

Special Permit for Reduction of Required Parking

6.35.1 Reduction of Required Parking. Any minimum required amount of parking may be reduced only upon issuance of a special permit from the Board of Zoning Appeals. A special permit shall be granted only if the Board determines and cites evidence in its decision that the lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood, or that such lesser amount of parking will provide positive environmental or other benefits to the users of the lot and the neighborhood, including specifically, among other benefits, assisting in the provision of affordable housing units. In making such a determination the Board shall also consider whether or not less off street parking is reasonable in light of the following:

- (1) The availability of surplus off street parking in the vicinity of the use being served and/or the proximity of an MBTA transit station.
- (2) The availability of public or commercial parking facilities in the vicinity of the use being served provided the requirements of Section 6.23 are satisfied.
- (3) Shared use of off street parking spaces serving other uses having peak user demands at different times, provided that no more than seventy-five (75) percent of the lesser minimum parking requirements for each use shall be satisfied with such shared spaces and that the requirements of Subsection 6.23 are satisfied.

Example: Office and Theatre uses with peak user demands at different times. Office requires a minimum of one hundred and fifty (150) spaces and the theatre requires a minimum of one hundred (100). Seventy-five (75) percent of the lesser minimum requirement is seventy-five (75) (75% of 100). Therefore seventy-five (75) spaces can be shared but twenty-five (25) (100-25) would still be required, making the total amount or required parking for both uses (150 + 25) one hundred and seventy-five (175).

- (4) Age or other occupancy restrictions which are likely to result in a lower level of auto usage; and
- (5) Impact of the parking requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, significant negative impact on the historic resources on the lot, impairment of the urban design objectives of the city as set forth in Section 19.30 of the Zoning Ordinance, or loss of pedestrian amenities along public ways.
- (6) The provision of required parking for developments containing affordable housing units, and especially for developments employing the increased FAR and Dwelling unit density provisions of Section 11.200, will increase the cost of the development, will require variance relief from other zoning requirements applicable to the development because of limitations of space on the lot, or will significantly diminish the environmental quality for all residents of the development.

For a project seeking a reduction in required off-street parking for residential uses, a Parking Analysis shall be required as part of the Special Permit Application as set forth in Section 6.35.3.

Special Permit for Exemption of Basement Area in the Calculation of Gross Floor Area

2.000 *DEFINITIONS:*

Floor Area Gross

Gross Floor Area shall not include:

- (15) Any basement or cellar living space in any single-family or two-family home.
- (16) Any basement or cellar living space in any other type of structure with the issuance of a special permit. In granting such a special permit, the permit granting authority may approved the exemption of any portion of Gross Floor Area (GFA) located in a basement or cellar from the calculation of GFA, provided the permit granting authority finds that the uses occupying such exempted GFA support the character of the neighborhood or district in which the applicable lot is located.

Project Review Special Permit – Urban Design Findings

19.25.2 Urban Design Findings. The Planning Board shall grant the special permit only if it finds that the project is consistent with the urban design objectives of the city as set forth in Section 19.30. In making that determination the Board may be guided by or make reference to urban design guidelines or planning reports that may have been developed for specific areas of the city and shall apply the standards herein contained in a reasonable manner to nonprofit religious and educational organizations in light of the special circumstances applicable to nonprofit religious and educational activities.

19.30 Citywide Urban Design Objectives

The following urban design objectives are intended to provide guidance to property owners and the general public as to the city's policies with regard to the form and character desirable for new development in the city. It is understood that application of these principles can vary with the context of specific building proposals in ways that, nevertheless, fully respect the policies' intent. It is intended that proponents of projects, and city staff, the Planning Board and the general public, where public review or approval is required, should be open to creative variations from the detailed provisions presented in this Section as long as the core values expressed are being served. A project need not meet all the objectives of this Section 19.30 where this Section serves as the basis for issuance of a special permit. Rather the permit granting authority shall find that on balance the objectives of the city are being served. Nor shall a project subject to special permit review be required to conform to the Required Building and Site Plan Requirements set forth in Section 19.50.

Further indicators of conformance with these policy objectives shall be found in planning documents and plans developed for specific areas of the city or the city as a whole, to the extent that they are not inconsistent with the objectives set forth in this Section 19.30. These documents include the *Harvard Square Development Guidelines*, the *Central Square Action Plan*, the *Central Square Development Guidelines*, the *North Massachusetts Avenue Urban Design Guidelines Handbook*, the *University Park at MIT Urban Design Guidelines*, the *North Point Policy Plan and Design Guidelines*, the *Cambridge Institutional Growth Management Plan*, the *East Cambridge Riverfront Plan*, the *Eastern Cambridge Plan*, the *Eastern Cambridge Design Guidelines*, the *Alewife Revitalization, Alewife Urban Design Study Phase II* and its Draft update of 1991, and *Toward a Sustainable Future: Cambridge Growth Policy Document*.

19.30 Citywide Urban Design Objectives [SUMMARIZED]

Objective	Indicators
New projects should be responsive to the existing or anticipated pattern of development.	<ul style="list-style-type: none"> • Transition to lower-scale neighborhoods • Consistency with established streetscape • Compatibility with adjacent uses • Consideration of nearby historic buildings
Development should be pedestrian and bicycle-friendly, with a positive relationship to its surroundings.	<ul style="list-style-type: none"> • Inhabited ground floor spaces • Discouraged ground-floor parking • Windows on ground floor • Orienting entries to pedestrian pathways • Safe and convenient bicycle and pedestrian access
The building and site design should mitigate adverse environmental impacts of a development upon its neighbors.	<ul style="list-style-type: none"> • Location/impact of mechanical equipment • Location/impact of loading and trash handling • Stormwater management • Shadow impacts • Retaining walls, if provided • Building scale and wall treatment • Outdoor lighting • Tree protection (requires plan approved by City Arborist)
Projects should not overburden the City infrastructure services, including neighborhood roads, city water supply system, and sewer system.	<ul style="list-style-type: none"> • Water-conserving plumbing, stormwater management • Capacity/condition of water and wastewater service • Efficient design (LEED standards)
New construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically.	<ul style="list-style-type: none"> • Institutional use focused on existing campuses • Mixed-use development (including retail) encouraged where allowed • Preservation of historic structures and environment • Provision of space for start-up companies, manufacturing activities
Expansion of the inventory of housing in the city is encouraged.	<ul style="list-style-type: none"> • Housing as a component of large, multi-building development • Affordable units exceeding zoning requirements, targeting units for middle-income families
Enhancement and expansion of open space amenities in the city should be incorporated into new development in the city.	<ul style="list-style-type: none"> • Publicly beneficial open space provided in large-parcel commercial development • Enhance/expand existing open space, complement existing pedestrian/bicycle networks • Provide wider range of activities

General Criteria for Issuance of a Special Permit

- 10.43** Criteria. Special permits will normally be granted where specific provisions of this Ordinance are met, except when particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public interest because:
- (a) It appears that requirements of this Ordinance cannot or will not be met, or
 - (b) traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or
 - (c) the continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use, or
 - (d) nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City, or
 - (e) for other reasons, the proposed use would impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this Ordinance, and
 - (f) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.