

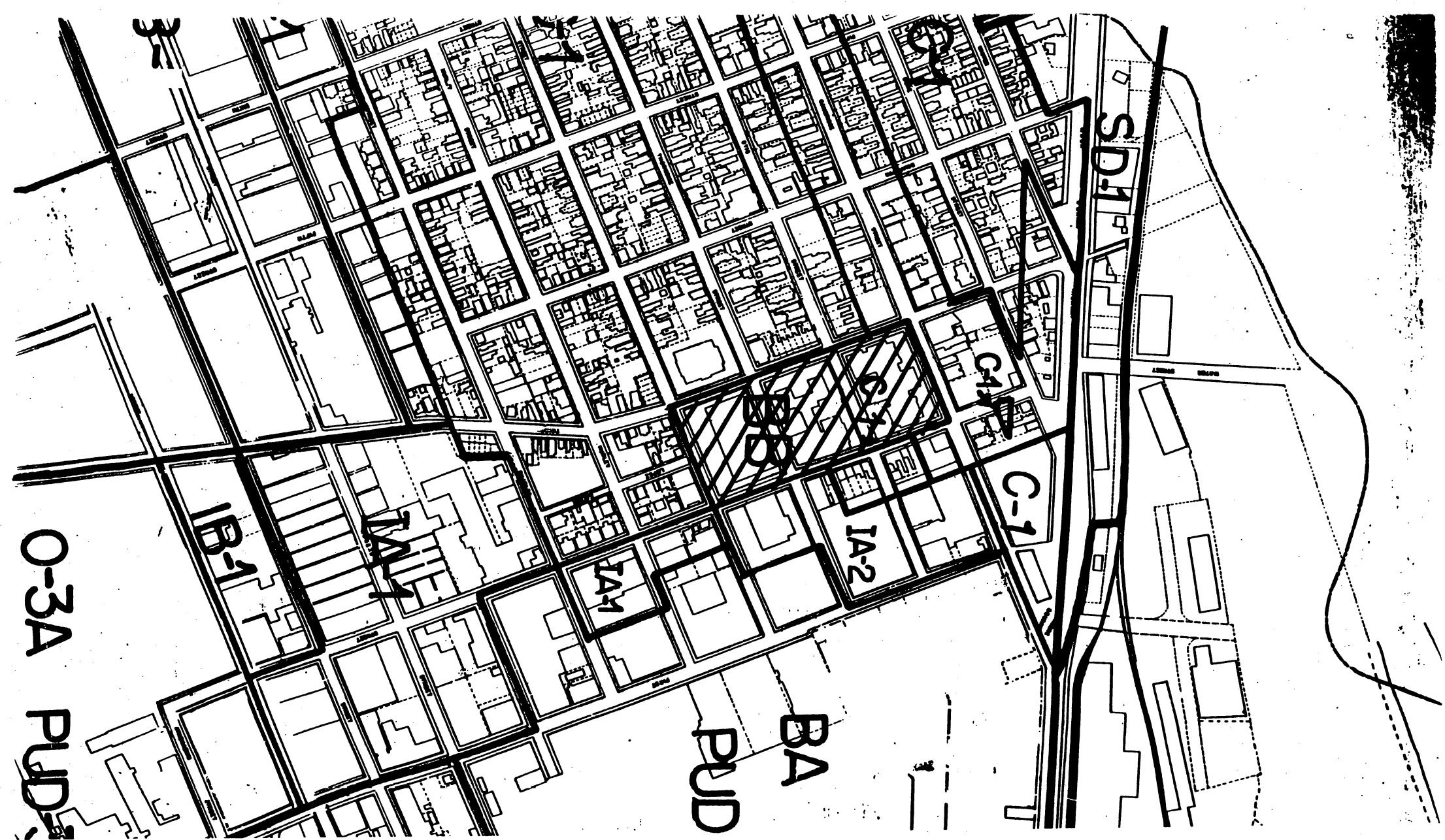
## **Maps 1 - 3**

---

**Map 1a - h:** Zones on the Zoning Map subject to a new height limit of 120 feet; Business B, Office 3 and Industry B districts.

**Maps 2a - g:** Business A zones on the Zoning Map subject to a reduction in height for residential uses to 45feet.

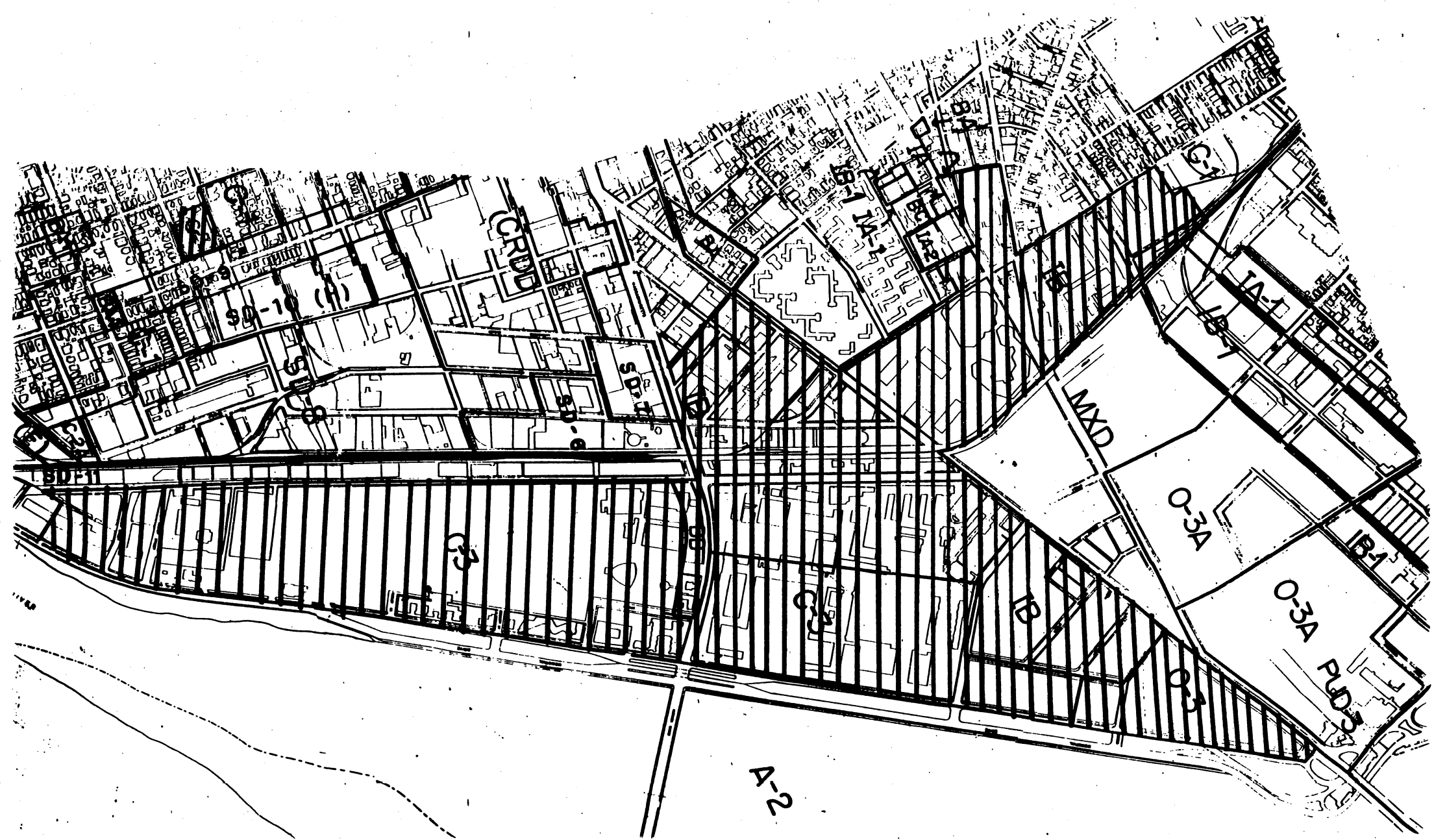
**Map 3a - d:** Zones on the Zoning Map subject to a reduction of FAR to 3.0; Business B, Industry A-2 and Industry B districts.



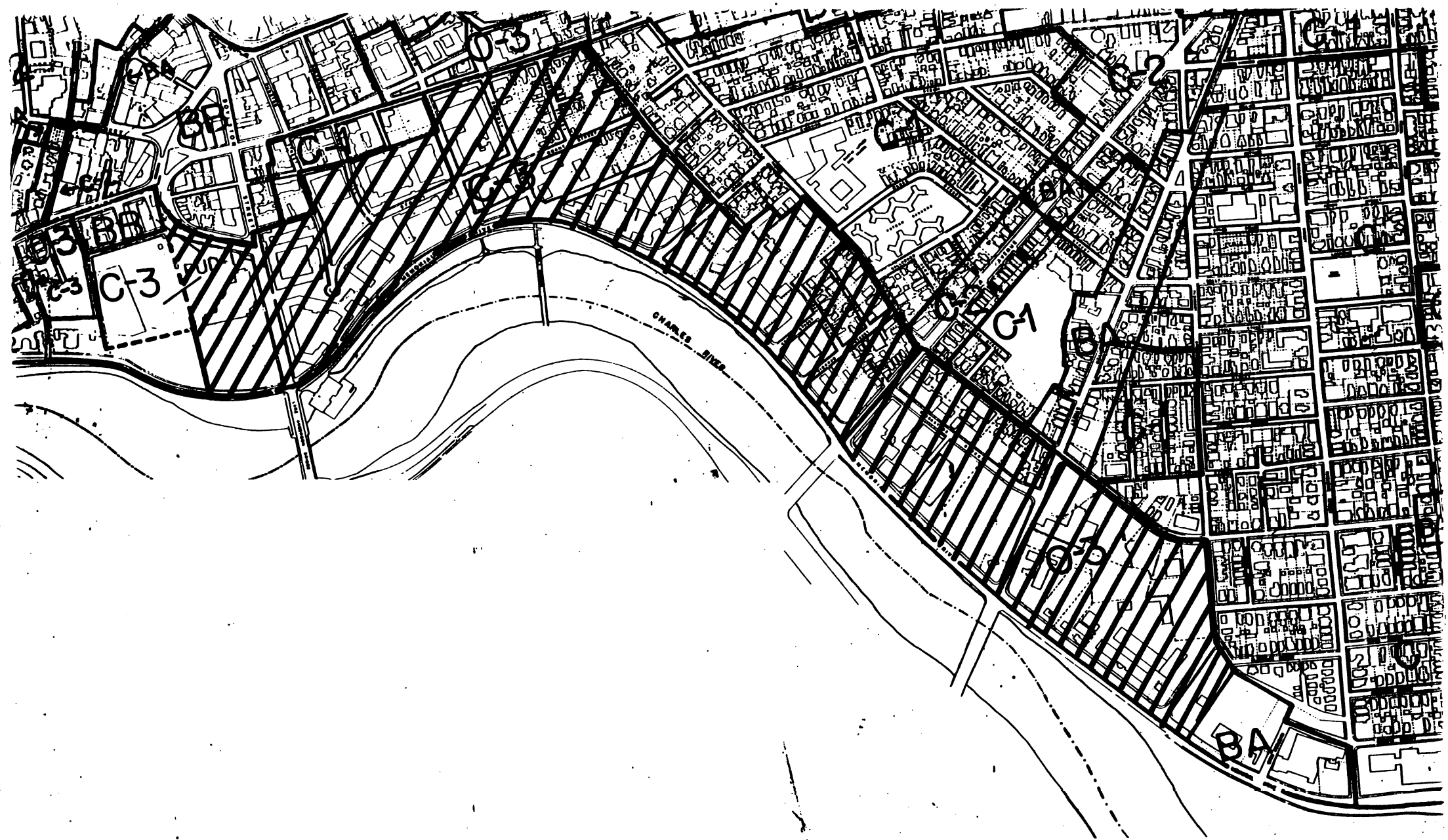
**Map 1a - 120 foot height limit imposed in Business B, Office 3 and Industry B districts with special permit provisions (excluding areas already limited by other provisions, e.g. Harvard Square Overlay District, Central Square Overlay District).**



**Map 1b - 120 foot height limit imposed in Business B, Office 3 and Industry B districts with special permit provisions (excluding areas already limited by other provisions, e.g. Harvard Square Overlay District, Central Square Overlay District).**



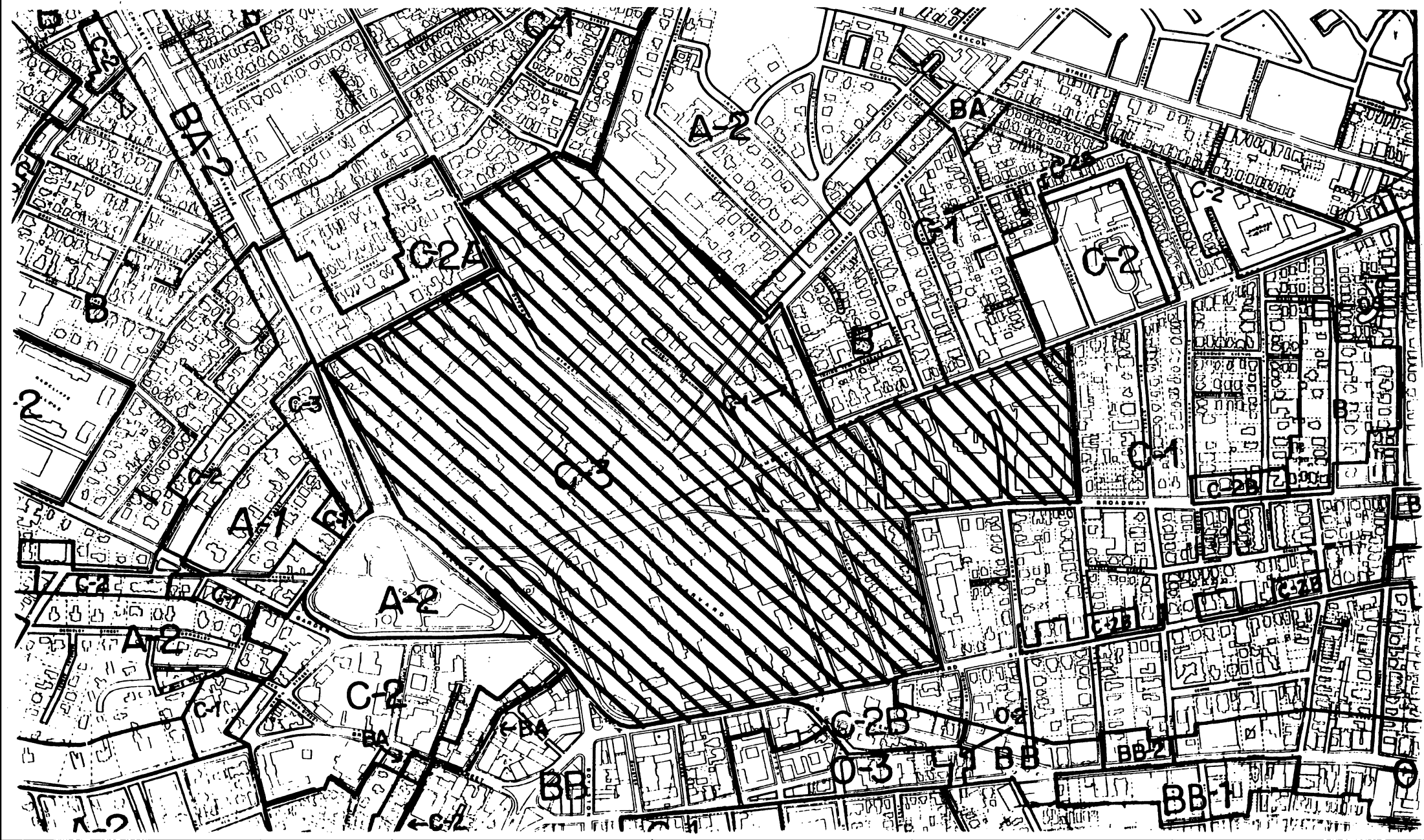
**Map 1c - 120 foot height limit imposed in Business B, Office 3 and Industry B districts with special permit provisions (excluding areas already limited by other provisions, e.g. Harvard Square Overlay District, Central Square Overlay District).**



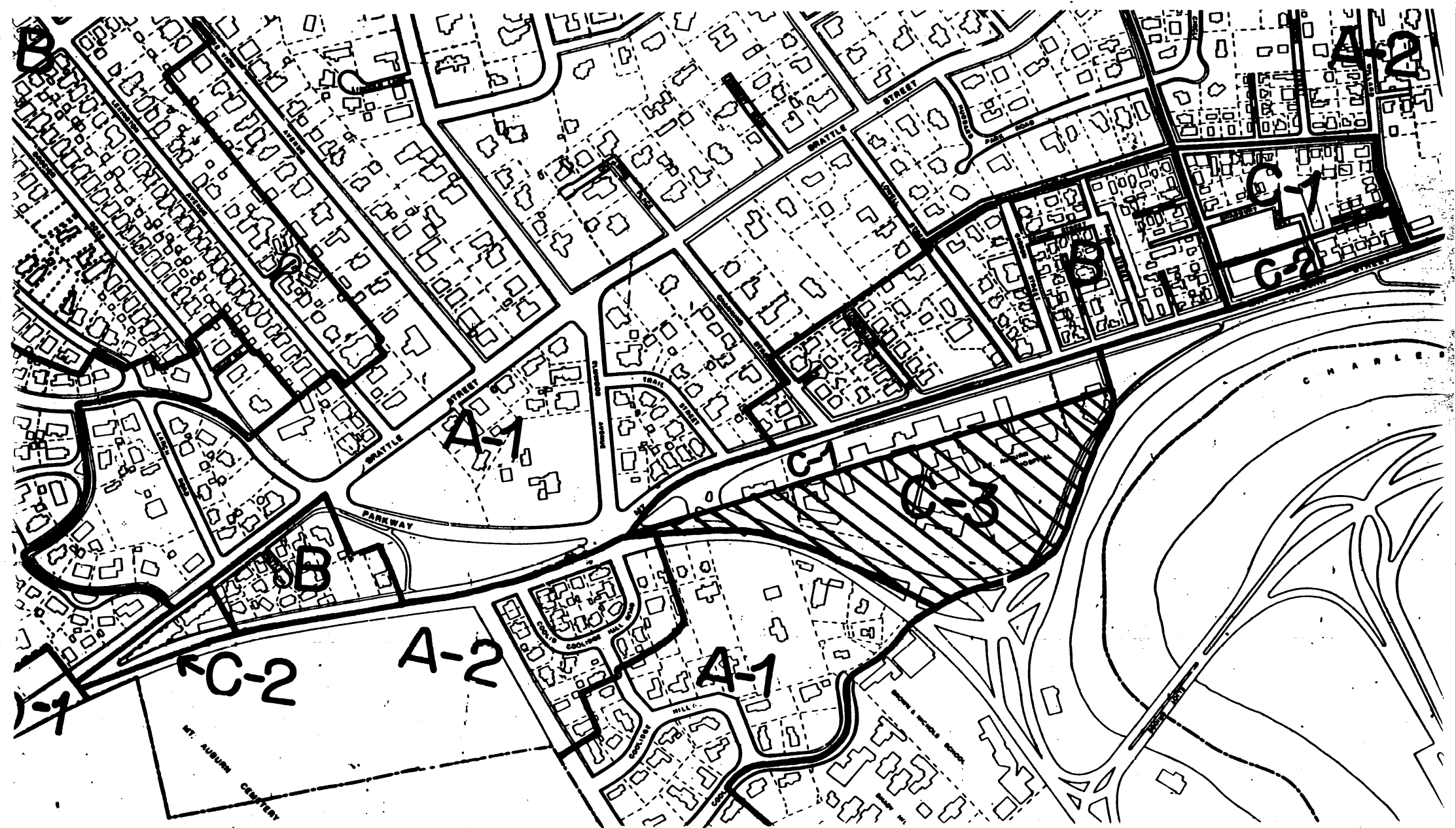
**Map 1d - 120 foot height limit imposed in Business B, Office 3 and Industry B districts with special permit provisions (excluding areas already limited by other provisions, e.g. Harvard Square Overlay District, Central Square Overlay District).**



**Map 1f - 120 foot height limit imposed in Business B, Office 3 and Industry B districts with special permit provisions (excluding areas already limited by other provisions, e.g. Harvard Square Overlay District, Central Square Overlay District).**



**Map 1g - 120 foot height limit imposed in Business B, Office 3 and Industry B districts with special permit provisions (excluding areas already limited by other provisions, e.g. Harvard Square Overlay District, Central Square Overlay District).**

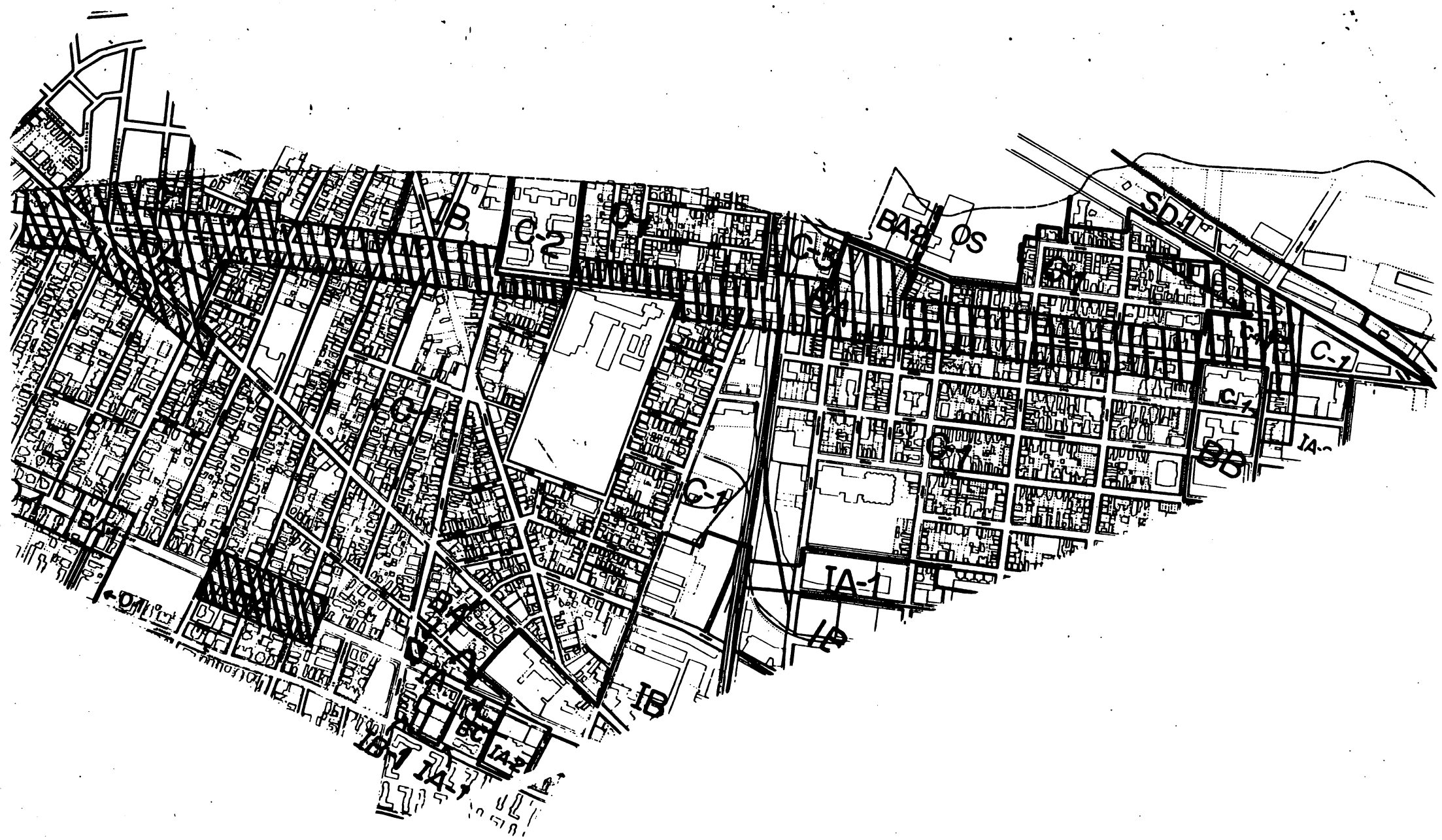




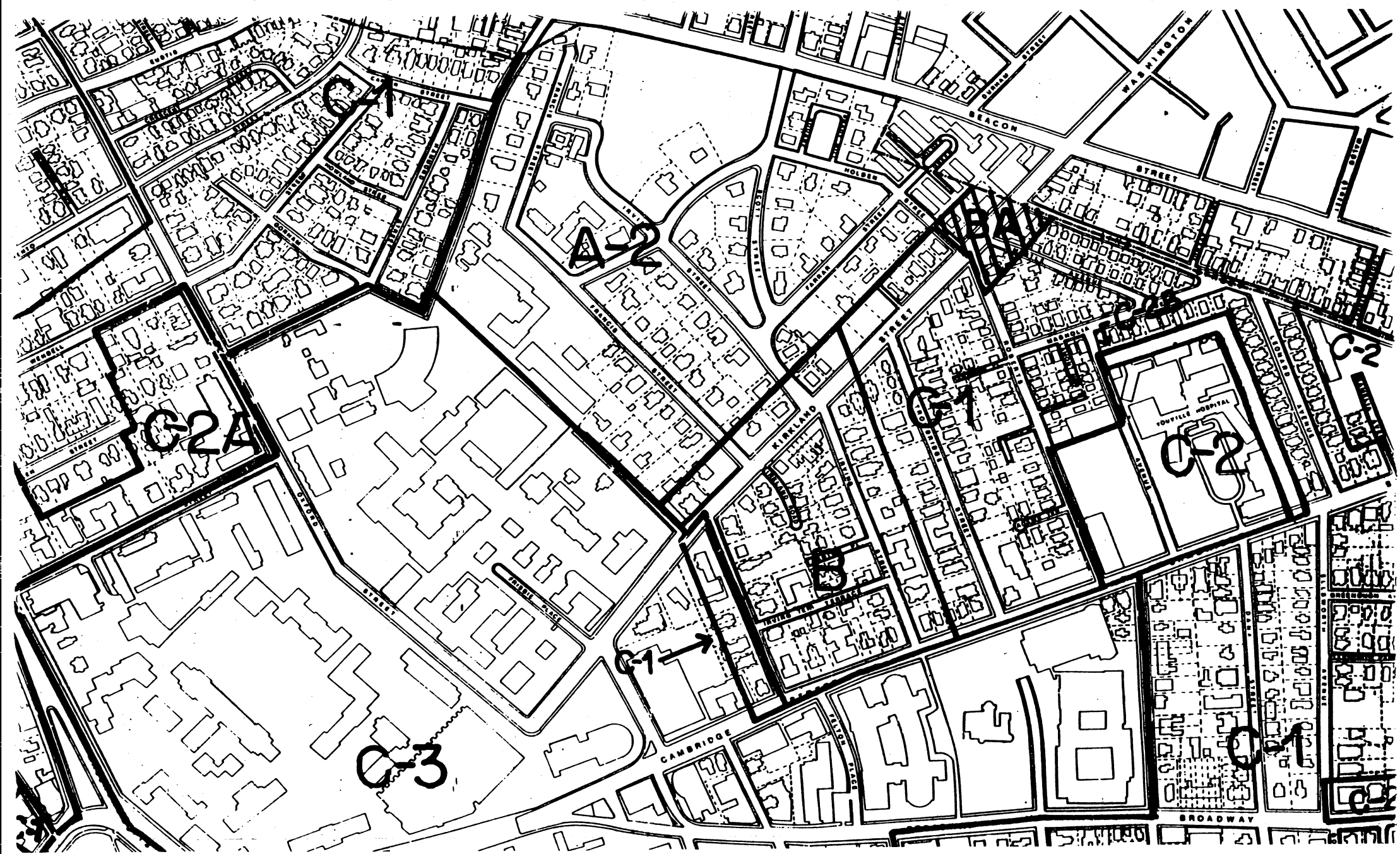
**Map 1h - 120 foot height limit imposed in Business B, Office 3 and Industry B districts with special permit provisions (excluding areas already limited by other provisions, e.g. Harvard Square Overlay District, Central Square Overlay District).**

Map 2a - 45 foot height limit imposed in Business A districts for residential uses.

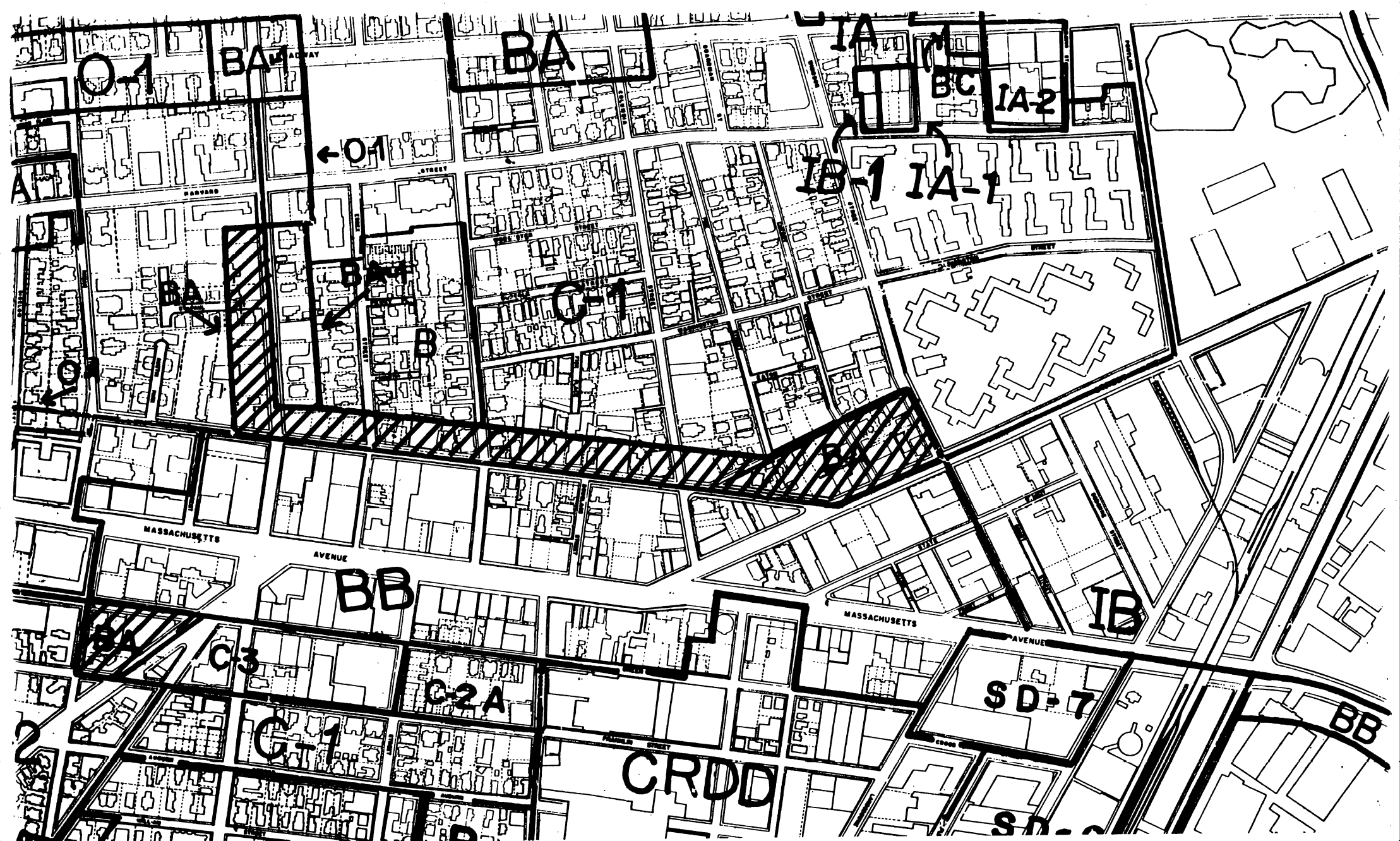




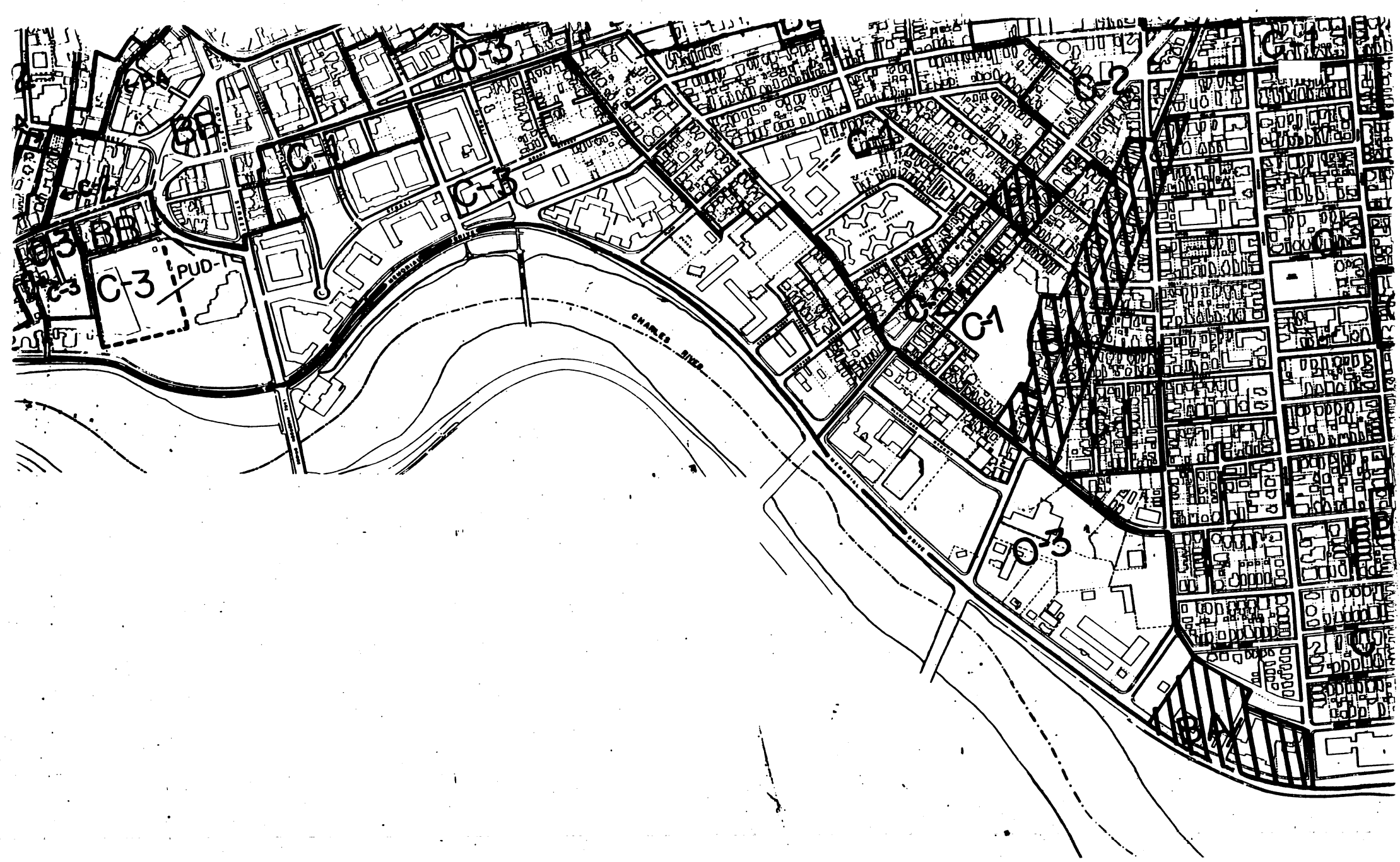
**Map 2b - 45 foot height limit imposed in Business A districts for residential uses.**



**Map 2c - 45 foot height limit imposed in Business A districts for residential uses.**

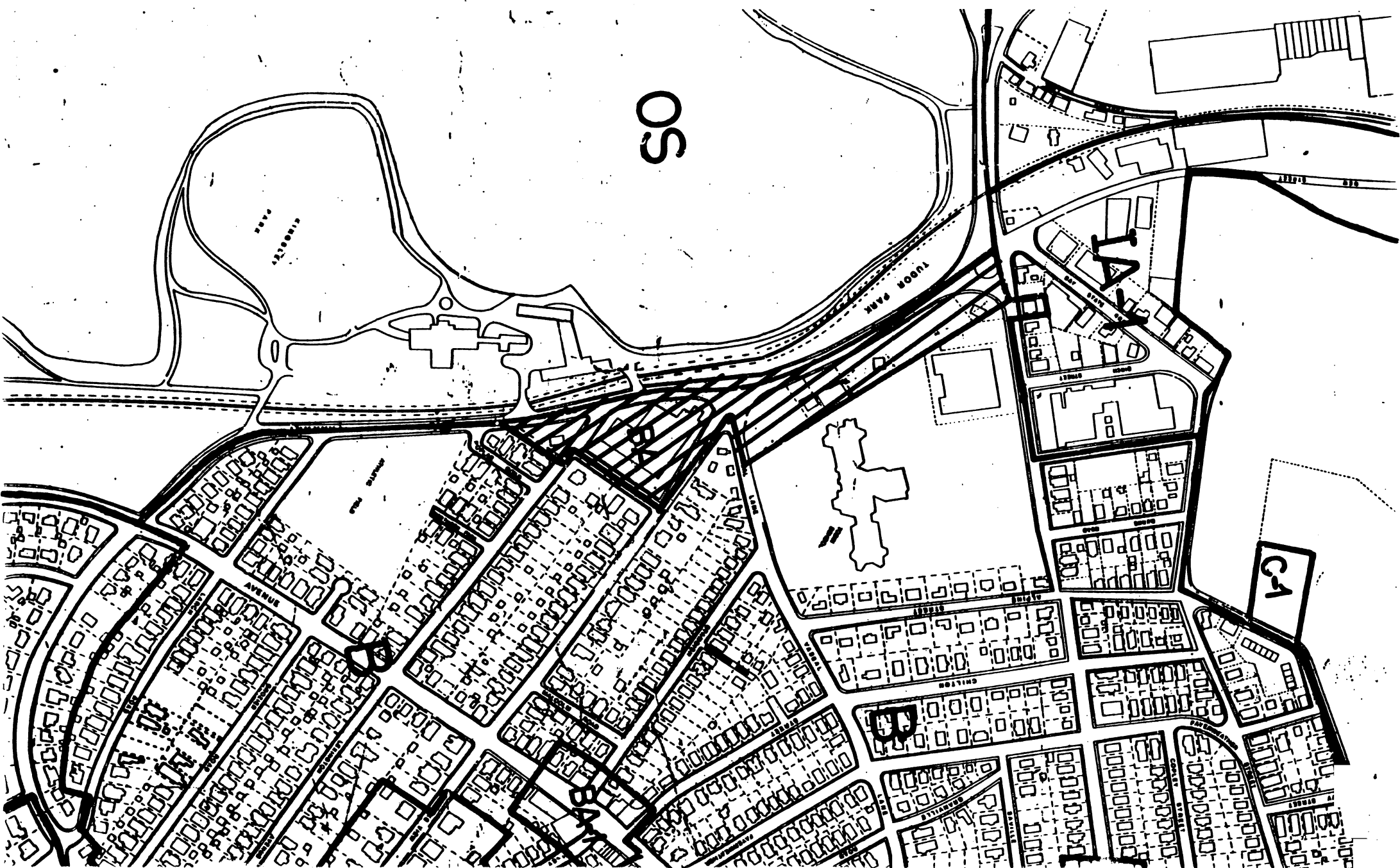


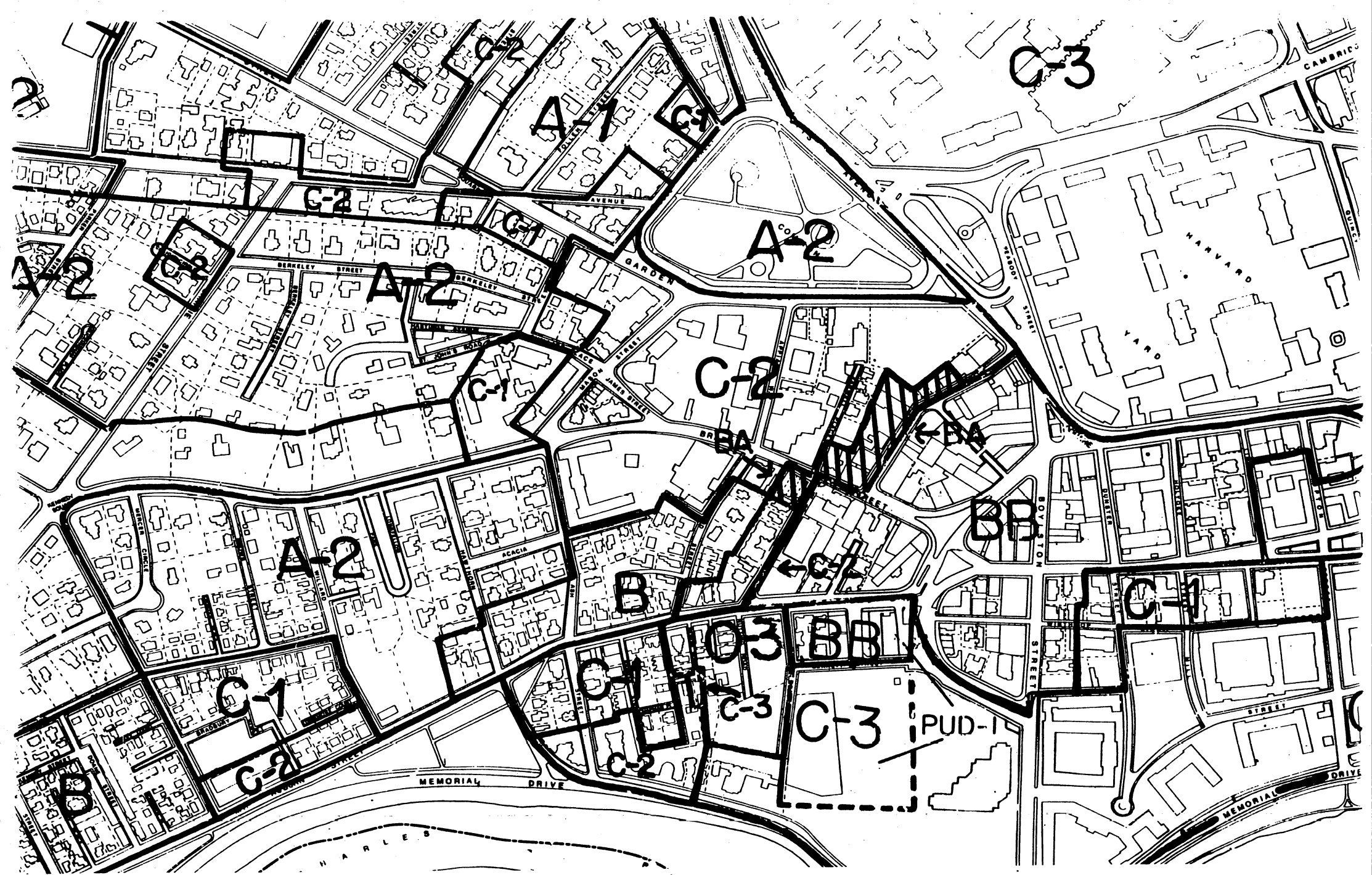
Map 2d - 45 foot height limit imposed in Business A districts for residential uses.



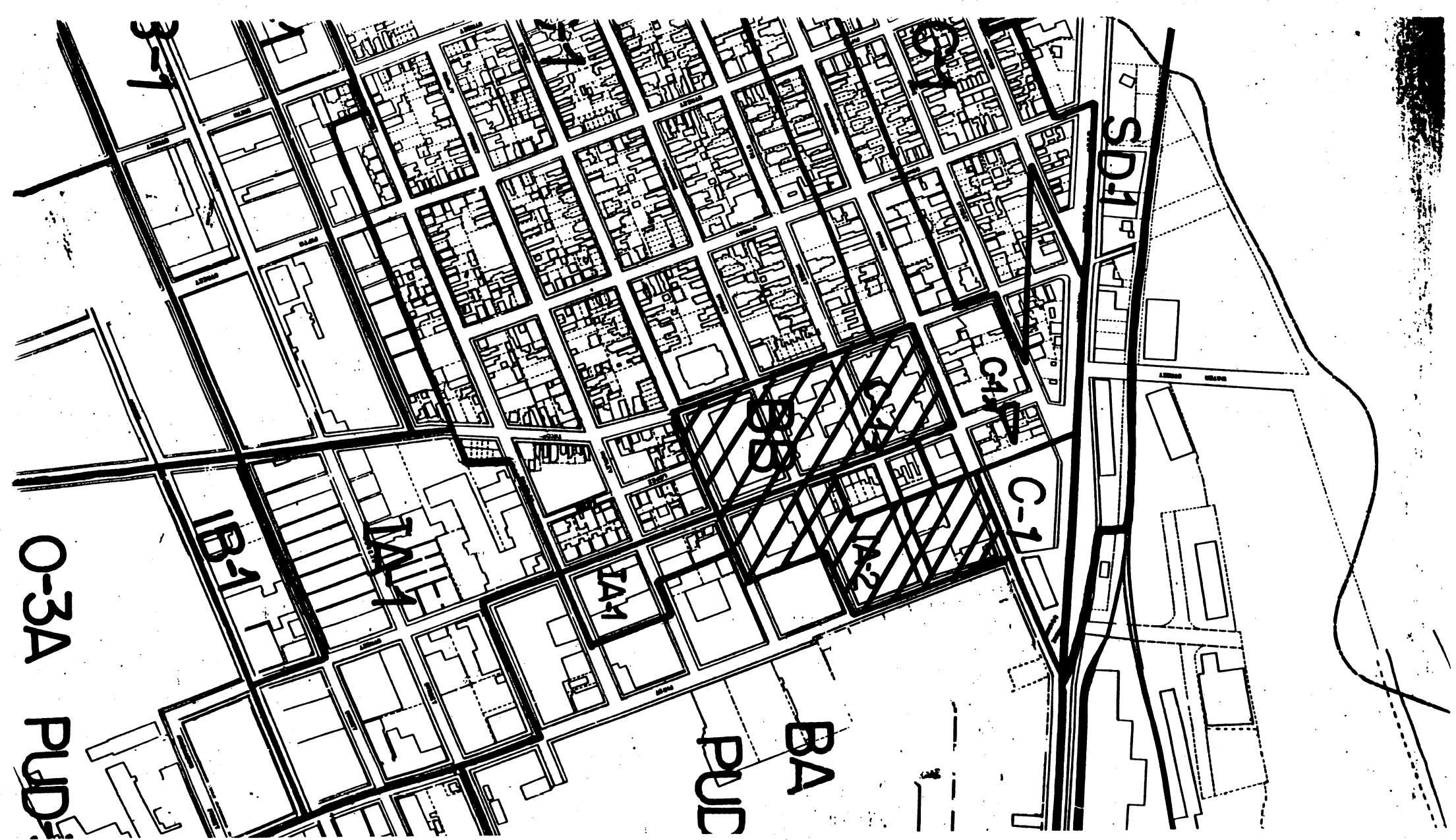
**Map 2e - 45 foot height limit imposed in Business A districts for residential uses.**

Map 2f - 45 foot height limit imposed in Business A districts for residential uses.



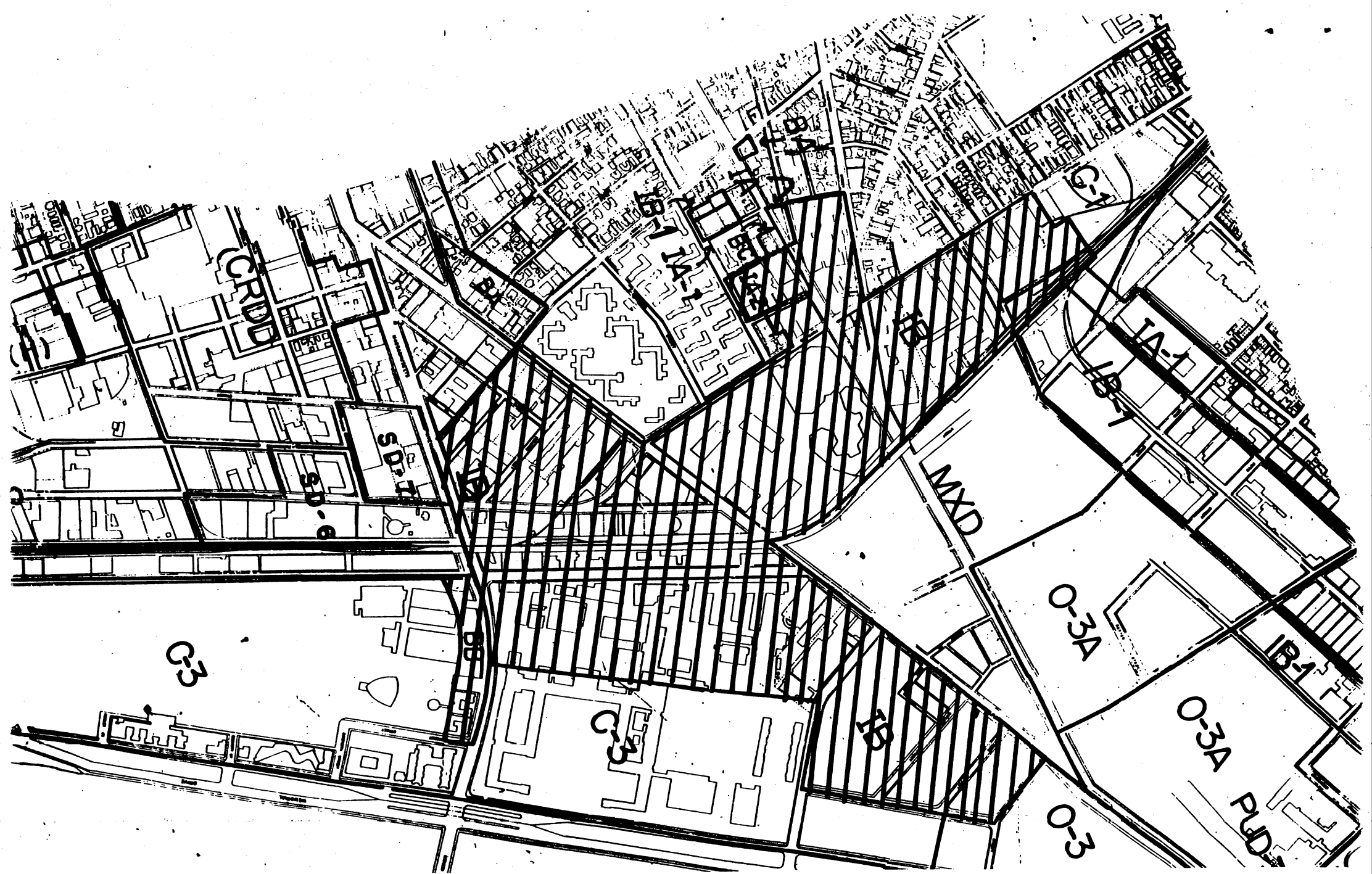


**Map 2g - 45 foot height limit imposed in Business A districts for residential uses.**

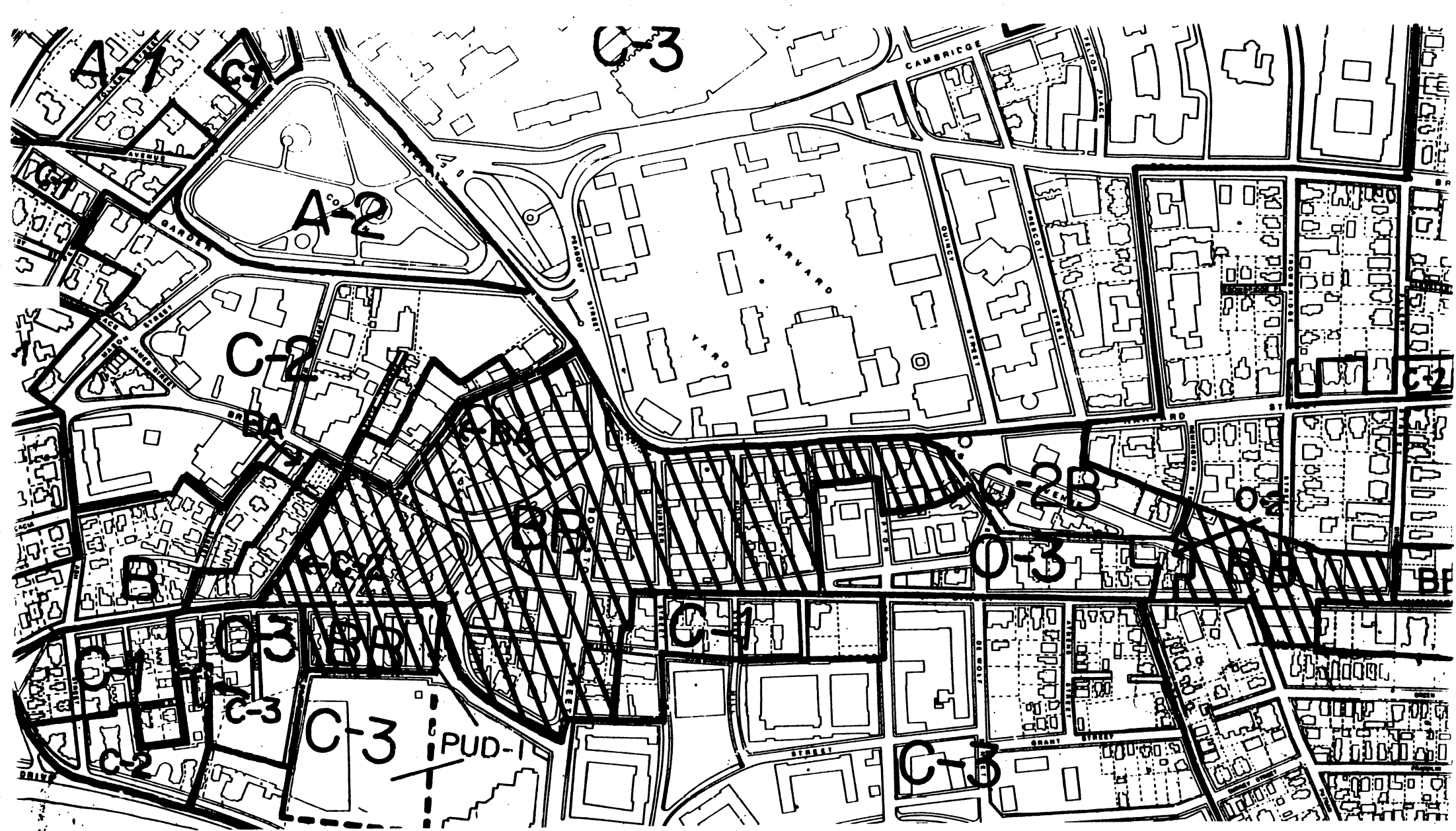


**Map 3a - 3.0 FAR limit in Business B, Industry B, and industry A-2 districts with special permit provisions for 4.0 FAR in the Business B district (excluding areas already reduced by other provisions, e.g. Central Square Overlay District).**





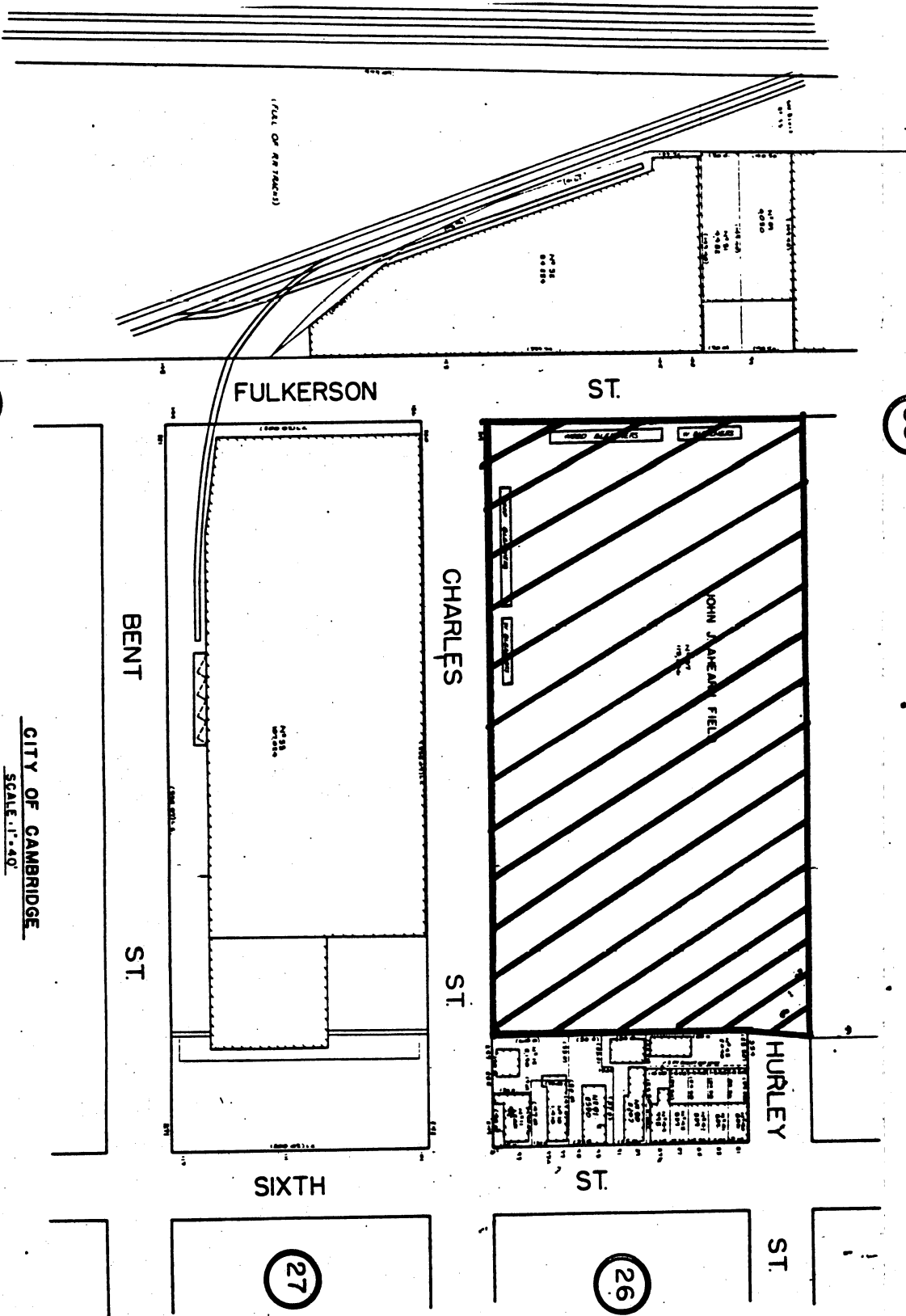
**Map 3c - 3.0 FAR limit in Business B, Industry B, and industry A-2 districts with special permit provisions for 4.0 FAR in the Business B district (excluding areas already reduced by other provisions, e.g. Central Square Overlay District).**



**Map 3d - 3.0 FAR limit in Business B, Industry B, and industry A-2 districts with special permit provisions for 4.0 FAR in the Business B district (excluding areas already reduced by other provisions, e.g. Central Square Overlay District).**

# **Proposed Open Space Zones on the Zoning Map**

**1. From Residence C-1 to Open Space (Ahern field at the Kennedy School)**

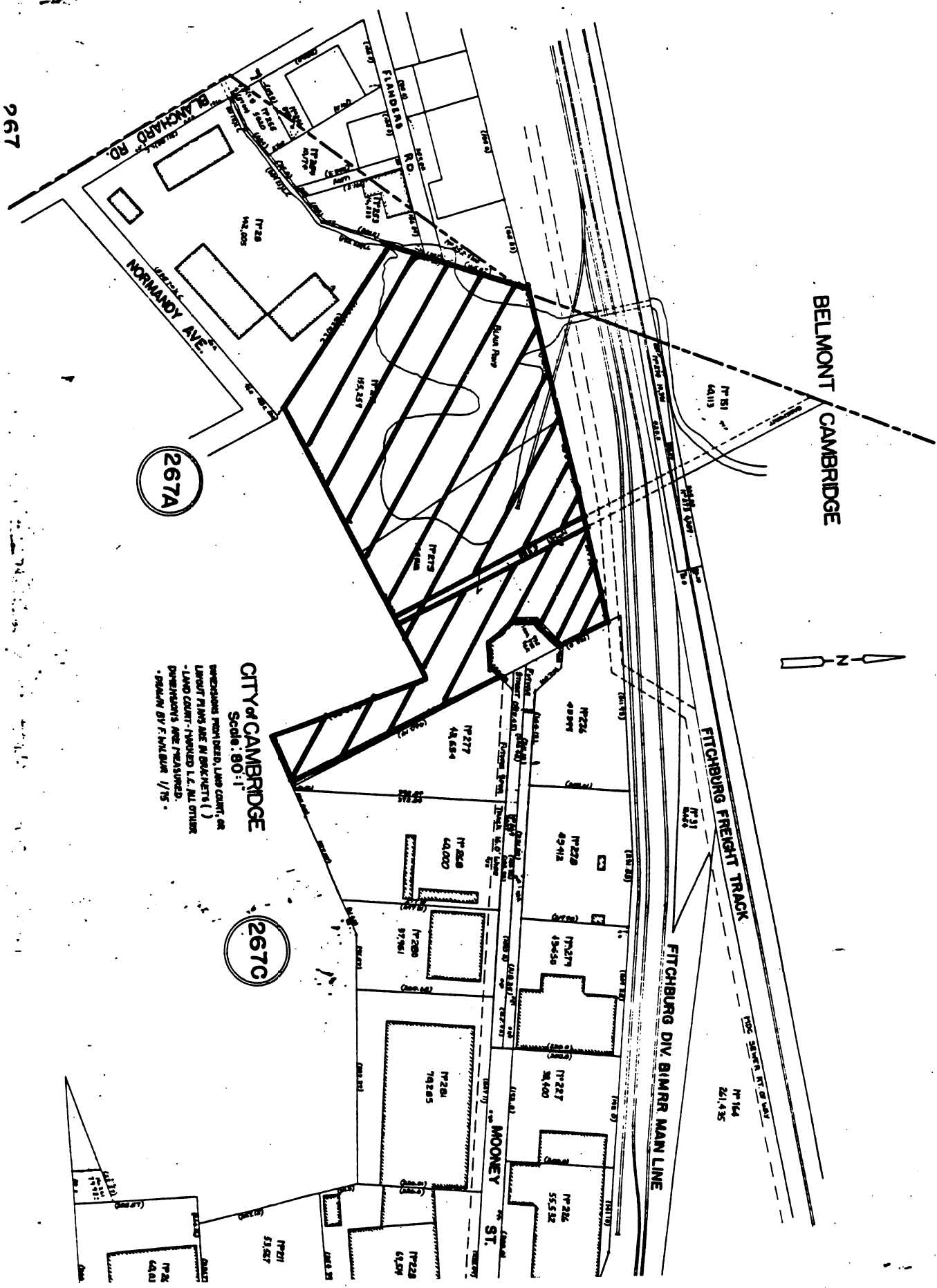


CITY OF CAMBRIDGE

SCALE: 1" = 40'

DIMENSIONS FROM DEED, LAND COURT  
 ON LAYOUT PLANS ARE IN BRACKETS ( )  
 LAND COURT MARKED L.C. ALL OTHER  
 DIMENSIONS ARE MEASURED.  
 DRAWN BY: A. THOMPSON

967



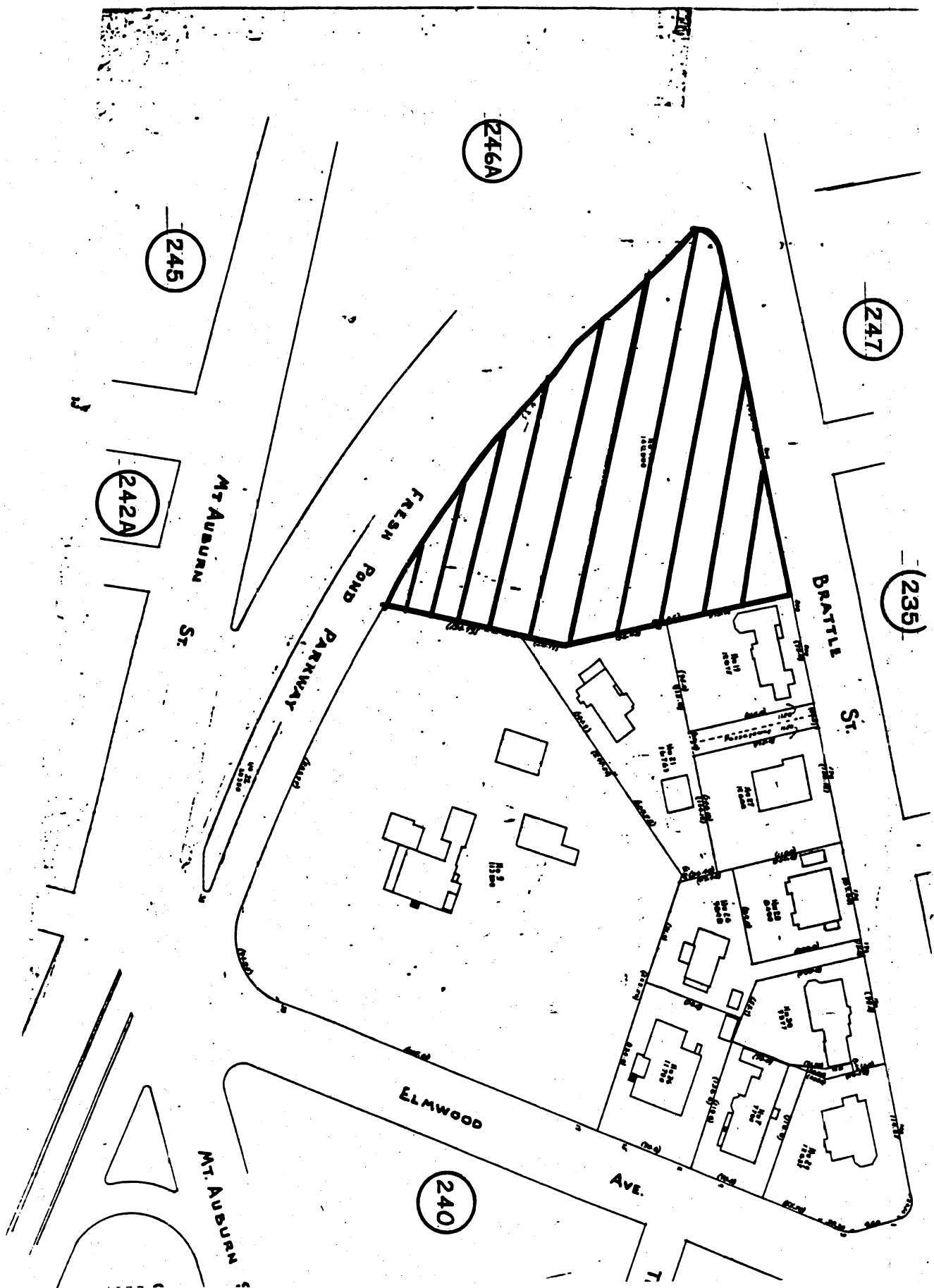
267A

267C

CITY OF CAMBRIDGE  
Scale: 80:1'

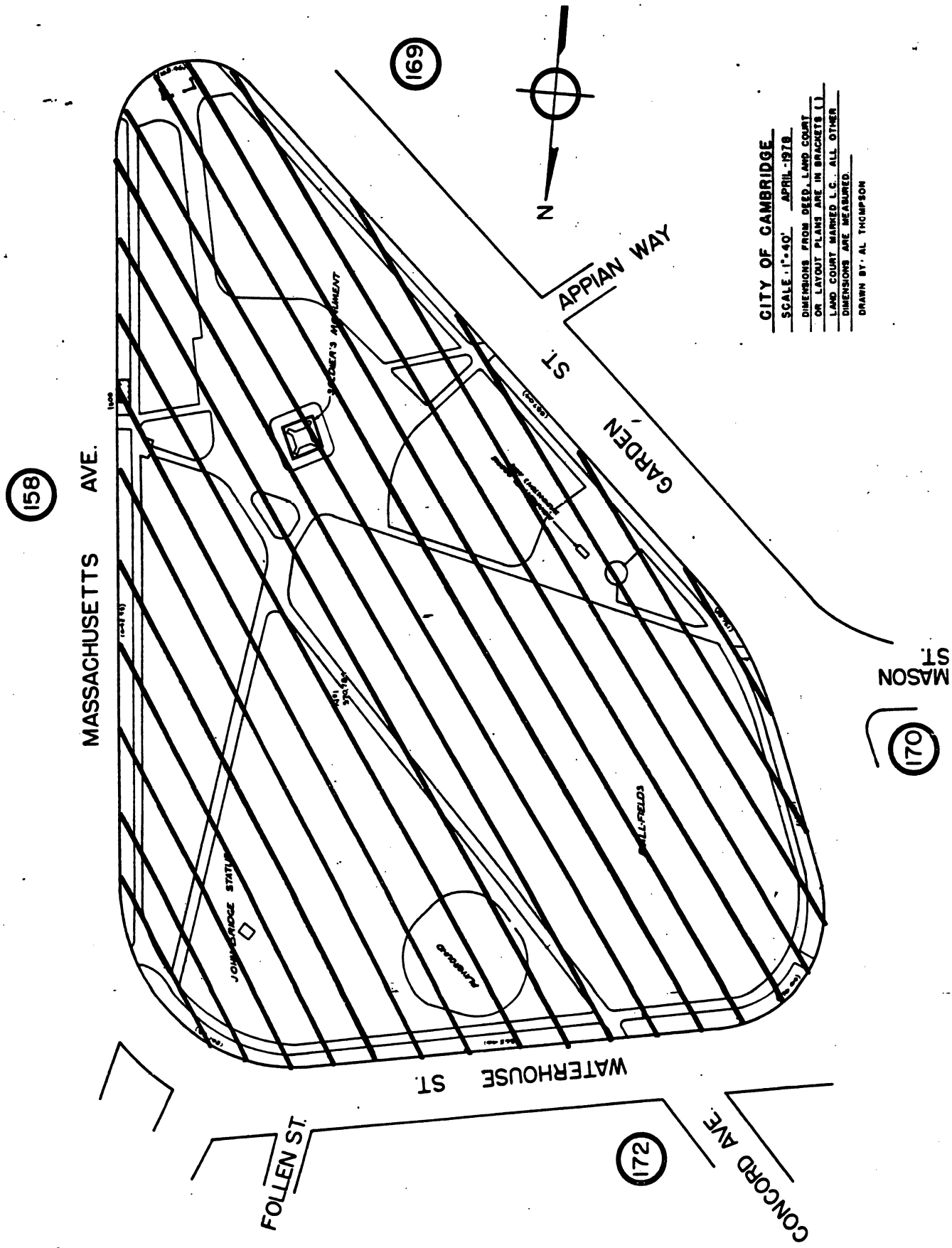
DIMENSIONS FROM LOTS, LAND COUNT, OR  
 LAYOUT PLANS ARE IN BRACKETS ( )  
 -LAND COUNT - FURNISHED I.C. AND OTHER  
 DIMENSIONS ARE MEASURED.  
 - DRAWN BY F. H. BURR 1/75.

**2. From Residence C-1 to Open Space (Blair Pond)**

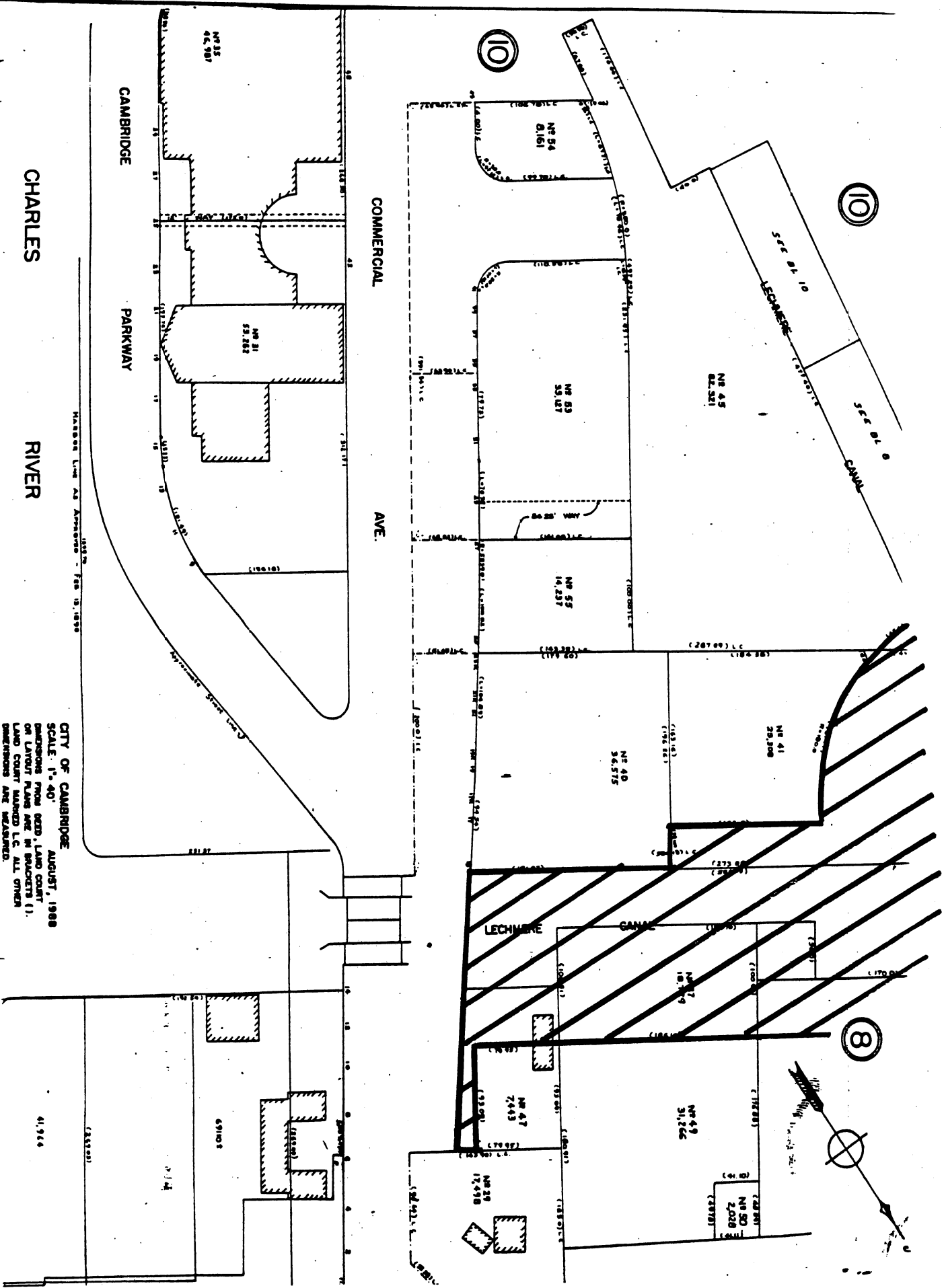


**3. From Residence A-2 to Open Space (At Fresh Pond Parkway)**

**4. From Residence A-2 to Open Space (Cambridge Common)**



CITY OF CAMBRIDGE  
 SCALE - 1" = 40' - APRIL - 1978  
 DIMENSIONS FROM DEED, LAND COURT  
 OR LAYOUT PLANS ARE IN BRACKETS ( )  
 LAND COURT MARKED L.C. ALL OTHER  
 DIMENSIONS ARE MEASURED  
 DRAWN BY AL THOMPSON



CHARLES RIVER

CAMBRIDGE PARKWAY

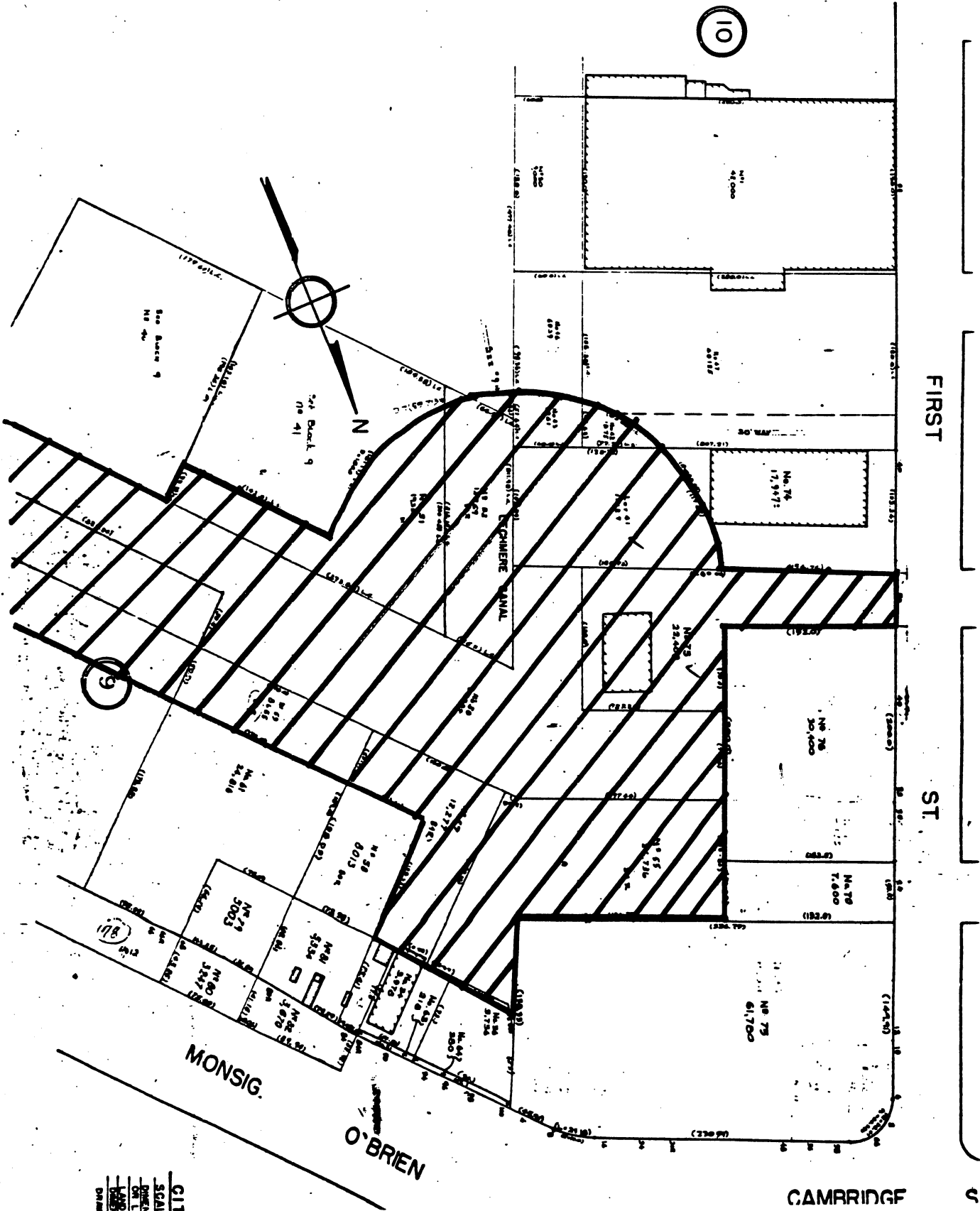
COMMERCIAL AVE.

SECT 01 0  
LECHMERE CANAL

MASSACHUSETTS - FEB 13, 1850

CITY OF CAMBRIDGE  
AUGUST, 1988  
SCALE: 1" = 40'  
DIMENSIONS FROM GROUND, LAND COURT  
OR LAYOUT PLANS ARE IN BRACKETS ( ).  
LAND COURT MAPS ARE IN ALL OTHERS.  
DIMENSIONS ARE ENLARGED.

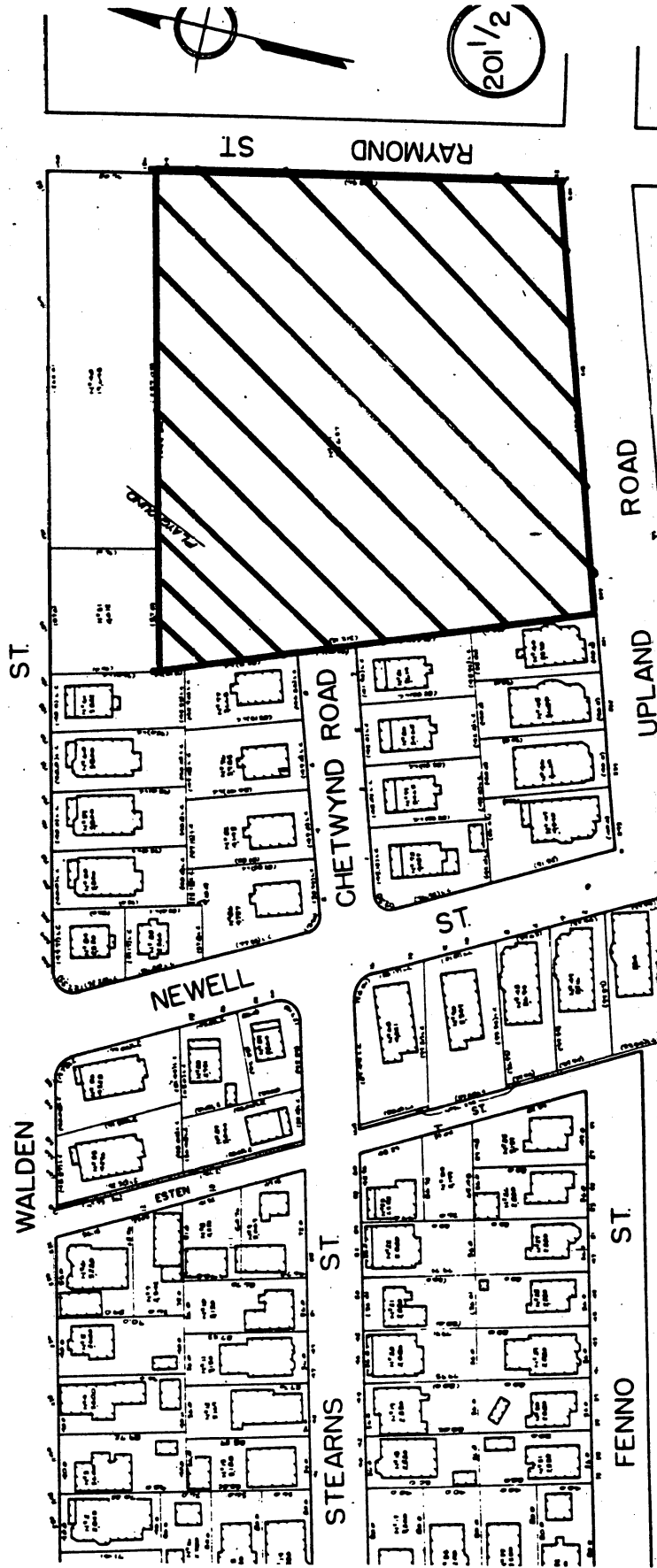
**5. From Business A to Open Space (Lechmere Canal Park)**



011  
 SGA  
 1/2" = 100'  
 DATE  
 DRAWN

**5. From Business A to Open Space (Lechmere Canal Park)**

204

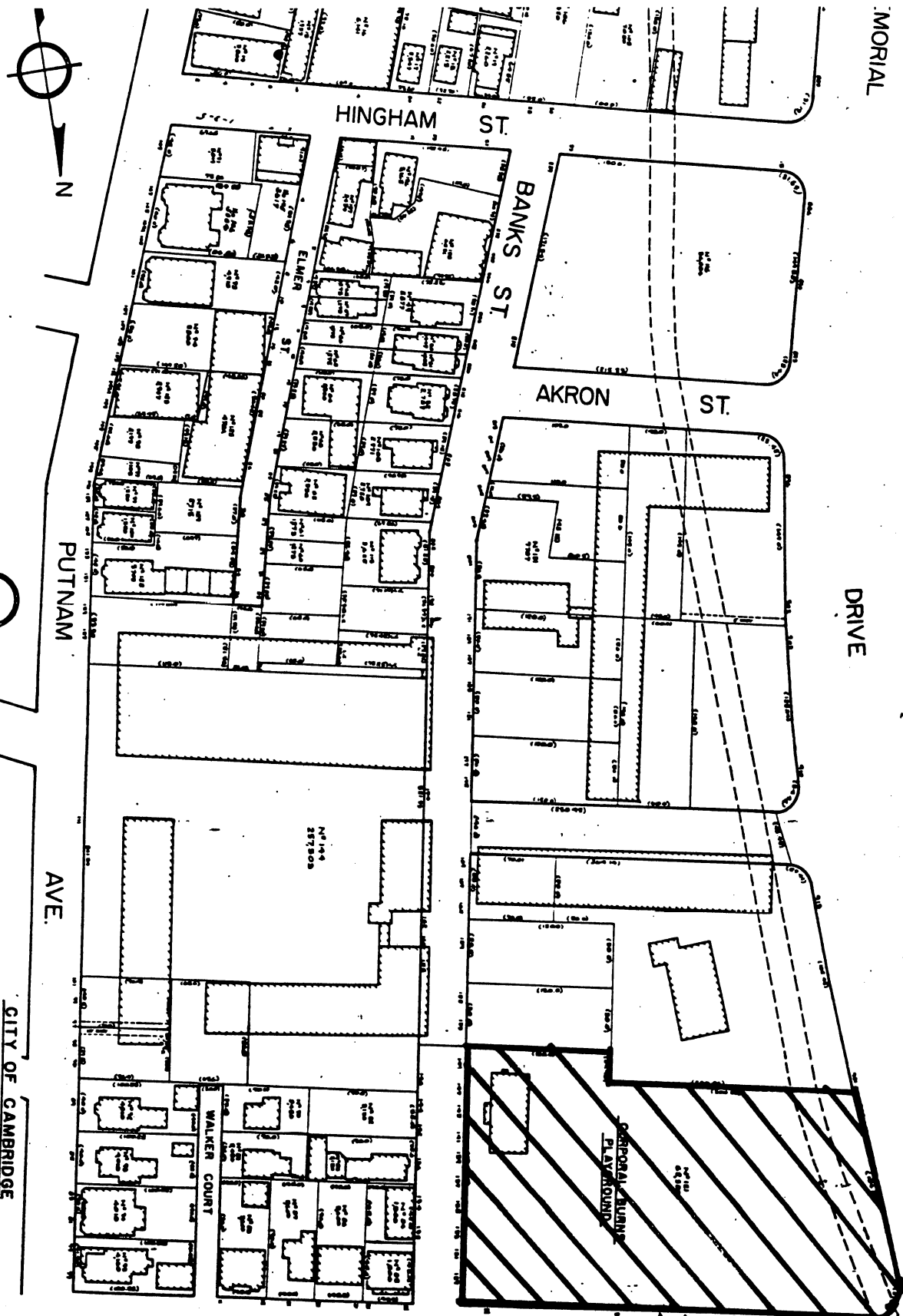


CITY OF CAMBRIDGE  
 SCALE: 1"=40' - JANUARY 1978  
 DIMENSIONS FROM DEED, LAND COURT  
 OR LAYOUT PLANS ARE IN BRACKETS [ ]  
 LAND COURT MARKED L.C. ALL OTHER  
 DIMENSIONS ARE MEASURED.  
 DRAWN BY: AL THOMPSON

206

**6. From Residence C-1 to Open Space (Corcoran Playground)**

# 7. From Residence C-3 to Open Space (Corporal Burns Playground)

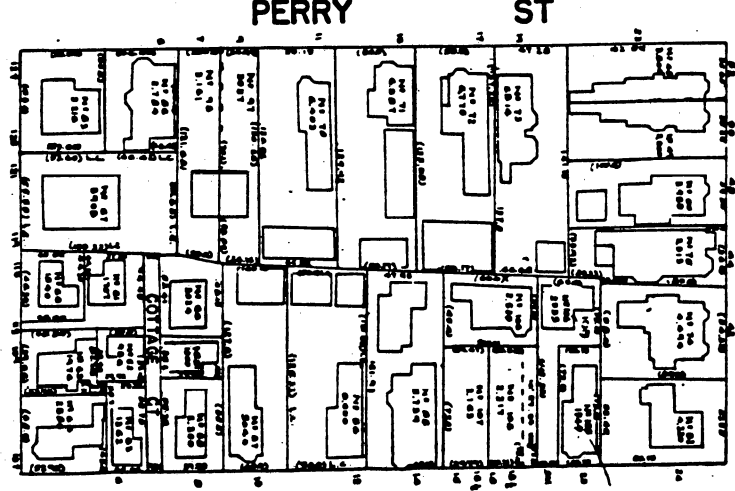
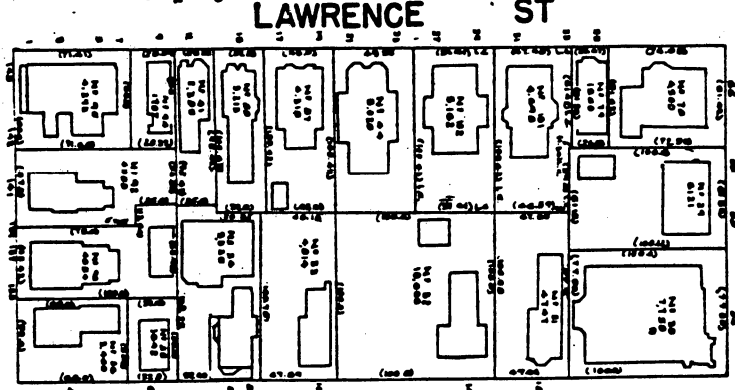
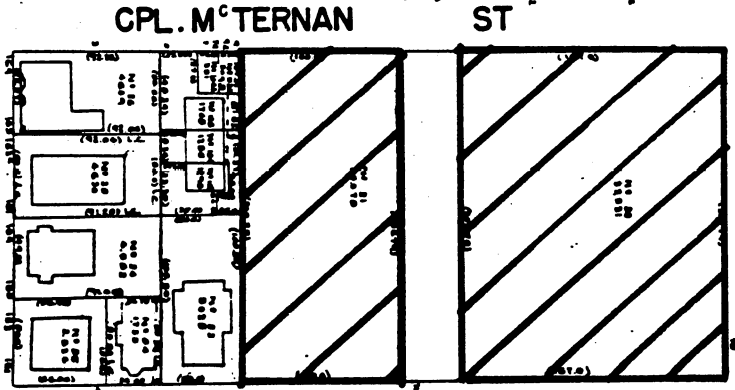
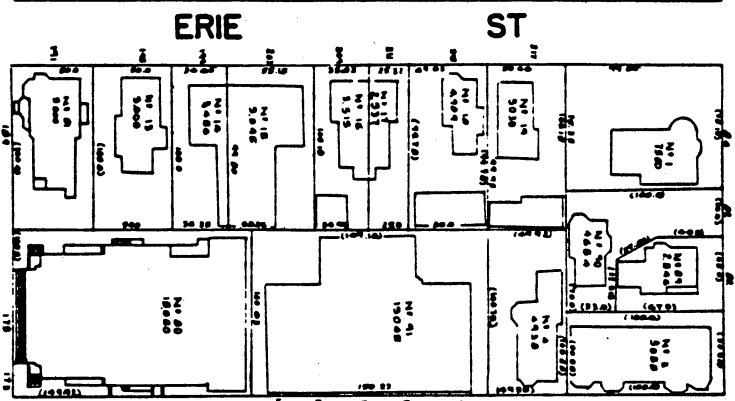


122

CITY OF CAMBRIDGE  
 SCALE: 1"=40' DECEMBER-1977

DIMENSIONS FROM DEED, LAND COURT  
 OR LAYOUT PLANS ARE IN BRACKETS ( ).  
 LAND COURT MARKED L.C. ALL OTHER  
 DIMENSIONS ARE MEASURED.  
 DRAWN BY: AL THOMPSON

102



94

CITY OF CAMBRIDGE  
 SCALE: 1" = 40'  
 JANUARY, 1984  
 DIMENSIONS FROM DEED, LAND COURT  
 OR LAYOUT PLANS ARE IN PARENTHESES  
 LAND COURT MAPS L. C. ALL OTHER  
 DIMENSIONS ARE MEASURED  
 DRAWN BY: ZAHRA MOHAMMAD

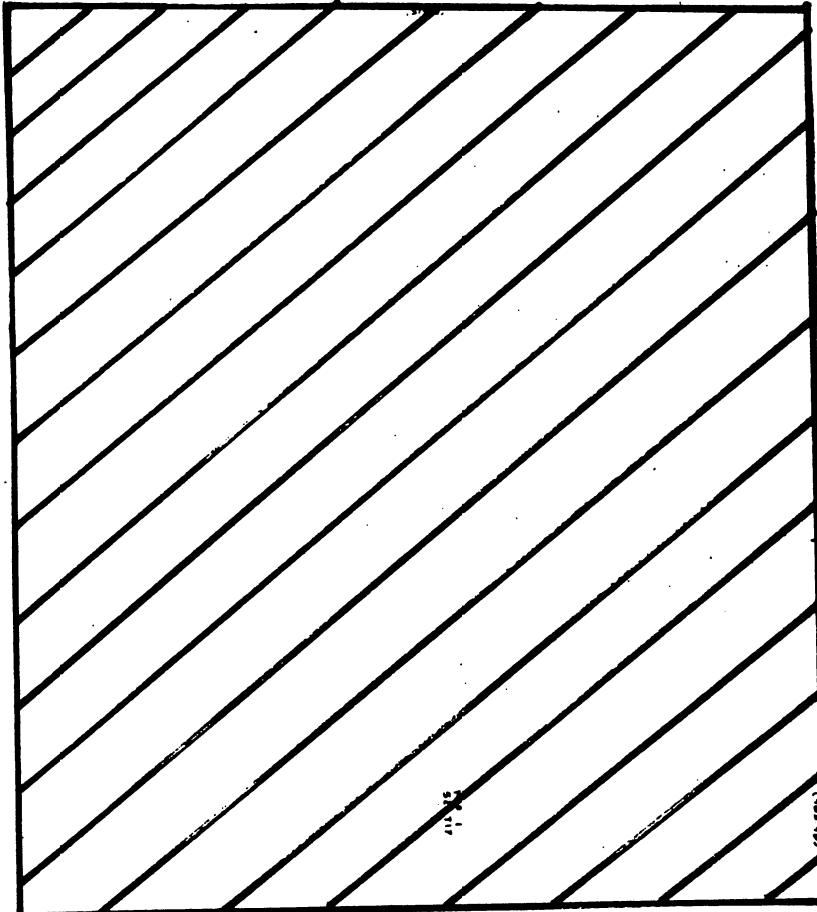
MAGAZINE

104

**8. From Residence C to Open Space (Dana Park)**

39

BERKSHIRE

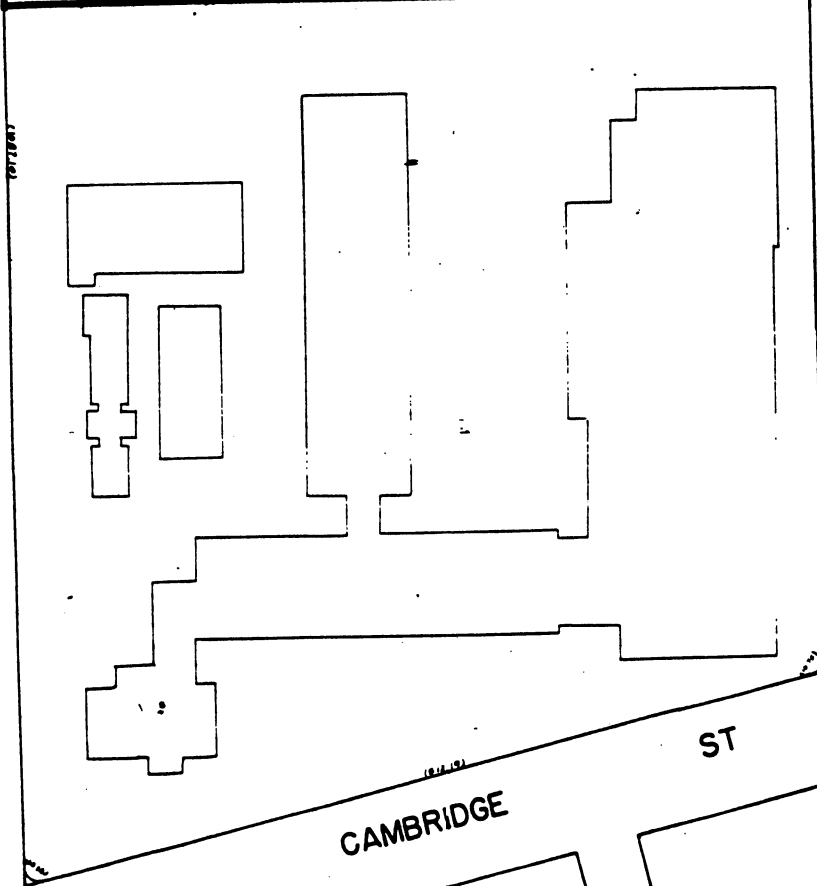


WILLOW

ST

(80)

ST



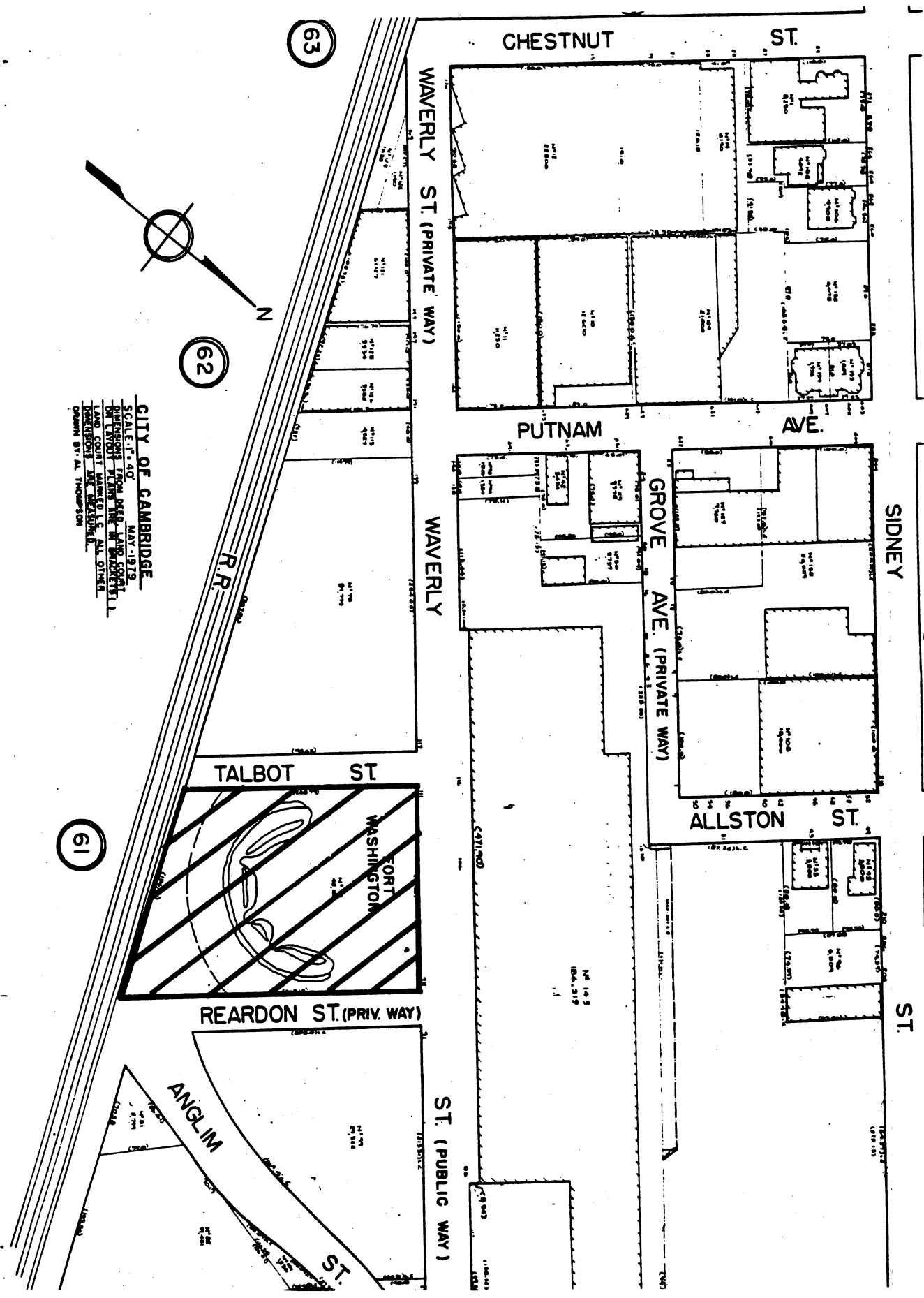
ST

CAMBRIDGE

37

CITY OF CAMBRIDGE  
 SCALE 40' = 1" MARCH 1984  
 DIMENSION FROM DEED, LAND  
 COURT ON LAYOUT PLANS ARE  
 IN ( ) MEASURED AREAS TITLED  
 L. C. ARE MARKED L. C.  
 DRAWN BY ZAHRA MOHAMMAD

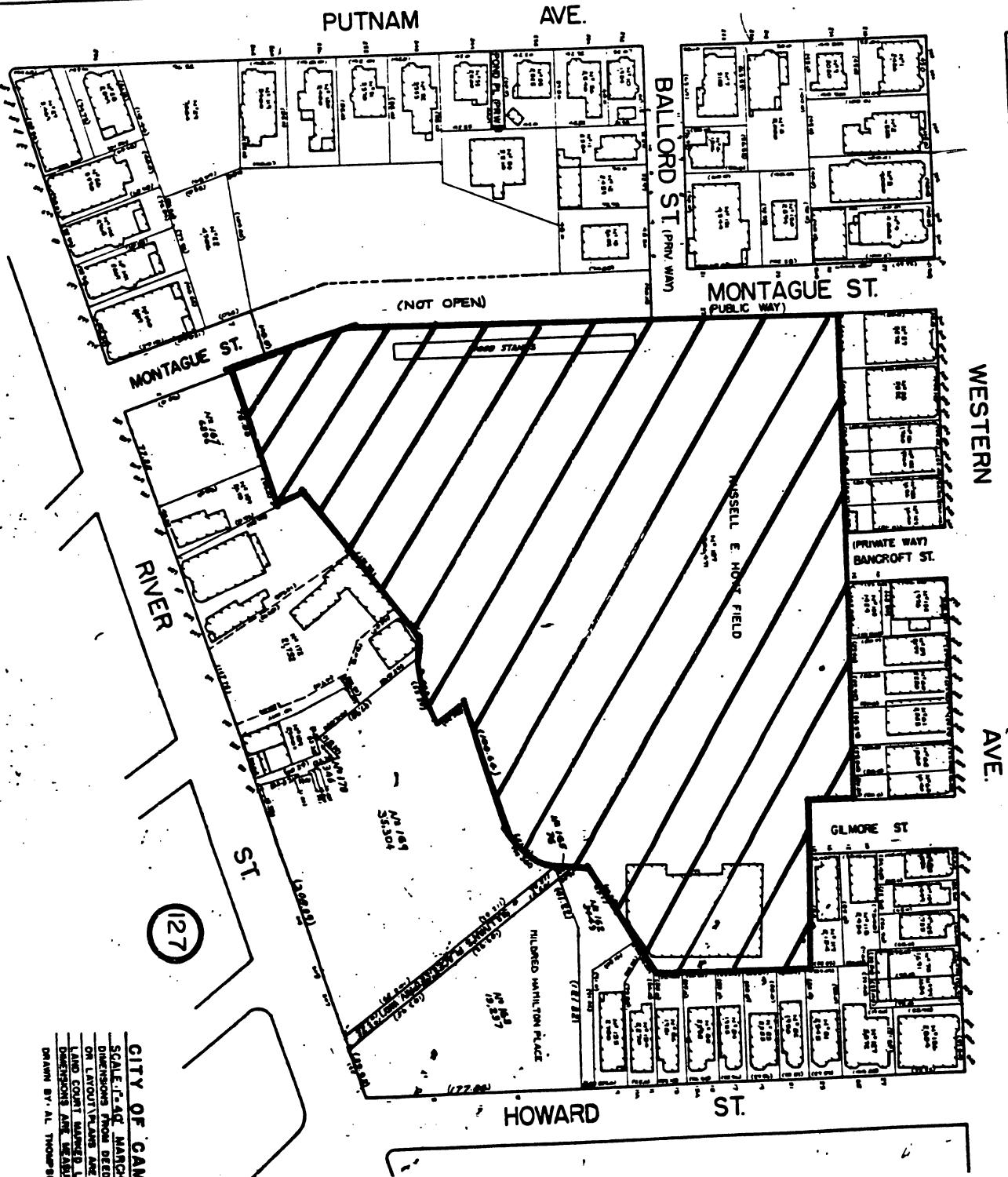
**9. From Residence C-1 to Open Space (Donnelley Field)**



CITY OF CAMBRIDGE  
 SCALE 1" = 40' MAY 1973  
 DIMENSIONS FROM PERM. AND EXIST. L.  
 ON LAYOUT FROM THE CITY OF CAMBRIDGE  
 LAND COURT MAPS 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

**10. From Special District 8 to Open Space (Fort Washington)**

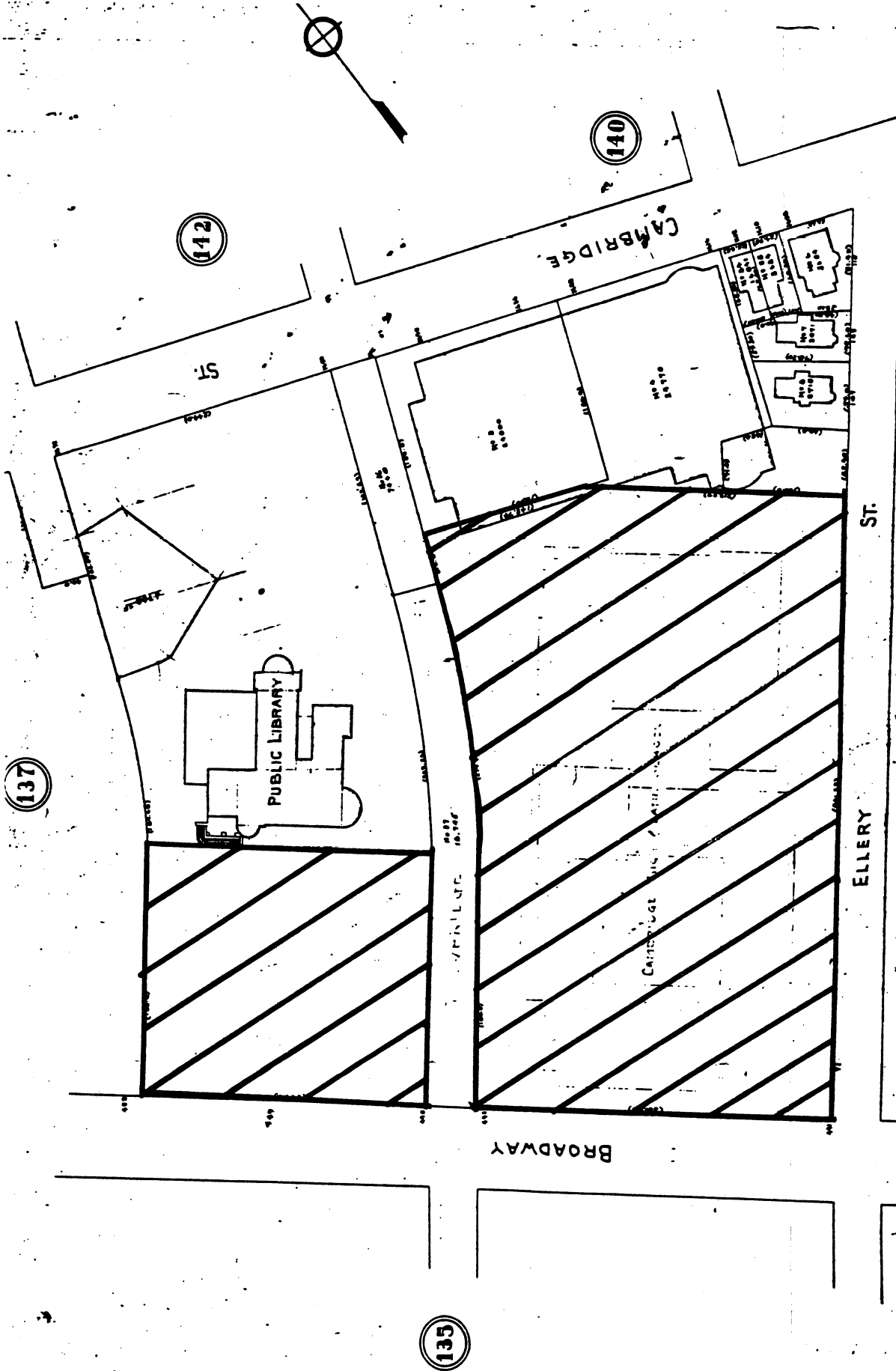
129



127

CITY OF CAM  
 SCALE: 1/4" = 10'  
 DIMENSIONS FROM DEED  
 ON LAYOUT PLANS ARE  
 LAND COURT MAPPED &  
 DIMENSIONS ARE USUAL  
 DRAWN BY: AL THOMPSON

**11. From Residence C to Open Space (Hoyt Field)**

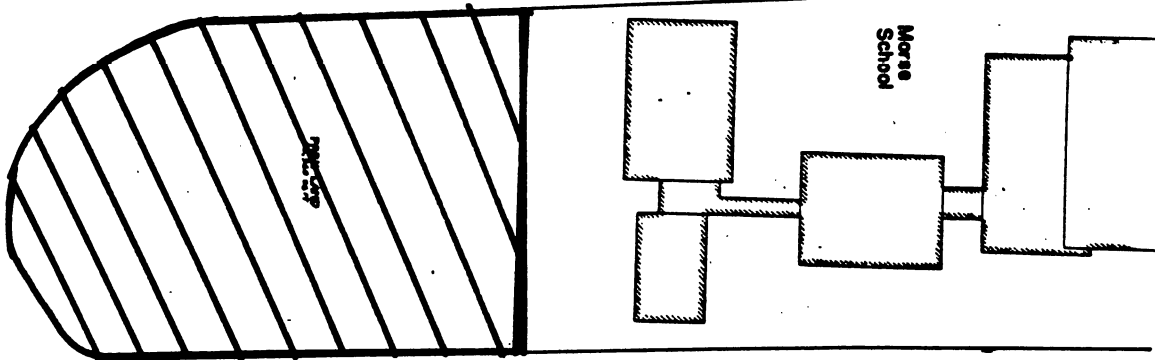


CITY OF CAMBRIDGE  
 RECALLED FEBRUARY 1961  
 DIMENSIONS FROM DEEDS, LAND COURT  
 RECORDS, AND OTHER SOURCES  
 AND SOCIAL PLANNING - ALL OTHER  
 DIMENSIONS ARE APPROXIMATE

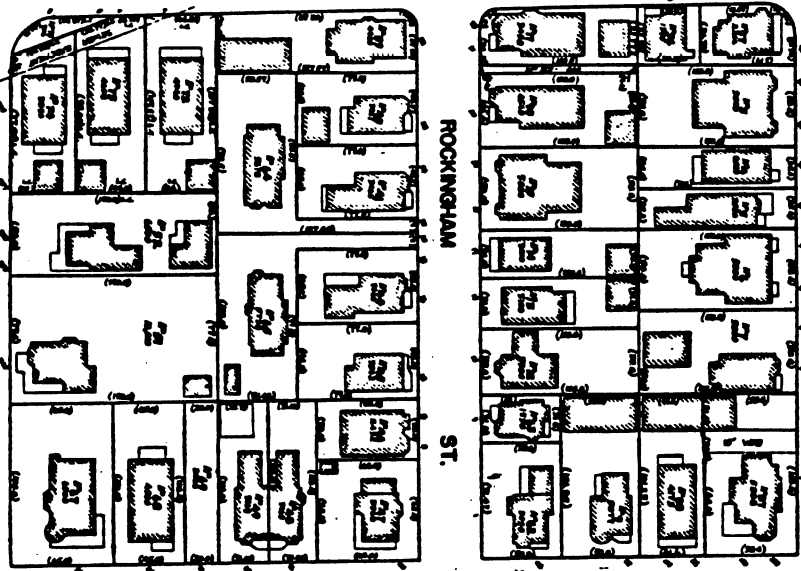
**12. From Residence C-3 to Open Space (Library Park)**

MEMORIAL DRIVE

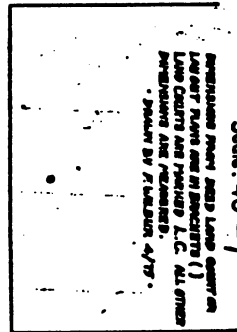
Marble School



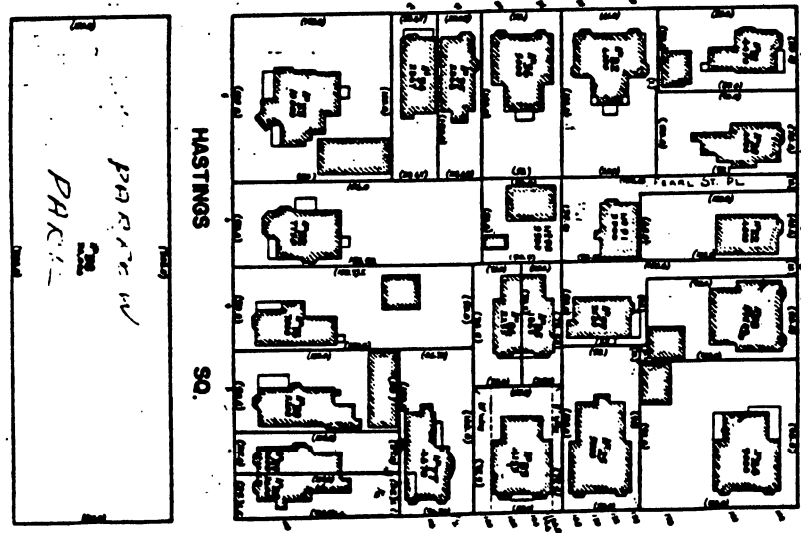
GRANITE ST.



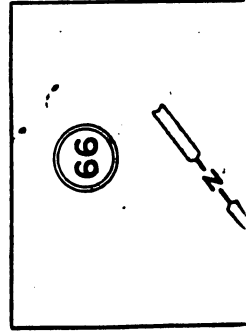
GLENWOOD AVE.



HENRY ST.



TUFTS ST.



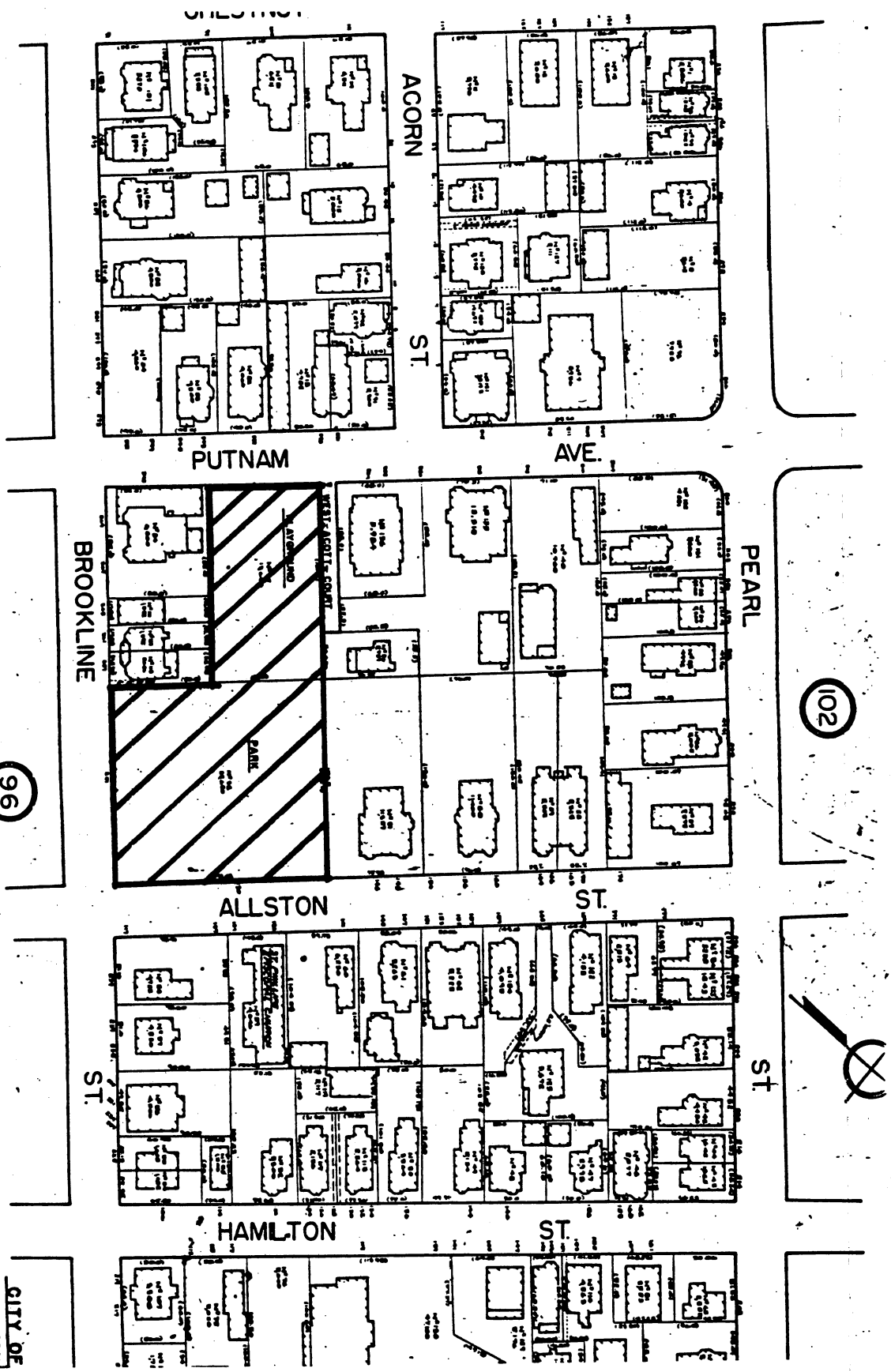
CHESTNUT ST.

64

65

99

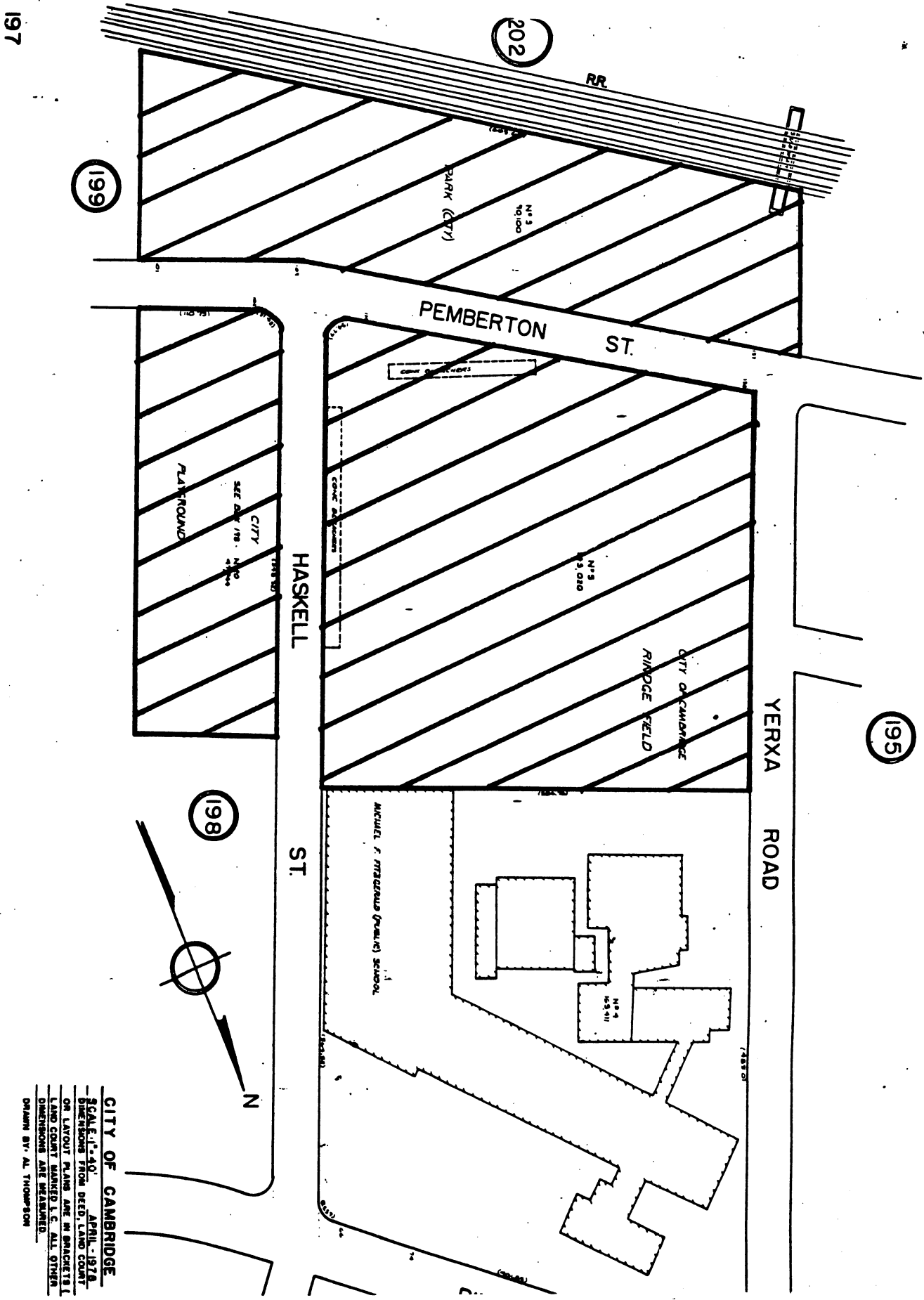
13. From Residence C to Open Space (Lindstrom Field)



CITY OF  
 SCALE  
 DIMENSIONS OF  
 ON LAYOUT  
 LAND COURT  
 DIMENSIONS A  
 DRAWN BY: AL

**14. From Residence C, Business A-1 and Special District 9 to Open Space (Old Morse Park)**

**15. From Residence B to Open Space (Rindge Field)**



MEMORIAL

DRIVE

WESTERN AVE

ST.

BLACKSTONE

AVE.

PUTNAM

ST.

RIVER



120

16. From Residence B to Open Space (Riverside Press Park)

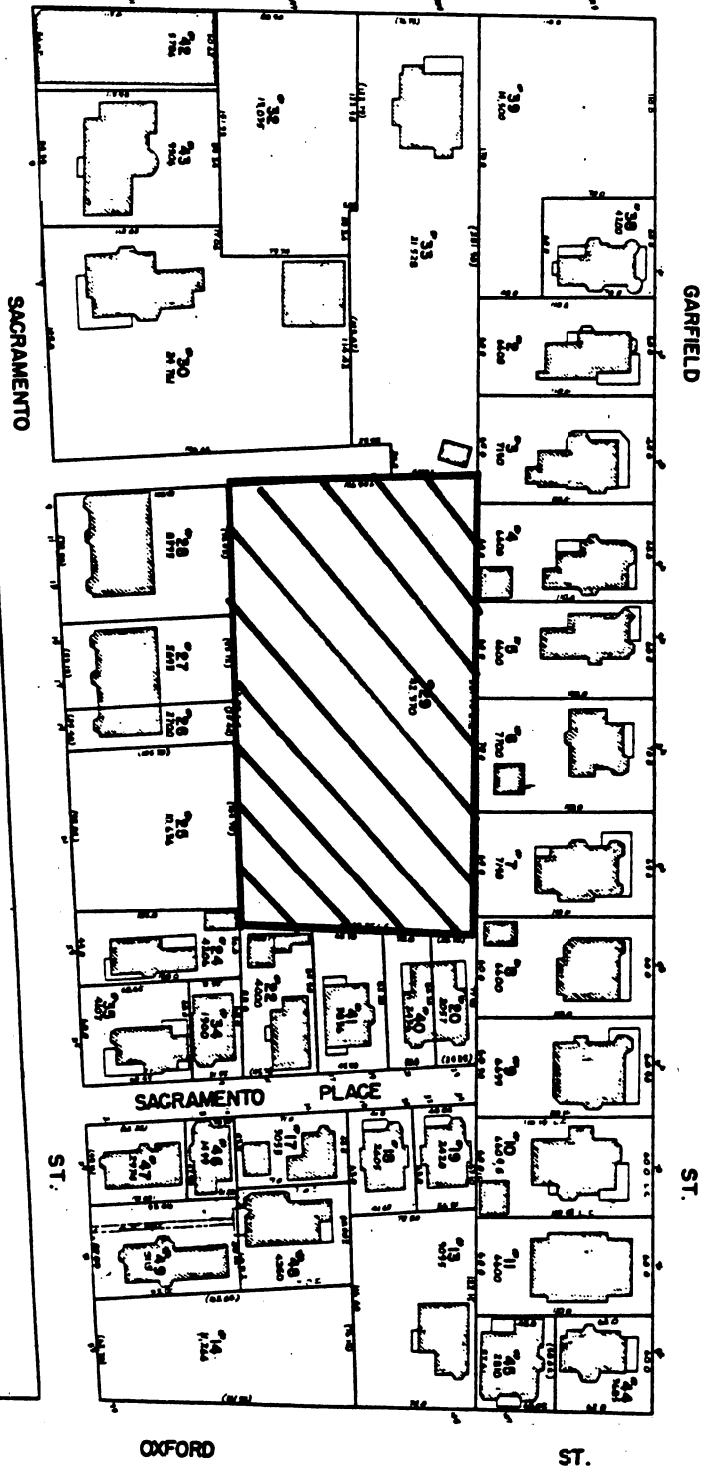
155

155

MASSACHUSETTS AVE.

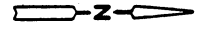
174

175



156

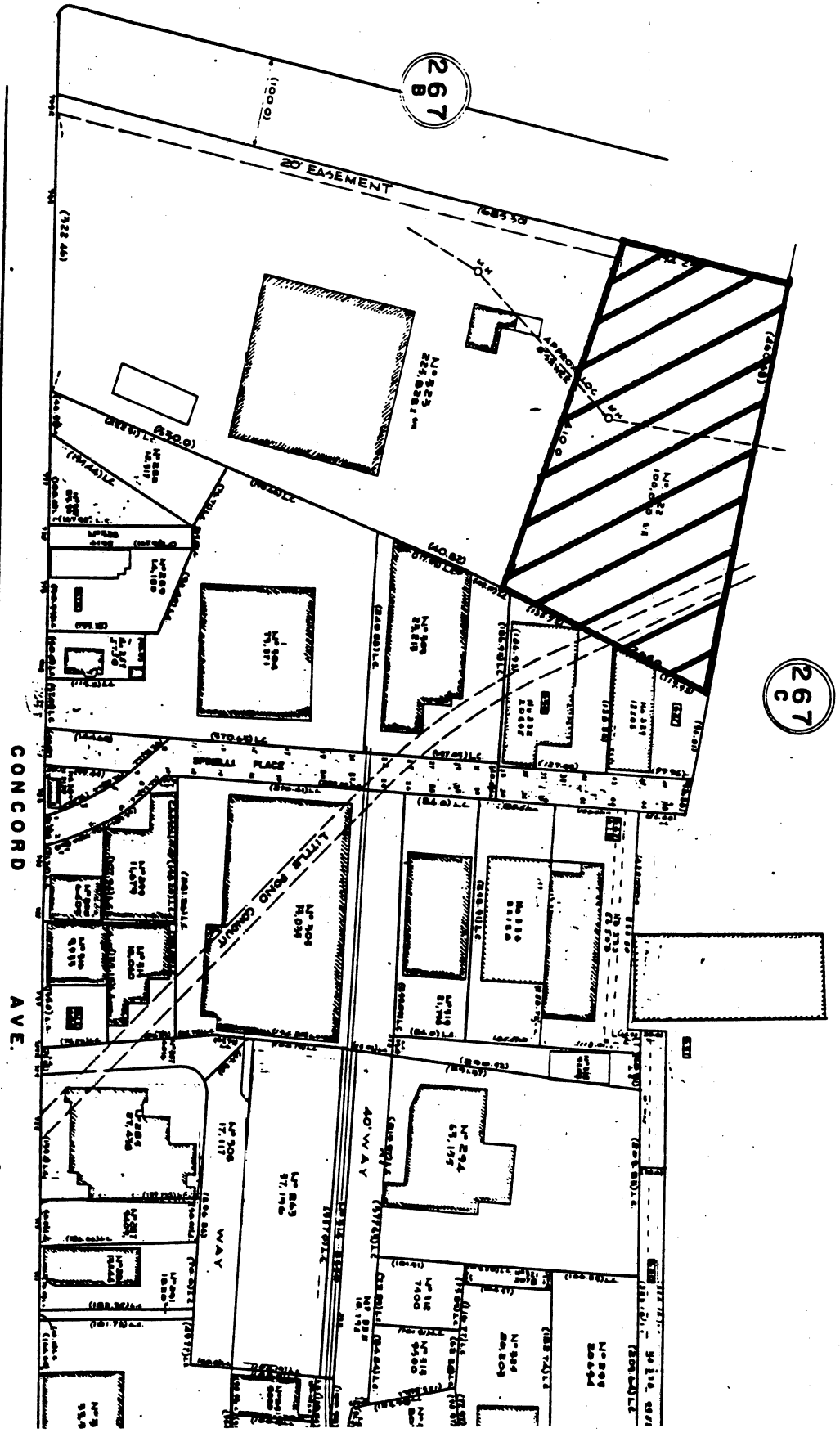
154



**CITY of CAMBRIDGE**  
 Scale: 1" = 40'  
 Publication of Plans of Streets, Public Utilities and  
 Other Public Works of the City of Cambridge  
 with the First and Second Amendments thereto  
 published and passed by the City Council  
 on the 10th day of October, 1917.  
 Printed by FULBURN  
 OCT. 1917

**17. From Residence B to Open Space (Sacramento Field)**

267P



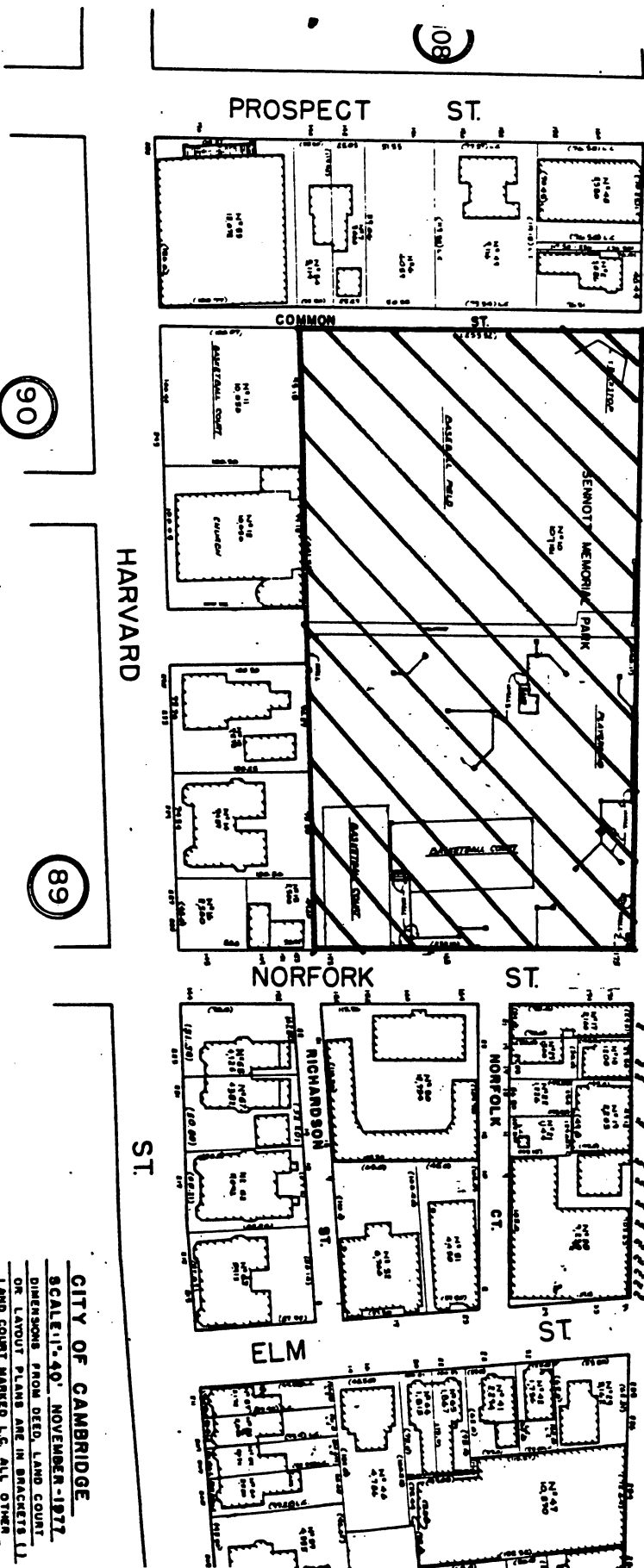
267

267

266

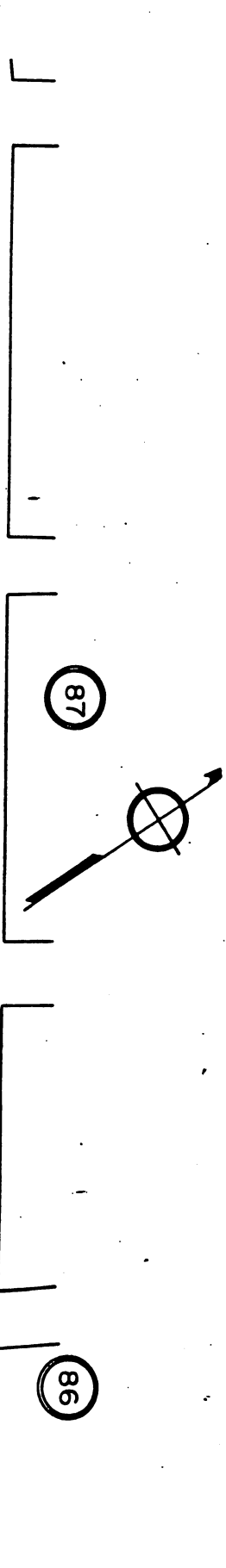
CITY OF CAM  
 SCALE 1"=60'  
 DIMENSIONS FROM DEED  
 OR LAYOUT PLANS ARE  
 LAND COURT MARKED  
 DIMENSIONS ARE NOT  
 DRAWN

**18. From Residence B to Open Space (Santa Maria Field)**



CITY OF CAMBRIDGE  
 SCALE: 1" = 40' NOVEMBER-1977  
 DIMENSIONS FROM DEED, LAND COURT  
 OR LAYOUT PLANS ARE IN BRACKETS ( )  
 LAND COURT MARKED L.C. ALL OTHER  
 DIMENSIONS ARE MEASUREMENTS  
 DRAWN BY: AL THOMPSON

**19. From Residence C-1 to Open Space (Sennott Park)**



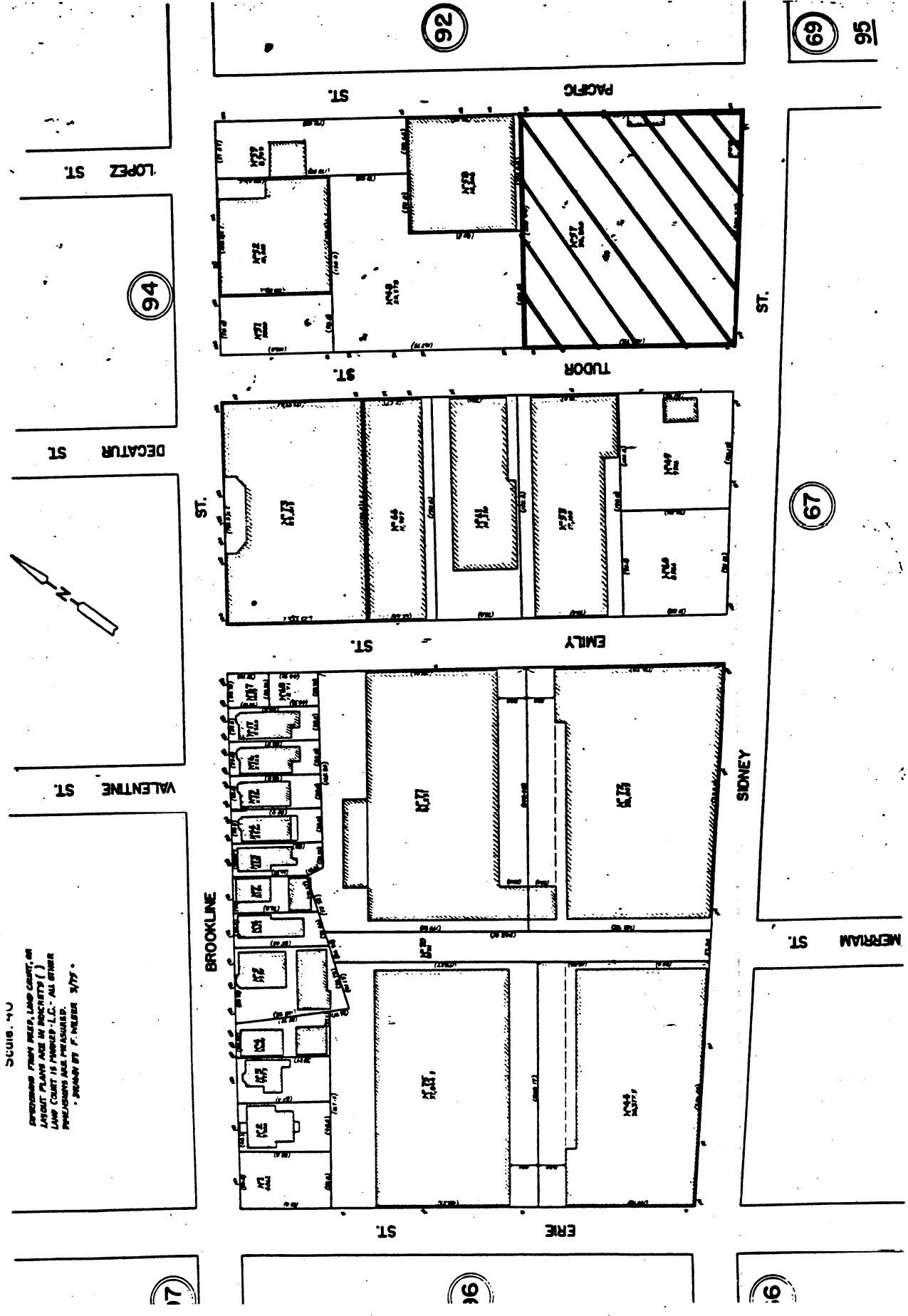
90

89

87

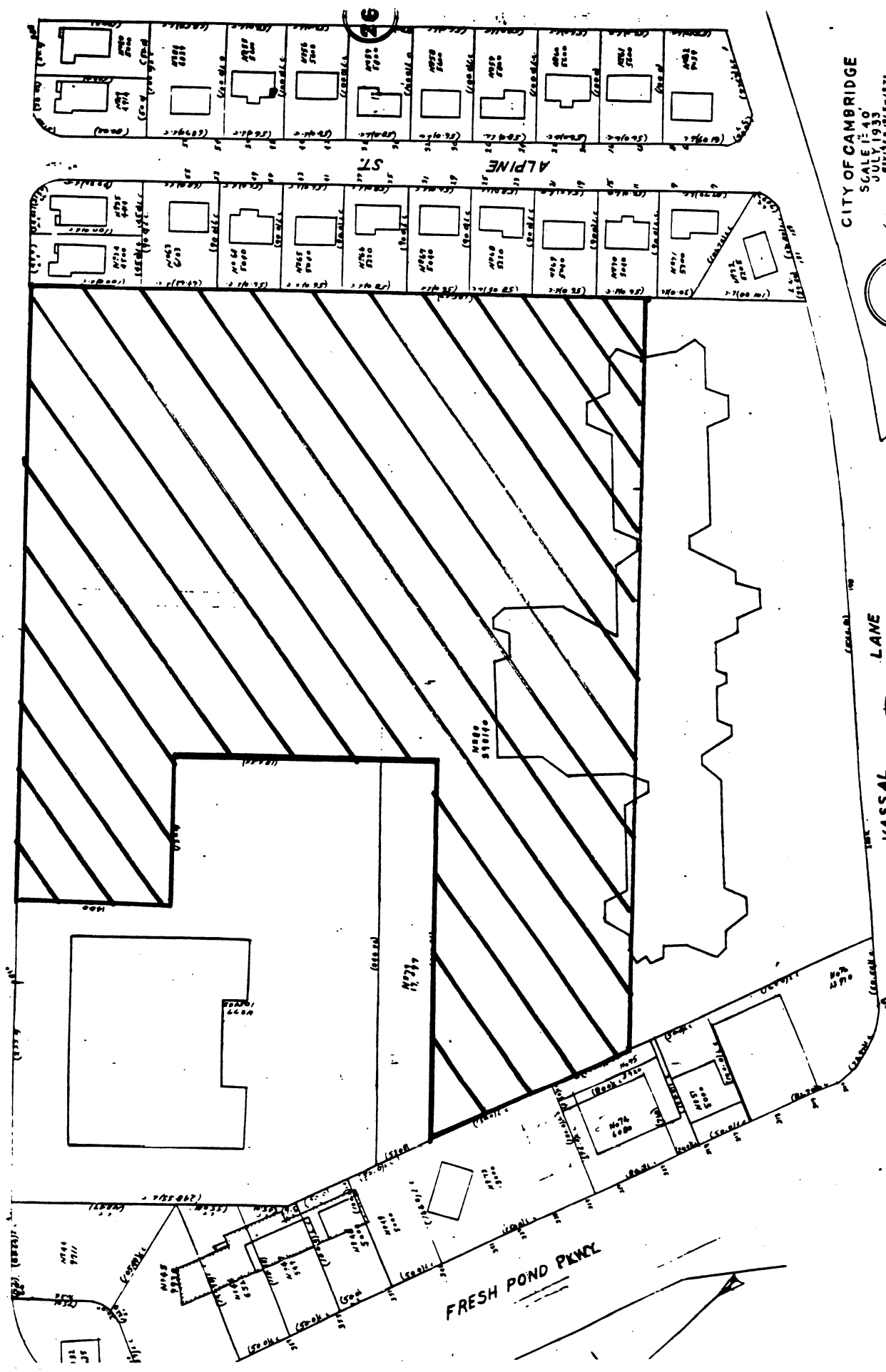
86

108



SCULIB. 44  
 DIMENSIONS FROM MEAS. LAND CORNER, OR  
 ANCHOR PLAIN, ARE IN PARENTHESES ( )  
 LAND CORNER IS NUMBERED - L.C. - ALL OTHER  
 DIMENSIONS ARE MEASURED.  
 - DRAWN BY F. WILDER 3/77 -

**20. From Special District 8 to Open Space (Soccer Field at Pacific and Sidney Streets)**



CITY OF CAMBRIDGE

SCALE 1" = 100'  
 JULY 1970  
 REVISED 7/25-1/73

DIMENSIONS FROM DEEP LAND COURSE OR  
 LAYOUT PLANS ARE IN BRACKETS ( )  
 ALL OTHER DIMENSIONS SHOW AS  
 MEASURED AREAS TITLED BY LAND COURT  
 ARE IN BLUE

233

VASSAL LANE

VASSAL

234

**21. From Residence B to Open Space (Callahan Playground and Tobin School)**

# Appendix

## Philip B. Herr & Associates

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### OVERVIEW: CRGM PETITION REVIEW TO DATE

Cambridge Community Development Department  
July 22, 1997

The following is an overview of the current status of the review of the CRGM Zoning petition as conducted by Department staff, Christopher Chadbourne & Associates, and Herr Associates. This is very much work in progress, rather than a final report.

Our review is organized under the same topic headings as is the Petition, but in different order to better group material that seems related.

#### PHYSICAL DEVELOPMENT CONTROLS

- A. Reduce FAR, height, & density
- C. Establish district transition rules
- E. Open space protection
- F. Revise nonconformity rules

#### OTHER PROPOSALS

- B. Affordable housing linkage & inclusion
- D. Enhanced public & design review.

Under each topic, review is structured around the purposes of the proposals, as best we were able to briefly describe them.



*"By God, for a minute there it suddenly all made sense!"*

## **A. REDUCE FAR, HEIGHT, & DENSITY**

### **Purpose: prevent congestion**

Proposal: reduce business & residential FARs [A1-A9(1)]

Observations about likely impacts:

- Adoption clearly would reduce potential traffic volumes at neighborhood level.
- Actual impact on vehicle-miles Citywide depends upon:
  - where "displaced" jobs & housing actually locate, whether within Cambridge or elsewhere, closer or further from transit, etc.;
  - actual net reduction in jobs in Cambridge, given substantial reduction but still large potential for new growth;
  - extent of outside traffic replacing that locally generated;
  - effect of FAR reduction on modal split.
- Adoption is likely to result in:
  - smaller floor area per new dwelling unit
  - fewer building "tear-downs"
  - more nonconforming buildings
  - complex impact on housing affordability.
  - complex impact on job types.

### Evaluative Observations

- There are many potent causes of traffic increases besides development:
  - 14.5% per year auto registration increase in Cambridge
  - 0.3% per year increase in households
  - 1.0% per year increase in jobs
  - 2.0% per year increase in regional traffic potential
  - lifestyle changes.
- With this approach, trip reductions are gained only at the cost of jobs and housing.
- Bulk control is an inexact device for this concern: trips vary hugely in relation to floor area among business uses & locations.

### Options:

- Adopt as proposed, or as modified.
- Adopt PTDM Ordinance now being proposed.
- Adopt performance-based controls setting allowable FAR based on trip generation for that use at that site.

**Purpose: scale compatibility, avoid overshadowing**

**Proposals:**

- Reduce FARs [A1-A9(1)]
- Reduce heights [A1-A9(1)]
- Establish uniform cornice line [A1-A9(1)].

**Observations:**

- See above regarding FAR reductions.
- Height reduction consequences vary by district, but generally still allow substantial increases above prevailing heights.
- 55' cornice line concerns vary by district and by location within districts.
- Likely increase in BZA variance requests to alter nonconforming buildings.

**Options.**

- Tailor, then adopt, current proposal.
- Proceed with "concurrence" proposals, further study for others.
- Defer pending more extensive urban design studies.

**Purpose: prevent worsening of flood risks**

**Proposals:**

- Apply 100-year flood zone rules to 500-year flood zone [A9(2)a]
- Reduce flood zone FAR to 0.5 [A9(2)b].

**Observation about likely impacts:**

- Might result in larger footprint (but lower) buildings, proving counter-productive.

**Evaluative observations:**

- Alewife flooding is a real problem, but these are questionable means of addressing it.
- FAR only very indirectly relates to flood displacement or groundwater recharge.
- "B" zone (500-year) controls are unprecedented, provide only small risk reduction at large "cost."
- "B" zone poorly describes the drainage area that contributes to the problem.
- More effective techniques are available.

**Options:**

- Clarify, adopt current proposal.
- Adopt stronger performance-based displacement/recharge controls.
- Strengthen administration of current controls.
- Wait for hydro-geologic studies.

**Purpose: avoid over-reliance on Harvard Square on-site parking**

Proposal: allow Harvard Square parking exemption without fees-in-lieu. [A.10(1)]

Observations:

- Eliminates important funding source for alternative access
- Raises concern re inter-district equity.

Options:

- Adopt as proposed.
- Better understand purpose, refine.
- Disapprove.

### C. ESTABLISH DISTRICT TRANSITION RULES

**Purpose: minimize disruptive district transitions**

Proposal: establish Transition Control Plane [C.2]

Observations:

- Hugely complex in application.
- Appropriateness varies among district boundary conditions.
- Reduces achievable FAR dramatically on some parcels.
- More likely "business" for City Hall.

Options:

- Adopt as proposed.
- Tailor to fit circumstances.
- Use additional districts to achieve purpose.

### E. PROTECT OPEN SPACE

**Purpose: avoid excessive impervious surfaces, loss of open space**

Proposal: revise open space dimensional rules. [E1 – E3]

Observations:

- Somewhat complex in application.
- Addresses concerns directly.
- Reduces achievable FAR significantly on some parcels.
- Concern re housing cost impact on small parcels
- More likely "business" for City Hall.

**Options:**

- Adopt as proposed.
- Defer pending further study.

**Proposal:** rezone parks to Open Space district. [E4]

**Observations:**

- Cures Zoning implication of some public spaces being more "open" than others.
- Adds public process "protection" for lands already process-laden.
- Restrictions may constrain usual recreational facilities in some cases.

**Options:**

- Adopt as proposed.
- Defer pending further study.

**F. REVISE NONCONFORMITY RULES**

**Purpose: facilitate post-catastrophe rebuilding**

**Proposals:**

- Remove 50% restoration cost limit for restoring most damaged non-conforming structures. [F]
- Require compliance for ANY restoration, removing 50% exemption, for conforming non-residential structures in non-conforming use. [F]

**Observations:**

- Proposal deals with relatively rare events, leaves problem of constraints on altering non-conforming structures unchanged.
- Unusually generous provision compared with most ordinances, but in line with outcomes in most cities.

**Options:**

- Refine and adopt
- Incorporate into more sweeping revision to rules about non-conformity.

**B. AFFORDABLE HOUSING LINKAGE & INCLUSION**

**Purpose: increase business contributions to housing**

**Proposals:**

- Change income eligibility rules for affordable housing [B1]
- Extend applicability of linkage fee requirement. [B2.3]
- Increase fee. [B2.2]

**Observations:**

- Extensions and fee level are likely to meet nexus test.
- Income increase likely to be significant.
- Concern re impact on small business feasibility.
- Concern re appropriateness of basing housing eligibility on Cambridge, not Boston Region, income relationship.

**Options:**

- Adopt as proposed.
- Return to current income basis, then adopt.

**Purpose: encourage inclusion of affordable units in housing developments**

**Proposal: provide 25% density bonus if half "extra" units are affordable. [B2.4]**

**Observations:**

- Similar provisions have proven largely ineffective elsewhere, especially in Massachusetts with Chapter 40B.
- A mandatory inclusion ordinance is being prepared by the Community Development Department.

**Options:**

- Adopt as proposed.
- Defer pending review of the Department draft.

**D. ENHANCED PUBLIC & DESIGN REVIEW**

**Purpose: promote public awareness of review proceedings**

**Proposal: require posting outdoor notice boards before hearings [D1].**

**Observations:**

- Similar provisions are common and effective elsewhere, especially where tenants are a large share of the population.
- Some concerns re content of notices.
- This requirement might entail 250 notice boards per year.

**Options:**

- Adopt essentially as proposed.
- Defer pending further review.

**Purpose: extend applicability of small project staff review**

Proposal: require early staff review for creation of one dwelling unit, one parking space, or 1,000 square feet floor area. [D2.2]

Observations:

- Early inventory indicates the number of cases would be modest: a handful per month.
- Concern over staff lack of clarity on intent: is it to assist applicant in complying, head off compliance problems, or encourage "better" solutions?
- If "better" solutions are the intention, concern re lack of guidance as to what that is.
- If compliance guidance is the intention, concern re agency appropriateness.

Options:

- Adopt essentially as proposed.
- Adopt, but have Inspectional Services administer.
- Defer pending development of "better" guidance.

**Purpose: extend applicability of large project public review**

Proposal: require noticed public review for creation of 2,000 sq. ft. or more. [D2.3]

Observations:

- Early inventory indicates the number of cases would be modest: a handful per month.
- Concern over staff lack of clarity on intent: is it to assist applicant in complying, head off compliance problems, or encourage "better" solutions?
- If "better" solutions are the intention, concern re lack of guidance as to what that is.
- Major concern over public misunderstanding of the nature of the review: that code compliance is the only tool, with no regulatory discretion.
- Major concern over encouraging wide participation in low-consequence processes.

Options:

- Adopt essentially as proposed.
- Defer pending development of a system with more consequential review.

CAMBRIDGE/OVER-3

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### **ZONING FOR TRAFFIC**

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Cambridge Community Development Department

June 18, 1997; revised August 8, 1997; August 11, 1997.

Traffic and its impacts on the quality of life in Cambridge are pervasive concerns across the City. A substantial share of that problem is "home-grown," evidenced by increasing Cambridge auto registrations, and a share is through traffic with neither origin nor destination within Cambridge. However, development within Cambridge has contributed to the problem in the past, and unless further controlled would likely do so in the future. DEP mandates and the current CRGM rezoning petition reflect the seriousness of the concerns. With that background, the Cambridge Community Development Department is considering appropriate tools for reconciling traffic management with the City's interest in supporting good, adequate, and diverse job and housing opportunities, trying to mitigate traffic through means which don't simply limit the development of job and housing opportunities. This memo outlines ideas being considered for implementation through zoning, which is just one of many means being used to address those concerns.

#### **BACKGROUND**

Zoning has limits in its ability to mitigate the City's traffic concerns. Cambridge zoning can't control the huge number of cars crossing Cambridge but having neither origin nor destination within the City. Ironically, to the extent that Cambridge-generated auto trips are reduced, those through trips are likely to increase. Further, zoning deals with new building and future changes of use, not with what already exists, and what already exists dominates the traffic issue. For example, during the 1980s auto registrations in Cambridge rose 60% while the population remained stable. Still, growth in Cambridge does contribute to traffic problems, so zoning remains an important, if limited, tool.

Cambridge zoning and its administration already reflect traffic concerns to a substantial degree. Traffic has been a consideration in shaping the existing bulk and parking controls, and the configuration and requirements of various overlay districts. Incentives for reducing reliance on single-occupant auto access are provided in a variety of zoning measures, such as the maximum parking limits established in Section 6.36. Importantly, Traffic Demand Management (TDM) efforts, such as provision of shuttle services and ridematching, are required by a variety of special permits. The City Council's Ordinance Committee is currently considering new requirements for parking and TDM, making those efforts applicable to a broader range of development activities and locations.

Further zoning steps are being considered. One guiding principle in these explorations is

to use the demand for development in Cambridge to help achieve greater "use and transportation efficiency." That means moving towards more jobs and housing in relation to traffic, rather than simply limiting development. It means rejecting the notion that each job or dwelling unit inevitably means so many vehicle trips, and the resulting implication that the allowable number of jobs and dwellings must be reduced. A second principle is to "leverage" the development pressure, where possible, to not only achieve greater efficiency in the new development which is put in place, but to improve the efficiency of transportation use by the existing development which new building augments. A third principle is to be guided by what is possible, rather than by what is "usual". With a strong market for its land, Cambridge can to some extent tailor its controls to be attractive to that segment of the market which will work with the City to achieve its transportation objectives, rather than shaping controls to reflect the norms of usual American experience.

Accordingly, the approaches being considered herein would be tailored to the specifics of use and location. Allowable densities would reflect such considerations as the intensity with which different uses generate auto and truck trips, and the differences among locations, even within the same zoning districts, in the level of public transportation service and the sensitivity of their surroundings to increases in traffic.

### **THREE COMPLEMENTARY TOOLS**

#### **VEHICLE TRIP-GENERATION INTENSITY LIMITS**

Zoning which permits, say, 100,000 square feet of floor area on a lot in a Business District currently allows, for example, either a small retail shopping center or a general office building. If having the same floor area, the retail center would generate more than triple the office center's traffic in the peak hour, and five times its traffic over the entire day. Limiting bulk by zoning district but independent of use, as Cambridge does, only crudely limits auto trip generation. Another control is in growing usage in other communities: a direct limit on vehicle trip generation, recognizing that bulk controls aren't really trip limits. With a vehicle trip limitation approach, the amount of floor area allowed reflects the difference between retailing and offices, and can also reflect differences among different office developments in their success in limiting their own traffic generation.

That approach provides a major incentive for the property owner to assure "efficient" use of transportation: fewer trips in relation to the number of employees results in permission to have a larger building. In some cases, that may be achieved through increasing the transportation demand efficiency from facilities already on the site but which are made part of the project proposal. In that way, the rule would enhance "vehicle trip efficiency" of both new and existing floor area.

#### **PARKING RATIOS**

The City's Zoning-required parking ratios have not recently been revised in light of

contemporary transportation perspectives. Those requirements are highly detailed, distinguishing among about 150 different categories of use and four groupings of zoning districts, with minimum requirements for each use in each district group, and sometimes with maximum limits, as well. Both comparison with national zoning norms and reactions of applicants in recent years seem to suggest that the requirements are accurately shaped to routine demand, with only rare applicants objecting to meeting the minimums or staying below the maximums.

There is interest in using tailored parking requirements as a means of both encouraging less auto-dependent business to locate in the City and encouraging practices that reduce auto dependency. The concerns about that use of parking rules include wanting not to impact residential neighborhoods with on-street parking demand.

#### **TRANSIT OVERLAY DISTRICTS**

Critical to the City's ability to efficiently serve its local jobs and households is use of rapid transit. Where transit is conveniently available, a substantial share of trip-making will be served by it, so that the same use at the same density near a transit station will impact streets less than it would elsewhere. Regulation of development near transit stations should reflect location in the density and use that is allowed. Design guidance for sites near transit should emphasize facilitating pedestrian access and accept substantially less parking than elsewhere. Current zoning districts reflect transit proximity to some degree, but imperfectly. Accordingly, new overlay districts (or new provisions in existing ones, where that seems appropriate) would be created for the pedestrian vicinity of each of the transit stations, with rules tailored to the individual characteristics of those stations.

#### **CRITICAL SYSTEM ATTRIBUTES**

##### **PREDICTABILITY**

There is inherent complexity for applicants, affected neighbors, and the City in a vehicle trip-generation limit approach. Concerns may arise about inequities in treatment between projects on different sites. To minimize those concerns, it is important that the regulations have some straightforward limits applicable to all. First, there should be a relatively simple by-right system available for those uses which by their nature will clearly have vehicle trip generation falling within acceptable parameters. An assisted elderly housing project with no more dwelling units per acre than allowed for other housing would require no searching analysis or complex constraints to assure acceptable traffic impacts. The Ordinance should have clear limits below which development is unaffected by these regulations.

Second, it is important that the system by which allowable amounts of development are determined be as objective as possible. There is an understandable desire to consider each situation individually in all its rich complexity, but for fairness and predictability it is

critical that there be clarity about the bases on which approvals will be granted or denied. No single measure is likely to serve all situations. All of these measures have their merits in various circumstances. The Ordinance should clarify if, where and how they would apply. Such measures might include:

- Keeping vehicle trips per 1,000 square feet of lot area below some limit.
- Maintaining the present traffic level of service.
- Not exceeding some stated level of service.
- Not increasing traffic by more than some percentage above existing.
- Basing limits on peak hour considerations.
- Basing limits on average daily considerations.

#### **OTHER CONTEXT-SENSITIVITY**

The impact of a given increase in vehicle trips differs depending upon the street involved. Adding 100 peak hour trips to a major arterial which chiefly carries through traffic is very different from adding 100 peak hour trips to a small residential street. That, too, should be reflected in the regulatory system.

#### **PERFORMANCE MONITORING**

The City is moving beyond the time when zoning administration essentially ends with issuance of an occupancy permit. Increasingly, zoning approvals are premised on how the use is carried out over time, as well as on initial setbacks and floor area limits. Traffic mitigation efforts are already being imposed on many developments as the result of both City and State imperatives, and this approach would expand that set. A critical aspect of the regulatory change must be the design of a system for administering these controls over time. That needs to be done in a way which does not unreasonably burden companies in their growth and change, but which also assures impacted neighbors that the level of protection promised upon approval will still be there in years to follow. That concern will color the actual measures used for control.

#### **NEXT STEPS**

It is important to understand that a system such as described here would have roughly the same benefits with or without the CRGM proposals for reducing allowable building scale in relation to lot area. Regardless of whether or not those reductions are approved, this approach has the potential to increase land use/transportation efficiency, both for new and existing structures. On the other hand, adoption of controls such as these would have substantial impact on the rationale for reducing FAR limits in various districts, as CRGM proposes. If this approach were to be adopted, concerns about traffic impacts could be directly addressed, allowing choice of appropriate FAR or dwelling unit densities to be chosen on other bases, or at least to allow those other bases greater weight in the decision. For that reason, the prospect of controls such as these is quite germane to consideration of

the CRGM petition.

If given sufficient support for this approach, the next step is to move forward into the very substantial and lengthy task of preparing draft regulations.

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### **REPLACING NONCONFORMING STRUCTURES**

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Cambridge Community Development Department  
June 18, 1997

The CRGM petition proposes revising how Zoning regulates the replacement of nonconforming structures and uses following destruction by fire or similar catastrophe. Contrary to popular belief, restoration of damaged structures isn't automatically allowed for all uses by State law, but rather is subject to local regulation. Cambridge Zoning (Section 8.23) now provides that reconstruction of buildings which are themselves nonconforming or which contain nonconforming uses must comply with current zoning if the cost of reconstruction exceeds 50% of the replacement value of the building. The petition would change that in three ways, two clearly intentional and one possibly inadvertent.

1. The 50% limit on reconstruction would be removed for all buildings in residential use before the catastrophe, regardless of whether the building or the use conforms to current zoning.
2. The 50% limit would be removed for nonconforming buildings (defined as not conforming to dimensional or parking requirements) which were in a conforming non-residential use before the catastrophe.
3. The current protection allowing up to 50% rebuilding would be removed for conforming non-residential buildings that were in a nonconforming non-residential use before the catastrophe. This category simply isn't covered by the proposed language, so relief from current zoning would have to come from a variance or liberal interpretation of other Zoning provisions, such as Section 8.22.1.

The 50% limit/protection would be retained for nonconforming buildings containing nonconforming uses, leaving them better-protected than conforming buildings with nonconforming uses.

### **APPLICABILITY**

Residences in nonconforming use are generally found only in industrial districts, but residential buildings throughout the City are commonly nonconforming in one or more ways as a result of such things as yard and floor area limitations adopted after they were built. Non-residential nonconforming uses are also found across the City, often in nonconforming buildings.

## EVALUATION

The subject of nonconformity is highly complex under Massachusetts zoning laws, the most critical being Section 6 of Chapter 40A, MGL, which deals with various aspects of nonconformity and vested rights. Various trial courts have often been in disagreement about the intent of key provisions of the Section<sup>1</sup>. Further, the policy question involved is difficult. If the community really intends to eventually achieve conformity with its zoning, then facilitating restoration of nonconformity is counter-productive. On the other hand, virtually all cases involving catastrophe appropriately raise sympathetic concern for those affected.

Arguably, the proposal makes no change at all for single or two-family residences, since they already have explicit protection under Section 6 of Chapter 40A. The seriousness of concern for the affected multi-family and non-residential uses is heightened by the prospect of further tightening of open space and other dimensional regulations, which would substantially increase the number of nonconforming buildings in the City.

The current nonconformity provisions of the Cambridge Zoning Ordinance reflect common practice nationally, including the magic 50% of replacement limit. The CRGM petition, however, reflects how nonconformity controls are commonly administered. Reconstruction of residential uses and of conforming non-residential uses in nonconforming structures is commonly facilitated through liberal reading of otherwise constraining requirements.

## POSSIBLE ALTERNATIVES

There are at least three responsible alternatives relative to the petitioned proposal.

1. Clarify its provisions, and support them. Two clarifications at minimum are needed.
  - First is clarification of the applicability of the 50% ceiling to nonconforming uses in conforming structures. The language should probably be changed to retain the present permission to restore up to 50% of replacement value for those cases.
  - Second, the petition quotes the sentence which the CRGM insertion precedes as, "If a conforming structure or use..." The sentence actually reads, "If a nonconforming structure or use..."
2. Incorporate any possible revisions to the treatment of nonconformity in a broader revision to Article VIII. Nonconformity. Certainly a better job could be done, given a careful effort. For example:
  - Section 8.23 is perfectly ambiguous. The three sentences following the present second sentence (which deals with cases arising from a public taking) might refer only to the

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<sup>1</sup> See, for example, Mark Bobrowski, *Handbook of Massachusetts Land Use and Planning Law*, Little, Brown and Company, Boston, 1993, pages 247-259.

cases covered in the second sentence, or they might also apply to the larger set of cases covered in the first (and proposed second) sentence.

- Perhaps some structures, such as those designated as historic buildings, should be given more generous rules governing their reconstruction, so long as restoration guidelines are followed.

3. Decide that the current provisions of State and Cambridge law fairly balance concerns for those affected by catastrophe with the long-term desire to see development that is consistent with the Zoning, and so leave the current provisions of Section 8.23 as they are presently constructed and administered.

CAMBNONCON.DOC

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### **FLOOD HAZARD REDUCTION**

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Cambridge Community Development Department

June 10, 1997; revised August 8, 1997; August 11, 1997.

The CRGM petition proposes to avoid increasing flood hazard by creating two new requirements for properties within the area subject to a 500-year storm. The intention of CRGM is to "prevent spread of flooding"<sup>1</sup>. Flooding would be spread if new construction were to displace some of the flood storage capacity within the flood zone, or to a small degree might be spread if the recharge of floodwaters were to be reduced through creation of additional impervious surface. An additional rationale might be to avoid creation of new risks even if flooding isn't spread, but in the zone in question that risk is already at a very low level.

### **AREA OF APPLICABILITY**

In Cambridge, the area subject to the proposed requirements lies almost entirely in the Fresh Pond vicinity. Attached is a map that illustrates a portion of the area subject to the proposed regulations.

### **PROPOSED REGULATIONS**

Two regulations on this topic are proposed in the CRGM petition. First, it is proposed that FAR may not exceed 0.5 in the identified areas regardless of the FAR allowed in underlying zoning. Second, compliance with certain FEMA regulations on design and construction (43 CFR 60.3) would be extended to apply to the entire area subject to flooding in a 500-year storm<sup>2</sup>, whereas those requirements now apply only to the area subject to a 100-year storm. Those FEMA regulations most importantly require:

- that the lowest floor level of any residential structure be elevated to or above the base flood level of the design storm, and
- that non-residential construction be similarly elevated, or made watertight to that elevation.

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<sup>1</sup> CRGM, "Executive Summary: The Growth Management Petition," undated.

<sup>2</sup> In flood hazard jargon, this is the "B" zone, or the area with a probability of 1 in 500 (0.2%) of flooding in any given year, as determined and mapped by the Federal Emergency Management Agency (FEMA). Similarly, the "100-year flood zone" is referred to as the "A" zone, with a flooding probability of 1% in any given year.

## **EVALUATION**

The Fresh Pond vicinity is notoriously at risk of flooding due to its low elevation, less than five feet above sea level in some parts, so the CRGM concern over its flooding is a legitimate one. However, we note the following concerns.

1. The relevant area for control is really all land from which drainage flows into the Fresh Pond low lying area, which appears to have a quite different configuration than the 500 year flood zone, which excludes relatively high land from which stormwater still exacerbates flooding at Alewife. Construction on land above the 500-year flood zone but draining into the Alewife basin would impact the 100-year flood zone in all storms up to the 100-year storm just as fully as if the construction were within the 500-year zone. There is not an apparent rational nexus between a concern for avoiding spread of flooding and regulating an area defined by the 500-year flood zone.
2. Any construction within the 100-year flood zone is already required to provide compensatory flood storage volume for any displacement of flood storage capacity resulting from development, stipulated under Zoning Section 11.75(1) and by the Wetlands Protection Act (310 CMR 10.57). Reducing the allowable FAR would therefore have impact on flood storage capacity only in storms whose displacement impacts are not already controlled, which is those storms exceeding the 100-year storm. The difference between 100-year and 500-year storms affects a substantial area, but would be of relevance only in very rare events.
3. FAR is a very indirect measure in relation to any concern about reducing flood storage capacity. For example, FAR created by adding another story to a two-story building would not reduce flood storage capacity a bit, but would be prohibited under this proposal if that resulted in a FAR exceeding 0.5. The existing Section 11.75 and Wetlands Protection Act requirements, on the other hand, are very direct and appropriate.
4. Similarly, FAR is a very indirect measure for dealing with reduction in the water recharge rate of the area in question. A reduced FAR might mean buildings having smaller footprint or bulk near ground level and smaller areas paved for parking, but neither of those is necessarily true. A performance-controlled project at the proposed O-2 District FAR of 1.0 could more efficiently recharge floodwaters than might a poorly designed one at the suggested 0.5 FAR limit for flood zones.
5. The Zoning Ordinance already requires observance of the FEMA requirements for elevating and floodproofing structures (see 11.75(4), which requires compliance with the State Building Code, which in turn requires compliance with FEMA rules in locally-designated flood hazard zones. The amendment appears to intend extending FEMA rules to apply outside of the 100-year flood zone to which the State Building Code is referenced.
  - If compliance with the State Building Code is all that is intended, the language is redundant.

- If the intention is to require construction outside of the 100-year zone but within the 500-year zone to elevate or floodproof to the 500-year base flood level, but not to require that higher elevation within the 100-year zone, the result would be more stringent control in lower risk areas than in higher risk areas.
  - If the intention is to require construction in both the 100-year and 500-year zones to be elevated and floodproofed to the 500-year base flood level, added language would be necessary, but more importantly, a serious additional limitation and cost for development would be added. The degree of risk reduction gained would be slight.
1. The FEMA-mandated rules are exceeded in stringency by rules in a fair number of communities. For example, some communities categorically prohibit some types of development in the A-Zone. Some (the Cape Cod Commission) mandate that the FEMA-determined flood levels be increased by a foot or more to reflect special concerns, such as sea level rise (which could impact this area, given its small elevation above sea level). However, imposing restrictions on development in the 500-year flood zone is a substantial departure from common practice. We know of no communities that have adopted 500-year flood plain controls. Staff at the FEMA regional office indicate that such controls are at most extremely rare in their experience.
  2. The Cambridge DPW is preparing a Stormwater Management Plan for the City, designed to work in tandem with DEP's newly adopted Stormwater Management Policy, likely to provide strong City-wide standards for control. Adoption of these controls might not readily be made consistent with the DPW approach.
  3. There are several technical concerns.
    - The federal regulation incorporated by reference, "43 CFR 6030" (really 43 CFR 60.3), consistently refers to its requirements as applying to various categories of "A" (100-year flood) zone. Literal application of those regulations outside of the "A" zone as proposed would have no effect unless language is further modified.
    - FEMA mapping provides only indirect information about base flood elevations for the 500-year zone. We know that the base flood elevation would be higher than that of the 100-year zone, and FEMA studies do provide some 500-year flood profile information. However, additional mapping efforts would be necessary for administering the 43 CFR 60.3 requirements, especially for small developments where it would be unreasonable to impose the requirement that the applicant do the technical work entailed for establishing a 500-year storm base flood elevation.

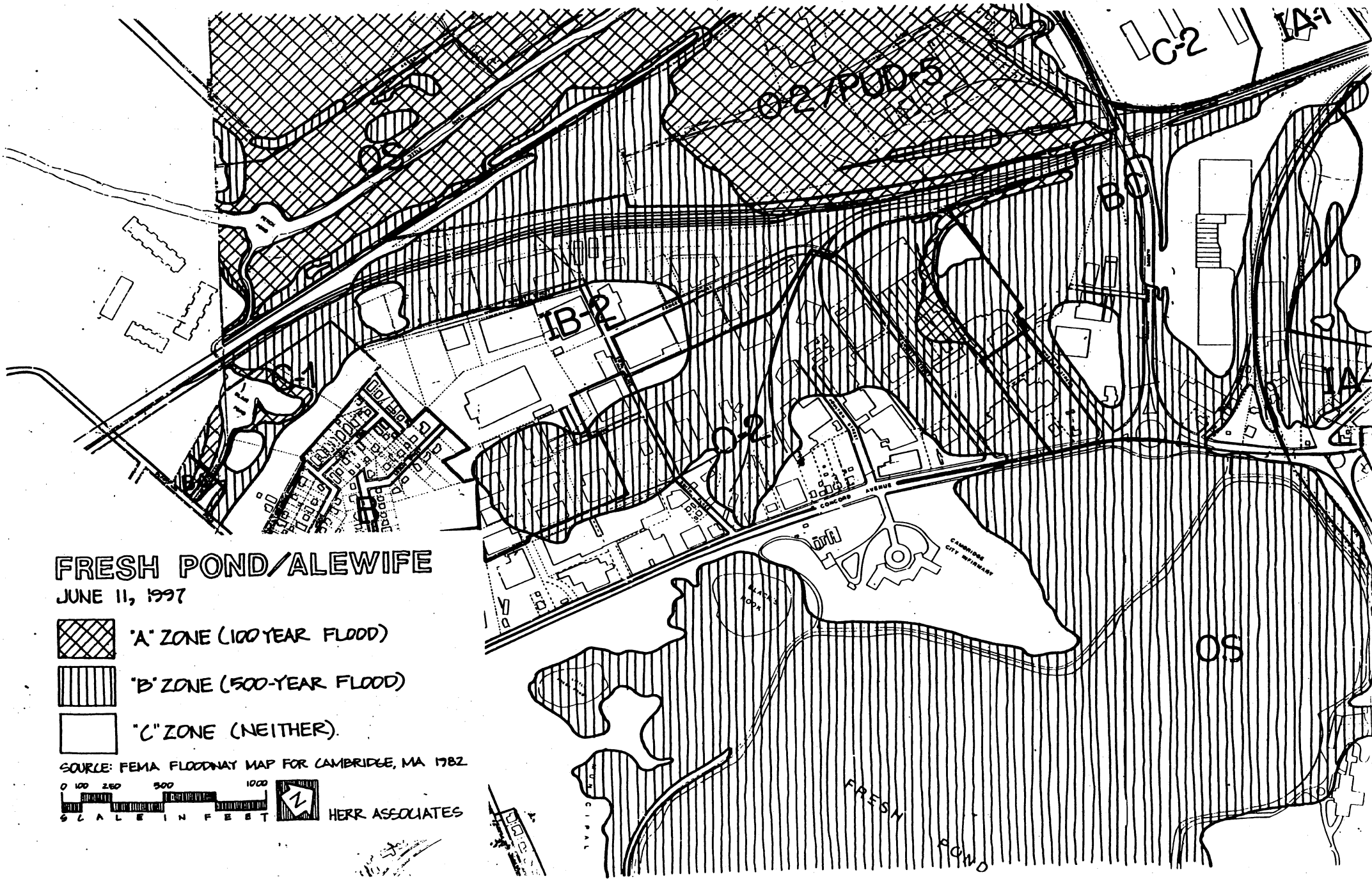
## **POSSIBLE ALTERNATIVES**

Two alternative actions might be taken to better serve the same objectives as cited by CRGM.

- First, the City might rely upon existing and currently developing controls which are specifically designed to address the stated concern, with special attention to strengthening their administration in this critical area. One of those “developing controls” is the DPW Stormwater Management Plan,” another is the open space revision initially suggested by the Pritkin, et al Petition.
- Second, the City might develop controls specific to the Fresh Pond drainage basin (or other appropriate area designation), limiting the allowable extent of impervious surfaces, and requiring stormwater management so that each site discharges no higher rate of stormwater post-development than it does currently.

Either of these alternative approaches would provide greater assurance of achieving the stated objectives than would the Pitkin, et al Petition, and would not reduce the amount of development that is otherwise allowable in the area. If in fact the real intention is simply to reduce the amount of development in this vicinity for reasons other than flood exacerbation, that should be addressed more directly.

CAMB\FLOOD.DOC



# FRESH POND/ALEWIFE

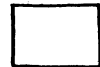
JUNE 11, 1997



'A' ZONE (100-YEAR FLOOD)



'B' ZONE (500-YEAR FLOOD)

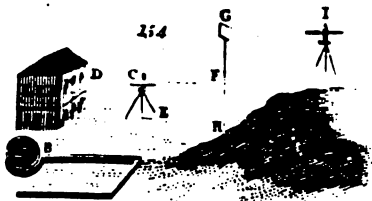


'C' ZONE (NEITHER)

SOURCE: FEMA FLOODWAY MAP FOR CAMBRIDGE, MA 1982



HERR ASSOCIATES



Christopher Chadbourne and Associates  
Urban Design Architecture Exhibit Design  
Heritage Resource Development and Management  
131 Mt. Auburn St., Cambridge, Massachusetts 02138

## Cambridge Zoning Petition Analysis: Open Space / Yard Setback Analyses

4 August 1997 Draft

**DRAFT**

### *Introduction*

The Pitkin Zoning Petition recommends a number of modifications to the Cambridge Zoning Ordinance regarding yard and open space requirements and yard setback requirements for both residential and business properties. A key intent of the suggested modifications is to increase the proportion of *useable* yard spaces and *green* open spaces on parcels, and to minimize paved and poorly configured "left-over" open spaces that are not readily useful. Additionally, another intention is to provide green buffer spaces on lots, particularly when those lots adjoin residential properties.

The purpose of this analysis is to understand the impacts and implications of these open space / yard recommendations - particularly as to whether permitted development ( as measured by maximum allowed FAR ), or maximum allowed dwelling units, together with required parking spaces and yards - can be fully achieved, or achieved without significantly increased financial burden ( such as the necessity to provide underground or garage parking), if these new open space / yard recommendations are adopted.

The potential impact of these newly recommended open space / yard requirements become more complex when they cumulatively combine with other aspects of the Pitkin Zoning Petition, such as Transition Control Plane yard setback requirements that additionally apply when two zoning districts adjoin, or when the newly recommended definitions of open spaces allow for upper level decks and balconies to be counted as part of beneficial and useful open space requirements. The analysis provided here does not attempt to assess these cumulative and more complex combined effects, but instead attempts to assess the straightforward impacts of the open space/yard requirements themselves.

### *Analysis Assumptions*

In developing a site plan for any property, whether for residential or commercial use, four components must be balanced to fit on the site. *Assuming that a property owner will seek to maximize his/her lot development potential* ( usually as measured by maximum FAR, height, and / or maximum number of dwelling units allowed ) in accordance with the provisions of the zoning ordinance, the ground plane of the lot will consist of 1) the building footprint area, 2) the required parking spaces, 3) the required yard and open space areas, and 4) the required yard setbacks from the street and adjacent parcels. Any particular lot design is a balance of these requirements. If the various dimensional parameters of a zoning district are properly drafted, all dimensional requirements should be achievable while attaining or approaching the maximum densities allowed in most instances. If the dimensional requirements are so restrictive so as to not allow the permitted maximum densities to be achieved, or at least approached, then the district

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requirements are not properly drafted and a property owner may have a valid basis to request a variance.

Because the Cambridge Zoning Ordinance yard setback requirements in each district are often not a fixed dimension, but are instead often the result of a calculated formula based upon a proposed building's specific height and length, and the width of the street in front of it, (front yard setbacks are often measured from the centerline of an adjoining street ), any generic zoning analysis of open space / yard implications cannot always be easily extrapolated to all sites within the same zoning district because of varying shaped buildings, lot configurations, and street widths. However, an attempt has been made to select a lot configuration and size for illustration within each analyzed zoning district that is, to a degree, "prototypical" within that analyzed district so that its implications can be extrapolated.

### *Analyses Issues*

In analyzing the implications of the Pitkin Petition open space and yard setback requirements, several potential impacts are examined. For example:

- 1) Can the maximum development potential of a lot still be attained under these new requirements ?
- 2) Are building footprints and massing that result from the new dimensional and yard / open space requirements of a marketable size?
- 3) Can the required parking to support maximized development still fit on the site as surface parking, or, will more expensive parking solutions be required , such as at-grade parking beneath raised buildings, garage parking, or underground parking?
- 4) In residential districts, will the new open space / yard requirements tend to encourage smaller square footage per dwelling unit because an owner may attempt to maximize the number of allowable dwelling units on a lot ?

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## ***Open Space / Yard Analysis: Residential Zone - Res B***

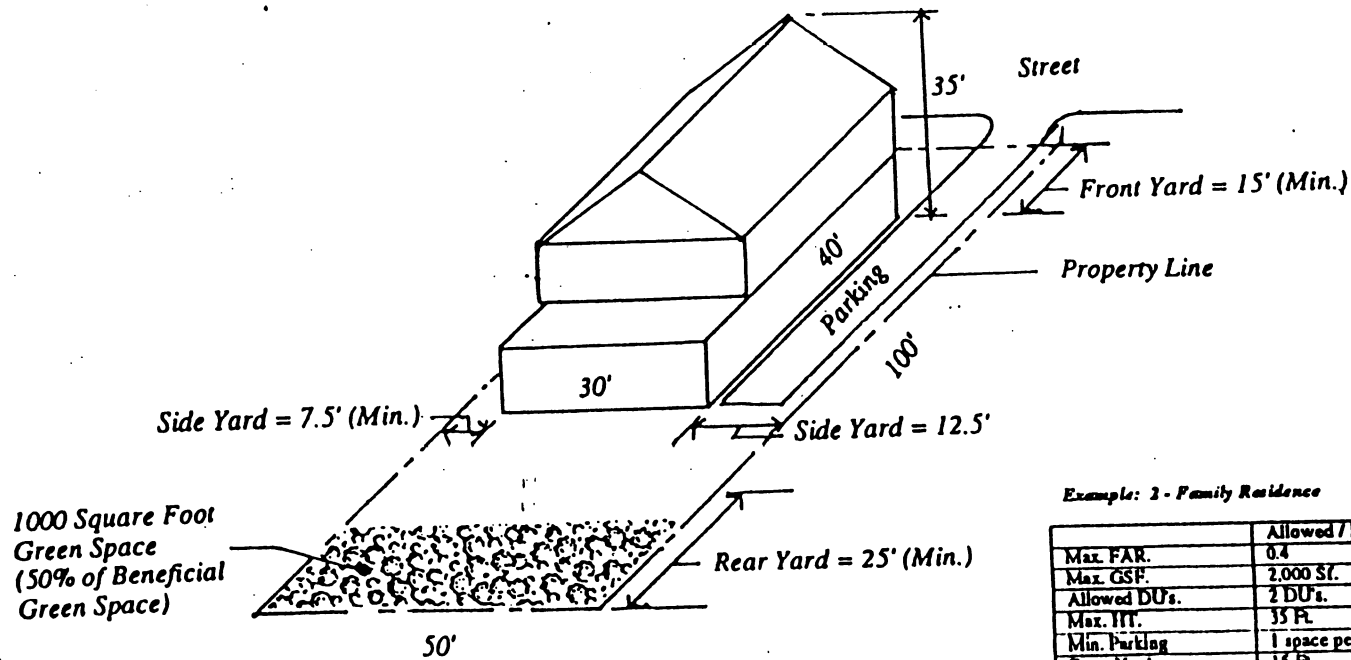
The Residential B Zone in the Pitkin Petition allows a maximum FAR of 0.4, requires a minimum lot size of 5,000 square feet, requires a minimum lot size of 2,500 square feet for each dwelling unit., requires a minimum ratio of beneficial open space to lot area of 0.4, and allows a maximum height of 35 feet.

For purposes of analysis, a lot of 5,000 square feet is illustrated with a lot width of 50 feet ( which is the minimum lot width allowed) . Though lot sizes and shapes vary considerably throughout Res B zones , the lot size and lot dimensional proportions illustrated are quite common throughout Res B districts, which are largely located in West and North Cambridge. In this specific test case of a 5,000 square foot lot, two dwelling units are allowed.

[ It should be noted that for the portions of Res B lots exceeding 5,000 square feet in size, the maximum FAR is 0.3 and the minimum lot area for each dwelling unit is set at 5,000 square feet (3,000 square feet for an affordable unit) . Therefore, as lot size increases beyond 5,000 square feet, allowed densities decline ].

Based upon the analysis illustrated for new development, it appears that all yard, open space, and parking requirements can be readily met under the newly proposed zoning regulations and allowed maximum development potential can be achieved. Each of the resulting two dwelling units that are illustrated are, on the average, 1,000 square feet in size - which falls within a marketable range. On lot sizes greater than 5,000 square feet, all dimensional and open space / yard zoning requirements could even more readily be accomplished because allowed additional densities decline as the lot size increases.

For a number of *existing* residential properties within the Res B zone in West and North Cambridge whose lot sizes are 5,000 square feet or less, it appears that many could not dimensionally conform to the new zoning requirements. Additionally, on these smaller lots, new additions may be more difficult to achieve because of the greater open space requirements under the Pitkin Petition.



Lot Area = 5000 Square Feet

Example: 2 - Family Residence

	Allowed / Required by CRGM	As Illustrated
Max. FAR.	0.4	0.4
Max. GSF.	2,000 Sf.	2,000 Sf.
Allowed DUs.	2 DUs.	2 DUs.
Max. Ht.	35 Ft.	35 Ft.
Min. Parking	1 space per DUs	2 spaces (2 Req.)
Front Yard	15 Ft.	15 Ft.
Side Yard	7.5 Ft. (sum of 20)	7.5 Ft. (sum of 20)
Rear Yard	25 Ft.	43 Ft.

		Required by CRGM	As Illustrated
Min. Lot Area	% of Lot	Sf.	Sf.
Beneficial	40% (m)	2,000 Sf.	3,115 Sf.
Usable	20% (m)	1,000 Sf.	2,815 Sf.
Green	20% (m)	1,000 Sf.	1,000 Sf. (50% of Req. beneficial open space)

(m) Of lot area required as beneficial open space, 50% shall be usable open space and 50% shall be green.

SCALE: 1" = 30'

**OPEN SPACE REQUIREMENTS  
RESIDENTIAL B DISTRICT  
FROM CRGM ZONING PETITION  
SECTION E2.1**

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## ***Open Space / Yard Analysis: Residential Zone C-1***

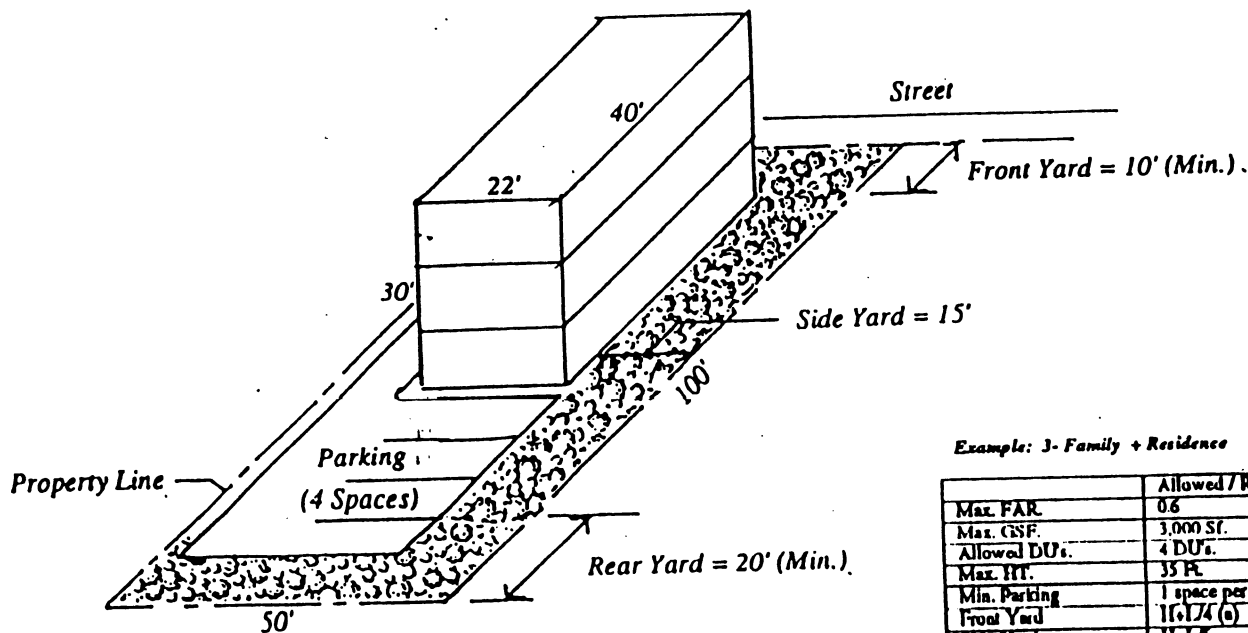
The Residential C-1 Zone in the Pitkin Petition allows a maximum FAR of 0.6, requires a minimum lot size of 5,000 square feet, requires a minimum lot area of 1,200 square feet per dwelling unit, requires a minimum ratio of beneficial open space to lot area of 0.35, and allows a maximum height of 35 feet. Yard setbacks are formulaic.

For purposes of analysis, a lot of 5,000 square is illustrated with a lot width of 50 feet ( which is the minimum lot width allowed ). Lot sizes and shapes vary *considerably* throughout Res C-1 districts which are largely located in Mid Cambridge, East Cambridge, and Riverside. In this specific test case of a 5,000 square foot lot, up to four dwelling units are allowed.

Based upon the analysis illustrated here for new development on a 5,000 square foot lot, it appears that all yard, open space, and parking requirements can be achieved, but only at the expense of not quite fully maximizing the district's allowable density. It appears that the formulaic yard setback requirements, coupled with the new definition of *useable* open space which requires a minimum width of 15 feet, combine to limit the full development density marginally below that which is allowable. In this case example, this combination of required yard setbacks and useable open space dimensional requirements govern the layout of the site. The actual requirement for 35% beneficial open space is more than adequately met and this requirement does not govern the site's design.

Additionally, though the maximum allowable number of dwelling units ( 4 ) for a lot of 5,000 square feet is attained in this illustration, each dwelling unit averages only 660 square feet in size, which is very small from a marketable point of view. [ From a strictly numeric calculation point of view, this district's proposed combination of 0.6 allowable FAR and requirement of 1,200 square feet min. lot area per dwelling unit yields an average dwelling unit size of 720 square feet. The existing C-1 district's 0.75 allowable FAR and requirement of 1,200 square feet per dwelling unit yields an average dwelling unit size of 900 square feet ]. It appears, therefore, that this proposed density of 0.6 FAR, in combination with one dwelling unit allowed per 1200 square feet of lot area encourages small dwelling units, or, discourages a property owner from maximizing the number of dwelling units he/she is allowed in order to create units of larger and more marketable size.

In summary, the newly proposed dimensional, yard, and open space provisions of this C-1 district appear to only *marginally* allow an owner to approach full development potential while meeting all other requirements. In all likelihood, the developer of this test case property would develop three larger and more marketably-sized dwelling units rather than the four small ones allowed.



Lot Area = 5000 Square Feet

Example: 3-Family + Residence

	Allowed / Required by CRGM	As Illustrated
Max. FAR	0.6	0.33
Max. GSF	3,000 Sf.	2,840 Sf.
Allowed DUs	4 DUs	4 DUs
Max. HT.	35 Ft.	30 Ft.
Min. Parking	1 space per DU	4 spaces (4 Req.)
Front Yard	11+1/4 (a)	10 Ft. (10 Ft. Req.)
Side Yard	11+1/4	15 Ft. (14 Ft. Req.)
Rear Yard	11+1/4 (c)	20 Ft. (20 Ft. Req.)

		Required by CRGM	As Illustrated
Min. Lot Area	% of Lot	Sf.	Sf.
Beneficial	33% (m)	1,750 Sf.	2,343 Sf.
Usable	17.3% (m)	875 Sf.	1,333 Sf.
Green	17.3% (m)	875 Sf.	2,343 Sf.

(a) From centerline of street, not less than 10 Ft.

(c) Not less than 20 Ft.

(m) Of lot area required as beneficial open space, 50% shall be usable open space and 50% shall be green.

SCALE: 1" = 30'

OPEN SPACE REQUIREMENTS  
RESIDENTIAL C-1 DISTRICT  
FROM CRGM ZONING PETITION  
SECTION E2.1

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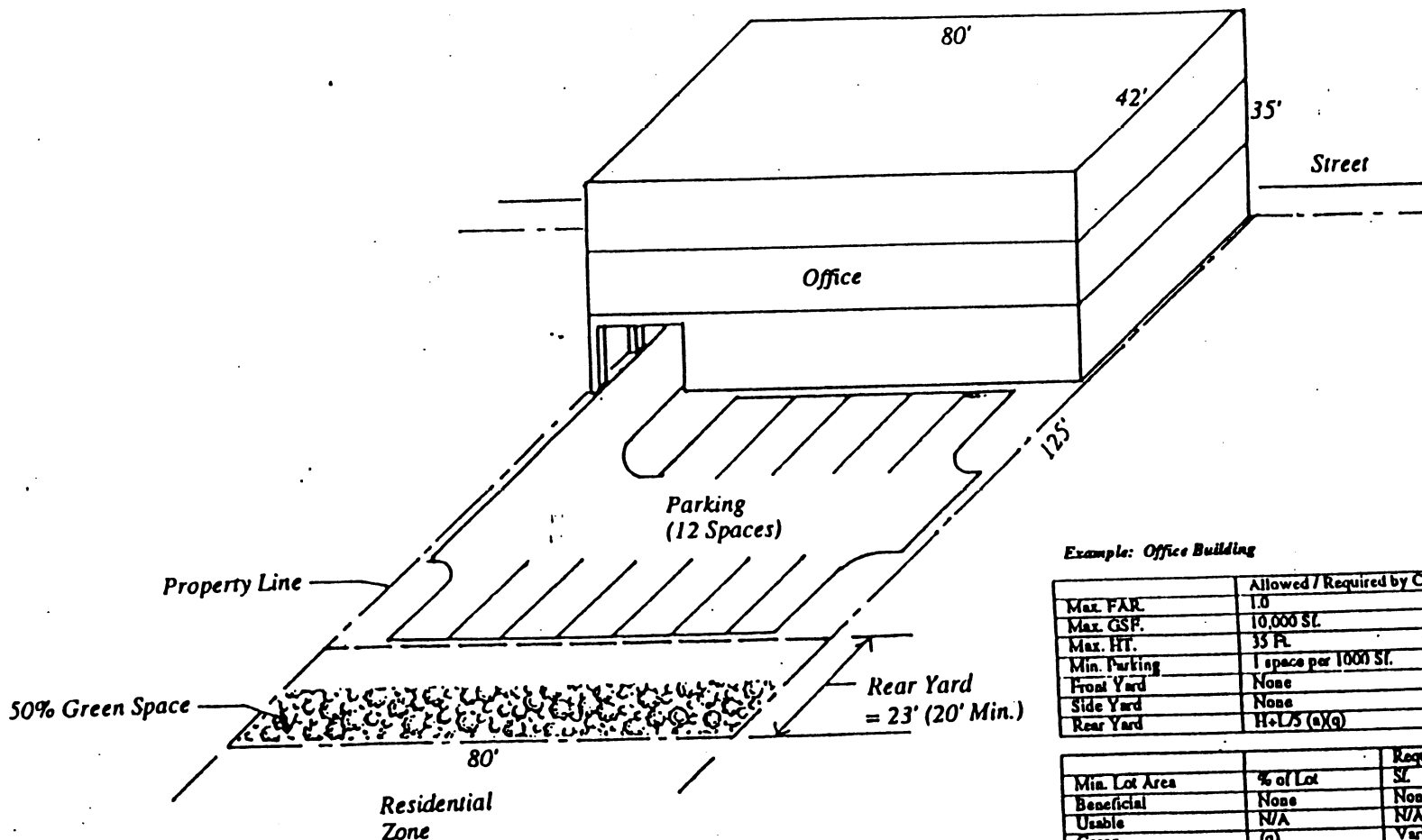
## ***Open Space / Yard Analysis: Business District - Bus A***

The Business A District allows a maximum FAR of 1.0, a maximum height of 35 feet, no minimum lot size, no minimum open space lot requirements, no front or side yard setback requirements, and a formulaic rear setback requirement, but not less than 20 feet. These provisions are identical to the provisions of the existing Bus A zone. Newly added is the provision that fifty (50%) of aggregate total yard area shall be green; and further, fifty (50%) percent of each yard abutting residential shall be green.

For purposes of analysis, a lot of 10,000 square feet is illustrated. There are several Business A Districts throughout Cambridge, predominantly in Inman Square and much of the length of Cambridge Street from Inman Square to Lechmere Square, along the length of River Street in Cambridgeport, in Harvard Square along Church Street, and along a portion of Alewife Brook Parkway. Lot sizes and shapes vary considerably within Business A zones throughout the City. As a result, no single test case lot can serve well as a "prototype".

Based upon this analysis illustrated for new development, it appears that all proposed yard, open space, and parking requirements can be readily met under these newly proposed zoning regulations, and, allowed maximum development potential can be achieved. This can all be accomplished because open space requirements and yard setback requirements are minimal in this district.

The open space and yard setback requirements in this district would successfully require a green buffer open space between adjoining users at the rear yard of a property in a Bus A district, but would not provide such green space buffers to neighbors adjoining side yards.



Example: Office Building

	Allowed / Required by CRGM	As Illustrated
Max. FAR	1.0	1.0
Max. GSP	10,000 SF	10,000 SF
Max. HT.	35 Ft.	35 Ft.
Min. Parking	1 space per 1000 SF	12 spaces (10 min. Req.)
Front Yard	None	None
Side Yard	None	None
Rear Yard	H+L/5 (a)(q)	23 Ft. (by formula)

	Required by CRGM	As Illustrated
Min. Lot Area	% of Lot	SF
Beneficial	None	2,640 SF
Usable	N/A	N/A
Green	(q)	920 SF. (50% of req. yard area.)

(a) Not less than 20 Ft.

(q) 50% of aggregate total yard areas shall be green; further, 50% of each yard abutting residential shall be green

SCALE: 1" = 30'

**OPEN SPACE REQUIREMENTS  
BUSINESS A DISTRICT  
FROM CRGM ZONING PETITION  
SECTION E2.2**

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## ***Open Space / Yard Analysis: Office Districts - Office 3 District***

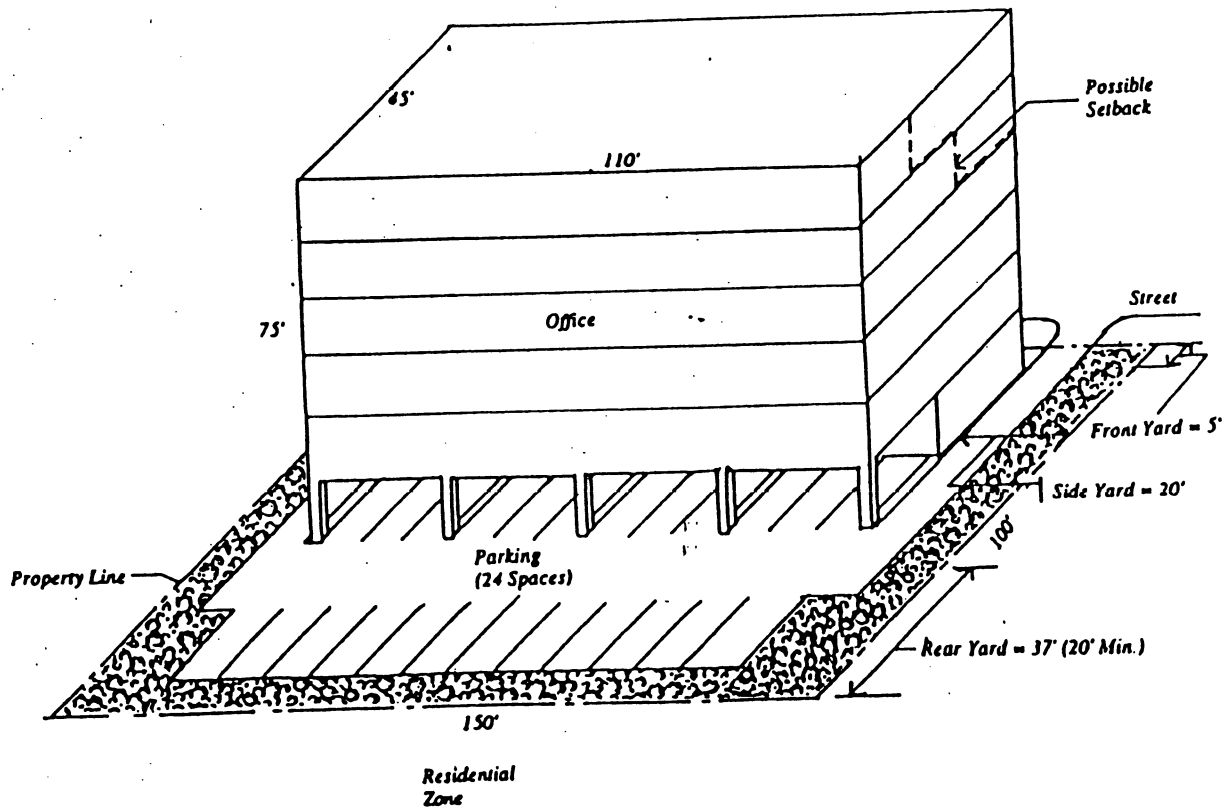
The Office 3 District in the Pitkin Zoning Petition allows a maximum FAR of 2.0, requires a minimum lot size of 5,000 square feet, requires a minimum ratio of open space to lot area of 10%, and a maximum height of 120 feet ( subject to a 55 feet cornice height setback provision ). Yard setbacks are formulaic; and 50% of required yards shall be devoted to green open space.

For purposes of this analysis, a lot area of 15,000 square feet is illustrated with a lot width of 150 feet ( minimum lot width required is 50 feet). Lot shapes and sizes vary considerably throughout Office 3 Districts which are largely located along Massachusetts in Mid Cambridge, along Mt. Auburn Street just to the east of Harvard Square, and along certain lengths of Memorial Drive along the Charles River.

Based upon the analysis illustrated here for a new office building, it appears that all proposed yard, open space, and minimum parking requirements cannot be easily met if the property owner attempts to maximize the allowable density for the site. If an owner wishes to approach or reach allowable densities, then more costly parking solutions - such as garage parking, underground parking, or parking placed at grade beneath the office building raised above it - appear to be required.

[ Additionally, it appears that the lowered allowable FAR of 2.0 limits the bulk and height of the building much before the full allowable height of 120 feet could be reached ( For example, in the illustrated case study here of a 15,000 square foot lot, a 120 foot height limit would allow approximately nine (9) office floors and the allowed FAR of 2.0 would allow a 30,000 gsf building. The allowed height of nine floors and maximum allowed gsf of 30,000 square feet would result in average floor sizes of 3,333 square feet - much below marketable floorplates. Therefore, the allowed maximum height of 120 feet could probably never be approached on a practical basis. ]

In summary, the newly proposed dimensional, yard and open space provisions of this Office 3 District may not allow an owner to approach full development potential while meeting all other requirements without resorting to more expensive parking solutions.



Lot Area = 15,000 Square Feet

Example: Office Building

	Allowed / Required by CRGM	As Illustrated
Max. FAR	2.0	1.83
Max. GSF	30,000 Sf.	27,300 Sf.
Max. Ht.	120 Ft. (e)	75 Ft.
Min. Parking	1 space per 1000 Sf.	24 spaces (28 Req.)
Front Yard	11+L/3 (b) (f)	5 Ft. (by formula)
Side Yard	H+L/6 (f)	20 Ft. (by formula)
Rear Yard	11+L/3 (c)(f)	37 Ft. (by formula)

		Required by CRGM	As Illustrated
Min. Lot Area	% of Lot	Sf.	Sf.
Beneficial	10%	1,500 Sf.	4,250 Sf.
Usable	N/A	N/A	N/A
Green	(f)	Varies	4,250 Sf. (approx. 50% of total req. yard area of 8,600 Sf.)

- (b) From centerline of street, not less than 5 Ft.
- (c) Not less than 20 Ft.
- (e) 45° Setback beyond 55 Ft. height
- (f) 50% of aggregate total yard areas shall be green; further, 50% of each yard abutting residential shall be green

SCALE: 1" = 40'

**OPEN SPACE REQUIREMENTS  
OFFICE 3 DISTRICT  
FROM CRGM ZONING PETITION  
SECTION E2.2**

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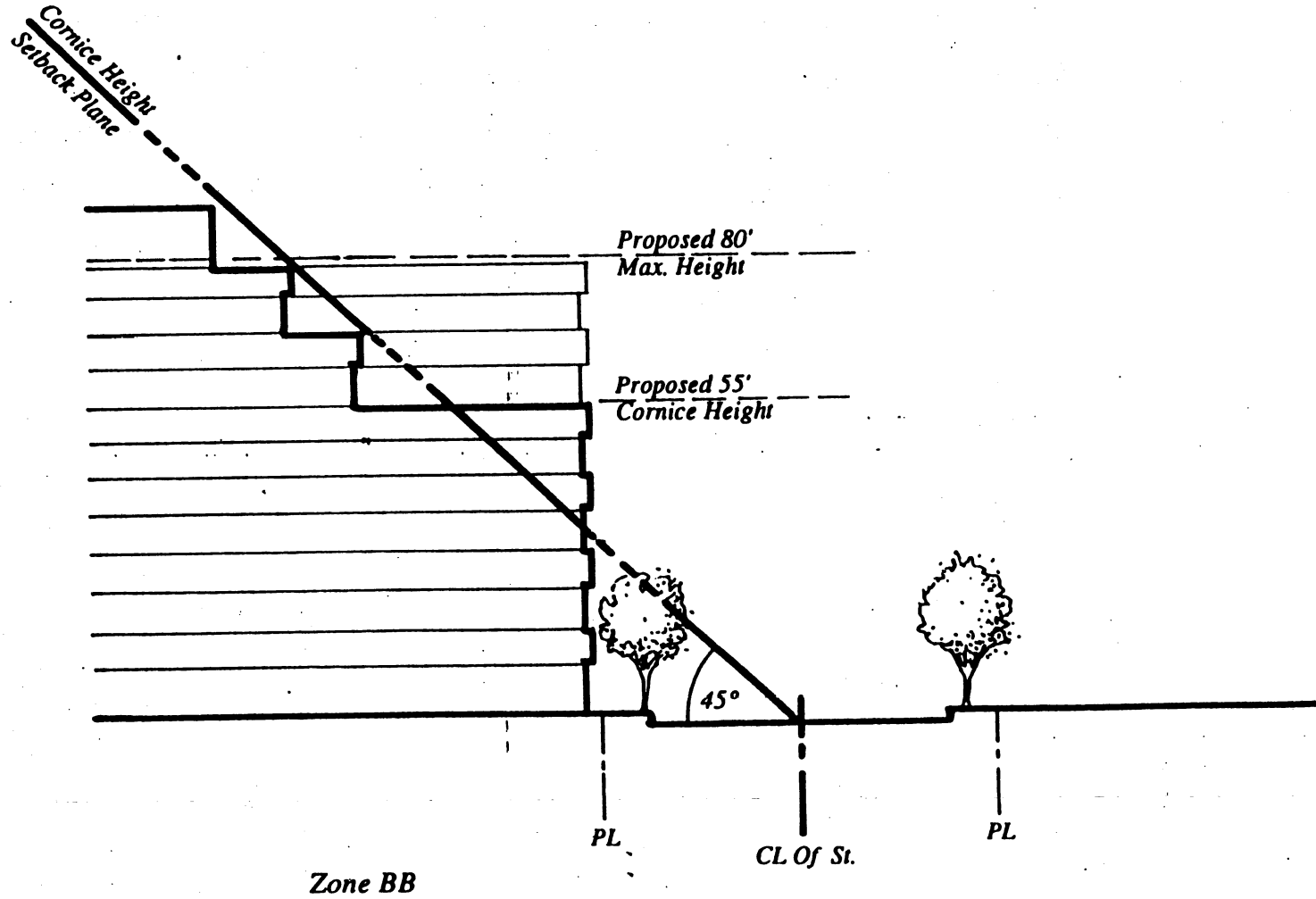
# ANALYSIS OF THE PITKIN REZONING PETITION



*Prepared By:*

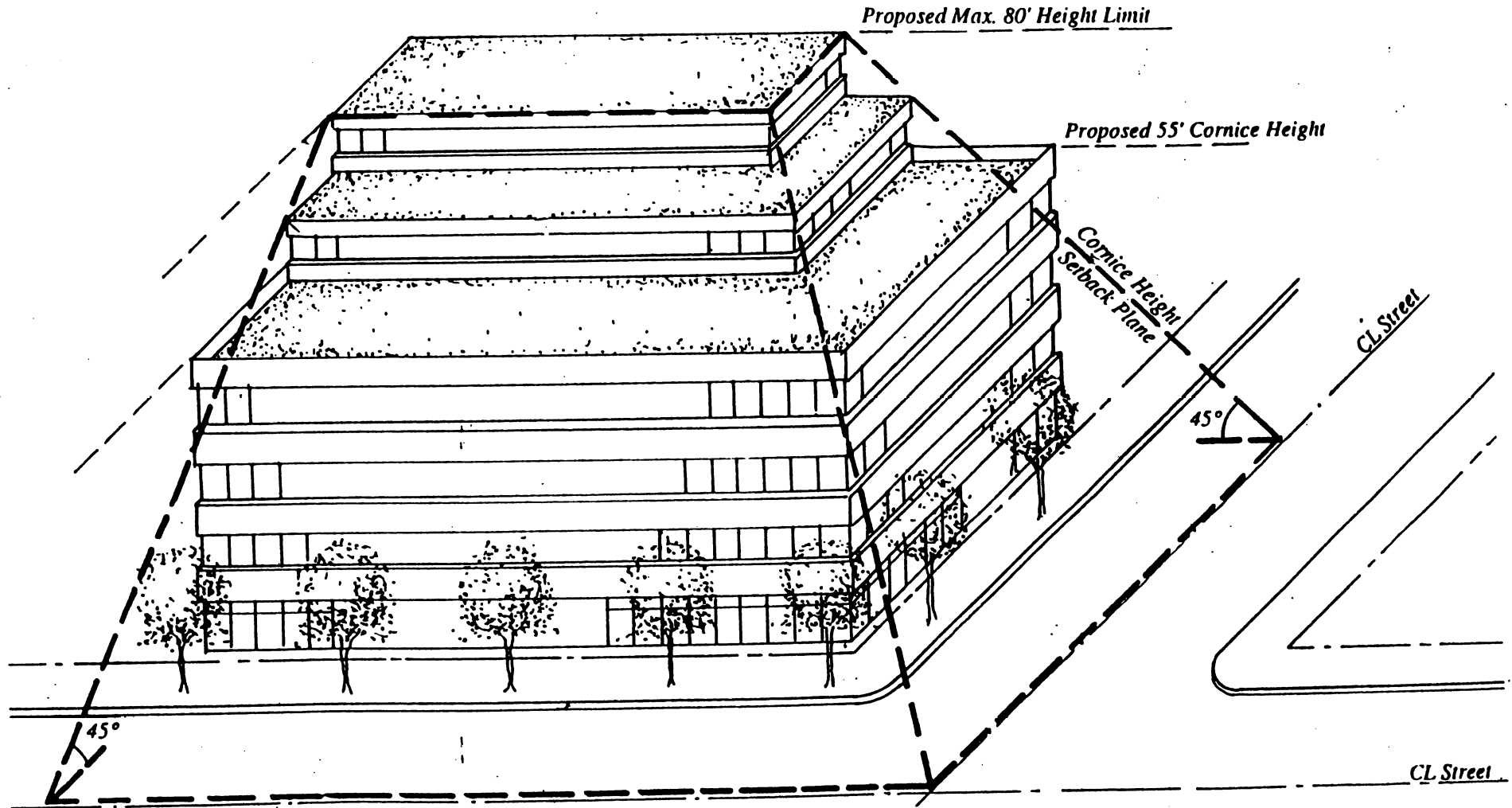
**Christopher Chadbourne & Associates**

July 1997



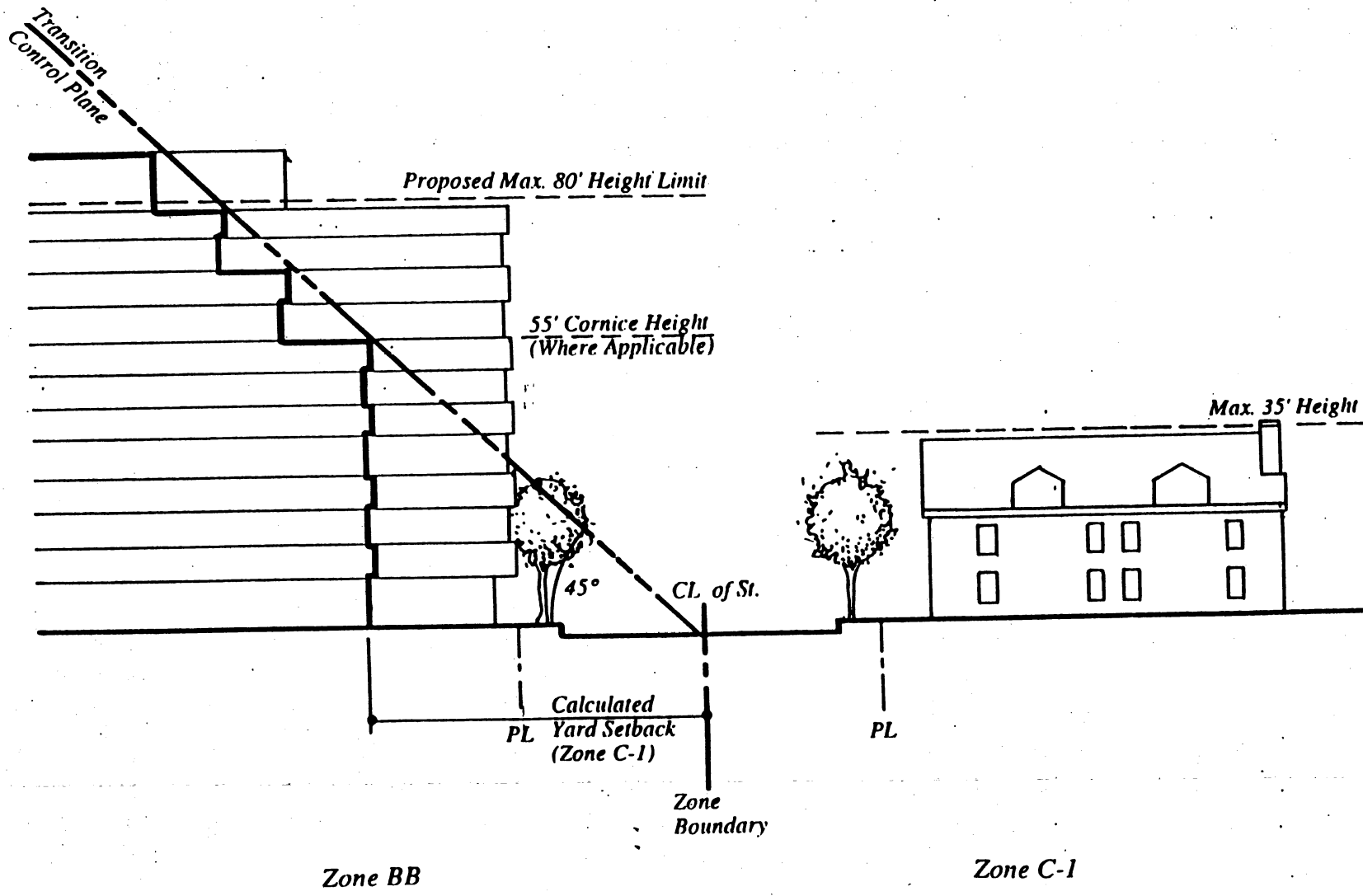
SCALE: 1" = 30'

ZONING VOCABULARY:  
CORNICE HEIGHT / SETBACK  
PLANE



SCALE: 1" = 30'

ZONING VOCABULARY:  
CORNICE HEIGHT/ SETBACK  
PLANE CORNER SITE,



SCALE: 1" = 30'

ZONING VOCABULARY:  
TRANSITION CONTROL PLANE  
STREET

*Transition  
Control Plane*

*Proposed Max. 80' Height Limit*

*Max. 35' Height*

*45°*

*Calculated  
Yard Setback*

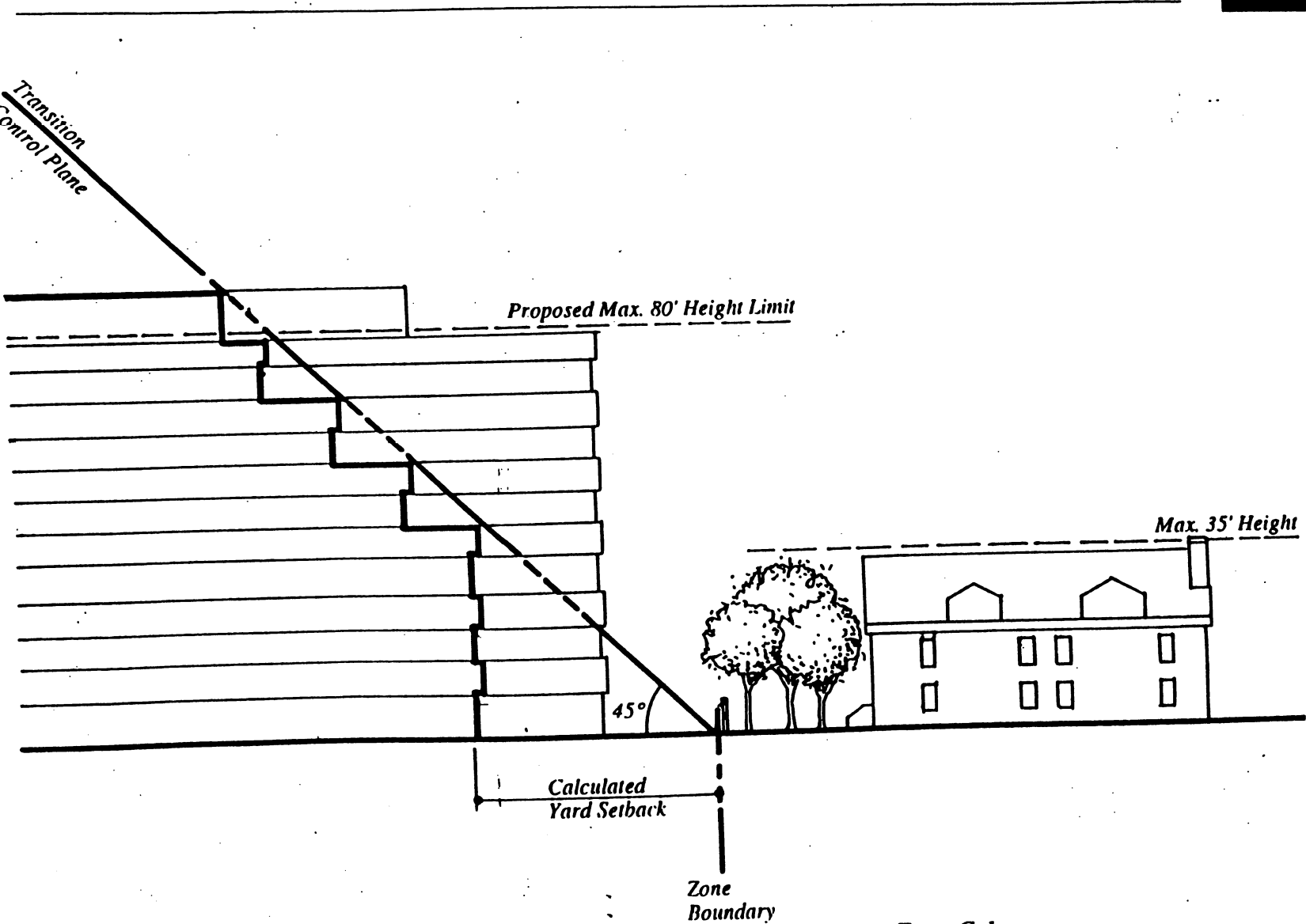
*Zone  
Boundary*

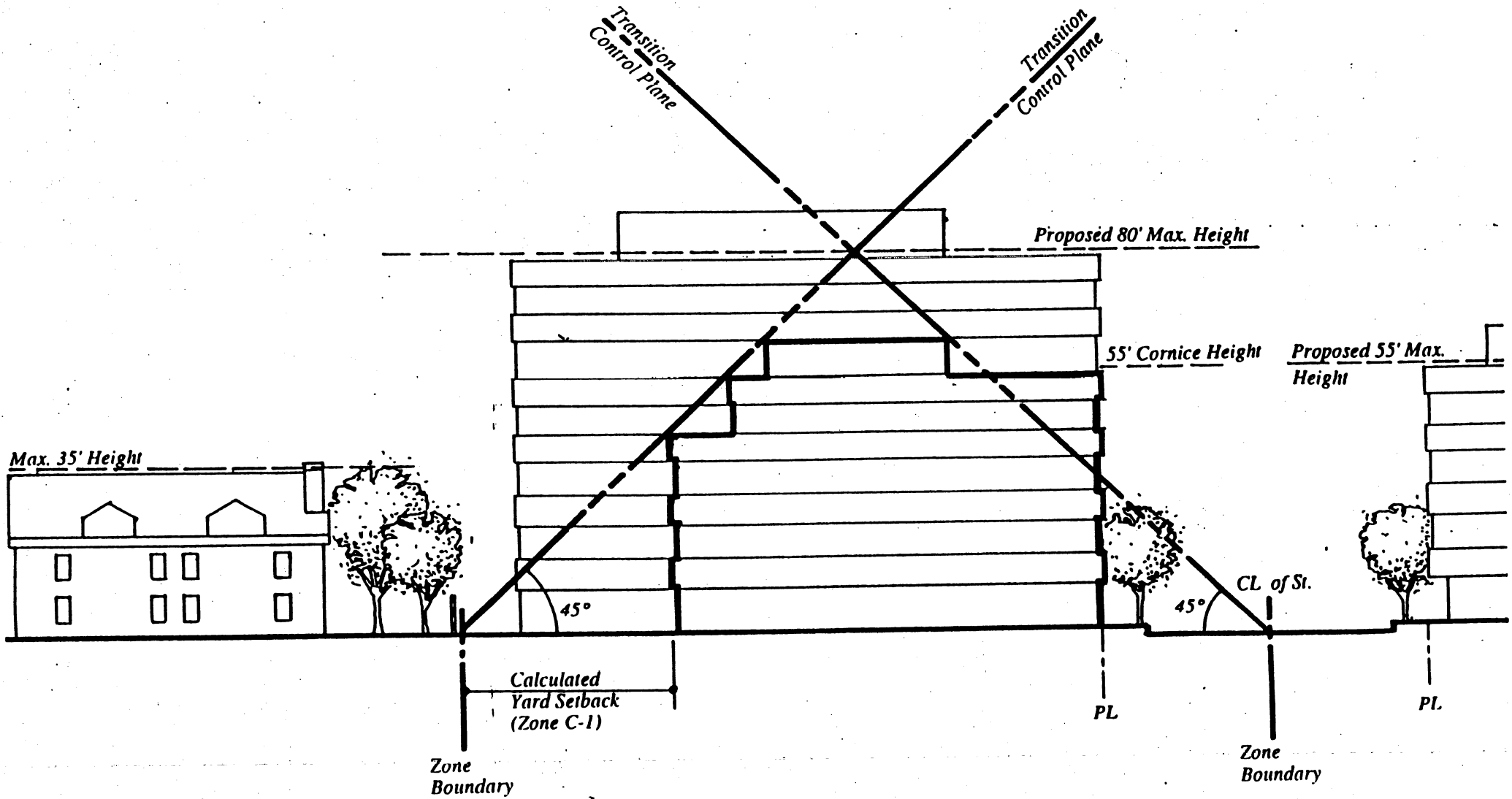
*Zone BB*

*Zone C-1*

*SCALE: 1" = 30'*

**ZONING VOCABULARY:  
TRANSITION CONTROL PLANE  
REAR YARD.**





SCALE: 1" = 30'

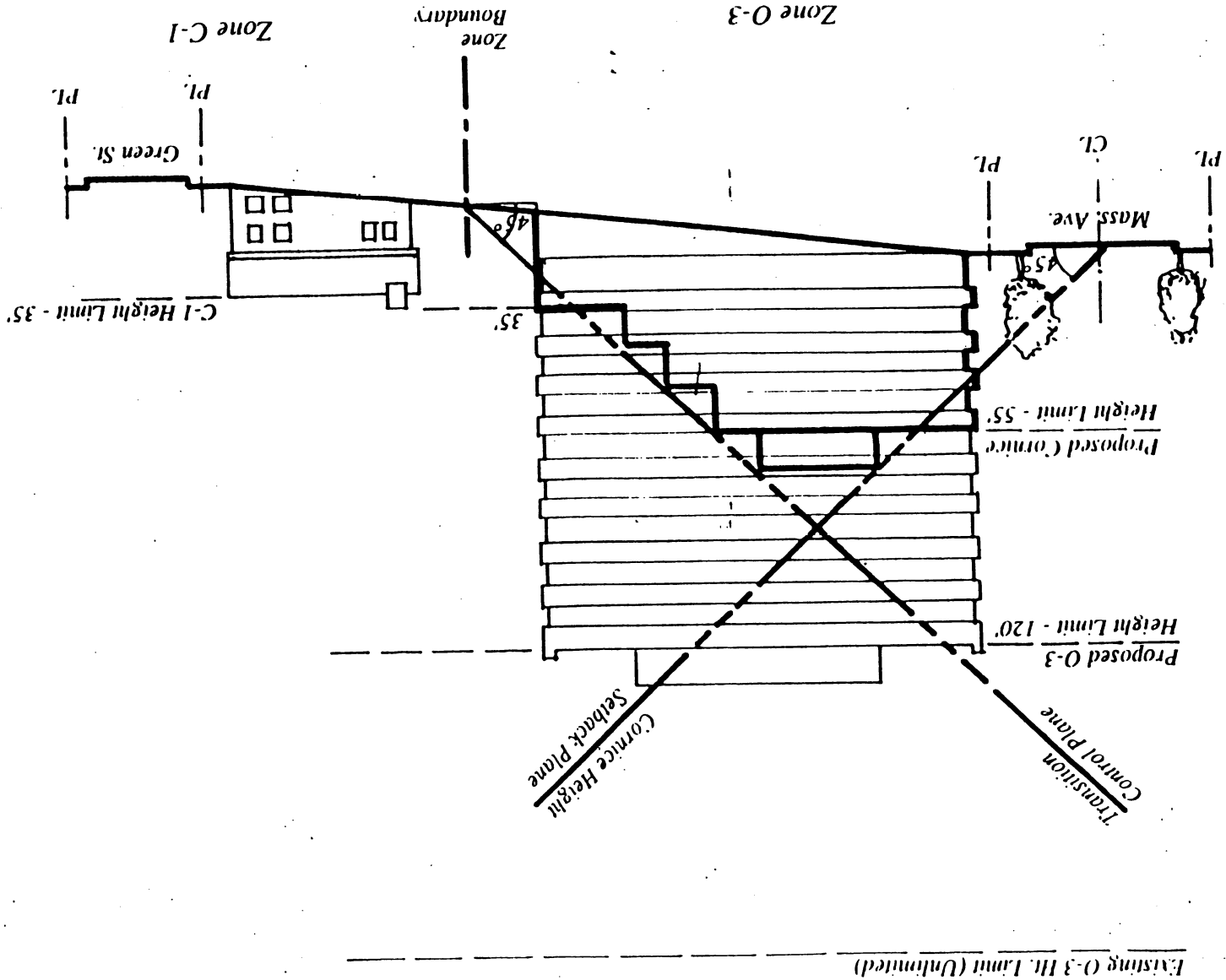
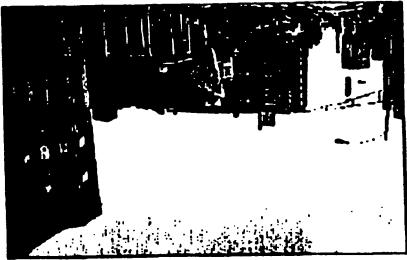
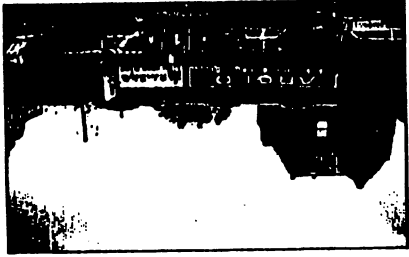
Zone BB-1

ZONING VOCABULARY:  
TRANSITION CONTROL PLANE  
STREET & REAR YARD

Zone C-1

Zone BB

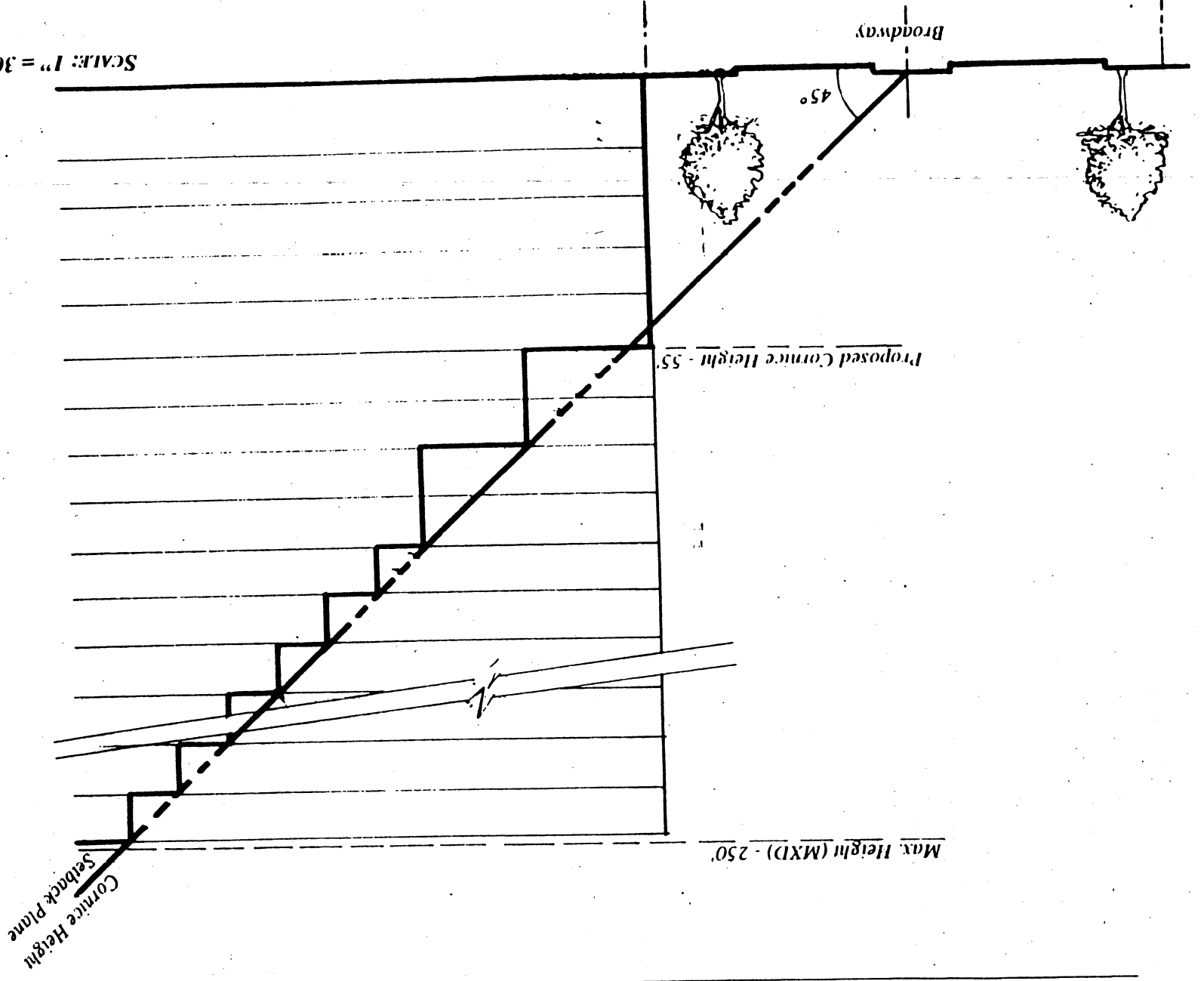
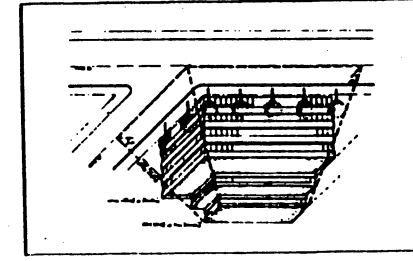
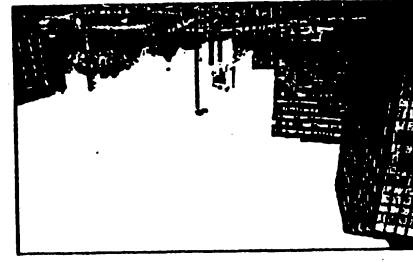
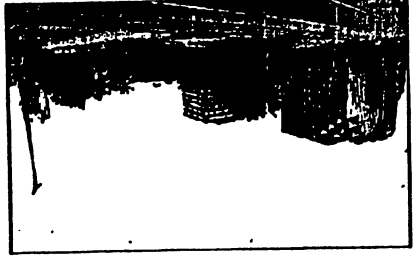
SCALE: 1" = 50'

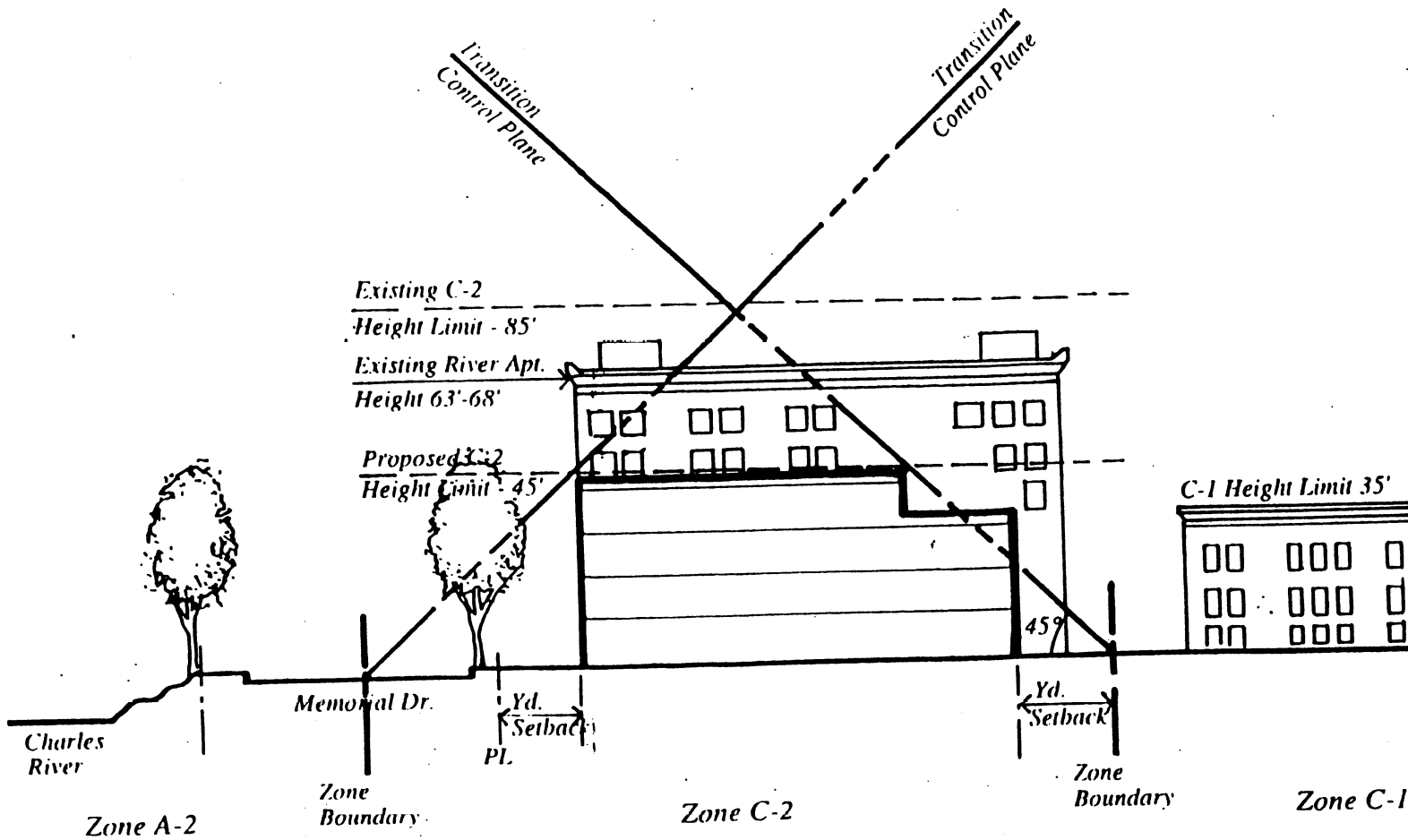


Existing O-3 Ht. Limit (Unlimited)

CASE STUDY B:  
CAMBRIDGE CENTER  
BROADWAY AND AMES ST  
(CORNER SITE)

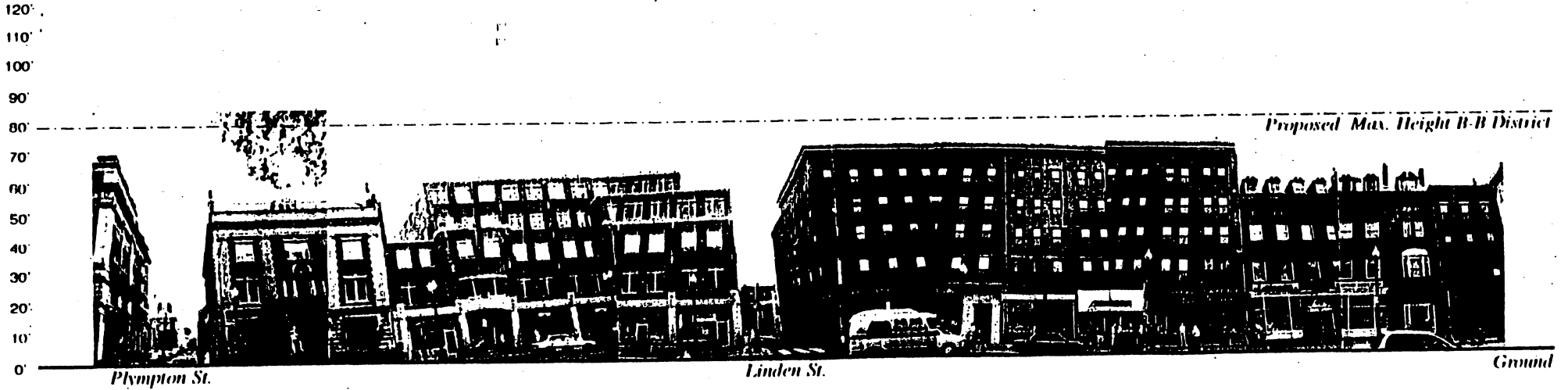
SCALE: 1" = 30'





*Unlimited Height*

*Existing Max. Height B-B District*



*SCALE: 1" = 50'*

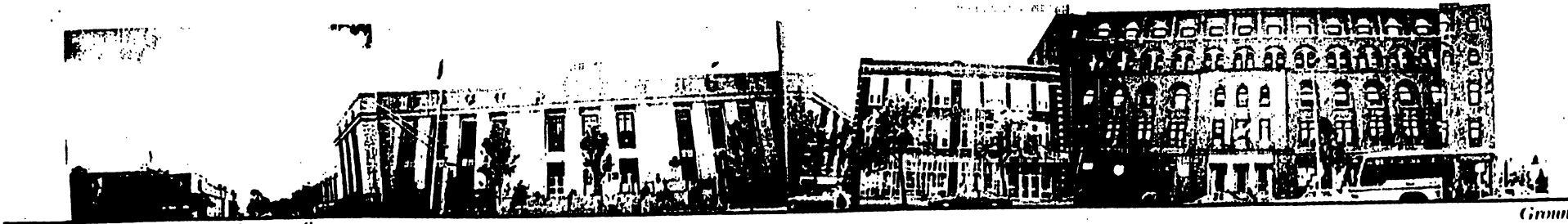
**PREVAILING HEIGHTS:  
MASS. AVE. HARVARD SQUARE**

*Unlimited Height*

*Existing Max. Height B-B District*

120'  
110'  
100'  
90'  
80'  
70'  
60'  
50'  
40'  
30'  
20'  
10'  
0'

*Proposed Max. Height B-B District*



*Pleasant St.*

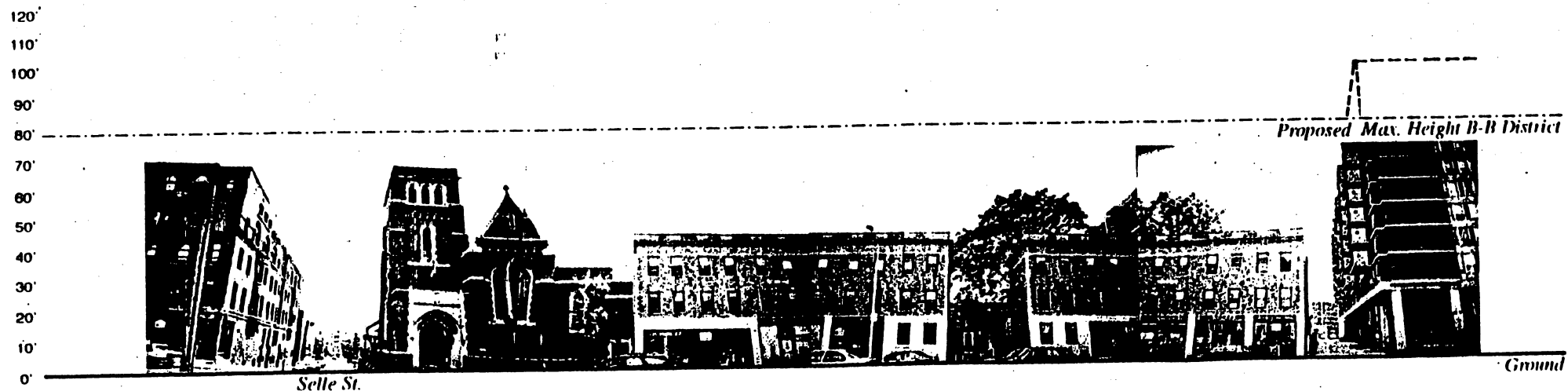
*Ground*

*SCALE: 1" = 50'*

*PREVAILING HEIGHTS:  
MASS. AVE MID CAMBRIDGE*

*Unlimited Height*

*Existing Max. Height B-B District*



*Selle St.*

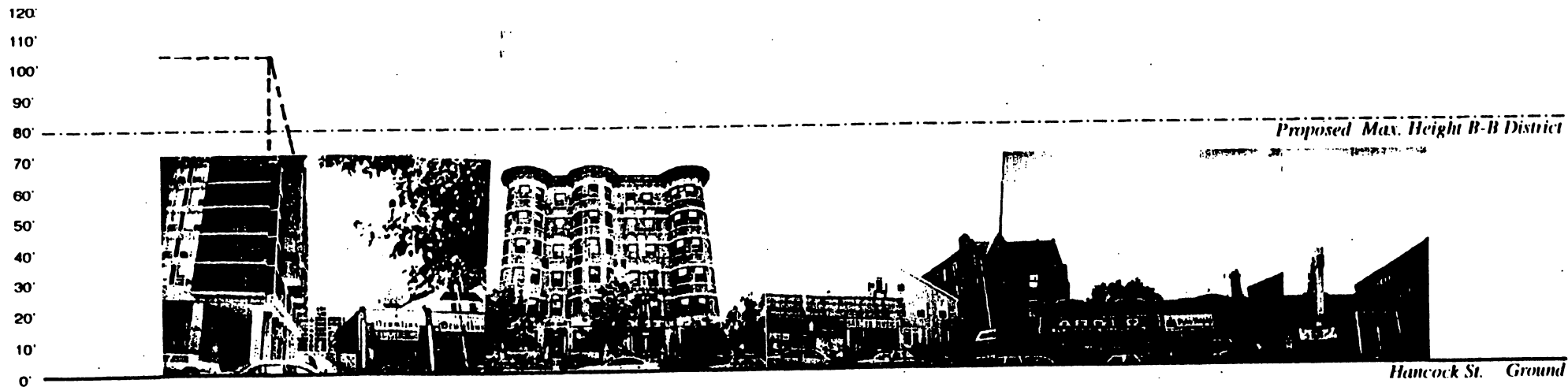
*Ground*

*SCALE: 1" = 50'*

*PREVAILING HEIGHTS:  
MASS. AVE MID CAMBRIDGE*

*Unlimited Height*

*Existing Max. Height B-B District*



*Hancock St. Ground*

*Proposed Max. Height B-B District*

*SCALE: 1" = 50'*

*PREVAILING HEIGHTS:  
MASS. AVE MID CAMBRIDGE*



CITY OF CAMBRIDGE  
COMMUNITY DEVELOPMENT DEPARTMENT

SUSAN B. SCHLESINGER  
Assistant City Manager for  
Community Development

ELIZABETH EPSTEIN  
Deputy Director for  
Community Development

MEMORANDUM

TO: Susan Schlesinger, Assistant City Manager for Community Development

FROM: Roger Herzog, Housing Director *RH*

DATE: August 12, 1997

RE: Recommendations on Incentive Zoning Provisions of CRGM Petition

I have discussed the incentive zoning provisions proposed in the CRGM Petition with Les Barber and Jeanne Strain, and make the following recommendations:

1. Amount of Incentive Zoning Fee

- The Affordable Housing Trust approved an inflation adjustment of the original fee to \$2.65 per square foot (psf) effective July 1, 1997.
- We recommend approval of the proposal to increase the fee to \$3.00 psf, which has been substantiated by the original nexus study conducted in 1988, and represents a 13% increase over the current amount of the fee.

2. Size of Projects Subject to Incentive Zoning Provisions

- The CRGM Petition proposes to reduce the existing threshold of projects subject to the Incentive Zoning provisions from 30,000 square feet to 2,500 square feet of gross floor area.
- We recommend that projects over 30,000 square feet pay the fee on the total square footage over 2,500 square feet, and delete the current exemption on the first 30,000 square feet.
- We do not recommend applying the fee to smaller projects of less than 30,000 square feet, without additional study to determine the impacts of this fee on the economic feasibility of such projects.

3. Land Uses Subject to Incentive Zoning Provisions

- The CRGM Petition proposes to expand the land uses which are subject to the Incentive Zoning provisions.
- We recommend approving the proposal to expand such uses which have similar impacts on affordable housing as office uses, including non-commercial research facilities.
- We do not recommend approving the expansion to other uses, including transportation and utility uses, open air and drive-in retail, fast order food, and college and university facilities, without a nexus study that documents the impacts of such uses on affordable housing.

We do not recommend approving the proposed fees on parking spaces, without a nexus study that documents the impacts of such uses on affordable housing.

#### **4. Definitions of Eligible Household Income**

- The CRGM Petition proposes to change the definitions of eligible households for affordable housing, which would have the net effect of increasing income limits and subsequently the numbers of eligible households.
- We do not recommend approving the change in the definition of median income from the existing Boston MSA standard (calculated by HUD annually) to the proposed Cambridge median income (only available from the decennial U.S. Census, every 10 years).
- We do not recommend approving the change to the definition of eligible households to incomes up to median income from the existing standard of 80% of median income, based on the documented unmet need for affordable housing of households with incomes below 80% of median income.

Please let me know if you have any questions regarding this matter.



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CITY OF CAMBRIDGE  
COMMUNITY DEVELOPMENT DEPARTMENT

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SUSAN B. SCHLESINGER  
*Assistant City Manager for  
Community Development*

ELIZABETH EPSTEIN  
*Deputy Director for  
Community Development*

July 15, 1997

To: Planning Board

From: CDD staff

RE: An annotated version of the summary of the changes proposed in the Pitkin, et al  
Petition

This draft is a modification of a document previously distributed to the Board that groups  
the changes proposed in the petition into five categories:

- I. Districts not subject to FAR or height changes.
- II. Neighborhood residential and commercial districts subject to FAR, height or  
dwelling unit density changes.
- III. Institutional residential districts subject to FAR, height or dwelling unit density  
changes.
- IV. Development area commercial districts subject to FAR, height or dwelling unit  
density changes.
- V. Other changes proposed affecting districts citywide.

Added to that format in this document is a discussion of the relevant planning undertaken  
in the past and the issues raised by the proposed changes, for each of those five  
categories. In addition, the issues raised for each specific zone on the zoning map are set  
forth as well. Because a specific zoning district may appear in a number of locations on  
the zoning map, the policy implications of a particular change may differ from location to  
location; therefore one response to a proposal may be to recommend its adoption in one  
location and to recommend an alternate dimensional change, or actual change in zoning  
district lines, at another location. Highlighting the issues raised by the proposal may help  
to identify areas where more research or study would be helpful in shaping a final  
recommendation.

## DRAFT

# I. No FAR or Height Change Proposed

### Residential districts not subject to change in FAR or height.

Residence C (ht: 35 ft, FAR: 0.6) except that the height of townhouses is reduced.

**Issues:** See discussion below in Part II.

Residence C-2A (ht: 60 ft, FAR: 2.5)

Residence C-2B (ht: 45 ft, FAR: 1.75)

Residence C-3 in Central Square Overlay District (ht: 55/80, FAR: 3.0) but subject to the new cornice height provision.

**Issues:** The Central Square Overlay District already provides for a cornice height of a somewhat different character than that proposed in the petition. The Business B district in Central and Harvard Squares was not made subject to the alternate cornice height provision in the petition.

### Non residential districts not subject to change in FAR or height.

North Point base and PUD-6 Districts (ht: 145 ft, FAR: 2.0 to 3.5)

PUD-4 (ht: 85 ft, FAR: 2.0)

Business B in the Central Square Overlay District (ht: 55/80 ft, FAR: 3.0)

Cambridgeport Revitalization Development District (University Park) (ht: 45/205, FAR: 2.5)

Special Districts 5 - 11 (Cambridgeport) (ht: 35 to 180 ft, FAR: 0.6 to 3.0)

MXD District (ht: 250 ft, FAR: 2.5) but subject to the new cornice height provision

**Issues:** The MXD district is being built out to a detailed plan, which in the past has not included a cornice height. Is one necessary or desirable, given the form and scale of buildings constructed to date? Is 55 feet the correct height if a cornice height is desirable? Might the cornice height be imposed in some areas of the District and not others?

## II. Changes in Neighborhood Residential and Commercial Districts

### Residential districts subject to change of FAR, Lot Area/Dwelling Unit, and Height.

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#### Open Space District

Proposal: reduce **FAR** from **0.25** to **0.10**.

**Issues:** On very small parks construction of buildings, even those serving recreational activities, might be constrained. Legitimate alternate uses (e.g. water treatment plant) might be constrained and forced to seek variances. City Council already has some control over what alternate uses are proposed in public parks

#### Residence A-1 District

Proposal: reduce **FAR** from **0.50** to **0.40**.  
reduce **Lot Area/DU** from **6,000 sq ft** to **3,000 sq ft** for affordable unit.

#### Residence A-2 District

Proposal: reduce **FAR** from **0.50** to **0.40**.  
reduce **Lot Area/DU** from **4,500 sq ft** to **3,000 sq ft** for affordable unit.

**Issues:** Residence B in the current Ordinance is already more restrictive than the A districts. There is logic to making the A districts as restrictive as the B district. Excess development and infill has not seemed to be major problem in the A districts, particularly since the prohibition against multiple buildings on a lot: A likely increase in nonconformity; increase in workload of BZA unless significant easing of provisions regulating alteration to non conforming structures. Affordable unit bonus probably needs to be tied more closely to Section 11.200 requirements. Affordable housing seems limited possibility here as multi-family use is prohibited even by conversion.

#### Residence B District

Proposal: reduce **FAR** from **0.50** to **0.40** for first 5,000 sq ft of lot area.  
reduce **FAR** from **0.35** to **0.30** for portions of lot greater than 5,000 sq ft.  
increase **Lot Area/DU** from **4,000 sq ft** to **5,000 sq ft** for market rate unit, on portions of lot greater than 5,000 sq ft.

decrease **Lot Area/DU** from **4,000 sq ft** to **3,000 sq ft** for affordable unit, on portions of the lot greater than 5,000 sq ft.

**Issues:** Residence B district regulations were changed a little more than a year ago. There is logic to not making the B district more restrictive than the A districts, at least with regard to FAR. A likely increase in nonconformity because of the large number of lots in B zones that are around the 5,000 square foot size; increase in workload of BZA unless significant easing of provisions regulating alteration to non conforming structures. Affordable unit bonus probably needs to be tied more closely to Section 11.200 requirements; but townhouse development of some size is possible in the B district and multi-family use is permitted by conversion. There are still complaints in Strawberry Hill with regard to new development even under the recently adopted regulations.

#### Residence C District

Proposal: reduce **height** for townhouses from **40 ft** to **35 ft**.

**Issues:** There is some utility/flexibility to the extra height in accommodating parking spaces within structures; the extra height is one more of those bonus elements that does generate controversy with abutters to townhouse developments. In a "C" district the extra height might be more valuable than in the less dense "B" district, particularly in combination with the new open space requirements.

#### Residence C-1 District

Proposal: reduce **FAR** from **0.75** to **0.60**.  
reduce **FAR** for townhouses from **0.825** to **0.60** for portions of lot greater than 15,000 sq ft.  
reduce **height** for townhouses **40 ft** to **35 ft**.

**Issues:** The FAR reduction without a commensurate DU reduction might result in a reduction in the size of dwelling units constructed, except where the affordable housing bonus is employed. The existing Residence C district already reduces the FAR to 0.6 and makes the equivalent reduction in the DU requirement. It also allows construction within the existing shell of a building to the Residence C-1 density. Should we eliminate a standard Residence C-1 district entirely from the zoning ordinance? East Cambridge as a neighborhood is generally very dense and a standard C-1 district might be appropriate. As multi-family use is allowed some affordable units might be expected here. Is any FAR bonus appropriate for large lot townhouse developments? See Residence C for discussion of townhouse development height bonus.

## **Non residential districts subject to change of FAR, Lot Area/Dwelling Unit, and Height**

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### Office 1 District

Proposal: reduce **FAR** from **0.75** to **0.60**.  
reduce **height** for townhouses **40 ft** to **35 ft**.

**Issues:** District occurs in limited locations, usually adjacent to a Residence C-1 district; the district currently matches the dimensional standards of a Residence C-1 district.

### Business A District

Proposal: reduce housing **FAR** from **1.75** to **1.25**.  
reduce housing **height** from **85 ft** to **45 ft**.

**Issues:** The BA-2 district already limits heights to 45 feet. Where that is the desired maximum height it might make sense to rezone an area to BA-2. It might make sense to keep a distinct BA district in the Ordinance but reduce the 85 foot height (which seems generally inappropriate) to perhaps 50 feet, to allow some greater flexibility in construction (**Townhouses at Russell and Mass. Ave. now nearing completion are an example of 1.75/45 feet construction**). The same issue probably arises with the FAR reduction. However, in that regard, some reduction in FAR (which has generally been tied to an 85 foot height limit in the zoning ordinance) might be advisable to reduce the bulkiness of buildings built at the lower height; perhaps, however, not to 1.25. Without reducing DU small market rate units will result. (*Note: housing FAR, DU, and height in BA zones are determined by reference to the Residence C-2 regulations (see below); if the BA regulations for housing should be somewhat different from what might be recommended for the C-2 district, that connection could be severed*). Wisdom of reduction in FAR depends in part on what kind of inclusionary housing response is likely and what provisions are made for additional FAR/height, etc. within an inclusionary housing section of the Ordinance.

### Business A-1 District

Proposal: reduce housing **FAR** from **0.75** to **0.60**.  
reduce **height** for townhouses **40 ft** to **35 ft**.

**Issues:** Housing is already at a disadvantage vis-à-vis commercial use (FAR of 1.0) Further reduction may be inappropriate (again the housing dimensional standards are derived from a reference to the Residence C-1 district. Depending on what is recommended there and what is thought to be appropriate here that

connection could be eliminated or modified. Townhouse height as discussed earlier.

#### Business A-2 District

Proposal: reduce housing **FAR** from **1.75** to **1.25**.

**Issues:** The BA-2 district already limits heights to 45 feet.. Some reduction in FAR (which has generally been tied to an 85 foot height limit in the zoning ordinance) might be advisable to reduce the bulkiness of buildings built at the lower height; perhaps, however, not to 1.25. Without reducing DU small market rate units might result.

#### Business C-1 District

Proposal: reduce commercial **FAR** from **2.75** to **1.00**.  
reduce housing **FAR** from **3.00** to **1.25**.  
reduce **height** from **60 ft** to **45 ft**.

**Issues:** Is a district having these characteristics desirable; it occurs in only one area on Massachusetts Avenue in North Cambridge, surrounded by a BA-2 district. Proposed characteristics are similar to those proposed for BA districts.

### **Relevant Planning**

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**Growth Policy Document:** Generally the document encourages new buildings to be sympathetic to the existing built context, which implies for the Business A districts a reduction in the 85 ft height limit granted for housing uses; generally prevailing housing and commercial heights in these districts are from 15 to 45 feet (i.e. from a one story commercial structure to a three to four story multi-use building). Several housing and land use policies encourage retention of the prevailing scale and development density patterns found in existing neighborhoods.

**Neighborhood studies:** The East Cambridge and Wellington-Harrington studies suggest reduction in the height bonus for housing (up to 85 feet) along Cambridge Street. The Riverside study suggests the same for River Street. The Mid-Cambridge study encourages reduction in residential density to limit additional infill construction; an increased open space requirement was an alternative suggestion to accomplish that goal. The Wellington-Harrington and East Cambridge studies do not suggest a reduction in residential density; the Wellington-Harrington report encourages retention of the existing density as older buildings are replaced by contemporary construction.

**Planning Board Rent Control IPOD Petition, 1995:** Reduction in height to 45 feet in BA zones and FAR to 0.60 in Residence C-1 zones were recommended as an interim measure.

**Cambridge Street Study, 1997:** Reduction in the residential height bonus is a consensus recommendation.

**Mid-Cambridge Conservation District:** A reduction in density has been preferred by the Commission as a way to ease pressure for infill construction. Increasing open space requirements was also considered as an option to achieve the same goal.

**Inclusionary Housing:** The city has explored approaches to mandating affordable housing in private residential developments during the 1980's. The Community Development Department is currently undertaking a review of the options available with the intent of making a recommendation to the Planning Board and the City Council.

**Back yard in-fill:** This has been a continuing source of controversy in Residence C, C, and C-1 districts and a motivation for changing the Townhouse Ordinance several times since its adoption in the late 1970's and a motivation for the recent changes in the Residence B district regulations.

## **Issues**

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- \* Universally applied, the residence districts changes, including new open space requirements, will make many more properties in the denser neighborhoods non conforming (e.g. East Cambridge, Wellington-Harrington, Neighborhood 4); non conforming status will increase in all neighborhoods.
- \* The neighborhoods are not likely to see much new residential development at existing regulatory limits; reduction in FAR, however, will reduce the number of conspicuous, but limited, construction on those scattered lower density lots or larger lots when new development might occur.
- \* It's a relatively marginal change that will further solidify the existing character of affected neighborhoods. The open space changes will make new parking and additional construction more difficult to achieve.
- \* Many property owners will be affected; some homeowners who previously could add on to their homes as of right might now be subject to a variance process when they renovate.
- \* The Business-A proposals are internally consistent: lower height may best be accompanied by lower FAR. The FAR incentive for housing is reduced.
- \* Business A districts are generally not identified as growth areas for the city and they are closely intertwined with residential streets; development is generally an opportunity to improve the environment in these districts or provide some service to the neighborhoods,

rather than a jobs creating or tax producing effort. Lowering FAR, however, may freeze the status quo on certain lots that would best be redeveloped.

\* Significant changes to the Residence B regulations have been recently adopted. New construction in Residence A districts has not been source of great controversy, although the changes in those districts is consistent with changes made to higher density districts

### III. Changes in Institutional Residential Districts

#### Residential districts subject to change of FAR, Lot Area/Dwelling Unit, and Height

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##### Residence C-2 District

- Proposal:     reduce housing/institutional **FAR** from **1.75** to **1.25**.  
                  reduce housing/institutional **height** from **85 ft** to **45 ft**.  
                  retain university/dormitory **FAR** at **1.75** within Institutional Overlay Districts.  
                  reduce university/dormitory **height** from **85 ft** to **55 ft** within Institutional Overlay Districts  
                  retain hospital FAR at **1.75**.  
                  reduce hospital **height** from **85 ft** to **55 ft**.

**Issues:** Is there a need for the standard C-2 district with FAR and height as now allowed (85 feet/1.75)? If significant reduction in height is desirable, the existing C-2B (45 feet/1.75) might serve just as well. Is inclusionary housing likely in any quantity in areas likely to be rezoned C-2; if not it might make sense to retain the FAR as currently allowed for area likely to be developed only to institutional uses. What are reasonable expectations with regard to height and FAR for areas now in institutional use?

##### Residence C-3 District

- Proposal:     reduce **height** from **unlimited** to **120 ft**.

**Issues:** Height limit seems appropriate. Are there any circumstances, however, where additional height might be acceptable (e.g. MIT, some Harvard locations?) under defined circumstances.

#### Relevant Planning

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**Growth Policy Document:** Generally the document encourages new buildings to be sympathetic to the existing built context, which implies for some Residence C-2 zones a reduction in the permitted height, and perhaps a reduction in FAR. A specific policy recommends the establishment of height limits for all zoning districts in the City; the Residence C-3 district is one of a limited number that has no height limit. Other policies encourage the institutions to develop and expand within their existing core campuses and that the City encourage such expansion with flexible, reasonably balanced regulations for those areas.

**Neighborhood Studies:** The Neighborhood Nine study encourages provisions to ensure transitions between the Residence C-3 zones and abutting neighborhoods. The Riverside study is concerned about development of vacant, Harvard-owned lots in the Residence C-3 zones; limiting height and ensuring good transitions from the Residence C-2 zones in Central Square and River Street and Western Avenue are recommended. The Mid-Cambridge study recommends capping of height in the C-2 and C-3 zones along Harvard Street. The study also notes the need for adequate transitions between the core campus and the neighborhood.

**Planning Board Rent Control IPOD Petition, 1995:** Reduction in height to 45 feet in Residence C-2 zones along Harvard Street and Western Avenue was recommended as an interim measure.

**Harvard Street Rezoning Petition:** The Planning Board submitted, and the City Council adopted, changes to the Residence C-2 and C-3 districts along Harvard Street in Mid-Cambridge that are consistent with the proposals in the petition.

## **Issues**

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\* It appears that no standard Residence C-2 district ( FAR: 1.75, Height: 85 ft) would remain in the zoning ordinance. In some limited circumstances it might continue to be appropriate (upper Central Square, existing high-rise housing developments, hospital sites).

\* Residence C-2 zones in residential neighborhoods are generally developed with low scaled, but dense apartment buildings. A modified Residence C-2 district or a Residence C-2B district (45 ft limit but an FAR of 1.75, not changed by the proposal) would match that development pattern well; neither additional height (above 45 feet) or building bulk is likely, or appropriate.

\* The intention of the petitioners is less clear with regard to existing Residence C-2 districts at Radcliffe Yard, Radcliffe Quadrangle, Observatory Hill or at the hospital sites. Reduction to 45/55 feet might be too severe. A reduction to an FAR to 1.25 for housing is consistent with the reduction in height for that use to 45 feet.

\* A height limit in the Residence C-3 district is appropriate. However, buildings above 120 may not be a problem on the MIT campus (recent Cambridgeport special districts allow buildings to 180 feet) and some flexibility above that limit on the Harvard campus (in a more sensitive location perhaps because of the presence of immediately abutting residential neighborhoods) might be desirable.

\* More, but well designed development within the core campuses, while retaining the best environmental qualities of those campuses, is the balancing act both Growth Policy and this petition are attempting to achieve. Another objective is to prevent legitimate growth from spreading out into adjacent commercial or residential areas.

## IV. Changes in Development Area Commercial Districts

(Changes in FAR, Lot Area/Dwelling Unit, and Height)

### A. Massachusetts Avenue from Harvard Square to Central Square (*also Memorial Drive at River Street and Main Street*)

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#### Business B District (*Harvard Square/Massachusetts Avenue*)

Proposal: reduce **FAR** from **4.00** to **3.00**  
reduce **height** from **unlimited** to **80 ft.**

**Issues:** A 3.0 FAR has routinely been expressed as the maximum that should be allowed in the City, by the Planning Board and others; such reduction is likely to make it easier in the future to site new developments more comfortably within the existing fabric of the Square. Many recent developments in Harvard Square have approached this FAR level. As the Square is at a major transit node, should some consideration be given to a higher FAR? Only one small area of BB east of Putnam Square is not subject to a height cap of 80 feet in either the Harvard or Central Square overlay districts.

#### Business B-1 District (*Massachusetts Avenue/Mid-Cambridge*)

Proposal: reduce commercial **FAR** from **3.00** to **2.00**  
reduce housing **FAR** from **3.25** to **2.25**.  
reduce **height** from **90 ft** to **55 ft.**

**Issues:** This and the BB-2 district occur along Massachusetts Avenue some distance from the heart of both Central and Harvard Squares; the districts are narrow bands of commercial zoning immediately adjacent to low density residential neighborhoods and zoning districts. Reduction in commercial FAR seems appropriate with some bonus for housing. Reduction in height also seems appropriate. Given the existing context with regard to height, additional height above 55 feet might be appropriate (perhaps reflecting the 55/80 format of Harvard and Central Squares); the districts are subject to further height transition limits under current regulations. If 2.25 were thought to be a reasonable housing FAR, some further reduction in commercial FAR might be considered as extensive-commercial/retail development here does not seem to be a major priority here.

#### Business B-2 District (*Massachusetts Avenue/Mid-Cambridge*)

Proposal: reduce **FAR** from **3.00** to **2.00**  
reduce **height** from **90 ft** to **50 ft.**

**Issues:** This and the BB-1 district occur along Massachusetts Avenue some distance from the heart of both Central and Harvard Squares; the districts are narrow bands of commercial zoning immediately adjacent to low density residential neighborhoods and zoning districts. The sites to be developed in the BB-2 district are smaller and less subject to redevelopment. Somewhat less total development might be reasonable for the north side of the Avenue. Reduction in commercial FAR might be considered to provide an incentive for housing.. Given the existing context with regard to height, additional height above 50 feet might be appropriate (perhaps reflecting the 505/80 format similar to Harvard and Central Squares). If 2.00 were thought to be a reasonable housing FAR, some further reduction in commercial FAR might be considered as extensive commercial/retail development here does not seem to be a major priority here.

Office 2 District (*Alewife quadrangle, ADL, and triangle, principally/Harvard Square*)

Proposal: reduce **FAR** from **2.00** to **1.00**.

**Issues:** A very small area of Harvard Square, around Arrow Street, is zoned as Office 2. The sites are substantially developed, probably at the 2.0 FAR or more; most sites are probably non conforming with regard to setback requirements if not with regard to FAR. The current 2.0 seems about right at this central location with small lots, substantially developed already.

Office 3 District (*Massachusetts Avenue/Mid-Cambridge/Memorial Drive*)

Proposal: reduce **FAR** from **3.00** to **2.00**  
reduce **height** from **unlimited** to **120 ft**.

**Issues:** A sizable area in Harvard Square, along Massachusetts Avenue between the squares, and in Central Square is zoned to Office 3; Harvard and Central Squares would appear to be subject to different considerations than the large stretch along Massachusetts Avenue between them that is zoned Office 3. In Harvard Square the area of the district is substantially built out, principally with dormitory uses, which are near the current 3.0 allowed. One major development site remains (0 Arrow Street) where an office building has been approved in the past and permission will soon be sought for a similar development for the site. The current FAR of 3.0 may be reasonable for portions of the district within the Overlay Districts. The portions of this district along Mid Massachusetts Avenue are similar to the BB-1 and 2 circumstances above. Reductions in FAR are more appropriate there.

The height, while reasonable in the abstract, is insufficiently restrictive along Massachusetts Avenue, as 120 feet is too high (in fact, transition and cornice height provisions will result in an actual achievable height much less than the 120 feet).

The Memorial Drive zone is somewhat different. With appropriate transitions somewhat more height might be appropriate than the case along Massachusetts Avenue. But would 120 feet be excessive as compared to the reduced FAR (to 2.0), encouraging more surface parking?

Would a standard Office 3 district be appropriate to retain in the Ordinance, with an acceptable height limit?

## Relevant Planning

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**Growth Policy Document:** A great many policy statements have a bearing on the changes proposed here. The relationship of development and density to transit, retention of incubator industrial facilities, reduction in dependency on automobile use are relevant policy goals. Effective transitions between commercial development and residential neighborhoods is given a high priority through a number of policy statements. Playing to the City's strengths to retain existing employers and securing new ones, and respecting those employers' needs as well, is also an important policy thrust.

**Neighborhood studies:** The Riverside study was concerned about the height and transition issues created by the current Office 3 district along Massachusetts Avenue.

**Planning Board:** The Board has expressed a belief in many forums that, in Cambridge, a maximum FAR of 3.0 is appropriate and that all districts should have a height limit. *Toward a Sustainable Future* advances those policy objectives as well. A Mid Massachusetts Avenue Overlay District is under consideration by the Planning Board.

**Height Controls:** The Community Development Department has developed a proposal for capping and otherwise regulating heights throughout the City for review and consideration by the Planning Board. It would establish a height limit of 120 feet but allow additional height above that by special permit; a series of standards for the issuance of that special permit are set out in the proposal.

## Issues

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- \* The need to balance jobs and tax revenue with design, transition, and traffic considerations is at the heart of the analysis of these proposals.
- \* Proposals for specific districts that occur in more than one location may be on target in one location and not in another location (e.g. Office 3 in Harvard Square and Central Square and the same district along Memorial Drive)
- \* Specific proposals may adversely affect known or anticipated development plans in some locations [e.g. Cambridge Savings Bank very slightly), Gund proposal at Arrow Street, Harvard dorm renovations].

\* The petition does deal directly with one of the components of added congestion in the City, i.e. additional gross floor area; alternately that concern might be addressed through other zoning mechanisms that are not proposed to be a part of this petition (e.g. restrictive parking ratios, mandatory TDM programs, etc.).

\*The omnibus transition requirements might require odd new requirements like front yards in Business B districts or height limitations where transitions have already been built into the zoning map (As where the new Residence C-1 zone abuts the Business B-1 zone).

**B. Alewife (also at Porter Square, East Cambridge Industrial Area, and North Cambridge Neighborhood)**

Business C District (*Fresh Pond Shopping Center; also at Porter Square*)

Proposal: reduce **FAR** from 2.0 to 1.0.

**Issues:** Extensive additional commercial development does not seem to be a high priority for the BC district here. However, substantial redevelopment of the current development pattern (at the shopping center and across Alewife Brook Parkway) would seem desirable. Some incentive for future redevelopment would be desirable.

The Porter Square zone is located at the Porter Square "T" station; much of the district is built out even at a 2.0 FAR but much potential remains at the shopping center; two lots at Mt. Vernon Street are vacant. Much new commercial development is not desired here either; however, should housing be given an added incentive at this location well served by public transit.

Office 2 District (*Alewife quadrangle, ADL, and triangle, principally/also a small area in Harvard Square*)

Proposal: reduce **FAR** from 2.00 to 1.00.

**Issues:** Those developments which have been built under the provisions of the current Office 2 regulations (along Concord Avenue and at Cambridgepark Drive) are probably about the right scale. Reduction of FAR but not height may encourage in still more, permanent surface parking. The O-2 districts in the Triangle and at ADL are closer to the "T" than the district in the Quadrangle, which might be an element in the analysis. The "T" station here, while an important consideration, has a different planning implication than more central stations like Harvard and Central and Kendall. Alewife generally and this district specifically is easily accessible by car from the western suburbs; traffic congestion on arterial streets is a real concern.

Office 2/PUD-5 District (*Alewife triangle*)

Proposal:     reduce **FAR** from **3.00** to **1.25**  
                  reduce **height** from **200 ft** to **120 ft**.

**Issues:** The PUD in its current form has not worked: it requires structured parking and a minimum 25 acre development parcel. Development has occurred as-of-right (at densities less than the base district FAR) or with the grant of variances (for height and for setback requirements). Height and FAR bonuses in the PUD have had not been effective incentives; they have not attracted the interest of the major property owner to date both because development potential in the base has been sufficient and some aspects of the PUD are unfavorable.

IB-2 District (*Alewife Quadrangle*)

Proposal:     reduce **FAR** from **1.50** to **0.75**  
                  reduce **height** from **85 ft** to **45 ft**.

**Issues:** The IB-2 district is located to the rear of the quadrangle and has at times been thought of as an industrial zone for start-up companies needing inexpensive space and as the location for the "messy" kinds of land uses not easily sited elsewhere. Some reduction in FAR and height might help to solidify that specific intent, and enhance it as an incubator location for startup businesses. The logic of the boundary between this IB-2 district and the Office 2 district along Concord Avenue might need some further analysis. What kind of further redevelopment would we like to see in this back portion of the quadrangle?

IA District (*Sherman Street and North Point at Boston Sand and Gravel*)

Proposal:     reduce **FAR** from **2.00** to **1.25**.  
                  reduce **Height** from **85** to **55 ft**.

**Issues:** The Sherman Street district is now principally converted to residential use, with the exception of one converted industrial building now used for retail and office. Should non residential use be an option for most of this district?

IA-1 District (*Alewife, North Cambridge railroad corridors, East Cambridge Industrial Area*)

Proposal:     reduce **FAR** from **1.25** to **0.75**

**Issues:** This district occurs in very variable locations. On Concord Avenue some commercial/industrial development may be appropriate. Elsewhere in North Cambridge the district is essentially located within established residential neighborhoods where long term commercial development would be inappropriate. Appropriate consideration of this district's provisions is complicated by its

presence in East Cambridge. Where housing is the ultimately desired use, basic provisions should ensure incentive for conversion of sites from non residential to residential use.

**IC District (*Alewife at W.R. Grace site*)**

Proposal: reduce **FAR** from **1.00** to **0.50**

**Issues:** The district is located directly on a red line "T" stop (see Office 2 discussion above for qualifications). The district abuts a residential neighborhood, but has opportunities for access directly off of arterial roads. A separate planning process is underway that may establish a set of planning guidelines and zoning provisions for the site.

**IC-PUD District (*Alewife at W.R. Grace site*)**

Proposal: **Delete PUD**  
reduce **FAR** from **2.00** to **0.50** (base IC District)  
reduce **height** from **85 ft** to **45 ft** (base IC District)

**Issues:** See above.

## **Relevant Planning**

**Growth Policy Document:** A great many policy statements have a bearing on the changes proposed here. The relationship of development and density to transit, retention of incubator industrial facilities, reduction in dependency on automobile use are all relevant policy goals. Effective transitions between commercial and industrial development and residential neighborhoods is given a high priority through a number of policy statements. Playing to the City's strengths to retain existing employers and securing new ones, and, respecting those employers' needs as well, is also an important policy thrust.

**Neighborhood studies:** The North Cambridge study identifies the issue of excess development potential within the Industry C and Industry A-1 districts, and within the Alewife area generally. Traffic concerns are noted.

**Draft Alewife Master Plan, 1995:** This planning effort recommended additional development and design control measures for Alewife but did not recommend changes to the basic height and floor area provisions of the zoning districts.

## **Issues**

\* The need to balance jobs and tax revenue with design, transition, and traffic considerations is at the heart of the analysis of the proposals.

\* Proposals for specific districts that occur in more than one location may be on target in one location and not in another location (e.g. Business C and Industry A-1 districts which occur here and in Porter Square and East Cambridge respectively).

\* The proposal, in Alewife, works against the stated operating principle of having high density related strongly to existing or future transit availability although the Alewife "T" is acknowledged to have somewhat different planning implications than the more central stations.

\* Specific proposals may adversely affect known or anticipated development plans in some locations (e.g. ADL, Abt Associates).

\* A significant number of large property owners are affected it takes time to understand the impact on these properties.

\* The petition does deal directly with one of the components of added congestion in the City, i.e. additional gross floor area, in a district served by roadways that are clearly congested at critical times of the day; alternately that concern might be addressed through other zoning mechanisms that are not proposed to be a part of this petition (e.g. restrictive parking ratios, mandatory TDM programs, etc.).

### **C. Kendall Square, East Cambridge Industrial Area, Riverfront, North Point, and O'Brien Highway**

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#### **Business B District (*East Cambridge at Third Street*)**

Proposal:      reduce commercial **FAR** from **4.00** to **3.00**.  
                    reduce **height** from **unlimited** to **80 ft.**

**Issues:** The Board has indicated in the past and in the growth Policy document that a 3.0 FAR should be the maximum allowed in the City. The BB district in East Cambridge encompasses the courthouses, where additional development is exempt from City control, or not likely.

#### **Industry B District (*Neighborhoods 2 and 4 /Kendall Square*)**

Proposal:      reduce commercial **FAR** from **4.00** to **2.50**.  
                    retain university/dormitory **FAR** at **4.0**.  
                    reduce **height** from **unlimited** to **120 ft.**

**Issues:** A 3.0 FAR has routinely been expressed as the maximum that should be allowed in the City, by the Planning Board and others. If 3.0 is thought to be a desirable maximum for the City, should university/dormitory uses be excluded. Much MIT academic development occurs within the IB zone, which allows

somewhat more flexibility for site development than the C-3 zone because there are no formula yard setback requirements. The zone covers a wide area with different contexts; not at the center of transit (the Urban Ring may be more central some decades into the future), but between both Central and Kendall Square subway stations and some portions are within walking distance. A height limit is appropriate; should there be some flexibility to go higher? In general, heights much above 120 feet in this IB district may not be appropriate. District has a long border with low density residential neighborhoods and zoning districts. Petition does not deal with uses, specifically the introduction of housing as an allowed use.

There is an IB zone on the Somerville town line north of Cambridge Street that is really a very special case. Much more stringent dimensional standards and a different use mix might be appropriate here.

Industry B-1 District (*East Cambridge Industrial Area*)

Proposal: reduce **FAR** from **3.00** to **2.00**.

**Issues:** The district lies to the north of Binney Street (the former TRW site at Binney and Third is in this district). Some distance removed from the Kendall "T" station. Much of the current development in the district (excepting TRW) is well below the current allowed density. Appropriate density may depend on the long term uses desired by the City for this area: industrial/R&D, start-up companies, housing? Housing currently not an allowed use (TRW required a variance).

IA District (*North Point at Boston Sand and Gravel; also at Sherman Street*)

Proposal: reduce **FAR** from **2.00** to **1.25**.  
reduce **Height** from **85** to **55 ft**.

**Issues:** The designated district is in a portion of North Point under the new central artery ramps. Access is through Charlestown.

IA-1 District (*East Cambridge Industrial Area, small area between Hampshire Street and Broadway; also occurs in Alewife and North Cambridge*)

Proposal: reduce **FAR** from **1.25** to **0.75**.

**Issues:** This district covers a large area in East Cambridge, functioning in part as a transition to the residential neighborhood, and in part as a small scale, perhaps start up, industrial and R & D district. The current regulations seem about right for the area larger an R&D district now. The portion of the district adjacent to the neighborhood might be subject to a different analysis: what are the current uses and what is the desired long term uses desired?.

I A-2 District (*First Street at Lechmere, and Broadway at US Trust*)

Proposal: reduce **FAR** from **4.00** to **3.00**.

**Issues:** The two areas designated IA-2 are quite different in character. The first, at Lechmere Square is heavily built out. The area at Broadway consists in large part of a vacant parcel and is much more intimately associated with the residential neighborhood. They should be treated differently. Existing structures in both locations may be at or above the 4.0 FAR now allowed.

Office 3 District (*Memorial Drive at Main Street*)

Proposal: reduce **FAR** from **3.00** to **2.00**  
reduce **height** from **unlimited** to **120 ft**.

**Issues:** This small Office 3 district (the One Memorial Drive office building is located in this district) is likely to be further built out to institutional use by MIT. The FAR reduction here as it affects institutional development would be inconsistent with the petition proposals for FAR in the IB and Residence C-3 districts.

Office 3A District (*East Cambridge Industrial Area*)

Proposal: reduce **FAR** from **3.00** to **2.00**.

**Issues:** The district flanks Third Street north of Broadway. Should they be thought of somewhat differently, one segment closer to the Kendall "T" than the other? As currently formulated in the petition, the segment furthest from the "T" would be allowed somewhat greater FAR through the PUD-3 (see below). Where the PUD is present, a reduction in the base dimensions increases the incentive to make use of the PUD. Again the question of a potential mismatch between an FAR of 2.0 and a 120 foot height limit. Very large sites with large development potential.

Office 3A/PUD-3 District (*East Cambridge Industrial Area*)

Proposal: reduce **FAR** from **3.00** to **2.5**  
reduce **Height** from **200** to **120 ft**.

**Issues:** - See Office 3A discussion above. -With many tall buildings already in the vicinity (Marriott, Shaddlebrook, One Memorial Drive, Eastgate) additional height above 120 feet might be considered.

Residence C3A District (*East Cambridge Riverfront*)

Proposal: reduce **FAR** from **3.00** to **2.00**.

**Issues:** This is a waterfront district that is principally built out. Some additional development may be possible at the Sonesta Hotel site, the Roland Foundation, the Boston Trucking site, and a portion of the Science Museum site. Change to the Boston Trucking site would be positive; significant development on the other sites is much less likely. All other development is at or exceeds the limits now in the ordinance (having employed the PUD-2; see below). Reduction of the base limits might further encourage use of the PUD (need for setback relief tends to do that now).

**Residence C3A/PUD-2 District (*East Cambridge Riverfront*)**

Proposal: reduce residential **FAR** from **4.00** to **3.00**.  
reduce commercial **FAR** from **3.00** to **2.5**

**Issues:** See discussion above for Residence C-3A district.

**Special District 1 (*O'Brien Highway*)**

Proposal: reduce **FAR** from **3.5/3.0** to **2.5/2.00**  
reduce **height** from **120 ft** to **85 ft**.

**Issues:** While near the Green Line "T" station, portions of the district are quite removed from this end-of-the-line transit station. It is a busy and very wide highway that can benefit from more substantial development along its flanks, as a shield for the neighborhood and from an urban design point of view. Much of the existing site development within the district would, from a urban design perspective, best be replaced; incentive should perhaps be sufficient to encourage that kind of change (**New hotel is indicative of potential under current regulations**).

## **Relevant Planning**

**Growth Policy Document:** A great many policy statements have a bearing on the changes proposed here. The relationship of development and density to transit, retention of incubator industrial facilities, reduction in dependency on automobile use are all relevant policy goals. Effective transitions between commercial and industrial development and residential neighborhoods is given a high priority through a number of policy statements. Playing to the City's strengths to retain existing employers and securing new ones, and respecting those employers' needs as well, is also an important policy thrust.

**Neighborhood studies:** The East Cambridge study expresses a concern for the development potential within the Industrial Area south of Charles Street, particularly at the ComEnergy site. The Neighborhood 4 study notes the need to address the provisions of the Industry B district, where a very high density zone abuts the neighborhood; the report suggests reduction in the height bonus (for housing) along Cambridge Street

**Planning Board East Cambridge Industrial Area Petition, 1991:** Reductions in height and floor area were proposed at a similar scale, if not in the same precise form, as proposed in this petition.

**CDD Industry B Study, 1989:** Explorations were made of potential reductions in height and floor area for the entire IB area. An IPOD was submitted for consideration by the City Council. Preliminary studies suggested a general reduction of FAR to 3.0 and a height cap of 120 feet, with further reduction at critical locations.

**Planning Board:** The Board has expressed a belief in many forums that, in Cambridge, a maximum FAR of 3.0 is appropriate and that all districts should have a height limit.

**Height Controls:** The Community Development Department is developing a proposal for capping and otherwise regulating heights throughout the City for review and consideration by the Planning Board.

## **Issues**

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- \* The need to balance jobs and tax revenue with design, transition, and traffic considerations is at the heart of the analysis of the proposals.
- \* Proposals for specific districts that occur in more than one location may be on target in one location and not in another location (e.g. the Industry A-1 districts in East Cambridge are much different in context than the IA-1 districts along the railroad corridors in the North Cambridge neighborhood.)
- \* In general the proposal has more consistency with regard to density related strongly to existing or future transit availability than elsewhere.
- \* Specific proposals may adversely affect known or anticipated development plans in some locations (e.g. Amgen).
- \* A significant number of large property owners are affected with a need to understand the impact of the proposals on these development sites..
- \* The petition does deal directly with one of the components of added congestion in the City, i.e. additional gross floor area; alternately that concern might be addressed through other zoning mechanisms that are not proposed to be a part of this petition (e.g. restrictive parking ratios, mandatory TDM programs, etc.).

## V. Other Changes Affecting Districts Citywide

### *Cornice height provisions*

**Summary:** Portions of buildings (including mechanical equipment and architectural features normally carried above the roof and exempt from the height limit) exceeding 55 ft must be set back from the centerline of any public streetline a distance equal to its height (e.g. portions of buildings 85 feet high must be at least 85 feet from the centerline of a street; assuming a 50 foot wide street, that element of the building must be set back 60 feet from the front property line). An exemption is provided for facade length no more than 10% of the combined street frontage.

**Districts affected:** A cornice height is established for Residence C-3, Residence C-3A, Office 2, Office 3, Office 3A, Business B, Industry A, Industry B-1, and Industry B districts.

**Interactions with other provisions:** Mechanical and architectural elements, normally exempt from the height limits in the ordinance are made subject to the cornice height provisions.

**Issues:** Cornice height of 55 feet appears in many locations in the Ordinance: Harvard and Central Squares, BB-1 and 2 districts, Parkway Overlay District. Current provision's 45 degree plane starts at 55 feet elevation, not at the ground as in the petition.

Depending on context a cornice of between 55 feet and ca 80 feet might be appropriate and in some cases may not be necessary or desirable at all. On large sites the provision might result in formulaic buildings or inefficiently used sites. Is provision meant to establish a strong, fairly uniform, easily read interim height along the street, or meant to force high elements well away from view at the street edge? Variance is the only option for varying the provision. Provision would differentially negatively impact smaller lots.

### *Omnibus transition provisions*

**Summary:** Where a zoning district allowing a greater height abuts a zoning district allowing a lesser height, or where a zoning district requiring a greater Yard (setback) abuts a district requiring a lesser or no Yard (setback) a 45 degree plane is established starting at the zoning-district boundary-line. When rising above that plane, the provision requires a building to conform to the more restrictive height and/or setback requirements. Existing, more restrictive provisions would continue to apply.

**Districts affected:** Because of the complex pattern of zones on the map, transition requirements will be triggered in a very wide range of circumstances where abutting district differ in the height limit imposed and/or the yards required.

**Interactions with other provisions:** Revised open space provisions (yards are required to be partially green area in non residential districts).

**Issues:** Because of the complex interaction between districts it is difficult to get a handle on the full impact of the provision in advance of a review of a specific site condition and development proposal. Nevertheless, current transition requirements in the ordinance, particularly between non residential and residential use, are minimal. Height and density transitions in the past have been handled by establishing an acceptable transition through rezoning of a critical interface with an appropriate zoning district; that technique would be more problematic with proposed transition proposal in place, as a new district may generate a new transition requirement, doubling the impact of a zone map change.

Is a transition needed (as required by the proposal) between Residence A, B and C and C-1 districts; between a Residence C-3 district and a Business B district (as in Harvard Square); or between assorted non residential districts?

Provision would potentially differentially negatively impact smaller lots.

Is it necessary to have perfect, mirror image construction across a zoning district line, i.e. same height and same setback; as an alternate might a transition allow an immediate bump up, e.g. allowing a building adjacent to a 35 foot district to go to 45 feet?

### ***Open Space provisions***

**Summary:** Revised definitions for three open space types are proposed:

**Beneficial Open Space** is the most all encompassing and is required to be in open air and unobstructed to the sky; **Green Open Space** is that portion of Beneficial Open Space that is at grade and capable of growing grass and trees; **Useable Open Space** is that portion of Beneficial Open Space required for residential uses, is at least 15 feet wide, and may be in balconies and decks above grade.

For all residential districts, Beneficial Open Space, rather than the Useable Open Space, is required and the percentage is about double that currently required as Useable Open Space; at least 50% is required to be Green Open Space and 50% is required to be Useable Open Space.

At least one parking space on a lot is allowed and the open space requirement is reduced for lots less than 5,000 square feet.

A new provision requires that 50% of the area of yards required in any non residential district shall be Green Open Space

**Districts affected:** All residential districts, and non residential districts that require a yard under their basic provisions or as a result of the Omnibus Transition requirements. PUD provisions would appear to grant a waiver from the requirements for green area.

**Interaction with other provisions:** Omnibus transition provisions, as they may impose yard requirements where none might otherwise exist, or impose greater requirements than otherwise exist.

**Issues:** Loss of backyard open space to building or parking has been a contentious issue for some time. These provisions address the issue directly; more protection for small strips of "green" for front, side and rear yard areas. May have a significant negative impact with regard to adding new parking in established residential areas or surface parking in some non residential districts. More expensive (or in some cases perhaps more offensive) underground parking may be required in residential and non residential districts for new construction. Provisions require "Green Open Space" but, particularly in the non residential districts where the required green area is meant to have a salutary buffering effect, no actual planting standards apply; bare dirt would actually meet the requirement. Deviation from the requirements necessitates a variance. May limit additions to existing houses, generate new non conformities.

### ***Linkage/inclusionary housing provisions***

**Summary:** Linkage provisions of the existing ordinance are substantially modified and inclusionary requirements are imposed. Among the changes to Section 11.200 and related provisions proposed are the following.

**Linkage:** The range of uses contained in a development project that requires a special permit currently subject to linkage payments is expanded to include not only office and retail uses but also transportation and utility uses, open air and drive-in retail uses and non-commercial research facilities. The list of special permits that trigger applicability of linkage provisions is also expanded to include non commercial research facilities, fast order food establishments, auto oriented fast order food establishments, and college and university facilities (excluding dormitories) where such uses may require the issuance of a special permit. The gross floor area threshold above which a linkage payment is required is reduced from 30,000 square feet to 2,500 square feet. The linkage payment required is increased from \$2.00 to \$3.00 a square foot, adjusted for the CPI. In addition, payment is required for each parking space in a garage at the rate of \$300.00 and at the rate of \$50.00 for each parking space in an at grade parking lot. Eligible household is redefined to include families at 50%, 80% and 100% of median income.

**Inclusionary housing:** Provision of affordable housing units is required for any housing development wishing to make use of dimensional incentives provided in the ordinance; the use of the incentives is subject to a special permit from the Planning Board. The incentives include an increase in FAR by 25% (excluding Residence C-3 districts), a reduction in the lot area/dwelling unit of 25%, waiver of dimensional requirements, waiver of parking requirements, or further waivers of all these to permit use of state and federal assistance programs or to secure more than the minimum number of affordable units.

**Districts affected:** The inclusionary housing provisions apply to all districts in which housing is an allowed, including PUD districts. Linkage applies in the PUD districts, the Central Square and Harvard Square Overlay Districts, among others, where specified special permit waivers are granted.

**Interactions with other provisions:** Basic dimensional provisions of zoning districts may be waived, as of right or by the Planning Board, to accommodate affordable units.

**Issues:** Experience seems to indicate that voluntary inclusionary requirements are not effective; generally they have to be mandated to produce significant new units citywide. What are the appropriate target incomes? How prescriptive should the requirements be with regard to the character of the units? Should any provisions be made uniform throughout the city (i.e. alter current regulations in the Residence C district, Special Districts 9 and 10, North Point)? See CDD memo to the City Council.

Where should the threshold for linkage be set? Current ordinance does allow for CPI adjustment and it has recently been updated. Should parking be included (what is the nexus rationale for that element)?

### ***Enhanced Development Consultation review***

**Summary:** The advisory Development Consultation Procedure is expanded beyond the Areas of Special Planning Concern to include all districts in the city with somewhat different thresholds for each. In lower density residential districts the creation of one new parking space, one new dwelling unit, or 1,000 square feet of new construction generates a review. In all other districts, two new dwelling units, two new parking spaces or 2,000 square feet of new construction requires a review. Larger project reviews, which require a public meeting and posting on the lot, shall be required for new development of 2,000 square feet or more, or a change of use in that amount. The process should be completed within 30 days. All other reviews are conducted by city staff.

**Districts affected:** All districts; Harvard and Central Square Overlay Districts are already subject such a procedure, but which procedure is now expanded in scope. Posting requirements are new.

**Interactions with other provisions:** None

**Issues:** Addresses another major source of contention: neighbors are unaware of an-as-of right development until after a building permit is issued and construction has begun. Thresholds have more “good relations between neighbors” aspect than planning policy implications. Added administrative burden, and burden on some property owners who are undertaking small changes; on large projects, advisory meeting can become a protracted series of meetings where ability to secure change may be limited. Extension of time allows more flexibility administratively but places an as of right development at greater risk to submittal of a rezoning petition. Review is non-binding and may raise unreasonable expectations that process will result in desired changes. Non binding review by Mid Cambridge Conservation District suggests that even advisory reviews have an impact.

Notice requirement is very prescriptive.

### ***Flood Plain Overlay District***

**Summary:** The provisions are modified to include the 500 year floor in addition to the 100 year flood. Any construction within either flood plain is limited to an FAR of 0.5.

**Districts affected:** None.

**Interaction with other provisions:** None.

**Issues:** The 500 year flood is not known to be used anywhere as a regulatory threshold. FAR is not directly related to flood storage displacement, groundwater recharge or groundwater flow. Other more direct means of control are in place or can be adopted. Perversely impacts sites closest to the “T” station.

### ***Height Exceptions***

**Summary:** Section 5.23 is modified to limit the height of mechanical elements found on the roof of a structure or architectural features that customarily are carried above the principal roof of a structure. The height exemption is limited to ten feet. Further all of those features are limited to seven (7) percent of the lot area. Wireless or broadcasting towers are removed from the exemption altogether. Currently mechanical equipment is not limited as to height or area, and architectural elements are not limited as to height but are limited to ten (10) percent of the lot area.

**Districts affected:** All districts.

**Interaction with other provisions:** Cornice height provisions.

**Issues:** How does the new provision affect the high mechanical load requirements of R&D facilities? Other kinds of commercial uses? Should the provisions vary by use category? Should architectural and mechanical elements be treated similarly as mechanical elements; might towers, steeples, domes, etc. be allowed to be higher than ten feet above the height limit in the district? How is the area of mechanical equipment to be measured? Is desirable screening or noise reduction hampered?

### ***Reconstruction of Destroyed Non Conforming Structures***

**Summary:** Section 8.23 is modified to allow the total reconstruction of a structure partly or totally destroyed, without limit as to the cost of that reconstruction, if it contains a residential use or a conforming non residential use. Non conforming structures containing non conforming uses are subject to the current limit, i.e. that the cost cannot exceed 50% of the replacement value of the structure.

**Districts affected:** All districts.

**Interaction with other provisions:** The reduced FAR, Height, and lot area per dwelling unit limitations will not apply when non conforming structures are substantially destroyed and reconstructed

**Issues:** Similar to provisions now in place in the Residence C zone and in the Massachusetts Avenue Overlay District. Non conforming structures are not phased out; however variances are frequently given in such circumstances. Does not address issue of modifications to existing, intact structures that are now non conforming, that may need BZA relief.

### ***Parking in the Harvard Square Overlay District***

**Summary:** Section 11.54.4 2 (a) is deleted. This provision currently allows the waiver of all parking and loading requirements within the Harvard Square Overlay district by special permit, to achieve urban design objectives, in exchange for a reduction in allowable floor area or payment of money into a Harvard Square improvement fund. The special permit may still be issued with the urban design objectives only remaining as conditions for its issuance.

**Districts affected:** Business B, Business A, Office 3, Residence C-2, and Residence C-1 districts located within the Harvard Square Overlay District.

**Interaction with other provisions:** None

**Issues: Why?**

***Open Space Districts***

**Summary:** Change of the zoning map to create several new Open Space districts.

**Districts affected:**

**Interaction with other provisions:** Omnibus transition requirements.

**Issues:** Districts may generate transition requirements that may be unnecessary. Public uses that the zoning ordinance now would permit as of right on public park land (e.g. community center or library) would require a special permit or variance. Would generate a Planning Board advisory review of non open space use of open space land, even when a special permit or variance is not required.

## Hugh Adams Russell

1 Corliss Place, Cambridge MA 02139, 617-864-9596  
harussell@aol.com

August 27, 1997

Cambridge City Council  
c/o Cambridge Planning Board

At the suggestion of the Law Department, I am making a short statement describing my involvement in the Pitkin/ Cambridge Residents for Growth Management Zoning Petition before the Council. I am requesting that this statement be attached to the Planning Board report to the Council on this matter.

I have been meeting with the Cambridge Residents for Growth Management since its inception. My role in this group has been principally in making suggestions for zoning changes and giving technical advice on the details of zoning provisions.

Although I am fully in support of the resulting petition, I have not signed it, seeking to avoid extraneous legal issues that would confuse the planning issues central to the petition.

I participated as an individual in the presentation of the proposal to the Council's Ordinance committee, explaining the height and floor area ratio provisions. In concert with other CRGM members, I have discussed the petition with many individuals and groups, including most of the members of the Council, during the course of the last few months.

I have participated in the Planning Board Hearing and deliberation meetings on the petition, except for the meeting of August 19 (when I was not in Cambridge) and thus did not participate in the Board's formal vote on the recommendation. This recommendation reports favorably on only a few of the Pitkin Petition's proposals, relegating the bulk of the proposals for further study. While I support the development of detailed criteria for development in all areas of the city, I favor adopting the Pitkin Petition at this time to provide significantly greater protection than the existing ordinance during what will probably be a lengthy period of discussion with many interested parties.

Please feel free to contact me if any additional clarification of my participation in this proposal is required.





CITY OF CAMBRIDGE  
CAMBRIDGE, MASSACHUSETTS 02139

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22

EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

RICHARD C. ROSSI  
Deputy City Manager

September 8, 1997

To The Honorable, The City Council:

Please find attached for your consideration a Planning Board recommendation on the Pitkin, et al Rezoning Petition.

Very truly yours,

Robert W. Healy  
City Manager

RWH/mec  
attachment

Consent Agenda #22

Relative to a Planning Board recommendation on the Pitkin, et al Rezoning Petition.

In City Council September 8, 1997

Referred to  
Calendar Item  
No. 25

\*\*\* SUCCESSFUL TX REPORT \*\*\*

09-24-97 10:35

ID:6173494269  
CAMBRIDGE CITY CLERKS OFFICE

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RESOLUTION	-----	STANDARD
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D. MARGARET DRURY  
CITY CLERK

DONNA P. LOPEZ  
DEPUTY CITY CLERK

FAX TRANSMITTAL SHEET

DATE: September 24, 1997

TO: Wendy  
Legal

FAX #: 423-7929

PHONE #: \_\_\_\_\_

# OF PAGES: 7

FROM: Marybeth  
349-4256

*Thank you!*

ADDITIONAL COMMENT:  
① week only October 2, 1997

\_\_\_\_\_

\_\_\_\_\_



# City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-seven

## AN ORDINANCE

In amendment to the Zoning Ordinance of the City of Cambridge.

*Be it ordained by the City Council of the City of Cambridge as follows:*

**I. Amend the text of the Zoning Ordinance of the City of Cambridge as follows, to establish new height provisions for the Industry B, Business B, Office 3, and Residence C-3 Districts.**

Delete the word "none" in Column (6), Maximum Height in Feet, and substitute "120" therefore in the following Tables of Dimensional Requirements: Table 5-1 of Section 5.31, *Residential Districts*, in line "Res. C-3"; Table 5-2 of Section 5.32, *Office Districts*, in line "Office 3"; Table 5-3 of Section 5.33, *Business Districts*, in line Bus. B"; and Table 5-4 of Section 5.34, *Industrial Districts*, in line "Ind. B". Thus:

	(6) Maximum Height In Feet
Res. C-3	120
Office 3	120
Bus. B	120
Ind. B	120

**II. Amend the text of the Zoning Ordinance of the City of Cambridge as follows, to establish a new height limit for residential uses in a Business A District.**

In Section 5.33, *Business Districts*, delete in its entirety the existing Subsection 3 and substitute therefor the following:

3. A dwelling in a Business A district shall be subject to the same dimensional requirements and other restrictions as a dwelling in a Residence C-2 B district, except that the height limitation on lots abutting Hampshire Street shall be 65 feet.

**III. Amend the text of the Zoning Ordinance of the City of Cambridge as follows, to amend the requirements of Incentive Zoning Provisions of the Ordinance.**

1. In Section 11.201, *Definitions*, delete the existing definition for Covered Project and substitute therefor the following:

Covered Project shall mean that portion of projects containing uses listed in Sections 4.33 c, 4.34, 4.35, 4.36, and 4.56 d 1 subject to the provisions of the special permits listed in Section 11.202.

2. In Section 11.203, *Incentive Zoning Contributions*, delete the first two paragraphs of Subsection (a) and substitute therefor the following; the third and fourth paragraphs shall remain unaltered:

(a) Housing Contribution. For any project that is, in total, less than thirty thousand (30,000) square feet of gross floor area, no contribution shall be required.

For any project of thirty thousand (30,000) square feet of gross floor area or more, the developer shall contribute three dollars (\$3.00) for every square foot of gross floor area over two thousand five hundred (2,500) square feet of that portion of the project authorized by the Special Permit that is a Covered Project.

**IV. Amend the text of the Zoning Ordinance of the City of Cambridge as follows, to require notice boards to be posted on premises subject to a special permit or variance application.**

1. To the end of the existing Section 10.42, *Procedure*, insert a new Section 10.42.1 to read as follows:

### **10.42.1 Additional Notification Requirements**

Any applicant for a variance or special permit shall be required to erect and maintain in legible condition one or more public notification panels at the site for which the variance or special permit relief is requested. The required panels shall be secured by the applicant from the Department of Inspectional Services for those permits issued by the Board of Zoning Appeal and shall be secured from the Community Development Department for those permits issued by the Planning Board. The location of any required panel shall be located on a site plan included in the application documents, which location or locations shall be subject to the approval of those respective departments; the mechanics of its installation shall be described in those application documents. The following requirements shall apply:

(a) *Location and Number.* Panels shall be securely mounted on the subject lot at the street line or within the property, but in any case not more than twenty (20) feet from the street line. However, wherever located, the panel(s) shall be visible, easily identifiable, and legible to persons passing by on the public street, without the necessity of trespass onto private property. For lots having street frontage of two hundred (200) feet or less, one panel shall be installed. One additional panel shall be installed for each additional five hundred (500) feet of street frontage. The panels shall be exempt from any applicable limitation on accessory signs set forth in Article 7.000.

(b) *Schedule and Duration.* The required panels shall be installed as required in this Section 10.42.1 not less than fourteen days before the date of the public hearing. They shall be maintained in legible condition until a Notice of Decision has been filed with the City Clerk by the permit or special permit granting authority. Panels that are stolen, destroyed, or rendered illegible shall be promptly replaced, and panels shall be promptly removed after the Notice of Decision has been filed.

(c) *Content of Panels.* The text of the panel shall generally contain the name of the petitioner; a description of the area or premises; street address or other information adequate to identify the location or area subject to the permit petition; the date, time and place of the public hearing; the subject matter of the hearing; the nature of the action or relief requested; the place where the full application may be inspected; case number of the application; the place where written comments may be directed; the phone number of the municipal agency or contact person where further information may

be obtained. Reasonable modifications of the text requirements of this Paragraph (c) shall be permitted to enable the most important information to be provided in the most legible form.

(d) *Graphic and Construction Standards.* Panels shall not be less than 18 inches by 24 inches in dimension; they may be larger. No text on the panel shall be smaller than 12 point type. Panels shall be made of materials adequately weather resistant and durable for the time they are required to be posted.

2. In Subsection 10.33 of Section 10.30, *Variances*, delete the first sentence of the subsection in its entirety and substitute therefor the following:

A variance shall be granted only after a public hearing for which notice has been given by publication and posting as provided in Section 11, Chapter 40A, G. L., and by the installation of on-site notification panels as required in Section 10.42.1.

**V. Amend the Zoning Map of the City of Cambridge by striking the existing zoning designation on the Map and inserting in its place the new zoning district designation Open Space (OS), for the following described areas.**

1. Assessor's Plat 32, Lot #87 - From Residence C-1 to Open Space (Ahern field at the Kennedy School)
2. Assessor's Plat 267, Lots #271 and 275 - From Residence C-1 to Open Space (Blair Pond)
3. Assessor's Plat 246, Lot #15 - From Residence A-2 to Open Space (At Fresh Pond Parkway)
4. Assessor's Plat 171, Lot #1 - From Residence A-2 to Open Space (Cambridge Common)
5. Assessor's Plat 8, portions of Lots #75, 41, 42, 43, 52, 51, 59, 57, 34, 55, and 50 owned by the City of Cambridge - From Business A to Open Space (Lechmere Canal Park)  
Assessor's Plat 9, portions of Lots #36, 37, 48 owned by the City of Cambridge - From Business A to Open Space (Lechmere Canal Park)
6. Assessor's Plat 205, Lots #41 - From Residence C-1 to Open Space (Corcoran Playground)
7. Assessor's Plat 130, Lot #121 - From Residence C-3 to Open Space (Corporal Burns Playground)

8. Assessor's Plat 103, Lots #20 and 21 - From Residence C to Open Space (Dana Park)
9. Assessor's Plat 38, that portion of Lot #1 lying between York Street and a line parallel to and 550 feet distant from the northeasterly sideline of York Street- From Residence C-1 to Open Space (Donnelley Field)
10. Assessor's Plat 66, Lot #74 - From Special District 8 to Open Space (Fort Washington)
11. Assessor's Plat 126, Lots #157 - From Residence C to Open Space (Hoyt Field)
12. Assessor's Plat 138, that portion of the Lot identified as "Public Library" that lies between the northeasterly sideline of Broadway and a line parallel to and 200 feet distant from the northeasterly sideline of Broadway, and that Lot bounded by Ellery Street, Broadway, and Lots #37, 3, and 4 and the extension of the southwesterly sideline of Lot #4 to Ellery Street - From Residence C-3 to Open Space (Library Park)
13. Assessor's Plat 98, that portion of the Lot identified as "Morse School, park land" that lies between Brookline Street and the southwesterly extension of the centerline of Rockingham Street to Memorial Drive - From Residence C to Open Space (Lindstrom Field)
14. Assessor's Plat 97, Lots #32 and 35 - From Residence C, Business A-1 and Special District 9 to Open Space (Old Morse Park)
15. Assessor's Plat 197, Lots 3 and 5, Plat #198, Lot 20 - From Residence B to Open Space (Rindge Field)
16. Assessor's Plat 129, Lot #59 - From Residence B to Open Space (Riverside Press Park)
17. Assessor's Plat 155, Lots #29 - From Residence B to Open Space (Sacramento Field)
18. Assessor's Plat 267D, Lot #322 - From Residence B to Open Space (Sancta Maria Field)
19. Assessor's Plat 88, Lots 10 - From Residence C-1 to Open Space (Sennott Park)
20. Assessor's Plat 95, Lot #57 - From Special District 8 to Open Space (Soccer

Field at Pacific and Sidney Streets)

21. Assessor's Plat 260, that portion of Lot #80 between Concord Avenue and a line parallel to and 550 feet distant from the southwesterly sideline of Concord Avenue - From Residence B to Open Space (Callahan Playground and Tobin School)

In City Council September 22, 1997.

Passed to be ordained as amended by a yea and nay vote:-

Yeas 7; Nays 2; Absent 0.

ATTEST:-

D. Margaret Drury, City Clerk



# City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-seven

## AN ORDINANCE

In amendment to the Zoning Ordinance of the City of Cambridge.

*Be it ordained by the City Council of the City of Cambridge as follows:*

**I. Amend the text of the Zoning Ordinance of the City of Cambridge as follows, to establish new height provisions for the Industry B, Business B, Office 3, and Residence C-3 Districts.**

Delete the word "none" in Column (6), Maximum Height in Feet, and substitute "120" therefore in the following Tables of Dimensional Requirements: Table 5-1 of Section 5.31, *Residential Districts*, in line "Res. C-3"; Table 5-2 of Section 5.32, *Office Districts*, in line "Office 3"; Table 5-3 of Section 5.33, *Business Districts*, in line Bus. B"; and Table 5-4 of Section 5.34, *Industrial Districts*, in line "Ind. B". Thus:

	(6) Maximum Height In Feet
Res. C-3	120
Office 3	120
Bus. B	120
Ind. B	120

**II. Amend the text of the Zoning Ordinance of the City of Cambridge as follows, to establish a new height limit for residential uses in a Business A District.**

In Section 5.33, *Business Districts*, delete in its entirety the existing Subsection 3 and substitute therefor the following:

3. A dwelling in a Business A district shall be subject to the same dimensional requirements and other restrictions as a dwelling in a Residence C-2 B district, except that the height limitation on lots abutting Hampshire Street shall be 65 feet.

**III. Amend the text of the Zoning Ordinance of the City of Cambridge as follows, to amend the requirements of Incentive Zoning Provisions of the Ordinance.**

1. In Section 11.201, *Definitions*, delete the existing definition for Covered Project and substitute therefor the following:

Covered Project shall mean that portion of projects containing uses listed in Sections 4.33 c, 4.34, 4.35, 4.36, and 4.56 d 1 subject to the provisions of the special permits listed in Section 11.202.

2. In Section 11.203, *Incentive Zoning Contributions*, delete the first two paragraphs of Subsection (a) and substitute therefor the following; the third and fourth paragraphs shall remain unaltered:

(a) Housing Contribution. For any project that is, in total, less than thirty thousand (30,000) square feet of gross floor area, no contribution shall be required.

For any project of thirty thousand (30,000) square feet of gross floor area or more, the developer shall contribute three dollars (\$3.00) for every square foot of gross floor area over two thousand five hundred (2,500) square feet of that portion of the project authorized by the Special Permit that is a Covered Project.

**IV. Amend the text of the Zoning Ordinance of the City of Cambridge as follows, to require notice boards to be posted on premises subject to a special permit or variance application.**

1. To the end of the existing Section 10.42, *Procedure*, insert a new Section 10.42.1 to read as follows:

### **10.42.1 *Additional Notification Requirements***

Any applicant for a variance or special permit shall be required to erect and maintain in legible condition one or more public notification panels at the site for which the variance or special permit relief is requested. The required panels shall be secured by the applicant from the Department of Inspectional Services for those permits issued by the Board of Zoning Appeal and shall be secured from the Community Development Department for those permits issued by the Planning Board. The location of any required panel shall be located on a site plan included in the application documents, which location or locations shall be subject to the approval of those respective departments; the mechanics of its installation shall be described in those application documents. The following requirements shall apply:

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(b) *Schedule and Duration.* The required panels shall be installed as required in this Section 10.42.1 not less than fourteen days before the date of the public hearing. They shall be maintained in legible condition until a Notice of Decision has been filed with the City Clerk by the permit or special permit granting authority. Panels that are stolen, destroyed, or rendered illegible shall be promptly replaced, and panels shall be promptly removed after the Notice of Decision has been filed.

(c) *Content of Panels.* The text of the panel shall generally contain the name of the petitioner; a description of the area or premises; street address or other information adequate to identify the location or area subject to the permit petition; the date, time and place of the public hearing; the subject matter of the hearing; the nature of the action or relief requested; the place where the full application may be inspected; case number of the application; the place where written comments may be directed; the phone number of the municipal agency or contact person where further information may

be obtained. Reasonable modifications of the text requirements of this Paragraph (c) shall be permitted to enable the most important information to be provided in the most legible form.

(d) *Graphic and Construction Standards.* Panels shall not be less than 18 inches by 24 inches in dimension; they may be larger. No text on the panel shall be smaller than 12 point type. Panels shall be made of materials adequately weather resistant and durable for the time they are required to be posted.

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A variance shall be granted only after a public hearing for which notice has been given by publication and posting as provided in Section 11, Chapter 40A, G. L., and by the installation of on-site notification panels as required in Section 10.42.1.

**V. Amend the Zoning Map of the City of Cambridge by striking the existing zoning designation on the Map and inserting in its place the new zoning district designation Open Space (OS), for the following described areas.**

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Assessor's Plat 9, portions of Lots #36, 37, 48 owned by the City of Cambridge - From Business A to Open Space (Lechmere Canal Park)
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14. Assessor's Plat 97, Lots #32 and 35 - From Residence C, Business A-1 and Special District 9 to Open Space (Old Morse Park)
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21. Assessor's Plat 260, that portion of Lot #80 between Concord Avenue and a line parallel to and 550 feet distant from the southwesterly sideline of Concord Avenue - From Residence B to Open Space (Callahan Playground and Tobin School)

**In City Council September 22, 1997.**

**Passed to be ordained as amended by a yea and nay vote:-**

**Yeas 7; Nays 2; Absent 0.**

**ATTEST:-**

**D. Margaret Drury, City Clerk**

# City of Cambridge

MASSACHUSETTS

U. B # 11

In City Council 7/27, 1998

Gregory Pehl

YEA	NAY	ABSENT	PRESENT	
✓				Ms. Kathleen L. Born
✓				Ms. Henrietta Davis
	✓			V. Mayor Anthony Galluccio
✓				Mr. Kenneth E. Reeves
	✓			Ms. Sheila T. Russell
	✓			Mr. Michael A. Sullivan
	✓			Mr. Timothy J. Toomey, Jr.
✓				Ms. Katherine Triantafillou
✓				Mayor Francis H. Duehay

5 4 0 0  
Fars

# City of Cambridge

MASSACHUSETTS

Unfinished  
Bus #18

In City Council 9-22, 1997

*Ordain As Amended By Subst*

YEA	NAY	ABSENT	PRESENT	
✓				Ms. Kathleen L. Born
✓				Ms. Henrietta Davis
✓				Mr. Francis H. Duehay
✓				Mr. Anthony Galluccio
	✓			Mr. Kenneth E. Reeves
✓				Mr. Michael A. Sullivan
	✓			Mr. Timothy J. Toomey, Jr.
✓				Ms Katherine Triantafillou
✓				Mayor Sheila T. Russell

7 2 0 0

FD m sup 9-0 VA  
RIF 0-9

# City of Cambridge

MASSACHUSETTS

# 18  
Unfinished

In City Council

9-22, 1997

A-5 Amend from 80 ft to 120 ft

YEA	NAY	ABSENT	PRESENT	
✓				Ms. Kathleen L. Born
✓				Ms. Henrietta Davis
✓				Mr. Francis H. Duehay
✓				Mr. Anthony Galluccio
✓				Mr. Kenneth E. Reeves
✓				Mr. Michael A. Sullivan
✓				Mr. Timothy J. Toomey, Jr.
✓				Ms Katherine Triantafillou
✓				Mayor Sheila T. Russell

9 0 0 0

# City of Cambridge

MASSACHUSETTS

*Unfinished B's  
# 18*

In City Council 9-22, 1997

*A-5 Amend as to  
Hampshire to 65'*

YEA	NAY	ABSENT	PRESENT	
✓				Ms. Kathleen L. Born
✓				Ms. Henrietta Davis
✓				Mr. Francis H. Duehay
✓				Mr. Anthony Galluccio
✓				Mr. Kenneth E. Reeves
✓				Mr. Michael A. Sullivan
✓				Mr. Timothy J. Toomey, Jr.
✓				Ms Katherine Triantafillou
✓				Mayor Sheila T. Russell

9      0      0      0

# City of Cambridge

#18  
Unfinished

MASSACHUSETTS

In City Council 9-22, 1997

A-7      Subshule B-7 for A-7  
~~Amend to Sub B-7 for A-7~~ Sh.

YEA	NAY	ABSENT	PRESENT	
	✓			Ms. Kathleen L. Born
✓				Ms. Henrietta Davis
✓				Mr. Francis H. Duehay
✓				Mr. Anthony Galluccio
✓				Mr. Kenneth E. Reeves
✓				Mr. Michael A. Sullivan
✓				Mr. Timothy J. Toomey, Jr.
✓				Ms Katherine Triantafillou
✓				Mayor Sheila T. Russell

8      1      0      0

# City of Cambridge

MASSACHUSETTS

In City Council 9-27, 1997

Substitute ~~B~~-12 <sup>for</sup> through ~~B~~-16 <sup>of Council Memo</sup>  
 A-12 through A-16 of Council Memo

YEA	NAY	ABSENT	PRESENT	
✓				Ms. Kathleen L. Born
✓				Ms. Henrietta Davis
✓				Mr. Francis H. Duehay
✓				Mr. Anthony Galluccio
✓				Mr. Kenneth E. Reeves
✓				Mr. Michael A. Sullivan
	✓			Mr. Timothy J. Toomey, Jr.
✓				Ms Katherine Triantafillou
✓				Mayor Sheila T. Russell

8      1      0      0



Bring forward RC 9-0-0

1. A-1 may as to 120 yL hL destruc L R C-3  
+

2. A-3 " " " " L OFF 3

3. A-5 - only as to 80 yL height <sup>to 120</sup> AMEND (from 80)  
amend RC 9-0-0

4. A-~~3~~

5. A-7 as to footcure L <sup>substitute + amend</sup>  
as to temperature SL

6. A-8 <sup>as</sup> as to 120 yL yr IB

7. A-12 <sup>substitute</sup>  
~~change~~ A-16

A-13 <sup>substitute</sup>

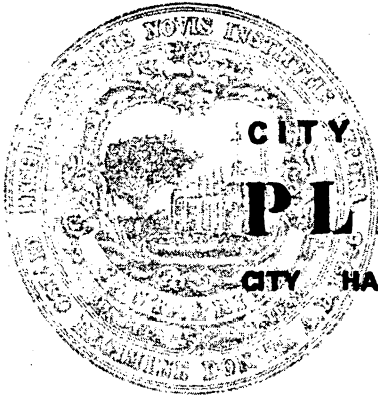
8. ~~A-13~~

A-14 <sup>substitute</sup>

A-15 <sup>substitute</sup>

A-16 <sup>substitute</sup>

A-5 will amend P.H. from 80 to  
120



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

August 19, 1997

To the Honorable, the City Council:

Subject: Planning Board Recommendation on the Pitkin, et al Rezoning Petition

## Recommendation

Following its public hearing on the Petition by Pitkin, et al to amend the Zoning Ordinance and Zoning map of the City of Cambridge, the Planning Board respectfully makes the following recommendations.

**First, the Board recommends that the City Council favorably consider and adopt the six amendments detailed below, selected and modified from the proposals of the Pitkin, et al Petition. These amendments have received substantial public comment in the past and are supported by planning studies, including the Growth Policy document and a variety of neighborhood plans, and the recent Cambridge Street Plan.**

- Establish new height provisions limiting as-of-right height to no more than 120 feet where none now exists, affecting the Industry B, Business B, Office 3 and Residence C-3 districts citywide; with a special permit for additional height for housing and dormitory uses only. (Substitute Language I, see attached Map #1);
- Establish a new residential height limit of 45 feet in the Business A District where 85 feet is permitted now. (Substitute Language II, see attached Map # 2);
- Establish new FAR provisions limiting as-of-right FAR to no more than 3.0 where a 4.0 is permitted now, affecting the Business B, Industry A-2, and Industry B districts citywide, with a special permit for additional FAR up to a maximum of 4.0 in the BB district. A 4.0 would continue to be permitted as-of-right for university uses in an IB district. Criteria for the special permit include preservation of historic structures and a height not exceeding 60 feet. (Substitute Language III, see attached Map #3);
- Amend the Incentive Zoning provisions of the Ordinance, raising "linkage" fees to \$3.00 per square foot, and broadening the development to which the requirement applies by reducing the threshold of applicability and by including additional retail and institutional research office activities as subject to its provisions (Substitute Language IV).

- Establish a requirement for notice boards to be posted on premises prior to special permit or variance hearings (Substitute Language V).
- Amend the Zoning Map to create a number of new Open Space districts affecting publicly owned park land, as proposed in the Petition (Substitute Language VI, see attached Maps).

**Second, the Board recommends disapproval of those portions of the Pitkin, et al Petition that are not contained within the above six amendments. Nevertheless, each issue raised by those portions of the Petition not recommended here, and the specific regulatory remedy chosen by the proponents to address the issue, requires prompt and methodical consideration by the Board in the future so that substantive proposals can be formulated by the Board for consideration by the City Council. To a certain extent, the ability of the Board to move promptly on these and other initiatives is dependent on the resources in terms of staff and consultant time committed to the analysis. To that end, therefore, the Board would suggest the following strategy.**

(1) Early reconsideration of parts of the Petition considered of high priority by the Board, because much planning work has already been done or a strong policy framework has already been established. They are:

- Infill, backyard construction in established residential neighborhoods, particularly in those neighborhoods of the city zoned Residence C-1: review of floor area and dwelling unit density;
- Consideration of modifications to the regulation of construction in flood plains, to the extent that such can be achieved through modifications to the zoning regulations; otherwise urging the adoption by other city agencies, of a regulatory program that will address: (a) stormwater runoff volumes and velocity from private property, (b) impervious ground cover that hampers the infiltration of stormwater into the groundwater, and (c) enhanced requirements for construction within the 100 year flood plain, as appropriate;
- An inclusionary housing requirement, a draft of a proposal for which is now being finalized by the Community Development Department;
- Transition requirements between differing scales of development or uses;
- Enhanced open space requirements in residential districts for residential uses and in commercial districts to provide on-site buffers for new development.
- Reduction in FAR in the Open Space district.

(2) Subsequent consideration of other elements of the Petition, including proposed alterations to floor area and height in non residential districts, according to a schedule of deliberations adopted by the Planning Board, over a period of two to three years. These issues are related to concerns about bulk, height, relationship to lower density zones, as well as traffic congestion. Understanding performance based zoning as it relates to traffic generation (one approach to the concerns around traffic) will take significant study and analysis before recommendations can be generated.

(3) The periodic filings of zoning map or text changes, in response to the Council Order on Idiosyncratic Zoning, where the proposals in the Petition, in whatever form they may ultimately be recommended, are not adequate responses to an identified planning concerns. For instance there are circumstances where use changes should be made that require change in use regulations in a district or a rezoning to another district, e.g. in some Industry A-1 districts. In other instances the capping of height, for instance as proposed by the Petition in Residence C-2 districts, may not be sufficient and a rezoning that reduces not only height but FAR and dwelling unit density may be the best approach, e.g. rezoning an area from Residence C-2 to Residence C-1.

### Discussion

The Board is in general agreement with the stated purposes of the Pitkin, et al Petition, including the urgency of prompt consideration of zoning changes. As a result, the Board is recommending approval of portions of that petition that have received substantial public comment in the past and are supported by planning studies, including the Growth Policy document and a variety of neighborhood plans, and the recently developed Cambridge Street Plan. In a few instances, the Board believes that the means chosen by the petitioners to accomplish their purposes may be inappropriate, an example being reduced FAR in flood hazard zones. For other portions of the petition, the Board believes that the City Council, the Planning Board, City staff, the proponents, other members of the public (including property owners and the business community) require more opportunity to consider the proposals. This time is necessary in order to assure that those proposals or chosen alternatives to them are appropriate in all of the rich variety of contexts that exist across the City.

The Board, however, would like to reiterate that many of the issues raised by the petition but not incorporated into the limited scope of the Substitute Language recommended here are very important. They have frequently been the subject of analysis and discussion by the Planning Board, in the development of general planning documents or in the Board's role of reviewing and approving specific development proposals. Traffic congestion, development of new housing in the backyards of long established residential neighborhoods, transitions between uses and differing scales of development, and the loss of green area to paved parking in residential and commercial districts are among these issues. Some of these concerns are amenable to improvement through zoning changes of a straightforward nature that might be adopted in a relatively short period of time. These changes include modification to neighborhood zoning district provisions to reduce back yard development, enhanced open space requirements in residential and commercial zones, inclusionary zoning, transition requirements and additional

regulations related to flood plains. Others, like traffic congestion, may best be addressed through other mechanisms in conjunction with appropriate zoning modifications and will involve significantly more complex analysis.

The comprehensive nature of the petition's many elements obliges a response within a statutorily mandated time frame that is more suitable to narrower proposals or to proposals that are the subject of more extensive public discussion. We should not allow broad policy agreement and shared concern over the pace of regulatory change to short circuit the time needed for consideration of the specific remedies proposed in the Petition. We believe that the careful, consultative process that the City has been using in refining the Zoning Ordinance and other development management tools continues to be the best approach, provided the importance of the issues and the urgency with which they should be addressed are reflected in the Planning Board's schedule of future deliberations.

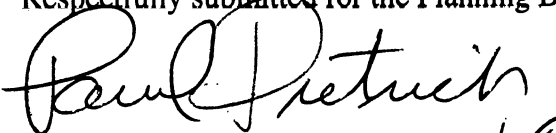

Accordingly, the Board, supported by staff and consultants to the Community Development Department, have designed Substitute Language addressing many of the same concerns as the Petition, but limited in its contents so that all of its parts:

- Are consistent with the directions (and boundaries) of the Petition,
- Are firmly based on established City policies, as reflected in previously accepted planning documents, and
- Have had sufficient consideration both before and following the filing of the Petition to allow well-informed action upon them.

City Council response to this Recommendation will provide important guidance for the Planning Board and the Community Development Department staff in their ongoing efforts to make City regulation fully supportive of current city policy. Adequate response to the many elements of the petition will require intensive effort on the part of the Planning Board, the Community Development Department (with the assistance of consultants secured with additional planning funds), and concerned individuals in the coming months.

What follows are several attachments that expand upon the proposals set forth in this Recommendation. **Attachment 1** more fully discusses the Planning Board's recommendation on all sections of the petition, including those parts it recommends be adopted now. **Attachment 2** provides the Substitute Language the Planning Board recommends for adoption by the City Council. An **Appendix** provides the analyses made available to the Board by the Community Development Department and its consultants.

Respectfully submitted for the Planning Board,

  
Paul Dietrich, Chairman 

## Attachment 1

### Detailed Discussion of the Planning Board Recommendation

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The following are the recommendations of the Planning Board regarding each part of the Pitkin, et al Petition, together with a brief explanation of the Board's recommendation, and references to related documents.

#### Part A of the Petition - Reduce FAR, Height, and Allowable Density

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*The Planning Board recommends adoption of the provisions detailed in Substitute Language I, II and III instead of the proposals of Part A of the Petition, which we do not favorably recommend. Included in this Part A not recommended by the Planning Board are the proposals in the petition that would further expand the reach of the flood plain provisions of the zoning ordinance.*

The Substitute Language I would require a special permit for any building height exceeding 120 feet in Business B, Industry B, Office 3 and Residence C-3 districts that currently have no height limit (it should be noted that only limited Business B zones in Mid Cambridge and East Cambridge would be affected by this changes as most BB zones have lower heights capped in the Harvard and Central Square Overlay Districts). The Special Permit for height exceeding 120 feet would be solely for residential and dormitory uses. Substitute Language II would limit residential buildings in the BA district to 45 feet. Substitute Language III reduces the FAR to 3.0, with the exception of university uses in the Industry B district, at locations where a FAR of 4.0 is now allowed as-of-right; a special permit process would allow an FAR of 4.0 in Business B districts. Those changes have had sufficient consideration to warrant adoption, which none of the remaining proposals of part A of the Petition have had, as for example changes in height and FAR in a broad range of residential and non residential zoning districts. While not recommending adoption of other height or FAR provisions of the petition at this time, the Board is fully aware that those proposals highlight concerns of scale and amount of development in commercial districts, and rear yard expansion in residential districts, that deserve further comprehensive consideration.

The City has been addressing the widely shared concern about excessive bulk and height through a carefully considered and consistent set of actions. Most recently those have included proposed zoning amendments like the Mid Mass Avenue Overlay District, elimination of the open space bonus, and further regulation of hotels just submitted to the Council; Harvard Street Rezoning passed by City Council in June; technical amendments passed in January; and recent adoption of reduced FAR and density in the Residence B district. Based upon its work with neighborhoods in the past, the Board believes this assessment, as reflected in the recommendations below, about building scale and amount of building have been amply supported to merit action now.

Substitute Language I. Establish new height provisions limiting as-of-right height to no more than 120 feet, affecting the Industry B, Business B, Office 3 and Residence C-3 districts citywide.

Only in special circumstances should building heights in Cambridge exceed 120 feet. As one result of its many proposals regarding building heights, the Pitkin, et al Petition would restrict building heights to 120 feet in most areas of the City, and would establish that height for the four districts in the Ordinance that currently have no height limit. Under the Substitute Language, a proposed building height of 120 feet would be a threshold above which a special review process would be triggered in the Business B, Industry B, Office 3, and Residence C-3 districts. Building higher than 120 feet would be allowed only for residential and dormitory uses, and only if granted a special permit by the Planning Board.

Approval for heights over 120 feet would be based upon consideration of clearly stated preferences specified in the special permit criteria in the Ordinance, such as preference that the proposed building not be within 500 feet of a district having maximum allowed height lower than the proposed building. Where height is currently allowed to rise above 120 feet in certain districts, as in a number of PUD districts, those district regulations would continue to apply. No new height limits would be imposed in the Cambridgeport Revitalization Development District, and other similar districts, where heights above 120 feet would still be permitted as of right, because these areas have recently undergone extensive planning review and have been rezoned to reflect these planning efforts; the Petition treated these districts similarly.

Additional study might suggest areas where further refinements in permitted height would be appropriate, better reflecting, among other things, special contexts such as the Charles River, Kendall Square, or adjacency to residential neighborhoods, for these districts, and other districts in the Ordinance. The Board proposes to pursue such study, and to recommend further revisions to the Council in the future following completion of consideration of the current Petition.

Substitute Language II. Establish a new residential height limit of 45 feet in the Business A District;

For housing in the BA district, it is clear that a reduction in the generally allowed building height is appropriate and would be broadly welcomed. The Pitkin, et al Petition would reduce BA district residential building heights from 85 feet to 45 feet; this reduction in height is supported by the East Cambridge and Wellington-Harrington neighborhood studies, as well as the Cambridge Street study. The Board supports that change.

Substitute Language III. Establish new FAR provisions limiting as-of-right FAR city-wide to no more than 3.0, affecting the Business B, Industry A-2, and Industry B districts, except university uses in the Industry B district.

Only in special circumstances should as-of-right floor area ratios in Cambridge exceed 3.0. As one result of its many proposals regarding FAR reduction, the Pitkin, et al Petition would leave no as-of-right FARs above 3.0 anywhere in the City for non-institutional uses (university uses would continue to be allowed at an as-of-right FAR of

4.0 in the IB district). Under the Substitute Language, an FAR of 3.0 would be established, except in the IB district for university uses where a 4.0 would continue to be permitted as-of-right because of their documented lowered trip generation rates. Building in excess of FAR 3.0, where permitted as-of-right now in district regulations (presently only the Business B, Industry B and Industry A-2 districts), would be allowed only in the Business B district if granted a special permit by the Planning Board. Approval would be based upon satisfying explicit criteria of the Ordinance, such as preservation of an historic structure, buildings less than 60 feet in height, and vehicular traffic no higher than that expected from an as-of-right use at an FAR of 3.0.

As with height, additional study might suggest areas where further refinements in permitted FAR in these districts and other districts in the Ordinance would be appropriate in both residential and non residential districts. The Board proposes to pursue such study and to recommend such revisions to the Council in the future following completion of consideration of the current Petition.

## **Summary of Recommendations for all Sections of Part A**

### **A.1 - Residential Districts**

#### **Planning Board Recommendation for Immediate Adoption:**

- **Adopt a new height limit for the Residence C-3 District (120 foot limitation with a special permit for greater height for housing).**

#### **Planning Board Recommendation for Further Study:**

- All other FAR, Height and dwelling unit changes in Residential Zoning Districts with a high priority for reviewing potential changes in Residence C-1, particularly in regard to back yard development, and Residence C-2 districts with regard to height limits.
- As in other sections of the Petition, the proposal for a 55 foot cornice height should be studied in more detail.

### **A.2 - Office Districts**

#### **Planning Board Recommendation for Immediate Adoption:**

- **A new height limit for the Office 3 District (120 foot limitation with a special permit for greater height for housing).**

#### **Planning Board Recommendation for Further Study:**

- All other FAR, Height and dwelling unit changes in Office Districts.

- As in other sections of the Petition, the proposal for a 55 foot cornice height should be studied in more detail.

### **A.3 - Business Districts**

#### **Planning Board Recommendation for Immediate Adoption:**

- A new height limit for the Business B District (a 120 foot limitation with special permit for greater height for housing).
- Reduction in the height limit for housing uses in the Business A districts to 45 feet.
- Reduction in the FAR permitted in the Business B district (to 3.0 with a special permit to 4.0).

#### **Planning Board Recommendation for Further Study:**

- All other FAR, Height and dwelling unit changes in Business Districts..
- As in other sections of the Petition, the proposal for a 55 foot cornice height should be studied in more detail.

### **A.4 - Industrial Districts**

#### **Planning Board Recommendation for Immediate Adoption:**

- A new height limit for the Industry B District (a 120 foot limitation with special permit for greater height institutional housing).
- Reduction in the FAR permitted in the Industry A-2 and B districts (to 3.0; 4.0 as-of-right for university uses).

#### **Planning Board Recommendation for Further Study:**

- All other FAR, Height and dwelling unit changes in industrial Districts..
- As in other sections of the Petition, the proposal for a 55 foot cornice height should be studied in more detail.

### **A.5 - Open Space Districts**

#### **Planning Board Recommendation for Immediate Adoption: None**

**Planning Board Recommendation for Further Study:**

- Review of the need for reduction in the FAR applicable in Open Space Districts; as proposed in the Petition from 0.25 to 0.10.

**A.6 - Miscellaneous Changes in FAR or Height: for Townhouse Development, Planned Unit Development Districts, and Special District I.**

**Planning Board Recommendation for Immediate Adoption: None**

**Planning Board Recommendation for Further Study:**

- All other FAR and Height changes in PUD districts and reduction of height for Townhouse Developments from 40 to 35 feet and FAR bonuses on lots above 15,000 square feet in Residence C-1 districts.

**A.7 - Cornice Height in PUD Districts.**

**Planning Board Recommendation for Immediate Adoption: None**

**Planning Board Recommendation for Further Study:**

- As in other sections of the Petition, the proposal for a 55 foot cornice height should be studied in more detail.

**A.8 - Modifications to Height Exemptions for Mechanical Equipment and Architectural Features.**

**Planning Board Recommendation for Immediate Adoption: None**

**Planning Board Recommendation for Further Study:**

- This is an issue that has concerned the Planning Board for some time. Further detailed study is warranted to modernize an old provision in need of updating to reflect current building practice and policy objectives.

**A.9 - Flood Plain Overlay District.**

**Planning Board Recommendation for Immediate Adoption: None**

**Planning Board Recommendation for Further Study:**

- The Planning Board recommends early pursuit of other regulatory options better suited to meeting the objectives of the Petition, where appropriate. In particular such approaches would focus on the 100 year flood plain, or the entire city, rather than focus on the 500 year flood plain which is not a logical unit for regulation. Approaches that more directly address the issues of concern are:
  - (i) Reviewing the regulatory environment to determine whether more stringent requirements than Federal Emergency Management Agency regulations impose for activity within a 100 year flood zone in Cambridge, if appropriate, as the Massachusetts Wetlands Protection Act already does.
  - (ii) Adoption or strengthening of the City's system of stormwater management to control the volume and velocity of stormwater runoff in Alewife and city-wide; the City is required to adopt such regulations under federal environmental law.
  - (iii) Regulation of impervious surfaces in Alewife or its watershed and city-wide to improve infiltration of rainwater into the water table.

**A.10 - Technical Corrections for Purposes of Consistency.**

**Planning Board Recommendation for Immediate Adoption: None**

**Planning Board Recommendation for Further Study:**

The changes proposed here, to the parking provisions of the Harvard Square Overlay District, the Special District 1 height limit, and the MXD district's regulation of elements exempt from the height limit, will be analyzed as part of the comprehensive program of study that will follow consideration of the Petition.

**Part B of the Petition - Housing and Affordable Housing Incentives.**

*The Planning Board recommends adoption of the provisions detailed in Substitute Language IV instead of the proposals in Part B the Petition, which we do not favorably recommend.*

The Substitute Language provides for an increase in linkage fees to \$3.00 per square foot, and a broadening of the set of developments to which the requirement applies. In making this recommendation, we take note that an inclusionary amendment is now being developed by the CDD staff complementary to the linkage requirement, which addresses the inclusion of affordable housing through mandates rather than incentives.

Substitute Language IV. Amend the Incentive Zoning provisions of the Ordinance, raising “linkage” fees to \$3.00 per square foot, and broadening the development to which the requirement applies.

Linkage requirements should be strengthened. The City continues to aggressively support housing affordability. The Pitkin, et al Petition proposal to increase the city’s “linkage” fee and to broaden the set of developments to which it applies is consistent with past City efforts, and appears to be fully justifiable. The Substitute Language accordingly incorporates that proposal, with modifications to raise the threshold of applicability to avoid unreasonably applying it to small enterprises, and to retain the City’s current formula regarding what constitutes affordable housing. For any project over 30,000 square feet, the required linkage payment would start after the first 2,500 square feet of development. Drive-in retail, and non-commercial research facilities would be added to the general retail and office uses now subject to a linkage payment.

### **Summary of Recommendations for All Sections of Part B**

#### **B.1- B.2.6 - Modifications to Section 11.200 and Related Sections**

##### **Planning Board Recommendation for Immediate Adoption:**

- **An increase in the Linkage Fee from \$2.65 to \$3.00.**
- **Reduction in the threshold of applicability for most projects subject to a linkage payment from 30,000 square feet to 2,500 square feet.**
- **Inclusion of non-commercial research facilities and open air retail uses as subject to a linkage payment when included in affected developments.**

##### **Planning Board Recommendation for Further Study:**

- Early consideration of a draft Inclusionary Housing ordinance, now being finalized by the Community Development Department, that would mandate affordable housing in many new housing developments.
- Review of the possible additional uses to be added to the inventory of those now subject to a linkage payment; develop any nexus study ( i.e. a study to show the connection between the impact identified and the fee charged) that may be necessary to accomplish that task.

#### **Part C of the Petition. District Boundary Transitions.**

*The Planning Board does not recommend adoption, at this time, of the amendments detailed in Part C of the Pitkin, et al Petition.*

Concern about the transitions between zoning districts is entirely appropriate and is a concern identified in the Growth Policy document. Examination in some detail of the Omnibus Transition Requirements of the proposal suggests that the proposed regulations would have very different, and hard to predict, consequences in different locations. Those consequences may, or may not be, entirely appropriate and desirable but the need for more extensive review than time has permitted to date is necessary. It may be that a more place-specific transition approach, rather than the citywide uniform approach of the proposal, could be chosen as a preferred alternate direction.

This issue is a high priority for further study by the Planning Board.

### **Summary of Recommendations for All Sections of Part C**

#### **C.1- C.2 - Omnibus Transition Requirements**

**Planning Board Recommendation for Immediate Adoption: None**

#### **Planning Board Recommendation for Further Study:**

- Early review of the consequences of this provision in order to recommend action on the issue. A high priority for further study by the Planning Board.

#### **Part D of the Petition. Enhanced Public and Design Review.**

*The Planning Board recommends adoption of the provisions detailed in Substitute Language V instead of the proposals in Part D the Petition, which we do not favorably recommend.*

The Substitute Language proposes a requirement for on-site notification of pending development decisions for special permits and variances, differing only in detail from the *D1. Improved Public Notice* portion of the Pitkin, et al Petition. *Part D2. Extended Public Review* of the Petition is not recommended at this time because of concern that the City's development consultation procedures, including the appropriateness of agency assignments and standards for review, require more fundamental reconsideration prior to extending their application. In extending a public review of as-of-right projects to the city as a whole and for many small residential projects, as proposed in the Petition, it is important there not be an unreasonable burden on the proponents and that there not be an unreasonable expectation on the part of neighbors that an *advisory* review could result in significant modification of a development allowed under the Zoning Ordinance. Because of those concerns it is the Board's view that the details of any expansion of the scope of an advisory review require more consideration than has been possible in this process.

Substitute Language V. Establish a requirement for notice boards to be posted on premises prior to special permit or variance hearings.

Public notice of forthcoming actions should be made more effective. The City has moved steadily towards more participatory processes, but can do even more. One proposal of the Petition is to assure that, among others, neighbors, particularly those who are not property owners, are informed when decisions about development on a site are being considered. The proposed device is posting on-site signs for special permit and variance requests, a technique widely used in other regions of the Country. The Substitute Language proposes approval of that proposal, with some minor modifications.

## **Summary of Recommendations for All Sections of Part D**

### **D.1 - Improved Public Notice**

#### **Planning Board Recommendation for Immediate Adoption:**

- **Adopt requirement for on-site notification of variance and special permit hearings.**

#### **Planning Board Recommendation for Further Study:**

None

### **D.2 - Extended Public Development Consultation Review**

#### **Planning Board Recommendation for Immediate Adoption: None**

#### **Planning Board Recommendation for Further Study:**

- Identify the scope of, and process by which, an effective advisory review by the community and the Community Development Department of as-of-right development projects, could be extended city-wide. Review methods employed nationally by other communities to develop a process by which as-of-right projects can be reviewed in a manner that is predictable for the project proponents and that does not create an unreasonable expectation about the effectiveness of the process on the part of the general public.

## **Part E of the Petition. Open Space Protection.**

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*The Planning Board does recommend adoption of the amendments detailed in Part E.4 of the Pitkin, et al Petition that create new Open Space districts on the Zoning Map. Parts E.1 to E.3 of the Petition are not favorably recommended at this time.*

*Parts E1 through E3 of the Petition propose changes to required open space, both in residential and non-residential districts; definitions are changed and expanded and the required open space is*

increased. The intent is to address the need for more buffering between different kinds of uses, to reduce the impact of large paved areas on both commercial and residential environments, and to limit somewhat the continued erosion of residential back yards to new housing construction. As with the transition proposals discussed above, these concerns have been prominently identified as important in the Growth Policy document and elsewhere. Detailed review of the Petition's proposals suggests a complexity of impact that requires more analysis than the Board has been able to undertake to date.

As with the transition proposals, the Board views further investigation of this issue a high priority.

The Board is in agreement with the principle that open space should be preserved; therefore the rezoning of existing park facilities is appropriate and is recommended by the Planning Board in Substitute Language VI. The Board understands that there may be occasions when some portion of an open space facility may be converted to a non open space use; in such circumstances the lost open space should be replaced elsewhere. As indicated above in discussion of Part A of the Petition, the Board will review, on a park by park basis the appropriateness of altering the permitted FAR within the Open Space district as proposed in the Petition.

### **Summary of Recommendations for All Sections of Part E**

#### **E.1- E.2 - Open Space Requirements in Residential Districts**

**Planning Board Recommendation for Immediate Adoption: None**

#### **Planning Board Recommendation for Further Study:**

- Early review of the consequences of the proposal for redefinition and expansion of open space requirements, with the objective of recommending a suitable provision consistent with the intent of the Petition. A high priority for further study by the Planning Board.

#### **E.3 - Open Space Requirements in Non-Residential Districts**

**Planning Board Recommendation for Immediate Adoption: None**

#### **Planning Board Recommendation for Further Study:**

- Early review of the consequences of the proposal for expansion of open space requirements to non residential uses, with the intent of recommending a suitable provision consistent with the intent of the Petition. A high priority for further study by the Planning Board.

#### **E.4 - Creation of New Open Space Districts on the Zoning Map**

**Planning Board Recommendation for Immediate Adoption:**

- **Adopt all recommended Map changes.**

**Planning Board Recommendation for Further Study:**

Review the appropriateness of reduction in the permitted FAR , now at 0.25, in Open Space Districts. The Petition proposes a reduction to 0.10.

**Part F of the Petition. Facilitate Replacement of Destroyed Structures.**

*The Planning Board does not favorably recommend adoption of the amendment detailed in part F of the Pitkin, et al Petition.*

On review we have found that this proposal is apparently either technically flawed or significantly at odds with its stated intent as the ability to reconstruct destroyed structures is more limited than the Petitioners would seem to intend. We further note that it opens a topic, nonconformity, which is worthy of more extensive reconsideration; a thorough reconsideration of the language of this specific Section 8.23 is appropriate. This provision of the Petition was important within the context of the entire Petition because of the significant number of changes in height and FAR proposed across the City; it has less significance with the recommendation that only limited portions of the Petition be adopted at this time.

**Summary of Recommendations for All Sections of Part F**

**F - Amendment of Section 8.23 of the Ordinance**

**Planning Board Recommendation for Immediate Adoption: None**

**Planning Board Recommendation for Further Study:**

- Continuing comprehensive review of the non-conforming provisions of the Zoning Ordinance, including the issue raised in the Petition, to reduce unnecessary regulatory burdens on property owners and the Board of Zoning Appeal.

**Attachment 2**  
**Substitute Language Recommended by the Planning Board for Adoption**  
**August 19, 1997**

**I. Amend the text of the Zoning Ordinance of the City of Cambridge as follows, to establish new height provisions for the Industry B, Business B, Office 3, and Residence C-3 Districts.**

1. Add the following new footnotes to the word "none" in Column (6), Maximum Height in Feet, in the following Tables of Dimensional Requirements: Table 5-1 of Section 5.31, *Residential Districts*, in line "Res. C-3, a new footnote "k"; Table 5-2 of Section 5.32, *Office Districts*, in line "Office 3", a new footnote "e"; Table 5-3 of Section 5.33, *Business Districts*, in line "Bus. B", a new footnote "p"; and Table 5-4 of Section 5.34, *Industrial Districts*, in line "Ind. B", a new footnote "e". Thus:

	(6) Maximum Height In Feet
Res. C-3	none <sup>k</sup>
Office 3	none <sup>e</sup>
Bus. B	none <sup>p</sup>
Ind. B	none <sup>e</sup>

2. Add the new footnotes "k", "e", "p", and "e" in the appropriate Subsection 2, Footnotes, each of which shall read as follows:

Subject to the provisions of Section 5.23.2

3. Delete the existing Section 5.23, *Height Exceptions*, in its entirety and substitute therefor the following.

**5.23 Special Height Provisions**

**5.23.1 Portions of Buildings Exempt from Provisions Governing Height**

The Provisions of this Ordinance governing the height of buildings and structures in all districts shall not apply to chimneys, water towers, air conditioning

equipment, elevator bulkheads, skylights, ventilators and other necessary building appurtenances which are usually carried above roofs and are not used for human occupancy. Neither shall these provisions apply to domes, towers, or spires above buildings if such features are not used for human occupancy and occupy less than ten (10) percent of the lot area; nor to wireless or broadcasting towers and other like unenclosed structures which occupy less than ten (10) percent of the lot area.

**5.23.2 Special Permit for Height Greater than One Hundred and Twenty (120) Feet in Residence C-3, Office 3, Business B, and Industry B Districts**

a. No new building, or addition to an existing building or structure, in a Residence C-3, Office 3, Business B or Industry B District shall exceed one hundred and twenty (120) feet in height, unless a special permit is granted by the Planning Board. However, any alteration or addition to a building or structure existing at the time of the effective date of this Section 5.23.2 shall be permitted as-of-right provided: (1) the cross-sectional area of those portions of the building above 120 feet is not increased and (2) the existing maximum height of the building is not increased.

b. Any floor of a building or structure above one hundred and twenty (120) feet must contain exclusively any one or a combination of the following uses: residential uses as set forth in Section 4.31, a - h, i 3 and dormitory uses as set forth in Section 4.33 b 7 of the Table of Use Regulations.

c. In deciding on special permits for additional height under the criteria of Section 10.43, the Planning Board shall be guided by the degree to which the proposal meets the following guidelines. These guidelines are to be applied to the consideration of each application and its specific physical context; each proposal, however, is not required to meet or address every one of these guidelines:

(1) Process

The proposed building preferably would be consistent with a plan or master plan that sets forth policies, objectives, and standards for the future use of land and the placement of buildings at the proposed site and adjacent sites, and that has been subject to public review and has been approved or endorsed by the Planning Board.

(2) Context

(a) The proposed building height preferably would not exceed the maximum height permitted in adjacent zoning districts within 500 feet of the proposed building.

(b) The proposed building preferably would not, when considered

together with nearby buildings, contribute to creation of an undesirable perceptual "wall."

(c) The building preferably would front on one or more streets having width at least half that of the proposed building height.

(d) The shadows cast by the building preferably would be no larger in extent or longer in duration on public parks, residential neighborhoods, or public sidewalks than would be likely with the same amount of floor area limited to 120 feet or less building height.

(e) Any resulting building prominence preferably would be appropriate in light of the functional or symbolic role of the structure.

(f) The proposed building preferably would be consistent with any relevant policy plans adopted by the City or the Planning Board for the area in which the building is located, or consistent with the objectives set forth for Planned Unit Development Districts that may be designated on the Zoning Map within 500 feet of the site.

### (3) Design

(a) The proposed design, relative to one limited to 120 feet or less building height, preferably would:

(i) Go beyond Ordinance minimums to provide more green area and landscaping at ground level;

(ii) Achieve better concentration of uses and activities at desirable locations;

(iii) More effectively locate building bulk away from adjacent residential uses and public open space.

(b) The massing, detailing, and other design qualities of the building preferably would effectively address concerns over any scale inconsistency with nearby context.

(c) Preferably there would be a clear justifying rationale for height greater than 120 feet because of functional considerations, such as:

(i) Limitations on desirable floor plate area in light of the intended use;

(ii) Avoidance of long building plan dimensions to reduce view blockage.

**II. Amend the text of the Zoning Ordinance of the City of Cambridge as follows, to establish a new height limit for residential uses in a Business A District.**

In Section 5.33, *Business Districts*, delete in its entirety the existing Subsection 3 and substitute therefor the following:

3. A dwelling in a Business A district shall be subject to the same dimensional requirements and other restrictions as a dwelling in a Residence C-2 B.

**III. Amend the text of the Zoning Ordinance of the City of Cambridge as follows, to establish new FAR limits in Business B, Industry A-2, and Industry B Districts.**

1. Add the following new numerical entries, by deleting the existing "4.0", and new footnotes in Column (1), Maximum Ratio of Floor Area to Lot Area, for the following Tables of Dimensional Requirements: Table 5-3 of Section 5.33, *Business Districts*, in line "Bus. B", "3.0" with a new footnote "q"; and Table 5-4 of Section 5.34, *Industrial Districts*, in line "Ind. A-2", "3.0" and in line "Ind. B", "3.0" with a new footnote "f". Thus:

	(1) Max. Ratio of of Floor Area to Lot Area
Bus. B	3.0 <sup>q</sup>
Ind. A-2	3.0
Ind. B	3.0 <sup>f</sup>

2. Add the new footnotes "q" and "f" in the appropriate Subsection 2, Footnotes, each of which shall read as follows:

(q) The Planning Board may permit an increase in the Floor Area Ratio to 4.0 after the granting of a special permit provided at least three of the following conditions are met:

(a) The additional gross floor area facilitates the preservation of a Preferably Preserved Significant Building, as determined by Cambridge Historical Commission under the provisions of the City of Cambridge Demolition Ordinance #965;

(b) The additional gross floor area allows for the design of a building that is consistent with, or enhances, a strongly established, historic district development pattern of modestly scaled buildings;

(c) The applicant demonstrates to the Planning Board that the additional gross floor area that may be allowed will not increase, and may reduce, the vehicular traffic generated by the activities on the site, beyond that to be expected from a building at the as-of-right density occupied by uses typically found in the area. Such demonstration may include an analysis of the employment density and activity characteristics of the uses proposed in the structure, the methods proposed to restrict the occupancy of the building to such uses, the application of Transportation Demand Management tools proposed to be applied to all occupants and uses in the structure, and any other aspects of the building, its uses and management that may be relevant;

(d) The building does not exceed sixty feet in height.

(f) 4.0 for Institutional Uses as set forth in Section 4.56 c 4-6 and for dormitories as set forth in 4.56 c 8.

**IV. Amend the text of the Zoning Ordinance of the City of Cambridge as follows, to amend the requirements of Incentive Zoning Provisions of the Ordinance.**

1. In Section 11.201, *Definitions*, delete the existing definition for Covered Project and substitute therefor the following:

Covered Project shall mean that portion of projects containing uses listed in Sections 4.33 c, 4.34, 4.35, 4.36, and 4.56 d 1 subject to the provisions of the special permits listed in Section 11.202.

2. In Section 11.203, *Incentive Zoning Contributions*, delete the first two paragraphs of Subsection (a) and substitute therefor the following; the third and fourth paragraphs shall remain unaltered:

(a) Housing Contribution. For any project that is, in total, less than thirty thousand (30,000) square feet of gross floor area, no contribution shall be required.

For any project of thirty thousand (30,000) square feet of gross floor area or more, the

developer shall contribute three dollars (\$3.00) for every square foot of gross floor area over two thousand five hundred (2,500) square feet of that portion of the project authorized by the Special Permit that is a Covered Project.

**V. Amend the text of the Zoning Ordinance of the City of Cambridge as follows, to require notice boards to be posted on premises subject to a special permit or variance application.**

1. To the end of the existing Section 10.42, *Procedure*, insert a new Section 11.42.1 to read as follows:

**11.42.1 Additional Notification Requirements**

Any applicant for a variance or special permit shall be required to erect and maintain in legible condition one or more public notification panels at the site for which the variance or special permit relief is requested. The required panels shall be secured by the applicant from the Department of Inspectional Services for those permits issued by the Board of Zoning Appeal and shall be secured from the Community Development Department for those permits issued by the Planning Board. The location of any required panel shall be located on a site plan included in the application documents, which location or locations shall be subject to the approval of those respective departments; the mechanics of its installation shall be described in those application documents. The following requirements shall apply:

(a) *Location and Number.* Panels shall be securely mounted on the subject lot at the street line or within the property, but in any case not more than twenty (20) feet from the street line. However, wherever located, the panel(s) shall be visible, easily identifiable, and legible to persons passing by on the public street, without the necessity of trespass onto private property. For lots having street frontage of two hundred (200) feet or less, one panel shall be installed. One additional panel shall be installed for each additional five hundred (500) feet of street frontage. The panels shall be exempt from any applicable limitation on accessory signs set forth in Article 7.000.

(b) *Schedule and Duration.* The required panels shall be installed as required in this Section 11.42.1 not less than fourteen days before the date of the public hearing. They shall be maintained in legible condition until a Notice of Decision has been filed with the City Clerk by the permit or special permit granting authority. Panels that are stolen, destroyed, or rendered illegible shall be promptly replaced, and panels shall be promptly removed after the Notice of Decision has been filed.

(c) *Content of Panels.* The text of the panel shall generally contain the name of the petitioner; a description of the area or premises; street address or other information adequate to identify the location or area subject to the permit petition; the date, time and place of the public hearing; the subject matter of the hearing;

the nature of the action or relief requested; the place where the full application may be inspected; case number of the application; the place where written comments may be directed; the phone number of the municipal agency or contact person where further information may be obtained. Reasonable modifications of the text requirements of this Paragraph (c) shall be permitted to enable the most important information to be provided in the most legible form.

(c) *Graphic and Construction Standards.* Panels shall not be less than 18 inches by 24 inches in dimension; they may be larger. No text on the panel shall be smaller than 12 point type. Panels shall be made of materials adequately weather resistant and durable for the time they are required to be posted.

2. In Subsection 10.33 of Section 10.30, *Variances*, delete the first sentence of the subsection in its entirety and substitute therefor the following:

A variance shall be granted only after a public hearing for which notice has been given by publication and posting as provided in Section 11, Chapter 40A, G. L., and by the installation of on-site notification panels as required in Section 10.42.1.

**VI. Amend the Zoning Map of the City of Cambridge by striking the existing zoning designation on the Map and inserting in its place the new zoning district designation Open Space (OS), for the following described areas.**

1. Assessor's Plat 32, Lot #87 - From Residence C-1 to Open Space (Ahern field at the Kennedy School)
2. Assessor's Plat 267, Lots #271 and 275 - From Residence C-1 to Open Space (Blair Pond)
3. Assessor's Plat 246, Lot #15 - From Residence A-2 to Open Space (At Fresh Pond Parkway)
4. Assessor's Plat 171, Lot #1 - From Residence A-2 to Open Space (Cambridge Common)
5. Assessor's Plat 8, portions of Lots #75, 41, 42, 43, 52, 51, 59, 57, 34, 55, and 50 owned by the City of Cambridge - From Business A to Open Space (Lechmere Canal Park)  
Assessor's Plat 9, portions of Lots #36, 37, 48 owned by the City of Cambridge - From Business A to Open Space (Lechmere Canal Park)
6. Assessor's Plat 205, Lots #41 - From Residence C-1 to Open Space (Corcoran Playground)
7. Assessor's Plat 130, Lot #121 - From Residence C-3 to Open Space (Corporal Burns Playground)
8. Assessor's Plat 103, Lots #20 and 21 - From Residence C to Open Space (Dana Park)
9. Assessor's Plat 38, that portion of Lot #1 lying between York Street and a line parallel to and

550 feet distant from the northeasterly sideline of York Street- From Residence C-1 to Open Space (Donnelley Field)

10. Assessor's Plat 66, Lot #74 - From Special District 8 to Open Space (Fort Washington)

11. Assessor's Plat 126, Lots #157 - From Residence C to Open Space (Hoyt Field)

12. Assessor's Plat 138, that portion of the Lot identified as "Public Library" that lies between the northeasterly sideline of Broadway and a line parallel to and 200 feet distant from the northeasterly sideline of Broadway, and that Lot bounded by Ellery Street, Broadway, and Lots #37, 3, and 4 and the extension of the southwesterly sideline of Lot #4 to Ellery Street - From Residence C-3 to Open Space (Library Park)

13. Assessor's Plat 98, that portion of the Lot identified as "Morse School, park land" that lies between Brookline Street and the southwesterly extension of the centerline of Rockingham Street to Memorial Drive - From Residence C to Open Space (Lindstrom Field)

14. Assessor's Plat 97, Lots #32 and 35 - From Residence C, Business A-1 and Special District 9 to Open Space (Old Morse Park)

15. Assessor's Plat 197, Lots 3 and 5, Plat #198, Lot 20 - From Residence B to Open Space (Rindge Field)

16. Assessor's Plat 129, Lot #59 - From Residence B to Open Space (Riverside Press Park)

17. Assessor's Plat 155, Lots #29 - From Residence B to Open Space (Sacramento Field)

18. Assessor's Plat 267D, Lot #322 - From Residence B to Open Space (Sancta Maria Field)

19. Assessor's Plat 88, Lots 10 - From Residence C-1 to Open Space (Sennott Park)

20. Assessor's Plat 95, Lot #57 - From Special District 8 to Open Space (Soccer Field at Pacific and Sidney Streets)

21. Assessor's Plat 260, that portion of Lot #80 between Concord Avenue and a line parallel to and 550 feet distant from the southwesterly sideline of Concord Avenue - From Residence B to Open Space (Callahan Playground and Tobin School)



# City of Cambridge

Committee Report #3

IN CITY COUNCIL

August 4, 1997

COUNCILLOR DUEHAY

ORDERED: That the Ordinance committee submit to the full City Council a partial report on the matter of the Pitkin et al. Downzoning Petition, referring the petition to the full City Council for a vote on passage to a second reading at the August 4, 1997 meeting, and recommending that the City Council authorized the Ordinance Committee to hold hearings on the Planning Board report if the Ordinance Committee deems such feasible and desirable.

In City Council August 4, 1997.

Adopted by the affirmative vote of eight members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

A handwritten signature in cursive script that reads "D. Margaret Drury".

ATTEST:-

D. Margaret Drury  
City Clerk

# Cambridge Residents for Growth Management

1657 Cambridge Street, Suite 3 - Cambridge, Massachusetts 02138-4316  
tel: (617) 354-0051 - email: crgm@juno.com - web: <http://web.idirect.com/~crgm>

May 1, 1997

Cambridge City Council  
City Hall  
Cambridge, Massachusetts

The Honorable, the Cambridge City Council:

On behalf of the signers and authors of the Cambridge Residents for Growth Management Zoning Petition, I am submitting this petition for your consideration. Our purposes are plainly stated in the petition. We have put a great deal of thought and effort into the petition, and we hope you will see their results as you consider it.

Since the effort began five months ago, the committee of petitioners has met fourteen times. It has published an informational letter, the Cambridge Residents' Reporter and posted information on an Internet web site. Members of the committee have attended meetings with ten neighborhood groups in different areas to present their ideas and to hear residents' views, concerns and suggestions. Petitioners have also met for the same purpose with representatives of other organizations, including the Chamber of Commerce, Central Square Business Association, Harvard University, M.I.T. and City departments. Individual petitioners have spoken with scores of other people whose interests might be affected. Much that the petitioners have learned from these diverse interests is incorporated in the petition. We have attempted to do this in a way that is fair and balanced. You will be the judges of whether we have succeeded.

We believe that the petition addresses matters that are of great and urgent importance for the future of the city we live in. The committee of petitioners are prepared to continue to work in the coming weeks to inform the City Council, residents, business people and property owners about the nature and effects of the changes proposed by the petition. The contents of the petition are necessarily complex, due to the complexity of the Zoning Ordinance which we seek to amend, but they are all based on well founded and widely accepted principles.

In the coming weeks we will continue our efforts and work to make the public process of considering the petition as constructive as possible. We respectfully ask the City Council and every resident and businessperson who cares about the future of Cambridge to join us in this important effort.

Respectfully,



John Pitkin

# The CRGM Zoning Petition

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**WHEREAS** the city's zoning code has not been comprehensively revised since 1961; and

**WHEREAS** the zoning changes that have been made since then have affected only particular areas; and

**WHEREAS** the total density and scale of development that has occurred since the rezoning of 1961 is now creating unmanageable and unacceptable congestion on Cambridge's streets; and

**WHEREAS** this development is also causing the loss of open space and a spread of impervious surfaces, thereby eroding environmental quality and the character of residential neighborhoods and increasing the danger from flooding; and

**WHEREAS** tall buildings permitted by current zoning cast shadows and are a blight on nearby low-density residential neighborhoods and streets; and

**WHEREAS** developments permitted by zoning have provoked opposition by neighbors and have led to increasingly frequent conflicts about the zoning in many different areas; and

**WHEREAS** it is both possible and desirable to contrive zoning which supports our municipal public policy of creating and maintaining housing affordable by households of low and moderate income; and

**WHEREAS** planning of public open spaces can be furthered by the protections of zoning; and

**WHEREAS** public review of substantial developments is beneficial for both neighbors and developers; and

**WHEREAS** the Cambridge Community Development Department, in cooperation with residents and members of the business community have completed numerous studies, including the Growth Policy Document and a series of neighborhood studies, all of which provide a basis and guide for changes in zoning; and

**WHEREAS** Harvard University and M.I.T. have adopted policies of expanding only within their respective campus districts; and

**WHEREAS** the Cambridge Community Development Department's draft Cambridge Economic Development Policy finds that "Cambridge's high quality of life is one of the City's most important economic assets;" and

**WHEREAS** continued excessive development now permitted by zoning poses a serious and immediate threat to the quality of life that is expected by residents and that is vital for the City's future economic prosperity; and

**WHEREAS** the purposes of the Cambridge Zoning Ordinance are to lessen congestion in the streets; conserve health; secure safety from fire, flood, panic and other danger; provide adequate light and air; prevent overcrowding of land; avoid undue concentration of population; encourage housing for persons of all income levels; facilitate the adequate provision of transportation, water supply, drainage, sewerage, schools, parks, open space and other public requirements; conserve the value of land and buildings; conserve natural resources and prevent blight and pollution of the environment; encourage rational use of land and appropriate economic development; and preserve and increase the amenities of the City; and

**WHEREAS** zoning regulations require periodic modification to respond to changing conditions;

**NOW THEREFORE**, we the Undersigned respectfully petition the Honorable, the City Council of the City of Cambridge, to amend the Cambridge Zoning Ordinance as follows:

**The CRGM Zoning Petition**

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**A. Reduce FAR, Height, and Allowable Density**

PURPOSE: With the intent of preventing undue congestion and over-building of the land; of maintaining compatibility of scale between existing and new construction; and of reducing over-shadowing: Reduce the allowable density, floor area ratios per lot, and building heights in select and designated zoning districts not recently re-zoned, by amending the Ordinance as follows:

- A.1** (1) Amend Table 5-1 of Section 5.31, *Residential Districts*, such that the dimensional requirements of designated columns are changed to read as follows:

District	(1) Max. Ratio of Floor Area to Lot Area	(3) Minimum Lot Area for Each D.U. in Sq. Ft.	(6) Maximum Height in Feet
Res. A-1	0.4	6000 <sup>(l)</sup>	
Res. A-2	0.4	4500 <sup>(l)</sup>	
Res. B	0.4	2,500 <sup>(l)</sup>	
Res. C <sup>(l)</sup>			
Res. C-1	0.6		
Res. C-2	1.25 <sup>(m)</sup>		45 <sup>(m)</sup>
Res. C-2B	1.75		45
Res. C-2A	2.5		
Res. C-3			120 <sup>(k)</sup>
Res. C-3A	2.0 <sup>(d)</sup>		120 <sup>(k)</sup>

Columns not designated hereby, and table cells in gray, shall remain unchanged.

- (2) Amend the second sentence of footnote (j), which establishes requirements for lots larger than 5,000 sq ft in Res B districts, such that it reads as follows:

"... For those portions of any lot exceeding 5,000 square feet, the applicable Maximum Ratio of Floor Area to Lot Area shall be 0.30 for all permitted residential uses, and the Minimum Lot Area for Each Dwelling Unit shall be 5,000 square feet for a market-rate unit, or 3,000 square feet for an Affordable Unit. ..."

- (3) Establish in districts Res C-3 and Res C-3A a maximum 55 foot cornice height requirement by adding to Subsection 2 of Section 5.31, *Footnotes*, a new footnote (k) reading as follows:

"(k) All portions of buildings exceeding 55 feet in height constructed after *the date of ordination of this amendment*, including those structures otherwise excepted in paragraph 5.23, shall be set back from the center-line of any public street by a distance equal to their height. Lengths of the building facade totaling no more than 10% of the combined street frontage of the lot shall be exempted from this provision."

- (4) Facilitate inclusion of an Affordable Unit in Residence A districts by adding to Subsection 2 of Section 5.31, *Footnotes*, a new footnote (l) reading as follows:

"(l) For each Affordable Unit, the minimum lot area requirement shall be reduced to 3,000 square feet per unit."

- (5) Allow for greater Height and Floor Area Ratio in the Residence C-2 district only, applying to College and university buildings and dormitories in the Institutional Use Overlay district, and hospitals, by adding to Subsection 2 of Section 5.31, *Footnotes*, a new footnote (m) reading as follows:

**The CRGM Zoning Petition**

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"4.33.b (5) and (7) uses in the Institutional Use District described in paragraph 4.54, and 4.33.d(1) uses wherever located in a Residence C-2 District shall conform to the following requirements: Maximum height - 55', Maximum Floor Area Ratio - 1.75."

- A.2** (1) Amend Table 5-2 of Section 5.32, *Office Districts*, such that the dimensional requirements of designated columns are changed to read as follows:

District	(1) Max. Ratio of Floor Area to Lot Area	(6) Maximum Height in Feet
Office 1	0.60	
Office 2	1.0	85(d)(e)
Office 3	2.0	120(e)
Office 3A	2.0	120(e)

Columns not designated hereby, and table cells in gray, shall remain unchanged.

- (2) Establish in districts Office 2, 3, and 3A a maximum 55 foot cornice height requirement by adding to Subsection 2 of Section 5.32, *Footnotes*, a new footnote (e) reading as follows:

"(e) All portions of buildings exceeding 55 feet in height constructed after *the date of ordination of this amendment*, including those structures otherwise excepted in paragraph 5.23, shall be set back from the center-line of any public street by a distance equal to their height. Lengths of the building facade totaling no more than 10% of the combined street frontage of the lot shall be exempted from this provision."

- A.3** (1) Amend Table 5-3 of Section 5.33, *Business Districts*, such that the dimensional requirements of designated columns are changed to read as follows:

District	(1) Max. Ratio of Floor Area to Lot Area	(6) Maximum Height in Feet
Bus. A		
Bus. A-1		
Bus. A-2	1.25(h)	
Bus. B	3.0	80(p)
Bus. B-1	2.0(b)	55(c)
Bus. B-2	2.0	55(f)
Bus. C	1.0	50(g)
Bus. C-1	1.25(h)	45(k)

Columns not designated hereby, and table cells in gray, shall remain unchanged.

- (2) Delete from Table 5-3 and from Subsection 2 of Section 5.33, *Footnotes*, all references and text for footnotes (l), (n), and (o). And further, amend footnote (b) by replacing the number "3.25" with the number "2.5"; and amend footnote (h) by replacing the number "1.75" with the number "1.25".

- (3) Establish in the Business B district a maximum 55 foot cornice height requirement by adding to Subsection 2 of Section 5.33, *Footnotes*, a new footnote (p) reading as follows:

"(p) All portions of buildings exceeding 55 feet in height constructed after *the date of ordination of this amendment*, including those structures otherwise excepted in paragraph 5.23, shall be set back from the center-line of any public street by a distance equal to their height, except for buildings in the Harvard Square and Central Square Overlay Districts. Lengths of the building facade totaling no more than 10% of the combined street frontage of the lot shall be exempted from this provision."

# The CRGM Zoning Petition

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**A.4** (1) Amend Table 5-4 of Section 5.34, *Industrial Districts*, such that the dimensional requirements of designated columns are changed to read as follows:

District	(1) Max. Ratio of Floor Area to Lot Area	(6) Maximum Height in Feet
Ind. A-1	0.75	
Ind. A-2	3.0	70(e)
Ind. A	1.25	55(d)
Ind. B-1	2.0	70(e)
Ind. B-2	0.75	45(c)
Ind. B	2.5(f)	120(e)
Ind. C	0.5	

Columns not designated hereby, and table cells in gray, shall remain unchanged.

(2) Establish in districts Industrial A-2, B-1, and B a maximum 55 foot cornice height requirement by adding to Subsection 2 of Section 5.34, *Footnotes*, a new footnote (e) reading as follows:

"(e) All portions of buildings exceeding 55 feet in height constructed after the date of ordination of this amendment, including those structures otherwise excepted in paragraph 5.23, shall be set back from the center-line of any public street by a distance equal to their height. Lengths of the building facade totaling no more than 10% of the combined street frontage of the lot shall be exempted from this provision."

(3) Facilitate increased floor area ratio for college and university buildings in Industrial B districts by adding to Subsection 2 of Section 5.34, *Footnotes*, a new footnote (f) reading as follows:

"4.33.b (5) and (7) uses in the Industry B District shall conform to the following requirement: Maximum Floor Area Ratio - 4.0."

**A.5** (1) Amend Table 5-5 of Section 5.35, *Open Space Districts*, by replacing the number "0.25" of line (1) with the number "0.10".

**A.6** Amend permitted FAR and/or height in designated special districts as follows:

(1) Reduce townhouse density in Residence C-1 districts by eliminating from Section 11.15.2 the existing floor area ratio of 0.825 and combining the text remaining into a single paragraph, such that this Section begins as follows:

"11.15.2 *Maximum Floor Area Ratio*. In a townhouse development, the maximum permitted floor area ratio in districts where townhouse developments are permitted shall be as normally applicable in the district. Where a townhouse development is constructed on a lot with one more pre-existing structures..."

<remainder of 11.15.2 concludes unmodified>

And further, modify townhouse height generally by replacing all text of the second paragraph of subsection 11.15.13 with the sentence following:

"However, the maximum height of a townhouse development shall not exceed the height allowed in the zoning district."

(2) In Section 13.33, *District Dimensional Regulations* (in PUD-2 districts), in subsection 13.33.1, replace the number "3.0" with the number "2.5", and replace the number "4.0" with "3.0".

(3) In Section 13.43, *District Dimensional Regulations* (in PUD-3 districts), in subsection 13.43.1, replace the number "3.0" with the number "2.5".

# The CRGM Zoning Petition

(4) Amend Section 13.54, *Height* (in PUD-4 districts), by adding additional text after the first sentence as follows:

"Notwithstanding the provisions of Section 5.23, customary roof structures in this district shall not exceed twenty-five percent (25%) of the lot area or a height of twenty (20) feet. Notwithstanding the provisions of Section 5.40, the Omnibus Transition Requirements shall not apply to buildings in the PUD-4 district where the district of greater restriction is an Open Space District, or when the line dividing this district from a district of greater restriction falls in the center of a public street."

(5) In Section 13.63, *District Dimensional Regulations* (in PUD-5 districts), in the entirety of subsection 13.63.2, replace all existing text with the paragraph following:

"The maximum ratio of the floor area to total area of the development parcel shall be 1.25."

Additionally, in the entirety of subsection 13.63.4, replace all existing text with the paragraph following:

"The maximum allowable height of any building in the planned unit development shall be eighty-five (85) feet."

(6) In Section 17.13.1, *Maximum FAR* (in Special District 1), in the subparagraph (1), replace the number "3.0" with the number "2.0"; and in subparagraph (2), replace the number "3.5" with the number "2.5".

**A.7** In districts as further designated below, establish a maximum 55 foot cornice height requirement by adding a new paragraph reading as follows:

"All portions of buildings exceeding 55 feet in height constructed after *the date of ordination of this amendment*, including those structures otherwise excepted in paragraph 5.23, shall be set back from the center-line of any public street by a distance equal to their height. Lengths of the building facade totaling no more than 10% of the combined street frontage of the lot shall be exempted from this provision."

Said paragraph to be inserted as a new subsection into the Ordinance at each location indicated by the enumeration following (and affecting the designated district referenced):

13.34.4	(PUD-2)
13.44.4	(PUD-3)
13.63.5	(PUD-5)
14.34.1	(MXD)
13.34.4	(SD-1)

**A.8** Further limit exceptions to height regulations by changing the text of paragraph 5.23 to read:

**5.23** *Height Exceptions:* The provisions of this Ordinance governing the height of buildings and structures in all zoning districts shall not apply to customary roof structures such as chimneys, water towers, air conditioning equipment, elevator bulkheads, skylights, screened enclosures, ventilators, domes, towers, or spires constructed after *the date of ordination of this amendment*, if such features are not used for human occupancy, do not exceed ten (10) feet in height, and the total area of all such roof structures does not exceed seven (7) percent of the lot area.

**A.9** Provide additional protections for the North Cambridge neighborhood by doing the following:

(1) Eliminate the PUD-IC zone in its entirety by deleting from the Ordinance paragraphs 13.10 through 13.18.4.

(2) Amend Article 11.70, **FLOOD PLAIN AREA OVERLAY DISTRICT**, by doing the following:

# The CRGM Zoning Petition

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- a) Modify Section 11.72, *Establishment and Scope*, to include both the 100 and the 500 year floodplains, by amending the second sentence to begin as follows:

"The Flood Plain Overlay District includes all special flood hazard areas designated as either Zone A or Zone B ..."

<sentence concludes unmodified>

- b) Modify Section 11.75, *Criteria*, by adding two new subsections enumerated and reading as follows:

"(1) The proposed construction is in compliance with the procedures and recommendations of 43 FR 6030, FLOODPLAIN MANAGEMENT GUIDELINES, as published in July 1986, or any more recent edition thereof.

(2) The proposed construction shall not result in a ratio of floor area to lot area greater than 0.5"

And further, renumber the existing subsections (1) through (6) as (3) through (8) respectively.

- A.10** Make any other technical corrections to this Ordinance as necessary to ensure implementation of intent and consistency of regulation, including but not limited to the following:

(1) Remove the condition requiring special permits for parking exemptions in the Harvard Square Overlay district be conditioned on a reduction of floor area or a cash contribution, by deleting in its entirety paragraph 11.54.4.2(a).

(2) Bring the provisions of paragraph 14.34 regulating height in the MXD district into consistency by deleting the entire third sentence, beginning: "This requirement..."

(3) Delete paragraph 17.13.2(1), which allows additional height up to 120 feet in SD-1.

## B. Housing and Affordable Housing Incentives

**PURPOSE:** With the intent of encouraging below-market-rate housing renovation and construction at diverse and well-distributed locations throughout the residential and mixed-use neighborhoods of Cambridge; and of encouraging housing construction integrated within the various commercial districts and centers of Cambridge, amend the Ordinance as follows:

### B1. Definitions

Add to Article 2, in appropriate alphabetical order, the definitions following:

**"Dwelling Unit, Affordable.** A dwelling unit occupied by a qualified very low income, low income, or moderate income eligible household, and for which the total aggregate cost of rent, mortgage debt service, property taxes and insurance, and/or basic utilities (water, sewer, electricity, and gas and/or fuel oil for heat) does not exceed thirty percent (30%) of the income of said household."

**"Cost-of-Living Factor.** The ratio of the Consumer Price Index ("CPI"), All Consumers, All Items in the Boston area, published by the United States Department of Labor, Bureau of Labor Statistics for the year in which the Owner applied for the special permit, to the CPI for the year 1997."

**"Eligible Household.** For the purposes of promotion of affordable housing, an eligible household is one whose total income does not exceed a fixed percentage of the median income of households in the City of Cambridge adjusted for family size. This definition creates three classes of eligible households:

**Eligible Household, Very Low Income.** An eligible household which does not exceed fifty (50) percent of such median income.

# The CRGM Zoning Petition

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*Eligible Household, Low Income.* An eligible household which does not exceed eighty (80) percent of such median income;

*Eligible Household, Moderate Income.* An eligible household which does not exceed such median income."

<end new definitions>

## B2. Modify Section 11.200

**B2.1** At the beginning of Section 11.200, and on the first page of Article 11, change the title of Section 11.200 to read:

"INCLUSIONARY ZONING FOR AFFORDABLE HOUSING"

**B2.2** Amend Section 11.201, *Definitions*, as follows:

(1) Delete the entire paragraph beginning "Covered Project..:"

(2) Add to Section 11.201, in proper alphabetical order, the following new definitions:

"**Housing Development** shall mean any construction, rehabilitation, or renovation of a property, which includes in part the construction, rehabilitation, or renovation of Dwelling Units pursuant to this Ordinance."

"**Linkage Coefficient** shall mean a monetary payment per square foot due in linkage payments for Projects in non-residential districts, and is hereby set at a 1997 rate of:

Three dollars (\$3.00) per square foot of habitable gross floor area.

Three hundred dollars (\$300.00) for each parking space in a parking structure, and fifty dollars (\$50.00) for each parking space in an uncovered, at-grade parking lot."

"**Linkage Project** shall mean a lot, or the portion thereof, buildings or structures, and which buildings or other structures are the subject of a special permit as described in Section 11.202(i) Any existing building or other structure which is not the subject of a special permit application is not part of the Linkage Project."

**B2.3** Replace Section 11.202, *Applicability*, in its entirety with new text as follows:

"**11.202 Applicability.**

(1) An Owner shall be subject to the provisions of Section 11.203.1 et seq., and all related provisions, whenever the Owner applies for a special permit pursuant to:

(a) All special permits listed in Section 10.48 for uses itemized in Sections 4.32, 4.33(c), 4.34, 4.35, and 4.36.

(b) Other special permits increasing intensity when required for uses itemized as follows:

Subsection 4.33(c) (use permit for non-commercial research facility)

Subsection 4.35(o) (use permit for fast-order food establishment)

Subsection 4.36(b) (use permit for automobile oriented fast order food establishment)

Subsection 4.56(c)(4)-(6) (use permit when required for college or university facility)

Subsection 4.56(d) (institutional use permit of non-commercial research facility).

(2) An Owner shall be subject to the provisions of 11.203.2 et seq., and all related provisions, whenever the Owner seeks to renovate or construct a residential structure. Whenever an Owner is eligible for incentive zoning pursuant to Section 11.203.2 et seq., and is also eligible for an affordable housing-related density bonus

# The CRGM Zoning Petition

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pursuant to another section of this Ordinance, the Owner may elect, in his or her complete discretion, which section to apply."

<end new text>

**B2.4** Replace Section 11.202 in its entirety with new text as follows:

**"11.203 Special Permits Promoting Affordable Housing.**

**"11.203.1 Linkage Contribution to Affordable Housing Trust as Condition on Certain Special Permits.** It shall be the purpose of this sub-section to link increases in density or intensity of non-residential development to the City's efforts to promote affordable housing availability.

- (a) Linkage Contribution. An Owner of a Linkage Project shall, as a condition of its special permit, make a one-time Linkage Contribution to the Affordable Housing Trust, the amount of which shall be calculated pursuant to the following schedule:
- (i) For a Linkage Project of less than or equal to Two Thousand Five Hundred (2,500) square feet in gross floor area, no Linkage Contribution shall be required.
  - (ii) For a Linkage Project of greater than Two Thousand Five Hundred (2,500) square feet in gross floor area, Linkage Contributions shall be calculated by multiplying the gross floor area in excess of Two Thousand Five Hundred (2,500) sq/ft, by the Linkage Coefficient, and by the Cost-of-Living Factor.

This Linkage Contribution shall be in the form of a direct cash payment to the Affordable Housing Trust.

- (b) Reduction in Linkage Contribution for Creation of Affordable Housing Units. If a Project is subject to a Linkage Contribution pursuant to Section 11.203.1 and, in addition, the Owner elects to create Affordable Unit(s) pursuant to 11.203.2, the Owner may reduce the Linkage Contribution due to the City under this subsection by an amount equal to the fair market value of total housing subsidy provided to occupants of Affordable Units pursuant to Section 11.203.2, but in no case to exceed the total value of the Linkage Contribution.

**11.203.2 Incentive Zoning for Creation of Affordable Housing Units.** An Owner of a Housing Development shall be entitled to Density Bonuses described in subsection (a) below by issuance of a special permit by the Planning Board, if the Owner first satisfies the conditions of subsection (b) below, and such additional conditions as the Planning Board, in its reasonable discretion, may require in furtherance of the purposes of this Section 11.200, and consistent with the specific standards for construction and occupancy of Affordable Units described in Section 11.204.

(a) Density Bonus for Creating Affordable Housing.

- (i) FAR Bonus. Upon satisfaction of conditions set forth in subsection (b) below, the Owner shall be entitled as of right to an additional twenty-five percent (25%) above the existing Maximum Ratio of Floor Area to Lot Area (FAR Ratio) applicable to the Project, except in a Residence C3 district.
- (b) Additional Incentives for Housing Formation. Upon satisfaction of conditions set forth in subsection (b) below and upon proper showing to the Planning Board as described below, the Owner shall also be entitled to the following additional incentives:
- (i) Reduction in Minimum Lot Area per Dwelling Unit. Upon good showing to the Planning Board that the Project is better served by creating more Dwelling Units, including Affordable Units, than would otherwise be permitted in the Zoning District, the Owner shall be entitled to a reduction of up to twenty-five percent (25%) below the existing Minimum Lot Area for Each Dwelling Unit applicable in the Project's Zoning District.

# The CRGM Zoning Petition

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- (ii) Relief from Yard and Setback Requirements. Upon good showing to the Planning Board that the parcels abutting the Project are not substantially negatively impacted, the Owner shall be entitled to such relief as the Planning Board determines is necessary from the following requirements applicable in the Project's Zoning District: Minimum Lot Width in Feet; Minimum Yard in Feet (including Front, Side and Back Yard setbacks).
  - (iii) Relief from Parking Requirements. Upon good showing to the Planning Board either that (1) the Project is situated in an area with street parking availability sufficient to accommodate the number of additional cars associated with affordable units generated by the Project, or (2) the residents of such Dwelling Units are unlikely to own a car, the Owner shall be entitled to such relief as the Planning Board determines is appropriate from parking and related requirements.
- (c) Conditions Precedent for Density Bonus and Incentives. Before issuing any special permit under this Section for any Density Bonus or housing incentive, the Owner of the Housing Development must enter into a written agreement with the City of Cambridge, and record an Affordable Housing Restriction for such lot at the Middlesex South Registry of Deeds, which each provide for the creation of Affordable Units as follows:
- (i) Density Bonus and Incentive Requirements. The Owner shall agree to create, or cause to be created, Affordable Units exclusively for the use and occupancy of Eligible Households in an amount at least fifty percent (50%) of additional gross floor area permitted as a result of a Density Bonus or Incentive pursuant to this Section, but in no case less than one such Affordable Unit on the lot. The gross floor area of corridors and stairs associated with said Affordable Units may be counted as part of this 50% requirement.
  - (ii) Designation of Rental Restrictions on Affordable Units. The following rental restrictions will apply to the Affordable Units of such Housing Development: the first Affordable Unit shall be restricted to a Very Low Income Eligible Household; the second and third Affordable Units shall be restricted to Low Income Eligible Households; the fourth Affordable Unit shall be restricted to a Moderate Income Eligible Household. Rental restrictions for any additional Affordable Units will be designated by repeating the preceding schedule.
  - (iii) Deviations from Density Bonus and Incentives: In granting a special permit under this Section 11.203.2, the Planning Board may allow for deviations from such dimensional requirements to permit the use of any state or federal housing assistance funds, or to permit the creation of additional Affordable Units beyond the minimum number of required Affordable Units. In granting any deviations, however, the Planning Board shall find that the approved Housing Development continues to advance the purposes and intent of this Section 11.200, and the standards for construction and occupancy more particularly described in Section 11.204. Before approving such special permit, the Planning Board must receive the written report of the Affordable Housing Trust, established in Section 11.205, that in the Trust's opinion all the standards of Subsection 11.204 have been met.
- (d) Enforcement. Every special permit issued under this Section 11.203.2, and every building permit issued in reliance on such special permit, shall state as conditions precedent to final approval the satisfactions of (1) those requirements placed on the Housing Development pursuant to subsection 11.202.2(b), (2) the applicable design restrictions pursuant to section 11.204, and (3) the terms of the owner's agreement under subsection 11.203.2(b). All such requirements, terms, and conditions shall run with the land, and shall bind the original owner's successors, heirs, assigns, and agents. If the original or any subsequent Owner violates any such requirement, term, or condition, then in addition to pursuing any other remedy available, the City

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shall immediately commence a civil action in the Superior Court in the name of the Inspectional Services Commissioner under Chapter 40A, Section 7 of the General Laws, seeking an injunction requiring compliance with such requirement, term, or condition.

<end new text>

**B2.5** Replace Section 11.206 in its entirety with new text as follows:

**"11.204 Standards for Construction and Occupancy of Affordable Units.** The following standards are intended to provide guidance to the Planning Board in instances where a Density Bonus is sought by an Owner pursuant to Section 11.203.2, and to the Board of Trustees in making any report to the Planning Board thereto. In granting any special permit, the Planning Board may allow for deviations from, or further define, these standards consistent with the purposes and intent of this Section 11.200.

- (a) **Similar Sized Affordable Units.** Affordable Units shall be comparable in services and size to Dwelling Units in the neighborhood where such Affordable Units are to be located. Units shall generally be designed and intended for families with children. Where the Affordable Units are for elderly, handicapped, or other special needs households, this similar size standard shall not apply.
- (b) **Diversity of Beneficiaries.** The Affordable Units shall, to a reasonable extent, serve Eligible Households of diverse sizes and incomes, including very low incomes, throughout the City, and make efforts to affirmatively market such Affordable Units to minority Eligible Households in the City.
- (c) **Affordable Housing Restrictions.** The Affordable Units shall be subject to restrictions providing that they shall:
  - (i) be occupied by Eligible Households;
  - (ii) be conveyed subject to restrictions, which to the extent legally possible, shall guarantee the permanent availability of the Affordable Units to Eligible Households. Such restrictions shall include, but not be limited to, limited equity deed restrictions;
  - (iii) to the extent possible, give preference to Eligible Households who are Cambridge residents;
  - (iv) be occupied by Eligible Households selected by the Community Development Department from among Eligible Households who are Cambridge residents;
- (d) Before a building permit will be issued, the Owner of a Housing Development shall have submitted to the Superintendent of Buildings a report from the Community Development Department certifying that final development plans are in conformance with the plans approved pursuant to any special permit process, and that the conditions of the special permit have been met."

<end new text>

**B2.5** Modify Section 11.205 by replacing, on line four, the reference to "11.203(a)" with "11.203.1".

**B2.6** Replace Section 11.204 in its entirety with new text as follows:

**"11.206 Additional Bonus for Zoning District Resident C.** Pursuant to a special permit, the Density Bonuses and Incentives described in Section 11.203.2(a) shall apply to a housing development of any size in a Resident C zoning district, where such housing development provides that a minimum of 50 percent of the Dwelling Units added by the new construction, rounded to the higher number in case of an odd number of additional units, shall be Affordable Housing units pursuant to this Section 11.200."

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B

## C. District Boundary Transitions

With the intent of minimizing unwarranted nuisance in residential districts, and of preventing juxtapositions of significantly different constructions at zoning district boundaries, amend the Ordinance by doing the following:

- C1.** Renumber Sections 5.41, 5.42 and 5.43 as 5.54, 5.55, and 5.56 respectively, and place them in the appropriate location of Section 5.50, SPECIAL DIMENSIONAL REGULATIONS.
- C2.** Create a new Section 5.40, which shall read in its entirety as follows:

### "5.40 OMNIBUS TRANSITION REQUIREMENTS

Provisions of this Section shall apply to construction on lots in any zoning district, either residential or non-residential, which abuts any other district having greater yard (setback) requirements, and/or lower height limitations, as follows:

(a) The Transition Control Plane shall be a plane or warped surface perpendicular to the district boundary line and slanting over the district of lesser restriction at an angle of forty-five (45) degrees.

(b) No part of a building nor vertical building plane in the district of lesser restriction shall project above or forward of the Transition Control Plane unless it is fully compliant with the minimum yard and maximum height requirements of the district of greater restriction.

*Exemption 1:* Where the district boundary line falls within a lot, then the Transition Control Plane shall be set at the lot line within the district of greater restriction, and all construction in the district of lesser restriction shall be compliant with both (b) above and also the dimensional regulations applicable to that less restrictive district.

*Exemption 2:* Requirements of this Section 5.40 shall apply only to structures built after <date>, which is the date of ordination of this Section.

(c) Where other provisions of this Ordinance establish additional requirements for greater yards or lesser heights than permitted hereby, construction shall comply with the most stringent requirements."

<end new text>

## D. Enhanced Public and Design Review

PURPOSE: With the intent of promoting greater public awareness of, and participation in, proceedings required for approval of any special permit or variance, and of securing consistent design excellence and reliable harmony of new construction with adjoining building and uses, enhance and extend current design review procedures by amending the Ordinance as follows:

### D1. Improved Public Notice

- D1.1** To the end of Section 10.42, *Procedure* (for special permits), add a new Section 10.42.1, which shall read in its entirety as follows:

#### "10.42.1 On-site Notification Panels

Any applicant for a variance and/or special permit shall be required to erect and maintain one or more public notification panels at the site for which said variance and/or special permit is being requested. Requirements for these panels are as follows:

- (a) *Location and Number.* Panels shall be securely mounted at the street line of the subject property, or if within the property, then not more than twenty (20) feet from the

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street line in a highly visible location which can be approached by the public. For lots of frontage equal to or less than two hundred (200) feet, one panel shall be provided; one additional panel shall be provided for each additional five hundred (500) feet of frontage over the first 200 feet.

- (b) *Schedule and Duration.* Required panels shall be installed at the subject property not less than two weeks before the first public hearing, and maintained in legible condition until all review proceedings are complete, and the final determination obtained.
- (b) *Content.* Panels shall display the following information:
  - 1. A title in capital letters of 4 inches high saying "NOTICE OF REQUEST FOR VARIANCE AND/OR SPECIAL PERMIT".
  - 2. The address of the subject property, and the area of the lot or parcel in square feet.
  - 3. The name of the applicant, and also of the owner of record if different.
  - 4. The zoning district or districts applicable to the subject property.
  - 5. A brief description of the intended scope of the proposed construction or project.
  - 6. An itemized listing of each zoning variance or special permit requested, including section of the Ordinance, a summary of what that section requires, and what consideration or exception is requested by the applicant.
  - 7. Dates of scheduled public hearings, and deadlines for decisions; where dates are not known for certain at the time of posting of the panel, then approximate dates shall be used, with an instruction for telephoning for exact dates.
  - 9. The name and address of the municipal agent or body to whom written comment may be sent.
  - 9. The municipal phone number for obtaining further information.
- (c) *Graphic and Construction Standards.* Panels shall be not less than 18 inches by 24 inches in dimension; they shall be larger as necessary to legibly display all required information. No text on the panel shall be smaller than 12 point type. Panels shall be made of materials adequately weather-resistant and durable for the duration of the review and approval proceedings. All panels shall be designed, fabricated and located subject to the approval of the Cambridge Community Development Department. Panels which are stolen, destroyed or rendered illegible during the review proceedings shall be promptly replaced.

<end new text>

**D1.2** In Section 10.33 (descriptive of variance procedures), amend the first sentence, which ends in "... Chapter 40, G.L.", by adding a comma and additional text such that this sentence concludes "... Chapter 40, G.L., and additionally, by on-site notification panels as required by Section 10.42.1."

## **D2. Extended Public Review**

Modify the Development Consultation Procedure of Article 11.40 to include more projects and greater public participation by doing the following:

**D2.1** Amend Section 11.41, *Purpose*, by adding the text "... abutter, local resident, and ..." to the first sentence, such that this sentence begins:

"This Section 11.40 has been adopted to provide for abutter, local resident, and City professional staff review of and comment on development proposals ..."

**D2.2** Delete existing section 11.42 in its entirety, and substitute in lieu thereof new text for section 11.42 reading as follows:

"Except for development proposals located within an overlay district, planned unit development district, historic or conservation district, or other special district which requires alternative consultation and design review procedures, the following types of proposal located as described shall be subject to development consultation:

- (1) Within areas of special planning concern: Any addition, renovation or new construction which increases non-residential gross floor area by one hundred square feet (100 sq ft) or more; or any erection of a sign; or any other exterior alteration facing a street, excepting painting, brick repointing or masonry repairs, building cleaning, gutter replacement, or similar routine maintenance."
- (2) Within Res A, Res B, and Res C and C-1 districts: Any project which creates one or more new dwelling units; one or more new parking spaces; or additional residential gross floor area of one thousand (1,000) square feet or more.
- (3) Anywhere in the City: Any addition, renovation, or new construction which (a) increases residential gross floor area by two thousand (2,000) square feet or more; or (b) creates two (2) or more additional residential dwelling units; or (c) any project involving the creation of two (2) or more additional parking spaces, whether at grade or in a structure.

<end new text>

**D2.3** Amend Section 11.44, *Large Project Procedure*, by deleting existing text in its entirety, and substituting in lieu thereof the following:

"Any development proposal involving an increase in gross floor area or a change of use of two thousand (2,000) square feet or more shall comply with the review procedure following:

- (1) Prior to application for a building permit, the applicant shall submit the materials specified in Section 11.45 to the Community Development Department.
- (2) Within five (5) days of the receipt of said material, the Department will schedule a public review of the proposal, and notify the participants identified in Section 11.46 of this review. The Department shall select a time and place suitable for said review, but shall endeavor, where feasible, to coordinate this review with the regular meeting of an appropriate established neighborhood group, committee, or task force. The public review shall be scheduled to occur not later than twenty-three (23) days following the submittal of materials by the applicant.
- (3) The Department shall provide the applicant with one or more weather-resistant public notices of said public review, and the applicant shall place these notices in visible locations at the subject property. Size and content of these notices shall be as determined by the Department, and shall include some information similar to that required by Section 11.42.1.
- (4) Within seven (7) days of the completion of the public review, the Department shall prepare and make available written comments on the development proposal and a consultation compliance certificate."

<end new text>

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**E. Open Space Protection**

**E1. Definitions**

- (1) Delete from Article 2 the definition of "Usable Open Space" in its entirety.
- (2) Add to Article 2, in appropriate alphabetical order, the following new definitions:

**"Open Space, Beneficial.** Beneficial open space is that part of the lot or lots which is in open air and unobstructed to the sky. Trees, plantings, arbors, fences, flagpoles, sculptures, fountains and pools, recreational and drying apparatus, and similar outdoor equipment and improvements shall not be considered obstructions when located within beneficial open space. Driveways and parking areas for vehicles shall not be counted as part of beneficial open space."

**"Open Space, Green.** Green open space is that part of beneficial open space which consists of land at grade surfaced in friable, permeable organic material and capable of supporting the growth of grass, ground cover, bushes and shrubs, trees, and/or similar vegetation. Green open space may include concrete, unit masonry, or similar impervious pedestrian walkways provided that said walkways have a width not exceeding forty-two (42) inches or half the width of the area in which they are located, whichever amount shall be less."

**"Open Space, Usable.** Usable open space is that part of beneficial open space developed for the activity of occupants of a building which is used wholly, or in part, for residential purposes. Except as provided elsewhere, usable open space must have a width and length of at least fifteen (15) feet; must have a slope of not more than ten (10) percent; and must, except for dwelling unit balconies, be accessible to all occupants of a building. As provided for elsewhere, balconies, terraces, decks and similar above-grade parts of the structure may be counted as part of beneficial and usable open space if meeting all conditions specified."

**E2. Modification of Open Space Requirements**

- E2.1** (1) Amend Table 5-1 of Section 5.31, *Residential Districts*, such that the title of the last column reads "(7) Min. Ratio of Beneficial Op. Sp. to Lot Area", and that requirements of this column are as follows:

District	(7) Min Ratio of Beneficial Op. Sp. to Lot Area
Res. A-1	0.5(m)
Res. A-2	0.5(m)
Res. B	0.4(m)
Res. C(l)	0.35(m)
Res. C-1	0.35(m)
Res. C-2	0.3(m)
Res. C-2B	0.3(m)
Res. C-2A	0.2(m)
Res. C-3	0.2(m)
Res. C-3A	0.2(m)

Columns not designated hereby shall remain unchanged.

- (2) Add to Subsection 2 of Section 5.31, *Footnotes*, a new footnote (m) reading as follows:

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"(m) Of the lot area required to be beneficial open space, not less than half (50%) shall be usable open space, and not less than half (50%) shall be green open space.

*Exemption 1:* Where an existing residential lot is less than five thousand (5,000) square feet in area, then the beneficial open space requirement shall be reduced by one (1) square foot for each square foot of area by which said lot falls below 5,000 square feet.

*Exemption 2:* This requirement for beneficial open space shall not be construed to prevent the creation of one dimensionally conforming parking space and access driveway to same."

**E2.2** Establish that a portion of required yards shall be green open space in Office, Business, and Industrial Districts by doing the following:

(1) Create a new green space footnote which shall read as follows:

"One half (50%) of the aggregate total area of required front, side and rear yards shall comply with the requirements for green open space. Furthermore, said green open space shall be distributed such that not less than one half (50%) of each required side and/or rear yard abutting a residential district shall comply with the requirements of green open space."

(2) In Table 5-2 of Section 5.32, *Office Districts*, change the title of column (5) to read "(5) Minimum Yard in Feet<sup>(f)</sup>", and add the green space footnote above to Subsection 2, Footnotes, as footnote (f).

(2) In Table 5-3 of Section 5.33, *Business Districts*, change the title of column (5) to read "(5) Minimum Yard in Feet<sup>(q)</sup>", and add the green space footnote above to Subsection 2, Footnotes, as footnote (q).

(2) In Table 5-4 of Section 5.34, *Industrial Districts*, change the title of column (5) to read "(5) Minimum Yard in Feet<sup>(f)</sup>", and add the green space footnote above to Subsection 2, Footnotes, as footnote (f).

### **E3. Modifications for Consistency**

Make any other technical corrections to this Ordinance as necessary to ensure implementation of intent and consistency of regulation, including but not limited to the following:

(1) Amend Section 5.22.1 to read, in its entirety, as follows: .

"Usable open space shall be provided on every lot used for residential purposes except for those in the Cambridge Center MXD District, and the ratio of usable open space area to total lot area shall be as specified in column seven (7) of the Tables of Dimensional Requirements of Article 5. Not less than one-half (50%) of the required usable open space shall be provided at ground level, or within ten (10) feet of the lowest level used for residential purposes. Areas of other types, and at other levels, such as balconies and decks serving individual dwelling units, and/or balconies, decks, and improved roof areas accessible to all building occupants, may be calculated as part usable open space area requirement if and only if:

- (a) they are not used as walkways or corridors;
- (b) they have both a width and a length of at least six (6) feet, and minimum area of seventy-two (72) square feet; and
- (c) in aggregate, they do not account for more than twenty-five (25) percent of the total usable open space requirement."

<end text modification>

Cambridge Residents for Growth Management  
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**E4. District Boundary and Map Changes**

Change the zoning district designation from that which currently exists to Open Space (Subsection 3.11, item 1) for the public parks and playgrounds following:

<i>Location</i>	<i>Assessor's Lot and Plat</i>
Ahern Field, Kennedy School Complex	lot #87, plat 32
Blair Pond	lot #271 and #275, plat 267
Brattle and Fresh Pond Parkway	lot #15, plat 246
Cambridge Common	lot #1, plat 171
Canal Park	all or portions of lots on Plats 8 and 9 consisting of City-owned land which together make up the parcel known as Lechmere Canal Park
Corcoran Field / Raymond Street Park	lot #41, plat 205
Corporal Burns Playground	plat 130
Dana Park	lot #20 and #21, plat 103
Donnelly Field	lot #1, plat 38: an area of the lot between York St and a line parallel to York St 550 ft distant therefrom
Fort Washington	plat 66
Hoyt Field	lot #157, plat 126
Library Park / War Memorial / Mid-Cambridge Park	plat 138: an area of the lot containing the Main Library between Broadway and a line parallel to Broadway, 200 ft distant therefrom; and all of the lot which was the former site of Cambridge High and Latin
Morse School, Lindstrom Field	plat 98: that portion of the lot labeled Park Land
Old Morse Playground and Park	lot #32 and #35, plat 97
Rindge Field	lot 5, plat 197; lot 3, plat 197; lot 20, plat 198
Riverside Press Park	lot #59, plat 129
Russell Field	lot #91, plat 269
Sacramento Field	lot #29, plat 155
Sancta Maria Field	lot #322, plat 267D
Sennott Park	lot #10, plat 88
Soccer Field at Pacific and Sidney Streets	lot #57, plat 95
Tobin School / Fr. Callahan Playground	lot #80, plat 260: an area of the lot between Concord Ave and a line parallel to Concord Ave, 550 ft distant therefrom

In accomplishment of these changes, formulate and adopt legal descriptions of lots, metes and bounds as necessary, and amend the Zoning Map to represent district boundaries so modified.

**F. Facilitate Replacement of Destroyed Structures**

Facilitate the post-catastrophe reconstruction of non-conforming residential structures, or structures housing conforming uses, by deleting the first sentence of Section 8.23 in its entirety, and substituting two new sentences as follows:

"8.23 If any nonconforming residential structure occupied by residential use, or any nonconforming structure containing any conforming use, is partly or totally destroyed by fire, explosion or other catastrophe, such structure or use may be rebuilt, restored and used again as previously. Nonconforming structures housing nonconforming uses which are partly destroyed or damaged by catastrophe may be rebuilt, restored and used again as previously only if the cost of building restoration is less than fifty percent (50%) of the replacement value of the building at the time of catastrophe. If a conforming structure or use ..."

< the remainder of 8.23 continues and concludes unmodified >

>> END OF THE PETITION <<

# CRGM Zoning Reform Petition

We the undersigned respectfully petition the honorable, the City Council of the City of Cambridge, to help protect our residential neighborhoods and mitigate the negative impacts of over-development by adopting into law amendments to the Cambridge Zoning Ordinance in conformance with the Petition attached hereto.

Signature	PRINTED NAME	ADDRESS	PHONE
<u>John Pitkin</u>	<u>John Pitkin</u>	<u>18 Fayette St.</u>	<u>492-4035</u> ✓
<u>Dexter Eames</u>	<u>DEXTER EAMES</u>	<u>G. Avon Place</u>	<u>547-5437</u> 11/3
<u>R. Philip Dows</u>	<u>R PHILIP DOWDS</u>	<u>48 BANKS ST</u>	<u>354-6074</u> 11/3 ✓
<u>Philip Higonnet</u>	<u>PHILIP HIGONNET</u>	<u>83 THORNDIKE ST.</u>	<u>354-1690</u> 111 ✓
<u>Hong Liu</u>	<u>Hong Liu</u>	<u>1673 Cambridge St</u>	<u>547-785</u> 11/3 ✓
<u>Elizabeth W. Birk</u>	<u>Elizabeth W. Birk</u> <sup>(LISA)</sup>	<u>20 Columbus Ave</u>	<u>354-3225</u> 11/3-
<u>Pamela Winters</u>	<u>Pamela Winters</u>	<u>41 Orchard St.</u>	<u>864-8199</u> 11/3 ✓
<u>Susan Yanow</u>	<u>Susan Yanow</u>	<u>221 Norfolk St.</u>	<u>492-1032</u> 3/2 ✓
<u>Priscilla J. McMillan</u>	<u>Priscilla McMillan</u>	<u>12 Hilliard St Cambridge</u>	<u>547-6260</u> 8/4 ✓
<u>Laurie Taymer-Berry</u>	<u>Laurie Taymer-Berry</u>	<u>164 Pleasant St</u>	<u>491-1318</u> 5/4 ✓
<u>Sarah G. Bell</u>	<u>Sarah G. Bell</u>	<u>21 Muller Ave</u>	<u>354-3970</u> 11/3 ✓
<u>Phillip Seago</u>	<u>Phillip Seago</u>	<u>221 Norfolk St.</u>	<u>492-1032</u> 3/2 ✓
<u>Jarrett Tomés Barrios</u>	<u>Jarrett Tomés Barrios</u>	<u>201 Franklin St.</u>	<u>492-4901</u>
<u>Lisa Gould</u>	<u>Lisa Gould</u>	<u>102 Harvey St.</u>	<u>864-0146</u> ✓
<u>Karen Carmean</u>	<u>Karen Carmean</u>	<u>1657 Cambridge St</u>	<u>547-1413</u>
<u>Doane Perry</u>	<u>Doane Perry</u>	<u>1657 Cambridge St.</u>	<u>547-1413</u>
<u>Richard Vendetti</u>	<u>Richard Vendetti</u>	<u>28 Wintee</u>	<u>492-6688</u>
<u>Joan Lorentz</u>	<u>Joan Lorentz</u>	<u>419 Broadway</u>	<u>547-8936</u>
<u>Joel B. Bard</u>	<u>Joel B. Bard</u>	<u>51 Wendell St</u>	<u>547-3210</u>
<u>H. A. Crosby Forbes</u>	<u>H. A. CROSBY FORBES</u>	<u>38 Arlington St</u>	<u>864-9833</u>



## ATTACHMENT 2

## MEMORANDUM

TO: D. Margaret Drury, City Clerk, City of  
Cambridge

FROM: Jarrett Tomás Barrios

DATE: July 1, 1997

RE: Correction of Typographical and Definitional  
Errors

This memorandum contains edits of certain typographical/non-substantive points in the petition. The following are changes to Section B of the Petition:

1. Definition of "Linkage Project". The current definition reads as follows: "Linkage Project shall mean a lot, or the portion thereof, buildings or structures, and which buildings or other structures are the subject of a special permit as described in Section 11.202(1) Any existing building or other structure which is not the subject of a special permit application is not part of the Linkage Project." The editing which happened failed to leave any grammatical sense to this sentence. The corrected definition should read—and I do not believe this changes the substance of the definition—as follows: "Linkage Project shall mean a lot, or the portion thereof, and any buildings or structures on such lot, which are the subject of a special permit as described in Section 11.202(1). Any existing building or other structure which is not the subject of a special permit application is not part of the Linkage Project."

2. 11.203.2 Incentive Zoning for Creation of Affordable Housing Units. The Petition drafting process decided to break up Subsection (a) from this part into subsections (a) and (b), and failed to make corresponding changes in references to the subsections throughout this portion of the document. Accordingly, I would ask that the following changes be made:

a. After subsection (a), Line 2 of Section 11.203.2, the following should be added: "and (b)";

b. Line 4: subsection (b) should be changed to read subsection (c);

c. Section 11.203.2(a)(i): the reference to subsection (b) should refer to subsection (c);

d. Section 11.203.2(b): the reference to subsection (b) should refer to subsection (c);

e. Section 11.203.2(d): the above edits required an editing of the resulting surplusage in this section. In relevant part, subsection 1 should be deleted, which reads: (1) those requirements placed on the Housing Development pursuant to subsection 11.202.2(b). Pursuant to this deletion, subsection (2) should be renumbered (1) and subsection (3) should be renumbered (2). In addition, reference to subsection 11.203.2(b) should be changed to subsection 11.203.2(c) pursuant to the above changes.

3. At Section B2.5 of the Petition, reference in the first line to 11.206 should refer to Section 11.204. At Section B2.6 of the Petition, reference to Section 11.204 should refer to Section 11.206.

Please feel free to call me about any of the above changes.

JTB:btj

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**HILL & BARLOW**  
*a Professional Corporation*  
 One International Place Boston Massachusetts 02110-2607  
 Facsimile: 617-428-3500 Telephone: 617-428-3000

**FAX TRANSMITTAL SHEET**

Client No.: 00000-015

TO: D. Margaret Drury, City Clerk, City of Cambridge

FAX: 349-4269	PHONE: 349-4260
---------------	-----------------

**Message:**

**FROM:** Jarrett Tomás Barrios (617) 428-3244 **DATE:** July 15, 1997

This Sheet Only  This Sheet Plus 2 Pages  Check Box if Fax is to be **SAVED**

**STATEMENT OF CONFIDENTIALITY**

This facsimile contains confidential information intended only for the person(s) named above. Any use, distribution, copying or disclosure by any other person is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone (collect), and return the original transmission to us by mail without making a copy.

IF YOU HAVE ANY PROBLEMS RECEIVING THIS FAX, PLEASE CALL 617-428-3385.

**ATTACHMENT 3**

**Communications to Ordinance Committee  
Regarding Petition**

	Attachment
Cambridge Civic Association Geneva Malenfant	A
Richard Getz Associates 18 Brattle Street Cambridge, MA 02138 Richard K. Getz	B
The Harvard Square Business Association Kristin T. Sudholz	C
Cambridge Redevelopment Authority Four Cambridge Center/Second Floor Cambridge, MA 02142 Joseph F. Tulimieri	D
Hill Associates, Inc. 10 Samoset Road Winchester, MA 01890 Martin W. Hill	E
Biogen Fourteen Cambridge Center Cambridge, MA 02142 David Dlesk	F
Harvard Planning and Real Estate 1350 Massachusetts Avenue Cambridge, MA 02138 Kathy Spiegelman Mary Power	G
Edmund G. Hamann Christine B. Weisiger 106 Holworthy Street Cambridge, MA 02138	H

To: Ordinance Committee of Cambridge City Council  
From: Cambridge Civic Association, Geneva T. Malenfant, President  
June 24, 1997  
The CRGM Zoning Petition

The Cambridge Civic Association welcomes the re-zoning petition filed by the Cambridge Residents for Growth Management. We hope this petition will stimulate not only a discussion of what our city should be, but also action on the part of the city council to make the vision a reality.

The civic association has been studying the Pitkin petition since it was filed. Like most people who are seriously considering this petition, we are only part way through digesting it. It appears to cover most, if not all, of the city, and we are spending time discussing the effects of some of its provisions in order to fully understand what picture it presents of the city. In order to provide ourselves with a framework for analyzing its effects, we first developed our vision of the city in broad general terms. We have looked at the petition in the context of our goal, preservation of urban character and diversity in the city of Cambridge. Some of the criteria we have used in our discussions are the following: preserve existing scale of residential neighborhoods, encourage mixed use in commercial zones, utilize planned unit development for flexibility and performance standards, encourage predictability in permitting, encourage higher density development to locate along transit corridors, provide transitional areas to buffer residential from commercial, control height limits for compatibility with surrounding areas, provide overlay districts to preserve and provide urban character in commercial areas.

We support action by the Cambridge City Council in the following areas of the petition:

1. Reduction of FAR, Height, and Allowable Density It is especially important to limit the heights in those areas which are in close proximity to residential neighborhoods. Further, all height limits should be compatible, not necessarily the same, with surrounding heights.

2. Housing and Affordable Housing Incentives There is no provision more important to maintaining the diversity of Cambridge than the provision of low and moderate income housing for residents of Cambridge. The city should work in all ways possible with developers to achieve this goal. We believe there is no one way to do this, all possible approaches should be utilized.

3. District Boundary Transitions We live in a tight little city, therefore how we move from commercial to residential, from apartment building to three decker becomes very important. The existing transitional requirements are not enough to make transitions smooth and sensitive.

4. Industry B Industry B is one of our oldest zones, dating to 1927. It is clearly outmoded in its FAR of 4 and its unlimited height. We would suggest these areas be put into planned unit developments, which in addition to lowering heights and densities, would also include performance standards for permitting certain uses. Some standards to think about in determining uses would be: Is the use truck dependent? Does the use pollute the air? Does the use offer diversified employment? In addition to taxes, what

other benefits does this use offer which would be beneficial to the city? In other words, the problem is not just height and density, it is also appropriateness of use.

5. Residential dimensions of Business A This is a zone which has the potential for locating 85 ft residential buildings next to existing three decker houses, for example Cambridge St., River St. as well as other areas. It can provide an interesting mix of housing over retail, but the height should be reduced to better fit with existing buildings and to not create a canyon affect on these streets.

There are some parts of the Pitkin petition which identify problems, but which may not provide the best solution, for example:

1. Is the FAR of .4 the best way to deal with the flooding in North Cambridge, or is this problem more susceptible to a physical solution ? Some expert advice would be useful in understanding hydrology.

2. Is 1,000 sq. ft the right threshold for design review in residential areas? Are the items mentioned, parking spaces, dwelling units, the right triggers? Should there be more?

3. In terms of preserving open space, is it necessary that vegetation be mandated? In some circumstances, bricks or other pavers might be a better solution.

4. We are having some difficulty in figuring out the over all effect of the 55 ft. cornice line requirement. Specifically, are there some lot configurations which would produce an unintended consequence, ie, an ugly building? Also, under this provision, what would a typical building on a typical lot look like?

In both points 2 and 3 we have to be careful to distinguish between those things that are truly harmful and those things that may be a matter of personal taste or choice. We are still in the process of thinking about these areas and have not yet thought through our opinion of them, so at this point in time we have no position.

There are two other items, not in the Pitkin petition, we would like to bring forward for your consideration. One is the elimination of the open space bonus currently in the zoning ordinance. As it stands now, if a building site is near a public open space, a park for example, the building can be built to a higher density than the zone permits. We believe this provision needs to be examined. Another problem area to be addressed parking garages. At the present time parking garages can be built and they do not count in FAR, even though they certainly are buildings and contribute to bulk. This zoning provision was passed to encourage parking garages over open parking lots. At the time this ordinance was passed, the preference in the city was for garages, is this still the case?

It is evident that this petition poses many questions, and further that it implies a certain vision of what the city of Cambridge should be. We urge the Cambridge city council to seriously consider the petition and engage in debate over its many implications. The Cambridge Civic Association will continue to study this proposal, think about its ramifications, and in general, mull it over. We thank the petitioners for their proactive stance and for their generous contribution of time and energy. We look forward to working on this effort, and we happily anticipate the better Cambridge which will surely be the outcome.

RICHARD  
GETZ  
ASSOCIATES

3-B

18 Brattle Street  
Cambridge, MA 02138

Tel (617) 547-7588  
Fax (617) 547-7825

June 24, 1997

Ms. Margaret M. Drury, Esq.  
Cambridge City Clerk  
Cambridge City Hall  
795 Massachusetts Avenue  
Cambridge, MA 02139

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97 JUN 24 PM 4:17  
CAMBRIDGE MA.

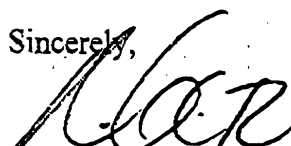
RE: Cambridge Residents for Growth Management Petition

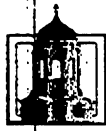
Dear Ms. Drury:

I have been a property manager in Harvard Square for 10 years. Presently I manage over 40 retail establishments and 50 offices, mostly small, independent businesses. In that capacity, I have seen how difficult it is for these businesses to meet their financial obligations. I believe that I can state unequivocally, that The Growth Management Petition, if enacted, will not succeed in stabilizing rents and assisting small businesses. It will do the exact opposite. Limiting development in Cambridge, will initially limit tax revenues. Ultimately, taxes, through necessity, will need be raised. The burden of these increases will fall on the residential and commercial property owners. In the case of commercial property, the tenant, and ultimately, the customer will pay for the increases. Therefore, due to the extra financial strain on the small business owner, they may be forced to relocate to more affordable adjacent communities.

In responding specifically to the section *Improved Business Climate* in the CRGM's "The Basics of a Better Zoning Law", the authors have it completely backwards! Reducing growth, reduces supply, which in turn increases demand. (Economics 101). Fewer retail spaces available means they will be less affordable to "start-up" business.

Sincerely,

  
Richard K. Getz  
President



The Harvard Square Business Association

Taking Care Of The Square

3-C

June 24, 1997

Cambridge City Council  
City Hall  
795 Massachusetts Avenue  
Cambridge, MA 02139

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97 JUN 24 PM 4:17  
CAMBRIDGE MA.

Dear Members of the City Council:

On behalf of the Board of Directors of the Harvard Square Business Association, I am writing to express our concern about the Growth Management Petition submitted by the Cambridge Residents for Growth Management (CRGM).

There is no doubt that all who live and work here want to safeguard what the Community Development Department calls Cambridge's most valuable asset - its quality of life. However, there is serious doubt as whether the CRGM Petition will accomplish that goal. The HSBA is not objecting to the specific points or suggestions in the petition, but we do take issue for the following reasons:

1) For such a global and sweeping petition, there was not enough dialogue, input, or research done prior to finalizing and filing the petition. It appears that the majority of the outreach occurred after the petition was finalized and submitted. The CRGM claims to have spoken with "business associations, property owners, etc.," yet the HSBA and the property owners in Harvard Square were not consulted or advised in a timely manner prior to filing this petition.

The HSBA is the oldest (87 years) and largest local business association in Cambridge, and Harvard Square is home to one of the heaviest commercially taxed areas in Cambridge. Yet, the only dialogue with the HSBA was a short, casual presentation of the petition to the Executive Director two weeks prior to filing, and in response to our invitation, their attendance to the June 6<sup>th</sup> Board of Directors meeting. Therefore, the lack of involvement and inclusion of the oldest and largest local business association and its property owners calls to question the entire legitimacy of the claims made by the CRGM.

2) There can be no educated support of this petition due to the lack of an economic impact report, and the opportunity to study and discuss its affects on Cambridge.

Though the CRGM claims it will have little impact on Harvard Square, there is no doubt that what happens in the rest of the city will impact the Square. Further, the CRGM claims that the petition will stabilize property values and rents. Yet, all the property owners we have consulted feel that the final result will be the exact opposite. Cambridge's strong real estate market and low vacancy rates are driven by Cambridge's vicinity to Boston, accessible public transportation system, the universities, etc. There is now, and will continue to be, a demand for residential and commercial space. When the supply becomes limited, the value on existing space will increase, raising rents. As the CRGM submits, many small businesses in Cambridge are already struggling with high rents. Therefore, by reducing the available space, this petition hurts the very people it claims to help.

3) The CRGM Petition is just too big and comprehensive to be considered in its totality. The petition contains too much for all but a few individuals to grasp in its entirety. The recommendations outlined in this petition should be addressed on a more singular basis, ie. open space protection.

The approach Community Development took with the downzoning of Harvard Street was the way all downzoning efforts should occur in Cambridge. There are processes already in place to handle such efforts, and though at times they may seem time consuming and tedious, they assure that every consideration has been exhausted, and that it is Cambridge's best interests. This should be the case with the CRGM petition as well; each recommendation should be judged independently.

Remember that the Cambridge Historic Commission is currently undergoing a study on whether or not to create an Historic District in Harvard Square, another effort that will impact the future of Harvard Square. Therefore, Harvard Square's support or opposition the CRGM petition is not as simple as it may seem. Until the total impact of the CRGM petition and possible Historic District can be analyzed, the HSBA is opposed to granting support for either effort at this time.

Over its 300 year history, Harvard Square has struggled to manage its growth, maintain its niche as place where mom and pops can grow and prosper, and retain its economic vitality while the number of malls with free parking increase and become more accessible for Cambridge residents and employees. Harvard Square is proud of the fact that the ratio of 4:1 of independent businesses opening versus chain stores in the Square has sustained for the last 3 years, and want to ensure that the environment which nurtures them continues. Therefore, we respectively ask the Council to reject the CRGM Petition and consider other alternatives to maintaining the quality of life we all appreciate.

Sincerely,

Kristin T. Sudholz  
Executive Director

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CAMBRIDGE MA.

# Cambridge Redevelopment Authority

Four Cambridge Center/Second Floor  
Cambridge, Massachusetts 02142  
617 492 6800  
617 492 6804 (FAX)

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3-D

CAMBRIDGE MA.

June 23, 1997

Councillor Francis H. Duehay  
Chair  
Committee on Ordinances  
Cambridge City Hall  
795 Massachusetts Avenue  
Cambridge, Massachusetts 02139

Re: Cambridge Residents for Growth Management Zoning Petition  
Amending the Cambridge Zoning Ordinance

Dear Councillor Duehay:

By separate letter to the City Clerk, a copy of which is attached, the Cambridge Redevelopment Authority interposed its objection to the passage of the above-noted zoning petition and requested a determination whether the owners of twenty-percent (20%) of the affected land area have filed similar protest(s).

This letter is intended to advise the Committee on Ordinances of the basis for our objection as a land owner and as the supervisory public agency responsible for the planned development of the Kendall Square Urban Renewal Area.

1. Creation of Non-conformity.

Within the Mixed Use Development (MXD) zoning district, the Authority has supervised the construction and development of over 1.75-million (1,752,064) square feet of hotel, retail, office and biotechnology manufacturing uses. The proposed zoning amendment would cause over eighty-six percent (86%) of the building space to become non-conforming. In addition, of the approximately 1-million square feet of future building development, to be built in conformity with the previously approved Master Plan Framework and Concept Design Plan, all of the future buildings would be rendered non-conforming under the provisions of this proposed zoning amendment. Sound land use planning and policy dictates that the creation of such an enormous amount of existing and potential non-conforming uses and structures is clearly ill advised and contraindicated.

2. Violation of Established Master Planning Efforts.

In administering the Kendall Square Urban Renewal Plan, the Authority has made certain minor modifications to the Master Plan Framework and Concept Design Plan for the Area with the

concurrence of the Planning Board and approval of the City Council. Rigorous efforts have been made to establish a streetscape, a definitive streetline and to "internalize" requisite structured parking. We have held to this approach on Parcel 2 (North Parcel), Parcel 4 (East Parcel), with respect to future buildings on Parcel 3 (West Parcel) and with the existing Nine Cambridge Center (Whitehead Institute) building. All of this is illustrated on the attached axonometric plan, marked Exhibit A.

The proposed zoning amendment is the direct antithesis of our goal to maintain a streetline, would require centralization of building heights on individual land parcels and would leave the next garage exposed. Given the characteristics of the Area, we do not believe that such a dramatic reversal represents sound urban design.

3. Conflict with Future Development.

In September, 1993, the Planning Board and the City Council reaffirmed the public sector agenda for the development of Parcel 2 in the Kendall Square Urban Renewal Area by Biogen, Inc. under which there would occur nearly 600,000 square feet of additional private development. With the completion of construction, this would result in Biogen, Inc. occupying nearly 1-million square feet of space in Cambridge. In 1996, Biogen completed construction of its six-story, 150,000 square foot biotechnology laboratory and office building at Twelve Cambridge Center. The remaining 450,000 square feet will be developed in 3-4 buildings. Biogen's understanding in making this major corporate commitment to Cambridge was that future development would be governed by established local zoning regulations, applicable growth management policies, the urban renewal plan and established design guidelines. In transmitting its recommendation to the City Council in September of 1993, the Planning Board clearly stated, confirmed and provided the basis for the "groundrules". A copy of that report is attached hereto and marked Exhibit B. Perhaps the single most important component in making a decision to locate and to expand in Cambridge is reliance upon the groundrules articulated and enforced by the public sector. The case of Biogen is illustrative of private sector commitment based on our collective representations of the established groundrules reflected in growth management policies, zoning regulations and the provisions of the Kendall Square urban renewal plan. To approve such a drastic revision of the Zoning Ordinance, as proposed in this zoning petition, would not conform to the established groundrules

and would have an extraordinarily negative impact on carefully planned future development.

4. Compliance with Environmental Concerns.

As a part of the Authority's development program, a Final Environmental Impact Report (FEIR) was prepared by the Authority, reviewed locally and approved on the state and federal levels. All changes to the Plan have included recommendations by the Planning Board, approval by City Council and review and approval by the Department of Housing and Community Development (formerly the Executive Office of Communities and Development) and the Executive Office of Environmental Affairs (EOEA) for compliance with the Massachusetts Contingency Plan. In addition, the Authority, on an annual basis, makes a determination that all feasible and practicable means and measures have been taken to avoid or to minimize the Project's impact on the environment. Some of the elements in preparing the Updated Section 61 Finding are a reaffirmation of the Authority's commitment to undertake a continued effort to minimize and mitigate impact including: (a) measures intended to reduce single occupancy vehicle trip generation; and (b) to increase transit use. Also, in order to verify the accuracy of projected traffic estimates, the Authority conducts an on-going program of traffic analysis of annual traffic measurements and monitors both traffic and off-street parking. Consequently, all potential environmental impacts are addressed on a regular basis.

5. Proximity to Public Transportation and Residential Neighborhood(s).

All of the existing and proposed development in the Kendall Square Urban Renewal Area is located within 600 feet of the Kendall Square station. The area is served by two (2) bus routes. A private bus shuttle, serving over 40,000 patrons on a monthly basis, has been in place for several years. Proximity to public transportation has been cited by the Planning Board as, "...a singular advantage of siting commercial development at Kendall Square is the opportunity to advance the City's objective of reducing the use of the automobile to commute to and from work..."

Measured from the Project's "epicenter", the closest residential structure, (i.e., the twenty-five story MIT married student housing), is within 500 feet. To the west (Area 4) and to the north (East Cambridge), the closest residential structures are one-third of a mile and slightly less than one-quarter of a mile, respectively. Consequently,

Councillor Francis H. Duehay  
June 23, 1997  
Page Four

the Whereas citation in the zoning petition which reads, "...tall buildings permitted by current zoning cast[s] shadows and are a blight on nearby low-density residential neighborhoods and streets..." is not applicable to development in the Kendall Square Urban Renewal Area.

6. Economic Impact.

The Kendall Square Urban Renewal Area has produced 1.7-million square feet of private development, over 5,000 permanent jobs and nearly \$8-million in annual tax revenues and user fees. Under the present zoning and urban renewal plan regulations, it is anticipated that an additional 1-million square feet of development will be produced representing a private sector investment in the range of \$150-million. The projected development translates into 1,000 temporary construction jobs, over 2,000 permanent jobs and nearly \$5-million in annual tax revenues and user fees. The proposed development of a hotel use at Six Cambridge Center, for which we are presently seeking City Council and Planning Board approval, will generate 150 temporary jobs, 60 permanent jobs and \$900,000. in annual tax and user fee revenues. Upon completion, the aggregate private investment in Cambridge Center will approach \$400-million.

The passage of the proposed zoning petition will render most of the projected development unfeasible.

Based on the above, we respectfully request that the Committee on Ordinances in its report to the City Council recommend unfavorable action on the Cambridge Residents for Growth Management zoning petition.

Sincerely yours,



Joseph F. Tulumieri  
Executive Director

Enclosures (3)

cc: ~~Mr.~~ Robert W. Healy (e)  
✓ D. Margaret Drury, Esquire (e)  
Sandra Shapiro, Esquire (e)  
Mr. David Barrett (e)  
Dr. Gerald Fink (e)  
Mr. James Tobin (e)

*Real Estate / Construction*

10 Samoset Road  
Winchester, MA 01890  
Phone: 617/721-4704  
Mobile: 617/755-2333  
Fax: 617/721-0094

June 24, 1997

Counselor Duehey  
Chairman of the Ordinance Committee  
City of Cambridge  
831 Massachusetts Avenue  
Cambridge, MA 02139

Dear Counselor Duehey:

I am writing this letter to express my extreme concern that the ordinance Committee is preparing to down zone the City of Cambridge which would thereby devastate my ongoing Project at 165 Western Avenue in Cambridge, Massachusetts.

A year ago I purchased a piece of property which was zoned for eight units of which I decided to build four. After numerous conversations and meetings with the neighborhood, it was determined that because of the proximity of the existing house to one of the adjacent buildings, which at that point, was uninsurable, it would be best to take the house down and build a new structure. I therefore totally redesigned the project and went before the variance committee. In March of 1996, the variance committee approved the new building for four condominium units. Since that time, I have been working to finance the new project and going through the permit process of demolishing the building. Because the city did not have any records of the sewer hook up, I was unable to pull the demolition/building permit until we could verify the location of the sewer hook up. I spent approximately \$5,000 to locate the sewer and cap it off in order to get the permit pulled. After having gone through all this, I find out that the permit is subject to this potential down zoning ordinance. I was never notified of the possibility of this situation.

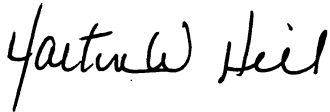
I have committed to a loan of \$575,000 which the bank has told me they will not fund if I cannot close by the end of the month, (they obviously will not close with the building permit stamped "proceed at your own risk"). I have also signed a construction contract for \$287,000 for which I am liable.

Hill Associates, Inc.

It is my opinion and that of my legal counsel that since I cannot obtain a permit until I obtained the variance, that the variance thus was a condition precedent to the granting of the permit and therefore since the variance was granted prior to June 9, 1996, the permit should be grandfathered and granted. It is my job as a businessman to follow the rules and regulations of the City of Cambridge and have the different agency's sign off on that permit to be sure the work is done in accordance with those rules and regulations and with the safety of all involved taken into consideration.

I therefore submit that this piece of property be allowed to go forward as approved by the variance committee of the City of Cambridge.

Sincerely,

A handwritten signature in black ink that reads "Martin W. Hill". The signature is written in a cursive style with a large initial 'M'.

Martin W. Hill

MWH/lm

**BIOGEN**

FOURTEEN CAMBRIDGE CENTER, CAMBRIDGE, MA 02142 • 617-679-2000 • FAX 617-679-2838

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CAMBRIDGE MA.

June 24, 1997

City Councilor Francis H. Duehay  
Chairman, Committee on Ordinances  
Cambridge City Council  
Cambridge City Hall  
Cambridge, MA 02139

Re: Zoning Petition of The Cambridge  
Residents for Growth Management

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Dear Councilor Duehay,

As a seventeen-year Cambridge resident business, Biogen supports the aim of the petition to maintain the stature of Cambridge as a great city in which to live and work. We applaud the dedicated efforts and hard work of The Cambridge Residents for Growth Management (CRGM) in developing such a comprehensive proposal. We are concerned, however, that parts of the proposal go beyond what is necessary to achieve CRGM's goals and may threaten the growth and prosperity of the city.

Successful resolution of these issues requires an objective and reasoned approach to consider the interests of all concerned parties. We would urge the Council to take time to understand and evaluate these interests to ensure that a balanced approach is pursued. A hasty path forward could affect economic development, tax rates, property values, and the city's ability to deliver important services. We would welcome an opportunity to participate in this dialogue to try to help ensure that Cambridge continues to enjoy the benefits of the successful synergy resulting from its nurturing of high technology business and its continuing dedication to maintaining Cambridge as a wonderful place to live.

Biogen began its partnership with Cambridge in 1980 when we created one of the first biotechnology companies in the world. In seventeen years we have grown dramatically while the city has prospered. Last year Biogen successfully launched Avonex®, its first product under its own label. "Avonex" is the first therapy developed which offers hope to multiple sclerosis patients by slowing the disabling progression of their disease.

Four years ago, in 1993, seeing significant growth on the horizon, Biogen discussed its growth plans with the City of Cambridge. After thoroughly reviewing all the issues with all interested parties, the City agreed that Biogen's plans were fully aligned with its interests and approved the plans.

The Planning Board's recommendation letter of September 7, 1993 to the City Council stated that it relied upon the Cambridge growth policy document entitled "Toward a Sustainable Future" in "assessing the wisdom of the proposed actions." The Board stated:

"As a review of the most directly involved policy statements suggests, the actions proposed to accommodate the future plans of Biogen at Kendall Square are fully consistent with the city's future as envisioned by that document...The importance of a healthy tax base and expanding job opportunities (Policy #35), the desirability of re-enforcing new trends in economic development, the utility of permitting the flexibility necessary to accommodate ever shifting physical needs of innovating new industries, and the importance of assisting those economic activities which are most suitable to Cambridge's circumstances, particularly manufacturing activity (Policy #36, Policy #38, Policy #42, Policy #43) are among the policy objectives most directly addressed by the development program outlined by Biogen in its application documents. Furthermore, the actions contemplated will assist in the retention of an existing Cambridge company in the forefront of the new technologies that are the likely future of the city's commercial economy (Policy #44)."

"In locating in Kendall Square, within the long planned Kendall Square Urban Renewal Area, the Biogen development program advances other land use policy objectives as well: the location of other higher density development where it can be served by public transit (Policy #8, Policy #15), support for a detailed, long range urban design plan that has always been anticipated to take many years to realize (Policy #37), and the siting of larger scaled building forms at locations that are not disruptive of existing residential neighborhoods (Policy #9, Policy #11)."

Based on these findings, the Planning Board and the City Council, through an amendment of the zoning ordinance and the urban renewal plan enabled the potential future development of additional Biogen buildings.

These approvals and agreements represented a consistent and thoughtful approach to urban planning. They provided Biogen with confidence to invest its future in Cambridge. Based upon this confidence Biogen made a commitment to Cambridge. Since then we have constructed a \$40 million, 150,000 square foot Research and Development facility at 12 Cambridge Center and expanded our leased space. We have grown from a company with about 300 employees in 1993 to over 850 employees today.

# BIOGEN

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If adopted, the provisions of the zoning petition would contradict the careful findings and decisions the City has made with respect to the portions of Kendall Square Biogen intends to use for additional employees and increased revenues. The zoning petition is inconsistent with the understanding leading the City and Biogen to permit and proceed with future development plans. Biogen will not be able to build the buildings which were the basis of the decisions reached in 1993.

In 1993 the City of Cambridge gave us the opportunity to continue to succeed as a Cambridge-based company and one of the leading biotechnology companies in the world. We have done our part by committing to and complying with the letter and spirit of the approvals and agreements. We are a good corporate citizen and contribute to our local community by providing more than 40% of our corporate donations to organizations providing service to citizens of Cambridge.\*

We strongly believe the zoning changes proposed relating to Kendall Square and our development are inconsistent with the thoughtful and measured considerations the Planning Board applied in 1993. Companies need consistency and predictability in making plans for their future. We relied on the City of Cambridge's commitments in 1993 in planning for our future. To change these understandings four years later will impact more than Biogen. It will send a message to other companies considering Cambridge as a location for their business: that Cambridge can be unpredictable and inconsistent in its follow-through on plans made in partnership with private enterprise. This message obviously would discourage the type of high quality employers and corporate citizens Cambridge should find desirable.

We encourage you to study the zoning petition in the same critical and discerning fashion you exhibited in 1993 in reviewing and approving Biogen's development plans. We trust and hope you will determine that changes proposed by the zoning petition would not be consistent with the best interests of the City of Cambridge.

Sincerely yours,



David Dlesk  
Vice President, Operations

\*Cambridge organizations Biogen has supported financially during the past year include:

Cambridge Public Library, Cambridge Historical Society, Cambridge School Volunteers, Cambridge Partnership for Public Education, Cambridge Rindge and Latin School, Cambridge Community Center, Cambridge Community Foundation, Cambridge Family and Children Services, The East End House, Tutoring Plus, The Community Arts Center, The Margaret Fuller Neighborhood House, Summerbridge Cambridge, The Kendall Community Group, Associated Day Care Services, The Cambridge Performance Project, Somerville-Cambridge Elder Services, Cambridge Council on Aging, Cambridge Council Boy Scouts of America, Friends of the Cambridge Senior Center.

HOLYOKE CENTER  
1350 MASSACHUSETTS AVENUE  
CAMBRIDGE, MASSACHUSETTS 02138



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## HARVARD PLANNING AND REAL ESTATE

June 24, 1997

To The Honorable, The City Council:

Re: CRGM Zoning Petition filed by Pitkin et. al. on  
May 5, 1997 to Amend The Cambridge Zoning Ordinance

The Committee on Ordinances is today holding a hearing on the Pitkin Zoning Petition referenced above. While Harvard University respects, supports, and shares the desire of the petitioners to preserve the unique quality of life in our City, we believe that this petition will have unintended results and that further study is needed to arrive at solutions which will have the broad-based support of Cambridge residents and property owners.

The Petition is an overwhelming and complex document. It is difficult, even after careful review of the Petition, to understand completely its actual consequences, intended and unintended. We appreciate that the petitioners have attempted to engage in dialogue with many constituencies about the proposed changes. However, the drafting process was not as inclusive as it might have been; the concerns of land owners, residents, and the City need to be fully heard and taken into account. Past rezoning efforts have involved a lengthy and inclusive process of study and negotiation among all affected groups, led by City staff in the Community Development Department. While we have the highest respect for the petitioners, we do not believe it could have been possible for them to have anticipated and explored all of the impacts of this zoning petition upon those who will be affected by it. The Petition is so far-reaching that those implications cannot be explored fully in the public hearings before the Ordinance Committee and the Planning Board. Accordingly, we respectfully suggest that the City endorse a process in which all parties, including land owners and the Community Development Department staff, can participate, to shape zoning amendments with impacts which are fully understood and agreed upon as being in the best interests of the City of Cambridge as a whole. Harvard University would like to participate actively in that process.

While Harvard recognizes that the changes proposed in the Petition are not directed at university development in particular, the Petition would, nonetheless, have significant negative effects on much of our Cambridge campus. For the record, we would like to bring to your attention a number of concerns we have so far identified as problem areas with the Petition.

**1. Creation of Zoning Nonconformities.** The Petition will render "nonconforming" a great many homes, businesses, and institutional buildings which were constructed before the new rules, and therefore do not conform to limits on building height, bulk, lot area, and setbacks. Adams House, the Peabody Museum, and Kirkland House are three of the numerous Harvard buildings that are compatible in scale with their surroundings and are listed on the National Register. Under the new Petition nonconformities would be created where none currently exist. No doubt there will be many homeowners throughout the City who similarly will be affected. Once a building is nonconforming, it cannot be substantially added to or altered, without going through a zoning approval process. A logjam will develop at the Board of Appeals, Planning Board, and Community Development Department when

homeowners seek to add a porch or small addition by an increased area or volume of more than ten percent. Scarce municipal resources of time and money will be devoted to dealing with these minor issues, taking away from efforts which are needed to address larger planning issues.

The framers of the Petition did seek to expand land owners' ability to rebuild nonconforming structures after a fire, provided they were used for conforming uses. However, whether intentionally or unintentionally, the Petition does not extend that protection to buildings which don't comply with the overall 55 foot cornice height limit and bulk control plane, which the Petition treats as conforming, rather than nonconforming. Accordingly, Harvard would not be able to rebuild the Peabody Museum, for example, under this provision.

**2. Inappropriate Transition Zones.** In an effort to "limit development at neighborhood edges," the Petition imposes new height and setback requirements where higher density zoning districts abut more restrictive ones. These new transitional zone requirements are applied city-wide and ignore the fact that many transitional zoning districts already exist. The Harvard campus, which is primarily Residence C-3 and C-2, is already surrounded by transitional zones in some areas. While we agree with the concept of having transitional buffer zones, the imposition of new transitional rules in these areas amounts to double-transitioning and is unnecessarily restrictive. We believe strongly that transitional zoning should be done in concert with the affected neighborhoods and/or businesses on a case-by-case basis, not imposed by unilateral city-wide down-zoning.

**3. Homogeneous Urban Design.** Proposed measures aimed at controlling architectural design, such as an overall 55-foot cornice height limit and bulk control plane, employ an inappropriate "one size fits all" approach to urban design. These mandates will result in less economically feasible structures, and may inspire undesirable streetscapes. However well intended, these changes do not allow for site specific conditions to enter into design concepts. There are a great number of Harvard buildings that do not comply with this formula but are considered architectural gems.

**4. Public Review for Insignificant Projects.** Harvard supports the concept of public review of significant construction. We participate monthly at a joint neighborhood committee to share construction activities and we have a policy of consulting neighbors and abutters on individual projects. The Petition would create a requirement for design review for certain types of projects which do not otherwise require it. While we are supportive of public review, we are concerned that the proposed thresholds for design review are too low. For example, in certain residential zoning districts, adding one dwelling or one parking space will entail review by the City and neighbors. We are concerned that the thresholds as proposed will create an administrative logjam at the Board of Appeals, Planning Board, and Community Development Department. As even modest alterations will require design reviews, imposing an unnecessary burden on property owners throughout the City. Likewise, we are concerned that the volume of reviews will detract from or prevent focus on the larger planning issues which require attention.

**5. Undesirable Economic Consequences.** We are concerned that the Petition may have adverse economic impacts that should be analyzed and fully understood before moving ahead with such a massive zoning change. The Petition down-zones nearly every commercial and business district city-wide. The blanket approach taken to density reductions may not address the economic needs of individual commercial/industrial areas, particularly those that have yet to experience an economic upturn. Severely restricting the amount of developable land, which is a scarce resource, may actually

drive up land prices, rents, and taxes, making Cambridge even less affordable for residents, tenants, and small businesses. The short and long term implications should be sorted out before a rezoning on this scale is adopted, to insure that the City is not jeopardizing our vibrant economy or inadvertently causing a shift to higher residential taxation.

**6. Lower Density vs. Affordable Housing.** The Petition lowers permitted density in all residential districts to allow for a density bonus for affordable housing. Since the end of rent control, Harvard, in concert with the City, has been engaged in the problem of how to create more affordable housing in Cambridge. Based on our experience, lowering the available floor area ratio in every residential district to create a bonus for affordable housing is counterproductive and will not *ipso facto* create affordable housing, especially in affluent neighborhoods.

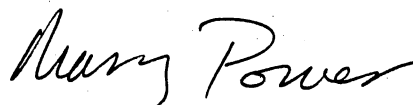
**7. Limited Development at Transit Nodes.** The Petition attempts to "scale back development so traffic is manageable." As City planners are aware from work on the vehicle trip reduction efforts in which the City has engaged over the last several years, traffic management is a complex issue, and there are many outside influences. The focus on development within the City of Cambridge is not a panacea for traffic problems. The proposed density reductions in Lechmere, Kendall, and Harvard Squares are, in fact, counterproductive, because sound planning principles would encourage development in those areas which have the greatest supporting transit infrastructure.

Although we are opposing the Petition, we appreciate that the petitioners have brought these issues forward. Harvard University urges the Ordinance Committee to endorse a process in which all parties can participate to address the legitimate concerns of the petitioners, without a rush to judgment on a unilateral down-zoning of the City. Comprehensive rezoning is far too important and complicated to be determined without the benefit of an inclusive process. The University would like to participate in such a process.

Sincerely,



Kathy A. Spiegelman  
Associate Vice President  
for Planning and Real Estate



Mary Power  
Director of Community Relations

cc: Nancy Dunn  
Robert Healy  
Robert E. McGaw  
John Pitkin  
James Rowe  
Sally Zeckhauser

*Edmund G. Hamann &  
Christine B. Weisiger  
106 Holworthy Street  
Cambridge, MA 02138*

July 13, 1997

Councillor Francis H. Duehay,  
Chair, Ordinance Committee  
City of Cambridge  
26 Lowell Street  
Cambridge, MA 02138

Dear Councillor Duehay:

I am writing to express to the Cambridge City Council my support of the Zoning Petition submitted on May 1, 1997, to the City Council by the Cambridge Residents for Growth Management. I include a copy of the petition signed by me and other neighbors on Holworthy Street.

Although some alterations may need to be made to the proposed amendments to the Zoning Ordinance, given the complexity of the Zoning Ordinance, the main thrust of the petition is clear enough — to control (not stop) development in the city during a time of considerable prosperity and no longer constrained by rent-control. My particular concern, as you may know by now, is transportation, its impact upon the quality of life in our neighborhoods. More development, especially commercial development, means more cars and a concomitant demand for more parking, leading to further congestion and pollution. It would mean defeat for the city's *Vehicle Trip Reduction Ordinance*. I know that the goal of all us is to maintain Cambridge as a livable community. Allowing excessive development, as is frequently the case within the city's present hodgepod zoning ordinance, is contrary to this goal.

The City Council should support the initiative of the the CRGM.

Sincerely yours,



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CAMBRIDGE MA.



Peter Cignetti, 5 Theriault Court, discussed the flood plain issues. The proposal is for a .5 FAR in flood plain areas. Building in flood plains is a national issue. Federal guidelines allow no building in flood plains.

Joel Bard, 51 Wendell Street, stated that he is a land use attorney, and described the design review proposals. The review process would be extended to include more projects but would still be nonbinding. A consultation process would be added for smaller projects.

Councillor Katherine Triantafillou asked for further description of the design review process. Attorney Bard provided additional details.

Councillor Michael Sullivan asked whether developing an unfinished attic would trigger the design review process. Mr. Bard said that if rehab would include over 1000 square feet of previously uninhabitable square footage, it would.

Councillor Sullivan stated that he also has questions about the effect of the new open space requirements on parking.

Pamela Winters, 41 Orchard Street, described the process engaged in by the Residents for Growth Management in the development of the proposal. Much work and thought has gone into the preparation.

Mayor Russell asked whether there were representatives from West Cambridge, Strawberry Hill and East Cambridge.

John Pitkin said that they tried to reach out to the whole city, but in some areas there were problems identifying a neighborhood group to contact.

Hugh Russell stated that he met with the East Cambridge Planning Team.

Mayor Russell stated that she believes that posting signs on the property as notification of applications for variances is a good idea. She then asked about the parking issue raised by Councillor Sullivan.

Joel Bard read the definition of beneficial open space in the proposed ordinance. Driveways and parking areas for vehicles may not be counted as beneficial open space.

Attorney Barrios stated that there are some typographic errors in the petition. Councillor Sullivan requested that they be submitted to the City Clerk. It was agreed that Mr. Barrios would send them to the City Clerk and that they will be provided to the City Council as an attachment to this report. They are so included as Attachment 2.

Councillor Duehay then opened the meeting to public testimony.

Philip Higonet, 83 Thorndike Street, spoke in support of the proposal. He stated that he was born in Cambridge and has run a business on Massachusetts Avenue for ten years. He noted the importance of growth management to residents and to businesses, especially small businesses.

Albert Puell, 412 Massachusetts Avenue, spoke in support of the petition.

Neva Fowler, 29 Buckingham Street, identified herself as a resident and a member of the Harvard Square Defense Fund. She spoke in support of the petition. She said that there is a need to protect areas of the city and small businesses from overdevelopment with its attendant problems.

Priscilla McMillan, 12 Hilliard Street, stated that she was speaking for the Harvard Square Defense Fund. She said that the city as a whole is facing many of the issues which Harvard Square faced when the Defense Fund was formed, and urged support for the petition.

Lisa Birk, 20 Columbus Avenue, spoke in support of the petition. She said that at a recent Planning Board meeting, a developer said "if you zone it, we will build." The current zoning at the Grace site means you could build 65 Bread & Circuses of the Fresh Pond store size, or 12 eight story office buildings. The proposed downzoning would still allow 17 Bread & Circuses. To her it is still too much, but it is better than what is presently allowed. The petition has room for Cambridge to grow.

Kathy Spiegelman, 57 Orchard Street, Associate Vice President for Planning and Real Estate, Harvard University, stated that Harvard supports many of the petitioners' goals but questions whether the petition, as currently drafted, is the best way to achieve these goals and also believes the present petition would have unintended results. Harvard supports protection of the quality of life in Cambridge and appreciates the attempts of petitioners to reach out for discussion of potential problems, but still has questions about the language. Harvard appreciated the attempt to respect institutional zones, but sees unintended consequences. Ms. Spiegelman noted that she and her staff have not had sufficient time to fully analyze the petition. She said that among the issues that need more time for analysis and discussion are the following:

1. Creation of excessive zoning non-conformities;
2. Transitional zoning districts are applied city-wide, but there are already existing transition zones, so this will result in double transition requirements;
3. The 55 ft. cornice height and the rigid setback limit is not appropriate for every site and every building.

Ms. Spiegelman said that there are other issues, for example, whether the threshold of design review is too low. She stated that there is a potential for undesirable economic consequences such as increased taxes and rents. She submitted a letter, which is included with this petition. (Attachment 3).

Mary Power, Director of Community Relations for Harvard, Belmont resident, stated that the petition as drafted would have unintended consequences, and provided the following examples:

- The petition would result in far more discretion on a case-by case basis by the Board of Zoning Appeals and the Planning Board;
- Double Transition zone issue; and
- Threshold for public review will create delay and distract city focus from larger projects.

Ms. Power stated that Harvard looks forward to working with the city, the petitioners and other property owners.

Councillor Reeves asked Ms. Spiegelman how much time Harvard would need for adequate study. Ms. Spiegelman said that Harvard would like to participate in a process with other property owners, the city and the petitioners. The timing has to be something that all those in the dialogue can agree to.

Councillor Reeves said that Harvard has almost singlehandedly created the affordable housing crisis.

Wally Sherwood, 10 Trowbridge Street, President, Alliance for Change, stated that it is clear from reading the petition that all of the interests have not been considered. He requested that the City Council not enact the petition at this time but rather support a comprehensive process for community discussion of this petition.

William Jones, 55 Essex Street, spoke in opposition to the proposal. He stated that Harvard Street looks good. He said that Cambridge needs tax dollars to pay the bills.

Martin Hill, 10 Samoset Road, Winchester, spoke in opposition to the petition. He stated that he is currently developing property at 265 Western Avenue. His permit is stamped "Proceed at own Risk." The bank will not close on the loan unless that stamp is removed. He submitted a letter which is included with this report. Attachment 3

Councillor Triantafillou asked for clarification of Mr. Hill's situation. Mr. Hill said that it was his view that once he got his variance he could build the building.

Councillor Triantafillou asked whether he has a legal opinion stating that the petition does not apply. Mr. Hill said that he believes that the building that he wants to build would be nonconforming under the proposed zoning in the petition. He could build four units, not eight units.

Councillor Reeves said this project needs a variance under the old or new ordinance.

Aram Hollman, 50 Clifton Street, spoke in favor of the downzoning petition. He said that Harvard and MIT were great universities before they increased their populations. He noted Harvard's secret acquisition of land. He questioned what would happen to Alewife if no additional building was allowed. He noted that the current zoning would allow an additional nine million square feet.

Geneva Malenfant, 75 Henry Street, President, Cambridge Civic Association, stated that the CCA welcomes the petition and hopes that it will result in City Council action to improve it. She said that the CCA has been analyzing this petition since it was released. She submitted a written statement which she summarized in her testimony. The written statement is included in this report. (Attachment 3). Ms. Malenfant stated that in its analysis, the CCA has used the following criteria: Preservation of existing scale, encouragement of mixed use, encouragement of higher density development near public transit centers, and utilization of planned overlay districts. Ms. Malenfant stated that the CCA supports action in the following areas of the petition:

1. Reduction of FAR, height and allowable density;
2. Housing and affordable housing incentives;
3. District boundary transitions;
4. Changes to the Industry B Zoning. The CCA suggests putting the area in PUDs and using the following criteria to evaluate proposed development:
  - (a) Is the proposed use truck dependent?
  - (b) Would it pollute the air?
  - (c) Would it provide diversified employment?
  - (d) What are the benefits to the city?

Ms. Malenfant went on to state that some parts of the petition identify problems but do not present solutions, such as the proposal for a .4 FAR for the flood plains. She questioned whether 1,000 square feet is the correct trigger for the design review process, and whether there may be times when brick or cobblestones might be a better way of preserving open space than the vegetation that would be mandated under the petition. In addition, she stated that the 55 ft. cornice line requirement needs further analysis. Finally, she stated that there are two areas not on the petition that need attention. Current zoning presently provides that parking garages do no count in the calculation of FAR, and also provides an open space bonus for buildings built beside public open spaces.

Dexter Eames, 6 Avon Place, stated that he first understood the need for revising the city's zoning when he and his neighborhood were forced with an inappropriate development which was allowable under current zoning. He stated the need for zoning that supports liveable communities.

Elie Yarden, 143 Pleasant Street, stated that he favors the petition as a straw at which he must clutch even though it does not address the issues which are most important to him. He would like to know what present pollution levels are. He is concerned about the air he breathes. Traffic is the largest source of pollution. We have reached the limit of traffic that the city can bear.

Jose Gomez-Ibanez, 78A Ellery Street, spoke in support of the petition. He stated that he was speaking of his desire for breathing space in the neighborhood in which he lives. He submitted photographs for the record showing how increased density has removed green open space. The level of current development is destroying the long term character of the neighborhoods.

Kristen Sudholdz, Executive Director, Harvard Square Business Association, stated that the Association feels very strongly about this petition. There are no easy answers. The Association represents numerous entities, all with their various issues and concerns. The Association was not invited to be involved in the drafting and was dismayed at its lack of inclusion in a petition of this scope. The Association would like to see an economic impact report and would like to see individual pieces studied more thoroughly.

Councillor Triantafillou asked Ms. Sudholdz to define the borders of the Association's interest in Harvard Square. Ms. Sudholdz replied that the borders are the eastern portion of Putnam Square, north to Oxford Street, west to the Longfellow House and south to the Charles River.

Councillor Triantafillou asked if the Association opposed height limits in Harvard Square. Ms. Sudholdz said that members have not had an opportunity to study the petition. The first presentation of the petition to the Association was June 6, and it took place because the Association invited them to present the proposal, not because the petitioners initiated any discussion with the Association.

Councillor Triantafillou said that Harvard Square has a zero vacancy rate. The only way to grow is up. Does the Association want this? Ms. Sudholdz said that it is not a matter of height and density in Harvard Square. The proposed downzoning of Porter Square will put additional pressure on rents in Harvard Square and make it unaffordable for small businesses.

Councillor Reeves asked Ms. Sudholdz the Association's view of massing development around transportation hubs. Ms. Sudholdz said that the Association's board noted the contradiction of the overcrowding of Harvard Square and forcing growth back into the Square because of the T Station.

Adam Weisenberg, 51 Martin Street, stated that he applauds the petitioners for their goals, but the petition still needs a great deal of work. His house is in a Residence B district and under the petition the FAR would be reduced, and the property would become nonconforming, to encourage affordable housing which is difficult to develop in areas zoned for one- and two-unit buildings. Any change he wants to make to the house would require permission from the Board of Zoning Appeal. He is also concerned about taxes which are needed to keep schools strong.

Mr. Weisenberg stated that this petition would not have stopped the 33 Linnaean Street development. He added that he is also concerned about glitches, for example in the open space requirement. He gave the example of his preview resident; which was a two unit condo with two separate yard spaces. It would not be allowed under the petition.

Paul Casey, Brookline resident, representing Com Energy Companies, which owns 35 properties in Cambridge. Mr. Casey started with the issue of process. He stated that this petition was brought by CCLN who chose not to enter a dialogue with the business community. Mr. Casey moved to height issues. The buildings that surround their Third Street properties are 250 feet. Com Energy believes that their site should get equal treatment.

Lenore Schloming, 102 Inman Street, stated that more time is needed to analyze this petition. As density goes down, property taxes and rents will rise.

Craig Kelly, 6 St. Gerard Terrace, spoke in support of the zoning amendments. He stated that this is not a perfect plan but it is a very good plan.

Philip Dowds, 48 Banks Street, stated that there has been a nine year lull in development because of the real estate decline, which is now over. Real estate business is again booming. The city has lost two major defenses against development, rent control and the parking freeze. The builders are back. In 1997 the building permits are up by a factor of four. The Zoning Ordinance is the fire wall and it is made of kleenex. The Pitkin petition will help this situation if the City Council wants to take more time to study this petition, it needs to vote for a moratorium on all buildings over 55' feet high and FAR past what the petition will allow.

Belinda Bacon, Pearl Street, spoke in support of the petition. She stated that this is well-motivated and well thought out.

Stash Horowitz, Florence Street, spoke in support of the petition. He said that he supports all proposals to limit over-development. The citizens are near choking on pollution and over-development. Cambridge needs urban planning. The Planning Board does not plan. the administration has let the city down; the City Council must regain control.

James Williamson, 17 Perry Street, spoke in support of the petition. He said that in his twenty-five years in Cambridge he has seen a devastating march of buildings down Massachusetts Avenue to Harvard Square, which once had human scale and charm and has now been almost entirely destroyed.

Mr. Williamson emphasized the proposed sign notification process for applications for variances and suggested that this provision need not wait for passage of the entire proposal.

Skip Schloming, 102 Inman Street, stated the necessity for economic impact analysis. The petition does not just affect developers; it affects every single resident. Housing is cut back from what it is now. More housing units are prevented from being built through this petition. Sixty percent of the existing housing is now non-conforming and thirteen percent will become non-conforming. Over time this will result in a loss of housing units and an increase in taxes.

Robert Winters, 366 Broadway, stated that he favors some parts of the proposal, especially the open space, the height limits, the transitional rules, and re-looking at allowable density. He stated that he obtained maps from GIS and looked at particular buildings and current densities in his neighborhood. Clinton Street averaged .75; Maple Street, .7; Ellery Street, .8; and Fayette Street, .8. From this study, it appears to him that maintaining current density would work. Mr. Winters said that he does not support downzoning near transit hubs, including Alewife. He said that flood plan definitions are specious.

Jonathan Ginsberg, 2 James Way, representing Forest Cities, spoke in opposition to the proposal. The Growth Policy process two years ago was useful. He encouraged the City Council and the Community Development Department to reopen that process and discuss growth issues in that forum rather than in the context of a zoning petition. He stated it appears that any effect on University Park is peripheral.

Tom Lucey, Lake Street, Wakefield, Government Relations Director, Chamber of Commerce, stated that the Chamber cannot respond because the impact of this petition is unknown. No one truly understands the impact of this petition - this is the one fact. He asked what short/long term effects would be on the tax base, jobs, business growth, and non-conforming structures. With regard to the drafting process, he said that the Chamber participated in one meeting two weeks before the petition was submitted.

Dennis Carlone, 130 Prospect Street, spoke in opposition to the petition. He said that the zoning needs an adjustment but it has to be done fairly with a true planning perspective. Many of the petition's goals make sense, but there are problems with the petition as currently drafted. He said that the number one issue for him is the very uneven reduction of FAR across the city. Second, it is ludicrous to downzone near the MBTA stations. Clean air considerations alone require higher density near transit centers. From a true urban design perspective, Massachusetts Avenue should have two- to three-story buildings as buffers to protect interior neighborhoods from the noise and other effects of the large buildings on the avenue. He stated that FAR does not deal with flood plains.

The 7% limit on roof top mechanicals is not sensible. A well thought out PUD overlay is needed.

Joseph Joseph, 20 Columbus Avenue, stated that he lives in the heart of the flood plain. Residents need protection. The neighborhoods were there before the transit stations. The idea of more development near transit stations is ridiculous, when neighbors are already suffering the effects of the stations themselves. He stated that there is too much unevenness in the zoning in the city.

Joanne Madden, Clifton Street, spoke in support of the petition.

Howard Medwed, 58 Washington Avenue, Vice President of the Harvard Square Defense Fund, spoke in support of the petition. He said that the petition is complex; so is the current zoning ordinance. If the zoning is not changed, the city will see small buildings torn down to be replaced by the biggest buildings allowable. We have to start with where we are now. We are in a very tight development market. The city must be able to control its destiny.

Randy Fenstermacher, 820 Massachusetts Avenue, spoke in support of the petition but expressed a concern about whether the proposed incentives are really adequate to encourage affordable housing.

John Fernberg, Genetic Institute, 87 Cambridge Park Drive, stated that several aspects of the petition will impact the company's ability to expand. The height limits and limits of mechanicals on roofs are not realistic for biotech lab development.

Robert LaTremouille, 875 Massachusetts Avenue, spoke in opposition to the petition. He said that special permits make the actual zoning almost irrelevant. You can build housing that must be affordable for only 30 years, and you can build anything you want.

Robert Simha, MIT, 7 Blanchard Road, and Michael Owu, MIT, 289 Highland Avenue, spoke in opposition to the ordinance and emphasized the importance of stability of city ordinances to MIT's ability to plan for the future. The proposal is complicated but it appears to have a detrimental effect on MIT's ability to achieve its goals.

Janice Bourque, Executive Director, Mass Biotech Council (MBC), 245 First Street, a non-profit private trade association, stated that more discussion is needed. In Cambridge alone, there are well over 50 biotech companies, which is the largest concentration in the world. The biotech industry appreciates Cambridge's concern with the quality of life but believes that there must be a balance that allows businesses to remain and grow. She noted that Hybridon Headquarters, Genetics Institute, and the Biogen Facility would all become non-conforming under the present proposal. MBC would like to have the opportunity to enter into a dialogue regarding this petition.

Brendan Noonan, 208 Rose Street, Belmont, stated that he works in Cambridge and is a member of the Chamber of Commerce. He stated that the Chamber's opposition is with respect to the issue of process. The business community had no input into the drafting; the process was not inclusive. The petition did not bring all the parties to the table. He is concerned about the financial impact, for example, the effect on the City's taxes and land values. The economic impacts need to be studied.

William Zamparelli, 7 Emmons Place, Chair of the Government and Community Affairs for the Chamber of Commerce, stated that he is appearing as a resident. The proposal will have a personal impact on his family. He needs to enclose porches to make bedrooms for his children and now he cannot do so without a variance. That means he cannot go forward this year. This document was put together in haste and in a rush. It needs careful evaluation and more planning analysis.

Helen Lambert, 25 Sacramento Street, stated that she applauds the intentions of the petitioners but she has concerns about the complexities. Today she discovered a new concern. On page fifteen, footnote (m) states that not less than 1/2 of beneficial open space shall be usable, while in another place it says that all beneficial open space shall be usable.

At this time, Councillor Duehay closed the public testimony of the hearing.

Councillor Duehay noted that the petition expires by operation of state law on September 22, 1997 at midnight. He stated that he believes it would be preferable for the City Council to move the petition to a second reading at its August meeting, so that the petition would be ready for discussion and action in early September. Councillor Duehay stated that, if schedules permit, he would like the Ordinance Committee to have the opportunity to hold a meeting to discuss the Planning Board report if it is completed this summer, without having to wait for referral at the first September City Council meeting on September 8th. After conferring with Deputy City Solicitor Donald Drisdell and the City Clerk, he has concluded that this can be accomplished by making a partial report to the full City Council referring the petition for a vote on passage to a second reading and recommending that the City Council authorize the Ordinance Committee to hold whatever hearings to consider the Planning Board report that it deems necessary and feasible.

Thereupon, Councillor Duehay offered the following motion:

**That the Ordinance Committee submit to the full City Council a partial report on the matter of the Pitkin et al. Downzoning Petition, referring the petition to the full City Council for a vote on passage to a second reading at the August 4, 1997 meeting, and recommending that the City Council authorize the Ordinance Committee to hold hearings on the Planning Board report if the Ordinance Committee deems such feasible and desirable.**

The question now came on acceptance of the motion and on a voice vote the motion passed unanimously.

Councillor Duehay thanked those present for their attendance.

The meeting was adjourned at 10:30 p.m. on the motion of Councillor Sullivan.

For the Committee,

*Francis H. Duehay*  
Councillor Francis H. Duehay  
Chair

**ORDERED:** That the City Council hereby authorize the Ordinance Committee to hold one or more hearings on the Planning Board report on the Pitkin et al. Downzoning Petition at any time after the report is completed and forwarded to the City Clerk by the Planning Board and/or the City Manager, if the Ordinance deems it necessary and feasible.

## City of Cambridge

The Ordinance Committee held a public hearing on June 24, 1997, beginning at 5:50 p.m. in the Sullivan Chamber for the purpose of considering a petition filed by the Cambridge Residents for Growth Management for amendments to the Zoning Ordinance. (Attachment 1).

Present at the hearing were Councillor Francis H. Duehay, Chair of the Committee; Vice Mayor Kathleen L. Born; Councillor Henrietta Davis; Councillor Anthony D. Galluccio; Councillor Kenneth E. Reeves; Mayor Sheila T. Russell; Councillor Michael A. Sullivan; Councillor Timothy J. Toomey, Jr.; Councillor Katherine Triantafillou; City Clerk D. Margaret Drury; and Deputy City Clerk Donna Lopez. Also present were Donald Drisdell, Deputy City Solicitor; Nancy Glowa, Legal Counsel, City Solicitor's Office; Elizabeth Epstein, Deputy Director, Community Development Department; Lester Barber, Assistant to the Planning Board, Community Development Department; and Stuart Dash, Director of Neighborhood and Community Planning, Community Development Department.

Councillor Duehay convened the hearing and explained the procedures and the purpose. He stated that there would first be a presentation by the petitioners, then questions by the members of the Committee, followed by public testimony. He noted that he would encourage those presenting testimony to try to be brief, as there are many signed up to speak. Councillor Duehay stated that in light of the number of people desiring to speak, he would call five in support of the petition, then five in opposition, and continue that rotation until all wanting to speak had spoken. He then invited the petitioners to present the proposal.

John Pitkin, 18 Fayette Street, introduced the presentation with a slide show.

Hugh Russell, 1 Corliss Place, member of the Planning Board, stated that he is appearing as an individual in support of the petition. He stated that he has put a great deal of thought into the question of whether advocacy on behalf of this petition is a conflict of interest with his official duties on the Planning Board and has concluded that it does not. Mr. Russell described the effects of the proposal in the different neighborhoods of the city. For the residential neighborhoods, it would result in a modest downzoning. Porter Square is now zoned similarly to the Galleria. Alewife's present zoning would permit 132 new buildings similar to the eight new buildings already built. The proposal would substantially reduce this, and would as well rezone the flood plain areas.

Attorney Jarrett Barrios, 216 Prospect Street, described the effects of the proposed petition on affordable housing. The proposal would expand the linkage requirements by lowering the square footage of development size that triggers the linkage requirement and increasing the fee to take into account the inflation since the fee was set ten years ago. In addition, the proposal includes provisions for inclusionary zoning with bonuses for affordable housing.

Karen Carmean, 257 Cambridge Street, explained the open space provisions of the proposal. Open space is protected in three major ways, including protection of existing parks and new requirements for green space in yards.

Cal 180-17

A communication was received from D. Margaret Drury, City Clerk, transmitting a report from Councillor Francis H. Duehay, Chair of the Ordinance Committee, for a meeting held on June 24, 1997 for the purpose of considering a petition filed by the Cambridge Residents for Growth Management for amendments to the Zoning Ordinance.

September 22, 1997

Passed to be ordained  
as amended, 7-2-0.

Remaining Portions of Petition  
tabled by Councillor Sullivan,

September 23, 1997 - Tabled  
portions of the Petition Placed  
on file due to expiration of time limit.

Final published in Chronicle  
October 2, 1997

Published in Chronicle  
August 7, 1997mc

Councillor Reeves voted  
in the negative.

In City Council August 4, 1997

Passed to a Second  
Reading on a voice vote  
of eight members

Order Adopted  
on a voice vote of  
eight members.