



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

Date:	August 30, 2021
Subject:	Post-Operative Animal Care Zoning Petition
Recommendation:	The Planning Board recommends adoption of an alternative zoning amendment to effect the proposed change.

To the Honorable, the City Council,

On August 17, 2021, the Planning Board (the “Board”) held a public hearing to discuss the City Council Zoning Petition to amend Section 4.30 of the Zoning Ordinance of the City of Cambridge, Table of Use Regulations, to permit a “Veterinary establishment, kennel, pet shop or similar establishment” as an allowed use in all Residence zoning districts, provided that “no noise or odors are perceptible from adjoining lots” and “the use is restricted to one animal unless specifically increased by the special permit granting authority” (the “Petition”). The Board heard a presentation from City Councillor Marc McGovern and from Katlyn Coveney, who has sought approval to provide care at her home to dogs who are recovering from surgical procedures. The Board also received comments from Community Development Department (CDD) staff.

Board members were generally supportive of enabling the type of at-home services described by Katlyn Coveney. However, Board members expressed several concerns about the specifics of the Petition. Board members did not think it would be appropriate to insert “Veterinary establishment, kennel, pet shop or similar establishment” as a Residential Use within Section 4.31 of the Table of Use Regulations because it would conflict with the “Animal Services Facility” use listed as a Retail or Consumer Service Establishment in Section 4.35 (as recently amended by the City Council). The Council could amend Section 4.35 of the Table of Use Regulations to make an Animal Services Facility an allowed use in Residence Districts; however, Board members noted possible concerns about such a change leading to commercial, non-home-based businesses locating in residential neighborhoods without appropriate controls.

Board members expressed a preference for the approach suggested by CDD staff of allowing home-based animal care as an accessory Home Occupation, which would ensure that it could only take place within the home of the person who is providing the service and that it would not be allowed if it creates objectionable effects that would be incompatible with a residential area. Board members suggested the additional limitation that no more than one animal at a time per day would be cared for on the premises, which is consistent with the type of service being proposed and would prevent a more commercial type of service that would involve multiple animals being brought to a residential location for services throughout the course of a day.

At the conclusion of its deliberations, the Planning Board voted unanimously to recommend that the City Council adopt an alternative zoning amendment to amend Paragraph d. of Section 4.21 of the Zoning Ordinance to permit home-based animal care as an accessory Home Occupation provided that no more than one animal per day is cared for on the premises.

Respectfully submitted for the Planning Board,

*Catherine Preston Connolly*

Catherine Preston Connolly, Chair.

The following text is offered in response to the Planning Board's recommendation on the Post-Operative Animal Care Zoning Petition.

Amend Section 4.21 of the Zoning Ordinance, Paragraph d., to read as follows:

d. The following Home Occupations and other Home Occupations, provided that they are accessory and incidental to the principal residential use, shall be considered accessory uses, provided also that only residential occupants of the dwelling unit are practicing or employed on the premises at any one time unless otherwise specified below, that all activities take place entirely within a building, and that no offensive noise, vibration, smoke, dust or other particulate matter, heat, humidity, glare, or other objectionable effects are produced:

(1) The office of a resident physician, dentist, attorney-at-law, architect, landscape architect, engineer, or member of another profession, in which case up to three persons may practice or be employed on the premises at any one time including persons who are not residential occupants but are employed to assist a primary practitioner residing on the premises;

(2) The salon of a properly licensed massage therapist;

(3) The studio of an artist, performing artist, craftsperson, graphic designer, photographer, or similar creative professional; ~~and~~

(4) A Retail Residential Kitchen permitted to produce Cottage Food Products, as regulated by 105 CMR 590.001(C), as it may be amended; and

(5) The care of a household pet that does not permanently reside at that residence, provided that only one such animal per day is kept on the premises.