

Requested Special Permits	Summarized Findings <i>(detailed zoning text on following pages)</i>
Project Review Special Permit (Section 19.20)	<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 (see following page).
Special Permit to reduce required parking (Section 6.35.1)	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.
Special Permit to exceed allowed curb cut width (Section 6.43.5)	Increased curb cut width will facilitate traffic and safety.
Building and Site Plan Requirements Special Permit for additional building height (Section 19.50)	The project is consistent with the urban design objectives of the City as set forth in Section 19.30.
Special Permit for exemption of basement area in the calculation of Gross Floor Area (GFA)	The uses occupying such exempted GFA support the character of the neighborhood or district in which the applicable lot is located.
General Special Permit Criteria (Section 10.43)	<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> <ul style="list-style-type: none"> (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.

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

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*.

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.

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.

Building and Site Plan Requirements Special Permit for Additional Building Height

19.51.2 *Applicable Construction.* The building design and site development requirements set forth in this Section 19.50 shall be required for the following construction projects:

- (1) Any new building or structure of twenty-five thousand (25,000) gross square feet or more.
- (2) Any addition of twenty-five thousand (25,000) gross square feet or more to an existing building or structure.
- (3) Any alteration to the elements of a building of twenty-five thousand (25,000) gross square feet or more, or any alteration of its site, that is regulated by this Section 19.50, where the change is undertaken to accommodate a new use or uses or where the change is to a building constructed pursuant to a building permit certified to be in compliance with this Section 19.50 and where (a) the alterations to accommodate the new use are proposed to the exterior of the building, or on the lot outside the building and (b) those alterations would increase the extent to which the building or lot's physical configuration would violate the requirements set forth in Section 19.50 to a greater extent than the existing configuration.

Where applicable zoning district regulations differ from the requirements of this Section 19.50, the stricter provisions shall apply.

A project that does not comply with the requirements of this Section 19.50 shall not receive a building permit until a Special Permit is granted by the Planning Board. The Planning Board shall grant such special permit only upon finding that the project is consistent with the Urban Design Objectives set forth in Section 19.30. Nothing in this Section 19.50 shall prevent an applicant, not wishing to conform to the requirements of this Section 19.50, from directly seeking a special permit from the Planning Board subject to consistency with Section 19.30.

19.52 *Heights and Setbacks.* The provisions of this Section 19.52 shall not apply to Special District 8.

- (1) For development on a lot abutting a lot in a residential zoning district having a more restrictive height limit, the cornice line of the principal wall plane facing the residential zoning district line shall not exceed by more than twenty (20) feet at any point the maximum height permitted in the residential zoning district. Any portion of the building rising above the cornice line shall be located below a forty-five (45) degree bulk control plane starting at ground level at the zoning district line, subject to the following provisions.
 - (a) Where the zoning district line lies within a lot, the bulk control plane shall begin at the lot line in the residential zoning district that divides the subject lot (including any intervening lots held in identical ownership but not part of the development lot and such lots located across the street) from another lot in different ownership.
 - (b) Where the zoning district line occurs within a public street, the provisions of this Section 19.52 shall apply but the bulk control plane shall be measured from the centerline of the street regardless of the location of the zoning district line.

- (2) For development on a lot abutting a residential zoning district having more restrictive yard requirements, the yard requirements of the residential district shall apply to any portion of the development rising above the bulk control plane set forth in Paragraph (1) above. As in (1) above, where the zoning district line lies within a lot, the bulk control plane shall begin at the lot line in the residential zoning district that divides the subject lot (including any intervening lots held in identical ownership but not part of the development lot) from another lot in different ownership. This Paragraph (2) shall not apply where the zoning district line lies within or across a street.

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.

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
 - (g) 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
 - (h) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.
- 10.45** Any development application requiring a special permit from the Planning Board that contains elements requiring a special permit from the Board of Zoning Appeal may be allowed by the Planning Board within the scope of the Planning Board special permit and shall not require a separate application to the Board of Zoning Appeal.