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To the Honorable, the City Council:

The undersigned hereby petition the City Council of the City of Cambridge to amend the Zoning Ordinance of the City of Cambridge to designate the City Council as the exclusive special permit granting authority for Project Review Special Permits.

Earlier this year, the City Council adopted a policy order resolution that has set in motion a process to establish a citywide Master Plan as required by Massachusetts General Laws, Chapter 41, Section 81D. The start of the Master Plan process represents a major milestone for our city, and after some initial debate and a number of productive conversations, a consensus has emerged and the Master Plan is now expected to be completed over the course of the next two and a half years.

Nevertheless, many residents recognize that we cannot wait to address the multitude of challenges that are currently facing our city – especially with respect to affordable and middle-income housing, traffic mitigation and the need to further develop our multi-modal transit infrastructure, climate preparedness, adaptation, and resilience, and the continued enhancement of our neighborhoods and public spaces through good Urban Design practices.

Therefore, we respectfully ask the City Council to utilize all of the tools at its disposal – including the provisions of Massachusetts General Laws, Chapter 40A, Section 1A, which enables the City Council to designate itself a special permit granting authority. This change will not affect smaller proposals or any “by-right” development, but it will create a mechanism for policymakers to review larger projects that are likely to have significant impact on abutting properties and the surrounding urban environment.

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OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Amend the text of the Zoning Ordinance of the City of Cambridge by adding the following section 19.60:

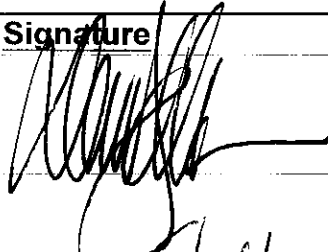
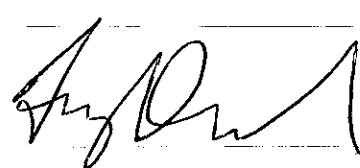
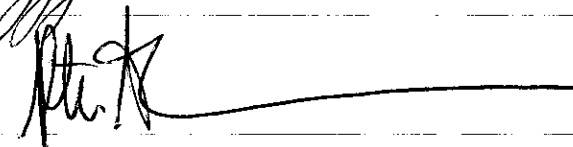
19.60 CITY COUNCIL PROJECT REVIEW

- 19.61** *Purpose.* It is the intent of this Section 19.60 to modify the provisions of Section 19.20 by making the City Council the special permit granting authority for all Project Review Special Permits.
- 19.62** *Granting Authority.* Notwithstanding any other provision of this Ordinance, the City Council shall be the exclusive special permit granting authority for all Project Review Special Permits granted under Section 19.20 and shall be considered a "special permit granting authority" as referenced in Section 10.40 of this Ordinance and as expressly authorized by Section 9 of the Zoning Act M.G.L., Ch 40A.
- 19.63** *Term of Effect.* The provisions of this Section 19.60 shall apply to any application and any amendment of an application for Project Review Special Permit relief that is or has been filed on or before Saturday, December 31, 2016 and shall otherwise terminate and expire on that date.
- 19.64** *Project Review Special Permit Application.* Notwithstanding any other provision of this Ordinance, an application for a Project Review Special Permit shall be made to the City Council. The City Council shall adopt and from time to time amend rules relative to the issuance of Project Review Special Permits, and shall file a copy of said rules in the office of the City Clerk. The Project Review Special Permit application shall consist of all materials described in Section 19.24 of this Ordinance, with the exception that the City Council's rules may specify or allow for a supplemental form to augment or replace the Planning Board Special Permit Application Form, provided that all of the information required and specified under Section 19.24 be included in the application.
- 19.65** *Procedure.* A Project Review Special Permit shall only be issued following a public hearing held within sixty-five (65) days after filing of an application with the City Clerk, a copy of which shall be given to the City Council by the applicant. Notice of each application to the City Council for a Project Review Special Permit shall be transmitted forthwith to the Planning Board and the Community Development Department, which shall, within thirty-five (35) days of the receipt of such notice, jointly transmit to the City Council a report accompanied by any material, maps, or plans that will aid the latter in judging the application and in determining special conditions and safeguards. The City Council shall not render any decision on an application for a special permit until said report has been received and considered or until the thirty-five (35) day period has expired without receipt of the report, whichever is earlier.
- 19.65.1** *Additional Notification Requirements.* An applicant for a Project Review Special Permit shall be required to erect and maintain in legible condition one or more public notification panels at the site for which the Project Review Special Permit relief is requested. The required panels shall be secured by the applicant from the Community Development Department and shall be erected and maintained pursuant to the provisions of Section 10.42.1 of this Ordinance.
- 19.66** *Review Criteria.* In granting a Project Review Special Permit, and notwithstanding any provision of this Ordinance to the contrary, the City Council shall make Traffic Impact Findings and Urban Design Findings and apply Traffic Impact Indicators pursuant to the

provisions of Section 19.25 and shall also make findings relative to the general criteria for issuance of a Project Review Special Permit as set forth in Section 10.43 of this Ordinance. For the Term of Effect of this Section 19.60, the provisions of Section 19.25 and Section 10.43 shall be followed in accordance with the Purpose of this Section 19.60. In consultation with the Traffic, Parking, and Transportation Department, the City Council shall adopt, publish, and make available to all applicants precise numerical values that will be deemed to indicate potentially substantial adverse impact for each of the Traffic Impact Indicators listed under Section 19.25.11 of this Ordinance.

19.67 *Expiration.* A Project Review Special Permit granted by the City Council shall be subject to the Expiration provisions of Section 10.46 of this Ordinance.

19.68 *Repetitive Applications.* No application for a Project Review Special Permit which has been unfavorably acted upon by the City Council shall be acted favorably upon within two years after the date of unfavorable action unless the City Council finds, by a two-thirds vote, specific and material changes in the conditions upon which the previous unfavorable action was based, and describes such changes in the record of its proceedings, and unless all but one of the members of the Planning Board consents thereto and after notice is given to parties in interest of the time and place of the proceedings when the question of such consent will be considered. The granting of "leave to withdraw" after an application for a Project Review Special Permit has been advertised shall be considered unfavorable action.

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