

ORDINANCE NUMBER 1269

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City of Cambridge

In the Year Two Thousand and Three

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 as follows:

I. Amend the Zoning Map of the City of Cambridge as described below.

A. Mahoney Blocks (Area 1)

Delete the current zoning designation Residence C-3 (C-3) and substitute therefor the zoning designation Special District 12 (SD-12) for the following described area:

- 1.0 An area, bounded by a line, said line beginning at the intersection of the centerline of Akron Street and the easterly sideline of Memorial Drive on Assessors Plat #130. All subsequent locations are also on Assessors Plat #130;
- 1.1 Thence proceeding in an easterly direction along the centerline of Akron Street to its intersection with the centerline of Banks Street;
- 1.2 Thence turning and proceeding in a southerly direction along the centerline of Banks Street to its intersection with centerline of Hingham Street;
- 1.3 Thence turning and proceeding in a easterly direction along the centerline of Hingham Street to its intersection with the northerly extension of the easterly sideline of Lot #106;
- 1.4 Thence turning and proceeding in a southerly direction along the easterly sideline of Lot #106 and its northerly extension and along the easterly sideline of Lot #103 and its southerly extension to its intersection with the centerline of Western Avenue;
- 1.5 Thence turning and proceeding in a westerly direction along the centerline of Western Avenue to its intersection with the easterly sideline of Memorial Drive;
- 1.6 Thence turning and proceeding in a northerly direction along the easterly sideline of Memorial Drive to its intersection with the centerline of Akron Street, the point of origin.

Encompassing all or part of the following lots on Assessors Plat #130:

Lots #116, 106, 105, 104, 103, and 1.

386-417 Western Avenue, 870-893 Memorial Drive, 215-239 Banks Street, 39 and 28-30 Hingham Street.

B. Blackstone (Area 2)

Delete the current zoning designation Office-3 (O-3) and substitute therefor the zoning designation Special District 13 (SD-13) for the following described area:

- 1.0 An area, bounded by a line, said line beginning at the intersection of the centerline of Western Avenue and the easterly sideline of Memorial Drive on Assessors Plat #129. All subsequent locations are also on Assessors Plat #129;
- 1.1 Thence proceeding in an easterly direction along the centerline of Western Avenue to its intersection with the centerline of Blackstone Street;
- 1.2 Thence turning and proceeding in a southerly direction along the centerline of Blackstone Street to its intersection with easterly projection of the southerly sideline of Lot #57;
- 1.3 Thence turning and proceeding in a westerly direction along the southerly sideline of Lot #57 and its easterly and westerly projections to its intersection with the easterly sideline of Memorial Drive;
- 1.4 Thence turning and proceeding in a northerly direction along the easterly sideline of Memorial Drive to its intersection with the centerline of Western Avenue, the point of origin.

Encompassing all or part of the following lots on Assessors Plat #129:

Lots #57, 47, and 38.

410 Western Avenue, 867 Memorial Drive, 24-46 Blackstone Street.

C. Area 3

Delete the current zoning designation Residence C-2 (C-2) and substitute therefor the zoning designation Residence C-1 (C-1) for the entire Residence C-2 zone bounded generally by Jay, Kinnaird, and Franklin Streets on the west, Green and Franklin Streets on the northeast, and River Street and the Business A zoning district line on the south; except that (1) Lots #89, 51, 46, and 47 and their extensions to the centerlines of Green Street and Pleasant Street shall continue to be designated Residence C-2, and (2) Lots #46 and 47 and their extension to the centerline of Green Street shall be further designated Central Square Overlay District.

D. River Street and Western Avenue (Area 4)

Delete the current zoning designation Business A (BA) and substitute therefor the zoning designation Business A-3 (BA-3) for the entire Business A zones described below:

- a. That Business A zone located on Western Avenue and bounded on the west by Howard Street and on the east by Jay Street.

- b. That Business A zone located on River Street and bounded on the west by Putnam Avenue and on the east by William Street.

E. Putnam Avenue (Area 5)

Delete the current zoning designation Residence C-3 (C-3) and substitute therefor the zoning designation Residence C-1 (C-1) for the following described area:

- 1.0 An area, bounded by a line, said line beginning at the intersection of the centerline of Putnam Avenue and the easterly extension of the southerly sideline of Lot #144 on Assessors Plat #130. All subsequent locations are also on Assessors Plat #130;
- 1.1 Thence proceeding in a southerly direction along the centerline of Putnam Avenue to its intersection with the centerline of Western Avenue;
- 1.2 Thence turning and proceeding in a westerly direction along the centerline of Western Avenue to its intersection with the southerly extension of the easterly sideline of Lot #103;
- 1.3 Thence turning and proceeding in a northerly direction along the easterly sideline of Lot #103 and its southerly extension and the easterly sideline of Lot # 106 and its northerly extension to its intersection with the centerline of Hingham Street;
- 1.4 Thence turning and proceeding in a westerly direction along the centerline of Hingham Street to its intersection with the centerline of Banks Street;
- 1.5 Thence turning and proceeding in a northerly direction along the centerline of Banks Street to its intersection with the westerly extension of the southerly sideline of Lot #144;
- 1.6 Thence turning and proceeding in an easterly direction along the southerly sideline of Lot #144 and its easterly and westerly extensions to the centerline of Putnam Avenue, the point of origin.

Encompassing all or part of the following lots on Assessors Plat #130:

Lots = 128, 129, 100, 99, 97, 98, 122, 123, 94, 93 146, 145, 91, 60, 61, 113, 109, 108, 62, 63, 64, 65, 66, 52, 51, 50, 49, 135, 136, 137, 14, 13, 15, 16, 12, 11, 17, 18, 19, 6, 5, 4, 3, 7, 8, 9, 125, 124, 126, 127.

351-383 Western Avenue, 200-228 Banks Street, 7-9 and 2-26 Hingham Street, 3-27 and 30 Elmer Street, 131-189 Putnam Avenue, 2-4 and 1-7 Riverside Place.

F. Banks Street (Area 6)

F 1. Delete the current zoning designation C-3 (Residence C-3) and substitute therefor the zoning designation C-1 (Residence C-1) for the following described areas:

- 1.0 An area, bounded by a line, said line beginning at the intersection of the centerlines of Banks Street and Mt. Auburn Street on Assessors Plat #132. All subsequent locations are also on Assessors Plat #132;
- 1.1 Thence proceeding in a southerly direction along the centerline of Banks Street to its intersection with the easterly extension of the southerly sideline of Lot #23;
- 1.2 Thence proceeding in a westerly direction along the southerly sidelines of lots # 23 and 68 to its intersection with the easterly sideline of Lot #14;
- 1.3 Thence turning north and proceeding along the easterly, northerly, and westerly sidelines of Lot #14 and the southerly extension of the westerly sideline to its intersection with the centerline of Athens terrace;
- 1.4 Thence proceeding in a westerly direction along the centerline of Athens Terrace to its intersection with the northerly extension of westerly the sideline of Lot #133;
- 1.5 Thence proceeding in a southerly direction along the westerly sideline of Lot #133 and its extension and then along the southerly sideline of Lot #133 to its intersection with the westerly sideline of Lot #31;
- 1.7 Thence proceeding in a southerly direction along the westerly sideline of Lot #31 to its intersection with the northerly sideline of Lot #109;
- 1.8 Thence proceeding in a westerly direction along the northerly sideline of Lot #109 to its intersection with the easterly sideline of Lot #33;
- 1.9 Thence proceeding in a northerly direction along the easterly sideline of Lot #33 and then turning and proceeding in a westerly direction along the northerly sideline of the same lot, and its westerly extension to the centerline of Athens Street;
- 1.10 Thence proceeding in a southerly direction along the centerline of Athens Street to its intersection with the centerline of Grant Street;
- 1.11 Thence turning and proceeding in a westerly direction along the centerline of Grant Street to its intersection with the southerly extension of the westerly sideline of Lot #37;
- 1.12 Thence turning and proceeding in a northerly direction along the westerly sideline of Lot # 37 and its southerly extension to its intersection with the northerly sideline of Lot #37;
- 1.13 Thence turning and proceeding in an easterly direction along the northerly sideline of Lot #37 to its intersection with the westerly sideline of Lot #151;
- 1.14 Thence turning and proceeding in a northerly direction along the westerly sidelines of Lots #151 and 150 to its intersection with the southerly sideline of Lot # 9
- 1.15 Thence turning and proceeding in a westerly direction along the southerly sideline of Lot # 9 to its intersection with the westerly sideline of Lot #9;
- 1.16 Thence turning and proceeding in a northerly direction along the westerly sideline of Lot # 9 and Lot #8 to its intersection with the southerly sideline of Lot #4;

- 1.17 Thence turning and proceeding in a westerly direction along the southerly sideline of Lot #4 to its intersection with the westerly sideline of Lot #4;
- 1.18 Thence turning and proceeding in a northerly direction along the westerly sideline of Lot #4. and its northerly extension to the centerline of Mt. Auburn Street;
- 1.19 Thence turning and proceeding in an easterly direction along the centerline of Mt. Auburn Street to its intersection with the centerline of Banks Street, the point of origin.
And
- 2.0 An area, bounded by a line, said line beginning at the intersection of the centerlines of Banks Street and Grant Street on Assessors Plat #132. All subsequent locations are also on Assessors Plat #132;
- 2.1 Thence proceeding in a southerly direction along the centerline of Banks Street to its intersection with the easterly extension of the southerly sideline of Lot #80;
- 2.2 Thence proceeding in a westerly direction along the southerly sideline of Lots # 80 to its intersection with the westerly sideline of Lot # 80;
- 2.3 Thence proceeding north along the westerly sidelines of Lots #80 and 79 and their northerly extension to its intersection with the centerline of Grant Street;
- 2.4 Thence proceeding in an easterly direction along the centerline of Grant Street to its intersection with the centerline of Banks Street, the point of origin.

Encompassing all or part of the following lots on Assessors' Plat #132:

Lots # 23, 68, 116, 118, 15, 16, 17, 18, 19, 21, 143, 144, 145, 146, 141, 142, 4, 99, 100, 6, 7, 8, 9, 150, 151, 37, 125, 124, 149, 148, 79 and 80.

F 2. Delete the current zoning designation C-3 (Residence C-3) and substitute therefor the zoning designation SD -14 (Special District 14) for the following described area

- 1.0 ✓ An area, bounded by a line, said line beginning at the intersection of the centerline of Banks Street and the easterly extension of the southerly sideline of Lot #23 on Assessors Plat #132. All subsequent locations are also on Assessors Plat #132;
- 1.1 ✓ Thence proceeding in a southerly direction along the centerline of Banks Street to its intersection with the centerline of Grant Street;
- 1.2 ✓ Thence proceeding in a westerly direction along the centerline of Grant Street to its intersection with the northerly extension of the easterly sideline of Lot #78;
- 1.3 ✓ Thence proceeding in a southerly direction along the easterly sideline of Lot #78 and its northerly extension to its intersection with the southerly sideline of Lot #80;
- 1.4 ✓ Thence proceeding in an easterly direction along the southerly sideline of Lot #80, and its easterly extension, to the centerline of Banks Street;

- 17.301 **Scope.** This Section 17.300 regulates development in Special District 12 as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.300, all requirements of and regulations applicable to the Residence C-2B District shall apply equally in Special District 12.
- 17.302 **Dimensional Modifications Permitted.** The following dimensional modifications to the Residence C-2B district shall be permitted or further required in Special District 12.
- a. The maximum FAR shall be 1.0.
 - b. The Minimum Lot Area Per Dwelling Unit shall be 800 square feet.
 - c. The maximum height shall be thirty-five (35) feet in that portion of the district located south of Hingham Street and that portion of the district north of Hingham Street located within one hundred (100) feet of the westerly sideline of Banks Street.
 - d. The Minimum Ratio of Useable Open Space shall be thirty (30) percent.
- 17.303 **Dimensional and Use Modifications.** The following further modifications to the regulations applicable to the Residence C-2B district, as modified in Section 17.302 above, shall be permitted, subject to compliance with the provisions of Section 17.305 below.
- 17.303.1 **Permitted Uses.** All uses permitted in the Residence C-2B district shall be allowed in Special District 12 including but not limited to residential housing for faculty, staff, employees, and students of educational, religious and charitable institutions in single-family, two-family and multi-family structures and accessory uses thereto. Dormitory uses shall be permitted; however, no other uses serving educational, religious and charitable institutions as set forth in Section 4.33 shall be allowed, except as otherwise allowed in this Section 17.300.
- 17.303.2 **Building Height Limitations.** The maximum height permitted shall be sixty-five (65) feet except as further regulated below:
- a. No building may be higher than thirty-five (35) feet on land shown as Lots #103, 104, 105 and 106 on Assessors Plat #130, and
 - b. No building may be higher than thirty-five (35) feet within forty-five (45) feet of the westerly sideline of Banks Street.
- 17.303.3 **Yard Requirements.** In lieu of the provisions of Table 5-1 – Table of Dimensional Requirements – Residential Districts, the following Minimum Yard requirements shall apply. Any formulas set forth in Table 5-1 to determine minimum yard requirements shall not apply.

- (a) The minimum yard on Memorial Drive shall be ten (10) feet.
- (b) The minimum yard on Western Avenue shall be ten (10) feet.
- (c) The minimum yard along that portion of the easterly boundary of Special District 12 determined by the easterly sidelines of Lots # 103 and 106 on Assessors Plat 130 shall be fifteen (15) feet.
- (d) No minimum yard shall be required along Akron Street.
- (e) The minimum yard on Banks Street shall be ten (10) feet.
- (f) The minimum yard on the southerly side of Hingham Street shall be ten (10) feet.
- (g) The minimum yard on the northerly side of Hingham Street shall be thirty (30) feet within one hundred (100) feet of the westerly sideline of Banks Street, and thereafter 10 feet.
- (h) The requirements of Table 5-1, Footnote (k) shall not apply in the Special District 12.

17.303.4 ***Minimum Lot Area Per Dwelling Unit.*** The minimum Lot Area Per Dwelling Unit shall be 300 square feet. Permitted dwelling units may be located anywhere within the District and shall not be otherwise restricted as to lot area per dwelling unit requirements.

17.303.5 ***Total Development Permitted.*** The aggregate of all development in Special District 12 shall not exceed 172,950 square feet of Gross Floor Area. If the property owner is in compliance with the provisions of a letter of commitment dated October 27, 2003, given by the property owner of land in Special Districts 12, 13 and 14 to the City of Cambridge pertaining to the development of the property owner's land in Special Districts 12, 13 and 14 ("Letter of Commitment"), the aggregate of all development in Special District 12 shall not exceed 224,835 square feet of Gross Floor Area. Such development may be located anywhere in the district without reference to FAR or any other Gross Floor Area limitation.

17.303.6 ***Minimum Ratio of Useable Open Space to Lot Area.*** The required Useable Open Space in the district may be any combination of Useable, Green Area, Permeable or Public Open Space and shall be required for all uses permitted in the district.

17.303.7 ***Parking.*** Except as otherwise provided in this Section 17.303.7, all requirements of Article 6.000 shall apply in Special District 12, except that with regard to the provisions of Section 6.22 – Location of accessory off street parking facilities, any accessory parking required by Article 6.000 to serve development constructed within Special District 12 shall be located within Special District 12. Provided it is located within Special District 12, said parking may be located on

any lot without reference to the locational limitations of Section 6.22. All such parking shall be deemed institutional; provided, however, that one parking space shall be provided for each affordable housing unit constructed within Special District 12. In addition, all parking existing on October 27, 2003 on property in Special District 12 owned by any educational, religious or charitable institution shall be deemed institutional parking and shall be an allowed use. Off street loading facilities are not permitted for development in Special District 12. Up to four access drives may be provided to underground parking facilities.

For any development subject to the special permit provisions of Section 19.20 or 19.50, any provision of Sections 6.31.3, 6.35:2 and 6.40 – Design and Maintenance of Off Street Parking Facilities may be waived within the scope of those special permits in order to facilitate the location of significant portions of parking within the district in below grade facilities or to provide surface parking for residents in dwelling not conveniently served by an underground parking facility.

17.303.8 *Multiple Buildings.* Notwithstanding the provisions of Section 5.13, where multiple buildings are built on any Lot in Special District 12, the minimum distance required between buildings shall be 15 feet. Buildings that are connected below grade by tunnels or by underground parking structures shall be considered multiple, freestanding and unattached buildings for the purposes of Section 5.13 and this Section 17.303.8.

No building may be built on the land shown as Lots # 103, 104, 105, and 106 of Assessors Plat 130, that has a horizontal dimension (length or width) at grade greater than 75 feet, and each building shall be physically separated from adjoining buildings on such land by at least 15 feet. Project Review pursuant to the provisions of Article 19.000 shall not limit the number or location of buildings on such land if such buildings comply with the foregoing provisions of Section 17.303.

The formula set forth in Section 5.13 to determine minimum distance between buildings shall not apply.

17.304 *Mechanical Equipment.* The HVAC equipment and exhaust or intake vents located in and serving buildings or underground garages serving buildings in Special District 12 constructed after October 27, 2003 shall be designed or screened so that they are not visible to a pedestrian standing in the public way, and so that they comply with governmental laws regulating noise.

17.305 *Procedural Requirements.* A Building Permit for any structure complying with the dimensional and other provisions of Section 17.303 above shall be issued if the conditions in this Section 17.305 have been met.

17.305.1 Prior to the issuance of the first Building Permit within the Special District 12, a site plan ("Site Plan") shall be submitted to the Superintendent of Buildings

indicating the location of any required open space and the location of proposed buildings and accessory parking. The Site Plan shall, in both graphic form and text, indicate how the requirements of this Section 17.300 and the provisions of the "Letter of Commitment" shall be met including all dimensional and use requirements. After review by the Community Development Department, the Superintendent of Buildings shall certify that the Site Plan as submitted conforms to these provisions and will permit the fulfillment of all requirements of Section 17.300.

17.305.2 The Site Plan may be modified by the owner from time to time, provided, however, that any change shall require a recertification from the Superintendent of Buildings. In all instances that the Site Plan is modified, the development shall continue to conform to all requirements of this Section 17.300 and the "Letter of Commitment".

17.305.3 "*Letter of Commitment*". Prior to the issuance of any Building Permit or Certificate of Occupancy in Special District 12 and after review by the Community Development Department, the Superintendent of Buildings shall certify that construction is proceeding in accordance with all provisions of the "Letter of Commitment".

17.305.4 In the event that the development rights and uses in Special District 12 as set forth in the Site Plan required in Section 17.305.1 above are reduced before they can be fully utilized, through an amendment or other change to the Zoning Ordinance of the City of Cambridge, the easement to the City of Cambridge for a Public Open Space in conformance with the provisions of the "Letter of Commitment" shall not be granted, or if granted previously, shall terminate automatically upon the effective date of such amendment or change to the Zoning Ordinance. Thereafter the requirement for the provision of an open space shall be voided and the site may be developed subsequent to and in accordance with the provisions of the change or amendment of the Zoning Ordinance.

17.306 *Other Provisions.* The following additional provisions shall apply.

(a) Special District 12 shall be considered an Area of Special Planning Concern, subject to the Development Consultation Procedure specified in Section 19.40.

(b) Development in Special District 12 utilizing the use and dimensional provisions of Section 17.303 above shall not be subject to the provisions of Section 11.200 of the Zoning Ordinance.

(c) Nothing in Article 19.000 shall prohibit the submission of a request for a single Project Review Special Permit containing construction in both this Special District 12 and Special District 14.

17.307 ***Inapplicability of Certain Other Regulations.*** Where this Section 17.300 specifies some standard or makes some other requirements contrary to a requirement elsewhere in this Ordinance, the provisions of this Section 17.300 shall control.

17.400 **SPECIAL DISTRICT 13**

17.401 ***Scope.*** This Section 17.400 regulates development in Special District 13 as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.400, all requirements of and regulations applicable to the Residence C-2 District shall apply equally in Special District 13.

17.402 ***Permitted Uses.*** All uses permitted in the Residence C-2 District shall be allowed in Special District 13, and in addition Power Plant use for the non-nuclear production, generation and distribution of electricity or steam, Section 4.32 g shall be permitted. The Power Plant use shall be permitted as of right provided such use occurs within structures in existence as of October 27, 2003. Location of the Power Plant use in a new structure shall be permitted only after the issuance of a Special Permit from the Planning Board.

17.402.1 ***Parking.*** Except as otherwise provided in this Section 17.400, all requirements of Article 6.000 shall apply in Special District 13, except that with regard to the provisions of Section 6.22 – Location of accessory off street parking facilities, any accessory parking required by Article 6.000 to serve development constructed within Special District 13 shall be located within Special District 13. Provided it is located within Special District 13, said parking may be located on any lot without reference to the locational limitations of Section 6.22. All such parking shall be deemed institutional. In addition, all parking existing on October 27, 2003 on property in Special District 13 owned by any educational, religious or charitable institution shall be deemed institutional parking and shall be an allowed use.

17.403 ***Dimensional Limitations.*** All dimensional requirements of the Residence C-2 District shall apply in Special Districts 13 except as provided in this Section 17.403:

- 17.403.1 **Maximum FAR.** The maximum FAR shall be 1.5 but shall be increased by special permit from the Planning Board to 2.0 for residential uses and dormitories.
- 17.403.2 **Maximum Height.** The maximum height shall be limited to sixty-five (65) feet, except that within ninety (90) feet of the westerly sideline of Blackstone Street and within two hundred and forty-five (245) feet of the southerly line of Western Avenue the height shall be limited to forty-five (45) feet. The height of structures in existence in Special District 13 as of October 27, 2003 shall be deemed conforming.
- 17.403.3 **Yard Requirements.** The minimum requirement for all yards shall be five (5) feet. The required yards for structures in existence as of October 27, 2003 shall be the yards existing at that time. Any new construction shall be subject to the yard requirements of the Residence C-2 district; the yards for new construction, however, may be reduced to not less than five (5) feet after the issuance of a Special Permit from the Planning Board. In addition, the minimum distance between multiple buildings on a lot, as set forth in Section 5.13, may be reduced to not less ten (10) feet by special permit from the Planning Board.
- 17.403.4 **Mechanical Equipment.** The HVAC equipment and exhaust or intake vents located in and serving buildings or underground garages serving buildings in Special District 13 constructed after October 27, 2003 shall be designed or screened so that they are not visible to a pedestrian standing in the public way, and so that they comply with governmental laws regulating noise.
- 17.404 **Inapplicability of Certain Other Regulations.** Where this Section 17.400 specifies some standard or makes some other requirements contrary to a requirement elsewhere in this Ordinance, the provisions of this Section 17.400 shall control.
- 17.500 **SPECIAL DISTRICT 14**
- 17.501 **Scope.** This Section 17.500 regulates development in Special District 14 as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.500, all requirements of and regulations applicable to the Residence C-1 District shall apply equally in Special District 14.
- 17.502 **Subdistricts.** Special District 14 shall consist of three subdistricts as described below. Except as noted, all provisions of Special District 14 shall apply equally to all subdistricts.

- a. The Athens Terrace Subdistrict shall be that portion of Special District 14 located north of Grant Street.
- b. The Grant Street Subdistrict shall be that portion of Special District 14 that lies within ninety (90) feet of the southerly sideline of Grant Street.
- c. The Cowperthwaite Subdistrict shall be that portion of Special District 14 that lies between the Grant Street Subdistrict and Cowperthwaite Street.

17.503

Permitted Uses. All uses permitted in the Residence C-1 District shall be allowed in Special District 14 including but not limited to residential housing for faculty, staff, employees, and students of educational, religious and charitable institutions in single-family, two-family, three-family and multi-family structures and accessory uses thereto. No other uses serving educational, religious and charitable institutions as set forth in Section 4.33 shall be allowed, notwithstanding the provisions of Section 4.50, except as otherwise allowed in this Section 17.500. The special permit provisions of Sections 4.26 and 11.10 for Multifamily and Townhouse Development shall not apply.

17.504

Use and Dimensional Modifications Permitted. The following modifications to the regulations applicable to the Residence C-1 district shall be permitted in Special District 14.

- a. In the Cowperthwaite Subdistrict, Dormitories, Section 4.33 (b) (7) shall be permitted; Section 4.50 limitations shall not apply.
- b. In the Cowperthwaite Subdistrict the following dimensional limitations shall apply:
 - (i) The maximum FAR shall be 1.0.
 - (ii) The maximum height shall be forty-five (45) feet.
 - (iii) The minimum Lot Area per Dwelling Unit shall be 800 square feet.
 - (iv) The minimum Useable Open Space shall be fifteen (15) percent.
- c. In the Grant Street Subdistrict the following dimensional limitations shall apply:
 - (i) The maximum FAR shall be 1.0.
 - (ii) The minimum Lot Area per Dwelling Unit shall be 1200 square feet.
 - (iv) The minimum Useable Open Space shall be fifteen (15) percent.
- d. In the Athens Terrace Subdistrict the following dimensional limitations shall apply:

(i) The minimum Lot Area per Dwelling Unit shall be 1200 square feet.

(ii) The minimum Useable Open Space shall be fifteen (15) percent.

17.505 ***Other Use and Dimensional Modifications.*** The following modifications to the regulations applicable to the Residence C-1 district, as modified by Section 17.504 above, shall be permitted, subject to compliance with the provisions of Section 17.506 below.

17.505.1 ***Maximum FAR.*** The maximum FAR shall be 3.0 within the Cowperthwaite Subdistrict provided the FAR in the Grant Street Subdistrict does not exceed 0.75 on land under the same ownership. If the property owner is in compliance with the provisions of the "Letter of Commitment" referenced in Section 17.303.5 above, in the Cowperthwaite Subdistrict additional FAR at the rate of 0.9 shall be permitted, and in the Athens Terrace and Grant Street Subdistricts additional FAR at the rate of 0.225 shall be permitted.

17.505.2 ***Building Height Limitations.***

a. The maximum height permitted shall be fifty-five (55) feet in the Cowperthwaite Subdistrict subject to the further restrictions set forth in Paragraph b below; however no building or portion of a building within 40 feet of the westerly sideline of Banks Street shall be higher than thirty-five (35) feet.

b. Any portion of a building in the Cowperthwaite Subdistrict in excess of forty-five (45) feet shall be set back behind a forty-five degree bulk control plane beginning at a height of forty-five (45) feet above the Cowperthwaite/Grant Street Subdistricts boundary line and rising thereafter toward Cowperthwaite Street.

17.505.3 ***Minimum Lot Area Per Dwelling Unit.*** In the Cowperthwaite Subdistrict, each 1,000 square feet of Gross Floor Area shall be considered equivalent to one dwelling unit for purposes of calculating Minimum Lot Area per Dwelling Unit.

17.505.4 ***Minimum Ratio of Useable Open Space to Lot Area.*** The required Useable Open Space in Special District 14 may be any combination of Useable, Green Area, Permeable or Public Open Space and shall be required for all uses permitted in the district. In the Cowperthwaite and Athens Terrace Subdistricts, the minimum Useable Open Space requirements of Table 5-1 as modified in Section 17.504 above shall not apply.

17.505.5 ***Cowperthwaite Minimum Side Yard.*** The minimum side yard of Cowperthwaite Subdistrict shall be 15 feet, and the minimum front yard shall be 10 feet.

- 17.505.6 **Building Size.** Except within the Cowperthwaite Subdistrict, each building in Special District 14 shall be freestanding and unattached to any other building, may contain no more than 5,000 square feet of GFA, and may contain no more than six dwelling units.
- 17.505.7 **Multiple Buildings.** Notwithstanding the provisions of Section 5.13, multiple buildings may be built on any Lot in Special District 14, and the minimum distance between buildings shall be 10 feet. Buildings that are connected below grade by tunnels or by underground parking structures shall be considered multiple, freestanding and unattached buildings for purposes of between-building setbacks. The formula set forth in Section 5.13 shall not apply.
- 17.505.8 **Parking Requirements.** Except as otherwise provided in this Section 17.505.8, all requirements of Article 6.000 shall apply in Special District 14.
- (a) With regard to the provisions of Section 6.22 – Location of accessory off street parking facilities, at least eighty (80) percent of the minimum required accessory parking required by Article 6.000 to serve development constructed in the Athens Terrace Subdistrict shall be located in that Subdistrict.
- (b) For any development subject to the special permit provisions of Section 19.20 or 19.50, any provision of Section 6.22, 6.22.1, 6.22.2 (Location of Parking), 6.31.3, 6.35.2 and Section 6.40 – Design and Maintenance of Off Street Parking Facilities may be waived within the scope of those special permits in order to facilitate the location of significant portions of parking within the district in below grade facilities or to provide surface parking for residents in dwellings not conveniently served by an underground parking facility. Notwithstanding the provisions of Article 6.000, requirements for loading facilities within the Cowperthwaite Subdistrict may be satisfied by providing one loading facility on Cowperthwaite Street, which may be located on abutting private or public ways. All parking provided on property in Special District 14 owned by any educational, religious or charitable institution shall be deemed institutional parking. In addition, all parking existing on October 27, 2003 on property in Special District 14 owned by any educational, religious or charitable institution shall be deemed institutional parking and shall be an allowed use.
- 17.505.9 **Mechanical Equipment.** The HVAC equipment and exhaust or intake vents located in and serving buildings or underground garages serving buildings in Special District 14 constructed after October 27, 2003 shall be designed or screened so that they are not visible to a pedestrian standing in the public way, and so that they comply with governmental laws regulating noise.

- 17.506** ***Procedural Requirements.*** A Building Permit for any structure employing the use, dimensional, or parking flexibility provided in Sections 17.505 above shall be issued if the following conditions have been met.
- 17.506.1** Prior to the issuance of the first Building Permit within the Special District 14, a site plan (“Site Plan”) shall be submitted to the Superintendent of Buildings indicating the location of the required open space and the general location of proposed buildings and accessory parking. The Site Plan shall, in both graphic form and text, indicate how the requirements of this Section 17.500 shall be met. The Site Plan may be modified from time to time by the owner; provided, however, that any change shall require a re-certification from the Superintendent of Buildings. In all instances that the Site Plan is modified, the development shall continue to conform to all requirements of this Section 17.500.
- 17.506.2** ***“Letter of Commitment”.*** Prior to the issuance of any Building Permit or Certificate of Occupancy in Special District 14, after review by the Community Development Department, the Superintendent of Buildings shall certify that construction is proceeding in accordance with all provisions of the “Letter of Commitment”.
- 17.506.3** In the event that the development rights and uses in Special District 14 as set forth in the Site Plan required in Section 17.506.1 above are reduced before they can be fully utilized, through an amendment or other change to the Zoning Ordinance of the City of Cambridge, the easement to the City of Cambridge for a Public Open Space in conformance with the provisions of the “Letter of Commitment” shall not be granted, or if granted previously, shall terminate automatically upon the effective date of such amendment or change to the Zoning Ordinance. Thereafter the requirement for the provision of an open space shall be voided and the site may be developed subsequent to and in accordance with the provisions of the change or amendment of the Zoning Ordinance.

17.507 ***Other Provisions.*** The following additional provisions shall apply.

- (a) Special District 14 shall be considered an Area of Special Planning Concern, subject to the Development Consultation Procedure specified in Section 19.40.
- (b) Development in Special District 14 utilizing the use and dimensional provisions of Section 17.505 above shall not be subject to provisions of Section 11.200 of the Zoning Ordinance.
- (c) Nothing in Article 19.000 shall prohibit the submission of a request for a single Project Review Special Permit containing construction in both this Special District 14 and Special District 12.

17.508 *Inapplicability of Certain Other Regulations.* Where this Section 17.500 specifies some standard or makes some other requirements contrary to a requirement elsewhere in this Ordinance, the provisions of this Section 17.500 shall control.

B. Amend the Text of the Zoning Ordinance of the City of Cambridge to create a new Business A-3 District in the Zoning Ordinance by doing the following.

1. In Section 3.11 insert new line 18 to read as “Business A-3Neighborhood Business” after existing line 17 “Office 3 DistrictBusiness and professional offices and multifamily dwelling”. Renumber subsequent lines accordingly.
2. In Section 4.26 – Multifamily Special Permit Applicability, insert “Business A-3” after the existing “Business A-1” wherever it appears in the Section.
3. In Section 4.30 – Table of Use Regulations, insert the new district Business A-3 with a new Footnote 1 in the sixth Column heading as follows:

4.30 TABLE OF USE REGULATIONS

			Res		Bus
			C, C-1	Off	A-1
Open	Res A	Res	2,2A,2B	1,2,3	A-2
Space	1&2	B	3,3A,3B	3A	A-3 ¹

4. In Section 4.40 – Footnotes to the Table of Use Regulations, create a new Footnote 1 to read as follows:

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

5. In Section 5.33 – Business Districts, insert a new line for the Business A-3 District in Table 5-3 as follows:

5.33 Business Districts

1. The following dimensional requirement, set forth in Table 5-3 and modified elsewhere in this Ordinance, shall be applicable to development in business districts:

Table 5-3 Table of Dimensional Requirements - Business Districts

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Bus.A-3 0.75 ^(f)	5,000	1,500	50	H+L ^(h) /4	H+L/5	H+L ^(a) /4 35 30%

6. In Part 2 of Section 5.33, create two new footnotes (f) and (h) to read as follows:

2. Footnotes

(a) In no case may a building be nearer the rear lot line than twenty (20) feet.

(f) Subject to the provisions of Footnote 1 in Section 4.40 - Footnotes to the Table of Use Regulations.

(h) Measured from the centerline of the street but in no case may a building be nearer the street than ten (10) feet.

7. In Part 8 of Section 5.33, modify the text by adding a phrase such that the sentence will read as follows:

8. A special permit may be granted by the Board of Zoning Appeal to reduce the required front yard for a dwelling constructed entirely above a commercial establishment in any Business district **except the Business A-3 district.**

8. In Section 6.36 – Schedule of Parking and Loading Requirements, insert the Business A-3 district in the third column heading with a new Footnote 14 as follows:

Land Use Category	Open Space	ResC, C-1 C-1A Off 1, Bus A (com) Bus A-1, Bus A-2, Bus A-3¹⁴ , Ind A-1, Ind C
Res A-1, A-2, Res B		

9. In Section 6.36 – Schedule of Parking and Loading Requirements, Footnotes, add a new Footnote 14 to read as follows:

14. No accessory parking or loading shall be required for any permitted non-residential use in a Business A-3 district.

10. In Section 11.10 – Townhouse Development, insert the phrase “Business A-3” after the existing phrase “Business A-1” wherever it appears in the Section.

C. Amend the Text of the Zoning Ordinance of the City of Cambridge in Section 11.10 – Townhouse Development so that it reads as follows (Deletions are noted with a ~~strikethrough~~ and additions are noted in **bold**):

11.10 TOWNHOUSE DEVELOPMENT

11.11 *Statement of Purpose.* This Section 11.10 has been adopted to encourage the development of one and two family townhouses. The townhouse development use created herein is intended to promote development designs that are compatible with traditional neighborhood development patterns and sensitive to existing streetscapes, to encourage a townhouse pattern of development where higher densities are permitted and to discourage the demolition of existing residential structures as well as the excessive infill of townhouses on lots already containing residential structures.

Provisions for the townhouse development use are intended to overcome obstacles to the development of one and two family townhouses, by providing special incentives where appropriate. This section provides guidelines for both as of right and townhouse developments, which require special permit review. The distinction allows for expeditious review and approvals for smaller scale infill townhouse developments, while ensuring detailed examination of the site and building plans for larger developments and consideration of their neighborhood impacts.

11.12 *Applicability of Regulations.* The development standards specified in this Section 11.10 are applicable only to townhouse developments and do not change the development standards for other uses in the Residence, Office and Business, and Industry A-1 districts. Townhouse developments which meet the requirements specified in Sections 11.14, 11.15, and 11.16 shall be allowed in Residence B, C, C-1, C-1A, C-2, C-2A, C-2B, C-3, C-3A, C-3B, Office and Business and Industry A-1 districts as follows:

11.12.1 Construction of a townhouse development containing six (6) or more dwelling units in a Residence B district and Residence C district shall require a special permit.

11.12.2 Construction of a townhouse development containing twelve (12) or more dwelling units in a Residence C-1, Residence C-1A, Office 1, or Business A-1 district shall require a special permit.

11.12.3 Construction of a townhouse development in a Residence B, C, C-1, Residence C-1A, Office 1, or Business A-1 district which contains fewer units than specified in Section 11.12.1 or 11.12.2 shall require a special permit if both of the following conditions pertain to the development:

- (1) another permit for townhouse development has been granted within the twelve (12) month period immediately preceding the date of permit application for the lot on which the development would be located or on an abutting lot;

(2) the townhouse development for which the permit is being sought would increase the total number of dwelling units on said lot(s) to the threshold specified in Section 11.12.1 or 11.12.2.

- 11.12.4** Construction of all townhouse development in Industry A and A-2 districts, Industry B, B-1 and B-2 district, and the Industry C district shall require a special permit granted by the Planning Board where any one of the following conditions exist:
- 1) The development exceeds fifty thousand (50,000) square feet of gross floor area;
 - 2) The lot area per dwelling unit proposed is less than one thousand two hundred (1,200) square feet in an Industry C district six hundred (600) square feet in an Industry A or Industry B-2 district, or three hundred (300) square feet in an Industry A-2, Industry B, or Industry B-1 district; or
 - 3) Twelve units or more dwelling units are proposed where any portion of the development is located within one hundred (100) feet of a Residence A-1, A-2, B, C, or C-1 district.
- 11.12.5** Where a townhouse development is constructed on two or more abutting lots, the requirements applicable to the development shall be determined as if the parcel were a single lot.
- 11.12.6** Where a townhouse development is constructed on a lot or lots with other buildings existing prior to such development, the dimensional requirements of this Section 11.10 shall apply to those structures or portions of structures on the lot(s) which constitute the townhouse development.
- 11.12.7** Where a townhouse development is proposed on a lot on which a preferably preserved significant building, as determined by the Cambridge Historical Commission under the provisions of the Demolition Ordinance #965, has been demolished within the five (5) years immediately preceding the application for a building permit or a special permit or where such building is proposed to be demolished to permit the townhouse development under the provisions of this Section 11.10, the provisions of Subsections 11.14, 11.15, and 11.15.1 - 11.15.4 shall not apply; the townhouse development shall in such circumstances be subject to the dimensional requirements normally applicable in the district.
- 11.13** *Special Permit Granting Authority.* The Planning Board shall be the special permit granting authority for any townhouse development included in Section 11.12.1, 11.12.2, or 11.12.3. The Board of Zoning Appeal shall be the special permit granting authority for special permits required by Sections 11.15.5, 11.16.2, and 11.16.4 for any townhouse development which does not require a special permit from the Planning Board.
- 11.14** *Subdivided Lots.* A developer, or any subsequent owner, who desires to subdivide a townhouse development must record a subdivision plan with the Registry of Deeds of Middlesex County. A copy of the recorded subdivision plan must also be filed with the Building Commissioner. Subdivided lots may be less than five thousand (5,000) square feet and must include an individual dwelling, together with front and rear yards or rights to yards in common areas.

11.15 *Dimensional Standards for Townhouse Development.* The following development controls apply to the parcel of land upon which a townhouse development is constructed and are not applicable to the initial subdivision of the townhouse parcel into individual lots. The townhouse development parcel as a whole must conform to these controls. But once satisfied for the total parcel, the controls are waived for the subsequent subdivision into individual lots. The required minimum lot size for a townhouse development shall conform to the existing regulations for the district in which the townhouse development is constructed.

However, modifications to the townhouse development after a subdivision plan has been recorded in the Registry of Deeds shall be subject to the dimensional standards as set forth in this Section 11.15 applied to the individual lot lines of the subdivided lots; modifications that do not so conform may be permitted as set forth below:

- a. For any townhouse development, after issuance of a building permit, projecting eaves, chimneys, bay windows, and balconies that do not project more than three and one half (3 1/2) feet.
- b. For any townhouse development for which a special permit has been granted by the Planning Board, modifications specifically enumerated in the special permit. For those modifications not so enumerated, or where the special permit fails to specifically enumerate allowed modifications, after issuance of a new special permit (a Major Amendment to the original special permit) by the Planning Board to allow the proposed modification(s).
- c. For any townhouse development originally constructed as of right, after issuance of a special permit by the Board of Zoning Appeal.

Where a special permit is required in paragraphs b. and c. above, all owners of lots that together constitute the original townhouse development parcel shall receive notice of the special permit public hearing, in the manner provided for in Chapter 40A for parties of interest; such owners shall be considered parties in interest, however, only as they are so defined in Section 11, Chapter 40A.

11.15.1 Minimum Lot Width. In a townhouse development there shall be no minimum lot width, except that in ~~a-Residence B~~, **Residence C, and Residence C-1** districts the minimum lot width applicable in the district shall apply.

11.15.2 Maximum Floor Area Ratio. In a townhouse development, the maximum permitted Floor Area Ratio in districts where townhouse developments are permitted shall be as normally applicable in the district. ~~except as provided below:~~

~~(1) Residence C-1: .825 for lots exceeding 15,000 square feet.~~

~~Where a townhouse development is constructed on a lot with one or more pre-existing structures, the allowed floor area bonus for the townhouse development shall be based on the portion of the lot not already allocated to the existing structures. Said already allocated portion shall be determined by dividing the gross floor area of existing structures by the floor area ratio of the district in which the lot is located.~~

11.15.3 Maximum Height.

11.15.31 **In any zoning district that limits building height to thirty-five (35) feet or less, the maximum permitted height in a Townhouse Development shall be thirty-five (35) feet.**

11.15.32 **In all other zoning districts** the maximum permitted height in a townhouse development shall be four habitable stories and the maximum height of the cornice line shall be thirty (30) feet. Any part of a townhouse structure which projects above the cornice line shall be set below an imaginary inclined plane beginning at the thirty (30) foot cornice line on any facade of the structure facing a street or facing any lot line abutting a residentially zoned lot, and thereafter rising at a forty-five degree (45°) angle. However, portions of the building may rise above the imaginary inclined plane provided the area of those portions above the inclined plane projected onto the vertical plane does not exceed ten (10) percent of the area of the vertical plane lying between the thirty (30) foot cornice line and the maximum height of the structure, calculated for and limited to each separate plane.

However, the maximum height of any portion of a townhouse development shall be forty (40) feet, except that in a Residence B district the maximum height shall be thirty-five (35) feet.

11.15.4 Yard Requirements. The yard requirements in the district shall be applicable for each townhouse development. ~~with the exception of the following:~~

~~(1) Front yard—The required front yard shall be the setback of the principal front wall plane of the principal building set back farthest from the street on the lots adjacent thereto on either side, or the required front yard applicable in the district, whichever is less.~~

11.15.5 Minimum Usable Open Space. In a townhouse development the minimum ratio of Usable Open Space as defined in Article 2.000 to lot area shall be twenty-five (25) percent **or that amount required in the district, whichever is greater.**

(1) The minimum dimension of any area counted toward required usable open space shall be fifteen (15) feet. A ten (10) foot minimum open space dimension may be allowed on special permit by the Special Permit Granting Authority upon its determination that the peculiarities of the parcel warrant such a reduction, that the smaller dimension will result in a superior site design, and that the total amount of usable open space will not be reduced.

(2) Where it is proposed to subdivide a townhouse development in accordance with the requirements of Section 11.14 then the minimum ratio of Usable Open Space to subdivided lot area shall be **that required for the Townhouse Development as a whole. twenty-five (25) percent.**

Where the townhouse development is not to be subdivided into individual lots and therefore the Usable Open Space in a Townhouse Development is not to be provided on subdivided lots but is to be provided on a common basis to be held in joint ownership by a group of townhouse owners such as a cooperative or an association, then the minimum ratio of Usable Open Space to the total lot area in the townhouse development shall be **that required in this Section 11.15.5. twenty-five (25) percent.**

11.16 *Parking Standards for Townhouse Development*

A Townhouse Development shall be subject to the requirements of Article 6.000 except as they may be modified below.

11.16.1 One off street parking space per dwelling unit in a townhouse development shall be provided unless a special permit is granted in accordance with Section 11.16.2(4) below.

11.16.2 Required parking spaces may be located as follows:

- (1) Within the townhouse structure or a separate structure on the parcel.
- (2) On a lot in accordance with the requirements of Sections 6.20 and 6.40.
- (3) On lots not more than two hundred (200) feet away from the building to be served subject to the conditions set forth in Sections 6.20 and 6.40.
- (4) On street in the vicinity of the townhouses if the special permit granting authority determines that the lack of off street parking for the townhouse development will not unreasonably reduce the quantity of on street parking in the area. Applicants for an exception from off street parking shall submit a report on parking usage and availability in the vicinity of the development with their permit application.

~~11.16.3 Curb cuts required for parking located on the lot in front of townhouses or in multiple garages with direct access from the street to each garage shall be permitted up to fifty (50) percent of the lot frontage providing that:~~

- ~~(1) No continuous curb cut may exceed twenty five and one half (25.5) feet.~~
- ~~(2) A continuous curb cut shall not result in the removal of any street tree. No curb cut shall be made within five (5) feet of a street tree.~~

~~In reviewing such a parking arrangement, the special permit granting authority shall find that the proposed parking and access layout is not inconsistent with the design and use for similar purposes of other lots on the street in the immediate environs of the townhouse development.~~

11.16.3.4 Landscaping of On Grade Open Parking

- (1) On grade open parking areas should be arranged and landscaped to properly screen cars from adjacent properties as well as from streets and sidewalks and to diminish the negative environmental impacts of multiple automobiles parked on site in residential neighborhoods.
- (2) Twenty-five (25) percent of the area devoted to on grade open parking shall be landscaped. The area devoted to on grade open parking shall be that portion of the lot containing parking spaces, driveways, and landscaped area located between or adjacent to parking spaces and drives. No portion of the lot required as a setback between a parking space and a building or a lot line shall be counted in computing the twenty-five (25) percent landscaping requirement.
- (3) Where more than one "area devoted to on grade open parking" exists within a townhouse development twenty-five (25) percent of each such area shall be landscaped.

(4) For every two (2) on grade open parking spaces or fraction thereof there shall be a minimum of one three (3) inch caliper tree located within the area devoted to on grade open parking.

- (a) The special permit granting authority may grant a special permit for a reduction of this planting requirement upon its determination that such a reduction will not prevent suitable screening of on grade parking and will result in a superior site plan. Any reduction shall require a special permit.
- (b) The trees required for the landscaping of on site parking areas - whether such trees are coniferous or deciduous, flowering or nonflowering - should be tolerant to urban environmental conditions; able to screen parking areas by virtue of their size; form, density of foliage and spread; and easy to maintain. A suggested list of trees which meet these criteria is:

Deciduous. Botanical name (common name)

Acer platanoides (Norway Maple); Acer rubrum (Red Maple); Acer saccharum (Sugar Maple); Carpinus betulus (European Hornbeam); Fraxinus americana (White Ash); Ginkgo biloba (Ginkgo); Gleditsia triacanthos inermis (Thornless Honey Locusts); Liquidambar styraciflua (Sweet Gum); Liriodendron tulipifera (Tulip Tree); Platanus occidentalis (Sycamore); Quercus coccinea (Scarlet Oak); Quercus palustris (Pin Oak); Quercus rubra (Red Oak); Tilia cordata greenspire (Littleleaf Linden); Tilia europea (Common Linden).

(5) On grade open parking areas located in front of the townhouse structure(s) shall maintain the visual definition of the front lot line and separation of public from private space in keeping with the appearance and character of the existing streetscape. Such definition shall be achieved by using a change of ground materials at the front lot line and by installing at least one of the following: fences, plantings, walls, or stone monuments, which mark the transition from street or sidewalk to residential lot.

11.17 Additional Requirements

- (1) Fences may not exceed four (4) feet in height in any front yard unless otherwise permitted by the special permit granting authority.
- (2) Any townhouse unit directly abutting a street or streets shall have a principal entrance on a facade facing a street unless otherwise permitted by the special permit granting authority.

D. Amend the Text of the Zoning Ordinance of the City of Cambridge to create a new Use category “Power Plant for the non-nuclear production, generation and distribution of electricity or steam”, Section 4.32 g (Utilities) 3. Insert “No” under all zoning district columns in the Table of Use Regulations.

E. Amend the Text of the Zoning Ordinance of the City of Cambridge by doing the following in Article 19.000:

1. **Delete the existing Section 19.22 – Applicable Zoning Districts in its entirety and substitute therefore the following:**

(2) Residence C-1A, C-2, C-2A, C-2B, C-3, C-3A, and C-3B districts, and any Special District for which any one of these residence districts serves as the underlying base regulation (SD-2, ~~and SD-6,~~ **SD-12 and SD-13) and SD-14.** A Project Review Special Permit in these districts shall be required only where the construction or portion of the construction is located within one hundred (100) feet of a public way, unless the uses proposed in the building are subject to the thresholds established in Table 1.

2. **In Section 19.46 add Special District 12, Special District 13, and Special District 14 to the end of the paragraph.**

In City Council October 27, 2003.

Passed to be ordained as amended by substitution by a yeas and nays vote:-

Yeas 9; Nays 0; Absent 0.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk