

March 1999

TO THE HONORABLE, THE CAMBRIDGE CITY COUNCIL:

The undersigned petition that the text of the Zoning Ordinance of the City of Cambridge be amended as follows:

A. In Article 2.000 - Definitions, amend the definition of "Green Area" to read as follows:

Green Area.

A landscaped area of land associated with and located on the same tract of land as a major building or group of buildings in relation to which it serves to provide light and air, or scenic, recreational or similar purposes. Green area shall, except as stated below, be completely planted with living trees, grass, ground cover, bushes, shrubs, and / or similar vegetation, as well as water and other natural features of the site. Pervious ground covers such as wood shavings may be used, but only as mulch beneath vegetation.

Such area may not include any portion of the lot used for parking access drives or other hard surface areas, except walks and terraces designed and intended for non-vehicular use. However, in no case shall hard surfaced walks and terraces exceed twenty-five (25) percent of the total required green area.

Green area shall consist of open space at grade, with vegetation as stated above. It shall be open and unobstructed to the sky. It shall consist of friable, permeable material (including but not limited to loam, gravel, sand and crushed stone, and including naturally occurring soil, bedrock, and incidental pipes and other underground utilities) having a minimum depth of three feet. Said land shall be capable of supporting the growth of trees, grass, ground cover, bushes, shrubs, and similar vegetation.

B. Amend Section 4.21.c. to read as follows:

Provision of parking for occupants, employees, customers, or visitors shall be considered as an accessory use, provided that:

- (1) where accessory to residential uses, such parking shall be limited to the accommodation of three passenger vehicles, or two passenger vehicles for each dwelling unit, whichever is greater, and
- (2) an accessory building used for garage purposes shall be limited to the accommodation of one passenger vehicle.

C. Amend Section 4:21.d. to read as follows:

A customary home occupation or the office of a resident physician, dentist, attorney-at law, architect, engineer, or member of other recognized profession shall be considered as an accessory use, provided that:

- (1) no more than three persons shall practice or be employed on the premises at any one time, and
- (2) said use shall not occur in an accessory building.

D. Amend Section 4:21.g.(2) to read as follows:

The total area of uses accessory to the principal use except for non-structural parking facilities and driveways may not occupy more than 150 square feet of the area of the lot.

E. Amend Section 4.21.h to read as follows:

An accessory building shall not occupy more than 150 square feet of the area of the lot. No side of an accessory building shall exceed 18 feet in length. An accessory building shall not be located nearer than ten (10) feet to the principal building or nearer than five (5) feet to any side or rear lot line or nearer to the front lot line than the minimum setback in the zoning district. No lot may contain more than one accessory building.

F. Amend Section 4.21.k to read as follows:

No accessory building shall be constructed except at natural grade, nor may any accessory building exceed fifteen (15) feet in height above mean natural grade.

G. Add a new Section 4:21.o, reading as follows:

o. An ornamental pool shall be considered an allowed accessory use, subject to the following conditions:

(1) With regard to the ornamental pool itself:

(a) Its height shall not exceed two (2) feet above mean natural grade;

(b) It shall not exceed two (2) feet in depth; and

(c) It shall otherwise comply with the provisions of this section 4.21 with regard to the dimensions of accessory buildings.

(2) With regard to any structure or structures contained in the ornamental pool:

(a) The total area of said structures shall not occupy an area in excess of 15% of the area of the ornamental pool; and

(b) They shall otherwise comply with the provisions of this section 4.21 with regard to the dimensions of accessory buildings.

H. Delete section 5.22.3 as the zoning ordinance is numbered prior to the changes below.

I. Insert a new Section 5.22 reading as follows, and renumber the existing Sections 5.22 and following accordingly.

5.22 Minimum Standards for Yards:

5.22.1 Minimum Standards for Yards in Office, Residence and Open Space Districts.

Yards in Office, Residence and Open Space Districts shall comply with the following standards:

(1) Setbacks.

Buildings shall comply with yard requirements stated in this Zoning Ordinance by being set back above and below ground.

(2) Green area — general.

Three of the yards on a lot shall consist exclusively of green area as defined in section 2.000. At a minimum, green area setback shall consist of permanently maintained densely planted trees and shrubs that may be expected to form within three (3) years after time of planting a continuous unbroken, year round visual screen. Every effort shall be made to retain the best existing trees in said setbacks to meet the requirements of this section in whole or in part. Plans for landscaping and maintenance shall be approved by the Committee on Public Planting as appointed by the City Manager. No Certificate of Occupancy may be granted until landscaping under the terms of this section is completed

(3) Lots with more than four yards.

If the shape of a lot creates a situation where there are more than four yards, this green area requirement shall apply to three-fourths of the yards, rounded up if the calculation results in a fractional number.

(4) Lots in two or more zoning districts.

Where a zoning district boundary line or lines split a lot, a lot partially in an Office, Residence or Open Space district shall comply with provisions elsewhere in this zoning ordinance with regard to lots in two or more zoning districts, except that the setback and green area requirements of this section 5.22.1 shall apply to all parts of the lot regardless of zoning district.

(5) Lots abutting more restrictively zoned districts.

When any lot abuts a more restrictively zoned district or districts, all yards abutting the more restrictively zoned district(s) shall be designated as yards required to comply with the green area requirements of this section 5.22.1. This provision shall apply to that quantity of abutting yards numbering up to and including the maximum number of green area yards required. The total number of green area yards required on a lot shall not be changed by the provisions of this subsection (5).

(6) Pedestrian and vehicular access.

(a) When a yard used to satisfy the green area requirement of this section 5.22.1 is a front yard, the green area may be interrupted by not more than one path for pedestrian access to the building. Said pedestrian path shall be constructed perpendicular to the lot line and shall be not more than 8 feet wide. The green area yard may also be interrupted by not more than one driveway constructed perpendicular to the lot line and which is not more than 12 feet wide.

(b) The sum of the widths of the said pedestrian path and driveway may not exceed the setback provided by the smallest of the yards provided on the lot.

(c) The areas allowed to be used for access under this subsection (6) shall be counted as part of the 25% of total required green area which is allowed to be used for hard surfaced walks and terraces for the front yard in which the access areas are constructed.

## (7) Townhouse development.

When a lot is used for townhouse development, the provisions of this section 5.22.1 shall apply to the lot before subdivision into townhouse lots. Subdivision into townhouse lots shall be done in such a manner as to not affect the application of this footnote to the entire unsubdivided lot. In particular, the pedestrian path and driveway allowed by subsection (6) above shall apply to the lot before subdivision into townhouse lots and subdivision into townhouse lots shall not increase the number of pedestrian paths and driveways allowed.

## 5.22.2 Minimum standards for yards in districts other than Office, Residence and Open Space Districts.

Yards in districts other than Office, Residence and Open Space districts shall comply with the following standards:

- (1) Yards in districts other than Office, Residence and Open Space districts on lots which include residential uses shall comply with the following standards:
  - (a) Yards which are required in the district shall comply with Section 5.22.1. In the situation stated in (1)(b) following, the number of required yards shall be increased as stated in (1)(b) through (1)(d) following.
  - (b) If a lot:
    - (i) abuts a Residence or Open Space district, and
    - (ii) there are no yard dimensional requirements in the district in which the lot is located applicable to that portion of the lot abutting the Residence or Open Space district, or if the applicable yard dimensional requirements of the district in which the lot is located are less than those which apply to the yard in the district which is abutted by it,

Then that portion of the lot abutting the Residence or Open Space district shall comply with the yard dimensional requirements applicable to the yard in the Residence or Open Space district which is abutted by it.
  - (c) In the event that a portion of a lot abuts more than one yard in a Residence or Open Space district which yards differ in applicable dimensional requirements, the most stringent of the various dimensional requirements shall apply.
  - (d) The number of yards on a lot required to comply with green area requirements shall be the number of yards required in the district plus additional yards in accordance with subsections (b) and (c) above, except that the total number of yards required to comply shall not exceed the number of yards required for a similar lot located in a Residence, Office or Open Space district, as calculated in accordance with section 5.22.1 above.

Signature	Printed Name	Address	Date
	Rozana Kraus	91 Chilton #2138	9 March 99
✓ George Ehrenfried	GEORGE EHRENFRIED	102 Aberdeen Ave 02138	"
✓ Francis Fox Spinks	Francis Fox Spinks	17-B Bigelow St. 02139	"
✓ Nancy E. Novak	Nancy E. Novak	494 Mass. Ave. #3	3-9-99
✓ Ellen B. Mass	Ellen B. Mass	104A Sumner St.	3/9/99
✓ Deborah Kershner	Deborah Kershner	12 Laurel St.	3/9/99
M. Colcord	M. Colcord	667 Green St	3/10/99
✓ Pat Colcord	PAT Colcord	667 Green St	3/10/99
Harriet Feinberg	HARRIET FEINBERG	639 Green St	3/9/99
Phoebe Barnes	Phoebe Barnes	514 Franklin	3/11/99
Carol Anastasi	Carol Anastasi	10 Mt Vernon	3/10/99
Miriam H. Berlin	Miriam H. Berlin	84 Raymond St	3/10/99
Gerald A. Berlin	GERALD A. Berlin	84 Raymond	3/10/99
Ellin Sarot	Ellin Sarot	659 Green St.	3/10/99
Laura Blacklow	LAURA BLACKLOW	215 Erie St	3/10/99
Susan Cooke	Susan Cooke	345 Franklin #308	3/10/99
Peter Pugno	Peter Pugno	215 Erie St.	3.10.99
Kathleen Marotta	KATHLEEN MAROTTA	118 Kinnaird St #2	3/10/99
Martina M. Moody	MARTHA M. MOODY	118 Kinnaird #2	3/10/99
John J. Walsh	John J. Walsh	622 Green St	3/11/99
John L. Swerney	JOHN L SWERNEY	622 Green St	3/11/99
Susan Overman	Susan Overman	638 Green St	3/11/99
Marica Dworkind	MARICA DWORKIND	636 Green St	3/11/99
Erma Bicherstaff	ERMA BICHERSTAFF	6 NOTRE DAME AVE	03/11/99
Patrick Mehr	PATRICK MEHR	62 KINNAIRD	3/11/99

- (2) Yards in districts other than Office, Residence and Open Space districts on lots which do not include residential uses shall comply with the following standards:
  - (a) Yards shall comply with the provisions of section 5.22.1 with regard to yards abutting Residence or Open Space districts except that:
    - (i) Yards abutting Residence or Open Space districts shall comply with the requirements of section 5.22.1, up to the maximum number of yards required, in the same manner as stated in section 5.22.1.(5) and
    - (ii) Yards not abutting Residence or Open Space districts shall not be subject to the requirements of this section.
  - (b) If:
    - (i) a lot abuts a Residence or Open Space district, and
    - (ii) there are no yard requirements in the district in which the lot is located applicable to that portion of the lot abutting the Residence or Open Space district, or the applicable yard dimensional requirements of the district in which the lot is located are less than those which apply to the yard which is abutted by it,



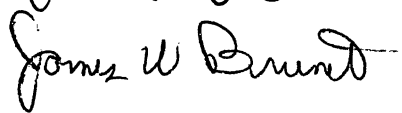
then the portion of the lot abutting the Residence or Open Space district shall comply with the yard dimensional requirements applicable to the yard which is abutted by it.
  - (c) In the event that a portion of a lot abuts more than one yard or yards in Residence or Open Space districts which yards differ in applicable dimensional requirements, the most stringent of the various dimensional requirements shall apply.
  - (d) The number of yards on a lot required to comply with green area requirements shall be the number of yards which abut a Residence or Open Space district, except that the total number of yard required to comply shall not exceed the number of yards required for a similar lot located in a Residence, Office or Open Space district, as calculated in accordance with section 5.22.1, above.

J. In Section 5.31.1, Table 5-1, delete footnote (k) with regard to yard requirements for the "Res. C-2B" District, and in Section 5.31.2, Footnotes, delete footnote (k) and insert the following in place thereof: "Reserved".

Signature	Printed Name	Address	Date
✓ Sheila G. Cook	Sheila G. Cook	34 Follen St	3-6-99
✓ Marilyn Zoeller Wellons	Marilyn Zoeller Wellons	651 Green St	March 9 1999
Arthur N. Holcombe	ARTHUR N. HOLCOMBE	663 Green St	March 9, 1999
✓ Dena Brody	DENA BRODY	661 Green St.	March 9, 1999
✓ John J. Vignandi	John J. Vignandi	600 green St.	March 9, 1999
✓ June M. Anderson	June M Anderson	50 Hancock St	3/9/99
✓ Leo Anderson	LEE ANDERSON	30 HANCOCK ST.	3/9/99
✓ SUE Radovsky	SUE Radovsky	551 GREEN ST	3/9/99

Proposed Yards Protections Zoning Change Based on Existing Zoning and on Meaningful Protections

Page \_\_\_

Signature	Printed Name	Address	Date
	ANNE PIERCE	3 Walker St. Place Cambr. 1/2, MA 02138	3/11/99
	KIM KALKOWSKI	465 PUTNAM AVENUE CAMBRIDGE 02139	3/11/99
	JAMES W. BRUNET	CAMBRIDGE 02140 30 MURRAY HILL ROAD	3/11/99

Consent Communication #22

024B

A petition was received from Sheila G. Cook, et al., transmitting proposed amendments to the Zoning Ordinance regarding proposed yards protections zoning change based on existing zoning and on meaningful protections.

8/4/99

Placed on file due to expiration  
of time limit.

5/24/99

Passed to a 2<sup>nd</sup> reading.

In City Council March 15, 1999

Referred to Ordinance  
Committee and Planning  
Board for hearing  
and report