

ORDINANCE NUMBER 1347

Final Publication Number 3273. First Publication in the Chronicle on February 16, 2012.

City of Cambridge

In the Year Two Thousand and Twelve

AN ORDINANCE

In amendment to the Ordinance entitled “Zoning Ordinances of the City of Cambridge”

Be it ordained by the City Council of the City of Cambridge that the Zoning Ordinances of the City of Cambridge be amended as follows:

17.20 SPECIAL DISTRICT 2

17.21 *Scope.* This Section regulates development in Special District 2 as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided this Section 17.20, all requirements of and regulations applicable to the Residence B District shall apply equally to the Special District 2.

17.22 *Purpose.* It is the intent of this Special District 2 to encourage the establishment of residential uses in the district in a form and density compatible with the adjacent residential neighborhood. However, given the significant presence of nonresidential uses in the district, provision is made for the conversion of those existing nonresidential uses to other nonresidential uses more compatible with the residential neighbors, with the intent that all nonresidential uses will, over time, be replaced with permitted residential use.

17.23 *Use Regulations.* The uses allowed in the Residence B district shall be equally allowed in Special District 2 except as modified by the following provisions.

17.23.1 Additional Permitted Residential Uses. Multifamily Dwelling, Section 4.31.g shall be permitted, subject to the special permit requirements for Townhouse development in a Residence B District.

17.23.2 Permitted Non Residential Uses.

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

- (a) Section 4.34 – Office and Laboratory Use, Paragraph a (medical professional), Paragraph b (nonmedical professional), Paragraph c (agency office), Paragraph d (general office).

(b) Section 4.35 – Retail Business and Consumer Service Establishments, Paragraph q (arts and crafts studio).

(c) Section 4.36 - Open Air or Drive-In Retail and Service, Paragraph a (sale of flowers, garden supplies, and commercial greenhouses).

17.23.22 The above nonresidential uses shall be permitted to occupy a nonresidential building in existence as of September 1, 1998 provided the current use of the building, if occupied, is any use described in Section 4.34 (office and laboratory use), Section 4.35 (retail business and consumer service establishment), Section 4.36 (open air and drive-in retail and service), Section 4.37 (light industry) or Section 4.38 (heavy industry). Where the building is unoccupied it may be so occupied with permitted nonresidential uses provided the building has not been occupied by a residential use in the five years immediately preceding the time of application for a certificate of occupancy for the new nonresidential use.

17.24 *Dimensional Requirements.* The dimensional requirements of the Residence B district shall apply to the Special District 2, except as modified by the provisions set forth below.

17.24.1 Maximum FAR.

1. The FAR applicable in the Special District 2 shall be 0.50.
2. Notwithstanding the limitations of Paragraph (1) above, where it is proposed to reuse a nonresidential structure in existence as of September 1, 1998 for permitted residential uses, the following Gross Floor Area shall be permitted.
 1. The Gross Floor Area that is the result of the application of the FAR generally permitted in the district, or the existing Gross Floor Area of the structure itself, whichever is greater.
 2. Additional Gross Floor Area may be added to the nonresidential structure without limit provided all construction creating additional Gross Floor Area occurs within the limits of the existing structure.
 3. Where it is proposed to demolish an existing nonresidential structure that has a Gross Floor Area greater than that permitted by the application of an FAR of 0.50 for the purpose of converting the site entirely to permitted residential uses, the total Gross Floor Area contained in the nonresidential structure shall be permitted in the new residential structures up to a maximum FAR of 0.50.

17.24.2 Minimum Lot Area for Each Dwelling Unit.

1. The Minimum Lot Area for Each Dwelling Unit shall be two thousand and five hundred (2,500) square feet.
2. Where it is proposed to reuse a nonresidential structure in existence as of September 1, 1998 for permitted residential uses, the number of units permitted in the structure shall

be that number permitted in Paragraph (1) above or that number of units which is the Gross Floor Area of the structure as permitted in Section 17.24.1(2) above divided by one thousand and two hundred (1,200) square feet, whichever is greater.

3. Where it is proposed to demolish an existing nonresidential structure that has a Gross Floor Area greater than that permitted by the application of an FAR of 0.50 for the purpose of converting the site entirely to permitted residential uses, the number of units permitted in the new structures shall be the Gross Floor Area of the structures as permitted in Section 17.24.1(3) above divided by one thousand and eight hundred (1,800) square feet.

17.24.3 Other Dimensional Requirements.

- 1) The provisions of Section 5.53 related to multiple buildings on a lot in Residence B districts shall not apply in Special District 2.
- 2) Where it is proposed to convert an existing nonresidential structure to residential use, and where that structure covers fifty (50) percent or more of its lot, the Minimum Ratio of Private open space to Lot Area may be reduced to the ratio existing on the site at the time of conversion, if any. However, if the land area required for provided parking outside the building, including required setbacks is less than the area of land that has no structure on it, the remainder of the open land shall have any paving material (asphalt, concrete, or gravel) removed, topsoil of a minimum two foot depth shall be added, and the space shall be landscaped with trees, shrubs, and/or grass up to the maximum percentage of the lot required to be Private open space in the Ordinance.
- 3) The maximum building height shall be forty (40) feet with a cornice height not to exceed thirty (30) feet. However, any portion of a building located fifty (50) feet or less from the boundary of any other zoning district with a maximum building height of thirty-five (35) feet or less or from the sideline of a street shall have a maximum height of thirty-five (35) feet.
- 4) Additional Special Permit Criteria. In evaluating applications for Multifamily or Townhouse Special Permits in Special District 2, in addition to the existing criteria set forth in Section 10.47.4, the Planning Board shall also consider as a criterion the development of residential units of various sizes and with various numbers of bedrooms, with specific attention to three and more bedroom units, with the overall goal of providing dwelling units suitable for diverse household sizes.

17.25 Protection of the Linear Park Open Space. Any fences within the building setback of the Linear Park Open Space will be such that sight lines are minimally obstructed. Examples of conforming fences are wrought iron, wire, or chain link. Examples of non-conforming fences are board, stockade, or concrete walls.

In City Council March 5, 2012.

Passed to be ordained as amended by a yeas and nays vote:-

Yeas 9; Nays 0; Absent 0; Present 0.

Attest:- Donna P. Lopez, Interim City Clerk.

A true copy;

ATTEST:-

Donna P. Lopez
Interim City Clerk