

ORDINANCE NUMBER 1369

Final Publication Number 3372. First Publication in the Chronicle on May 14, 2015.

City of Cambridge

In the Year Two Thousand and Fifteen

AN ORDINANCE

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

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

Section 20.600 Basement Housing Overlay District by including language to clarify the intent of the provisions to apply to multifamily structures that are wholly or partially located in Residence C, C-1, C-1A, C-2A, C-2B, C-3, C-3A, or C-3B base zoning districts.

The purpose of the Basement Housing Overlay District, as currently described in the Zoning Ordinance, is to allow for the creation of studio or one-bedroom apartment units in appropriate unused basement level space of certain existing multifamily residential buildings that have one or more existing basement level apartment units. The regulations are meant to promote the maintenance and improvement of older buildings, including improved stormwater and wastewater management, and provide additional housing without building new structures or increasing the size of existing structures. The Overlay District includes the corridor along Massachusetts Avenue between Harvard Square and Porter Square.

The substantive changes are summarized below:

Adding the words “wholly or partially” when referring to the location of a structure within a Residence C, C-1, C-1A, C-2A, C-2B, C-3, C-3A, or C-3B base zoning district.

Adding the following sentence to Section 20.620, Paragraph (d), regarding Applicability: “Portions of those structures that meet the applicability requirements set forth above that are not located within a Residence C family zoning district would be treated for all dimensional and use requirements as if wholly located within a Residence C family zoning district.”

Adding the word “dimensional” so that the second sentence of Section 20.630, Paragraph (b) reads: “However, no nonconforming dimensional element or aspect of the existing structure shall be extended or increased, with the exception that the permitted lot area per dwelling unit may be decreased, and incursions into setback areas may be approved by the Planning Board only for the purpose of providing or altering window wells or egress stairs as may be deemed advisable in response to safety and flooding concerns.

Adding the following new Section 20.660: “Notwithstanding the base district in which any part of the structure is located, the entirety of any structure that meets the applicability requirements of Section 20.620 and that is in the Basement Housing Overlay District shall be eligible for the special permit created by this Section 20.600. Where any proposed dwelling units in that structure are to be located in any portion of the structure that is in a base zone in which the use would not otherwise be allowed, or would not be allowed without separate approval under Article 8, those dwelling units shall be eligible to be allowed pursuant to a Special Permit under this Section 20.600 and upon the grant of that Special Permit shall be allowed without need for approval under Article 8 or the grant of any variance or additional zoning approvals.”

In City Council June 1, 2015.

Passed to be ordained by a yea and nay vote:-

Yeas 9; Nays 0; Absent 0.

Attest:- Donna P. Lopez, City Clerk.

A true copy;

ATTEST:-

Donna P. Lopez
City Clerk