

MEMORANDUM

TO: City of Cambridge Community Development Department Staff

DATE: May 23, 2019

SUBJECT: PUD-8 District Zoning Petition

In anticipation of our meeting with the Planning Board on May 28th, attached are the following materials for your review:

1. **Revised Zoning Text** – the PUD-8 petition has been updated to incorporate comments from the both the Planning Board and the CDD staff. For example, we have addressed the following items:
 - a. Height
 - b. Affordable Housing
 - c. Activation
 - d. Setbacks and Stepbacks
 - e. Design Review
 - f. Noise and Light Mitigation
 - g. Sustainability Initiatives

For your reference, we have also included (i) a redline against the draft we last submitted to the Planning Board; and (ii) a cumulative redline against the original PUD-8 District zoning petition.

2. **Summary Chart** - identifying how we have addressed each of topics raised by the Board, including a description of each of our commitments and whether they are being implemented through the zoning text or the commitment letter referenced therein. The chart illustrates a significant commitment to ongoing support of the City of Cambridge and its residents, including the commitments:
 - a. Boathouse Pedestrian Connection and Reconstruction
 - b. East Cambridge Scholarship Fund Contribution
 - c. Tree Fund Contribution
 - d. Cambridge Arts Initiative Contribution
 - e. Open Space and Retail Advisory Committee

The commitments described in the attached materials reflect significant changes to the project design and associated mitigation to be responsive to the concerns raised by the Planning Board, the Ordinance Committee, planning staff and area residents.

Among the most significant changes, we have **eliminated the 185 feet height allowance**, reducing the height of the Macy's building by twenty (20) feet and the height of the Lechmere building by ten (10) feet. Additionally, we have added language in the zoning petition **requiring a setback of 10 feet and a setback of an additional 10 feet above 65 feet in height for new buildings fronting on First Street** to

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create more expanded areas for pedestrian and bicycle activities and to minimize the visual impact of the buildings from the street.

Further, to help achieve the City's housing goals, including providing housing for families, we have **committed that 50% of the residential square footage in the project will be affordable** (25% available to households earning no more than 80% AMI and 25% available to households earning between 80 and 120% AMI), including a requirement that **all family-sized units (i.e. 3 or more bedrooms) will be affordable.**

Please let us know if you have any additional comments or questions.

13.100 PLANNED UNIT DEVELOPMENT 8 DISTRICT

13.101 **Purpose.** The PUD-8 District is intended to provide for the creation of a vibrant mixed-use district of high quality general and technical office and lab use, active commercial use, including retail, fitness and restaurant, components of residential use and enhancement of open space to serve residents of the District and the surrounding neighborhoods, as well as workers, students and visitors. The PUD-8 District encourages strong connections between the neighborhoods of eastern Cambridge and new development in that area, particularly along First Street, the East Cambridge riverfront (focusing on Lechmere Canal) and the PUD-8 area. It also promotes retail- and service-oriented ground floors that will activate surrounding public streets and spaces, such as First Street and Lechmere Canal Park. The expectation is for the District to continue to be a recognizable center of activity and economic viability for East Cambridge and the surrounding neighborhoods in light of the changing landscape of brick and mortar retail. Development in the PUD-8 District is expected to meet standards for urban design, architectural design, environmental sustainability and open space design. To the extent reasonably practicable and subject to the provisions of Section 13.107.5 below, new buildings shall be generally consistent with the policy objectives set forth in the Eastern Cambridge Planning Study dated October 2001, the guidance provided in the Eastern Cambridge Design Guidelines dated October 15, 2001, the East Cambridge Riverfront Plan dated May 1978 and the Cambridge Riverfront Plan dated Spring 2011.

13.102 **PUD-8 Special Permit.**

13.102.1 **Eligible Development Parcel.** To further the purpose of this Section 13.100, an applicant may submit a Development Proposal and obtain a special permit from the Planning Board approving a Final Development Plan for the Development Parcel located within the PUD-8 District which, at the time of application for a PUD-8 Special Permit, (i) contains at least 100,000 sf of retail and/or restaurant space on the ground-floor allowed pursuant to a valid special permit under the PUD-4 District, (ii) contains at least 7.5 acres in area and (iii) is within 600 feet of 3 acres of Public Open Space. The Development Parcel within the PUD-8 District may contain contiguous or noncontiguous lots elsewhere in the PUD-8 District or within another PUD District that are situated within twelve hundred (1200) feet of the boundaries of the PUD-8 District.

13.102.2 **PUD-8 Special Permit Approval.** The Planning Board may grant a PUD-8 Special Permit approving a Final Development Plan for the Development Parcel upon finding that the Final Development Plan is consistent with the criteria set forth below, all other criteria applicable to approval of any other special permits being sought, and upon consideration of the PUD-8 Guidelines and Principles (as hereinafter defined). Any modification to a Final Development Plan, the need for which arises for any reason, shall require a major or minor amendment in accordance with Section 12.37 of this Zoning Ordinance and the provisions of the PUD-8 Special Permit. A PUD-8 Special Permit approving a Final Development Plan may specify that modifications that the developer can demonstrate meet the following criteria could be considered changes which do not alter the concept of the PUD in terms of density, land usage, height,

provision of open space or the physical relationship of elements of the development, such that each shall be considered a minor amendment subject only to written approval of the Planning Board: changes to the Development Plan that (i) constitute a reallocation, reconfiguration or assignment of Gross Floor Area among uses in the Final Development Plan or otherwise allowed in the PUD-8 District, (ii) do not require a new type of zoning relief (other than the categories of relief previously granted for the proposed development, whether by existing PUD special permits or otherwise), and (iii) maintain the same percentage of Minimum Open Space as approved by the PUD-8 Special Permit.

13.102.3 PUD-8 Special Permit Requirements. Within the Development Parcel, the locations of streets and open spaces, the quantities of proposed land uses, and general PUD-8 lots, building envelopes, locations and heights shall be indicated in sufficient detail that the Planning Board can reasonably assess the impact of the PUD-8 Special Permit and its general consistency with the PUD-8 Special Permit Criteria set forth in Section 13.102.4 below. At a minimum, a Development Proposal and subsequent Final Development Plan must contain the following components:

(a) *Site Development Plan* — describing how the Development Parcel is divided into distinct PUD-8 lots, streets, and open spaces and their development characteristics, including potential uses and Gross Floor Area (“GFA”).

(b) *Site Massing Plan* — illustrating the height and massing of building volumes for each proposed building site, and including studies of anticipated shadow and wind impacts resulting from building mass.

(c) *Parking and Loading Plan* — identifying the locations of all parking facilities, bicycle parking facilities and facilities for loading or other vehicular service functions, and the number of spaces proposed at each location.

(d) *Connectivity Plan* — illustrating all pedestrian, bicycle and vehicular circulation routes within the Development Parcel, their connections to nearby public circulation routes and destinations outside the Development Parcel, and approximate locations of access and egress points on each building and parking facility within the Development Parcel.

(e) *Open Space Plan* — illustrating and quantifying the areas of all open space areas utilized by the project in satisfaction of Section 13.105, including, without limitation, pedestrian ways providing connectivity to the riverfront.

(f) *Ground Floor and Activation Plan* — illustrating the conceptual arrangement of functions such as retail establishments and other active uses, and residential and office lobbies at the ground floor of each building in the Development Parcel, as well as the locations and anticipated sizes of Active Uses that may be required by the specific provisions of this Section 13.100 and strategies for programming and activating those spaces.

(g) *Housing Plan* — providing the approximate number and mix of housing unit types proposed on the residential site, and identifying the anticipated location of dwelling units that may be required by specific provisions of this Section 13.100.

(h) *Phasing Plan* — describing the general sequence in which development is proposed to proceed.

(i) *Sustainability and Resiliency Plan* – describing: (1) how the sustainability requirements set forth in Section 13.107.4 below will be met; (2) how the proposed project will promote best practices for environmental sustainability and resiliency; (3) how the proposed project serves nearby East Cambridge community-wide needs for emergency refuge or shelter during heat or storm emergencies in coordination with the Cambridge Climate Vulnerability Assessment dated February 2017.

(j) *Net Zero Plan* – describe how the proposed project will evaluate the feasibility of achieving the goals set forth in the Net Zero Action Plan, including the potential incorporation of enhanced commissioning for newly constructed or renovated office and lab buildings.

(k) *Transportation Plan* – incorporating: (1) a Transportation Impact Study required by Section 19.20 of this Ordinance; (2) a Shared Parking Study required by Section 13.106.5 below; (3) a study of the impacts of increased demand on public transportation services in the East Cambridge area; (4) a description of the development’s relationship to future regional rail, bus, pedestrian/bicycle and other transportation system connections in the area; and (5) a Transportation Demand Management and Mitigation program describing measures which may be incorporated by the Planning Board into a condition of a PUD-8 Special Permit to offset or mitigate the project’s impacts on transportation systems, including measures set forth in this Zoning Ordinance and the City’s planning efforts to be linked to milestones, thresholds or performance standards. Such studies (and the recommendations set forth therein) shall account for the proposed scale and phasing of development and the limitations on system capacity to accommodate new vehicle, transit, and other trips.

(l) *Environmental Comfort Plan* – describing or showing screening, building elements, or other site improvements designed to reduce impacts from wind and shadows, provide adequate lighting for safe use while minimizing excessive light, mitigating urban heat island effect, and controlling noise generated by mechanical systems and by truck traffic, particularly on First Street.

(m) *Architectural Character Plan* – describing general approaches to the design of buildings, landscaped areas, streets, and pathways, identifying the type of visual character that the development will aim to achieve, with the expectation that specific designs of individual buildings and spaces will be reviewed in further detail as they are developed.

(n) *Comprehensive Signage Plan* – providing the approximate number, type and characteristics of signage to be installed within the District, which upon approval of the PUD-8 Special Permit by the Planning Board, shall control for all purposes.

13.102.4 PUD-8 Special Permit Criteria. In approving a Final Development Plan, the Planning Board shall consider the following objectives with respect to any Net New GFA (as defined below) or construction of a new building:

(a) Providing a mix of commercial, including research and technology, and residential uses, with particular emphasis on ground-floor retail along First Street, to encourage activity throughout the day and evening.

(b) For residential uses, incorporating a diversity of dwelling unit sizes that are appealing and accessible to a variety of users, including families with children and households from a variety of socioeconomic backgrounds.

(c) Improving the network of connections that integrate the PUD-8 District with the surrounding urban fabric of the East Cambridge neighborhood and the activity surrounding the East Cambridge Riverfront, and maintaining existing ground level pedestrian connections between Charles Park and Lechmere Canal Park.

(d) Enhancing the existing network of high-quality streets, landscaping and open spaces, including significant space for public gathering and recreation, that serves the surrounding communities as well as the development on the site by encouraging and fostering a sense of community, civic engagement, social interaction, economic development, and environmental sustainability.

(e) Integrating development with open space physically and functionally by means of building orientation, active frontages, location of building entrances, pedestrian linkages between major activity centers, enhanced landscaping and similar techniques.

(f) Providing a strong street edge and active ground floors that animate streets and open spaces, including through the presence of Active Uses (defined below) on the first-floor fronting on First Street and Cambridgeside Place.

(g) Enhancing the architectural diversity and aesthetic qualities of the PUD-8 District to harness the spirit of growth and change in East Cambridge and reinforce a Cambridge sense of place.

(h) To the maximum extent practicable, promoting best practices for environmental sustainability in establishing design objectives for individual buildings and sites, in accordance with the City's ongoing planning efforts and current Massachusetts Department of Environmental Protection standards.

(i) Demonstrating a commitment to implementing a Transportation Demand Management and Mitigation Program.

(j) Activating surrounding streets by incorporating Active Uses on the portion of the ground floors of new buildings immediately fronting on First Street, Cambridgeside Place and Lechmere Canal Park (excluding those areas of such ground floors utilized for lobbies, mechanical areas and/or entrances to parking and/or loading areas).

(k) Strengthening pedestrian access from First Street to retail establishments and the Riverfront.

(l) Demonstrating a commitment to implement programming for proximate Public Open Space.

13.102.5 PUD-8 Lot. A lot within the PUD-8 District is a parcel of land that may be in more than one ownership, provided that the developer thereof has control over the entirety of the parcel, whether via fee ownership, long-term lease or enforceable easement rights, which parcel is bounded by other lots or by streets, and which is designated by the developer thereof to be used, developed or built upon as a unit.

13.102.6 Condominium Property Regime. Nothing in this Section 13.100 shall prevent a developer from submitting a building(s) subject to a PUD-8 Special Permit to a condominium property regime. The violation of the conditions of a PUD-8 Special Permit by one owner or occupant of a condominium unit within a development shall not be deemed to be a violation by any other owner or occupant within the development, but shall be deemed to be a violation by the owner or occupant of the condominium unit(s)/premises violating the conditions of the PUD-8 Special Permit. Nothing herein shall limit the rights of a condominium association against a violating owner or occupant.

13.102.7 Applicability of Requirements to Development Parcel. The requirements of this Section 13.100 may be satisfied for the entire Development Parcel on any lot(s) located within the limits of such Development Parcel or, with respect to Section 13.105 (Open Space), on other land within 1,000 feet of the PUD-8 District; provided, however, the requirements of this Section 13.100 shall not be applied to individual PUD-8 lots or ownership units comprising such Development Parcel, but shall be applied as if such Development Parcel were a single conforming PUD-8 lot whether or not such Development Parcel is in single or multiple ownership. A violation, with respect to a lot or ownership unit or leased premises within the Development Parcel, of any provision of this Section 13.100 shall not constitute a violation with respect to any other lot or ownership unit or leased premises within the Development Parcel.

13.102.8 Phasing Plan and Lapse. Any development within the Development Parcel shall commence and, to the extent built in multiple phases over a period of time, be constructed in accordance with the time limits set forth in the Final Development Plan. Any changes to the Phasing Plan after issuance of the PUD-8 Special Permit are subject only to written approval by the Planning Board.

In no event shall any portion of the development approved by a PUD-8 Special Permit for which a building permit has been issued be deemed to have lapsed due to

the fact that any phase of the approved development has not been commenced or completed.

- 13.102.9 Relationship to PUD-4 Special Permit. With respect to the Development Parcel, the rights granted pursuant to a PUD-8 Special Permit shall be in addition to any rights previously granted under a PUD-4 special permit and the PUD-8 Special Permit shall govern with respect to such additional rights. The previously issued PUD-4 special permit shall remain valid and in full force and effect for, and govern with respect to, any remaining land outside of the Development Parcel subject thereto, provided that the terms of such PUD-4 special permit shall be applied to such remaining land without regard to any rights granted to the Development Parcel pursuant to the PUD-8 Special Permit.
- 13.102.10 Consistency. To the extent the Development Parcel is subject to the provisions of one or more special permit(s), site plan approval(s) and/or variance(s) issued prior to the issuance date of a PUD-8 Special Permit granted hereunder and the provisions of such existing approval(s) conflict or are inconsistent with the PUD-8 Special Permit, the provisions of the PUD-8 Special Permit shall govern.

To the extent that the provisions of this Section 13.100 conflict with any other provisions of this Zoning Ordinance, this Section 13.100 shall govern.

- 13.102.11 Pre-Application Conference. In the course of preparing a Development Proposal, the developer shall be required to participate in at least one PUD Pre-Application Conference as established in Section 12.33 of this Zoning Ordinance and a similar conference with the full City Council or Ordinance Committee. The purpose of the conference will be to discuss the conceptual alternatives for site arrangement, building massing, circulation systems and public space arrangement, as well as general approaches to architectural and landscape design, and for the developer to receive informal feedback from the Planning Board prior to preparing the materials required by Section 13.102.3 above. As set forth in Section 12.33.2, any statement made by the Planning Board or the developer at the Pre-Application Conference shall not be legally binding. Notwithstanding Section 12.33.3, the developer shall present graphic and written materials as needed to illustrate and describe conceptual development alternatives
- 13.102.12 Design Review. In approving a Final Development Plan, the Planning Board may incorporate criteria and additional guidelines for future design review of individual building sites and open spaces in support of its findings, including with respect to: streetscape activation, amenities, and dimensions; the provision of canopy street trees; coordination with the City's plans for vehicular, pedestrian, and bicycle movement in East Cambridge ground floor design; the location of the ground floor façades relative to the plane of the streetwall above; façade length; modulation of the streetwall façade; bay widths; the massing and façade expression of towers, mechanical penthouses and their stepbacks; screening of mechanical systems; architectural details; building materials; incorporation of art; lighting design; sustainability; and universal access.

13.103 ***Uses Allowed in a PUD-8 District.*** The uses listed in this Section 13.103, alone or in combination with each other, shall be allowed, provided that the amount and extent of uses may be further regulated and limited as set forth elsewhere in this Section 13.100. This Section 13.103 shall refer to uses as they are listed in Article 4.000 and otherwise defined in this Zoning Ordinance as of the effective date of the enactment of this Section 13.100.

- (a) Residential Uses. All uses listed in Section 4.31 a-h, and i.2.
- (b) Transportation, Communication and Utility Uses. All uses listed in Section 4.32, which are allowed or conditionally allowed in the base zoning district.
- (c) Institutional Uses. All uses listed in Section 4.33, which are allowed or conditionally allowed in the applicable base zoning district.
- (d) Office and Laboratory Uses. All uses listed in Section 4.34.
- (e) Retail Business and Consumer Service Establishments. All uses listed in Section 4.35.
- (f) Open Air or Drive in Retail & Services.
 - i. Sales place for flowers, garden supplies, agricultural produce conducted partly or wholly outdoors; commercial greenhouse or warehouse;
 - ii. Open air place of entertainment;
 - iii. Automobile service station where no major repairs are made provided that all lubrication and repairs are carried out within the building and further provided the service station will be located within or attached to a parking garage or other structure as an accessory use.
- (g) Light Industry, Wholesale Business and Storage. All uses listed in Section 4.37.
- (h) Other Uses. Any use not listed in subsections 13.103(a) through 13.103(g) above, otherwise allowed in a Business A District, may be allowed by the Planning Board upon written determination by the Board that such use is consistent with the objectives of the PUD-8 District and is consistent with the predominant uses in the PUD-8 District.

13.104 ***Dimensional Regulations.***

13.104.1 Permitted Gross Floor Area (GFA). The following GFA shall be permitted within the PUD-8 District:

- (a) *Existing GFA.* The GFA that exists on a lot(s) to be covered by a PUD-8 Special Permit on the date of application for such PUD-8 Special Permit, which shall be calculated in accordance with the definition of Gross Floor Area, excluding exemptions

under Section 5.25.3 pursuant to subsection (g) of such definition, under the Zoning Ordinance in effect at the time of adoption of this Section 13.100.

(b) *Net New GFA.* A maximum of 625,000 square feet of Net New GFA shall be permitted within the Development Parcel. For purposes of this Section 13.100, Net New GFA shall be calculated as the total Gross Floor Area proposed within the Development Parcel, less the Existing GFA pursuant to Section 13.104.1(a) above.

(c) *Assignment of GFA to PUD-8 Lots.* A Development Proposal for the PUD-8 Development Parcel including all PUD-8 lots within such PUD-8 Development Parcel shall describe how all of the permitted GFA will be assigned to PUD-8 lots within such PUD-8 Development Parcel. However, with the exception of the 100,000 square feet that comprises the core retail component of the PUD-8 District, all permitted GFA shall be assignable among PUD-8 lots within such PUD-8 Development Parcel, subject to approval by the Planning Board.

(d) *Required Residential Development.* A Development Proposal for the PUD-8 Development Parcel shall be required to provide a plan for the provision of at least twenty percent (20%) of its Net New GFA as residential development, subject to the following provisions.

1. Timing. Such residential component may be provided on any portion of such Development Parcel and may be provided during any phase of a multi-phase development, provided, however, that a final certificate of occupancy may not be issued for more than 400,000 square feet of non-residential Net New Gross Floor Area unless and until development of such residential component shall have commenced.
2. Inclusionary Housing Requirements. GFA assigned to residential use shall be subject to the Inclusionary Housing Provisions of Section 11.203 of this Zoning Ordinance, except that at least twenty-five percent (25%) of the total Dwelling Unit Net Floor Area constructed shall be devoted to Affordable Dwelling Units created through Inclusionary Housing.
3. Middle Income Housing Requirement. The following requirements for Middle Income Housing Units shall apply in addition to the Inclusionary Housing Requirements set forth above:
 - i. Twenty-five percent (25%) of the total Dwelling Unit Net Floor Area constructed shall be devoted to Middle Income Units (as defined below). Such Middle Income Units shall be distributed throughout the residential development in a manner approved by City staff, in order to ensure that the Middle Income Units are of an appropriate location, size, configuration and quality for households intended to occupy such units.
 - ii. For the purposes of this Section 13.104.1, Middle Income Units shall be defined as residential dwelling units for which:

- (a) The occupancy is restricted to households whose total income does not exceed one hundred and twenty percent (120%) of the Area Median Income (AMI); and
- (b) The rent (including utilities) does not exceed thirty percent (30%) of the income of the renting household 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 the income of the purchasing household, or such other equivalent standard as may be determined by the Board of Trustees of the Affordable Housing Trust Fund.

- 4. Family-Sized Dwelling Units. The required residential development shall include a range of dwelling unit types and sizes, including Family-Sized Dwelling Units. To the extent legally permissible under Section 11.200 of this Zoning Ordinance and other applicable legal requirements, all Family-Sized Dwelling Units will be Middle Income Units and Affordable Dwelling Units, allocated in accordance with the following: (i) fifty percent (50%) shall be Middle Income Units; and (ii) fifty percent (50%) shall be Affordable Dwelling Units created through Inclusionary Housing.

(e) *Housing Contribution*. To the extent that a development proposed within the PUD-8 District is considered an Incentive Project, it shall comply with the requirements of Section 11.202 of this Ordinance, provided however, in the PUD-8 District, the applicable Housing Contribution shall be calculated based on the square feet of Net New GFA devoted to the uses that qualify the development as an Incentive Project.

13.104.2 Residential Density. There shall be no required minimum Lot Area Per Dwelling Unit in the PUD-8 District.

13.104.3 Maximum Building Height.

(a) As shown on the attached Building Height Map for the PUD-8 District, Map 13.101, the maximum height of buildings permitted in the PUD-8 District shall be eighty-five (85) feet (the “Base Height”), provided, however, that the Base Height for buildings or portions of buildings located (i) within three hundred (300) feet of the centerline of First Street or (ii) greater than four hundred twenty-five (425) feet from centerline of First Street, may be increased as follows by issuance of a PUD-8 Special Permit by the Planning Board upon a finding that all of the criteria in Section 13.102.4 and the applicable Canal Setback requirements below have been satisfied:

- 1. *Mid Zone*: The height of a building or any portion thereof, which is setback from the nearest boundary of the PUD-8 Development Parcel to the Lechmere Canal (a “Canal Setback”) by greater than one hundred sixty (160) feet and less than three hundred forty (340) feet may be up to fifty (50) feet in excess of the allowed Base Height (the “Mid Zone Height”).

2. *Exterior Zone:* The height of a building or any portion thereof with a Canal Setback greater than three hundred forty (340) feet may be up to thirty (30) feet in excess of the allowed Mid Zone Height (the “Exterior Zone Height”), provided, however, the maximum height of any building fronting on First Street shall not exceed one hundred fifty-five feet (155) feet.

13.104.4 Other Dimensional Requirements. There shall be no minimum lot area for PUD-8 lots located within the PUD-8 Development Parcel. There shall be no minimum width for the PUD-8 Development Parcel and no minimum width for PUD-8 lots located within such Development Parcel. There shall be no minimum required front, rear and side yard requirements for the PUD-8 Development Parcel or for PUD-8 lots located within such Development Parcel. There shall be no minimum required distance between buildings on the PUD-8 Development Parcel and no minimum required distance between buildings situated on the same PUD-8 lot within such Development Parcel. The Planning Board shall approve all such PUD-8 lot sizes and building setbacks.

13.105 ***Open Space.***

13.105.1 Subject to the provisions of 13.105.2 below, at a minimum, twenty percent (20%) of the land area within the PUD-8 Development Parcel shall be Public Open Space or Publicly Beneficial Open Space, which may be located in the PUD-8 District and/or within 1,000 feet of the PUD-8 District, subject to the further standards set forth below (the “Minimum Open Space”).

13.105.2 To the extent that the Minimum Open Space requirement is to be satisfied, in whole or in part, with Public Open Space or Publicly Beneficial Open Space that is located outside of the PUD-8 District, the developer shall demonstrate that the developer (or its affiliates) has historically contributed to, or is committed to contributing to, the creation of such Open Space (e.g., through a financial contribution to, or development of, such Open Space).

13.106 ***Parking and Loading.*** Development in the PUD-8 District shall conform to the off-street Parking and Loading Requirements set forth in Article 6.000, and in the Schedule of Parking and Loading Requirements applicable to the Residence C-3, Office 3, Business B and Industry B districts, except as modified by this Section 13.106 below.

13.106.1 With regard to uses contained within new commercial buildings, provided that the requirements of Section 6.23 of the Ordinance are met, the parking requirements of this Section 13.106 may be satisfied (a) anywhere in the PUD-8 District or, if located outside of the PUD-8 District, within 2,000 feet of the use being served, notwithstanding anything to the contrary contained in Article 6.000; and (b) in total or in part by a lease agreement, occupancy agreement, license or other comparable legal instrument between the developer and the City, other public entity or private owner or consortium for use of parking spaces in the public or pooled private parking facilities within said area.

- 13.106.2 Notwithstanding anything to the contrary in Article 6.000, this Ordinance shall not restrict the management and assignment of parking spaces in a way that will most efficiently utilize the existing and proposed parking spaces to serve all approved uses.
- 13.106.3 Minimum Parking. There shall be no minimum parking requirements within the PUD-8 District; provided, however, in approving a Final Development Plan, the Planning Board may specify a minimum parking requirement based on review and analysis of Transportation Impact Studies and other relevant information on parking demand provided in application documents, including the Shared Parking Study as required below, and with the guidance of City agencies.
- 13.106.4 Maximum Parking. Maximum allowed parking for a PUD-8 shall be limited by applying the rates set forth below to each use within the PUD-8 and taking the summation of the result for all uses. For any use not listed below, the maximum parking ratio set forth in Article 6.000 shall apply.
- (a) Maximum of 5.0 spaces per 1,000 square feet of retail, consumer service and restaurant use.
 - (b) Maximum of 0.9 spaces per 1,000 square feet of GFA for office use.
 - (c) Maximum of 0.8 spaces per 1,000 square feet of GFA for laboratory use
 - (d) Maximum of 1.0 space per residential dwelling unit.
- In approving a Final Development Plan, the Planning Board may waive any maximum parking requirements applicable in the PUD-8 District and the underlying Zoning District.
- 13.106.5 Shared Parking Study. A Development Proposal for development in the PUD-8 District shall include an analysis of anticipated parking demand for all uses in the development throughout the course of a typical day and week. This analysis may identify opportunities for reducing the total amount of parking required to serve all uses through the sharing of parking spaces by multiple uses. Based on this analysis, the Planning Board may approve a reduced minimum or maximum parking requirement upon finding that the approved amount of parking will be sufficient to serve all permitted uses.
- 13.106.6 Loading. The Planning Board, in its approval of a Final Development Plan, may waive any requirements for the amount, location and design of loading facilities within the PUD-8 Development Parcel, and may permit loading facilities to be shared across various uses and PUD-8 lots within the PUD-8 District or adjacent PUD-4 Districts.
- 13.106.7 Bicycle Parking. Bicycle parking shall be provided in accordance with Section 6.100 of this Zoning Ordinance.

13.107 ***Special Requirements, Conditions and Standards Applicable to Certain Development Authorized by the Planning Board in East Cambridge.***

13.107.1 Active Uses. Final Development Plans shall enhance the public pedestrian usage of the sidewalks and create a sense of neighborhood continuity by providing an interesting, lively and active presence at street level. Accordingly, the portion of ground floors of new buildings in the PUD-8 District immediately fronting on First Street, Cambridgeside Place and Lechmere Canal Park (excluding those areas of such ground floors utilized for lobbies, mechanical areas and/or entrances to parking and/or loading areas) shall be planned, designed, and constructed to contain Active Uses as required below.

(a) *Definition of Active Uses.* For purposes of this Section 13.100, “Active Uses” means:

1. Any use listed in Sections 4.35 and 4.36; and
2. Any other use which the Planning Board determines meets the goals of this Section 13.107.1(a).

13.107.2 Rooftop Mechanical Equipment Noise Mitigation. Sound emanating from rooftop mechanical equipment on all new or substantially altered structures in an approved Final Development Plan shall be minimized by the adoption of best available and feasible practices regarding the location and sizing of equipment, the selection of equipment and sound attenuation measures. At a minimum, any noise or vibration emanating from new commercial or substantially altered commercial buildings shall not be normally perceptible without instruments at a distance of one hundred (100) feet from the source lot line and shall comply with the provisions of the City of Cambridge Noise Ordinance applicable to Commercial Areas (as such term is defined in the Noise Ordinance).

In order to enforce these requirements, the developer shall provide, in addition to a Noise Mitigation narrative required as part of Article 19.000 review, acoustical reports prepared by a professional acoustical engineer as described below:

(a) Prior to and as a condition of the issuance of the first certificate of occupancy for a new or substantially altered commercial building, an acoustical report, including field measurements, demonstrating compliance of such building with all applicable noise requirements; and

(b) Prior to obtaining any building permit to add any new equipment having a capacity greater than five (5) horsepower to the rooftop, a narrative report demonstrating that there will be continued compliance with all applicable noise requirements after such addition, and upon completion of such addition and as a condition thereof, an acoustical report, including field measurements, demonstrating such compliance.

With respect to any new commercial or substantially altered commercial building that will contain laboratory use, the heating, ventilation and air conditioning (HVAC) design shall adopt Best Available Noise Control Technology (BANCT) in the sizing

and selection of equipment, its placement on the roof, and the use of effective sound attenuation design elements, including through the following measures: (i) fans shall be provided with variable speed drives to conserve energy when airflow is not needed to condition the space, and sound attenuators will be installed in the ductwork; (ii) cooling towers shall be provided with large diameter, slow speed whisper quiet fans and variable speed drives for capacity control and energy conservation, and such towers will be located within a sound absorbent screen wall; (iii) air cooled chillers shall use variable-speed compressors, variable-speed fans and integrated compressor mufflers; and (iv) air handling units shall be in a sound-insulated penthouse that is ventilated through acoustical louvers. Any PUD-8 Special Permit may contain conditions with respect to noise mitigation consistent with this Section 107.2 for any building containing laboratory use.

Additionally, appropriate screening for any rooftop mechanical equipment shall be provided to the fullest extent permitted by law.

13.107.3 Light Mitigation. Any new commercial or substantially altered commercial building that will contain laboratory use shall install a Building Automation System (BAS) that is programmed to dim or turn lights off and to lower shades after 9:30 pm to reduce light pollution to the surrounding neighborhoods. Any PUD-8 Special Permit may contain conditions with respect to light mitigation consistent with this Section 107.3 for any building containing laboratory use.

13.107.4 Sustainability. New buildings constructed within the PUD-8 District shall comply with the provisions of Section 22.20 of the Zoning Ordinance. For the core and shell of newly constructed office and lab buildings, compliance with LEED standards at the Gold level or better is required to the maximum extent practicable.

New buildings in the PUD-8 District must incorporate an integrated design approach and incorporate the best practices for meeting sustainability in the following seven (7) areas:

(a) *Energy and Emissions.* Each new building must conserve building energy and, to the extent practicable, reduce carbon/GHG emissions. The developer, with each new building within the PUD-8 District, will evaluate the potential for on-site energy generation within the PUD-8 District in the context of ownership, economic viability and phasing constraints. The Developer will conduct a greenhouse gas emissions analysis for each new building and will implement energy efficiency mitigation for such building to achieve the percentage of CO₂ emissions reduction suggested in such analysis.

(b) *Urban Site and Landscaping; Water Management.* The Developer, for each new building, must explore opportunities for potable water use reductions and the ability to enhance indigenous plantings in and around the project site.

(c) *Cool Roofs.* All new buildings approved in the PUD-8 District must employ Functional Green Roofs (as such term is defined in Article 22.000 of this Zoning Ordinance), high-albedo “white” roofs, or a functionally equivalent roofing system.

(d) *Monitoring.* All new buildings in the PUD-8 District shall be required to conform to the requirements of the Cambridge Building Energy Use Disclosure Ordinance, Chapter 8.67 of the Municipal Code.

(e) *Healthy Living and Working.* All new buildings in the PUD-8 District shall provide people with access to daylight and enhance the visual and thermal comfort of people living within the PUD-8 District.

(f) *Transportation.* Final Development Plans within the PUD-8 District shall encourage multimodal transportation, provide facilities for cyclists and provide an infrastructure to support alternative energy vehicles.

13.107.5 PUD-8 Design Guidelines and Principles.

(a) To the extent reasonably practicable, new buildings constructed within the PUD-8 District shall be generally consistent with: (i) the policy objectives set forth in the Eastern Cambridge Planning Study dated October 2001; (ii) the guidance provided in the Eastern Cambridge Design Guidelines dated October 15, 2001; (iii) the East Cambridge Riverfront Plan dated May 1978; and (iv) the Cambridge Riverfront Plan dated Spring 2011 (collectively, the “PUD-8 Guidelines and Principles”); provided however that new buildings constructed within the PUD-8 District shall be generally consistent with the following provisions in lieu of the provisions pertaining to height, setback, stepbacks and materials in the PUD-8 Guidelines and Principles:

- i. *Height:* A diversity of height and massing as permitted in Section 13.104.3 is encouraged to be located in buildings immediately fronting on First Street, Cambridgeside Place and Land Boulevard and designed to create a rich and varied skyline along streets abutting the Development Parcel.
 1. Buildings fronting on First Street are encouraged to establish a recognizable base, activated by commercial, residential, retail, dining and entertainment uses, of a scale and proportion to support an active, pedestrian-oriented public realm.
 2. New buildings along First Street will enhance the public realm by providing an approximately 10-foot setback in order to benefit the use, enjoyment and safety of the area.
 3. Buildings along First Street are encouraged, when possible, to create separation between buildings and to adopt massing strategies within the building facades to create visual interest on the street.

4. Mechanical penthouses, attic stories and other architectural treatments may be utilized to create tops to the buildings that will contribute to a varied skyline and unique reading of each building.

ii. *Stepbacks.*

1. New or renovated buildings that exceed 85 feet in height along major public streets (which, for the purposes of the PUD-8 District, shall mean First Street) shall provide a 10-foot stepback of the building façade at an elevation of approximately 65 feet in height, provided that bays, balconies, tapers, cornices and other architectural elements may project 5 feet into this stepback zone to establish scale compatible with the neighboring structures, and to modulate the massing of the buildings so that they are read as distinct and individual buildings.
2. New or renovated buildings that do not exceed 85 feet in height along major public streets (which, for the purposes of the PUD-8 District, shall mean First Street) are encouraged to provide a distinct horizontal articulation at a datum height of approximately 65 feet, through means other than a stepback (significant change in material, projecting cornice/fin/shade, etc.).
3. New or renovated buildings along First Street shall provide a 15-foot stepback of the rooftop mechanical penthouses.

iii. *Building Spacing:* New buildings shall be designed to provide for appropriate spacing to preserve adequate light, air and central view corridors for the benefit of the East Cambridge neighborhood.

iv. *Materials:* A diversity of materials is encouraged to further contribute to the reading of individual buildings along First Street, Cambridgeside Place and Land Boulevard.

1. Exterior finishes may include high quality and durable materials such as, but not limited to, brick, terra cotta, natural and cast stone, high performance concrete panels and cast shapes, flat and patterned metals, and curtain wall.

(b) In its approval of a Final Development Plan, the Planning Board may make a determination that one or more provisions of the PUD-8 Guidelines and Principles are inapplicable to new buildings to be constructed within the PUD-8 District.

13.107.6 Letter of Commitment. The Letter of Commitment dated _____ by _____ is incorporated herein by reference and made part of the Cambridge Zoning Ordinance and shall be binding upon _____ and its successors and

assigns. To the extent the provisions of the Letter of Commitment are inconsistent with the provisions of this Section 13.100, the Letter of Commitment shall govern.

PUD-8 Zoning Petition
Summary Term Sheet of Commitments
[Updated as of: May 22, 2019]

COMMITMENT	DESCRIPTION	Means of Implementing
Height	<ul style="list-style-type: none"> - ELIMINATE THE 185' HEIGHT. - All building heights subject to full Planning Board, PUD-8 Special Permit review. - <u>No building</u> within the PUD-8 District <u>will exceed</u> a height of <u>165'</u>. - <u>No building</u> fronting on First Street <u>will exceed</u> a height of <u>155'</u>. - Additional height focused on new buildings fronting on First Street, Cambridgeside Place and Land Boulevard. 	Zoning (Section 13.104.3(a)(2))
Affordable Housing	Fifty percent (50%) of the Project's residential Net New Gross Floor Area <u>will be affordable</u> (i.e., 25% subject to Inclusionary Housing requirements and 25% as Middle Income Units).	Zoning (Sections 13.104.1(d)(2) and (3))
Family-Sized Affordable Dwelling Units	All Family-Sized (3 bedroom) Dwelling Units in the Project <u>will be affordable</u> (i.e., 50% subject to Inclusionary Housing requirements and 50% as Middle Income Units).	Zoning (Section 13.104.1(d)(4))
Activation	<u>Active Uses</u> to be incorporated on the ground floor abutting First Street, Cambridgeside Place and Lechmere Canal Park, including dynamic retail and restaurant uses. Improved bicycle and pedestrian connectivity will be included in the First Street redevelopment.	Zoning (Sections 13.107.1 and 13.102.4(j))
First Street Setbacks and Stepbacks	Any new buildings fronting on First Street, will incorporate (i) a <u>10-foot setback</u> and (ii) a <u>10-foot stepback</u> of the building façade at an elevation of approximately 65 feet.	Zoning (Sections 13.107.5(a)(i) and (ii))
Delivery of Residential Component	A final <u>certificate of occupancy may not be issued for more than 400,000 square feet of non-residential Net New Gross Floor Area unless and until development of such residential component shall have commenced.</u>	Zoning (Section 13.104.1(d)(1))
Noise and Light Mitigation Measures	<u>Noise and light mitigation</u> strategies will be implemented in connection with laboratory use at the Project to reduce the number and size of rooftop mechanical equipment and any additional light produced by lab use.	Zoning (Sections 13.107.2 and 13.107.3)
Net Zero Narrative	Submit a narrative describing how the Project will evaluate the ability to meet the goals included in the City's <u>Net Zero Action Plan</u> , including the potential incorporation of enhanced commissioning for newly constructed or renovated office and lab buildings	Zoning (Section 13.102.3(j))
Greenhouse Gas Analysis	Conduct a <u>greenhouse gas emissions analysis</u> for the Project and will implement energy efficiency mitigation to achieve the percentage of CO2 emissions reduction suggested in such analysis.	Zoning (Section 13.107.4(a))
Design Review	In approving a Final Development Plan, the Planning Board may incorporate criteria and additional guidelines for future design review of individual building sites and open spaces in support of its findings.	Zoning (Section 13.102.12)
Maintain Public Access and Atrium Space	<u>Open atrium</u> through the core of CambridgeSide and the associated interior pedestrian walkway that provides for public access from Charles Park to Lechmere Canal Park to be maintained.	Zoning (Section 13.102.4(c)) and Commitment Letter
Subsidy for Innovation/Start-Up or Non-Profit Office Space	Defined <u>office space</u> (which may include designated work areas) will be provided at <u>reduced rates</u> , and for shorter durations within the PUD-8 District to serve as an incubator for <u>small businesses</u> or <u>non-profits</u> in East Cambridge.	Commitment Letter
Subsidy for Local Retail	Defined (approximately 2,500 square feet) retail space within the PUD-8 District will be provided at a reduced rate and term to <u>local retailers</u> .	Commitment Letter

Minority- and Women-Owned Businesses	Work with the City of Cambridge Economic Development Department to determine a program to support <u>local minority- and women-owned businesses</u> .	Commitment Letter
Boathouse Pedestrian Connection and Reconstruction	Subject to obtaining necessary permits and approvals, NED will implement a connection from the Project to the Boathouse and improvements to the existing Boathouse itself, which will: <ul style="list-style-type: none"> - <u>Improve the existing pathway</u> along Lechmere Canal Park by providing additional plantings, replacing pavers and installing more lighting; - <u>Construct pathways</u> on either side of Lechmere Canal Park that would extend the existing pathway to allow pedestrians to cross from Lechmere Canal Park, under the Land Boulevard Bridge, and ultimately to access the Boathouse property; and - <u>Reconstruct the Boathouse</u>, including the provision of a dock for use by the public, and related landscaping improvements. 	Commitment Letter
Tree Fund	<u>\$500,000</u> contribution to the City's Tree Replacement Fund.	Commitment Letter
Scholarship Contribution	New England Development and a group of neighbors founded the East Cambridge Scholarship Fund 30 years ago this June. We have supported it since. We <u>pledge a \$1,000,000</u> contribution to the ECSF (payable in equal installments over a 30-year period).	Commitment Letter
Community Space	Provide <u>community meeting space</u> (for up to 40 people) within the PUD-8 District at no charge to local residents, community groups and small businesses, subject to reasonable rules and regulations.	Commitment Letter
Arts Community Support	Develop a <u>comprehensive system</u> that simplifies <u>coordination</u> with the <u>local Arts Community</u> and gives local artists opportunities to perform, display and/or sell their work at or within the vicinity of the Project, including Lechmere Canal Park. Such a commitment may entail funding the installation of art within the Park or CambridgeSide and/or expansion of the electronic display space within CambridgeSide.	Commitment Letter
Contribution to Cambridge Arts Initiative	<u>\$500,000</u> contribution to Cambridge Arts Initiative.	Commitment Letter
Community and Open Space Event Programming	Host <u>community engagement events</u> in or within the vicinity of the PUD-8 District on a regular basis, which may include a seasonal farmer's market or the provision of space (e.g., shipping containers or kiosks) for small pop-up retail incubators within Lechmere Canal Park.	Commitment Letter
Open Space and Retail Advisory Committee	Establish an <u>advisory committee</u> to provide input on the programming of the open space and local retail spaces, which committee shall include representatives from the Community Development Department, the East Cambridge neighborhood and representatives designated by NED.	Commitment Letter
Affordable Childcare Space	Provide up to 2,500 square feet of space within the PUD-8 District at a reduced rate for a <u>daycare facility</u> to rent.	Commitment Letter
Snow Emergency Parking	Continue to make <u>parking</u> at the Project available to East Cambridge residents during snow emergencies.	Commitment Letter
Cambridge Public Schools Charles River Project	Work with the City of Cambridge Public School Department to develop a <u>curriculum-based program</u> that includes the opportunity for each third grader the opportunity to experience the Charles River, including a free boat ride.	Commitment Letter
Seniors and the Charles	For the next 20 years New England Development will develop evolving ways to connect Cambridge Seniors to the Charles River. In the first year, from May through September, NED will sponsor, for Seniors, free weekly rides on the Charles River with lunches and activities.	Commitment Letter
First Street Sunday Closings	NED will seek, in cooperation with the City and its neighbors, to initiate a <u>pedestrian-only area</u> located on <u>First Street</u> between Cambridgeside Place and Thorndike Way on <u>Sunday afternoons between Memorial Day and Labor Day</u> with active programming and activities.	Commitment Letter

REDLINE CHANGES SINCE MAY 14

13.100 PLANNED UNIT DEVELOPMENT 8 DISTRICT

13.101 *Purpose.* The PUD-8 District is intended to provide for the creation of a vibrant mixed-use district of high quality general and technical office and lab use, active commercial use, including retail, fitness and restaurant, components of residential use and enhancement of open space to serve residents of the District and the surrounding neighborhoods, as well as workers, students and visitors. The PUD-8 District encourages strong connections between the neighborhoods of eastern Cambridge and new development in that area, particularly along First Street, the East Cambridge riverfront (focusing on Lechmere Canal) and the PUD-8 area. It also promotes retail- and service-oriented ground floors that will activate surrounding public streets and spaces, such as First Street and Lechmere Canal Park. The expectation is for the District to continue to be a recognizable center of activity and economic viability for East Cambridge and the surrounding neighborhoods in light of the changing landscape of brick and mortar retail. Development in the PUD-8 District is expected to meet standards for urban design, architectural design, environmental sustainability and open space design. To the extent reasonably practicable and subject to the provisions of Section ~~13.107.4~~[13.107.5](#) below, new buildings shall be generally consistent with the policy objectives set forth in the Eastern Cambridge Planning Study dated October 2001, the guidance provided in the Eastern Cambridge Design Guidelines dated October 15, ~~2001~~[2001](#), [the East Cambridge Riverfront Plan dated May 1978](#) and the Cambridge Riverfront Plan dated Spring 2011.

13.102 *PUD-8 Special Permit.*

13.102.1 Eligible Development Parcel. To further the purpose of this Section 13.100, an applicant may submit a Development Proposal and obtain a special permit from the Planning Board approving a Final Development Plan for the Development Parcel located within the PUD-8 District which, at the time of application for a PUD-8 Special Permit, (i) contains at least 100,000 sf of retail and/or restaurant space on the ground-floor allowed pursuant to a valid special permit under the PUD-4 District, (ii) contains at least 7.5 acres in area and (iii) is within 600 feet of 3 acres of Public Open Space. The Development Parcel within the PUD-8 District may contain contiguous or noncontiguous lots elsewhere in the PUD-8 District or within another PUD District that are situated within twelve hundred (1200) feet of the boundaries of the PUD-8 District.

13.102.2 PUD-8 Special Permit Approval. The Planning Board may grant a PUD-8 Special Permit approving a Final Development Plan for the Development Parcel upon finding that the Final Development Plan is consistent with the criteria set forth below, all other criteria applicable to approval of any other special permits being sought, and upon consideration of the PUD-8 Guidelines and Principles (as hereinafter defined). Any modification to a Final Development Plan ~~for the Development Parcel~~, the need for which arises for any reason, shall require a major or minor amendment in accordance with Section 12.37 of this Zoning Ordinance and the provisions of the PUD-8 Special Permit. A PUD-8 Special Permit approving a Final Development Plan ~~for the Development Parcel~~ may specify that modifications that the developer

can demonstrate meet the following criteria could be considered changes which do not alter the concept of the PUD in terms of density, land usage, height, provision of open space or the physical relationship of elements of the development, such that each shall be considered a minor amendment subject only to written approval of the Planning Board: changes to the Development Plan that (i) constitute a reallocation, reconfiguration or assignment of Gross Floor Area among uses in the Final Development Plan or otherwise allowed in the PUD-8 District, (ii) do not require a new type of zoning relief (other than the categories of relief previously granted for the proposed development, whether by existing PUD special permits or otherwise), and (iii) maintain the same percentage of Minimum Open Space as approved by the PUD-8 Special Permit.

13.102.3 PUD-8 Special Permit Requirements. Within the Development Parcel, the locations of streets and open spaces, the quantities of proposed land uses, and general PUD-8 lots, building envelopes, locations and heights shall be indicated in sufficient detail that the Planning Board can reasonably assess the impact of the PUD-8 Special Permit and its general consistency with the PUD-8 Special Permit Criteria set forth in Section 13.102.4 below. At a minimum, a Development Proposal and subsequent Final Development Plan ~~for the Development Parcel~~ must contain the following components:

(a) *Site Development Plan* — describing how the Development Parcel is divided into distinct PUD-8 lots, streets, and open spaces and their development characteristics, including potential uses and Gross Floor Area (“GFA”).

(b) *Site Massing Plan* — illustrating the height and massing of building volumes for each proposed building site, and including studies of anticipated shadow and wind impacts resulting from building mass.

(c) *Parking and Loading Plan* — identifying the locations of all parking facilities, bicycle parking facilities and facilities for loading or other vehicular service functions, and the number of spaces proposed at each location.

(d) *Connectivity Plan* — illustrating all pedestrian, bicycle and vehicular circulation routes within the Development Parcel, their connections to nearby public circulation routes and destinations outside the Development Parcel, and approximate locations of access and egress points on each building and parking facility within the Development Parcel.

(e) *Open Space Plan* — illustrating and quantifying the areas of all open space areas utilized by the project in satisfaction of Section 13.105, including, without limitation, pedestrian ways providing connectivity to the riverfront.

(f) *Ground Floor and Activation Plan* — illustrating the conceptual arrangement of functions such as retail establishments and other active uses, and residential and office lobbies at the ground floor of each building in the Development Parcel, as well as the locations and anticipated sizes of Active Uses that may be required by the

specific provisions of this Section 13.100 and strategies for programming and activating those spaces.

(g) *Housing Plan* — providing the approximate number and mix of housing unit types proposed on the residential site, and identifying the anticipated location of dwelling units that may be required by specific provisions of this Section 13.100.

(h) *Phasing Plan* — describing the general sequence in which development is proposed to proceed.

(i) *Sustainability and Resiliency Plan* – describing: (1) how the sustainability requirements set forth in Section ~~13.107.3~~ [13.107.4](#) below will be met; (2) how the proposed project will promote best practices for environmental sustainability and resiliency; (3) how the proposed project serves nearby East Cambridge community-wide needs for emergency refuge or shelter during heat or storm emergencies in coordination with the Cambridge Climate Vulnerability Assessment dated February 2017.

(j) [Net Zero Plan – describe how the proposed project will evaluate the feasibility of achieving the goals set forth in the Net Zero Action Plan, including the potential incorporation of enhanced commissioning for newly constructed or renovated office and lab buildings.](#)

(k) ~~(j)~~ *Transportation Plan* – incorporating: (1) a Transportation Impact Study required by Section 19.20 of this Ordinance; (2) a Shared Parking Study required by Section 13.106.5 below; (3) a study of the impacts of increased demand on public transportation services in the East Cambridge area; (4) a description of the development’s relationship to future regional rail, bus, pedestrian/bicycle and other transportation system connections in the area; and (5) a Transportation Demand Management and Mitigation program describing measures [which may be incorporated by the Planning Board into a condition of a PUD-8 Special Permit to offset or mitigate the project’s impacts on transportation systems. Such studies, including measures set forth in this Zoning Ordinance and the City’s planning efforts to be linked to milestones, thresholds or performance standards. Such studies \(and the recommendations set forth therein\)](#) shall account for the proposed scale and phasing of development and the limitations on system capacity to accommodate new vehicle, transit, and other trips.

(l) ~~(k)~~ *Environmental Comfort Plan* – describing or showing screening, building elements, or other site improvements designed to reduce impacts from wind and shadows, provide adequate lighting for safe use while minimizing excessive light, mitigating urban heat island effect, and controlling noise generated by mechanical systems and by truck traffic, particularly on First Street.

(m) ~~(l)~~ *Architectural Character Plan* – describing general approaches to the design of buildings, landscaped areas, streets, and pathways, identifying the type of visual character that the development will aim to achieve, with the expectation that specific

designs of individual buildings and spaces will be reviewed in further detail as they are developed.

(n) ~~(m)~~ *Comprehensive Signage Plan* – providing the approximate number, type and characteristics of signage to be installed within the District, which upon approval of the PUD-8 Special Permit by the Planning Board, shall control for all purposes.

13.102.4 PUD-8 Special Permit Criteria. In approving a Final Development Plan ~~for the Development Parcel~~, the Planning Board shall consider the following objectives with respect to any Net New GFA (as defined below) or construction of a new building:

(a) Providing a mix of commercial, including research and technology, and residential uses, with particular emphasis on ground-floor retail along First Street, to encourage activity throughout the day and evening.

(b) For residential uses, incorporating a diversity of dwelling unit sizes that are appealing and accessible to a variety of users, including families with children and households from a variety of socioeconomic backgrounds.

(c) Improving the network of connections that integrate the PUD-8 District with the surrounding urban fabric of the East Cambridge neighborhood and the activity surrounding the East Cambridge Riverfront, and maintaining existing ground level pedestrian connections between Charles Park and Lechmere Canal Park.

(d) Enhancing the existing network of high-quality streets, landscaping and open spaces, including significant space for public gathering and recreation, that serves the surrounding communities as well as the development on the site by encouraging and fostering a sense of community, civic engagement, social interaction, economic development, and environmental sustainability.

(e) Integrating development with open space physically and functionally by means of building orientation, active frontages, location of building entrances, pedestrian linkages between major activity centers, enhanced landscaping and similar techniques.

(f) Providing a strong street edge and active ground floors that animate streets and open spaces, including through the presence of Active Uses (defined below) on the first-floor fronting on First Street and Cambridgeside Place.

(g) Enhancing the architectural diversity and aesthetic qualities of the PUD-8 District to harness the spirit of growth and change in East Cambridge and reinforce a Cambridge sense of place.

(h) To the maximum extent practicable, promoting best practices for environmental sustainability in establishing design objectives for individual buildings and sites, in accordance with the City's ongoing planning efforts and current Massachusetts Department of Environmental Protection standards.

(i) Demonstrating a commitment to implementing a Transportation Demand Management and Mitigation Program.

(j) Activating ~~First Street~~surrounding streets by incorporating Active Uses on the ~~ground floor and strengthening~~portion of the ground floors of new buildings immediately fronting on First Street, Cambridgeside Place and Lechmere Canal Park (excluding those areas of such ground floors utilized for lobbies, mechanical areas and/or entrances to parking and/or loading areas).

(k) Strengthening pedestrian access from First Street to retail establishments and the Riverfront.

(l) ~~(k)~~ Demonstrating a commitment to implement programming for proximate Public Open Space.

13.102.5 PUD-8 Lot. A lot within the PUD-8 District is a parcel of land that may be in more than one ownership, provided that the developer thereof has control over the entirety of the parcel, whether via fee ownership, long-term lease or enforceable easement rights, which parcel is bounded by other lots or by streets, and which is designated by the developer thereof to be used, developed or built upon as a unit.

13.102.6 Condominium Property Regime. Nothing in this Section 13.100 shall prevent a developer from submitting a building(s) subject to a PUD-8 Special Permit to a condominium property regime. The violation of the conditions of a PUD-8 Special Permit by one owner or occupant of a condominium unit within a development shall not be deemed to be a violation by any other owner or occupant within the development, but shall be deemed to be a violation by the owner or occupant of the condominium unit(s)/premises violating the conditions of the PUD-8 Special Permit. Nothing herein shall limit the rights of a condominium association against a violating owner or occupant.

13.102.7 Applicability of Requirements to Development Parcel. The requirements of this Section 13.100 may be satisfied for the entire Development Parcel on any lot(s) located within the limits of such Development Parcel or, with respect to Section 13.105 (Open Space), on other land within 1,000 feet of the PUD-8 District; provided, however, the requirements of this Section 13.100 shall not be applied to individual PUD-8 lots or ownership units comprising such Development Parcel, but shall be applied as if such Development Parcel were a single conforming PUD-8 lot whether or not such Development Parcel is in single or multiple ownership. A violation, with respect to a lot or ownership unit or leased premises within the Development Parcel, of any provision of this Section 13.100 shall not constitute a violation with respect to any other lot or ownership unit or leased premises within the Development Parcel.

13.102.8 Phasing Plan and Lapse. Any development within the Development Parcel shall commence and, to the extent built in multiple phases over a period of time, be constructed in accordance with the time limits set forth in the Final Development Plan. Any changes to the Phasing Plan after issuance of the PUD-8 Special Permit are

subject only to written approval by the Planning Board.

In no event shall any portion of the development approved by a PUD-8 Special Permit for which a building permit has been issued be deemed to have lapsed due to the fact that any phase of the approved development has not been commenced or completed.

- 13.102.9 Relationship to PUD-4 Special Permit. With respect to the Development Parcel, the rights granted pursuant to a PUD-8 Special Permit shall be in addition to any rights previously granted under a PUD-4 special permit and the PUD-8 Special Permit shall govern with respect to such additional rights. The previously issued PUD-4 special permit shall remain valid and in full force and effect for, and govern with respect to, any remaining land outside of the Development Parcel subject thereto, provided that the terms of such PUD-4 special permit shall be applied to such remaining land without regard to any rights granted to the Development Parcel pursuant to the PUD-8 Special Permit.
- 13.102.10 Consistency. To the extent the Development Parcel is subject to the provisions of one or more special permit(s), site plan approval(s) and/or variance(s) issued prior to the issuance date of a PUD-8 Special Permit granted hereunder and the provisions of such existing approval(s) conflict or are inconsistent with the PUD-8 Special Permit, the provisions of the PUD-8 Special Permit shall govern.

To the extent that the provisions of this Section 13.100 conflict with any other provisions of this Zoning Ordinance, this Section 13.100 shall govern.

- 13.102.11 Pre-Application Conference. In the course of preparing a Development Proposal ~~for the Development Parcel~~, the developer shall be required to participate in at least one PUD Pre-Application Conference as established in Section 12.33 of this Zoning Ordinance and a similar conference with the full City Council or Ordinance Committee. The purpose of the conference will be to discuss the conceptual alternatives for site arrangement, building massing, circulation systems and public space arrangement, as well as general approaches to architectural and landscape design, and for the developer to receive informal feedback from the Planning Board prior to preparing the materials required by Section 13.102.3 above. As set forth in Section 12.33.2, any statement made by the Planning Board or the developer at the Pre-Application Conference shall not be legally binding. Notwithstanding Section 12.33.3, the developer shall present graphic and written materials as needed to illustrate and describe conceptual development alternatives

- 13.102.12 Design Review. In approving a Final Development Plan, the Planning Board may incorporate criteria and additional guidelines for future design review of individual building sites and open spaces in support of its findings, including with respect to: streetscape activation, amenities, and dimensions; the provision of canopy street trees; coordination with the City's plans for vehicular, pedestrian, and bicycle movement in East Cambridge ground floor design; the location of the ground floor façades relative to the plane of the streetwall above; façade length; modulation of the streetwall façade; bay widths; the massing and façade expression of towers, mechanical

[penthouses and their setbacks; screening of mechanical systems; architectural details; building materials; incorporation of art; lighting design; sustainability; and universal access.](#)

13.103 ***Uses Allowed in a PUD-8 District.*** The uses listed in this Section 13.103, alone or in combination with each other, shall be allowed, provided that the amount and extent of uses may be further regulated and limited as set forth elsewhere in this Section 13.100. This Section 13.103 shall refer to uses as they are listed in Article 4.000 and otherwise defined in this Zoning Ordinance as of the effective date of the enactment of this Section 13.100.

- (a) **Residential Uses.** All uses listed in Section 4.31 a-h, and i.2.
- (b) **Transportation, Communication and Utility Uses.** All uses listed in Section 4.32, which are allowed or conditionally allowed in the base zoning district.
- (c) **Institutional Uses.** All uses listed in Section 4.33, which are allowed or conditionally allowed in the applicable base zoning district.
- (d) **Office and Laboratory Uses.** All uses listed in Section 4.34.
- (e) **Retail Business and Consumer Service Establishments.** All uses listed in Section 4.35.
- (f) **Open Air or Drive in Retail & Services.**
 - i. Sales place for flowers, garden supplies, agricultural produce conducted partly or wholly outdoors; commercial greenhouse or warehouse;
 - ii. Open air place of entertainment;
 - iii. Automobile service station where no major repairs are made provided that all lubrication and repairs are carried out within the building and further provided the service station will be located within or attached to a parking garage or other structure as an accessory use.
- (g) **Light Industry, Wholesale Business and Storage.** All uses listed in Section 4.37.
- (h) **Other Uses.** Any use not listed in subsections 13.103(a) through 13.103(g) above, otherwise allowed in a Business A District, may be allowed by the Planning Board upon written determination by the Board that such use is consistent with the objectives of the PUD-8 District and is consistent with the predominant uses in the PUD-8 District.

13.104 ***Dimensional Regulations.***

13.104.1 Permitted Gross Floor Area (GFA). The following GFA shall be permitted within the PUD-8 District:

(a) *Existing GFA*. The GFA that exists on a lot(s) to be covered by a PUD-8 Special Permit on the date of application for such PUD-8 Special Permit, which shall be calculated in accordance with the definition of Gross Floor Area, excluding exemptions under Section 5.25.3 pursuant to subsection (g) of such definition, under the Zoning Ordinance in effect at the time of adoption of this Section 13.100.

(b) *Net New GFA*. A maximum of 625,000 square feet of Net New GFA shall be permitted within the Development Parcel. For purposes of this Section 13.100, Net New GFA shall be calculated as the total Gross Floor Area proposed within the Development Parcel, less the Existing GFA pursuant to Section 13.104.1(a) above.

(c) *Assignment of GFA to PUD-8 Lots*. A Development Proposal for the PUD-8 Development Parcel including all PUD-8 lots within such PUD-8 Development Parcel shall describe how all of the permitted GFA will be assigned to PUD-8 lots within such PUD-8 Development Parcel. However, with the exception of the 100,000 square feet that comprises the core retail component of the PUD-8 District, all permitted GFA shall be assignable among PUD-8 lots within such PUD-8 Development Parcel, subject to approval by the Planning Board.

(d) *Required Residential Development*. A Development Proposal for the PUD-8 Development Parcel shall be required to provide a plan for the provision of at least twenty percent (20%) of its Net New GFA as residential development, subject to the following provisions.

1. Timing. Such residential component may be provided on any portion of such Development Parcel and may be provided during any phase of a multi-phase development, provided, however, that a final certificate of occupancy may not be issued for more than 400,000 square feet of non-residential Net New Gross Floor Area unless and until development of such residential component shall have commenced.
2. Inclusionary Housing Requirements. GFA assigned to residential use shall be subject to the Inclusionary Housing Provisions of Section 11.203 of this Zoning Ordinance, ~~i.e., at least twenty percent (20%)~~ except that at least twenty-five percent (25%) of the total Dwelling Unit Net Floor Area constructed shall be devoted to Affordable Dwelling Units created through Inclusionary Housing.
3. Middle Income Housing Requirement. The following requirements for Middle Income Housing Units shall apply in addition to the Inclusionary Housing Requirements set forth above:
 - i. Twenty-five percent (25%) of the total Dwelling Unit Net Floor Area constructed shall be devoted to ~~Affordable Dwelling Units~~ Middle Income Units (as defined below). Such Middle Income Units shall be

distributed throughout the residential development in a manner approved by City staff, in order to ensure that the Middle Income Units are of an appropriate location, size, configuration and quality for households intended to occupy such units.

ii. For the purposes of this Section 13.104.1, Middle Income Units shall be defined as residential dwelling units for which:

(a) The occupancy is restricted to households whose total income does not exceed one hundred and twenty percent (120%) of the Area Median Income (AMI); and

(b) The rent (including utilities) does not exceed thirty percent (30%) of the income of the renting household 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 the income of the purchasing household, or such other equivalent standard as may be determined by the Board of Trustees of the Affordable Housing Trust Fund.

4. Family-Sized Dwelling Units. The required residential development shall include a range of dwelling unit types and sizes, including Family-Sized Dwelling Units. To the extent legally permissible under Section 11.200 of this Zoning Ordinance and other applicable legal requirements, all Family-Sized Dwelling Units will be Middle Income Units and Affordable Dwelling Units, allocated in accordance with the following: (i) fifty percent (50%) shall be Middle Income Units; and (ii) fifty percent (50%) shall be Affordable Dwelling Units created through Inclusionary Housing.

(e) *Housing Contribution.* To the extent that a development proposed within the PUD-8 District is considered an Incentive Project, it shall comply with the requirements of Section 11.202 of this Ordinance, provided however, in the PUD-8 District, the applicable Housing Contribution shall be calculated based on the square feet of Net New GFA devoted to the uses that qualify the development as an Incentive Project.

13.104.2 Residential Density. There shall be no required minimum Lot Area Per Dwelling Unit in the PUD-8 District.

13.104.3 Maximum Building Height.

(a) As shown on the attached Building Height Map for the PUD-8 District, Map 13.101, the maximum height of buildings permitted in the PUD-8 District shall be eighty-five (85) feet (the “Base Height”), provided, however, that the Base Height for buildings or portions of buildings located (i) within three hundred (300) feet of the centerline of First Street or (ii) greater than four hundred twenty-five (425) feet from

centerline of First Street, may be increased as follows by issuance of a PUD-8 Special Permit by the Planning Board upon a finding that all of the criteria in Section 13.102.4 and the applicable Canal Setback requirements below have been satisfied:

1. *Mid Zone*: The height of a building or any portion thereof, which is setback from the nearest boundary of the PUD-8 Development Parcel to the Lechmere Canal (a “Canal Setback”) by greater than one hundred sixty (160) feet and less than three hundred forty (340) feet may be up to fifty (50) feet in excess of the allowed Base Height (the “Mid Zone Height”).
2. *Exterior Zone*: The height of a building or any portion thereof with a Canal Setback greater than three hundred forty (340) feet may be up to ~~fifty~~thirty (~~50~~30) feet in excess of the allowed Mid Zone Height (the “Exterior Zone Height”), provided, however, the maximum height of any building fronting on First Street shall not exceed one hundred fifty-five feet (155) feet.

13.104.4 Other Dimensional Requirements. There shall be no minimum lot area for PUD-8 lots located within the PUD-8 Development Parcel. There shall be no minimum width for the PUD-8 Development Parcel and no minimum width for PUD-8 lots located within such Development Parcel. There shall be no minimum required front, rear and side yard requirements for the PUD-8 Development Parcel or for PUD-8 lots located within such Development Parcel. There shall be no minimum required distance between buildings on the PUD-8 Development Parcel and no minimum required distance between buildings situated on the same PUD-8 lot within such Development Parcel. The Planning Board shall approve all such PUD-8 lot sizes and building setbacks.

13.105 ***Open Space***.

13.105.1 Subject to the provisions of 13.105.2 below, at a minimum, twenty percent (20%) of the land area within the PUD-8 Development Parcel shall be Public Open Space or Publicly Beneficial Open Space, which may be located in the PUD-8 District and/or within 1,000 feet of the PUD-8 District, subject to the further standards set forth below (the “Minimum Open Space”).

13.105.2 To the extent that the Minimum Open Space requirement is to be satisfied, in whole or in part, with Public Open Space or Publicly Beneficial Open Space that is located outside of the PUD-8 District, the developer shall demonstrate that the developer (or its affiliates) has historically contributed to, or is committed to contributing to, the creation of such Open Space (e.g., through a financial contribution to, or development of, such Open Space).

13.106 ***Parking and Loading***. Development in the PUD-8 District shall conform to the off-street Parking and Loading Requirements set forth in Article 6.000, and in the Schedule of Parking and Loading Requirements applicable to the Residence C-3,

Office 3, Business B and Industry B districts, except as modified by this Section 13.106 below.

13.106.1 With regard to uses contained within new commercial buildings, provided that the requirements of Section 6.23 of the Ordinance are met, the parking requirements of this Section 13.106 may be satisfied (a) anywhere in the PUD-8 District or, if located outside of the PUD-8 District, within 2,000 feet of the use being served, notwithstanding anything to the contrary contained in Article 6.000; and (b) in total or in part by a lease agreement, occupancy agreement, license or other comparable legal instrument between the developer and the City, other public entity or private owner or consortium for use of parking spaces in the public or pooled private parking facilities within said area.

13.106.2 ~~To the extent that accessory parking is provided within the PUD-8 District, all such parking provided within an approved PUD-8 Final Development Plan shall be considered collectively accessory to all approved uses within such PUD and the PUD-8 District.~~ Notwithstanding anything to the contrary in Article 6.000, this Ordinance shall not restrict the management and assignment of parking spaces in a way that will most efficiently utilize the existing and proposed parking spaces to serve all approved uses.

13.106.3 Minimum Parking. ~~Minimum parking for a PUD-8 shall be determined by applying the rates set forth below to each use within the PUD-8 and taking the summation of the result for all uses. For any use not listed below, the minimum parking ratio set forth in Article 6.000 shall apply.~~ There shall be no minimum parking requirements within the PUD-8 District; provided, however, in approving a Final Development Plan, the Planning Board may specify a minimum parking requirement based on review and analysis of Transportation Impact Studies and other relevant information on parking demand provided in application documents, including the Shared Parking Study as required below, and with the guidance of City agencies.

~~(a) — Minimum of 1.0 space per 1,125 square feet of retail, consumer service and restaurant use on the ground floor.~~

~~(b) — Minimum of 1.0 space per 1,800 square feet of retail, consumer service and restaurant use above the ground floor.~~

~~(c) — Minimum of 0.5 spaces per 1,000 square feet of GFA for office use.~~

~~(d) — Minimum of 0.4 spaces per 1,000 square feet of GFA for laboratory use.~~

~~(e) — Minimum of 0.25 spaces per residential dwelling unit.~~

~~In approving a Final Development Plan for the PUD-8 Development Parcel, the Planning Board may waive any minimum parking requirements applicable in the PUD-8 District and the underlying Zoning District. The Planning Board may approve arrangements for shared parking of residential parking spaces with commercial spaces. Notwithstanding the foregoing, the Planning Board may, upon the developer's~~

~~submission of an updated Transportation Impact Study and other relevant information on parking demand, further reduce and/or waive the minimum parking requirements in the event that parking demand decreases following submission and/or approval of any PUD-8 Final Development Plan.~~

13.106.4 Maximum Parking. Maximum allowed parking for a PUD-8 shall be limited by applying the rates set forth below to each use within the PUD-8 and taking the summation of the result for all uses. For any use not listed below, the maximum parking ratio set forth in Article 6.000 shall apply.

(a) Maximum of 5.0 spaces per 1,000 square feet of retail, consumer service and restaurant use.

(b) Maximum of 0.9 spaces per 1,000 square feet of GFA for office use.

(c) Maximum of 0.8 spaces per 1,000 square feet of GFA for laboratory use

(d) Maximum of 1.0 space per residential dwelling unit.

In approving a Final Development Plan ~~for the PUD-8 Development Parcel~~, the Planning Board may waive any maximum parking requirements applicable in the PUD-8 District and the underlying Zoning District.

13.106.5 Shared Parking Study. A Development Proposal for development in the PUD-8 District shall include an analysis of anticipated parking demand for all uses in the development throughout the course of a typical day and week. This analysis may identify opportunities for reducing the total amount of parking required to serve all uses through the sharing of parking spaces by multiple uses. Based on this analysis, the Planning Board may approve a reduced minimum or maximum parking requirement upon finding that the approved amount of parking will be sufficient to serve all permitted uses.

13.106.6 Loading. The Planning Board, in its approval of a Final Development Plan, may waive any requirements for the amount, location and design of loading facilities within the PUD-8 Development Parcel, and may permit loading facilities to be shared across various uses and PUD-8 lots within the PUD-8 District or adjacent PUD-4 Districts.

13.106.7 Bicycle Parking. Bicycle parking shall be provided in accordance with Section 6.100 of this Zoning Ordinance.

13.107 ***Special Requirements, Conditions and Standards Applicable to Certain Development Authorized by the Planning Board in East Cambridge.***

13.107.1 Active Uses. Final Development Plans shall enhance the public pedestrian usage of the sidewalks and create a sense of neighborhood continuity by providing an interesting, lively and active presence at street level. Accordingly, the portion of ground floors of new buildings in the PUD-8 District immediately fronting on First

Street, Cambridgeside Place and Lechmere Canal Park (excluding those areas of such ground floors utilized for lobbies, mechanical areas and/or entrances to parking and/or loading areas) shall be planned, designed, and constructed to contain Active Uses as required below.

(a) *Definition of Active Uses.* For purposes of this Section 13.100, “Active Uses” means:

1. Any use listed in Sections 4.35 and 4.36; and
2. Any other use which the Planning Board determines meets the goals of this Section 13.107.1(a).

13.107.2 Rooftop Mechanical Equipment Noise Mitigation. Sound emanating from rooftop mechanical equipment on all new or substantially altered structures in an approved Final Development Plan shall be minimized by the adoption of best available and feasible practices regarding the location and sizing of equipment, the selection of equipment and sound attenuation measures. At a minimum, any noise or vibration emanating from new commercial or substantially altered commercial buildings shall not be normally perceptible without instruments at a distance of one hundred (100) feet from the source lot line and shall comply with the provisions of the City of Cambridge Noise Ordinance applicable to Commercial Areas (as such term is defined in the Noise Ordinance).

In order to enforce these requirements, the developer shall provide, in addition to a Noise Mitigation narrative required as part of Article 19.000 review, acoustical reports prepared by a professional acoustical engineer as described below:

(a) Prior to and as a condition of the issuance of the first certificate of occupancy for a new or substantially altered commercial building, an acoustical report, including field measurements, demonstrating compliance of such building with all applicable noise requirements; and

(b) Prior to obtaining any building permit to add any new equipment having a capacity greater than five (5) horsepower to the rooftop, a narrative report demonstrating that there will be continued compliance with all applicable noise requirements after such addition, and upon completion of such addition and as a condition thereof, an acoustical report, including field measurements, demonstrating such compliance.

With respect to any new commercial or substantially altered commercial building that will contain laboratory use, the heating, ventilation and air conditioning (HVAC) design shall adopt Best Available Noise Control Technology (BANCT) in the sizing and selection of equipment, its placement on the roof, and the use of effective sound attenuation design elements, including through the following measures: (i) fans shall be provided with variable speed drives to conserve energy when airflow is not needed to condition the space, and sound attenuators will be installed in the ductwork; (ii)

cooling towers shall be provided with large diameter, slow speed whisper quiet fans and variable speed drives for capacity control and energy conservation, and such towers will be located within a sound absorbent screen wall; (iii) air cooled chillers shall use variable-speed compressors, variable-speed fans and integrated compressor mufflers; and (iv) air handling units shall be in a sound-insulated penthouse that is ventilated through acoustical louvers. Any PUD-8 Special Permit may contain conditions with respect to noise mitigation consistent with this Section 107.2 for any building containing laboratory use.

Additionally, appropriate screening for any rooftop mechanical equipment shall be provided to the fullest extent permitted by law.

13.107.3 Light Mitigation. Any new commercial or substantially altered commercial building that will contain laboratory use shall install a Building Automation System (BAS) that is programmed to dim or turn lights off and to lower shades after 9:30 pm to reduce light pollution to the surrounding neighborhoods. Any PUD-8 Special Permit may contain conditions with respect to light mitigation consistent with this Section 107.3 for any building containing laboratory use.

13.107.4 ~~13.107.3~~ **Sustainability.** New buildings constructed within the PUD-8 District shall comply with the provisions of Section 22.20 of the Zoning Ordinance. For the core and shell of newly constructed office and lab buildings, compliance with LEED standards at the Gold level or better is required to the maximum extent practicable.

New buildings in the PUD-8 District must incorporate an integrated design approach and incorporate the best practices for meeting sustainability in the following seven (7) areas:

(a) *Energy and Emissions.* Each new building must conserve building energy and, to the extent practicable, reduce carbon/GHG emissions. The developer, with each new building within the PUD-8 District, will evaluate the potential for on-site energy generation ~~or the construction of co-generation facilities~~ within the PUD-8 District in the context of ownership, economic viability and phasing constraints. The Developer will conduct a greenhouse gas emissions analysis for each new building and will implement energy efficiency mitigation for such building to achieve the percentage of CO2 emissions reduction suggested in such analysis.

(b) *Urban Site and Landscaping; Water Management.* The Developer, for each new building, must explore opportunities for potable water use reductions and the ability to enhance indigenous plantings in and around the project site.

(c) *Cool Roofs.* All new buildings approved in the PUD-8 District must employ Functional Green Roofs (as such term is defined in Article 22.000 of this Zoning Ordinance), high-albedo “white” roofs, or a functionally equivalent roofing system.

(d) *Monitoring.* All new buildings in the PUD-8 District shall be required to conform to the requirements of the Cambridge Building Energy Use Disclosure Ordinance, Chapter 8.67 of the Municipal Code.

(e) *Healthy Living and Working.* All new buildings in the PUD-8 District shall provide people with access to daylight and enhance the visual and thermal comfort of people living within the PUD-8 District.

(f) *Transportation.* Final Development Plans within the PUD-8 District shall encourage multimodal transportation, provide facilities for cyclists and provide an infrastructure to support alternative energy vehicles.

13.107.5 ~~13.107.4~~ PUD-8 Design Guidelines and Principles.

(a) To the extent reasonably practicable, new buildings constructed within the PUD-8 District shall be generally consistent with: (i) the policy objectives set forth in the Eastern Cambridge Planning Study dated October 2001; (ii) the guidance provided in the Eastern Cambridge Design Guidelines dated October 15, 2001; ~~and~~ (iii) the East Cambridge Riverfront Plan dated May 1978; and (iv) the Cambridge Riverfront Plan dated Spring 2011 (collectively, the “PUD-8 Guidelines and Principles”); provided however that new buildings constructed within the PUD-8 District shall be generally consistent with the following provisions in lieu of the provisions pertaining to height, setback, stepbacks and materials in the PUD-8 Guidelines and Principles:

- i. *Height:* A diversity of height and massing as permitted in Section 13.104.3 is encouraged to be located in buildings immediately fronting on First Street, Cambridgeside Place and Land Boulevard and designed to create a rich and varied skyline along streets abutting the Development Parcel.
 1. Buildings fronting on First Street are encouraged to establish a recognizable base, activated by commercial, residential, retail, dining and entertainment uses, of a scale and proportion to support an active, pedestrian-oriented public realm.
 2. ~~Buildings~~New buildings along First Street ~~are encouraged to maintain the prevailing street wall, except where the opportunity to~~will enhance the public realm by ~~setting back the ground floor up to 10 feet is beneficial to~~providing an approximately 10-foot setback in order to benefit the use, enjoyment and safety of the area.
 3. Buildings along First Street are encouraged, when possible, to create separation between buildings and to adopt massing strategies within the building facades to create visual interest on the street.
 4. Mechanical penthouses, attic stories and other architectural treatments may be utilized to create tops to the buildings that will contribute to a varied skyline and unique reading of each building.
- ii. *Stepbacks*:-

1. New or renovated buildings that exceed 85 feet in height along major public streets (which, for the purposes of the PUD-8 District, shall mean First Street) shall ~~not be subject to any mandatory stepback requirements provided such buildings utilize bays, balconies, setbacks as in Section 13.107.4(a)(i)(1),~~ provide a 10-foot stepback of the building façade at an elevation of approximately 65 feet in height, provided that bays, balconies, tapers, cornices, and other architectural devices elements may project 5 feet into this stepback zone to establish scale compatible with the neighboring structures, and to modulate the massing of the buildings so that they are read as distinct and individual buildings.

2. New or renovated buildings that do not exceed 85 feet in height along major public streets (which, for the purposes of the PUD-8 District, shall mean First Street) are encouraged to provide a distinct horizontal articulation at a datum height of approximately 65 feet, through means other than a stepback (significant change in material, projecting cornice/fin/shade, etc.).

3. New or renovated buildings along First Street shall provide a 15-foot stepback of the rooftop mechanical penthouses.

iii. Building Spacing: New buildings shall be designed to provide for appropriate spacing to preserve adequate light, air and central view corridors for the benefit of the East Cambridge neighborhood.

iv. ~~iii-~~ Materials: A diversity of materials is encouraged to further contribute to the reading of individual buildings along First Street, Cambridgeside Place and Land Boulevard.

1. Exterior finishes may include high quality and durable materials such as, but not limited to, brick, terra cotta, natural and cast stone, high performance concrete panels and cast shapes, flat and patterned metals, and curtain wall.

(b) In its approval of a Final Development Plan, the Planning Board may make a determination that one or more provisions of the PUD-8 Guidelines and Principles are inapplicable to new buildings to be constructed within the PUD-8 District.

13.107.6 ~~13.107.5~~ Letter of Commitment. The Letter of Commitment dated _____ by _____ is incorporated herein by reference and made part of the Cambridge Zoning Ordinance and shall be binding upon _____ and its successors and assigns. To the extent the provisions of the Letter of Commitment are inconsistent with the provisions of this Section 13.100, the Letter of Commitment shall govern.

Document comparison by Workshare 9 on Thursday, May 23, 2019 10:01:01 AM

Input:	
Document 1 ID	netdocuments://4820-8510-1934/18
Description	CambridgeSide 2.0 - PUD-8 Zoning Text
Document 2 ID	netdocuments://4820-8510-1934/21
Description	CambridgeSide 2.0 - PUD-8 Zoning Text
Rendering set	Standard

Legend:	
Insertion	
Deletion	
Moved from	
Moved to	
Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	74
Deletions	45
Moved from	4
Moved to	4
Style change	0
Format changed	0
Total changes	127

REDLINE CHANGES SINCE ORIGINAL PETITION

13.100 PLANNED UNIT DEVELOPMENT 8 DISTRICT

13.101 **Purpose.** The PUD-8 District is intended to provide for the creation of a vibrant mixed-use district of high quality general and technical office and lab use, active commercial use, including retail, fitness and restaurant, components of residential use and enhancement of open space to serve residents of the District and the surrounding neighborhoods, as well as workers, students and visitors. The PUD-8 District encourages strong connections between the neighborhoods of eastern Cambridge and new development in that area, particularly along First Street, the East Cambridge riverfront (focusing on Lechmere Canal) and the PUD-8 area. It also promotes retail- and service-oriented ground floors that will activate surrounding public streets and spaces, such as First Street and Lechmere Canal Park. The expectation is for the District to continue to be a recognizable center of activity and economic viability for East Cambridge and the surrounding neighborhoods in light of the changing landscape of brick and mortar retail. Development in the PUD-8 District is expected to meet standards for urban design, architectural design, environmental sustainability and open space design. To the extent reasonably practicable and subject to the provisions of Section ~~13.107.4~~[13.107.5](#) below, new buildings shall be generally consistent with the policy objectives set forth in the Eastern Cambridge Planning Study dated October 2001, the guidance provided in the Eastern Cambridge Design Guidelines dated October 15, ~~2001~~[2001](#), [the East Cambridge Riverfront Plan dated May 1978](#) and the Cambridge Riverfront Plan dated Spring 2011.

13.102 **PUD-8 Special Permit.**

13.102.1 **Eligible Development Parcel.** To further the purpose of this Section 13.100, an applicant may submit a Development Proposal and obtain a special permit from the Planning Board approving a Final Development Plan for the Development Parcel located within the PUD-8 District which, at the time of application for a PUD-8 Special Permit, (i) contains at least 100,000 sf of retail and/or restaurant space on the ground-floor allowed pursuant to a valid special permit under the PUD-4 District, (ii) contains at least 7.5 acres in area, [and](#) (iii) is within 600 feet of 3 acres of Public Open Space ~~and (iv) otherwise meets the requirements set forth in Section 13.102.4 below.~~ The Development Parcel within the PUD-8 District may contain contiguous or noncontiguous lots elsewhere in the PUD-8 District or within another PUD District that are situated within twelve hundred (1200) feet of the boundaries of the PUD-8 District.

13.102.2 **PUD-8 Special Permit Approval.** The Planning Board ~~shall~~[may](#) grant a PUD-8 Special Permit approving a Final Development Plan for the Development Parcel upon finding that the Final Development Plan is consistent with the criteria set forth below, all other criteria applicable to approval of any other special permits being sought, and upon consideration of the PUD-8 Guidelines and Principles (as hereinafter defined). Any modification to a Final Development Plan ~~for the Development Parcel~~, the need for which arises for any reason, shall require a major or minor amendment in accordance with Section 12.37 of this Zoning Ordinance and the provisions of the PUD-8 Special Permit. ~~Modifications~~[A PUD-8 Special Permit approving a Final](#)

Development Plan may specify that modifications that the developer can demonstrate meet the following criteria ~~shall~~could be considered changes which do not alter the concept of the PUD in terms of density, land usage, height, provision of open space or the physical relationship of elements of the development, such that each shall be considered a minor amendment subject only to written approval of the Planning Board: changes to the Development Plan that (i) constitute a reallocation, reconfiguration or assignment of Gross Floor Area among uses in the Final Development Plan or otherwise allowed in the PUD-8 District, (ii) ~~constitute a reallocation or reconfiguration of height among buildings in the Final Development Plan or otherwise allowed in the PUD-8 District, subject always to compliance with the provisions of Section 13.104.3 below,~~ (iii) do not require a new type of zoning relief (other than the categories of relief previously granted for the proposed development, whether by existing PUD special permits or otherwise), and (iv) ~~iii~~ maintain the same percentage of Minimum Open Space as approved by the PUD-8 Special Permit.

13.102.3 PUD-8 Special Permit Requirements. Within the Development Parcel, the locations of streets and open spaces, the quantities of proposed land uses, and general PUD-8 lots, building envelopes, locations and heights shall be indicated in sufficient detail that the Planning Board can reasonably assess the impact of the PUD-8 Special Permit and its general consistency with the PUD-8 Special Permit Criteria set forth in Section 13.102.4 below. At a minimum, a Development Proposal and subsequent Final Development Plan ~~for the Development Parcel~~ must contain the following components:

(a) *Site Development Plan* — describing how the Development Parcel is divided into distinct PUD-8 lots, streets, and open spaces and their development characteristics, including potential uses and Gross Floor Area (“GFA”).

(b) *Site Massing Plan* — illustrating the height and massing of building volumes for each proposed building site, and including studies of anticipated shadow and wind impacts resulting from building mass.

(c) *Parking and Loading Plan* — identifying the locations of all parking facilities, bicycle parking facilities and facilities for loading or other vehicular service functions, and the number of spaces proposed at each location.

(d) *Connectivity Plan* — illustrating all pedestrian, bicycle and vehicular circulation routes within the Development Parcel, their connections to nearby public circulation routes and destinations outside the Development Parcel, and approximate locations of access and egress points on each building and parking facility within the Development Parcel.

(e) *Open Space Plan* — illustrating and quantifying the areas of all open space areas utilized by the project in satisfaction of Section 13.105, including, without limitation, pedestrian ways providing connectivity to the riverfront.

(f) *Ground Floor and Activation Plan* — illustrating the conceptual arrangement of functions such as retail establishments and other active uses, and residential and office lobbies at the ground floor of each building in the Development Parcel, as well as the locations and anticipated sizes of Active Uses that may be required by the specific provisions of this Section 13.100 and strategies for programming and activating those spaces.

(g) *Housing Plan* — providing the approximate number and mix of housing unit types proposed on the residential site, and identifying the anticipated location of dwelling units that may be required by specific provisions of this Section 13.100.

(h) *Phasing Plan* — describing the general sequence in which development is proposed to proceed.

(i) *Sustainability and Resiliency Plan* – describing: (1) how the sustainability requirements set forth in Section ~~13.107.3~~13.107.4 below will be met; (2) how the proposed project will promote best practices for environmental sustainability and resiliency; (3) how the proposed project serves nearby East Cambridge community-wide needs for emergency refuge or shelter during heat or storm emergencies in coordination with the Cambridge Climate Vulnerability Assessment dated February 2017.

(j) *Net Zero Plan* – describe how the proposed project will evaluate the feasibility of achieving the goals set forth in the Net Zero Action Plan, including the potential incorporation of enhanced commissioning for newly constructed or renovated office and lab buildings.

(k) ~~(j)~~ *Transportation Plan* – incorporating: (1) a Transportation Impact Study required by Section 19.20 of this Ordinance; (2) a Shared Parking Study required by Section 13.106.5 below; (3) a study of the impacts of increased demand on public transportation services in the East Cambridge area; (4) a description of the development’s relationship to future regional rail, bus, pedestrian/bicycle and other transportation system connections in the area; and (5) a Transportation Demand Management and Mitigation program describing measures which may be incorporated by the Planning Board into a condition of a PUD-8 Special Permit to offset or mitigate the project’s impacts on transportation systems. ~~Such studies, including measures set forth in this Zoning Ordinance and the City’s planning efforts to be linked to milestones, thresholds or performance standards. Such studies (and the recommendations set forth therein)~~ shall account for the proposed scale and phasing of development and the limitations on system capacity to accommodate new vehicle, transit, and other trips.

(l) ~~(k)~~ *Environmental Comfort Plan* – describing or showing screening, building elements, or other site improvements designed to reduce impacts from wind and shadows, provide adequate lighting for safe use while minimizing excessive light, mitigating urban heat island effect, and controlling noise generated by mechanical systems and by truck traffic, particularly on First Street.

(m) ~~(h)~~ *Architectural Character Plan* – describing general approaches to the design of buildings, landscaped areas, streets, and pathways, identifying the type of visual character that the development will aim to achieve, with the expectation that specific designs of individual buildings and spaces will be reviewed in further detail as they are developed.

(n) ~~(m)~~ *Comprehensive Signage Plan* – providing the approximate number, type and characteristics of signage to be installed within the District, which upon approval of the PUD-8 Special Permit by the Planning Board, shall control for all purposes.

13.102.4 PUD-8 Special Permit Criteria. In approving a Final Development Plan ~~for the Development Parcel~~, the Planning Board shall consider the following objectives with respect to any Net New GFA (as defined below) or construction of a new building:

(a) Providing a mix of commercial, including research and technology, and residential uses, with particular emphasis on ground-floor retail along First Street, to encourage activity throughout the day and evening.

(b) For residential uses, incorporating a diversity of dwelling unit sizes that are appealing and accessible to a variety of users, including families with children and households from a variety of socioeconomic backgrounds.

(c) Improving the network of connections that integrate the PUD-8 District with the surrounding urban fabric of the East Cambridge neighborhood and the activity surrounding the East Cambridge Riverfront, and maintaining existing ground level pedestrian connections between Charles Park and Lechmere Canal Park.

(d) Enhancing the existing network of high-quality streets, landscaping and open spaces, including significant space for public gathering and recreation, that serves the surrounding communities as well as the development on the site by encouraging and fostering a sense of community, civic engagement, social interaction, economic development, and environmental sustainability.

(e) Integrating development with open space physically and functionally by means of building orientation, active frontages, location of building entrances, pedestrian linkages between major activity centers, enhanced landscaping and similar techniques.

(f) Providing a strong street edge and active ground floors that animate streets and open spaces, including through the presence of Active Uses (defined below) on the first-floor fronting on First Street and Cambridgeside Place.

(g) Enhancing the architectural diversity and aesthetic qualities of the PUD-8 District to harness the spirit of growth and change in East Cambridge and reinforce a Cambridge sense of place.

(h) To the maximum extent practicable, promoting best practices for environmental sustainability in establishing design objectives for individual buildings

and sites, in accordance with the City's ongoing planning efforts and current Massachusetts Department of Environmental Protection standards.

(i) Demonstrating a commitment to implementing a Transportation Demand Management and Mitigation Program.

(j) Activating ~~First Street~~surrounding streets by incorporating Active Uses on the ~~ground floor and strengthening~~portion of the ground floors of new buildings immediately fronting on First Street, Cambridgeside Place and Lechmere Canal Park (excluding those areas of such ground floors utilized for lobbies, mechanical areas and/or entrances to parking and/or loading areas).

(k) Strengthening pedestrian access from First Street to retail establishments and the Riverfront.

(l) ~~(k)~~-Demonstrating a commitment to implement programming for proximate Public Open Space.

13.102.5 PUD-8 Lot. A lot within the PUD-8 District is a parcel of land that may be in more than one ownership, provided that the developer thereof has control over the entirety of the parcel, whether via fee ownership, long-term lease or enforceable easement rights, which parcel is bounded by other lots or by streets, and which is designated by the developer thereof to be used, developed or built upon as a unit.

13.102.6 Condominium Property Regime. Nothing in this Section 13.100 shall prevent a developer from submitting a building(s) subject to a PUD-8 Special Permit to a condominium property regime. The violation of the conditions of a PUD-8 Special Permit by one owner or occupant of a condominium unit within a development shall not be deemed to be a violation by any other owner or occupant within the development, but shall be deemed to be a violation by the owner or occupant of the condominium unit(s)/premises violating the conditions of the PUD-8 Special Permit. Nothing herein shall limit the rights of a condominium association against a violating owner or occupant.

13.102.7 Applicability of Requirements to Development Parcel. The requirements of this Section 13.100 may be satisfied for the entire Development Parcel on any lot(s) located within the limits of such Development Parcel or, with respect to Section 13.105 (Open Space), on other land within 1,000 feet of the PUD-8 District; provided, however, the requirements of this Section 13.100 shall not be applied to individual PUD-8 lots or ownership units comprising such Development Parcel, but shall be applied as if such Development Parcel were a single conforming PUD-8 lot whether or not such Development Parcel is in single or multiple ownership. A violation, with respect to a lot or ownership unit or leased premises within the Development Parcel, of any provision of this Section 13.100 shall not constitute a violation with respect to any other lot or ownership unit or leased premises within the Development Parcel.

13.102.8 Phasing Plan and Lapse. Any development within the Development Parcel ~~may-~~be shall commence and, to the extent built in multiple phases over a period of time, be

constructed in accordance with the ~~terms of the special permit~~ time limits set forth in the Final Development Plan. Any changes to the Phasing Plan after issuance of the PUD-8 Special Permit are subject only to written approval by the Planning Board.

~~In the event that the Planning Board approves a PUD-8 Special Permit application, such a special permit shall be deemed to have been (i) exercised with respect to the entire Development Parcel upon the submission to the City of an application for a building permit for all or any portion of the development approved under such PUD-8 Special Permit; and (ii) shall not lapse or expire, for any purpose, with respect to any portion of the Development Parcel, once construction under such a PUD-8 Special Permit has begun for any portion of the development approved under such PUD-8 Special Permit. In no event shall any portion of the development approved by a PUD-8 Special Permit for which a building permit has been issued (i) be deemed to be in violation of this Section 13.100 or such Special Permit or (ii) be deemed to have lapsed due to the fact that any phase of the approved development has not been commenced or completed.~~

13.102.9 Relationship to PUD-4 Special Permit. With respect to the Development Parcel, the rights granted pursuant to a PUD-8 Special Permit shall be in addition to any rights previously granted under a PUD-4 special permit and the PUD-8 Special Permit shall govern with respect to such additional rights. The previously issued PUD-4 special permit shall remain valid and in full force and effect for, and govern with respect to, any remaining land outside of the Development Parcel subject thereto, provided that the terms of such PUD-4 special permit shall be applied to such remaining land without regard to any rights granted to the Development Parcel pursuant to the PUD-8 Special Permit.

13.102.10 Conflict Consistency. To the extent the Development Parcel is subject to the provisions of one or more special permit(s), site plan approval(s) and/or variance(s) issued prior to the issuance date of a PUD-8 Special Permit granted hereunder and the provisions of such existing approval(s) conflict or are inconsistent with the PUD-8 Special Permit, the provisions of the PUD-8 Special Permit shall govern.

To the extent that the provisions of this Section 13.100 conflict with any other provisions of this Zoning Ordinance ~~or any other City of Cambridge ordinance or regulation~~, this Section 13.100 shall govern.

13.102.11 Pre-Application Conference. In the course of preparing a Development Proposal ~~for the Development Parcel~~, the developer shall be required to participate in at least one PUD Pre-Application Conference as established in Section 12.33 of this Zoning Ordinance and a similar conference with the full City Council or Ordinance Committee. The purpose of the conference will be to discuss the conceptual alternatives for site arrangement, building massing, circulation systems and public space arrangement, as well as general approaches to architectural and landscape design, and for the developer to receive informal feedback from the Planning Board prior to preparing the materials required by Section 13.102.3 above. As set forth in Section 12.33.2, any statement made by the Planning Board or the developer at the

Pre-Application Conference shall not be legally binding. Notwithstanding Section 12.33.3, the developer shall present graphic and written materials as needed to illustrate and describe conceptual development alternatives

13.102.12 Design Review. In approving a Final Development Plan, the Planning Board may incorporate criteria and additional guidelines for future design review of individual building sites and open spaces in support of its findings, including with respect to: streetscape activation, amenities, and dimensions; the provision of canopy street trees; coordination with the City's plans for vehicular, pedestrian, and bicycle movement in East Cambridge ground floor design; the location of the ground floor façades relative to the plane of the streetwall above; façade length; modulation of the streetwall façade; bay widths; the massing and façade expression of towers, mechanical penthouses and their stepbacks; screening of mechanical systems; architectural details; building materials; incorporation of art; lighting design; sustainability; and universal access.

13.103 ***Uses Allowed in a PUD-8 District.*** The uses listed in this Section 13.103, alone or in combination with each other, shall be allowed, provided that the amount and extent of uses may be further regulated and limited as set forth elsewhere in this Section 13.100. This Section 13.103 shall refer to uses as they are listed in Article 4.000 and otherwise defined in this Zoning Ordinance as of the effective date of the enactment of this Section 13.100.

- (a) Residential Uses. All uses listed in Section 4.31 a-h, and i.2.
- (b) Transportation, Communication and Utility Uses. All uses listed in Section 4.32, which are allowed or conditionally allowed in the base zoning district.
- (c) Institutional Uses. All uses listed in Section 4.33, which are allowed or conditionally allowed in the applicable base zoning district.
- (d) Office and Laboratory Uses. All uses listed in Section 4.34.
- (e) Retail Business and Consumer Service Establishments. All uses listed in Section 4.35.
- (f) Open Air or Drive in Retail & Services.
 - i. Sales place for flowers, garden supplies, agricultural produce conducted partly or wholly outdoors; commercial greenhouse or warehouse;
 - ii. Open air place of entertainment;
 - iii. Automobile service station where no major repairs are made provided that all lubrication and repairs are carried out within the building and further provided the service station will be located within or attached to a parking garage or other structure as an accessory use.

(g) Light Industry, Wholesale Business and Storage. All uses listed in Section 4.37.

(h) Other Uses. Any use not listed in subsections 13.103(a) through 13.103(g) above, otherwise allowed in a Business A District, may be allowed by the Planning Board upon written determination by the Board that such use is consistent with the objectives of the PUD-8 District and is consistent with the predominant uses in the PUD-8 District.

13.104 ***Dimensional Regulations.***

13.104.1 Permitted Gross Floor Area (GFA). The following GFA shall be permitted within the ~~Development Parcel~~PUD-8 District:

(a) *Existing GFA*. The GFA that exists on a lot(s) to be covered by a PUD-8 Special Permit on the date of application for such PUD-8 Special Permit, which shall be calculated in accordance with the definition of Gross Floor Area, excluding exemptions under Section 5.25.3 pursuant to subsection (g) of such definition, under the Zoning Ordinance in effect at the time of adoption of this Section 13.100.

(b) *Net New GFA*. A maximum of 625,000 square feet of Net New GFA shall be permitted within the Development Parcel. For purposes of this Section 13.100, Net New GFA shall be calculated as the total Gross Floor Area proposed within the Development Parcel, less the Existing GFA pursuant to Section 13.104.1(a) above.

(c) *Assignment of GFA to PUD-8 Lots*. A Development Proposal for the PUD-8 Development Parcel including all PUD-8 lots within such PUD-8 Development Parcel shall describe how all of the permitted GFA will be assigned to PUD-8 lots within such PUD-8 Development Parcel. However, with the exception of the 100,000 square feet that comprises the core retail component of the PUD-8 District, all permitted GFA shall be assignable among PUD-8 lots within such PUD-8 Development Parcel, subject to approval by the Planning Board.

(d) *Required Residential Development*. A Development Proposal for the PUD-8 Development Parcel shall be required to provide a plan for the provision of at least twenty percent (20%) of its Net New GFA as residential development, subject to the following provisions.

1. Timing. Such residential component may be provided on any portion of such Development Parcel and may be provided during any phase of a multi-phase development, provided, however, that a final certificate of occupancy may not be issued for more than 400,000 square feet of non-residential Net New Gross Floor Area unless and until development of such residential component shall have commenced.
2. Inclusionary Housing Requirements. GFA assigned to residential use shall be subject to the Inclusionary Housing Provisions of Section 11.203 of this Zoning Ordinance, ~~i.e., at least twenty percent (20)~~except that at least

twenty-five percent (25%) of the total Dwelling Unit Net Floor Area constructed shall be devoted to Affordable Dwelling Units created through Inclusionary Housing.

3. Middle Income Housing Requirement. The following requirements for Middle Income Housing Units shall apply in addition to the Inclusionary Housing Requirements set forth above:

i. Twenty-five percent (25%) of the total Dwelling Unit Net Floor Area constructed shall be devoted to ~~Affordable Dwelling Units~~. Middle Income Units (as defined below). Such Middle Income Units shall be distributed throughout the residential development in a manner approved by City staff, in order to ensure that the Middle Income Units are of an appropriate location, size, configuration and quality for households intended to occupy such units.

ii. For the purposes of this Section 13.104.1, Middle Income Units shall be defined as residential dwelling units for which:

(a) The occupancy is restricted to households whose total income does not exceed one hundred and twenty percent (120%) of the Area Median Income (AMI); and

(b) The rent (including utilities) does not exceed thirty percent (30%) of the income of the renting household 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 the income of the purchasing household, or such other equivalent standard as may be determined by the Board of Trustees of the Affordable Housing Trust Fund.

4. Family-Sized Dwelling Units. The required residential development shall include a range of dwelling unit types and sizes, including Family-Sized Dwelling Units. To the extent legally permissible under Section 11.200 of this Zoning Ordinance and other applicable legal requirements, all Family-Sized Dwelling Units will be Middle Income Units and Affordable Dwelling Units, allocated in accordance with the following: (i) fifty percent (50%) shall be Middle Income Units; and (ii) fifty percent (50%) shall be Affordable Dwelling Units created through Inclusionary Housing.

(e) *Housing Contribution.* To the extent that a development proposed within the PUD-8 District is considered an Incentive Project, it shall comply with the requirements of Section 11.202 of this Ordinance, provided however, in the PUD-8 District, the applicable Housing Contribution shall be calculated based on the square feet of Net New GFA devoted to the uses that qualify the development as an Incentive Project.

13.104.2 Residential Density. There shall be no required minimum Lot Area Per Dwelling Unit in the PUD-8 District.

13.104.3 Maximum Building Height.

(a) As shown on the attached Building Height Map for the PUD-8 District, Map 13.101, the maximum height of buildings permitted in the PUD-8 District shall be eighty-five (85) feet (the “Base Height”), provided, however, that the Base Height for buildings or portions of buildings located (i) within three hundred (300) feet of the centerline of First Street or (ii) greater than four hundred twenty-five (425) feet from centerline of First Street, may be increased as follows by issuance of a PUD-8 Special Permit by the Planning Board upon a finding that all of the criteria in Section 13.102.4 and the applicable Canal Setback requirements below have been satisfied:

1. *Mid Zone*: The height of a building or any portion thereof, which is setback from the nearest boundary of the PUD-8 Development Parcel to the Lechmere Canal (a “Canal Setback”) by greater than one hundred sixty (160) feet and less than three hundred forty (340) feet may be up to fifty (50) feet in excess of the allowed Base Height (the “Mid Zone Height”).
2. *Exterior Zone*: The height of a building or any portion thereof with a Canal Setback greater than three hundred forty (340) feet may be up to ~~thirty~~ thirty (~~50~~30) feet in excess of the allowed Mid Zone Height (the “Exterior Zone Height”), provided, however, the maximum height of any building fronting on First Street shall not exceed one hundred fifty-five feet (155) feet.

13.104.4 Other Dimensional Requirements. There shall be no minimum lot area for PUD-8 lots located within the PUD-8 Development Parcel. There shall be no minimum width for the PUD-8 Development Parcel and no minimum width for PUD-8 lots located within such Development Parcel. There shall be no minimum required front, rear and side yard requirements for the PUD-8 Development Parcel or for PUD-8 lots located within such Development Parcel. There shall be no minimum required distance between buildings on the PUD-8 Development Parcel and no minimum required distance between buildings situated on the same PUD-8 lot within such Development Parcel. The Planning Board shall approve all such PUD-8 lot sizes and building setbacks.

13.105 *Open Space*.

13.105.1 Subject to the provisions of ~~13-IV-b~~13.105.2 below, at a minimum, twenty percent (20%) of the land area within the PUD-8 Development Parcel shall be Public Open Space or Publicly Beneficial Open Space, which may be located in the PUD-8 District and/or within 1,000 feet of the PUD-8 District, subject to the further standards set forth below (the “Minimum Open Space”).

13.105.2 To the extent that the Minimum Open Space requirement is to be satisfied, in whole or in part, with Public Open Space or Publicly Beneficial Open Space that is located

outside of the PUD-8 District, the developer shall demonstrate that the developer (or its affiliates) has historically contributed to, or is committed to contributing to, the creation of such Open Space (e.g., through a financial contribution to, or development of, such Open Space).

- 13.106 ***Parking and Loading.*** Development in the PUD-8 District shall conform to the off-street Parking and Loading Requirements set forth in Article 6.000, and in the Schedule of Parking and Loading Requirements applicable to the Residence C-3, Office 3, Business B and Industry B districts, except as modified by this Section 13.106 below.
- 13.106.1 With regard to uses contained within new commercial buildings, provided that the requirements of Section 6.23 of the Ordinance are met, the parking requirements of this Section 13.106 may be satisfied (a) anywhere in the PUD-8 District or, if located outside of the PUD-8 District, within 2,000 feet of the use being served, notwithstanding anything to the contrary contained in Article 6.000; and (b) in total or in part by a lease agreement, occupancy agreement, license or other comparable legal instrument between the developer and the City, other public entity or private owner or consortium for use of parking spaces in the public or pooled private parking facilities within said area.
- 13.106.2 ~~To the extent that accessory parking is provided within the PUD-8 District, all such parking provided within an approved PUD-8 Final Development Plan shall be considered collectively accessory to all approved uses within such PUD and the PUD-8 District.~~ Notwithstanding anything to the contrary in Article 6.000, this Ordinance shall not restrict the management and assignment of parking spaces in a way that will most efficiently utilize the existing and proposed parking spaces to serve all approved uses.
- 13.106.3 **Minimum Parking.** ~~Minimum parking for a PUD-8 shall be determined by applying the rates set forth below to each use within the PUD-8 and taking the summation of the result for all uses. For any use not listed below, the minimum parking ratio set forth in Article 6.000 shall apply.~~
- ~~(a) — Minimum of 1.0 space per 1,125 square feet of retail, consumer service and restaurant use on the ground floor.~~
- ~~(b) — Minimum of 1.0 space per 1,800 square feet of retail, consumer service and restaurant use above the ground floor.~~
- ~~(c) — Minimum of 0.5 spaces per 1,000 square feet of GFA for office use.~~
- ~~(d) — Minimum of 0.4 spaces per 1,000 square feet of GFA for laboratory use.~~
- ~~(e) — Minimum of 0.25 spaces per residential dwelling unit. In There shall be no minimum parking requirements within the PUD-8 District; provided, however, in approving a Final Development Plan for the PUD-8 Development Parcel, the Planning Board may waive any minimum parking requirements applicable in the~~

~~PUD-8 District and the underlying Zoning District. The Planning Board may approve arrangements for shared parking of residential parking spaces with commercial spaces. Notwithstanding the foregoing, the Planning Board may, upon the developer's submission of an updated Transportation Impact Study, specify a minimum parking requirement based on review and analysis of Transportation Impact Studies and other relevant information on parking demand, further reduce and/or waive the minimum parking requirements in the event that parking demand decreases following submission and/or approval of any PUD-8 Final Development Plan, provided in application documents, including the Shared Parking Study as required below, and with the guidance of City agencies.~~

13.106.4 Maximum Parking. Maximum allowed parking for a PUD-8 shall be limited by applying the rates set forth below to each use within the PUD-8 and taking the summation of the result for all uses. For any use not listed below, the maximum parking ratio set forth in Article 6.000 shall apply.

- (a) Maximum of 5.0 spaces per 1,000 square feet of retail, consumer service and restaurant use.
- (b) Maximum of 0.9 spaces per 1,000 square feet of GFA for office use.
- (c) Maximum of 0.8 spaces per 1,000 square feet of GFA for laboratory use
- (d) Maximum of 1.0 space per residential dwelling unit.

In approving a Final Development Plan ~~for the PUD-8 Development Parcel~~, the Planning Board may waive any maximum parking requirements applicable in the PUD-8 District and the underlying Zoning District.

13.106.5 Shared Parking Study. A Development Proposal for development in the PUD-8 District shall include an analysis of anticipated parking demand for all uses in the development throughout the course of a typical day and week. This analysis may identify opportunities for reducing the total amount of parking required to serve all uses through the sharing of parking spaces by multiple uses. Based on this analysis, the Planning Board may approve a reduced minimum or maximum parking requirement upon finding that the approved amount of parking will be sufficient to serve all permitted uses.

13.106.6 Loading. The Planning Board, in its approval of a Final Development Plan, may waive any requirements for the amount, location and design of loading facilities within the PUD-8 Development Parcel, and may permit loading facilities to be shared across various uses and PUD-8 lots within the PUD-8 District or adjacent PUD-4 Districts.

13.106.7 Bicycle Parking. Bicycle parking shall be provided in accordance with Section 6.100 of this Zoning Ordinance.

13.107 ***Special Requirements, Conditions and Standards Applicable to Certain Development Authorized by the Planning Board in East Cambridge.***

13.107.1 Active Uses. Final Development Plans shall enhance the public pedestrian usage of the sidewalks and create a sense of neighborhood continuity by providing an interesting, lively and active presence at street level. Accordingly, the portion of ground floors of new buildings in the PUD-8 District immediately fronting on First Street, Cambridgeside Place and Lechmere Canal Park (excluding those areas of such ground floors utilized for lobbies, mechanical areas and/or entrances to parking and/or loading areas) shall be planned, designed, and constructed to contain Active Uses as required below.

(a) *Definition of Active Uses*. For purposes of this Section 13.100, “Active Uses” means:

1. Any use listed in Sections 4.35 and 4.36; and
2. Any other use which the Planning Board determines meets the goals of this Section 13.107.1(a).

13.107.2 Rooftop Mechanical Equipment Noise Mitigation. Sound emanating from rooftop mechanical equipment on all new or substantially altered structures in an approved Final Development Plan shall be minimized by the adoption of best available and feasible practices regarding the location and sizing of equipment, the selection of equipment and sound attenuation measures. At a minimum, any noise or vibration emanating from new commercial or substantially altered commercial buildings shall not be normally perceptible without instruments at a distance of one hundred (100) feet from the source lot line and shall comply with the provisions of the City of Cambridge Noise Ordinance applicable to Commercial Areas (as such term is defined in the Noise Ordinance).

In order to enforce these requirements, the developer shall provide, in addition to a Noise Mitigation narrative required as part of Article 19.000 review, acoustical reports prepared by a professional acoustical engineer as described below:

(a) Prior to and as a condition of the issuance of the first certificate of occupancy for a new or substantially altered commercial building, an acoustical report, including field measurements, demonstrating compliance of such building with all applicable noise requirements; and

(b) Prior to obtaining any building permit to add any new equipment having a capacity greater than five (5) horsepower to the rooftop, a narrative report demonstrating that there will be continued compliance with all applicable noise requirements after such addition, and upon completion of such addition and as a condition thereof, an acoustical report, including field measurements, demonstrating such compliance.

With respect to any new commercial or substantially altered commercial building that will contain laboratory use, the heating, ventilation and air conditioning (HVAC) design shall adopt Best Available Noise Control Technology (BANCT) in the sizing and selection of equipment, its placement on the roof, and the use of effective sound attenuation design elements, including through the following measures: (i) fans shall be provided with variable speed drives to conserve energy when airflow is not needed to condition the space, and sound attenuators will be installed in the ductwork; (ii) cooling towers shall be provided with large diameter, slow speed whisper quiet fans and variable speed drives for capacity control and energy conservation, and such towers will be located within a sound absorbent screen wall; (iii) air cooled chillers shall use variable-speed compressors, variable-speed fans and integrated compressor mufflers; and (iv) air handling units shall be in a sound-insulated penthouse that is ventilated through acoustical louvers. Any PUD-8 Special Permit may contain conditions with respect to noise mitigation consistent with this Section 107.2 for any building containing laboratory use.

Additionally, appropriate screening for any rooftop mechanical equipment shall be provided to the fullest extent permitted by law.

13.107.3 Light Mitigation. Any new commercial or substantially altered commercial building that will contain laboratory use shall install a Building Automation System (BAS) that is programmed to dim or turn lights off and to lower shades after 9:30 pm to reduce light pollution to the surrounding neighborhoods. Any PUD-8 Special Permit may contain conditions with respect to light mitigation consistent with this Section 107.3 for any building containing laboratory use.

13.107.4 ~~13.107.3~~ Sustainability. New buildings constructed within the PUD-8 District shall comply with the provisions of Section 22.20 of the Zoning Ordinance. For the core and shell of newly constructed office and lab buildings, compliance with LEED standards at the Gold level or better is required to the maximum extent practicable.

New buildings in the PUD-8 District must incorporate an integrated design approach and incorporate the best practices for meeting sustainability in the following seven (7) areas:

(a) *Energy and Emissions.* Each new building must conserve building energy and, to the extent practicable, reduce carbon/GHG emissions. The developer, with each new building within the PUD-8 District, will evaluate the potential for on-site energy generation ~~or the construction of co-generation facilities~~ within the PUD-8 District in the context of ownership, economic viability and phasing constraints. The Developer will conduct a greenhouse gas emissions analysis for each new building and will implement energy efficiency mitigation for such building to achieve the percentage of CO2 emissions reduction suggested in such analysis.

(b) *Urban Site and Landscaping; Water Management.* The Developer, for each new building, must explore opportunities for potable water use reductions and the ability to enhance indigenous plantings in and around the project site.

(c) *Cool Roofs.* All new buildings approved in the PUD-8 District must employ Functional Green Roofs (as such term is defined in Article 22.000 of this Zoning Ordinance), high-albedo “white” roofs, or a functionally equivalent roofing system.

(d) *Monitoring.* All new buildings in the PUD-8 District shall be required to conform to the requirements of the Cambridge Building Energy Use Disclosure Ordinance, Chapter 8.67 of the Municipal Code.

(e) *Healthy Living and Working.* All new buildings in the PUD-8 District shall provide people with access to daylight and enhance the visual and thermal comfort of people living within the PUD-8 District.

(f) *Transportation.* Final Development Plans within the PUD-8 District shall encourage multimodal transportation, provide facilities for cyclists and provide an infrastructure to support alternative energy vehicles.

~~(g) — In connection with the approval of a Final Development Plan or in connection with the granting of a PUD or other special permit pursuant to this Zoning Ordinance, the Planning Board may grant dimensional and other zoning relief in order to permit the construction of a co-generation facility or other energy systems that allow developments to develop shared solutions to minimize energy usage.~~

13.107.5 ~~13.107.4~~ PUD-8 Design Guidelines and Principles.

(a) To the extent reasonably practicable, new buildings constructed within the PUD-8 District shall be generally consistent with: (i) the policy objectives set forth in the Eastern Cambridge Planning Study dated October 2001; (ii) the guidance provided in the Eastern Cambridge Design Guidelines dated October 15, 2001; ~~and~~ (iii) the East Cambridge Riverfront Plan dated May 1978; and (iv) the Cambridge Riverfront Plan dated Spring 2011 (collectively, the “PUD-8 Guidelines and Principles”); provided however that new buildings constructed within the PUD-8 District shall be generally consistent with the following provisions in lieu of the provisions pertaining to height, setback, stepbacks and materials in the PUD-8 Guidelines and Principles:

- i. *Height:* A diversity of height and massing as permitted in Section 13.104.3 is encouraged to be located in buildings immediately fronting on First Street, Cambridgeside Place and Land Boulevard and designed to create a rich and varied skyline along streets abutting the Development Parcel.
 1. Buildings fronting on First Street are encouraged to establish a recognizable base, activated by commercial, residential, retail, dining and entertainment uses, of a scale and proportion to support an active, pedestrian-oriented public realm.
 2. ~~Buildings~~New buildings along First Street ~~are encouraged to maintain the prevailing street wall, except where the opportunity to will~~ enhance the public realm by ~~setting back the ground floor up to 10~~

~~feet is beneficial to~~ providing an approximately 10-foot setback in order to benefit the use, enjoyment and safety of the area.

3. Buildings along First Street are encouraged, when possible, to create separation between buildings and to adopt massing strategies within the building facades to create visual interest on the street.
4. Mechanical penthouses, attic stories and other architectural treatments may be utilized to create tops to the buildings that will contribute to a varied skyline and unique reading of each building.

ii. Stepbacks:

1. New or renovated buildings that exceed 85 feet in height along major public streets (which, for the purposes of the PUD-8 District, shall mean First Street) shall ~~not be subject to any mandatory stepback requirements provided such buildings utilize bays, balconies, setbacks as in Section 13.107.4(a)(i)(1),~~ provide a 10-foot stepback of the building façade at an elevation of approximately 65 feet in height, provided that bays, balconies, tapers, cornices, and other architectural devices ~~elements may project 5 feet into this stepback zone~~ to establish scale compatible with the neighboring structures, and to modulate the massing of the buildings so that they are read as distinct and individual buildings.
2. New or renovated buildings that do not exceed 85 feet in height along major public streets (which, for the purposes of the PUD-8 District, shall mean First Street) are encouraged to provide a distinct horizontal articulation at a datum height of approximately 65 feet, through means other than a stepback (significant change in material, projecting cornice/fin/shade, etc.).
3. New or renovated buildings along First Street shall provide a 15-foot stepback of the rooftop mechanical penthouses.

iii. Building Spacing: New buildings shall be designed to provide for appropriate spacing to preserve adequate light, air and central view corridors for the benefit of the East Cambridge neighborhood.

iv. ~~iii-~~ Materials: A diversity of materials is encouraged to further contribute to the reading of individual buildings along First Street, Cambridge Side Place and Land Boulevard.

1. Exterior finishes may include high quality and durable materials such as, but not limited to, brick, terra cotta, natural and cast stone, high performance concrete panels and cast shapes, flat and patterned metals, and curtain wall.

(b) In its approval of a Final Development Plan, the Planning Board may make a determination that one or more provisions of the PUD-8 Guidelines and Principles are inapplicable to new buildings to be constructed within the PUD-8 District.

13.107.6 Letter of Commitment. The Letter of Commitment dated _____ by _____ is incorporated herein by reference and made part of the Cambridge Zoning Ordinance and shall be binding upon _____ and its successors and assigns. To the extent the provisions of the Letter of Commitment are inconsistent with the provisions of this Section 13.100, the Letter of Commitment shall govern.

Document comparison by Workshare 9 on Thursday, May 23, 2019 10:03:09 AM

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Document 2 ID	netdocuments://4820-8510-1934/21
Description	CambridgeSide 2.0 - PUD-8 Zoning Text
Rendering set	Standard

Legend:	
Insertion	
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Moved cell	
Split/Merged cell	
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