

Requested Special Permits	Required Planning Board Findings <i>(Summary - see appendix for zoning text excerpts)</i>
Project Review Special Permit (Section 19.20)	<ul style="list-style-type: none"> • The project will have no substantial adverse impact on city traffic within the study area, upon review of the traffic impact indicators analyzed in the Transportation Impact Study and mitigation efforts proposed. • The project is consistent with the urban design objectives of the City as set forth in Section 19.30.
Exemption of Required Green Roof Area (Section 22.35.3)	The Planning Board may grant a special permit to reduce the required Green Roof Area, Biosolar Green Roof Area, or Solar Energy System below the area required by Section 22.35.2, provided that each square foot so reduced be compensated by a unit price contribution to the Cambridge Affordable Housing Trust.
Increase FAR, additional FAR for public improvements, and increase building height in Alewife Overlay Districts (Sections 20.95.1, 20.95.11, 20.95.2)	<p>The project promotes the general interests of the larger commercial and residential neighborhood noted in Section 20.92 and is consistent with the goals, objectives and guidelines established in the Concord Alewife Plan. For granting of additional FAR for development that incorporates or provides the following improvements or property interests that are determined to be sufficient to significantly advance the objectives of the Concord-Alewife Plan.</p> <ul style="list-style-type: none"> • Conveyance of fee or easement property interests to the City of Cambridge (in a form acceptable to the City) to permit the future construction of roadway segments, pedestrian paths, the pedestrian bridge referenced above in Paragraph 1, public parks and other publicly accessible open space and recreation features consistent with the Concord-Alewife Plan, which segment, path, park or open space is identified on the maps entitled Priority Infrastructure Plan and Additional Infrastructure Plan or is otherwise identified by the Planning Board at another location and determined by the Board to be of equal value and consistent with those elements identified on the Map and the objectives set forth in the Plan.
Flood Plain Special Permit (Section 20.70)	<ul style="list-style-type: none"> • No encroachment of the floodway or displacement of water retention capacity is allowed unless fully offset. • Flood water systems shall not cause nuisance, hazard or detriment to site or abutters. • Development is consistent with zoning, area plans and guidelines, and applicable laws including Wetlands Protection Act.

Requested Special Permits	Required Planning Board Findings <i>(Summary - see appendix for zoning text excerpts)</i>
	<ul style="list-style-type: none"> • Review by the City Engineer and Conservation Commission are required.
Reduction in Minimum Number of Parking Spaces (Section 6.35.1)	<p>Lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood; or will provide positive environmental or other benefits to the users of the lot and the neighborhood, including assisting in provision of affordable housing units.</p>
General Special Permit Criteria (Section 10.43)	<p>Special permits will be normally granted if the zoning requirements are met, unless it is found not to be in the public interest due to one of the criteria enumerated in Section 10.43:</p> <ul style="list-style-type: none"> (a) It appears that requirements of this Ordinance cannot or will not be met, or (b) traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or (c) the continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use, or (d) nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City, or (e) for other reasons, the proposed use would impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this Ordinance, and (f) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.

Concord-Alewife Plan Goals for Quadrangle (intended to provide general guidance)

- Create appropriate transitions between the Highlands and nonresidential uses in the Quadrangle by introducing a green buffer and allowing lower densities and heights near the Highlands.
- Create a public space that serves a stormwater function as well as being an open space resource.
- Increase the amount of permeable surface in the Quadrangle as the area redevelops.
- Encourage future development to respond to stormwater goals for the area.
- Create a hierarchy of boulevards, avenues, streets, and pathways.
- Design new public spaces and places that support a range of community-focused activities.
- Improve traffic circulation within the Quadrangle by enhancing existing roads and adding new ones—without creating a direct vehicular connection to the Highlands.
- Improve the streetscape within the Quadrangle to enhance the pedestrian and bicycle environment.
- Strengthen pedestrian/bicycle access to Alewife Station to improve connections to transit and to the Minuteman Path and Linear Park.

Concord-Alewife Design Guidelines – Areawide & Quadrangle (intended to provide general guidance)

- Break up large blocks into smaller blocks, of sizes similar to those in surrounding Cambridge neighborhoods.
- Vary the design of individual buildings to create an architecturally diverse district.
- Street level facades should include active uses such as frequent residential entrances with setbacks for stoops and porches; neighborhood-serving retail including shops, restaurants, cafes; services for public or commercial offices; and community spaces.
- Encourage awnings/ canopies to provide shelter and enliven ground-floor façades.
- Utilize low impact development principles in building and site design.
- Use site design that preserves future rights-of-way identified in the Circulation Concept Plan.
- Improve existing streets to meet City standards, including streetscape improvements.
- Strengthen bicycle and pedestrian links to adjacent areas. Provide links that strengthen physical and visual connections to open space resources.
- Screen service areas from major streets.
- Parking below-grade is preferred. If above-grade parking is provided, it should be designed so that it is not visible from nearby residential neighborhoods, public streets and pathways; line structured parking with active uses (shops, cafes, lobbies) along important public ways.
- Design and locate lighting and signage in support of the district’s pedestrian-friendly quality.
- Use site design to minimize shadows on other buildings or on public streets, open spaces, parks, and plazas.
- Use streetscape and other improvements to define Wilson Road as part of a major east-west connection through the Quadrangle.
- Create an open-space system characterized by parks and green spaces of varying scales and uses.
- Use pooled resources to create a new central public open space in the Quadrangle that incorporates stormwater management.
- Locate active uses around the future open space to create a safe and active environment throughout the day and evening.
- Provide pedestrian links to strengthen physical connections to the shopping center.
- Create building height/façade setbacks between 85’ and 105’.
- Provide pedestrian links to strengthen connections to Fresh Pond Reservation, consistent with the Fresh Pond Master Plan.
- Strengthen the streetscape and other improvements to define Concord Avenue.

- Locate new development to allow for a future above-grade crossing between the Triangle and the Quadrangle.

Project Review Special Permit – Traffic Impact Findings

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

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

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

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

Project Review Special Permit – Urban Design Findings

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

19.30 Citywide Urban Design Objectives

The following urban design objectives are intended to provide guidance to property owners and the general public as to the city's policies with regard to the form and character desirable for new development in the city. It is understood that application of these principles can vary with the context of specific building proposals in ways that, nevertheless, fully respect the policies' intent. It is intended that proponents of projects, and city staff, the Planning Board and the general public, where public review or approval is required, should be open to creative variations from the detailed provisions presented in this Section as long as the core values expressed are being served. A project need not meet all the objectives of this Section 19.30 where this Section serves as the basis for issuance of a special permit. Rather the permit granting authority shall find that on balance the objectives of the city are being served. Nor shall a project subject to special permit review be required to conform to the Required Building and Site Plan Requirements set forth in Section 19.50.

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

19.30 Citywide Urban Design Objectives [SUMMARIZED]

Objective	Indicators
New projects should be responsive to the existing or anticipated pattern of development.	<ul style="list-style-type: none"> • Transition to lower-scale neighborhoods • Consistency with established streetscape • Compatibility with adjacent uses • Consideration of nearby historic buildings
Development should be pedestrian and bicycle-friendly, with a positive relationship to its surroundings.	<ul style="list-style-type: none"> • Inhabited ground floor spaces • Discouraged ground-floor parking • Windows on ground floor • Orienting entries to pedestrian pathways • Safe and convenient bicycle and pedestrian access
The building and site design should mitigate adverse environmental impacts of a development upon its neighbors.	<ul style="list-style-type: none"> • Location/impact of mechanical equipment • Location/impact of loading and trash handling • Stormwater management • Shadow impacts • Retaining walls, if provided • Building scale and wall treatment • Outdoor lighting • Tree protection (requires plan approved by City Arborist)
Projects should not overburden the City infrastructure services, including neighborhood roads, city water supply system, and sewer system.	<ul style="list-style-type: none"> • Water-conserving plumbing, stormwater management • Capacity/condition of water and wastewater service • Efficient design (LEED standards)
New construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically.	<ul style="list-style-type: none"> • Institutional use focused on existing campuses • Mixed-use development (including retail) encouraged where allowed • Preservation of historic structures and environment • Provision of space for start-up companies, manufacturing activities
Expansion of the inventory of housing in the city is encouraged.	<ul style="list-style-type: none"> • Housing as a component of large, multi-building development • Affordable units exceeding zoning requirements, targeting units for middle-income families
Enhancement and expansion of open space amenities in the city should be incorporated into new development in the city.	<ul style="list-style-type: none"> • Publicly beneficial open space provided in large-parcel commercial development • Enhance/expand existing open space, complement existing pedestrian/bicycle networks • Provide wider range of activities

Special Permits to Increase FAR, Additional FAR for Public Improvements, and Increase Building Height in Alewife Overlay Districts

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

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

1. Encourage forms of development, mix of uses, and range of improvements that will facilitate and encourage walking, biking and transit use and reduce the growth of auto trips in an area already burdened with regional vehicular traffic passing through to other destinations in the metropolitan region;
2. Preserve and enhance the capacity to store floodwater, recharge groundwater and manage the collection and disposal of stormwater in ways that add to the quality and visual appeal of the built environment as well as to the quality of the water itself;
3. Minimize the negative impact of new development on the adjacent Cambridge Highlands residential neighborhood while introducing new amenities and services that will benefit the residents of that neighborhood;
4. Integrate the entire area through the creation of new pedestrian paths, roadways, green spaces and bridges that will facilitate movement within the several Districts and beyond to the Cambridge Highlands, North Cambridge and Neighborhood Nine neighborhoods and the Fresh Pond Reservation;
5. Introduce a significant component of residential living and support retail services to enhance the area's appeal for all persons who come to work, shop as well as live within the Districts; and
6. Create an identity and sense of place for the Alewife Districts that parallels the development of the historic urban centers that characterize much of Cambridge.

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

2. Quadrangle Northeast District: 1.5 for all uses

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

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

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

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

2. Quadrangle Northeast District: 70 feet for all uses.

Special Permit for Green Roof Reduction

22.35.3 *Exemption.* The Planning Board may grant a special permit to reduce the required Green Roof Area, Biosolar Green Roof Area, or Solar Energy System below the area required by Section 22.35.2, provided that each square foot so reduced be compensated by a unit price contribution to the Cambridge Affordable Housing Trust. This unit price shall be determined based on the average costs to design, install, and maintain green roofs and rooftop solar energy systems in Cambridge using actual cost figures to the extent possible, shall be subject to annual adjustment based on standard construction cost indices, and shall be calculated, and recalculated approximately every three years, by the Cambridge Community Development Department. All such funds contributed to the Trust shall be dedicated to the design and incorporation of Green Roof Area, Biosolar Green Roof Area, or Solar Energy Systems into new or existing affordable housing developments.

Special Permit for Building Construction in Flood Plain Overlay District

- 20.73** *Applicability.* No structure or building shall be erected, constructed, expanded, substantially improved, or moved and no earth or other materials shall be dumped, filled, excavated, transferred or otherwise altered in the Flood Plain Overlay District unless a special permit is granted by the Planning Board.
- 20.74** *Procedure.* Application for a special permit shall be made on a form prescribed by the Board. In addition to the information required for the submittal, the applicant shall also present the following:
1. A detailed landscape plan drawn to a scale of one inch equals twenty (20) feet showing the elevation and design of flood water retention systems as required by applicable law;
 2. Base flood elevation data, where the base flood elevation is not provided on the FIRM;
 3. Certification and supporting documentation by a Massachusetts registered professional engineer demonstrating that such encroachment of the floodway as specified above in Subsection 20.73 shall not result in any increase in flood levels during the occurrence of the 100-year flood;
 4. Such other technical information as necessary to permit the Planning Board to make the findings required in Section 20.75 below;
 5. Description of the status of the proposal, pursuant to the requirements of the Massachusetts Wetlands Protection Act, before the Cambridge Conservation Commission, including any Order of Conditions or Determination of Applicability issued; and
 6. Four (4) copies of all application materials.
- 20.74.1** Upon receipt of the application and development plans, the Planning Board shall transmit copies of the plans to the Conservation Commission and the City Engineer. Within forty-five (45) days of receipt of the plans, the Conservation Commission and the City Engineer shall review said plans and submit their respective reports and recommendations to the Planning Board. The Planning Board shall not render any decision on an application for a special permit for development in the Flood Plain Overlay District until said reports have been received and considered or until the forty-five (45) day period has expired without the receipt of such report, whichever is earlier.
- 20.75** *Criteria.* The Planning Board shall grant a Special Permit for development in the Flood Plain Overlay District if the Board finds that such development has met all of the following criteria in addition to other criteria specified in Section 10.43:
1. No filling or other encroachment shall be allowed in Zone A areas or in the floodway which would impair the ability of these Special Flood Hazard Areas to carry and discharge flood waters, except where such activity is fully offset by stream improvements such as, but not limited to, flood water retention systems as allowed by applicable law.
 2. Displacement of water retention capacity at one location shall be replaced in equal volume at another location on the same lot, on an abutting lot in the same ownership, on a noncontiguous lot in the same ownership, or in accordance with the following requirements.
 3. All flood water retention systems shall be suitably designed and located so as not to cause any nuisance, hazard, or detriment to the occupants of the site or abutters. The Planning Board may require screening, or landscaping of flood water retention systems to create a safe, healthful, and pleasing environment.

4. The proposed use shall comply in all respects with the provision of the underlying zoning district, provisions of the State Building Code, Wetlands Protection Act, and any other applicable laws.
5. Applicants for development in the Alewife area shall be familiar with area-specific and general city-wide land use plans and policy objectives (e.g. *Concord-Alewife Plan, A Report of the Concord Alewife Planning Study*, November 2005; *Toward a Sustainable Future, Cambridge Growth Policy, 1993, Update, 2007*; Section 19.30 - Urban Design Objectives of this Zoning Ordinance) and shall demonstrate how their plan meets the spirit and intent of such documents in conjunction with the requirements of this Section 20.70 - Flood Plain Overlay District and Section 20.90 – Alewife Overlay Districts 1-6.
6. The requirement of Section 20.74(3) has been met.

Special Permit for Reduction of Required Parking

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

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

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

- (4) Age or other occupancy restrictions which are likely to result in a lower level of auto usage; and
- (5) Impact of the parking requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, significant negative impact on the historic resources on the lot, impairment of the urban design objectives of the city as set forth in Section 19.30 of the Zoning Ordinance, or loss of pedestrian amenities along public ways.
- (6) The provision of required parking for developments containing affordable housing units, and especially for developments employing the increased FAR and Dwelling unit density provisions of Section 11.200, will increase the cost of the development, will require variance relief from other zoning requirements applicable to the development because of limitations of space on the lot, or will significantly diminish the environmental quality for all residents of the development.

General Criteria for Issuance of a Special Permit

- 10.43** *Criteria.* Special permits will normally be granted where specific provisions of this Ordinance are met, except when particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public interest because:
- (a) It appears that requirements of this Ordinance cannot or will not be met, or
 - (b) traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or
 - (c) the continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use, or
 - (d) nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City, or
 - (g) for other reasons, the proposed use would impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this Ordinance, and
 - (h) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.