

# City of Cambridge

PETITION OF COUNCILLOR VELLUCCI

RE: FAST ORDER FOOD ESTABLISHMENTS.

Petition filed with the City Clerk

September 11, 1978

(All hearings to be completed 65 days from filing date with the City Clerk.)

19 days = Sept.

31 days = Oct.

15 days = Nov.

65 days = November 15, 1978

November 15, 1978

In City Council

September 11, 1978

Referred to Planning Board for report

September 13, 1978

Planning Board Hearing

October 24, 1978

(CITY COUNCIL must act within 90 days of the Planning Board's hearing which would be January 22, 1979.)

7 days = Oct.

30 days = Nov.

31 days = Dec.

22 days = Jan.

90 days = January 22, 1979

January 22, 1979

City Council Hearing published

Chronicle

September 28, 1978  
October 5, 1978

Hearing before the City Council

October 19, 1978 at 5 PM

Report to the City Council

10/23/78

Passed to a second reading  
Published

11/20/78

Ready for Ordination  
Published

*Passed and Ordained 12/11/78*

~~11/25/78~~ *Honora*

12/14/78 Chronicle

COMPLETION DATE: JANUARY 22, 1979

# Fast Food Ordinance

## City of Cambridge

MASSACHUSETTS

In City Council 12/11 1978

*Passed to Be Ordained As Amended*

	YEA	NAY	ABSENT	PRESENT
Mr. Crane	✓			
Mr. Duehay	✓			
Mr. Frisoli	✓			
Ms. Graham	✓			
Ms. Preusser	✓			
Mr. Sullivan	✓			
Mr. Vellucci	✓			
Mr. Wylie	✓			
Mayor Danahy	✓		✓	

8 0 1

*CV*  
*RT*  
*A*



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

November 30, 1978

To the Honorable, the City Council:

SUBJECT: Planning Board Recommendation on the Petition to Amend the  
Fast Food Section of the Zoning Ordinance

Dear Councillors:

In accordance with Chapter 40A of the General Laws, the Planning Board held a public hearing on Tuesday, October 24, 1978, on a petition by Alfred E. Vellucci to amend the text of the Fast Food Section of the Zoning Ordinance of the City of Cambridge.

## The Petition

The proposed amendment to the Fast Food Section of the Zoning Ordinance would add a Section 11.32 which would exempt establishments with 1750 square feet or less of gross floor area from the provision of the Zoning Ordinance which pertain to Fast Food Establishments. It would also exempt existing restaurants seeking to relocate the same restaurant within the same zoning district with no increase in gross floor area.

## The Hearing

At the October 24 public hearing members of the Community Development Department explained the provisions of the petition. It was noted that the language of the petition regarding relocation is ambiguous and could lead to misinterpretation. Uncertainty was also expressed concerning the effectiveness of the floor area restriction. David Vickery informed the Planning Board that a revised Fast Food Ordinance is being drafted by Richard Horgan of the Building Department. It was suggested that the Planning Board table the Fast Food petition until Mr. Horgan has finished his revision and can make recommendations to the Board. The Planning Board decided to adopt Mr. Vickery's suggestion.

No statements either in favor or in opposition were presented at the public hearing.

Other Comments: At the November 21 Planning Board meeting, the Board was notified that completion of the Fast Food Ordinance had been delayed. The Planning Board decided to proceed with their recommendation.

Recommendation:

This petition has several problems which the Planning Board wishes to address. The proposed amendment provides an exemption to restaurants with 1750 square feet or less of gross floor area. The Planning Board feels that this exemption would allow certain establishments to proceed which should be subject to special permit review. The Board also feels that existing restaurants of any size seeking to relocate within the same zoning district should be exempt from the special permit process. However, the Board acknowledges that some restrictions governing exemptions need to be established. First, the language indicating that a relocation must occur within the physical boundaries of the zoning district in which the existing restaurant is located, should be clarified. Next, consideration should be given to the potential impact of the relocation on the character of a district. As the character of some districts is diverse due to the size of the district, it is necessary to insure that a relocation will not substantially alter the area. The Planning Board feels a restaurant seeking to relocate should be required to do so within a maximum distance of 500 feet of its existing location.

The Planning Board recommends that the petition be amended as follows:

- "11.32 Establishments seeking to relocate their existing operations inside the boundary line of the zoning district in which the establishment is located shall not be required to obtain a special permit if both of the following conditions will be met.
- 11.321 The new site shall be within 500 feet of the original site of the establishment.
- 11.322 There will be no increase in the gross floor area of the establishment at the new site."

The Board further recommends that this petition be APPROVED AS AMENDED.

Respectfully submitted,

For the Planning Board



Arthur C. Parris  
Chairman

ACP: jp



# City of Cambridge

In the Year One Thousand, Nine Hundred Seventy-Eight

## AN ORDINANCE

In amendment to an ordinance entitled: "The Zoning Ordinances of the City of Cambridge".

*Be it ordained by the City Council of the City of Cambridge as follows:*

The Zone Map accompanying ordinance passed to be ordained September 26, 1977 entitled: "The Zoning Ordinance of the City of Cambridge" is hereby amended by adding a new section 11.32 which reads as follows:-

- 11.32 Establishments seeking to relocate their existing operations inside the boundary line of the zoning district in which the establishment is located shall not be required to obtain a special permit if any of the following conditions will be met.
- 11.321 The new site shall be within 500 feet of the original site of the establishment.
- 11.322 There will be no increase in the gross floor area of the establishment at the new site.
- 11.323 Establishments with 1750 square feet or less of gross floor area and with no more than five employees within a twenty-four hour period shall be exempt from the provisions of the Zoning Ordinances which pertains to Fast Food Establishments.

In City Council December 11, 1978.

Passed to be ordained as amended by a ye and nay vote:- Yeas 8; Nays 0; Absent 1.

James L. Sullivan, City Manager.

ATTEST:- Paul E. Healy, City Clerk.



# City of Cambridge

In the Year One Thousand, Nine Hundred Seventy-Eight

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In City Council December 11, 1978.

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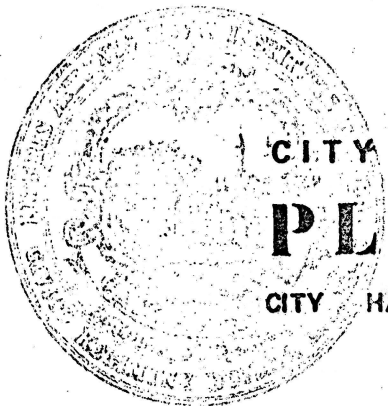
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CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

November 30, 1978

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SUBJECT: Planning Board Recommendation on the Petition to Amend the  
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Dear Councillors:

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## The Petition

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## The Hearing

At the October 24 public hearing members of the Community Development Department explained the provisions of the petition. It was noted that the language of the petition regarding relocation is ambiguous and could lead to misinterpretation. Uncertainty was also expressed concerning the effectiveness of the floor area restriction. David Vickery informed the Planning Board that a revised Fast Food Ordinance is being drafted by Richard Horgan of the Building Department. It was suggested that the Planning Board table the Fast Food petition until Mr. Horgan has finished his revision and can make recommendations to the Board. The Planning Board decided to adopt Mr. Vickery's suggestion.

No statements either in favor or in opposition were presented at the public hearing.

Other Comments: At the November 21 Planning Board meeting, the Board was notified that completion of the Fast Food Ordinance had been delayed. The Planning Board decided to proceed with their recommendation.

Recommendation:

This petition has several problems which the Planning Board wishes to address. The proposed amendment provides an exemption to restaurants with 1750 square feet or less of gross floor area. The Planning Board feels that this exemption would allow certain establishments to proceed which should be subject to special permit review. The Board also feels that existing restaurants of any size seeking to relocate within the same zoning district should be exempt from the special permit process. However, the Board acknowledges that some restrictions governing exemptions need to be established. First, the language indicating that a relocation must occur within the physical boundaries of the zoning district in which the existing restaurant is located, should be clarified. Next, consideration should be given to the potential impact of the relocation on the character of a district. As the character of some districts is diverse due to the size of the district, it is necessary to insure that a relocation will not substantially alter the area. The Planning Board feels a restaurant seeking to relocate should be required to do so within a maximum distance of 500 feet of its existing location.

The Planning Board recommends that the petition be amended as follows:

"11.32 Establishments seeking to relocate their existing operations inside the boundary line of the zoning district in which the establishment is located shall not be required to obtain a special permit if both of the following conditions will be met.

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11.322 There will be no increase in the gross floor area of the establishment at the new site."

The Board further recommends that this petition be APPROVED AS AMENDED.

Respectfully submitted,

For the Planning Board



Arthur C. Parris  
Chairman

ACP: jp

To the Honorable, the City Council

-2-

November 30, 1978

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Respectfully submitted,

For the Planning Board

*Arthur C. Parris*

Arthur C. Parris  
Chairman

ACP:jp

C. Veil 11.323 ESTABLISHMENTS WITH 1750 SQUARE FEET OR LESS OF GROSS FLOOR AREA AND WITH NO MORE THAN FIVE EMPLOYEES ~~AND~~ WITHIN A 24 HR. PERIOD SHALL BE EXEMPT FROM THE PROVISIONS OF THE ZONING ORDINANCE WHICH PERTAINS TO FAST FOOD ESTABLISHMENTS



# City of Cambridge

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In the Year One Thousand, Nine Hundred Seventy-Eight

## AN ORDINANCE

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11.32 Establishments with 1750 square feet or less of gross floor area and existing restaurants seeking to relocate the same restaurant within the same zoning district with no increase in gross floor area shall be exempt from the provisions of the Zoning Ordinance which pertain to Fast Order Food Establishments.

Passed to a second reading at the City Council meeting of November 20, 1978 and on or after December 11, 1978 the question may be on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.

PUBLICATIONS - *Fast Food Establishments*

FIRST PUBLICATION NO. 1960.

**City of Cambridge**

In the Year One Thousand, Nine Hundred Seventy-Eight  
AN ORDINANCE

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ATTEST:—Paul E. Healy, City Clerk.

PUBLISHED IN: Boston Herald American

DATE: Saturday - November 25, 1978

EDITION: Cambridge - Somerville Page

# City of Cambridge

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In City Council..... October 23, 1978.....

**The** City Council **Committee** on Ordinances

**to which** was referred the petition of Councillor Alfred E. Vellucci to amend the text of the Zoning Ordinance of the City of Cambridge by adding a new section 11.32, which reads as follows:

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**Reports,** After hearing held on October 19, 1978 in the City Council Chamber, City Hall, that the petition be referred to the City Council without recommendation.

For the Committee,

Councillor Lawrence W. Frisoli  
Chairman

# City of Cambridge

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In City Council..... October 23, 1978.....

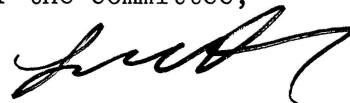
**The** City Council **Committee** on Ordinances

**to which** was referred the petition of Councillor Alfred E. Vellucci to amend the text of the Zoning Ordinance of the City of Cambridge by adding a new section 11.32, which reads as follows:

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For the Committee,



Councillor Lawrence W. Frisoli  
Chairman

# REPORT #1

Committee on Ordinances re: petition of Councillor Alfred E. Vellucci to amend the Zoning Ordinance by adding a new section 11.32 re: Fast Order Food Establishments.

11/20/78

Passed to 2nd  
Reading

In City Council,

October 23, 1978

10/23/78 Reported

to City Council which  
adjourned before  
Resolving for motion

10/30/78 No Action  
Taken on

Report submitted  
12/11/78 Ordained as  
Amended.

PUBLIC NOTICE  
RELATIVE TO ZONING.*Second flr bnd***City of Cambridge**

MASSACHUSETTS

Office of the City Clerk.

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition, and amendments thereto, that a public hearing will be held by the Committee on Ordinances comprised of the entire membership of the City Council on Thursday, October 19, 1978 at 5:00 P. M. in the City Council Chamber, City Hall, Cambridge, Massachusetts on a petition of Alfred E. Vellucci to amend the text of the Zoning Ordinances of the City of Cambridge by adding a new section 11.32 which reads as follows:-

11.32 Establishments with 1750 square feet or less of gross floor area and existing restaurants seeking to relocate the same restaurant within the same zoning district with no increase in gross floor area shall be exempt from the provisions of the Zoning Ordinance which pertain to Fast Order Food Establishments.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Frisoli,  
Chairman, Committee on Ordinances.

RECEIVED BY  
OFFICE OF CITY CLERK  
SEP 28 2 05 PM '78  
CAMBRIDGE, MASS.

PUBLIC NOTICE  
RELATIVE TO ZONING.

# City of Cambridge

MASSACHUSETTS

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Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Frisoli,  
Chairman, Committee on Ordinances.

10/19/78 *Referred to City Council  
before Hearing on Motion  
of Councillor Vellucci*

PUBLIC NOTICE  
RELATIVE TO ZONING.*main bulletin board***City of Cambridge**

MASSACHUSETTS

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For the Committee,

Councillor Frisoli,  
Chairman, Committee on Ordinances.

RECEIVED  
OCT 20 1978  
CITY CLERK

RECEIVED BY  
OFFICE OF CITY CLERK  
SEP 28 2 04 PM '78  
CAMBRIDGE, MASS.

RECEIVED BY  
OFFICE OF CITY CLERK

SEP 21 4 37 PM '78

CAMBRIDGE, MASS.  
Notice of Public Hearing

The Planning Board of the City of Cambridge will hold a public hearing on Tuesday, October 24, 1978 at 7:30 p.m. in the City Council Chamber, City Hall, Cambridge, Mass. on a petition by Alfred E. Vellucci to amend the Fast Food Section of the Zoning Ordinance by adding a Section 11.32 which shall read as follows:

- 11.32 Establishments with 1750 square feet or less of gross floor area and existing restaurants seeking to relocate the same restaurant within the same zoning district with no increase in gross floor area shall be exempt from the provisions of the Zoning Ordinance which pertain to Fast Order Food Establishments.

Copies of this petition are on file with the Office of the City Clerk, City Hall, Cambridge, Mass. Questions concerning this petition may be addressed to Mary Flynn at 876-6800, ext. 345.



CITY OF CAMBRIDGE  
COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex Inman & Broadway EXTENSION 344

To Councillor Alfred Vellucci  
From Richard Horgan  
Subject Fast Food Ordinance

Date June 5, 1978

RECEIVED BY  
OFFICE OF CITY CLERK  
JUN 9 10 24 AM '78  
CAMBRIDGE, MASS.

As you are aware, the Community Development Department has been reviewing the Fast Food Ordinance with the intent of clarifying the review process involved and sharpening the focus of the Ordinance. In order to respond to the issue which you raised, concerning the effect of the Ordinance on smaller restaurants with take-out components, our proposed amendment of the Fast Food Ordinance will contain a provision exempting all restaurants below 1750 square feet in gross floor area and exempting existing restaurants who relocate the same restaurant within the same zoning district with no increase in floor area.

The proposed amendment, as attached, may be filed immediately or can be included in the comprehensive amendment of the Fast Food Ordinance which will be available following the City Council's summer recess.



CITY OF CAMBRIDGE  
COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex

Inman & Broadway

EXTENSION 344

To Councillor Alfred Vellucci

From Richard Horgan

Date June 5, 1978

Subject Fast Food Ordinance

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Cambridge, June 5, 1978

To the Honorable, the City Council of the  
City of Cambridge:

The undersigned respectfully pray

that the text of the Zoning Ordinance be amended as follows:

by adding a Section 11.32 which shall read as follows:

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- 1st Petition

June 5 to August 9

65 days

6/5 = 25

July 31  
56

August 9  
65

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*C. Velasco  
Member  
to zoning Ordinance*

Comm. from Councillor Alfred Vellucci transmitting a proposed amendment to the Fast Food Ordinance.

In City Council,

June 5, 1978

REFERRED TO THE PLANNING BOARD FOR HEARING  
AND REPORT 6/5/78

*Copy sent 6-9-78 es*

Cambridge, September 11, 1978


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Councillor Alfred E. Vellucci.

0-62

PETITION

of Alfred E. Vellucci

for amendment to the Zoning Ordinance by adding a Section 11.32 which would exempt certain establishments from the provisions of the Zoning Ordinance which pertain to Fast Order Food Establishments.

*9/11/78 Referred to  
Planning Board and  
Ordinance Committee  
for Hearing and Report  
Copy sent 9-13-78*

In City Council, Sept. 11 19: 78

Referred to the Committee on

Attest:

City Clerk.