ON-LINE ZONING ORDINANCE DISCLAIMER

The Web version of the City of Cambridge, Massachusetts Zoning Ordinance is provided for reference and the convenience of having the Ordinance in a computer-readable format. The print version of the Zoning Ordinance, together with any amendments adopted by the City Council subsequent to the most recent update to the print version, remains the official version of the Ordinance. If any discrepancies exist between the print and web versions of the Zoning Ordinance, the print version, together with any City Council amendments, shall be considered correct. Recent amendments to the Zoning Ordinance may appear on the Web prior to being incorporated into the print version of the Ordinance.

ARTICLE 17.000 SPECIAL BUSINESS, OFFICE AND INDUSTRIAL DISTRICTS

Text current through Ordinance #1357 of June 3, 2013.

17.10 SPECIAL DISTRICT 1
17.20 SPECIAL DISTRICT 2
17.30 SPECIAL DISTRICT 3
17.40 SPECIAL DISTRICT 4 AND 4A
17.50 SPECIAL DISTRICT 5
17.60 SPECIAL DISTRICT 6
17.70 SPECIAL DISTRICT 7
17.80 SPECIAL DISTRICT 8 AND 8A
17.90 SPECIAL DISTRICT 9
17.100 SPECIAL DISTRICT 10
17.200 SPECIAL DISTRICT 11
17.300 SPECIAL DISTRICT 12
17.400 SPECIAL DISTRICT 13
17.500 SPECIAL DISTRICT 14
17.600 SPECIAL DISTRICT 15

17.10 SPECIAL DISTRICT 1

17.11 *Scope.* This Section 17.10 regulates development within the Special District 1 at Monsignor O'Brien Highway as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.10, all requirements of and regulations applicable to the Industry A-1 District shall apply equally to the Special District 1.

17.12 *Permitted Uses.* Uses permitted in the Industry A-1 District shall be equally allowed in the Special District 1 with the exception of the following:

(1) The following uses shall be permitted by special permit from the Board of Zoning Appeal:

a. Hotel and Motel Uses, Section 4.31 i (2)

b. Car washing establishments using mechanical equipment for the purposes of cleaning automobiles and other vehicles, Section 4.36 h.

(2) The following uses shall be prohibited:

Parking lot or parking garage for private passenger cars, Section 4.32 b.

17.13 *Dimensional Regulations*

17.13.1 Maximum FAR

(1) The maximum FAR for any lot in the district shall not exceed 3.0 as of right for Residential Uses, Section 4.31 a-h, and 1.50 for all other permitted uses;

(2) The maximum FAR for any lot northeasterly of Monsignor O'Brien Highway may be increased by special permit from the Planning Board to 3.5 for Residential Uses,

Section 4.31 a-h, provided the requirements and conditions of Section 17.17.4 d and e are met.

17.13.2 Building Height Limitation. The maximum height permitted in the district shall be eighty-five (85) feet except as modified below:

(1) For lots lying northeasterly of Monsignor O'Brien Highway, the maximum height may be increased to one hundred and twenty (120) feet provided no portion of the building rises above a forty-five (45) degree bulk control plane beginning at an elevation of eighty-five (85) feet above the O'Brien Highway front lot line and rising thereafter in a northeasterly direction.

(2) Notwithstanding the provisions of this Subsection 17.13.2 above no building may exceed thirty-five (35) feet within fifty (50) feet of the Special District 1/Residence C-1 zoning district line, or where the zoning district line splits a lot, within fifty (50) feet of the lot line located in the residential district.

17.13.3 Minimum Yard Requirements. Only the following yard requirements shall apply in the Special District 1.

a. Front Yard - a minimum three feet, measured from the property line, shall be required at the Monsignor O'Brien Highway lot line; no front yard shall be required however for any structure in existence as of May 1, 1989.

b. Side Yard - None

c. Rear Yard - None

d. Notwithstanding the requirements of Paragraphs a - c above all buildings shall be set back a minimum of twenty (20) feet from any Special District/Residence C-1 district line; said setback shall consist exclusively of landscaped green area as defined in Article 2.000. Where the zoning district line splits a lot the setback shall be measured from the lot lines located in the residential district.

17.13.4 Residential Density. The minimum lot area per dwelling unit shall be three hundred (300) square feet.

17.14 *Off Street Parking and Loading Requirements*

17.14.1 Minimum Parking Requirements. Off street parking and loading requirements shall be as specified in Article 6.000 for uses in Business B, Industry B and Residence C-3 zoning districts.

17.14.2 Maximum Parking Requirements. The maximum accessory parking permitted for all nonresidential uses shall be 4.5 spaces for each one thousand (1,000) square feet of lot area. Notwithstanding the provisions of Section 6.31.3, accessory parking provided to meet the requirements of Section 17.14 shall not exceed that number permitted in this Section 17.14.2 under any circumstances.

17.15 *Special Development Standards*

All buildings constructed in the Special District 1 shall meet the following requirements.

17.15.1 Building Facades. Building facades should be designed so as to enhance the visual quality of the district. The following standards shall apply:

(1) A principal building entrance shall face Monsignor O'Brien Highway;

(2) Building facades and roof lines shall be articulated and expanses of unbroken wall planes shall be limited to thirty-five (35) linear feet for those facades facing public open spaces and/or public roadways;

(3) Ground floor levels shall include a minimum of thirty (30) percent transparency (non-reflective glass) to enliven and enrich the public environment where such levels contain active gross floor area (i.e. habitable space occupied by persons throughout the day) as defined in Article 2.000.

17.15.2 Tree Planting. At least one street tree, having a minimum caliper of three(3) inches, shall be located in the front yard provided along Monsignor O'Brien Highway, for each twenty-five (25) feet of frontage on the Highway. Where sufficient front yard is not provided said trees may be located within the public right of way consistent with the requirements for street tree planting established by the City of Cambridge.

17.15.3 Siting of Parking Areas. Parking areas shall not be located in the front yard required for any lot in the district. Enclosed parking facilities are encouraged. On grade open parking areas shall be located behind the building or buildings served or arranged in such a way as to minimize their visibility from public ways. Where enclosed, or structured parking is provided, the structure shall be finished in materials equal in quality to that used on the principal structures on the site to which the parking facility is accessory.

17.15.4 Mechanical Equipment and Refuse Storage Areas:

(1) No refuse storage areas nor mechanical equipment areas shall be located in a front yard within the district. Where such areas are outside a building they shall be screened from view from street and parking areas, residential districts and open space areas, by a six (6) foot high, durable nonliving barrier (or earth berm) planted with at least one shrub or vine for each ten (10) feet of barrier towards the abutting property.

(2) Mechanical equipment on the roof of any building shall be permanently screened from view from the ground.

17.16 Special District 1 shall be considered an area of special planning concern and shall be subject to the Development Consultation Procedure, Section 11.40.

17.17 *Transfer of Development Rights.* Notwithstanding the limitations of Article 2.000 with regard to the definition of "lot" and "owner", the Planning Board may be special permit authorize the transfer of some or all of the allowed gross floor area, as determined by Section 17.13.1 above, from one or more lots (donating lots) to one or more to other lots (receiving lots) anywhere within the Special District 1 without regard to location of the lot or lots or their ownership, provided the following conditions are met or findings made:

(1) The receiving lot and donating lot in combination are at least twenty thousand (20,000) square feet in area.

(2) The receiving lot is located northeasterly of Monsignor O'Brien Highway.

(3) The development plans for both the donating and receiving lots meet the intent and requirements of this Section 17.10 as a whole and this Subsection 17.17 and are both subject to the special permit authorization and such conditions as may be attached thereto.

(4) The resulting development on both, or the several, lots provides a superior site and building design than might occur without the special permit authorization. Among the conditions which may be reviewed by the Planning Board in reaching such a finding are the following:

a. reduction in density of development is achieved on lots adjacent to residential uses or zoning districts;

b. An increase in open space and green area is achieved adjacent to residential uses and zoning districts;

c. Active gross floor area uses are located at the base and perimeter of the buildings constructed on the site (sites) where visible from public streets or residential uses;

d. Overall reduction in the bulk of the building(s) is achieved through location of some or all of the required parking below grade;

e. Parking located above grade is screened from view from public streets and residential uses by active gross floor area uses;

f. Improved building design is achieved through the use of quality masonry materials and other quality details as well as an improved pedestrian environment along major public streets.

(5) All site and building designs shall be subject to binding design review by the Planning Board.

17.20 SPECIAL DISTRICT 2

17.21 *Scope.* This Section regulates development in Special District 2 as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided this Section 17.20, all requirements of and regulations applicable to the Residence B District shall apply equally to the Special District 2.

17.22 *Purpose***.** It is the intent of this Special District 2 to encourage the establishment of residential uses in the district in a form and density compatible with the adjacent residential neighborhood. However, given the significant presence of nonresidential uses in the district, provision is made for the conversion of those existing nonresidential uses to other nonresidential uses more compatible with the residential neighbors, with the intent that all nonresidential uses will, over time, be replaced with permitted residential use.

17.23 *Use Regulations.* The uses allowed in the Residence B district shall be equally allowed in Special District 2 except as modified by the following provisions.

17.23.1 Additional Permitted Residential Uses. Multifamily Dwelling, Section 4.31.g shall be permitted, subject to the special permit requirements for Townhouse development in a Residence B District.

17.23.2 Permitted Non Residential Uses.

17.23.21 The following nonresidential uses, not otherwise permitted in a Residence B District, shall be permitted as of right in this Special District 2 provided the conditions set forth in Section 17.23.22 are met. Nevertheless, for purposes of the Zoning Ordinance, Special District 2 shall be considered a residential district.

(a) Section 4.34 – Office and Laboratory Use, Paragraph a (medical professional), Paragraph b (nonmedical professional), Paragraph c (agency office), Paragraph d (general office).

(b) Section 4.35 – Retail Business and Consumer Service Establishments, Paragraph q (arts and crafts studio).

(c) Section 4.36 - Open Air or Drive-In Retail and Service, Paragraph a (sale of flowers, garden supplies, and commercial greenhouses).

17.23.22 The above nonresidential uses shall be permitted to occupy a nonresidential building in existence as of September 1, 1998 provided the current use of the building, if occupied, is any use described in Section 4.34 (office and laboratory use), Section 4.35 (retail business and consumer service establishment), Section 4.36 (open air and drive-in retail and service), Section 4.37 (light industry) or Section 4.38 (heavy industry). Where the building is unoccupied it may be so occupied with permitted nonresidential uses provided the building has not been occupied by a residential use in the five years immediately preceding the time of application for a certificate of occupancy for the new nonresidential use.

17.24 *Dimensional Requirements.* The dimensional requirements of the Residence B district shall apply to the Special District 2, except as modified by the provisions set forth below.

17.24.1 Maximum FAR.

1. The FAR applicable in the Special District 2 shall be 0.50.

2. Notwithstanding the limitations of Paragraph (1) above, where it is proposed to reuse a nonresidential structure in existence as of September 1, 1998 for permitted residential uses, the following Gross Floor Area shall be permitted.

    1. The Gross Floor Area that is the result of the application of the FAR generally permitted in the district, or the existing Gross Floor Area of the structure itself, whichever is greater.

2. Additional Gross Floor Area may be added to the nonresidential structure without limit provided all construction creating additional Gross Floor Area occurs within the limits of the existing structure.

3. Where it is proposed to demolish an existing nonresidential structure that has a Gross Floor Area greater than that permitted by the application of an FAR of 0.50 for the purpose of converting the site entirely to permitted residential uses, the total Gross Floor Area contained in the nonresidential structure shall be permitted in the new residential structures up to a maximum FAR of 0.50.

17.24.2 Minimum Lot Area for Each Dwelling Unit.

1. The Minimum Lot Area for Each Dwelling Unit shall be two thousand and five hundred (2,500) square feet.

2. Where it is proposed to reuse a nonresidential structure in existence as of September 1, 1998 for permitted residential uses, the number of units permitted in the structure shall be that number permitted in Paragraph (1) above or that number of units which is the Gross Floor Area of the structure as permitted in Section 17.24.1(2) above divided by one thousand and two hundred (1,200) square feet, whichever is greater.

3. Where it is proposed to demolish an existing nonresidential structure that has a Gross Floor Area greater than that permitted by the application of an FAR of 0.50 for the purpose of converting the site entirely to permitted residential uses, the number of units permitted in the new structures shall be the Gross Floor Area of the structures as permitted in Section 17.24.1(3) above divided by one thousand and eight hundred (1,800) square feet.

17.24.3 Other Dimensional Requirements.

1) The provisions of Section 5.53 related to multiple buildings on a lot in Residence B districts shall not apply in Special District 2.

2) Where it is proposed to convert an existing nonresidential structure to residential use, and where that structure covers fifty (50) percent or more of its lot, the Minimum Ratio of Private open space to Lot Area may be reduced to the ratio existing on the site at the time of conversion, if any. However, if the land area required for provided parking outside the building, including required setbacks is less than the area of land that has no structure on it, the remainder of the open land shall have any paving material (asphalt, concrete, or gravel) removed, topsoil of a minimum two foot depth shall be added, and the space shall be landscaped with trees, shrubs, and/or grass up to the maximum percentage of the lot required to be Private open space in the Ordinance.

3) The maximum building height shall be forty (40) feet with a cornice height not to exceed thirty (30) feet. However, any portion of a building located fifty (50) feet or less from the boundary of any other zoning district with a maximum building

height of thirty-five (35) feet or less or from the sideline of a street shall have a maximum height of thirty-five (35) feet.

4) Additional Special Permit Criteria. In evaluating applications for Multifamily or Townhouse Special Permits in Special District 2, in addition to the existing criteria set forth in Section 10.47.4, the Planning Board shall also consider as a criterion the development of residential units of various sizes and with various numbers of bedrooms, with specific attention to three and more bedroom units, with the overall goal of providing dwelling units suitable for diverse household sizes.

17.25 Protection of the Linear Park Open Space*.* Any fences within the building setback of the Linear Park Open Space will be such that sight lines are minimally obstructed. Examples of conforming fences are wrought iron, wire, or chain link. Examples of non-conforming fences are board, stockade, or concrete walls.

17.30 SPECIAL DISTRICT 3

17.31 *Scope and Purpose.* This Section 17.30 regulates development in Special District 3 as shown on the Zoning Map of the City of Cambridge, as amended.

It is the intent of this Special District 3 to permit a modest level of residential and nonresidential development in the District consistent with the public interest in protecting regulated wetlands where they occur within the district; maintaining flood storage capacity in the district consistent with federal regulations; minimizing the amount of additional traffic passing through congested intersections on arterial streets, and on local, neighborhood streets, that could provide access to the district; limiting stormwater runoff onto property located outside the district ensuring adequate visual buffers and screening of buildings and parking facilities from adjacent public parks and recreation facilities; minimizing the disturbance of existing soil within the district to limit dispersal and exposure to possible harmful residual substances in the soil; and in enhancing the parkway character of the Parkway Overlay District.

17.32 *Use Regulations.* The following uses are allowed in the Special District 3.

17.32.1 Permitted Residential Uses*.*

Section 4.32 – Residential Uses, Paragraphs a-l

17.32.2 Permitted Nonresidential Uses.

Section 4.34 – Office and Laboratory Use, Paragraphs a-f

Section 4.33 – Institutional Uses, all uses.

Section 4.35 – Retail Business and Consumer Service Establishments, Paragraph a, c, d, e, f,(1), q, and r provided that no individual retail establishments exceeds one thousand and two hundred (1,200) square feet in gross floor area, except that a single retail establishment containing a grocery store or supermarket may total no more than fifty-five thousand (55,000) square feet provided that nothing in this section alters any other limitations as set forth in this district.

17.32 *Dimensional Requirements.* The following dimensional requirements shall apply in Special District 3.

17.33.1 Total Gross Floor Area Permitted

17.33.11 *Total Development Permitted.* The total Gross Floor Area (GFA) permitted in Special District 3 shall be seven hundred, eighty two thousand and five hundred (782,500) square feet, exclusive of Gross Floor Area occupied by the MBTA Red Line transit station and any structure in existence at the time of adoption of this Section 17.30 that is used exclusively for residential use. Total Gross Floor Area in the District is at any time the sum of the Gross Floor Area of all structures then located in the District (excepting the above described structures and those other structures required to be demolished prior to the issuance of a certificate of occupancy for any newly constructed building in the district) and those which are being constructed or may be constructed in the District pursuant to a then effective building permit. At no time may a building permit be issued for any structure that would result in the above Gross Floor Area limit for all structures in the District (excepting the above described structures and those other structures required to be demolished prior to the issuance of a certificate of occupancy for any newly constructed building in the District) being exceeded. Development within the District shall be further regulated as set forth below.

17.33.12 Allocation of GFA to Lots in Existence as of the Date of Adoption of this Section 17.30. In allocating the total permitted GFA within the district, each lot in existence as of the date of adoption of this Section 17.30 shall be allocated a minimum gross floor area equal to the allocation of a Floor Area Ratio of 0.45 to the lot area. No building permit shall be issued for any lot that would require the reduction of GFA allocated to any such existing lot below that which is allowed by the application of the FAR of 0.45 without the written consent by the owner of such existing lot. Future subdivision of any existing lot shall be permitted, but in no event shall the amount of GFA permitted on the original existing lot as set forth in this Section 17.33.12 be increased by such subdivision. For the purposes of this Section 17.33.12, a lot may consist of parcels of land held in separate ownership but developed as a single zoning lot.

17.33.13 Maximum Floor Area Ratio. There shall be no FAR limit with regard to the amount of GFA on any single lot within the District, subject to the total development limits set forth in Sections 17.33.11 and 17.33.12 above. Additional GFA above that permitted by the application of an FAR of 0.45 to any lot, may be constructed on any lot to the extent that the total amount of development (GFA) at the time within the entire Special District 3 is less than that permitted in Section 17.33.11 above.

17.33.2 Minimum Lot Area of Each Dwelling Unit. The minimum Lot Area per Dwelling Unit shall be two thousand and five hundred (2,500) square feet.

17.33.3 Minimum Lot Size and Minimum Lot Width.

1. The minimum lot size shall be twenty thousand (20,000) square feet.

2. There shall be a minimum width of one hundred (100) feet.

17.33.4 Minimum Yard Requirements. There shall be no minimum yard requirements in the district except as set forth below.

1. For those portions of a lot abutting Alewife Brook Parkway and Whittemore Avenue a minimum front yard setback of twenty-five (25) feet shall be required and it shall consist entirely of Green Area Open Space as defined in Article 2.000 with the exception of necessary driveways crossing the yard in a generally perpendicular manner to provide access to other portions of the lot.

2. For those portions of a lot abutting Rindge Avenue, any Open Space District, and any public park or recreation area, a minimum yard setback from that property line of fifty (50) feet shall be required. The first twenty-five (25) feet from the lot line of that required setback shall consist entirely of Green Area Open Space as defined in Article 2.000 with the exception of necessary driveways crossing the yard in a generally perpendicular manner to provide access to other portions of the lots. Notwithstanding any provision of Article 6.000, accessory parking, circulation and loading facilities shall be allowed within the second twenty-five (25) feet of the required setback where such setback is a front yard.

3. Notwithstanding the minimum yard requirements set forth in Paragraphs (1) and (2) above, the following yard setbacks shall be required for that portion of any new structure containing residential use; or for any new structure containing nonresidential uses that is within one hundred (100) feet of a lot containing a public park, recreation area, or a structure containing a residential use, or a residential or open space zoning district line: a side yard of (H+L)/7 and a rear yard of (H+L)/5.

4. Notwithstanding the minimum yard requirements set forth in Paragraph (1) above with respect to Whittemore Avenue, the buildings located on Whittemore Avenue existing at the time of adoption of this Section 17.30 shall be deemed to be in compliance with the minimum yard requirements of this Section 17.33.4. However, any alteration, reconstruction, extension, or structural change of such buildings shall be subject to the minimum yard requirements of Section 17.33.4 in the following circumstances:

   (a) The height or footprint of the existing building is increased or extended;

   (b) The installation of any loading bay or installation of any mechanical equipment on the roof that is otherwise exempt from the height limit or prohibited from any required yard; or

   (c) The demolition and reconstruction of more than twenty-five (25) percent of the area or volume of that portion of a building within the minimum yard required in Section 17.33.4.

17.33.5 Maximum Height. The maximum height in Special District 3 shall be fifty-five (55) feet except as modified below.

1. For that portion of a structure exceeding thirty-five (35) feet in height, a setback shall be required from any public park or recreation area equal to one and a half (1.5) feet for every foot of building height.

2. A maximum height of seventy (70) feet shall be permitted within the following area bounded by:

   (a) A line parallel to and abutting the southerly façade of the structure known as the MBTA Red Line east headhouse;

   (b) A second line perpendicular to Line (a) and proceeding north from a point on line (a) one hundred and twenty (120) feet easterly of the southwesterly corner of the MBTA headhouse;

   (c) A third line proceeding in a westerly direction that is perpendicular to Line (b) and parallel to and three hundred and twenty (320) feet northerly of Line (a); and

   (d) The centerline of Alewife Brook Parkway.

17.34 *Parking and Loading Requirements.* The requirements of Article 6.000 shall apply in Special District 3 except as modified below.

17.34.1 Minimum Off Street Accessory Parking Requirements. There shall be no minimum parking requirement for any use within Special District 3.

17.34.2 Maximum Off Street Accessory Parking Requirements

1. No more than one thousand (1,000) parking spaces shall be permitted within Special District 3. That number may be increased by one paring space for each parking space, accessory to uses located within Special District 3 and in existence as of the date of adoption of this Section 17.30, that is removed permanently from Lots 7, 62, 70, 72, and 73 as shown on Assessor's Plat numbered 187, and Lots 25, 28, 29, 55, and 121 on Assessor's Plat numbered 188; the area occupied by such removed parking space shall remain unused or converted to any permitted residential use.

2. Parking facilities may be located in whole or in part in one or more pooled parking facilities located anywhere within Special District 3.

17.35 *Required Open Space.* Any combination of Private open space, Publicly Beneficial Open Space, or Green Area Open Space shall be provided on every lot and shall in the aggregate equal to at least twenty (20) percent of the area of such lot. Owners of lots within Special District 3 may pool such open space at any location within the District provided its permanency is guaranteed by dedication, easement, deed restriction covenant or comparable legal instrument. The surface area of the body of water known as Jerry's Pond shall not be included within the required open space.

17.36 *Other Regulations*

17.36.1 Limitations on Construction Below Existing Grade. No portion of a building or structure, including parking structures, shall be located below the existing mean grade of the ground adjacent to the proposed building or structure prior to construction except as may be required to reasonably accommodate necessary utility systems and building foundations (e.g. elevator shafts, foundation pilings, etc.).

17.36.2 Limitations on Storm Water Runoff Beyond Property Lines. No net increase in the peak runoff rate of storm water beyond any property line shall be permitted as a consequence of any construction on a lot consistent with the state Department of Environmental Protection Stormwater management Policy. Property owners within the Special District may combine lots, retention areas and drainage facilities in meeting this requirement. Conformance with this requirement shall be certified by a engineer registered in the Commonwealth and competent to make such certification.

17.36.3 Access to Harvey Street. No building, structure, parking facility or access road within Special District 3 may have access to Harvey Street except as may be necessary for emergency vehicles.

17.36.4 Pedestrian and Bicycle Connections. Notwithstanding the provisions of Section 17.33.11, no building permit shall be issued that allows the total amount of development in the District (GFA) to exceed seven hundred and seven thousand and five hundred (707,500) square feet until a pedestrian and bike connection has been constructed, or the property owner has guaranteed such construction in a manner satisfactory to the City of Cambridge and prior to the issuance of any certificate of occupancy for space constructed pursuant to such building permit, within the District between the Linear Park and Whittemore Avenue in the vicinity of Madison Avenue, to a standard comparable to the improvements in the Linear Park and the Minuteman Bikeway.

17.36.5 *Area of Special Planning Concern*. Special District 3 shall be considered an area of Special Planning Concern. All development within the District shall comply with the Development Consultation Procedures as specified in Section 11.40, except as modified below:

1. The Planning Board shall conduct the Large Project Procedure in lieu of the Community Development Department.

2. The Large Project Procedure shall be modified so that the Community Development Department shall have ten (10) business days to certify that an application is complete, ten (10) business days from certification to hold a public meeting, and ten (10) business days thereafter to make a report.

3. In reviewing a proposal the Planning Board shall be guided by the provisions of the Design Guidelines for Special District 3.

17.36.6 *Traffic Study.* Before issuance of any building permit for construction of GFA within Special District 3, a Traffic Study shall be prepared and made available to the Planning Board for the Large Project Procedure. The traffic study may be prepared for the total amount of development allowed in the District when the first building permit is requested and shall be applicable to all future building permits issued in the district except that traffic data shall be updated at least every five (5) years after the initial submission of the study whenever a new building permit is sought. The Traffic Study shall include the following elements.

1. A Transportation Demand Management Plan, which at a minimum shall include a program to subsidize transit passes for employees at the site in the amount of at least fifty (50) percent of the cost of such passes; joining the Alewife Transportation Management Association (TMA); provision of secure indoor bicycle parking, showers, and lockers/changing rooms; and reservation of ten (10) percent of available parking spaces for ridesharing commuters.

2. Data, which at a minimum, shall include current traffic volumes, projected future trip generation, distribution of trips on area roadway network, evaluation of roadway operations and safety, and identification of traffic operation and safety improvements.

3. A commitment to implement the provisions of the Transportation Demand Management Plan and a commitment of the proponent to work in a cooperative manner to assist the City in implementing a neighborhood protection plan including reasonable traffic mitigation measures such as institution of one way streets, traffic calming, signal timing changes and other traffic control measures and initiatives which may affect traffic flows relating to development in the District.

4. A procedure by which implementation of the recommendations in the plan will be periodically monitored and reported to the Planning Board.

17.37 *Certification.* Before issuance of any building permit for new Gross Floor Area within Special District 3 the following certifications shall be made to the Superintendent of Buildings. In making an application for a building permit the applicant shall provide all information necessary to determine whether the requirements of this Section 11.70 with regard to limitations on GFA are being met.

1. Certification from the Planning Board that the Large Project Procedure has been held.

2. Certification from the Conservation Commission that the requirements of the state Wetlands Act with regard to flood storage retention and peak storm water runoff have been met, or alternatively, delivery of an outstanding Order of Conditions issued under the Wetlands Act.

3. Certification from the Community Development Department and the Department of Traffic, Parking and Transportation, in consultation with the Planning Board, that the Traffic Study has been prepared.

4. Certification by the Community Development Department that all other requirements of the District have been met.

5. Failure to issue such certification, or notice that the requirements have not been met, within twenty-five (25) days of application for a building permit shall be deemed to be positive certification.

17.38 *Exemption from Section 11.500*. Section 11.500 of the Zoning Ordinance, adopted as Ordinance #1209, shall not apply to any construction in Special District 3 as regulated by this Section 17.30.

17.40 SPECIAL DISTRICT 4 AND 4A

17.41 *Scope and Purpose.* This Section 17.40 regulates development in Special Districts 4 and 4A as shown on the Zoning Map of the City of Cambridge, as amended.

It is the intent of these Special Districts 4and 4A to permit an appropriate level of residential and nonresidential development in the Districts consistent with the public interest in protecting regulated wetlands where they occur; maintain in flood storage capacity consistent with federal, state and local regulations; restoring areas currently developed to urban uses to their natural state in order to eliminate harmful impacts on sensitive wetlands environments; limiting the extent of land covered by impervious surfaces; and minimizing the amount of additional traffic passing through congested intersections on arterial and neighborhood streets. Further enhancement of the parkway character of Concord Turnpike is also intended.

Except as herein provided, all requirements of and regulations applicable to the Office 2 district shall apply equally to Special Districts 4 and 4A.

Except as noted, the provisions of this Section 17.40 shall apply equally to Special District 4 and Special District 4A.

17.42 *Dimensional Requirements*

17.42.1 Total Development Permitted

17.42.11 Special District 4. Other than as may be temporarily allowed in Section 17.46.1, the Gross Floor Area (GFA) permitted in Special District 4 shall be nine hundred thousand (900,000) square feet, exclusive of GFA occupied by structured parking not otherwise exempt as set forth in Section 5.25. An additional four hundred thousand (400,000) square feet of GFA shall be permitted for the exclusive use of structured parking not otherwise exempt from the calculations as to GFA, as set forth in Section 5.25. The permitted GFA shall be further limited by the requirements of Section 17.45 below. There shall be no maximum FAR limit imposed on any lot within the Special District 4. The provisions of Section 5.25.42 shall not apply in this Special District 4.

17.42.12 Special District 4A. The maximum permitted FAR shall be 1.14 for all nonresidential uses and 1.5 for Residential Uses, Section 4.31 a-h and Dormitory Uses, Section 4.33.b.7.

17.42.2 Yard Requirements. The minimum yards required in the Districts may be waived by the Planning Board by Special Permit. In no case, however, shall the front yard required in the Parkway Overlay District, Section 11.60, be waived.

17.42.3 Maximum Height. The maximum height in the Districts shall be sixty (60) feet except that it may be increased to eight-five (85) feet for nonresidential uses and ninety (90) for residential uses, by special permit from the Planning Board. The special permit shall be granted where the applicant demonstrates to the satisfaction of the Board that the additional height will better serve the objectives of this Section 17.40 to increase

the amount of open space in the district and to limit the extent to which building and other hard surfaces cover the ground.

17.43 *Parking and Loading Requirements.* The requirements of Article 6.000 shall apply in the Districts except as modified below.

17.43.1 Maximum Off-Street Accessory Parking Permitted in Special District 4. No more than one thousand and fifty-two (1052) parking spaces shall be permitted within Special District 4 and in no event shall the number of surface parking spaces in the district exceed the amount that existed at the time of enactment of this Section 17.40. Notwithstanding the provisions of Article 6.000, one thousand and fifty-two (1052) parking spaces shall be the maximum required for any amount of development in Special District 4, up to the nine hundred thousand (900,000) square feet of GFA (exclusive of GFA occupied by structured parking) permitted in Special District 4, or such temporary exceedance of that GFA limit as may be allowed by Section 17.46.1.

17.44 *Permanent Natural Areas in Special District 4.* No building construction, other than restoration following catastrophe, whether consisting of GFA or not, or construction associated with the provision of parking access to parking that is not accessory to a recreational use permitted in an Open Space zoning district, shall be permitted in the large Wetland Area described in Section 17.44.1 and the Little River Area described in Section 17.44.2. These areas consist substantially of natural wetland, and their associated uplands, or areas abutting the Little River that were formerly natural wetlands and uplands and which are intended to be preserved or restored as natural areas and open space by the provisions of Special District 4. Where buildings or parking facilities exist in these areas at the time of adoption of this Section 17.40, no expansion of the footprint of the buildings of their GFA and no expansion of the area devoted to parking facilities and access to them shall be permitted.

The MDC Parking Facility Area described below in Section 17.44.3 lies outside Special District 4 in an Open Space zoning district but provides accessory parking for uses located within Special District 4. Provisions in Section 17.45 are designed to facilitate the restoration of this area to its natural state as part of the Alewife Reservation.

17.44.1 Large Wetland Area

The Large Wetland Area shall be that area bounded on the northwest and west by the Belmont-Cambridge municipal boundary line; on the northeast by the northeastern lot line of lot #157, the northwesterly lot line of Lot #268, the southwesterly lot line of Lot #269, and the southwesterly lot line of Lot #270 (all of which lot lines constitute the Special District 4A zoning district boundary line) to its intersection with a line parallel to and 880 feet southeasterly of the Belmont-Cambridge municipal boundary line; on the southeast by a line parallel to and 880 feet southeasterly of the Belmont-Cambridge municipal boundary line; and on the south by the Special District 4 – Open Space zoning district line and the Special District 4-Special District 4A zoning district line. All lots are located on Assessor's Plat #267(1).

17.44.2 Little River Area

The Little River Area shall be that area located generally south of Acorn Park Road that is bounded on the north by the centerline of Acorn Park Road and on the west, south and east by the Special District 4 – Open Space zoning District line. The area encompasses all of Lots #260, 197, 258, and 259, located on Assessor's Plat #267(2).

17.44.3 MDC Parking Facility Area

This area is located within the Alewife Reservation and is designated as an Open Space zoning district on the City of Cambridge Zoning Map. It currently contains nonconforming accessory parking spaces that serve uses located in Special District 4.

The MDC Parking Facility Area shall be that area bounded on the west by the easterly lot line of Lot #258 and its southerly extension on Assessor's Plat #267(2), which is the Special District 4 – Open Space zoning district line; on the north by the Arlington – Cambridge municipal boundary line; and on the south by the centerline of the channel of the Little River.

17.45 *Allocation of Permitted Gross Floor Area in Special District 4.* No building permit, special permit or Certificate of Occupancy shall be issued for construction in Special District 4 that will result in a total amount of GFA in the Special District 4 district exceeding four hundred and sixteen thousand (416,000) square feet for all uses including structured parking, except as permitted below.

17.45.1 Phase One: Total Gross Floor area exceeding four hundred and sixteen thousand (416,000) square feet in the District. A building or special permit may be issued for construction in Special District 4 that will result in a total amount of GFA in the district greater than four hundred and sixteen thousand (416,000) square feet but in no case more than nine hundred and sixteen thousand (916,000) square feet for all uses including structured parking, but no case more than six hundred and sixty-six thousand (666,000) square feet for all uses exclusive of structured parking, provided the following requirements are met:

(a) All leases, licenses, rental agreements or agreements of any other description, between the Metropolitan District Commission (or any successor owner of the MDC Parking Facility Area) and the property owner/applicant, its affiliates, or their tenants for principal or accessory parking in the MDC Parking Facility Area described in Section 17.44.3 above are permanently terminated prior to or simultaneously with the issuance of a Certificate of Occupancy for new GFA whether for structured parking or otherwise, and provided that such parties shall not thereafter enter into any subsequent lease, license, rental agreement, or agreements of any other description for the same purposes in the MDC Parking Facility Area. Any owner of property in Special District 4 seeking a Certificate of Occupancy of new GFA that will result in the total amount of GFA in the district exceeding four hundred and sixteen thousand (416,000) square fee shall as a

condition of such certificate be required to certify, in a form satisfactory to the City of Cambridge, that all leases, licenses, rental agreement, or agreements of any other description for principal or accessory parking held by said property owner/applicant, its affiliates or their tenants have been so terminated as required by the Paragraph (a).

(b) The owner applying for any building permit or special permit shall prepare a plan for the restoration of the MDC Parking Facility Area and the Little River Area such that at least ninety (90) percent of the area will consist of Green Area Open Space as defined in this Ordinance. Such Plan shall be prepared by the owner, and approved by the Planning Board, prior to the issuance of any building permit for any development authorized under this Section 17.45.1. The owner of property shall actively seek approval for the design and implementation of said Plan from the Cambridge Conservation Commission, with respect to those areas under the Commission's jurisdiction and of the Metropolitan District Commission with respect to the MDC Parking Facility Area.

(c) The owner shall bear the cost of restoration of the MDC Parking Facility Area. The owner shall post a bond or other instrument satisfactory to the City of Cambridge with the Cambridge Conservation Commission in an amount equal to the estimated cost of restoration of the MDC Parking Facility Area as proposed in the plan required in Condition (b) above prior to the issuance of the first Certificate of Occupancy for any permitted structures authorized by this Section 17.45.1. Said bond shall be in force and effect until the area is restored or the construction authorized in Section 17.45.22 – Phase Three has been granted a final Certificate of Occupancy.

(d) For the purposes of Condition (a) above, Certificate by the Office of the City Solicitor that the lease or leases have been terminated shall be determined in establishing compliance with that requirement. For the purposes of Condition (b) above, approval of the restoration plan by the Cambridge Conservation Commission, the Metropolitan District Commission, or the Cambridge Planning Board, as necessary, shall be determinative in establishing compliance with that requirement. For the purposes of Condition (c) above, Certification by the Cambridge conservation Commission that the bond has been properly posted shall be determinative in establishing compliance with that requirement.

17.45.2 Phases Two and Three: Total Gross Floor Area exceeding eight hundred and fifteen thousand (815,000) square feet in the District.

A building or special permit may be issued for construction in Special District 4 that will result in a total amount of GFA in the district greater than nine hundred and sixteen thousand (916,000) square but in no case more than one million and three hundred thousand (1,300,000) square feet subject to the following provisions:

17.45.21 Phase Two

A building or special permit may issued for construction in Special District 4 that will result in a total amount of GFA in the district greater than nine hundred and sixteen thousand (916,000) square feet but in no case more than one million and two hundred and fifty thousand (1,250,000) square feet for all uses including structured parking, but in no case more than eight hundred and fifty thousand (850,000) square feet for all uses exclusive of structured parking, provided the following requirements are met:

a. Those existing buildings within the Little River Area identified as Buildings 1-5 on May 17.41 shall be demolished provided that the demolition shall not be required for any building for which demolition approval is permanently refused on historic or other statutory grounds by a local, state or federal agency of competent jurisdiction.

   However, in the event that the demolition of one or more buildings is not allowed by the lawful action of a local, state or federal agency, the owner shall be obligated to demolish any other buildings required to be demolished in Section 17.42.2 and shall restore to its natural state all portions of the Little River Area not occupied by buildings required to remain, as required in Section 17.42.2.

   The owner shall restore, and bear the full cost thereof, at least fifty (50) percent of area within the Little River Area consistent with the plan for the restoration of that area required to be prepared in Condition (b) of Section 17.45.1. The required demolitions and restoration shall be complete prior to the issuance of a final Certificate of Occupancy for the nonstructured parking portion of the authorized construction.

b. The MDC Parking Facility Area shall have been restored to the plan identified in Section 17.45.1(b) above, or the applicant shall demonstrate to the satisfaction of the conservation commission that the restoration could not occur prior to the issuance of any final Certificate of Occupancy for any construction authorized by this Section 17.45.21. If the MDC has not authorized the applicant to restore the MDC Parking Facility Area within six (6) months following the applicant's written request for such authorization, the applicant may pay to the City of Cambridge the amount of the bond or other instrument, and the applicant shall have no further obligations with respect to the restoration of the MDC Parking Facility Area.

17.45.22 Phase Three

Any subsequent new construction for any use beyond that authorized in Section 17.45.21 – Phase Two above shall be permitted provided the total GFA permitted in Special District 4 shall not exceed nine hundred thousand (900,000) square feet, exclusive of GFA occupied by structured parking plus four hundred thousand (400,000) square feet of GFA exclusively for use as structured parking, provided the following conditions are met:

a. The conditions set forth in Section 17.45.21 – phase Two have been met.

b. All remaining buildings in the Little River Area shall have been demolished and the entire area restored to a natural state by the owner pursuant to the restoration plan required in Condition (b) of Section 17.45.1 above prior to the issuance of the Final Certificate of Occupancy for any construction permitted by this Section 17.45.22.

17.46 Other Provisions

17.46.1 Total Gross Floor Area Temporarily Exceeding one million and three hundred thousand (1,300,000) Square Feet.

In the event that demolition of structures and restoration of their sites to a natural state as required in Section 17.45.2 above cannot reasonably occur before the issuance of any interim Certificate of Occupancy for any new construction permitted in Section 17.45.2, the total GFA permitted in Special District 4 may temporarily exceed one million, three hundred thousand (1,300,000) square feet, or any intermediate threshold established in this Section 17.40, for that period necessary to secure the demolition of the existing structures located in the Little River Area and the required restoration of a portion of or the entire area thereafter. No final Certificate of Occupancy for any construction authorized in 17.45.22 – Phase Two shall be issued until all requirements of Section 17.45.22 have been met.

17.46.2 Measurement of Compliance.

Nothing in this Section 17.40 shall prevent the Planning Board, when issuing a special permit for any construction within the Special District 4, from establishing as a condition of the permit further monitoring and management provisions that will assure complete compliance within the requirements of this Section 17.40.

17.50 SPECIAL DISTRICT 5

17.51 *Scope*. This Section 17.50 regulates development within the Special District 5 as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.50, all requirements of and regulations applicable to the Office 2 District shall apply equally to the Special District 5.

17.52 *Permitted Uses.* Uses permitted in the Office 2 District shall be equally allowed in the Special District 5 with the exception of the following:

a. The following additional uses shall be permitted:

(1) Manufacturing, processing, assembly and/or packaging of articles and products listed in Section 4.37 a, and Section 4.37 b 4,5,9 provided the fully assembled product regularly produced shall not exceed two hundred (200) pounds in weight.

(2) Retail, Business and Consumer Service Establishments, Section 4.35 a and b as would otherwise be permitted in a Business B District, provided such uses are in a building containing uses permitted in an Office 2 District and do not exceed in area an amount equal to ten (10) percent of the gross floor area of

the building in which they are located, or twenty-five thousand (25,000) square feet, whichever is less.

(3) Residential Uses Section 4.31 a-h shall be permitted as of right.

b. The following uses shall be prohibited:

Parking lot or parking garage for private passenger cars, Section 4.32 b.

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

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

17.53.2 Building Height Limitations. The maximum height for permitted uses shall be eighty-five (85) feet and may be increased to one hundred (100) feet for all permitted uses excluding hotels and motels after the issuance of a special permit from the Planning Board.

17.53.3 Front Yard Requirements.

a. The minimum front yard setback from Memorial Drive for the principal front wall plane for any structure shall be twenty-five (25) feet, measured from the street line. The required front yard setback shall apply to any portion of a structure below ground as well as those portions of a structure above ground.

b. The required Memorial Drive front yard shall consist entirely of Green Area Open Space as defined in Article 2.000 with the exception of paving necessary for vehicular access. Such paved access area shall be limited to one twenty-four (24) foot driveway for each one hundred (100) feet of lot frontage, or fraction thereof, located so as to provide the most direct access to parking facilities located elsewhere on the site. It is preferred that all vehicular access be provided from other than Memorial Drive.

c. The Memorial Drive front yard shall contain at least one three and one-half (3 1/2) to four (4) inch caliper tree for every twenty-five (25) linear feet of street frontage.

d. All other yards shall conform to the requirements of the Office 2 District, except that there shall be no front or side yard setback requirements for the existing building that lies adjacent to the northwest sideline of the Main Line railroad right of way as shown on Assessor's Plat #64.

17.54 *Off Street Parking and Loading Requirements*

17.54.1 Off street parking and loading requirements shall be as specified in Article 6.000 for uses in the Office 2 District except as provided below.

17.54.2 Minimum Parking Requirement. The minimum parking requirement shall be one space for each two thousand (2,000) square feet of gross floor area for any use in the

District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit, and for dormitory uses, Section 4.33 b(7), one parking space for each twelve (12) beds.

17.54.3 Maximum Parking. The maximum accessory parking permitted for all uses in the district shall be one parking space for each six hundred and fifty (650) square feet of gross floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provisions of Section 6.31.3.

17.60 SPECIAL DISTRICT 6

17.61 *Scope* This Section 17.60 regulates development within the Special District 6 as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.60, all requirements of and regulations applicable to the Residence C-3 District shall apply equally to the Special District 6.

17.62 *Permitted Uses.* Uses permitted in the Residence C-3 District shall be equally allowed in the Special District 6 with the exception of the following:

a. The following uses shall be prohibited:

(1) Parking lot or parking garage for private passenger cars, Section 4.32 b.

(2) Hotel and Motel uses, Section 4.31 i (2).

17.63 *Dimensional Regulations*

17.63.1 Yard Requirements. There shall be no minimum yard requirements for structures within the Special District 6.

17.63.2 Maximum Height. The maximum height permitted in the district shall be one hundred (100) feet except as permitted or further restricted below:

a. In that portion of the district lying southwesterly of a line, which line is the southeasterly projection of a line one hundred feet northeasterly of and parallel to the southwesterly sideline of Reardon Street the maximum height shall be sixty (60) feet

b. The maximum height may be increased above one hundred (100) feet to a maximum of one hundred and eighty (180) feet in that portion of the district lying northeasterly of the line described in Paragraph a above and between the centerline of Vassar Street and the centerline of the main line railroad right of way after the issuance of a special permit by the Planning Board, provided that portions of buildings exceeding one hundred (100) feet but not exceeding one hundred and eighty (180) feet in height contain no more than 165,000 square feet of gross floor area, in total for the entire district.

c. In granting a special permit for additional height the Planning Board shall consider the following:

1. The height of the other buildings or portions of buildings constructed in the district is reduced to significantly below the one hundred (100) foot height permitted as of right.
2. In the vicinity of Fort Washington buildings are constructed below the one hundred (100) foot height permitted or green space is created so as to increase the views from Fort Washington across the MIT campus to the river and to the Boston skyline beyond.
3. The view corridors along residential Cambridgeport streets, such as Erie and Pacific Streets, are uninterrupted by buildings, wherever possible.
4. Green space is created in the district at grade where it can be visible to the general public.
5. The buildings are distributed in the district so as to create a visual penetration as viewed from the residential Cambridgeport neighborhood to the MIT campus and to the River Beyond.

17.64 *Off Street Parking and Loading Requirements*

Off street parking and loading requirements shall be the same as specified in Article 6.000 for uses in the Residence C-3 District except as provided below.

17.64.1 Minimum Parking Requirement. The minimum parking requirement shall be one space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit, and for dormitory uses, Section 4.33 b(7) one parking space for each twelve (12) beds.

17.64.2 Maximum Parking. The maximum accessory parking permitted for all uses in the district shall be one parking space for each six hundred and fifty (650) square feet of floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provisions of Section 6.31.3.

17.70 SPECIAL DISTRICT 7

17.71 *Scope.* This Section 17.70 regulates development within the Special District 7 as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.70, all requirements of and regulations applicable to the Business B District as modified by the Central Square Overlay District shall apply equally to the Special District 7.

17.72 *Additional Permitted Uses*

a. The following uses shall be permitted as of right:

Assembly or packaging of articles (Section 4.37a) and manufacture, processing, assembly and/or packaging of specified articles and products (Section 4.37 b, 1-15) shall be permitted on any lot on which any one or combination of the above uses has been established on or before January 1, 1991 and which uses remain

in continuous operation thereafter. Once said industrial uses have been discontinued on the lot, the lot shall only be used for those uses permitted in the Business B District.

b. The following uses shall be prohibited:

Parking lot or parking garage for private passenger cars, Section 4.32 b.

17.73 *Dimensional Regulations*

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

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

17.74 *Off Street Parking and Loading Requirements*

17.74.1 Off street parking and loading requirements shall be the same as specified in Article 6.000 for uses in the Office 2 District except as provided below.

17.74.2 Minimum Parking Requirement. The minimum parking requirement shall be one space for two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit.

17.74.3 Maximum Parking. The maximum accessory parking permitted for all uses in the district shall be one parking space for each one thousand (1,000) square feet of floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provisions of Section 6.31.3.

17.80 SPECIAL DISTRICT 8 AND SPECIAL DISTRICT 8A

17.81 *Special District 8*

17.81.1 Scope. This Section 17.81 regulates development within the Special District 8 as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.81, all requirements of and regulations applicable to the Industry A-1 District shall apply equally to the Special District 8.

17.81.2 Permitted Uses. Uses permitted in the Industry A-1 District shall be equally allowed in the Special District 8 with the exception of the following:

a. The following additional uses shall be permitted as of right:

(1) Dormitory and resident fraternity or sorority, Section 4.33 b (7).

(2) Residential uses, Section 4.31 a-h.

(3) Heavy Industry, Section 4.38 e, but only if the specific use has been established on a lot on or before January 1, 1991 and which use shall remain in continuous operation thereafter. Once said industrial use has been discontinued, the lot shall only be used for those uses otherwise permitted in this Special District 8.

b. The following uses shall be prohibited:

(1) Parking lot or parking garage for private passenger cars, Section 4.32 b.

(2) All Retail, Business and Consumer Service Establishments Section 4.35 with the exception of 4.35 a (1) and 4.35 b-e.

17.81.3 Dimensional Regulations. The dimensional requirements of the Industry A-1 district shall apply the Special District 8 except as provided below:

17.81.31 Maximum FAR. The FAR applicable on any lot in the district shall be increased to 1.75 for permitted dormitory uses.

17.81.32 Building Height Limitations. The maximum height permitted in the district shall be sixty (60) feet for all uses except as modified by the provisions of Sections 17.81.32.1 and 17.81.5.

17.81.32.1 For all uses, the maximum height shall be further limited as follows:

(a) Any portion of a building exceeding a height of sixty (60) feet shall be set back a minimum of twenty (20) feet from the adjacent front property lines on all abutting streets.

(b) Height shall be limited to forty-five (45) feet in that area defined by a line one hundred (100) feet distant from and parallel to all front and side property lines of Fort Washington Park, lot #72, Assessor's Plat #66, to the extent that the described area is within the Special District 8.

(c) Height shall be limited to forty-five (45) feet within one hundred (100) feet from the boundary of the existing Residence C-1 District.

17.81.33 Yard Requirements. A minimum five (5) foot front yard setback shall be required for all development in the district.

17.81.33 Restrictions in Required or Provided Front Yard Setbacks. That area between the principal front wall plane of a building and a public street, whether required or provided, shall be devoted to Green Area Open Space as defined in Article 2.000 of this Ordinance, an expansion of the adjacent public sidewalk, or other landscaped or paved area devoted exclusively to pedestrian use and extending along the entire length of that portion of a lot abutting the street. Areas devoted to vehicular use are prohibited from this area with the exception of access drives located to provide the most direct access to parking facilities located elsewhere on the site. Said access drives shall be limited to a total of thirty (30) feet of width for each one hundred (100) feet of lot frontage. Where a lot is bounded by more than one street, the provisions of this subsection 17.81.33 shall apply fully only to a single street, which street shall be the principal, major or most important street abutting the lot. For all other streets the

provisions of this subsection 17.81.33 shall apply only to the required front yard setback.

17.81.34 Residential Density. The minimum lot area per dwelling unit shall be six hundred and fifty (650) square feet.

17.81.4 *Off Street Parking and Loading Requirements*

17.81.41 Off street parking and loading requirements shall be the same as specified in Article 6.000 for the applicable base zoning district except as provided below.

17.81.42 Minimum Parking Requirement. The minimum parking requirements shall be one parking space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit and for dormitory uses, Section 4.33 b.(7) one parking space for each twelve (12) beds.

17.81.43 Maximum Parking. The maximum parking permitted for uses in the district shall be one parking space for each six hundred and fifty (650) square feet of gross floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provision of Section 6.31.3; however the Planning Board may permit by special permit the number of parking spaces to exceed the maximum allowed under this Section 17.81.43 provided the number of parking spaces authorized by special permit does not exceed that number which would be permitted on the lot if the maximum parking ratio of 650 were applied to the maximum gross floor area permitted on the lot, notwithstanding the fact that all such allowed gross floor area is not in fact proposed to be constructed.

17.81.44 No special permit shall be issued in this district which permits the total number of parking spaces on a lot to exceed (a) that number permitted in Section 17.81.43 for development authorized by the special permit plus (b) any additional parking present on the site before the date of application for uses not located on the lot, which parking is provided as legally established required accessory parking, not exceeding the minimum required in Article 6.000 at the time of the granting of the special permit in the zoning district applicable to such uses.

Where the parking provided on the site at the time of the special permit approval exceeds that quantity permitted above, the approved Special Permit shall provide a schedule by which the parking on the development parcel shall be brought into compliance with this subsection 17.81.44.

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.

17.82 *Special District 8A*

17.82.1 Scope. This Section 17.82 regulates development within the Special District 8, as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section17.82, all requirements of and regulations applicable to the Residence C-1A District shall apply equally to the Special District 8A.

17.82.2 Permitted Uses. Use permitted in the Residence C-1A district shall be equally allowed in the Special District 8A subject to the following additions and limitations.

17.82.21 Retail, business and Consumer Service Establishments Section 4.35a(1) and 4.35 b-e shall be permitted as of right provided they are located in a building with other permitted uses, are located on the first floor or the basement of the building, do not exceed twenty-five (25) percent of the total Gross Floor Area of the building in which they are located. No individual establishment may exceed two thousand and five hundred (2,500) gross floor feet in area.

17.82.22 The following uses shall be prohibited:

Parking lot or parking garage for private passenger cars, Section 4.32b.

17.82.3 Dimensional Regulations. The dimensional requirements of the Residence C-1A district shall apply in the Special District 8A district except as provided below:

17.82.31 Maximum FAR. The FAR applicable on any lot in the district shall not exceed 0.75 for permitted nonresidential uses, 1.50 for permitted residential uses, and 1.75 for permitted dormitory uses.

17.82.32 Building Height Limitations. The maximum height permitted in the district shall be sixty (60) feet for all uses except as the permitted height may be modified by the provisions of Section 17.82.32.1 below.

17.82.32.1 For all uses, the maximum height shall be further limited as follows:

(a) Any portion of a building exceeding a height of sixty (60) feet shall be set back a minimum of twenty (20) feet from the adjacent front property lines on all abutting streets.

(b) Maximum height shall be limited to forty-five (45) feet in that area defined by a line one hundred (100) feet distant from and parallel to all front and side property lines of Fort Washington Park, lot #72, Assessor's Plat #66.

(c) Maximum height shall be limited to forty-five (45) feet within one hundred (100) feet from the boundary of a Residence C-1 district.

17.82.33 Yard Requirements.

17.82.33.1 Restrictions in Required or Provided Front Yard Setbacks. That area between the principal front wall plane of a building and a public street, whether required or provided, shall be devoted to Green Area as defined in Article 2.000 of this Ordinance, an expansion of the adjacent public sidewalk, or other landscaped or paved area devoted exclusively to pedestrian use and extending along the entire length of that portion of a lot abutting the street. Areas devoted to vehicle use are prohibited from this area with the exception of access drives located to provide the most direct access to parking facilities located elsewhere on the site. Said access drives shall be limited to a total of thirty (30) feet of width for each one hundred (100) feet of lot frontage. Where a lot is bounded by more than one street, the provisions of this subsection 17.82.33.1 shall apply fully only to a single street, which street shall be the principal, major or most important street abutting the lot. For all other streets the provisions of this subsection 17.82.33.1 shall apply only to the required front yard setback.

17.82.33.2 Where lots abut the railroad right of way, there shall be no minimum yard requirement for that yard abutting the right of way.

17.82.34 Residential Density. The minimum lot area per dwelling unit shall be six hundred and fifty (650) square feet.

17.82.4 Off Street Parking and Loading Requirements.

17.82.41 Off street parking and loading requirements shall be as specified in Article 6.000 for the applicable base zoning district except as provided below.

17.82.42 Minimum Parking Requirement. The minimum parking requirements shall be as provided in Section 17.81, for those uses permitted in this Section 17.82.

17.82.5 Interim Non-Residential Uses.

17.82.51 Any use allowed in Special District 8 may be allowed in the Special District 8A district on an interim basis by Special Permit from the Planning Board subject to the following conditions and limitations:

(a) The authorized use is located in a nonresidential building in existence as of June 1, 2001.

(b) A Special Permit under this section has been applied for by no later than January 1, 2003.

(c) The use is authorized for a period not to exceed seven years in total from the date at which a final Certificate of Occupancy for the authorized nonresidential use is issued by the Superintendent of Buildings.

(d) All nonresidential use on the site shall cease after expiration of the period granted by the special permit for the authorized nonresidential use. Thereafter the site shall only be use for residential uses.

(e) In no case may any special permit under this Section 17.82.5 authorizing an interim nonresidential use be granted after January 1, 2005.

(f) In granting a special permit under this Section 17.82.5 the Planning Board shall determine that the proposed nonresidential use will not unreasonably negatively impact the use of adjacent property for permitted residential uses.

17.82.6 Additional FAR and Uses to Secure Near-Term Housing Construction

17.82.61 The Planning Board may issue a special permit to permit a mixed-use development containing residential dwelling units and nonresidential uses, subject to the following provisions, limitations and restrictions.

(a) The application for the special permit is accepted by the Planning Board on or before January 1, 2005.

(b) The subject lot contains nonresidential GFA at the time of application for a special permit, in a building in existence as of June 1, 2001.

(c) The total FAR for the authorized development does not exceed 1.50.

(d) The development may contain a any use permitted in Special District 8.

(e) At least one third of the authorized GFA is devoted to residential use with fifty (50) percent of the housing units (representing 50% of the residential GFA) affordable. Affordable units in excess of the number required under the inclusionary zoning provisions of the Cambridge Zoning Ordinance may be devoted to middle income housing using up to one hundred and twenty (120) percent of HUD median area incomes as a guideline for eligibility.

(f) All dimensional requirements of the Special District 8A are met unless the Planning Board, as part of the special permit, waives those provisions. In no case, however, may the height limits applicable in the SD-8A be waived.

(g) No Final Certificate of Occupancy may be granted for any nonresidential GFA unless construction of the authorized residential portion of the development is complete.

(h) In approving the development plan, the Planning Board shall determine that the housing uses are appropriately located to reinforce existing housing development and buffer that existing housing from nonresidential use on the subject lot and from other nonresidential development elsewhere within the SD-8A.

17.90 SPECIAL DISTRICT 9

17.91 *Scope*. This Section 17.90 regulates development within the Special District 9 as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.90, all requirements of and regulations applicable to the Residence C District shall apply equally to the Special District 9.

17.92 *Purpose*. This section 17.90 is intended to:

(a) promote in this portion of Cambridgeport significant housing development that becomes integrated with the existing neighborhood physically, architecturally, and socially;

(b) address current housing needs in Cambridge, especially the need for units affordable for households with children; and

(c) provide significant incentives for developing housing affordable by persons of low and moderate income, in accordance with Chapter 40A, Section 9 of the General Laws, while balancing the goals of affordability and low density.

17.93 *Use Regulations.* The uses allowed in the Residence C district shall be allowed except as may otherwise be permitted in Section 17.97 below. Use variances are hereby expressly prohibited, Section 10.31 notwithstanding.

17.94 *Dimensional Requirements*

The dimensional requirements of the Residence C district, as set forth in Section 5.31 shall apply in the Special District 9.

17.95 *Additional Use and Gross Floor Area Provisions for Existing Nonresidential Uses and Structures.*

(A) It is the intent of this Section 17.97 to encourage a gradual evolution of nonresidential uses in this Special District 9 now heavily nonresidential in character, from those least in harmony with the adjacent residential neighborhood and the residential uses ultimately desired in the district, to those nonresidential uses most compatible with residential uses and ultimately to residential uses exclusively. Therefore, in the Special District 9 the following additional uses not otherwise permitted in a Residence C District shall be permitted as of right, provided the conditions set forth below are met. Notwithstanding the provisions of Section 10.31, no variance for use shall be permitted in this Special District 9. For the purposes of Article 8.000 this Special District 9 shall continue to be considered a residential district and therefore Section 8.22, Paragraphs a and b shall not apply.

(1) All uses in Section 4.34, Office and Laboratory Uses, shall be permitted but only if the following conditions are met:

a. The building thereon, (or that portion of the building proposed to be reused) is vacant and not occupied by a residential use in the five years immediately preceding the time of application for a Certificate of Occupancy for the proposed use, or if occupied, the current use is any office and laboratory use, Section 4.34; any retail business and consumer service establishment, Section 4.35; any light industry, wholesale business or storage use, Section 4.37; or any heavy industry use, Section 4.38.

(2) All uses in Section 4.35, Retail Business and Consumer Service Establishments, Paragraphs a, c and d shall be permitted, but only if the following conditions are met:

a. The use existing at the time of application for a Certificate of Occupancy for the proposed new use, or that first legally established use immediately preceding the application for a proposed new use should the premises be vacant (provided that the previous use was in operation within the two years immediately preceding the application for a Certificate of Occupancy), is any retail business and Consumer Service Establishment, Section 4.35; or any light Industry, wholesale business and storage use, Section 4.37; or any heavy industry use, Section 4.38; and

b. The use shall occupy only that gross floor area meeting the use limitations of Paragraph a above.

(3) All uses in Section 4.37, light industry, wholesale business, and storage, Paragraphs a and b shall be permitted, but only if the following conditions are met:

a. The use existing at the time of application for a Certificate of Occupancy for the proposed use, or that first legally established use immediately preceding the application for a Certificate of Occupancy for a proposed new use should the premises be vacant (provided that the previous use was in operation within the two years immediately preceding the application for a Certificate of Occupancy), is light industry, wholesale business or storage use, Section 4.37; or any heavy industry use, Section 4.38; and

b. The use shall occupy only that gross floor area meeting the Use Limitations of Paragraph a above.

(B) Notwithstanding the provisions of Paragraphs (A) (1) - (3) above, in any structure containing a residential use which is less than fifty (50) percent of the total gross floor area of the building within which it is located, that residential use may be replaced by any one of the permitted uses in Paragraphs (A) (1) - (3) above, which use shall thereafter be subject to all of the provisions of this Section 17.97.

(C) Notwithstanding the provisions of (A) (1) - (3) above, in any structure containing a use which is less than fifty (50) percent of the total gross floor area of the building within which it is located, that use may be replaced by any one of the permitted uses in Paragraphs (A) (1) - (3) above, which use shall thereafter be subject to all of the provisions of this Section 17.97.

(D) For structures satisfying the requirements of (B) above, in existence as of January 1, 1991 the maximum gross floor area on a lot devoted to nonresidential uses shall be limited by an FAR of .9.

17.96 *Nonconforming Structures*

Notwithstanding the provisions of Section 8.23, that portion of a legal, nonconforming structure lying within this Special District 9 which is destroyed or damaged by fire, explosion, or other catastrophe may be rebuilt or restored and used again, in the same way as it had been legally used immediately before the damage, without limit as to cost of such rebuilding or restoring provided the following conditions are met:

(a) Any restoration or rebuilding shall commence within twelve (12) months after the catastrophe;

(b) The structure shall be restored or rebuilt to the same design, including materials and design details as existed previously; or should the restoration not be feasible necessitating that the structure be rebuilt to a different design, said design shall be at least equal to the original design of the structure in quality of materials used, the quantity and quality of design details employed, and the compatibility of the site design with abutting properties;

(c) The Community Development Department shall certify to the Superintendent of Buildings that the above conditions have been met.

With respect to the comparability of newly designed buildings, the Community Development Department shall consult the Cambridge Historical Commission for structures greater than fifty (50) years old. Should the Community Development Department find that said conditions have not been met the restoring or rebuilding shall require a special permit from the Board of Zoning Appeal.

The restored or rebuilt structure shall in no aspect increase the nonconforming nature of the original structure; nothing in this Section 17.98, however, shall prohibit a rebuilding or restoring which reduces the nonconforming nature of the original structure.

17.97 *Standards for Issuance of Special Permit.* 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 continuous 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.

17.100 SPECIAL DISTRICT 10

17.101 *Scope.* This Section 17.100 regulates development within the Special District 10 as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.100, all requirements of and regulations applicable to the Residence C District shall apply equally to the Special District 10. The provisions of this Section 17.100 are not severable and if a court declares any such provision invalid then this Section 17.100 shall cease to operate in its entirety.

17.102 *Purpose* . This Section 17.100 is intended to:

(a) promote in this portion of Cambridgeport significant housing development that becomes integrated with the existing neighborhood physically, architecturally, and socially;

(b) address current housing needs in Cambridge, especially the need for units affordable for households with children; and

(c) provide significant incentives for developing housing affordable by persons of low and moderate income, in accordance with Chapter 40A, Section 9 of the General Laws, while balancing the goals of affordability and low density.

17.103 *Use Regulations.* The uses allowed in the Residence C district shall be allowed except as may otherwise be permitted in Section 17.107 below. Use variances are hereby expressly prohibited, Section 10.31 notwithstanding.

17.104 *Dimensional Requirements*

The dimensional requirements of the Residence C District as set forth in Section 5.31 shall apply in the Special District 10.

17.105 *Additional Use and Gross Floor Area Provisions for Existing Nonresidential Uses and Structures.*

(A) It is the intent of this Section 17.107 to encourage a gradual evolution of nonresidential uses in this Special District 10 now heavily nonresidential in character, from those least in harmony with the adjacent residential neighborhood and the residential uses ultimately desired in the district, to those nonresidential uses most compatible with residential uses and ultimately to residential uses exclusively. Therefore, in the Special District 10 the following additional uses not otherwise permitted in the Residence C District shall be permitted as of right, provided the conditions set forth below are met. Notwithstanding the provisions of Section 10.31, no variance for use shall be permitted in the Special District 10. For the purposes of Article 8.000 the Special District shall continue to be considered a residential district and therefore Section 8.22, Paragraphs a and b shall not apply.

(1) All uses in Section 4.34, Office and Laboratory Uses, shall be permitted but only if the following conditions are met:

a. The building thereon, (or that portion of the building proposed to be reused) is vacant and not occupied by a residential use in the five years immediately preceding the time of application for a Certificate of Occupancy for the proposed use, or if occupied, the current use is any office and laboratory use, Section 4.34; any retail business and consumer service establishment, Section 4.35; any light industry, wholesale business or storage use, Section 4.37; or any heavy industry use, Section 4.38.

(2) All uses in Section 4.35, Retail Business and Consumer Service Establishments, Paragraphs a, c and d shall be permitted, but only if the following conditions are met:

a. The use existing at the time of application for a Certificate of Occupancy for the proposed new use, or that first legally established use immediately preceding the application for a proposed new use should the premises be vacant (provided that the previous use was in operation within the two years immediately preceding the application for a Certificate of Occupancy), is any retail business and Consumer Service Establishment, Section 4.35; or any light Industry, wholesale business and storage use, Section 4.37; or any heavy industry use, Section 4.38; and

b. The use shall occupy only that gross floor area meeting the use limitations of Paragraph a above.

(3) All uses in Section 4.37, light industry, wholesale business, and storage, Paragraphs a and b shall be permitted, but only if the following conditions are met:

a. The use existing at the time of application for a Certificate of Occupancy for the proposed use, or that first legally established use immediately preceding the application for a Certificate of Occupancy for a proposed new use should the premises be vacant (provided that the previous use was in operation within the two years immediately preceding the application for a Certificate of Occupancy), is light industry, wholesale business or storage use, Section 4.37; or any heavy industry use, Section 4.38; and

b. The use shall occupy only that gross floor area meeting the Use Limitations of Paragraph a above.

(B) Notwithstanding the provisions of Paragraphs (A) (1) - (3) above, in any structure containing a residential use which is less than fifty (50) percent of the total gross floor area of the building within which it is located, that residential use may be replaced by any one of the permitted uses in Paragraphs (A) (1) - (3) above, which use shall thereafter be subject to all of the provisions of this Section 17.107.

(C) Notwithstanding the provisions of Paragraphs (A) (1) - (3) above, in any structure containing a use which is less than fifty (50) percent of the total gross floor area of the building within which it is located, that use may be replaced by any one of the permitted uses in Paragraphs (A) (1) - (3) above, which use shall thereafter be subject to all of the provisions of this Section 17.107.

(D) For structures satisfying the requirements of (B) above and in existence as of January 1, 1991, the maximum gross floor area on a lot may be increased by an amount equal to twenty-five (25) percent of the gross floor area present on the lot on January 1, 1991.

17.106 *Nonconforming structures.*

The provisions of Section 17.98, Special District 9, shall apply equally to this Section 17.108, Special District 10.

17.107 *Standards for Issuance of Special Permits.* 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.

17.200 SPECIAL DISTRICT 11

17.201 *Scope.* This Section 17.200 regulates development within the Special District 11 as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.200, all requirements of and regulations applicable to the Office 2 District shall apply equally to the Special District 11.

17.202 *Permitted Uses*. Uses permitted in the Office 2 District shall be equally allowed in the Special District 11 with the exception of the following:

a. The following additional uses shall be permitted:

(1) Manufacturing, processing, assembly and/or packaging of articles and products listed in Section 4.37 a, and Section 4.37 b 4,5,9 provided the fully assembled product regularly produced shall not exceed two hundred (200) pounds in weight.

(2) Retail, Business and Consumer Service Establishments, Section 4.35 a and b as would otherwise be permitted in a Business B District, provided such uses are in a building containing uses permitted in an Office 2 District and do not exceed in area an amount equal to ten (10) percent of the gross floor area of the building in which they are located, or twenty five thousand (25,000) square feet, whichever is less.

(3) Residential Uses Section 4.31 a-h shall be permitted as of right.

b. The following uses shall be prohibited:

Parking lot or parking garage for private passenger cars, Section 4.32 b.

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

17.203.1 Maximum FAR

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

b. In that part of Special District 11 lying southeast of Vassar Street, the maximum FAR for all uses shall be increased to 1.7.

17.203.2 Building Height Limitations. The maximum height for permitted uses shall be eighty-five (85) feet and may be increased to one hundred (100) feet for all permitted uses excluding hotels and motels after the issuance of a special permit from the Planning Board.

17.203.3 Front Yard Requirements.

a. The minimum front yard setback from Memorial Drive for the principal front wall plane for any structure shall be twenty-five (25) feet, measured from the street line.

The required front yard setback shall apply to any portion of a structure below ground as well as those portions of a structure above ground.

b. The required Memorial Drive front yard shall consist entirely of Green Area Open Space as defined in Article 2.000 with the exception of paving necessary for vehicular access. Such paved access area shall be limited to one twenty-four (24) foot driveway for each one hundred (100) feet of lot frontage, or fraction thereof, located so as to provide the most direct access to parking facilities located elsewhere on the site. It is preferred that all vehicular access be provided from other than Memorial Drive.

c. The Memorial Drive front yard shall contain at least one three and one-half (3 1/2) to four (4) inch caliper tree for every twenty-five (25) linear feet of street frontage.

17.204 *Off Street Parking and Loading Requirements*

17.204.1 Off street parking and loading requirements shall be as specified in Article 6.000 for uses in the Office 2 District except as provided below.

17.204.2 Minimum Parking Requirement. The minimum parking requirement shall be one space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit, and for dormitory uses, Section 4.33 b(7), one parking space for each twelve (12) beds.

17.204.3 Maximum Parking. The maximum accessory parking permitted for all uses in the district shall be one parking space for each six hundred and fifty (650) square feet of gross floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provisions of Section 6.31.3.

17.300 SPECIAL DISTRICT 12

17.301 *Scope*. This Section 17.300 regulates development in Special District 12 as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.300, all requirements of and regulations applicable to the Residence C-2B District shall apply equally in Special District 12.

17.302 *Dimensional Modifications Permitted*. The following dimensional modifications to the Residence C-2B district shall be permitted or further required in Special District 12.

a. The maximum FAR shall be 1.0.

b. The Minimum Lot Area Per Dwelling Unit shall be 800 square feet.

c. The maximum height shall be thirty-five (35) feet in that portion of the district located south of Hingham Street and that portion of the district north of Hingham Street located within one hundred (100) feet of the westerly sideline of Banks Street.

d. The Minimum Ratio of Private open space shall be thirty (30) percent.

17.303 *Dimensional and Use Modifications*. The following further modifications to the regulations applicable to the Residence C-2B district, as modified in Section 17.302 above, shall be permitted, subject to compliance with the provisions of Section 17.305 below.

17.303.1 Permitted Uses. All uses permitted in the Residence C-2B district shall be allowed in Special District 12 including but not limited to residential housing for faculty, staff, employees, and students of educational, religious and charitable institutions in single-family, two-family and multi-family structures and accessory uses thereto. Dormitory uses shall be permitted; however, no other uses serving educational, religious and charitable institutions as set forth in Section 4.33 shall be allowed, except as otherwise allowed in this Section 17.300.

17.303.2 Building Height Limitations. The maximum height permitted shall be sixty-five (65) feet except as further regulated below:

a. No building may be higher than thirty-five (35) feet on land shown as Lots #103, 104, 105 and 106 on Assessors Plat #130, and

b. No building may be higher than thirty-five (35) feet within forty-five (45) feet of the westerly sideline of Banks Street.

17.303.3 Yard Requirements. In lieu of the provisions of Table 5-1 – Table of Dimensional Requirements – Residential Districts, the following Minimum Yard requirements shall apply. Any formulas set forth in Table 5-1 to determine minimum yard requirements shall not apply.

(a) The minimum yard on Memorial Drive shall be ten (10) feet.

(b) The minimum yard on Western Avenue shall be ten (10) feet.

(c) The minimum yard along that portion of the easterly boundary of Special District 12 determined by the easterly sidelines of Lots # 103 and 106 on Assessors Plat 130 shall be fifteen (15) feet.

(d) No minimum yard shall be required along Akron Street.

(e) The minimum yard on Banks Street shall be ten (10) feet.

(f) The minimum yard on the southerly side of Hingham Street shall be ten (10) feet.

(g) The minimum yard on the northerly side of Hingham Street shall be thirty (30) feet within one hundred (100) feet of the westerly sideline of Banks Street, and thereafter 10 feet.

(h) The requirements of Table 5-1, Footnote (k) shall not apply in the Special District 12.

17.303.4 Minimum Lot Area Per Dwelling Unit. The minimum Lot Area Per Dwelling Unit shall be 300 square feet. Permitted dwelling units may be located anywhere

within the District and shall not be otherwise restricted as to lot area per dwelling unit requirements.

17.303.5 Total Development Permitted. The aggregate of all development in Special District 12 shall not exceed 172,950 square feet of Gross Floor Area. If the property owner is in compliance with the provisions of a letter of commitment dated October 27, 2003, given by the property owner of land in Special Districts 12, 13 and 14 to the City of Cambridge pertaining to the development of the property owner's land in Special Districts 12, 13 and 14 ("Letter of Commitment"), the aggregate of all development in Special District 12 shall not exceed 224,835 square feet of Gross Floor Area. Such development may be located anywhere in the district without reference to FAR or any other Gross Floor Area limitation.

17.303.6 Minimum Ratio of Private open space to Lot Area. The required Private open space in the district may be any combination of Useable, Green Area, Permeable or Public Open Space and shall be required for all uses permitted in the district.

17.303.7 Parking. Except as otherwise provided in this Section 17.303.7, all requirements of Article 6.000 shall apply in Special District 12, except that with regard to the provisions of Section 6.22 – Location of accessory off street parking facilities, any accessory parking required by Article 6.000 to serve development constructed within Special District 12 shall be located within Special District 12. Provided it is located within Special District 12, said parking may be located on any lot without reference to the locational limitations of Section 6.22. All such parking shall be deemed institutional; provided, however, that one parking space shall be provided for each affordable housing unit constructed within Special District 12. In addition, all parking existing on October 27, 2003 on property in Special District 12 owned by any educational, religious or charitable institution shall be deemed institutional parking and shall be an allowed use. Off street loading facilities are not permitted for development in Special District 12. Up to four access drives may be provided to underground parking facilities.

For any development subject to the special permit provisions of Section 19.20 or 19.50, any provision of Sections 6.31.3, 6.35.2 and 6.40 – Design and Maintenance of Off Street Parking Facilities may be waived within the scope of those special permits in order to facilitate the location of significant portions of parking within the district in below grade facilities or to provide surface parking for residents in dwelling not conveniently served by an underground parking facility.

17.303.8 Multiple Buildings. Notwithstanding the provisions of Section 5.13, where multiple buildings are built on any Lot in Special District 12, the minimum distance required between buildings shall be 15 feet. Buildings that are connected below grade by tunnels or by underground parking structures shall be considered multiple, freestanding and unattached buildings for the purposes of Section 5.13 and this Section 17.303.8.

No building may be built on the land shown as Lots # 103, 104, 105, and 106 of Assessors Plat 130, that has a horizontal dimension (length or width) at grade

greater than 75 feet, and each building shall be physically separated from adjoining buildings on such land by at least 15 feet. Project Review pursuant to the provisions of Article 19.000 shall not limit the number or location of buildings on such land if such buildings comply with the foregoing provisions of Section 17.303.

The formula set forth in Section 5.13 to determine minimum distance between buildings shall not apply.

17.304 *Mechanical Equipment*. The HVAC equipment and exhaust or intake vents located in and serving buildings or underground garages serving buildings in Special District 12 constructed after October 27, 2003 shall be designed or screened so that they are not visible to a pedestrian standing in the public way, and so that they comply with governmental laws regulating noise.

17.305 *Procedural Requirements*. A Building Permit for any structure complying with the dimensional and other provisions of Section 17.303 above shall be issued if the conditions in this Section 17.305 have been met.

17.305.1 Prior to the issuance of the first Building Permit within the Special District 12, a site plan ("Site Plan") shall be submitted to the Superintendent of Buildings indicating the location of any required open space and the location of proposed buildings and accessory parking. The Site Plan shall, in both graphic form and text, indicate how the requirements of this Section 17.300 and the provisions of the "Letter of Commitment" shall be met including all dimensional and use requirements. After review by the Community Development Department, the Superintendent of Buildings shall certify that the Site Plan as submitted conforms to these provisions and will permit the fulfillment of all requirements of Section 17.300.

17.305.2 The Site Plan may be modified by the owner from time to time, provided, however, that any change shall require a recertification from the Superintendent of Buildings. In all instances that the Site Plan is modified, the development shall continue to conform to all requirements of this Section 17.300 and the "Letter of Commitment".

17.305.3 "Letter of Commitment". Prior to the issuance of any Building Permit or Certificate of Occupancy in Special District 12 and after review by the Community Development Department, the Superintendent of Buildings shall certify that construction is proceeding in accordance with all provisions of the "Letter of Commitment".

17.305.4 In the event that the development rights and uses in Special District 12 as set forth in the Site Plan required in Section 17.305.1 above are reduced before they can be fully utilized, through an amendment or other change to the Zoning Ordinance of the City of Cambridge, the easement to the City of Cambridge for a Public Open Space in conformance with the provisions of the "Letter of

Commitment" shall not be granted, or if granted previously, shall terminate automatically upon the effective date of such amendment or change to the Zoning Ordinance. Thereafter the requirement for the provision of an open space shall be voided and the site may be developed subsequent to and in accordance with the provisions of the change or amendment of the Zoning Ordinance.

17.306 Other Provisions. The following additional provisions shall apply.

(a) Special District 12 shall be considered an Area of Special Planning Concern, subject to the Development Consultation Procedure specified in Section 19.40.

(b) Development in Special District 12 utilizing the use and dimensional provisions of Section 17.303 above shall not be subject to the provisions of Section 11.200 of the Zoning Ordinance.

(c) Nothing in Article 19.000 shall prohibit the submission of a request for a single Project Review Special Permit containing construction in both this Special District 12 and Special District 14.

17.307 *Inapplicability of Certain Other Regulations*. Where this Section 17.300 specifies some standard or makes some other requirements contrary to a requirement elsewhere in this Ordinance, the provisions of this Section 17.300 shall control.

17.400 SPECIAL DISTRICT 13

17.401 *Scope*. This Section 17.400 regulates development in Special District 13 as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.400, all requirements of and regulations applicable to the Residence C-2 District shall apply equally in Special District 13.

17.402 *Permitted Uses*. All uses permitted in the Residence C-2 District shall be allowed in Special District 13, and in addition Power Plant use for the non-nuclear production, generation and distribution of electricity or steam, Section 4.32 g shall be permitted. The Power Plant use shall be permitted as of right provided such use occurs within structures in existence as of October 27, 2003. Location of the Power Plant use in a new structure shall be permitted only after the issuance of a Special Permit from the Planning Board.

17.402.1 Parking. Except as otherwise provided in this Section 17.400, all requirements of Article 6.000 shall apply in Special District 13, except that with regard to the provisions of Section 6.22 – Location of accessory off street parking facilities, any accessory parking required by Article 6.000 to serve development constructed within Special District 13 shall be located within Special District 13. Provided it is located within Special District 13, said parking may be located on any lot without reference to the locational limitations of Section 6.22. All such parking shall be deemed institutional. In addition, all parking existing on October 27, 2003 on

property in Special District 13 owned by any educational, religious or charitable institution shall be deemed institutional parking and shall be an allowed use.

17.403 *Dimensional Limitations*. All dimensional requirements of the Residence C-2 District shall apply in Special Districts 13 except as provided in this Section 17.403:

17.403.1 Maximum FAR. The maximum FAR shall be 1.5 but shall be increased by special permit from the Planning Board to 2.0 for residential uses and dormitories.

17.403.2 Maximum Height. The maximum height shall be limited to sixty-five (65) feet, except that within ninety (90) feet of the westerly sideline of Blackstone Street and within two hundred and forty-five (245) feet of the southerly line of Western Avenue the height shall be limited to forty-five (45) feet. The height of structures in existence in Special District 13 as of October 27, 2003 shall be deemed conforming.

17.403.3 Yard Requirements. The minimum requirement for all yards shall be five (5) feet. The required yards for structures in existence as of October 27, 2003 shall be the yards existing at that time. Any new construction shall be subject to the yard requirements of the Residence C-2 district; the yards for new construction, however, may be reduced to not less than five (5) feet after the issuance of a Special Permit from the Planning Board. In addition, the minimum distance between multiple buildings on a lot, as set forth in Section 5.13, may be reduced to not less ten (10) feet by special permit from the Planning Board.

17.403.4 Mechanical Equipment. The HVAC equipment and exhaust or intake vents located in and serving buildings or underground garages serving buildings in Special District 13 constructed after October 27, 2003 shall be designed or screened so that they are not visible to a pedestrian standing in the public way, and so that they comply with governmental laws regulating noise.

17.404 *Inapplicability of Certain Other Regulations.* Where this Section 17.400 specifies some standard or makes some other requirements contrary to a requirement elsewhere in this Ordinance, the provisions of this Section 17.400 shall control.

17.500 SPECIAL DISTRICT 14

17.501 *Scope*. This Section 17.500 regulates development in Special District 14 as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.500, all requirements of and regulations applicable to the Residence C-1 District shall apply equally in Special District 14.

17.502 *Subdistricts*. Special District 14 shall consist of three subdistricts as described below. Except as noted, all provisions of Special District 14 shall apply equally to all subdistricts.

a. The Athens Terrace Subdistrict shall be that portion of Special District 14 located north of Grant Street.

b. The Grant Street Subdistrict shall be that portion of Special District 14 that lies within ninety (90) feet of the southerly sideline of Grant Street.

c. The Cowperthwaite Subdistrict shall be that portion of Special District 14 that lies between the Grant Street Subdistrict and Cowperthwaite Street.

17.503 *Permitted Uses*. All uses permitted in the Residence C-1 District shall be allowed in Special District 14 including but not limited to residential housing for faculty, staff, employees, and students of educational, religious and charitable institutions in single-family, two-family, three-family and multi-family structures and accessory uses thereto. No other uses serving educational, religious and charitable institutions as set forth in Section 4.33 shall be allowed, notwithstanding the provisions of Section 4.50, except as otherwise allowed in this Section 17.500. The special permit provisions of Sections 4.26 and 11.10 for Multifamily and Townhouse Development shall not apply.

17.504 *Use and Dimensional Modifications Permitted*. The following modifications to the regulations applicable to the Residence C-1 district shall be permitted in Special District 14.

a. In the Cowperthwaite Subdistrict, Dormitories, Section 4.33 (b) (7) shall be permitted; Section 4.50 limitations shall not apply.

b. In the Cowperthwaite Subdistrict the following dimensional limitations shall apply:

(i) The maximum FAR shall be 1.0.

(ii) The maximum height shall be forty-five (45) feet.

(iii) The minimum Lot Area per Dwelling Unit shall be 800 square feet.

(iv) The minimum Private open space shall be fifteen (15) percent.

c. In the Grant Street Subdistrict the following dimensional limitations shall apply:

(i) The maximum FAR shall be 1.0.

(ii) The minimum Lot Area per Dwelling Unit shall be 1200 square feet.

(iv) The minimum Private open space shall be fifteen (15) percent.

d. In the Athens Terrace Subdistrict the following dimensional limitations shall apply:

(i) The minimum Lot Area per Dwelling Unit shall be 1200 square feet.

(ii) The minimum Private open space shall be fifteen (15) percent.

17.505 *Other Use and Dimensional Modifications*. The following modifications to the regulations applicable to the Residence C-1 district, as modified by Section 17.504 above, shall be permitted, subject to compliance with the provisions of Section 17.506 below.

17.505.1 Maximum FAR. The maximum FAR shall be 3.0 within the Cowperthwaite Subdistrict provided the FAR in the Grant Street Subdistrict does not exceed 0.75 on land under the same ownership. If the property owner is in compliance with the provisions of the “Letter of Commitment” referenced in Section 17.303.5 above, in the Cowperthwaite Subdistrict additional FAR at the rate of 0.9 shall be

permitted, and in the Athens Terrace and Grant Street Subdistricts additional FAR at the rate of 0.225 shall be permitted.

17.505.2 Building Height Limitations.

a. The maximum height permitted shall be fifty-five (55) feet in the Cowperthwaite Subdistrict subject to the further restrictions set forth in Paragraph b below; however no building or portion of a building within 40 feet of the westerly sideline of Banks Street shall be higher than thirty-five (35) feet.

b. Any portion of a building in the Cowperthwaite Subdistrict in excess of forty-five (45) feet shall be set back behind a forty-five degree bulk control plane beginning at a height of forty-five (45) feet above the Cowperthwaite/Grant Street Sudistricts boundary line and rising thereafter toward Cowperthwaite Street.

17.505.3 Minimum Lot Area Per Dwelling Unit. In the Cowperthwaite Subdistrict, each 1,000 square feet of Gross Floor Area shall be considered equivalent to one dwelling unit for purposes of calculating Minimum Lot Area per Dwelling Unit.

17.505.4 Minimum Ratio of Private open space to Lot Area. The required Private open space in Special District 14 may be any combination of Useable, Green Area, Permeable or Public Open Space and shall be required for all uses permitted in the district. In the Cowperthwaite and Athens Terrace Subdistricts, the minimum Private open space requirements of Table 5-1 as modified in Section 17.504 above shall not apply.

17.505.5 Cowperthwaite Minimum Side Yard. The minimum side yard of Cowperthwaite Subdistrict shall be 15 feet, and the minimum front yard shall be 10 feet.

17.505.6 Building Size. Except within the Cowperthwaite Subdistrict, each building in Special District 14 shall be freestanding and unattached to any other building, may contain no more than 5,000 square feet of GFA, and may contain no more than six dwelling units.

17.505.7 Multiple Buildings. Notwithstanding the provisions of Section 5.13, multiple buildings may be built on any Lot in Special District 14, and the minimum distance between buildings shall be 10 feet. Buildings that are connected below grade by tunnels or by underground parking structures shall be considered multiple, freestanding and unattached buildings for purposes of between-building setbacks. The formula set forth in Section 5.13 shall not apply.

17.505.8 Parking Requirements. Except as otherwise provided in this Section 17.505.8, all requirements of Article 6.000 shall apply in Special District 14.

(a) With regard to the provisions of Section 6.22 – Location of accessory off street parking facilities, at least eighty (80) percent of the minimum required accessory parking required by Article 6.000 to serve

development constructed in the Athens Terrace Subdistrict shall be located in that Subdistrict.

(b) For any development subject to the special permit provisions of Section 19.20 or 19.50, any provision of Section 6.22, 6.22.1, 6.22.2 (Location of Parking), 6.31.3, 6.35.2 and Section 6.40 – Design and Maintenance of Off Street Parking Facilities may be waived within the scope of those special permits in order to facilitate the location of significant portions of parking within the district in below grade facilities or to provide surface parking for residents in dwellings not conveniently served by an underground parking facility. Notwithstanding the provisions of Article 6.000, requirements for loading facilities within the Cowperthwaite Subdistrict may be satisfied by providing one loading facility on Cowperthwaite Street, which may be located on abutting private or public ways. All parking provided on property in Special District 14 owned by any educational, religious or charitable institution shall be deemed institutional parking. In addition, all parking existing on October 27, 2003 on property in Special District 14 owned by any educational, religious or charitable institution shall be deemed institutional parking and shall be an allowed use.

17.505.9 Mechanical Equipment. The HVAC equipment and exhaust or intake vents located in and serving buildings or underground garages serving buildings in Special District 14 constructed after October 27, 2003 shall be designed or screened so that they are not visible to a pedestrian standing in the public way, and so that they comply with governmental laws regulating noise.

17.506 *Procedural Requirements*. A Building Permit for any structure employing the use, dimensional, or parking flexibility provided in Sections 17.505 above shall be issued if the following conditions have been met.

17.506.1 Prior to the issuance of the first Building Permit within the Special District 14, a site plan ("Site Plan") shall be submitted to the Superintendent of Buildings indicating the location of the required open space and the general location of proposed buildings and accessory parking. The Site Plan shall, in both graphic form and text, indicate how the requirements of this Section 17.500 shall be met. The Site Plan may be modified from time to time by the owner; provided, however, that any change shall require a re-certification from the Superintendent of Buildings. In all instances that the Site Plan is modified, the development shall continue to conform to all requirements of this Section 17.500.

17.506.2 "Letter of Commitment". Prior to the issuance of any Building Permit or Certificate of Occupancy in Special District 14, after review by the Community Development Department, the Superintendent of Buildings shall certify that construction is proceeding in accordance with all provisions of the "Letter of Commitment".

17.506.3 In the event that the development rights and uses in Special District 14 as set forth in the Site Plan required in Section 17.506.1 above are reduced before they

can be fully utilized, through an amendment or other change to the Zoning Ordinance of the City of Cambridge, the easement to the City of Cambridge for a Public Open Space in conformance with the provisions of the “Letter of Commitment” shall not be granted, or if granted previously, shall terminate automatically upon the effective date of such amendment or change to the Zoning Ordinance. Thereafter the requirement for the provision of an open space shall be voided and the site may be developed subsequent to and in accordance with the provisions of the change or amendment of the Zoning Ordinance.

17.507 *Other Provisions*. The following additional provisions shall apply.

(a) Special District 14 shall be considered an Area of Special Planning Concern, subject to the Development Consultation Procedure specified in Section 19.40.

(b) Development in Special District 14 utilizing the use and dimensional provisions of Section 17.505 above shall not be subject to provisions of Section 11.200 of the Zoning Ordinance.

(c) Nothing in Article 19.000 shall prohibit the submission of a request for a single Project Review Special Permit containing construction in both this Special District 14 and Special District 12.

17.508 Inapplicability of Certain Other Regulations. Where this Section 17.500 specifies some standard or makes some other requirements contrary to a requirement elsewhere in this Ordinance, the provisions of this Section 17.500 shall control.

17.600 SPECIAL DISTRICT 15

17.601 Scope. This Section 17.600 regulates development within the Special District 15 as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.600, all requirements of and regulations applicable to the Industrial B District shall apply equally to the Special District 15.

17.602 Purpose. It is the intent of Special District 15 to provide for the creation of a high quality general and technical office environment which enhances the Massachusetts Avenue street front in this area by promoting active uses at the street level, encouraging building heights and massing that are appropriately scaled within the context of surrounding structures, and creating an improved pedestrian environment through the introduction of open space, the creation of pedestrian connections that enhance links between Kendall and Central Squares and the nearby residential neighborhood, and the elimination of surface parking lots.

17.603 Permitted Uses. Uses permitted in the Industry B District shall be equally allowed in Special District 15.

17.604 *Dimensional Regulations*

17.604.1 Maximum FAR. The maximum FAR for any lot in the district shall be 3.5.

17.604.2 Additional Height. The maximum height permitted in the district may be increased to one hundred forty (140) feet by special permit from the Planning Board.

17.605 Criteria for Granting Special Permit. In granting a Special Permit for additional height above one hundred twenty (120) feet, the Planning Board shall give consideration to the following:

1. Only a portion of the building, not to exceed more than thirty percent (30%) of the district, will extend to one hundred forty (140) feet.

2. Portions of the building along Massachusetts Avenue will not exceed 85 feet in height.

3. The additional height will allow for greater opportunities for open space on the site, including plazas, landscaped areas, and pedestrian pathways.

17.606 Parking. Notwithstanding the requirements of Article 6.000, the maximum ratio of off-street parking for all non-residential uses shall be 0.90 spaces per 1,000 square feet of Gross Floor Area. Parking that exceeds this ratio shall require a waiver under the general provisions of Article 6.000.

For any project seeking a special permit from the Planning Board, the Planning Board in its discretion, after review and analysis of Transportation Impact Studies and other relevant information on parking demand provided in application documents, and with the guidance of City agencies, may approve a request for reduction in off-street parking that it deems appropriate without requiring a waiver under Article 6.000.

17.607 Design Guidelines. In accordance with the provisions of Section 19.22, any new building construction in this Special District that exceeds the Land Use Thresholds set forth in Section 19.23 is required to obtain a Project Review Special Permit. In addition to the Citywide Urban Design Objectives enumerated in Section 19.30, the Planning Board shall, when making a determination on an application for a Project Review Special Permit in Special District 15, consider the following Design Guidelines:

1. Parking should be located below grade where possible.
2. Vehicular access/egress should not be located on Massachusetts Avenue or Albany Street.
3. Public pedestrian connections are encouraged through the site.

4. Open space in the form of plazas, landscaped areas and pedestrian pathways should be integrated into the site plan so as to benefit building users and the general public.
5. To the extent possible, active uses and transparency is encouraged on the ground floor of new buildings. The ground floor building frontage along Massachusetts Avenue shall create an active street presence with a particular emphasis on retail uses and shall be generally 50% transparent.
6. The applicant should indicate how a proposed building would relate physically to the most current design plans developed by the MBTA for implementation of the Urban Ring transportation project.
7. Attention should be given to walkability, with appropriate sidewalk widths, maintenance of street trees, and other pedestrian friendly amenities.
8. The site massing should include a variety of heights to provide visual interest and break-up building mass.

17.608 Consistency with Letter of Commitment. Prior to the issuance of any building permit or Certificate of Occupancy for any construction authorized by special permit under the provision of this Section 17.600, the Community Development Department shall certify to the Inspectional Services Department that all provisions of the Letter of Commitment dated June 20, 2011 by Novartis are continuing to be met.