



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

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To: Planning Board
From: CDD Staff
Date: May 7, 2013
RE: Central Square: DRAFT zoning language

The attached DRAFT zoning language reflects the C2 zoning recommendations presented to the Board in December 2012 and discussed at subsequent meetings in February and March 2013.

Key elements of the recommendations that the zoning changes accomplish include the following:

- Allow a mix of uses and density consistent with proximity to transit
- Create FAR and height incentives to encourage housing as a dominant use, and include a requirement for middle-income housing to supplement the existing inclusionary housing requirement for low-moderate income housing
- Increase environmental sustainability
- Create incentives for desired uses such as
 - small, locally-owned, ground floor retail and arts
 - cultural and non-profit uses
 - public gathering spaces that foster community interaction – both indoor and outdoor
- Improve transitions in scale and character from existing low-scale residential development to the core of Central Square and the Osborn Triangle
- Better manage parking and auto trips
- Encourage a good pedestrian environment that encourages walking and cycling and provides better connections between neighborhoods, commercial areas, transit facilities, and open space

The attached language includes annotations in the right hand side column to highlight the goals that particular changes to the zoning text are designed to achieve. This material is for the Board's review and discussion on May 14.

PRELIMINARY DRAFT OF ZONING TEXT CHANGES

20.300 CENTRAL SQUARE OVERLAY DISTRICT

20.301 *Establishment and Scope.* There is hereby established the Central Square Overlay District on the Zoning Map of the City of Cambridge which shall be governed by the regulations and procedures specified in this Section 20.300. It is the intent of this section that these regulations will apply to an ~~single~~ area described generally as the Central Square business district, the adjacent Osborn Triangle and certain abutting portions of the neighborhoods around it.

20.301.1 *Establishment of Subdistricts*

There shall be established three Subdistricts within the Central Square Overlay District, as established on the Zoning Map, and as generally described below:

1. The Neighborhood Edge Subdistrict shall include each of the following described areas where they fall within the Overlay District:
 - (a) All areas located southwest of Green Street.
 - (b) All areas located northeast of Bishop Allen Drive, with the exception of a portion of said areas bounded by the centerline of Bishop Allen Drive to the southwest, a line parallel to, north of and one hundred twenty-five (125) feet distant from the centerline of Bishop Allen Drive to the northeast, the centerline of Prospect Street to the southeast and the northeasterly extension of the centerline of Temple Street to the northwest, which portion shall be included in the Heart of Central Square Subdistrict.
 - (c) All areas north of the segment of Main Street located southeast of its intersection with Bishop Allen Drive.
 - (d) An area bounded by the centerline of Main Street to the north, a line parallel to, south of and one hundred (100) feet distant from the centerline of Main Street to the south, a line parallel to, west of and one hundred fifty (150) feet

Subdistricts are created so that the additional height, FAR and development transfer receiving provisions (described further below) can be applied only to the “core” parts of the Central Square district and not to the edges of the district where they abut residential neighborhoods. *See included map.*

distant from the centerline of Windsor Street to the west, and the centerline of Osborn Street to the east.

2. The Heart of Central Square Subdistrict shall include each of the following described areas where they fall within the Overlay District:

(a) All areas within the Overlay District located northeast of Green Street, southwest of Bishop Allen Drive, northwest of Sidney Street (including the Sidney Street Extension connecting Massachusetts Avenue and Main Street), and north of the segment of Main Street from its intersection with the Sidney Street Extension to its intersection with Bishop Allen Drive.

(b) The described area northeast of Prospect Street that is excluded from the Neighborhood Edge Subdistrict as set forth in Paragraph 1(b) above.

3. The Osborn Triangle Subdistrict shall include all areas within the Overlay District which are located southeast of Sidney Street (including the Sidney Street Extension connecting Massachusetts Avenue and Main Street) and south of Main Street, with the exception of the portion of the Neighborhood Edge Subdistrict described in Paragraph 1(d) above.

20.301.2 Applicability

The provisions of the applicable base zoning districts shall apply within the Overlay District unless specifically modified by the provisions set forth in this Section 20.300. The regulations and procedures of this Section 20.300 shall apply equally to each Subdistrict except where specifically stated otherwise in the regulations set forth in this Section.

20.302

General Purpose. It is the purpose of this Section 20.300 to augment existing zoning regulations to respond to the unique problems, ~~and~~ pressures and opportunities for change particular to Central Square. The regulations in this Section~~said section 20.300~~ provide for ~~more~~ careful public scrutiny of development proposals that may alter the established urban form of the Central Square area. These regulations are intended to channel ~~the future extreme~~ development pressures and opportunities in ways ~~which that~~ will preserve and enhance the unique functional environment and visual character of Central Square; facilitate

This text clarifies that the overlay district regulations modify the base zoning regulations only in the specific ways described in this Section. Otherwise, the base zoning rules apply.

the construction of new forms of contemporary development that, among other benefits, add to the stock of housing in the district, invigorate its inventory of retail and service assets attractive to the residents of the city as a whole, as well as to the neighborhoods that abut the square; ~~to~~ mitigate the functional impacts of new development on adjacent residential neighborhoods; ~~to~~ ~~maintain the present~~ expand the diversity of development and open space patterns and building scales and ages; and ~~to~~ provide sufficient regulatory flexibility to advance the general purposes of this Section ~~11.300~~20.300, consistent with the vision embodied in the Central Square Plan (2013).

20.303 *General Provisions.*

20.303.1 The Central Square Overlay District shall be considered an area of special planning concern.

Development proposals listed in Subsection 19.42 and 19.43, Development Consultation Procedures, shall be subject to the Development Consultation Procedures specified in Article 19.000 except that any Large Project Review (new buildings of two thousand (2,000) square feet or more) shall be conducted by the Central Square Advisory Committee using procedures as specified in Subsection 20.304.1 of this Section 20.300.

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

In reviewing applications for variances, special permits or development consultation reviews, the permit or special permit granting authority or the Central Square Advisory Committee shall be guided by the recommendations of the Central Square Plan (2013) and the Central Square Design Guidelines (2013), ~~objectives and criteria contained in the publication “Central Square Action Plan”, City of Cambridge, November 1987, and “Central Square Development Guidelines”, July 1989,~~ in addition to the requirements of Section 10.30 - Variances, 10.40 - Special Permits, and Subsection 20.305 of this Section 20.300. These guidelines are also intended to assist in shaping any contemplated physical change within the Central Square Overlay District by public and private interests that may not require any discretionary relief under any provisions of the Zoning Ordinance.

20.303.3 National Register and Contributing Buildings.

Some changes are made to the general purpose to be consistent with the recommendations of the recent Central Square Planning Study. While many of the goals are the same as in the previous plan for Central Square, the new plan also recognizes that there will be opportunities for future development that will have a positive impact on the area.

For the purpose of this Section 20.300 the following definitions shall apply:

1. National Register Building shall be a building individually listed or determined eligible for the National Register of Historic Places as determined by the Secretary of The Department of the Interior.
2. A contributing building shall be
 - a. Identified as a contributing building in a listed or eligible National Register District as determined by the Secretary of the Department of the Interior; or
 - b. A building located outside a National Register District but identified as a contributing building in the *Central Square ~~Design~~Development Guidelines (2013 or any subsequent revision)*.

However, a building shall no longer be considered a contributing building as defined in this Subsection 20.303 (~~32~~) for the purpose of this Section 20.300 if, upon application for a demolition permit, the Cambridge Historical Commission shall determine the building not to be a preferably preserved significant building as defined in the City of Cambridge Demolition Ordinance #965.

20.304 *Detailed Provisions.*

20.304.1 Central Square Advisory Committee. There shall be established a Central Square Advisory Committee, with members appointed by the City Manager, which shall have the following duties, responsibilities, and membership.

1. Purpose. It is the intent of this Subsection 20.304.1 that the Committee in its official actions fulfils the following purposes.
 - a. To establish a formal, ongoing body that will review all major development actions in the Central Square Overlay District.
 - b. To provide a forum within which a wide range of perspectives on development actions can be heard.
 - c. To establish a citizen/professional body which can advise both public agencies and private interests as to the development and urban design issues raised by a development or planning proposal and suggest avenues of research which might be pursued to resolve

An updated version of this map will be included. *See attached.*

identified conflicts or make the project better fulfill both public and private objectives for the Central Square Overlay District.

2. *Responsibilities.* The Committee shall undertake all Large Project Reviews and shall receive all applications for variances and special permits for activities within the Central Square Overlay District for review and comment. In addition, the Committee may comment on any preliminary proposal, for which any public agency or private interest may wish to receive advice and recommendations.

3. *Procedures.*

a. Within the six (6) months preceding any application for (1) a building permit for any project subject to a Large Project Development Consultation Review, but not subject to a special permit, or (2) a special permit or variance for any project within the Central Square Overlay District, the graphic and other material required in Section 19.43 - Large Project Review Procedure shall be submitted to the Central Square Advisory Committee for their review and comment.

b. Within thirty (30) days of that submittal, (or within up to sixty (60) days with the written consent of the applicant) the Committee shall prepare a written report of findings and recommendations with respect to the applicant's proposed project.

c. The Committee's written report shall outline the urban design and development issues raised by the proposal. It shall suggest those areas within which additional exploration of alternatives might be sought or factual information gathered which might help to resolve potential conflicts between public and private objectives or which might help to shape the project to better serve these objectives.

d. The report shall be forwarded-transmitted to the applicant and ~~shall be included in any application for a building permit, special permit or variance~~ to the Planning Board or Board of Zoning Appeal, where applicable.

e. It is expected that, in making decisions regarding special permits ~~and variances~~ within the Overlay District, the Planning Board and/or Board of Zoning Appeal will give due consideration to the report and recommendations of the advisory committee.

Where the Committee makes recommendations with respect to the granting of special permits and/or variances, the Planning Board and/or Zoning Board of Appeal does not follow said recommendations, then the Board(s) shall make written reply to

The existing procedures for project review were created prior to the establishment of the Project Review Special Permit in Article 19. The procedures here are clarified somewhat so that the Central Square Advisory Committee's role with respect to Article 19 will be to review projects and submit advisory recommendations to the Planning Board.

the Committee, detailing why the Board(s)' decisions were different from the Committee recommendations.

f. The Community Development staff shall serve as staff to the Committee.

4. *Membership and Terms*

a. *Membership.* Members in all categories shall be Cambridge residents or business persons or landowners within the Overlay District.

(1). One member having recognized qualifications as architect or landscape architect who shall also serve as chair of the Committee.

(2). Four (4) members representing the business community in Central Square with diverse representation from property owners, small and large scale merchants and office tenants.

(3). Four (4) members representing residents of the four (4) abutting Cambridge neighborhoods.

b. *Terms.* Committee members shall be appointed for terms of three (3) years each. Initial appointments shall, however, be staggered such that three (3) members shall have terms of two (2) years, and three (3) members shall have terms of three (3) years each.

20.304.2 *Building Height Limitations.* ~~The maximum height of buildings in the Central Square Overlay District shall be governed by the requirements of this Section 20.304.2; however, at locations where the base zoning district establishes a more restrictive height limitation, the more restrictive shall apply.~~

1. *As of Right Height Limitations.* In all Subdistricts, ~~T~~the maximum height of any building shall be fifty-five (55) feet ~~except as further limited below; or the height allowed in the base zoning district, whichever is lesser. However, where the Residence C-2A district serves as the base district, the maximum height shall be forty-five (45) feet; no additional height shall be permitted in this district notwithstanding any provision in Paragraph 2 below.~~

~~(a) Where the lot abuts Bishop Allen Drive or Prospect Street between Bishop Allen Drive and Harvard Street, any portion of the building above forty-five~~

The existing as-of-right height limit remains 55' or the base district limit, if it is less. This means 45' in Business A and 35' in Residence C-1.

~~(45) feet shall be set back behind a forty-five degree (45°) bulk control plane beginning at an elevation of forty-five (45) feet above the front lot lines on Bishop Allen Drive and/or Prospect Street and rising over one or more lots at a forty-five degree (45°) angle.~~

~~(b)(a) Where the Residence C-2A district serves as the base district, the maximum height shall be forty-five feet. No additional height shall be permitted in this district notwithstanding any provision in Paragraph 2 below.~~

2. Special Permit for Additional Height. Upon the granting of a special permit by the Planning Board, Aadditional height may be permitted as follows:

(a) In the Neighborhood Edge Subdistrict, if the height allowed in the base zoning district is greater than fifty-five (55) feet, then the Planning Board may permit the maximum height allowed in the base zoning district or eighty (80) feet, whichever is lesser. However, where the Residence C-2A district serves as the base district, the maximum height shall be forty-five (45) feet.

(b) In the Heart of Central Square Subdistrict, the Planning Board may permit the maximum height allowed in the base zoning district for non-residential uses, and may further permit a maximum height of one hundred forty (140) feet for residential uses only.

(c) In the Osborn Triangle Subdistrict, the Planning Board may permit the maximum height allowed in the base zoning district or one hundred (100) feet, whichever is greater, for non-residential uses, and may further permit a maximum height of one hundred sixty (160) feet for residential uses only.

~~(a) The maximum allowable height in the Central Square Overlay District may be increased up to eighty (80) feet upon issuance of a Special Permit by the Planning Board provided that those portions in excess of sixty (60) feet are set back from the street line at least ten (10) feet and that those portions are also set back from one or more forty-five degree (45°) bulk control planes beginning sixty (60) feet above any streetline in the district and rising over one or more lots at a forty-five degree (45°) angle.~~

~~(b) Where the lot abuts Bishop Allen Drive, or Prospect Street where the lot lies in a Business A District, and where the lot lies within a Business A District, any~~

The deleted text here is retained but moved to a new paragraph at the end of this subsection.

No change to the current height limits in the “Neighborhood Edge” areas. Special permit allows heights up to 80’ or the maximum height in the base district, whichever is less. *See included map.*

The maximum height for residential uses can be increased to 140’ in the Heart of Central and to 160’ in the Osborn Triangle by special permit. For non-residential uses, the limit remains the base limit of 80’ in Business B or 120’ in Industry B. *See included map.*

The existing language is deleted because the proposed language clarifies how the base and overlay zoning provisions apply in relation to one another; the bulk control provisions are included in a new paragraph below.

~~portion of the building above forty-five (45) feet shall be set back behind a forty-five degree (45°) bulk control plane beginning at an elevation of forty-five (45) feet above (1) the front lot lines on Bishop Allen Drive and/or Prospect Street and (2) any residential zoning district line abutting the Business A District, and rising over one or more lots at a forty-five degree (45°) angle.~~

3. Bulk Control. In addition to the maximum height limits established in Paragraphs 1 and 2 above, the following restrictions pertaining to bulk control shall apply unless specifically ~~The bulk control plane restrictions of Paragraphs 1 and 2 above may be~~ waived by the Planning Board upon issuance of a Special Permit:-

(a) Where the lot abuts Bishop Allen Drive, or Prospect Street between Bishop Allen Drive and Harvard Street, any portion of the building above forty-five (45) feet shall be set back behind a forty-five degree (45°) bulk control plane beginning at an elevation of forty-five (45) feet above the front lot lines on Bishop Allen Drive and/or Prospect Street and rising over one or more lots at a forty-five degree (45°) angle.

(b) Where the height of a building exceeds sixty-five (65) feet, any portion of the building facing a public street shall have a cornice height at or below sixty-five (65) feet, and all portions of the building above that cornice height shall be set back from the lower principal front wall plane by at least fifteen (15) feet.

~~(a)~~(c) The height and setback requirements set forth in Section 19.52 of the Zoning Ordinance shall apply according to the provisions set forth in Article 19.000.

20.304.3 Floor Area Ratio Limitation. The ~~maximum floor area ratio~~ Floor Area Ratio (FAR) limitations established in the applicable base zoning district shall continue to apply applicable to any lot in the Central Square Overlay District unless specifically modified by the following provisions. ~~shall be governed by the requirements of this Section 20.304.3; however, at locations where the base zoning district establishes a more restrictive FAR limit the more restrictive shall apply.~~

1. Additional FAR for Housing

Under current zoning, bulk control provisions apply, but can be waived by the Planning Board. The proposed text slightly modifies the bulk control provisions to be consistent with the Central Square recommendations.

Tall buildings need to be set back from neighborhood edges by a 45 degree bulk control plane. Along Bishop Allen Drive the maximum height is 45' and then the building can get taller as it steps further away from the street.

All buildings will have a cornice line at or below 65' where they face the street; other building elements would be stepped back.

There are also bulk control requirements in Article 19 which were adopted subsequent to the original Central Square Overlay District provisions, and will continue to apply.

Upon issuance of a special permit, the Planning Board may increase the allowed FAR on any lot or portion of a lot located within the Heart of Central Square Subdistrict or the Osborn Triangle Subdistrict to a total FAR of 4.00 for all non-residential and residential uses combined, notwithstanding the Rules for Calculation of Permitted Gross Floor Area on a Lot as set forth in Section 5.30.12. However, the maximum FAR permitted for non-residential uses on a lot shall not exceed the limitation on non-residential FAR applicable in the base zoning district.

2. FAR Exemption for Residential Balconies

Notwithstanding any other provision of this Zoning Ordinance, the Gross Floor Area of balconies that are accessory to residential uses and not exceeding five (5) feet in depth shall be exempted from the calculation of Gross Floor Area permitted on the applicable lot.

3. FAR Exemption for Public Rooftop Spaces

Notwithstanding any other provisions of this Zoning Ordinance, the Gross Floor Area of open-air spaces on the roofs of buildings, such as roof gardens, terraces or observation spaces, shall be exempted from Gross Floor Area and FAR limitations upon the granting of a special permit by the Planning Board, provided that such spaces are available to the general public during hours when the building is normally staffed. Such spaces may include retail uses, to the extent permitted, meant to serve the general public, such as food kiosks or shops. In granting the special permit, the Planning Board may place further requirements on the design or operational aspects of spaces exempted pursuant to this Paragraph, including hours of operation, range of activities permitted, signage, or other measures to ensure that the use of the space is consistent with the intent of this Section.

4. FAR Exemption for Community-Desired Ground (First) Floor Uses

Upon the granting of a special permit, the Planning Board may approve the exemption of any portion of Gross Floor Area (GFA) located on the ground floor or basement of a building from the calculation of GFA permitted on the applicable lot, provided the Planning Board finds that the uses occupying such exempted GFA meet the standards set forth below. In granting the special permit, the Planning Board shall establish such conditions and limitations as it deems appropriate to ensure continued adherence to these standards by the Applicant and all successors in interest.

For a mixed use project, instead of calculating the non-residential and residential FAR limitations proportionally, the non-residential FAR is limited to base zoning (2.75 in each of the Business B and Industry B districts) but the total FAR is increased to 4.0, meaning that there is no zoning disincentive to include housing as part of a mixed-use development. Exempting residential balconies from FAR provides added incentives

This Subsection is intended to provide an incentive for public rooftop spaces, such as an observatory.

This Subsection incentivizes certain ground-floor uses that contribute to the vibrancy and integrity of the Central Square District as a whole, including non-profit cultural uses, independent retail, “public rooms” and other community-supportive spaces. *Described in more detail below*

- (a) Exempted GFA may be occupied by the following institutional uses: preschool, day care center or kindergarten (4.33-b-2), social service facilities (4.33-e), local government museum (4.33-f-3), municipal service facility (4.33-f-4), public recreation building (4.33-f-5), municipal library (4.33-f-6), private library, museum or noncommercial gallery (4.33-h-2), or other non-residential, non-commercial use if the Planning Board determines that such use serves a cultural function that supports the character of Central Square as a cultural district.
- (b) Exempted GFA may be occupied by retail or consumer service uses (4.35), provided that the following standards are met:
 - (i) At least thirty percent (30%) of exempted retail GFA situated on the ground floor shall be occupied by individual enterprises each occupying no more than one thousand five hundred (1,500) square feet of floor area.
 - (ii) No more than thirty percent (30%) of exempted GFA situated on the ground floor shall be occupied by individual enterprises each occupying more than 5,000 square feet of floor area.
 - (iii) Where at least fifty (50) linear feet of ground-floor building frontage abutting one or more public streets is occupied by retail uses, at least sixty percent (60%) of such linear frontage shall be divided into separate storefronts with a minimum average frontage of thirty (30) feet per storefront.
 - (iv) The limitations set forth in this Paragraph (b) shall not apply to a theater or hall for public gatherings; Paragraph (c) below applies to such uses.
- (c) Exempted GFA may include space occupied by theater uses, provided that where such uses are located within twenty (20) feet of the front wall plane of a building along any street, they shall not extend across more than sixty percent (60%) of the linear frontage of that wall plane.
- (d) Exempted GFA may include undivided indoor spaces or covered open-air spaces dedicated for public use during daytime and evening hours on weekdays and weekends, which may include through-block passageways or large public spaces that could be programmed in various ways, such as public gatherings or performances. Such spaces may include vendor stalls, carts or kiosks but shall be

This part incentivizes non-commercial enterprises that serve a cultural or social support function.

This part incentivizes retail at a variety of different scales, with a limitation on the amount of large-scale businesses and encouragement for more smaller-scale spaces.

Theater uses can be exempted separately (otherwise they are considered a form of retail), but they should not occupy large areas of building frontage.

This part describes and incentivizes the concept of a “public room,” which could accommodate a range of activities such as a public market, performance area, or simply a gathering space.

generally accessible for impromptu use by non-consumers. In granting the special permit, the Planning Board may place further requirements on the design or operational aspects of such a space, including hours of operation, range of activities permitted, signage, or other measures to ensure that the space is consistent with the intent of this Section.

(e) The Planning Board may approve exempted GFA that deviates from the specific use and design standards set forth in Paragraphs (a-d) upon making a written determination in issuing the special permit that the proposal substantively conforms to the provisions of this Subsection and is consistent with the intent to strengthen and support the character of Central Square as a destination for small, independent retail and restaurants and as an arts and cultural district.

(f) A special permit application seeking an exemption of GFA according to this Subsection 4 shall include a Tenancy Plan which shall, at a minimum:

(i) Demonstrate an overall strategy for identifying specific future uses and users to occupy the exempted GFA, which shall particularly target local and/or independent enterprises.

(ii) Describe a process by which the Applicant or successors in interest shall work with the City, the Central Square Business Association, and local non-profits to identify temporary uses to occupy exempted GFA that has remained unoccupied by an approved use for a period of longer than six (6) months.

(iii) Identify an individual responsible for implementing the Tenancy Plan on behalf of the Applicant or successor, who shall serve as the point of contact with the Community Development Department.

(g) Subsequent to the granting of a special permit, the Applicant or successors in interest shall report to the Community Development Department from time to time, as may be set forth in the special permit, on progress made in implementing the approved Tenancy Plan. Any changes to the Tenancy Plan shall be reviewed and approved by the Community Development Department. The Planning Board may review changes to the Tenancy Plan, but no amendment to the special permit

This part allows the Planning Board some flexibility to approve deviations from the specific standards if the intent of the zoning is met.

Application of this incentive will require ongoing monitoring to ensure that the exempted GFA continued to be used in the manner that it was intended. Therefore, in order to get the incentive, the owner will be accepting a greater level of scrutiny by the City over its tenanting strategies.

This zoning text suggests a generalized process for ongoing monitoring, but additional provisions would need to be established by the Planning Board in granting a special permit, depending on the exact type of space and uses that are proposed.

shall be required to make such changes so long as the requirements of this Subsection and the conditions of the special permit continue to be met.

(h) Prior to the issuance of any Building Permit or Certificate of Occupancy for GFA exempted pursuant to this Subsection, the Community Development Department shall certify that a current Tenancy Plan has been reviewed and that the requirements of this Subsection and any applicable conditions that may be set forth in the special permit have been met.

~~1. As Of Right Limitation.~~

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

~~2. Special Permit for additional FAR.~~

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

~~3. Special Permit for Additional FAR for Affordable Housing.~~

~~The maximum FAR on any lot in an Office 3 District may be increased to 3.75 upon issuance of a special permit from the Planning Board provided a minimum of twenty (20) percent of the total gross floor area authorized is devoted to affordable housing as defined in Section 11.201. The affordable housing shall conform to the standards of Section 11.204 except that lodging housing or single room occupancy facilities shall be specifically permitted. The additional FAR bonus permitted in Section 11.203.2, however, shall not apply to developments employing this Section 20.304.3c~~

20.304.4 Waiver of Setback Requirements. Upon issuance of a special permit from the Planning Board the yard requirements of a base zoning district may be waived except where such yard abuts a lot, but not a public way, outside the Overlay District.

Existing FAR provisions in the Central Square Overlay District have mostly been superseded by zoning changes that have occurred since they were adopted.

The current base maximum FAR in Office 3 is 3.0 for residential and 2.0 for commercial. In Business B it is 3.0 for residential and 2.75 for commercial. Residence C-3 and C-2A have 3.0 and 2.5, respectively, and development in those districts would most likely require a special permit for some form of project review. The Overlay District also now includes several other districts that are not listed in this text. Affordable housing is addressed through the citywide Inclusionary Housing requirements.

Therefore, it is recommended that these provisions be deleted in favor of retaining the base zoning requirements, as modified by the new provisions recommended in the C2 Study.

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

Special Use and Design Provisions. In order to encourage the provision of active, pedestrian-accessible ground floors of buildings, with particular emphasis on the portions of buildings abutting Massachusetts Avenue and Main Street, and to encourage a unique and distinctive retail character for the area, the following provisions shall apply in the Central Square Overlay District.

1. Ground Floor Building Design ~~Restrictions.~~

The following provisions in Paragraphs (a-f) shall apply to the construction of new buildings, and shall not apply to buildings constructed prior to July 1, 2013; however, a building built prior to July 1, 2013, which in whole or in part conforms to these requirements, shall not be altered so as to increase the degree to which it does not comply with the provisions of Paragraphs (a-f). The Planning Board may permit divergence from any of the specific standards in Paragraphs (a-f) upon the issuance of a special permit, after making a finding that such divergence would result in a design that serves the objectives of this Section and is consistent with the Central Square Design Guidelines.

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

- (a) At least eighty (80) percent of the floor elevation of the ground (first) floor shall be at the mean grade of the abutting ~~Massachusetts Avenue and/or Main~~ public ~~Street~~ at the property line, except that floor area in private residential living

The existing Central Square Overlay District has use and design standards meant to encourage urban design that enhances the pedestrian realm and the district as a whole. For instance, parking is prohibited along the street front and windows are required on the ground floors.

Based on the C2 Study recommendations, the requirements for ground floors are strengthened by clarifying existing requirements and adding some new requirements. These limitations would work in concert with the Design Guidelines, which positively suggest ways to implement good urban design strategies.

This portion is deleted because use requirements are moved to a separate section below.

space, where it is provided on the ground (first) floor, ~~residential uses~~ may be located above but no higher than four (4) feet above the mean grade of the abutting street at the property line.

~~b. The use shall have a minimum depth of twenty (20) feet.~~

(b) e. Where any uses other than ~~residential uses~~ private dwelling units are established facing a public street, the ground (first) floor facade shall consist of a minimum of fifty (50) percent clear glass; at least seventy-five (75) percent of the required glass shall be located below the midpoint between the finished interior floor and the underside of the structural joists above.

(c) The minimum height of the ground (first) floor shall be fifteen feet as measured from the finished interior floor to the underside of the structural joists of the floor above, except for those portions of the ground (first) floor that are occupied exclusively by private dwelling units.

(d) Any space located within the ground (first) floor of a building where it faces a public street shall have a principal entrance that is accessible to pedestrians by way of the public sidewalk.

(e) The interior portions of the ground (first) floor of a building located within twenty (20) feet of a principal front wall plane facing a public street or public park shall be intended for human occupancy and shall exclude mechanical rooms, loading or service areas, and parking areas, with the exception of no more than two (2) access drives per building, which in combination total no more than thirty (30) feet in width. The Planning Board may waive this requirement upon finding that there is no feasible alternative for locating such spaces elsewhere on the lot, and that the visual and functional impacts of such spaces on the pedestrian realm are mitigated. Bicycle parking shall be permitted.

(f) In no case shall parking for automobiles or other areas devoted to motorized vehicle use be located between the principal front wall plane of the ground (first) floor of a building and a public street, with the exception of drives providing access to other portions of the lot, which shall be limited to a total of thirty (30) feet of width for each one hundred (100) feet of lot frontage. Bicycle parking shall be permitted.

The requirements of 15-foot ground floors and separate entrances are meant to ensure that non-residential spaces are designed to accommodate retail use types, even if they do not contain those uses at first.

These provisions, which further strengthen the existing requirements, force parking and loading operations to be located back from public street edges. Ideally, these would be located underground or internal to and away from the facades of buildings. On a difficult site, this requirement could be modified with the approval of the Planning Board.

2. Required Ground Floor Uses

The following provisions in Paragraphs (a-c) shall apply to the construction of new buildings and to changes of use within existing buildings. The Planning Board may permit divergence from any of the specific standards in Paragraphs (a-c) upon the issuance of a special permit, after making a finding that such divergence would result in a use that serves the objectives of this Section and is consistent with the design guidelines.

- (a) The interior portions of the ground (first) floor of a building located within twenty (20) feet of a principal front wall plane facing a public street or public park shall be occupied by one or a combination of Residential Uses (Section 4.31), Institutional Uses (Section 4.33), Office and Laboratory Uses (Section 4.34), or Retail and Consumer Service Uses (Section 4.35), to the extent that they are allowed in the base zoning district.
- (b) The interior portions of the ground (first) floor of a building located within twenty (20) feet of a principal front wall plane facing Main Street, for a minimum of seventy-five percent (75%) of the length of said front wall plane, shall be further limited to Retail and Consumer Service Uses (Section 4.35), Office and Laboratory Uses (Section 4.34) excluding Technical Office (4.34-f), or the following Institutional Uses: religious (4.33-a), preschool, day care center or kindergarten (4.33-b-2), social service facilities (4.33-e), local government museum (4.33-f-3), municipal service facility (4.33-f-4), public recreation building (4.33-f-5), municipal library (4.33-f-6), or private library, museum or noncommercial gallery (4.33-h-2), to the extent permitted in the base zoning district.
- (c) The interior portions of the ground (first) floor of a building located within twenty (20) feet of a principal front wall plane facing Massachusetts Avenue, for a minimum of seventy-five percent (75%) of the length of said front wall plane, shall be further limited to Retail or Consumer Service Uses (Section 4.35) to the extent permitted in the base zoning district. Where such uses are not allowed in the base zoning district, any use listed in Paragraph (b) above may be permitted.

~~2. Prohibited Uses.~~

This mirrors the existing requirement in the Overlay District that ground floor uses must be “human occupied” uses – however, this is extended to the entire Overlay District instead of just Massachusetts Avenue.

On Main Street the uses on the ground floor are further limited to non-residential uses that are “retail type” – which may include small offices or institutional uses. Up to 25% of the frontage can violate this principle, to allow for building lobbies and other necessary functions of the building.

On Massachusetts Avenue, the allowed uses on the ground floor are still further limited to retail uses only.

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

3. *Restricted Uses.*

~~a. Fast Order Food Establishments (Section 4.35 o) shall be limited to fourteen (14) in the Central Square Overlay District; Section 11.33, shall not apply. No special permit or occupancy permit shall be issued which will permit the number of such establishments in the Central Square Overlay District to exceed fourteen (14).~~

(a) b. In the Heart of Central Square or Neighborhood Edge Subdistrict, a Bbar or establishment where alcoholic beverages are consumed and where dancing and entertainment is provided, dance hall or similar place of entertainment; Section 4.35 g shall be permitted only if the principal public entrance or entrances are directly from Massachusetts Avenue, Prospect Street between Massachusetts Avenue and Bishop Allen Drive, or Main Street.

(a)(b) Unless specifically waived upon the granting of a special permit by the Planning Board, no individual bank or financial institution (Section 4.34-e) shall occupy more than twenty-five (25) feet of building frontage facing Massachusetts Avenue or Main Street, and no more than fifty percent (50%) of a lot's aggregate building frontage facing one or more public streets may be occupied by such uses.

4. ~~Uses permitted by Special Permit. In addition to those uses currently allowed only by special permit in Section 4.30 - Table of Use Regulations, the following uses shall also require a special permit from the Board of Zoning Appeal: Retail bakery where it is proposed to sell beverages, sandwiches, or similar fast order food as an accessory use provided, however, that the bakery use shall have been in full operation for a minimum of six (6) months prior to the application for a special permit.~~

A Formula Business as defined in this Ordinance may be established in the Central Square Overlay District only after the issuance of a special permit from the Planning Board. In reviewing an application the Planning Board shall take the following into consideration:

(a) The extent to which the design of the proposal reflects, amplifies, and strengthens the established historical character of existing buildings and store fronts in Central Square.

This provision is modified so that it would not impact streets in the interior of the Osborn Triangle.

The existing cap on "fast order food" type establishments is deleted in order to provide opportunities for more smaller-scale food operations in Central Square.

Instead, new regulations are proposed that would require additional review and approval of "Formula Business" establishments, which will provide opportunities for greater scrutiny of "generic" business types such as national chains. *Continued to next page.*

- (b) The extent to which the particulars of the building or storefront design is varied from the formula or standard design of the chain in order to reflect the unique character and conditions of Central Square generally or the specific location in particular.
- (c) The extent to which the standard elements of the enterprise as they define it as a Formula Business are modified to respect and provide unique expressions of Central Square history and traditions as well as innovation in physical design and marketing that will distinguish the Central Square location from other Massachusetts and national locations of the Formula Business.

Create New Definition in Article 2.000 – Definitions:

Formula Business. An individual Retail or Consumer Service establishment that is required by virtue of a contract, franchise agreement, ownership or other similar legal obligation to conform or substantially conform to a set of common design and operating features that serve to identify the establishment as one of a group for business, marketing and public relations purposes. Specifically, an establishment shall be considered a Formula Business if it shares at least three (3) of the following six (6) characteristics with ten (10) or more other establishments in Massachusetts or with twenty (20) or more other establishments nationwide:

1. Trademark, service mark or logo, defined as a word, phrase, symbol, or design or combination thereof that identifies and distinguishes the source of the goods or services from others;
2. Standardized array of merchandise or services, including menus;
3. Standardized interior décor including but not limited to style of furniture, wall coverings or permanent fixtures;
4. Standardized building architecture including but not limited to façade design and signage;
5. Standardized color scheme used throughout the exterior or interior of the establishment, including color associated with signs and logos;
- ~~4-6.~~ Standardized employee uniform including but not limited to aprons, pants, shirts, smocks or dresses, hats and pins (other than name tags).

“Formula Business” regulations do not currently exist in Cambridge, but other communities in Massachusetts and elsewhere have adopted similar measures in order to preserve the historic or otherwise unique character of their neighborhoods or downtown areas. These regulations are modeled after similar regulations that have been applied and upheld in Massachusetts.

The intent of the proposed regulations is not to prohibit chain businesses, which can often benefit the community, but to support the overall development of Central Square as a place with a distinctive character and not a place that becomes dominated by generic design and branding features that are typical of many other downtown areas.

If a Formula Business were to be established in Central Square, the Planning Board would have to review the design of that business and issue a special permit based on the extent to which it varies from the “formulaic” elements of the business in order to better complement the diverse, idiosyncratic character of Central Square.

5. Retail sale of merchandise (Section 4.35 a (2) [but specifically excluding the sale of any food, liquor or tobacco], Arts and Crafts Studio (Section 4.35 g) and Office Uses (Sections 4.34 a, b, c, and d) shall be permitted in the base Residence C-2A district provided the following conditions are met:
 - a. The uses are contained in a residential unit and do not occupy more than fifty (50) percent of the premises;
 - b. No modifications to the exterior of the building or unit are made;
 - c. Signs shall conform to the limitations of Article 7.000;
 - d. Retail sale of goods related to the permitted accessory uses may be permitted;
 - e. The accessory use meets the following requirements:
 - (1) The residential appearance and character of the district is not altered;
 - (2) Pedestrian and vehicular traffic is not significantly increased over that which would be generated by the normally permitted accessory uses;
 - (3) No significant modification to the exterior of the building or units is required;
 - (4) Signs conform to the limitations of Article 7.000.

6. Within the Heart of Central Square and Osborn Triangle Subdistricts, notwithstanding the requirements of the base zoning district, the Planning Board may permit any of the uses enumerated below upon the granting of a special permit where they would not otherwise be allowed in the base zoning district. Upon granting the special permit, the Planning Board shall make a determination that the use is consistent with the purpose and relevant review guidelines of this Section and that it helps to support Central Square as a center for small, independent business enterprises. For the purpose of applying other regulations of the Central Square Overlay District as set forth in this Section, such uses shall be treated in the same manner as Retail and Consumer Service uses.

- (a) Any use to the extent that it may be permitted in the Business B District.
- (b) Open-air sales place or place of entertainment as listed in Paragraphs 4.36-a and 4.36-e, but specifically excluding any drive-in retail, services or entertainment.

Increasingly in Cambridge, small entrepreneurs have found difficulty starting small businesses that involve making and selling specialty foods or other products because the particular use does not fit within the allowed range of uses in a business district. Given the desire to support small, independent businesses in Central Square, it is proposed to grant flexibility to the Planning Board to allow businesses to use small commercial spaces even if they are classified as “light industry” or some other use that is not allowed by the Ordinance.

(c) Assembly, packaging or manufacturing of products as listed in Section 4.37 Paragraphs a-f.

(d) Food Commissary as listed in Paragraph 4.37-i.

~~(a)~~(e) Wholesale business and storage in roofed structure as listed in Paragraph 4.37-j.

20.304.6 ~~Waiver of~~ ***Parking and Loading Requirements.*** The provisions set forth in Article 6.000 shall apply except as modified by the provisions set forth below.

1. Maximum Parking. Where any of the following listed uses are established in the Central Square Overlay District as of June 1, 2013, the accessory off-street parking for such uses shall be limited by the maximum rates set forth below. For uses not listed below, any maximum rate set forth in Article 6.000 shall apply. When applying such a rate results in a maximum allowed number of parking spaces that is less than the minimum number of parking spaces required by Section 6.36 or other provisions of this Section, then the minimum required number of parking spaces shall be waived so that the maximum limitation may be met. Exceeding the maximum allowed parking shall require a waiver of maximum parking under the general provisions of Article 6.000.

(a) Residential Uses (6.36.1), excluding Hotel and Motel (i-2 and i-3): 0.75 space per dwelling unit maximum

(b) Hotel or Motel Uses (6.36.1 i-2 or i-3): 0.25 space per sleeping room maximum

(c) Office Uses (6.36.4), excluding Technical Office (f): 0.90 space per 1,000 square feet maximum

(d) Technical Office Uses (6.36.4 f): 0.80 space per 1,000 square feet maximum

2. Minimum Parking and Loading. The minimum parking and loading requirements as specified in Section 6.36 – Schedule of Parking and Loading Requirements shall be modified in the following ways:

As in Kendall Square, the proposal is to impose stricter maximum limitations on the amount of parking provided with new development. These limitations would apply to all development, whether it is as-of-right or requires a special permit.

~~Uses in the Central Square Overlay District which meet the following requirements shall be exempted from the parking and loading requirements as specified in Section 6.36 – Schedule of Parking and Loading Requirements.~~

- (a) ~~1. If~~ the use is contained within a structure or portion of a structure in existence on or before June 1, 1940 or if constructed later is identified as a National Register or contributing building; ~~or, then there shall be no minimum parking requirement.~~
 - (b) ~~2. The use is contained in a new structure or new addition to a structure identified in (1) above.~~ Any minimum parking or loading requirements may be reduced after the issuance of a special permit by the Planning Board provided that:
 - (i) ~~a.~~ The standards set forth in Section 6.35 of this Zoning Ordinance are met; ~~and~~
 - (ii) ~~b.~~ The standards set forth in Section 20.305 are met.
 - (iii) ~~c.~~ The Planning Board shall specifically find that an exemption from parking and loading requirements will result in a building design that is more appropriate to its location and the fabric of its neighborhood and that it is in conformance with the objectives and criteria contained in the “~~Central Square Development Guidelines”~~ Central Square Design Guidelines (2013, or a later revision).
 - (iv) The off-street parking rate for residential uses (6.36.1), not including hotel and motel (i-2 and i-3), shall be no less than one-half 0.50 space per dwelling unit.
 - (c) Whenever the Planning Board issues a special permit pursuant to the provisions of the Central Square Overlay District set forth in this Section 20.300, the Planning Board may establish a minimum parking or loading requirement for development authorized by that special permit that is less than the minimum requirements of Article 6.000 based on the criteria above. Where no new minimum parking requirement has been established in granting the special permit, the provisions of Article 6.000 as modified by the maximum parking requirements set forth in Subsection 1 above and the other provisions set forth in Paragraphs (a) and (b) above shall apply.
3. Location of Parking. For any new development in the Central Square Overlay District that requires a special permit from the Planning Board, notwithstanding anything to the contrary in Article 6.000, the accessory parking may be provided on-site or within existing parking facilities elsewhere in the Central Square Overlay District, subject to Planning

Also as in Kendall Square, the minimum parking requirements are relaxed to provide opportunities to serve trip demand in better ways. In the current Central Square regulations, parking requirements can already be waived if it would impact a historic site or if it would otherwise be advantageous to reduce parking from an urban design perspective.

The proposed regulations further provide the opportunity for the Planning Board, as part of the issuance of any special permit, to set a lowered parking minimum. This means that an owner would not necessarily need to seek a separate special permit in order to achieve a reduction in parking.

The proviso is added that residential parking should be provided at a rate of at least 0.5 space per dwelling unit. This was the consensus view from the C2 Study process, although several Committee members recommended that the minimum parking requirement should be completely waived for residential as well as non-residential.

Board approval. In general, new development shall use structured parking instead of existing surface parking lots; however, the Planning Board may approve the use of existing surface parking in special circumstances, such as temporary parking for a phased development or special permits for small-scale retail uses in existing buildings.

4. Shared Parking.

- (a) For any new development in the Central Square Overlay District that requires a special permit from the Planning Board, the Applicant shall submit a Shared Parking Study, which shall chart the anticipated parking demand for all new and existing uses at different times throughout the course of a typical week.
- (b) Notwithstanding anything to the contrary in Article 6.000, the Planning Board may allow upon granting a special permit, or may require as a condition of any other special permit granted pursuant to this Section 20.300, that accessory parking spaces or loading facilities may be shared among different uses. The purpose of this provision is to allow for the most efficient use of parking spaces at complementary times, in order to limit the amount of new parking created. In granting such a special permit, the Planning Board shall specify which uses are permitted to be served by the approved parking or loading facilities and shall set any other conditions to ensure consistency with the purpose of this Section, relying on a Shared Parking Study as described in the above paragraph.

Shared parking is proposed as a tool to help better manage parking demand by requiring a smaller number of spaces. This text enables sharing, which would otherwise not be allowed based on the requirements for accessory parking in Article 6.000.

20.304.7 Lot Area Per Dwelling Unit. Upon issuance of a special permit from the Planning Board, the lot area per dwelling unit requirements applicable in the base zoning district may be waived for lots or portions of lots within the Heart of Central Square Subdistrict or the Osborn Triangle Subdistrict. Lots or portions of lots within the Neighborhood Edge Subdistrict shall conform to the lot area per dwelling unit requirements applicable in the base zoning district.

Allowing a waiver of the lot area per dwelling unit will provide more flexibility to propose different housing types, including “micro-units.”

20.304.8 Middle Income Housing Requirements. Where a special permit has been granted to allow increased height or Gross Floor Area pursuant to Sections 20.304.2 or 20.304.4, the development authorized by that special permit shall be required to create Middle Income Housing Units in accordance with the standards set forth below:

Middle Income Housing requirements are applied to the additional FAR and height allowed by the proposed changes.
Continued on following pages.

1. Standards for Middle Income Housing Units. For the purposes of this Section only, Middle Income Housing Units shall be defined as residential dwelling units which meet the following standards:

(a) Occupancy. The occupancy is restricted to households whose total income does not exceed one hundred twenty percent (120%) of the median income of households in the Boston Standard Metropolitan Statistical Area, as published by the United States Department of Housing and Urban Development, adjusted for family size, or such other equivalent income standard as may be determined by the Board of Trustees of the Cambridge Affordable Housing Trust.

(b) Pricing. The rent (including utilities) or, in the instance of home ownership units, the monthly mortgage payment (including insurance, utilities and real estate taxes) does not exceed thirty percent (30%) of _____ percent (_ %) of the Areawide Median Income (AMI) in the Boston Standard Metropolitan Statistical Area for a household size of expected occupancy for that unit type, which shall be determined based on the number of bedrooms in the unit according to the following chart. Another pricing standard may be applied if deemed comparable by the Board of Trustees of the Cambridge Affordable Housing Trust.

<u>Unit Size</u>	<u>Expected Household Size</u>
<u>Zero (0) bedrooms or studio</u>	<u>TBD</u>
<u>One (1) bedroom</u>	<u>TBD</u>
<u>Two (2) bedrooms</u>	<u>TBD</u>
<u>Three (3) bedrooms</u>	<u>TBD</u>
<u>Four (4) or more bedrooms</u>	<u>TBD</u>

2. Required Amount of Middle Income Housing Units. The approved development shall include the creation of new dwelling units that meet the standards for Middle Income Housing Units as set forth above; the acquisition of existing housing units or demolition

The general requirement is that 25% of the amount of residential floor area exceeding current FAR and height limitations should be for middle-income households.

Note: The exact standards will be developed further with the involvement of the Affordable Housing Trust.

In general, a minimum of 25% of the additional floor area would be restricted and priced for occupancy by middle-income households. Further discussion with the Affordable Housing Trust Board will be required to establish the details of the program.

and reconstruction of housing units on a lot shall not fulfill the requirements of this Section. Such new Middle Income Housing Units shall constitute a minimum amount of floor area equal to twenty five percent (25%) of the greater of the following two figures:

(a) The amount of Gross Floor Area on the lot or combination of lots that exceeds the limitation on Gross Floor Area determined by applying the base zoning limitations, discounting any Gross Floor Area that is exempted pursuant to Section 20.304.3 Subsections 2, 3 and 4.

(b) The amount of residential Gross Floor Area that exceeds the maximum height limit established by base zoning district limitations.

3. *Size, of Middle Income Housing Units.* At least _____ percent (____ %) of the required Gross Floor Area allocated to Middle Income Housing Units shall be for units with at least two (2) bedrooms and _____ (_____) square feet of floor area within each dwelling unit.
4. *Phasing of Middle-Income Housing Units.* The required Middle Income Housing Units shall be provided simultaneously to or prior to the issuance of a Certificate of Occupancy for other residential spaces that are subject to these Middle Income Housing requirements.
5. *Location of Middle-Income Housing Units.* Required Middle Income Housing Units shall be provided on-site, shall be generally comparable in size and materials to other units in the overall project, and shall be reasonably distributed throughout the project. However, approval of alternate sites may be granted by the Planning Board, provided that all Middle Income Housing Units are provided within the Central Square Overlay District, and upon determining that the proposed alternative better meets the priorities of the Affordable Housing Trust. A potential example includes the provision of units of larger-size units that would be better suited for families with children. In approving an alternate location, the Planning Board may impose conditions to ensure that Middle Income Housing Units provided on a separate site are of a quality comparable to the rest of the project.
6. *Inclusionary Housing.* Middle Income Housing Units shall be deducted from the calculation of total dwelling units when determining the number of Affordable Units required by the Inclusionary Housing provisions of Section 11.200, In no event shall

Middle Income Housing Units as required and identified pursuant to this Section be counted toward fulfilling the Inclusionary Housing requirements in Section 11.200.

20.304.9 Sustainability Provisions.

1. Green Building Design. New development shall be subject to the Green Building Requirements as set forth in Section 22.20 of this Zoning Ordinance. However, if non-residential uses occupy at least fifty thousand (50,000) square feet within the building, then the building shall be designed to meet the applicable LEED standards at the “Gold” level, notwithstanding the required standard set forth in Section 22.20.
2. Energy Monitoring. All new buildings containing at least fifty thousand (50,000) square feet of commercial uses shall track and report energy use to the City using Energy Star, Labs21, LEED-EBOM or a substantially similar mechanism. Such reporting shall occur at the end of the first year of occupancy of the building, then annually during the first five (5) years of occupancy, and once every five (5) years thereafter.
3. Cool Roofs. All new buildings shall employ Functional Green Roofs (as such term is defined in Article 22.000 of this Zoning Ordinance) or high-albedo roofs.
4. Stormwater Management. New development containing at least fifty thousand (50,000) square feet of Gross Floor Area shall meet the Department of Public Works’ standards for water quality management and the retention/detention of the difference between the 2-year 24-hour pre-construction runoff hydrograph and the post-construction 25-year 24-hour runoff hydrograph.
5. District Steam. Any special permit application proposing new development within the Osborn Triangle Subdistrict shall include a study considering the feasibility of connecting new buildings to the existing district steam system.
6. Cogeneration and Shared Energy. Upon granting a special permit, the Planning Board may approve the establishment of energy co-generation facilities, shared energy systems or other energy systems that would allow the utilization of waste heat or would otherwise minimize energy loss, where such systems serve an accessory function to other

New sustainability requirements are proposed, particularly for large development, to mitigate the environmental impacts of future development. These are similar to the requirements proposed for Kendall Square.

development allowed in the district but may require relief from the use or dimensional requirements in the base zoning district.

20.305 *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 goals and objectives of the Central Square Action Plan (2013) and the building and site designs are generally consistent with the Central Square Design Guidelines (2013).
2. The site design adequately mitigates the impacts of parking, loading, service, mechanical and other areas that may visually or operationally detract from the enjoyment of the public realm or the aesthetics of adjacent buildings and open spaces, particularly National Register or contributing buildings.
3. The proposed development creates or supports people-oriented spaces that invite and encourage community interaction. Examples include the following:
 - (a) Creation or enhancement of public plazas or small parklets.
 - (b) Activation of public space through programming opportunities and synergies with adjacent uses.
 - (c) Incorporation of imaginative, interactive and playful elements into areas that are accessible to the public.
4. The proposed development supports the residential character of Central Square. Examples include the following:
 - (a) Construction of new housing units serving households of a variety of sizes, types and incomes, with a particular emphasis on families with children.
 - (b) Provision of amenities serving residents of the area, including shopping and recreational opportunities for people of a variety of ages and incomes.
 - (c) Creation of live-work spaces.
5. The proposed development supports a retail environment that creates opportunities for local, independently owned enterprises that serve the neighborhood. Examples include the following:

The review criteria for a special permit are revised, but not substantially changed, to reflect the goals and objectives articulated through the Central Square Planning Study.

- (a) Creation or preservation of individual small-scale ground-floor retail spaces with limited street frontages that will appeal to a range of independent business types.
 - (b) Utilization of leasing and marketing strategies to recruit and retain a diverse set of retailers and services that serve unmet needs for the surrounding community (where the review and approval of a Tenancy Plan by the Planning Board is required).
6. The proposed development supports Central Square’s cultural, historic and community-benefitting resources. Examples include the following:
- (a) Creation or preservation of spaces that can accommodate cultural, artistic and social service organizations.
 - (b) Utilization of strategies to ensure that spaces are available and affordable to cultural, artistic and social service organizations (where the review and approval of a Tenancy Plan by the Planning Board is required).
7. ~~4.~~ 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; ~~1~~ and ~~5.~~ 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.

20.306 *Signs*

20.306.1 Signs shall be permitted as they are allowed in the base zoning districts.

Nonconforming Signs. Notwithstanding the provisions in Article 7.000, Section 7.15 relating to nonconforming signs, any sign nonconforming as to size and having been erected for at least ten (10) years shall be removed where the space to which the sign is accessory is vacant.

20.307 **Coordinated Development on Multiple Lots.** In seeking a special permit pursuant to the provisions of the Central Square Overlay District (this Section 20.300) or any other special permit issued by the Planning Board, including but not limited to a Project Review Special Permit (Section 19.20), the Applicant may designate a Central Square Development Parcel consisting of two or more lots which may be non-contiguous, notwithstanding the definition of lot in Article 2.000, and may seek a single special permit that shall apply comprehensively to all component lots.

In the C2 Study process, it was noted that the district contains many small scattered sites, some of which are in common ownership but not necessarily contiguous. Under current zoning rules, non-contiguous lots could not be developed in a coordinated way. Allowing for such coordination could provide opportunities to shift allowable development and create better urban design results.

The public benefit would be to achieve the following goals, as articulated in the C2 Recommendations:

- Lower density in and adjacent to low-density residential neighborhoods
- Protection of historic buildings
- Improve housing production in areas within the core of Central Square and Osborn Triangle

20.307.1 *Objectives.* In granting a special permit authorizing development on a Central Square Development Parcel, the Planning Board shall make a determination that the proposal is consistent with the Standards for Issuance of a Special Permit as set forth in Section 20.305, and that it specifically addresses the following objectives:

1. To create new housing units in the Central Square Overlay District serving households of a variety of sizes, types and incomes.
2. To reduce the density of development adjacent to the residential neighborhoods at the edge of the District by providing open space or building forms that are compatible with existing neighborhood development.
3. To facilitate the retention and encourage the upgrading of historic structures throughout the District.
4. To create opportunities for improved site design and planning through coordinated and phased development of contiguous and non-contiguous lots in common or separate ownership.

20.307.2 *Provisions and Limitations.* The following provisions and limitations shall apply to a Central Square Development Parcel:

1. Each component lot must be located wholly or partially within the Central Square Overlay District. The special permit application shall include ownership certificates for each component lot.
2. Except where explicitly allowed otherwise under the provisions of this Section 20.300, the zoning regulations for a Central Square Development Parcel shall be determined as they would be for a single lot. Where component lots are located in separate base zoning districts, overlay zoning districts or overlay subdistricts, the limitations of those districts shall apply separately to the portions of the Central Square Development Parcel that lie within those districts.
3. In no case shall a coordinated development result in any increase in the permitted Floor Area Ratio or height of any portion of a Central Square Development Parcel located within the Neighborhood Edge Subdistrict.

4. The Transfer of Development Rights (TDR) provisions may be applied to component lots within a Central Square Development Parcel pursuant to the requirements set forth in Section 20.308 below.

20.307.3 Phasing. A special permit authorizing development on a Central Square Development Parcel shall include conditions with regard to the approved phasing of development that may occur on separate lots and at different times, in order to provide appropriate assurances that the development shall be carried out to completion as stipulated in the approved special permit.

20.307.4 Disaggregation. Concurrent with or subsequent to the approval of a special permit authorizing development on a Central Square Development Parcel, the Planning Board may issue a special permit stipulating the conditions by which the provisions of such special permit may be disaggregated and applied separately to different component lots within the Central Square Development Parcel. The purpose of this provision is to allow a process by which the rights and responsibilities of different ownership interests could be clarified if the Central Square Development Parcel is divided and sold to separate ownership interests in the future.

Create New Definition in Article 2.000 – Definitions:

Central Square Development Parcel. A combination of two or more lots which may be non-contiguous, notwithstanding the definition of lot in Article 2.000, which are each entirely or partially located within the Central Square Overlay District, designated for the purpose of seeking a special permit from the Planning Board for comprehensive development across all lots according to the requirements set forth in Section 20.307 of this Zoning Ordinance.

20.308 Transfer of Development Rights (TDR). The transfer of development rights (TDR) from one or more Donating Lots to one or more Receiving Lots, which may be non-contiguous, notwithstanding the definition of Lot in Article 2.000 and other customary restrictions that may be found elsewhere in this Ordinance, shall be permitted in the Central Square Overlay District by special permit from the Planning Board subject to the procedures and limitations set forth in Article 21.000 of this Zoning Ordinance and the further restrictions and limitations set forth in this Section.

Transfer of Development Rights (TDR) provisions would provide additional capabilities for development rights to be “traded” among lots that could be developed at different times. The TDR procedures have previously been established in Article 21.000 of the Ordinance.

The basic objectives would be the same as in the section above:

- Lower density in and adjacent to low-density residential neighborhoods
- Protection of historic buildings
- Improve housing production in areas within the core of Central Square and Osborn Triangle

20.308.1 *Objectives.* In granting a special permit authorizing TDR, the Planning Board shall make a determination that the proposal is consistent with the Standards for Issuance of a Special Permit as set forth in Section 20.305, and that it specifically addresses the following objectives:

1. To create new housing units in the Central Square Overlay District serving households of a variety of sizes, types and incomes.
2. To reduce the density of development adjacent to the residential neighborhoods at the edge of the District by providing open space or building forms that are compatible with existing neighborhood development.
3. To facilitate the retention and encourage the upgrading of historic structures throughout the District.
4. To create opportunities for improved site design and planning through coordinated and phased development of contiguous and non-contiguous lots in common or separate ownership.

20.308.2 *Provisions and Limitations.* In addition to those restrictions and limitations set forth in Section 20.10, the following limitations shall apply to the transfer of development rights in the Central Square Overlay District:

1. *Donating Lots.* Any lot or portion of a lot within the Central Square Overlay District may be considered a Donating Lot, as such term is used in Section 21.10.
2. *Receiving Lots.* Any lot or portion of a lot within the Heart of Central Square Subdistrict or the Osborn Triangle Subdistrict may be considered a Receiving Lot, as such term is used in Section 21.10. Any lot or portion of a lot within the Neighborhood Edge Subdistrict shall not be a Receiving Lot.
3. *Central Square Development Parcel.* An aggregation of Donating and Receiving Lots may be treated as a Central Square Development Parcel, as set forth in Section 20.307 above, for the purpose of determining applicable zoning requirements and standards and for the purpose of consolidating the applicable findings and conditions for a Central Square

- Development Parcel into a single special permit rather than separate special permits for each Donating and Receiving Lot.
4. The authorization of TDR by special permit shall allow the Gross Floor Area permitted on a Receiving Lot to be increased above that normally permitted in the base zoning district, as modified by the FAR provisions of Section 20.304.3, so long as the Gross Floor Area permitted on a Donating Lot is commensurately decreased, and the total limitations on Gross Floor Area aggregated across all Donating and Receiving lots are not exceeded.
 5. The Gross Floor Area transferred to a Receiving Lot may be for residential or non-residential uses, provided that such uses are permitted on that Receiving Lot under base zoning regulations as they may be modified by the provisions of this Section 20.300, and further provided that the limitations on total residential and non-residential Gross Floor Area are not violated when aggregated across all Donating and Receiving lots.
 6. In issuing a TDR special permit, the Planning Board may authorize the permitted height for residential uses on a Receiving Lot to be increased by up to twenty (20) feet, provided that such additional height is located wholly within the Heart of Central Square Subdistrict or the Osborn Triangle Subdistrict, and the Bulk Control provisions in 20,304.2(3) are met.
 7. Except where explicitly stated otherwise in this Section 20.308.2, the dimensional requirements of the base zoning district, as modified by the provisions of this Section 20.300, shall apply to any Donating or Receiving Lot.
 8. In the event that a TDR special permit authorizes the removal of all permitted development on a Donating Lot, such Donating Lot may be used in only one of the following ways:
 - (a) The Donating Lot may be landscaped as Green Area Open Space, which may be for public or private use.
 - (b) With the approval of the Planning Board, the Donating Lot may be developed as dwelling units meeting the definition of Middle Income Housing Units as set forth in Section 20.304.8 or Affordable Units as set forth in Section 11.200. The Gross Floor Area of such development shall not count against the Gross Floor Area that may be transferred to a Receiving Lot, subject to the following conditions:

- (i) All development on such lot shall confirm to the base zoning district requirements, including FAR limitations.
- (ii) The Inclusionary Housing provisions set forth in Section 11.200 shall not apply to such lot, and no dwelling units developed on such lot may be counted to satisfy the Inclusionary Housing requirements generated by other development elsewhere in the City.
- (iii) If the units developed on such lot meet the standards for Middle Income Housing Units as set forth in Section 20.304.8, then the Gross Floor Area of such development may be counted to satisfy part or all of the Middle Income Housing Requirements generated by other development in the Central Square Overlay District, subject to Planning Board approval.
- (iv) Prior to issuance of a building permit for any development subject to a TDR special permit proposing application of this Paragraph (b), the perpetual use of the Donating Lot exclusively for Affordable or Middle Income Units shall be guaranteed by means of covenants or other legal mechanisms approved by the Affordable Housing Trust.

Create New Section in Article 21.000 – Transfer of Development Rights Regulations:

21.50 CENTRAL SQUARE OVERLAY DISTRICT

Transfer of Development Rights according to the general provisions of Section 21.10 shall be permitted in the Central Square Overlay District, as such District is established on the City of Cambridge Zoning Map, subject to the granting of a special permit by the Planning Board, and pursuant to the requirements set forth in Section 20.300 of this Zoning Ordinance for the Central Square Overlay District. The specific objectives and limitations for approval of Transfer of Development Rights in the Central Square Overlay District are set forth in Section 20.307.