

CITY OF CAMBRIDGE, MASSACHUSETTS  
**PLANNING BOARD**

HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

January 19, 1977

The Honorable, the City Council  
City Hall  
Cambridge, Mass. 02139

**SUBJECT:** A petition to amend the text of the Zoning Ordinance to prohibit the establishment of non-profit educational institutions in Residence B. zones.

Dear Councillors:

In accordance with Chapter 40A of the General Laws, the Planning Board held a public hearing on Tuesday, January 4, 1977 on a petition by John Brode and Stanley Sheldon to amend the text of the Zoning Ordinance of the City of Cambridge to prohibit the establishment of non-profit educational institutions in Residence B zones.

Background

Upon receiving this petition from the City Council for a report, the Planning Board raised the question of their ability to regulate non-profit educational institutions under the new Chapter 40A, the Zoning Enabling Act. Accordingly, the petition was referred to the Legal Department for an opinion, a copy of which is attached hereto. Briefly, the opinion stated that "the City may not prohibit the establishment of non-profit educational institutions ..." but may regulate certain dimensional characteristics only.

At the public hearing the petitioners were informed of the Legal Department's opinion and asked to withdraw their petition. There was some discussion of alternative means of regulating the establishment of non-profit educational institutions in Residence B zones. The petitioners subsequently decided to proceed with their petition while examining other means of accomplishing their desired end.

Recommendation

Based on the opinion of the Legal Department, it is the sense of the Planning Board that the City is unable to amend the Zoning Ordinance to prohibit the establishment of non-profit educational institutions. Therefore, the Planning Board recommends that this petition be DENIED.

For the Planning Board,



Arthur C. Parris, Chairman



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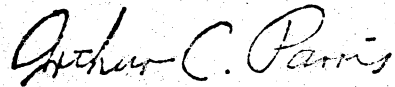
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For the Planning Board,



Arthur C. Parris, Chairman



CITY OF CAMBRIDGE, MASSACHUSETTS

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January 19, 1977

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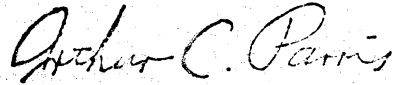
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For the Planning Board,



Arthur C. Parris, Chairman

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Comm. from the Chairman of the Planning Board forwarding the Board's recommendation regarding a proposed amendment to the Zoning Ordinance re: to non-profit education institutes in Residence B zones.

In City Council,  
January 31, 1977

*1/31/77*

*To Ordinance  
Committee*

*Copies put into Committee  
folders 2/2/77 dl*