



# CITY OF CAMBRIDGE

## PLANNING & DEVELOPMENT DEPARTMENT

City Hall Annex - Inman & Broadway - Cambridge, Mass. 02139

(617) 876-6800  
EXTENSION 344

**TO:** John H. Corcoran, City Manager

**FROM:** Peter Helwig, Principal Planner      **DATE:** March 30, 1973

**SUBJECT:** Zoning Amendment for Community Residences (Halfway Houses)

In response to a number of City Council orders related to the regulation of Community Residences and transferred to the Board last November, the Planning Board, with staff assistance from the Department of Planning and Development, has been working on the task of drafting an amendment to the Zoning Ordinance to cover Community Residences (Halfway Houses). This work has involved consultation with a myriad of state agencies, including: the Departments of Mental Health, Community Affairs, Public Health and Corrections, the Massachusetts Rehabilitation Commission, the Office for Children, the Bureau of Developmental Disability, the Executive Office of Human Services and the Division of Youth Services. In addition, we have met and spoken with residents of Cambridgeport in particular and other citizens interested in the issue, and with the staff member in charge of each Community Residence currently operating within the city.

Transmitted herewith are the recommendations of the Board in the form of a petition to amend the Zoning Ordinance for the handling of Community Residences. The Planning Board will hold its public hearing on this petition on April 24, beginning at 7:30 p.m. in the City Council Chamber. We have already received indications that this public hearing will provide considerable comment on the petition. The Planning Board will have to consider this comment, and may want to revise portions of the petition prior to formally sending it on to the City Council for consideration. Nevertheless, we felt you and the members of the Council would like to review the product of the Planning Board and the staff work thus far. Please feel free to contact me (at extension 355) or Charlotte Cherington (at extension 348) for further information.

Cambridge, ..... March 27, ..... 19 73

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

The undersigned respectfully pray

That the ordinance entitled "Zoning Ordinances of the City of Cambridge",  
passed to be ordained February 13, 1961, be amended as follows:

A. ARTICLE II, DEFINITIONS, renumber sections as follows:

- 1) Renumber 23 through 35 to: 26 through 38
- 2) Renumber 15 through 22 to: 17 through 24
- 3) Renumber 5 through 14 to: 6 through 15  
\* \* \* \* \*

B. ARTICLE II, DEFINITIONS, add Section 5 to read as follows:

5. Community Residence. A residence in which:

1) the sponsor or caretaker provides, or arranges for the provision of varying degrees of personal supervision, personal care and personal relationship, in a residential environment, to persons, not more than 18 in number, residing therein, with mental, physical, or social problems, such as alcoholism, drug dependence, mental disorders, juvenile delinquency, or other problems in which the resident has special needs or requires special care; and

2) the sponsor or caretaker is acting in collaboration with and under regulation, licensure, or certification of one or more of the agencies of the Commonwealth, including but not limited to, the departments of Public Health, Mental Health, Corrections, Youth Services, or the Division of Alcoholism, or the Committee on Law Enforcement, or the Office for Children, or the Commission for the Blind.

A Community Residence may include a facility referred to as a Halfway House, a Personal Care Residence, a Group Facility, a Group Home, a Community Transitional Facility, or by any other terminology, provided the above conditions are satisfied.

Community Residences shall not include: lodging houses, as defined in Section 17 herein, hospitals, wards, convalescent or nursing homes, rest homes, or infirmaries which do not meet the criteria described in paragraph 1 and 2 above.

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C. In ARTICLE II, DEFINITIONS, add Section 16 to read as follows:

16. Group Quarters. A living arrangement for groups containing five or more persons not related to the person in charge.

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D. In ARTICLE II, DEFINITIONS, add Section 25 to read as follows:

25. Neighborhood. A neighborhood is that geographical area within Cambridge whose boundaries are defined on the Cambridge Planning Board's map entitled "Cambridge Neighborhoods," as attached and incorporated herein.

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E. In ARTICLE IV, Section 2, TABLE OF USE REGULATIONS, add sub-paragraph l.g. as follows:

	Res.	Res.	Res.	Off.	Bus.	Bus.	Ind.	Ind.
	A	B	C		A	B	A	B
"g. Community Residences	SP	SP	SP	SP	SP	SP	No	No"

\*\*\*\*\*

F. In ARTICLE VI, add Section 10 as follows:

Sec. 10. Special Permits for Community Residences. In its consideration of applications for Special Permits for Community Residence use in accordance with the provisions of Article I, Section 5, the Board of Zoning Appeal shall be guided by the criteria contained herein. Upon the petitioner's satisfaction of these criteria, the Board of Zoning Appeals shall grant a Special Permit for a Community Residence, to be operated for the purposes presented by the petitioner, for a period of two years:

1. The petitioner must show:

- a) that he or she represents the sponsor or caretaker for the proposed Community Residence;
- b) that the sponsor or caretaker is a non-profit corporation;
- c) that the purposes for which the sponsor or caretaker was incorporated include the establishment and operation of facilities such as those defined herein as Community Residences;
- d) that sponsor or caretaker has an active Board of Directors of which at least 40% of the existing members are residents of Cambridge at the time of the petition for Special Permit;
- e) that the Board of Directors has responsibility for the operation of the Community Residence, including, but not limited to, the following: financial management, structural maintenance, community relations, fund raising, public health and safety regulations, and the quality of the staff.

2. The petitioner must present a plan for the selection of a House Committee.

- a) at least two of whose members are resident homeowners in the neighborhood in which the Community Residence will be located;
- b) whose purpose it will be to assist in coordinating the programs and activities of the Community Residence with the needs of the Cambridge community, and to act as a liaison between the Community Residence and the neighborhood in which such Residence is located;

The petitioner's presentation must define the duties, powers and responsibilities to be delegated to the House Committee by the Board of Directors, and must describe a plan for regular House Committee meetings and for the keeping of a permanent record of the House Committee proceedings.

The House Committee must be selected and must have begun its work within six months of the granting of the Special Permit for operation of the Community Residence. The granting of such Special Permit for operation of the Community Residence will be conditional upon the selection of the House Committee and the beginning of the Committee's work within the six month period.

3. The petitioner must present a plan of procedures for the handling of all complaints by staff, residents and neighbors of the Community Residence.

4. The petitioner must provide the following material, as soon as it is available, to be kept on file with the City Clerk and to be updated annually for the information of the public:

a) the names and addresses of the members of the Board of Directors;

b) the names and addresses of the members of the House Committee;

c) the name(s) of the staff member(s) responsible for the administration of the Community Residence.

5. The petitioner must show that the property proposed to be used as a Community Residence has been inspected by the Housing Inspection Division of the Cambridge Department of Health and Hospitals and that this Department has found that, for the use proposed by the petitioner, the property is in compliance with the Housing Code.

6. The petitioner must show that the property proposed to be used as a Community Residence has been inspected by the Cambridge Fire Department and that this Department has found that, for the use proposed by the petitioner, the property is in compliance with the Fire Code.

7. If the petitioner's proposal involves the housing of five or more unrelated individuals in one dwelling unit, the petitioner must show that the property at which the Community Residence will be operated has been inspected by the Cambridge Building Department and that this Department has found that, for the use proposed by the petitioner, the property is in compliance with the structural requirements of the Building Code for residences housing five or more unrelated people.

8. The petitioner must show:

a) that the plan for operation of the proposed Community Residence has been reviewed by one or more appropriate state agencies, and that these agencies have granted a certificate, license or other formal approval for the operation of the Community Residence;

b) that if such review has not been made, or such certificate, license or written approval has not been granted, that the petitioner will secure such review and such license, certificate or written approval within six months, and that petitioner understands that any Special Permit granted by the Board of Zoning Appeals, for the proposed Community Residence will be conditional upon the completion of such reviews and the receipt of the certificate, license or the written approval.

9. The petitioner must show that the operation of the Community Residence, within the neighborhood as proposed by the petitioner, will not result in bringing the percentage of all persons, other than staff, living in Community Residences within that same neighborhood, above 0.5% (one-half of one percent) of the total population living in other than Group Quarters within that same neighborhood, as determined by the most recent United States Census. For the purpose of computing the total number of persons, other than staff, living in Community Residences within a particular neighborhood, the population of those residences that were in existence at the time of the enactment of this Section shall be included.

10. The Board of Zoning Appeals may refuse to grant a Special Permit for petitioner's Community Residence if there is already another Community Residence, operating within the same neighborhood, providing substantially the same services, and serving people with similar problems as is proposed for the petitioner's Community Residence. In exercising this discretion, the Board of Zoning Appeals should consider programmatic advantages that would be gained by locating a Community Residence within the same neighborhood as another Community Residence which provides substantially the same services, and which serves people with similar problems.

11. The petitioner must provide a clear indication of the ownership of the property at which the Community Residence will be operated. The petitioner must also show that all owners of such property approve of or are participating in the petition for the special permit.

\* \* \* \* \*

F. In ARTICLE I, Section 5, add paragraph 5 as follows:

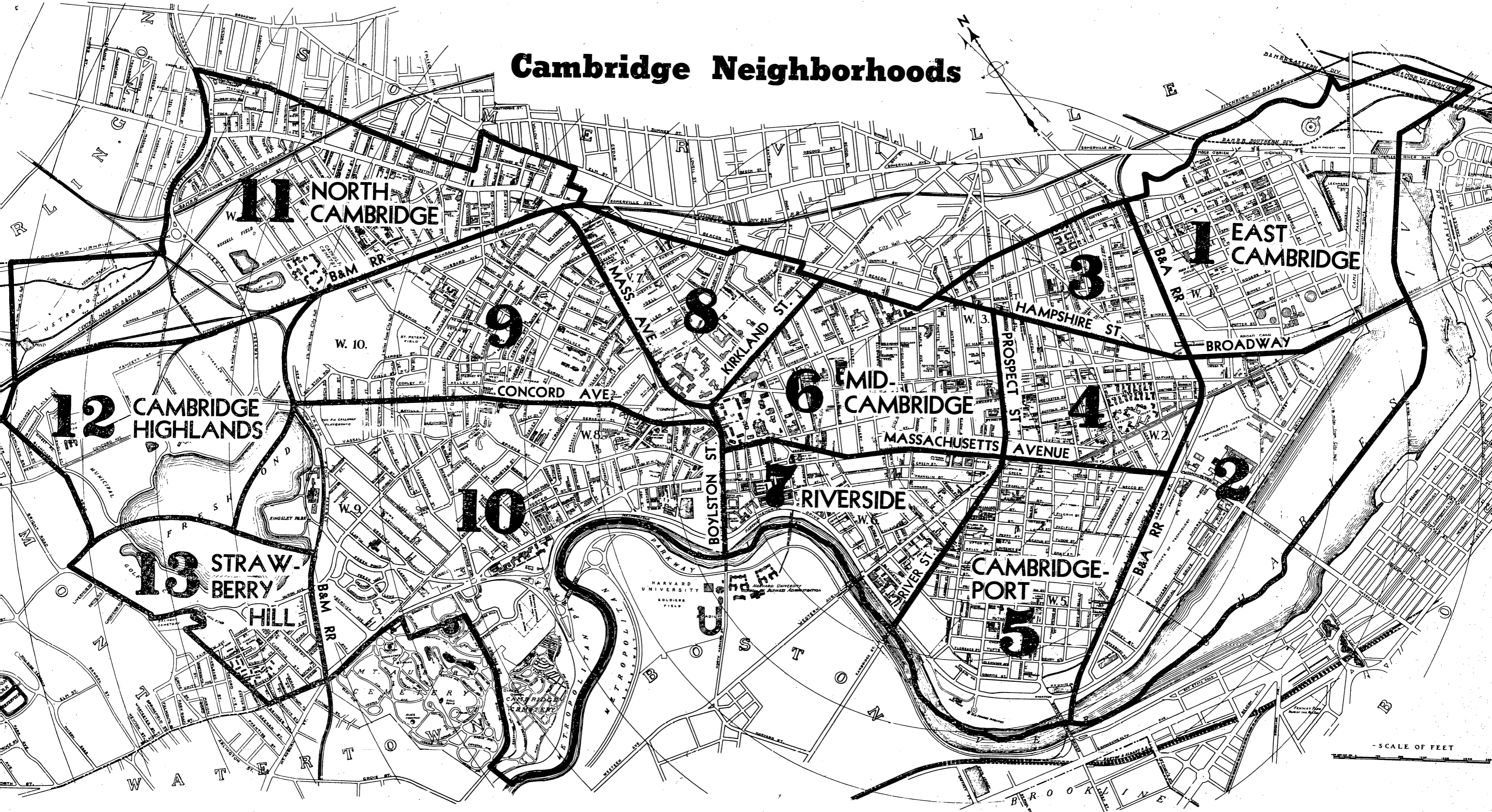
5. Application for Special Permits for Community Residence Use are subject to specific requirements and evaluation criteria as specified in ARTICLE VI, Section 10.

For the Cambridge Planning Board



Arthur C. Parris  
Chairman

# Cambridge Neighborhoods



<u>NEIGHBORHOOD</u>	<u>TOTAL POPULATION*</u>	<u>POPULATION LIVING IN GROUP QUARTERS*</u>	<u>DIFFERENCE</u>	<u>.5% OF THE DIFFERENCE</u>	<u>MAXIMUM NO. OF RESIDENCES**</u>
1 (East Cambridge)	5776	74	5702	28-9	2-3
2	4047	2415	1632	8	0-1
3	7459	8	7451	27-38	3-4
4	7418	73	7345	37	3-4
5 (Cambridgeport)	9170	261	8909	44-5	4-5
6 (Mid Cambridge)	14823	3021	11802	59	5-6
7 (Riverside)	9747	2964	6783	34	3
8	5851	1635	4216	21	2
9	10620	1123	9497	47-8	4-5
10	11070	700	10370	52	5
11 (North Cambridge)	12155	334	11821	59	5-6
12 (Cambridge Highlands)	561	13	548	3	0-1
13 (Strawberry Hill)	1664	31	1633	8	0-1

\* Based on 1970 U.S. Census

\*\* Based on average of 10 residents per Residence



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CAMBRIDGE, MASSACHUSETTS 02139  
Tel. 876-6800

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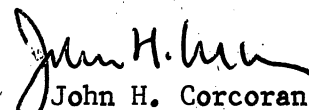
EXECUTIVE DEPARTMENT  
JOHN H. CORCORAN  
City Manager

April 9, 1973

To the Honorable, the City Council,

I transmit herewith self-explanatory communication from Peter Helwig,  
Principal Planner in the Planning and Development Department relative to  
the Zoning Amendment for Community Residences (Halfway Houses).

Yours truly,

  
John H. Corcoran  
City Manager

JHC/m

Agenda #4

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Communication from John H. Corcoran,  
City Manager together with one from  
Peter Helwig, Principle Planner,  
Planning and Development Dept.  
relative to the zoning amendment for  
community residences (Halfway Houses)

In City Council,

April 9, 1973

4/9/73

A. P. DeLong

To Ordinances

Committee