



# City of Cambridge

In the Year One Thousand, Nine Hundred Seventy-Five

Introduced By Councillor Duehay

## AN ORDINANCE

In amendment to an Ordinance entitled: "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 February 13, 1961 entitled: "Zoning Ordinances of the City of Cambridge" is hereby amended by adding after Article VIII a new Article IX entitled: "Community Residence" which will read as follows:-

### ARTICLE IX COMMUNITY RESIDENCE

#### Section 1. Statement of Purpose.

This Article of the Zoning Ordinances of the City of Cambridge is hereby adopted to regulate the creation and maintenance of Community Residences in Cambridge for the protection of the health, safety and welfare of the people living in Community Residences and of the public. This Article is intended to ensure that all Community Residences are established and maintained under the guidance of a duly authorized agency of the Commonwealth of Massachusetts and that they comply with applicable health and safety laws and regulations. Further, this Article is intended to prevent the concentration of Community Residences in any one area of Cambridge, which concentration would tend to cause an institutional setting in that area.

#### Section 2. Definitions.

##### A. Community Residence

##### 1. A residence in which:-

- A. 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 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

# City of Cambridge

- B. 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.

2. 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 conditions described above in paragraph A are satisfied.

3. For the purposes of this Article Community Residences shall not include, lodging houses as defined in Chapter 140, Section 22 of the Massachusetts General Laws or in Article II of this ordinance.

B. Group Quarters

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

C. Neighborhood

That geographical area within Cambridge whose boundaries are defined on the Cambridge Planning Board's map entitled Cambridge Neighborhoods, as attached hereto and incorporated herein by reference.

SECTION 3. SPECIAL PERMIT REQUIRED FOR COMMUNITY RESIDENCE.

A. No Community Residence shall be established or maintained in Cambridge unless such Community Residence has obtained a Special Permit as required in Article 1., Section 5.

B. Special Permit Criteria

The Board of Zoning Appeal shall grant a Special Permit for the establishment of a Community Residence in accordance with the procedures outlined in Article 1., Section 4 of this ordinance if the Board finds that such Community Residence has met all of the following criteria.

1. The operation of the Community Residence, as proposed, must not result in bringing the number of Community Residences within that same neighborhood above one Residence for every ~~5000~~ 2500 population, or any increment exceeding one half of that number, 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 Residences within a particular neighborhood, the number of Community Residences that were in existence at the time of the enactment of this Article shall be included. (See Cambridge Neighborhoods Map)

2. The Board may refuse to grant a Special Permit for the establishment of a Community Residence at a location that is 300 feet or less from an existing Community Residence.

3. A Community Residence must have been inspected by the Housing Inspection Division of the Cambridge Department

of Health and Hospitals and this Department must have found that, for the use proposed, the property is in compliance with the Cambridge Housing Code and the Massachusetts Sanitary Code, including, but not limited to the minimum space requirements for each occupant.

4. The Community Residence must have been inspected by the Cambridge Fire and Building Departments and these Departments must have found that, for the use proposed, the property is in compliance with the applicable fire and building codes.

**ADDITIONAL TEXT CHANGES  
TO ACCOMPANY THE  
COMMUNITY RESIDENCE PETITION**

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1. In ARTICLE II "Definitions" renumber 5 through 35, so that numbers read 6 through 36.

2. In ARTICLE II "Definitions", add after number 4, "5. Community Residence. See Article IX, Section 2.A."

So that text shall read

"4. Building Line. A line.....of the General Laws.

5. Community Residence. See Article IX, Section 2.A.

6. District. A Section ..... are uniform."

3. In ARTICLE IV "Use Regulations" Section 2, Subsection 1. Residence, add after f. Item

"g. Community Residence	Res	Res	Res	Off	Bus	Bus	Bus	Ind	Ind"
	<u>A</u>	<u>B</u>	<u>C</u>	<u>    </u>	<u>A</u>	<u>A-1</u>	<u>B</u>	<u>A</u>	<u>B</u>
	1&2	Sp	1,2,3	Sp	Sp	Sp	Sp	No	No
	Sp		Sp						

so that text shall read

"f. trailer park or mobile home park

g. Community Residence	Res	Res	Res	Off	Bus	Bus	Bus	Ind	Ind"
	<u>A</u>	<u>B</u>	<u>C</u>	<u>    </u>	<u>A</u>	<u>A-1</u>	<u>B</u>	<u>A</u>	<u>B</u>
	1&2	Sp	1,2,3	Sp	Sp	Sp	Sp	No	No
	Sp		Sp						

Passed to a second reading at the meeting of \_\_\_\_\_ and on  
or after \_\_\_\_\_ the question may be on passing to be  
ordained.

ATTEST:- Paul E. Healy, City Clerk.

*the City Council  
has produced by Councilor Amberg*

CITY OF CAMBRIDGE MASSACHUSETTS

ZONING ORDINANCE

ARTICLE IX COMMUNITY RESIDENCE

SECTION 1., STATEMENT OF PURPOSE

\* Article 9., of the Zoning Ordinances of the City of Cambridge is hereby adopted to regulate the creation and maintenance of Community Residences in Cambridge for the protection of the health, safety and welfare of the people living in Community Residences and of the public. This Article is intended to ensure that all Community Residences are established and maintained under the guidance of a duly authorized agency of the Commonwealth of Massachusetts and that they comply with applicable health and safety laws and regulations. Further, this Article is intended to prevent the concentration of Community Residences in any one area of Cambridge, which concentration would tend to cause an institutional setting in that area.

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- b. 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.

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