

Requested Special Permits	Summarized Findings <i>(detailed zoning text on following pages)</i>
<p>Project Review Special Permit (Section 19.20)</p>	<ul style="list-style-type: none"> • The project will have no substantial adverse impact on city traffic within the study area, upon review of the traffic impact indicators analyzed in the Transportation Impact Study and mitigation efforts proposed. • The project is consistent with the urban design objectives of the City as set forth in Section 19.30.
<p>Increase FAR, increase building height, and waiver of yard requirements in Alewife Overlay Districts (Sections 20.95.1, 20.95.2.6, 20.95.34)</p>	<p>The project promotes the general interests of the larger commercial and residential neighborhood noted in Section 20.92 and is consistent with the goals, objectives and guidelines established in the Concord-Alewife Plan.</p> <p>For waiver of yard requirements:</p> <ul style="list-style-type: none"> • The objectives of the Concord-Alewife Plan continue to be met. • The stormwater management objectives for the area continue to be met both on the site and as the site may be a part of a larger system for managing stormwater runoff. • The reduction or waiver of yard requirements provides for more efficient development of land; encourages or facilitates a more logical pattern of buildings, streets, parks and open space; or enhances the urban, pedestrian character of the area as envisioned in the Concord- Alewife Plan.
<p>Waiver of GFA for parking facilities in a flood plain in base Office district in Alewife Overlay Districts (Section 20.97.3)</p>	<ul style="list-style-type: none"> • The facility advances the objective of the Concord-Alewife Plan. • A shared facility aids in implementation of effective Transportation Demand Management measures to reduce dependence on the single occupancy automobile. • The facility does not diminish the pedestrian–friendly quality the area around it, and consistent with the urban design objective of the Concord-Alewife Plan. • The additional bulk of building above grade does not have an unreasonably negative impact on its abutters or the public realm. • The extent to which the construction of an above grade parking structure facilitates the creation of at grade soil permeability.
<p>Modifications to permitted uses in base Office district in Alewife Overlay Districts (Section 20.94.1)</p>	<p>For all uses listed in Section 4.35 (Retail and Consumer Service):</p> <ul style="list-style-type: none"> • No individual establishment exceeds 10,000 sq. ft. in area. • Retail use is located on the first floor or basement of the building. • Total Gross Floor Area of retail uses does not exceed 10% of the total Gross Floor Area of the building. <p>The Planning Board may waive above limitations if the project promotes the general interests of the larger commercial and residential neighborhood noted in Section 20.92.</p>

Requested Special Permits	Summarized Findings <i>(detailed zoning text on following pages)</i>
<p>Transfer of GFA under Transfer of Development Rights (TDR) and increase dwelling unit density for additional GFA under TDR in Alewife Overlay Districts (Section 21.40, 20.95.4)</p>	<ul style="list-style-type: none"> • Reduce the density of development adjacent to the existing residential neighborhood of the Cambridge Highlands. • Encourage greater development density closer to public transit and to facilitate infrastructure improvements that will make those transit services more widely available in the Alewife Overlay Districts. • Facilitate a more orderly development pattern within the Alewife Overlay Districts, including increasing the opportunities for installation of new circulation pathways for pedestrian, bicycles and vehicles; creation of new public or private open space facilities; and development of new pedestrian connections from the Quadrangle to the Triangle. • Make additional land surface available for better stormwater management and increased permeability. • Encourage a more attractive pattern of new buildings consistent with the urban design objectives set forth in the Concord-Alewife Plan.
<p>Construction in Flood Plain Overlay District (Section 20.73)</p>	<ul style="list-style-type: none"> • No encroachment of the floodway or displacement of water retention capacity is allowed unless fully offset. • Flood water systems shall not cause nuisance, hazard or detriment to site or abutters. • Development is consistent with zoning, area plans and guidelines, and applicable laws including Wetlands Protection Act. • Review by the City Engineer and Conservation Commission are required.
<p>Common Driveway (Section 6.43.6)</p>	<p>Conditioned on mutual easements recorded at the Middlesex County Registry of Deeds.</p>
<p>Reduction in required parking (Section 6.35.1)</p>	<p>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 will provide positive environmental or other benefits to the users of the lot and the neighborhood, including assisting in provision of affordable housing units.</p>
<p>Exceedance of allowed curb cut width (Section 6.43.5)</p>	<p>Increased curb cut width will facilitate traffic and safety.</p>
<p>General special permit criteria (Section 10.43)</p>	<p>Special permits will be normally granted if the zoning requirements are met, unless it is found not to be in the public interest due to one of the criteria enumerated in Section 10.43.</p>

Concord-Alewife Plan Goals for Triangle (intended to provide general guidance)

- Encourage more transit-oriented development. Allow higher density and height to take advantage of proximity to Alewife Station.
- Continue to allow commercial development to be focused in this area, while also encouraging housing close to the T station.
- Create a pleasant, walkable connection between Alewife Reservation and Fresh Pond Reservation consistent with the Alewife Reservation Master Plan and the Fresh Pond Master Plan.
- Create public access to the Alewife Reservation from Cambridgepark Drive.
- Reduce auto mode share within the Triangle.
- Improve bicycle and pedestrian connections among the Minuteman Trail, Belmont Path, Linear Park, and a future pathway along the Watertown rail line.
- Improve signage and enhance access to the multiuse trail from Alewife Station.
- Encourage development of additional housing close to Alewife Station while continuing to support commercial development.

Concord-Alewife Design Guidelines – Areawide & Triangle (intended to provide general guidance)

- Break up large blocks into smaller blocks, of sizes similar to those in surrounding Cambridge neighborhoods.
- Vary the design of individual buildings to create an architecturally diverse district.
- Street level facades should include active uses such as frequent residential entrances with setbacks for stoops and porches; neighborhood-serving retail including shops, restaurants, cafes; services for public or commercial offices; and community spaces.
- Encourage awnings/ canopies to provide shelter and enliven ground-floor façades.
- Design residential buildings with individual units and front doors facing streets, including row-house units on the lower levels of multifamily residences.
- Design residential development to include a range of units of various sizes and with various numbers of bedrooms, including three or more bedrooms, with the overall goal of providing dwelling units for families with school age children.
- Utilize low impact development principles in building and site design.
- Use site design that preserves future rights-of-way identified in the Circulation Concept Plan.
- Improve existing streets to meet City standards, including streetscape improvements.
- Strengthen bicycle and pedestrian links to adjacent areas. Provide links that strengthen physical and visual connections to open space resources.
- Screen service areas from major streets.
- Parking below-grade is preferred. If above-grade parking is provided, it should be designed so that it is not visible from nearby residential neighborhoods, public streets and pathways; line structured parking with active uses (shops, cafes, lobbies) along important public ways.
- Design and locate lighting and signage in support of the district’s pedestrian-friendly quality.
- Use site design to minimize shadows on other buildings or on public streets, open spaces, parks, and plazas.
- Create a pedestrian-friendly environment along Cambridgepark Drive.
- Provide small setbacks (5 to 15 feet) from the right-of-way for café seating, benches, or small open spaces.
- Provide pedestrian links that strengthen physical connections to Alewife Reservation
- Create building height / façade setbacks between 85’ and 105’.
- Site new development to preserve right-of-way for future crossing of the railroad tracks to connect the Triangle and Quadrangle.

Project Review Special Permit – Traffic Impact Findings

19.25.1 Traffic Impact Findings. Where a Traffic Study is required as set forth in Section 19.24 (3) above the Planning Board shall grant the special permit only if it finds that the project will have no substantial adverse impact on city traffic within the study area as analyzed in the Traffic Study. Substantial adverse impact on city traffic shall be measured by reference to the traffic impact indicators set forth in Section 19.25.11 below.

In areas where the Planning Board determines that area-specific traffic guidelines have been established in the Ordinance, the Board recognizes written agreements between project proponents and the City dealing with transportation mitigation strategies.

19.25.11 Traffic Impact Indicators. In determining whether a proposal has substantial adverse impacts on city traffic the Planning Board shall apply the following indicators. When one or more of the indicators is exceeded, it will be indicative of potentially substantial adverse impact on city traffic. In making its findings, however, the Planning Board shall consider the mitigation efforts proposed, their anticipated effectiveness, and other supplemental information that identifies circumstances or actions that will result in a reduction in adverse traffic impacts. Such efforts and actions may include, but are not limited to, transportation demand management plans; roadway, bicycle and pedestrian facilities improvements; measures to reduce traffic on residential streets; and measures undertaken to improve safety for pedestrians and vehicles, particularly at intersections identified in the Traffic Study as having a history of high crash rates.

The indicators are: (1) Project vehicle trip generation weekdays and weekends for a twenty-four hour period and A. M. and P.M. peak vehicle trips generated; (2) Change in level of service at identified signalized intersections; (3) Increased volume of trips on residential streets; (4) Increase of length of vehicle queues at identified signalized intersections; and (5) Lack of sufficient pedestrian and bicycle facilities. The precise numerical values that will be deemed to indicate potentially substantial adverse impact for each of these indicators shall be adopted from time to time by the Planning Board in consultation with the TPTD, published and made available to all applicants.

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

Special Permits to Increase FAR, Increase Building Height, Waive Yard Requirements, Waive GFA for Parking Facilities in a Flood Plain, and Modify Permitted Uses in Base Office District in Alewife Overlay Districts

20.92 *General Purpose.* It is the purpose of this Section 20.90 to augment existing base district zoning regulations to respond to the unique problems and pressures for change in the Alewife area. The regulations contained in this Section 20.90 provide for more careful public scrutiny of future development proposals and provide an opportunity to shape the form and character of that development in ways that will benefit both individual property owners and the general interests of the larger commercial and residential neighborhood as a whole.

These regulations are intended to harness the opportunities presented with the redevelopment of private property in ways that will:

1. Encourage forms of development, mix of uses, and range of improvements that will facilitate and encourage walking, biking and transit use and reduce the growth of auto trips in an area already burdened with regional vehicular traffic passing through to other destinations in the metropolitan region;
2. Preserve and enhance the capacity to store floodwater, recharge groundwater and manage the collection and disposal of stormwater in ways that add to the quality and visual appeal of the built environment as well as to the quality of the water itself;
3. Minimize the negative impact of new development on the adjacent Cambridge Highlands residential neighborhood while introducing new amenities and services that will benefit the residents of that neighborhood;
4. Integrate the entire area through the creation of new pedestrian paths, roadways, green spaces and bridges that will facilitate movement within the several Districts and beyond to the Cambridge Highlands, North Cambridge and Neighborhood Nine neighborhoods and the Fresh Pond Reservation;
5. Introduce a significant component of residential living and support retail services to enhance the area's appeal for all persons who come to work, shop as well as live within the Districts; and
6. Create an identity and sense of place for the Alewife Districts that parallels the development of the historic urban centers that characterize much of Cambridge.

20.95.1 **Maximum Floor Area Ratio.** The maximum ratio of floor area to the lot area may be increased as set forth below, after the issuance of a special permit from the Planning Board.

5. Triangle District: 1.75 for non-residential uses; 2.0 for residential uses.

20.95.2 **Maximum Permitted Height.** The maximum height for any building may be increased as set forth below, after the issuance of a special permit from the Planning Board:

6. Quadrangle Southeast District: 70 feet for non-residential uses; 85 feet for residential uses.

20.95.32 **Restrictions in Required or Provided Yards.**

1. Required or Provided Front Yards. That area between the principal front wall plane of a building and a street, whether required or provided, shall consist entirely of Green Area or Permeable Open Space extending along the entire length of the lot.

20.95.34 Waiver of Yard Requirements. The yard requirements of the applicable base or Overlay districts may be reduced or waived as set forth below:

1. Side and rear yard requirements of any applicable base zoning district may be waived, subject to the minimum requirements of Section 20.95.31 above, and front yards may be reduced to a minimum of fifteen (15) feet after the issuance of a special permit from the Planning Board.

3. The Planning Board shall consider the following in making its findings:
 - a. The objectives of the Concord-Alewife Plan continue to be met.
 - b. The stormwater management objectives for the area continue to be met both on the site and as the site may be a part of a larger system for managing stormwater runoff.
 - c. The reduction or waiver of yard requirements provides for more efficient development of land; encourages or facilitates a more logical pattern of buildings, streets, parks and open space; or enhances the urban, pedestrian character of the area as envisioned in the Concord- Alewife Plan.

20.97.3 Waiver of Gross Floor Area Provisions for Parking Facilities – Section 5.25. Because of the unique factors related to flooding and groundwater management in Alewife, the importance of maintaining a high level of permeability, and the difficulty of constructing large areas of building below grade, the Planning Board may by special permit exempt the Gross Floor Area contained in any above ground structured parking facility from the FAR limitations established in this Section 20.90 and any applicable base zoning (such special permit shall supersede the provisions of Section 5.25.42 for any lot within the Alewife Overlay Districts). In granting such a special permit the Planning Board shall consider the following:

1. The facility advances the objective of the Concord-Alewife Plan.
2. A shared facility is established that aids in implementation of effective Transportation Demand Management measures to reduce dependence on the single occupancy automobile.
3. The facility is well designed, does not diminish the pedestrian –friendly quality the area around it, and is otherwise consistent with the urban design objective of the Concord-Alewife Plan
4. The additional bulk of building above grade is well designed and does not have an unreasonably negative impact on its abutters or the public realm.
5. The extent to which the construction of an above grade parking structure facilitates the creation of at grade soil permeability.

20.94 *Modifications to Permitted Uses*

20.94.1 Additional Permitted Uses. In any base office or industrial district all uses listed in Section 4.35 - Retail Business and Consumer Service Establishments shall be permitted by special permit from the Planning Board (if not otherwise allowed as of right in the district), subject to the following limitations unless the limitations are specifically waived by the Planning Board upon its finding that the purposes set forth in Section 20.92 above have been met:

1. No individual establishment may exceed 10,000 square feet in area.
2. The retail use shall be located on the first floor or basement of the building in which it is located.
3. The total Gross Floor Area devoted to retail uses may not exceed 10% of the Gross Floor Area of the buildings constructed or authorized on the lot.

Special Permits to Transfer GFA under Transfer of Development Rights(TDR) and increase dwelling unit density for additional GFA under TDR in Alewife Overlay Districts

21.10 TRANSFER OF DEVELOPMENT RIGHTS (TDR) – GENERAL PROVISIONS

21.11 *Purpose.* It is the intent of this Article 21.000 to establish regulations by which Gross Floor Area (GFA) permitted on one lot or lots, as determined by the zoning district applicable to that lot [the Donating Lot(s)], may be transferred and used on another lot or lots [the Receiving Lot(s)] in the same or different zoning district in order to

- (i) introduce a level of flexibility into the development of designated areas in the city in ways that construction on one lot at a time cannot accomplish,
- (ii) allow multiple owners to coordinate development on small lots that may not be contiguous,
- (iii) facilitate the implementation of urban design and other planning objectives, particularly in contexts where there may be many, small lots and multiple property owners, and
- (iv) to allow development to respond to market forces and infrastructure patterns in ways that further public transportation and urban design objectives.

The restrictions that otherwise apply in the Zoning Ordinance restricting development to a single lot in single ownership shall be modified by the regulations contained in this Article 21.000.

21.40 ALEWIFE OVERLAY DISTRICTS 1-6

21.11 *Purpose.* It is the intent of this Section 21.40

- (i) to reduce the density of development adjacent to the existing residential neighborhood of the Cambridge Highlands;
- (ii) to encourage greater development density closer to public transit and to facilitate infrastructure improvements that will make those transit services more widely available in the Alewife Overlay Districts;
- (iii) to facilitate a more orderly development pattern within the Alewife Overlay Districts, including increasing the opportunities for installation of new circulation pathways for pedestrian, bicycles and vehicles; creation of new public or private open space facilities; and development of new pedestrian connections from the Quadrangle to the Triangle;
- (iv) to make additional land surface available for better stormwater management and increased permeability; and
- (v) to encourage a more attractive pattern of new buildings consistent with the urban design objectives set forth in the Concord-Alewife Plan.

20.95.4 Dwelling Unit Density. In any instance where the required Minimum Lot Area Per Dwelling Unit in any base district is greater than 600 square feet the Planning Board may issue a special permit to reduce the required Minimum Lot Area Per Dwelling Unit to 600 square feet.

In any instance where additional Gross Floor Area is permitted on a lot as provided for in Section 20.95.11, or Transfer of Development Rights, Section 21.40, the Planning Board may allow additional dwelling units on the lot at the rate of one dwelling unit for each 1,000 square feet of additional Gross Floor Area.

Special Permit for Building Construction in Flood Plain Overlay District

20.73 *Applicability.* No structure or building shall be erected, constructed, expanded, substantially improved, or moved and no earth or other materials shall be dumped, filled, excavated, transferred or otherwise altered in the Flood Plain Overlay District unless a special permit is granted by the Planning Board.

20.74 *Procedure.* Application for a special permit shall be made on a form prescribed by the Board. In addition to the information required for the submittal, the applicant shall also present the following:

1. A detailed landscape plan drawn to a scale of one inch equals twenty (20) feet showing the elevation and design of flood water retention systems as required by applicable law;
2. Base flood elevation data, where the base flood elevation is not provided on the FIRM;
3. Certification and supporting documentation by a Massachusetts registered professional engineer demonstrating that such encroachment of the floodway as specified above in Subsection 20.73 shall not result in any increase in flood levels during the occurrence of the 100-year flood;
4. Such other technical information as necessary to permit the Planning Board to make the findings required in Section 20.75 below;
5. Description of the status of the proposal, pursuant to the requirements of the Massachusetts Wetlands Protection Act, before the Cambridge Conservation Commission, including any Order of Conditions or Determination of Applicability issued; and
6. Four (4) copies of all application materials.

20.74.1 Upon receipt of the application and development plans, the Planning Board shall transmit copies of the plans to the Conservation Commission and the City Engineer. Within forty-five (45) days of receipt of the plans, the Conservation Commission and the City Engineer shall review said plans and submit their respective reports and recommendations to the Planning Board. The Planning Board shall not render any decision on an application for a special permit for development in the Flood Plain Overlay District until said reports have been received and considered or until the forty-five (45) day period has expired without the receipt of such report, whichever is earlier.

20.75 *Criteria.* The Planning Board shall grant a Special Permit for development in the Flood Plain Overlay District if the Board finds that such development has met all of the following criteria in addition to other criteria specified in Section 10.43:

1. No filling or other encroachment shall be allowed in Zone A areas or in the floodway which would impair the ability of these Special Flood Hazard Areas to carry and discharge flood waters, except where such activity is fully offset by stream improvements such as, but not limited to, flood water retention systems as allowed by applicable law.
2. Displacement of water retention capacity at one location shall be replaced in equal volume at another location on the same lot, on an abutting lot in the same ownership, on a noncontiguous lot in the same ownership, or in accordance with the following requirements.
3. All flood water retention systems shall be suitably designed and located so as not to cause any nuisance, hazard, or detriment to the occupants of the site or abutters. The Planning Board may require screening, or landscaping of flood water retention systems to create a safe, healthful, and pleasing environment.

4. The proposed use shall comply in all respects with the provision of the underlying zoning district, provisions of the State Building Code, Wetlands Protection Act, and any other applicable laws.
5. Applicants for development in the Alewife area shall be familiar with area-specific and general city-wide land use plans and policy objectives (e.g. *Concord-Alewife Plan, A Report of the Concord Alewife Planning Study*, November 2005; *Toward a Sustainable Future, Cambridge Growth Policy*, 1993, *Update*, 2007; Section 19.30 - Urban Design Objectives of this Zoning Ordinance) and shall demonstrate how their plan meets the spirit and intent of such documents in conjunction with the requirements of this Section 20.70 - Flood Plain Overlay District and Section 20.90 – Alewife Overlay Districts 1-6.
6. The requirement of Section 20.74(3) has been met.

Special Permit for Common Driveway

6.43.6 The Board of Zoning Appeal may grant a special permit authorizing owners of adjacent properties to establish common driveways under mutual easements but such special permit shall not become effective until an appropriate easement has been duly recorded at the Middlesex County Registry of Deeds.

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) (100-75) 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 to Exceed Allowed Curb Cut Width

6.43 *Access for Off Street Parking Facilities.* Off street parking facilities shall have maneuvering areas and appropriate means of vehicle access to a street and shall be so designed as not to constitute a nuisance, hazard, or unreasonable impediment to traffic.

6.43.3 Curb cuts for off street parking facilities shall comply with the following standards:

- (a) In Residential districts, the maximum width of a curb cut shall be twenty (20) feet at the street line.
- (b) In Open Space, Business, Office and Industrial districts, the maximum width of a curb cut shall be thirty (30) feet.
- (c) No more than one curb cut per lot for lots with less than one hundred (100) feet of frontage shall be allowed. A maximum of one curb cut for every one hundred (100) feet of street frontage or portion thereof shall be allowed for lots having frontage in excess of one hundred feet.

6.43.5 The Board of Zoning Appeal may grant a special permit modifying the provisions of this subsections 6.43 in accordance with the following conditions:

- (a) The provisions for layout of parking spaces in paragraph 6.43.2 may be modified where there is a valet parking arrangement for an off street parking facility.
- (b) The maximum curb cut width specified in paragraphs 6.43.3 (a) and 6.43.3 (b) may be modified if the Board determines that an increased curb cut width would facilitate traffic and safety.
- (c) The maximum of one curb cut for every one hundred (100) feet of street frontage as required in paragraph 6.43.3 (c) may be modified if the Board determines that traffic and safety would be facilitated by exceeding this maximum.
- (d) The distance of driveways from street corners or crosswalks as required in paragraphs 6.43.4 (b) may be modified if the Board determines that an alternate arrangement would better facilitate traffic and safety.

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.