

To: Planning Board; Community Development Department  
From: Anthony Galluccio, Esq. and Emma Rothfeld Yashar, Esq.  
Date: April 23, 2015  
Re: Mass + Main (Normandy/Twining) Zoning Petition – Summary of Revised Zoning Text

This memo summarizes the revisions to the above referenced zoning petition (the “Petition”) in response to the memo from Jeff Roberts dated January 20, 2015, subsequent public responses by the Mass + Main team, and as a result of numerous comments by PB members, staff, elected officials and the community. This revised zoning is attached hereto for your review and is intended to be a comprehensive approach to zoning, design guidelines and community benefits. We have met numerous times with Community Development Department staff to revise and refine the Petition and are grateful for their significant input. It is our hope that this collaborative effort will result in a productive Planning Board hearing on April 28th and we look forward to that discussion.

The attached redline shows proposed changes from the Petition as originally submitted in November. These changes are briefly summarized as follows:

1. The Petition is now more clearly constructed as a sub-district within the Central Square Overlay District, with language clarifying the status and treatment of the few split lots along Bishop Allen Drive.
2. References to Central Square planning documents have been streamlined and updated.
3. The two “Height Areas” have been clarified and we have revised the map to show this more clearly.
4. Language has been added to clarify that an Article 19.000 Project Review Special Permit will apply within the sub-district and that other special permits will be available only as specifically provided elsewhere in zoning (e.g. Article 6.000).
5. The Petition now clarifies that no FAR bumps are permitted in the Bishop Allen Drive Residential Support Zone and that no further FAR bumps are available to Residential Mixed Income Projects – 6.5 is the maximum FAR and it is available only in the Mass Ave Residential Zone.
6. The Petition limits the use of tandem parking spaces to 25% of total parking for a Residential Mixed Income Project.
7. The Petition now includes a maximum floor plate size of 10,000 square feet for portions of buildings exceeding 80 feet in height.

8. The Petition now requires that Residential Mixed Income Projects comply with open space requirements applicable in a Residence C-3 district, allowing projects to meet this requirement for Private Open Space with any combination of Private Open Space and pedestrian amenities open for public use such as a pedestrian plaza or arcade.
9. Parking ratios are now specifically tied to the Central Square Study recommendations.
10. The Petition now includes a requirement for a minimum number of parking spaces for carsharing organizations such as Zipcar, with incentives for additional carsharing spaces.
11. The Petition clarifies the applicability of certain loading and bicycle parking requirements to a site that may not be contiguous.
12. The Petition requires a minimum of 17% Affordable Units for low/moderate income households and 3% middle income units, as well as 10% 3-bedroom units.
13. The Petition limits non-retail uses to only 30% of the ground floor frontage along Mass Ave and Main Street and requires that a compliant retail plan be submitted to the Community Development Department for approval prior to issuance of a Certificate of Occupancy.
14. The Petition includes incentives for smaller retail spaces in an additional effort to promote local and independent retail.
15. The Petition requires LEED Gold.
16. The Petition now references Central Square Design Guidelines, which the Board will use to assess a project's conformance with project review criteria.
17. We are working with Community Development Department Staff to develop language that will promote the future activation of the street edge along Bishop Allen Drive for residential purposes. The attached draft contains a placeholder and we hope to have something for staff review in the coming days.

## Zoning Petition

The undersigned, owners of land to be affected by this petition, hereby petition the Cambridge City Council to see if the City Council will vote to amend Article 20.000 of the Zoning Ordinance of the City of Cambridge to create the Mass and Main Residential Mixed Income Subdistrict within the Central Square Overlay District by adding a new Section ~~20.800~~20.307 and accompanying Map ~~20.800~~20.307 to said Zoning Ordinance as follows:

~~20.800~~20.307                    **Mass and Main Residential Mixed Income Subdistrict**

~~20.801~~20.307.1                **Establishment and Scope.**

There is hereby established within the Central Square Overlay District (and including the rear portions of certain split lots that are partially located with the Central Square Overlay District), the Mass and Main Residential Mixed Income Subdistrict which shall be governed by the regulations and procedures specified in this Section ~~20.800~~20.307. These regulations are intended to provide incentives for residential development and provide a transition between the character, uses and scale of Kendall Square, as well as the adjacent Cambridgeport Revitalization Development District, and provide a transition to the abutting residential districts behind Bishop Allen Drive. The subdistrict is within the City's ~~C~~Central Square (C2) Study area and adoption of this Section ~~20.800~~20.307 follows extensive planning efforts to encourage residential and ground-floor retail uses and transit-oriented development. The ~~C-2~~Central Square Study expands on past zoning changes in industrial and commercial zones to encourage ~~residential~~ housing by offering greater density to incentivize the creation of ~~residential buffers~~buffer zones for existing residential neighborhoods adjacent to Central Square. The Mass and Main Residential Mixed Income Subdistrict will also enable the City to respond to the 2014 Central Square Customer Survey by supporting vibrant ground-floor retail and active retail uses at this key intersection in Central Square, adjacent to mass transit. It is the intent of this Section that these regulations will apply to a single area located at the intersection of Main Street and Massachusetts Avenue and bounded and described in Section ~~20.802~~20.307.2 below. The Mass and Main Residential Mixed Income Subdistrict will further the objectives of the ~~C-2~~Central Square Study findings and other planning studies completed by the City for the Central Square area by encouraging ~~residential~~ housing and requiring both low- and moderate-income affordable housing in amounts above those required by the City's inclusionary housing requirements in Section 11.200.

~~20.802~~20.307.2 **Boundaries of the District.**

The Mass and Main Residential Mixed Income Subdistrict shall be bounded as shown on Map ~~20.800~~20.307 and shall include two zones: the Mass Ave Residential Zone and the Bishop Allen Drive Residential Support Zone. The Mass and Main Residential Mixed Income Subdistrict includes lots located within the Business B and Business A base zoning districts, with portions of some lots located within the Residence C-1 district (and not included in the Central Square Overlay District) included in this subdistrict for purposes of clarity with respect to the treatment of these split lots.

The Mass Ave Residential Zone contains the Mass Ave Height Area and the Columbia/Douglass Street Height Area and affects lots or portions of lots as shown on:

Mass Ave Height Area

Assessors Plat #~~4773~~4772 and Map 91, Lot ~~191~~190,

Assessors Plat #~~4772~~4776 and Map 91, Lot ~~190~~195 (the portion of such lot containing Coolidge Place),

Assessors Plat #4759 and Map 91, Lot 111,

Assessors Plat #4752 and Map 91, Lot 102, and

Assessors Plat #4715 and Map 91, Lot 53~~7~~.

Columbia/Douglass Street Height Area

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Assessors Plat #4714 and Map 91, Lot 52,

Assessors Plat #4777 and Map 91, Lot 199,

Assessors Plat #4758 and Map 91, Lot 108,

Assessors Plat #4767 and Map 91, Lot 180,

Assessors Plat #4768 and Map 91, Lot 181,

Assessors Plat #4775 and Map 91, Lot 194, and

Assessors Plat #4774 and Map 91, Lot 192, ~~and~~.

~~Assessors Plat #4776 and Map 91, Lot 195 (the portion of such lot containing Coolidge Place).~~

The Bishop Allen Drive Residential Support Zone affects lots or portions of lots as shown on:

Assessors Plat #4750 and Map, 91, Lot 98,

Assessors Plat #4751 and Map 91, Lot 99,

Assessors Plat #4732 and Map 91, Lot 81,

Assessors Plat #4763 and Map 91, Lot 119, and

Assessors Plat #4710 and Map 91, Lot 23.

~~20.800~~20.307.3 **Applicability.**

The Mass and Main Residential Mixed Income Subdistrict shall be an overlay subdistrict on the zoning map established by Section 3.20. Within the Mass and Main Residential Mixed Income Subdistrict, there shall be two zones as shown on the map attached hereto as Map ~~20.800~~20.307: the Mass Ave Residential Zone and the Bishop Allen Drive Residential Support Zone. Except as otherwise noted herein, the provisions of this Section ~~20.800~~20.307 shall apply to both zones within the subdistrict.

~~For any lot within the Mass and Main Residential Mixed Income Subdistrict, a developer may choose to conform either to all of the controls which govern the base district (including, where applicable, the Central Square Overlay District) or, in the alternative, to all of the subdistrict controls set forth in this Section.~~

For developers electing to conform to the provisions of this subdistrict, any such project shall be referred to herein as a “Residential Mixed Income ~~Incentive~~ Project” and, notwithstanding ~~the provisions of the Central Square Overlay District or any~~ other provisions of the Ordinance, the use, dimensional, open space, parking, loading and inclusionary housing requirements applicable to a Residential Mixed Income ~~Incentive~~ Project shall be as set forth in this Section ~~20.800~~20.307. Divergence from the standards established in this Section may be allowed only by issuance of a Special Permit by the Planning Board as ~~specified in~~specifically allowed pursuant to applicable special permit provisions set forth elsewhere in the Ordinance, including the provisions of Section 10.40.

The Board may grant such a [special](#) permit upon its determination that the development proposed will better serve the objectives of this Section ~~20.800~~[20.307](#) and that the criteria specified in Section 10.43 will be satisfied, [along with any specific criteria applicable to that special permit](#). A Residential Mixed Income ~~Incentive~~ Project may contain more than one building constructed as part of a common scheme of development [or phased development program](#).

#### ~~20.804~~[20.307.4](#) Review Process.

~~The Mass and Main Residential Mixed Income Subdistrict shall be considered an area of special planning concern. Development proposals listed in Subsections 19.42 and 19.43, Development Consultation Procedures, shall be subject to the Development Consultation Procedures specified in Section 19.40 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 Section 20.304.1.~~

[As part of the Central Square Overlay District, the Mass and Main Residential Mixed Income Subdistrict shall be considered an area of special planning concern and, in addition to the development review procedures set forth in Article 19.000, shall be subject to the development review procedures as specified in Section 20.304.1.](#)

#### ~~20.805~~[20.307.5](#) Use Regulations.

Use regulations of the applicable base zoning designation shall apply to each lot within the Mass and Main Residential Mixed Income Subdistrict, [except that Carsharing Spaces provided pursuant to Section 20.307.7 below shall be deemed to be a permitted use](#). Notwithstanding anything to the contrary contained in the Ordinance, in addition to the uses permitted in the applicable base district, lots within the Mass and Main Residential ~~Overlay District~~[Mixed Income Subdistrict](#) may be used as accessory parking for any other lot within the ~~overlay district~~[subdistrict](#), subject to the requirements set forth in Section ~~20.806.5~~[20.307.7](#) below.

#### ~~20.806~~[20.307.6](#) Dimensional Standards.

~~20.806.1~~[20.307.6.1](#) **Floor Area Ratio.** The maximum floor area ratio permitted in the Mass and Main Residential Mixed Income Subdistrict shall be the same as permitted in the applicable base zoning district, except ~~as~~[that the maximum floor area ratio applicable to Residential Mixed Income Projects within the Mass Ave Residential Zone shall be 6.5, provided that no increases in development otherwise permitted under this Zoning Ordinance shall cause the FAR on a lot to exceed 6.5, and further subject to compliance with the affordability and unit mix requirements set forth in Section 20.807 below. Notwithstanding the foregoing](#)[20.307.8 below. Additionally, notwithstanding anything to the contrary contained in this Zoning Ordinance, the floor area ratio applicable to residential uses shall apply to and include any retail space included within a Residential Mixed Income ~~Incentive Project~~Project, subject to the exemption for retail spaces less than 1,500 square feet set forth in Section 20.307.10.6 below, such that the provisions of Section 5.30.12 shall not be applicable to Residential Mixed Income ~~Incentive~~Projects within the Mass and Main Residential Mixed Income Subdistrict- \(i.e. the same floor area ratio will apply to both residential and retail space within a Residential Mixed Income Project\).](#)

**~~20.806.2~~20.307.6.2 Maximum Height.** The maximum height permitted in the Mass and Main Residential Mixed Income Subdistrict ~~for a Residential Mixed Income Incentive Project~~ shall be the same as permitted in the applicable base zoning district, except as follows:

- a. Within the area shown as the “Mass Ave Height ~~Zone~~Area” on Map ~~20.800~~20.307, building heights up to 195 feet shall be permitted for a Residential Mixed Income ~~Incentive~~ Project, provided that only one building within such zone may exceed 80 feet and provided further that buildings in a Residential Mixed Income Project will be restricted to a floor plate size of 10,000 square feet above 80 feet in height.
- b. Within the area shown as the “Columbia/Douglass Street Height ~~Zone~~Area” on Map ~~20.800~~20.307, building heights up to 70 feet shall be permitted for a Residential Mixed Income ~~Incentive Project without the need for a special permit for additional height pursuant to Section 20.304.2, provided that no building permitted under this Section 20.806.2 shall exceed 70 feet in height~~Project.

**~~20.806.3~~20.307.6.3 Minimum Yards.** Minimum yard requirements in the Mass and Main Residential Mixed Income Subdistrict shall be the same as required in the applicable base zoning district. Notwithstanding any other provisions in the Ordinance, including without limitation the provisions of Section 5.28.1(c) (which applies the dimensional standards of a Residence C-3 district to dwellings in a Business B district), the minimum yard requirements for non-residential uses in the Business B zoning district shall apply to all Residential Mixed Income ~~Incentive~~ Projects within the Business B district.

**~~20.806.4~~20.307.6.4 Private Open Space.** Open space requirements in the Mass and Main Residential Mixed Income Subdistrict shall be the same as required in the applicable base zoning district. ~~Notwithstanding any other provisions in the Ordinance,~~ including without limitation the provisions of Section 5.28.1(c), ~~the minimum private open space required for the Business B zoning district shall apply to all Residential Mixed Income Incentive Projects within the Business B district.~~ (which applies the dimensional standards of a Residence C-3 district to dwellings in a Business B district), provided that the applicable Private Open Space requirement under Article 5.000 may be satisfied with any combination of Private Open Space and pedestrian amenities open to the public such as a pedestrian plaza or arcade.

**~~20.806.5~~20.307.7 Required Parking.**

Required parking and loading in the Mass and Main Residential Mixed Income Subdistrict shall be as required in the applicable base zoning district, including without limitation Article 6.000, except as follows:

- a. Notwithstanding any other provisions in the Ordinance, including without limitation the provisions of Section 6.36, the minimum required parking for Residential Mixed Income ~~Incentive~~ Projects in the Mass and Main Residential Mixed Income Subdistrict shall be 0.70.5 parking spaces per residential unit (not including any Innovation Units, which shall be limited to 5% of the units as described in Section ~~20.808~~20.307.9 and for which no dedicated parking shall be permitted) and shall be further subject to waiver/reduction in accordance with the provisions of Section 20.304.6 and Article 6.000. The maximum

- permitted parking for Residential Mixed Income Projects in the Mass and Main Residential Mixed Income Subdistrict shall be 0.75 parking spaces per residential unit.
- b. No separate off-street parking shall be required for ground-floor retail uses in a Residential Mixed Income ~~Incentive~~ Project.
  - c. Accessory off-street parking facilities for a Residential Mixed Income ~~Incentive~~ Project may be located on the same lot as the use being served or on another lot within the ~~Mass and Main Residential Mixed Income Subdistrict~~ Central Square Overlay District, in accordance with the following conditions:
    1. said other lot is contiguous to the lot on which the use being served is located; or
    2. said other lot is within four hundred (400) feet of the lot on which the use being served is located.
  - d. A Residential Mixed Income Project shall provide, at a minimum, one (1) parking space for every 100 residential units that shall be dedicated for use by a carsharing organization (such as ZipCar or other similar program) (each such parking space will be referred to herein as a "Carsharing Space"). Each Carsharing Space within a Residential Mixed Income Project shall allow the required number of residential parking spaces to be reduced by five (5) spaces, up to a maximum of one (1) Carsharing Space for every thirty (30) residential units in a Residential Mixed Income Project.
  - e. Loading bays, drives, and a maneuvering space for a Residential Mixed Income Project may be located entirely on the lot or adjacent easement areas with immediate and direct ingress to the building intended to be served.
  - f. ~~The design and layout of off street parking and loading facilities within the Mass and Main Residential Mixed Income Subdistrict shall be consistent with the requirements of Article 6.000, except as may be permitted pursuant to Large Project Review. Notwithstanding the foregoing, any~~ Any tandem parking spaces for two vehicles shall count as two parking spaces within the Mass and Main Residential Mixed Income Subdistrict if such spaces are accessory to a Residential Mixed Income Project, provided that such tandem parking spaces may not account for more than twenty-five percent (25%) of the required parking.
  - g. For purposes of Section 6.104.1, the applicable distance for Long-Term Bicycle Parking shall be measured from the lot line of the lot on which the Long-Term Bicycle Parking is located to the lot line of the lot on which the building or project intended to be served is located.

Any specific special permit provision set forth in Article 6.000 allowing divergence from the standards of Article 6.000 may be applied to a Residential Mixed Income Project. However, any such special permit otherwise granted by the Board of Zoning Appeal may instead be granted by the Planning Board.

**20.807.20.307.8 Affordable Housing and Unit Mix Requirements for Residential Mixed Income Projects**

~~**20.807.1 Minimum Inclusionary Housing Requirements.** Any Residential Mixed Income Incentive Project that qualifies as an Inclusionary Project (as such term is defined in Section 11.200) shall comply with the provisions of Section 11.200 with respect to inclusionary housing for all above-ground gross floor area up to and including the maximum gross floor area (FAR 3.0 in the Business B District) permitted pursuant to the base zoning, including without limitation the modification to the~~

~~allowable FAR (30% increase) set forth in Section 11.203.2(b) (the “Base Inclusionary FAR”); provided, however, that in no event shall fewer than 15% of the units in such Base Inclusionary FAR be Affordable Units for low income households (which shall be an additional 3.5% over the 11.5% effective base zoning requirements for such Base Inclusionary FAR).~~

~~**20.807.2 New FAR Development Rights.** Any Residential Mixed Income Incentive Project meeting the requirements of this Section 20.807 shall receive an additional FAR bonus of 2.6 (the “Residential Incentive Bonus FAR”) above the base zoning (after applying the modifications to the requirements for FAR as set forth in Section 11.203.2(b)). There shall be no minimum lot area per dwelling unit required for~~**20.307.8.1 Additional Inclusionary Housing Requirements.** ~~The provisions of Section 11.200 in effect as of the date of adoption of this Section 20.307 shall apply to a Residential Mixed Income Incentive Project. In addition to the minimum affordable housing requirements set forth~~However, notwithstanding anything in Section 20.807.1 above 11.200, the Residential Incentive Bonus FAR of a Residential Mixed Income Incentive Project shall comply with not exceed 6.5. Additionally, a Residential Mixed Income Project shall be subject to the following additional requirements that may exceed the requirements of Section 11.200:

- a. ~~**20.807.2.1 Additional Affordable Housing Requirements.** The Residential Incentive Bonus FAR of~~A minimum of seventeen percent (17%) of the total number of units in a Residential Mixed Income Incentive Project shall include, at a minimum, 20% of the units within such Residential Incentive Bonus FAR as be Affordable Units for low and moderate income households earning between eighty percent (80%) and one hundred twenty percent (120%) of the area median income (the “Additional meeting the requirements of Section 11.200 for such Affordable Units”).
- b. A minimum of three percent (3%) of the total number of units in a Residential Mixed Income Project shall be Middle Income Units as defined in Section 20.307.8.2 below.
- c. ~~**20.807.2.2 Minimum Required 3-Bedroom Units.**~~A minimum of ten percent (10%) of the total number of units in a Residential Mixed Income Incentive Project shall be 3-bedroom units.

**20.307.8.2 Definitions.** For purposes of this Section 20.307.8, the following definitions shall apply:

“Middle Income Unit” shall mean a unit for which the rent (including utilities) does not exceed thirty (30) percent of the income of the renting household or for which the mortgage payment (including insurance, utilities and real estate taxes) does not exceed thirty (30) percent of the income of the purchasing household or other standards as may be established pursuant to any city, state or federal housing program designed to assist middle income households, for which the applicable eligible household shall be an Eligible Middle Income Household.

“Eligible Middle Income Household” shall mean any household whose total income does not exceed one hundred twenty percent (120%) of the median income of households in the Boston Standard Metropolitan Statistical Area adjusted for family size, or such other equivalent income standard as may be determined by the Board of Trustees of the Affordable housing Trust as defined in Section 11.201.



In no event shall the combined total number of Affordable Units for low and moderate income households together with the Middle Income Units required in ~~Sections 20.807.1 and 20.807.2~~ Section 20.307.8.1 above be fewer than ~~17~~ twenty percent (20%) of the total number of units in a Residential Mixed Income ~~Incentive~~ Project.

#### ~~20.808~~ 20.307.9 Innovation Housing.

For Residential Mixed Income ~~Incentive~~ Projects ~~containing Residential Incentive Bonus FAR~~, no more than five percent (5%) of the units within such Residential Mixed Income ~~Incentive~~ Project may be devoted for use as Innovation Units.

“Innovation Units” shall be residential units measuring five hundred (500) square feet or less in ~~size~~ gross floor area. Such Innovation Units may include flexible unit layouts, combined living and working spaces, and other design features to increase affordability and communication among residents. Innovation Units provided pursuant to this Section ~~20.808~~ 20.307.9 shall be exempt from the parking requirements of Article 6.00, provided that (i) such Innovation Units shall not be provided with any dedicated parking within the Residential Mixed Income ~~Incentive~~ Project and (ii) the developer of any Residential Mixed Income ~~Incentive~~ Project containing Innovation Units pursuant to this Section ~~20.808~~ 20.307.9 shall include in the residential leases (or other equivalent occupancy agreements) for all such Innovation Units a covenant by the tenant of such Innovation Unit that the tenant shall not apply to the City of Cambridge Traffic, Parking & Transportation Department for a Residential Parking Permit. Enforcement of such provision shall be the sole responsibility of the property owner and not the City of Cambridge or any City agency.

#### ~~20.809~~ 20.307.10 Local Retail and Street Activation.

In order to effectuate the goals of promoting a vibrant retail environment and street-level activation, any proposed development within the Mass Ave Residential Zone with building frontage along Massachusetts Avenue or Main Street shall include a plan (the “Retail Plan”) for encouraging local, independent retail and active street-level uses meeting the requirements of this Section ~~20.809~~ 20.307.9, which plan shall be submitted for review and approval by the Community Development Department prior to the issuance of a Certificate of Occupancy for a Residential Mixed Income Project. The owner shall use commercially reasonable efforts to ensure that the Retail Plan for any Residential Mixed Income Project meets the goals of this Section 20.307.9 and, taken in its entirety, is reflective of the economic and cultural diversity of the Central Square neighborhood.

~~20.809.1~~ 20.307.10.1 No banks or financial institutions shall be permitted on the ground floor level within the Mass Ave Residential Zone.

~~20.809.2~~ 20.307.10.2 The ground floor space in any such building frontage along Massachusetts Avenue or Main Street and extending 30 feet into such building (the “Building Frontage”) shall be devoted to retail uses, except for spaces required for accessory uses and other building functions serving the other floors of such building which are typically located at the ground level, including without limitation lobby space, building security, access/egress, mailrooms, mechanical spaces and bike storage, which spaces shall be limited to thirty percent (30%) of the total Building Frontage.

~~20.809.3~~ 20.307.10.3 A minimum of 25% of the retail space required pursuant to Section ~~20.809.2~~ 20.307.10.2 above shall consist of Independent and Local Retailers. “Independent and Local Retailers” shall include any retail operator which does not own or operate more

than 10 retail locations in the Commonwealth of Massachusetts with the same name and retail concept, such determination to be made as of the date of execution of a lease or commencement of ownership of or other right to occupy such retail space.

~~20.809.4~~**20.307.10.4** The Retail Plan shall include a proposal for a seasonal public market concept/space (the “Public Market”).

~~20.809.5~~ ~~The required loading for Residential Mixed Income Incentive Projects in the Mass and Main Residential Mixed Income Subdistrict shall be 1 off-street loading bay for each building in which the total amount of retail space exceeds 10,000 square feet of gross floor area. All loading bays, drives, and a maneuvering space shall be located entirely on the lot or adjacent easement areas with immediate and direct ingress to the building intended to be served.~~

**20.307.10.5** Retail spaces of 1,500 square feet or less in a Residential Mixed Income Project shall be excluded from the calculation of floor area ratio.

~~20.810~~**20.307.11** **Grandfathered Parking Structures Within the Bishop Allen Drive Residential Support Zone.**

Notwithstanding the provisions of Article 8.000, any nonconforming parking structure located in whole or in part within the Bishop Allen Drive Residential Support Zone and which existed at the time of the first notice of public hearing by the Planning Board for this Section ~~20.800~~**20.307** may be continued, provided that it primarily serves a use permitted in the Mass and Main Residential Mixed Income Subdistrict.

**20.307.12** Sustainable Design Requirements for Residential Mixed Income Projects.

Residential Mixed Income Projects in the Mass and Main Residential Mixed Income Subdistrict shall comply with the provisions of Section 22.20 of the Ordinance. Notwithstanding any standards currently applicable in Section 22.20, any new construction that is part of a Residential Mixed Income Project shall be designed to a minimum standard of LEED Gold. In connection with the submission requirements of Section 22.24.2.a., the developer of such buildings shall submit a Statement of Energy Design Intent produced through the EnergyStar Target Finder tool, or comparable method.

**20.307.13** Design Guidelines Applicable to Residential Mixed Income Projects.

In reviewing any Residential Mixed Income Project subject to a Project Review Special Permit under Article 19.000, the Planning Board shall look to the Central Square Design Guidelines dated February 2013 (updated May 2013) for guidance and direction in assessing the project’s conformance with the applicable project review criteria set forth in this Ordinance, provided that in the event of any conflict between such Design Guidelines and this Ordinance, the provisions of this Ordinance shall govern.

**20.307.14** Bishop Allen Drive Street Activation.

[NOTE: Mass + Main team is working with Community Development Department staff to develop language that will limit surface parking not located within a parking structure from being located along the frontage (excluding vehicular access to the rear portion of the parking lot) after a 5-year

| period, assuming reduction of minimum parking ratio to 0.45. The goal of this language would be to provide for an active street edge along Bishop Allen Drive in the “support zone”.

*[remainder of page intentionally left blank – signature page follows]*

| Map ~~20.800~~20.307

Mass and Main Residential Mixed Income Subdistrict

| [see attached]

## Zoning Petition

The undersigned, owners of land to be affected by this petition, hereby petition the Cambridge City Council to see if the City Council will vote to amend Article 20.000 of the Zoning Ordinance of the City of Cambridge to create the Mass and Main Residential Mixed Income Subdistrict within the Central Square Overlay District by adding a new Section 20.307 and accompanying Map 20.307 to said Zoning Ordinance as follows:

### **20.307            Mass and Main Residential Mixed Income Subdistrict**

#### **20.307.1        Establishment and Scope.**

There is hereby established within the Central Square Overlay District (and including the rear portions of certain split lots that are partially located with the Central Square Overlay District), the Mass and Main Residential Mixed Income Subdistrict which shall be governed by the regulations and procedures specified in this Section 20.307. These regulations are intended to provide incentives for residential development and provide a transition between the character, uses and scale of Kendall Square, as well as the adjacent Cambridgeport Revitalization Development District, and provide a transition to the abutting residential districts behind Bishop Allen Drive. The subdistrict is within the City's Central Square (C2) Study area and adoption of this Section 20.307 follows extensive planning efforts to encourage residential and ground-floor retail uses and transit-oriented development. The Central Square Study expands on past zoning changes in industrial and commercial zones to encourage housing by offering greater density to incentivize the creation of buffer zones for existing residential neighborhoods adjacent to Central Square. The Mass and Main Residential Mixed Income Subdistrict will also enable the City to respond to the 2014 Central Square Customer Survey by supporting vibrant ground-floor retail and active retail uses at this key intersection in Central Square, adjacent to mass transit. It is the intent of this Section that these regulations will apply to a single area located at the intersection of Main Street and Massachusetts Avenue and bounded and described in Section 20.307.2 below. The Mass and Main Residential Mixed Income Subdistrict will further the objectives of the Central Square Study findings and other planning studies completed by the City for the Central Square area by encouraging housing and requiring both low- and moderate-income affordable housing in amounts above those required by the City's inclusionary housing requirements in Section 11.200.

#### **20.307.2        Boundaries of the District.**

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**20.307.3 Applicability.**

The Mass and Main Residential Mixed Income Subdistrict shall be an overlay subdistrict on the zoning map established by Section 3.20. Within the Mass and Main Residential Mixed Income Subdistrict, there shall be two zones as shown on the map attached hereto as Map 20.307: the Mass Ave Residential Zone and the Bishop Allen Drive Residential Support Zone. Except as otherwise noted herein, the provisions of this Section 20.307 shall apply to both zones within the subdistrict.

For developers electing to conform to the provisions of this subdistrict, any such project shall be referred to herein as a “Residential Mixed Income Project” and, notwithstanding any other provisions of the Ordinance, the use, dimensional, open space, parking, loading and inclusionary housing requirements applicable to a Residential Mixed Income Project shall be as set forth in this Section 20.307. Divergence from the standards established in this Section may be allowed only by issuance of a Special Permit by the Planning Board as specifically allowed pursuant to applicable special permit provisions set forth elsewhere in the Ordinance, including the provisions of Section 10.40. The Board may grant such a special permit upon its determination that the development proposed will better serve the objectives of this Section 20.307 and that the criteria specified in Section 10.43 will be satisfied, along with any specific criteria applicable to that special permit. A Residential Mixed Income Project may contain more than one building constructed as part of a common scheme of development or phased development program.

**20.307.4 Review Process.**

As part of the Central Square Overlay District, the Mass and Main Residential Mixed Income Subdistrict shall be considered an area of special planning concern and, in addition to the development review

procedures set forth in Article 19.000, shall be subject to the development review procedures as specified in Section 20.304.1.

#### **20.307.5 Use Regulations.**

Use regulations of the applicable base zoning designation shall apply to each lot within the Mass and Main Residential Mixed Income Subdistrict, except that Carsharing Spaces provided pursuant to Section 20.307.7 below shall be deemed to be a permitted use. Notwithstanding anything to the contrary contained in the Ordinance, in addition to the uses permitted in the applicable base district, lots within the Mass and Main Residential Mixed Income Subdistrict may be used as accessory parking for any other lot within the subdistrict, subject to the requirements set forth in Section 20.307.7 below.

#### **20.307.6 Dimensional Standards.**

**20.307.6.1 Floor Area Ratio.** The maximum floor area ratio permitted in the Mass and Main Residential Mixed Income Subdistrict shall be the same as permitted in the applicable base zoning district, except that the maximum floor area ratio applicable to Residential Mixed Income Projects within the Mass Ave Residential Zone shall be 6.5, provided that no increases in development otherwise permitted under this Zoning Ordinance shall cause the FAR on a lot to exceed 6.5, and further subject to compliance with the affordability and unit mix requirements set forth in Section 20.307.8 below. Additionally, notwithstanding anything to the contrary contained in this Zoning Ordinance, the floor area ratio applicable to residential uses shall apply to and include any retail space included within a Residential Mixed Income Project, subject to the exemption for retail spaces less than 1,500 square feet set forth in Section 20.307.10.6 below, such that the provisions of Section 5.30.12 shall not be applicable to Residential Mixed Income Projects within the Mass and Main Residential Mixed Income Subdistrict (i.e. the same floor area ratio will apply to both residential and retail space within a Residential Mixed Income Project).

**20.307.6.2 Maximum Height.** The maximum height permitted in the Mass and Main Residential Mixed Income Subdistrict shall be the same as permitted in the applicable base zoning district, except as follows:

- a. Within the area shown as the “Mass Ave Height Area” on Map 20.307, building heights up to 195 feet shall be permitted for a Residential Mixed Income Project, provided that only one building within such zone may exceed 80 feet and provided further that buildings in a Residential Mixed Income Project will be restricted to a floor plate size of 10,000 square feet above 80 feet in height.
- b. Within the area shown as the “Columbia/Douglass Street Height Area” on Map 20.307, building heights up to 70 feet shall be permitted for a Residential Mixed Income Project.

**20.307.6.3 Minimum Yards.** Minimum yard requirements in the Mass and Main Residential Mixed Income Subdistrict shall be the same as required in the applicable base zoning district. Notwithstanding any other provisions in the Ordinance, including without limitation the provisions of Section 5.28.1(c) (which applies the dimensional standards of a Residence C-3 district to dwellings in a Business B district), the minimum yard requirements for non-residential uses in the Business B zoning district shall apply to all Residential Mixed Income Projects within the Business B district.

**20.307.6.4 Private Open Space.** Open space requirements in the Mass and Main Residential Mixed Income Subdistrict shall be the same as required in the applicable base zoning district, including without limitation the provisions of Section 5.28.1(c) (which applies the dimensional standards of a Residence C-3 district to dwellings in a Business B district), provided that the applicable Private Open Space requirement under Article 5.000 may be satisfied with any combination of Private Open Space and pedestrian amenities open to the public such as a pedestrian plaza or arcade.

**20.307.7 Required Parking.**

Required parking and loading in the Mass and Main Residential Mixed Income Subdistrict shall be as required in the applicable base zoning district, including without limitation Article 6.000, except as follows:

- a. Notwithstanding any other provisions in the Ordinance, including without limitation the provisions of Section 6.36, the minimum required parking for Residential Mixed Income Projects in the Mass and Main Residential Mixed Income Subdistrict shall be 0.5 parking spaces per residential unit (not including any Innovation Units, which shall be limited to 5% of the units as described in Section 20.307.9 and for which no dedicated parking shall be permitted) and shall be further subject to waiver/reduction in accordance with the provisions of Section 20.304.6 and Article 6.000. The maximum permitted parking for Residential Mixed Income Projects in the Mass and Main Residential Mixed Income Subdistrict shall be 0.75 parking spaces per residential unit.
- b. No separate off-street parking shall be required for ground-floor retail uses in a Residential Mixed Income Project.
- c. Accessory off-street parking facilities for a Residential Mixed Income Project may be located on the same lot as the use being served or on another lot within the Central Square Overlay District, in accordance with the following conditions:
  1. said other lot is contiguous to the lot on which the use being served is located; or
  2. said other lot is within four hundred (400) feet of the lot on which the use being served is located.
- d. A Residential Mixed Income Project shall provide, at a minimum, one (1) parking space for every 100 residential units that shall be dedicated for use by a carsharing organization (such as ZipCar or other similar program) (each such parking space will be referred to herein as a “Carsharing Space”). Each Carsharing Space within a Residential Mixed Income Project shall allow the required number of residential parking spaces to be reduced by five (5) spaces, up to a maximum of one (1) Carsharing Space for every thirty (30) residential units in a Residential Mixed Income Project.
- e. Loading bays, drives, and a maneuvering space for a Residential Mixed Income Project may be located entirely on the lot or adjacent easement areas with immediate and direct ingress to the building intended to be served.
- f. Any tandem parking spaces for two vehicles shall count as two parking spaces within the Mass and Main Residential Mixed Income Subdistrict if such spaces are accessory to a Residential Mixed Income Project, provided that such tandem parking spaces may not account for more than twenty-five percent (25%) of the required parking.
- g. For purposes of Section 6.104.1, the applicable distance for Long-Term Bicycle Parking shall be measured from the lot line of the lot on which the Long-Term Bicycle Parking is located to the lot line of the lot on which the building or project intended to be served is located.



Any specific special permit provision set forth in Article 6.000 allowing divergence from the standards of Article 6.000 may be applied to a Residential Mixed Income Project. However, any such special permit otherwise granted by the Board of Zoning Appeal may instead be granted by the Planning Board.

### **20.307.8 Affordable Housing and Unit Mix Requirements for Residential Mixed Income Projects**

**20.307.8.1 Additional Inclusionary Housing Requirements.** The provisions of Section 11.200 in effect as of the date of adoption of this Section 20.307 shall apply to a Residential Mixed Income Project. However, notwithstanding anything in Section 11.200, the FAR of a Residential Mixed Income Project shall not exceed 6.5. Additionally, a Residential Mixed Income Project shall be subject to the following requirements that may exceed the requirements of Section 11.200:

- a. A minimum of seventeen percent (17%) of the total number of units in a Residential Mixed Income Project shall be Affordable Units for low and moderate income households meeting the requirements of Section 11.200 for such Affordable Units.
- b. A minimum of three percent (3%) of the total number of units in a Residential Mixed Income Project shall be Middle Income Units as defined in Section 20.307.8.2 below.
- c. A minimum of ten percent (10%) of the total number of units in a Residential Mixed Income Project shall be 3-bedroom units.

**20.307.8.2 Definitions.** For purposes of this Section 20.307.8, the following definitions shall apply:

“Middle Income Unit” shall mean a unit for which the rent (including utilities) does not exceed thirty (30) percent of the income of the renting household or for which the mortgage payment (including insurance, utilities and real estate taxes) does not exceed thirty (30) percent of the income of the purchasing household or other standards as may be established pursuant to any city, state or federal housing program designed to assist middle income households, for which the applicable eligible household shall be an Eligible Middle Income Household.

“Eligible Middle Income Household” shall mean any household whose total income does not exceed one hundred twenty percent (120%) of the median income of households in the Boston Standard Metropolitan Statistical Area adjusted for family size, or such other equivalent income standard as may be determined by the Board of Trustees of the Affordable housing Trust as defined in Section 11.201.

In no event shall the combined total number of Affordable Units for low and moderate income households together with the Middle Income Units required in Section 20.307.8.1 above be fewer than twenty percent (20%) of the total number of units in a Residential Mixed Income Project.

### **20.307.9 Innovation Housing.**

For Residential Mixed Income Projects, no more than five percent (5%) of the units within such Residential Mixed Income Project may be devoted for use as Innovation Units.

“Innovation Units” shall be residential units measuring five hundred (500) square feet or less in gross floor area. Such Innovation Units may include flexible unit layouts, combined living and working spaces,

and other design features to increase affordability and communication among residents. Innovation Units provided pursuant to this Section 20.307.9 shall be exempt from the parking requirements of Article 6.00, provided that (i) such Innovation Units shall not be provided with any dedicated parking within the Residential Mixed Income Project and (ii) the developer of any Residential Mixed Income Project containing Innovation Units pursuant to this Section 20.307.9 shall include in the residential leases (or other equivalent occupancy agreements) for all such Innovation Units a covenant by the tenant of such Innovation Unit that the tenant shall not apply to the City of Cambridge Traffic, Parking & Transportation Department for a Residential Parking Permit. Enforcement of such provision shall be the sole responsibility of the property owner and not the City of Cambridge or any City agency.

**20.307.10 Local Retail and Street Activation.**

In order to effectuate the goals of promoting a vibrant retail environment and street-level activation, any proposed development within the Mass Ave Residential Zone with building frontage along Massachusetts Avenue or Main Street shall include a plan (the “Retail Plan”) for encouraging local, independent retail and active street-level uses meeting the requirements of this Section 20.307.9, which plan shall be submitted for review and approval by the Community Development Department prior to the issuance of a Certificate of Occupancy for a Residential Mixed Income Project. The owner shall use commercially reasonable efforts to ensure that the Retail Plan for any Residential Mixed Income Project meets the goals of this Section 20.307.9 and, taken in its entirety, is reflective of the economic and cultural diversity of the Central Square neighborhood.

**20.307.10.1** No banks or financial institutions shall be permitted on the ground floor level within the Mass Ave Residential Zone.

**20.307.10.2** The ground floor space in any such building frontage along Massachusetts Avenue or Main Street and extending 30 feet into such building (the “Building Frontage”) shall be devoted to retail uses, except for spaces required for accessory uses and other building functions serving the other floors of such building which are typically located at the ground level, including without limitation lobby space, building security, access/egress, mailrooms, mechanical spaces and bike storage, which spaces shall be limited to thirty percent (30%) of the total Building Frontage.

**20.307.10.3** A minimum of 25% of the retail space required pursuant to Section 20.307.10.2 above shall consist of Independent and Local Retailers. “Independent and Local Retailers” shall include any retail operator which does not own or operate more than 10 retail locations in the Commonwealth of Massachusetts with the same name and retail concept, such determination to be made as of the date of execution of a lease or commencement of ownership of or other right to occupy such retail space.

**20.307.10.4** The Retail Plan shall include a proposal for a seasonal public market concept/space (the “Public Market”).

**20.307.10.5** Retail spaces of 1,500 square feet or less in a Residential Mixed Income Project shall be excluded from the calculation of floor area ratio.

**20.307.11 Grandfathered Parking Structures Within the Bishop Allen Drive Residential Support Zone.**

Notwithstanding the provisions of Article 8.000, any nonconforming parking structure located in whole or in part within the Bishop Allen Drive Residential Support Zone and which existed at the time of the

first notice of public hearing by the Planning Board for this Section 20.307 may be continued, provided that it primarily serves a use permitted in the Mass and Main Residential Mixed Income Subdistrict.

**20.307.12 Sustainable Design Requirements for Residential Mixed Income Projects.**

Residential Mixed Income Projects in the Mass and Main Residential Mixed Income Subdistrict shall comply with the provisions of Section 22.20 of the Ordinance. Notwithstanding any standards currently applicable in Section 22.20, any new construction that is part of a Residential Mixed Income Project shall be designed to a minimum standard of LEED Gold. In connection with the submission requirements of Section 22.24.2.a., the developer of such buildings shall submit a Statement of Energy Design Intent produced through the EnergyStar Target Finder tool, or comparable method.

**20.307.13 Design Guidelines Applicable to Residential Mixed Income Projects.**

In reviewing any Residential Mixed Income Project subject to a Project Review Special Permit under Article 19.000, the Planning Board shall look to the Central Square Design Guidelines dated February 2013 (updated May 2013) for guidance and direction in assessing the project's conformance with the applicable project review criteria set forth in this Ordinance, provided that in the event of any conflict between such Design Guidelines and this Ordinance, the provisions of this Ordinance shall govern.

**20.307.14 Bishop Allen Drive Street Activation.**

[NOTE: Mass + Main team is working with Community Development Department staff to develop language that will limit surface parking not located within a parking structure from being located along the frontage (excluding vehicular access to the rear portion of the parking lot) after a 5-year period, assuming reduction of minimum parking ratio to 0.45. The goal of this language would be to provide for an active street edge along Bishop Allen Drive in the "support zone".]

*[remainder of page intentionally left blank – signature page follows]*

**Map 20.307**

**Mass and Main Residential Mixed Income Subdistrict**

[see attached]