

ORDINANCE NUMBER 1335

Final Publication Number 3228. First Publication in the Chronicle on September 16, 2010.

City of Cambridge

In the Year Two Thousand and Ten

AN ORDINANCE

In amendment to the Ordinance entitled “Zoning Ordinances of the City of Cambridge”

Be it ordained by the City Council of the City of Cambridge that the Zoning Ordinances of the City of Cambridge be amended as follows:

Amend Article 7.000 – Signs and Illumination as set forth below.

I. Delete the existing Section 7.12 – Applicability and substitute therefor the following:

7.12 *Applicability*

A. *General Applicability*

No signs or advertising devices of any kind or nature shall be erected or maintained on any premises or affixed to the inside or outside of any structure to be visible from the outside of any structure except as specifically permitted in this Article 7.000.

B. *MXD District*

The provisions of this Section 7.10 shall not be applicable in the MXD District, Article 14.000 of this Ordinance, during the life of the Kendall Square Urban Renewal Plan, as amended.

C. *Signs in the Public Way*

Signs and banners located entirely within a public way are not subject to the provisions of this Article 7.000 except as may be specifically provided for elsewhere in this Article 7.000.

II. In Section 7.14 – Calculation of Area and Height of Signs, insert a new Paragraph C. Re-designate existing Paragraphs C to E as D to F.

7.14 *Calculation of Area and Height of Signs*

C. For all signs, where a color or graphic pattern constitutes a Corporate or Brand Identification (by custom, contract or practice) as illustrated in advertising or in sign or building designs employed at multiple locations, the full extent of that background color or graphic pattern shall be calculated as part of the sign area when it is associated with any logo, lettering, or other graphic element constituting a sign.

III. In Section 7.16.11 –Exempt Signs, insert an additional phrase in Paragraph A2 and insert a new Paragraph A3 as set forth below. Renumber existing Paragraphs A3-7 to A4-8.

7.16.11 *Exempt Signs*

A. *In All Districts:*

1. Signs not visible from a public way. (All illumination permitted.)

2. Official traffic and directional signs, including bus and shuttle schedules. (All illumination permitted.)

3. Other signs in the public way.

IV. In Section 7.16.22 – All Business, Office and Industrial Districts, insert a new Paragraph D3 to read as follows.

D 3. Building Identification Signs

(a) Purpose: It is the intent of this provision of the Ordinance to allow more prominent, but limited, identification of large corporate buildings in the City that commonly host companies and enterprises that contribute significantly to the City’s economic health and wellbeing. The added flexibility provided by this provision is intended to be limited to those districts in which large-scale commercial development predominates in significant concentrations.

(b) Applicable Districts: The special provisions of this Paragraph D.3 shall be applicable in the following zoning districts:

- (1) In the eastern portion of the city, that portion of any office, industrial, PUD, non-residential Special District, or CRD District

(as they may be modified by any overlay district) that has a permitted maximum height of fifty feet or more for non-residential uses where that zoning district is located east of either Brookline Street or Windsor Street.

(2) In the western portion of the city, that portion of any office, industrial, or non-residential Special District (as they may be modified by any overlay district) that has a permitted maximum height of fifty feet or more for non-residential uses where that zoning district is located west of Alewife Brook Parkway.

(c) Restrictions, Limitations and Requirements. A wall sign may exceed the maximum Height of Signs and the maximum Area of Signs limitations set forth in Section 7.16.22, Paragraph C above subject to the following conditions and limitations:

(1) A special permit is granted by the Planning Board.

(2) For each non-residential building of 100,000 square feet of Gross Floor Area or more on a lot, one such Wall Sign for each street the lot abuts (but in no case more than two signs per building) may be permitted.

(3) The sign shall have Natural or External Illumination only.

(4) The sign may be located at any height below the roof of the building. The Planning Board may, however, in granting the special permit, allow a sign to be placed on the solid screening wall of mechanical equipment carried above the roof of the building where in the Board's judgment such a location better integrates the sign architecturally into the building.

(5) Where the sign is located at a height greater than one hundred (100) feet, the maximum Area of Sign may be increased to ninety (90) square feet.

(6) The sign shall consist of individual letters or graphic symbols attached directly to the building face.

(7) The sign shall be accessory to an office tenant occupying a significant portion of the building, or shall identify the building itself.

For the purposes of this Paragraph 7, the following shall apply:

(i) Office tenant shall mean any use enumerated in Section 4.34, Table of Use Regulations or any other use customarily occupying a office building, but shall specifically exclude any Retail Business and Consumer Service Establishments, Sections 4.35 and 4.36.

(ii) A tenant occupying at least 25 % of the leasable area of a building shall be presumed to be occupying a significant portion of the building. However, the Planning Board may determine that a tenant occupying less than 25% of the leasable area of the building also occupies a significant portion of the building upon a finding that the intent of this Paragraph 7 continues to be met.

(8) The building shall not be located in a local conservation or historic district as defined in City ordinances.

(9) All other provisions of this Article 7.000 shall continue to apply, including the Total Area of Signs Permitted per Lot and the total area of signs permitted on any individual Sign Frontage.

(d) In making its determination the Planning Board shall consider the quality of the design of the proposed sign, how well it is integrated and harmonized with the design and character of the building upon which it is placed, and how the sign is viewed from nearby residential districts and neighborhoods, any historic or neighborhood conservation districts, parks and official open spaces, and from the Charles River. The nature and impact of the proposed lighting shall be considered as it might be perceived from residential neighborhoods and as the lighting might impact the city's environmental objective of protecting the night sky.

V. In Section 7.16.22 – All Business, Office and Industrial Districts, insert a new Sub-section E to read as follows.

E. General Waiver of Sign Limitations

The limitations and restrictions of Section 7.16.22, Paragraphs A-C above (but specifically excluding any limitations and restrictions set forth in Paragraph D. 1-3 above) and Section 7.16.3 below may be waived by special permit from the Planning Board, within the context of an approved plan for all prospective signs on a lot, subject to the following requirements and limitations.

1. The Plan shall allocate all permitted sign area on a lot (as permitted in this Section 7.16.22), including existing signs to remain and prospective signs. The proposed Plan shall show the location, size, dimensions, and method of illumination of all existing and prospective signs on the lot.

The applicant may choose not to allocate all of the sign area permitted on the lot; in such case, future allocation of that additional area shall require the issuance of a new special permit by the special permit granting authority even if such additional sign

area is proposed to be used in a manner conforming to the limitations of Paragraphs A-C above unless the Plan shall identify a process by which such additional sign area may be approved.

2. A narrative shall describe the variations requested from the normally applicable restrictions and limitations of Section 7.16.22, Paragraph A-C above and how those variations better serve the purposes of this Article 7.000, the Citywide Urban Design Objectives in Section 19.30, and any applicable area-wide plans adopted by the City of Cambridge.

3. No sign in the approved Plan may be higher than twenty (20) feet unless otherwise permitted in this Article 7.000 or previously approved by variance.

4. The area of all existing and prospective signs identified in the Plan shall not exceed the total area of signage permitted on the lot as set forth in this Section 7.16.22.

5. As a condition of the permit, the Planning Board may require the removal of existing signs on the lot not conforming to the requirements of this Sub-section E (e.g. signs above the permitted height) including signs permitted by variance.

The Planning Board shall approve the process and timing by which such non-conforming or non-complying signs are brought into conformance with the requirements of this Paragraph E and the approved Plan.

6. Location, size, dimensions, and method of illumination for individual signs may be presented in schematic detail. In such case the special permit decision shall establish a process by which the final design of each individual sign is approved.

VI. Create a new Section 7.16.23 to read as follows.

17.16. 23 **Special Sign Provisions for Non-Profit Theaters, Other Performance Spaces, Museums, Galleries, Libraries and Cinemas.**

Notwithstanding the limitations of Sections 7.16.21 and 7.16.22 above and Section 7.16.3 below, additional signs shall be permitted on lots containing a theater, performance space, museum, library or art gallery owned and operated by a non-profit institution (which institution is granted the educational and religious exemption provided in Section 3 of Chapter 40A) or municipality for the purpose of identifying current and future educational programs, lectures, performances, and exhibits open to the public occurring in those facilities, subject to the following limitations and conditions:

A. The signs may be any combination of wall, projecting or freestanding signs.

- B. The signs shall not be subject to the Area of Sign, Height of Sign and Number of Signs limitations found in Sections 7.16.21, 7.16.22 and Section 7.16.3.
- C. The signs shall be made of cloth, canvas or other similar flexible material and may only be naturally or externally illuminated.
- D. A freestanding sign may not be higher than 25 feet. Signs on a building wall may not be higher than fifty feet.
- E. Any individual sign shall be temporary in nature and removed at the conclusion of the event for which it provided notice; at a minimum, however, such signs shall be replaced at intervals not to exceed one year.
- F. The maximum area of individual Freestanding or Projecting Signs shall be 50 square feet; the maximum area of individual Wall Signs shall be 200 square feet.
- G. The total area of signs permitted on the lot shall be determined by the following:
- (a) In non-residential districts the total area of signs on a lot shall be subject to the limitations for Total Area of Signs Permitted Per Lot as set forth in Section 7.16.22 for signs on the outside of the building (and shall be inclusive of any other signs on the lot not employing the provisions of this Section 7.16.23).
 - (b) In residential districts, the total area of signs on the lot shall be limited by the application of the formula of one square foot of sign for each linear foot of Sign Frontage on the lot for that portion of a building containing the eligible activity (and shall be inclusive of any other signs on the lot not employing the provisions of this Section 7.16.23).
- H. All other provisions of this Article 7.000 shall continue to apply.

In City Council September 27, 2010.
Passed to be ordained as amended by a yea and nay vote:-
Yeas 6; Nays 3; Absent 0; Present 0.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk