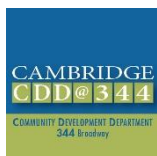


City of Cambridge
Community Development Department

Retail Land Use Zoning Updates

Fall 2021

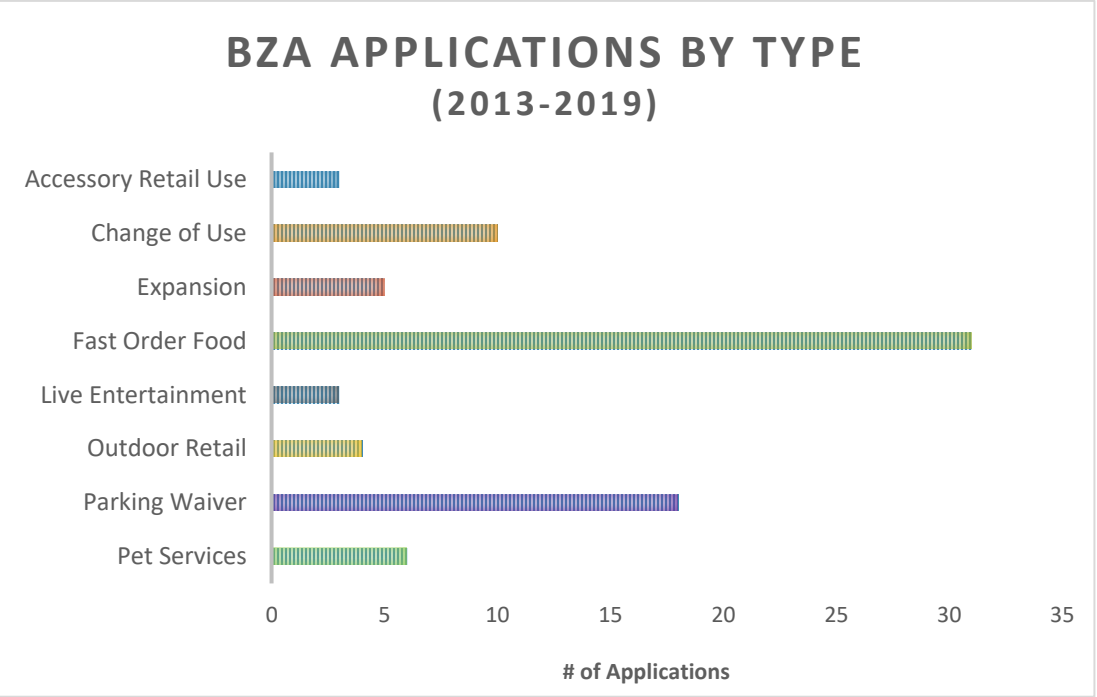




Overview

- CDD worked over several years to recommend zoning changes for **retail uses** and **home occupations**
- City Council **adopted** new zoning on **June 7, 2021**
- Changes effective **immediately**, amendments are online:
https://library.municode.com/ma/cambridge/ordinances/zoning_ordinance?nodeId=1089078
https://library.municode.com/ma/cambridge/ordinances/zoning_ordinance?nodeId=1089076
- Updates to be incorporated into next Zoning Ordinance revision:
https://library.municode.com/ma/cambridge/codes/zoning_ordinance

Removing Barriers for Small Business



Map by Community Opportunities Group, Inc. Data Source: City of Cambridge, CDD. Basemap & Encoding: Google Maps. Last Updated: 6/28/2019.



Objectives of Retail Zoning Initiative

1. Consistently define all retail use types
2. Add use types that are not listed
3. Regulate “hybrid” activities
4. Plan for unforeseen use types
5. Relax some requirements that are often barriers for businesses (parking, change of use, etc.)



Key Zoning Changes

Retail is defined! (Article 2.000)

Retail or Consumer Service Establishment. An establishment whose principal purpose is the commercial provision of goods, personal services, prepared food and beverage, entertainment, recreational activities, and similar services (but excluding professional or financial services) directly to consumers. Such provision of goods and consumer services shall be conducted on-site, but may be supplemented by telephone and online transactions and delivery services.

Must have a physical presence where customers can get direct service, but can have supplemental delivery or wholesale distribution (in some cases)

“Consumer services” distinct from “professional services,” which might include a medical office or bank

New uses added!

	Use	Key Characteristics
4.35 a-3	Grocery Store	Larger than Convenience Store (5,000 SF)
4.35 f-3	Craft Beverage Establishment	e.g., brewery/taproom
4.35 f-4	Food Stand or Kiosk	Can be indoor or outdoor
4.35 f-5	Food Hall	Multiple Food Stands, common seating
4.35 i-2	Fitness Center	e.g., gym, yoga studio
4.35 q-2	Performing Arts Studio	e.g., dance, music
4.36 j	Temporary Outdoor Retail or Consumer Service Use	e.g., farmers' market, flea market, festival

Some uses changed!

	Use	Key Changes
4.35 a-1	Convenience Store	Max. size 2,500 SF → 5,000 SF
4.35 b	Craft Retail and Production	Removed min. 50% sales on premises
4.35 c	Personal Services	Consolidated different service uses (beauty salons, laundry, repair, &c.)
4.35 g	Dance Hall or Nightclub	No longer any establishment with “alcohol” and “entertainment”
4.35 o	Quick-Service Food Establishment	Was “Fast Order Food” – prepared food w/out table service, but no strict standards re: tables, takeout sales

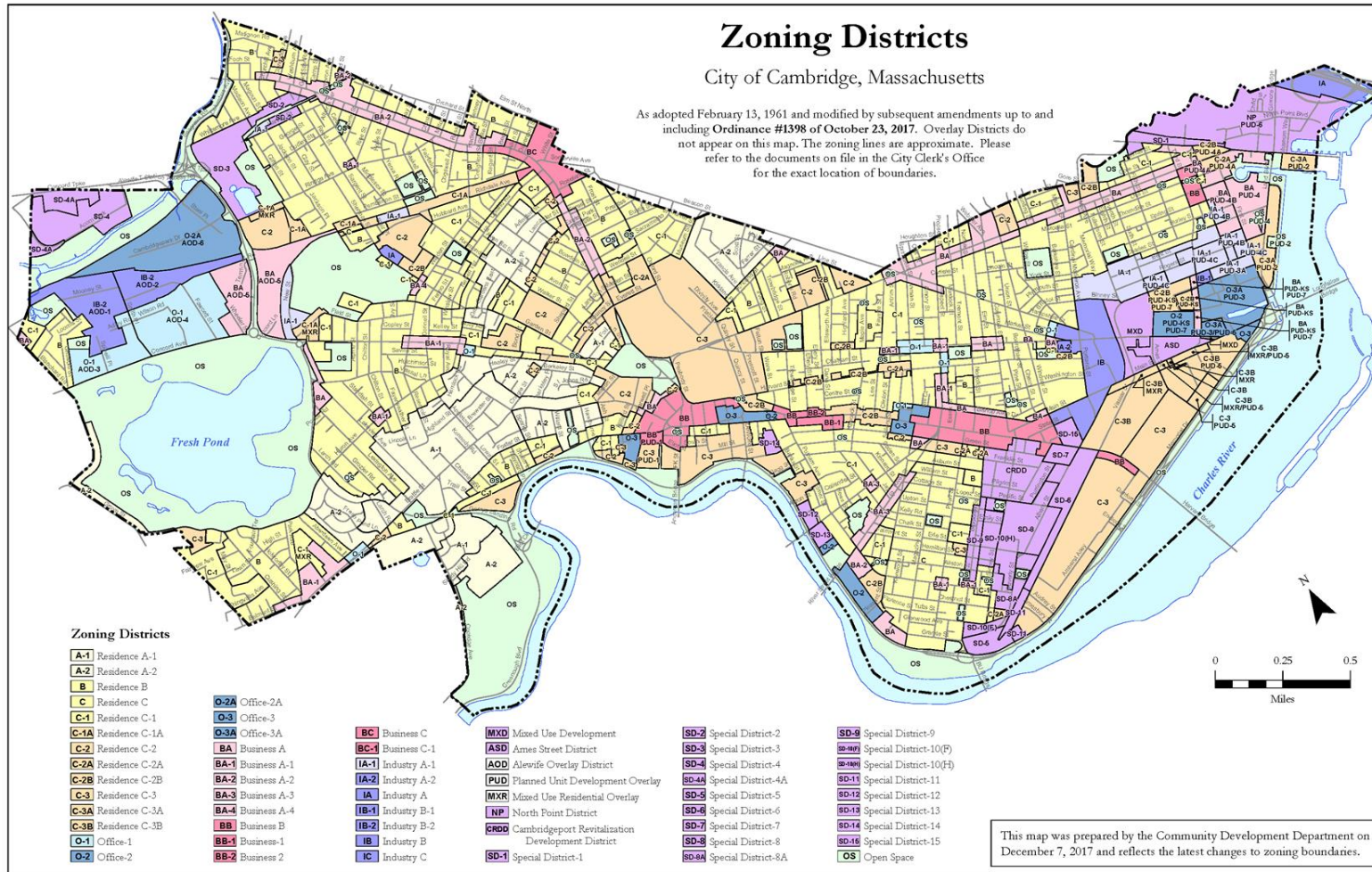
Distinct “Outdoor” and “Drive-In”!

Outdoor (pedestrian-oriented)	Drive-In (auto-oriented)
4.36 a Open-Lot Retail Sales Establishment	
	4.36 b Drive-In Food Service Establishment
	4.36 c Drive-in Consumer Service Establishment
4.36 d Outdoor Entertainment and Recreation Facility	
	4.35 e Drive-In Theater
	4.35 f Outdoor Auto Sales Facility
	4.35 g Auto Service Station
	4.36 h Auto Wash
4.36 j Temporary Outdoor Retail or Consumer Service Use	

Each retail use is defined! (Article 2.000/4.30)

4.35	Retail or Consumer Service	4.35	Retail or Consumer Service (cont'd)	4.36	Outdoor Retail or Consumer Service
4.35 a-1	Convenience Store	4.35 i-1	Commercial Recreation Establishment	4.36 a	Open-Lot Retail Sales Establishment
4.35 a-2	Merchandise Store	4.35 i-2	Fitness Center	4.36 b	Drive-In Food Service Establishment
4.35 a-3	Grocery Store	4.35 j	Funeral Home	4.36 c	Drive-in Consumer Service Establishment
4.35 b	Craft Retail and Production Shop	4.35 l	Animal Services Facility	4.36 d	Outdoor Entertainment and Recreation Facility
4.35 c	Personal Services Establishment	4.35 m	Indoor Auto Sales Facility	4.35 e	Drive-In Theater
4.35 f-1	Restaurant	4.35 o	Quick-Service Food Establishment	4.35 f	Outdoor Auto Sales Facility
4.35 f-2	Bar	4.35 q-1	Art/Craft Studio	4.35 g	Auto Service Station
4.35 f-3	Craft Beverage Establishment	4.35 q-2	Performing Arts Studio	4.36 h	Auto Wash
4.35 f-4	Food Stand or Kiosk	4.35 r	Bakery, Retail	4.36 j	Temporary Outdoor Retail or Consumer Service Use
4.35 f-5	Food Hall	4.35 s	Cannabis Retail Store		
4.35 g	Dance Hall or Nightclub	other	"Retail or Consumer Service Establishment, not otherwise defined"	other	"Outdoor Retail or Consumer Service Establishment, not otherwise defined"
4.35 h	Theater				

More retail uses allowed in more districts!



Overall logic to zoning:

- **Business, Industry:** Most retail allowed (sometimes SP)
- **High-Intensity Office:** Most retail allowed in ground story, basement (SP in Office-1)
- **Residence Districts:** Limited retail by SP in existing non-residential buildings

More retail uses allowed in more districts!

Uses	Old Zoning	New Zoning
Quick-Service Food	SP: Core Business No: Local Business	Yes: Core Business SP: Local Business
Theaters	Yes: Core Business SP: Local Business	Yes: Core Business SP: Local Business
Dance Halls / Nightclubs	Yes: Core Business No: Local Business	Yes: Core Business SP: Local Business
Commercial Recreation	SP: Core and Local Business	Yes: Core Business SP: Local Business

Core Business: Central Square, Harvard Square, Porter Square, &c.

Local Business: Mass Ave, Cambridge Street, other mixed-use corridors

Retail in office and residential districts!

District Types	Old Zoning	New Zoning
Office	Most retail not allowed	<p>Yes for most retail types, if</p> <ul style="list-style-type: none"> • Building/lot has office or residential use • Up to 25% of permitted FAR/GFA • Ground story or basement <p>SP required for</p> <ul style="list-style-type: none"> • Variation from standards above • Office-1 (O-1) base district <p><i>[Section 4.40, footnote 12]</i></p>
Residential	Most retail not allowed	<p>SP for convenience-oriented retail if</p> <ul style="list-style-type: none"> • Ground story • Existing non-residential space • Time-limited (10 years, or determined by BZA) <p><i>[Section 4.40, footnote 59]</i></p>

Retail can be combined! (Section 4.210)

- An establishment can combine multiple permitted uses
- If not permitted in the district, some retail is allowed if combined with a permitted principal non-residential use:

Additional Allowed Uses	Examples	Limitations
Sales	Supplies, promotional materials	<ul style="list-style-type: none"> • No more than 25% of the size or duration of the permitted use • No additional parking • No additional signage • Meets licensing requirements, other codes
Programming	Classes, workshops	
Food and Beverage	Bar, café, concession	
Entertainment and Recreation	Limited live performances, games	

Parking requirements waived (usually)!

Requirement	Old Zoning	New Zoning
Calculation of Required Parking <i>[Section 6.36]</i>	Sometimes based on # of seats or maximum occupancy	Based on floor area (SF) for all retail uses
Waiver of Required Parking <i>[Section 6.32.1]</i>	Waived for non-residential use if 4 or fewer parking spaces required	Waived for any non-residential use in building existing as of 10/19/2020

Additional guidance for BZA special permits!

General criteria unchanged: *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:*

General SP Criteria Topics [Section 10.43]	New Retail Considerations [Section 10.43.1]
Zoning requirements	Delivery and loading operations
Congestion, hazard, or change in neighborhood character due to traffic	Environmental nuisance to neighbors – dust, odors, smoke, noise, light
Adverse effect on adjacent uses	Compatibility of façade with visual character of the area and urban design objectives
Nuisance or hazard to occupants or citizens	Objectives in citywide or area plans
Integrity of district, intent of zoning	
Urban Design Objectives	



How to Know What's Allowed



Understanding Zoning for Retail Uses

1. Where do I find information about zoning?
2. What is the use proposed?
3. What zoning district is it in?
4. Is the use allowed in the district?
5. Is parking or bicycle parking required?
6. What signage is allowed?
7. Non-zoning considerations [licensing, building code, accessibility]

Where do I find information about zoning?

www.cambridgema.gov/cdd/zoninganddevelopment/zoning

Sign Certification
Inclusionary Housing Program for Developers
Incentive Zoning Ordinance

The Zoning Ordinance has two major parts: A set of zoning maps that illustrate how the city is divided into different districts, and a set of text articles describing the regulations that apply in each district. Municipal zoning ordinances are governed by Chapter 40A of the Massachusetts General Laws.

For More Information
For more information about Cambridge zoning contact Jeff Roberts at 617/349-4639 or jroberts@cambridgema.gov.


INSPECTIONAL SERVICES DEPARTMENT
Contact for information about building permits or Board of Zoning Appeal (BZA) cases.

CONSERVATION COMMISSION
Contact for information about wetlands or other environmental permitting.

HISTORICAL COMMISSION
Contact for information about historic preservation policies and programs.

Click the Map to Explore Cambridge

A 5-STAR Community and National Leader in Sustainability



Community Development

Iram Farooq
Assistant City Manager for Community Development
ifarooq@cambridgema.gov




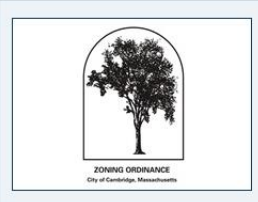
344 Broadway
Cambridge, MA 02139
Directions & Map
Phone : 617/349-4600

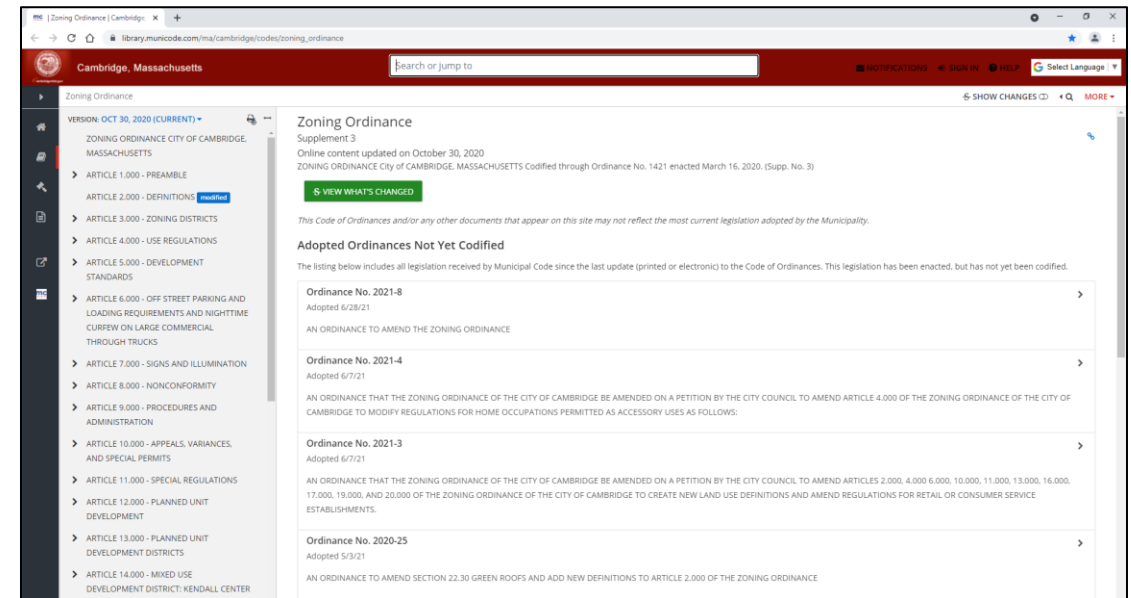
Zoning Ordinance Text
View or download the text of the Cambridge Zoning Ordinance.

Zoning Maps
View maps of base zoning districts and overlay zoning districts for the entire city as well as some selected areas.

Referenced Plans & Design Guidelines
The Zoning Ordinance contains references to various Planning Studies and Design Guidelines.

Proposed Zoning Amendments
View information about proposed zoning amendments that are currently under discussion or were recently considered by the City Council.





The screenshot shows the Cambridge, Massachusetts Zoning Ordinance page on the Municode website. The page title is "Zoning Ordinance" and the version is "OCT 30, 2020 (CURRENT)". The main content area lists various articles of the ordinance, including "ARTICLE 1.000 - PREAMBLE", "ARTICLE 2.000 - DEFINITIONS", "ARTICLE 3.000 - ZONING DISTRICTS", "ARTICLE 4.000 - USE REGULATIONS", "ARTICLE 5.000 - DEVELOPMENT STANDARDS", "ARTICLE 6.000 - OFF STREET PARKING AND LOADING REQUIREMENTS AND NIGHTTIME CURFEW ON LARGE COMMERCIAL THROUGH TRUCKS", "ARTICLE 7.000 - SIGNS AND ILLUMINATION", "ARTICLE 8.000 - NONCONFORMITY", "ARTICLE 9.000 - PROCEDURES AND ADMINISTRATION", "ARTICLE 10.000 - APPEALS, VARIANCES, AND SPECIAL PERMITS", "ARTICLE 11.000 - SPECIAL REGULATIONS", "ARTICLE 12.000 - PLANNED UNIT DEVELOPMENT", "ARTICLE 13.000 - PLANNED UNIT DEVELOPMENT DISTRICTS", and "ARTICLE 14.000 - MIXED USE DEVELOPMENT DISTRICT: KENDALL CENTER". There is also a section for "Adopted Ordinances Not Yet Codified" listing several ordinances with their adoption dates and brief descriptions.

Zoning Ordinance Text (Municode)



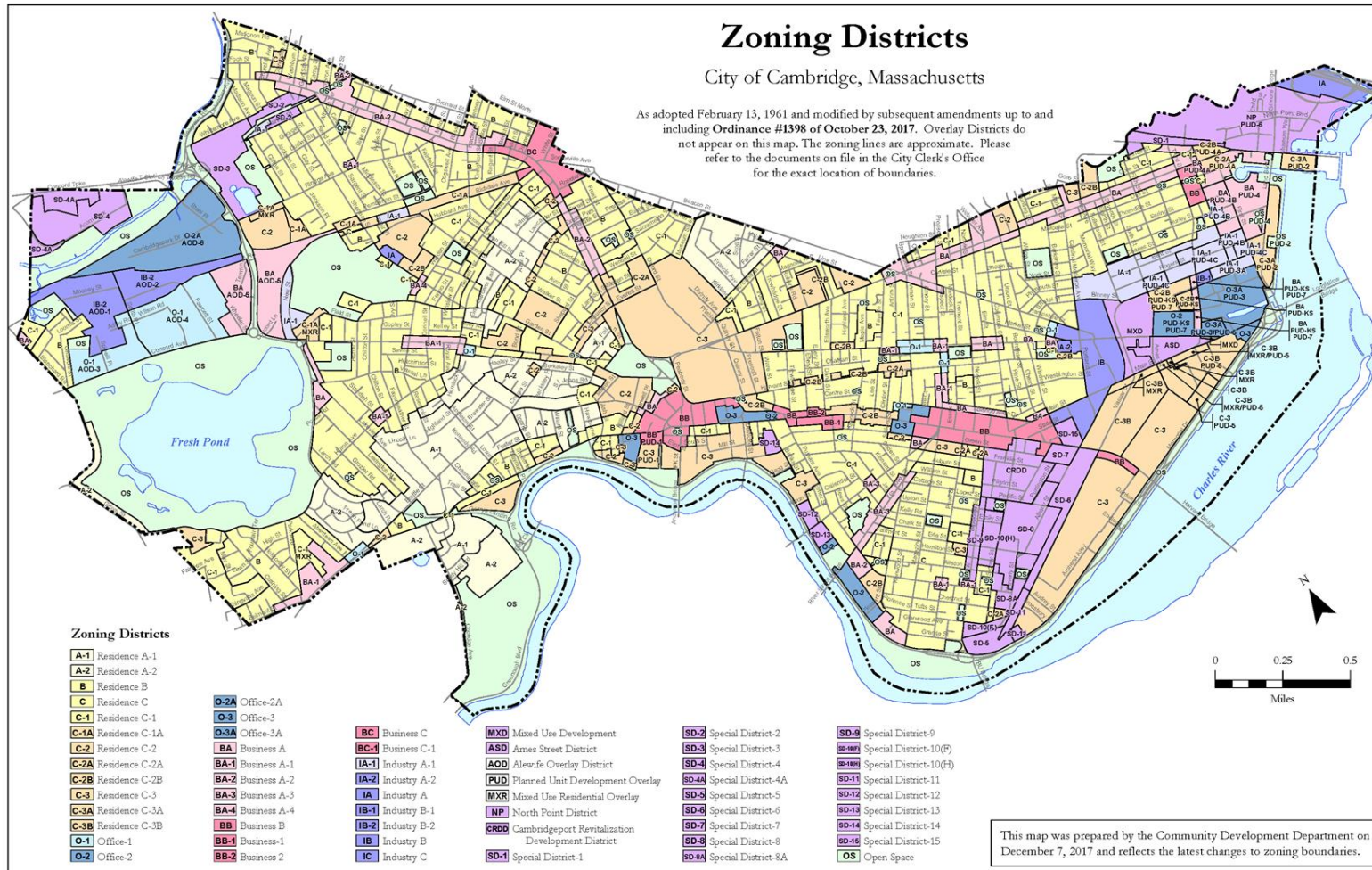
What is the use proposed?

- Go to **Section 4.30 – Table of Use Regulations**
- Retail or Consumer Service Establishments are in **Sections 4.35 and 4.36**
- Refer to **Article 2.000 – Definitions** to see how each use is defined

Overview – Retail or Consumer Service

4.35	Retail or Consumer Service	4.35	Retail or Consumer Service (cont'd)	4.36	Outdoor Retail or Consumer Service
4.35 a-1	Convenience Store	4.35 i-1	Commercial Recreation Establishment	4.36 a	Open-Lot Retail Sales Establishment
4.35 a-2	Merchandise Store	4.35 i-2	Fitness Center	4.36 b	Drive-In Food Service Establishment
4.35 a-3	Grocery Store	4.35 j	Funeral Home	4.36 c	Drive-in Consumer Service Establishment
4.35 b	Craft Retail and Production Shop	4.35 l	Animal Services Facility	4.36 d	Outdoor Entertainment and Recreation Facility
4.35 c	Personal Services Establishment	4.35 m	Indoor Auto Sales Facility	4.35 e	Drive-In Theater
4.35 f-1	Restaurant	4.35 o	Quick-Service Food Establishment	4.35 f	Outdoor Auto Sales Facility
4.35 f-2	Bar	4.35 q-1	Art/Craft Studio	4.35 g	Auto Service Station
4.35 f-3	Craft Beverage Establishment	4.35 q-2	Performing Arts Studio	4.36 h	Auto Wash
4.35 f-4	Food Stand or Kiosk	4.35 r	Bakery, Retail	4.36 j	Temporary Outdoor Retail or Consumer Service Use
4.35 f-5	Food Hall	4.35 s	Cannabis Retail Store		
4.35 g	Dance Hall or Nightclub	other	"Retail or Consumer Service Establishment, not otherwise defined"	other	"Outdoor Retail or Consumer Service Establishment, not otherwise defined"
4.35 h	Theater				

What zoning district is it in?



- Go to **Zoning Maps**
- There are large-format (more detail) and small-format (less detail) maps
- Find the **Base Zoning District** (Residence, Office, Business, Industry, or Special)
- Check **Overlay Zoning Map** to see if it is in an overlay district

This map was prepared by the Community Development Department on December 7, 2017 and reflects the latest changes to zoning boundaries.

Map prepared by Brendan Morrice on December 7, 2017. CDD GIS C:\Projects\Zoning\zoning1\k17.mxd

Is the use allowed in the district?

Section 4.30, Table of Use Regulations:

	Open Space	Res A 1&2	Res B	Res C, C-1, C-1A, 2, 2A, 2B, 3, 3A, 3B	Off 1, 2A, 2, 3, 3A	Bus A-1, A-2, A-3 ¹	Bus A, A-4	Bus B, B-1, B-2	Bus C	Ind A-1, A-2	Ind A	Ind B-1, B-2	Ind B
4.35 Retail or Consumer Service Establishments													
Retail or Consumer Service Establishment, not otherwise defined	No	No	No	No	No	SP	SP	SP	SP	SP	SP	SP	SP
a-1. Convenience Store	No	No	SP ⁵⁹	SP ⁵⁹	Yes ¹²	Yes	Yes	Yes ¹⁰	Yes	Yes	Yes	Yes ⁵¹	Yes
a-2. Merchandise Store	No	No	No	No	Yes ¹²	Yes	Yes	Yes ¹⁰	Yes	Yes	Yes	Yes ⁵¹	Yes
a-3. Grocery Store	No	No	SP ⁵⁹	SP ⁵⁹	Yes ¹²	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
b. Craft Retail and Production Shop	No	No	No	No	Yes ¹²	SP ⁶⁰	SP ⁶⁰	Yes ¹⁰	Yes	Yes	Yes	Yes ⁵¹	Yes
c. Personal Services Establishment	No	No	SP ⁵⁹	SP ⁵⁹	Yes ¹²	Yes	Yes	Yes ¹⁰	Yes	Yes	Yes	Yes ⁵¹	Yes

“Yes” = allowed as-of-right

“SP” = special permit (BZA)

“No” = prohibited use

“PB” = Planning Board special permit

Be sure to check any footnotes (Section 4.40) for details!

Is the use allowed in the district?

Use Table Code	Permitting Process
<p>“Yes” (allowed as-of-right)</p>	<ul style="list-style-type: none"> • Apply for Building Permit and/or Certificate of Occupancy from Inspectional Services Department (ISD) • <i>Details in Article 9.000</i>
<p>“SP” = special permit (BZA)</p>	<ul style="list-style-type: none"> • Apply for Special Permit from Board of Zoning Appeal (BZA) – apply through ISD • <i>Details in Section 10.40</i> • <i>Also review Sections particular to that use</i>
<p>“No” = prohibited use</p>	<ul style="list-style-type: none"> • Generally not allowed, but can apply for a Variance from Board of Zoning Appeal (BZA) – apply through ISD • <i>Details in Section 10.30</i>
<p>“PB” = Planning Board special permit</p>	<ul style="list-style-type: none"> • Apply for Special Permit from Planning Board – apply through Community Development Department (CDD) • <i>Details in Section 10.40</i> • <i>Also review Sections particular to that use</i>

Is parking or bicycle parking required?

Section 6.36 has minimum and/or maximum requirements for:

- Parking spaces (for autos)
- Bicycle parking spaces – details in Section 6.100
- Loading bays – details in Sections 6.70-6.90

The following considerations could be important for a retail use:

What is proposed	What could be required?
If the proposed use is moving into an existing building ...	<ul style="list-style-type: none">• Auto parking requirements may be waived (see Section 6.32.1)• Bicycle parking may be required if the new use would require more bicycle parking than the previous use (see Section 6.103), but there is flexibility (see below)
If it is difficult to meet bicycle parking requirements on an existing site ...	<ul style="list-style-type: none">• Some long-term spaces can be converted to short-term spaces (see Section 6.107.5)• Short-term spaces can be provided by contributing to the City’s Bicycle Parking Fund in some cases (see Section 6.104.2)

What signage is allowed?

If you are proposing a new sign, review Article 7.000 of the Zoning Ordinance

These are some things regulated by zoning:

- Total amount of signage on a building or lot
- Locations of signs on a building or lot
- Size of individual signs
- Type of illumination (lighting)

Note: Harvard Square Overlay District has more flexible rules

Information at

www.cambridgema.gov/CDD/zoninganddevelopment/Signs





Non-zoning considerations

- Licensing (License Commission):
<https://www.cambridgema.gov/Departments/licensecommission>
- Building/Electrical/Plumbing (ISD):
<https://www.cambridgema.gov/inspection/buildingelectricplumbingpermits>
- Food and Sanitary Permits (ISD):
<https://www.cambridgema.gov/Services/foodandsanitarypermits>
- Accessibility
<https://www.ada.gov/regs2010/smallbusiness/smallbusprimer2010.htm>

City of Cambridge
Community Development Department

Home Occupations Zoning Changes

CAMBRIDGE
CDD@344
COMMUNITY DEVELOPMENT DEPARTMENT
344 Broadway





Home Occupations

Definition (unchanged):

Home Occupation. For an occupation customarily carried on at home, the use of a room in a dwelling as an office, studio, or work room by a person residing on the premises and in connection with which there is kept no stock in trade nor commodity sold on the premises.



Home Occupations

Amended Zoning Allows:

- Professional office (up to three workers on premises)
- Licensed massage therapist
- Artist home studio
- **Retail Residential Kitchen**

Requirements:

- Primary practitioner is a residential occupant of the dwelling unit
- No more than one person is practicing or employed on the premises at any one time unless otherwise specified
- All activities take place entirely within a building
- No offensive noise, vibration, smoke, dust or other particulate matter, heat, humidity, glare, or other objectionable effects are produced
- Accessory and incidental to the primary residential use

See Section 4.21 of the Zoning Ordinance, Paragraph “d.”

Retail Residential Kitchens

- Residents will be allowed to use their primary residence for a Cottage Food Operation [See Massachusetts State Sanitary Code Chapter X \(105 CMR 590.10\)](#)
- Cottage Food Operation: A person who produces Cottage Food Products (e.g., jams, baked goods) only in the residential kitchen of that person's primary residence and only for sale directly to the consumer (which includes events like farmers markets, craft fairs, sales by mail). Products must be prepackaged prior to sale with an ingredient label.
- New Cottage Food Permit is now available





Small Business Resources

Cambridge Small Business Programs

The City has a goal to cultivate a supportive environment for small, women, and historically disadvantaged businesses. The Economic Development Division does this through the following programs:

- Grant Programs for storefront improvement, equipment, marketing, and accessibility improvements
- Business Development Workshops – free to all Cambridge residents and business owners
- Counseling and Technical Assistance
- Support for Commercial Districts
- Business Recruitment & Retention
- Market Information

