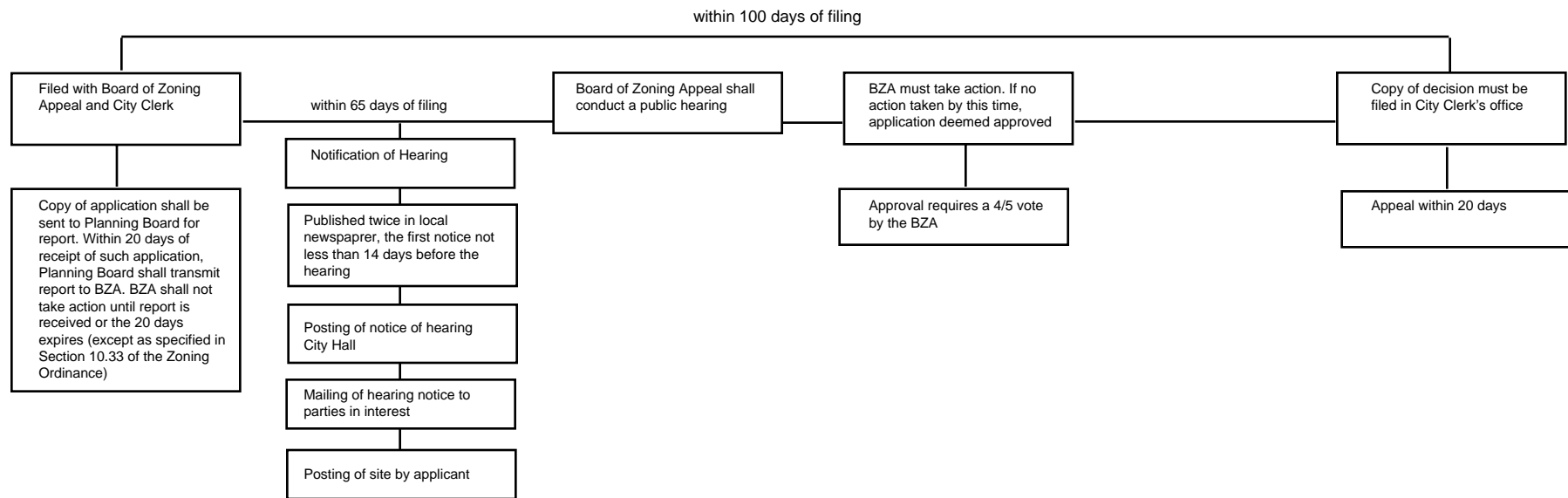
Nearly all construction activity (new buildings, existing building expansion, and alterations) requires a building permit. When someone applies for a building permit, Inspectional Services makes sure the proposed construction

will comply with the State Building Code and with the Zoning Ordinance. Inspectional Services also issues certificates of occupancy. A certificate is required before a parcel of land or a building may be used for any purpose. It is obtained after work under a building permit is completed or when a building is changed from one use to another. The certificate states that the use of the property complies with the State Building Code and the Cambridge Zoning Ordinance.

### Special Permits

Most of the regulations found in the Ordinance are “yes” or “no” type regulations. For example, a certain use may be allowed or it is prohibited. A building may be so tall but no taller. If a building proposal complies with such requirements, a building permit will be issued. There is another class of regulations which are not as rigid. They in effect say “maybe” a use will be allowed or “maybe” a taller building will be permitted if a special permit is granted. A special permit is issued by a local board when it determines that the particular project is reasonable at the location where it is being proposed. A special permit will normally be granted unless the proposal fails to meet the special permit criteria established in the Ordinance. The special permit granting authority has the power to attach any conditions or limitations on the special permit which it deems necessary. The procedure for obtaining a special permit is outlined on the accompanying chart.

## 2. Variance Procedure

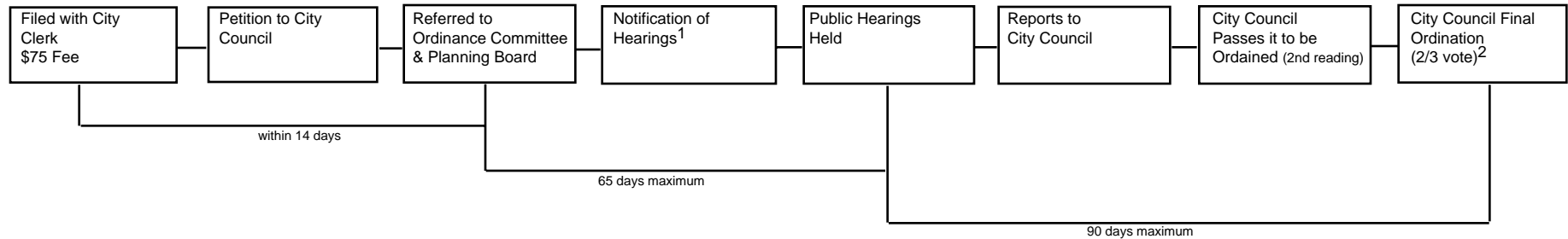


### Variations

A Variance is a legal relief valve by which a property owner may obtain an exemption from the requirements of the Zoning Ordinance. Variations from dimensional, use, and parking regulations may be granted by the Board of Zoning Appeal in cases where the requirements of the Ordinance represent a hardship for the petitioner. The petitioner must establish that the hardship is particular only to his lot and is due to the unique conditions of the land for which the variance is being requested. The BZA must find that the variance will not result in substantial detriment to the public good and that it will not significantly derogate from the intent of the Zoning Ordinance. The above chart outlines the procedure for obtaining a variance.



### 3. Zoning Amendment Petition Procedure



### Zoning Amendment Petition Procedure

The Zoning Ordinance and Zoning Map may be amended when existing regulations are no longer appropriate or when the City prepares new plans for an area. Amendments may involve text changes in district or citywide regulations or a change in the district designation for a certain area on the zoning map (called a rezoning). When regulations for an area are made more restrictive, the action is called a downzoning.

Amendments are adopted after a petition process requiring two public hearings - one before the Planning Board, the other before the City Council Committee on Ordinances. Notices of these hearings usually appear in a

Cambridge newspaper. Petitions may be filed by the City Council, by the Planning Board, by the Board of Zoning Appeal, by ten registered voters, or by any individual who owns land that would be affected by the petition. Once a public hearing on a proposed zoning amendment has been advertised in the newspapers, permits that would violate the proposed change are not issued by Inspectional Services. Typically, it takes between two and five months to complete the amendment petition process. The above chart shows the sequence of events in the process.

1. Published twice (successively) in local paper. First notice not less than 14 days before hearing (freezes zoning). Posted in City Hall and mailed to petitioner and other interested parties.
2. Final action cannot be taken until a report is received from the Planning Board or unless 21 days have passed from the date of the Board's Hearing. 3/4 vote of Council required if a protest is filed by owners of 20% of the affected land area.



## V. How Zoning Affects Existing Buildings

When a use or structure does not conform to the regulations or requirements of the Zoning Ordinance for the district in which it is located, but was in existence and lawful at the time the applicable provisions of the Zoning Ordinance became effective, the use or structure is said to be nonconforming.

Any lawful structure or use that is made nonconforming by a change in the Zoning Ordinance will be allowed to continue indefinitely. However, any significant alteration, expansion, or change in that structure or use must first be approved by the Board of Zoning Appeal. Either a special permit or a variance is required, depending on the location of the property and the requested modification. If a portion of an existing nonconforming structure is damaged by fire or other accident, that structure may be rebuilt and the use restored, provided that the total damage is less than 50% of the replacement value of the building. If the damage is in excess of 50%, the building may only be replaced with a conforming structure and/or use. Any nonconforming use that has been abandoned or not used for a period of two years cannot later return.

There are many nonconforming uses and structures in Cambridge. One reason is that zoning wasn't established in the City until 1924 when many existing uses or structures then became nonconforming. Another reason is that a number of zoning amendments adopted since 1924 have made other uses and structures nonconforming.

## VI. Who's Who in Zoning

Administration of the Zoning Ordinance involves several City Departments and Boards.

### Inspectional Services

Many individuals first become involved with zoning when they attempt to obtain a building permit or certificate of occupancy from Inspectional Services. This department is responsible for reviewing all plans for building construction, alteration, or conversion to ensure that the proposal complies with local zoning and with the State Building Code. The Superintendent of Buildings is empowered by state statute to enforce the Zoning Ordinance. The department has a Zoning Specialist who is responsible for explaining zoning requirements on specific parcels, for reviewing permit applications for zoning compliance and for investigating potential zoning violations. Other inspectors check plans for compliance with building and other codes.

### Board of Zoning Appeal

The Board of Zoning Appeal (BZA) is a five-member (plus 7 alternate members) unpaid board appointed by the City Manager. It has a full-time secretary who has an office at Inspectional Services. The BZA has three duties.

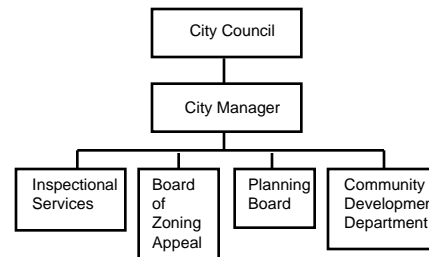
First, it hears appeals from decisions made by the Building Superintendent in administering and enforcing the Zoning Ordinance. If someone is denied a building permit, he may appeal to the BZA; or if a permit is granted and another party, a neighbor perhaps, believes that it was improperly granted, that party may appeal the Building

Superintendent's decision. Second, the BZA is empowered to grant variances from the requirements of the Ordinance. Third, the BZA is the special permit granting authority for most conditional uses or other flexible zoning regulations requiring a special permit. The BZA conducts public hearings to hear cases on its current agenda. Appeals from the decisions of the BZA may be taken to the Middlesex County Superior Court or the Land Court.

### City Council

As the City's legislative body, the City Council is responsible for adopting and amending the Zoning Ordinance. Both map changes and text changes must be approved by the Council as described earlier in the amendment procedure.

Municipal Agencies Responsible for Zoning



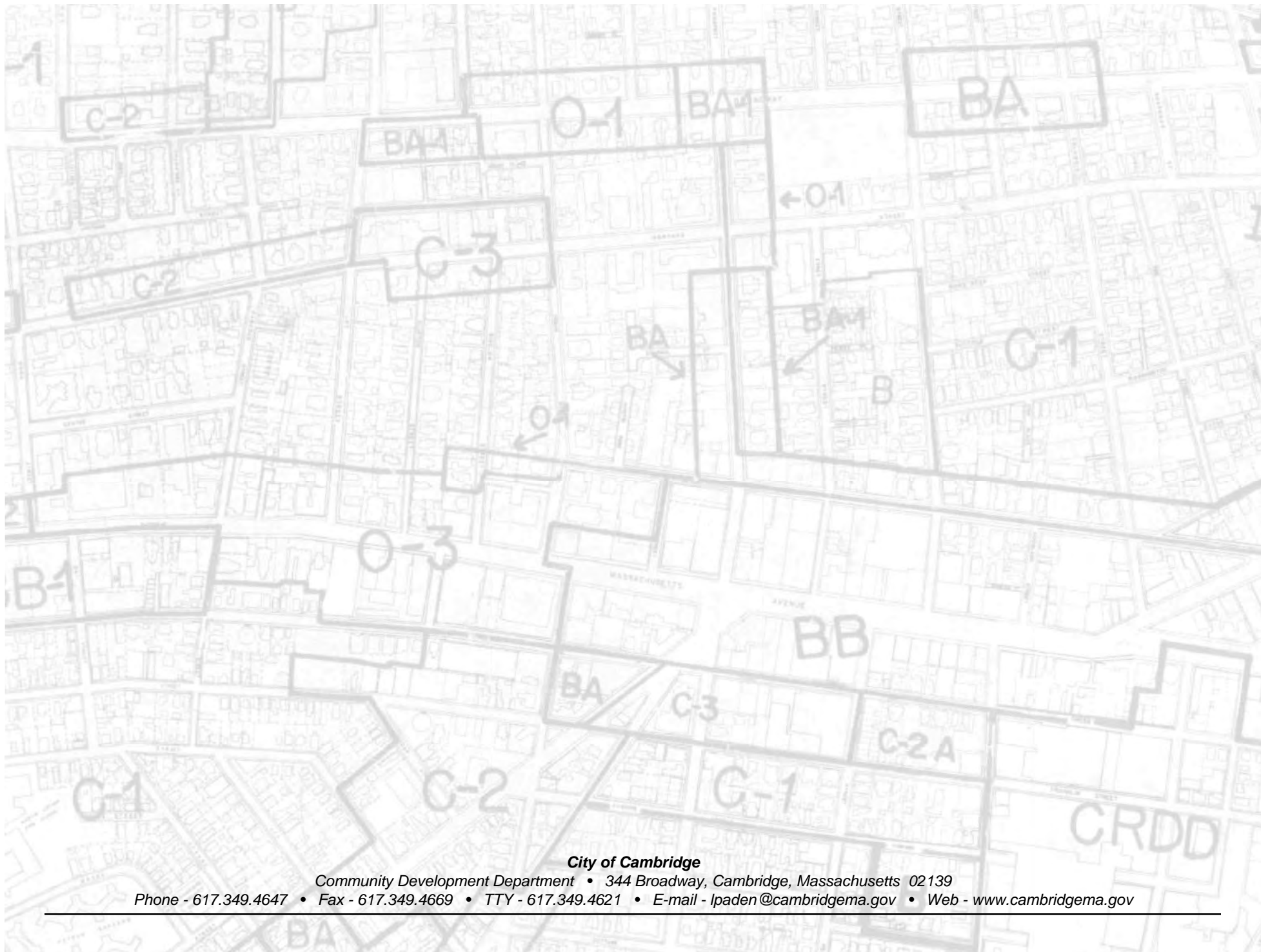
### Community Development Department

The Community Development Department is Cambridge's city planning agency with a full-time staff of planners, urban designers and other professionals. In terms of zoning, the Department provides technical assistance to the Planning Board and to the City Council. The Land Use and Zoning Component of the Department regularly reviews the

Zoning Ordinance and its administration and suggests revisions. It develops rezoning strategies to implement planning recommendations. Staff planners and urban designers review all development applications requiring approval from the Planning Board or Board of Zoning Appeal approval and conduct a development consultation procedure in districts of special planning concern. The Department also provides assistance to residents and others regarding interpretation of the Ordinance, zoning procedures, and other zoning matters.

### Planning Board

The Planning Board is a seven member (plus two associate members), citizen board appointed by the City Manager. It is empowered to oversee planning activities in Cambridge and to advise the City Manager and City Council on planning issues. The Planning Board conducts public hearings on all proposed amendments to the Zoning Ordinance. (Traditionally, the Planning Board has been the overseer of the Zoning Ordinance). The Planning Board's formal role in the zoning process is strictly advisory, involving making recommendations on all zoning matters before the City Council and the Board of Zoning Appeal. In addition, the Planning Board is authorized to act as a special permit granting authority for developments that require a considerable amount of technical plan review or that will have substantial impact of special planning concern.



**City of Cambridge**

Community Development Department • 344 Broadway, Cambridge, Massachusetts 02139

Phone - 617.349.4647 • Fax - 617.349.4669 • TTY - 617.349.4621 • E-mail - [lpaden@cambridgema.gov](mailto:lpaden@cambridgema.gov) • Web - [www.cambridgema.gov](http://www.cambridgema.gov)