ORDINANCE NUMBER 1297

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City of Cambridge

In the Year Two Thousand and Six

AN ORDINANCE

In amendment to the Ordinance entitle "Zoning Ordinances of the City of Cambridge"

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

I. *Amendments to the Text of the Zoning Ordinance of the City of Cambridge*

A. Amend the Text of the Zoning Ordinance to Accommodate a New Office 2A District and a Modified Industry B-2 District.

1a. Create a new Office 2A District by amending the text of the Zoning Ordinance in Section 5.32, Table 5-2, Table of Dimensional Requirements – Office Districts by inserting a new line headed "Office 2A" after the line "Office 1"as follows:

5.32 *Office Districts*

1. The following dimensional requirements, set forth in Table 5-2 and modified elsewhere in this Ordinance, shall be applicable to development in Office districts:

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

	(1)	(2)	(3)	(4)		(5)		(6)	(7)	
	Max. Ratio of Floor Area to	Minimum Lot Size	for Each D.U.	Min. Lot Area Lot Width	Minimum	Minimum Yard in Feet		Height	Maximum Usable Op. Sp.	Min. Ratio of
District	Lot Area	in Sq. Ft.	in Sq. Ft.	in Feet	Front	Side	Rear	in Feet	to Lot Area	
Office 2A	**1.25/1.5**	**5,000**	**600**	**50**	**H+L/4 (a)**	**H+L/5**	**H+L/4 (c)**	**60/70**	**15%**	

1b. In Section 5.32, Table 5-2, Table of Dimensional Requirements – Office Districts and Paragraph 2 –Footnotes, delete Footnote (d).

1c. In Section 20.54.2 – Building Height Limitations in the Harvard Square Overlay District, delete Paragraph 3.

1d. Insert the new Office 2A district in Section 4.30 - Table of Use Regulations by inserting the phrase "2A" between the numbers "1" and "2" in the fifth column headed "Off 1,2,3,3A".

1e. In Article 6.000, insert the phrase "Off 2A" after the phrase "Off 2" in the third column of Section 6.36 – Schedule of Parking and Loading Requirements.

1f. Elsewhere in the Ordinance, insert phrase "Office 2A" after the phrase "Office 2" wherever it occurs in the Ordinance so that the regulations applying to the Office 2 District apply equally to the Office 2A district.

2. Modify the existing Industry B-2 District by amending the text of the Zoning Ordinance in Section 5.34, Table 5-4, Table of Dimensional Requirements – Industrial Districts by deleting the line headed "Ind B-2" and substituting therefore a new line to read as follows:

5.34 *Industrial Districts*

1. The following dimensional requirements, set forth in Table 5-4 and modified elsewhere in this Ordinance, shall be applicable to development in 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) for Each D.U. in Sq. Ft.	(4) Min. Lot Area Lot Width in Feet	Minimum Yard in Feet Front	(5) Side	Rear	(6) Height in Feet	(7) Maximum Usable Op. Sp. to Lot Area	Min. Ratio of
Ind. B-2	**0.75**	**5,000**		**1,200**	**50**	**15**	**0 (b)**	**0 (b)**	**35**	**15%**

2b. In Article 6.000, insert the phrase "Ind B-2" after the phrase "Ind A-1" in the second column of Section 6.36 – Schedule of Parking and Loading Requirements. Delete the phrase "Ind B-2" in the third column.

2c. In Sections 4.26.3 and Section 11.12.4, delete reference to the Industry B-2 district in Paragraph (2).

3. In Section 3.10 – Division of the City into Zoning Districts, insert the new Office 2A district and the revised Industry B-2 district in the list of zoning districts in Section 3.11 as follows and renumber the existing districts as appropriate; change the number of districts in the heading to "forty-six":

1. Insert the following after the existing #14 (Office 1):

   15. Office 2A District……Business, research and professional offices, limited research oriented manufacturing

2. Insert the following after the existing #26 (Business B):

28. Industry B-2 .....Office, warehouse and light manufacturing

3. Delete existing #29 (Industry B-2).

B. Amend Article 20.000 – Overlay Districts to Create Six New Overlay Districts as Follows.

1. Amend the Text of the Zoning Ordinance by Creating a New Section 20.90 -

20.90 ALEWIFE OVERLAY DISTRICTS 1-6

20.91 *Establishment and Scope.* There are hereby established six Alewife Overlay Districts, which shall be governed by the regulations and procedures specified in this Section 20.90. It is the intent of this section that these regulations will apply to the area at Alewife that has historically developed as a retail and industrial area generally at rather low densities, but which can be expected to develop more extensively and in greater variety of uses in the future.

20.91.1 The Alewife Overlay Districts shall be a series of Overlay Districts established on the Zoning Map of the City of Cambridge by Section 3.20. Provisions of this Section 20.90 and all references to it in this Zoning Ordinance shall apply equally to each of the six Overlay districts except as set forth below.

20.92 *General Purpose.* It is the purpose of this Section 20.90 to augment existing base district zoning regulations to respond to the unique problems and pressures for change in the Alewife area. The regulations contained in this Section 20.90 provide for more careful public scrutiny of future development proposals and provide an opportunity to shape the form and character of that development in ways that will benefit both individual property owners and the general interests of the larger commercial and residential neighborhood as a whole.

These regulations are intended to harness the opportunities presented with the redevelopment of private property in ways that will:

1. Encourage forms of development, mix of uses, and range of improvements that will facilitate and encourage walking, biking and transit use and reduce the growth of auto trips in an area already burdened with regional vehicular traffic passing through to other destinations in the metropolitan region;

2. Preserve and enhance the capacity to store floodwater, recharge groundwater and manage the collection and disposal of stormwater in ways that add to the

quality and visual appeal of the built environment as well as to the quality of the water itself;

3. Minimize the negative impact of new development on the adjacent Cambridge Highlands residential neighborhood while introducing new amenities and services that will benefit the residents of that neighborhood;

4. Integrate the entire area through the creation of new pedestrian paths, roadways, green spaces and bridges that will facilitate movement within the several Districts and beyond to the Cambridge Highlands, North Cambridge and Neighborhood Nine neighborhoods and the Fresh Pond Reservation;

5. Introduce a significant component of residential living and support retail services to enhance the area's appeal for all persons who come to work, shop as well as live within the Districts; and

6. Create an identity and sense of place for the Alewife Districts that parallels the development of the historic urban centers that characterize much of Cambridge.

20.93 *General Provisions*

20.93.1 The Alewife Overlay Districts shall be considered areas of special planning concern. Development proposals listed in Subsection 19.42 and 19.43 - Development Consultation Procedures, shall be subject to the Development Consultation Procedure specified in Article 19.40.

20.93.2 *Criteria for Development Consultation Review and Review of Applications for Special Permits and Variances.*

In reviewing applications for variances, special permits or development consultation reviews the permit or special permit granting authority shall be guided by the objectives, criteria, and guidelines contained in the publication *Concord-Alewife Plan* in addition to the requirements of Sections 10.30 (Variances) and 10.40 (Special Permits) and this Section 20.90. These guidelines are also intended to assist in shaping any contemplated physical change within the Alewife Overlay Districts. With respect to consistency with the Concord-Alewife Plan, special emphasis shall be placed on preservation of key rights-of-way for infrastructure projects as indicated in the *Priority Infrastructure Plan*.

20.93.3 *Applicability***.** Buildings and uses within the Alewife Overlay Districts shall be controlled by the pertinent regulations within the applicable base districts, except as modified by the requirements of this Section 20.90, which shall apply in addition to the regulations imposed by the base district map designations.

20.93.4 *Districts***.** The Alewife Overlay Districts shall be identified in this Section 20.90 by the following names:

1. Alewife Overlay District 1 (Quadrangle Northwest)

2. Alewife Overlay District 2 (Quadrangle Northeast)
3. Alewife Overlay District 3 (Quadrangle Southwest)
4. Alewife Overlay District 4 (Quadrangle Southeast)
5. Alewife Overlay District 5 (Shopping Center)
6. Alewife Overlay District 6 (Triangle)

20.94 *Modifications to Permitted Uses*

20.94.1 *Additional Permitted Uses*. In any base office or industrial district all uses listed in Section 4.35 - Retail Business and Consumer Service Establishments shall be permitted by special permit from the Planning Board (if not otherwise allowed as of right in the district), subject to the following limitations unless the limitations are specifically waived by the Planning Board upon its finding that the purposes set forth in Section 20.92 above have been met:

1. No individual establishment may exceed 10,000 square feet in area.

2. The retail use shall be located on the first floor or basement of the building in which it is located.

3. The total Gross floor Area devoted to retail uses may not exceed 10% of the Gross Floor Area of the buildings constructed or authorized on the lot.

20.94.11 *Modification to Uses Permitted in the IB-2 District.* A Distribution Center, Parcel Delivery Center, or Delivery Warehouse – Section 4.37 (d) shall be permitted in the Industry B-2 district only after the granting of a special permit from the Planning Board.

20.94.2 *Environmental Limitations.* Within the Alewife Overlay Districts 1-6 the following restrictions shall apply.

1. All dust, fumes, odors, smoke, or vapors are effectively confined to the premises or disposed of so as to avoid air pollution.

2. Any noise, vibration, or flashing is not normally perceptible without instruments at a distance of one hundred (100) feet from the premises.

20.95 *District Dimensional Regulations***.**

20.95.1 *Maximum Floor Area Ratio*. The maximum ratio of floor area to the lot area may be increased as set forth below, after the issuance of a special permit from the Planning Board.

1. *Quadrangle Northwest District***:** 1.5 for all uses.

2. *Quadrangle Northeast District*: 1.5 for all uses.

3. *Quadrangle Southwest and Quadrangle Southeast Districts*: 1.5 for non-residential uses; 2.0 for residential uses.

4. *Shopping Center District*: 1.25 for non-residential uses; 2.0 for residential uses. However, Gross Floor Area shall be further limited as set forth below.

(a) No individual retail establishment (Section 4.35 and 4.36) shall have a Gross Floor Area exceeding 50,000 square feet, except in the case of a grocery store or supermarket, which may be as large as 60,000 square feet.

(b) Where the total amount of Gross Floor Area on a lot (which shall be any lot or combination of lots held in common ownership as of January 1, 2006) exceeds 100,000 square feet, the square footage devoted to non-residential uses shall be at a minimum 20% and shall not exceed 50%.

For a lot (which shall be any lot or combination of lots held in common ownership as of January 1, 2006) of ten acres or more, the required non-residential development shall consist of Retail Business and Consumer Service Establishments, Section 4.35, exclusively until at least 225,000 square feet of retail use is located on the lot, after which any non-residential use shall be permitted.

Where a project subject to the provisions of this Paragraph (b) has received a special permit from the Planning Board, the permit decision shall establish how the requirements of this Paragraph (b) are met if a project is constructed in phases over time.

5. *Triangle District*: 1.75 for non-residential uses; 2.0 for residential uses.

20.95.11 *Additional FAR for Public Improvements.*

In order to provide an incentive to property owners to protect important segments of future roadways and infrastructure from permanent building construction, the Planning Board, in its review of any Special Permit application, may grant additional FAR above that permitted in Section 20.95.1 above in all Overlay Districts where the proposed development incorporates or provides one or more of the following improvements or property interests in a manner and to an extent determined to be sufficient to significantly advance the objectives of the *Concord-Alewife Plan.*

1. Construction of a publicly accessible pedestrian bridge connection across the railroad right of way between the Quadrangle Northeast District or that portion of the Quadrangle Southeast District within 300 feet of the railroad right of way and the Triangle District or incorporation of structural elements into a building's design that includes or would permit future construction of such a pedestrian connection, as well as the conveyance (in a form acceptable to the City) of the necessary fee or easement property interests in land that would permit access to such a connection. In this instance the additional FAR, available for any use, shall be 0.25 applied to the entire lot that is the subject of the special permit.

2. Conveyance of fee or easement property interests to the City of Cambridge (in a form acceptable to the City) to permit the future construction of roadway segments, pedestrian paths, the pedestrian bridge referenced above in Paragraph 1**,** public parks and other publicly accessible open space and recreation features consistent with the *Concord-Alewife Plan***,** which segment, path, park or open space is identified on the maps entitled Priority Infrastructure Plan and Additional Infrastructure Plan or is otherwise identified by the Planning Board at another location and determined by the Board to be of equal value and consistent with those elements identified on the Map and the objectives set forth in the Plan**.**

In this instance, the additional FAR shall be equal to the FAR otherwise permitted on the lot as-of-right or by special permit, but shall be applied only to that portion of the lot for which a fee or easement interest is to be conveyed.

20.95.2 *Maximum Permitted Height***.** The maximum height for any building may be increased as set forth below, after the issuance of a special permit from the Planning Board:

1. *Quadrangle Northwest District*: 55 feet for non-residential uses; 65 feet for residential uses. However, buildings may be as high as 80 feet provided that only the additional residential GFA provided for in Section 20.95.11 above may be located in the part of the building between 65 feet and 80 feet. However, these heights are modified further as set forth below:

(a) For any portion of a building within 100 feet of a residential or Open Space zoning district the maximum height shall be 35 feet; for any portion of a building more than 100 feet from a residential or Open Space zoning district but within 200 feet of those districts, the maximum height shall be 45 feet.

2. *Quadrangle Northeast District*: 70 feet for all uses. However, these heights are modified further as set forth below:

(a) For residential uses the height may be increased to 85 feet provided the building floorplate above 70 feet is limited to 10,000 square feet or less and those portions of buildings above 70 feet are separated by at least 50 feet.

(b) GFA transferred into this District pursuant to the TDR provisions of Section 21.40 or the additional GFA provided for in Section 20.95.11 above, may be located in portions of buildings used for residential purposes up to 105 feet in height provided the floorplate above 85 feet does not exceed 6,000 square feet and portions of buildings greater than 85 feet in height are separated by at least 50 feet.

3. *Quadrangle Southwest District*: 55 feet for non-residential uses; 65 feet for residential uses. However, buildings may be as high as 80 feet provided that only the additional residential GFA provided for in Section 20.95.11 above may be located in the part of the building between 65 feet and 80 feet. These heights are modified further as set forth below:

(a) For any portion of a building within 100 feet of a residential or Open Space zoning district (but not including the Fresh Pond Reservation Open Space District) the maximum height shall be 35 feet; for any portion of a building more than 100 feet from a residential or Open Space zoning district (but not including the Fresh Pond Reservation Open Space District) but within 200 feet of those districts the maximum height shall be 45 feet.

4. *Quadrangle Southeast District*: 70 feet for non-residential uses; 85 feet for residential uses. However, these heights are modified further as set forth below:

(a) GFA transferred into this District pursuant to the TDR provisions of Section 21.40, may be located in portions of buildings used for residential purposes up to 105 feet in height provided the floorplate above 85 feet does not exceed 10,000 square feet and portions of buildings greater than 85 feet in height are separated by at least 50 feet.

5. *Shopping Center District*: 55 feet for all uses. However, these heights are modified further as set forth below:

(a) For non-residential uses the height may be increased to 70 feet provided the building floorplate above 55 feet is limited to 15,000 square feet or less and those portions of buildings above 55 feet are separated by at least 50 feet; for residential uses the height may be increased to 85 feet provided the building floorplate above 55 feet is limited to 10,000 square feet or less and those portions of buildings above 55 feet are separated by at least 50 feet.

(b) GFA transferred into this District pursuant to the TDR provisions of Section 21.40, may be located in portions of buildings used for residential purposes up to 105 feet in height provided the floorplate above 85 feet does not exceed 6,000 square feet and portions of buildings greater than 85 feet in height are separated by at least 50 feet.

6. *Triangle District*: 85 feet for all uses. However, these heights are modified further as set forth below:

(a) For residential uses the height may be increased to 105 feet provided the building floorplate above 85 feet is limited to 10,000 square feet or less and those portions of buildings above 85 feet are separated by at least 50 feet.

(b) Residential GFA transferred into this District pursuant to the TDR provisions of Section 21.40, may be located in portions of buildings up to 125 feet in height provided the floorplate above 105 feet does not exceed 6,000 square feet and portions of buildings greater than 105 feet in height are separated by at least 50 feet.

20.95.21 *Permitted Height Within the Parkway Overlay District, Section 20.60.*

The provision for heights in Section 20.95.2 above shall be subject to the further height limitations of Sections 20.64.2 and 20.69.1 of the Parkway Overlay District.

20.95.3 *Yard Requirements***.** Except as herein provided in this Section 20.95.3, all development within the Alewife Overlay Districts shall meet the minimum yard requirements of the applicable base zoning district; and in Southwest Quadrangle, Southeast Quadrangle, Shopping Center and Triangle Districts the front yard provisions of the Parkway Overlay District, Section 20.64.1, shall continue to apply.

20.95.31 *Minimum Yard Requirements***.** The yard requirements of the applicable base zoning district shall apply except as modified below.

1. *Minimum Front Yard.* The minimum front yard requirement in the Quadrangle Northwest, Northeast, Southwest and Southeast Districts shall be fifteen (15) feet (except for portions of lots subject to the Parkway Overlay District, which shall be subject to the minimum front yard provisions of Section 20.60).

2. *Any Yard Abutting a Residential or Open Space District.* For that portion of a yard in the Quadrangle Northwest and Southwest Districts that abuts a lot in a Residence or Open Space district, that yard shall be a minimum of twenty-five (25) feet and shall be subject to the use restrictions set forth in Section 20.95.32, Paragraph 2 below.

20.95.32 *Restrictions in Required or Provided Yards.*

1. *Required or Provided Front Yards.* That area between the principal front wall plane of a building and a street, whether required or provided, shall consist entirely of Green Area or Permeable Open Space extending along the entire length of the lot. Areas devoted to vehicular use are prohibited from this area with the exception of access drives leading directly to parking facilities located elsewhere on the site, in conformance with the requirements of Article 6.000.

The Open Space shall be located at mean grade of the abutting street but nothing in this Section 20.95.32 shall prohibit customary landscaping features, elements and grading that may vary the grade of the required setback above that of the adjacent street provided the setback area remains essentially at grade.

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

2. *Other Yards.* Required Yards in the Quadrangle Northwest and Quadrangle Southwest Districts, as set forth in Paragraph 2 of Section 20.95.31 above, shall consist entirely of Green Area or Permeable Open Space. Areas devoted to vehicular use are prohibited from this area.

20.95.33 *Setbacks Applied to at-grade Open Parking Facilities.* Notwithstanding the provisions of Section 20.95.32 above or any provision of Article 6.000, any on grade open parking facility shall be set back from the front lot line by at least ten feet. Such setback shall be Open Space as required in Section 20.95.32, Paragraph 1 above.

20.95.34 *Waiver of Yard Requirements.* The yard requirements of the applicable base or Overlay districts may be reduced or waived as set forth below.

1. Side and rear yard requirements of any applicable base zoning district may be waived, subject to the minimum requirements of Section 20.95.31 above, and front yards may be reduced to a minimum of fifteen (15) feet after the issuance of a special permit from the Planning Board (and in the Parkway Overlay District after making the findings required of the Planning Board in Section 20.63.7).

2. In the Shopping Center and Triangle Districts, the front yard requirements of the Parkway Overlay District, Section 20.64.1, and the front yard requirements of the applicable base district and this Section 20.95.3 may be waived entirely by special permit from the Planning Board for any portion of a lot where the roadbed of the abutting Alewife Brook Parkway is at least six feet above the grade of the lot at the front property line.

3.The Planning Board shall consider the following in making its findings:

a. The objectives of the *Concord-Alewife Plan* continue to be met.
b. The stormwater management objectives for the area continue to be met both on the site and as the site may be a part of a larger system for managing stormwater runoff.
c. The reduction or waiver of yard requirements provides for more efficient development of land; encourages or facilitates a more logical pattern of buildings, streets, parks and open space; or enhances the urban, pedestrian character of the area as envisioned in the *Concord-Alewife Plan.*

20.95.4 *Dwelling Unit Density.* In any instance where the required Minimum Lot Area Per Dwelling Unit in any base district is greater than 600 square feet the Planning Board may issue a special permit to reduce the required Minimum Lot Area Per Dwelling Unit to 600 square feet.

In any instance where additional Gross Floor Area is permitted on a lot as provided for in Section 20.95.11, or Transfer of Development Rights, Section 21.40, the Planning Board may allow additional dwelling units on the lot at the rate of one dwelling unit for each 1,000 square feet of additional Gross floor Area.

20.96 *At Grade Open Space and Permeable Area Requirements.* Each lot shall be required to provide open space located at grade in the quantities set forth below. That open space may be any combination of Green Area, Permeable, Public, Publicly Beneficial, or Useable Open Space as defined in Article 2.000.

In addition, each lot shall provide Permeable Area in quantities set forth below. Permeable Area shall be defined as that at-grade surface of a lot that is fully permeable to the infiltration of water to the soil below and whose subsurface permits the percolation of

such surface water to the groundwater without interruption or diversion by any building, pavement, structure, or other manmade element with the exception of incidental utilities.

Nothing in these requirements shall prohibit the same portion of a lot from meeting both the Open Space and the Permeable Area requirements of this Section 20.96

20.96.1 *Quantity.* The minimum ratio of Open Space and Permeable Area to the total area of the lot shall be fifteen (15) percent for Open Space and twenty-five (25) percent for Permeable Area. The Permeable Area requirement may be reduced as of right with the certification to the Superintendent by the City Engineer that the lot and the development upon it meet the Department of Public Works standards for water quality management and the retention/detention of the difference between the 2-year 24-hour pre-construction runoff hydrograph and the post-construction 25-year 24-hour runoff hydrograph as outlined in the publication *Proposed Concord – Alewife Area Stormwater Management Guidelines, May 2006,* Cambridge Department of Public Works, and upon a finding by the Planning Board pursuant to its review of an application under the provisions of Section 20.93.2, that such reduction advances the relevant purposes of this Section.

20.96 .2 *Pooled Open Space and Permeable Area Requirement.*

In order to provide the flexibility to advance the policy objectives of the *Concord-Alewife Plan* to create a system of parks and pathways throughout the Area, facilitate the storage and management of stormwater runoff, encourage the development of land management practices that facilitate and encourage the recharging of the area's groundwater, and allow multiple owners to cooperate in advancing these objectives to their benefit as well as to the benefit of the general public, the Planning Board may permit by special permit the pooling of Open Space and Permeable Area requirements for one lot on other adjacent or non-contiguous lots, subject to the following requirements:

1. There is no reduction in the total area of required Open Space or Permeable Area unless such reduction is permitted by the Planning Board under the provisions of Section 20.96.3 below.

2. The relocated Open Space or Permeable Area continues to serve, or better serve, the policy objectives of the *Concord-Alewife Plan.*

3. More useful and better located open space and water management facilities are created, which may, in turn, permit better designed and coordinated development on the affected lots.

20.96 .3 *Reduction in Required Open Space.* The Planning Board may allow by Special Permit the reduction of required Open Space, or permit such Open Space to be located other than at grade if the applicant can demonstrate that the urban design and stormwater management objectives as set forth in the Concord-Alewife Plan continue to be met, as for example through the use of innovative stormwater management techniques like green roofs.

20.97 *Parking and Loading Requirements*. Development in the Alewife Overlay Districts shall conform to the off street Parking and Loading Requirements set forth in Article 6.000 for the applicable base zoning district, except as modified below.

20.97.1 *Setbacks Applied to At-grade Open Parking Facilities.* Notwithstanding the provisions of Section 20.95.32 above or any provision of Article 6.000, any on grade open parking facility shall be set back from the front lot line by at least ten feet. Such setback shall be landscaped as required in Section 20.95.32, Paragraph 1 above.

20.97.2 *Pooled Parking.* In order to provide the flexibility to advance the policy objectives of the *Concord-Alewife Plan* through the creation of more pedestrian friendly development throughout the area, to permit greater permeable land surface to be established, to facilitate environments with greater landscaping and green area including parks and recreation areas, to more efficiently use the supply of parking available in a district where greater use of non-auto forms of transportation are encouraged and less land area devoted to parking use is desired, the Planning Board may, by special permit, allow accessory parking serving one or more lots to be located in whole or in part in pooled parking facilities, or a public parking facility, located anywhere within the Alewife Overlay Districts, notwithstanding the limitations set forth in Section 6.22.1. In granting such a special permit the Planning Board shall consider the following:

1. The facility advances the objective of the *Concord-Alewife Plan.*
2. A shared facility is established that aids in implementation of effective Transportation Demand Management measures to reduce dependence on the single occupancy automobile.
3. The facility is appropriately located to serve the development it serves.
4. The facility is well designed, does not diminish the pedestrian–friendly quality the area around it, and is otherwise consistent with the urban design objective of the *Concord-Alewife Plan.*

20.97.3 *Waiver of Gross Floor Area Provisions for Parking Facilities – Section 5.25*. Because of the unique factors related to flooding and groundwater management in Alewife, the importance of maintaining a high level of permeability, and the difficulty of constructing large areas of building below grade, the Planning Board may by special permit exempt the Gross Floor Area contained in any above ground structured parking facility from the FAR limitations established in this Section 20.90 and any applicable base zoning (such special permit shall supercede the provisions of Section 5.25.42 for any lot within the Alewife Overlay Districts). In granting such a special permit the Planning Board shall consider the following:

1. The facility advances the objective of the *Concord-Alewife Plan*.
2. A shared facility is established that aids in implementation of effective Transportation Demand Management measures to reduce dependence on the single occupancy automobile.

3. The facility is well designed, does not diminish the pedestrian –friendly quality the area around it, and is otherwise consistent with the urban design objective of the *Concord-Alewife Plan*
4. The additional bulk of building above grade is well designed and does not have an unreasonably negative impact on its abutters or the public realm.
5. The extent to which the construction of an above grade parking structure facilitates the creation of at grade soil permeability.

20.97.4 *Schedule of Parking and Loading Requirements.*

Any development seeking one or more special permits allowed in this Section 20.90 shall be subject to the minimum and maximum parking requirements and loading requirements set forth in Column 3 of Section 6.36 – Schedule of Parking and Loading Requirements.

20.98 *Transfer of Development Rights*. The transfer of permitted GFA from a Donating Lot to a Receiving Lot shall be permitted in the Alewife Overlay Districts 1-6, subject to the provisions of Section 21.40 and the dimensional and use provisions of the applicable base zoning districts, as modified by the provisions of Alewife Overlay Districts as set forth in the Section 20.90.

20.99 *Subdivision of Lots*. Where it is proposed to subdivide a lot (after approval by special permit has been granted by the Planning Board for development on that lot) in order to convey to the City of Cambridge an easement or fee interest in property for the purpose of creation of a city or private street, a pedestrian pathway, a pedestrian bridge, bicycle path, open space or park, (or otherwise provided by others as a condition of the issuance of the special permit), such subdivision shall be permitted, notwithstanding any definition of lot or street in this Ordinance or any limitation in applicable base or overlay districts with regard to minimum lot size, required yards or other dimensional, open space or other regulatory requirement or limitation. All dimensional requirements of the Zoning Ordinance and this Section 20.90 shall be satisfied by the lot as a whole as defined in the application for a special permit and shall be waived with regard to any subsequent subdivided lots.

No development approved by special permit in this Section 20.90 shall be subsequently rendered non-conforming with regard to the dimensional requirements applicable to it as a result of a subdivision of land to create an approved public or private street, park or pedestrian, bicycle or other pathway.

20.910 *Special Provisions Related to Local Government Uses – Section 4.33 (f).* Notwithstanding any provisions of the applicable base district regulations or any provision of this Section 20.90, all uses set forth in Section 4.33 (f) shall be permitted as of right in Overlay Districts 1-4, subject to the following as-of-right dimensional and other requirements.

20.910.1 *Maximum Floor Area Ratio***.** The maximum FAR shall be as permitted in Section 20.95.1 for residential uses.

20.910.2 *Maximum Height***.** The maximum height shall be as permitted in Section 20.95.2 for residential uses, subject to the limitations imposed in the Parkway Overlay District (Section 20.60).

20.910.3 *Yard Requirements***.** The following yard requirements only shall apply.

1. *Front Yard***.** A fifteen foot front yard shall be required.

2. *Side and Rear Yards.* A ten foot side and rear yard shall be required.

3. *Any Yards Abutting a Residential or Open Space District.* Any yard abutting a residential or open space district shall be twenty-five feet and shall consist entirely of Green Area or Permeable Open Space.

20.910.4 *Required Open Space***.** The minimum ratio of Open Space to the total area of the lot shall be fifteen (15) percent and shall consist of any combination of Green Area, Permeable, Public, Publicly beneficial or Useable Open Space. The Open Space shall be located at grade.

20.910.5 *Permeable Area Requirement***.** There shall be no Permeable Area requirement provided the City Engineer certifies to the Superintendent of Buildings that the development meets the Department of Public Works standards for water quality management and the retention/detention of the difference between the 2-year 24-hour pre-construction runoff hydrograph and the post-construction 25-year 24-hour runoff hydrograph.

20.910.6 The provisions of Section 19.20 and 19.50 shall not apply to these uses.

20.910.6 *Other Requirements***.** All other requirements and procedures of this Section 20.90 and the applicable base zoning district shall continue to apply.

20.920 *Special Provisions Related to Lots of 5,000 Square Feet or Less***.** Notwithstanding any provision of the applicable base district regulations or any provision of this Section 20.90, for lots of 5,000 square feet or less in existence as of January 1, 2005 and held in separate ownership from any abutting lot, the following dimensional standards shall apply as of right.

20.920.1 *Maximum Floor Area Ratio***.** The maximum FAR shall be as permitted in Section 20.95.1.

20.920.2 *Maximum Height***.** The maximum height shall be as permitted in Section 20.95.2, subject to the limitations imposed in the Parkway Overlay District (Section 20.60).

20.920.3 *Yard Requirements.* The following yard requirements only shall apply.

1. *Front Yard.* A fifteen foot front yard shall be required.

2. *Side and Rear Yards.* A ten foot side and rear yard shall be required.

3. *Any Yards Abutting a Residential or Open Space District.* Any yard abutting a residential or open space district shall be twenty-five feet and shall consist entirely of Green Area or Permeable Open Space.

20.920.4 *Required Open Space.* The minimum ratio of Open Space to the total area of the lot shall be fifteen (15) percent and shall consist of any combination of Green Area, Permeable, Public, Publicly beneficial or Useable Open Space. The Open Space shall be located at grade.

20.920.5 *Permeable Area Requirement.* There shall be no Permeable Area requirement provided the City Engineer certifies to the Superintendent of Buildings that the development meets the Department of Public Works standards for water quality management and the retention/detention of the difference between the 2-year 24-hour pre-construction runoff hydrograph and the post-construction 25-year 24-hour runoff hydrograph to the maximum extent possible.

20.920.6 *Other Requirements.* All other requirements and procedures of this Section 20.90 and the applicable base zoning district shall continue to apply.

2. Amend the Text of the Zoning Ordinance by Creating a New Section 20.400 – Pathway Overlay District.

20.400 PATHWAY OVERLAY DISTRICT

20.401 *Establishment and Scope.* There is hereby established the Pathway Overlay District, which shall be governed by the regulations and procedures specified in this Section 20.400. It is the intent of this section that these regulations will apply to those areas of the city now or formerly railroad rights of way and which are anticipated to be used now or in the future as bicycle and pedestrian commuting and recreational corridors.

20.401.1 The Pathway Overlay District shall be established on the Zoning Map of the City of Cambridge under the provisions of Section 3.20.

20402 *General Purpose.* It is the purpose of this Section 20.400 to modify existing base district zoning regulations to ensure that (1) the unique opportunities presented by railroad corridors to accommodate recreational bicycle and pedestrian paths are not lost should their railroad function be abandoned, and that (2) the development potential provided by virtue of the provisions of the base zoning district regulations remains available for use beyond the limits of the Overlay District as the ownership of the rights of way may change in the future.

20.403 *General Provisions*. Any portion of a lot encompassed by the Pathway Overlay District shall consist entirely of any combination of Green Area, Permeable, or Public Open Space or any railroad use in existence within the District on or before January 1, 2005 or any other railroad use permitted by the applicable base zoning district. The use, dimensional and other provisions of the applicable base zoning district shall continue to apply, but their application to a lot or portion of a lot in the Pathway Overlay District are required to be consistent with this Section 20.403.

20.403.1 *Reduction in the Required Open Space***.** The required area of Open Space may be reduced after the issuance of a special permit from the Planning Board to allow activities and uses, including vehicular access drives and accessory parking spaces, permitted in the base district but in no case shall the construction of a building be permitted. In granting such reduction the Planning Board shall find that the use or activity proposed will not impair the future opportunity to construct pedestrian and bicycle paths within the Pathway Overlay District nor otherwise derogate from the intent and purpose of the Overlay district.

20.403.2 *Additional Permitted FAR***.** Where a fee or easement property interest is conveyed to the City of Cambridge (in a form acceptable to the City and recorded in the Registry of Deeds) for any portion of land within the Pathway Overlay District, for use by the City in the future to construction of a bicycle or pedestrian pathway, the applicable FAR on that portion of land conveyed shall be equal to twice the FAR otherwise permitted on the property as-of-right or by special permit in the applicable base zoning district or Overlay district.

3. Amend Section 10.48 and Section 11.202.1 by inserting into the list of special permits subject to the Incentive Zoning Provisions of Section 11.200 the following special permits in the Alewife Overlay Districts:

Section 20.95.1	Maximum Floor Area Ratio
Section 20.95.2	Maximum Permitted Height
Section 20.95.34	Waiver of Yard Requirements
Section 20.95.4	Dwelling Unit Density

C. Other Changes

1. Delete Section 13.60 – PUD 5 District: Development Controls in its entirety.

II. *Amendments to the Zoning Map of the City of Cambridge*

Area A. Industry B-2 to Industry B-2 and Quadrangle Northwest Overlay

1.0. Amend the Zoning Map of the City of Cambridge by deleting the existing zoning designation IB-2 (Industry B-2) on the Zoning Map at this location and substituting therefor the designation **IB-2/AOD-1 (Industry B-2/Alewife Quadrangle Northwest Overlay District 1)** for that area bounded by the by a line, said line beginning at a point which is the intersection of the centerline of Smith Place and the easterly extension of the northerly sideline of Lot #267 on Assessors Plat #267-3.

1.1. Thence turning and proceeding in a northerly direction along the centerline of Smith Place to its intersection with the northerly sideline of the of the Fitchburg Division of the Boston and Maine Main Line right of way;

1.2. Thence turning and proceeding in a westerly direction along the northerly sideline of the Boston and Maine Main Line right of way and its projection to its intersection with the northerly sideline of the Fitchburg Freight Track right of way (the Open Space District zoning district line);

1.3. Thence turning and proceeding in a westerly direction along the northerly sideline of the Fitchburg Freight Track right of way (the Open Space District zoning district line) to its intersection with the Belmont/Cambridge municipal boundary line;

1.4. Thence turning and proceeding in a southerly direction along the municipal boundary line to its intersection with the northerly sideline of Lot #275 on Assessors Plat #267-3, the Open Space District zoning district line;

1.5. Thence turning and proceeding in an easterly direction, and then turning and proceeding in a southerly direction along the Open Space District zoning district line (northerly and easterly sidelines of Lots #275 and 141 on Assessors Plant #267-3) and then the Residence B District zoning district line [along the easterly sidelines of Lots #66 and 65 (and by extension across Lot #78) on Assessors Plat #267 C] to its intersection with the southerly sideline of Lot #78 on Assessors Plat #267 C;

1.6. Thence turning and proceeding in a westerly direction along the southerly sidelines of Lots #65 and 56 to its intersection with the easterly sideline of Lot # 87 on Assessors Plat #267 C;

1.7. Thence turning and proceeding in a southerly direction along the easterly sideline of Lot 87 to its intersection with the northerly sideline of Lot #322 on Assessor's Plat #267 D;

1.8. Thence turning and proceeding in an easterly and then southerly direction along the northerly and easterly sidelines of Lots #322 and 323 to its intersection with the northerly sideline of Lot # 304 on Assessor's Plat #267 D;

1.9. Thence turning and proceeding in an easterly direction along the northerly sideline of Lots #304 and its projection to the centerline of Spinelli Place on Assessor's Plat #267 D;

1.10. Thence turning and proceeding in a northerly direction along the centerline of Spinelli Place to its intersection with the westerly extension of the southerly sideline of Lot #319 on Assessor's Plat #267 D;

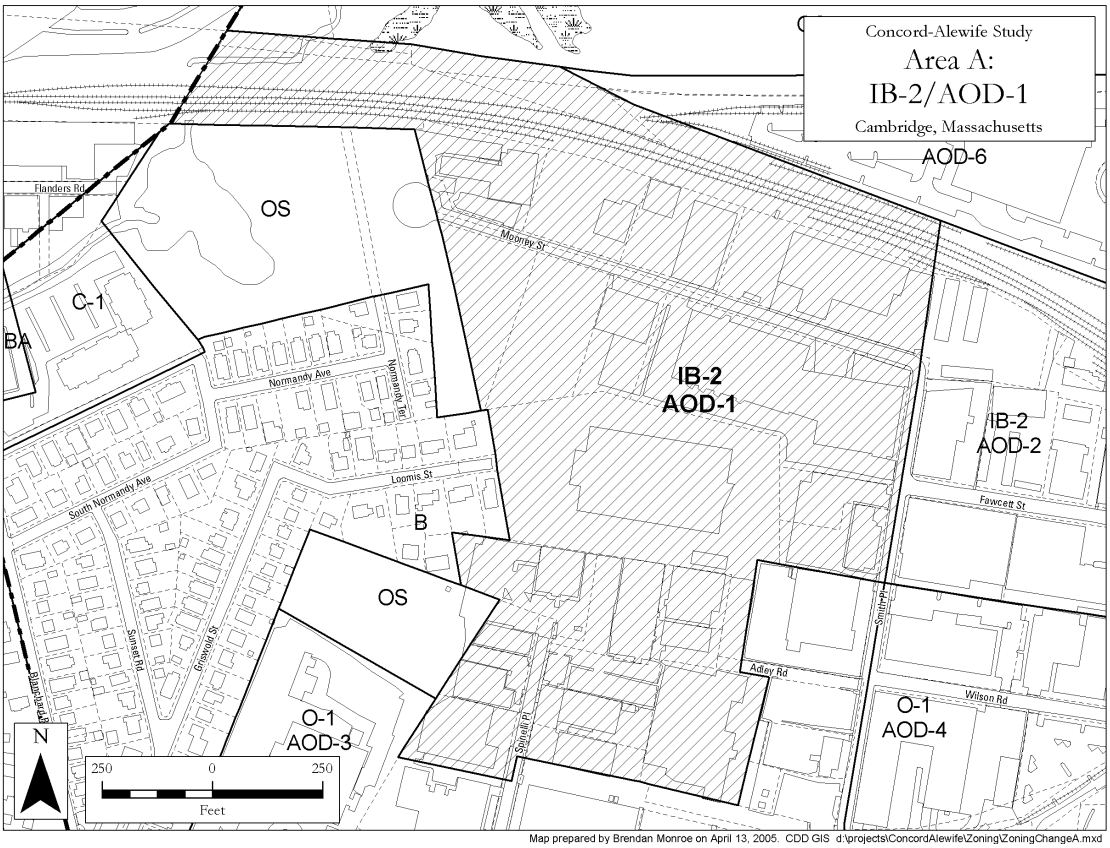
1.11. Thence turning and proceeding in an easterly direction along the southerly sidelines of Lots #319 and 294 and their westerly extension to its intersection with the easterly sideline of Lot #294 on Assessor's Plat #267D;

1.12. Thence turning and proceeding in a northerly direction along the easterly sideline of Lot #294 on Assessor's Plat #267D to its intersection with the northerly sideline of Lot #294;

1.13. Thence turning and proceeding in a westerly direction along the northerly sideline of Lot #294 on Assessor's Plat #267D to its intersection with the southerly extension of the westerly sideline of Lot #267 on Assessor's Plat #267 #3;

1.14. Thence turning and proceeding in a northerly direction along the westerly sideline of Lot #267 and its southerly extension on Assessor's Plat #267 #3 to its intersection with the northerly sideline of Lot #267;

1.15 Thence turning and proceeding in an easterly direction along the northerly sideline of Lot #267 and its easterly extension on Assessor's Plat #267 #3 to its intersection with the centerline of Smith Place, the point of origin.



Area B. Industry B-2 and Business C to Industry B-2 and Quadrangle Northeast Overlay

2.0. Amend the Zoning Map of the City of Cambridge by deleting the existing zoning designations IB-2 and BC (Industry B-2 and Business C) on the Zoning Map at this location and substituting therefor the designation **IB-2/AOD-2 (Industry B-2/Alewife Quadrangle Northeast Overlay District 2)** for that area bounded by the by a line, said line beginning at a point which is the intersection of the northerly extension of the centerline of Smith Place and the northerly sideline of the Fitchburg Division of the Boston and Maine Main Line right of way (which is also the southerly sideline of Lot # 313 on Assessor's Plat # 267-4;

2.1. Thence turning and proceeding in an easterly direction along the northerly sideline of the B&M Main Line right of way (along the southerly sidelines of Lots # 313, 300, and 306 on Assessor's Plat # 267-4) to its intersection with the westerly sideline of Alewife Brook Parkway (which is also the Open Space zoning district);

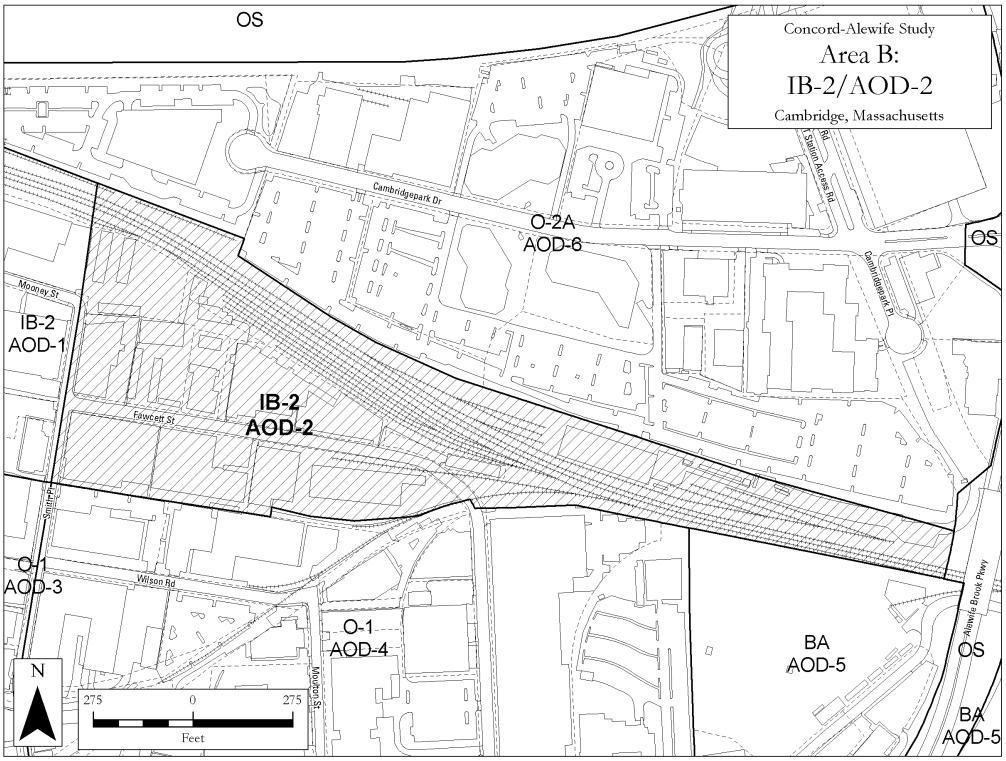
2.2. Thence turning and proceeding in a southerly direction along the westerly sideline of Alewife Brook Parkway (the Open Space zoning District line) to its intersection with the southerly sideline of the B&M Main Line right of way;

2.3. Thence turning and proceeding in a westerly direction along the southerly sideline of the B&M Main Line right of way (which is also the northerly sidelines of Lot # 60 on Assessor's Plat # 265 B and Lots # 286 and 285 on Assessor's Plat # 267 F) to its intersection with the centerline of Fawcett Street;

2.4. Thence turning and proceeding in a northerly direction along the centerline of Fawcett Street to its intersection with the easterly extension of the southerly sideline of Lot #209 on Assessors Plat #267-4;

2.5. Thence turning and proceeding in a westerly direction along the southerly sideline of Lots #209, 264, and 254 on Assessor's Plat # 267-4 and its extension to its intersection with the centerline of Smith Place;

2.6. Thence turning and proceeding in a northerly direction along the centerline of Smith Place and its northerly extension to its intersection with the northerly sideline of the B&M Main Line right of way, the point of origin.



Area C. Office 2 to Office 1 and Quadrangle Southwest Overlay

3.0. Amend the Zoning Map of the City of Cambridge by deleting the existing zoning designation O-2 (Office 2) on the Zoning Map and substituting therefor the designation **O-1/AOD-3 (Office 1/Alewife Quadrangle Southwest Overlay District 3)** for that area bounded by a line, said line beginning at a point which is the intersection of the easterly extension of the northerly sideline of Lot #267 on Assessors Plat #267-3 and the centerline of Smith Place;

3.1. Thence turning and proceeding in a southerly direction along the centerline of Smith Place to its intersection with the centerline of Concord Avenue;

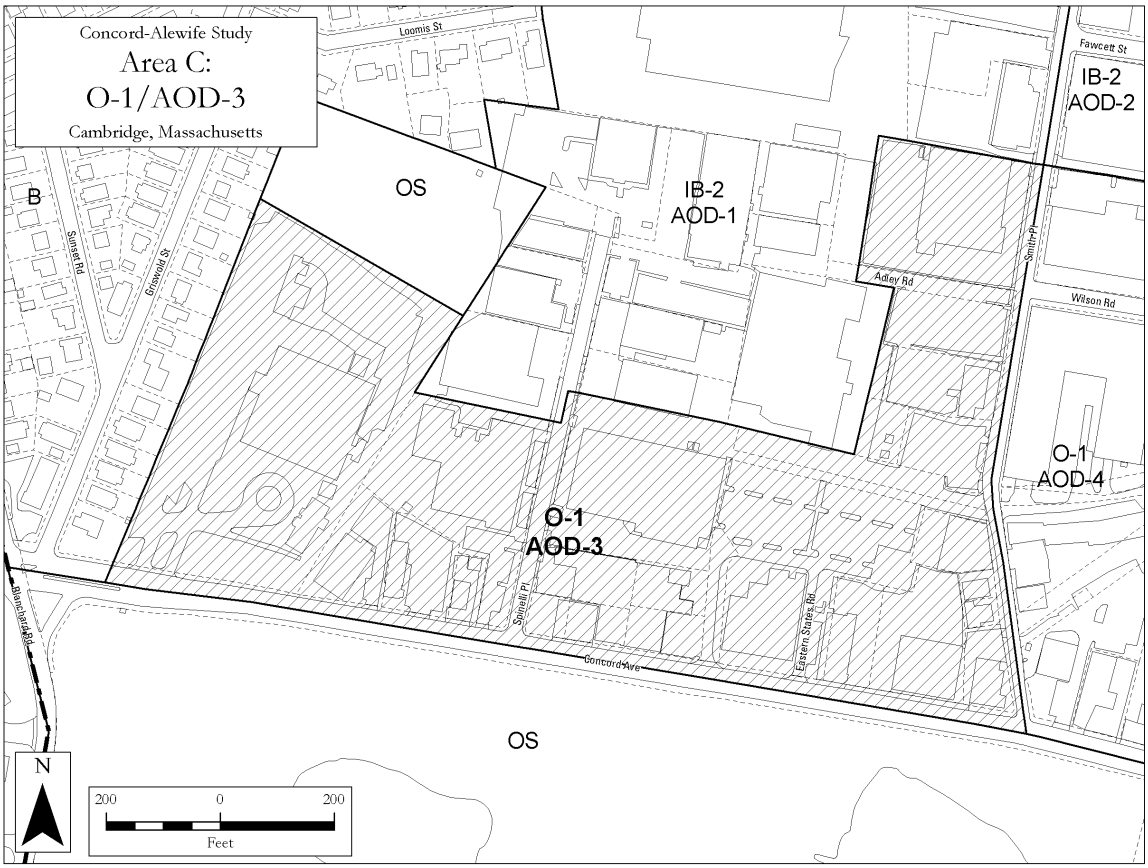
3.2. Thence turning and proceeding in a westerly direction along the centerline of Concord Avenue to its intersection with the southerly extension of the westerly sideline of Lot # 323 on Assessor's Plat # 267 D;

3.3. Thence turning and proceeding in a northerly direction along the westerly sideline of Lot # 323 (the Residence B zoning district line) to its intersection with the northerly sideline of Lot # 323;

3.4. Thence turning and proceeding in an easterly direction along the northerly sideline of Lot #323 (the Open Space zoning district line) to its intersection with the westerly sideline of Lot # 303 on Assessor's Plat #267 D (the IB-2/AOD –1 zoning district line);

3.5. Thence turning and proceeding in a generally southerly, then easterly, then northerly, and then easterly direction along the IB-2/AOD –1 zoning district line described in Part A above to its intersection with the centerline of Smith Place, the point or origin.

3.6. The designation of a portion of this area as within the jurisdiction of the Parkway Overlay District, Section 20.60 shall not be altered in any way by this zone change.



Area D. Office 2 and Business C to Office 1 and the Quadrangle Southeast Overlay

4.0. Amend the Zoning Map of the City of Cambridge by deleting the existing zoning designation O-2 (Office 2) and BC (Business C) on the Zoning Map and substituting therefor the designation **O-1/AOD-4 (Office 1/Alewife Quadrangle Southeast Overlay District 4)** for that area bounded by a line, said line beginning at a point which is the intersection of the centerlines of Concord Avenue and Smith Place;

4.1. Thence proceeding in a northerly direction along the centerline of Smith Place to its intersection with the southerly boundary of the Alewife Quadrangle Northeast Overlay District 2 described in Part B above;

4.2. Thence turning and proceeding in an easterly direction along the southerly boundary of the Alewife Quadrangle Northeast Overlay District 2 described in Part B above to its intersection with the easterly sideline of Lot #286 on Assessors Plat #267 F;

4.3. Thence turning and proceeding in a southerly direction along the easterly sideline of Lot #286 on Assessors Plat #267 F to its intersection with the southerly sideline of Lot #286;

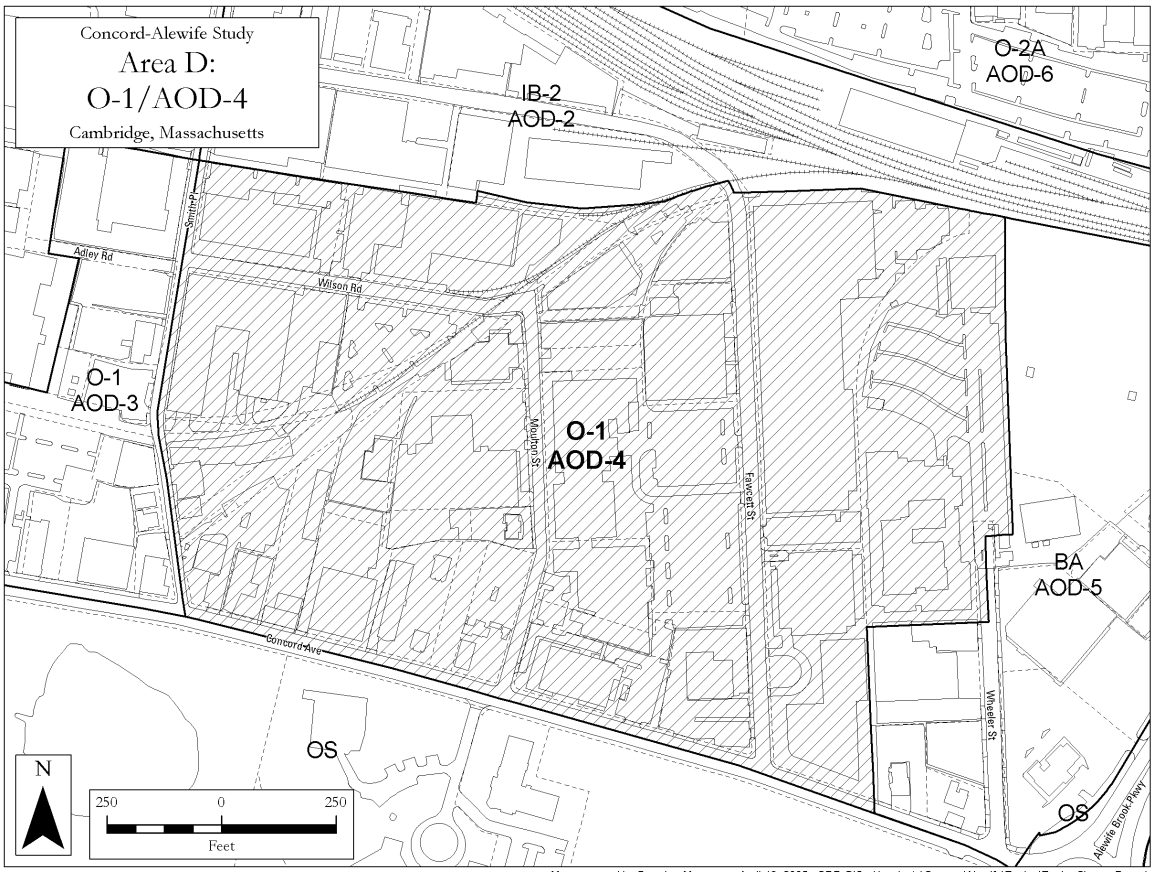
4.4. Thence turning and proceeding in a westerly direction along the southerly sideline of Lot #286 on Assessors Plat # 267 F and its projection to its intersection with the centerline of Wheeler Street;

4.5. Thence turning and proceeding in a southerly direction along the centerline of Wheeler Street to its intersection with the easterly projection of the northerly sideline of Lot #275 on Assessors Plat #267 F;

4.6. Thence turning and proceeding in a westerly direction along the northerly sideline of Lot #275 to its intersection with the easterly sideline of Lot #301 on Assessor's Plat # 267 F;

4.7. Thence turning and proceeding in a southerly direction along the easterly sideline of Lot #301 and its extension to the centerline of Concord Avenue;

4.8. Thence turning and proceeding in a westerly direction along the centerline of Concord Avenue to its intersection with the centerline of Smith Place, the point of origin.



Area E1. Business C District (*Western Portion*) to Business A and Shopping Center Overlay

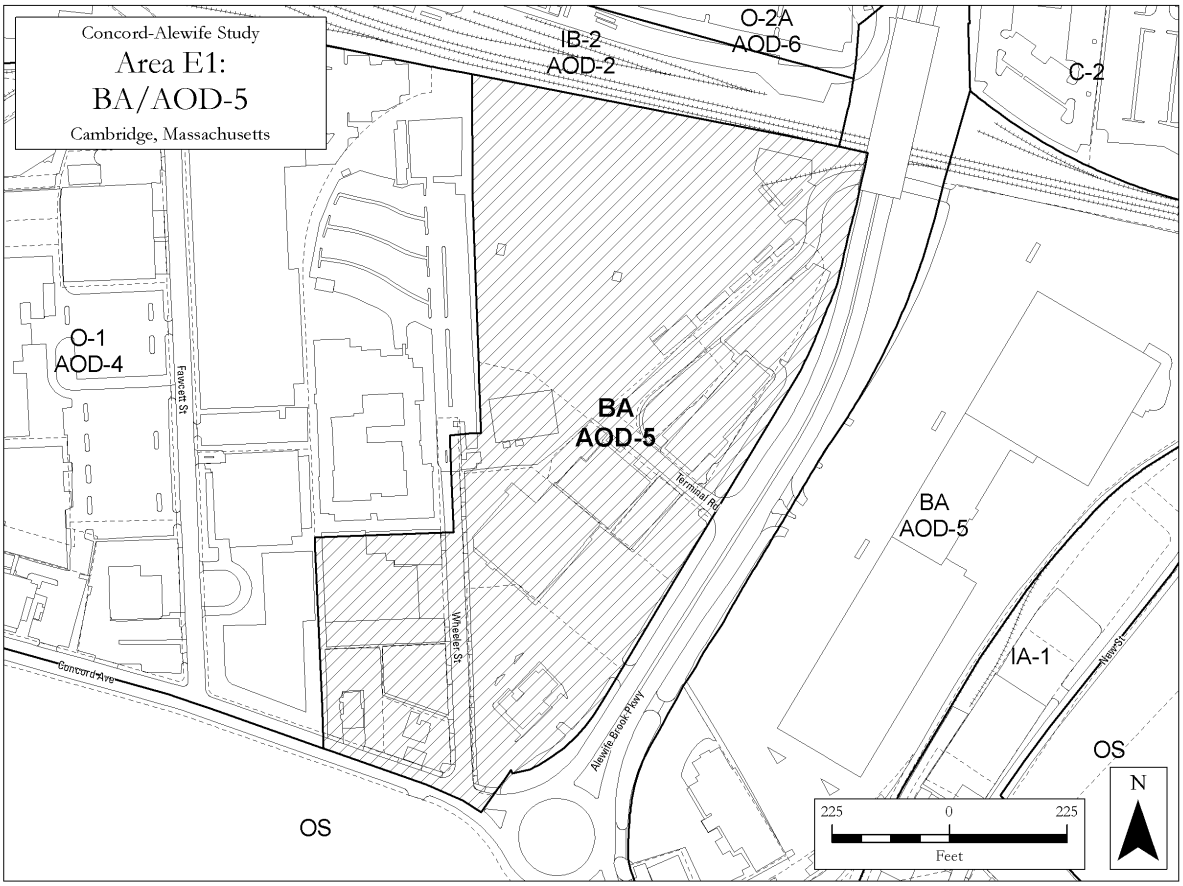
Amend the Zoning Map of the City of Cambridge by deleting the existing zoning designation BC (Business C) on the Zoning Map and substitute therefor the designation **BA/AOD 5 (Business A/Alewife Shopping Center Overlay District 5)** for that area bounded by the following:

5a.1. On the north by the AOD-2 District described in Part B above;

5a.2. On the west by the AOD-4 District described in Part D above;

5a.3. On the east by the Open Space district within the right of way of the Alewife Brook Parkway; and

5a.4. On the south by the centerline of Concord Avenue.



Area E2. Business C District (*Eastern Portion*) to Business A and Shopping Center Overlay

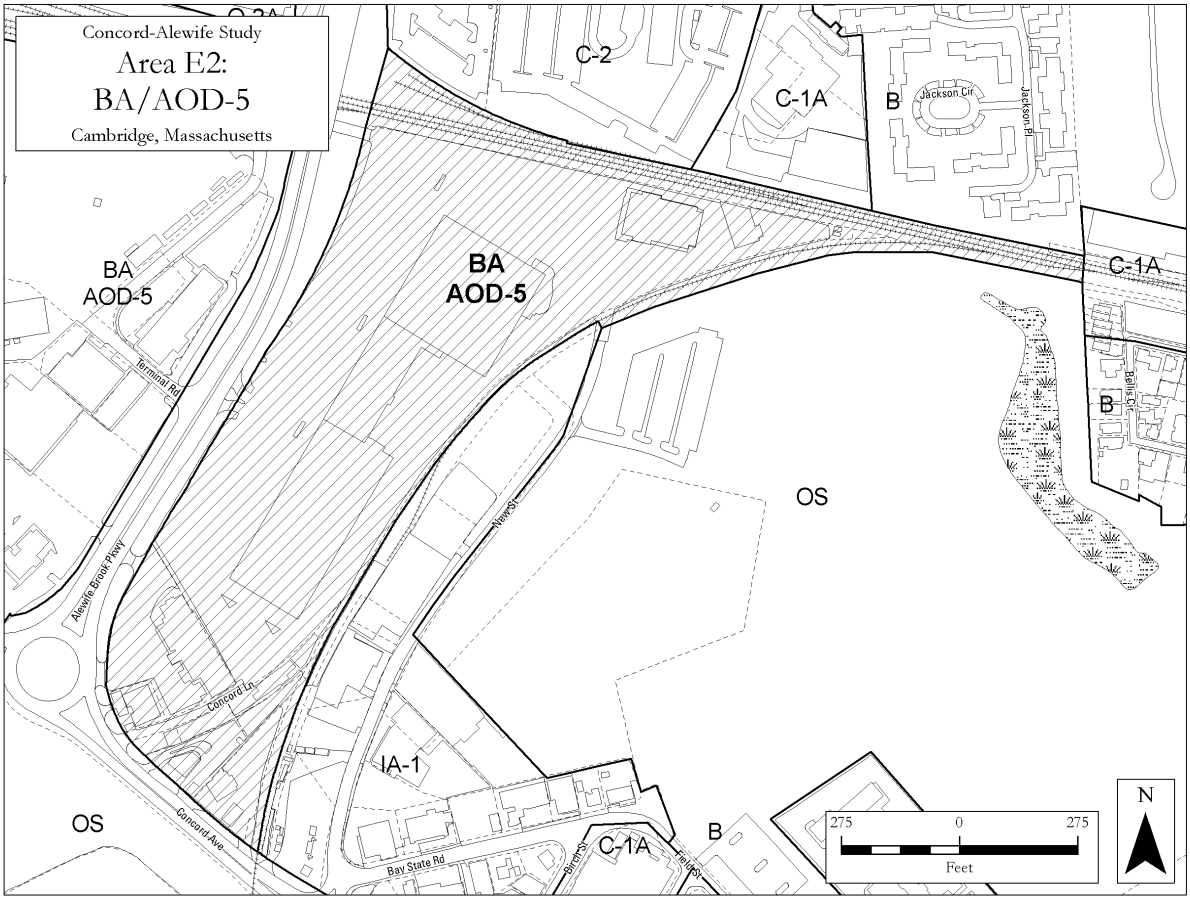
5b.0.Amend the Zoning Map of the City of Cambridge by deleting the existing zoning designation BC (Business C) on the Zoning Map and substitute therefor the designation BA/AOD 5 (Business A/Alewife Shopping Center Overlay District 5) for that area bounded by a line, said line beginning at a point which is the intersection of the easterly sideline of Alewife Brook Parkway (which is the Open Space district boundary line) and the northerly sideline of the Boston and Maine Main Line railroad right of way;

5b.1. Thence turning and proceeding in an easterly direction along the northerly sideline of the B & M Main Line to its intersection with the easterly

sideline of lot #32 on Assessor's Plat # 268 A (which is also the Residence C-1A zoning district line);

5b.2. Thence turning and proceeding in a southerly direction along the southerly projection of the easterly sideline of Lot #32 to its intersection with the southerly sideline of the B &M Main Line right of way;

5b.3. Thence turning and proceeding in a westerly and then southwesterly direction along the southerly sideline of the B &M Main Line right of way and the southeasterly sideline of the Watertown Branch railroad right of way to its intersection with the Industry A-1 zoning district line;



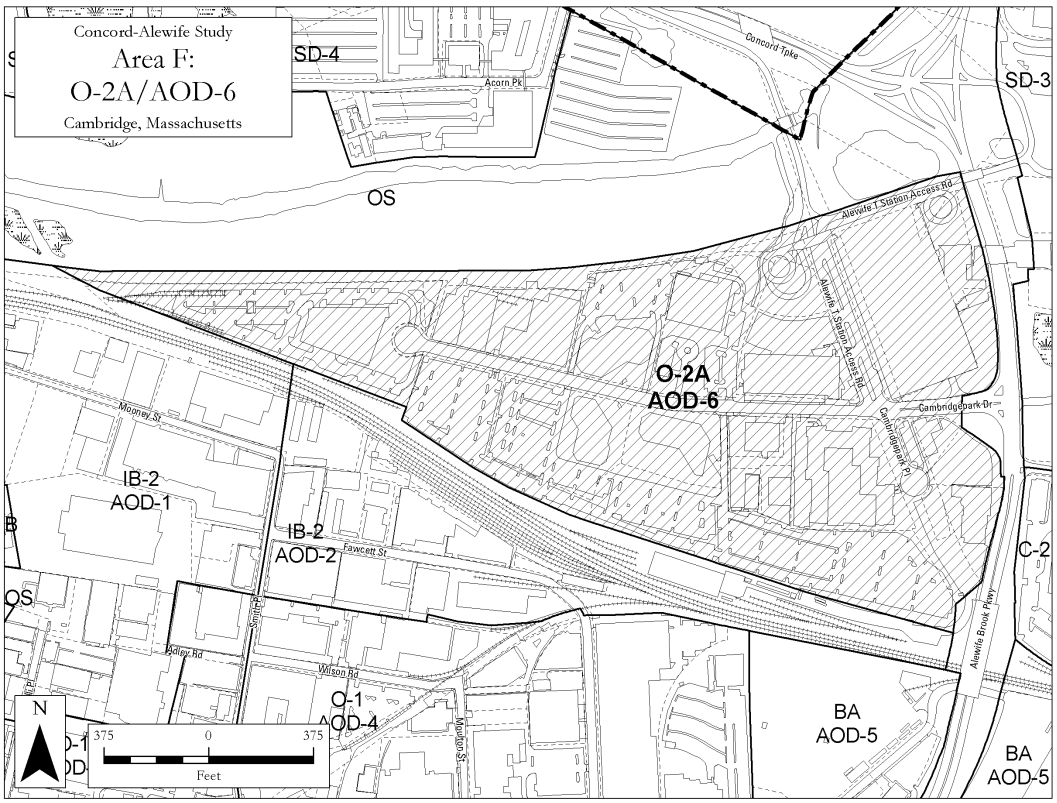
5b.4. Thence turning and proceeding in a northwesterly direction to its intersection with the centerline of the Watertown Branch railroad right of way;

5b.5. Thence turning and proceeding in a southwesterly direction along the centerline of the Watertown Branch railroad right of way to its intersection with the northerly sideline of Concord Avenue (which is also the Open Space zoning district line);

5b.6. Thence turning and proceeding in a westerly direction along the northerly sideline of Concord Avenue (which is also the Open Space zoning district line) and then in a northerly direction along the easterly sideline of Alewife Brook Parkway (which is also the Open Space zoning district line) to its intersection with the northerly sideline of the B & M Main Line railroad right of way, the point of origin.

Area F. Office 2/PUD-5 to Office 2A and Triangle Overlay

Amend the Zoning Map of the City of Cambridge by deleting the existing zoning designation O-2/PUD-5 (Office 2/ Planned Unit Development 5) on the Zoning Map and substitute therefor the designation **O-2A/AOD 6 (Office 2A/Alewife Triangle Overlay District 6)** for that entire area so designated at Cambridgepark Drive.



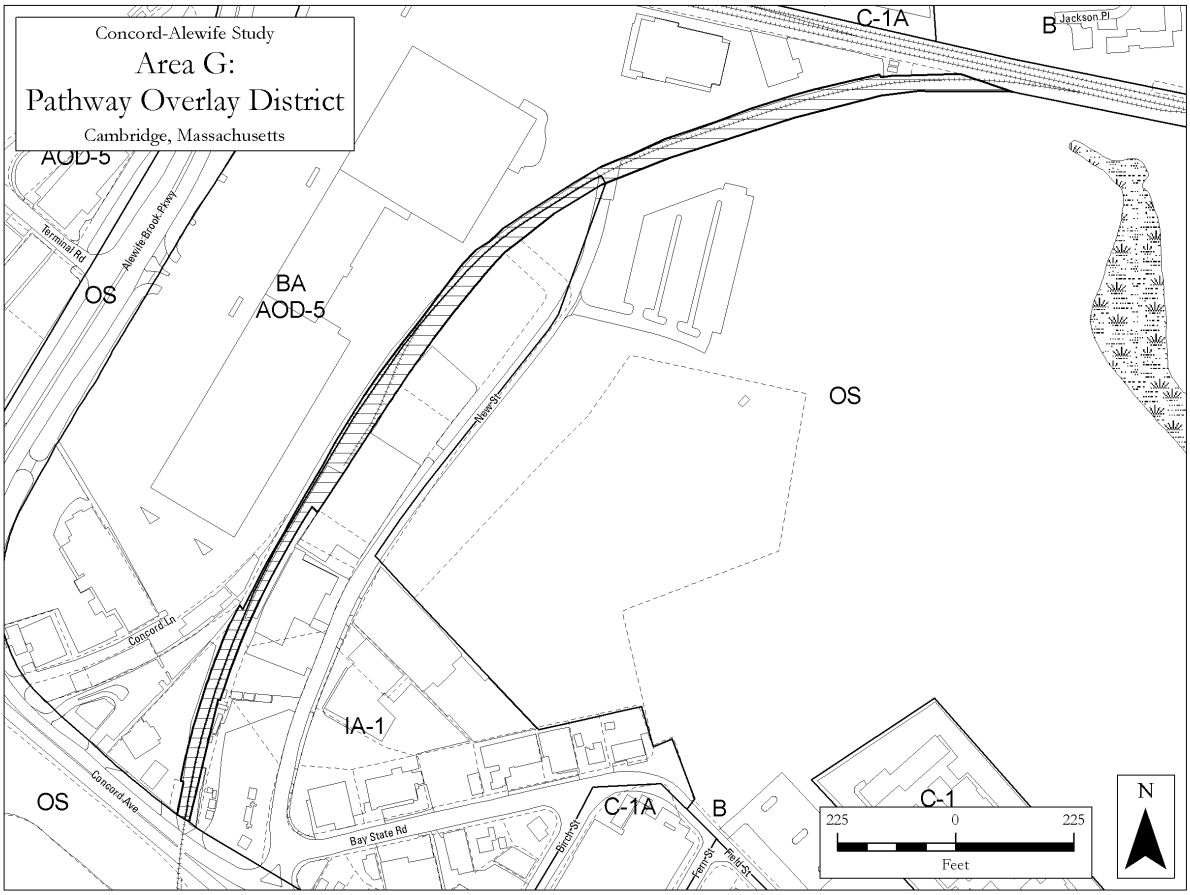
Area G. Business C/Industry A-1 with Pathway Overlay District

Amend the Zoning Map of the City of Cambridge by establishing a new ***Pathway Overlay District (POD)*** *for that area encompassing the entire Watertown Branch railroad right of way bounded*
7.1 On the north by the southerly sideline of the B & M Main Line railroad right of way;

7.2 On the south by the northerly sideline of Concord Avenue (which is also the Open Space zoning district;

7.3 On the east by Lots #100, 97, and 95 on Assessor's Plat #264, Lots #34 and 35 on Assessor's Plat 273, and Lots # 46 and 47 on Assessor's Plat #265A; and

7.4. On the west by Lots #25, 29, 39, 7, and 45 on Assessor's Plat # 265 A and Lot #25 on Assessor's Plat #265 C.



Area H. Residence B/Residence C-1/Business A-1 with Pathway Overlay District

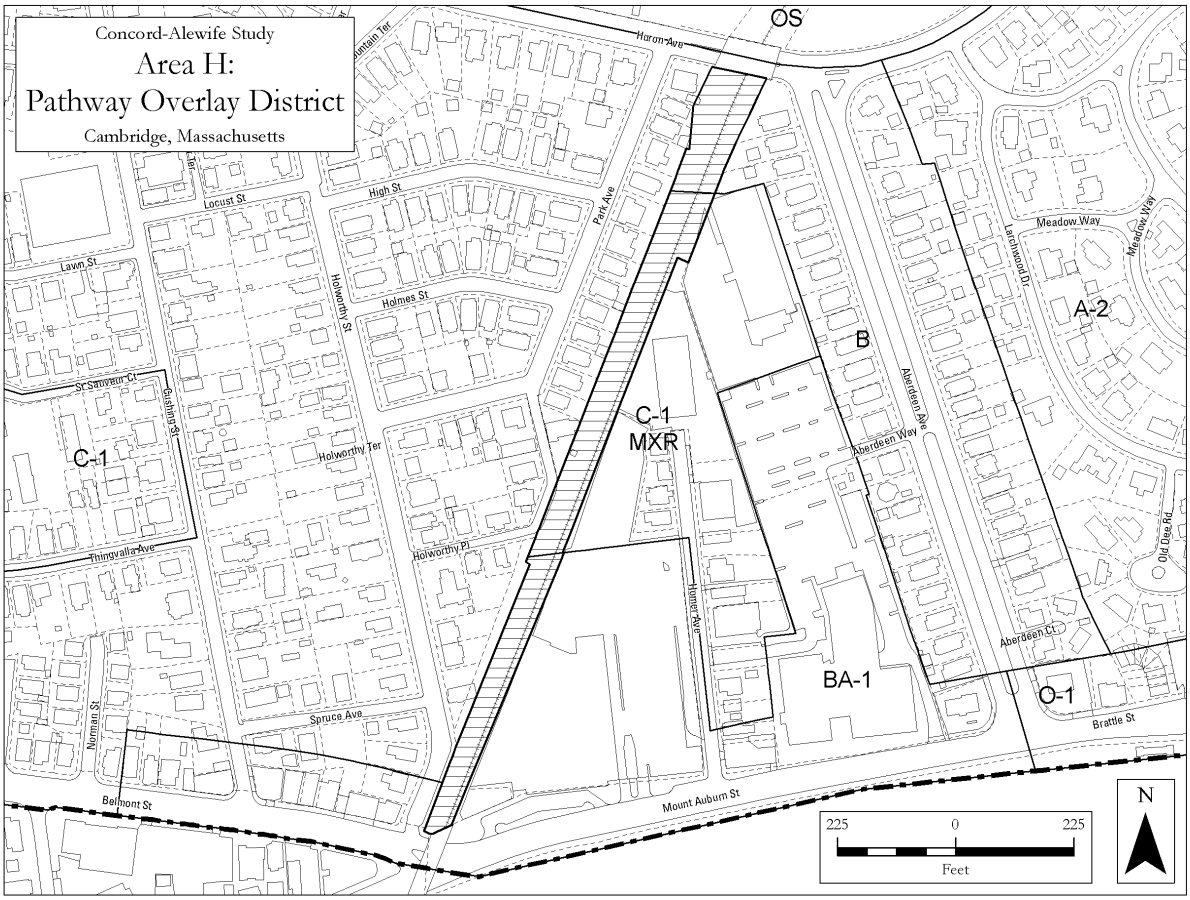
Amend the Zoning Map of the City of Cambridge by establishing a new ***Pathway Overlay District (POD)*** *for that area encompassing the entire Watertown Branch railroad right of way bounded*

8.1. On the north by the southerly sideline of Huron Avenue; on the south by the northerly sideline of Mount Auburn Street;

8.2. On the east by the northeasterly extension of the northwesterly sideline of Lot # 139 and by Lots # 139, 138, 137, 136, 154, 153, and 157 on Assessor's Plat # 252 A and by Lots #172 and 158 and the southwesterly extension of the northwesterly sideline of Lot #158 to the Watertown municipal boundary line on Assessor's Plat #252;

8.3. On the west by Lots # 29, 28, 27, 123, 126, 156, 113, 118, 89, 133, 134, 135, 136, 137, 138, the easterly sideline of Holworthy Place and Lot #119 and the southerly extension of the easterly sideline of Lot #119 to the Watertown municipal boundary line on Assessor's Plant #253; and

8.4. On the south by the Watertown/Cambridge municipal boundary line.



III. *Transfer of Development Rights - Amendments to the Text of the Zoning Ordinance of the City of Cambridge*

A. Amend the Text of the Zoning Ordinance by Creating a New Article 21.000 - Transfer of Development Rights Regulations to read as follows:

ARTICLE 21.000 TRANSFER OF DEVELOPMENT RIGHTS REGULATIONS

21.10 GENERAL PROVISIONS
21.20 EASTERN CAMBRIDGE DEVELOPMENT RIGHTS TRANSFER DISTRICTS (TDD AND TRD)
21.30 SPECIAL DSITRICTS 8, 8A, 9 and 10
21.40 ALEWIFE OVERLAY DISTRICTS 1-6

21.10 TRANSFER OF DEVELOPMENT RIGHTS (TDR) – GENERAL PROVISIONS

21. 11 *Purpose***.** It is the intent of this Article 21.000 to establish regulations by which Gross Floor Area (GFA) permitted on one lot or lots, as determined by the zoning district applicable to that lot [the Donating Lot(s)], may be transferred and used on another lot or lots [the Receiving Lot(s)] in the same or different zoning district in order to (i) introduce a level of flexibility into the development of designated areas in the city in ways that construction on one lot at a time cannot accomplish, (ii) allow multiple owners to coordinate development on small lots that may not be contiguous, (iii) facilitate the implementation of urban design and other planning objectives, particularly in contexts where there may be many, small lots and multiple property owners, and (iv) to allow development to respond to market forces and infrastructure patterns in ways that further public transportation and urban design objectives. The restrictions that otherwise apply in the Zoning Ordinance restricting development to a single lot in single ownership shall be modified by the regulations contained in this Article 21.000.

21.12 *Establishment and Scope*. The Transfer of Development Rights may be secured through the provisions of a (1) a Development Rights Transfer Overlay District designated from time to time on the Zoning Map or (2) through the provisions of an Overlay District, having multiple regulatory objectives or through the provisions of a Special District. The Transfer of Development Rights shall be regulated by the general provisions of this Section 21.10 and by specific provisions established for each individual district.

21.13 *Procedure.* The transfer of GFA from a Donating Lot to a Receiving Lot shall be permitted by special permit from the Planning Board and shall be subject to further provisions set forth below in Section 21.13.1. The transfer shall be permitted between

contiguous and non-contiguous lots that may be held in common or separate ownership, notwithstanding any definition of lot or owner set forth in Article 2.000 of this Ordinance or elsewhere in the Ordinance.

21.13.1 *Special Permit Procedures*.

21.13.11 *Required Information*. In applying for a special permit to permit the transfer of GFA from one or more Donating Lots to one or more Receiving Lots, the following information shall be provided:

1. The location of all Donating Lots and all Receiving Lots.
2. Enumeration of the GFA to be transferred, GFA to be retained on the Donating Lot, and the total GFA to be accommodated on the Receiving Lot; the calculations by which the proposed GFA on all sites has been determined.
3. Schematic development plans showing the proposed development on both the Donating and the Receiving lots.
4. A narrative describing the plan's compliance with all requirements of this Section 21.10 and the specific Transfer of Development Rights provisions of other applicable sections of the Zoning Ordinance, consistency with any applicable design guidelines and area plan, and with the *Citywide Urban Design Objectives*, Section 19.30.
5. The schedule by which necessary demolition will take place and authorized construction will commence and be completed. Where it is proposed to occupy transferred GFA before a Donating Lot has been brought into compliance with the requirements of the special permit, the legal instruments proposed by which the requirements applicable to it will be met.
6. The status of leaseholds for tenants in any GFA on a Donating Lots in structures that are required to be demolished or converted to residential uses, and the mechanisms by which those leaseholds will be terminated and the site brought into compliance with the requirements of the special permit.

21.13.12 *Special Permit Conditions***.** The Planning Board shall establish in its Decision granting a special permit under the provisions of this Section 21.10 conditions that address at a minimum, the following:

1. The sequence by which construction and demolition are to occur on both the Donating and Receiving Lots;
2. The binding commitments to be executed if occupancy of new GFA on the Receiving Lot is to occur before demolition of GFA transferred out from the Donating lot or before new on the Donating Lot.
3. The legal instruments by which a proposed park or other public amenity is to be made available to the general public, where applicable.
4. The process by which final development plans are to be approved by the Planning Board.

21.14 *Reservation of Gross Floor Area by Owners of Donating Lots*. To provide flexibility over time in the utilization of GFA available to be transferred, the Planning Board may issue a special permit to permit the reservation of GFA from a Donating Lot to be applied at a later date to a Receiving Lot through a second special permit process. The reservation may be for any length of time acceptable to the Planning Board.

The Board, in granting the special permit, shall approve the permanent development plan for the Donating Lot.

Substantial Use of such special permit, as required in Section 10.46 of the Zoning Ordinance, shall be that date at which it is filed with the Registry of Deeds for Middlesex County.

The Planning Board may establish such conditions as it deems appropriate to ensure that development on the donating lot is consistent with the conditions of the special permit until the development rights are fully utilized on a future receiving lot.

21.15 *Application for a Building Permit.* Prior to issuance of a building permit for any construction on any Donating or Receiving Lot linked through the issuance of a single special permit, the Superintendent of Buildings shall determine, based on information provided with the application (including a certification from the Community Development Department that all conditions of the special permit are met), that all Donating and Receiving Lots continue to be in conformance with the conditions of the special permit, the provisions of this Section 21.10, and the applicable base zoning districts. Among the information to be provided are the following:

1. An identification of all lots subject to the requirements of a single special permit.
2. A list of all building permits issued for those lots since the granting of the authorizing special permit.
3. The GFA existing and authorized on each lot at the time of the application.
4. An enumeration of the GFA authorized on each lot by the Special Permit.

21.16 *Dimensional Limitations.* Except as may be provided elsewhere in the Ordinance in the individual Transfer of Development Rights Districts and Provisions, all development on both Donating and Receiving Lots shall be subject to the dimensional limitations of the applicable base district with the exception of the FAR limitation. On Receiving Lots, Gross Floor Area may be increased above the FAR limit normally applicable to the extent of GFA transferred from Donating Lots by special permit.

21.20 EASTERN CAMBRIDGE DEVELOPMENT RIGHTS TRANSFER DISTRICT

21.21 *Purpose*. It is the intent of this Section 21.20 to reduce the density of development close to the existing residential neighborhoods and encourage housing construction compatible with the existing residential neighborhoods through the transfer of existing or potential development to other locations. It is also intended to facilitate the

construction of additional residential, office, research and development, retail, and manufacturing uses in areas of eastern Cambridge that are close to transit services, and on sites now fully developed that can more effectively serve the city's Urban Design Objectives, as set forth in Section 19.30 of the Ordinance, with additional building construction. For the purposes of this Section 21.20, residential use shall be defined as uses set forth in Section 4.31 a-h

21.22 *Establishment and Scope*. There is hereby established the Eastern Cambridge Development Rights Transfer Districts, which shall be governed by the regulations and procedures specified in Section 21.10 and this Section 21.20. The extent of the Districts on the Zoning Map is as described below; they shall be identified as Eastern Cambridge Development Rights Transfer Donating District (TDD) and the Eastern Cambridge Development Rights Transfer Receiving District (TRD) established on the Zoning Map of the City of Cambridge in Section 3.20.

21.23 *Boundaries of the Districts.*

The boundaries of the districts shall be as described below.

1. The Eastern Cambridge Development Rights Transfer Donating District shall be coterminous with the boundaries of the Eastern Cambridge Housing Overlay District (Section 20.40 below) and the portion of the PUD-4B District located north of Binney Street. The Donating District shall be that area from which Gross Floor Area (GFA) is removed for use on a lot in the Receiving District.
2. The Eastern Cambridge Development Rights Transfer Receiving District shall be (a) that area bounded by the centerlines of Binney Street to the north, First Street to the east, Main Street to the south, and on the west a line parallel to, easterly of, and one hundred and fifty feet distant from the easterly sideline of Portland Street and Cardinal Medeiros Avenue, and (b) that portion of the Industry B zone located south of Main Street and bounded by the centerlines of Albany Street; Massachusetts Avenue; Windsor Street; a line southerly of, parallel to, and one hundred and fifty feet distant from the southerly sideline of Main Street; a line easterly of, parallel to and one hundred and fifty feet distant from the southwesterly extension of the centerline of Portland Street north of Main Street; and then Main Street to the point of beginning

21.24 *Procedures.* The procedures set forth in Section 21.10 above shall apply to this Section 21.20.

21.25 *Limitations, Requirements, and Conditions Applicable to Lots in the Donating District.*

21.25.1 *Non Residential Gross Floor Area Available for Transfer from a Lot in the Donating District to Any Lot in the Receiving District.*

The total GFA that may be transferred from any Donating Lot to any Receiving Lot shall be the greater of the following:

1. The total amount of non-residential GFA permitted on a lot in any non-residential zoning district in the Donating District at the time of application to permit the transfer, or
2. The existing amount of non-residential GFA contained on a lot in any zoning district in the Donating District at the time of application to permit the transfer.

21.25.2 *Residual Gross Floor Area Available for Residential Development on a Donating Lot after the Non-residential GFA Transfer has been Authorized***.**

The total Gross Floor Area available for residential development on any Donating Lot shall be the greater of the following:

1. The total amount of residential GFA permitted on the Donating Lot after the non-residential GFA has been transferred, including existing residential GFA and residential GFA allowed through the application of the provisions of Section 5.28.2 – Conversion of Non-Residential Structures to Residential Use, where it is proposed to reuse a non-residential structure for residential use, or.
2. The GFA resulting from an FAR of 0.75 in a Residence C-1 base district or 1.25 in any non-residential base district.

21.25.21 *Residual Residential Gross Floor Area on a Donating Lot Available for Transfer to a Lot in the Receiving District***.**

The residential GFA permitted on a lot in any residential or non-residential zoning district as determined by Section 21.24.2 above may be transferred to any receiving lot provided the future residential development potential on the Donating Lot is not reduced below an FAR of 0.75.

21.25.3 *Restrictions on the Donating Lot after Transfer is Authorized***.**

1. All non-residential GFA existing or permitted under the zoning district regulations applicable on the Donating Lot, whichever is greater, must be transferred, held for future transfer, or abandoned. No non-residential development potential shall remain on the Donating Lot and no use variance may be granted to reestablish non-residential uses after the transfer of GFA has occurred. Any active non-residential use shall be discontinued.
2. Development on the Donating Lot is limited to residential use or a public park. Where residential development is proposed to be established, the future residential development shall not have an FAR of less than 0.75. All existing gross floor area not redeveloped to residential use shall be demolished where housing is to be established on the site. The entire site shall be cleared if it is to be developed as a public park.
3. No building or structure determined to be a Preferably Preserved Significant Building by the Cambridge Historical Commission, as provided in Ordinance No. 965 of the Ordinances of the City of Cambridge, may be demolished. Any such building required to remain shall be converted to a permitted residential use.

4. Notwithstanding the provisions of Paragraphs (1) – (3) above, or other provisions of this Section 21.20, the remaining residential GFA on a Donating Lot may contain any office or retail use permitted in the applicable base district up to ten (10) percent of the permitted residential GFA.

21.26 *Dimensional and Use Limitations on the Receiving Lot.*

The GFA transferred from any Donating Lot to a Receiving Lot shall be subject to the following provisions:

1. The transferred GFA shall not be subject to any FAR or GFA limitations applicable to the receiving lot, including lots, which already exceed permitted FAR limits.
2. Transferred Non-residential GFA may be used for any use permitted on the Receiving Lot. However, where any non-residential use is limited to a maximum percentage of total development on the Receiving Lot or Development Parcel, the transferred GFA shall be subject to that limitation unless the transferred GFA is in addition to, and not a substitute for, the GFA and use limitations otherwise applicable on the Receiving Lot or Development Parcel.
3. Residential GFA transferred, as permitted in Section 20.34.21 above, shall only be used for residential uses on the receiving lot.
4. All other dimensional limitations applicable to the receiving lot shall apply to the transferred GFA.

SPECIAL DISTRICTS 8, 8A, 9 and 10

Transfer of Development Rights shall be permitted in Special Districts 8, 8A, 9 and 10 for the purpose of creating open space facilities, pursuant to the general provisions of Section 21.10 above and the following specific requirements.

21.31 *Transfer of Development Rights and/or Additional Height to secure Publicly Accessible Open Space.*

The Planning Board may permit the transfer of all of the gross floor area permitted as of right or by special permit on one or more Donating Lots located in Special District 8, Section 17.81, or Special Districts 8A, 9 and 10, Sections 17.82, 17.90 and 17.100, to one or more Receiving Lots located in Special District 8 and may permit in conjunction with that transfer an increase in the permitted height on the Receiving Lot for the purpose of creating an open space facility of approximately fifty-nine thousand (59,000) square feet and such other additions to that space or the creation of other such open space facilities as may be offered that are accessible to the general public and designed and intended to be used for active and/or passive recreation. The special permit shall be granted subject to the following requirements:

1. One open space parcel containing an area of approximately fifty-nine thousand (59,000) square feet, as shown on Lots # 48 and 57 on Assessor's Plat # 95, shall be a Donating Lot and must be secured as an open space as required in this Section

21.30 before any other lot may be considered a Donating Lot; other open space parcels within the Special District 8 or Special Districts 8A, 9 and 10 may also be Donating Lots.

2. The FAR on the Receiving Lot does not exceed 2.5 for nonresidential uses or 3.0 FAR for residential and dormitory use.

3. The Receiving Lot for the one hundred three thousand, two hundred fifty (103,250) gross square feet or more of floor area to be transferred is located in Special District 8.

4. The maximum height of any structure on the Receiving Lot may be increased subject to the following limitations:

a. Sixty (60) feet in that area lying between Sidney Street and a line, which line is parallel to, southeasterly of and one hundred (100) feet distant from Sidney Street;

b. Ninety (90) feet in that area lying between the parallel line described in Paragraph (a) above and Albany Street;

c. One hundred (100) feet in that area lying southeasterly of Albany Street.

5. The donating site for an open space contribution of approximately fifty-nine thousand (59,000) square feet is located at 82 Pacific Street as shown on lots # 48 and 57, on Assessor's Plat # 95.

6. Open space facilities shall be under the control of, and be programmed and maintained by the City of Cambridge or its designated agent. Transfer of open space facilities to the City shall be by fee simple conveyance, easement, lease (see Paragraph 8 below) or other legal mechanism, and shall be made as a condition precedent to the issuance of the first building permit for a project on a Receiving Lot which utilizes development rights granted by Special Permit for that project. Special Permits granted under this Section 21.30 shall run with the land.

7. The site is physically suitable for the recreational uses proposed and certified by the City to meet environmental standards such as they are applied to other such open spaces in the City at the time of transfer to the City of Cambridge.

8. If the development rights transferred by the Special Permit to a Receiving Lot are not fully utilized or applied in the construction of a project, the remaining development rights shall remain available for use or application, on a phase by phase basis, on the receiving lot. If development rights are applied by a landowner, on a phase by phase basis, the donating lot (from which the development rights derive) shall be leased, on a completely “net” basis, by the owner of the donating lot to the City of Cambridge, or its designated agent, until such time as the receiving lot has fully utilized or applied the development rights derived from the donating lot. When those development rights are fully utilized or applied, which shall be determined by the issuance of a certificate of occupancy for any building making use of such rights, fee simple title to the donating lot shall be conveyed to the City of Cambridge or its designated agent; in its decision the Planning Board shall determine if fee simple title shall be conveyed in phases as development rights are utilized or applied or when the entire amount of development rights is

fully utilized. If development rights are applied or utilized on a phase by phase basis, and if, because of an amendment or other change in the Zoning Ordinance of the City of Cambridge, the owner of the receiving lot is unable to receive the full benefits of those development rights (in the same manner and to the same extent as if the Zoning Ordinance had not been amended or otherwise changed), the lease of the donating lot to the City of Cambridge shall terminate automatically upon the effective date of that amendment or other change in the Zoning Ordinance.

Any special permit issued under the provisions of this Section 21.30 shall be in force and effect for the length of lease of property for open space purposes as required in this Section 21.30. For the purposes of Section 10.46, the use authorized by any special permit issued under this Section 21.30 shall be deemed to have commenced with the granting of the lease of land for open space purposes as defined in this Paragraph 8.

21.32 *Special Permit Conditions.* In granting a special permit under this Section 17.81.5 the Planning Board shall consider the following:

1. The proposed open space is consistent with the objectives of this Section 21.30 to create a useable open space or recreational facility addressing the unmet needs of the adjacent residential neighborhood and those of the new residents of the district and, if one is adopted, is consistent with a plan for the distribution and use of open space in the District.

2. If less than one acre, the open space is clearly an element of a plan to be implemented incrementally created through the issuance of additional special permits, or is clearly acceptable as an independent facility.

3. If it is intended to be a part of a larger facility, the open space is useable on its own, as an independent facility, if intended future special permits are not sought or granted.

21.40 ALEWIFE OVERLAY DISTRICTS 1-6

21.41 *Purpose.* It is the intent of this Section 21.40 (i) to reduce the density of development adjacent to the existing residential neighborhood of the Cambridge Highlands; (ii) to encourage greater development density closer to public transit and to facilitate infrastructure improvements that will make those transit services more widely available in the Alewife Overlay Districts; (iii) to facilitate a more orderly development pattern within the Alewife Overlay Districts, including increasing the opportunities for installation of new circulation pathways for pedestrian, bicycles and vehicles; creation of new public or private open space facilities; and development of new pedestrian connections from the Quadrangle to the Triangle; (iv) to make additional land surface available for better stormwater management and increased permeability; and (v) to encourage a more attractive pattern of new buildings consistent with the urban design objectives set forth in the *Concord-Alewife Plan.*

21.42 *Procedure.* The procedures set forth in Section 21.10 above shall apply to this Section 21.20.

21.43 *Limitations, Requirements, and Conditions Applicable Donating Lots.*

21.43.1 *Gross Floor Area Available for Transfer from a Donating Lot to a Receiving Lot.*

1. Some or all of the Gross Floor area permitted on the Donating Lot, as determined by the applicable base zoning district regulations, any additional development allowed in Section 20.90 by special permit, and by the provisions of Section 5.28.2 as they apply to existing development on the site, may be transferred to a Receiving Lot.

2. Where any legally established Gross Floor Area existing on the lot at the time of application to permit the transfer exceeds that permitted on the lot, that Gross Floor Area shall be available in whole or in part for transfer to the Receiving Lot.

3. Residential Gross Floor Area transferred from a Donating Lot may only be used for residential purposes on the Receiving Lot. Non-residential Gross Floor Area transferred from a Donating Lot may be used for any permitted use on the Receiving Lot.

4. *Special Provisions Related to Utility and Railroad Land.* As railroad and utility facilities cannot easily be reused for other purposes while the railroad or utility function is active, special limitations shall be imposed for the transfer of any development potential on those sites though the provisions of this Section 21.40. Therefore, Gross Floor Area permitted on a railroad right-of way, railroad freight terminal, railroad yard and shop (Section 4.32 (c)) or utility transformer station, substation, gas regulator station (Section 4.32 (g 2) may not be transferred to any other lot under the provisions of this Section 21.40 unless the Planning Board finds that the donating lot, after the transfer of GFA, will be substantially improved to the benefit of the general public, consistent with the objectives of the *Concord-Alewife Plan.* In making that finding the Planning Board shall consider the following:

a. Significant portions of the Donating Lot are redeveloped to housing, technical office uses, or permeable open space as set forth in Section 21.43.2 (1) below.

b. Rights of way or construction of pedestrian and bicycle pathways and roadway segments, elements of the pedestrian bridge across the railroad right of way from the Quadrangle to the Triangle, and water retention/detention systems are provided, consistent with the *Plan.*

c. The additional GFA on the Receiving Lot can be reasonably accommodated in a positive way with regard to management of the additional traffic created and site and building design proposed in the context of the surrounding pattern of development.

d. In other demonstrable ways the objectives of the *Plan* are advanced to an extent commensurate with the scale of the GFA transfer being requested.

21.43.2 *Restrictions on the Use of the Donating Lot after Transfer is Authorized.*

1. Where it is proposed to transfer all development allowed on the Donating Lot, the lot shall be thereafter developed in one of the following ways:
    a. As a Public, Green Area, Permeable or Publicly Beneficial Open Space.
    b. For any residential use permitted in a Residence C-1 District in a building or buildings meeting all the dimensional requirements of the Residence C-1 District. An FAR of 0.75 shall be authorized on the site, in addition to that authorized for transfer to the Receiving Lot. Such additional FAR, however, shall not be granted for transfers of GFA that only occur within the boundaries of a single Overlay District.
    c. Any technical office for research and development, laboratory and research facility, Section 4.34 f, in a building or buildings constructed to meet all the dimensional requirements of the Office 1 District. An FAR of 0.75 shall be authorized on the site, in addition to that authorized for transfer to the Receiving Lot. Such additional FAR, however, shall not be granted for transfers of GFA that only occur within the boundaries of a single Overlay District.
    i. Where an existing building has a Gross Floor Area at or below an FAR of 0.75 and is occupied by a Technical office for research and development use, such building and use shall be considered to meet the requirements of this Subparagraph c and the full transfer from the lot of permitted FAR shall be permitted.

2. Where it is proposed to retain some of the development potential on the Donating Lot, either in new construction or in existing buildings, the provisions of the applicable base district and Section 20.90 shall apply to that development.

21.43.3 *Dimensional and Use Limitations on the Receiving Lot.*

The GFA transferred to a Receiving Lot shall be subject to the following provisions:

1. The transferred GFA shall not be subject to any FAR or GFA limitations applicable to the Receiving Lot, including lots that already exceed permitted FAR limits.

2. Transferred Non-residential GFA may be used for any use permitted on the Receiving Lot

3. Transferred Residential GFA shall only be used for residential uses on the receiving lot.

4. All other dimensional limitations applicable to the receiving lot shall apply to the transferred GFA.

5. The total GFA transferred shall not exceed twenty (20%) percent of the GFA otherwise permitted on the Receiving Lot when the transfer occurs between two or more Overlay Districts.

21.43.4 *Location of Donating and Receiving Lots*

21.43.41 *Transfer of Development Rights within a Single Overlay District.* Transfer of GFA shall be permitted within the boundaries of a single Overlay District from any Donating Lot to any Receiving Lot. Where a lot is divided by an Overlay District line, all transferred GFA shall be located within that portion of the lot located within the Overlay District.

21.43.42 *Transfer of Development Rights Between Two or More Overlay Districts.* Where it is proposed to transfer GFA out of one Overlay District into another the following rules shall apply.

1. Overlay Districts 1 and 3 shall contain only Donating Lots. Gross Floor Area from these Districts may only be transferred to Overlay Districts enumerated in Paragraphs (2) and (3) below.

2. Overlay Districts 4, 5 and 6 shall contain only Receiving Lots and may receive transferred GFA only from Overlay Districts 1 and 3.

3. Overlay District 2 shall contain only Receiving Lots and may receive transferred GFA only from Overlay Districts 1 and 3. However, transferred GFA shall only be permitted if it can be demonstrated to the satisfaction of the Planning Board that there is in place a safe and functional pedestrian connection from Overlay District 2 across the railroad tracts to Overlay District 6; or that the development authorized by a Transfer of Development Rights Special Permit will provide physical elements or property right interests that will facilitate the construction of such a pedestrian connection in the future, to include but not be limited to: fee, easement or other property interest sufficient to permit the construction of a pedestrian bridge and to permit the general public access the facility; construction of elements of the bridge on the site or within buildings to be constructed on the site, or actual construction of the pedestrian connection.

B. Companion Changes in Special Districts 8, 8A, 9 and 10 to reflect the Creation of the New Article 21.000 – Transfer of Development Rights Regulations

1. In Section 17.80 – Special District 8 and Special District 8A, delete the existing Section 17.81.5 and substitute therefore the following.

17.81.5 *Transfer of Development Rights and/or Additional Height to Secure Publicly Accessible Open Space.*

Transfer of permitted Gross Floor Area between two or more lots that may not be contiguous or held in common ownership shall be permitted in Special Districts 8, 8A, 9, and 10 pursuant to the provisions of Section 21.30 of the Zoning Ordinance. Additional height to accommodate such transferred GFA shall also be permitted subject to the limitations set forth in Section 21.30.

2. In Section 17.90 – Special District 9, add a phrase in Section 17.97 and add a new Section 17.98 as follows:

17.97 *Standards for Issuance of Special Permits in the District.* In addition to the general standards for the issuance of a special permit found in Section 10.40 of the Zoning Ordinance, the special permit granting authority shall in addition make the following findings:

1. The proposed development is consistent with the following goals and objectives:
   - To encourage mixed use development compatible with the Cambridgeport residential neighborhood with housing uses strongly encouraged along Brookline Street and over to Sidney Street;
   - To promote street and sidewalk improvements to create a unified image and improve the physical and visual environment and tie the existing nonresidential district to the existing residential neighborhood; and
   - To promote strong visual and pedestrian connections between the residential neighborhood and the MIT campus and the Charles River.
2. The development is consistent with the provisions of the South Cambridgeport Development Guidelines;
3. No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and
4. No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

17.98 *Transfer of Development Rights and/or Additional Height to Secure Publicly Accessible Open Space.*

Transfer of permitted Gross Floor Area between two or more lots that may not be contiguous or held in common ownership shall be permitted in Special Districts 8, 8A, 9, and 10 pursuant to the provisions of Section 21.30 of the Zoning Ordinance.

3. In Section 17.100 – Special District 10, add a phrase in Section 17.107 and add a new Section 17.108 as follows:.

17.107 *Standards for Issuance of Special Permits in the District.* In addition to the general standards for the issuance of a special permit found in Section 10.40 of the Zoning Ordinance, the special permit granting authority shall in addition make the following findings:

1. The proposed development is consistent with the following goals and objectives:
   - To encourage mixed use development compatible with the Cambridgeport residential neighborhood with housing uses strongly encouraged along Brookline Street and over to Sidney Street;
   - To promote street and sidewalk improvements to create a unified image and improve the physical and visual environment and tie the existing nonresidential district to the existing residential neighborhood; and
   - To promote strong visual and pedestrian connections between the residential neighborhood and the MIT campus and the Charles River.
2. The development is consistent with the provisions of the South Cambridgeport Development Guidelines;
3. No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and
4. No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

17.108 *Transfer of Development Rights and/or Additional Height to Secure Publicly Accessible Open Space.*

Transfer of permitted Gross Floor Area between two or more lots that may not be contiguous or held in common ownership shall be permitted in Special Districts 8, 8A, 9, and 10 pursuant to the provisions of Section 21.30 of the Zoning Ordinance.

C. Companion Changes to Article 20.000 – Overlay Districts

1. Delete Section 20.30 – Eastern Cambridge Development Rights Transfer Districts (TDD and TRD).

2. Delete the existing "Note" in the Title to the Article and substitute therefor the following:

[Note: *Institutional Overlay Districts are located in Section 4.50 of the Zoning Ordinance and the Eastern Cambridge Development Rights Transfer Districts are located in Article 21.000*]

CONCORD-ALEWIFE DESIGN GUIDELINES

Urban design guidelines are recommended to guide the character of future development in the Concord-Alewife Study Area. These are as follows:

AREAWIDE GUIDELINES

- Break up large blocks into smaller blocks, of sizes similar to those in surrounding Cambridge neighborhoods, to improve circulation and be compatible with surrounding neighborhoods.
- Vary the design of individual buildings to create an architecturally diverse district.
- Street level facades should include active uses such as frequent residential entrances, with setbacks for stoops and porches; neighborhood-serving retail including shops, restaurants, cafes; services for the public or for commercial offices such as fitness centers, cafeterias, daycare centers; community spaces such as exhibition or meeting spaces; and commercial lobbies and front entrances.
- Encourage awnings/ canopies to provide shelter and enliven ground-floor façades.
- Design residential buildings with individual units and front doors facing street, including row house units on the lower levels of multi-family residences.
- Utilize low impact development principles in building and site design as a way to meet City, State, and Federal stormwater requirements. Examples of low impact development strategies include green roofs, bioswales, filter strips, and retention/detention ponds. For additional detail refer to the DPW *Proposed Concord – Alewife Area Stormwater Management Guidelines*.
- Compliance with Leadership in Energy and Environmental Design (LEED) certification standards and other evolving environmental efficiency standards is encouraged.
- Use site design that preserves future rights-of-way identified in the Circulation Concept Plan.
- Improve existing streets to meet City standards, including streetscape improvements.
- Strengthen bicycle and pedestrian links to adjacent areas. Provide links that strengthen physical and visual connections to open space resources.
- Screen service areas from major streets.
- Parking below-grade is preferred. If above-grade parking is to be provided, design it so it is not visible from nearby residential neighborhood, from public streets, or from pathways; line above-ground structured parking with active uses (shops, cafes, lobbies) along important public ways; use parking structures to visually and acoustically screen the rest of the area from the railroad tracks.
- Design and locate lighting and signage in support of the district's pedestrian-friendly quality.
- Use site design to minimize shadows on other buildings or on public streets, open spaces, parks, and plazas.
- Design residential development to include a range of units of various sizes and with various numbers of bedrooms, including three or more bedrooms, with the overall goal of providing dwelling units for families with school age children.

LOCATION SPECIFIC GUIDELINES

QUADRANGLE (AOD-1, 2, 3, 4)

- Scale and use in areas adjacent to Cambridge Highlands should be compatible with the residential neighborhood and serve as a transition between the Highlands and the rest of the Quadrangle.
- Use streetscape and other improvements to define Wilson Road as part of a major east-west connection through the Quadrangle.
- Develop a vegetated buffer between the Highlands and Quadrangle that also provides a north/south link to adjacent open spaces.
- Create an open space system characterized by parks and green spaces of varying scales and uses.
- Use pooled resources to create a new central public open space in the Quadrangle that incorporates stormwater management.
- Locate active uses around the future open space to create a safe and active environment throughout the day and evening.
- Provide pedestrian links to strengthen physical connections to the shopping center.
- Create building height / façade setbacks between 85' and 105'.
- Create a consistent edge along Concord Avenue, with combination of residential and retail uses.
- Use streetscape and other improvements to define Smith Place and Spinelli Place as major north-south entries into the Quadrangle, and to establish Concord Avenue as a major gateway.
- Provide pedestrian links to strengthen connections to Fresh Pond Reservation, consistent with the Fresh Pond Master Plan.
- Strengthen streetscape and other improvements to define Concord Avenue.
- Site new development to allow for a future above-grade crossing between the Triangle and the Quadrangle.

SHOPPING CENTER (AOD-5)

- Provide pedestrian links to create strong physical and visual connections to Danehy Park.
- Improve the pedestrian connection to Alewife Station and to North Cambridge.
- Create a new street network, including a north-south main street.
- Ensure that a significant number of entrances for building(s) face Alewife Brook Parkway and/or new main street.
- Create a strong pedestrian link across the Alewife Brook Parkway to connect the east and west parts of the Study Area.
- Create building height / façade setbacks between 55' and 85'.

TRIANGLE (AOD-6)

- Create a pedestrian-friendly environment along CambridgePark Drive.
- Provide small setbacks (5 to 15 feet) from the right-of-way for café seating, benches, or small open spaces.
- Screen service areas from CambridgePark Drive.
- Provide pedestrian links that strengthen physical connections to Alewife Reservation, consistent with its master plan

- Create building height / façade setbacks between 85’ and 105’.
- Site new development to preserve right-of-way for future crossing of the railroad tracks to connect the Triangle and Quadrangle.

In City Council June 26, 2006.
Passed to be ordained as amended by a yea and nay vote:-
Yeas 7; Nays 1; Absent 1.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk