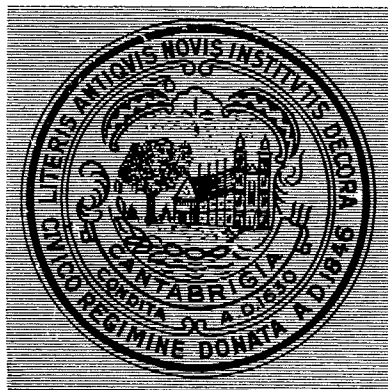


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# CITY OF CAMBRIDGE MASSACHUSETTS

## ZONING ORDINANCE



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## ARTICLE I ADMINISTRATION AND ENFORCEMENT

Sec. 1. Purpose, Interpretation, and Conflict

1. For the purpose of promoting the health, safety, convenience, morals, or welfare of the inhabitants of Cambridge, the zoning regulations and restrictions of this ordinance, ordained in accord with the provisions of Chapter 40A of the General Laws, and in the case of signs ordained in addition in accord with the provisions of Section 29 of Chapter 93 of the General Laws, are designed among other purposes to lessen congestion in the streets; to conserve health; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent over-crowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; to conserve the value of land and buildings; to encourage the most appropriate use of land throughout the City; and to preserve and increase its amenities.

2. In interpreting and applying the provisions of this ordinance, the requirements contained herein are declared to be the minimum requirements for the purposes set forth.

3. This ordinance shall not nullify the more restrictive provisions of covenants, agreements, other ordinances or laws, but shall prevail notwithstanding such provisions which are less restrictive.

Sec. 2. Enforcement

1. The Superintendent of Buildings, appointed under the provisions of the Building Code of the City of Cambridge, is hereby designated and authorized as the officer charged with the enforcement of this ordinance.

2. From the time of the effective date of this ordinance the Superintendent of Buildings shall not grant a permit for the construction or alteration of any building or structure if such construction or alteration would be in violation of any of the provisions of this ordinance whether by the applicant for the permit or by any other party associated with the property involved; nor shall any municipal officer grant any permit or license for the use of any building or land if such use would be in violation of any of the provisions of this ordinance. No building permit or certificate of occupancy or other permit or license shall be issued for land or for a building or structure to be erected on land which at the time of application is dedicated to the provision of off-street parking as required by this ordinance, unless such new construction or use shall continue to make available the required number of off-street parking spaces in addition to the off-street parking facilities required for such new construction or use, or unless substitute parking facilities which meet the requirements of Article VII have been first provided. In the event of doubt whether a building permit or certificate of occupancy should be issued in any particular case the Superintendent of Buildings shall deny the application therefor.

3. Whenever such permit is refused, because of the violation of some provision of this ordinance the reason for such refusal shall be clearly stated in writing.

4. Every applicant for a permit for any construction, alteration, or use of any building or land for which a permit is required by law shall, upon request of the Superintendent of Buildings, file such written information, plans, specifications, or other such data as shall be deemed necessary for the full and accurate exposition of the proposed construction, alteration or use with relation to the regulations of this ordinance. Such material shall be kept on file in the records of the office of the Superintendent of Buildings.

5. The Superintendent of Buildings, upon accurate information in writing from any citizen, or upon his own initiative, shall institute any appropriate action or proceedings in the name of the City of Cambridge to prevent, correct, restrain, or abate violations of this ordinance.

6. Nothing in this ordinance shall require any change in the construction, size, or designed use of a building or structure for which a building permit has been legally granted before the effective date of this ordinance, and the construction of which building shall have been started within ninety days of such effective date except that

if such building operation is discontinued for a period of six months, any further construction shall be in conformity with the provisions of this ordinance. Nothing in any subsequent amendment to this ordinance shall require any change in the construction, size, or designated use of a building or structure for which a building permit has been legally granted before publication of the notice of hearing before the Planning Board on such amendment, provided the construction of such building shall have been started within six months after issuance of such permit and provided further that the construction work proceeds in good faith continuously to completion so far as is reasonably practicable under the circumstances.

7. The Superintendent of Buildings may issue a building permit and a certificate of occupancy for the alteration or enlargement of a nonconforming structure or the enlargement of a nonconforming use in an Office, Business or Industrial district provided certain conditions are met as set forth in Article VI, Section 3, paragraph 2.

8. Any person, firm or corporation who violates or refuses to comply with any of the provisions of this ordinance may, upon conviction, be fined a sum not to exceed twenty dollars for each offense. Each day, or portion of a day, that any violation is allowed to continue shall constitute a separate offense.

### Sec. 3. Certificate of Occupancy

1. No land shall be occupied or used, and no building or structure erected or structurally altered after January 25, 1944, shall be occupied or used, in whole or in part, for any purpose until a certificate of occupancy has been issued by the Superintendent of Buildings stating that the building and use comply with the provisions of the Zoning Ordinance and of the Building Code of the City of Cambridge in effect at the time of issuance. No such certificate shall be issued unless the building and its use and its accessory uses and the uses of all premises are in conformance with the provisions of the Zoning Ordinance and of the Building Code at the time of issuance. Where a certificate of occupancy was not issued at the time when an occupancy or use permitted by the Zoning Ordinance and Building Code in effect at such time began, the Superintendent of Buildings may issue a validating certificate of occupancy retroactive to the beginning of the occupancy or use. A certificate of occupancy shall be conditional on the adequacy of parking space and other facilities as required by this ordinance, and shall lapse if such space or spaces or facilities are used for other purposes.

2. A certificate of occupancy shall be required for any of the following in conformity with the Building Code and the Zoning Ordinance:

- a. Occupancy and use of a building hereafter erected or structurally altered
- b. Change in use of an existing building to a use of a different classification
- c. Change in character or the intensity of the use of land
- d. Any change in use of a nonconforming structure or use

3. In cases where a building permit is required, a certificate of occupancy shall be applied for at the time of the application for a building permit, and shall be issued within ten days after the lawful erection or alteration of the building is completed if the proposed use of the building is permitted by this ordinance. In cases where a building permit is not required a certificate of occupancy shall be applied for prior to the happening of any of the events specified in paragraph 2 hereof, and shall be issued prior to any such change of use. Such certificates of occupancy shall be posted forthwith by the owner of the property in a conspicuous place on the premises involved for a period of not less than ten days after issuance.

4. The Superintendent of Buildings may issue a certificate of occupancy for a nonconforming use which is substituted for an existing nonconforming use of the same type (e. g., retail store for retail store, restaurant for lunch room) and for a nonconforming use which is substituted for an existing nonconforming use where such substituted use is permitted in Article IV as a matter of right in the most restricted Residence district in which such existing nonconforming use is permitted; provided there is no enlargement of volume or area and provided such substitution does not occasion any further violation of applicable regulations of this ordinance.

Sec. 4. The Board of Zoning Appeal

1. There shall be a Board of Zoning Appeal, established in accordance with Chapter 40A of the General Laws and all amendments thereto, which shall consist of five members and two associate members appointed by the City Manager. The first appointments shall be made for one-, two-, three-, four-, and five-year terms, respectively, and thereafter one appointment for a five-year term shall be made on or before the first day of May in each year. No member shall be appointed for more than two successive full five-year terms. Associate members shall be appointed for two-year terms, the first appointments being for a one-year term and a two-year term. One associate member shall be designated by the chairman of the Board to sit in the place of any member incapacitated by personal interest or absence, but not otherwise. A member appointed to fill a vacancy shall serve for the remainder of the unexpired term. The Board shall annually in the month of January elect a chairman and a vice-chairman.

2. Members and associate members of the Board of Zoning Appeal shall be bonafide residents of Cambridge but not City employees during their terms of office. They shall serve without compensation. No member of the Board of Zoning Appeal shall be a member of the Cambridge Planning Board, and not more than one member shall be a member of the Cambridge Board of Appeal as established under the provisions of the Building Code.

3. The Board may adopt from time to time such rules of practice and procedure as it may deem necessary to carry into effect the provisions of this ordinance, and shall keep minutes of its proceedings.

4. Any person aggrieved by any order, requirement, decision or determination made by the Superintendent of Buildings in the enforcement of this ordinance may appeal to the Board of Zoning Appeal as provided in Chapter 40A of the General Laws and all amendments thereto. Within ten days after an applicant is notified in writing of a refusal by the Superintendent to grant a building or occupancy permit, he may file with the Superintendent and with the Board of Zoning Appeal a notice of appeal specifying the ground thereof and shall pay fifteen dollars to the Superintendent at the time the notice is filed, which the Superintendent of Buildings shall forthwith pay over to the City Treasurer to the credit of the general revenue fund of the City of Cambridge. Prior to the expiration of twenty-one days after the initial posting of a building permit or certificate of occupancy which has been granted by the Superintendent any aggrieved person may file with the Superintendent and with the Board of Zoning Appeal a notice of appeal specifying the ground thereof and shall thereupon pay the fee above provided in this paragraph. Any person aggrieved by a violation of any portion of this ordinance may formally request the Superintendent of Buildings in writing to enforce the ordinance, and the Superintendent shall act upon such request within ten days thereafter by written notice to the person submitting the request and to the owner of each parcel of property specifically affected by the ruling. If the Superintendent of Buildings has not so acted upon such request within ten days after its receipt, such failure to act shall be considered a denial of the request for enforcement. Any person aggrieved by any action taken or determination made by the Superintendent of Buildings upon such request for enforcement may appeal within ten days thereafter to the Board of Zoning Appeal in the manner and upon payment of the fee above provided in this paragraph. The Superintendent shall transmit to the Board of Zoning Appeal all the papers constituting the record upon which any action appealed from is taken. The remedies provided in this paragraph for an aggrieved person shall be in addition to any other remedy which may now or hereafter be available to him.

5. The Board of Zoning Appeal shall consider any appeal or any petition for a variance, or other matter properly before it, at a public hearing and shall fix a reasonable time for the hearing. The Board shall post notice of the hearing upon the property with respect to which the appeal is filed and shall send a written notice to the petitioner, to the owners of the property adjoining and opposite such property within two hundred feet thereof as shown on the most recent tax list of the Board of Assessors, to the Planning Board, and to such other owners as may be deemed by the Board of Zoning Appeal to be affected, and shall publish a notice in a newspaper of general circulation within the City of Cambridge. In the case of an application for a special permit or a variance involving a change in use of land or building, the Board shall

also send a written notice to all owners of property within three hundred feet of the boundaries of the property in question.

6. The Board of Zoning Appeal shall have the following powers and duties:
  - a. To hear and decide appeals for interpretation where it is alleged that there is error in any order or decision made by an administrative official in the enforcement of this ordinance
  - b. To hear and decide applications for special permits for exceptions upon which the Board is required to pass under Section 5 of this Article
  - c. To authorize upon appeal or petition with respect to a particular parcel of land a variance from the terms of this ordinance, within the limits set forth in Section 6 of this Article.

7. All appeals or applications to the Board shall be made in writing on forms prescribed by the Board, shall refer to the specific provision of the Zoning Ordinance involved, and shall exactly set forth the interpretation that is claimed, the use for which the special permit is sought, or the details of the variance that is applied for and the grounds on which it is claimed that the variance should be granted, as the case may be.

8. Every decision of the Board of Zoning Appeal shall be by resolution adopted by the affirmative vote of at least four members of the Board. Each resolution shall be filed with the documents pertaining thereto by case number in the office of the Superintendent of Buildings under one of the following headings: Interpretations, Special Permits, or Variances. Copies of each resolution shall be filed simultaneously in the offices of the City Clerk and the Planning Board.

9. No appeal or petition for a variance and no application for a special permit which has been unfavorably acted upon by the Board of Zoning Appeal shall be considered on its merits by such Board within two years after the date of the unfavorable action except with the consent of all the members of the Planning Board. The granting of "leave to withdraw" after application for a variance or special permit has been advertised shall be considered unfavorable action.

10. Any person aggrieved by a decision of the Board of Zoning Appeal, whether or not previously a party to the proceeding, or any municipal officer or board, may appeal to the Superior Court sitting in equity for Middlesex County; provided that such appeal is filed in said Court within twenty days after such decision is filed with the City Clerk.

#### Sec. 5. Special Permits

1. Certain uses are designated in Article IV, Section 2, the Table of Use Regulations, as requiring a special permit. The Board of Zoning Appeal may, in accordance with Chapter 40A of the General Laws, grant special permits for such designated uses without any finding of hardship. A special permit is a permit to use property for the purpose specified and shall not waive, vary, or relax any provision of this ordinance applicable thereto. In acting upon special permits the Board shall take into account the general purpose and intent of this ordinance and, in order to preserve community values, may impose conditions and safeguards deemed necessary to protect the surrounding neighborhood, in addition to the applicable requirements of this ordinance, such as, but not limited to, the following:
  - a. Front, side, or rear yards greater than the minimum required by this ordinance
  - b. Screening of parking areas or other parts of the premises from adjoining premises or from the street by specified walls, fences, planting, or other devices
  - c. Modification of the exterior features or appearance of the structure
  - d. Limitation of size, number of occupants, method or time of operation, or extent of facilities

- e. Regulation of number, design, and location of access drives or other traffic features
- f. Requirement of off-street parking or other special features beyond the minimum required by this or other applicable codes or regulations
- g. Control of the number, location, size and lighting of signs

2. Notice of each application to the Board of Zoning Appeal for a special permit shall be transmitted forthwith to the Planning Board which shall, within twenty days of the receipt of such notice, transmit to the Board of Zoning Appeal a report accompanied by any material, maps, or plans that will aid the latter Board in judging the application and in determining special conditions and safeguards. The Board of Zoning Appeal shall not render any decision on an application for a special permit until said report has been received and considered or until the twenty-day period has expired without receipt of the report, whichever is earlier.

3. The Board of Zoning Appeal may grant a special permit for the issuance of a building permit and a certificate of occupancy for the use of an existing nonresidential building for a nonconforming use in an Office, Business or Industrial district and for the alteration or enlargement of a nonconforming structure in a Residence district provided certain conditions are met as set forth in Article VI, Section 3, paragraph 2.

4. Where the zone line divides a lot in a single ownership at the time of the effective date of this ordinance and more than one-half the area of said lot is in the less restricted district, the Board of Zoning Appeal may grant a special permit allowing a use permitted in the less restricted district to extend to the entire lot with such provisions as may be deemed appropriate; but in no case may the regulations of the less restricted district be permitted to extend more than twenty-five feet within the more restricted district.

#### Sec. 6. Variances

1. A variance from the specific requirements of this ordinance may be authorized by the Board of Zoning Appeal only for reasons of practical difficulty and demonstrable and substantial hardship, financial or otherwise, to the appellant, and only where the Board finds that:

- a. There are special circumstances or conditions applying to the land or building for which the variance is sought (such as, but not limited to, the exceptional narrowness, shallowness or shape of the property in question, or exceptional topographical conditions), which circumstances or conditions are peculiar to such land or building but not affecting generally the zoning district in which it is located, and the application of the standards of this ordinance would deprive the applicant of a reasonable use of the property; and
- b. The specific variance as granted by the Board is the minimum variance that will grant reasonable relief to the owner, and is necessary for a reasonable use of the land or building; and
- c. The granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare. In addition to considering the character and use of nearby buildings and land the Board, in determining its finding, shall take into account the number of persons residing or working in such buildings or upon such land, and the present and probable future traffic conditions.

2. In any of the following cases notice of each application to the Board of Zoning Appeal for a variance shall be transmitted forthwith to the Planning Board which shall within twenty days of the receipt of such notice transmit to the Board of Zoning Appeal a report accompanied by any material, maps, or plans that will aid the latter Board in judging the application and in determining special conditions and safeguards. The Board of Zoning Appeal shall not render any decision on an application for a variance until said report has been received and considered, or until the twenty-day period has expired without receipt of the report, whichever is earlier.

- a. Erection or alteration of a building to a height greater than that otherwise authorized under the provisions of this ordinance.
- b. A change involving a nonconforming use of land in excess of twenty thousand square feet
- c. A change involving a nonconforming use of an existing building or buildings with a gross floor area in excess of two thousand square feet or a floor area ratio more than fifty percent greater than that permitted in the district in which it is located
- d. A change involving a commercial or industrial use in a residential district on a parcel of land not previously used for a commercial or industrial purpose
- e. Any other application for a variance with respect to which the Planning Board certified to the Board of Zoning Appeal not later than the date of the public hearing that the granting of such application would materially conflict with the planning principles and policies adopted by the Planning Board.

3. In approving a variance the Board may attach such conditions and safeguards as are deemed necessary to protect the surrounding neighborhood in addition to the applicable requirements of this ordinance, such as, but not limited to, those listed in Section 5, paragraph 1.

Sec. 7. Amendments to the Ordinance and to the Zoning Map

1. The City Council of the City of Cambridge may from time to time amend this ordinance or a district boundary indicated upon the Zoning Map in the manner prescribed in Section 6, Chapter 40A, of the General Laws and all amendments thereto.

2. In all cases notice of a proposed amendment shall be given by the City Clerk to the Planning Board at least twenty days prior to final action by the City Council. If a proposed amendment involves a change in district boundaries and if the Planning Board shall fail to approve said amendment prior to such final action, it may be granted only by a three-fourths vote of all the members of the City Council; otherwise it may be granted by a two-thirds vote of all of the members of the City Council.

3. No proposed amendment to this ordinance which has been unfavorably acted upon by the City Council shall be considered on its merits within two years after the date of such unfavorable action unless such an amendment is recommended in the report which the Planning Board is required to make to the City Council. The granting of "leave to withdraw" after a proposed amendment has been advertised for a hearing before the City Council shall be considered as constituting unfavorable action. Failure to take action by the City Council within two years after a proposed amendment has been advertised for a hearing before such body shall be considered as constituting unfavorable action.

4. A person making application to the City Council for a change in this ordinance shall pay to the City Clerk at the time of filing of such application a filing fee of twenty-five dollars, which the City Clerk shall forthwith pay over to the City Treasurer, one-half to the credit of the general revenue fund of the City of Cambridge and one-half to the credit of the advertising account of the Planning Board.



## ARTICLE II DEFINITIONS

For the purpose of this ordinance certain words and terms are hereby defined. The definitions set forth in the Building Code of the City of Cambridge are also applicable, where appropriate, with respect to words and terms not defined herein. Words used in the present tense include the future; the singular number includes the plural, and the plural the singular; the word "lot" includes "plot"; the word "building" includes "structure"; the word "occupied" includes the words designed, arranged, or intended to be occupied. Where the verb "use" is employed it shall be construed as if followed by the words "or is intended, arranged, designed, built, altered, converted, rented, or leased to be used"; the word "shall" is mandatory and not directory.

1. Accessory building. A building devoted exclusively to a use subordinate to the principal use and customarily incidental to the principal use.
2. Accessory use. A use subordinate to the principal use and customarily incidental to the principal use.
3. Building. Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.
4. Building line. A line established by the City in accordance with Section 37, Chapter 82 of the General Laws.
5. District. A section of the City for which the zoning regulations governing the use of land, the use of buildings and premises, and the permitted height of buildings, and the area of open space about buildings are uniform.
6. Dwelling. A building or structure used in whole or in part for human habitation, but not a trailer.
7. Dwelling, detached. A dwelling with no party wall or walls arranged, intended or designed as the home or residence of one family.
8. Dwelling, multi-family. A building arranged, intended or designed to contain three or more dwelling units.
9. Dwelling, semi-detached. One of a series of buildings not exceeding six in number with a party wall or walls, common to adjoining buildings, each of which is arranged, intended or designed as the home or residence of one or two families including row houses.
10. Dwelling, two-family. A dwelling arranged, intended or designed as the home or residence of two families, each family occupying a single dwelling unit.
11. Dwelling unit. A room or group of rooms forming a habitable unit for one family, used or intended to be used for living, sleeping, cooking, and eating.
12. Family. One or more persons occupying a dwelling unit and living as a single, non-profit housekeeping unit; provided that a group of five or more persons who are not within the second degree of kinship shall not be deemed to constitute a family.
13. Floor area ratio. The ratio of gross floor area of a structure to the total area of the lot.
14. Floor area, gross. The sum, in square feet, of the gross horizontal areas of all of the floors of a building, as measured from the exterior faces of the exterior walls or center lines of walls separating two buildings, including: (a) roofed porches and balconies, whether enclosed or unenclosed, and unroofed porches and balconies above the second floor, (b) elevator shafts and stairwells on each floor, (c) attic space, whether finished or unfinished, except as hereafter excluded, (d) interior balconies, mezzanines and penthouses and (e) basement and cellar areas not devoted exclusively to uses accessory to the operation of the building; but excluding: (a) areas used for parking garages, accessory parking, or off-street loading purposes, (b) basement and cellar areas devoted exclusively to uses accessory to the operation of the building, (c) open or lattice-enclosed exterior fire escapes, and unroofed porches and balconies no higher than the second floor, and (d) attic space and other areas for elevator machinery or mechanical equipment accessory to the building. In a building with more than

two floors the area of each floor level of any interior court yard, whether or not covered by a roof, which has a minimum dimension of less than forty feet in any direction shall be included unless twenty per cent or more of the perimeter of such court yard at each floor level measured consecutively is not enclosed.

15. Height of building. The vertical distance of the highest point of the roof above the mean grade of the ground adjoining the building.

16. Home occupation. For an occupation customarily carried on at home the use of a room in a dwelling as an office, studio, or work room by a person residing on the premises and in connection with which there is kept no stock in trade nor commodity sold on the premises.

17. Lodging house. A dwelling where lodgings are let to five or more persons not within the second degree of kinship to the person conducting it, including fraternity houses but not including dormitories or charitable, educational or philanthropic institutions.

18. Lot. A parcel of land in identical ownership throughout, bounded by other lots or by streets, which is designated by its owner to be used, developed or built upon as a unit.

19. Lot depth. The horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.

20. Lot line, front. A line separating the lot from the street or from a building line if such has been established.

21. Lot line, rear. A line most distant and opposite from the front lot line; where the lot is irregular, a line perpendicular to the mean direction of the side lot lines, and at least ten feet in length within the lot.

22. Lot width. The horizontal distance between the side lot lines measured perpendicular to the mean direction of the side lot lines.

23. Nonconforming structure. Any structure which does not conform to the dimensional requirements in Article V or to the parking and loading requirements of Article VII of this ordinance for the district in which it is located; provided that such structure was in existence and lawful at the time the applicable provisions of this or prior zoning ordinances became effective.

24. Nonconforming use. A use of a building, structure or lot that does not conform to the use regulations of Articles IV and VI of this ordinance for the district in which it is located; provided that such use was in existence and lawful at the time the applicable provisions of this or prior zoning ordinances became effective.

25. Sign. Sign shall mean and include any structure, device, letter, word, model, banner, pennant, insignia, trade flag, or representation used as, or which is in the nature of, an advertisement, announcement, or direction.

26. Sign, area of.

- a. For a sign, either free-standing or attached, the area shall be considered to include all lettering, wording, and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself
- b. For a sign painted upon or applied to a building the area shall be considered to include all lettering, wording, and accompanying designs or symbols, together with any background of a different color than the natural color of the building
- c. Where the sign consists of individual letters or symbols attached to or painted on a surface, building, wall or window, the area shall be considered to be that of the smallest rectangle or other shape which encompasses all the letters and symbols.

27. Street. The right of way, including sidewalks, of a public way, or private way open to public use, used or intended for use by automobile traffic, including highways, parkways, alleys, courts and squares used or intended for this purpose, to which owners of abutting land have a right of access.

28. Street line. The line separating a street from a lot.

29. Structure. A combination of materials assembled at a fixed location to give support or shelter, such as a building, bridge, trestle, tower, framework, retaining wall, tank, tunnel, tent, stadium, reviewing stand, platform, bin, fence, sign, flag-pole or the like.

30. Yard. An open unoccupied space on the same lot with a building, open and unobstructed from the ground to the sky.

31. Yard, front. The yard extending across the full width of the lot and lying between the front street line, or the building line where such may have been established on the lot, and the nearest part of a building.

32. Yard, rear. The yard extending across the full width of the lot and lying between the rear line of the lot and the nearest part of a building.

33. Yard, side. The yard between the side line of the lot and the nearest part of a building and extending from the front yard to the rear yard, or in the absence of either of such yards, to the front or rear lot line, as may be.

ARTICLE III DISTRICTS AND DISTRICT BOUNDARIES

Sec. 1. Establishment of Districts

For the purpose of this ordinance, the City of Cambridge is hereby divided into eleven classes of districts as follows:

1. Residence A-1 District . . . . . Single-family dwellings
2. Residence A-2 District . . . . . Single-family dwellings
3. Residence B District . . . . . Two-family or semi-detached dwellings
4. Residence C-1 District . . . . . Multi-family dwellings (Apartment house, hotel, dormitory)
5. Residence C-2 District . . . . . Multi-family dwellings
6. Residence C-3 District . . . . . Multi-family dwellings
7. Office District . . . . . Business and professional offices and multi-family dwellings
8. Business A District . . . . . Local and drive-in retail business
9. Business B District . . . . . General business
10. Industry A District . . . . . Warehouse, storage and light manufacturing
11. Industry B District . . . . . Heavy industry

Sec. 2. Boundaries of Districts

1. The boundaries of each of the said districts are hereby established as shown on the map entitled, Zoning Map of the City of Cambridge, or as hereafter amended, which map is attached to and made a part of this ordinance. The said Zoning Map and all boundaries, notations, and other data shown thereon are made by this reference as much a part of this ordinance as if fully described and detailed herein. The said map shall be filed in the custody of the City Clerk of Cambridge and may be examined by the public subject to any reasonable regulations established by the City Clerk.

2. The boundaries between districts are as shown on the Zoning Map. Where uncertainty exists with respect to the boundaries of the various districts as shown on the map accompanying and made a part of this ordinance, the following rules shall apply:

- a. Where the district boundary is a street, the boundary line shall be the center line of the street
- b. Where the boundary line is indicated approximately parallel to the street, it shall be taken as parallel thereto and, unless otherwise indicated, one hundred feet distant from the nearest street line. If there is any variance between the scaled distance from the boundaries to the street line and the distance as marked in feet upon the map, the latter shall govern
- c. Where the districts designated on the map are bounded by lot lines, the lot lines shall be construed to be the boundary lines, unless the boundary lines are otherwise indicated on the map.

ARTICLE IV USE REGULATIONS

Sec. 1. District Uses

1. In each district the use of land, buildings, and structures shall be regulated as set forth in Section 2 of this Article, Table of Use Regulations, and as provided elsewhere in this ordinance.

2. A use listed in Section 2 is permitted as a right in any district under which it is denoted by the word "Yes". If designated in the Table by the letters "SP", the use may be permitted as a special exception only if the Board of Zoning Appeal so determines and grants a special permit therefor as provided in Article 1, Section 5, subject to such restrictions as said Board may establish.

3. No building, structure or land in any district may be used, erected or designed to be used, in whole or in part, for any use not denoted in Section 2 by the word "Yes", or by the letters "SP" if the Board of Zoning Appeal so determines and grants a special permit therefor, except nonconforming uses which may be continued under the provisions of Article VI, Section 3.

4. Subject to the provisions of Section 2 of Chapter 40A of the General Laws, but only to the extent said Section 2 may from time to time require, the use regulations of this ordinance shall not prohibit or limit the use of land for any church or other religious purpose or for any educational purpose which is religious, sectarian, denominational or public.

Sec. 2. Table of Use Regulations

	Res. <u>A</u> 1&2	Res. <u>B</u>	Res. <u>C</u> 1,2,3	Off. —	Bus. <u>A</u>	Bus. <u>B</u>	Ind. <u>A</u>	Ind. <u>B</u>
<u>1. Residence</u>								
a. Detached dwelling occupied by not more than one family	Yes	Yes	Yes	Yes	Yes	Yes	No	No
b. Two-family or semi-detached dwelling	No	Yes	Yes	Yes	Yes	Yes	No	No
c. Multi-family dwelling	No	No	Yes	Yes	Yes	Yes	No	No
d. Transient Accommodations								
1) Tourist house in an existing dwelling	No	No	Yes	Yes	Yes	Yes	Yes	Yes
2) Hotel or motel *C-2 and C-3 only No in C-1	No	No	Yes*	Yes	Yes	Yes	Yes	Yes
e. Non-family accommodations: dormitory, resident fraternity, or lodging house	No	No	Yes	Yes	Yes	Yes	SP	SP
f. Trailer park or mobile home park	No	No	No	No	SP	No	No	No
<u>2. Conversion of Dwelling, Structure</u>								
a. Existing one-family detached dwelling converted for two families, where all dimensional and area requirements are met, provided that in Residence A districts the exterior design of the structure is not changed	Yes	Yes	Yes	Yes	Yes	Yes	No	No
b. Existing dwelling converted for more than two families, where all dimensional and area requirements are met	No	Yes	Yes	Yes	Yes	Yes	No	No

	Res. <u>A</u> 1&2	Res. <u>B</u>	Res. <u>C</u> 1,2,3	Off. —	Bus. <u>A</u>	Bus. <u>B</u>	Ind. <u>A</u>	Ind. <u>B</u>
<b>3. <u>Institutional, Transportation, and Utility Uses</u></b>								
a. Place of worship	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
b. School of the public school system of the City of Cambridge, non-profit day school for the education of children in the elementary or high school grades	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
c. Non-profit college or university, non-profit boarding school, other non-profit educational institution, except for facilities hereinafter described	No	SP	Yes	Yes	Yes	Yes	Yes	Yes
d. Licensed day nursery school or kindergarten	Yes	Yes	Yes	Yes	Yes	No	No	No
e. Library or museum	SP	Yes	Yes	Yes	Yes	Yes	Yes	Yes
f. Hospital, infirmary, nursing home, convalescent home	No	No	Yes	Yes	Yes	Yes	Yes	Yes
g. Cemetery	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
h. Public park or playground, public recreation building	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
i. Private non-profit community center building, settlement house	No	SP	Yes	Yes	Yes	Yes	Yes	Yes
j. Theatres, auditoriums, halls used for public gatherings, athletic facilities and other places of assembly of non-profit educational institutions where facilities are primarily used by faculty and students and where public is admitted on payment of a fee	No	No	Yes	Yes	Yes	Yes	Yes	Yes
k. Laboratory or research facilities of non-profit educational institutions which supply services for a fee for other than enrolled students, provided there is no manufacturing on the premises	No	No	SP	Yes	Yes	Yes	Yes	Yes
l. Private non-profit club or lodge operated for members only	No	SP	Yes	Yes	Yes	Yes	Yes	Yes
m. Telephone exchange, transformer station, substation, gas regulator station, or pumping station	SP	SP	SP	Yes	Yes	Yes	Yes	Yes
n. Fire or police station	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
o. Post office	No	No	No	Yes	Yes	Yes	Yes	Yes

	Res. <u>A</u> 1&2	Res. <u>B</u>	Res. <u>C</u> 1,2,3	Off. —	Bus. <u>A</u>	Bus. <u>B</u>	Ind. <u>A</u>	Ind. <u>B</u>
p. Bus or railroad passenger station	No	No	No	No	Yes	Yes	Yes	Yes
q. Automobile parking lot or parking garage for private passenger cars, where not an accessory use, and no repairs, servicing, or sale of gasoline is carried on	No	SP	SP	Yes	Yes	Yes	Yes	Yes
<b>4. <u>Office and Laboratory Use</u></b>								
a. Office building or office use, provided there is no retail business, manufacturing or processing on the premises	No	No	No	Yes	Yes	Yes	Yes	Yes
b. Place of business of a bank, trust company or similar financial institution	No	No	No	Yes	Yes	Yes	Yes	Yes
c. Radio or television studio	No	No	No	Yes	Yes	Yes	Yes	Yes
d. Laboratories or research facilities provided they are operated for research purposes and provided that any manufacturing is of a type authorized as a matter of right under Article IV, Section 2, paragraph 7 of this ordinance, is of an accessory nature and carried out entirely within the building, and does not exceed 50% of the gross floor area	No	No	No	Yes	Yes	Yes	Yes	Yes
e. Other laboratories, shops or research facilities	No	No	No	No	No	Yes	Yes	Yes
<b>5. <u>Retail Business and Consumer Service Establishment</u></b>								
a. Store for retail sale of merchandise where all display and sales are conducted within a building and where no manufacturing, assembly, or packaging occur on the premises	No	No	No	No	Yes	Yes	Yes	Yes
b. Place for the manufacture, assembly or packaging of consumer goods, provided that at least fifty percent of such merchandise is sold at retail on the premises and that all display and sales are conducted within a building	No	No	No	No	SP	Yes	Yes	Yes
c. Barber shop, beauty shop, laundry and dry - cleaning pickup agency, shoe repair, self-service laundry or other similar establishment	No	No	No	No	Yes	Yes	Yes	Yes

	Res. <u>A</u> 1&2	Res. <u>B</u>	Res. <u>C</u> 1,2,3	Off. —	Bus. <u>A</u>	Bus. <u>B</u>	Ind. <u>A</u>	Ind. <u>B</u>
d. Hand laundry, dry-cleaning or tailoring shop, provided only non-flammable solvents are used for cleaning and not more than nine persons are employed	No	No	No	No	Yes	Yes	Yes	Yes
e. Lunchroom, restaurant, cafeteria, provided no alcoholic beverages are sold or consumed on the premises	No	No	No	No	Yes	Yes	Yes	Yes
f. Bar or other establishment where alcoholic beverages are sold and consumed and where no dancing or entertainment is permitted or provided	No	No	No	No	Yes	Yes	Yes	Yes
g. Bar or other establishment where alcoholic beverages are sold and consumed and where dancing or entertainment is provided, dance hall or similar place of entertainment	No	No	No	No	No	Yes	Yes	Yes
h. Theatre or hall for public gatherings	No	No	No	SP	Yes	Yes	Yes	Yes
i. Bowling alley, skating rink or other recreation center	No	No	No	No	Yes	Yes	Yes	Yes
j. Mortuary, undertaking or funeral establishment	No	No	No	SP	Yes	Yes	Yes	Yes
k. Printing shop, photographer's studio	No	No	No	SP	Yes	Yes	Yes	Yes
l. Veterinary establishment, kennel, pet shop or similar establishment, provided in Business A and B zones all animals are kept indoors and there is no noise or odors perceptible from adjoining lots	No	No	No	No	Yes	Yes	Yes	Yes
m. School, college or other educational institution not conducted on a non-profit basis	No	No	No	Yes	Yes	Yes	Yes	Yes
n. Sales place for new or used cars conducted entirely within a building, rental agency for autos, trailers, motorcycles, conducted entirely within a building; provided no major repairs are made	No	No	No	No	Yes	Yes	Yes	Yes
o. Office, including display or sales space, of a wholesale, jobbing or similar establishment where not more than twenty-five percent of the	No	No	No	SP	SP	Yes	Yes	Yes



	Res. <u>A</u> 1&2	Res. <u>B</u>	Res. <u>C</u> 1,2,3	Off. —	Bus. <u>A</u>	Bus. <u>B</u>	Ind. <u>A</u>	Ind. <u>B</u>
floor area is used for assembling, packaging or storing merchandise								
<b>6. <u>Open-air or Drive-in Retail &amp; Service</u></b>								
a. Sales place for flowers, garden supplies, agricultural produce conducted partly or wholly outdoors, commercial greenhouse or garden	No	No	No	No	Yes	No	Yes	Yes
b. Drive-in restaurant, drive-in refreshment stand	No	No	No	No	SP	No	Yes	Yes
c. Drive-in bank and other retail or consumer service establishment where the motorist does not have to leave his car	No	No	No	No	Yes	SP	Yes	Yes
d. Outdoor amusement park, outdoor sports facility conducted for profit	No	No	No	No	SP	No	Yes	Yes
e. Open-air or drive-in theatre or other open-air place of entertainment	No	No	No	No	SP	No	Yes	Yes
f. Sale of new or used cars conducted partly or wholly on open lots, or rental agency for automobiles, trailers, motorcycles, conducted partly or wholly outdoors	No	No	No	No	SP	No	Yes	Yes
g. Automobile service station where no major repairs are made, provided that in Business districts all lubrication and repairs are carried out within the building	No	No	No	No	SP	SP	Yes	Yes
h. Car washing establishment using mechanical equipment for the purpose of cleaning automobiles and other vehicles	No	No	No	No	SP	No	Yes	Yes
i. Place for exhibition, lettering or sale of gravestones	No	No	No	No	SP	No	Yes	Yes
<b>7. <u>Light Industry, Wholesale Business and Storage</u></b>								
a. Assembly or packaging of articles not exceeding two hundred pounds in weight, provided no manufacturing or processing is carried out	No	No	No	No	No	No	Yes	Yes
b. Auto body or paint shop, provided that all work is carried out inside the building	No	No	No	No	No	No	Yes	Yes

	Res. <u>A</u> 1&2	Res. <u>B</u>	Res. <u>C</u> 1,2,3	Off. —	Bus. <u>A</u>	Bus. <u>B</u>	Ind. <u>A</u>	Ind. <u>B</u>
c. Automotive repair garage (not including auto body or paint shop), provided that in Business districts all servicing and repairs are carried out inside the building	No	No	No	No	SP	SP	Yes	Yes
d. Bottling of beverages	No	No	No	No	No	No	Yes	Yes
e. Distribution center, parcel delivery center, delivery, warehouse	No	No	No	No	No	No	Yes	Yes
f. Food commissary	No	No	No	No	No	No	Yes	Yes
g. Laundry, dry cleaning plant	No	No	No	No	No	No	Yes	Yes
h. Printing, binding, publishing and related arts and trades	No	No	No	No	No	No	Yes	Yes
i. Radio and television transmission station, including towers	No	No	No	No	No	No	Yes	Yes
j. Storage warehouse, cold storage plant, storage building, but not including storage or bailing of junk, scrap metal, rags, waste paper or used rubber	No	No	No	No	No	No	Yes	Yes
k. Wholesale business and storage in roofed structure, but not including wholesale storage of flammable liquids, gas or explosives	No	No	No	No	No	No	Yes	Yes
l. Manufacture, processing, assembly and packaging the following, provided that the following restrictions shall apply: (a) in Industry A districts any fully assembled product regularly produced shall not exceed two hundred pounds in weight, (b) in Industry A districts no process shall involve coating with rubber, (c) all dust, fumes, odors, smoke or vapor are effectively confined to the premises or so disposed of as to avoid air pollution and (d) any noise, vibration or flashing are not normally perceptible without instruments at a distance of one hundred feet from the premises in Industry A districts or at a distance of five hundred feet from the premises in Industry B districts	No	No	No	No	No	No	Yes	Yes

Res. <u>A</u> 1&2	Res. <u>B</u>	Res. <u>C</u> 1,2,3	Off. ---	Bus. <u>A</u>	Bus. <u>B</u>	Ind. <u>A</u>	Ind. <u>B</u>
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(see previous page for districts permitted)

- 1) Clothing, but not the manufacture of the cloth or other material of which the clothing is made
- 2) Food products, including bakery, confectionery and dairy products
- 3) Drugs
- 4) Electrical, electronic and communication instruments
- 5) Engineering, laboratory and scientific instruments, temperature controls
- 6) Jewelry, insignia, emblems and badges, lapidary, scale models, dolls, costume jewelry and costume novelties
- 7) Lamp shades except of glass or metal
- 8) Leather goods, excluding footwear and saddlery
- 9) Medical and dental instruments and supplies, optical instruments and lenses
- 10) Paper and paperboard products, provided such products are made from purchased paper or purchased paperboard and there is no manufacture or processing of pulp, waste paper or waste paper products
- 11) Pens, mechanical pencils
- 12) Plaster of Paris or papier mache products
- 13) Office machines, including cash registers, computing machines and typewriters, scales and balances
- 14) Umbrellas, parasols and canes
- 15) Watches, clocks, watchcases, clockwork mechanisms

	Res. <u>A</u> 1&2	Res. <u>B</u>	Res. <u>C</u> 1,2,3	Off. —	Bus. <u>A</u>	Bus. <u>B</u>	Ind. <u>A</u>	Ind. <u>B</u>
m. Open-lot storage of new building materials, machinery and new metals, but not including junk, scrap metal, rags, waste paper and similar materials, provided that the area so used is surrounded by a six-foot high wall or tight fence	No	No	No	No	No	No	SP	Yes
n. Open-lot storage of coal, coke, sand or other similar material, or such storage in silos or hoppers, provided that all dust incident to storage or handling is effectively confined to the premises or so disposed of as to avoid air pollution and that the area so used is surrounded by a six-foot high wall or tight fence	No	No	No	No	No	No	SP	Yes
8. <u>Heavy Industry</u>								
a. Dismantling or wrecking of used motor vehicles and storage or sale of dismantled, inoperative or wrecked vehicles or their parts, provided the area so used is surrounded by a six-foot high wall or tight fence	No	No	No	No	No	No	No	SP
b. Railroad freight terminal, railroad yards and shops	No	No	No	No	No	No	No	Yes
c. Rendering or preparation of grease, tallow, fats and oils, manufacture of shortening, table oils, margarine and other food oils, but not including garbage, dead animals, offal or refuse reduction	No	No	No	No	No	No	No	Yes
d. Stone cutting, shaping, and finishing, in completely enclosed buildings	No	No	No	No	No	No	No	Yes
e. Textile mill, except mill for processing of jute, burlap or sisal	No	No	No	No	No	No	No	Yes
f. Truck or bus terminal, yard or building for storage or servicing of trucks, trailers or busses, parking lot for trucks	No	No	No	No	No	No	SP	Yes

	Res. <u>A</u> 1&2	Res. <u>B</u>	Res. <u>C</u> 1,2,3	Off. —	Bus. <u>A</u>	Bus. <u>B</u>	Ind. <u>A</u>	Ind. <u>B</u>
g. Manufacture, processing, assembly, packaging or other industrial operation, subject to Building Department and Health Department regulations without limit as to category or product except as otherwise listed in this paragraph 8 or as hereinafter prohibited, provided that (a) all dust, fumes, odors, smoke or vapor are effectively confined to the premises or so disposed of as to avoid air pollution, and (b) any noise, vibration or flashing are not normally perceptible without instruments at a distance of five hundred feet from the premises, but the following are expressly prohibited:	No	No	No	No	No	No	No	Yes
1) Acid manufacture								
2) Cement, lime or gypsum manufacture								
3) Explosives or fireworks manufacture								
4) Glue manufacture								
5) Incineration or reduction of garbage, offal or dead animals, except such processing as may be conducted by the City of Cambridge								
6) Petroleum refining								
7) Smelting of zinc, copper, tin or iron ores								
8) Stockyard or abattoir								
h. Open-lot storage of second-hand lumber or other used building material, provided the area so used is surrounded by a six-foot high wall or tight fence; storage of flammable liquids or gas as permitted by the Building Code	No	No	No	No	No	No	No	Yes
i. Open-lot storage of junk, scrap, paper, rags, unpaired or unclean containers or other salvage articles, provided the area so used is surrounded by a six-foot high wall or tight fence	No	No	No	No	No	No	No	SP

ARTICLE V DIMENSIONAL REQUIREMENTS

Sec. 1. District Regulations

1. No building or structure shall be built nor shall any existing building or structure be enlarged which does not conform to the regulations as to maximum ratio of floor area and lot areas, minimum lot sizes, minimum lot area for each dwelling unit or equivalent, minimum lot width, minimum dimensions of front, side and rear yards, and maximum height of structures, in the several districts as set forth in Section 2 of this Article, except as hereinafter provided.

2. The lot or yard areas required for any new building or use may not include any part of a lot that is required by any other building or use to comply with any requirements of this ordinance, nor may these areas include any property of which the ownership has been transferred subsequent to the effective date of this ordinance if such property was a part of the area required for compliance with the dimensional requirements applicable to the lot from which such transfer was made.

3. In the case of multiple buildings on a lot in single ownership the distance between such buildings measured from the midpoint on any facing walls shall be not less than the sum of the distances resulting from the height of each facing wall plus twice the horizontal length of the shorter facing wall divided by six.

4. For residential uses permitted in Residence A, B, C, and Office districts which are not divided into dwelling units, each one thousand square feet of gross floor area of the building shall be considered equivalent to one dwelling unit for purposes of computing minimum lot area.

Sec. 2. Table of Dimensional Requirements

District	Max. Ratio of Floor Area to Lot Area	Minimum Lot Size in Sq. Ft.	Min. Lot Area For Each D. U. in Sq. Ft.	Minimum Lot Width in Feet	Minimum Yard in Feet <sup>(a)</sup>			Maximum Height in Feet
					Front	Side	Rear	
Res. A-1	0.5	8,000	6,000	80	25	15 (sum of 35)	25	35
Res. A-2	0.5	6,000	4,500	65	20	10 (sum of 25)	20	35
Res. B	0.5	5,000	2,500	50	15	7'6" (sum of 20)	20	35
Res. C-1	0.75	5,000	1,200	50	] $\frac{H + L}{4}$ <sup>(b)</sup>	$\frac{H + L}{5}$	$\frac{H + L}{4}$ <sup>(d)</sup>	35
Res. C-2	1.75	5,000	600	50				85
Res. C-3	3.0	5,000	300	50	] $\frac{H + L}{5}$ <sup>(c)</sup>	$\frac{H + L}{6}$	] $\frac{H + L}{5}$ <sup>(d)</sup>	none
Office	3.0	5,000	300	50				none
Bus. A <sup>(e)</sup>	1.0	none	---	none	none	none	none	35
Bus. B <sup>(e)</sup>	4.0	none	---	none	none	none	none	none
Ind. A	2.0	none	---	none	none	none	none	none
Ind. B	4.0	none	---	none	none	none	none	none

Table of Dimensional Requirements (footnote)

- (a) "H" is the height of the building. "L" is the length of wall measured parallel to the corresponding lot or street line. The front yard is measured from the street line, or building line where such has been established, except where otherwise indicated herein. For buildings of forty feet or less in height the denominator in the yard formulas in the Table may be increased by two subject to the minimum yard requirements set forth in footnotes (b), (c), and (d).
- (b) Measured from the center line of the street, but in no case may a building be nearer the street line or the building line than ten feet.
- (c) Measured from the center line of the street, but in no case may a building be nearer the street line or building line than five feet.
- (d) But in no case may a building be nearer the rear lot line than twenty feet.
- (e) A dwelling in a Business A or B district shall be subject to the same dimensional requirements as a dwelling in a Residence C-2 district.

Sec. 3. Lot Area and Width

1. On lots of less than the required area for the district in which they are located and which have been duly recorded by plan or deed with the Registry of Deeds before the date of the first passage of the applicable provisions of this or any prior ordinance the minimum lot size and lot width regulations need not apply, but the floor area ratio and the minimum lot area regulations for each dwelling unit shall be applicable. In case of such lots of less than the required width the sum of the two required side yards need not be more than thirty percent of the lot width, except that each side yard shall be a minimum of seven feet, six inches.

Sec. 4. Building Bulk

1. For any building or group of buildings on a lot the ratio of gross floor area to lot area shall not exceed the maximum specified in Section 2 above, except that in a Residence C-3 district, the gross floor area of any residence building may be increased, not to exceed a floor area ratio of 3.9, by one square foot of floor area for every one square foot of open, landscaped area supplied on the same lot as the principal use in addition to the required minimum yard area of twenty-five percent as specified in Section 6, paragraph 1 of this Article. Gross floor area shall be defined as in Article II.

2. Where a lot in a Residence, Office or Business district abuts on a street or public open space more than one hundred feet wide, one quarter of the excess over one hundred feet but not more in any case than forty feet may be added to the actual depth of the lot for the distance such lot abuts such street or public open space for calculating the lot area to be used in determining allowable gross floor area based on the maximum floor area specified in Section 2 above.

Sec. 5. Height Exceptions

1. The provisions of this ordinance governing the height of buildings and structures in all districts shall not apply to chimneys, water towers, air conditioning equipment, elevator bulkheads, skylights, ventilators and other necessary features appurtenant to buildings which are usually carried above roofs and are not used for human occupancy, nor to domes, towers or spires above buildings if such features are not used for human occupancy and occupy less than ten percent of the lot area, nor to wireless or broadcasting towers and other like unenclosed structures which occupy less than ten percent of the lot area.

Sec. 6. Yards

1. In Residence and Office districts at least twenty-five percent of every lot area shall be yard area. Every part of a required yard shall be open to the sky and unobstructed except for ordinary projections of the belt courses, cornices, sills, skylights, and ornamental features projecting from the building not more than twelve inches. Awnings, arbors, fences, flagpoles, recreational and laundry drying equipment and similar objects shall not be considered obstructions when located within a required yard. Open or lattice-enclosed fire escapes for emergency use only are permitted. The roof of an accessory parking garage attached to or a portion of a residential building may be counted as yard area, provided it is directly accessible to all residents on the lot by a passageway from a building and has no dimension less than twenty-five feet. In measuring a yard for the purpose of determining the width of a side yard, the depth of a rear yard, or the depth of a front yard, the minimum horizontal distance between the corresponding lot line and the building shall be used.

2. Projecting eaves, chimneys, bay windows, balconies, open fire escapes and like projections which do not project more than three and one-half feet, and which are part of a building not more than thirty-five feet in height, and unenclosed steps, unroofed porches and the like which do not project more than ten feet beyond the line of the foundation wall and which are not over four feet above the average level of the adjoining ground, may extend beyond the minimum yard regulations otherwise provided for the district in which the structure is built.

3. On lots abutting streets on more than one side the front yard requirement of each of the abutting streets shall apply regardless of designated front lot lines. Any remaining sides shall be subject to side yard requirements.

4. Exceptions to the yard regulations set forth in the table governing the yard requirements for buildings are as follows:

- a. In a Residence A-1 or A-2 district a dwelling need not set back more than the average of the setbacks of the buildings, other than accessory buildings, on the lots adjacent thereto on either side, but in no case may any part of a building or accessory building extend nearer to any street line, or building line if such has been established, than fifteen feet. A vacant lot or lot occupied by a building set back more than twenty-five feet in a Residence A-1 district and more than twenty feet in a Residence A-2 district shall be considered as though occupied by a building set back twenty-five feet and twenty feet respectively.
- b. In a Residence B district a dwelling need not set back more than the average of the setbacks of the buildings, other than accessory buildings, on the lots adjacent thereto on either side, but in no case may any part of a building or accessory building extend nearer to any street line, or building line if such has been established, than ten feet. A vacant lot or a lot occupied by a building set back more than fifteen feet shall be considered as though occupied by a building set back fifteen feet.
- c. In a Residence C-1, C-2, or C-3 district if a building is hereafter erected on a lot adjacent to a building having a blank wall directly on the side lot line, the new building may be so designed and erected that it will be flush with that portion of the blank wall of the former building which extends along the lot line; otherwise, however, not less than the required side yard shall be provided; in any case the required side yard shall be provided for the remainder of the full lot depth. In case a side wall contains windows or in case any part of a side blank wall or an existing building shall be set back from the side lot line, then a building hereafter erected on the lot adjacent to such an existing building shall be set back from the side lot line in accordance with the provisions hereof.
- d. Where a building consists of various roof levels an average height, or "H", may be used in the required yard formula. Average height is determined by adding the products of the height of each roof level facing the given lot line, times the length of each roof level and dividing the sum by the sum of the length of the levels.

Where a building presents a variety of vertical planes to any given lot or street line, no plane shall be closer to the street or building line or lot line than permitted by the application to such plane of the appropriate formula in Table 2. For all planes set forward of the setback line required by Table 2 for the building if it were constructed in a single vertical plane other planes must be set behind the setback line so calculated. The result shall be that the sum of the products of the setback required for each plane times the facing area of each plane respectively shall be at least as great as the product of the setback required by Table 2 for the building if it were constructed in a single vertical plane times the facing area of the building if viewed as a single plane.



ARTICLE VI GENERAL PROVISIONS: SUPPLEMENTARY USE, HEIGHT  
AND AREA REGULATIONS, AND EXCEPTIONS

(The regulations hereinafter set forth qualify or supplement, as may be, the district regulations appearing elsewhere in this ordinance.)

Sec. 1. Existing Buildings

1. This ordinance shall not apply to existing buildings or structures, nor to the existing use of any building or structure or of land, to the extent to which it is used at the time of first adoption of applicable provisions of this or any prior ordinance, but it shall apply to any change of use thereof and to any alteration of a building or structure when the same would amount to reconstruction, extension or structural change, and to any alteration of a building or structure to provide for its use for a purpose or in a manner substantially different from the use to which it was put before alteration, or for its use for the same purpose to a substantially greater extent.

2. Except as herein provided no building or structure or land shall be used and no building or other structure or part thereof shall be constructed, extended or structurally altered except in conformity with the Building Code of the City of Cambridge and with the provisions of this ordinance applying to the district in which such building, structure or land is located.

Sec. 2. Frontage and Reduction of Area

1. No building shall be erected on a lot which does not have at least twenty feet of frontage on a street, except in the case of row houses where the lot for each unit for one or two families in the series shall have at least sixteen feet of frontage on a street.

2. No lot shall be changed in size, shape, or ownership so that the height, area, yard, or off-street parking and loading requirements herein prescribed are no longer satisfied. This paragraph shall not apply where a portion of a lot is acquired for a public purpose. This paragraph shall not apply in regard to lot size, lot width, and side yards in the event of sale of individual semi-detached dwelling units.

Sec. 3. Nonconformance

1. Any nonconforming structure or use which existed at the time of the first passage of the applicable provisions of this or any prior ordinance or any amendment thereto may be continued or changed to be conforming, but when so changed to be conforming it shall not be made nonconforming again.

2. Building permits and certificates of occupancy for the alteration or enlargement of a nonconforming structure or use, or in certain cases in Office, Business or Industrial districts for the use of an existing nonresidential building for a nonconforming use, may be granted in the following manner:

- a. In an Office, Business or Industrial district the Superintendent of Buildings may issue a building permit and a certificate of occupancy for the alteration or enlargement of a nonconforming structure or the enlargement (but not the alteration) of a nonconforming use, provided any alteration or enlargement of such nonconforming use is not further in violation of the dimensional requirements in Article V or the off-street parking and loading requirements in Article VII for the district in which such structure or use is located and provided such nonconforming structure or use not be increased in area or volume by more than twenty-five per cent since it first began to be nonconforming.
- b. In an Office, Business or Industrial district the Board of Zoning Appeal may grant a special permit for the issuance of a certificate of occupancy for the occupancy of an existing building designed and built for nonresidential use by any use permitted as of right in a Business or

Industrial district in Article IV of this ordinance, provided such new use will be carried out entirely within the existing building and provided the off-street parking and loading requirements in Article VII for the district in which such building is located will not be further violated.

- c. In a Residence district the Board of Zoning Appeal may grant a special permit for the issuance of a building permit and a certificate of occupancy for the alteration or enlargement of a nonconforming structure (but not the alteration or enlargement of a nonconforming use), provided any enlargement or alteration of such nonconforming structure is not further in violation of the dimensional requirements in Article V or the off-street parking and loading requirements in Article VII for the district in which such structure is located and provided such nonconforming structure not be increased in area or volume by more than twenty-five per cent since it first began to be nonconforming.
- d. Any other alteration or enlargement of a nonconforming structure or of a nonconforming use shall be by variance.

3. If a nonconforming structure or use shall have been destroyed or damaged by fire, explosion or other catastrophe to such an extent that the cost of restoration would be less than fifty percent of the replacement value of the building at the time of the catastrophe, such building or use may be rebuilt or restored and used again as previously. Such rebuilding or restoring shall be completed within twelve months after such catastrophe, and the building as restored shall not be greater in volume, lot coverage, or floor space, and if the yard requirements are not met shall not extend further into the required yards than the original nonconforming structure. If destroyed to such an extent that the cost of restoration would exceed fifty percent of such value, such building or use shall not be restored and may be replaced only by a conforming building or use.

4. A nonconforming use of a building or land which has been abandoned for a period of one year shall not thereafter be returned to such nonconforming use. A nonconforming use shall be considered abandoned when the intent of the owner to discontinue the use is apparent, or when the use has been discontinued for a period of thirty days, or when the characteristic equipment and furnishings of the nonconforming use have been removed from the premises and have not been replaced by similar equipment, whichever shall first occur.

#### Sec. 4. Accessory Uses

1. An accessory use shall be permitted only on the same lot as the building or use to which it is accessory except as provided in Article VII, Section 3, paragraph 1.

2. In a detached, semi-detached, or two-family dwelling, the renting of rooms or the furnishing of table board by a resident family to not more than two non-transient roomers or boarders shall be considered as an accessory use provided that no goods are publicly displayed or offered for sale, no separate cooking facilities are maintained, and no sign or name-plate is displayed.

3. Provision of garage or parking space for occupants, employees, customers, or visitors shall be considered as an accessory use, provided that where accessory to residential uses in Residence A and B districts such garage or parking space shall be limited to the accommodation of three passenger vehicles, or two passenger vehicles for each dwelling unit, whichever is greater.

4. A customary home occupation or the office of a resident physician, dentist, attorney-at-law, architect, engineer, or member of other recognized profession shall be considered as an accessory use, provided that no more than three persons shall practice or be employed on the premises at any one time.

5. In multi-family dwellings, hospitals, or hotels with more than fifty sleeping rooms, a newsstand, barber shop, dining room or similar service for occupants thereof, when conducted and entered only from within the building and no signs or advertising devices thereof are visible from outside the building, shall be considered as an accessory use, but not in Residence A or B districts.

6. In any district the total area of uses accessory to the principal use may not occupy more than twenty-five percent of the floor area in a main building, and the total area of uses or buildings accessory to the principal use except for parking facilities and driveways may not occupy more than fifteen percent of the entire area of the lot. In residence districts an accessory building shall not be located nearer than ten feet to the principal building or nearer than five feet to any side or rear lot line or nearer to the front lot line than the minimum setback in the zoning district.

7. The Superintendent of Buildings may grant a permit for a temporary building or use incidental to a building development, which does not comply with the provisions of this ordinance, where reasonably required for such development. Such permit may be issued for an initial period of not more than one year, and in the case of a building only upon application accompanied by a bond and bill of sale to the City, effective in case the building is not removed prior to the expiration of the permit. Permits may be renewed by the Superintendent of Buildings for successive periods of not more than one year each, not to exceed a total of three years.

8. In a Residence district an accessory use shall not involve the maintenance of a stock in trade or the use of signs, illumination, show windows or displays, either exterior or interior, except such signs as are permitted by Section 5 hereof.

9. No accessory building shall be used as a dwelling except in an Industrial district for the accommodation of a night watchman or janitor.

10. An accessory building in Residence A, B, and C-1 districts shall not exceed fifteen feet in height above the ground level.

#### Sec. 5. Signs

1. No signs or advertising devices of any kind or nature shall be erected on any premises or affixed to the outside of any structure or be visible from the outside of any structure except as specifically permitted in this Section.

2. In any Residence district or in an Office district signs or advertising devices are permitted on any lot only as follows:

- a. One sign displaying the street number or name of the occupant of the premises, or both, not exceeding one square foot in area. The sign may be attached to the building or may be on a rod or post not more than four feet high and at least three feet from street line. Such sign may include identification of an accessory professional office and, except in Residence A districts, may also identify other permitted accessory uses including a customary home occupation.
- b. 1) One bulletin or announcement board or identification sign for a permitted non-residential building or use, not exceeding ten square feet in area. For churches and institutions two bulletin or announcement boards or identification signs are permitted on each building, one of which may not exceed twenty square feet in area and one of which may not exceed ten square feet in area. No such sign may be located nearer to a street line than one-half the depth of the required front yard, or
  - 2) In Residence C and Office districts two signs for a permitted hotel use or permitted non-residential use, neither of which may exceed one hundred square feet in area, or extend more than twenty feet above ground level, or

- 3) One sign in connection with a lawfully maintained non-conforming use, not exceeding twenty square feet in area, except that in a Residence C or Office district two such signs may be maintained.
  - c. One "For Sale" or "For Rent" sign, not exceeding six square feet in area and advertising only the premises on which the sign is located.
  - d. One building contractor's sign maintained on a building while the same is actually under construction, not exceeding twenty square feet in area.
  - e. All signs or advertising devices shall be stationary and may not contain any visible moving or moveable parts; no sign or advertising device shall be of the neon type or exposed gas-illuminated tube type; and any lighting of a sign or advertising device shall be continuous, indirect, and installed in a manner that will prevent direct light from shining onto any street or adjacent property. In Residence A and B districts no sign or advertising device shall be illuminated after 11 p. m.
3. In all other districts signs or advertising devices are permitted only as follows:
- a. As allowed in Residence and Office districts.
  - b. Other signs and advertising devices, subject to the requirements hereinafter set forth and subject to such further rules and regulations relating to the fabrication and erection of signs as may from time to time be promulgated by the agency of the City of Cambridge having jurisdiction thereover.
  - c. In Business A and Business B districts the following restrictions shall apply:
    - 1) Signs visible from any street shall not exceed in the aggregate a total sign area of five square feet for each lineal foot of street line frontage on such street of the lot upon which they are located.
    - 2) No sign shall project more than ten feet above the roof line or wall coping of the building upon which it is located.
    - 3) Signs which are free-standing structures on the ground shall not exceed fifteen feet in height, measured from the average level of ground of the lot to the top of said structure.
4. The following requirements with respect to illuminated signs and advertising devices shall apply to all zoning districts:
- a. Signs or advertising devices with flashing, animated or intermittent illumination shall not be erected within one hundred fifty feet of and visible from any Residence or Office district.
  - b. No illuminated sign or advertising device or part thereof which is more than forty feet above ground level shall have flashing, animated or intermittent illumination. Any such sign or device shall be lighted continuously and indirectly, shall not contain moving parts and the lighting shall be shielded at its source from nearby properties and abutting streets.
  - c. No illuminated sign or advertising device or part thereof shall be more than eighty feet above ground level.

- d. No illuminated sign or advertising device which projects over a public way in accordance with a permit granted under the authority of Section 8 of Chapter 85 of the General Laws, as from time to time amended, shall contain flashing, animated or intermittent illumination in the part thereof which is erected or maintained in accordance with such permit.

5. No sign or advertising device shall be erected or maintained within three hundred fifty feet of and visible from any limited access highway except signs or advertising devices permitted by this ordinance which advertise a business conducted on the premises, and no such sign or advertising device shall have any flashing, animated or intermittent illumination.

6. A billboard, sign or other advertising device which does not advertise or indicate the person occupying the premises on which it is located, the merchandise on sale, or the business transacted thereon shall be considered an off-premises billboard, sign or advertising device. No off-premises billboard, sign or advertising device shall be erected or maintained unless the height, setback, and illumination requirements set forth herein are met and unless a permit therefor has been granted by the Outdoor Advertising Authority in accordance with Sections 29 through 33 of Chapter 93 of the General Laws, as from time to time amended, and such permit is valid and outstanding.

7. The provisions of this Section 5 shall not apply to signs or advertising devices maintained upon the effective date hereof, provided such signs or advertising devices have been erected and maintained in conformity with applicable ordinances and regulations.

Sec. 6. Illumination

In a Residence A, B, and C-1 district no outdoor floodlighting or decorative lighting except lighting primarily designed to illuminate walks, driveways, doorways, outdoor living areas or outdoor recreational facilities, and except temporary holiday lighting in use for no longer than a four-week period in any calendar year, shall be permitted. Any permanent lighting permitted by the preceding sentence shall be continuous, indirect and installed in a manner that will prevent direct light from shining onto any street or adjacent property.

Sec. 7. Transition Requirements

1. Front Yard: In an Office, Business or Industrial district no building shall be erected nearer to the street line or established building line than is permitted in the adjacent Residence district within a distance of fifty feet from the Residence district boundary line, except where such building is separated by a street from the Residence district.

2. Side Yard: In an Office, Business, or Industrial district, no building shall be erected within ten feet of the side lot line of any abutting lot, all or the major portion of which is in a Residence district.

Sec. 8. Offices in Apartment Buildings

In a Residence C-3 district offices for physicians and dentists may be located on the first or second floor of a residential building where such office space does not exceed ten percent of the gross floor area of the building.

ARTICLE VII OFF-STREET PARKING AND LOADING REQUIREMENTS

Sec. 1. Intent and Application of Parking Requirements

1. It is the intention of this ordinance that all structures and land uses be provided eventually with sufficient off-street parking spaces to meet the needs of persons making use of such structures and land uses. No permit shall be issued for the erection of a new structure, the enlargement of an existing structure or the development of a land use, unless the plans show the specific location and size of the off-street parking required to comply with the regulations set forth in this Article and the means of access to such space from public streets. In the event of the enlargement of an existing structure, the regulations set forth in this Article shall apply only to the area added to the existing structure.

2. Buildings and land uses in existence on the effective date of this ordinance are not subject to these parking requirements, but any parking facilities thereafter established to serve such buildings or uses may not in the future be reduced below these requirements.

3. Where a building or land area is used by two or more activities that fall into different classes of use under Section 2 of this Article, the facilities required shall be the sum of the requirements for the individual establishments.

4. Where the computation of required parking spaces results in a fractional number, only the fraction of one-half or more shall be counted as one.

5. Required off-street parking facilities which after development are later dedicated to and accepted by the City and maintained by the City for off-street parking purposes shall be deemed to continue to serve the uses or structures to meet the requirements for which they were originally provided.

Sec. 2. Table of Parking Requirements

Off-street parking facilities shall be provided as follows:

Zoning District	<u>Class of Allowed Use</u>					
	<u>Residence (a)</u> Minimum Number of spaces per group of dwelling units	<u>Public Assembly (b)</u> Number seats requiring 1 space	<u>Institution (c)</u>	<u>Number Square Feet of Gross Floor Area Requiring 1 space, By Type of Use</u>		<u>Factory and Warehouse</u>
				<u>Retail and Office Ground Floor</u>	<u>Other Level</u>	
Res. A-1						
Res. A-2	10 per 10	5	600	-	-	-
Res. B						
Res. C-1						
Res. C-2	8 per 10	8	1,000	500	1,000	1,600
Bus. A						
Ind. A						
Res. C-3						
Office	7 per 10	15	1,800	900	1,800	2,000
Ind. B						
Bus. B	8 per 10	-	-	-	-	-

- a. Where residence uses are not divided into dwelling units, as in the case of hotels, dormitories, or lodging houses, each two guest sleeping rooms, each four dormitory beds, or each motel unit, shall be considered the equivalent of one dwelling unit.
- b. Places of public assembly shall not include places of worship but shall include all other uses customarily involving public assembly listed in Article IV, Section 2, such as, but not limited to, items 3h, 3i, 3j, 3l, 5g, 5h, 5i, 6d, and 6e. Where no fixed seats are used in a place of assembly, each twenty square feet of public floor area shall equal one seat.
- c. Institutions shall include public and non-profit schools, colleges and universities and all institutional uses listed in Article IV, Section 2, such as, but not limited to, items 3d, 3e, 3f, 3k, and 5m. Schools intended primarily for children under the age of 16 need not provide more than one-half of the requirement specified in the above Table. Where an institution provides dormitory 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, or similar educational areas normally used by such residential students.
- d. Where places of public assembly or retail service areas are provided for the convenience of principal office, residential, or industrial uses in Office, Business or Industrial districts, the gross floor area of such subordinate areas shall be calculated as if part of the principal use in the determination of parking space requirements.

Sec. 3. Location and Layout of Parking Facilities

1. Required off-street parking facilities shall be provided on the same lot as the principal use they are required to serve with the following exceptions:

- a. In the case of new construction of a multi-family apartment building in a Residence C-3 or Office district, the required parking facilities may be provided on lots not more than two hundred feet away from the building to be served.
- b. In Industry A and B districts and in the case of institutional uses in any district, the required parking facilities may be provided on lots not more than two thousand feet away from the building to be served.
- c. In the case of a dormitory of a non-profit educational institution, the required parking facilities may be provided on lots not more than three thousand feet away from the dormitory to be served.

2. In all cases off-site parking facilities shall be under the same ownership as the building or buildings which they serve. Where a certificate of occupancy has been issued conditional to the maintenance of off-site parking facilities, such certificate of occupancy shall lapse in the event of the sale or conveyance of the land used for such parking facilities or the unavailability of such parking facilities for the required parking. Parking spaces satisfying these requirements need not be in the City of Cambridge.

3. Parking required for two or more buildings or uses may be provided in combined facilities where it is evident that such facilities will continue to be available for the several buildings or uses.

4. Required off-street parking facilities may be enclosed in a structure or may be open. If such facilities are open, they shall be graded, surfaced with tar, asphalt, concrete or other non-dusting paving, fenced where located within twenty feet of a street or abutting property line, drained and suitably maintained to the satisfaction of the Superintendent of Buildings to the extent necessary to avoid the nuisances of dust, erosion or excessive water flow onto public ways or adjoining property. In a Residence, Office, or Business A district and in a Business B or Industrial district abutting or facing a Residence or Office district or abutting or facing a church or public property, any such open parking facilities for more than five automobiles shall be enclosed in a manner which will provide an effective visual screen, either by planting or by a screening device such as a fence or wall not less than five feet nor more than six feet in height, except where detrimental to public safety or otherwise controlled by law, and such planting or screening device shall be not less than fifty per cent opaque when viewed from directly in front. In a Residence, Office and Business A district any such open parking facilities shall be landscaped with one tree for each ten spaces.

5. Each required car space shall be not less than eight and one-half feet in width and twenty feet in length exclusive of drives and maneuvering space, and the total area of any parking facility for more than five cars shall average at least two hundred seventy-five square feet per car. Except in Industrial districts no drive-ways or curb cuts shall exceed twenty-five feet in width. The Board of Zoning Appeal may grant a special permit modifying the provisions of this paragraph in case of a mechanical garage or in case the Board is satisfied that the parking facility will be used by cars of less than standard size, provided the total number of spaces conforms to the Table in Section 2 of Article VII.

6. An open-air parking space shall be at least five feet from any building, and shall be at least five feet from any property line or street line unless a special permit to park nearer is granted by the Board of Zoning Appeal.

7. No garage shall be provided nearer to the front street line than the prescribed minimum setback distance of the zoning district in which the lot is located.

8. Parking areas shall not be used for automobile sales, gasoline sales, dead storage, repair work, dismantling or servicing of any kind, and any lighting that is provided shall be installed in a manner that will prevent direct light from shining onto any street or adjacent property.

#### Sec. 4. Intent and Application of Loading Requirements

1. It is the intention of this ordinance that all buildings and uses requiring the delivery of goods as part of their function be provided eventually with necessary space for off-street loading. No application for a permit for the erection of a new building, the substantial alteration of an existing building, or the development of a land use shall be approved, unless it includes a plan for off-street loading facilities required to comply with the regulations set forth in this Article.

2. Where a building existing on the effective date of this ordinance is altered or extended in such a way as to increase the gross floor area by five thousand square feet or more, only the additional gross floor area shall be counted in computing the off-street loading requirements.

3. Where a building or land area is used by two or more activities that fall into different classes of use under Section 5 of this Article, the facilities required shall be the sum of the requirements for the individual establishments.

4. Where the computation of required loading bays results in a fractional number, only the fraction of one-half or more shall be counted as one.

#### Sec. 5. Table of Loading Requirements

Off-street loading facilities shall be provided for the following specified uses:



Table of Off-Street Loading Requirements

	Number of Bays Required for New Structures by Gross Floor Area of Structures (in thousands of square feet)					
	Under 5	5-50	51-100	101-150	151-300	Over 300- (for each add'l 150)
Retail Trade						
Wholesale and Storage						
Transportation Terminal	0	1	2	3	4	1
Manufacturing						
Public Utility						
Consumer Services						
Office Building						
Hotel, Motel and Dormitory	0	1	1	2	3	1
Recreation						
Research Laboratory						
Institution	0	0	1	1	2	1

Sec. 6. Location and Layout of Loading Facilities

1. Each required loading bay shall be no less than ten feet in width, thirty-five feet in length, and twelve feet in height, such requirements to be exclusive of drives and maneuvering space, and all required bays, drives, and maneuvering space shall be located entirely on the lot with immediate and direct ingress to the building intended to be served. A bay need not be enclosed in a structure provided any yard area used as a loading bay shall not infringe on front, side, and rear yard requirements as indicated in Article V. All such facilities shall be designed with appropriate means of vehicular access to a street or alley as well as maneuvering area, and no driveways or curb cuts shall exceed twenty-five feet in width except in Industrial districts.

2. Required off-street loading bays may be enclosed in a structure and must be so enclosed if located within fifty feet of a Residence district where the use involves regular night operation, such as that of a bakery, restaurant, hotel, bottling plant, or similar uses. Any lighting provided shall be installed in a manner that will prevent direct light from shining onto any street or adjacent property.

3. All accessory driveways and entranceways shall be graded, surfaced, drained and suitably maintained to the satisfaction of the Superintendent of Buildings to the extent necessary to avoid nuisances of dust, erosion, or excessive water flow across public ways.

4. Loading facilities shall not be reduced in total extent or usability after their installation, except when such reduction is in conformity with the requirements of this Article. Such facilities shall be designed and used in such a manner as at no time to constitute a nuisance or hazard or unreasonable impediment to traffic.

ARTICLE VIII VALIDITY

Sec. 1. Severability

Should any section, provision or paragraph of this ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the portion so declared to be invalid.

Sec. 2. When Effective

This ordinance shall be, and is hereby declared to be in full force and effect from and after thirty days from its date of final passage by the City Council.

As ordained and amended to May 28, 1962 by the City Council.

THOMAS M. McNAMARA  
CITY CLERK