



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

Date: May 14, 2024

Subject: Family Definition Zoning Petition

Recommendation: The Planning Board recommends ADOPTION, with minor corrections.

To the Honorable, the City Council,

On May 7, 2024, the Planning Board (the "Board") held a public hearing to discuss a Zoning Petition by the City Council to amend Articles 2.000, 4.000, 5.000, 6.000, 11.000, 13.000, 14.000, 17.000, 20.000, and 22.000 of the Cambridge Zoning Ordinance to remove references to "degree of kinship" from the definitions of "Family" and "Lodging House" and make related changes to residential use definitions.

The Board received written materials before the hearing from Community Development Department (CDD) staff, heard a presentation from CDD staff, heard public comment, and asked clarifying questions of CDD staff and the Acting City Solicitor. After discussion among Board members, the Board voted unanimously to send a positive recommendation to the City Council.

Board members agreed that this Petition is a positive step to bring the code up to current standards and address an issue of concern to the LGBTQ+ community. Board members also appreciated the thoroughness of the petition and the effort to provide clearer definitions, which will help the ordinance work better but is difficult to do without having unintended consequences.

Board members noted some minor inconsistencies to be fixed and recommended that staff review those inconsistencies and provide a revised text to the Council with corrections.

The Planning Board voted 6-0 in favor of transmitting the above report.

Respectfully submitted for the Planning Board,

Tom Sieniewicz, Vice Chair.

## **Zoning Petition Text – Planning Board Recommended Edits**

**Proposed: To amend Articles 2.000, 4.000, 5.000, 6.000, 11.000, 13.000, 14.000, 17.000, 20.000, and 22.000 of the Cambridge Zoning Ordinance as set forth below with the intent of:**

- (a) Removing references to “degree of kinship” from the definitions of “Family” and “Lodging House;”**
- (b) deleting the definition of “Group Quarters;”**
- (c) creating definitions for “Residence,” “Transient Accommodation,” “Rooming Unit,” “Guest Unit,” “Tourist House,” and “Hotel or Motel;”**
- (d) defining and categorizing “Lodging House” as a residence and “Tourist House” and “Hotel or Motel” as transient accommodations; and**
- (e) amending other Sections of the Zoning Ordinance for consistency with those amended definitions.**

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**In Article 2.000 Definitions, rename “Family” to “Residential Household or Family” and amend the definition to read as follows:**

*Residential Household or Family.* One person or a group of two or more persons occupying a single dwelling unit or rooming unit within a residence and living together as a single housekeeping unit, including but not limited to occupants who are handicapped persons as defined in Title VIII of the Civil Rights Act of 1968, as amended by the "Fair Housing Amendments Act of 1988," but not including persons who occupy separate rooming units within a lodging house.

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**In Article 2.000 Definitions, amend the definition of “Dwelling Unit” to read as follows:**

*Dwelling unit.* A room or group of rooms within a building that are used as a residence for a single residential household with self-contained facilities for living, sleeping, sanitation, cooking and eating, and other areas of which the residential household has exclusive use.

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**In Article 2.000 Definitions, amend the definition of “Lodging House” to read as follows:**

*Lodging House (also known as “Rooming House” or “Boarding House”).* A residence in which rooming units are separately rented to residential households and in which occupants of different rooming units may share bathroom, kitchen, eating, or living facilities but do not live together as a single housekeeping unit. The term Lodging House shall include fraternity housing but shall not include 1) dormitories of charitable, educational, or philanthropic institutions, 2) convalescent or nursing homes licensed under section seventy-one of chapter one hundred and eleven of the Massachusetts General Laws or rest homes so licensed, or 3) group residences licensed or regulated by agencies of the commonwealth.

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**In Article 2.000 Definitions, create definitions for “Guest Unit,” “Hotel or Motel,” “Residence,” “Rooming Unit,” “Tourist House,” and “Transient Accommodation” to read as follows:**

*Guest Unit.* A room or group of rooms made available as a transient accommodation to a group of one or more persons who reside elsewhere.

*Hotel or Motel.* A transient accommodation containing guest ~~rooms~~ units that are not owned or operated by a residential household residing on the premises, and which may or may not include amenities such as dining, recreation, and entertainment.

*Residence.* A building, or portion thereof, used as a place of habitation and home address for one or more residential households who intend to remain there for some indefinite time period, generally more than 30 consecutive days.

*Rooming Unit.* A room or group of rooms used for sleeping and living in a lodging house that are rented to be used as a residence for a single residential household.

*Tourist House (including "Bed and Breakfast").* A transient accommodation containing guest ~~rooms~~ units that are owned or operated by a residential household residing on the premises, and which may or may not offer breakfast to guests.

*Transient Accommodation.* A building, or portion thereof, used as sleeping and/or living space for stays of a limited duration, generally not more than 30 consecutive days, by one or more persons who are not owners or tenants and whose home address is elsewhere.

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***In Article 2.000 Definitions, amend the definitions of "Accessory Apartment," "Dwelling," "Dwelling, multifamily," "Dwelling, semi-detached," "Dwelling, detached" (to be renamed "Dwelling, single-family"), "Dwelling, two-family," "Elderly Oriented Congregate Housing," "Elderly Oriented Housing," "Floor Area, Dwelling Unit Net," "Incentive Project," and "Inclusionary Housing Project" to read as follows:***

*Accessory Apartment.* An accessory use with one or more rooms with separate kitchen and bathroom facilities, constituting a dwelling unit, located within and under the same ownership as a single or two-family detached dwelling and used as the residence of one residential household.

*Dwelling.* A building or structure used in whole or in part as a residence, but not a trailer.

*Dwelling, multifamily.* A building used as a residence containing three or more dwelling units. However, any such building which consists of two or more semi-detached dwellings shall be considered a townhouse development and shall be subject to the requirements of Section 11.10, whether or not subdivided lots are to be created.

*Dwelling, semi-detached (or Townhouse or Row House).* One of a series of buildings with a party wall or walls, common to adjoining buildings, which is constructed so that two opposite building faces, or in the case of corner units two adjoining faces, (applicable to the building as a whole and for each unit contained therein) have full outside exposure and so that each has separate entrances from the outside, and each building of which is used as a residence containing one or two dwelling units.

*Dwelling, single-family.* A building with no party wall or walls used as the residence of one residential household and consisting of one dwelling unit.

*Dwelling, two-family.* A building used as a residence containing two dwelling units.

*Elderly Oriented Congregate Housing.* A form of elderly oriented housing in which each residential household is provided with separate quarters which contain living and sleeping space and which may contain kitchen and bath facilities. Each such living space shall be considered the equivalent

of one dwelling unit. Such housing shall also contain common dining, kitchen and social facilities. Limited supportive services may also be provided.

*Elderly Oriented Housing.* A residence where a minimum of eighty (80) percent of the dwelling units are restricted to residential households of not more than two persons with (i) at least one member sixty-two (62) years of age or older, or (ii) at least one member who has a chronic physical impairment which substantially reduces his or her ability to live independently and is of such a nature that the quality of his or her life would be improved by more suitable housing, and where the certificate of occupancy issued by the Superintendent of Buildings is so restricted. The certificate shall be renewed every two years and shall be issued initially and renewed only upon submission of evidence that priority in occupancy be given to residents of Cambridge.

*Floor Area, Dwelling Unit Net.* Floor area contained within dwelling units or rooming units in a lodging house excluding common areas, such as lobbies, hallways, elevator cores, amenity spaces, common storage areas or parking facilities, exterior walls, walls dividing dwelling units from each other, or walls dividing dwelling units from common areas, or unenclosed spaces such as open-air porches, balconies, or decks.

*Incentive Project.* Any new development that consists of at least thirty thousand (30,000) square feet of Gross Floor Area devoted to one or more of the following uses listed in Section 4.30 of the Zoning Ordinance: Sections 4.31.1 b (Hotel or motel), 4.32 f (Radio and television studio), 4.33 b-5 (College or University not exempt by statute, specifically including those uses and facilities listed in Subsection 4.56 c-4, c-5, and c-6), 4.33 c (Noncommercial Research Facility), 4.33 d (Health Care Facilities), 4.33 e (Social Service Facilities), 4.34 (Office and Laboratory Use), 4.35 (Retail or Consumer Service Establishments), 4.36 (Outdoor Retail or Consumer Service Establishments), 4.37 (Light Industry, Wholesale Business and Storage), and 4.38 (Heavy Industry). For the purpose of this definition, new development shall mean (1) construction of new buildings or additions to existing buildings to accommodate uses in the above list, (2) substantial rehabilitation of buildings to accommodate uses in the above list for which the buildings were not originally used, or (3) Gross Floor Area whose use is changed from a use not included in the above list to a use included in the above list. In no case shall Gross Floor Area devoted to a Municipal Service Facility or Other Government Facility be considered an Incentive Project. Notwithstanding the foregoing, this definition shall not apply to existing floor area that is demolished and has obtained a building permit for reconstruction within three years as part of a building project so long as there is no change of use.

*Inclusionary Housing Project.* Any development of detached single-family, two-family, multifamily, and townhouse housing, elderly oriented congregate housing, and lodging houses as set forth in Sections 4.31 a-i, or development which includes any such residential use and at least one non-residential use, that creates at least ten (10) dwelling units or at least ten thousand (10,000) square feet of residential Gross Floor Area on one (1) lot or Development Parcel or two (2) or more adjoining lots in common ownership or under common control at any time within five (5) years following the first date of application for any special or building permit for development on the lot or lots or at any time within the twelve (12) months immediately preceding the first date of application for any special or building permit. For the purpose of this definition, development shall include (1) construction of new buildings or additions; (2) increasing the number of dwelling units or amount of residential Gross Floor Area within an existing residential building; (3) occupancy of existing

buildings which have not been used for any residential use for a period of at least two (2) years; or (4) conversion of Gross Floor Area in existing buildings from non-residential to residential use. Development of fewer than ten (10) dwelling units and fewer than ten thousand (10,000) square feet of residential Gross Floor Area may be an Inclusionary Housing Project where the owner chooses voluntarily to comply with the provisions of Section 11.203.

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***In Article 2.000 Definitions, delete the definition of “Group Quarters.”***

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***In Section 4.21 Accessory Uses, amend Paragraph (b) to read as follows:***

- b. Providing nontransient lodging within a residential structure shall be considered an accessory use only if there is compliance with each of the following conditions:
  - (1) The residential structure is a single-family, semi-detached or two family dwelling;
  - (2) The owner of the building resides on the premises;
  - (3) Lodging is provided to not more than two roomers or boarders;
  - (4) Separate cooking facilities are not maintained for the roomers or boarders;
  - (5) No sign or nameplate for said roomers or boarders is displayed; and
  - (6) Signs advertising the availability of such lodging is not regularly displayed on the premises.

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***In Section 4.21 Accessory Uses, amend Paragraph (o) to read as follows:***

- o. Beekeeping, conducted in conformance with the Standards for Urban Agriculture set forth in Article 23.000 of this Zoning Ordinance and all other applicable laws, rules and regulations, shall be considered an allowed accessory use when conducted on the lot or and in conjunction with one of the following principal uses: residential (all uses listed in Section 4.31), transient accommodations (all uses listed in Section 4.31.1), institutional (all uses listed in Section 4.33), office and laboratory (all uses listed in Section 4.34), Convenience Store (Section 4.35.a-1), Merchandise Store (Section 4.35 a-2), Grocery Store (4.35 a-3), Craft Retail and Production Shop (Section 4.35 b), and light industry (all uses listed in Section 4.37).

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***In Section 4.30 Table of Use Regulations, amend Section 4.31 and create Section 4.31.1 to read as follows:***

		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 <sup>1</sup> , A-5	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
<b>4.31</b>	<b>Residences</b>													
	a. Dwelling, single-family	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	PB	PB	PB
	b. Dwelling, two-family	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	PB	PB	PB

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	c. Existing single-family detached dwelling converted to a two-family dwelling <sup>15,16</sup>	No	Yes <sup>2</sup>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	PB	PB	PB
	d. Townhouse development or semi-detached dwelling	No	No	Yes <sup>3</sup>	Yes <sup>3</sup>	Yes	Yes <sup>3</sup>	Yes	Yes	Yes	Yes	PB <sup>3</sup>	PB <sup>3</sup>	PB <sup>3</sup>
	e. Elderly oriented congregate housing	No	PB	PB	Yes <sup>5</sup>	Yes <sup>5</sup>	Yes <sup>5</sup>	Yes	Yes	Yes	Yes	PB <sup>5</sup>	PB <sup>5</sup>	PB <sup>5</sup>
	f. Existing dwelling converted for elderly oriented congregate housing <sup>17</sup>	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	PB	PB	PB
	g. Dwelling, multifamily	No	No	No	Yes <sup>5</sup>	Yes <sup>5</sup>	Yes <sup>5</sup>	Yes	Yes	Yes	Yes	PB <sup>5</sup>	PB <sup>5</sup>	PB <sup>5</sup>
	h. Existing dwelling converted to a multifamily dwelling or townhouse development <sup>16</sup>	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	PB	PB	PB
	i. Lodging House	No	No	No	Yes <sup>7</sup>	Yes <sup>6</sup>	Yes	Yes	Yes	Yes	SP	PB	No	SP
	j. Trailer Park or mobile home park	No	No	No	No	No	SP	SP	No	No	No	No	No	No
<b>4.31.1</b>	<b>Transient accommodations</b>													
	a. Tourist house	No	No	No	Yes	Yes	No	SP	Yes	Yes	SP	PB	PB	PB
	b. Hotel or motel	No	No	No	SP <sup>7</sup>	Yes <sup>6</sup>	No	SP	Yes	Yes <sup>53</sup>	No	SP	No	SP

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***In Section 4.40 Footnotes to the Table of Use Regulations, amend footnote 1 to read as follows:***

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

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***In Section 5.28.2 Conversion of Non Residential Structures to Residential Use, amend the first paragraph to read as follows:***

***5.28.2 Conversion of Non Residential Structures to Residential Use.***

Where it is proposed to convert an existing principal use structure, designed and built for non residential use, to residential use (excluding Transient Accommodations listed in Section 4.31.1 and Trailer Park or Mobile Home Park listed in Section 4.31 (j)), the dimensional standards generally applicable in the district as set forth in the Tables of Dimensional Requirements in Section 5.30 and other applicable regulations in this Ordinance, including permitted uses, Section 4.30 - Table of Use Regulations, shall apply. However, where some or all of those requirements cannot be met, including any use, dimensional or procedural requirement that may apply in the base district, the following provisions shall apply to such conversion after issuance of a special permit by the Planning Board. The provisions in this Section 5.28.2 shall apply in all zoning districts with the exception of districts with an Open Space designation.

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***In Section 5.28.20 Allowed Uses, amend paragraph (a) to read as follows:***

- (a) The permitted uses shall be limited to the following:
  - (1) All residential uses listed in Section 4.31 (a-h), but specifically excluding Transient Accommodations listed in Section 4.31.1 and Trailer Park or Mobile Home Park listed in Section 4.31 (j).
  - (2) The following institutional uses: Religious uses (4.33.a); Public or non-profit educational uses (4.33.b.1); Private preschool, day care, kindergarten (4.33.b2); Local government or other government facility (4.33.f, 4.33.g); Private museum, library, non-commercial gallery (4.33.h.2).
  - (3) The following office uses: Office of an accountant, attorney, or other non-medical professional (4.34.b); Real estate, insurance or other agency office (4.34.c); General office use (4.34.d).
  - (4) Any uses allowed as accessory uses to the permitted principal uses.

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***In Section 5.34 Industrial Districts, Subsection 2. Footnotes, amend paragraph (f) to read as follows:***

- (f) Notwithstanding Section 5.30.11, in the Industry B District, a hotel use (Section 4.31.1.b) shall be governed by the second number (4.0) for purposes of determining the Maximum Ratio of Floor Area to Lot Area.

**In Section 6.36 Schedule of Parking and Loading Requirements, amend Section 6.36.1 and create Section 6.36.1.1 to read as follows:**

Land Use Category		Maximum Off Street Parking Requirements in Open Space, Res A-1, A-2, Res B	Maximum Off Street Parking Requirements in Res C, C-1, C-1A, Off 1, Bus A (Comm), Bus A-1, A-2, Bus A-3 <sup>14</sup> , A-4, Bus A-5, Ind A-1, Ind B-2, Ind C	Maximum Off Street Parking Requirements in Bus. C, C-1, Ind A, Off 2, 2A, Res C-2, C-2A, Res C-2B, Bus A (res)	Maximum Off Street Parking Requirements in Ind B-1, Res C-3, C-3A, C-3B, Off 3-A, 3, Bus B, Ind A-2, Ind B, Bus B-1, B-2	Loading Facility Category	Long-Term Bicycle Parking (6.107.2)	Short-Term Bicycle Parking (6.107.3)
<b>6.36.1</b>	<b>Residential Uses</b>							
a.	Dwelling, single-family	No max	No max	No max	No max	n/a	R1	R1
b.	Dwelling, two family	No max	No max	No max	No max	n/a	R2	R2
c.	Existing single-family detached dwelling converted to a two-family dwelling	No max	No max	No max	No max	n/a	R1	R1
d.	Townhouse development or semi-detached dwelling <sup>2</sup>	No max	No max	No max	No max	n/a	R2	R2
e.	Elderly oriented housing, elderly oriented congregate housing	No max	No max	No max	No max	n/a	R3	R3
f.	Existing dwelling converted for elderly oriented congregate housing	No max	No max	No max	No max	n/a	R3	R3



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g.	Multifamily dwelling	n/a	No max	No max	No max	n/a	R2	R2
h.	Existing dwelling converted to a multifamily dwelling or townhouse development	n/a	No max	No max	No max	n/a	R2	R2
i.	Lodging House	n/a	No max	No max	No max	E	R4	R4
j.	Trailer park or mobile home park	n/a	No max	No max	n/a	n/a	R2	R2
6.361.1 .1	Transient accommodations							
	a. Tourist house	n/a	No max	No max	No max	n/a	R5	R5
	b. Hotel or Motel	n/a	No max	No max	No max	E	R5	R5

**In Section 6.107.2 Schedule of Long-Term Bicycle Parking Requirements and Section 6.107.3 Schedule of Short-Term Bicycle Parking Requirements, amend rows “R4” and “R5” to read as follows:**

**6.107.2 Schedule of Long-Term Bicycle Parking Requirements.** Minimum rates of Long-Term Bicycle Parking shall apply to specified categories of land use as set forth below. For specific land uses, the following categories are cross-referenced in the Schedule of Parking and Loading Requirements set forth in Section 6.36 of this Zoning Ordinance. In the case of any inconsistency between the list of included uses as set forth below and the categorization set forth in Section 6.36, the categorization in Section 6.36 shall control.

Category	Included Residential Uses	Min. Long-Term Bicycle Parking Rate
R1	Single-family dwellings, existing single-family dwellings converted for two families, two-family dwellings, rectory or parsonage	No minimum
R2	Townhouse dwellings, multifamily dwellings, trailer park or mobile home park	1.00 space per dwelling unit for the first twenty (20) units in a building; 1.05 spaces per dwelling unit for all units over twenty (20) in a building
R3	Elderly oriented housing, elderly oriented congregate housing	0.50 space per dwelling unit
R4	Group housing, including: lodging houses, convents or monasteries, dormitories, fraternities and sororities	0.50 space per bed or rooming unit
R5	Transient accommodations, including: tourist houses, hotels, motels	0.02 space per guest unit

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Category	Included Non-Residential Uses	Min. Long-Term Bicycle Parking Rate
N1	Offices, including: medical, professional, agencies, general, government; radio/television studios, arts/crafts studios	0.30 space per 1,000 square feet
N2	Technical offices, research facilities	0.22 space per 1,000 square feet
N3	Hospitals and clinics; veterinary clinics; public safety facilities; restaurants and eating establishments	0.20 space per 1,000 square feet
N4	Retail stores, consumer service uses, commercial recreation and entertainment	0.10 space per 1,000 square feet
N5	Transportation and utility uses; religious and civic uses; manufacturing, storage and other industrial uses, auto-related uses	0.08 space per 1,000 square feet
E1	Primary or secondary schools, vocational schools	0.30 space per classroom or 0.015 space per auditorium seat, whichever is greater
E2	College or university facilities (excluding residences)	0.20 space per 1,000 square feet
P	Automobile parking lots or parking garages for private passenger cars	1.00 space per 10 motor vehicle parking spaces

**6.107.3** *Schedule of Short-Term Bicycle Parking Requirements.* Minimum rates of Short-Term Bicycle Parking shall apply to specified categories of land use as set forth below. For specific land uses, the following categories are cross-referenced in the Schedule of Parking and Loading Requirements set forth in Section 6.36 of this Zoning Ordinance. In the case of any inconsistency between the list of included uses as set forth below and the categorization set forth in Section 6.36, the categorization in Section 6.36 shall control.

Category	Included Residential Uses	Min. Short-Term Bicycle Parking Rate
R1	Single-family dwellings, existing single-family dwellings converted for two families, two-family dwellings, rectory or parsonage	No minimum
R2	Townhouse dwellings, multifamily dwellings, trailer park or mobile home park	0.10 space per dwelling unit on a lot
R3	Elderly oriented housing, elderly oriented congregate housing	0.05 space per dwelling unit
R4	Group housing, including: lodging houses, convents or monasteries, dormitories, fraternities and sororities	0.05 space per bed or rooming unit
R5	Transient accommodations, including: tourist houses, hotels, motels	0.05 space per guest unit

Category	Included Non-Residential Uses	Min. Short-Term Bicycle Parking Rate
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N1	Convenience and food stores, restaurants and eating establishments, theaters and commercial recreation	1.00 space per 1,000 square feet
N2	Retail stores and consumer service establishments	0.60 space per 1,000 square feet
N3	Passenger transportation; religious and civic uses; government offices, medical offices and clinics, agency offices, banks (ground floor only); veterinary clinics	0.50 space per 1,000 square feet
N4	Hospitals and infirmaries	0.10 space per 1,000 square feet
N5	Non-passenger transportation and utility uses; laboratories and research facilities; general, professional and technical offices; radio/television and arts/crafts studios; manufacturing, storage and other industrial uses; auto-related uses	0.06 space per 1,000 square feet
E1	Primary or secondary schools	1.70 space per classroom or 0.085 space per auditorium seat, whichever is greater
E2	College or university academic or administrative facilities	0.40 space per 1,000 square feet
E3	College or university student activity facilities	1.00 space per 1,000 square feet
P	Automobile parking lot or parking garage for private passenger cars (6.36.2 b)	No additional requirement for Short-Term Bicycle Parking; however, if motor vehicle parking is provided on an open lot, then required Long-Term Bicycle Parking Spaces may be converted to Short-Term Bicycle Parking Spaces.

***In Section 11.80 Employment Compliance Procedure, amend Section 11.82.1 to read as follows:***

**11.82.1**Construction of any new building which will be a principal use under Subsections 4.31.1 b (hotel/motel), 4.34 (office and laboratory), 4.35 (retail business and consumer service), 4.36 (drive-in retail and service), 4.37 (light industry, wholesale business and storage) and 4.38 (heavy industry) of the table of use regulations.

***In Section 13.10 PUD at Kendall Square: Development Controls, amend Section 13.12.11 to read as follows:***

**13.12.11**Transient Accommodations.

For the purposes of this Section 13.10, the following Transient Accommodations shall be considered non-residential uses

- (1) Hotels or motels

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***In Section 13.20 PUD-1 District: Development Controls, amend Section 13.22.1 to read as follows:***

**13.22.1**The following uses alone or in combination with other uses shall be allowed upon permission of the Planning Board:

- (1) All Residence Uses specified in Section 4.31 and Transient Accommodations specified in Section 4.31.1
- (2) All Institutional, Transportation, Communication, and Utility Uses specified in Sections 4.32 and 4.33
- (3) All Office and Laboratory Uses specified in Section 4.34
- (4) All Retail Business and Consumer Service Establishment uses specified in Section 4.35

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***In Section 13.50 PUD-4, PUD-4A, PUD-4B and PUD-4C Districts: Development Controls, amend Section 13.52.1 to read as follows:***

**13.52.1***Residential Uses.* All uses listed in Section 4.31 a-h, and hotels or motels listed in Section 4.31.1 b.

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***In Section 13.80 Planned Unit Development 5 District, amend Section 13.82.1 to read as follows:***

**13.82.1**Residential Uses. All uses listed in Section 4.31(d-g) and hotels or motels listed in Section 4.31.1(b).

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***In Section 13.80 Planned Unit Development 5 District, amend Section 13.88.4 to read as follows:***

**13.88.4**Maximum Parking. Maximum allowed parking for a PUD shall be limited by applying the rates set forth below to each use within the PUD and taking the summation of the result for all uses. Exceeding the maximum allowed parking shall require a waiver of maximum parking required under the general provisions of Article 6.000.

- a. Maximum of 0.9 spaces per 1,000 square feet of Gross Floor Area for office uses, excluding technical office (Section 4.34(a-e)).
- b. Maximum of 0.8 spaces per 1,000 square feet of Gross Floor Area for laboratory use and technical office uses (Section 4.34(f)).
- c. Maximum of 0.75 spaces per residential dwelling unit (Section 4.31(d-g)).
- d. Maximum of 0.5 spaces per 1,000 square feet of retail (Sections 4.35 and 4.36).
- e. Maximum of 1 space per 4 guest units for hotel use (Section 4.31.1(b)).

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***In Section 13.90 Planned Unit Development 7 District, amend Section 13.92.1 to read as follows:***

**13.92.1**Residential Uses. All uses listed in Sections 4.31 d. (Townhouse Development); 4.31 g. (Multifamily Dwelling); and 4.31.1 b. (Hotels or Motels).

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***In Section 13.90 Planned Unit Development 7 District, amend Section 13.93.1, Paragraph (c), Subparagraph (2) to read as follows:***

- (2) For the purpose of this Section, residential uses shall mean the residential uses listed in Section 4.31 d. and g. of this Zoning Ordinance. In addition, hotel or motel uses (Section 4.31.1 b.), up to

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a maximum of one hundred thousand (100,000) square feet, may be used to partially satisfy the required residential development.

***In Section 13.90 Planned Unit Development 7 District, amend Section 13.93.4 to read as follows:***

**13.95.4**Maximum Parking. Maximum allowed parking for a PUD shall be limited by applying the rates set forth below to each use within the PUD and taking the summation of the result for all uses. For any use not listed below, the maximum parking ratio set forth in Article 6.000 shall apply. Exceeding the maximum allowed parking shall require a waiver of maximum parking required under the general provisions of Article 6.000.

- (a) Maximum of 0.8 spaces per 1,000 square feet of GFA for office and laboratory uses.
- (b) Maximum of 0.75 spaces per residential dwelling unit.
- (c) Maximum of 0.5 spaces per 1,000 square feet of retail space.
- (d) Maximum of 1 space per 4 guest units for hotel use.

***In Section 14.50 Vehicular Access, Parking and Loading, amend Section 14.52.2, Table 1 to read as follows:***

**Table 1 MXD District Parking Requirements**

Use	Maximum number of spaces
Light Industrial uses allowed by Section 14.21.1	.8/1000 sq. ft. <sup>1</sup>
Office uses and Biotechnology Manufacturing Uses allowed by Section 14.21.2	.9/1000 sq. ft.
Retail and consumer establishment allowed by Section 14.21.3	.5/1000 sq. ft.
Residential uses allowed by Section 14.21.4	
Multifamily residences	.75 dwelling unit
Hotels or Motels	1/4 guest units
Public assembly uses allowed by Sections 14.21.3(2), 14.21.3(3), and Section 14.21.5	1/15 seats
Other uses allowed by Section 14.21.6 and 14.21.7	.9/1000 sq. ft. <sup>2</sup>

<sup>1</sup> All space measurements are in terms of square feet of gross floor area.

<sup>2</sup> For assembly spaces having no fixed seating.

***In Section 17.10 Special District 1, amend Section 17.12 to read as follows:***

**17.12**Permitted Uses. Uses permitted in the Industry A-1 District shall be equally allowed in the Special District 1 with the exception of the following:

- (1) The following uses shall be permitted by special permit from the Board of Zoning Appeal:
  - a. Hotel and Motel Uses, Section 4.31.1 b.
  - b. Auto Wash, Section 4.36 h.

- (2) The following uses shall be prohibited:

Parking lot or parking garage for private passenger cars, Section 4.32 b.

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***In Section 17.60 Special District 6, amend Section 17.62 to read as follows:***

**17.62 Permitted Uses.** Uses permitted in the Residence C-3 District shall be equally allowed in the Special District 6 with the exception of the following:

- a. The following uses shall be prohibited:

- (1) Parking lot or parking garage for private passenger cars, Section 4.32 b.  
(2) Hotel and Motel uses, Section 4.31.1 b.

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***In Section 20.300, amend Section 20.304.6 to read as follows:***

**20.304.6 Parking and Loading Requirements.** The provisions set forth in Article 6.000 shall apply except as modified by the provisions set below.

1. **Maximum Parking.** Where any of the following listed uses are established in the Central Square Overlay District as of August 1, 2016, the accessory off-street parking for such uses shall be limited by the maximum rates set forth below. For uses not listed below, any maximum rate set forth in Article 6.000 shall apply. Exceeding the maximum allowed parking shall require a waiver of maximum parking under the general provisions of Article 6.000.
  - (a) Residential Uses (6.36.1), excluding Hotel and Motel (i-2 and i-3): 0.75 space per dwelling unit
  - (b) Hotel or Motel Uses (6.36.1.1 b): 0.25 space per guest unit
  - (c) Office Uses (6.36.4), excluding Technical Office (f): 0.90 space per 1,000 square feet
  - (d) Technical Office Uses (6.36.4 f): 0.80 space per 1,000 square feet
  - (e) Retail and Consumer Service Establishments (6.36.5): 0.50 space per 1,000 square feet
2. **Minimum Parking and Loading.** The minimum parking and loading requirements as specified in Section 6.36 Schedule of Parking and Loading Requirements shall apply except as set forth below:
  - (a) For Residential Uses (6.36.1), excluding Hotel and Motel (6.36.1.1 b), the minimum required parking ratio shall be 0.50 space per dwelling unit.
  - (b) Where the minimum number of parking spaces derived from the requirements of Article 6.000 is greater than the maximum number of parking spaces derived from Paragraph 1 above, the minimum required number of parking spaces shall be reduced to the greatest number that conforms to the maximum requirements derived from Paragraph 1 above.

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***In Section 22.70, amend Section 22.73.3, Paragraph 3, Subparagraph a, to read as follows:***

- a. No portion of the Wind Turbine may be located nearer than two hundred (200) feet to any structure containing a residential use (exclusive of transient accommodations, Section 4.31.1) that is neither owned nor under the control of the institution erecting the turbine.