

Potential Zoning Amendments related to Retail and Consumer Service Establishments. Current text of the Zoning Ordinance is unformatted. Additions or creations are shown in underline format, deletions are shown in ~~striketrough format~~.

Retail Land Use Zoning – Potential Text Amendments

Contents:

- 1. Amendments to Article 2.000 – Definitions.*** *These changes are intended to provide general and specific definitions for all Retail and Consumer Services Uses and amend some current definitions.*
- 2. Amendments to Article 4.000, New Section 4.210 – Additional Allowed Retail and Consumer Service Uses.*** *These changes are intended to clarify the allowances and limitations for subsidiary Retail and Consumer Service Uses that are contained within another larger non-residential use.*
- 3. Amendments to Article 4.000, Section 4.30 – Table of Use Regulations and Section 4.40 – Footnotes to the Table of Use Regulations.*** *These changes are intended to adjust current district use regulations for Retail or Consumer Service Establishments, with the overall objectives of relaxing limitations that have been particularly onerous to small businesses and establishing more permissive regulations in areas where retail is desired.*
- 4. Amendments to Article 6.000, Section 6.32 – Parking Exemptions.*** *These changes are intended to expand current exemptions from parking requirements to apply to non-residential uses in existing buildings.*
- 5. Amendments to Article 10.000, Section 10.43 – Special Permit Criteria.*** *These changes are intended to provide a set of specific considerations to guide the review of proposed special permits for Retail and Consumer Service Uses.*

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Part 1: Create or Amend Definitions in Article 2.000 as set forth below. Current use descriptions and proposed section headings in Section 4.30, Table of Use Regulations, are provided for reference:

Zoning Reference	Current Section 4.30 use descriptions (footnotes shown in brackets):	Proposed Section 4.30 Headings:	Create or Amend Definitions in Article 2.000 as set forth below:
4.35	Retail Business and Consumer Service Establishments	<u>Retail or Consumer Service Establishment, not otherwise defined</u>	<u>Retail or Consumer Service Establishment. An establishment whose principal purpose is the commercial provision of goods, personal services, prepared food and beverage, entertainment, recreational activities, and similar services (but excluding professional or financial services) directly to consumers. Such provision of goods and consumer services shall be conducted on-site, but may be supplemented by telephone and online transactions and delivery services.</u>
4.35 (a-1)	Establishment providing convenience goods such as drug stores, food stores, tobacco, newspaper and magazine stores, variety stores, and liquor stores [23. Where all display and sales are conducted within a building or where a permit has been issued by City Council for an outdoor sale, and where no manufacturing assembly, or packaging occur on the premises, except in Industrial districts as permitted elsewhere in this Ordinance.] [24. Provided that the establishment is located in a structure also containing retail uses, and that no establishment shall exceed two thousand five hundred (2,500) square feet gross floor area.]	<u>Convenience Store</u>	<u>Convenience Store. A type of Retail or Consumer Service Establishment whose principal function is the retail sale of convenience goods directly to consumers, such as drug stores, food stores, tobacco, newspaper and magazine stores, variety stores, and liquor stores, not exceeding 5,000 square feet in total sales area (excluding storage).</u>

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Zoning Reference	Current Section 4.30 use descriptions (footnotes shown in brackets):	Proposed Section 4.30 Headings:	Create or Amend Definitions in Article 2.000 as set forth below:
4.35 (a-2)	Store for retail sale of merchandise / Other retail establishments [23. Where all display and sales are conducted within a building or where a permit has been issued by City Council for an outdoor sale, and where no manufacturing assembly, or packaging occur on the premises, except in Industrial districts as permitted elsewhere in this Ordinance.]	<u>Merchandise Store</u>	<u>Merchandise Store.</u> A type of Retail or Consumer Service Establishment, not otherwise defined as a Convenience Store, Grocery Store, Cannabis Retail Store, or other use defined in this Zoning Ordinance, whose principal function is the retail sale of consumer goods on the premises and where no manufacturing, production or assembly of products occurs on the premises.
4.35 (a-3)	[n/a]	<u>Grocery Store</u>	<u>Grocery Store.</u> A type of Retail or Consumer Service Establishment whose principal function is the sale of fresh or packaged food products to consumers for use off the premises, which may additionally provide general household supplies.
4.35 (b)	Place for the manufacturing, assembly or packaging of consumer goods [25. Provided that at least fifty (50) percent of such merchandise is sold at retail on the premises and that all display and sales are conducted within a building.]	<u>Craft Retail and Production Shop</u>	<u>Craft Retail and Production Shop.</u> A type of Retail or Consumer Service Establishment whose principal function is the sale of consumer goods that are manufactured, produced or assembled for sale on the premises for use by consumers off the premises (although such goods may additionally be distributed at wholesale), provided that all manufacturing, production, assembly, packaging, display, and sales activities are conducted within a building and do not occupy more than 10,000 square feet of Gross Floor Area (manufacturing or assembly uses exceeding such size or excluding retail sales shall be classified as Light Industry).
4.35 (c)	Barber shop, beauty shop, laundry and dry cleaning pickup agency, shoe repair, self-service laundry or other similar establishment.	<u>Personal Services Establishment</u>	<u>Personal Services Establishment.</u> A type of Retail or Consumer Service Establishment whose principal function is to provide non-professional services directly to the

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Zoning Reference	Current Section 4.30 use descriptions (footnotes shown in brackets):	Proposed Section 4.30 Headings:	Create or Amend Definitions in Article 2.000 as set forth below:
4.35 (d)	Hand laundry, dry cleaning or tailoring shop [26. <i>Provided that only nonflammable solvents are used for cleaning and not more than nine (9) persons are employed.</i>]		<u>consumer, including but not limited to hair, skin and nail care, tailoring, repair of shoes and other household items, electronics repair, bicycle repair, self-service or drop-off laundry (including off-site dry cleaning), printing, copying, and photographic services, mailing and shipping services, or similar services, but not including the servicing of automobiles or other activities involving the use of hazardous materials on the premises.</u>
4.35 (e)	Lunchroom, restaurant, cafeteria [27. <i>Provided that no alcoholic beverages are sold or consumed on the premises. Such establishments shall not exceed two thousand five hundred (2,500) square feet in the Industry A-1 districts.</i>]	<u>Restaurant</u>	<u>Restaurant. A type of Retail or Consumer Service Establishment whose principal function is to serve prepared food and beverages (including alcoholic beverages served with meals, if properly licensed) to be consumed on the premises using non-disposable dishware, glassware, and utensils, and providing table seating for patrons.</u>
4.35 (f-1)	Lunchroom, restaurant, cafeteria where alcoholic beverages are sold and consumed and where no dancing or entertainment is provided.		
4.35 (f-2)	Bar, saloon, or other establishment serving alcoholic beverages but which is not licensed to prepare or serve food and where no dancing or entertainment is provided.	Bar	<u>Bar. A type of Retail or Consumer Service Establishment whose principal function is to serve alcoholic beverages, but which is not licensed to prepare or serve food.</u>
4.35 (f-3)	[NOT CURRENTLY PROVIDED]	<u>Craft Beverage Establishment</u>	<u>Craft Beverage Establishment. A type of Retail or Consumer Service Establishment whose principal function is to serve non-alcoholic or alcoholic (if properly licensed) beverages that are produced and consumed on the premises (although such beverages may additionally be packaged and distributed at wholesale), provided that all production and packaging activities are conducted principally within a building and such activities do not occupy more than 10,000 square feet of Gross Floor Area (activities exceeding such size or excluding on-premises service shall be classified as Light Industry).</u>

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Zoning Reference	Current Section 4.30 use descriptions (footnotes shown in brackets):	Proposed Section 4.30 Headings:	Create or Amend Definitions in Article 2.000 as set forth below:
4.35 (f-4)	[NOT CURRENTLY PROVIDED]	<u>Food Stand or Kiosk</u>	<u>Food Stand or Kiosk.</u> A type of Retail or Consumer Service Establishment located within a Food Hall or another indoor or outdoor gathering space open to the public serving prepared foods and/or beverages to be consumed immediately on or off the premises, for which the area devoted to food preparation and service is no greater than 1,250 square feet and for which any seating (if provided) is open to the general public or shared among multiple establishments.
4.35 (f-5)		<u>Food Hall</u>	<u>Food Hall.</u> A type of Retail or Consumer Service Establishment containing two or more Food Stands or Kiosks, in which seating, if provided, is located in a common area, and which may contain shared facilities devoted to food preparation and service which occupy a combined area no larger than 1,250 square feet times the number of individual Food Stands or Kiosks utilizing such facilities.
4.35 (g)	Bar or other establishment where alcoholic beverages are sold and consumed and where dancing and entertainment is provided. Dance hall or similar place of entertainment.	<u>Dance Hall or Nightclub</u>	<u>Dance Hall or Nightclub.</u> A type of Retail or Consumer Service Establishment whose principal function is to provide live or recorded music and dancing for which patrons are charged a use or membership fee.
4.35 (h)	Theatre or hall for public gatherings.	<u>Theater</u>	<u>Theater.</u> A type of Retail or Consumer Service Establishment whose principal function is to host live or recorded performances, lectures, or exhibitions for seated audiences, including but not limited to cinemas, performance halls, and other halls for public gatherings.

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Zoning Reference	Current Section 4.30 use descriptions (footnotes shown in brackets):	Proposed Section 4.30 Headings:	Create or Amend Definitions in Article 2.000 as set forth below:
4.35 (i-1)	Commercial recreation. <i>Article 2.000 Definition: A bowling alley, skating or skateboard rink, pool hall, billiard parlor, establishment containing more than three pinball machines or similar automatic amusement devices, game room, or other establishment where entertainment or recreation services are provided to the general public, wholly in an enclosed building, and for which user fees are charged and which is operated for profit. As used in this Ordinance, commercial recreation does not include a restaurant, bar, dance hall, theater, or private club with admission to facilities by limited membership only.</i>	Commercial Recreation Establishment	<u>Commercial Recreation Establishment.</u> A type of Retail or Consumer Service Establishment whose principal function is to provide entertainment or recreation services to A bowling alley, skating or skateboard rink, pool hall, billiard parlor, establishment containing more than three pinball machines or similar automatic amusement devices, game room, or other establishment where entertainment or recreation services are provided to the general public, wholly in an enclosed building, and for which user fees are charged and which is operated for profit, such as but not limited to a bowling alley, skating or skateboard rink, pool hall, billiard parlor, establishment containing more than three pinball machines or similar automatic amusement devices, or game room, but As used in this Ordinance, commercial recreation does not include a r Restaurant, or B bar, d Dance h Hall, t Theater, <u>Fitness Center</u> , or private club with admission to facilities by limited membership only.
4.35 (i-2)	[NOT CURRENTLY PROVIDED]	Fitness Center	<u>Fitness Center.</u> A type of Retail or Consumer Service Establishment whose principal function is to provide space and/or equipment for physical exercise by individuals or groups, which may or may not include instructor-led fitness classes, in exchange for a use or membership fee.
4.35 (j)	Mortuary, undertaking or funeral establishment.	Funeral Home	<u>Funeral Home.</u> A type of Retail or Consumer Service Establishment whose principal function is to prepare the deceased for burial display and for rituals before burial or cremation, including but not limited to chapels, crematoriums, and showrooms for the display and sale of caskets, vaults, urns, and other items related to burial services.

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Zoning Reference	Current Section 4.30 use descriptions (footnotes shown in brackets):	Proposed Section 4.30 Headings:	Create or Amend Definitions in Article 2.000 as set forth below:
4.35 (k)	Printing shop, photographer's studio.	Deleted	[n/a – Depending on the characteristics, would be considered a Personal Services Establishment, Art Studio, or Office]
4.35 (l)	Veterinary establishment, kennel, pet shop or similar establishment [29. <i>Provided that, in Business A and B zones, all animals are kept indoors and that no noise or odors are perceptible from adjoining lots.</i>]	<u>Animal Services Facility</u>	<u>Animal Services Facility. A type of Retail or Consumer Service Establishment whose principal function is to provide services related to household pets where such animals are kept on the premises, including but not limited to veterinary care, grooming, shelter, kenneling, obedience training, pet day care, or interaction with pets housed on the premises.</u>
4.35 (m)	Sales place for new and used car, rental agency for autos, trailers and motorcycles [30. <i>Conducted entirely within a building and provided no major repairs are made.</i>]	<u>Indoor Auto Sales Facility</u>	<u>Indoor Auto Sales Facility. A type of Retail or Consumer Service Establishment whose principal function is to display new and used cars, trailers, motorcycles, or similar automotive vehicles for sale or rental, provided that all activities are conducted entirely within a building and no major repairs are made on the premises.</u>
4.35 (n)	Office including display or sales space of a wholesale, jobbing or similar establishment [31. <i>Where not more than twenty-five (25) percent of the floor area is used for assembling, packaging, or storage of merchandise.</i>]	Deleted	[n/a – could be categorized as Office]

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Zoning Reference	Current Section 4.30 use descriptions (footnotes shown in brackets):	Proposed Section 4.30 Headings:	Create or Amend Definitions in Article 2.000 as set forth below:
4.35 (o)	Fast Order Food Establishment	Fast Order or <u>Quick-Service</u> Food Establishment	<p>Fast Order Food. Food which is (a) primarily intended for immediate consumption rather than for use as an ingredient in or component of meals; (b) available upon a short waiting time; and (c) packaged or presented in such a manner that it can be readily eaten outside the premises where it is sold.</p> <p><u>Fast Order or Quick-Service Food Establishment. A type of Retail or Consumer Service Establishment, not otherwise defined as a Restaurant or Bar, Food Stand or Kiosk, or Food Hall, whose primary function is the service of food or beverages available upon a short waiting time and packaged and presented in such a manner that it can be readily eaten on or off the premises</u> A specific operation separate and distinct from any other operation in the location occupied and in the kind of Fast Order Food sold, and which: (a) has as its primary business the sale to the public of Fast Order Food for consumption on or off the premises, and (b) does not meet all of the following conditions: (1) provision of nondisposable plates, cups and utensils to all patrons, (2) availability of printed individual menus for all patrons, (3) provision of seventy-five (75) percent of the seating in the premises at free standing tables, rather than at counters, and (4) at least eighty (80) percent of the revenues from food sales is attributable to food consumed on premises.</p>
4.35 (q-1)	Art/Craft Studio	Art/Craft Studio [no change]	<p><u>Art/Craft Studio. A room or group of rooms used by artists and craftspeople in the creation of their work, including: painting, photography, sculpture, ceramics and other related arts and crafts.</u></p>

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Zoning Reference	Current Section 4.30 use descriptions (footnotes shown in brackets):	Proposed Section 4.30 Headings:	Create or Amend Definitions in Article 2.000 as set forth below:
4.35 (q-2)	[NOT CURRENTLY PROVIDED]	<u>Performing Arts Studio</u>	<u>Performing Arts Studio.</u> A room or group of rooms used by performing artists for the study, practice, or rehearsal of performing arts, including but not limited to music, dance, and theater, which may host occasional small performances by users of the space but which is not primarily intended to host performances for the general public.
4.35 (r)	Bakery, Retail	Bakery, Retail [no change]	<u>Bakery, Retail.</u> A type of Retail or Consumer Service Establishment whose principal function is the sale of breads, pastries, cakes, pies and similar baked goods for consumption by the final customer at home whether or not final baking occurs on premises.
4.35 (s)	Cannabis Retail Store	Cannabis Retail Store [no change]	[no change] <u>Cannabis Retail Store.</u> An establishment authorized to sell or otherwise transfer cannabis or marijuana products to consumers for use off the premises, but not to cultivate, manufacture, process, or package cannabis or marijuana products, in accordance with applicable state laws and regulations. A Cannabis Retail Store may be licensed to operate as a Cannabis or Marijuana Retailer or registered as a Medical Marijuana Treatment Center (also known as a Registered Marijuana Dispensary or RMD), or both, in accordance with applicable state laws and regulations.
4.36	Open Air or Drive In Retail & Service	<u>Outdoor Retail or Consumer Service Establishment, not otherwise defined</u>	<u>Outdoor Retail or Consumer Service Establishment.</u> An establishment otherwise meeting the definition of a Retail or Consumer Service Establishment but for which sales and/or services are customarily conducted partly or wholly outdoors.

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Zoning Reference	Current Section 4.30 use descriptions (footnotes shown in brackets):	Proposed Section 4.30 Headings:	Create or Amend Definitions in Article 2.000 as set forth below:
4.36 (a)	Sales place for flowers, garden supplies agricultural produce conducted partly or wholly outdoors; commercial greenhouse or garden	<u>Open-Lot Retail Sales Establishment</u>	<u>Open-Lot Retail Sales Establishment. A type of Outdoor Retail or Consumer Service Establishment whose principal function is the sale of goods directly to consumers for use off the premises where such goods are customarily displayed in an outdoor environment, including but not limited to flowers, garden supplies, agricultural produce, landscape materials, and gravestones.</u>
4.36 (b)	Automobile oriented fast order food service establishment	<u>Drive-In Food Service Establishment</u>	<u>Drive-In Food Service Establishment. A type of Outdoor Retail or Consumer Service Establishment whose principal function is to provide prepared meals and beverages to customers who do not have to leave their cars during the transaction.</u>
4.36 (c)	Drive in bank and other retail or consumer service establishment where motorist does not have to leave his or her car	<u>Drive-In Consumer Service Establishment</u>	<u>Drive-In Consumer Service Establishment. A type of Outdoor Retail or Consumer Service Establishment, other than a Drive-In Food Service Establishment, whose principal function is to provide retail goods or other consumer services (including, for the purpose of this definition, banking services) to customers who do not have to leave their cars during the transaction.</u>
4.36 (d)	Outdoor amusement park, outdoor sports facility conducted for profit	<u>Outdoor Entertainment and Recreation Facility</u>	<u>Outdoor Entertainment and Recreation Facility. A type of Outdoor Retail or Consumer Service Establishment, not including a public park or public recreation facility, whose principal function is to provide entertainment and/or recreational activities taking place partly or wholly outdoors to patrons who are charged a use, entrance, or membership fee and which does not require the use of an automobile, including but not limited to neighborhood skating rinks, climbing areas, lawn or court games, playgrounds, sports fields, or similar facilities.</u>

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Zoning Reference	Current Section 4.30 use descriptions (footnotes shown in brackets):	Proposed Section 4.30 Headings:	Create or Amend Definitions in Article 2.000 as set forth below:
4.36 (e)	Open air or drive in theatre or other open air place of entertainment	<u>Drive-In Theater</u>	<u>Drive-In Theater. A type of Outdoor Retail or Consumer Service Establishment whose principal function is to show films or provide other forms of live or recorded entertainment to patrons who do not have to leave their cars.</u>
4.36 (f)	Sale of new or used cars conducted partly or wholly on open lots, or rental agency for automobiles, trailer, motorcycles, conducted partly or wholly outdoors	<u>Outdoor Auto Sales Facility</u>	<u>Outdoor Auto Sales Facility. A type of Outdoor Retail or Consumer Service Establishment in which new and used cars, trailers, motorcycles, or similar automotive vehicles are displayed for sale or rental partly or wholly on an open-air lot, provided that no major repairs are made on the premises.</u>
4.36 (g)	Automobile service station where no major repairs are made [32. Provided that in Business and Industry C districts all lubrication and repairs are carried out within the building and further provided that in Industry C districts, the service station will be located within or attached to a parking garage or other structure as an accessory use.]	<u>Auto Service Station</u>	<u>Auto Service Station. A type of Outdoor Retail or Consumer Service Establishment whose principal function is to provide petroleum fuel for automobiles and other vehicles within an open or partially enclosed area and/or where inspections and services such as oil changes, tire changes, and minor repairs are conducted within a building, but where no major repairs are made.</u>
4.36 (h)	Car washing establishment using mechanical equipment for the purpose of cleaning automobiles and other vehicles	<u>Auto Wash</u>	<u>Auto Wash. A type of Outdoor Retail or Consumer Service Establishment whose principal function is to clean automobiles and other vehicles using mechanical equipment.</u>
4.36 (i)	Place for exhibition, lettering or sale of gravestones	<u>Deleted</u>	[n/a – Would be included under “Open-Lot Retail Sales” above]

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Zoning Reference	Current Section 4.30 use descriptions (footnotes shown in brackets):	Proposed Section 4.30 Headings:	Create or Amend Definitions in Article 2.000 as set forth below:
4.36 (k)	[NOT CURRENTLY PROVIDED]	<u>Temporary Outdoor Retail or Consumer Service Use</u>	<p><u>Temporary Outdoor Retail or Consumer Service Use. The use of an open-air lot containing another principal or accessory use (including, but not limited to, a parking lot), for the purpose of any retail and/or consumer service activities such as sales, food service, entertainment, and/or recreation, provided that:</u></p> <ul style="list-style-type: none"> <u>(a) such activities are in full compliance with federal, state and local laws, codes, and regulations, including applicable licensing and/or permitting requirements;</u> <u>(b) such activities take place during limited hours on a total of no more than 120 consecutive or non-consecutive days within a calendar year;</u> <u>(c) any temporary structures, such as tents, booths, tables, stages, or other equipment, are secured or removed during periods when not in use.</u>

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Part 2: Create a new Section 4.210 as set forth below:

4.210 Additional Allowed Retail and Consumer Service Uses. The following Retail and Consumer Service Uses shall be permitted as additional allowed principal uses at a property with another principal non-residential use, provided that they occupy no more than 25% of the total Gross Floor Area of the other principal use, or that they are limited in duration to no more than 25% of the total hours of operation of the other principal non-residential use on a weekly basis. Any Retail or Consumer Service Use conforming to the limitations set forth herein shall be allowed as a principal Retail or Consumer Service Use at a property but shall be exempt from the following requirements: No additional parking or loading facilities shall be required or provided for the additional Retail or Consumer Service Use (additional bicycle parking may be provided but shall not be required), and signage requirements set forth in Article 7.000 of this Zoning Ordinance shall be calculated for the property as a whole rather than individually for each component use. All Retail and Consumer Service Uses shall conform to all applicable licensing requirements and all other laws, codes, and regulations.

- (1) Sales. The display and sale of goods that are directly related to the operation of the other principal use at the property and are intended for sale to occupants, patrons, or visitors of the other principal use, including but not limited to supplies that are utilized in the operation of the other principal use or promotional materials for the other principal use.
- (2) Programs and Services. On-site activities including but not limited to minor repairs, instructional classes, presentations, workshops, consultations, or similar programs and services provided to occupants, patrons, or visitors of the other principal use.
- (3) Food and Beverage Service. The provision of meals, snacks, beverages, and other food products prepared on-site or off-site and intended for consumption on-site by occupants, patrons, or visitors of the other principal use.
- (4) Entertainment and Recreation. The provision of activities including but not limited to live or recorded music, video entertainment, other live performances, group games or contests, or other entertainment or recreational activities for the enjoyment of occupants, patrons, or visitors of the other principal use.

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Part 3: Amend Section 4.30, Table of Use Regulations, and Section 4.40, Footnotes to the Table of Use Regulations, as set forth below:

<p>[Notes on Color-Coding: Proposed changes in green would allow a use as-of-right, in yellow would allow a use by special permit. Proposed changes in red indicate where a use has been deleted or where a district is no longer found on the Cambridge Zoning Map.]</p>	Open Space	Res A 1&2	Res B	Res C, C-1, C-1A, 2, 2A, 2B, 3, 3A, 3B	Off 1, 2A, 2, 3, 3A	Bus A-1, A-2, A-3 ¹	Bus A, A-4	Bus B, B-1, B-2	Bus C C-1	Ind A-1, A-2	Ind A	Ind B-1, B-2	Ind B	Ind C
4.35 Retail Business and or Consumer Service Establishments														
a. Store for retail sale of merchandise ²³														
<u>Retail or Consumer Service Establishment, not otherwise defined</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	
a-1. <u>Convenience Store</u> Establishment providing convenience goods such as drug stores, food stores, tobacco, newspaper and magazine stores, variety stores, and liquor stores ²⁴	No	No	No <u>SP</u> ⁵⁹	No <u>SP</u> ⁵⁹	No <u>Yes</u> ¹²	Yes	Yes	Yes ¹⁰	Yes	Yes	Yes	Yes	No <u>Yes</u> ⁵¹	Yes Yes
a-2. <u>Merchandise Store</u> Other retail establishments	No	No	No	No	No <u>Yes</u> ¹²	Yes	Yes	Yes ¹⁰	Yes	SP <u>Yes</u>	Yes	Yes	No <u>Yes</u> ⁵¹	Yes No
a-3. <u>Grocery Store</u>	<u>No</u>	<u>No</u>	<u>SP</u> ⁵⁹	<u>SP</u> ⁵⁹	<u>Yes</u> ¹²	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	
b. <u>Craft Retail and Production Shop</u> Place for the manufacturing, assembly or packaging of consumer goods ²⁵	No	No	No	No	No <u>Yes</u> ¹²	<u>SP</u> ⁶⁰	<u>SP</u> ⁶⁰	Yes ¹⁰	Yes	Yes	Yes	Yes	SP <u>Yes</u> ⁵¹	Yes Yes
c. <u>Personal Services Establishment</u> Barber shop,	No	No	No <u>SP</u> ⁵⁹	No <u>SP</u> ⁵⁹	No <u>Yes</u> ¹²	Yes	Yes	Yes ¹⁰	Yes	Yes	Yes	Yes	No <u>Yes</u> ⁵¹	Yes Yes

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[Notes on Color-Coding: Proposed changes in green would allow a use as-of-right, in yellow would allow a use by special permit. Proposed changes in red indicate where a use has been deleted or where a district is no longer found on the Cambridge Zoning Map.]	Open Space	Res A 1&2	Res B	Res C, C-1, C-1A, 2, 2A, 2B, 3, 3A, 3B	Off 1, 2A, 2, 3, 3A	Bus A-1, A-2, A-3 ¹	Bus A, A-4	Bus B, B-1, B-2	Bus C, C-1	Ind A-1, A-2	Ind A	Ind B-1, B-2	Ind B	Ind C
beauty shop, laundry and dry cleaning pickup agency, shoe repair, self-service laundry or other similar establishment														
d. [Deleted] Hand laundry, dry cleaning or tailoring shop ²⁶	No	No	No	No	No	Yes	Yes	Yes²⁶	Yes	Yes	Yes	No⁵⁴	Yes	Yes
e. [Deleted] Lunchroom, restaurant, cafeteria ²⁷	No	No	No	No	No	Yes	Yes	Yes³⁰	Yes	Yes	Yes	No⁵⁴	Yes	Yes
f. Establishments where alcoholic beverages are sold and consumed and where no dancing or entertainment is provided:														
f-1. <u>Restaurant</u> Lunchroom, restaurant, cafeteria	No	No	No	No	No Yes¹²	Yes	Yes	Yes ¹⁰	Yes	Yes 28	Yes	No Yes⁵¹	Yes	Yes
f-2. <u>Bar</u> Bar, saloon, or other establishment serving alcoholic beverages but which is not licensed to prepare or serve food	No	No	No	No	No Yes¹²	Yes	Yes	Yes ¹³	Yes	SP 28	Yes	No Yes⁵¹	Yes	SP
f-3. <u>Craft Beverage Establishment</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	SP¹²	SP	SP	SP	SP	Yes	Yes	Yes	Yes	
f-4. <u>Food Stand or Kiosk</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	Yes¹²	SP	SP	Yes	Yes	Yes	Yes	Yes	Yes	
f-5. <u>Food Hall</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>	SP¹²	SP	SP	Yes	Yes	Yes	Yes	Yes	Yes	

Potential Zoning Amendments related to Retail and Consumer Service Establishments. Current text of the Zoning Ordinance is unformatted. Additions or creations are shown in underline format, deletions are shown in ~~strikethrough format~~.

[Notes on Color-Coding: Proposed changes in green would allow a use as-of-right, in yellow would allow a use by special permit. Proposed changes in red indicate where a use has been deleted or where a district is no longer found on the Cambridge Zoning Map.]	Open Space	Res A 1&2	Res B	Res C, C-1, C-1A, 2, 2A, 2B, 3, 3A, 3B	Off 1, 2A, 2, 3, 3A	Bus A-1, A-2, A-3 ¹	Bus A, A-4	Bus B, B-1, B-2	Bus C, C-1	Ind A-1, A-2	Ind A	Ind B-1, B-2	Ind B	Ind C
g. Dance Hall or Nightclub Bar or other establishment where alcoholic beverages are sold and consumed and where dancing and entertainment is provided. Dance hall or similar place of entertainment	No	No	No	No	No Yes¹²	No-SP	No-SP	Yes ¹³	Yes	No-SP	Yes	No Yes⁵¹	Yes	PUD
h. Theater Theatre or hall for public gatherings	No ¹¹	No	No	No	No Yes¹²	SP	SP	Yes ¹⁰	Yes	SP	Yes	No Yes⁵¹	Yes	PUD
i-1. Commercial Recreation Establishment	No ¹¹	No	No	No	No Yes¹²	SP	SP	SP Yes¹⁰	SP Yes	SP	SP Yes	No⁴⁴ Yes⁵¹	SP Yes	PUD
i-2. <u>Fitness Center</u>	<u>No</u>	<u>No</u>	<u>SP⁵⁹</u>	<u>SP⁵⁹</u>	Yes¹²	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
j. Funeral Home Mortuary, undertaking or funeral establishment	No	No	No	No	SP	Yes	Yes	Yes ¹⁰	Yes	Yes	Yes	No Yes⁵¹	Yes	No
k. [Deleted] Printing shop, photographer's studio	No	No	No	No	SP	Yes	Yes	Yes⁴⁰	Yes	Yes	Yes	No⁵⁴	Yes	Yes
l. <u>Animal Services Facility</u> Veterinary establishment, kennel, pet shop or similar establishment ²⁹	No	No	No	No	No SP^{12,29}	SP ²⁹	SP ²⁹	SP ^{10,29}	SP	SP	SP	No Yes⁵¹	SP	No

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<p>m. <u>Indoor Auto Sales Facility</u> Sales place for new and used car, rental agency for autos, trailers and motorcycles.³⁰</p>	No	No	No	No	Yes ¹²	Yes	Yes	Yes ¹⁰	Yes	SP	Yes	No Yes ⁵¹	Yes	PUD
<p>n. [Deleted] Office including display or sales space of a wholesale, jobbing or similar establishment.³¹</p>	No	No	No	No	No	SP	SP	Yes ¹⁶	Yes	Yes	Yes	Yes ⁵⁴	Yes	Yes
<p>o. Fast Order <u>or Quick-Service</u> Food Establishment</p>	No	No	No SP ⁵⁹	No SP ⁵⁹	No Yes ¹²	No SP	SP	SP Yes ¹⁰	SP Yes	No SP	SP	No Yes ⁵¹	SP Yes	PUD
<p>p. Deleted</p>														
<p>q-1. Art/Craft Studio</p>	No	No	No	SP ⁵⁰	SP ⁵⁰	Yes	Yes	Yes	Yes	Yes	Yes	Yes ⁵¹	Yes	Yes
<p>q-2. <u>Performing Arts Studio</u></p>	No	No	No	SP ⁵⁰	SP ⁵⁰	Yes	Yes	Yes	Yes	Yes	Yes	Yes ⁵¹	Yes	
<p>r. Bakery, Retail</p>	No	No	No	No	No Yes ¹²	Yes	Yes	Yes ¹⁰	Yes	Yes	Yes	No Yes ⁵¹	Yes	PUD
<p>s. Cannabis Retail Store</p>	No	No	No	No	No	PB ⁵⁸	PB ⁵⁸	PB ⁵⁸	PB ⁵⁸	PB ⁵⁸	No	PB ⁵⁸	PB ⁵⁸	No
<p>4.36</p>	<p><u>Outdoor Retail or Consumer Service Establishments</u> Open Air or Drive In Retail & Service</p>													
<p><u>Outdoor Retail or Consumer Service Establishment, not otherwise defined</u></p>	No ¹¹	No	No	No	No	SP	SP	SP	SP	SP	SP	SP	SP	SP

Potential Zoning Amendments related to Retail and Consumer Service Establishments. Current text of the Zoning Ordinance is unformatted. Additions or creations are shown in underline format, deletions are shown in ~~strikethrough format~~.

[Notes on Color-Coding: Proposed changes in green would allow a use as-of-right, in yellow would allow a use by special permit. Proposed changes in red indicate where a use has been deleted or where a district is no longer found on the Cambridge Zoning Map.]	Open Space	Res A 1&2	Res B	Res C, C-1, C-1A, 2, 2A, 2B, 3, 3A, 3B	Off 1, 2A, 2, 3, 3A	Bus A-1, A-2, A-3 ¹	Bus A, A-4	Bus B, B-1, B-2	Bus C, C-1	Ind A-1, A-2	Ind A	Ind B-1, B-2	Ind B	Ind C
a. <u>Open-Lot Retail Sales Establishment</u> Sales place for flowers, garden supplies agricultural produce conducted partly or wholly outdoors; commercial greenhouse or garden	No	No	No	No	No Yes¹²	Yes	Yes	No Yes	No Yes	Yes	Yes	No Yes	Yes	Yes
b. <u>Drive-In Food Service Establishment</u> Automobile oriented fast order food service establishment	No	No	No	No	No	SP	SP	No	SP	No	SP	No	SP	No
c. <u>Drive-In Consumer Service Establishment</u> Drive in bank and other retail or consumer service establishment where motorist does not have to leave his or her car	No	No	No	No	No	No	SP	SP ¹³	SP	SP	SP	No	SP	No
d. <u>Outdoor Entertainment and Recreation Facility</u> Outdoor amusement park, outdoor sports facility conducted for profit	No ¹¹	No	No	No	No Yes¹⁷	No	No	No-SP	No-SP	No-SP	SP	No-SP	SP	No
e. <u>Drive-In Theater</u> Open air or drive in theatre or other open air place of entertainment	No	No	No	No	No	No	No	No	No	No	Yes	No	Yes	No

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<p>[Notes on Color-Coding: Proposed changes in green would allow a use as-of-right, in yellow would allow a use by special permit. Proposed changes in red indicate where a use has been deleted or where a district is no longer found on the Cambridge Zoning Map.]</p>	Open Space	Res A 1&2	Res B	Res C, C-1, C-2A, 2B, 3A, 3B	Off 1, 2A, 2, 3, 3A	Bus A-1, A-2, A-3 ¹	Bus A, A-4	Bus B, B-1, B-2	Bus C, C-1	Ind A-1, A-2	Ind A	Ind B-1, B-2	Ind B	Ind C
<p>f. <u>Outdoor Auto Sales Facility</u> Sale of new or used cars conducted partly or wholly on open lots, or rental agency for automobiles, trailer, motorcycles, conducted partly or wholly outdoors</p>	No	No	No	No	No	No	SP	No	No	No	SP	No	SP	No
<p>g. <u>Auto Service Station</u> Automobile service station where no major repairs are made²²</p>	No	No	No	No	No	SP	SP	SP ¹³	SP	No	Yes	SP	Yes	SP
<p>h. <u>Auto Wash</u> Car washing establishment using mechanical equipment for the purpose of cleaning automobiles and other vehicles</p>	No	No	No	No	No	No	SP	No	No	No	SP	SP	SP	No
<p>i. [Deleted] Place for exhibition, lettering or sale of gravestones</p>	No	No	No	No	No	SP	SP	No	No	Yes	Yes	No	Yes	No
<p>j. <u>Temporary Outdoor Retail or Consumer Service Use</u></p>	Yes	<u>No</u>	<u>No</u>	SP⁶¹	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

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4.40 - FOOTNOTES TO THE TABLE OF USE REGULATIONS

1. All uses except residential uses in Section 4.31 (a)-(h) and (i) 3 shall be subject to the following limitations:
 - a. Permitted nonresidential uses must be located in a building containing the above enumerated residential uses;
 - b. Permitted nonresidential uses may not occupy more than 40%(forty percent) of the Gross Floor Area in the building; all remaining GFA must be devoted to permitted residential uses.
 - c. The permitted nonresidential uses may only be located on the first floor or basement of the building.
 - d. No accessory parking shall be provided for any nonresidential use.

[...]

10. ~~Except in~~ In a Business B-1 or Business B-2 District, this use shall be subject to the limitations specified in Section 4.27.
11. The Following provisions, which modify the Table of Use Regulations, shall apply to certain uses and development in the Open Space District.
 1. The establishment or development in an Open Space district of these uses, and those enumerated in Paragraph (b) below, shall be reviewed in accordance with the requirements of Section 4.25
 2. The following modifications to the Table of Use Regulations shall apply:
 - a. Except that in the Open Space district a yacht, rowing or similar club or association, related to recreational boating use on a lake or river, shall be permitted by special permit. [Section 4.33h(1)]
 - b. Provided, however, that the theater or hall for public gathering is operated under the aegis of a nonprofit agency or organization and is open to the general public. [Section 4.35h]

In an Open Space district the following Commercial Recreation uses only shall be permitted, by Special Permit: a golf course; yacht club or marina; boat docks, ticket offices and other support facilities for ferry services, boat rentals and boat cruises services. [Section 4.35i]

Explanatory note: Clarifying current language (see 4.27).

Potential Zoning Amendments related to Retail and Consumer Service Establishments. Current text of the Zoning Ordinance is unformatted. Additions or creations are shown in underline format, deletions are shown in ~~strikethrough format~~.

12. **In all Office Districts, permitted Retail or Consumer Service Establishments shall meet the following standards, which may be modified by special permit from the Board of Zoning Appeal;** ~~Yes in an Office 2 District provided that the establishment is located within a building principally containing uses listed in Subsection 4.34 and that the total gross floor area of all establishments included under items 4.35e and 4.35f in this table do not exceed ten (10) percent of the gross floor area of the building. However, this ten (10) percent floor area~~ **such** ~~limitations shall not apply to a cafeteria or other eating/drinking facility which is accessory to permitted uses in a building or associated group of buildings in the same ownership and which is intended primarily for employees of those uses and their guests-;~~

(a) Retail or Consumer Service Establishments shall be located within buildings or on lots or Development Parcels containing other permitted office and/or residential uses;

(b) Retail or Consumer Service Establishments shall occupy no more than 25% of the total Floor Area Ratio or Gross Floor Area permitted on the lot or Development Parcel;

(c) Retail or Consumer Service Establishments shall be located at the Ground Story with entrances accessible to pedestrians directly from public sidewalks; and

(d) all permitted Retail or Consumer Service Establishments in Office 1 Districts shall require a special permit.

13. No in the Business B-1 and Business B-2 Districts.

14. ~~**[Deleted]**Board of Zoning Appeal special permit in the Industry B-2 District.~~

[...]

23. ~~**[Deleted]**Where all display and sales are conducted within a building or where a permit has been issued by City Council for an outdoor sale, and where no manufacturing assembly, or packaging occur on the premises, except in Industrial districts as permitted elsewhere in this Ordinance.~~

24. ~~**[Deleted]**Provided that the establishment is located in a structure also containing retail uses, and that no establishment shall exceed two thousand five hundred (2,500) square feet gross floor area.~~

25. ~~**[Deleted]**Provided that at least fifty (50) percent of such merchandise is sold at retail on the premises and that all display and sales are conducted within a building.~~

Explanatory note: Footnote 12 currently permits restaurants in office districts as part of mixed-use buildings, with limitations. The proposal is to expand this provision so that other selected Retail and Consumer Service Establishments (indicated in the table) would be allowed, with similar limitations. This would allow more ground-floor retail in predominantly commercial areas such as Kendall Square and Alewife.

Explanatory note: Footnotes are proposed to be deleted where they are superseded by the definitions above or where they are inconsistent with stated planning objectives in applicable districts.

Potential Zoning Amendments related to Retail and Consumer Service Establishments. Current text of the Zoning Ordinance is unformatted. Additions or creations are shown in underline format, deletions are shown in ~~strikethrough format~~.

- 26. ~~**[Deleted]** Provided that only nonflammable solvents are used for cleaning and not more than nine (9) persons are employed.~~
- 27. ~~**[Deleted]** Provided that no alcoholic beverages are sold or consumed on the premises. Such establishments shall not exceed two thousand five hundred (2,500) square feet in the Industry A-1 districts.~~
- 28. ~~**[Deleted]** Such establishments shall not exceed two thousand five hundred (2,500) square feet in Industry A-1 districts.~~
- 29. Provided that, in Business-A and B zones **and Office Districts**, all animals are kept indoors and that no noise or odors are perceptible from adjoining lots.
- 30. ~~**[Deleted]** Conducted entirely within a building and provided no major repairs are made.~~
- 31. ~~**[Deleted]** Where not more than twenty five (25) percent of the floor area is used for assembling, packaging, or storage of merchandise.~~
- 32. ~~**[Deleted]** Provided that in Business and Industry C districts all lubrication and repairs are carried out within the building and further provided that in Industry C districts, the service station will be located within or attached to a parking garage or other structure as an accessory use.~~

[...]

- 50. Subject to the requirements of Section 4.28.
- 51. Permitted in the Industry B-1 district as the use would be permitted as of right or by special permit in the Business B district subject to the following limitations:
 - (a) The retail use is located on the ground floor or in the basement of a building containing other uses,
 - (b) The retail use constitutes no more than 25% of the GFA of the building in which it is located, exclusive of GFA devoted to parking uses,
 - (c) The retail use fronts on a public street and has a direct public access to that street, and
 - (d) No separately leased establishment may exceed 10,000 square feet in GFA.

[...]

Explanatory note: Footnotes are proposed to be deleted where they are superseded by the definitions above or where they are inconsistent with stated planning objectives in applicable districts.

Potential Zoning Amendments related to Retail and Consumer Service Establishments. Current text of the Zoning Ordinance is unformatted. Additions or creations are shown in underline format, deletions are shown in ~~strikethrough format~~.

58. Subject to the provisions of Section 11.800, Cannabis Uses.

59. In Residence B, C, C-1, C-1A, 2, 2A, 2B, 3, 3A, and 3B Districts, certain Retail and Consumer Service Establishments identified in the Table of Use Regulations may be allowed by special permit from the Board of Zoning Appeal, subject to the criteria set forth in Sections 10.43 and 10.43.1 of this Zoning Ordinance, if all of the following conditions are met:

- (a) The proposed use is located within the Ground Story of a building;**
- (b) the use is proposed to occupy a space that was originally built for non-residential use and has been previously occupied by one or more non-residential uses in the past;**
- (c) the use is proposed to occupy a space that has not contained a residential use at any point within the two (2) years prior to application for a special permit;**
- (d) the special permit shall be valid only for the entity to which the special permit was issued, and shall not be transferrable to a new entity unless a new special permit is granted; and**
- (e) the special permit shall be valid for a time period of five (5) years after its date of issuance, subject to reissuance upon application to the Board of Zoning Appeal at the end of that period, or the Board of Zoning Appeal in its discretion may set forth a different time period in the conditions of the special permit decision.**

60. A Craft Retail and Production Shop shall be permitted as-of-right in a BA, BA-1, BA-2, BA-3, or BA-4 District if it occupies no more than 2,500 square feet of Gross Floor Area, including storage areas, and does not involve the use of equipment that produces dust, fumes, odors, smoke, vapors, noise, vibration, flashing, light trespass, or glare outside of the premises.

61. No special permit is required for Temporary Outdoor Retail or Consumer Service Uses on municipal-owned land.

Explanatory note: New footnote 59 would provide a special permit option for an existing non-conforming commercial space to be used for a limited range of Retail or Consumer Service Establishments. Currently, a retail space in a residential district would be expected to transition to residential use, or would need to seek a use variance if a new retail use were proposed.

Explanatory note: New footnote 60 would allow retail and production shops in neighborhood retail areas if the size and impacts are limited.

Explanatory note: New footnote 61 would allow temporary open-air retail, such as farmers' markets, on City-owned lots in residential districts without a special permit. This would apply to sites such as public school parking lots.

Potential Zoning Amendments related to Retail and Consumer Service Establishments. Current text of the Zoning Ordinance is unformatted. Additions or creations are shown in underline format, deletions are shown in ~~strikethrough format~~.

Part 4: Amend Section 6.32.1, Parking Exemptions for Small Business, as set forth below:

6.32 *Parking Exemptions.*

6.32.1 *Small Business.* The minimum amount of parking required by Subsection 6.36 Schedule of Parking and Loading Requirements shall be waived for any nonresidential use in an office, business, or industrial district if such use would require four (4) or fewer spaces. ~~However,~~ and such nonresidential use ~~shall be~~ is located in a building or row of attached buildings which contains a total of ten thousand (10,000) square feet or less of gross floor area devoted to nonresidential use. **Furthermore, for a new nonresidential use within a building in existence on or before [EFFECTIVE DATE OF THIS AMENDMENT], no new accessory parking shall be required.**

6.32.2 *Institutions.* Where an institution provides dormitory, fraternity, faculty, employee or other residence accommodations, the number of parking spaces provided as a result thereof may be deducted from the requirements established to satisfy the needs of classrooms, libraries, lecture halls, laboratories, similar educational areas or dining facilities normally used by such residential occupants. In order to qualify for such deduction, the institutional applicant shall submit to the Building Department the institution's current residential parking plan clearly indicating the location of all existing and proposed residential parking facilities available at the institution.

Explanatory note: This change would exempt new uses in existing buildings from having to either construct new parking spaces or seek relief from the Board of Zoning Appeal if the change in use affects the number of parking spaces normally required. A similar approach is already employed in the Harvard Square Overlay District and Central Square Overlay District zoning. Parking requirements were found to be one of the most frequent reasons for new small businesses to have to seek zoning relief.

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Part 5: Create a new Subsection 10.43.1 following Section 10.43, Criteria for Special Permits, as set forth below:

10.43 *Criteria.* Special permits will normally be granted where specific provisions of this Ordinance are met, except when particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public interest because:

- (a) It appears that requirements of this Ordinance cannot or will not be met, or
- (b) Traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or
- (c) The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use, or
- (d) Nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City, or
- (e) For other reasons, the proposed use would impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this Ordinance, and
- (f) The new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.

10.43.1 Conditional Retail or Consumer Service Establishments. Where a special permit is required for a Retail or Consumer Service Establishment listed in Section 4.35 or 4.36 of this Zoning Ordinance, the special permit granting authority shall consider the following factors when evaluating the criteria in Section 10.43:

- (a) Anticipated delivery and loading operations, their potential impacts on neighboring uses and the overall neighborhood, and the extent to which those impacts are mitigated;**
- (b) The extent to which neighboring uses would be impacted by environmental nuisance such as dust, fumes, odors, smoke, vapors, noise, vibration, flashing, light trespass, or glare, and the extent to which those impacts are mitigated;**
- (c) The extent to which storefronts and other elements of the façade visible to the public are compatible with the visual character of the surrounding area and conform to the City's urban design objectives for retail uses in the area; and**
- (d) The extent to which the establishment serves a public objective identified in citywide or neighborhood plans that would offset potential adverse impacts.**

Explanatory note: These criteria would supplement the general criteria in Section 10.43 when a special permit is needed for a retail establishment.