



CITY OF CAMBRIDGE

COMMUNITY DEVELOPMENT DEPARTMENT

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To: Ordinance Committee of the City Council

From: CDD Staff

Date: July 16, 2012

Re: **School Site Zoning Petition – Proposed Revisions**

Attached are some proposed text changes to the zoning petition concerning municipal K-8 school sites.

Following comments made at the Ordinance Committee and Planning Board public hearings on the petition, these changes are meant to address the issue of protecting open spaces on school sites that are enjoyed by the general public.

There are two different categories of open space considered in these changes:

1. **Areas that are within an “Open Space” zoning district.** Examples of these would include Donnelly Field, Tobin Field and Rindge Field, which are adjacent to schools but used primarily as open playing fields in the same way as other city parks.

The proposed changes to the zoning language are intended to make it clear that the zoning modifications (FAR, height, setbacks) allowed for school uses would not apply in Open Space zoning districts. In Open Space districts, the base zoning requirements would continue to apply, which allow a maximum FAR of 0.25 and maximum height of 35 feet, and require minimum 25-foot front and rear yard setbacks and minimum 15-foot side yard setbacks.

2. **Areas that are customarily used as Public Open Space,** which may or may not be located within an Open Space district. Examples of these would include the playing fields mentioned above, as well as smaller school playgrounds, such as those at the King School or Cambridgeport School.

In order to ensure the availability of these spaces, the proposed new language would require that open space customarily used by the public (for which the term “Public Recreational Open Space” is defined), where it exists, may not be reduced but may be reconfigured within a school site. A reduction of no more than 10% may only be allowed by special permit if the Planning Board determines that it would result in a space of at least commensurate public benefit to what exists.

Staff will be available to discuss these proposed modifications at the Ordinance Committee hearing on July 19.

5.50 SPECIAL DIMENSIONAL REGULATIONS

[...]

- 5.54** *Special Regulations for Municipal Elementary and Middle (“K-8”) Schools.* The following regulations shall apply to the reconstruction, alteration or expansion of existing municipal K-8 school uses. The regulations of this Section shall apply where development is proposed on lots where the existing and proposed principal use is a municipal K-8 school; however, such lots may include other uses customarily associated with a municipal K-8 school such as public recreation, public open space, community center or municipal library. Where a regulation in this Section 5.54 contradicts any regulation set forth elsewhere in the Zoning Ordinance, including the requirements of Article 8.000, the regulations of this Section 5.54 shall apply.

- 5.54.1** The following modifications to the dimensional, parking and other requirements applicable in the zoning district as set forth in Paragraphs (a-f) below shall be permitted upon issuance of a Building Permit by the Commissioner of Inspectional Services, subject to the limitation set forth in Paragraph (g) below:

- (a) The maximum permitted Floor Area Ratio shall be the existing Floor Area Ratio for all buildings on the lot at the time of application for a Building Permit, or the maximum Floor Area Ratio allowed under the applicable zoning district regulations, whichever is greater.
- (b) Areas located atop the roof of a building that are used as a playground or outdoor educational space for school-related activities shall not be included in the calculation of Gross Floor Area or Floor Area Ratio on the lot, provided that the space is substantially open to the sky (structures covered with web or netting shall not be considered enclosures).
- (c) For any new structures, additions to an existing structure, or portions of a structure that are demolished and reconstructed in a residential zoning district, the minimum yard requirements otherwise applicable in the district shall not apply, provided that no new structure may be nearer than ten (10) feet to any public street or nearer than fifteen (15) feet to any other abutting lot line; however, for portions of a lot located within an Open Space zoning district, the minimum yard requirements in the base zoning district shall apply. For existing portions of a structure which are neither demolished nor expanded, the

Further below, a requirement is added that in order to apply the zoning modifications allowed in this section, the public open space on the site may not be reduced.

These changes are meant to clarify that the zoning modifications would not apply to portions of a lot that are zoned “Open Space,” which may include playing fields that are directly adjacent to a school building (e.g., Tobin Field, Rindge Field).

Highlighted Sections Identify Proposed Revisions to the Petition As Filed

required yards shall be those of the structure existing at the time of application for a Building Permit.

- (d) For any new structures, additions to a structure, or portions of a structure that are demolished and reconstructed **in a residential zoning district**, the maximum building height shall be forty-five (45) feet, or the maximum height allowed under zoning district regulations, whichever is greater; **however, for portions of a lot located within an Open Space zoning district, the maximum height in the base zoning district shall apply.** For existing portions of a structure which are neither demolished nor expanded, the height of the existing structure shall be permitted.
- (e) The minimum required number of off-street motor vehicle parking spaces shall be the number of legally existing off-street parking spaces on the lot or the minimum number of off-street parking spaces required by Article 6.000, whichever is fewer. Where existing parking spaces are proposed to be reconstructed or relocated, those spaces shall conform to the location, design and layout requirements of Article 6.000.
- (f) The minimum required number of off-street loading bays shall be the number of legally existing off-street loading bays on the lot or the minimum number of off-street loading bays required by Article 6.000, whichever is fewer. Where loading bays are proposed to be reconstructed or relocated, those loading bays shall conform to the location, design and layout requirements of Article 6.000.
- (g) **The provisions set forth in Paragraphs (a-f) above shall apply only if there is no net reduction in the area of Public Recreational Open Space on the lot. For the purposes of this Section 5.54, Public Recreational Open Space shall be defined as any contiguous outdoor space having both a width and length of at least twenty-five (25) feet that is available for customary recreational use by the general public and that meets the definition of Public Open Space as set forth in Article 2.000 of this Zoning Ordinance. Notwithstanding anything to the contrary in the definition of Public Open Space, areas beneath unenclosed structures that are accessory to outdoor public recreational uses, such as play structures, shading devices or player dugouts, may be counted as Public Recreational Open Space. Public**

These changes are meant to clarify that the zoning modifications would not apply to portions of a lot that are zoned “Open Space,” which may include playing fields that are directly adjacent to a school building (e.g., Tobin Field, Rindge Field).

This added stipulation says that if any as-of-right zoning relief is sought for a school, there can be no reduction in the open space that is usable by the public. The 25' dimension is meant to ensure that only park-like spaces such as playgrounds are counted, and not smaller areas like planting strips in front of buildings.

Highlighted Sections Identify Proposed Revisions to the Petition As Filed

Recreational Open Space may be altered or relocated on the lot, provided that the total area of space meeting the definition herein is not decreased.

5.54.2 Where it is proposed to reconstruct, alter or expand an existing municipal K-8 school use, any dimensional, parking or other zoning requirements, including those set forth in Section 5.54.1 above, may be waived upon the granting of a special permit by the Planning Board, subject to the conditions and limitations set forth below.

- (a) The Floor Area Ratio on the lot shall not exceed the existing Floor Area Ratio on the lot, except that the Planning Board may approve an increase in Floor Area Ratio to 1.25 for any portion of the lot located within a residential zoning district (but excluding portions of the lot located within an Open Space zoning district).
- (b) For portions of a lot located within an Open Space zoning district, the minimum yard requirements in the base zoning district shall continue to apply to any new buildings or additions to buildings.
- (c) In a residential zoning district, the maximum building height of any new building or addition to a building shall not exceed fifty-five (55) feet, except that the Planning Board may approve heights of up to sixty-five (65) feet for portions of a building located at least fifty (50) feet from any lot line. In an Open Space zoning district, the height of any new building or addition to a building shall not exceed the maximum height allowed in the base zoning district.
- (d) The minimum off-street parking requirement shall not be waived except upon issuance of a special permit for Reduction in Required Parking under Section 6.35.1. The Planning Board may approve a reduction in the number of required loading bays upon finding that the proposed loading bays are sufficient to serve the school use. New parking spaces and loading bays shall conform to the location, design and layout requirements of Article 6.000.
- (e) The net area of Public Recreational Open Space on the lot, as defined in Subsection 5.54.1, Paragraph (g) above, shall not be reduced by more than ten percent (10%) of the existing area. In approving any net reduction in Public Recreational Open Space, the Planning Board shall make a determination that the proposed Public Recreational Open Space shall provide

The changes in (a), (b) and (c) are meant to clarify the following:

- The existing FAR on the lot and the height of any existing buildings are “grandfathered” (as specified in 5.54.1 above)
- The Planning Board may allow increases in FAR and height and variations in setbacks, but only within a residential zoning district (not within an Open Space zoning district).

Where a special permit is sought, there is some flexibility to reduce the area of Public Recreational Open Space; however, the Planning Board must find that the reduced size is compensated by having equal or greater benefits to the public.

benefits to the general public that are at least commensurate with the existing Public Open Space on the lot.

- (f) In addition to the General Special Permit Criteria set forth in Section 10.43 and the Citywide Urban Design Guidelines set forth in Section 19.30, the Planning Board shall make a determination that the proposed changes to the lot have been designed to minimize or mitigate adverse impacts on neighboring residential properties. In making this finding, the Planning Board shall consider the following:
- (i) Arrangement of building height and bulk within the lot.
 - (ii) Access and egress for pedestrians, bicycles and motor vehicles, including pick-up and drop-off areas for buses and cars.
 - (iii) Location and screening of functions such as parking, loading, trash handling and mechanical equipment.
 - (iv) Current impact of existing buildings and existing patterns of use on the site.