



# City of Cambridge

In the Year Two Thousand One

## AN ORDINANCE

In Amendment to the "Zoning Ordinances of the City of Cambridge."

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

### Summary of Changes Adopted in the Citywide Rezoning Petition

Part I a. The Ordinance rezones six non residential areas to existing and new residential zoning districts: Office 3 and Industry B to Residence C-3B along Main and Albany Streets; Industry A-1 to Residence C-1A along Richdale Avenue and Sherman Street; Industry A to Residence C-2B at Cadbury Road; Industry A-1 to Residence C-1A at Rindge Avenue; Industry A-1 to Residence C-1A at Concord Avenue; and Business A-1 to Residence C-1 at Mt. Auburn Street. The Ordinance is amended to create two new residential zoning districts: Residence C-1A and Residence C-1B and to create a Mixed Use Residential Overlay District that is applied to several of the rezoned areas.

Part I b. A new provision is adopted that facilitates conversion of non residential buildings to residential use by relating the dimensional requirements on the site to the existing building rather than to the lot.

Part II a. Changes to permitted height and FAR are made to the following districts: Office 2, Office 3, Business B, Business B-1, Business B-2, Business C, Industry A, Industry B. Special Districts 5, 7 and 11, PUD-5 and the Industry A-1 District.

Part II b. Provisions are adopted that require parking in structures to be included in the calculation of FAR on a lot if the structure is not underground. Special provisions are provided for exiting parking facilities and for construction in flood plains and on contaminated sites.

*Citywide*

Part III. For buildings of 50,000 square feet or more (and for some uses, construction as small as 25,000 square feet) a Project Review Special Permit from the Planning Board is now required. The project will be assessed on its traffic impact and urban design character as measured against criteria stated in the new Ordinance. New site plan and building design requirements are imposed on all development in commercial and high-density residential districts for buildings or 25,000 square feet or more.

Part IV. The minimum and maximum parking requirements for office and research and development uses are made more restrictive. A project proposing to exceed the maximum number of parking spaces allowed must receive a special permit from the Planning Board.

In City Council February 12, 2001.  
Adopted as amended by a yeas and nays vote:-  
Yeas 7; Nays 2; Absent 0.  
Attest:- D. Margaret Drury, City Clerk.

A true copy:

ATTEST:-

D. Margaret Drury  
City Clerk

**Part I – Incentives for Housing**  
**a. Creating New Residential Districts**

**Section I: Map and Text Changes Related to a Single Residential Area**

*G. Industry B Zone along Main Street, Massachusetts Avenue, Wadsworth Street, Amherst Street, Ames Street, Albany Street and the Residence C-3 zoning district line.*

*G1. Create a new Residence C-3B district by doing the following.*

*G1a. Insert the new district in Table 5-1 Table of Dimensional Requirements – Residential Districts as follows.*

**5.30 DISTRICT DIMENSIONAL REGULATIONS**

**5.31 Residential Districts**

1. The following dimensional requirements, set forth in Table 5-1 and modified elsewhere in this Ordinance, shall be applicable to development in residential districts:

**Table 5-1. Table of Dimensional Requirements - Residential Districts**

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Res. A-1	0.5	8,000	6,000	80	25	15(sum of 35)	25	35	50%
Res. A-2	0.5	6,000	4,500	65	20	10 (sum of 25)	20	35	50%
Res. B	0.5 <sup>(f)</sup>	5,000	2,500 <sup>(j)</sup>	50	15	7'6" (sum of 20)	25	35	40%
Res C. <sup>(i)</sup>	0.6	5,000	1,800	50	$\frac{H+L(a)}{4}$	$\frac{H+L}{5}$	$\frac{H+L(c)}{4}$	35	36%
						(min. 7'6" sum of 20)			
Res. C-1	0.75	5,000	1,500	50	$\frac{H+L(a)}{4}$	$\frac{H+L}{5}$	$\frac{H+L(c)}{4}$	35	30%
Res. C-2	1.75	5,000	600	50	$\frac{H+L(a)}{4}$	$\frac{H+L}{5}$	$\frac{H+L(c)}{4}$	85	15%
Res. C-2B	1.75	5,000	600	50	$\frac{H+L(a)}{4}$ (k)	$\frac{H+L}{5}$ (k)	$\frac{H+L(c)}{4}$ (k)	45	15%
Res. C-2A	2.5	5,000	300	50	$\frac{H+L(b)(g)}{5}$	$\frac{H+L(g)}{6}$	$\frac{H+L(c)}{5}$	60	10% <sup>(h)</sup>

Res. C-3	3.0	5,000	300	50	$\frac{H+L^{(b)}}{5}$	$\frac{H+L}{6}$	$\frac{H+L^{(c)}}{5}$	120	10%
Res. C-3A	3.0 <sup>(d)</sup>	5,000	300	50	$\frac{H+L^{(b)(e)}}{5}$	$\frac{H+L^{(f)}}{6}$	$\frac{H+L^{(c)}}{5}$	120	10%
Res. C-3B	3.0/4.0	5,000 (m)	300	50	10	none	none	120	10%

G1b. Add a new Footnote (m) to read as follows:

(m) For purposes of calculating FAR and for no other purpose, notwithstanding the definition of Lot in Article 2.000, a Lot in the Residence C-3B district may contain non-contiguous parcels provided that all parcels are held in identical ownership, are all located within the Residence C-3B district or any abutting Business B district, and further provided that development on any contiguous portion of the lot does not exceed an FAR of 4.0

G1c. In Section 3.11 insert the new district between Residence C-3 and Office 1.

G1d. Elsewhere in the text of the Ordinance, insert the new Residence C-3B district after Residence C-3 wherever the Residence C-3 district appears.

G2. Amend the Zoning Map of the City of Cambridge

G2a. Delete the existing zoning designation IB (Industry B) on the Zoning Map and substitute therefor the designation C-3B (Residence C-3B) for that portion of the Industry B district that lies south of Main Street and is bordered by the centerlines of Wadsworth Street, Amherst Street, Ames Street, the Residence C-3 Zoning District line, the centerline of Massachusetts Avenue and the centerline of Albany Street, except that the portion of the Industry B zone described in G2b below shall be designated C-3B/MXR (Residence C-3B/Mixed Use Residential Overlay District).

G2b. Delete the existing zoning designation IB (Industry B) on the Zoning Map and substitute therefor the designation C-3B/MXR (Residence C-3B/Mixed Use Residential Overlay District) for that portion of the Industry B district that lies south of Main Street and is bordered on the east by the centerline of Wadsworth Street, on the south by a line parallel to and 100 feet distant from the southerly sideline of Main Street, on the west by the centerline of Albany Street, and on the north by the centerline of Main Street.

G2c. Delete the zoning designation O-3 (Office 3) on the zoning Map and substitute therefor the designation C-3B (Residence C-3B) for the entire Office 3 district in East Cambridge bordered by Memorial Drive, Main Street, the Industry B zoning district line and the Residence C-3 zoning district line, except that Lots 10, 11, 12 and 14 on Assessor's Plat #46 shall remain in the Office 3 district. (Not shown on the attached map)

G3. Adopt Provision 3 of Section II – Creation of Mixed Use Residential Overlay District

*K. Industry A-1 Zone along Richdale Avenue in Neighborhood 9.*

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*K1. Amend the Zoning Map of the City of Cambridge*

Delete the existing zoning designation IA-1 (Industry A-1) on the Zoning Map and substitute therefor the designation C-1A (Residence C-1A) for the entire Industry A-1 district to the north and south of the railroad right of way in the vicinity of Richdale Avenue, Sherman street and Bellis Circle with the exception of Lot # 70 on Assessors Plat #203A which shall retain its Industry A-1 designation.

*L. Industry A Zone along Sherman Street.*

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*L1. Amend the Zoning Map of the City of Cambridge*

Delete the existing zoning designation IA (Industry A) on the Zoning Map and substitute therefor the designation C-2B (Residence C-2B) for the portion of the Industry A district bounded by the centerlines of Cadbury Road in part, Wood Street, Walden Street and Sherman Street, the southeasterly sideline of Lot # 53 on Assessor's Plat #203B, and the Residence C-2 zoning district line along the northeasterly boundary.

*M. Industry A-1 Zone along Rindge Avenue at Jerry's pond.*

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*M1. Amend the Zoning Map of the City of Cambridge*

Delete the existing zoning designation IA-1 (Industry A-1) on the Zoning Map and substitute therefor the designation C-1A (Residence C-1A) for the two entire Industry A-1 zones bordered by the centerline of Rindge Avenue on the north, the Residence C-2 and Residence B zoning district lines on the east and west and partially to the south, and partially the centerline of the railroad right of way to the south. For that portion of the two zones located within one hundred feet of the southerly sideline of Rindge Avenue, also amend the Zoning Map to apply the designation MXR (Mixed Use Residential Overlay District).

*M2. Adopt Provision 2 of Section II -- Mixed Use Residential Overlay District.*



N. Industry A-1 Zone Concord Avenue at New Street.

NI. *Amend the Zoning Map of the City of Cambridge*

Delete the existing zoning designation IA-1 (Industry A-1) on the Zoning Map and substitute therefor the designation C-1A (Residence C-1A) for that area bounded by the centerlines of Birch Street, Field Street, Fern Street and Concord Avenue.

*O. Business A-1 Zone on Mt. Auburn Street.*

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*O1. Amend the Zoning Map of the City of Cambridge*

Delete the existing zoning designation BA-1 (Business A-1) on the Zoning Map and substitute therefor the designation C-1/MXR (Residence C-1/Mixed Use Residential Overlay District) for that portion of the Business A-1 zone bordered on the south by a line parallel to and 100 feet north of the northerly sideline of Mt Auburn Street, on the east by (1) the westerly side lot lines of Lots #118 and #167 on Assessor's Plat #252 and Lot #155 on Assessor's Plat #252A and (2) the southerly and easterly side lot lines of Lot #154 on Assessor's Plat #252A, on the west by the Residence B zoning district line and the centerline of Homer Avenue, on the south, west of Homer Avenue, by the northerly side lot line of Lot #172 on Assessor's Plat #252, and on the north by the Residence B district line.

*O2. Adopt Provision 2 of Section II – Mixed Use Residential Overlay District.*

## Section II: Text Changes Related to More than One Residential Area

Provision 2. Establish a new Article 20.000 – Overlay Districts, and create a new Section 20.20 – Mixed Use Residential Overlay District to read as follows.

20.20 Mixed Use Residential Overlay District (MXR)

20.21 *Establishment and Purpose.* There is hereby established the Mixed Use Residential Overlay District as shown on the Zoning Map of the City of Cambridge, as amended. It is the intent of this Overlay District to modify base residential district regulations, where a substantial inventory of non-residential uses already exists, such that: (1) existing non residential activities, compatible with existing and future residential construction, may continue, (2) retail and consumer service uses that might serve as support for existing or future residential construction are permitted, and (3) future residential construction on suitable sites is not inhibited. The Overlay District is intended to facilitate a mixed use environment supportive of housing construction within the district in the future while permitting existing non residential activities to operate and adjust to changing circumstances through limited expansion in built area in ways that will not negatively impact residential activities.

20.22 *Permitted Non-Residential Uses and New Construction.* A use not otherwise permitted in the base residential district may be permitted in the Mixed Use Residential Overlay District where such use is allowed or conditionally allowed in the Industry A-1 district, subject to the following conditions and limitations and the procedures established in Section 20.24 below.

- a. The use does not replace an existing residential use or, if the lot or area of a building proposed to be the location a non-residential use is vacant, no residential use had been established at any time in the previous five years.
- b. Retail uses, Sections 4.35 and 4.36, shall only be permitted on the first floor and basement of a building, shall be located in a building containing other uses, and may not exceed more than twenty-five (25) percent of the gross floor area of the building in which they are located, or alternately no more than twenty-five (25) percent of the total area of a development proposal or any combination of existing and proposed buildings if so permitted by the Planning Board. No individual retail establishment may exceed 2500 gross square feet in area unless specifically permitted by the Planning Board.
- c. Transportation, communication and utility uses, Section 4.32; Office and Laboratory Uses, Section 4.34; Light industry, wholesale business or storage uses, Section 4.37; or Heavy industry uses, Section 4.38 may be permitted in an existing building, or as an addition to an existing building or as new construction on a vacant lot provided the additional gross floor area is to serve uses or operations already in existence in the district.
- d. Parking lot or parking garage for private passenger cars, Section 4.32 b shall be prohibited.

**20.23** *Dimensional Limitations.* The Gross Floor Area for any non-residential use or combination of non-residential uses on a lot shall be limited by the FAR set forth below for the applicable residential base district.

- a. Residence C: 0.6
- b. Residence C-1: 0.75
- c. Residence C-1A: 1.0
- d. Residence C-2: 1.25
- e. Residence C-2B: 1.25
- f. Residence C-2A: 1.5
- g. Residence C-3: 2.0
- h. Residence C-3B: 2.0

All other dimensional requirements of the residential district shall continue to apply.

**20.24** *Procedures.*

**20.24.1** *Changes Permitted As-of-Right*

Any structure existing or authorized by permit as of September 15, 2000, which contains a non-residential use not permitted in the residential base district, may be expanded in area to accommodate the existing use in an amount not to exceed, in total for all additions, 15% of the existing Gross Floor Area of the building. In no case, however, may the FAR on the lot after said addition or additions exceed that set forth in Section 20.23 above.

**20.24.2** *Changes Permitted by Special Permit*

All other changes of use, additions to existing buildings, or construction of new buildings permitted in Section 20.22 above, and otherwise not permitted to proceed as-of-right as set forth in Section 20.24.1 above, shall require the granting of a special permit from the Planning Board

**20.25** *Criteria for Issuance of a Special Permit.* Designation of the base residential zoning district expresses the policy objective of the City of Cambridge that new construction in the district should principally be for residential use, or for other uses permitted in the residential base district. However, recognizing the present land use character of the area, this Mixed Use Residential Overlay District provides flexibility such that existing non-residential uses may continue to operate without unreasonable regulatory impediment provided they do not now or will not in the future hinder the expansion or introduction of residential uses to the district. Therefore, in granting a special permit under this Section 20.20, the Planning Board shall take into consideration the following and make appropriate findings related thereto:

- (e) The proposed new use or expansion of an existing use will contribute to a physical and use environment that is supportive of residential uses, as for example the introduction of ancillary retail and consumer services;
- (f) In its operations, scale, building design and location on the lot, the proposed use or new construction will not significantly impair the health, safety and

welfare of current residential occupants of the district or impair the prospects for construction of new residential uses on adjacent lots or within the district, or alternately will positively contribute to the health, safety and welfare of residents in the district;

- (g) In its design, the new construction could be reasonably converted to residential use in the future;
- (h) Where it is proposed to construct a building on a vacant lot or where it is proposed to expand an existing facility not used for residential purposes by more than fifteen (15) percent of its existing gross floor area, the lot is not suitable for residential use as indicated by its location and surrounding uses. Where the lot may be suitable for residential use, the proposed construction is to serve an existing operation or enterprise now in the district. That operation or enterprise shall be found to be an important contributor to the Cambridge economy, through the provision of employment, the generation of new ideas, products or processes, and through the potential to expand and grow elsewhere in the city in areas intended for non-residential development;
- (i) Special attention is paid in the design and layout of the new construction to mitigate or prevent negative impacts on present and future residential uses, including among other measures screening of mechanical equipment for visual or acoustical reasons, location of refuse management systems within the structure, and the location of loading and service delivery systems in the least obtrusive areas of the lot.

Provision 3. Create a new residential zoning district with the designation Residence C-1A by amending the Text of the Ordinance as follows.

3a. Insert the new district in Table 5-1 Table of Dimensional Requirements – Residential Districts as follows.

5.30 DISTRICT OF DIMENSIONAL REGULATIONS

5.31 Residential Districts

- The following dimensional requirements, set forth in Table 5-1 and modified elsewhere in this Ordinance, shall be applicable to development in residential districts:

Table 5-1. Table of Dimensional Requirements - Residential Districts

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Res. A-1	0.5	8,000	6,000	80	25	15(sum of 35)	25	35	50%
Res. A-2	0.5	6,000	4,500	65	20	10 (sum of 25)	20	35	50%
Res. B	0.5 (i)	5,000	2,500(i)	50	15	7'6" (sum of 20)	25	35	40%
Res C. (i)	0.6	5,000	1,800	50	$\frac{H+L}{4}$ (a)	$\frac{H+L}{5}$	$\frac{H+L}{4}$ (c)	35	36%
						(min. 7'6" sum of 20)			
Res. C-1	0.75	5,000	1,500	50	$\frac{H+L}{4}$ (a)	$\frac{H+L}{5}$	$\frac{H+L}{4}$ (c)	35	30%
Res C-1A	1.25	5,000	1000	50	10	$\frac{H+L}{7}$ (l)	$\frac{H+L}{5}$ (l)	45	15%
Res. C-2	1.75	5,000	600	50	$\frac{H+L}{4}$ (a)	$\frac{H+L}{5}$	$\frac{H+L}{4}$ (c)	85	15%
Res. C-2B	1.75	5,000	600	50	$\frac{H+L}{4}$ (a) (k)	$\frac{H+L}{5}$ (k)	$\frac{H+L}{4}$ (c) (k)	45	15%
Res. C-2A	2.5	5,000	300	50	$\frac{H+L}{5}$ (b)(g)	$\frac{H+L}{6}$ (g)	$\frac{H+L}{5}$ (c)	60	10%(h)
Res. C-3	3.0	5,000	300	50	$\frac{H+L}{5}$ (b)	$\frac{H+L}{6}$	$\frac{H+L}{5}$ (c)	120	10%

3b. Add a new Footnote (l) to read as follows:

(l) These requirements may be reduced to a minimum required setback of ten (10) feet with the grant of a special permit from the Planning Board provided that the yard is suitably landscaped to effectively buffer the building walls from abutting lots.

3c. In Section 3.11 insert the new district between Residence C-1 and Residence C-2.

3d. *In Section 4.26 – Multifamily Special Permit Applicability, Sections 4.26.1 and 4.26.2, insert the phrase Residence C-1A as follows:*

4.26.1 The construction of a multifamily dwelling containing twelve (12) or more dwelling units or of elderly oriented congregate housing containing twenty-four (24) or more separate living spaces in a Residence C, Residence C-1, Residence C-1A, Office 1, Office 2, Business A-1, Business A-2 or Industry A-1 district shall require a special permit granted by the Planning Board.

4.26.2 The construction of a multifamily dwelling or of elderly oriented congregate housing in a Residence C, Residence C-1, Residence C-1A, Office 1, Office 2, Business A-1, Business A-2 or Industry A-1 district which contains less than twelve (12) dwelling units or twenty-four (24) dwelling living spaces shall require a special permit if both of the following conditions pertain to the development.

- (1) another permit for a multifamily dwelling or elderly oriented congregate housing has been granted within the twelve month period immediately preceding the date of permit application for the lot on which the development would be located or on an abutting lot;
- (2) the development for which the permit is being sought would increase the total number of dwelling units on said lot(s) to twelve (12) or more, the total number of living spaces to twenty-four (24) or more, or the total number of dwelling units and living spaces to eighteen (18) or more.

3e. *Amend Section 11.12 – Applicability of Regulations, Section 11.12, 11.12.1, 11.12.2 and 11.12.3 (for Townhouse Developments) so that it reads as follows:*

11.12 *Applicability of Regulations.* The development standards specified in this Section 11.10 are applicable only to townhouse developments and do not change the development standards for other uses in the Residence, Office and Business, and Industry A-1 districts. Townhouse developments which meet the requirements specified in Sections 11.14, 11.15, and 11.16 shall be allowed in Residence B, C, C-1, C-1A, C-2, C-2A, C-2B, C-3, C-3A, and C-3B, Office and Business and Industry A-1 districts as follows:

- 11.12.1 Construction of a townhouse development containing six (6) or more dwelling units in a Residence B district and Residence C district shall require a special permit.
- 11.12.2 Construction of a townhouse development containing twelve (12) or more dwelling units in a Residence C-1, Residence C-1A, Office 1, Office 2, Business A-1, or Industry A-1 district shall require a special permit.
- 11.12.3 Construction of a townhouse development in a Residence B, C, C-1, Residence C-1A, Office 1, Office 2, Business A-1, or Industry A-1 district which contains fewer units than specified in Section 11.12.1 or 11.12.2 shall require a special permit if both of the following conditions pertain to the development:
- (1) another permit for townhouse development has been granted within the twelve (12) month period immediately preceding the date of permit application for the lot on which the development would be located or on an abutting lot;
  - (2) the townhouse development for which the permit is being sought would increase the total number of dwelling units on said lot(s) to the threshold specified in Section 11.12.1 or 11.12.2.

3f. *Elsewhere in the Text of the Ordinance, insert the new Residence C-1A district before Residence C-2 wherever the Residence C-2 district appears in the text.*



**Part I – Incentives for Housing**  
**b. Conversion of Non Residential Buildings to Residential Use**

A1. Create a new Section 5.28 as follows, to set forth the dimensional standards for residential uses in non-residential districts and non-residential structures.

*5.28 Special Dimensional Standards Applicable to Dwellings*

5.28.1 *Dwellings in Non Residential Districts.* A dwelling shall be subject to the dimensional standards generally applicable in the district set forth in the Tables of Dimensional Requirements in Section 5.30, except as provided for below.

- a. A dwelling in a Business A district shall be subject to the same dimensional requirements and other restrictions as a dwelling in a Residence C-2B district, except that the height limitation on lots abutting Hampshire Street shall be sixty-five (65) feet.
- b. A dwelling in a Business A-1 district shall be subject to the same dimensional requirements and other restrictions as a dwelling in a Residence C-1 district.
- c. A dwelling in a Business B district shall be subject to the same dimensional requirements and other restrictions as a dwelling in a Residence C-3 district.

5.28.2 *Conversion of Non Residential Structures to Residential Use.* Where it is proposed to convert an existing principal use structure, designed and built for non residential use, to residential use (excluding Transient Accommodations, Section i (1) and (2)), the dimensional standards generally applicable in the district as set forth in the Tables of Dimensional Requirements in Section 5.30 and other applicable regulations in this Ordinance shall apply. However, where some or all of those requirements cannot be met, the following provisions shall apply after issuance of a special permit by the Planning Board.

5.28.21 *Gross Floor Area.* The Gross Floor Area permitted shall be that which is the result of the application of the FAR permitted in the district in which the structure is located, or the existing Gross Floor Area of the structure itself, whichever is greater. However, additional Gross Floor Area may be added to the non residential structure without limit provided all construction creating additional Gross Floor Area occurs within the physical limits of the existing structure.

5.28.22 *Dwelling Units.* The number of dwelling units permitted shall be that number which is the result of the application of the Lot Area Per Dwelling Unit requirement in the district in which the structure is located, or that number of units produced when the

Gross Floor Area of the structure as permitted in Section 5.28.21 above is divided by 900 square feet, whichever is greater.

*5.28.23 Yard Requirements.* The required yards shall be those of the structure existing at the time of the conversion to residential use. However, any construction occurring outside the limits of the existing structure shall be subject to the yard requirements of the district in which the structure is located.

*5.28.24 Maximum Height.* The maximum height shall be that height permitted in the district in which the structure is located, or the building height, whichever is greater. However, any construction that occurs outside the existing limits of the structure, other than construction exempt from the height limit as set forth in Section 5.23, shall be subject to the maximum height limit of the district in which the structure is located.

*5.28.25 Useable Open Space Requirements.* The Useable Open Space requirement shall be that required in the district in which the structure is located, except as modified herein.

a. The dimensional and locational limitations for Useable Open Space set forth in Section 5.22 shall not apply; any combination of at-grade usable open space and decks and balconies at other levels shall be permitted as shall walks intended for non vehicular use. However, in every case where those requirements of Section 5.22 waived by this Paragraph (a) are not met, all portions of the surface of the lot shall be Green Area as defined in Article 2.000 that are (1) not covered by the building or (2) devoted to the minimum area necessary to provide at grade, conforming parking spaces and the minimum necessary circulation and driveways for no more than one parking space per dwelling unit. The amount of Useable Open Space required may be reduced by the Planning Board should the Board find that full compliance cannot reasonably be expected given the existing development of the lot and the provision of parking necessary to serve the dwelling units.

*5.28.26 Conforming Additions.* Conforming additions to such non-residential structures shall be permitted without reference to the limitations set forth in Section 8.22 for such additions to non-conforming structures.

*5.28.27 Criteria for Approval of a Special Permit*

In acting upon this special permit, the Planning Board shall take into account the standards and criteria set forth in Sections 10.43, 10.47 and 10.47.1 of this Ordinance. In addition the Planning Board shall consider the following:

(1) The impact of residential neighbors of the new housing use as it may affect privacy. The location and size of windows, screening elements, decks, entries, and other aspects of the design shall be reviewed to maintain reasonable levels of privacy of abutter where significant variations from the normally required dimensional standards for the district are granted.

(2) The impact of increased numbers of dwelling units above that normally permitted in the district, on on-street parking, particularly in neighborhoods where off street parking is limited.

A2. In Section 5.33 - Business Districts, delete the text of Paragraphs 3-7.

# **Citywide Rezoning Petition Ordinance as Adopted**

## **Part II – Adjustments to Amount of Development Allowed**

### a. Changes to FAR and Height Provisions

**Part II - Adjustments to Amount of Development Allowed**  
**a. Changes to FAR and Height Provisions**

A. Create a New Section 5.30.1 to read as follows

5.30.1 – *Rules for Applying Certain Provisions of the Tables of Dimensional Requirements.*

5.30.11 – *FAR and Height*

Where two numbers appear in Column (1) – Maximum Ratio of Floor Area to Lot Area and Column (6) Maximum Height in Feet, the first number shall apply to all permitted uses in the district except Residential Uses, Section 4.31 a-h, and Dormitory (but excluding resident fraternity or sorority) Uses, Section 4.33 b (7), both of which shall be governed by the second number.

5.30.12 – *Calculation of Permitted Gross Floor Area on a Lot*

Where two numbers regulate the permitted FAR on a lot, the Gross Floor Area of any uses proposed on the lot shall be determined by the following formula:

$$\text{Gross Floor Area Permitted} = [(A \times \text{FAR}_1) \times \text{Lot Area}] + [(B \times \text{FAR}_2) \times \text{Lot Area}]$$

*Where A equals the percentage of Gross Floor Area in the building to be used for non residential use(s),*

*and*

*Where B equals the percentage of Gross Floor Area in the building to be used for residential and dormitory use(s),*

*And where*

$$A + B = 100\% \text{ (or } 1.0) \text{ or less}$$

*And*

*FAR<sub>1</sub> equals permitted FAR for non residential uses and*

*FAR<sub>2</sub> equals permitted FAR for residential and dormitory uses.*

**B. Make Changes to Permitted FAR and Height in the Tables of Dimensional Regulations as follows.**

**B1 – Office Districts**

**Table 5-2. Table of Dimensional Requirements - Office Districts**

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Office 1	0.75	5,000	1,200	50	$\frac{H+L^{(a)}}{4}$	$\frac{H+L}{5}$	$\frac{H+L^{(c)}}{4}$	35	15%
Office 2	<u>1.50/2.0 (s)</u>	5,000	600	50	$\frac{H+L^{(a)}}{4}$	$\frac{H+L}{5}$	$\frac{H+L^{(c)}}{4}$	<u>70/85(d) (s)</u>	15%
Office 3	<u>2.0/3.0</u>	5,000	300	50	$\frac{H+L^{(b)}}{5}$	$\frac{H+L}{6}$	$\frac{H+L^{(c)}}{5}$	<u>90/120</u>	10%
Office 3A	3.0	5,000	300	50	$\frac{H+L^{(b)}}{5}$	$\frac{H+L}{6}$	$\frac{H+L^{(c)}}{5}$	120	10%

B1 a – Create a new Footnote (s) to read as follows:

(s) Except that in the Office 2 zone shown on the Zoning Map of the City of Cambridge abutting Concord Turnpike, which is bounded by the Town of Belmont and the Town of Arlington town lines and the Open Space District, the FAR shall be 2.0 for all uses and the Maximum Height shall be 85 feet.

**B2 – Business Districts**

**Table 5-3 Table of Dimensional Requirements - Business Districts**

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Bus. A	1.0/1.75	none	600	none	none	none	$\frac{H+L^{(a)}}{5}$	35/45 to 65 (b)	none
Bus. A-1	1.0/0.75	none	1200	none	none	none	$\frac{H+L^{(a)}}{5}$	35	none
Bus. A-2	1.0/1.75	none	600	none	5 <sup>(m)</sup>	10 <sup>(l)</sup>	20 <sup>(j)</sup>	45 <sup>(k)</sup>	none
Bus. B	<u>2.75/3.0 (t)</u>	none	300	none	none	none	none	<u>80 (t)</u>	none
Bus. B-1	<u>1.50/3.25</u>	none	300	none	none	none <sup>(e)</sup>	none <sup>(e)</sup>	<u>55/90(c)</u>	(d)
Bus. B-2	<u>1.50/3.0</u>	none	300	none	none	none <sup>(e)</sup>	none <sup>(e)</sup>	45	(d)
Bus. C	<u>1.25/2.0</u>	none	500	none	none	none	20 <sup>(j)</sup>	55 <sup>(g)</sup>	none
Bus. C-1	<u>2.75/3.0<sup>(n)</sup></u>	none	450 <sup>(n)</sup>	none	none	none <sup>(o)</sup>	20 <sup>(j)</sup>	50 <sup>(g)(l)</sup>	none

B2a – Modify footnotes to Table 5-3 as follows.

B2a.1 - Delete the text of Footnote h.

B2a.2 – Delete the text of the Footnote (b) and substitute therefor the following:

(b) As set forth in Paragraph 3 below. (NOTE: *should Section 5.28.1 be adopted as proposed in Part IV, the footnote would read: As set forth in Section 5.28.1.*)

B2b – Create a Footnote (t) to read as follows:

(t) Except that for that area bounded by the centerline of Main Street on the south, the centerline of Windsor Street on the west, the line along the Cambridge/Somerville/Boston municipal boundary lines to its intersection with Bridge Street/O'Brien Highway on the north, and the line along the centerline of First Street to Cambridge Street to O'Brien Highway to its intersection with the Boston municipal boundary line on the east, the FAR in any Business B zone shall be 3.0 for residential uses and 4.0 for all other uses and the height shall be 120 feet.

## B3 – Industrial Districts

Table 5-4 Table of Dimensional Requirements - Industrial Districts

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Ind. A-1	<u>1.25/1.50 (t)</u>	5,000	1,200 <sup>(a)</sup>	50	0	0 <sup>(b)</sup>	0 <sup>(b)</sup>	45	none
Ind. A-2	<u>4.0</u>	5,000	none	50	0	0 <sup>(b)</sup>	0 <sup>(b)</sup>	70	none
Ind. A	<u>1.25/1.50 (t)</u>	none	none	none	none	none	none	<u>45 (d) (t)</u>	none
Ind. B-1	<u>3.0</u>	5,000	none	50	0	0	0	70	none
Ind. B-2	<u>1.5</u>	5,000	none	50	0	0 <sup>(b)</sup>	0 <sup>(b)</sup>	85 <sup>(c)</sup>	none
Ind. B	<u>2.75/4.0 (t)</u>	none	none	none	none	none	none	120	none
Ind. C	1.0	20,000	none	100	0	0 <sup>(b)</sup>	0 <sup>(b)</sup>	45	none

B3 a – Create a new Footnote (t) to read as follows:

(t) Except that for that area bounded by the centerline of Main Street on the south, the centerline of Windsor Street on the west, the line along the Cambridge/Somerville/Boston municipal boundary lines to its intersection with Bridge Street/O'Brien Highway on the north, and the line along the centerline of First Street to Cambridge Street to O'Brien Highway to its intersection with the Boston municipal boundary line on the east, the following FAR and Maximum Height provisions shall apply to the zoning districts listed below:

Industry A: FAR of 2.0 for all uses and Maximum Height of 85 feet.

Industry A-1: FAR of 1.25

Industry B: FAR of 4.0 for all uses and Maximum Height of 120 feet.



C. Make Changes to Permitted FAR and Height in Other Locations in the Ordinance.

#1258

C-1 – Amend Section 11.304.3 of the Central Square Overlay District so that it reads as follows.

(see 10.300)

11.304.3 Floor Area Ratio Limitation. The maximum floor area ratio applicable to any lot in the Central Square Overlay District shall be governed by the requirements of this Section 11.304.3; however, at locations where the base zoning district establishes a more restrictive FAR limit the more restrictive shall apply.

a. As Of Right Limitation.

The maximum as of right FAR shall be 3.0 in the Office 3 base zoning district for Residential Uses, Section 4.31 a-h, and 2.0 for all other uses; 3.0 for all uses in the Business B base zoning district; and 2.0 in the Residence C-3 and Residence C-2A base zoning districts.

b. Special Permit for additional FAR.

The maximum FAR on any lot in a Residence C-3 or Residence C-2A district may be increased to 3.0 and 2.5 respectively upon issuance of a special permit from the Planning Board.

c. Special Permit for Additional FAR for Affordable Housing.

The maximum FAR on any lot in an Office 3 District may be increased to 3.75 upon issuance of a special permit from the Planning Board provided a minimum of twenty (20) percent of the total gross floor area authorized is devoted to affordable housing as defined in Section 11.201. The affordable housing shall conform to the standards of Section 11.204 except that lodging housing or single room occupancy facilities shall be specifically permitted. The additional FAR bonus permitted in Section 11.203.2, however, shall not apply to developments employing the provisions of this Section 11.304.3c.

C3 – Amend a portion of Special District 5 so that it reads as follows.

17.53 *Dimensional Regulations.* The following Dimensional Regulations shall apply to all development proposals within the district.

17.53.1 Maximum FAR. The FAR applicable on any lot in the district shall not exceed 1.25 for all permitted uses. However, the applicable FAR may be increased by an additional 0.75 to a maximum of 2.0, by special permit from the Planning Board, for permitted residential uses, excluding hotels and motels, and for dormitory uses, Section 4.33 b(7).

C4 – Amend a portion of Special District 7 so that it reads as follows.

17.73 *Dimensional Regulations*

17.73.1 *Maximum FAR.* The maximum FAR for any lot in the district shall not exceed 3.0 for Residential Uses, Section 4.31 a-h, and Dormitory Uses, Section 4.33 b (7) and 2.0 for all other permitted uses.

17.73.2 *Additional Height.* The maximum height permitted in the district may be increased to one hundred (100) feet by special permit from the Planning Board; all other height limitations imposed by the Central Square Overlay District shall apply.

C5 – Amend a portion of Special District 11 so that it reads as follows.

17.203 *Dimensional Regulations.* The following Dimensional Regulations shall apply to all development proposals within the district.

17.203.1 Maximum FAR

- a. The FAR applicable on any lot in the district shall not exceed 1.25 for all permitted uses. However, the applicable FAR may be increased by an additional 0.75 to a maximum of 2.0, by special permit from the Planning Board, for permitted residential uses, excluding hotels and motels, and for dormitory uses, Section 4.33 b (7).

C7 - Delete the existing text of Section 13.60 - PUD-5 District Controls and substitute therefore the following.

13.60 PUD-5 DISTRICT CONTROLS

13.61 *Purpose.* The PUD-5 district is intended to encourage the creation of a highly active urban environment around the planned Alewife transit station and to promote mixed use development with an emphasis on residential uses in association with office and research facilities and supporting retail activities.

13.62 *Uses Allowed in a PUD-5 District.* The following uses alone or in combination with each other shall be allowed upon permission of the Planing Board subject to the limitations of this Subsection 13.62

13.62.1 Residential uses, Section 4.31 a-h.

13.62.2 Office and Laboratory Uses. All uses listed in Subsection 4.34

13.62.3 Retail, Business and Consumer Service Establishments. All uses listed in Section 4.35 provided that they are located in a building with other permitted uses, are located on the first floor or the basement of the building, and do not exceed twenty-five (25) percent of the total Gross Floor Area of the building in which they are located. No

individual establishment may exceed 2,500 gross square feet in area unless the Planning Board specifically grants a waiver from this limitation.

13.62.4 Telephone exchange (including switching, relay, and transmission facilities serving mobile communications systems) and any towers and antennas accessory thereto, transformer station, substation, gas regulating station, or pumping station subject to the provisions of Section 4.32 g (1). However, any Telephone exchange use as set forth in 4.32 g (1) proposed with any facility having a floor area greater than four hundred (400) square feet shall only be permitted in a building in existence as of September 15, 2000 that, if vacant, has not been occupied by a residential use in the five years immediately preceding the time of application for a Certificate Of Occupancy for the proposed office use, or if occupied, the current use is any office and laboratory use, Section 4.34; any retail business and consumer service establishment, Section 4.35; any light industry, wholesale business or storage use, Section 4.37; or any heavy industry use, Section 4.38.

13.63 *District Dimensional Regulations.*

13.63.1 The minimum size of the development parcel for PUD-5 shall be twenty-five thousand (25,000 ) square feet.

13.63.2 The maximum ratio of gross floor area of all structures in the planned unit development to the total area of the development parcel shall be 1.75 for permitted non residential uses and 2.0 for permitted residential uses.

13.63.3 There shall be no minimum width for the development parcel and no minimum width for lots located within the development parcel. No building shall be located closer to a designated Open Space district than twenty-five (25) feet. It is intended, however, that buildings in the district should be uniformly set back from any major arterial roadways and from any public open space. There shall be no minimum required front, rear, and side yards for a development parcel. The Planning Board shall approve all such building setbacks.

13.63.4 The maximum allowable height of any building in the planned unit development shall be eighty-five (85) feet.

13.63.5 The requirements of the Parkway Overlay District shall apply in the PUD-5 District.

13.64 *Open Space Requirements.*

At least fifteen (15) percent of the Development parcel shall consist of Useable Open Space or Green Area Open Space as defined in Article 2.000.

- 13.65 *Parking and Loading Requirements.* A Planned Unit Development in a PUD-5 district shall conform to the off street parking and loading requirements set forth in Article 6.000, except as modified by this Section 13.64.
- 13.65.1 Minimum off street parking shall be provided as required for residential, office and retail uses in Residence C-3, Office 3, and Business B zoning districts.
- 13.65.2 The parking requirement specified in Section 13.64.1 may be satisfied in total or in part by a lease agreement between the developer and the City, other public entity, or private consortium for use of parking spaces in a public or pooled private parking facility. Such facility may be located outside the development parcel but shall be located within the PUD-5 District.
- 13.66 *Development Guidelines.* In evaluating a Development Proposal in the PUD-5 district, the Planning Board shall give consideration to the following guidelines in addition to those specified for the Alewife Station and Boulevard districts in the 1979 Cambridge Community Development Department report entitled *Alewife Revitalization and the Urban Design Objectives* set forth in Section 19.30.
- a. *Perimeter and Transition.* Any part of the perimeter of a planned unit development which fronts on an existing street or public open space shall be so designed as to complement or to enhance adjacent land uses with respect to scale, density, setback, bulk, height, landscaping and screening.
  - b. *Pedestrian Linkages.* All developments in the PUD-5 district should provide integrated pedestrian circulation systems, particularly strong linkages between the transit station and the commercial activities.
  - c. *Retail Uses.* Retail uses in the district should be concentrated as ground floor uses in buildings principally containing other activities. They should be oriented toward public streets, plazas or other active urban open spaces.
  - d. *Building Height.* Lower buildings or building elements are encouraged close to principal arterial roadways and existing and planned open spaces.
  - e. *Parking Orientation.* Ground level parking located within structures should not abut plazas or major pedestrian ways.
  - f. *Open Space.* Development of small scale plazas for outdoor cafes, street vending, retail marketing, and outdoor exhibitions should be located and designed to complement and to be connected with existing and planned public open space in the district.

C8 - Amend the Text of the Ordinance in Article 12.000, Section 12.52, by deleting the existing text and substituting therefor the following.

- 12.52** *PUD Development Parcel Size.* The minimum size of a development parcel for a planned unit development shall as indicated in each planned units development's individual regulations; however the Planning Board may, at its discretion, allow development parcels containing less than the minimum parcel size required but at least five

times the minimum required area for a lot in the base zoning district in which the development would be located. The Planning Board shall permit a development parcel containing less than the minimum parcel size required only upon its written determination that public review and approval of such a small development is necessary for accomplishing the planning objectives of the PUD district in which the development is located.

# **Citywide Rezoning Petition Ordinance as Adopted**

## **Part II – Adjustments to Amount of Development Allowed**

### **b. Inclusion of Structured Parking in FAR**

**Part II – Adjustments to the Amount of Development Allowed**  
**b. Inclusion of Structured Parking in FAR**

A. Amend the definition of “Gross Floor Area” in Article 2.000 so that it reads as follows.

*Floor area Gross.* The sum, in square feet, of the gross horizontal areas of all floors of a building, as measured from the exterior walls [except in (8) and (9) below where only interior space shall be measured and in (h) where the area of the parking facility shall be measured] of a building or the centerline of party walls between buildings.

Gross Floor Area shall include:

- (a) roofed porches and balconies whether enclosed or unclosed.
- (b) unroofed porches and balconies above third floor;
- (c) elevator shafts and stairwells on each floor, not excluded in (6) below;
- (d) attic space, whether finished or unfinished, within the area of a horizontal plane that is five (5) feet above the attic floor and which touches the side walls and/or the underside of the roof rafters and which is not excluded in (5) below.
- (e) interior balconies, mezzanines, and penthouses;
- (f) basement and cellar areas not excluded in (1), (3), and (9) below.
- (g) area of parking facilities in structures except as excluded in (2) below; and
- (h) any accessory parking spaces not in above ground structures if in excess of the maximum number permitted on the premises as set forth in Sections 5.25 and 6.30.

Gross Floor Area shall not include:

- (1) areas used for off street loading purposes;
- (2) area of parking facilities in structures located underground and the area of on grade open parking spaces outside the building footprint at or below the maximum number permitted on the premises as set forth in Sections 5.25 and 6.30;
- (3) basement and cellar areas devoted to the operations and maintenance of the building such as heating and cooling equipment, electrical and telephone facilities, and fuel storage;
- (4) open and lattice-work fire escapes;
- (5) unroofed porches and balconies no higher than the third floor;
- (6) attic space and other areas devoted to elevator machinery or mechanical equipment necessary for the operation of the building;
- (7) elevator shafts and stairwells on floors where there is no other area which qualifies to be included in gross floor area;

- (8) attic space not otherwise included in (d) above.
- (9) basement and cellar spaces with less than seven (7) feet of ceiling height measured from the floor to the line of the bottom of the floor joists, or to any subfloor or finished surface above any floor joists that are spaced not less than four (4) feet on center, and further provided that the basement or cellar is not a Story Above Grade as defined in the State Building Code.

In a building with more than two floors, the area of each floor level of any interior courtyard whether or not covered by a roof, which has a minimum dimension of less than forty (40) feet in any direction shall be included unless twenty (20) percent or more of the perimeter of such court yard at each floor level measured consecutively is not enclosed.

B. Amend Section 5.25 – FAR Exceptions so that it reads as follows.

5.25 FAR Exceptions for Parking and Loading Facilities

5.21.1 *Loading Facilities.* Areas used for off-street loading purposes shall be exempt from the requirements as to Floor Area Ratio but shall conform to all other requirements of the district in which it is located.

5.25.2 *Parking Facilities in Structures.* The floor area of an underground parking garage and the floor area of the underground portion of a structure devoted in whole or in part to parking automobiles, shall not be counted as Gross Floor Area and shall be exempt from the requirements as to floor area but shall conform to all other requirements of the district in which it is located. All other parking in structures shall be subject to the requirements as to Floor Area Ratio.

5.25.21 *Area of Parking Facility.* For the purposes of this Section 5.25 the area of parking in a structure shall include all parking spaces, access drives, aisles and other elements of the parking facility and shall include any portion of a parking facility located at grade beneath a building but not otherwise enclosed.

5.25.22 *Definition of Underground.* For the purposes of this Section 5.25 only, “underground “ shall mean either of the following:

- (1) The location of the entire parking facility below the finished grade of the ground abutting the structure, or the underground portion thereof, which grade is maintained naturally without any structural support. No more than two access drives, which in combination total no more than 30 feet in width, shall be permitted to be above the finished grade and still be considered to be located underground.



- (2) The location of a portion of the facility above finished grade to the following extent: (1) the mean height of that portion of the parking facility above finished grade around the entire perimeter of the facility does not exceed four (4) feet, which grade is maintained naturally without any structural support (in no case, however, shall the height above mean grade for that portion of the facility facing a public street exceed four feet), and (2) the roof or top of the facility shall be either set beneath other, non-parking facility portions of the structure, landscaped or otherwise finished to serve as a pedestrian plaza, open space amenity, recreation area or pedestrian circulation. The height above mean grade shall be measured to the roof of the facility, or to the ceiling should the facility be set entirely below other non-parking elements of a building.

5.25.3 *Exemption for Existing Parking Facilities.* Structured parking facilities in existence on or before September 15, 2000, or constructed and occupied at a later date pursuant to a building or special permit in conformance with all provisions of Chapter 40A issued prior to the effective date of the provisions of this Section 5.25, shall not be subject to the requirements as to Floor Area Ratio.

5.25.3 Exceptions to the Provisions of this Section 5.25

5.25.41 *Exemption for Residential Parking Spaces.* Notwithstanding the provisions of Section 5.25.2 above, the following structured parking located above ground, accessory to a residential use, shall not be calculated as part of the Gross Floor Area on the lot:

- (1) One parking space located within a townhouse unit or a one, two or three family dwelling.
- (2) A freestanding parking structure containing no more than one parking space per dwelling unit up to a maximum of three parking spaces on a lot containing a one, two or three family dwelling.
- (3) One parking space per dwelling unit, up to a maximum of fifteen (15) spaces, for multifamily dwellings.

5.25.42 Where an above ground parking facility in a structure is proposed to be constructed (a) in the 100-year flood plain, identified as the Zone A flood hazard area (See Section 11.70), or as determined by credible evidence and calculations from a registered professional engineer or (b) on a contaminated site that is listed by the Massachusetts Department of Environmental Protection under the Massachusetts Contingency Plan (310 CMR 40.00) with a Release Tracking Number and has been tier classified,

the Planning Board may grant a special permit to waive the limitations of this Section 5.25 so that the parking facility is not subject to the requirements in this Ordinance as to Floor Area Ratio provided only the minimum number of parking spaces required for the uses on the site are provided. In granting such a special permit, the Planning Board shall find the following:

(1) Where in a flood hazard area, the construction of a parking facility underground is (a) not technically feasible due to the requirements of the Massachusetts Wetlands Protection Act (M.G.L. ch. 131, s.40), (b) would require construction that would violate requirements or limitations of the Massachusetts Wetlands Protection Act, (c) would, in the view of the Cambridge Conservation Commission, seriously compromise the wetlands protection objectives of the Massachusetts Wetlands Protection Act), and (d) would result in costs of construction that are significantly greater than would otherwise be typical for the location were it not in a flood hazard area; or

(2) Where the site is contaminated, the construction of a parking facility underground (a) would, in the opinion of a Licensed Site Professional, pose significant risks to public health or the environment through disturbance of hazardous materials and could not be reasonably mitigated in accordance with state and federal regulations, (b) require construction that is prohibited by state or federal regulations related to hazardous wastes, ~~or~~ and (c) would result in costs of construction that would render the project financially unfeasible; and

(3) The above ground facility is designed so as to reduce its actual or perceived bulk through, among other possible techniques, limiting the number of parking spaces it contains, placement of portions of the facility below grade where feasible, or its location relative to actively occupied portions of the construction. Construction above grade is discouraged that would increase the amount of impervious area on the lot.

C. Amend Sections 6.31.1 and 6.31.3 so that it reads as follows.

6.31.1 The schedule of parking requirements in Subsection 6.36 specifies the unit of measure requiring the provision of one parking space. Square footage requirements are geared to gross floor area. Each unit of measure, however, shall specifically not apply to any Gross Floor Area devoted to parking facilities, which shall not require the provision of any accessory parking.

6.31.3 Any parking spaces provided in excess of the maximum requirements specified in Section 6.36 shall be counted in determining Gross Floor Area. In such cases a proportional share of the entire parking facility (not only the area of the spaces) shall be credited toward Gross Floor Area. The area counted as Gross Floor Area shall be determined by

) multiplying the total area of the parking facility by the percentage that the proposed number of spaces exceeds the maximum allowed number of spaces.

D. Amend Sections 11.106 and 11.304.5 so that they read as follows.

11.106 Use Restrictions. The ground (first) floor of that portion of a building facing a public street or public park shall consist of Gross Floor Area devoted to any one or combination of the following uses: Residential (Section 4.31), Office (Section 4.34), retail business (Section 4.35), Institutional (Section 4.33), but specifically excluding Gross Floor Area in structured parking counted as Gross Floor Area, meeting the following conditions:

- a. At least eighty (80) percent of the floor elevation of the ground (first) floor shall be no higher than the four feet (4) above the mean grade of the adjacent public sidewalk or public park, at the property line, except that Retail Business uses in new construction shall be located at mean grade;
- b. The use shall have a depth of at least twenty (20) feet;
- c. Where a lot fronts on two streets the provisions of this Section 11.106 shall apply only to the principal arterial street frontage provided the remainder of the ground floor of the building facing the public street shall be screened with a permanent wall in materials equal in quality to those of the rest of the building and having a minimum opacity of fifty (50) percent.
- d. One parking space for each unit in a Townhouse shall be exempt from the limitations of this Section 11.106.

11.304.5 Use Limitations and Restrictions. In addition to the use regulations applicable in each base zoning district the following use restrictions and limitations shall apply in the Central Square Overlay District:

a. Ground Floor Restrictions.

The ground (first) floor of that portion of a building facing or abutting Massachusetts Avenue and/or Main Street and which is on a lot which shares a common lot line with Massachusetts Avenue or Main Street shall consist of Gross Floor Area devoted to any one or combination of uses permitted in the applicable base zoning district [except that such gross floor area in buildings abutting Massachusetts Avenue and/or Main Street between Inman and Pleasant Streets on the west and Columbia and Sidney Streets on the east shall be devoted to one or a combination of the following uses: Residential Uses (Section 4.31); Office and Laboratory Uses (Section 4.34 c and e); Retail, Business and Consumer Service Establishments (Section 4.35)], but specifically excluding Gross Floor Area in structured parking counted as Gross Floor Area, and shall in addition meet the following conditions:

- (1) At least eighty (80) percent of the floor elevation of the ground (first) floor shall be at the mean grade of the abutting Massachusetts Avenue and/or Main Street at the property line except that residential uses may be located no higher than four (4) feet above the mean grade of the abutting street at the property line.
- (2) The use shall have a minimum depth of twenty (20) feet.
- (3) Where other than residential uses are established, the ground (first) floor facade shall consist of a minimum of fifty (50) percent clear glass.

b. Prohibited Uses.

The following uses shall be prohibited in the Central Square Overlay District: (1) Open Air or Drive-In Retail Services, Sections 4.36 b, f, g, h, i,.

c. Restricted Uses.

- (1) Fast Order Food Establishments (Section 4.35 o) shall be limited to fourteen (14) in the Central Square Overlay District; Section 11.33, shall not apply. No special permit or occupancy permit shall be issued which will permit the number of such establishments in the Central Square Overlay District to exceed fourteen (14).
- (2) Bar or establishment where alcoholic beverages are consumed and where dancing and entertainment is provided, dance hall or similar place of entertainment; Section 4.35 g shall be permitted only if the principal public entrance or entrances are directly from Massachusetts Avenue or Main Street.

E. Amend Article 14.000 (MXD District), by modifying the text of Section 14.32.1 so that it reads as follows.

14.30 INTENSITY OF DEVELOPMENT REQUIREMENTS

14.32.1 The aggregate gross floor area (GFA) of development in the District shall not exceed 2,773,000 square feet. Aggregate GFA of development in the District is at any time the sum of the GFA (as defined in Article 2.000 of this Ordinance) of all buildings (i) which are then located in the District, (ii) which are being constructed or may be constructed in the District pursuant to then effective building permits, and (iii) which, pursuant to then outstanding contracts (including options) with Cambridge Redevelopment Authority and so stated in certificates from the Authority to the Superintendent of Buildings, may be constructed in the District in the future. Notwithstanding the definition in Article 2.000 for Gross floor Area and the provisions of Section 5.25, parking garages and accessory parking facilities shall be exempt from the requirements as to Floor Area Ratio and shall not be included in the calculation for Gross floor Area on a lot.

# **Citywide Rezoning Petition Ordinance as Adopted**

## **Part III – Project Review**

## Part III – Project Review

A. Create a new Article 19.000 to read as follows.

### Article 19.000 PROJECT REVIEW

Section 19.10 – Intent and Purpose

Section 19.20 – Project Review Special Permit

Section 19.30 – Urban Design Objectives

Section 19.40 – Advisory Development Consultation Procedures

Section 19.50 – Building and Site Plan Requirements

#### 19.10 – Intent and Purpose of Article 19.000

The intent of this Article 19.000 is to establish traffic and urban design standards for development projects likely to have significant impact on abutting properties and the surrounding urban environment.

To realize this intent, Article 19.000 (1) codifies the city's urban design objectives and establishes detailed building and site development standards to regulate new building construction in the city's commercial and high density residential areas, (2) establishes standards by which significant adverse traffic impacts can be measured, and (3) establishes procedures by which individual proposals can be reviewed by the Planning Board, city staff and the general public before a building permit is issued.

The Building and Site Plan Requirements describe the minimally acceptable arrangement of buildings on a lot and as they face the public environment. The Urban Design Objectives establish more general guidelines which, along with the Traffic Impact Indicators, can assist property owners as they consider alternate uses for their property. Where a special permit is required from the Planning Board, the Urban Design Objectives and Traffic Impact Indicators serve as considerations through which the merits of a proposal are judged.

To apply the Building Requirements and Objectives effectively, procedures are established by which public review of new construction can be undertaken. The procedures provide an opportunity for the general public to review and comment on significant new development projects and, where appropriate, they allow the Planning Board, through a special permit process,

to establish conditions by which new development can be shaped to serve city urban design objectives more effectively. It is the intent of these procedures to provide a method by which new development proposals can be assessed at an early stage. Such assessment offers the opportunity to explore potential modifications and refinements that would better serve the interests of both the city and the project proponent. Similarly, potential negative impacts can be identified and modifications explored that would reduce or eliminate them.

It is understood that nonprofit educational and religious uses and activities have special use, building and site development requirements and characteristics. Therefore the procedures and standards established in this Article 19.000 are designed to reflect those special circumstances. In reviewing any development proposal of a nonprofit educational or religious organization, the reviewing body shall apply the standards herein contained in a reasonable manner in light of the special circumstances applicable to nonprofit religious and educational activities.

This Article 19.000 shall apply to any new construction of a building or structure, addition to a building or structure, or a change of use in an existing building undertaken on or after September 15, 2000.

## 19.20 – Project Review Special Permit

### 19.21 – *Purpose*

It is the intent of this Section 19.20 to ensure that new construction or changes of use in existing buildings (1) are consistent with the urban design objectives of the City and (2) do not impose substantial adverse impacts on city traffic. A special permit process is established by which the Planning Board may make such findings.

#### 19.21.1 – *Purpose of Traffic Impact Review*

The Planning Board shall assess the impact of the vehicular service and passenger car traffic and pedestrian and bicycle circulation and expected to be generated by a proposed development project. The procedures and requirements of this Section 19.20 are intended to encourage applicants to adopt a development program that reduces the number of single occupancy vehicles coming to the site. Such a program would encourage pedestrian and bicycle access to the site and throughout the neighboring district and reduce potential negative impacts on abutting properties of the vehicles coming to the site. While the review will focus especially on the impacts affecting abutting properties and the immediate environment, the impacts on streets and locations more distant from the site and on transit and bus facilities serving the site will also be assessed.

#### 19.21.21 – *Purpose of Urban Design Review*

The Board shall review the specific design details of buildings and their site layout to ensure that the design of the building and its location on the lot minimize any potential negative impact on abutting properties and on the environment along public streets and sidewalks. Particular attention will be paid to the design of the ground floor; the layout of service facilities including driveways, and parking and loading facilities; the location and screening of mechanical service equipment and waste disposal facilities; landscape amenities; and similar building and site layout details.

### 19.22 – *Applicable Zoning Districts*

The Project Review Special Permit shall apply to construction and changes of use located in the following zoning districts.

(1) All Office, Business, and Industrial Districts, any PUD district, and NP districts, and any Special District for which an office, business or industrial district serves as the underlying base regulation (SD-1, SD-3, SD-5, SD-7, SD-8 and SD-11), but excluding the MXD district.

2) Residence C-1A, C-2, C-2A, C-2B, C-3, C-3A, and C-3B districts,



and any Special District for which any one of these residence districts serves as the underlying base regulation (SD-2, and SD-6). A Project Review Special Permit in these districts shall be required only where the construction or portion of the construction is located within one hundred (100) feet of a public way unless the uses proposed in the building are subject to the thresholds established in Table 1.

*19.23 – Special Permit Threshold*

A Project Review Special Permit shall be required for new building construction of fifty (50) thousand gross square feet or more, or for building construction of less than fifty thousand square feet where a Table I threshold has been met, on a lot or combination of contiguous lots held in common ownership at any time after September 15, 2000. Where a mix of uses is proposed the threshold shall be determined by the application of the Mixed Use Formula set forth in Table 1.

Notwithstanding the provisions of this Section 19.23 set forth above, the Project Review Special Permit requirement shall not apply to existing gross floor area on a lot built and occupied prior to the effective date of this Article 19.000 that is demolished and subsequently rebuilt as part of a building project, provided (1) there is no change of use, (2) the reconstruction commences within two years of the start of demolition of the building, and (3) the standards of Section 19.50 are met.

Where reference is made in this Section 19.23 to Gross Floor Area thresholds as set forth in Table 1, the term shall also encompass any other measure of quantity enumerated in the Table (e.g. dwelling units, beds, acres, parking spaces).

**Table 1**  
**Thresholds for Required Traffic Study by Land Use Type**

<b>Land Use Category</b>	<b>Threshold</b>
<b>Standard Threshold: All Land Uses Set forth in Tables 4.30 and 4.56 except as enumerated below.</b>	50,000 sf**
<b>Transportation Communication &amp; Utility Uses: Section 4.32</b>	
a. Bus or railroad passenger station	Required
b. Automobile parking lot or parking garage for private passenger cars	150 parking spaces
c. Railroad freight terminal, railroad yards and shops	50 acres
d. Truck or bus terminal, yard or building for storage or servicing of trucks, trailers, or buses; parking lot for trucks	Required
<b>Institutional Uses: Section 4.56 (See also Section 4.33)</b>	
a. Religious purposes	
4. Social or recreation center	40,000 sf
5. Other use with religious purpose	40,000 sf
c. Educational purposes	
1. Preschool, day care center, kindergarten	25,000 sf
2. Primary school	40,000 sf
3. Secondary school	40,000 sf
4. College or university athletic facility, auditorium, theatre, library, museum or similar facility, any of which is customarily accessible to the general public on a paid admission fee or other basis	Creation of 150 new parking spaces or the relocation of 250 existing parking spaces <b>or any combination thereof.</b> <sup>1,2</sup>
5. College or university laboratory or research facility customarily involving radioactive materials and other controlled substances, high intensity electromagnetic radiation or chemical or biological processes which could entail a high level of danger to the public health	
6. Other college or university facility	
Dining halls, canteens and similar eating areas	
Administrative faculty and staff offices, teaching facilities, service facilities, and facilities not specified above	
<i>1. The addition to or relocation of parking spaces in the inventory of institutional parking in existence as of September 15, 2000 (see Section 6.32.2) in association with the construction of a new building.</i>	
<i>2. Relocation shall mean the construction of parking spaces at a new location, where the distance between that entrance at the new location most proximate to the closest entrance at the old location is 1,000 feet or more.</i>	
7. Vocational or other schools	40,000 sf
e. Health Care Facilities	
1. Hospital	35,000 sf
2. Infirmary	25,000 sf

3. Nursing home, convalescent home	250 beds
4. Clinic not affiliated with any other institution	25,000 sf
5. Clinic affiliated with a hospital or accredited university medical school	25,000 sf
6. Clinic connected to a community center	25,000 sf
7. Other health care facilities	25,000 sf
f. Social Service Facilities	
1. Social service center	40,000 sf
2. Community Center	40,000 sf
g. Local Government	
Fire or police station	Not Required
Public parks, playgrounds or public recreation buildings	400 acres
i. Other Institutional Uses	
3. Cemetery	100 acres
4. Other institutional use	40,000 sf

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**Office and Laboratory Uses: Section 4.34**

a. Office of a physician, dentist or other medical practitioner not located in a clinic listed under Subsection 4.33(d)	25,000 sf
e. Bank, trust company or similar financial institution	25,000 sf

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**Retail Business and Consumer Service Establishments: Section 4.35** 25,000 sf

**Open Air or Drive in Retail and Service: Section 4.36**

a. Sales place for flowers, garden supplies, agricultural produce conducted partly or wholly outdoors, commercial greenhouse or garden	25,000 sf
b. Automobile oriented fast order food service establishments	Required
c. Drive in bank and other retail or consumer service establishment where motorist does not have to leave his car	Required
d. Outdoor amusement park, outdoors sports facility conducted for profit	300 seats
e. Open air or drive in theatre or other open air place of entertainment	300 seats
f. Sale of new or used cars conducted partly or wholly on open lots, or rental agency for automobile, trailers, motorcycles, conducted partly or wholly outdoors.	25,000 sf
g. Automobile service station where no major repairs are made	5 fueling positions
h. Car washing establishment using mechanical equipment for the purpose of cleaning automobiles and other vehicles	Required

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**Light Industry, Wholesale Business and Storage: Section 4.37**

g. Auto body or paint shop	25,000 sf
h. Automotive repair garage not including g above	25,000 sf

\*\* Gross Floor Area exclusive of GFA in parking facilities, except as noted.

**Mixed Use Formula**

Where it is proposed to include a mix of uses in a new development, or substitute a mix of uses for an existing use in an existing building, a special permit shall not be required under the provisions of Section 19.20 if:

$$(GFA \div \text{Threshold}_a) + (GFA \div \text{Threshold}_b) + (GFA \div \text{Threshold}_c) \leq 1$$

Where “GFA” is the proposed Gross Floor Area (or other indicated quantity measure) for a use denoted by a subscript and where “Threshold” is the Threshold for that use in Table 1.

19.23.1 – *Change of Use in an Existing Building Threshold*

19.23.11. In an existing building, the Project Review Special Permit shall be required where the total Gross Floor Area of a new use or uses on a lot exceeds the Gross Floor Area threshold limits set forth in Table 1 for that new use. Where the change is to a mix of uses the threshold shall be determined by the application of the Mixed Use Formula set forth in Table 1.

19.23.2– *Incremental Changes on a Lot.*

Any amount of Gross Floor Area on a lot, subject to this Article 19.000, that is less than those threshold amounts set forth in Table 1 shall be subject to this Section 19.20 only when the sum of the following equals or exceeds the Gross Floor Area thresholds set forth in Sections 19.23 and 19.23.1 above:

- (1) The current proposal for new Gross Floor Area on the lot, plus
- (2) The Gross Floor Area on the lot developed or changed in use within the preceding five years so as to be subject to this Section 19.20 but for which a Special Permit under this Section 19.20 was not required, plus
- (3) Any Gross Floor Area on the lot for which a building permit has been issued but which has yet to be built and occupied and for which a Special Permit authorized by this Section 19.20 has not been issued within the preceding five years.

After the granting of the first special permit under this Section 19.20, a subsequent special permit shall only be required when the total of additional Gross Floor Area or new uses exceeds the Gross Floor Area thresholds set forth in Sections 19.23 and 19.23.1 above.

19.23.3 – *Phased Project.*

Nothing in this Section 19.20 shall prohibit the Planning Board from granting a special permit for a phased project to be built over an extended period of time, which period shall be defined in the permit, provided sufficient information is available in the application to permit the Board to make the findings required.

19.23.4– *Special Permit Thresholds Exemptions*

Construction of a new building or a change of use that has been granted a Planning Overlay Special Permit (IPOP), under the provisions of Section 11.500 of this Ordinance in effect from July 1, 1998 through October 2, 2000 (Ordinance # 1209 and subsequent amendments), shall not be subject to this Section 19.20. However, any change of use in the authorized building subsequent to occupancy as authorized under the provisions of a Section 11.500 special permit, shall require the issuance of a Project Review Special Permit

under this Section 19.20 where the proposed new use exceeds the relevant threshold established in Table 1.

#### 19.24 – *Application Procedures*

An application for the Project Review Special Permit shall be made to the Planning Board. The Application shall consist of the following materials:

(1) Planning Board Special Permit Application Form. The application shall include all required plans and narrative statements. The site plan and other plans shall clearly show the access and egress points for all forms of travel to the site and shall show the location of adjacent bus and transit stops.

(2) Traffic Study. Where the use thresholds established in Table 1 are met or exceeded, the application shall include a traffic study with a geographic and functional scope determined by the Traffic, Parking and Transportation Department (TPTD) to be appropriate to the location of the project. In general, the study shall review intersections where the project will have significant and measurable impact. The TPTD shall issue a certification to the applicant within twenty-one (21) days of its submission that the traffic study has been done in a complete and reliable manner. Where that certification is denied, the applicant may revise the information in the traffic study and resubmit it; a certification of the revised study shall be issued or denied by the TPTD within fourteen (14) days of the resubmission of material.

Based on guidelines established by TPTD, the traffic study shall include a narrative discussion of (a) the nature and quantity of vehicles traveling to the site including, in addition to passenger cars, service, delivery and other commercial vehicles, (b) the likely impact of such vehicular traffic on abutters, abutting streets and nearby residential streets, including on-street parking behavior, (c) the physical nature of pedestrian and bicycle access to the site and the quantity of movements anticipated for each, and (d) an analysis of the crash history at intersections within the study area. The study shall identify parking and transportation demand management measures and other mitigation measures proposed to ameliorate any adverse traffic impacts identified in the study.

(3) Urban Design Objectives Narrative. The application shall include a narrative description of how the proposal addresses each of the seven Urban Design Objectives set forth in Section 19.30. In addition the applicant shall comment specifically on the following: (a) the design and location of HVAC equipment, (b) location and operation of trash storage and removal systems, (c) location and operation of loading facilities, (d) measures taken to minimize the negative visual and noise impacts of

such facilities on abutters, and (e) the provision in the building and site design to accommodate pedestrian, bicycle and transit access.

(4) Sewer Service Infrastructure Narrative. The application shall include a report by the applicant detailing the anticipated impact of the project on the city's sanitary, stormwater, and combined sewer infrastructure. It shall indicate the adequacy of the preliminary site plan in meeting city, state, and federal requirements or established standards for implementation of best management practices for stormwater management and the likely improvements to infrastructure necessary to accommodate the impacts of the proposed project. Where such determinations cannot be made at the time of application, the report shall indicate what investigations must be undertaken by the applicant to make such determination, their anticipated costs, and the schedule for their completion. The applicant shall provide certification that this report has been submitted to the Department of Public Works.

(5) Water Service Infrastructure Narrative. The application shall include a report by the applicant detailing the anticipated impact of the project on the city's water delivery infrastructure and supply. It shall indicate the likely improvements to infrastructure necessary to accommodate the identified impacts. Where such determinations cannot be made at the time of application, the report shall indicate what investigations must be undertaken by the applicant to make such determination, their anticipated costs, and the schedule for their completion. The applicant shall provide certification that this report has been submitted to the Water Department

#### 19.25 – *Review Criteria*

In granting a special permit under this Section 19.20 the Planning Board shall make the following findings.

##### 19.25.1 – *Traffic Impact Findings*

Where a Traffic Study is required as set forth in Section 19.24 (3) above the Planning Board shall grant the special permit only if it finds that the project will have no substantial adverse impact on city traffic within the study area as analyzed in the Traffic Study. Substantial adverse impact on city traffic shall be measured by reference to the traffic impact indicators set forth in Section 19.25.11 below.

In areas where the Planning Board determines that area-specific traffic guidelines have been established in the Ordinance, the Board recognizes written agreements between project proponents and the City dealing with transportation mitigation strategies.

#### 19.25.11 – *Traffic Impact Indicators*

In determining whether a proposal has substantial adverse impacts on city traffic the Planning Board shall apply the following indicators. When one or more of the indicators is exceeded, it will be indicative of potentially substantial adverse impact on city traffic. In making its findings, however, the Planning Board shall consider the mitigation efforts proposed, their anticipated effectiveness, and other supplemental information that identifies circumstances or actions that will result in a reduction in adverse traffic impacts. Such efforts and actions may include, but are not limited to, transportation demand management plans; roadway, bicycle and pedestrian facilities improvements; measures to reduce traffic on residential streets; and measures undertaken to improve safety for pedestrians and vehicles, particularly at intersections identified in the Traffic Study as having a history of high crash rates.

The indicators are: (1) Project vehicle trip generation weekdays and weekends for a twenty-four hour period and A. M. and P.M. peak vehicle trips generated; (2) Change in level of service at identified signalized intersections; (3) Increased volume of trips on residential streets; (4) Increase of length of vehicle queues at identified signalized intersections; and (5) Lack of sufficient pedestrian and bicycle facilities. The precise numerical values that will be deemed to indicate potentially substantial adverse impact for each of these indicators shall be adopted from time to time by the Planning Board in consultation with the TPTD, published and made available to all applicants.

#### 19.25.2 – *Urban Design Findings*

The Planning Board shall grant the special permit only if it finds that the project is consistent with the urban design objectives of the city as set forth in Section 19.30. In making that determination the Board may be guided by or make reference to urban design guidelines or planning reports that may have been developed for specific areas of the city and shall apply the standards herein contained in a reasonable manner to nonprofit religious and educational organizations in light of the special circumstances applicable to nonprofit religious and educational activities.



## 19.30 – Citywide Urban Design Objectives

The following urban design objectives are intended to provide guidance to property owners and the general public as to the city's policies with regard to the form and character desirable for new development in the city. It is understood that application of these principles can vary with the context of specific building proposals in ways that, nevertheless, fully respect the policies' intent. It is intended that proponents of projects, and city staff, the Planning Board and the general public, where public review or approval is required, should be open to creative variations from the detailed provisions presented in this Section as long as the core values expressed are being served. A project need not meet all the objectives of this Section 19.30 where this Section serves as the basis for issuance of a special permit. Rather the permit granting authority shall find that on balance the objectives of the city are being served. Nor shall a project subject to special permit review be required to conform to the Required Building and Site Plan Requirements set forth in Section 11.50.

Further indicators of conformance with these policy objectives shall be found in planning documents and plans developed for specific areas of the city or the city as a whole, to the extent that they are not inconsistent with the objectives set forth in this Section 19.30. These documents include the *Harvard Square Development Guidelines*, the *Central Square Action Plan*, the *Central Square Development Guidelines*, the *North Massachusetts Avenue Urban Design Guidelines Handbook*, the *University Park at MIT Urban Design Guidelines*, the *North Point Policy Plan and Design Guidelines*, the *Cambridge Institutional Growth management Plan*, the *East Cambridge Riverfront Plan*, the *Alewife Revitalization, Alewife Urban Design Study Phase II* and its Draft update of 1991, and *Toward a Sustainable Future: Cambridge Growth Policy Document*.

19.31 - New projects should be responsive to the existing or anticipated pattern of development. Indicators include

- (1) Heights and setbacks provide suitable transition to abutting or nearby residential zoning districts that are generally developed to low scale residential uses.
- (2) New buildings are designed and oriented on the lot so as to be consistent with the established streetscape on those streets on which the project lot abuts. Streetscape is meant to refer to the pattern of building setbacks and heights in relationship to public streets.
- (3) In mixed-use projects, uses are to be located carefully to respect the context, e.g. retail should front onto a street, new housing should relate to any adjacent existing residential use, etc.

(4) Where relevant, historical context are respected, e.g. special consideration should be given to buildings on the site or neighboring buildings that are preferably preserved.

19.32 - Development should be pedestrian and bicycle-friendly, with a positive relationship to its surroundings. Indicators include:

(1) Ground floors, particularly where they face public streets, public parks, and publicly accessible pathways, consist of spaces that are actively inhabited by people, such as retail stores, consumer service businesses and restaurants where they are allowed, or general office, educational or residential uses and building lobbies. Windows and doors that normally serve such inhabited spaces are encouraged to be a prominent aspect of the relevant building facades. Where a mix of activities are accommodated in a building, the more active uses are encouraged facing public streets, parks and pathways.

In commercial districts, such active space consists of retail and consumer service stores and building lobbies that are oriented toward the street and encourage pedestrian activity on the sidewalk. However, in all cases such ground floor spaces should be occupied by uses (a) permitted in the zoning district within which the building is located, (b) consistent with the general character of the environment within which the structure is located, and (c) compatible with the principal use for which the building is designed.

(2) Covered parking on the lower floors of a building and on-grade open parking, particularly where located in front of a building, is discouraged where a building faces a public street or public park, and publicly accessible pathways.

(3) Ground floors should be generally 25-50% transparent. The greatest amounts of glass would be expected for retail uses with lesser amounts for office, institutional or residential use.

(4) Entries to buildings are located so as to ensure safe pedestrian movement across streets, encourage walking as a preferred mode of travel within the city and to encourage the use of public transit for employment and other trips. Relating building entries as directly as possible to crosswalks and to pathways that lead to bus stops and transit stations is encouraged; siting buildings on a lot and developing site plans that reinforce expected pedestrian pathways over the lot and through the district is also encouraged.

(5) Pedestrians and bicyclists are able to access the site safely and

conveniently; bicyclists should have, secure storage facilities conveniently located on-site and out of the weather. If bicycle parking is provided in a garage, special attention must be paid to providing safe access to the facilities from the outside.

(6) Alternate means of serving this policy objective 19.32 through special building design, siting, or site design can be anticipated where the building form or use is distinctive such as freestanding parking structures, large institutional buildings such as churches and auditoriums, freestanding service buildings, power plants, athletic facilities, manufacturing plants, etc.

19.33 - The building and site design should mitigate adverse environmental impacts of a development upon its neighbors. Indicators include:

(1) Rooftop mechanical equipment that is carefully designed, well organized or visually screened from its surroundings and is acoustically buffered from neighbors. Consideration is given to the size, complexity and appearance of the equipment, its proximity to residential areas, and its impact on the existing streetscape and skyline. The extent to which screening can bring order, lessen negative visual impacts, and enhance the overall appearance of the equipment should be taken into account.

(2) Trash that is handled to avoid impacts (noise, odor, and visual quality) on neighbors, e.g. the use of trash compactors or containment of all trash storage and handling within a building is encouraged.

(3) Loading docks that are located and designed to minimize impacts (visual and operational) on neighbors.

(4) Stormwater Best Management Practices and other measures to minimize runoff and improve water quality are implemented.

(5) Landscaped areas and required Green Area Open Space, in addition to serving as visual amenities, are employed to reduce the rate and volume of stormwater runoff compared to pre-development conditions.

(6) The structure is designed and sited to minimize shadow impacts on neighboring lots, especially shadows that would have a significant impact on the use and enjoyment of adjacent open space.

(7) Changes in grade across the lot are designed in ways that minimize the need for structural retaining walls close to property lines.

(8) Building scale and wall treatment, including the provision of

windows, are sensitive to existing residential uses on adjacent lots.

19.34 - Projects should not overburden the City infrastructure services, including neighborhood roads, city water supply system, and sewer system. Indicators include:

- (1) The building and site design are designed to make use of water-conserving plumbing and minimize the amount of stormwater run-off through the use of best management practices for stormwater management.
- (2) The capacity and condition of drinking water and wastewater infrastructure systems are shown to be adequate, or the steps necessary to bring them up to an acceptable level are identified.
- (3) Buildings are designed to use natural resources and energy resources efficiently in construction, maintenance, and long-term operation of the building. The buildings are sited on the lot to allow construction on adjacent lots to do the same. Compliance with *Leadership in Energy and Environmental Design (LEED)* certification standards and other evolving environmental efficiency standards is encouraged.

19.35 - New construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically. Indicators include:

- (1) New educational institutional construction that is focused within the existing campuses.
- (2) Where institutional construction occurs in commercial areas, retail, consumer service enterprises, and other uses that are accessible to the general public are provided at the ground (or lower) floors of buildings. Where such uses are not suitable for programmatic reasons, institutional uses that encourage active pedestrian traffic to and from the site.
- (3) In large, multiple-building non-institutional developments, a mix of uses, including publicly accessible retail activity, is provided where such uses are permitted and where the mix of uses extends the period of time the area remains active throughout the day.
- (4) Historic structures and environments are preserved.
- (5) Preservation or provision of facilities for start-up companies and appropriately scaled manufacturing activities that provide a wide diversity of employment paths for Cambridge residents as a component of the development; however, activities heavily dependent on trucking

for supply and distribution are not encouraged.

19.36 - Expansion of the inventory of housing in the city is encouraged.  
Indicators include:

(1) Housing is a component of any large, multiple building commercial development. Where such development abuts residential zoning districts substantially developed to low-scale residential uses, placement of housing within the development such that it acts as a transition/buffer between uses within and without the development.

(2) Where housing is constructed, providing affordable units exceeding that mandated by the Ordinance. Targeting larger family-sized middle income units is encouraged.

19.37 - Enhancement and expansion of open space amenities in the city should be incorporated into new development in the city. Indicators include:

(1) On large-parcel commercial developments, publicly beneficial open space is provided.

(2) Open space facilities are designed to enhance or expand existing facilities or to expand networks of pedestrian and bicycle movement within the vicinity of the development.

(3) A wider range of open space activities than presently found in the abutting area is provided.

## 19.40 – Citywide Advisory Development Consultation Procedures

**[Note: All sections in the Planning Board recommendation related to the Major Project Review (i.e. advisory staff review of projects of 25,000 square feet or more not otherwise requiring a special permit) have been deleted. What remain are provisions for advisory review that are already in the Ordinance.]**

### 19.41 – General Purpose

This Section 19.40 provides the opportunity for City staff and the general public (1) to review and comment on development proposals prior to the formulation of final plans and before the issuance of a building permit and (2) to determine compliance with the zoning requirements applicable to the development. Each application for a building permit for one of the categories of development specified in Sections 19.42 and 19.43 shall be accompanied by a written certification from the Cambridge Community Development Department indicating that the applicant has participated in the Development Consultation Procedure specified in this Section 19.40, for the proposal for which the permit is being sought. In each instance where the application for a building permit occurs more than six (6) months after the consultation session, the Community Development Department shall additionally certify to the Superintendent of Buildings whether the plans submitted for a building permit are consistent with those reviewed at the consultation session, and if not how they differ. Unless otherwise indicated elsewhere in the Zoning Ordinance, the Community Development Department shall conduct the consultation session. No certification pursuant to provisions of this Section 19.40 shall be deemed to be in lieu of the responsibility of the Superintendent of Buildings to enforce all provisions of the Zoning Ordinance - each Certificate of Compliance is advisory to the applicant and the Superintendent of Buildings.

#### 19.41.1 – Purpose of the Small Project Review Procedure

In zoning districts designated as Areas of Special Planning Concern, the advisory Small Project Review is intended to provide an informal forum within which the small details of a proposal can be reviewed by city staff. Small, incremental changes to a building, a streetscape, or a neighborhood can over time significantly alter the character and quality of the urban environment. This procedure provides an opportunity for city staff to influence the design of such small details in order to encourage that the changes are consistent with city urban design objectives, individually and as they accumulate overtime.

#### 19.41.2 – Purpose of the Large Project Review Procedure

In zoning districts designated as Areas of Special Planning Concern, the advisory Large Project Review serves the same purpose as the Small Project Review for somewhat larger changes in the environment with somewhat greater impacts on the public realm. The Large Project Procedure provides the opportunity for abutters and the general public, as well as city staff, to review and make comment on the proposal at the consultation session.

### 19.42 – Small Project Review Procedure

#### 19.42.1 – Applicability of Small Project Review Procedure

For those zoning districts identified in Section 19.46 as Areas of Special Planning Concern, the following types of development proposals shall be subject to the Small Project Development Consultation Procedure (unless the regulations for an individual Area of Special Planning Concern provide for specific exceptions or additional types):

- (1) construction of any new building having a gross floor area of less than two thousand (2,000) square feet;
- (2) construction of any other new structure having a floor area of less than two thousand (2,000) square feet;
- (3) any exterior building alteration increasing gross floor area by one hundred (100) square feet or more
- (4) construction of five or more parking spaces, whether on grade or in a structure;
- (5) erection of a sign;
- (6) any other exterior building alteration facing a street but not including painting, brick repointing or masonry repairs, building cleaning, gutter replacement or similar routine repair, replacement, or maintenance.

*19.42.2 - Application for a Small Project Review*

Prior to application for a building permit, the applicant shall contact the Community Development Department and request a development consultation session. Upon making such a request, the applicant shall present for review such written or graphic materials necessary to give a reasonably complete, though not necessarily detailed, indication of the nature and scope of the development proposal. The consultation session shall occur no later than five working days after the request for such a consultation.

*19.42.3 -- Conduct of the Small Project Review Consultation*

In most cases the Community Development Department staff person will complete the review and issue the certification of the compliance with this Section 19.42 at the end of the consultation session. However, if questions arise during the session suggesting the need for advice and assistance of other city departments or others, the development proposal materials may be kept for further review. However, the final staff comments and the issuance of the Certificate of compliance shall be made within five (5) business days of the consultation session.

The failure of the Community Development Department to hold the consultation session OR to issue the Certificate of Compliance within the review time periods specified in this Section 19.42.3 shall not prevent an applicant for a building permit from receiving such permit after such time period has expired. The specified review period may be extended by mutual agreement of the applicant and the Community Development Department.

*19.43 -- Large Project Review Procedure*

*19.43.1 -- Applicability of Large Project Review Procedure*

For those zoning districts identified in Section 19.46 as Areas of Special Planning Concern, any development proposal involving the construction of a new building or new structure or an alteration of an existing building or structure that increase the gross floor by two thousand (2,000) square feet but less than twenty-five thousand (25,000) square feet.

*19.43.2 -- Application for a Large Project Review*

Prior to application for a building permit, the applicant shall submit the following materials to the Community Development Department for its review. The written and graphic materials listed below shall give a reasonably complete indication of the nature and scope of the development proposal. Each of the following shall be submitted as appropriate to the

proposal:

- (1) A site plan indicating the general location and boundaries of the lot, major anticipated changes in natural features, existing and proposed buildings, publicly beneficial open space and/or useable beneficial open space and/or useable open space, existing and proposed curb cuts, off street parking areas, loading and service facilities, and generalized landscaping scheme or other anticipated treatment of open spaces.
- (2) Cross section(s), generalized floor plans and other diagram(s) indicating the anticipated locations of various land uses within the building and on the site and major pedestrian pathways.
- (3) Architectural elevations or sketches indicating anticipated facade treatment along public ways including the proposed entrances, fenestration, and signage.
- (4) A summary indicating compliance with applicable zoning requirements.

#### 19.43.3 – *Conduct of the Large Project Review Consultation*

Abutters and representatives of various agencies and interest groups shall be invited to participate in a consultation session for Large Project proposals submitted for review in accordance with Section 19.43.2. The Community Development Department shall give notification of any scheduled development consultation to each abutting property owner and to any individual or organization who each year files with the Community Development Department a written request for such notification, or to any other individual or organization the Department may wish to notify.

Within ten (10) business days of submittal of the application documents, the Department will schedule and hold a consultation session with the applicant or his designee and any parties listed in this Section 19.43.3. Within ten (10) days of the consultation session, the Community Development Department shall issue to the applicant written comments on the development proposal as expressed by City staff and others in attendance, which shall constitute the Certificate of Compliance.

The Community Development Department may seek the advice and assistance of other City departments and of the organizations given notice of the consultation procedure in reviewing a development proposal.

The failure of the Community Development Department to hold the consultation session or to issue the Certificate of Compliance within the review time period specified in this Section 19.43.3 shall not prevent an applicant for a building permit from receiving such permit after such time period has expired. The specified review period may be extended by mutual agreement of the applicant and the Community Development Department.

#### 19.43.4 – *Review Criteria and Required Findings of the Large Project Review Procedure*

In reviewing each application, the Community Development Department shall:

- (1) Evaluate the proposal for general compliance with zoning requirements, for consistency with City development guidelines prepared for the proposal area, for appropriateness in terms of other planned or programmed public or private development activities in the vicinity and for consistency with the Citywide Urban Design Objectives set forth in Section 19.30. The Department shall consider the proposal in terms of the specific and general impact of the use and/or dimensions proposed therein on the area of special planning concern and on adjacent neighborhoods and shall further take account of the following considerations: scale, bulk, density, aesthetic qualities, land use, traffic



impacts and other functional characteristics; parking and loading; and impact on public services and facilities.

(2) Make recommendations in a written report to the applicant including general approval or disapproval of the proposal and in connection therewith may suggest specific project adjustments and alterations to further the purposes of this Ordinance.

#### 19.45 – Waiver of Procedures

Where a special permit issued by the Planning Board is required for a proposed development, no separate Small or Large Project Review Procedure shall be required under the provisions of this Section 19.40.

#### 19.46 – Areas of Special Planning Concern

The following zoning districts shall be considered Areas of Special Planning Concern: Business A-1 and Business A-2 Districts, the Parkway Overlay District, the Kirkland Place Overlay District, the Harvard Square Overlay District, the Central Square Overlay District, The Cambridgeport Revitalization Development District, the Massachusetts Avenue Overlay District

## 19.50 – Building and Site Plan Requirements

### 19.51 - Applicability

#### 19.51.1 Applicable Zoning Districts

This Section 19.50 shall apply in the following zoning districts:

- (1) All Office, Business, and Industrial Districts and NP districts, and any Special District for which an office, business or industrial district serves as the underlying base regulation (SD-1, SD-3, SD-5, SD-7, SD-8, and SD-11).
- 2) Residence C-1A, C-2, C-2A, C-2B, C-3, C-3A, and C-3B districts, and any Special District for which any one of these residence districts serves as the underlying base regulation (SD-2, and SD-6) for a building or portion of a building within one hundred (100) feet of a public street.

#### 19.51.2 – Applicable Construction

The building design and site development requirements set forth in this Section 19.50 shall be required for the following construction projects:

- (1) Any new building or structure of twenty-five thousand (25,000) gross square feet or more.
- (2) Any addition of twenty-five thousand (25,000) gross square feet or more to an existing building or structure.
- (3) Any alteration to the elements of a building of twenty-five thousand (25,000) gross square feet or more, or any alteration of its site, that is regulated by this Section 19.50, where the change is undertaken to accommodate a new use or uses or where the change is to a building constructed pursuant to a building permit certified to be in compliance with this Section 19.50 and where (a) the alterations to accommodate the new use are proposed to the exterior of the building, or on the lot outside the building and (b) those alterations would increase the extent to which the building or lot's physical configuration would violate the requirements set forth in Section 19.50 to a greater extent than the existing configuration.

Where applicable zoning district regulations differ from the requirements of this Section 19.50, the stricter provisions shall apply.

A project that does not comply with the requirements of this Section 19.50 shall not receive a building permit until a Special Permit is granted by the Planning

Board. The Planning Board shall grant such special permit only upon finding that the project is consistent with the Urban Design Objectives set forth in Section 19.30. Nothing in this Section 19.50 shall prevent an applicant, not wishing to conform to the requirements of this Section 19.50, from directly seeking a special permit from the Planning Board subject to consistency with Section 19.30.

#### 19.52 – Heights and Setbacks

The provisions of this Section 19.52 shall not apply to Special District 8.

(1) For development on a lot abutting a lot in a residential zoning district having a more restrictive height limit, the cornice line of the principal wall plane facing the residential zoning district line shall not exceed by more than twenty (20) feet at any point the maximum height permitted in the residential zoning district. Any portion of the building rising above the cornice line shall be located below a forty-five (45) degree bulk control plane starting at ground level at the zoning district line, subject to the following provisions.

(a) Where the zoning district line lies within a lot, the bulk control plane shall begin at the lot line in the residential zoning district that divides the subject lot (including any intervening lots held in identical ownership but not part of the development lot and such lots located across the street) from another lot in different ownership.

(b) Where the zoning district line occurs within a public street, the provisions of this Section 19.51 shall apply but the bulk control plane shall be measured from the centerline of the street regardless of the location of the zoning district line.

(2) For development on a lot abutting a residential zoning district having more restrictive yard requirements, the yard requirements of the residential district shall apply to any portion of the development rising above the bulk control plane set forth in Paragraph (1) above. As in (1) above, where the zoning district line lies within a lot, the bulk control plane shall begin at the lot line in the residential zoning district that divides the subject lot (including any intervening lots held in identical ownership but not part of the development lot) from another lot in different ownership. This Paragraph (2) shall not apply where the zoning district line lies within or across a street.

#### 19.53 – Location of Uses

(1) In mixed-use developments containing a residential component (Section 4.31 – Residential uses, excluding Hotel and Motel use), the

housing shall be located on the lot adjacent to existing residential uses located on abutting lots or across a street or shall be located adjacent to an existing abutting residential zoning district, including a district located across a street.

(2) In mixed-use developments containing a retail component (Section 4.35 – Retail Business and Consumer Service Establishments), at least fifty (50) percent of the area devoted to retail uses shall be located fronting onto at least one of the public streets abutting the development. However, in multiple building developments where internal private streets open to the general public are created, retail uses may located on those private streets shall be deemed to meet the requirements of this Paragraph (2).

#### 19.54 - Historic Resources

No building permit pursuant to a Certificate of Compliance issued for a project subject to this Section 19.50 shall be issued until at least one of the following events has occurred:

(1) The project has received, where applicable, a Certificate of Appropriateness, Hardship, or non-applicability from the Cambridge Historical Commission under the provisions of M.G.L. Chapter 40C and/or Chapter 2.78, Articles I or III, Cambridge city Ordinances, or from a Neighborhood Conservation District Commission under Chapter 2.78, Article III.

(1) Where a building on the site has been determined by the Cambridge Historical Commission to be a Preferably Preserved Significant Building under the provisions of Chapter 2.78, Article II, Cambridge City Ordinances, or the six month demolition delay period has expired.

#### 19.55 – Landscaping

(1) The area between the principal wall plane of a building and a public street or public park, whether required or provided, shall be devoted to Green Area (as defined in Article 2.000), expansion of the adjacent public sidewalk, park area, or other landscaped area or paved pedestrian area and extending along the entire length of the lot facing the street or park. Areas devoted to motor vehicular use are prohibited from this area with the exception of access drives providing direct access to parking and service facilities located elsewhere on the site and which shall be limited to a total of thirty (30) feet of width for any individual driveway for each one hundred (100) feet of lot frontage.

Where the front lot width is greater than three hundred (300) feet the

provisions of this Paragraph shall only apply to that portion of the front yard extending beyond the side facades of the building, parallel to the front lot line or parallel to the adjacent park lot line, equal in length to the side yard setback(s) that would otherwise be required for the building in the district within which it is located.

(2) The green area required in Paragraph (1) above shall initially be located at the mean grade of the relevant public street or open space at the property line. Beyond that point, a change in grade that can be maintained permanently without structural support shall be permitted.

#### 19.56 - Pedestrian Environment

The portion of the ground floor of a building (defined as the first floor of a building located either at mean grade or no more than four feet above the mean grade of the building) and the floors above that face and are within one hundred (100) feet of a public street or directly abuts and is within one hundred (100) feet of a public park shall consist of space routinely occupied by people throughout normal business hours engaged in those activities for which the building is principally intended to accommodate, including, but not limited to, retail stores sales areas; consumer service businesses; general, professional and agency offices; institutional offices; classrooms and dormitories; building lobbies, residential units, manufacturing and research and development activities, etc. (but excluding specifically parking and loading facilities). subject to the following requirements.

(1) The actively used area shall have a depth of at least 20 feet, or the depth of the building if less.

(2) The facades shall consist of a minimum twenty-five (25) percent clear glass in total for the façade and at the ground floor subject to the following further provisions.

(a) At the ground floor; the minimum amount of clear glass shall be increased to fifty (50) percent of the area of the façade of the ground floor where retail and office uses are established (Section 4.34 – Office and Laboratory Uses, Paragraphs a-e, and Section 4.35 – Retail Business and Consumer Service Establishments). For purposes of this Section 19.56, the area of the façade of any given floor shall be measured vertically from the finished interior floor to the underside of the structural joists of the floor above.

(b) Where residential and dormitory uses are established, the minimum area of clear glass shall be reduced to twenty (20) percent of the entire façade, with no minimum requirement on the first floor.

(c) No minimum requirement shall be imposed for Theaters (Section 4.35 h), Place of worship [Section 4.56 a (1)], College or university athletic facility, auditorium, and theater facility [Section 4.56 c (4)], Fire and police stations [Section 4.56 g (2)], Municipal service facility [4.56 g (4)], Museum [4.56 g (3)], and Transformer station, substation [Section 4.32 g (2)].

(3) Where retail uses are established, each separately leased space shall have an individual public entrance onto the abutting street where any portion of the space fronts towards the street;

(4) At least one building entrance shall front on a street where the building abuts a street.

Where a freestanding parking garage is established, the requirements of this Section 19.55 shall apply only to the ground floor of the structure. Exempt from this requirement shall be one two-way access drive to accessory parking located elsewhere on the lot and the area necessary to meet the minimum zoning required for loading facilities provided that no more than twenty-five (25) percent of the total length of any one façade is occupied by all such facilities.

#### 19.57 - Parking

On-grade surface parking shall not be placed in front of the principal front wall plane of a building, extended across the entire width of a lot, unless the parking is screened from view from the public street by other buildings. Where the lot width at the Principal Front Wall Plane of the building is greater than 300 feet, the provisions of this paragraph shall only apply to that portion of the front yard extending beyond the side facades of the building, parallel to the front lot line, equal in length to the side yard setback(s) that would otherwise be required for the building in the district within which it is located.

Where a lot abuts more than two streets, the provisions of this Section 19.57 shall apply to no more than two streets.

#### 19.58 - Mechanical Equipment, Refuse Storage, and Loading Areas

All mechanical equipment, refuse storage, or loading areas serving the building or its occupants that are (1) carried above the roof, (2) located at the exterior building wall or (3) located outside the building, shall meet the requirements listed below. Mechanical equipment includes, but is not limited to, ventilation equipment including exhaust fans and ducts, air conditioning equipment, elevator bulkheads, heat exchangers, transformers and any other equipment that, when in operation, potentially creates a noise detectable off the lot. The equipment and other facilities:

(1) Shall not be located within any required setback. Where no setback is required, it shall not be located closer than 10 feet to any property line or it shall be entirely contained within the building. This Paragraph (1) shall not apply to electrical equipment whose location is mandated by a recognized public utility.

(2) When on the ground, shall be permanently screened from view from adjacent public streets that are within 100 feet of the building, or from the view from abutting property in separate ownership at the property line. The screening shall consist of densely planted shrubs or trees equal or greater in height at the time of installation than the equipment or facilities to be screened, or a fence of equal or greater height that is comparable in quality to the materials used on the principal facades of the building, with no more than twenty-five (25) percent of the face of the fence open.

When carried above the roof, shall be permanently screened from view, from the ground, from adjacent public streets and any abutting residentially used lot or lot in a residential zoning district. The screening shall be at least 50% opaque, uniformly distributed across the screening surface.

(3) Shall be designed to meet all city, state and federal noise regulations, as applicable, as certified by a professional acoustical engineer if the Department of Inspectional Services deems such certification necessary.

(4) That handle trash and other waste, shall be contained within the building or screened as required in this Section 19.47 until properly disposed of.

#### 19.59 – Open Space

At least 15% of the lot shall consist of any combination of Green Area or Permeable Open Space as defined in Article 2.000. This requirement may be met on a lot held in the same ownership, provided the Open Space is located within 300 feet of the development lot and does not serve to meet the requirement of this Section 19.59 for any other development.

B. Make Companion Changes Elsewhere in the Ordinance

[NOTE: *These changes are intended to make the rest of the Ordinance consist with the provisions of this new Article*]

B1. Make Changes to Section 4.30 – Table of Use Regulations

[NOTE: *These changes delete references to multifamily and townhouse development special permit requirements in Office 2, Industry A-1 and Business A-2 districts. The intention is that the general Article 19.000 special permit thresholds would apply here so that housing as a development option is not at a disadvantage vis a vis competing commercial uses that currently do not require a special permit in these districts.*]

B1a. In Table 4.30 – Table of Use Regulations, in the fifth Column headed by the phrase “Res C, ...”, delete Footnote 1 in Section 4.31 – Residential Uses.

B1b. In Table 4.30 – Table of Use Regulations, in the tenth Column headed by the phrase “Ind A-1...”, delete Footnote 5 and substitute “yes” for “PB” in Section 4.31 – Residential Uses, a-h.

B2. In Section 4.40 – Footnotes to the Table of Use Regulations, delete the text to Footnote 1 in Section 4.31- Residential Uses, a-h.

[NOTE: *This footnote imposes a special permit requirement for housing in an Office 2 district*]

B3 In Section 4.26 – Multifamily Special Permit Applicability, Sections 4.26.1 and 4.26.2, delete the phrases “Office 2”, “Business A-2” and “Industry A-1” and add the phrase “Residence C-1A” so that the section reads as follows:

[NOTE: *These changes eliminate the special permit requirement for multifamily housing in the Office 2, Industry A-1 and Business A-2 Districts. The proposed Residence C-1A district is added to the list*]

4.26.1 The construction of a multifamily dwelling containing twelve (12) or more dwelling units or of elderly oriented congregate housing containing twenty-four (24) or more separate living spaces in a Residence C, Residence C-1, Residence C-1A, Office 1, Business A-1 district shall require a special permit granted by the Planning Board.

4.26.2 The construction of a multifamily dwelling or of elderly oriented congregate housing in a Residence C, Residence C-1, Residence C-1A, Office 1, or Business A-1 district which contains less than twelve (12) dwelling units or twenty-four (24) dwelling living spaces shall require a



special permit if both of the following conditions pertain to the development.

- (1) another permit for a multifamily dwelling or elderly oriented congregate housing has been granted within the twelve month period immediately preceding the date of permit application for the lot on which the development would be located or on an abutting lot;
- (2) the development for which the permit is being sought would increase the total number of dwelling units on said lot(s) to twelve (12) or more, the total number of living spaces to twenty-four (24) or more, or the total number of dwelling units and living spaces to eighteen (18) or more.

B4. Add a new Paragraph (f) to Section 10.43 – Criteria, to read as follows:

*[NOTE: This change adds the general urban design objectives set forth in Article 19.30 to the list of general criteria for issuing any special permit required in the Ordinance.]*

10.43 *Criteria.* Special permits will normally be granted where specific provisions of this Ordinance are met, except when particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public interest because:

- (a) It appears that requirements of this Ordinance cannot or will not be met, or
- (b) traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or
- (c) the continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use, or
- (d) nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City,
- (e) for other reasons, the proposed use would impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this Ordinance, or

- (f) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.

- B5. Amend Section 11.12 – Applicability of Regulations, Section 11.12, 11.12.1, 11.12.2 and 11.12.3 (for *Townhouse Developments*) so that it reads as follows:

[NOTE: *These changes eliminate the special permit requirement for townhouse development in the Office 2 and Industry A-1 Districts and adds to the list the new Residence C-1A and C-3B districts.*]

- 11.12 *Applicability of Regulations.* The development standards specified in this Section 11.10 are applicable only to townhouse developments and do not change the development standards for other uses in the Residence, Office and Business, and Industry A-1 districts. Townhouse developments which meet the requirements specified in Sections 11.14, 11.15, and 11.16 shall be allowed in Residence B, C, C-1, C-1A, C-2, C-2A, C-2B, C-3, C-3A, and C-3B, Office and Business and Industry A-1 districts as follows:
- 11.12.1 Construction of a townhouse development containing six (6) or more dwelling units in a Residence B district and Residence C district shall require a special permit.
- 11.12.2 Construction of a townhouse development containing twelve (12) or more dwelling units in a Residence C-1, Residence C-1A, Office 1, or Business A-1 district shall require a special permit.
- 11.12.3 Construction of a townhouse development in a Residence B, C, C-1, Residence C-1A, Office 1, or Business A-1 district which contains fewer units than specified in Section 11.12.1 or 11.12.2 shall require a special permit if both of the following conditions pertain to the development:
- (1) another permit for townhouse development has been granted within the twelve (12) month period immediately preceding the date of permit application for the lot on which the development would be located or on an abutting lot;
  - (2) the townhouse development for which the permit is being sought would increase the total number of dwelling units on said lot(s) to the threshold specified in Section 11.12.1 or 11.12.2.

- B6. Delete Section 11.40 in its entirety.

[NOTE: *The existing Development Consultation Procedure, now in Article 11.000, is transferred to the New Article 19.000 with little substantive change. Therefore the text in Article 11.000 is deleted here.*]

- B6a. Wherever reference is made to Section 11.40 in the Ordinance, substitute therefor the appropriate reference in Article 19.000.
- B7. Delete the existing text in Section 11.63.5 and 11.63.6 and substitute therefor the following:

[NOTE: *The threshold for special permit review in the Parkway Overlay District (except the newly established threshold in the Concord Avenue subdistrict) is made consistent with the thresholds in Article 19.000.*]

- 11.63.5 In reviewing applications for any special permit in the Parkway Overlay District, the Planning Board shall consider compliance with the requirements specified in this Section 11.60, the recommendations made in the Cambridge Community Development Department's 1979 report entitled *Alewife Revitalization*, and the criteria specified in Section 10.43.
- 11.63.6 Developments that must obtain a special permit under any section of the Zoning Ordinance shall be exempt from the Development Consultation Procedures mandated by Subsection 11.69. Compliance with the regulations and guidelines for the Parkway Overlay District shall be considered in the context of the special permit review.

# **Citywide Rezoning Petition Ordinance as Adopted**

## **Part IV – Revisions to Parking Requirements**

## Part IV - Revisions to Parking Requirements

A. Amend certain provisions of Section 6.30 to read as follows.

A1. Amend Section 6.31.2 by deleting the existing text and substituting therefor the following:

6.31.2 In general the schedule in Subsection 6.36 specifies a minimum requirement, but in some instances a maximum amount of parking is stipulated [Example: for a general office use (6.36.4 d) in a Business C district, the minimum requirement is one space per 800 square feet of gross floor area and the maximum is one space per 400 square feet of gross floor area.] Where there are two such listings the first is the minimum requirement and the second is the maximum limitation. Relief from both the minimum parking requirement and maximum parking limitation may be obtained only after the grant of a special permit as provided in Section 6.35 below. With the grant of a special permit the maximum parking limitation may be exceeded provided, however, that the provisions with regard to gross floor area as set forth in Section 6.31.3 are met.

A2. Delete the existing text of Section 6.35 and substitute therefor the following:

6.35 Relief from Parking Requirements

Any required amount of parking may be reduced by issuance of a special permit from Board of Zoning Appeals, as provided below. However, handicapped parking required by Subsection 6.34, bicycle parking required by Subsection 6.37, and commercial vehicle parking required by Subsection 6.31.5 shall not be reduced from the original requirement. The parking maximum limitation may be exceeded only with the grant of a special permit from the Planning Board, as provided below, subject to the provisions with regard to Gross Floor Area as provided in Section 6.31.3.

6.35.1 Reduction of Required Parking

Any minimum required amount of parking may be reduced only upon issuance of a special permit from the Board of Zoning Appeals. A special permit shall be granted only if the Board determines and cites evidence in its decision that the lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood, or that such lesser amount of parking will provide positive environmental or other benefits to the users of the lot and the neighborhood, including specifically, among other benefits, assisting in the provision of affordable housing units. In making such a determination the Board shall also consider whether or not less off street parking is reasonable in light of the following:

- (1) The availability of surplus off street parking in the vicinity of the use being served and/or the proximity of an MBTA transit station.

- (2) The availability of public or commercial parking facilities in the vicinity of the use being served provided the requirements of Section 6.23 are satisfied.
- (3) Shared use of off street parking spaces serving other uses having peak user demands at different times, provided that no more than seventy-five (75) percent of the lesser minimum parking requirements for each use shall be satisfied with such shared spaces and that the requirements of Subsection 6.23 are satisfied.

Example: Office and Theatre uses with peak user demands at different times. Office requires a minimum of one hundred and fifty (150) spaces and the theatre requires a minimum of one hundred (100). Seventy five (75) percent of the lesser minimum requirement is seventy five (75) (75% of 100). Therefore seventy five (75) spaces can be shared but twenty five (25) (100-25) would still be required, making the total amount or required parking for both uses (150 + 25) one hundred and seventy five (175).

- (4) Age or other occupancy restrictions which are likely to result in a lower level of auto usage; and
- (5) Impact of the parking requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, or loss of pedestrian amenities along public ways.
- (6) The provision of required parking for developments containing affordable housing units, and especially for developments employing the increased FAR and Dwelling unit density provisions of Section 11.200, will increase the cost of the development, will require variance relief from other zoning requirements applicable to the development because of limitations of space on the lot, or will significantly diminish the environmental quality for all residents of the development.

#### 6.35.2 Exceeding Maximum Allowed Parking.

Any maximum allowed amount of parking may be exceeded only upon issuance of a special permit from the Planning Board. Any parking area in excess of the maximum limitation will have an impact on calculation of gross floor area as provided at Section 6.31.3. The Planning Board shall grant a special permit to allow exceedance of a maximum limitation only upon making the following determinations:

- (1) Reasonable parking and transportation demand management measures are being implemented to reduce the need for the additional off street parking;

- (2) The additional spaces reflect parking demand that exceeds that which is common for this use as categorized in Section 6.36, owing to unique characteristics of the users or the activity that result in a high level of automobile parking demand;
- (3) The additional parking demand cannot reasonably be accommodated through contract or other arrangement making use of available off-site parking;
- (4) The additional parking will provide positive environmental or other benefits to the users of the lot, to the neighborhood and the City which outweigh adverse effects, after consideration of the following: congestion, traffic increases on residential streets, danger to public safety or deterioration of travel conditions for pedestrians, cyclists or users of public transit.

In its decision the Planning Board shall cite evidence supporting its determinations, and may impose such conditions as are necessary to mitigate all negative impacts on the neighborhood and the environment which would otherwise result from the greater allowed amount of parking.

B1. Amend those portions of Section 6.36 - Schedule of Parking and Loading Requirements so that they read as follows.

S/B  
6.36-4  
EMP

Land Use Category	Open Space, Res A-1, A-2, Res B (space/ square feet)	Res C, C-1, Off 1, Bus A (comm), Bus A-1, A-2, Ind A-1, Ind C (space/square feet)	Bus C, C-1, Ind A, Off 2, Res C-2, C-2A, C-2B, Ind B-2, Bus A (res) (space/square feet)	Ind B-1, Res C-3, C-3A, Off 3-A, 3, Bus B, Ind A-2, Ind B, Bus B-1, B-2 (space/square feet)	Loading Facility Category
6.36(3) Office and Laboratory Uses					
d. General Office Use	n/a <i>(as existing)</i>	1 per 800 sq. ft. <i>(modified from 1 per 600)</i> 1 per 400 sq. ft. <i>(modified from 1 per 300)</i>	1 per 800 sq. ft. <i>(as existing)</i> 1 per 400 sq. ft. <i>(as existing)</i>	1 per 1000 sq. ft. <i>(as existing)</i> 1 per 500 sq. ft. <i>(modified from 1 per 670)</i>	F <i>(as existing)</i>
f. Technical office for research and development laboratory or research facility subject to the restrictions in section 4.21(m)	n/a <i>(as existing)</i>	1 per 1050 sq. ft. <i>(modified from 1 per 600)</i> 1 per 525 sq. ft. <i>(modified from 1 per 300)</i>	1 per 1050 sq. ft. <i>(modified from 1 per 800)</i> 1 per 525 sq. ft. <i>(modified from 1 per 400)</i>	1 per 1340 sq. ft. <i>(modified from 1 per 1000)</i> 1 per 670 sq. ft. <i>(as existing)</i>	F <i>(as existing)</i>