

North Point Policy Plan
Including Design Guidelines

Sasaki Associates, Inc.

September 1988

NORTH POINT POLICY PLAN

I. INTRODUCTION

1.01. Purpose and Intent. This document is and shall be considered a policy plan under Section 12.51 of the Cambridge Zoning Ordinance (the "Ordinance") with reference to the issuance of special permits under Section 13.70 of the Ordinance in the North Point residence, office, and business district (the "District"). This document sets forth the development policies which are to guide the development of the District anticipated to occur over the next twenty (20) years. It also sets forth Design Guidelines to be considered by the Planning Board in reviewing development proposals under Section 13.70 of the Ordinance.

1.02. Background. The District is located immediately north of Monsignor O'Brien Highway, bounded by the Charles River and parts of Boston to the east and by railroad lines and yards to the north and west. Although it is a large area, over 70 acres, relatively few people are aware of it. Indeed, the District is not commonly thought of as part of Cambridge - the elevated MBTA Green Line viaduct on the southern border of the District is often taken to mark the Cambridge boundary. Originally mostly tidelands, the District, as well as adjacent parts of Somerville and Boston, was first filled for use for heavy industrial purposes, including railroad yards and a gas works. Today, the predominant uses are warehouses, trucking, and rail use. Other uses include a garbage transfer station, a sewage pumping station, storage and various other industrial uses, as well as two small office buildings.

The area to the north of the District is the location of major rail uses, the Boston Sand and Gravel plant, and elevated Interstate 93. The elevated Gilmore Bridge to Charlestown (Charlestown Avenue) bisects the District, and the elevated MBTA Green Line tracks to Lechmere Station run along the District's southern boundary. Despite the District's lengthy frontage on the Charles River, there is no parkland or improved open space and no public access to the river. Some of the properties in the District are currently vacant and/or in substandard condition.

A number of these conditions are expected to continue for some period of time. In particular, some portions of the District and a large area north of the District will continue

to be used for transportation or other heavy industrial purposes in the future, because of the following:

- (a) the impending relocation of the MBTA Green Line Lechmere Station to the north side of Monsignor O'Brien Highway, including possible maintenance facilities;
- (b) the reconstruction of the Interstate 93/Route 1 interchange immediately north of the District, including construction of an additional elevated ramp at or possibly across the boundary of the District;
- (c) the likelihood that some land in the general area of the District will be required on a temporary basis for staging purposes in connection with the reconstruction of the Interstate 93/Route 1 interchange and the depression of the central artery in Boston;
- (d) the continued presence of the garbage transfer station for another five (5) years under its lease agreement;
- (e) the importance to the Commonwealth of the rail corridor immediately north of the District; and
- (f) the right of existing industrial users to continue their activities.

Despite all of the foregoing, the District has considerable development potential because of its proximity to Boston, its frontage on the Charles River near the Museum of Science, its proximity and access to the MBTA Green Line stations at Lechmere and Science Park, the MBTA Orange Line station at Community College, and North Station in Boston, and the impending completion of the redevelopment of the East Cambridge Riverfront immediately to the south. Recognizing this potential, the City imposed a zoning moratorium on the North Point area generally in 1986 for planning purposes, an effort which has culminated in the creation of the District and this Policy Plan. The zoning for the District and this Policy Plan, including the Design Guidelines set forth below, reflect the concerns which have arisen in the course of this planning effort, particularly with respect to the mitigation of traffic impacts on Monsignor O'Brien Highway and the encouragement of the use of the very significant mass transportation resources available to the North Point area.

II. PLANNING FOR THE DISTRICT

2.01. Planning Approach. Planning for the District follows a different path than that experienced along the East

Cambridge Riverfront. At the East Cambridge Riverfront, the City spearheaded redevelopment of the area by putting a master plan for the area through the environmental review process and providing from its own funds or obtaining from the state the very heavy roadway and other infrastructure improvements required for development of the area. As a result, in the East Cambridge Riverfront, the City was in effect a partner of the various private developers involved in transforming the area; the outstanding success of these efforts is due in large part to the strong role and heavy financial contribution made by the City or through its efforts.

North Point stands in sharp contrast to the East Cambridge Riverfront. North Point has none of the infrastructure and roads within the site necessary for revitalization, but at this time the City is not in the position to commit itself to funding those improvements (although it is hoped that funding may become available in the future for that purpose). Furthermore, it is advisable for the City to take a different role in view of the following:

- (a) the very substantial interest of the Commonwealth in the North Point area and area adjacent to it, as indicated in items (a), (b), (c), and (e) listed in Section 1.02 above;
- (b) the extensive state regulatory requirements applicable to much of the North Point area, particularly with respect to former tide lands and land now or formerly used for railroad purposes;
- (c) the long time horizon which the transition of the District from a heavy industrial area to a mixed-use commercial area will of necessity take;
- (d) the very high likelihood, given the existing and past uses of land within the District, that substantial environmental clean-up will be required, at great cost; and
- (e) property ownership lines within the District.

Accordingly, at North Point, the City is not expected to spearhead development, but rather to protect the public interest by enforcing the zoning and through its Planning Board reviewing and approving development proposals in accordance with Section 13.70 and this Policy Plan (including the Design Guidelines). Given the long time horizon for revitalization of the District, and the substantial uncertainty over the amount of land within the District that will be available for redevelopment, this Policy Plan sets forth the development

policies which are to guide the development of the District and illustrative plans which embody them; however in view of the uncertainties present at North Point, the development policies outlined in this Policy Plan do not impose a rigid plan for redevelopment. It is expected that the plans outlined here may change over time as the uncertainties involved diminish; this is particularly so west of the Gilmore Bridge. As individual building projects are approved through the PUD process under Section 13.70, they shall be reviewed for conformity with this Policy Plan and the Design Guidelines included in it. In making any changes to the plans set forth in this Policy Plan or approving projects which deviate from those plans, from this Policy Plan, or from the Design Guidelines, the Planning Board and the City must be responsive to the concerns and constraints listed as items (a) through (e) above in this Section 2.01.

III. DEVELOPMENT POLICIES

3.01. General. North Point should be an urban environment that will ultimately be active during the day and evening. The site is located on the Charles River with spectacular views of Boston's skyline and it is adjacent to the Boston Museum of Science and East Cambridge. At this location the site is uniquely situated to provide a distinctive setting for a high quality urban development that will be a positive addition to the East Cambridge environment. This Policy Plan and the zoning for the District respond to pedestrian and automobile transportation, environmental and community constraints and concerns, and form the framework for creation of a highly imageable environment and strong sense of place.

The goal of North Point development is to create an urban district with a diversity of uses consisting of moderate scale buildings which frame a public open space system. The open space system should extend across the site, connecting it directly to East Cambridge and to the Charles River waterfront.

The streets and blocks at North Point should organize the buildings to form a natural extension of the nearby East Cambridge Riverfront city block grid. Within North Point, streets and blocks are to be a series of public spaces which shall be clearly defined as part of the public realm and shall be interconnected by a primary spine street. This primary street shall connect the District's pedestrian ways and open spaces to the Charles River, East Cambridge and MBTA Green Line Lechmere Station providing clarity and continuity to the area. The buildings at North Point are to create a framework for defining the streets and open spaces with consistent setbacks from public ways.

Single use precincts are to be avoided and the mix of uses within the same development zone is encouraged to create active environments throughout the day and evening. Subject to the need for at and above-grade structured parking as discussed in Section 4.02(a) below, flexibility for street level retail uses should be maintained in order to provide more activity along main thoroughfares.

The public open spaces and roadways at North Point should make connections between uses on the site and off of the site. The District's primary spine street should form a major new path for direct public access to the Charles River waterfront edge from the new Lechmere MBTA station and the East Street entrance, which is also the District's gateway to and from the East Cambridge neighborhood.

Major urban parks are proposed for North Point. A waterfront park is planned along the Charles River which will take advantage of the spectacular views to the city skyline and river. To the west of Charlestown Avenue a central public square should be established to create a focus for the district west of Charlestown Avenue.

3.02. Transition from Existing Heavy Industrial Character. The transition of the District from its existing primarily heavily industrial character to a mixed-use area is expected take several years. To the extent of existing and proposed rail transportation uses which remain in the area, some developments in the District will for the near future abut rail uses; it is expected that this will diminish in the future as some rail land becomes available for development. In this connection, it is recognized that a large area immediately north of the District will remain in heavy industrial use for transportation purposes and to accommodate the Boston Sand and Gravel plant for the foreseeable future. The persistence of the existing heavy industrial and transportation uses on a temporary or permanent basis may restrict the ability of portions of the District to accommodate housing uses. Although additions to Cambridge's housing stock, particularly of affordable housing, are to be encouraged, and the zoning contains incentives for housing development, it is recognized that the character of the area into which housing uses would be introduced must be substantially changed from the present character of many parts of the District. The mechanism which should be used to promote housing uses within the District is that experienced at the East Cambridge Riverfront: commercial development of office, research/development or other uses should be permitted to establish a favorable atmosphere, including appropriate open space and roadway and circulation patterns, so that housing can be introduced as an enriching feature of the overall development of the District.

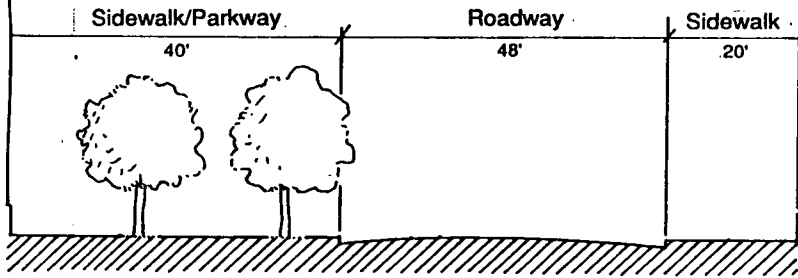
Accordingly, the desire for housing uses should not prevent commercial development but encourage it.

3.03. Roadway and Circulation Framework. The roadway plan for North Point (see illustration) proposes that the site will be serviced by a primary loop road which will provide access to the site from Monsignor O'Brien Highway at East Street and Industrial Way. The primary roadway should continue from this loop in an easterly direction towards the river's edge linking the projects open spaces to the riverfront. Connecting to the primary loop roadway should be a simple block pattern of secondary roadways which will provide each development parcel on the site with public access. As with the major spine road, these roads should be largely defined by the buildings at their edges. The provision of the primary loop roadway providing access at East Street and Industrial Way is a required part of the full development of the District, but the exact location of the roadway remains to be determined based on present and future property ownership lines, as well as engineering considerations. In particular, because of the unique configuration of the Ogden Realty Trust parcel, the primary loop roadway should not be located on or over that parcel without the agreement of Ogden Realty Trust or its successors in interest.

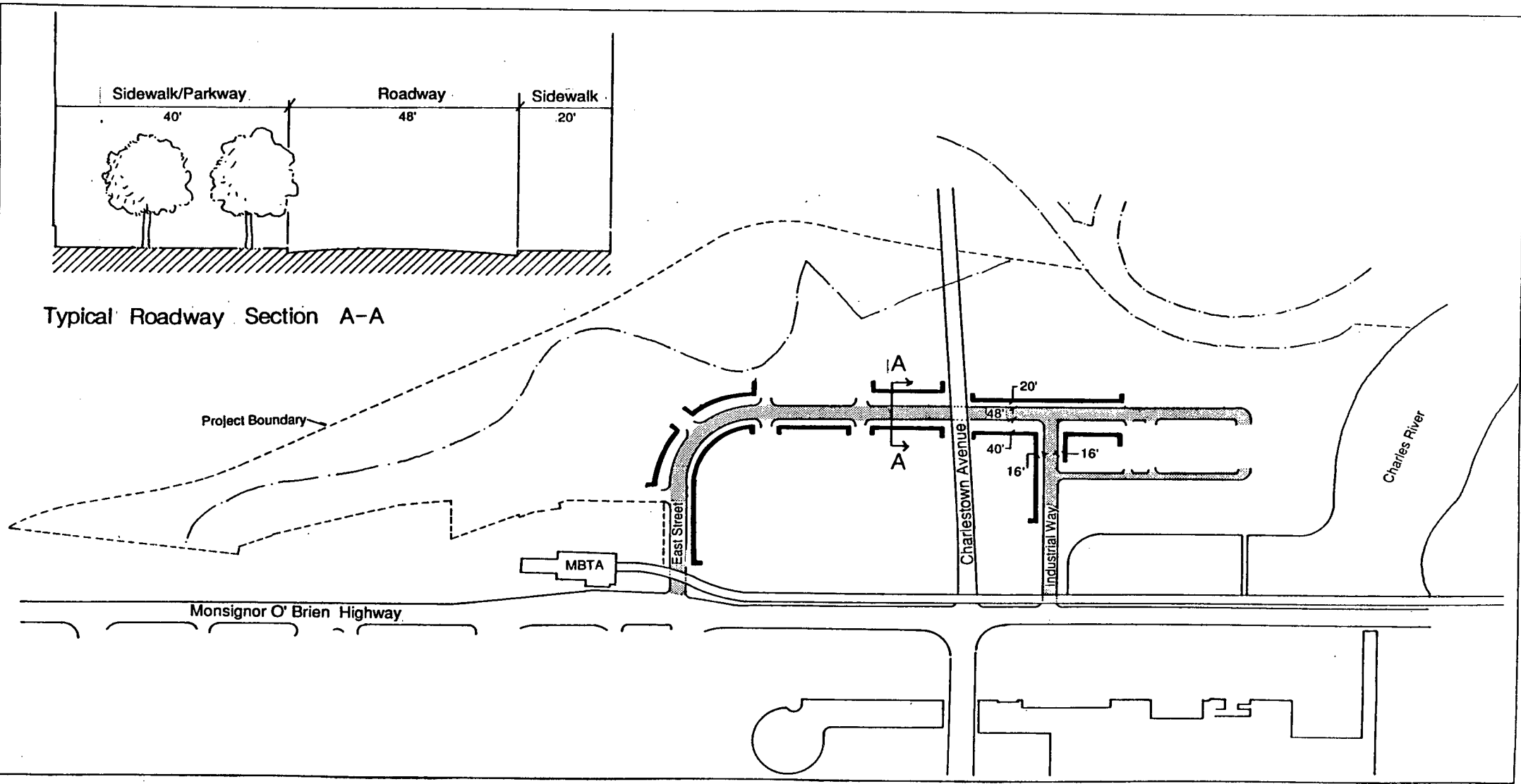
The primary roadways on the site should connect larger open spaces on the site and provide a continuity of urban landscape. The primary loop road should provide for up to four travel lanes with the possible addition of a fifth lane at the points of entry onto Monsignor O'Brien Highway. As shown on the open space plan (see illustration), significant portions of the north side of the roadway from the MBTA station to the water's edge should include a major pedestrian path and an allee of the trees.

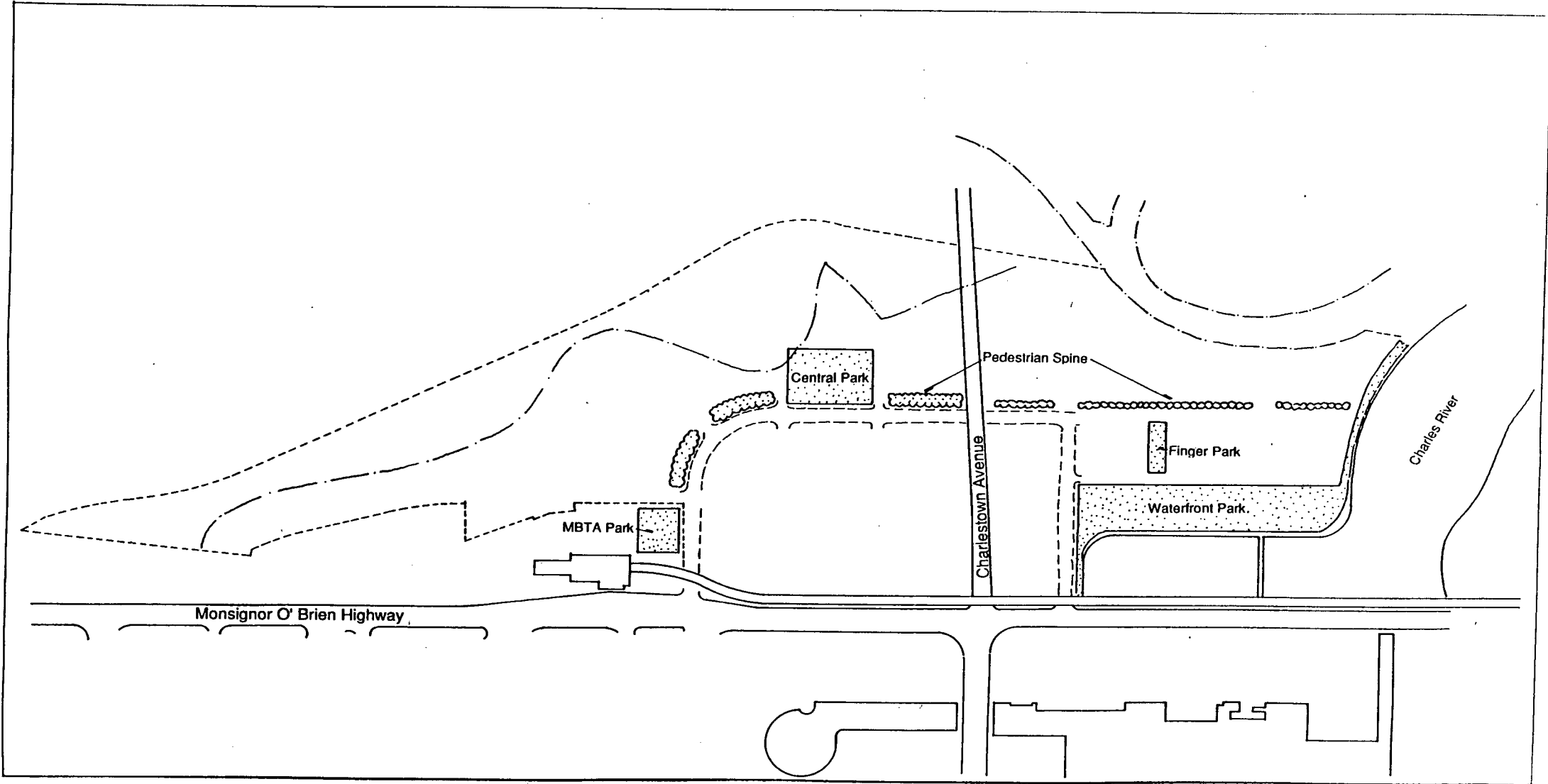
3.04. Open Spaces. Two major public open spaces are proposed by the open space plan (see illustration): a waterfront park, and a central park square. These parks should be connected to each other and to the MBTA station by the site's roadways and linear park system. The detailed program for each park should be developed in cooperation with the MDC and the City of Cambridge.

The waterfront park should be a focus for the uses that face it. Buildings should be discouraged easterly of Industrial Way within 200 feet of the Charles River canal on the southeastern edge of the District so as to enable the waterfront park and abutting secondary roadway to run the full length of the canal. The waterfront park should function as a destination for North Point and Cambridge residents and workers who will arrive via North Point's open space system or the MDC's Charles River park system. The park should be largely lawn and trees and have sufficient area for passive recreation. Finger parks between buildings should extend from the waterfront park connecting it to the primary spine roadway,



Typical Roadway Section A-A

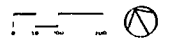




North Point Policy Plan

Concept Plan-Open Space

September 1988



Sasaki Associates, Inc.

providing direct waterfront access to the pedestrian system at North Point.

A major central park should be located in an appropriate site west of the Charlestown Avenue Bridge. This park should be the focus of the adjacent uses. The open space areas in this park should be largely trees and grass and provide a passive recreational amenity.

A smaller park is proposed adjacent to East Street at the new Lechmere MBTA station, on MBTA property. This park should be the beginning of the linked pedestrian open space system from East Cambridge and the Green Line station to the rest of North Point.

The major open space areas on the site should be connected to each other by a widening of the spine road right of way which should be planted to create a pedestrian walkway and visual connection between North Point's open spaces and the Charles River. This linear green space along the spine road should connect to the waterfront park via the finger parks described above.

A park with a minimum width of 50 feet of green space is proposed along the Charles River edge. This parkway should provide for public access and movement as part of the MDC system.

IV. DESIGN GUIDELINES

4.01. General. Development proposals under Section 13.70 of the Ordinance are to be reviewed by the Planning Board for consistency with the Design Guidelines set forth in this Section IV. Nothing in these Design Guidelines shall prevent the Planning Board from approving, in its discretion, a development proposal which deviates from specific language of this Section IV, but a deviation from the overall quality and character of development suggested here is strongly discouraged.

4.02. Elements of Form.

(a) Height:

The North Point project has been planned so that building height and bulk will relate compatibly to the building heights of the neighboring development at the Lechmere Triangle and help overcome the effects of the elevated roadway of Charlestown Avenue Bridge and the proposed I-93 ramp.

The highest buildings at North Point will be limited to a maximum height of 145 feet. These buildings will be located adjacent to the Charlestown Avenue Bridge and on the north side of the project site near the railyards. At these locations the buildings will provide North Point with a barrier from the visual and noise impacts of the elevated Charlestown Avenue Bridge and from the proposed ramp. These buildings will also take advantage of the views of Boston skyline, the Charles River and East Cambridge and they will maximize the amount of sunlight that will reach major open spaces.

Building heights will step down from the north side of the site to lower height zones at the south side of the project which are more compatible to neighboring development at Lechmere Canal and the Charles River edge. Beyond this, the long and substantial 85-foot height zone along Monsignor O'Brien Highway westerly of Charlestown Avenue provides an important transitional buffer zone to the residential East Cambridge neighborhood. A 115-foot zone and an 85-foot height zone achieve a gradual reduction in height across the site with the 85-foot zone being adjacent to and matching the building height limitation at Lechmere Canal.

The actual space available for commercial and residential uses in the District is much less than the full height envelope due to the City Engineer's determination that excavated parking will not be permitted in the District below 4.5 feet below grade, due to concerns over the water table. The effect of the City Engineer's determination is to require structured parking at and above grade, occupying a portion of the height envelope. This is in sharp contrast to the Lechmere Triangle, where largely excavated parking structures were encouraged. The effective height penalty imposed by the City Engineer's determination should be taken into account in reviewing the heights of proposed buildings in the District.

(b) Massing:

While North Point will be a new area, it should still be considered an extension of the Lechmere Development area and East Cambridge, with the pattern of urban streets of these areas being extended onto the site. The streets at North Point should be defined by buildings. Each building should have a clearly articulated base, middle and top, so as to create a streetscape that is at a human scale.

Each building should conform to the following general requirements which apply to building massing design:

1. Each Base should be composed of one to three floors, it is being understood that ordinarily some or all of the Base must necessarily accommodate structured parking.
2. Each Base should be clearly articulated from the rest of the building and should be designed to define an appropriate human scale at the street level.
3. As buildings increase in height, they should be broken down in scale toward the top. The top may be differentiated by a change in the window rhythm, change in apparent floor height setback, or use of alternate materials or a combination of these elements.
4. Rooftop elements such as mechanical penthouses and elevator overruns should be screened from view from above and below with roof or wall enclosures which, in their configuration, materials, coloration and surface design are compatible with roof and wall materials of the building.
5. Distinctive corner and entry treatments may differ from the Base, Middle, and Top guidelines of this section in order to enhance the building facades.

When possible, building massing for North Point should be arranged so that major open spaces at North Point maximize the hours of available sunlight. When buildings border the public domain they should form a common wall with adjacent buildings responding to their neighbors in an architecturally compatible manner. The creation of alleyways between buildings that are visible from the public realm is not encouraged.

(c) Building Edge:

The use of buildings to create a street edge is required. This may be accomplished by setbacks and cornice lines which are consistent between buildings along the spine road and on the same block. The consistent alignment of buildings with streets and open spaces will also help unify the entire North Point district.

Along the primary spine road west of Charlestown Avenue, building faces should be approximately 40 feet from the curb along the north side and approximately 20 feet along the south side. East of Charlestown Avenue, setbacks

from the curb should be approximately 20 feet on the north side and approximately 40 feet on the south side. Along a realigned Industrial Way, there should be approximately 16 feet from curb to face of building on both sides. Pedestrian paving along the other roads should generally be between 12 and 15 feet in width, inclusive of curbs and planting areas.

4.03. Architectural Detail:

(a) Materials:

All buildings should be faced predominantly with authentic brick and/or stone masonry. Stone masonry is defined as granite, limestone, marble or other natural stone or high-quality cast stone. String courses, lintels, sills and trim of complementary materials are encouraged to soften and refine these facades. The highest quality of materials should be used at the pedestrian level of all buildings.

(b) Windows:

Strip windows should be avoided. Glass curtain walls are permitted to be included as components of middle divisions where combined with major vertical masonry elements. Expansive glass and transparency at street level is encouraged, where possible given the need to provide structured parking at and above grade .

(c) Color:

The colors of materials should generally be compatible to the general palette of colors and materials that have been used for the Lechmere Canal development in East Cambridge.

(d) Signs:

Signage shall conform to relevant city ordinances. Bases should be designed to accommodate signage in an orderly and attractive manner.

(e) Parking Structures:

Facades of parking structures which face major streets, open space or residential uses should be designed with horizontal perimeter openings. Continuous horizontal strip openings are to be avoided; and in no case should openings exceed 45 feet in width.

4.04. Streetscape. The North Point streets consist of the primary loop roadway and the secondary streets that branch from it. Three design elements should be considered for these streets: pedestrian paving, street lighting, and street trees.

(a) Pedestrian Paving:

Pedestrian paving widths should be established based on pedestrian use, with differentiation among the primary loop roadway from the MBTA station to the river, secondary streets, streets bordering public open space, and the river edge promenade. The paving materials for pedestrian areas should provide a sense of continuity, with paving patterns being designed to reflect building modules and building entries, street crossings and other significant places. All pedestrian paving shall be separated from roadways by granite curbing.

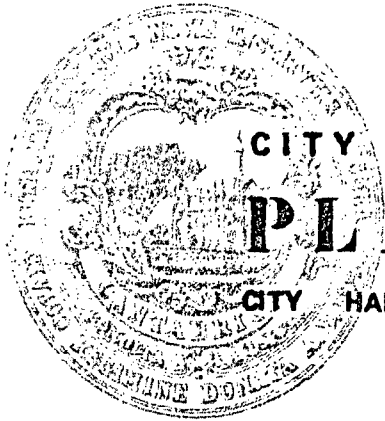
(b) Street Lighting:

Street lighting will help provide North Point with a unified network of streets and spaces as well as provide suitable light levels for safety. Lighting types should relate to the different uses of each vehicular and/or pedestrian way including the primary loop roadway, secondary streets, the riverfront promenade, and other public open spaces.

(c) Street Planting:

The three dimensional scale and impact of the tree lined streets and open spaces are important aspects of the North Point plan. The grid of tree rows formed by street plantings is intended to organize the open spaces of the project. Tree types and species should be chosen for use so that complementary species and appropriate scale of tree size are selected for each area.

XP-3975/c



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

To the Honorable, the City Council:

SUBJECT: Guilford, et al Petition to rezone the area in East Cambridge known as North Point.

Date: October 13, 1988

Final Recommendation

The Planning Board recommends approval of the Guilford, et al Petition, as amended on October 3, 1988.

Findings

The petition was filed in June, 1988 and heard by the Planning Board in August. In response to comments and recommendations by the Planning Board, the petitioners proposed a substantially revised petition that was discussed with the Planning Board on September 27, 1988. Based on that text, the Planning Board submitted a negative recommendation to City Council dated September 30, 1988. The fundamental issue in dispute was the amount of commercial development and the inadequacy of standards on traffic generation by which the Planning Board could control overdevelopment under the PUD process.

Additional revisions were made by the petitioners and submitted as an amended text to the City Council on October 3, 1988 and reviewed by the Planning Board on October 4. These revisions include discussion of the restricted traffic capacity in North Point and provide a limit on commercial development beyond which additional traffic capacity would have to be identified. Based on this revision, the Planning Board reviewed its previous decision and now recommends adoption of the amended October 3, petition.

The Guilford, et al Petition as amended October 3, represents a compromise between that proposed in the original petition and the Planning Board's separate petition. The issues identified by the Planning Board in the September 28 recommendation as problematic have been positively resolved. These include the following.

- * The amount of development permitted in North Point should be predicated on safe access for pedestrians and vehicles. By clearly identifying traffic as a criteria for limiting development and by providing a cap on commercial development, the petitioners have provided the necessary controls to prevent overdevelopment.


- * The Planning Board is strongly committed to the citywide linkage program adopted by the City Council. Under the amended petition, North Point development requiring a special permit would comply with the citywide program. In addition, the amended version establishes an inclusionary requirement for affordable housing.

- * The success of any Planned Unit Development process depends upon the policy plan and guidelines against which the proposed new development is measured. The petitioners have agreed to separate approval of the North Point policy plan and guidelines from adoption of the zoning text so that the necessary further work can be done to develop acceptable standards by which the Planning Board can review a development proposal in North Point in the future.

For these reasons, the Planning Board recommends approval of the Guilford, et al Petition with the text as submitted to City Council on October 3, 1988.

While the agreed text of the Guilford, et al Petition is an adequate substitute for the major land area in the Planning Board Petition, there are two additional areas in the Planning Board petition proposed to be rezoned which are not included in the Guilford, et al Petition. The Planning Board will submit recommendations on these areas in the near future.

Respectfully submitted for the Planning Board,


Paul Dietrich, Chairman

City of Cambridge

PETITION OF *Gulford Transportation Ind. Inc.*
Northpain Residence, Office & Business District
 Petition filed with the City Clerk *June 20, 1988*

(all hearing to be completed 65 days from filing date with the City Clerk)

10 day June
31 day July
24 day Aug

65 day = Aug. 24, 1988 = all hearings

In City Council

June 20, 1988
June 20, 1988

Referred to the Planning Board for report

Planning Board Hearing

City Council

(CITY COUNCIL must act within 90 days of the ~~Planning Board's~~ hearing which would be *October 18, 1988*.)

11 day July
31 day Aug.
30 day Sept
18 day Oct

90

City Council hearing published - *Chronicle - June 30, 1988*

July 7, 1988

Hearing before the City Council - *July 20, 1988 at 6:30 P.M.*

Report to the City Council

- *July 25, 1988*

Passed to a second reading published

- *July 25, 1988*

Planning Board report *Chronicle - July 28, 1988*

Ready for Ordination published

received October 3, 1988
Revised Planning Board report Oct. 17, 1988
October 17, 1988

Published - Chronicle Oct. 20, 1988

COMPLETION DATE:

October 8, 1988.

Copy sent to DCA, Community Development Dept,
City Solicitor, Inspectional Serv. Dept, Committee
in ord. 10/19/88 CW



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

October 19, 1988

Department of Community Affairs
Commonwealth of Massachusetts
100 Cambridge Street
Room 904
Boston, MA 02202

Dear Sir:

Enclosed you will find a copy of a zoning amendment which was passed to be ordained at the City Council meeting held on October 17, 1988 on the petition of Guilford Transportation Industries, Inc. relative to the rezoning of the Northpoint area.

This amendment is being sent to you pursuant to the provisions of Chapter 808 of the Acts of 1975.

Your kind attention in this matter will be greatly appreciated.

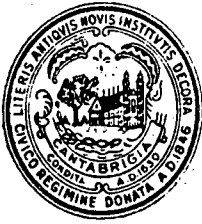
Very truly yours,

Joseph E. Connarton
Joseph E. Connarton
City Clerk

JEC/dl

Enc. (1) Ordinance Number 1076

c.c. Les Barber.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Eight

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

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

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by inserting at the end of Article 13 a new section 13.70 entitled "Planned Unit Development in the North Point Residence, Office and Business District".

Also by adding at the end of Article 15 a new Article 16 entitled "North Point Residence, Office and Business District".

Passed to be ordained at the City Council meeting held on October 17, 1988 by a yeas and nays vote:- Yeas 9; Nays 0; Absent 0.

ATTEST:- Joseph E. Connarton
City Clerk

Robert W. Healy, City Manager.

NOTE: Pursuant to the provisions of General Laws, Chapter 43, Section 23, Tercentenary Edition, being a part of the City Charter, the Ordinance as aforesaid, which exceeds in length eight octavo pages of ordinary book print may be examined at the Office of the City Clerk in the form of a printed pamphlet during office hours on or after July 26, 1988.

By order of the City Clerk,

Joseph E. Connarton,
City Clerk.

13.70 PLANNED UNIT DEVELOPMENT IN THE NORTH POINT
RESIDENCE, OFFICE, AND BUSINESS DISTRICT.

13.71 Purpose. This Section 13.70 is intended to provide the opportunity for a transition from the existing industrial character of the North Point area to a highly active, moderate density commercial area with a mix of residential, office, and/or business uses having a street pattern and significant open space. It is also intended to encourage development which is substantially in accordance with the development policies outlined in the September 1988 North Point Policy Plan and consistent with the limits to development imposed by the restricted traffic capacity of streets providing access to the North Point Residence, Office, and Business District.

According to the traffic studies conducted in the course of the planning effort which preceded adoption of this Section 13.70, the North Point Residence, Office, and Business District will be able to accommodate an additional 1,500,000 square feet of private office development or the equivalent, in view of the need for an at-grade pedestrian crossing across Monsignor O'Brien Highway at East Street. According to these traffic studies, elimination of the at-grade pedestrian crossing at East Street would permit private development within the North Point Residence, Office, and Business District to reach 2,000,000 square feet of private office development or the equivalent; however, at this time that crossing is viewed as a necessity for reasons of public safety. Further traffic studies should be undertaken in future years and creative solutions to these traffic constraints should be explored in order to permit the Planning Board to review development proposals under this Section 13.70 on the basis of accurate and up-to-date traffic analyses. In reviewing development proposals under this Section 13.70 approaching the 1,500,000 square-foot threshold identified above (as that figure may increase or decrease in the course of future traffic studies and relevant improvements to Monsignor O'Brien Highway and other nearby roads and transit facilities), the Planning Board should be mindful of the traffic constraints affecting the area and should limit commercial development to the extent necessary to avoid unacceptable traffic congestion.

13.72 Applicability. A special permit for a Planned Unit Development may be granted by the Planning Board in the North Point Residence, Office, and Business District in accordance with the requirements of Sections 12.30 and 12.40, and the development controls

specified in Section 12.50 and this Section 13.70. All references to and requirements for a PUD district in those sections shall also apply to a Planned Unit Development in the North Point Residence, Office, and Business District.

13.73 Use Regulations. Any use permitted in Article 16.000-North Point Residence, Office, and Business District, may be allowed by the Planning Board.

13.74 Dimensional Requirements.

13.741 Floor Area Limitation. The maximum ratio of floor area to total area of the development parcel shall be 2.0, subject to the provisions of Sections 13.742 and 13.743. The area of the lot to be counted in determining the floor area ratio shall include land dedicated (after adoption of this Section 13.70) by the owner or former owner of the lot, whether in fee or by easement, deed restriction, covenant or comparable legal instrument enforceable by the City of Cambridge or other public entity, as a public way, private way open to public use, or public open space.

In the case of any development proposal providing for a floor area ratio in excess of 1.0, the Planning Board may in its discretion require the proponent to submit an analysis of existing traffic conditions and the traffic conditions anticipated following completion of the development proposed by such proponent. In evaluating such a development proposal, the Planning Board shall:

- (a) give consideration to such traffic analysis, including any deterioration in or amelioration of existing traffic conditions reasonably anticipated as a result of roadway and transit improvements or other factors; and
- (b) also consider the extent to which such development proposal observes the design guidelines for the North Point Residence, Office, and Business District established under the September 1988 North Point Policy Plan, as they may be amended from time to time.

13.742 Traffic Mitigation Incentive. The floor area ratio of any building used for other than residential uses (but including hotel and motel uses) may be increased to a maximum of 2.5, but no increase in the number of parking spaces serving such uses shall be permitted beyond the number which would have been permitted if the applicable floor area ratio had been limited to 2.0.

- 13.743 Incentive for Residential Development. In order to promote housing uses within the District, increases in floor area ratio shall be permitted as follows:
- (1) The maximum permitted floor area ratio for a development in which at least 30% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 2.5.
 - (2) The maximum permitted floor area ratio for a development in which at least 60% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.0.
 - (3) The maximum permitted floor area ratio for a development in which at least 90% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.5.
 - (4) As used herein, the term "development" shall mean one or more buildings located on the same lot.
- 13.744 Development Parcel and Lot Size. The minimum size of the development parcel shall be 20,000 square feet. There shall be no specified minimum lot size for lots located within a development parcel. The Planning Board shall approve all lot sizes located within a development parcel.
- 13.745 Other Dimensional Requirements. There shall be no minimum lot area per dwelling unit requirement, and there shall be no requirement with respect to frontage on any street for lots devoted to townhouse development. There shall be no requirement with respect to minimum lot widths or minimum front, side or rear yards in the District. The Planning Board shall approve all such building setbacks.
- 13.746 Building Height Limitation. The maximum building height for all buildings shall be one hundred fifteen (115) feet, except as set forth in Sections 13.747 and 13.748, and except that notwithstanding anything to the contrary in this Section 13.746 or in Sections 13.747 or 13.748, the Planning Board may in its discretion permit the height of any building serving residential uses to exceed the limitations set forth in this Section 13.746 or in Sections 13.747 or 13.748, provided that the average height of all buildings on the lot where such building is located is not in excess of 85 feet (excluding any building or portion thereof devoted to parking which is not covered with building included in gross floor area). In order to achieve an average height not in excess of

85 feet, the heights of the several parts of the building or buildings shall be such that the volume of building exceeding 85 feet in height shall be equal to or less than the volume of space lying between the 85 foot height and portions of building less than 85 feet in height, as illustrated below:

Volume 1 (area of building at a single height-1 above 85 feet x the difference between height-1 and 85 feet) + Volume 2 (area of building at a single height-2 above 85 feet x the difference between height-2 and 85 feet) MUST EQUAL OR BE LESS THAN THE SUM OF Volume 1' (area of building at a single height-1' below 85 feet x the difference between height-1' and 85 feet) + Volume 2' (area of building at a single height-2' below 85 feet x the difference between height-2' and 85 feet).

- 13.747 A maximum building height of one hundred forty five (145) feet shall apply: (a) in that portion of the District lying within 620 feet westerly of a line perpendicular to, and at the midpoint of, the span carrying the MBTA Green Line tracks between the piers supporting the same located on each side and nearest to Industrial Way at its intersection with Monsignor O'Brien Highway (excluding from such portion, however, any part thereof lying within 240 feet of a line in the same plane as and extending easterly and westerly from the southern face of such span [the "Reference Line"]), and (b) in that portion of the District lying more than 685 feet from the Reference Line (excluding from such portion, however, any part thereof lying within 350 feet of the Charles River).
- 13.748 Except as otherwise provided in Section 13.747, the maximum height of buildings located within 300 feet of the Reference Line described in Section 13.747 above shall be eighty five (85) feet.
- 13.749 In evaluating a development proposal providing for building height in excess of 85 feet, the Planning Board shall give consideration to evidence presented on the following:
- (a) that increased height is necessary to accommodate structured parking which cannot reasonably be located below grade due to concerns over the water table;
 - (b) that increased height will not cast shadows or alter air currents in ways that will unreasonably limit the amount of light and air reaching other

- buildings in the vicinity to a significantly greater extent than if the building height did not exceed 85 feet;
- (c) that increased height would mitigate detrimental environmental impacts such as excessive ground coverage, diminution of open space, and monotonous development, and/or would enable the provision of open space, including roadways;
 - (d) that increased height would not adversely affect and would result in increased sensitivity to the visual and physical characteristics of the particular location through more harmonious relationships to the terrain and to proposed and existing buildings in the vicinity that have functional or visual relationships to the proposed building, or would shield other buildings or areas from elevated roadways, railroad yards, or other detracting influences;
 - (e) that increased height would result from actions taken to lessen the impact of traffic and parking on the surrounding area;
 - (f) that the orientation and location of the proposed structure shall not otherwise diminish the health and safety of the North Point area; and/or
 - (g) that the increased height will not derogate from the overall intent of the September 1988 North Point Policy Plan, including the Design Guidelines therein.

13.75 Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 20% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such lot shall for purposes of this Section 13.75 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All streets, plazas, sidewalks, decks, arcades, loggias, gallerias, and parks which are open to public use and are located on land which is now (at the time of adoption of this Section 13.70) or hereafter privately owned, shall constitute public open space and/or publicly beneficial open space for purposes of this Section 13.75; provided, however, that interior space shall constitute such public open

space and/or publicly beneficial open space only if specifically approved by the Planning Board in its discretion.

The Planning Board may reduce the open space requirement if the development is located adjacent to a public open space and if the development is physically and functionally integrated with the open space by means of building orientation, location of building entrances, pedestrian linkages between major activity centers, or similar factors.

- 13.76 Perimeter and Transition. Any part of the perimeter of a planned unit development which fronts on a public open space for not less than 250 feet or is immediately adjacent to and within 300 feet of the Charles River shall be so designed as to complement and harmonize with adjacent land uses (existing or proposed) with respect to scale, density, setback, bulk, height, landscaping, and screening.
- 13.77 Parking and Loading Requirements. Off-street parking and loading requirements shall be the same as provided in Section 16.40; provided, however, that the Planning Board may, in its discretion, increase the maximum number of parking spaces permitted.
- 13.78 Public Benefits. All special permits granted under this Section 13.70 shall be subject to the provisions of Section 11.200.
- 13.781 Traffic Mitigation. Any special permit granted under this Section 13.70 may be conditioned upon compliance with any of the following traffic mitigation measures determined appropriate by the Planning Board and specified in its decision on the special permit:
- (a) Encourage staggered or flexible work hours for employees of all tenants enjoying access from Monsignor O'Brien Highway through the provision of utilities during off-peak hours and other appropriate means.
 - (b) Promote the use of public transportation by providing transit information and participation in the MBTA commuter pass program including the establishment of a commuter pass sales office or other means of facilitating the use of commuter passes.
 - (c) Operate or coordinate with a computer-based ride-sharing information bank and collect and disseminate ride-sharing information to employees

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and cooperate with other landowners in the East Cambridge Riverfront District in this regard.

- (d) Reserve spaces at preferential locations for carpool and vanpool parking.
- (e) Establish reduced parking fees for carpool and vanpool parking.
- (f) In the case of any hotel, encourage the hotel operator to provide an airport motor vehicle shuttle.
- (g) Provide reduced parking fees on the site for monthly and daily parking spaces not available on working days until after 9:30 A.M.
- (h) Sensitize tenants to the issue of reducing or eliminating subsidized parking spaces for employees.
- (i) Make reference to the availability of mass transit facilities in marketing and advertising materials produced for new development projects.
- (j) Cooperate with the MDC, the MBTA, the City of Cambridge, and neighborhood groups to provide a pedestrian overpass across Monsignor O'Brien Highway serving the relocated MBTA Green Line Lechmere Station.
- (k) Cooperate with the MDC to provide pedestrian access to Charlestown Avenue for access to the MBTA Orange Line Community College Station from the North Point area.
- (l) Cooperate with the MDC, the MBTA, and the City of Boston to provide pedestrian access to North Station from the North Point area, to the extent feasible.
- (m) Cooperate with the MDC, the MBTA, and the City of Cambridge, and the City of Boston to improve pedestrian access to the MBTA Green Line Science Park Station from the North Point area.
- (n) Cooperate with Riverside Galleria Associates Trust to coordinate service to the North Point area with the Galleria shuttle bus system.
- (o) Cooperate with the MDC, the City of Cambridge, and the City of Boston to establish bicycle paths.

- (p) Provide bicycle parking racks.
- (q) Cooperate with the East Cambridge Transportation Coordinator.

13.782 Design Review. Every development proposal approved by the Planning Board as a Planned Unit Development under this Section 13.70 shall be reviewed by the Planning Board for consistency with the Design Guidelines set forth in the September 1988 North Point Policy Plan adopted by the City as of the time of ordination of this Section 13.70, but the Planning Board may in its discretion approve any development proposal notwithstanding deviations from such Design Guidelines. In addition, the Planning Board may condition any special permit granted hereunder upon further design review insofar as the public health, safety, and welfare shall be concerned.

13.783 Inclusionary Housing Requirements. Any special permit granted under this Section 13.70 for the development of one or two family dwellings, multi-family dwellings, or townhouse development shall be conditioned upon the following:

- (a) A minimum of seven and one half percent (7.5%) of the dwelling units authorized by such special permit shall be Affordable Housing Units made available to Eligible Households as defined in Section 11.200 and shall conform to the Standards detailed in Section 11.200.
- (b) An additional seven and one half percent (7.5%) of the dwelling units authorized by such special permit shall be offered to the City of Cambridge at prevailing market rates for inclusion in any program available to and selected by the City for provision of affordable housing. Should the City fail to exercise its option within three months the permittee is free to make the units available on the open market without any further obligations to the City of Cambridge.

- ARTICLE 16.000 NORTH POINT RESIDENCE, OFFICE AND BUSINESS DISTRICT
- 16.10 SCOPE AND INTENT
- 16.20 USE REGULATIONS
- 16.30 DIMENSIONAL REGULATIONS
- 16.40 PARKING AND LOADING REQUIREMENTS
- 16.50 SIGNS
- 16.60 INAPPLICABILITY OF CERTAIN OTHER REGULATIONS

16.10 SCOPE AND INTENT

16.11 Scope. This Article regulates development within the North Point Residence, Office and Business District (the "District"), located as shown on the Zoning Map, as amended.

16.12 Intent. The purpose of the District is to limit as-of-right development due to constraints on the ability of the streets providing access to the District to accommodate additional traffic, and to provide for the development of the District into a mixed-use commercial area under the PUD process provided in Section 13.70.

16.20 USE REGULATIONS

16.21 Permitted Uses. The following uses are allowed in the District. All uses not listed within one of the use groups in this section shall be prohibited. All uses within the District shall comply with the environmental protection standards of Section 16.24. The provisions of Section 4.50 et seq. shall not apply to institutional uses permitted within the District pursuant to Section 16.217.

16.211 Industrial Uses

- (1) Manufacturing, processing, assembly, and packaging as permitted in Section 4.37 a and b.
- (2) Bottling of beverages, as permitted in Section 4.37c.
- (3) Distribution center, parcel delivery center, delivery warehouse, as permitted in Section 4.37d.
- (4) Laundry, dry cleaning plant, as permitted in Section 4.37e.
- (5) Printing, binding, publishing, and related arts and trades, as permitted in Section 4.37f.

- (6) Automotive repair garage as permitted in Section 4.37h, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (7) Food commissary, as permitted in Section 4.37i.
- (8) Wholesale business and storage in roofed structures, as permitted in Section 4.37j.
- (9) Storage warehouse, cold storage plant, storage building, as permitted in Section 4.37k.
- (10) Open-lot storage as permitted in Section 4.37 l and m, subject to the provisions of Section 16.23.
- (11) Heavy industry as permitted in Section 4.38, subject to the provisions of Section 16.23.

16.212 Office and Laboratory Uses

- (1) Office of a physician, dentist or other medical practitioner not located in a clinic listed in Subsection 4.33d, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (2) Office of an accountant, attorney, or other non-medical professional person.
- (3) Real estate, insurance or other agency office.
- (4) General office use.
- (5) Bank, trust company or similar financial institution not located on the first floor of a building.
- (6) Technical office for research and development, laboratory and research facility, including (without limit) manufacturing facilities incident thereto.

16.213 Retail and Consumer Service Establishments

- (1) Store for retail sale of merchandise.
- (2) Eating and/or drinking establishment, whether or not liquor is sold or consumed, including restaurant, bar, lunchroom, cafeteria and food commissary.

- (3) Fast order food establishment subject to the Special Permit requirements of Section 11.30, unless such use is enclosed in a structure principally containing other uses and is included in a "food court" or similar specialized area (in which case no Special Permit shall be required).
- (4) Consumer service establishment, including but not limited to hairdresser, barber shop, laundry or dry-cleaning pick-up establishment, self-service laundry, shoe repair or tailoring shop, or photography studio.
- (5) Rental agency for autos or other products, but not including taxi companies. Such agencies shall be operated entirely within a building and no major automobile repairs shall be made on the premises.
- (6) Automobile service stations where no major repairs are made.
- (7) Bank, trust company or similar financial institution located on the first floor of a building.

16.214 Residential Uses

Residential uses among those listed below, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70.

- (1) One and two family dwelling.
- (2) Townhouse development.
- (3) Elderly oriented congregate housing.
- (4) Multi-family dwelling.
- (5) Hotel or motel.

16.215 Entertainment and Recreational Uses

- (1) Indoor commercial entertainment establishments not open to the public on weekdays prior to 7:30 p.m. including but not limited to cinema, theater, concert hall, cabaret and night club.
- (2) Recreation facility, health club, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.

- (3) Non-accessory recreation facilities including bowling alley, indoor or outdoor tennis courts, public recreation building, or skating rink, but only by special permit from the Planning Board pursuant to Section 10.40.
- (4) Halls, auditoriums and similar spaces used for public gatherings, as an accessory use occupying not more than twenty-five (25%) of the aggregate gross floor area of all buildings on a lot.
- (5) Non-accessory halls, auditorium and similar spaces used for public gatherings, but only by special permit from the Planning Board pursuant to Section 10.40.
- (6) Park or playground.

16.216 Transportation, Communication and Utility Uses

- (1) Subject to the limitation on the number of parking spaces provided under Section 16.40 or a special permit granted under Section 13.70, as applicable, automobile parking lot or parking garage for private passenger cars, as follows:
 - (a) as accessory parking for uses located on the same lot, without the need for any special permit.
 - (b) as accessory parking for uses located on another lot, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70, as applicable.
 - (c) as a principal use, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70, as applicable.
- (2) Railroad freight terminal, railroad yard and shops.
- (3) Truck or bus terminal, yard or building for storage or servicing of trucks, trailers or buses, parking lot for trucks.
- (4) Radio and television studio.
- (5) Telephone exchange, transformer station, substation, gas regulating station, or pumping station.

(6) Bus or railroad passenger station.

16.217 Institutional Uses

- (1) All uses permitted in Sections 4.33a, b, c, d, e, f, and g.
- (2) All uses permitted in Section 4.33h.1 or .2.
- (3) Any institutional use not referred to in subparagraphs (1) and (2) above, but only by special permit from the Planning Board pursuant to Section 10.40.

16.22 Multiple Uses in the Same Structure. Except as set forth in Section 16.221 below, within the District there shall be no restriction on combining different categories of use within the same building other than those imposed by the State Building Code or other federal, state or local regulations other than this Ordinance.

16.221 Limitation on Retail and Consumer Service Establishments. Retail and consumer service establishments permitted under Section 16.213 shall occupy an aggregate in any building, of not more than twenty five percent (25%) (or, if less, 30,000 square feet) of the gross floor area of such building. Such uses shall be located only on the first and/or any second floor, except that eating and/or drinking establishments permitted under Section 16.213(2) may be located on any floor or floors.

16.23 Limitation on Certain Industrial Uses. Uses referred to in Section 16.211(10) and (11) shall be prohibited within the District except as provided in Sections 16.231 and 16.232 below. Such prohibition shall not apply to any use referred to in Section 16.211(10) or (11) which is a pre-existing non-conforming use under Article 8 by virtue of the adoption of this Article 16 or any prior amendment of this Ordinance (hereinafter referred to as a "Nonconforming Use"), except to the extent set forth in such Article 8.

16.231 Notwithstanding anything to the contrary in this Article 16, any use referred to in Section 16.211(10) shall be permitted within 800 feet of a lot which is the location of a Nonconforming Use included among those uses referred to in Sections 16.211(10) and (11), but only for the period during which such Nonconforming Use shall be permitted under Article 8, plus ten (10) years.

- 16.232 Notwithstanding anything to the contrary in this Article 16, any use referred to in Section 16.211(11) shall be permitted within 800 feet of a lot which is the location of a Nonconforming Use included among those uses referred to in Section 16.211(11), but only for the period during which such Nonconforming Use shall be permitted under Article 8, plus ten (10) years.
- 16.233 The allowance of a use under Section 16.231 or Section 16.232 does not and shall not be deemed to confer the protections of Article 8 upon any use referred to in Section 16.211(10) or (11) which is not a pre-existing non-conforming use under Article 8 by virtue of the adoption of this Article 16 or any prior amendment of this Ordinance.
- 16.24 Environmental Protection Standards. No activity shall be permitted in the District unless it shall be in conformity with the following standards for environmental protection:
- 16.241 All dust, fumes, odors, smoke or vapor shall be effectively confined to the premises or disposed of in compliance with applicable environmental laws.
- 16.242 Any noise, vibration or flashing shall not be normally perceptible without instruments at a distance of one hundred feet from the premises.
- 16.243 All development proposals shall comply with Federal and State air pollution and water pollution control regulations, the City of Cambridge Ordinances, and other applicable environmental laws.
- 16.244 Except during construction activity on the lot, all refuse and other waste materials shall be stored within buildings prior to collection and disposal.

16.30 DIMENSIONAL REGULATIONS

- 16.31 Lot Density Limitation. For each lot within the District, a permitted floor area ratio (as defined in Article 2.000) of 1.0 is hereby established for each lot, and shall not be exceeded. The area of the lot to be counted in determining the floor area ratio shall include land dedicated (after adoption of this Article 16) by the owner or former owner of the lot, whether in fee or by easement, deed restriction, covenant or comparable legal instrument enforceable by the City of Cambridge or other public entity, as a public way, private way open to public use, or public open space.

- 16.32 Building Height Limitation. The maximum building height for all buildings within the District shall be fifty (50) feet.
- 16.33 Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 20% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such lot shall for purposes of this Section 16.33 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All streets, plazas, sidewalks, decks, arcades, loggias and parks (excluding, however, all interior space) located on land which is now (at the time of adoption of this Article 16) or hereafter privately owned, whether dedicated to such public use in fee or by easement, deed restriction, covenant, or comparable legal instrument, shall constitute public open spaces and/or publicly beneficial open space for purposes of this Section 16.33.
- 16.34 Other Dimensional Requirements. There shall be no minimum lot size or minimum lot area per dwelling unit requirement in the District. There shall be no requirement with respect to minimum lot widths or minimum front, side or rear yards in the District. There shall be no requirement with respect to frontage on any street for lots devoted to townhouse development.

16.40 PARKING AND LOADING REQUIREMENTS

- 16.41 Parking and Loading Requirements. Subject to Sections 16.411, 16.412, 16.413, and 16.414, off-street parking and loading requirements shall be the same as currently (at the time of the adoption of this Article 16.000) specified in Article 6.000 and in the Schedule of Parking and Loading Requirements applicable to Residence C-3, Office 3, Business B and Industry B Districts.
- 16.411 The minimum requirement for off-street parking facilities for any use shall be one-half the requirement set forth in Article 6.000. The minimum requirement may be satisfied by parking located outside of the North Point Residence, Office, and Business District outside of the City of Cambridge, but only by special permit from the Planning Board

pursuant to Section 10.40 or Section 13.70. The need for a special permit under this Section 16.411 shall not in itself subject any aspect of a development other than its minimum parking requirement to a special permit requirement. There shall be no limitation of off-street parking facilities to the extent parking for the development parcel involved shall be provided outside of the City of Cambridge. There shall be no maximum number of compact car parking spaces, and a maximum of two parking spaces per dwelling unit shall apply.

16.412 Parking facilities may be located on the lot they serve or, by special permit from the Planning Board under Section 10.40 or Section 13.70, may be located in whole or in part in one or more pooled private or public parking facilities located anywhere within the North Point Residence, Office, and Business District. The Planning Board shall not withhold a special permit permitting such a pooled parking facility so long as the limitations on the maximum amount of parking provided in this Section 16.40 are observed with respect to all affected lots, in the aggregate, and so long as the intent of Section 16.413 to limit the number of commercial parking spaces which are accessible from Monsignor O'Brien Highway and available for private development is not subverted.

16.413 Subject to Section 16.414 below, the maximum number of parking spaces available for non-residential use (but including hotel and motel use) which are accessible from Monsignor O'Brien Highway on any lot in the North Point Residence, Office, and Residence District shall be as follows:

- (1) For lots located entirely within the Front Development Area, such maximum shall be 1.223 parking spaces per 500 square feet of lot area.
- (2) For lots located entirely within the Back Development Area, such maximum shall be one parking space per 3,250 square feet of lot area.
- (3) For lots located partly within the Front Development Area and partly within the Back Development Area, the calculations set forth in subsections (1) and (2) above shall be performed separately with respect to the portions of such lot located within the Front Development Area and the Back Development Area, respectively, and such maximum shall equal the sum of the maximum so calculated under subsection (1) and the maximum

so calculated under subsection (2); such parking spaces may be located anywhere within such lot.

(4) As used herein, the following terms have the following meanings:

- (a) "accessible" means having access and egress in the ordinary course of business, without regard to emergency access and egress or access and egress for maintenance purposes.
- (b) "Front Development Area" means that portion of the North Point Residence, Office, and Business District lying (a) within 600 feet of the Charles River, or (b) easterly of a line in the same plane as and extending northerly and southerly from the westerly sideline of East Street as currently (at the time of adoption of this Article 16.000) constituted and within 725 feet of the Reference Line (as defined below).
- (c) "Back Development Area" means all portions of the North Point Residence, Office, and Business District lying outside the Front Development Area.
- (d) "Reference Line" means a line in the same plane as and extending northerly and southerly from the southern face of the span carrying the MBTA Green Line tracks between the piers supporting the same located on each side and nearest to Industrial Way at its intersection with Monsignor O'Brien Highway.

16.414 Wherever parking spaces are provided for residential use (other than hotel or motel use) on any lot, the number of parking spaces permitted to be made available to serve non-residential uses (but including hotel and motel use) on such lot under Section 16.413 above shall be reduced by one parking space for every 6.67 dwelling units served by any parking spaces provided for such residential use.

16.50 SIGNS

16.51 The sign regulations of Article 7.000 applicable to Office and Industrial Districts shall be applicable in the District.

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16.60 INAPPLICABILITY OF CERTAIN OTHER REGULATIONS

16.61 Where this Article 16.000 specifies some standard or establishes some other requirement contrary to or inconsistent with a requirement elsewhere in this Ordinance, the provisions of this Article 16.000 shall control.

XP-4166/c



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

October 19, 1988

Mr. Russell B. Higley
City Solicitor
City Hall
Cambridge, MA 02139

Dear Mr. Higley:-

Enclosed you will find a copy of a zoning amendment which was passed to be ordained at the City Council meeting held on October 17, 1988 on the petition of Guilford Transportation Industries, Inc. relative to the rezoning of the Northpoint area.

Would you kindly review this amendment and indicate your approval or disapproval on the bottom and return to this office.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Joseph E. Connarton
City Clerk

JEC/di

Enc. (1) Ordinance Number 1076

c.c. Councillor William Walsh, Chairman, Committee on Ordinances
Joseph E. Cellucci, Commissioner of Inspectional Services.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Eight

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

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

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by inserting at the end of Article 13 a new section 13.70 entitled "Planned Unit Development in the North Point Residence, Office and Business District".

Also by adding at the end of Article 15 a new Article 16 entitled "North Point Residence, Office and Business District".

Passed to be ordained at the City Council meeting held on October 17, 1988 by a yeas and nays vote:- Yeas 9; Nays 0; Absent 0.

ATTEST:- Joseph E. Connarton
City Clerk

Robert W. Healy, City Manager.

NOTE: Pursuant to the provisions of General Laws, Chapter 43, Section 23, Tercentenary Edition, being a part of the City Charter, the Ordinance as aforesaid, which exceeds in length eight octavo pages of ordinary book print may be examined at the Office of the City Clerk in the form of a printed pamphlet during office hours on or after July 26, 1988.

By order of the City Clerk,

Joseph E. Connarton,
City Clerk.

13.70 PLANNED UNIT DEVELOPMENT IN THE NORTH POINT
RESIDENCE, OFFICE, AND BUSINESS DISTRICT.

- 13.71 Purpose. This Section 13.70 is intended to provide the opportunity for a transition from the existing industrial character of the North Point area to a highly active, moderate density commercial area with a mix of residential, office, and/or business uses having a street pattern and significant open space. It is also intended to encourage development which is substantially in accordance with the development policies outlined in the September 1988 North Point Policy Plan and consistent with the limits to development imposed by the restricted traffic capacity of streets providing access to the North Point Residence, Office, and Business District.

According to the traffic studies conducted in the course of the planning effort which preceded adoption of this Section 13.70, the North Point Residence, Office, and Business District will be able to accommodate an additional 1,500,000 square feet of private office development or the equivalent, in view of the need for an at-grade pedestrian crossing across Monsignor O'Brien Highway at East Street. According to these traffic studies, elimination of the at-grade pedestrian crossing at East Street would permit private development within the North Point Residence, Office, and Business District to reach 2,000,000 square feet of private office development or the equivalent; however, at this time that crossing is viewed as a necessity for reasons of public safety. Further traffic studies should be undertaken in future years and creative solutions to these traffic constraints should be explored in order to permit the Planning Board to review development proposals under this Section 13.70 on the basis of accurate and up-to-date traffic analyses. In reviewing development proposals under this Section 13.70 approaching the 1,500,000 square-foot threshold identified above (as that figure may increase or decrease in the course of future traffic studies and relevant improvements to Monsignor O'Brien Highway and other nearby roads and transit facilities), the Planning Board should be mindful of the traffic constraints affecting the area and should limit commercial development to the extent necessary to avoid unacceptable traffic congestion.

- 13.72 Applicability. A special permit for a Planned Unit Development may be granted by the Planning Board in the North Point Residence, Office, and Business District in accordance with the requirements of Sections 12.30 and 12.40, and the development controls

specified in Section 12.50 and this Section 13.70. All references to and requirements for a PUD district in those sections shall also apply to a Planned Unit Development in the North Point Residence, Office, and Business District.

13.73 Use Regulations. Any use permitted in Article 16.000-North Point Residence, Office, and Business District, may be allowed by the Planning Board.

13.74 Dimensional Requirements.

13.741 Floor Area Limitation. The maximum ratio of floor area to total area of the development parcel shall be 2.0, subject to the provisions of Sections 13.742 and 13.743. The area of the lot to be counted in determining the floor area ratio shall include land dedicated (after adoption of this Section 13.70) by the owner or former owner of the lot, whether in fee or by easement, deed restriction, covenant or comparable legal instrument enforceable by the City of Cambridge or other public entity, as a public way, private way open to public use, or public open space.

In the case of any development proposal providing for a floor area ratio in excess of 1.0, the Planning Board may in its discretion require the proponent to submit an analysis of existing traffic conditions and the traffic conditions anticipated following completion of the development proposed by such proponent. In evaluating such a development proposal, the Planning Board shall:

- (a) give consideration to such traffic analysis, including any deterioration in or amelioration of existing traffic conditions reasonably anticipated as a result of roadway and transit improvements or other factors; and
- (b) also consider the extent to which such development proposal observes the design guidelines for the North Point Residence, Office, and Business District established under the September 1988 North Point Policy Plan, as they may be amended from time to time.

13.742 Traffic Mitigation Incentive. The floor area ratio of any building used for other than residential uses (but including hotel and motel uses) may be increased to a maximum of 2.5, but no increase in the number of parking spaces serving such uses shall be permitted beyond the number which would have been permitted if the applicable floor area ratio had been limited to 2.0.

- 13.743 Incentive for Residential Development. In order to promote housing uses within the District, increases in floor area ratio shall be permitted as follows:
- (1) The maximum permitted floor area ratio for a development in which at least 30% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 2.5.
 - (2) The maximum permitted floor area ratio for a development in which at least 60% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.0.
 - (3) The maximum permitted floor area ratio for a development in which at least 90% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.5.
 - (4) As used herein, the term "development" shall mean one or more buildings located on the same lot.
- 13.744 Development Parcel and Lot Size. The minimum size of the development parcel shall be 20,000 square feet. There shall be no specified minimum lot size for lots located within a development parcel. The Planning Board shall approve all lot sizes located within a development parcel.
- 13.745 Other Dimensional Requirements. There shall be no minimum lot area per dwelling unit requirement, and there shall be no requirement with respect to frontage on any street for lots devoted to townhouse development. There shall be no requirement with respect to minimum lot widths or minimum front, side or rear yards in the District. The Planning Board shall approve all such building setbacks.
- 13.746 Building Height Limitation. The maximum building height for all buildings shall be one hundred fifteen (115) feet, except as set forth in Sections 13.747 and 13.748, and except that notwithstanding anything to the contrary in this Section 13.746 or in Sections 13.747 or 13.748, the Planning Board may in its discretion permit the height of any building serving residential uses to exceed the limitations set forth in this Section 13.746 or in Sections 13.747 or 13.748, provided that the average height of all buildings on the lot where such building is located is not in excess of 85 feet (excluding any building or portion thereof devoted to parking which is not covered with building included in gross floor area). In order to achieve an average height not in excess of

85 feet, the heights of the several parts of the building or buildings shall be such that the volume of building exceeding 85 feet in height shall be equal to or less than the volume of space lying between the 85 foot height and portions of building less than 85 feet in height, as illustrated below:

Volume 1 (area of building at a single height-1 above 85 feet x the difference between height-1 and 85 feet) + Volume 2 (area of building at a single height-2 above 85 feet x the difference between height-2 and 85 feet) MUST EQUAL OR BE LESS THAN THE SUM OF Volume 1' (area of building at a single height-1' below 85 feet x the difference between height-1' and 85 feet) + Volume 2' (area of building at a single height-2' below 85 feet x the difference between height-2' and 85 feet).

- 13.747 A maximum building height of one hundred forty five (145) feet shall apply: (a) in that portion of the District lying within 620 feet westerly of a line perpendicular to, and at the midpoint of, the span carrying the MBTA Green Line tracks between the piers supporting the same located on each side and nearest to Industrial Way at its intersection with Monsignor O'Brien Highway (excluding from such portion, however, any part thereof lying within 240 feet of a line in the same plane as and extending easterly and westerly from the southern face of such span [the "Reference Line"]), and (b) in that portion of the District lying more than 685 feet from the Reference Line (excluding from such portion, however, any part thereof lying within 350 feet of the Charles River).
- 13.748 Except as otherwise provided in Section 13.747, the maximum height of buildings located within 300 feet of the Reference Line described in Section 13.747 above shall be eighty five (85) feet.
- 13.749 In evaluating a development proposal providing for building height in excess of 85 feet, the Planning Board shall give consideration to evidence presented on the following:
- (a) that increased height is necessary to accommodate structured parking which cannot reasonably be located below grade due to concerns over the water table;
 - (b) that increased height will not cast shadows or alter air currents in ways that will unreasonably limit the amount of light and air reaching other

buildings in the vicinity to a significantly greater extent than if the building height did not exceed 85 feet;

- (c) that increased height would mitigate detrimental environmental impacts such as excessive ground coverage, diminution of open space, and monotonous development, and/or would enable the provision of open space, including roadways;
- (d) that increased height would not adversely affect and would result in increased sensitivity to the visual and physical characteristics of the particular location through more harmonious relationships to the terrain and to proposed and existing buildings in the vicinity that have functional or visual relationships to the proposed building, or would shield other buildings or areas from elevated roadways, railroad yards, or other detracting influences;
- (e) that increased height would result from actions taken to lessen the impact of traffic and parking on the surrounding area;
- (f) that the orientation and location of the proposed structure shall not otherwise diminish the health and safety of the North Point area; and/or
- (g) that the increased height will not derogate from the overall intent of the September 1988 North Point Policy Plan, including the Design Guidelines therein.

13.75 Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 20% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such lot shall for purposes of this Section 13.75 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All streets, plazas, sidewalks, decks, arcades, loggias, gallerias, and parks which are open to public use and are located on land which is now (at the time of adoption of this Section 13.70) or hereafter privately owned, shall constitute public open space and/or publicly beneficial open space for purposes of this Section 13.75; provided, however, that interior space shall constitute such public open

space and/or publicly beneficial open space only if specifically approved by the Planning Board in its discretion.

The Planning Board may reduce the open space requirement if the development is located adjacent to a public open space and if the development is physically and functionally integrated with the open space by means of building orientation, location of building entrances, pedestrian linkages between major activity centers, or similar factors.

- 13.76 Perimeter and Transition. Any part of the perimeter of a planned unit development which fronts on a public open space for not less than 250 feet or is immediately adjacent to and within 300 feet of the Charles River shall be so designed as to complement and harmonize with adjacent land uses (existing or proposed) with respect to scale, density, setback, bulk, height, landscaping, and screening.
- 13.77 Parking and Loading Requirements. Off-street parking and loading requirements shall be the same as provided in Section 16.40; provided, however, that the Planning Board may, in its discretion, increase the maximum number of parking spaces permitted.
- 13.78 Public Benefits. All special permits granted under this Section 13.70 shall be subject to the provisions of Section 11.200.
- 13.781 Traffic Mitigation. Any special permit granted under this Section 13.70 may be conditioned upon compliance with any of the following traffic mitigation measures determined appropriate by the Planning Board and specified in its decision on the special permit:
- (a) Encourage staggered or flexible work hours for employees of all tenants enjoying access from Monsignor O'Brien Highway through the provision of utilities during off-peak hours and other appropriate means.
 - (b) Promote the use of public transportation by providing transit information and participation in the MBTA commuter pass program including the establishment of a commuter pass sales office or other means of facilitating the use of commuter passes.
 - (c) Operate or coordinate with a computer-based ride-sharing information bank and collect and disseminate ride-sharing information to employees

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and cooperate with other landowners in the East Cambridge Riverfront District in this regard.

- (d) Reserve spaces at preferential locations for carpool and vanpool parking.
- (e) Establish reduced parking fees for carpool and vanpool parking.
- (f) In the case of any hotel, encourage the hotel operator to provide an airport motor vehicle shuttle.
- (g) Provide reduced parking fees on the site for monthly and daily parking spaces not available on working days until after 9:30 A.M.
- (h) Sensitize tenants to the issue of reducing or eliminating subsidized parking spaces for employees.
- (i) Make reference to the availability of mass transit facilities in marketing and advertising materials produced for new development projects.
- (j) Cooperate with the MDC, the MBTA, the City of Cambridge, and neighborhood groups to provide a pedestrian overpass across Monsignor O'Brien Highway serving the relocated MBTA Green Line Lechmere Station.
- (k) Cooperate with the MDC to provide pedestrian access to Charlestown Avenue for access to the MBTA Orange Line Community College Station from the North Point area.
- (l) Cooperate with the MDC, the MBTA, and the City of Boston to provide pedestrian access to North Station from the North Point area, to the extent feasible.
- (m) Cooperate with the MDC, the MBTA, and the City of Cambridge, and the City of Boston to improve pedestrian access to the MBTA Green Line Science Park Station from the North Point area.
- (n) Cooperate with Riverside Galleria Associates Trust to coordinate service to the North Point area with the Galleria shuttle bus system.
- (o) Cooperate with the MDC, the City of Cambridge, and the City of Boston to establish bicycle paths.

- (p) Provide bicycle parking racks.
- (q) Cooperate with the East Cambridge Transportation Coordinator.

13.782 Design Review. Every development proposal approved by the Planning Board as a Planned Unit Development under this Section 13.70 shall be reviewed by the Planning Board for consistency with the Design Guidelines set forth in the September 1988 North Point Policy Plan adopted by the City as of the time of ordination of this Section 13.70, but the Planning Board may in its discretion approve any development proposal notwithstanding deviations from such Design Guidelines. In addition, the Planning Board may condition any special permit granted hereunder upon further design review insofar as the public health, safety, and welfare shall be concerned.

13.783 Inclusionary Housing Requirements. Any special permit granted under this Section 13.70 for the development of one or two family dwellings, multi-family dwellings, or townhouse development shall be conditioned upon the following:

- (a) A minimum of seven and one half percent (7.5%) of the dwelling units authorized by such special permit shall be Affordable Housing Units made available to Eligible Households as defined in Section 11.200 and shall conform to the Standards detailed in Section 11.200.
- (b) An additional seven and one half percent (7.5%) of the dwelling units authorized by such special permit shall be offered to the City of Cambridge at prevailing market rates for inclusion in any program available to and selected by the City for provision of affordable housing. Should the City fail to exercise its option within three months the permittee is free to make the units available on the open market without any further obligations to the City of Cambridge.

ARTICLE	16.000	NORTH POINT RESIDENCE, OFFICE AND BUSINESS DISTRICT
	16.10	SCOPE AND INTENT
	16.20	USE REGULATIONS
	16.30	DIMENSIONAL REGULATIONS
	16.40	PARKING AND LOADING REQUIREMENTS
	16.50	SIGNS
	16.60	INAPPLICABILITY OF CERTAIN OTHER REGULATIONS

16.10 SCOPE AND INTENT

16.11 Scope. This Article regulates development within the North Point Residence, Office and Business District (the "District"), located as shown on the Zoning Map, as amended.

16.12 Intent. The purpose of the District is to limit as-of-right development due to constraints on the ability of the streets providing access to the District to accommodate additional traffic, and to provide for the development of the District into a mixed-use commercial area under the PUD process provided in Section 13.70.

16.20 USE REGULATIONS

16.21 Permitted Uses. The following uses are allowed in the District. All uses not listed within one of the use groups in this section shall be prohibited. All uses within the District shall comply with the environmental protection standards of Section 16.24. The provisions of Section 4.50 et seq. shall not apply to institutional uses permitted within the District pursuant to Section 16.217.

16.211 Industrial Uses

- (1) Manufacturing, processing, assembly, and packaging as permitted in Section 4.37 a and b.
- (2) Bottling of beverages, as permitted in Section 4.37c.
- (3) Distribution center, parcel delivery center, delivery warehouse, as permitted in Section 4.37d.
- (4) Laundry, dry cleaning plant, as permitted in Section 4.37e.
- (5) Printing, binding, publishing, and related arts and trades, as permitted in Section 4.37f.

- (6) Automotive repair garage as permitted in Section 4.37h, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (7) Food commissary, as permitted in Section 4.37i.
- (8) Wholesale business and storage in roofed structures, as permitted in Section 4.37j.
- (9) Storage warehouse, cold storage plant, storage building, as permitted in Section 4.37k.
- (10) Open-lot storage as permitted in Section 4.37 l and m, subject to the provisions of Section 16.23.
- (11) Heavy industry as permitted in Section 4.38, subject to the provisions of Section 16.23.

16.212 Office and Laboratory Uses

- (1) Office of a physician, dentist or other medical practitioner not located in a clinic listed in Subsection 4.33d, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (2) Office of an accountant, attorney, or other non-medical professional person.
- (3) Real estate, insurance or other agency office.
- (4) General office use.
- (5) Bank, trust company or similar financial institution not located on the first floor of a building.
- (6) Technical office for research and development, laboratory and research facility, including (without limit) manufacturing facilities incident thereto.

16.213 Retail and Consumer Service Establishments

- (1) Store for retail sale of merchandise.
- (2) Eating and/or drinking establishment, whether or not liquor is sold or consumed, including restaurant, bar, lunchroom, cafeteria and food commissary.

- (3) Fast order food establishment subject to the Special Permit requirements of Section 11.30, unless such use is enclosed in a structure principally containing other uses and is included in a "food court" or similar specialized area (in which case no Special Permit shall be required).
- (4) Consumer service establishment, including but not limited to hairdresser, barber shop, laundry or dry-cleaning pick-up establishment, self-service laundry, shoe repair or tailoring shop, or photography studio.
- (5) Rental agency for autos or other products, but not including taxi companies. Such agencies shall be operated entirely within a building and no major automobile repairs shall be made on the premises.
- (6) Automobile service stations where no major repairs are made.
- (7) Bank, trust company or similar financial institution located on the first floor of a building.

16.214 Residential Uses

Residential uses among those listed below, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70.

- (1) One and two family dwelling.
- (2) Townhouse development.
- (3) Elderly oriented congregate housing.
- (4) Multi-family dwelling.
- (5) Hotel or motel.

16.215 Entertainment and Recreational Uses

- (1) Indoor commercial entertainment establishments not open to the public on weekdays prior to 7:30 p.m. including but not limited to cinema, theater, concert hall, cabaret and night club.
- (2) Recreation facility, health club, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.

- (3) Non-accessory recreation facilities including bowling alley, indoor or outdoor tennis courts, public recreation building, or skating rink, but only by special permit from the Planning Board pursuant to Section 10.40.
- (4) Halls, auditoriums and similar spaces used for public gatherings, as an accessory use occupying not more than twenty-five (25%) of the aggregate gross floor area of all buildings on a lot.
- (5) Non-accessory halls, auditorium and similar spaces used for public gatherings, but only by special permit from the Planning Board pursuant to Section 10.40.
- (6) Park or playground.

16.216 Transportation, Communication and Utility Uses

- (1) Subject to the limitation on the number of parking spaces provided under Section 16.40 or a special permit granted under Section 13.70, as applicable, automobile parking lot or parking garage for private passenger cars, as follows:
 - (a) as accessory parking for uses located on the same lot, without the need for any special permit.
 - (b) as accessory parking for uses located on another lot, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70, as applicable.
 - (c) as a principal use, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70, as applicable.
- (2) Railroad freight terminal, railroad yard and shops.
- (3) Truck or bus terminal, yard or building for storage or servicing of trucks, trailers or buses, parking lot for trucks.
- (4) Radio and television studio.
- (5) Telephone exchange, transformer station, substation, gas regulating station, or pumping station.

(6) Bus or railroad passenger station.

16.217 Institutional Uses

- (1) All uses permitted in Sections 4.33a, b, c, d, e, f, and g.
- (2) All uses permitted in Section 4.33h.1 or .2.
- (3) Any institutional use not referred to in subparagraphs (1) and (2) above, but only by special permit from the Planning Board pursuant to Section 10.40.

16.22 Multiple Uses in the Same Structure. Except as set forth in Section 16.221 below, within the District there shall be no restriction on combining different categories of use within the same building other than those imposed by the State Building Code or other federal, state or local regulations other than this Ordinance.

16.221 Limitation on Retail and Consumer Service Establishments. Retail and consumer service establishments permitted under Section 16.213 shall occupy an aggregate in any building, of not more than twenty five percent (25%) (or, if less, 30,000 square feet) of the gross floor area of such building. Such uses shall be located only on the first and/or any second floor, except that eating and/or drinking establishments permitted under Section 16.213(2) may be located on any floor or floors.

16.23 Limitation on Certain Industrial Uses. Uses referred to in Section 16.211(10) and (11) shall be prohibited within the District except as provided in Sections 16.231 and 16.232 below. Such prohibition shall not apply to any use referred to in Section 16.211(10) or (11) which is a pre-existing non-conforming use under Article 8 by virtue of the adoption of this Article 16 or any prior amendment of this Ordinance (hereinafter referred to as a "Nonconforming Use"), except to the extent set forth in such Article 8.

16.231 Notwithstanding anything to the contrary in this Article 16, any use referred to in Section 16.211(10) shall be permitted within 800 feet of a lot which is the location of a Nonconforming Use included among those uses referred to in Sections 16.211(10) and (11), but only for the period during which such Nonconforming Use shall be permitted under Article 8, plus ten (10) years.

- 16.232 Notwithstanding anything to the contrary in this Article 16, any use referred to in Section 16.211(11) shall be permitted within 800 feet of a lot which is the location of a Nonconforming Use included among those uses referred to in Section 16.211(11), but only for the period during which such Nonconforming Use shall be permitted under Article 8, plus ten (10) years.
- 16.233 The allowance of a use under Section 16.231 or Section 16.232 does not and shall not be deemed to confer the protections of Article 8 upon any use referred to in Section 16.211(10) or (11) which is not a pre-existing non-conforming use under Article 8 by virtue of the adoption of this Article 16 or any prior amendment of this Ordinance.
- 16.24 Environmental Protection Standards. No activity shall be permitted in the District unless it shall be in conformity with the following standards for environmental protection:
- 16.241 All dust, fumes, odors, smoke or vapor shall be effectively confined to the premises or disposed of in compliance with applicable environmental laws.
- 16.242 Any noise, vibration or flashing shall not be normally perceptible without instruments at a distance of one hundred feet from the premises.
- 16.243 All development proposals shall comply with Federal and State air pollution and water pollution control regulations, the City of Cambridge Ordinances, and other applicable environmental laws.
- 16.244 Except during construction activity on the lot, all refuse and other waste materials shall be stored within buildings prior to collection and disposal.

16.30 DIMENSIONAL REGULATIONS

- 16.31 Lot Density Limitation. For each lot within the District, a permitted floor area ratio (as defined in Article 2.000) of 1.0 is hereby established for each lot, and shall not be exceeded. The area of the lot to be counted in determining the floor area ratio shall include land dedicated (after adoption of this Article 16) by the owner or former owner of the lot, whether in fee or by easement, deed restriction, covenant or comparable legal instrument enforceable by the City of Cambridge or other public entity, as a public way, private way open to public use, or public open space.

- 16.32 Building Height Limitation. The maximum building height for all buildings within the District shall be fifty (50) feet.
- 16.33 Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 20% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such lot shall for purposes of this Section 16.33 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All streets, plazas, sidewalks, decks, arcades, loggias and parks (excluding, however, all interior space) located on land which is now (at the time of adoption of this Article 16) or hereafter privately owned, whether dedicated to such public use in fee or by easement, deed restriction, covenant, or comparable legal instrument, shall constitute public open spaces and/or publicly beneficial open space for purposes of this Section 16.33.
- 16.34 Other Dimensional Requirements. There shall be no minimum lot size or minimum lot area per dwelling unit requirement in the District. There shall be no requirement with respect to minimum lot widths or minimum front, side or rear yards in the District. There shall be no requirement with respect to frontage on any street for lots devoted to townhouse development.

16.40 PARKING AND LOADING REQUIREMENTS

- 16.41 Parking and Loading Requirements. Subject to Sections 16.411, 16.412, 16.413, and 16.414, off-street parking and loading requirements shall be the same as currently (at the time of the adoption of this Article 16.000) specified in Article 6.000 and in the Schedule of Parking and Loading Requirements applicable to Residence C-3, Office 3, Business B and Industry B Districts.
- 16.411 The minimum requirement for off-street parking facilities for any use shall be one-half the requirement set forth in Article 6.000. The minimum requirement may be satisfied by parking located outside of the North Point Residence, Office, and Business District outside of the City of Cambridge, but only by special permit from the Planning Board

pursuant to Section 10.40 or Section 13.70. The need for a special permit under this Section 16.411 shall not in itself subject any aspect of a development other than its minimum parking requirement to a special permit requirement. There shall be no limitation of off-street parking facilities to the extent parking for the development parcel involved shall be provided outside of the City of Cambridge. There shall be no maximum number of compact car parking spaces, and a maximum of two parking spaces per dwelling unit shall apply.

16.412 Parking facilities may be located on the lot they serve or, by special permit from the Planning Board under Section 10.40 or Section 13.70, may be located in whole or in part in one or more pooled private or public parking facilities located anywhere within the North Point Residence, Office, and Business District. The Planning Board shall not withhold a special permit permitting such a pooled parking facility so long as the limitations on the maximum amount of parking provided in this Section 16.40 are observed with respect to all affected lots, in the aggregate, and so long as the intent of Section 16.413 to limit the number of commercial parking spaces which are accessible from Monsignor O'Brien Highway and available for private development is not subverted.

16.413 Subject to Section 16.414 below, the maximum number of parking spaces available for non-residential use (but including hotel and motel use) which are accessible from Monsignor O'Brien Highway on any lot in the North Point Residence, Office, and Residence District shall be as follows:

- (1) For lots located entirely within the Front Development Area, such maximum shall be 1.223 parking spaces per 500 square feet of lot area.
- (2) For lots located entirely within the Back Development Area, such maximum shall be one parking space per 3,250 square feet of lot area.
- (3) For lots located partly within the Front Development Area and partly within the Back Development Area, the calculations set forth in subsections (1) and (2) above shall be performed separately with respect to the portions of such lot located within the Front Development Area and the Back Development Area, respectively, and such maximum shall equal the sum of the maximum so calculated under subsection (1) and the maximum

so calculated under subsection (2); such parking spaces may be located anywhere within such lot.

(4) As used herein, the following terms have the following meanings:

- (a) "accessible" means having access and egress in the ordinary course of business, without regard to emergency access and egress or access and egress for maintenance purposes.
- (b) "Front Development Area" means that portion of the North Point Residence, Office, and Business District lying (a) within 600 feet of the Charles River, or (b) easterly of a line in the same plane as and extending northerly and southerly from the westerly sideline of East Street as currently (at the time of adoption of this Article 16.000) constituted and within 725 feet of the Reference Line (as defined below).
- (c) "Back Development Area" means all portions of the North Point Residence, Office, and Business District lying outside the Front Development Area.
- (d) "Reference Line" means a line in the same plane as and extending northerly and southerly from the southern face of the span carrying the MBTA Green Line tracks between the piers supporting the same located on each side and nearest to Industrial Way at its intersection with Monsignor O'Brien Highway.

16.414 Wherever parking spaces are provided for residential use (other than hotel or motel use) on any lot, the number of parking spaces permitted to be made available to serve non-residential uses (but including hotel and motel use) on such lot under Section 16.413 above shall be reduced by one parking space for every 6.67 dwelling units served by any parking spaces provided for such residential use.

16.50 SIGNS

16.51 The sign regulations of Article 7.000 applicable to Office and Industrial Districts shall be applicable in the District.

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16.60 INAPPLICABILITY OF CERTAIN OTHER REGULATIONS

16.61 Where this Article 16.000 specifies some standard or establishes some other requirement contrary to or inconsistent with a requirement elsewhere in this Ordinance, the provisions of this Article 16.000 shall control.

XP-4166/c



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

To the Honorable, the City Council:

SUBJECT: Guilford, et al Petition to rezone the area in East Cambridge known as North Point.

Date: October 13, 1988

Final Recommendation

The Planning Board recommends approval of the Guilford, et al Petition, as amended on October 3, 1988.

Findings

The petition was filed in June, 1988 and heard by the Planning Board in August. In response to comments and recommendations by the Planning Board, the petitioners proposed a substantially revised petition that was discussed with the Planning Board on September 27, 1988. Based on that text, the Planning Board submitted a negative recommendation to City Council dated September 30, 1988. The fundamental issue in dispute was the amount of commercial development and the inadequacy of standards on traffic generation by which the Planning Board could control overdevelopment under the PUD process.

Additional revisions were made by the petitioners and submitted as an amended text to the City Council on October 3, 1988 and reviewed by the Planning Board on October 4. These revisions include discussion of the restricted traffic capacity in North Point and provide a limit on commercial development beyond which additional traffic capacity would have to be identified. Based on this revision, the Planning Board reviewed its previous decision and now recommends adoption of the amended October 3, petition.

The Guilford, et al Petition as amended October 3, represents a compromise between that proposed in the original petition and the Planning Board's separate petition. The issues identified by the Planning Board in the September 28 recommendation as problematic have been positively resolved. These include the following.

- * The amount of development permitted in North Point should be predicated on safe access for pedestrians and vehicles. By clearly identifying traffic as a criteria for limiting development and by providing a cap on commercial development, the petitioners have provided the necessary controls to prevent overdevelopment.

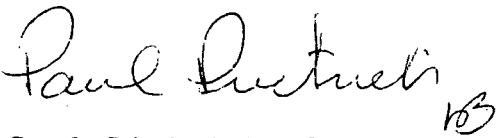
- * The Planning Board is strongly committed to the citywide linkage program adopted by the City Council. Under the amended petition, North Point development requiring a special permit would comply with the citywide program. In addition, the amended version establishes an inclusionary requirement for affordable housing.

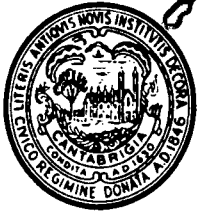
- * The success of any Planned Unit Development process depends upon the policy plan and guidelines against which the proposed new development is measured. The petitioners have agreed to seperate approval of the North Point policy plan and guidelines from adoption of the zoning text so that the necessary further work can be done to develop acceptable standards by which the Planning Board can review a development proposal in North Point in the future.

For these reasons, the Planning Board recommends approval of the Guilford, et al Petition with the text as submitted to City Council on October 3, 1988.

While the agreed text of the Guilford, et al Petition is an adequate substitute for the major land area in the Planning Board Petition, there are two additional areas in the Planning Board petition proposed to be rezoned which are not included in the Guilford, et al Petition. The Planning Board will submit recommendations on these areas in the near future.

Respectfully submitted for the Planning Board,


Paul Dietrich, Chairman



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

TEL. 498-9011

EXECUTIVE DEPARTMENT

ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

October 17, 1988

To the Honorable, the City Council:

Enclosed please find copy of the Cambridge Planning Board's recommendation relative to the Guilford, et al Petition to rezone the area in East Cambridge known as North Point.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf
Enc.

Agenda Item No. 11

Re: enclosed Planning Board recommendation
on the Guilford, et al Zoning Petition to
rezone the area in East Cambridge known as
North Point.

In City Council,

October 17, 1988



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

July 29, 1988

Mr. Russell B. Higley
City Solicitor
City Hall
Cambridge, MA 02139

Dear Mr. Higley:

Enclosed you will find copies of two zoning ordinance amendments which were passed to a second reading at the City Council meeting held on July 25, 1988 as follows:

1. Petition of the City Council to add a new footnote 53; Section 4.40 and in Section 5.33 concerning gross floor area residential uses.
2. Petition of Guilford Transportation Industries, Inc. relative to rezoning the Northpoint area.

Enclosed also you will find three copies of zoning ordinance amendments which were passed to be ordained at the City Council meeting held on July 25, 1988 as follows:

1. Petition of the Planning Board re: incentive zoning.
2. Petition of the Planning Board re: interim zoning district for the Cambridge Industrial Development District.
3. Petition of the City Council to amend the zoning in the Rufo Road.

Would you kindly review these amendments and indicate your approval or disapproval on the bottom and return to this office.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,
Joseph E. Connarton
Joseph E. Connarton
City Clerk

enc. (5) First publications 2417, 2418. Ordinance Numbers 1072, 1073, 1074.

c.c. Councillor William Walsh, Chairman, Committee on Ordinances
Joseph E. Cellucci, Commissioner of Inspectional Services.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-eight

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge."

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

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge is hereby amended as follows:

(1) In Section 4.30 - Table of Use Regulations, Subsection 4.31 - Residential Uses, line i (2) - Hotel or Motel, add a new footnote 53 in the ninth column headed Bus. C, C-1.

(2) In Section 4.40 - Footnotes to the Table of Use Regulations, add a new footnote 53 to read as follows: 53. No in Business C-1 Districts.

(3) In Section 5.33, Paragraph 2 - Footnotes, add a new phrase to footnote (o) as follows (with new language underlined):

(o) H+L/6 for all buildings having 50% or more of their gross floor area devoted to residential uses specified in Section 4.31 where the side lot line abuts or is within fifty feet of a lot residentially used, the majority of which lies in a residential zoning district.

Passed to a second reading at the City Council meeting held on July 25, 1988 and on or after August 8, 1988 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Eighty

AN ORDINANCE

In amendment to an ordinance entitled: "The Zoning Ordinances of the City of Cambridge".

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

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled: "The Zoning Ordinances of the City of Cambridge is hereby amended by inserting after Article 15 a new Article 16 entitled "North Point Residence, Office and Business District", as described as follows:

All of that land within the City of Cambridge and north of Monsignor O'Brien Highway shown on Assessor's maps numbered 7 and 1-A, excluding however:

1. Lots 35, 39, 37, 40, 27, 29, 19, 18, 41, 42, 34, 31, and 9, and the way between Lots 18 and 41, shown on Assessor's map no. 7;
2. Lot 6 shown on Assessor's map no. 1-A;
3. That portion of such land north of the MBTA Fitchburg Main Line Track; and
4. That portion of such land heretofore taken in fee by The Commonwealth of Massachusetts Department of Public Works in connection with its Central Artery North Area Construction Project.

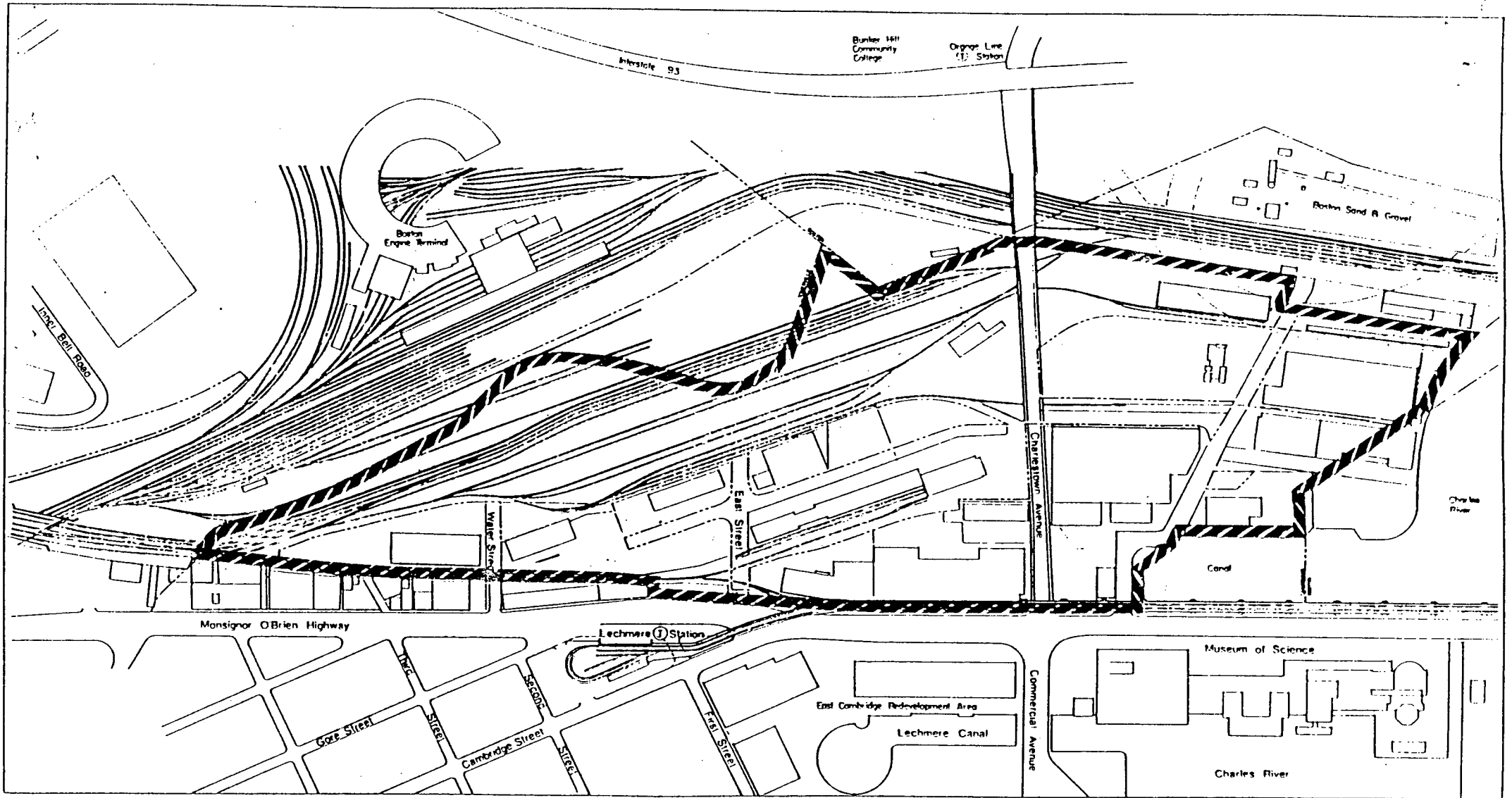
Passed to a second reading at the City Council meeting held on July 25, 1988 and on or after August 8, 1988 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.

NOTE: Pursuant to the provisions of General Laws, Chapter 43, Section 23, Tercentenary Edition, being a part of the City Charter, the Ordinance as aforesaid, which exceeds in length eight octavo pages of ordinary book print may be examined at the Office of the City Clerk in the form of a printed pamphlet during office hours on or after July 26, 1988.

By order of the City Council,

Joseph E. Connarton, City Clerk.

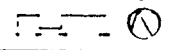


North Point

Residence, Office, Business District

District Boundary

May 25, 1988



Scale: As Shown by



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-eight

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

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

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge is hereby amended as follows:

I. Add the following new Subsection to Section 10.40 -

Special Permits

10.48 As expressly authorized in Section 9 of the Zoning Act, M.G.L., Ch. 40A, the following special permits, which authorize increases in the permissible density of population or intensity of a particular use in the proposed development, shall be subject to the provisions of Section 11.200 of this Ordinance.

- Section 6.35 - Reduction in required parking for non-residential development
- Section 11.108 - Divergence from dimensional requirements - Massachusetts Avenue Overlay District
- Section 11.542 (b) - Additional Height, Harvard Square Overlay District
- Section 11.544 (b) - Waiver of parking and loading requirements, Harvard Square Overlay District
- Section 11.635 - Parkway Overlay District
- Section 11.637 - Divergence from dimensional requirements, Parkway Overlay District
- Article 13.00 - PUD Districts, all permits

II. Delete the existing Section 11.200 and substitute therefor the following:

11.200 Incentive Zoning Provisions

Purpose - The purpose of this Section 11.200 is to promote the public health, safety and welfare by encouraging the expansion and upgrading of the City's housing stock while accommodating the expansion of housing and commercial opportunities in the City; to provide for a full range of housing choice for households of all incomes, ages, and sizes; to mitigate the impacts of commercial development on the availability and cost of housing and especially affordable housing; to increase the production of affordable housing units to meet existing and anticipated employment needs within the City; to provide a mechanism by which commercial development can contribute in a direct way to increasing the

supply of affordable housing in exchange for a greater density or intensity of development than that permitted as a matter of right; and to establish standards and guidelines for the use of such contributions.

11.201 Definitions

Affordable Housing Trust shall mean the entity defined in Section 11.207.

Affordable Unit shall mean any dwelling unit whose rent (including utilities) does not exceed thirty percent of the income of the renting household or whose mortgage payment (including insurance, utilities and real estate taxes) does not exceed thirty percent of the income of the purchasing household or other standards as may be established pursuant to any city, state or federal housing program designed to assist low and moderate income households.

Covered Project shall mean that portion of projects containing uses listed in Section 4.34 and 4.35 subject to the provisions of the special permits listed in Section 11.202.

Developer shall mean any individual, corporation, business trust, estate trust, partnership or association, or any other entity or combination thereof.

Eligible household shall mean any household whose total income does not exceed eighty percent of the median income of households in the Boston Standard Metropolitan Statistical Area adjusted for family size, or such other equivalent income standard as may be determined by the Board of Trustees of the Affordable Housing Trust Fund.

Median income shall mean the income set forth in or calculated from regulations promulgated by the United States Department of Housing and Urban Development, pursuant to Section 8 of the Housing Act of 1937, as amended by the Housing and Community Development Act of 1974.

11.202 Applicability - Where a developer chooses to seek to obtain a special permit pursuant to the sections listed below, which special permit authorized an increase in the permissible density of population or intensity of a particular use in the proposed development, the developer shall be subject to the provisions of this Section 11.200 et al. Increases in density or intensity of use shall include an increase in gross floor area or height, a reduction or waiver of parking requirements, or a change in dimensional requirements or the addition of uses that result in an increase in density or intensity of use.

- Section 6.35 - Reduction in required parking for non-residential development
- Section 11.108 - Divergence from dimensional requirements - Massachusetts Avenue Overlay District
- Section 11.542 (b) - Additional Height, Harvard Square Overlay District
- Section 11.544 (b) - Waiver of parking and loading requirements, Harvard Square Overlay District
- Section 11.635 - Parkway Overlay District
- Section 11.637 - Divergence from dimensional requirements, Parkway Overlay District
- Article 13.00 - PUD Districts, all permits

11.203 - Incentive Zoning Contributions. A developer of a Covered Project shall either make a Housing Contribution in accordance with this Section 11.203 Subsection (a) or shall create or cause to be created housing, in accordance with this Section 11.203 Subsection (b):

(a) Housing Contribution. For a Covered Project of less than thirty thousand square feet (30,000 s.f.) of gross floor area, no contribution shall be required.

For a Covered Project of more than thirty thousand square feet (30,000 s.f.) of gross floor area, the developer shall contribute two dollars (\$2.00) for every square foot of gross floor area over thirty thousand square feet authorized by the Special Permit.

Before the Superintendent of Buildings issues the first occupancy permit for the Covered Project the developer of the Covered Project shall deliver the Housing Contribution to the then Managing Trustee of the Affordable Housing Trust or its designee.

The amount of the Housing Contribution shall be subject to review and recalculation three (3) years after the effective date of this provision and every three (3) years thereafter by the Cambridge City Council based on a consideration of current economic trends including but not limited to

development activity, commercial rents per square foot, employment growth and housing trends measured in terms of, but not limited to, vacancy rates, production statistics, and prices for dwellings units. The Board of Trustees of the Affordable Housing Trust may adjust the amount annually based on CPI or a similar standard to reflect changes in inflation rates.

(b) Housing Creation Option. - The Developer of a Covered Project required to make a Housing Contribution in Subsection 11.203 (a) above may create or cause to be created affordable units for occupancy exclusively by eligible households, or may donate land to be used exclusively for the development of affordable units. These units or land donation, must be of equivalent benefit toward addressing the City's affordable housing need as the housing contribution otherwise required.

When this option is chosen a Developer shall obtain a report from the Board of Trustees of the Affordable Housing Trust, which report shall accompany the special permit application and shall advise the special permit granting authority as to whether the proposed Housing Creation conforms to the intent and purposes of this Section 11.200 et al.

The report shall also recommend such conditions, if any, as the Trustees may find appropriate to the issuance of the special permit to assure full compliance with the intent of this Section 11.200.

The special permit granting authority shall give due consideration to the report of the Board of Trustees in granting any special permit subject to this Section 11.200 et al., and, in its discretion may approve the developers use of the Housing Creation Option.

11.204 Standards for Construction and Occupancy of Affordable Unit. The following standards are intended to provide guidance to the special permit granting authority in instances where the Housing Creation Option is chosen to meet the requirements of this Section 11.200, and to the Board of Trustees in making any report it may make to the special permit granting authority or in authorizing the expenditure of any Housing Contribution funds. In granting any special permit the special permit granting authority may allow for deviations from, or further define, these standards consistent with the purposes of this Section 11.200.

(a) Affordable Units shall be comparable in services and size to dwelling units in the neighborhood where the 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, the similar size standard does not apply.

(b) The Affordable Units shall, to a reasonable extent, serve eligible households of diverse incomes, including very low income, and sizes throughout the city.

(c) The Affordable units shall be subject to restrictions providing that they shall:

(1) be occupied by eligible households.

(2) 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.

(3) to the extent possible, give preference to eligible households who are Cambridge residents.

(4) be occupied by Eligible Households selected by the Community Development Department from among Eligible Households who may have the opportunity to rent or purchase an Affordable Unit, using guidelines customarily employed by the Department in selecting tenant and homeowners households under other City, state, or federal housing assistance programs.

(d) Before a building permit will be issued, the developer of a Covered Project subject to the Housing Contribution or Housing Creation option 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.

11.205 Establishment of an Affordable Housing Trust. - To facilitate the implementation of the provisions of this Section 11.200 the City Manager is directed to establish an Affordable Housing Trust Fund into which funds generated by the Section 11.200 and specifically Section 11.203 (a) shall be placed, as well as other funds generated from other sources.

11.205.1 Uses of the Affordable Housing Trust. The Trust property may be made available for, but shall not be limited to, the following uses.

(1) Creation of Affordable Units. To encourage the development of affordable units through a variety of means, including but not limited to, the provision of favorable financing terms or direct write-down of costs for either non-profit or for profit developers or to subsidize the purchase of sites, existing structures or affordable units within a larger development.

(2) Multi-family Rehabilitation Programs. To finance the substantial rehabilitation of deteriorated properties in a manner that preserves the affordability of units through interest rate subsidies, loan guarantees or write-down of project costs. Multi-family housing owned by non-profit entities that ensure maximum long-term affordability shall receive priority funding consideration.

(3) Limited Equity Cooperative Conversion. For acquisition and rehabilitation of potential cooperatives through low interest blanket loans, share loans or direct cost write down.

11.205.2 Administration of the Affordable Housing Trust and Its Activities. The Trust property may be made available to fund reasonable administrative expenses necessary to support Trust activities, including but not limited to consulting services such as legal, appraising or engineering, as well as other project-related expenses. The Community Development Department shall provide the Board of Trustees with technical and administrative assistance.

11.205.3 Establishment of a Board of Trustees of the Affordable Housing Trust. The City Manager shall establish and chair a nine-member Board of Trustees of the Affordable Housing Trust. The Board of Trustees shall be composed of representatives from different sectors of the community concerned with housing policy, and may include members of City boards and agencies, non-profit housing organizations and community representatives. The trustees, with concurrence of the City Manager, shall establish regulations for the operations of the Trust and Board of Trustees, and procedures for the implementation of this Subsection 11.205.

(1) The Board of Trustees shall manage and administer the Affordable Housing Trust Fund including the dispersal of all funds, units and land conveyed to the City of Cambridge.

(2) The Board of Trustees shall review and approve or disapprove proposals submitted for use of the Housing Trust Fund. The Board shall develop policies and

standards appropriate for affordable housing units pursuant to the Incentive Zoning Provisions, Section 11.200. These standards shall be consistent with those included in the Incentive Zoning Provisions Section 11.200.

(3) The Board shall serve as the Advisory Committee for the purpose of the Massachusetts Housing Partnership (MHP). The Board shall review and make recommendations on housing proposals to be submitted to the MHP.

(4) The Board shall explore the feasibility of and assist in establishment of new programs designed to meet Cambridge's affordable housing needs. These programs may include a City-wide Land Bank Program and Home Mortgage Pool.

(5) The Board of Trustees shall provide assistance and necessary reports where appropriate to any special permit granting authority authorized to issue a special permit for any development making use of funds from the Affordable Housing Trust.

11.206 Special Requirements Applicable to the Residence C District. Where it is proposed to employ the provisions of Section 5.31, footnote (i), paragraph (2), applicable to the Residence C District, the following requirements shall apply in lieu of the requirements of Section 11.203 above:

A minimum of 50% of the additional dwelling units permitted under the provision of footnote (i) above the maximum number of dwelling units otherwise permitted in the Residence C District, rounded to the higher number of units in case of an odd number of additional units, shall be Affordable Housing Units and shall be provided on site as part of the approved special permit development. The characteristics of these units shall be as outlined in Section 11.204 above.

In City Council July 25, 1988.

Passed to be ordained as amended by a yea and nay vote:-
Yeas 8; Nays 0; Absent 1.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk.

II. Amend the Zoning Map of the City of Cambridge as described below:

- 1.0 Amend the Zoning Map of the City of Cambridge by creating the Cambridgeport Interim Planning Overlay District in an area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the centerlines of Henry Street and Brookline Street,
- 1.1 Proceeding in a southwesterly direction along the centerline of Brookline Street to the centerline of Memorial Drive for a distance of approximately 815 feet,
- 1.2 Thence turning and proceeding in an easterly direction along the centerline of Memorial Drive to the southeasterly extension of the centerline of Amesbury Street for a distance of approximately 1,500 feet,
- 1.3 Thence turning and proceeding in a northwesterly direction along the southeasterly extension of the centerline of Amesbury Street, the centerline of Amesbury Street and the northwesterly extension of the centerline of Amesbury Street to the centerline of Vassar Street for a distance of approximately 530 feet,
- 1.4 Thence turning and proceeding in a northeasterly direction along the centerline of Vassar Street to the centerline of Massachusetts Avenue for a distance of approximately 3,340 feet,
- 1.5 Thence turning and proceeding in a northwesterly direction along the centerline of Massachusetts Avenue to the northeasterly extension of the centerline of Blanchard Street for a distance of approximately 1,425 feet,
- 1.6 Thence turning and proceeding in a southwesterly direction along northeasterly extension of the centerline of Blanchard Street and the centerline of Blanchard Street to the centerline of Green Street for a distance of approximately 285 feet,
- 1.7 Thence turning and proceeding in a southeasterly direction along the centerline of Green Street and the southeasterly extension of the centerline of Green Street to the centerline of Landsdowne Street for a distance of approximately 400 feet,

- 1.8 Thence turning and proceeding in a southwesterly direction along the centerline of Landsdowne Street to the northwesterly extension of the centerline of Cross Street for a distance of approximately 90 feet,
- 1.9 Thence turning and proceeding in a southeasterly direction along the northwesterly extension of the centerline of Cross Street and the centerline of Cross Street to the northeasterly extension of the centerline of Purrington Street for a distance of approximately 250 feet,
- 1.10 Thence turning and proceeding in a southwesterly direction along the northeasterly extension of the centerline of Purrington Street and the centerline of Purrington Street to the centerline of Pacific Street for a distance of approximately 880 feet,
- 1.11 Thence turning and proceeding in a northwesterly direction along the centerline of Pacific Street to a point 100 feet distant from the easterly sideline of Brookline Street for a distance 900 feet,
- 1.12 Thence turning and proceeding in a southwesterly direction along a line 100 feet distant from and parallel to the easterly sideline of Brookline Street to a point 100 feet distant from the northerly sideline of Allston Street for a distance of approximately 1,250 feet,
- 1.13 Thence turning and proceeding in a southeasterly along a line 100 feet distant from and parallel to the northerly sideline of Allston Street and easterly extension of this line to the centerline of Sidney Street for a distance of approximately 525 feet,
- 1.14 Thence turning and proceeding in a southwesterly direction along the centerline of Sidney Street to the centerline of Putnam Avenue for a distance of approximately 450 feet,
- 1.15 Thence turning and proceeding in a southeasterly direction along the centerline of Putnam Avenue to a point 100 feet distant from the easterly sideline of Sidney Street for a distance of approximately 130 feet,
- 1.16 Thence turning and proceeding in a southwesterly direction along a line 100 feet distant from and parallel to the easterly sideline of Sidney Street to the centerline of Chestnut Street for a distance of approximately 350 feet,

- 1.17 Thence turning and proceeding in a southeasterly direction along the centerline of Chestnut Street to the centerline of Waverly Street for a distance of approximatley 270 feet,
- 1.18 Thence turning and proceeding in a southwesterly direction along the centerline of Waverly Street to the centerline of Henry Street for a distance of approximatley 110 feet,
- 1.19 Continuing in a southwesterly direction proceed along the centerline of Henry Street to the point of origin, a distance of approximately 940 feet.
- 1.01 Premises as shown on Assessor's Plat numbered 69:
all or parts of lots numbered 161, 162, 113, 111, 110, 109, 114, 115, 116, 117, 148, 163, 149, 103, 102, 101, 100, and 99, even numbers 266-234 Massachusetts Avenue, even numbers 4-22 Blanche Street, odd and even 10-43 Green Street, and 15 Landsdowne Street.
- 1.02 Premises as shown on Assessor's Plat numbered 62:
all or parts of lots numbered 32, 30, 26, 25, 31, 1, 39, 38, and 37, odd numbers 295-317 Vassar Street.
- 1.03 Premises as shown on Assessor's Plat numbered 54:
all lots, odd numbers 201-257 Vassar Street, even numbers 240-294 Albany Street, and 645 Erie Street.
- 1.04 Premises as shown on Assessor's Plat numbered 55:
all lots, odd numbers 121-201 Vassar Street, and even numbers 150-234 Albany Street.
- 1.05 Premises as shown on Assessor's Plat numbered 56:
all lots, odd numbers 93-119 Vassar Street, even numbers 114-144 Albany Street and even numbers 134-168 Massachusetts Avenue.
- 1.06 Premises as shown on Assessor's Plat numbered 68:
all or parts of lots numbered 60, 59, 58, 57, 56, 37, 34, 24, 19, 51, 50, and 47, odd numbers 115-207 Albany Street, even numbers 2-22 Cross Street and odd numbers 1-47 Cross Street, even numbers 2-86 Purrington Street, odd numbers 1-21 Pacific Street, and even numbers 180-256 Massachusetts Avenue.

1.07 Premises as shown on Assessor's Plat numbered 96:

all or parts of lots numbered 98, 118, 102, 117, 110, 109, 124, 127, and 126, odd and even numbers Hamilton Street, and even numbers 80-110 Erie Street.

1.08 Premises as shown on Assessor's Plat numbered 95:

all or parts of lots numbered 44, 75, 5, 70, 71, 72, 73, 66, 61, 53, 60, 49, 48, 59, 58, and 57, even numbers 126-144 and 174-178 Brooklin Street, odd numbers 71-111 Erie Street, odd and even numbers 7-12 Emily Street, odd and even numbers 2-45 Tudor Street, and even numbers 82-126 Pacific Street.

1.09 Premises as shown on Assessor's Plat numbered 67:

all lots, odd numbers 221-245 Albany Street, odd and even numbers 1-69 Waverly Street, odd numbers 9-69 Erie Street, even numbers 2-68 Pacific Street and even numbers 98-176 Sidney Street.

1.001 Premises as shown on Assessor's Plat numbered 63:

all or parts of lots numbered 120, 118, 116, 114, 1, 131, 130, 128, and 132, odd and even numbers 573-628 Memorial Drive, and odd and even numbers 317-351 Vassar Street.

1.002 Premises as shown on Assessor's Plat numbered 64:

all or parts of lot numbered 6, odd and even numbers 634-653 Memorial Drive, and 400 Brookline Street.

1.003 Premises as shown on Assessor's Plat numbered 65:

all or parts of lots numbered 48, 47, 46, 39, 49, and 51, even numbers 346-354 Brookline Street, and even numbers 2-42 Henry Street.

1.004 Premises as shown on Assessor's Plat numbered 66:

all or parts of lots numbered 1, 2, 14, 124, 10, 11, 122, 123, 121, 125, 126, 113, 73, 74, 99, 100, 81, 101, 82, 95, 94, 142, 141, 42, 29, 30, 32, 139, 96, 43, 53, 108, 135, 127, 12, 105, and 106, even and odd numbers 613-640 Putnam Avenue, all of Grove Street, odd and even numbers 65-170 Waverly Street, odd numbers 13-29 Chestnut Street, even numbers 20-62 Erie Street, even numbers 204-244 and 260-266 Sidney Street and odd and even numbers 30-52 Allston Street.

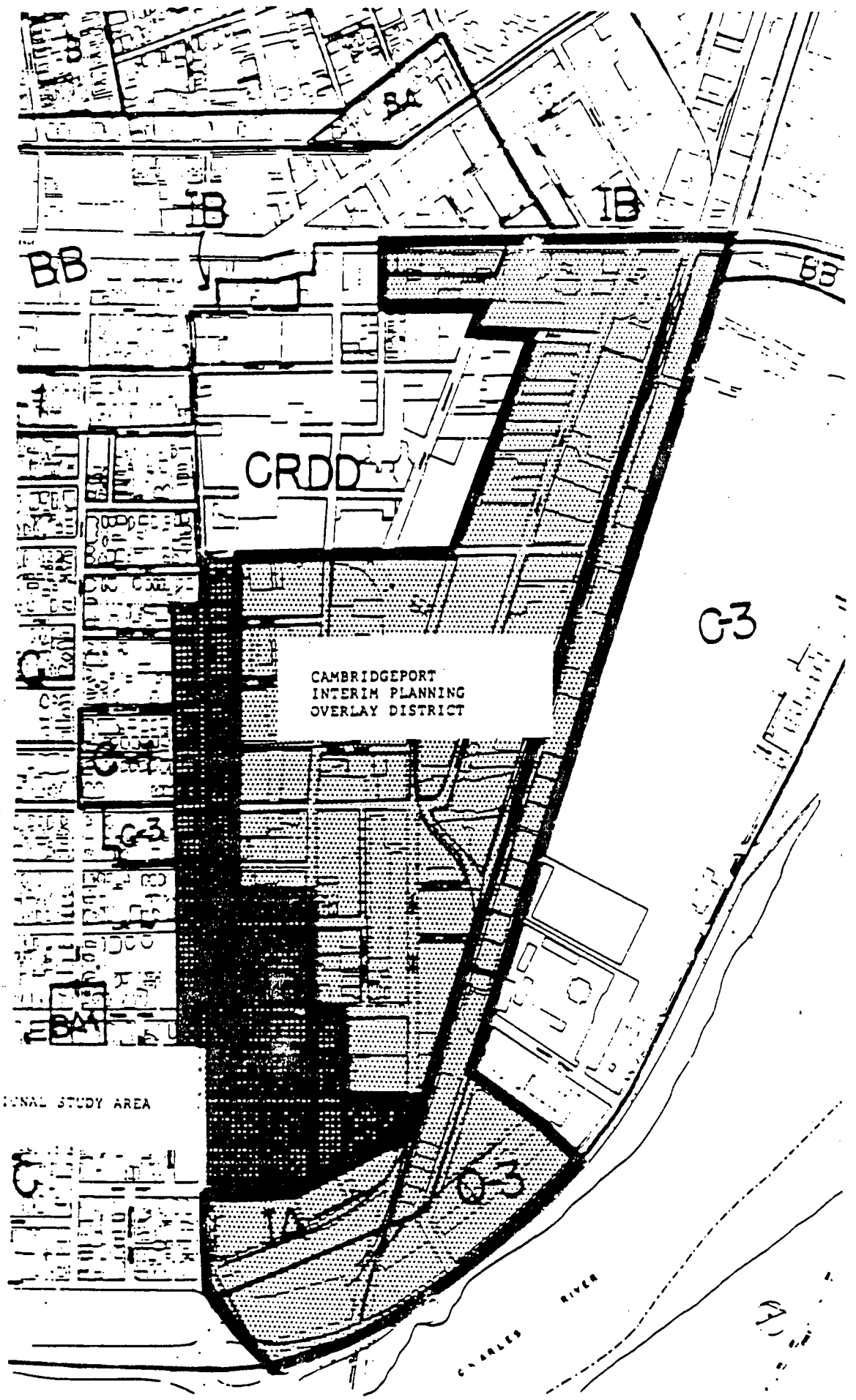
In City Council July 25, 1988.

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

Yeas 8; Nays 0; Absent 1.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk.



ADDITIONAL STUDY AREA



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-eight

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

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

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge is hereby amended as follows:

- 1.0 Amend the Zoning Map of the City of Cambridge by rezoning the area currently zoned Industry B and Residence C-1 zones to Open Space an area circumscribed by a line said line beginning a point said point being the intersection of the southwestern extension of the southeastern lot line of lot numbered 132 on Assessor's Plat numbered 22 and the centerline of Gore Street;
- 1.1 Thence proceeding in a northeasterly direction along southeasterly lot line of lot numbered 132 on Assessor's Plat numbered 22 and five connected line segments which together constitute the unbroken southeastern lot line of lot numbered 132 on Assessor's Plat numbered 22, to its intersection with the southwestern lot line of lot numbered 132 on Assessor's Plat numbered 22;
- 1.2 Thence turning and proceeding in a southeasterly direction along the southwestern lot line of lot numbered 132 for a distance of approximately 248 feet to its intersection with the northwestern lot line of lot numbered 78 on Assessor's Plat numbered 22;
- 1.3 Thence turning and proceeding in a northeasterly direction along the northwestern lot line of lot numbered 78 on Assessor's Plat numbered 22 and thence turning and continuing along the southeastern sideline of lot numbered 30 on Assessor's Plat numbered 22, in a southwesterly direciton, to its intersection with the northeastern sideline of Winter street, for a distance of approximately 222 feet;
- 1.4 Thence turning and proceeding in a southeasterly direction along the northeastern sideline of Winter Street to its intersection with the northeastern lot line of lot numbered 28 on Assessor's Plat numbered 22 for a distance of approximately 28 feet;
- 1.5 Thence turning and proceeding in a northeasterly direction and along four connected line segments which together constitute the unbroken southeastern lot lines of lots numbered 132 and 130 on Assessor's Plat numbered 22, to its intersection with the Somerville City Line;
- 1.6 Thence turning and proceeding in a generally westerly direction along the Cambridge and Somerville City line to its intersection with the southeastern side line of Rufo Road as shown as lot numbered 92 on Assessor's Plat numbered 35;

- 1.7 Thence turning and proceeding in a southwesterly direction along the southeastern side lot line of Rufo Road and its southwesterly extension to its intersection with the centerline of Gore Street, a distance of approximately 284 feet, on Assessor's Plat numbered 35;
- 1.08 Thence turning and proceeding in a southeasterly direction along the centerline of Gore Street to the point of origin, a distance of approximately 508 feet.
- 1.01 All or parts of lots on Assessor's Plat numbered 22:
lots numbered 132, 133 and 130, 145 Gore Street
- 1.02 All or parts of lots on Assessor's Plat numbered 35:
lots numbered 95 and 96.

This area is also known as the Gore Street Playground and the MDC Skating Rink.

- 2.0 Rezone from Industrial B to Business A-2 an area of land circumscribed by a line beginning at a point, said point being the intersection of the Cambridge/Somerville City lines and the centerline of Gore Street, on Assessor's Plat numbered 35;
- 2.1 Thence proceeding in a southeasterly direction along the centerline of Gore Street to its intersection with the southwestern extension of the southeastern line of Rufo Road on Assessor's Plat numbered 35;
- 2.2 Thence turning and proceeding in a northeasterly direction along the southwestern extension of the southeastern side line and the southeastern line of Rufo Road, lot numbered 92 on Assessor's Plat numbered 35 to its intersection with the Cambridge/Somerville City lines,
- 2.3 Thence turning and proceeding intially in an northwestern direction along the Cambridge/Somerville line to the point of origin.
- 2.01 All or parts of lots on Assessor's Plat numbered 35:
lots numbered 88, 89, and 87

In City Council July 25, 1988.

Passed to be ordained by a yea and nay vote:- Yeas 8;
Nays 0; Absent 1.

Robert W. Healy, City Manager.

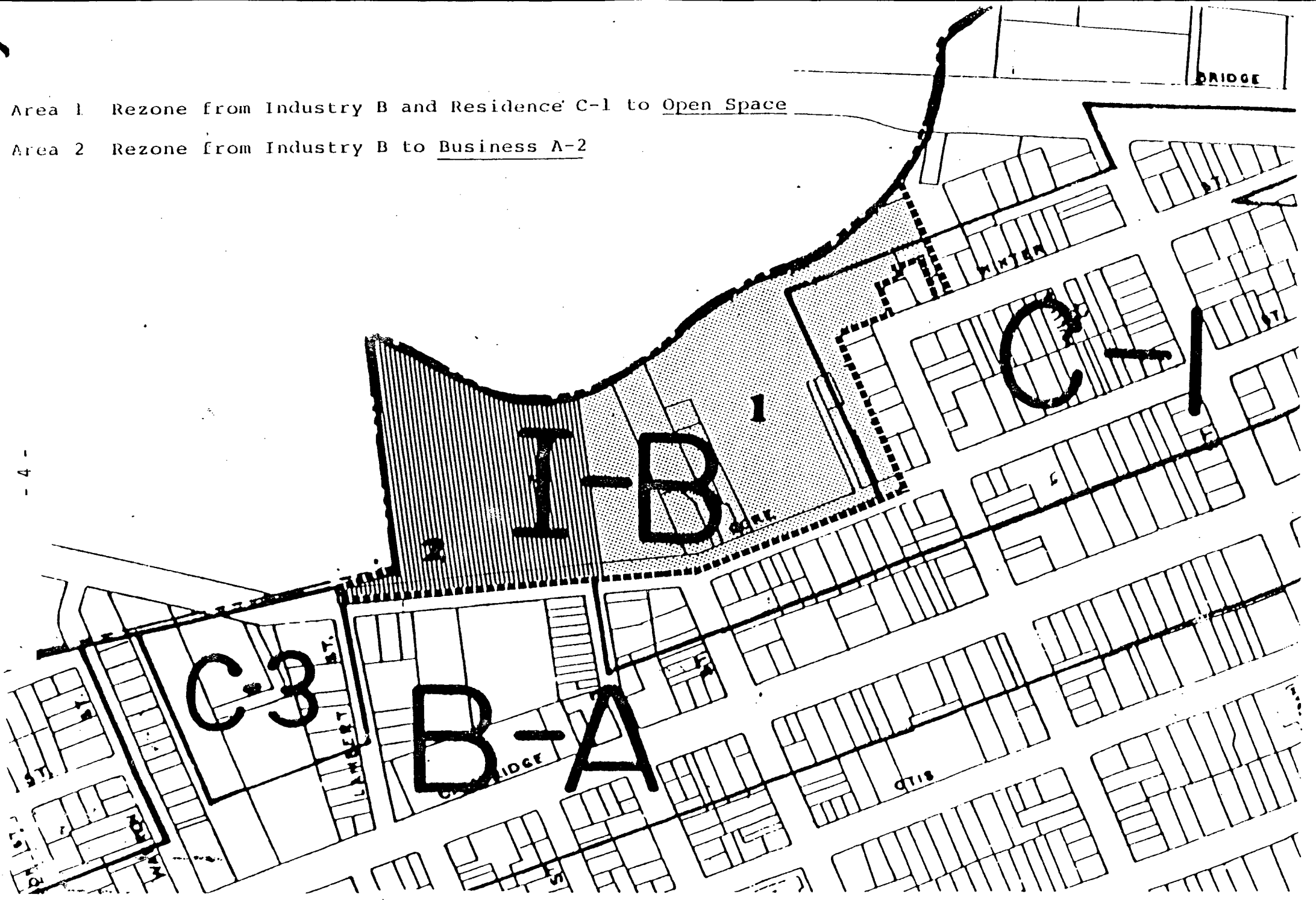
ATTEST:- Joseph E. Connarton
City Clerk.

BRIDGE

Area 1 Rezone from Industry B and Residence C-1 to Open Space

Area 2 Rezone from Industry B to Business A-2

- 4 -



13.70 PLANNED UNIT DEVELOPMENT IN THE NORTH POINT
RESIDENCE, OFFICE, AND BUSINESS DISTRICT.

13.71 Purpose. This Section 13.70 is intended to provide the opportunity for a transition from the existing industrial character of the North Point area to a highly active, moderate density commercial area with a mix of residential, office, and/or business uses having a street pattern and significant open space. It is also intended to encourage development which is substantially in accordance with the development policies outlined in the September 1988 North Point Policy Plan and consistent with the limits to development imposed by the restricted traffic capacity of streets providing access to the North Point Residence, Office, and Business District.

According to the traffic studies conducted in the course of the planning effort which preceded adoption of this Section 13.70, the North Point Residence, Office, and Business District will be able to accommodate an additional 1,500,000 square feet of private office development or the equivalent, in view of the need for an at-grade pedestrian crossing across Monsignor O'Brien Highway at East Street. According to these traffic studies, elimination of the at-grade pedestrian crossing at East Street would permit private development within the North Point Residence, Office, and Business District to reach 2,000,000 square feet of private office development or the equivalent; however, at this time that crossing is viewed as a necessity for reasons of public safety. Further traffic studies should be undertaken in future years and creative solutions to these traffic constraints should be explored in order to permit the Planning Board to review development proposals under this Section 13.70 on the basis of accurate and up-to-date traffic analyses. In reviewing development proposals under this Section 13.70 approaching the 1,500,000 square-foot threshold identified above (as that figure may increase or decrease in the course of future traffic studies and relevant improvements to Monsignor O'Brien Highway and other nearby roads and transit facilities), the Planning Board should be mindful of the traffic constraints affecting the area and should limit commercial development to the extent necessary to avoid unacceptable traffic congestion.

13.72 Applicability. A special permit for a Planned Unit Development may be granted by the Planning Board in the North Point Residence, Office, and Business District in accordance with the requirements of Sections 12.30 and 12.40, and the development controls

specified in Section 12.50 and this Section 13.70. All references to and requirements for a PUD district in those sections shall also apply to a Planned Unit Development in the North Point Residence, Office, and Business District.

13.73 Use Regulations. Any use permitted in Article 16.000-North Point Residence, Office, and Business District, may be allowed by the Planning Board.

13.74 Dimensional Requirements.

13.741 Floor Area Limitation. The maximum ratio of floor area to total area of the development parcel shall be 2.0, subject to the provisions of Sections 13.742 and 13.743. The area of the lot to be counted in determining the floor area ratio shall include land dedicated (after adoption of this Section 13.70) by the owner or former owner of the lot, whether in fee or by easement, deed restriction, covenant or comparable legal instrument enforceable by the City of Cambridge or other public entity, as a public way, private way open to public use, or public open space.

In the case of any development proposal providing for a floor area ratio in excess of 1.0, the Planning Board may in its discretion require the proponent to submit an analysis of existing traffic conditions and the traffic conditions anticipated following completion of the development proposed by such proponent. In evaluating such a development proposal, the Planning Board shall:

- (a) give consideration to such traffic analysis, including any deterioration in or amelioration of existing traffic conditions reasonably anticipated as a result of roadway and transit improvements or other factors; and
- (b) also consider the extent to which such development proposal observes the design guidelines for the North Point Residence, Office, and Business District established under the September 1988 North Point Policy Plan, as they may be amended from time to time.

13.742 Traffic Mitigation Incentive. The floor area ratio of any building used for other than residential uses (but including hotel and motel uses) may be increased to a maximum of 2.5, but no increase in the number of parking spaces serving such uses shall be permitted beyond the number which would have been permitted if the applicable floor area ratio had been limited to 2.0.

- 13.743 Incentive for Residential Development. In order to promote housing uses within the District, increases in floor area ratio shall be permitted as follows:
- (1) The maximum permitted floor area ratio for a development in which at least 30% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 2.5.
 - (2) The maximum permitted floor area ratio for a development in which at least 60% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.0.
 - (3) The maximum permitted floor area ratio for a development in which at least 90% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.5.
 - (4) As used herein, the term "development" shall mean one or more buildings located on the same lot.
- 13.744 Development Parcel and Lot Size. The minimum size of the development parcel shall be 20,000 square feet. There shall be no specified minimum lot size for lots located within a development parcel. The Planning Board shall approve all lot sizes located within a development parcel.
- 13.745 Other Dimensional Requirements. There shall be no minimum lot area per dwelling unit requirement, and there shall be no requirement with respect to frontage on any street for lots devoted to townhouse development. There shall be no requirement with respect to minimum lot widths or minimum front, side or rear yards in the District. The Planning Board shall approve all such building setbacks.
- 13.746 Building Height Limitation. The maximum building height for all buildings shall be one hundred fifteen (115) feet, except as set forth in Sections 13.747 and 13.748, and except that notwithstanding anything to the contrary in this Section 13.746 or in Sections 13.747 or 13.748, the Planning Board may in its discretion permit the height of any building serving residential uses to exceed the limitations set forth in this Section 13.746 or in Sections 13.747 or 13.748, provided that the average height of all buildings on the lot where such building is located is not in excess of 85 feet (excluding any building or portion thereof devoted to parking which is not covered with building included in gross floor area). In order to achieve an average height not in excess of

85 feet, the heights of the several parts of the building or buildings shall be such that the volume of building exceeding 85 feet in height shall be equal to or less than the volume of space lying between the 85 foot height and portions of building less than 85 feet in height, as illustrated below:

Volume 1 (area of building at a single height-1 above 85 feet x the difference between height-1 and 85 feet) + Volume 2 (area of building at a single height-2 above 85 feet x the difference between height-2 and 85 feet) MUST EQUAL OR BE LESS THAN THE SUM OF Volume 1' (area of building at a single height-1' below 85 feet x the difference between height-1' and 85 feet) + Volume 2' (area of building at a single height-2' below 85 feet x the difference between height-2' and 85 feet).

- 13.747 A maximum building height of one hundred forty five (145) feet shall apply: (a) in that portion of the District lying within 620 feet westerly of a line perpendicular to, and at the midpoint of, the span carrying the MBTA Green Line tracks between the piers supporting the same located on each side and nearest to Industrial Way at its intersection with Monsignor O'Brien Highway (excluding from such portion, however, any part thereof lying within 240 feet of a line in the same plane as and extending easterly and westerly from the southern face of such span [the "Reference Line"]), and (b) in that portion of the District lying more than 685 feet from the Reference Line (excluding from such portion, however, any part thereof lying within 350 feet of the Charles River).
- 13.748 Except as otherwise provided in Section 13.747, the maximum height of buildings located within 300 feet of the Reference Line described in Section 13.747 above shall be eighty five (85) feet.
- 13.749 In evaluating a development proposal providing for building height in excess of 85 feet, the Planning Board shall give consideration to evidence presented on the following:
- (a) that increased height is necessary to accommodate structured parking which cannot reasonably be located below grade due to concerns over the water table;
 - (b) that increased height will not cast shadows or alter air currents in ways that will unreasonably limit the amount of light and air reaching other

buildings in the vicinity to a significantly greater extent than if the building height did not exceed 85 feet;

- (c) that increased height would mitigate detrimental environmental impacts such as excessive ground coverage, diminution of open space, and monotonous development, and/or would enable the provision of open space, including roadways;
- (d) that increased height would not adversely affect and would result in increased sensitivity to the visual and physical characteristics of the particular location through more harmonious relationships to the terrain and to proposed and existing buildings in the vicinity that have functional or visual relationships to the proposed building, or would shield other buildings or areas from elevated roadways, railroad yards, or other detracting influences;
- (e) that increased height would result from actions taken to lessen the impact of traffic and parking on the surrounding area;
- (f) that the orientation and location of the proposed structure shall not otherwise diminish the health and safety of the North Point area; and/or
- (g) that the increased height will not derogate from the overall intent of the September 1988 North Point Policy Plan, including the Design Guidelines therein.

13.75 Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 20% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such lot shall for purposes of this Section 13.75 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All streets, plazas, sidewalks, decks, arcades, loggias, gallerias, and parks which are open to public use and are located on land which is now (at the time of adoption of this Section 13.70) or hereafter privately owned, shall constitute public open space and/or publicly beneficial open space for purposes of this Section 13.75; provided, however, that interior space shall constitute such public open

space and/or publicly beneficial open space only if specifically approved by the Planning Board in its discretion.

The Planning Board may reduce the open space requirement if the development is located adjacent to a public open space and if the development is physically and functionally integrated with the open space by means of building orientation, location of building entrances, pedestrian linkages between major activity centers, or similar factors.

- 13.76 Perimeter and Transition. Any part of the perimeter of a planned unit development which fronts on a public open space for not less than 250 feet or is immediately adjacent to and within 300 feet of the Charles River shall be so designed as to complement and harmonize with adjacent land uses (existing or proposed) with respect to scale, density, setback, bulk, height, landscaping, and screening.
- 13.77 Parking and Loading Requirements. Off-street parking and loading requirements shall be the same as provided in Section 16.40; provided, however, that the Planning Board may, in its discretion, increase the maximum number of parking spaces permitted.
- 13.78 Public Benefits. All special permits granted under this Section 13.70 shall be subject to the provisions of Section 11.200.
- 13.781 Traffic Mitigation. Any special permit granted under this Section 13.70 may be conditioned upon compliance with any of the following traffic mitigation measures determined appropriate by the Planning Board and specified in its decision on the special permit:
- (a) Encourage staggered or flexible work hours for employees of all tenants enjoying access from Monsignor O'Brien Highway through the provision of utilities during off-peak hours and other appropriate means.
 - (b) Promote the use of public transportation by providing transit information and participation in the MBTA commuter pass program including the establishment of a commuter pass sales office or other means of facilitating the use of commuter passes.
 - (c) Operate or coordinate with a computer-based ride-sharing information bank and collect and disseminate ride-sharing information to employees

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and cooperate with other landowners in the East Cambridge Riverfront District in this regard.

- (d) Reserve spaces at preferential locations for carpool and vanpool parking.
- (e) Establish reduced parking fees for carpool and vanpool parking.
- (f) In the case of any hotel, encourage the hotel operator to provide an airport motor vehicle shuttle.
- (g) Provide reduced parking fees on the site for monthly and daily parking spaces not available on working days until after 9:30 A.M.
- (h) Sensitize tenants to the issue of reducing or eliminating subsidized parking spaces for employees.
- (i) Make reference to the availability of mass transit facilities in marketing and advertising materials produced for new development projects.
- (j) Cooperate with the MDC, the MBTA, the City of Cambridge, and neighborhood groups to provide a pedestrian overpass across Monsignor O'Brien Highway serving the relocated MBTA Green Line Lechmere Station.
- (k) Cooperate with the MDC to provide pedestrian access to Charlestown Avenue for access to the MBTA Orange Line Community College Station from the North Point area.
- (l) Cooperate with the MDC, the MBTA, and the City of Boston to provide pedestrian access to North Station from the North Point area, to the extent feasible.
- (m) Cooperate with the MDC, the MBTA, and the City of Cambridge, and the City of Boston to improve pedestrian access to the MBTA Green Line Science Park Station from the North Point area.
- (n) Cooperate with Riverside Galleria Associates Trust to coordinate service to the North Point area with the Galleria shuttle bus system.
- (o) Cooperate with the MDC, the City of Cambridge, and the City of Boston to establish bicycle paths.

- (p) Provide bicycle parking racks.
- (q) Cooperate with the East Cambridge Transportation Coordinator.

13.782 Design Review. Every development proposal approved by the Planning Board as a Planned Unit Development under this Section 13.70 shall be reviewed by the Planning Board for consistency with the Design Guidelines set forth in the September 1988 North Point Policy Plan adopted by the City as of the time of ordination of this Section 13.70, but the Planning Board may in its discretion approve any development proposal notwithstanding deviations from such Design Guidelines. In addition, the Planning Board may condition any special permit granted hereunder upon further design review insofar as the public health, safety, and welfare shall be concerned.

13.783 Inclusionary Housing Requirements. Any special permit granted under this Section 13.70 for the development of one or two family dwellings, multi-family dwellings, or townhouse development shall be conditioned upon the following:

- (a) A minimum of seven and one half percent (7.5%) of the dwelling units authorized by such special permit shall be Affordable Housing Units made available to Eligible Households as defined in Section 11.200 and shall conform to the Standards detailed in Section 11.200.
- (b) An additional seven and one half percent (7.5%) of the dwelling units authorized by such special permit shall be offered to the City of Cambridge at prevailing market rates for inclusion in any program available to and selected by the City for provision of affordable housing. Should the City fail to exercise its option within three months the permittee is free to make the units available on the open market without any further obligations to the City of Cambridge.

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- ARTICLE 16.000 NORTH POINT RESIDENCE, OFFICE AND BUSINESS DISTRICT
- 16.10 SCOPE AND INTENT
- 16.20 USE REGULATIONS
- 16.30 DIMENSIONAL REGULATIONS
- 16.40 PARKING AND LOADING REQUIREMENTS
- 16.50 SIGNS
- 16.60 INAPPLICABILITY OF CERTAIN OTHER REGULATIONS
- 16.10 SCOPE AND INTENT
- 16.11 Scope. This Article regulates development within the North Point Residence, Office and Business District (the "District"), located as shown on the Zoning Map, as amended.
- 16.12 Intent. The purpose of the District is to limit as-of-right development due to constraints on the ability of the streets providing access to the District to accommodate additional traffic, and to provide for the development of the District into a mixed-use commercial area under the PUD process provided in Section 13.70.
- 16.20 USE REGULATIONS
- 16.21 Permitted Uses. The following uses are allowed in the District. All uses not listed within one of the use groups in this section shall be prohibited. All uses within the District shall comply with the environmental protection standards of Section 16.24. The provisions of Section 4.50 et seq. shall not apply to institutional uses permitted within the District pursuant to Section 16.217.
- 16.211 Industrial Uses
- (1) Manufacturing, processing, assembly, and packaging as permitted in Section 4.37 a and b.
 - (2) Bottling of beverages, as permitted in Section 4.37c.
 - (3) Distribution center, parcel delivery center, delivery warehouse, as permitted in Section 4.37d.
 - (4) Laundry, dry cleaning plant, as permitted in Section 4.37e.
 - (5) Printing, binding, publishing, and related arts and trades, as permitted in Section 4.37f.

- (6) Automotive repair garage as permitted in Section 4.37h, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (7) Food commissary, as permitted in Section 4.37i.
- (8) Wholesale business and storage in roofed structures, as permitted in Section 4.37j.
- (9) Storage warehouse, cold storage plant, storage building, as permitted in Section 4.37k.
- (10) Open-lot storage as permitted in Section 4.37 l and m, subject to the provisions of Section 16.23.
- (11) Heavy industry as permitted in Section 4.38, subject to the provisions of Section 16.23.

16.212 Office and Laboratory Uses

- (1) Office of a physician, dentist or other medical practitioner not located in a clinic listed in Subsection 4.33d, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (2) Office of an accountant, attorney, or other non-medical professional person.
- (3) Real estate, insurance or other agency office.
- (4) General office use.
- (5) Bank, trust company or similar financial institution not located on the first floor of a building.
- (6) Technical office for research and development, laboratory and research facility, including (without limit) manufacturing facilities incident thereto.

16.213 Retail and Consumer Service Establishments

- (1) Store for retail sale of merchandise.
- (2) Eating and/or drinking establishment, whether or not liquor is sold or consumed, including restaurant, bar, lunchroom, cafeteria and food commissary.

- (3) Fast order food establishment subject to the Special Permit requirements of Section 11.30, unless such use is enclosed in a structure principally containing other uses and is included in a "food court" or similar specialized area (in which case no Special Permit shall be required).
- (4) Consumer service establishment, including but not limited to hairdresser, barber shop, laundry or dry-cleaning pick-up establishment, self-service laundry, shoe repair or tailoring shop, or photography studio.
- (5) Rental agency for autos or other products, but not including taxi companies. Such agencies shall be operated entirely within a building and no major automobile repairs shall be made on the premises.
- (6) Automobile service stations where no major repairs are made.
- (7) Bank, trust company or similar financial institution located on the first floor of a building.

16.214 Residential Uses

Residential uses among those listed below, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70.

- (1) One and two family dwelling.
- (2) Townhouse development.
- (3) Elderly oriented congregate housing.
- (4) Multi-family dwelling.
- (5) Hotel or motel.

16.215 Entertainment and Recreational Uses

- (1) Indoor commercial entertainment establishments not open to the public on weekdays prior to 7:30 p.m. including but not limited to cinema, theater, concert hall, cabaret and night club.
- (2) Recreation facility, health club, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.

- (3) Non-accessory recreation facilities including bowling alley, indoor or outdoor tennis courts, public recreation building, or skating rink, but only by special permit from the Planning Board pursuant to Section 10.40.
- (4) Halls, auditoriums and similar spaces used for public gatherings, as an accessory use occupying not more than twenty-five (25%) of the aggregate gross floor area of all buildings on a lot.
- (5) Non-accessory halls, auditorium and similar spaces used for public gatherings, but only by special permit from the Planning Board pursuant to Section 10.40.
- (6) Park or playground.

16.216 Transportation, Communication and Utility Uses

- (1) Subject to the limitation on the number of parking spaces provided under Section 16.40 or a special permit granted under Section 13.70, as applicable, automobile parking lot or parking garage for private passenger cars, as follows:
 - (a) as accessory parking for uses located on the same lot, without the need for any special permit.
 - (b) as accessory parking for uses located on another lot, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70, as applicable.
 - (c) as a principal use, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70, as applicable.
- (2) Railroad freight terminal, railroad yard and shops.
- (3) Truck or bus terminal, yard or building for storage or servicing of trucks, trailers or buses, parking lot for trucks.
- (4) Radio and television studio.
- (5) Telephone exchange, transformer station, substation, gas regulating station, or pumping station.

(6) Bus or railroad passenger station.

16.217 Institutional Uses

- (1) All uses permitted in Sections 4.33a, b, c, d, e, f, and g.
- (2) All uses permitted in Section 4.33h.1 or .2.
- (3) Any institutional use not referred to in subparagraphs (1) and (2) above, but only by special permit from the Planning Board pursuant to Section 10.40.

16.22 Multiple Uses in the Same Structure. Except as set forth in Section 16.221 below, within the District there shall be no restriction on combining different categories of use within the same building other than those imposed by the State Building Code or other federal, state or local regulations other than this Ordinance.

16.221 Limitation on Retail and Consumer Service Establishments. Retail and consumer service establishments permitted under Section 16.213 shall occupy an aggregate in any building, of not more than twenty five percent (25%) (or, if less, 30,000 square feet) of the gross floor area of such building. Such uses shall be located only on the first and/or any second floor, except that eating and/or drinking establishments permitted under Section 16.213(2) may be located on any floor or floors.

16.23 Limitation on Certain Industrial Uses. Uses referred to in Section 16.211(10) and (11) shall be prohibited within the District except as provided in Sections 16.231 and 16.232 below. Such prohibition shall not apply to any use referred to in Section 16.211(10) or (11) which is a pre-existing non-conforming use under Article 8 by virtue of the adoption of this Article 16 or any prior amendment of this Ordinance (hereinafter referred to as a "Nonconforming Use"), except to the extent set forth in such Article 8.

16.231 Notwithstanding anything to the contrary in this Article 16, any use referred to in Section 16.211(10) shall be permitted within 800 feet of a lot which is the location of a Nonconforming Use included among those uses referred to in Sections 16.211(10) and (11), but only for the period during which such Nonconforming Use shall be permitted under Article 8, plus ten (10) years.

- 16.232 Notwithstanding anything to the contrary in this Article 16, any use referred to in Section 16.211(11) shall be permitted within 800 feet of a lot which is the location of a Nonconforming Use included among those uses referred to in Section 16.211(11), but only for the period during which such Nonconforming Use shall be permitted under Article 8, plus ten (10) years.
- 16.233 The allowance of a use under Section 16.231 or Section 16.232 does not and shall not be deemed to confer the protections of Article 8 upon any use referred to in Section 16.211(10) or (11) which is not a pre-existing non-conforming use under Article 8 by virtue of the adoption of this Article 16 or any prior amendment of this Ordinance.
- 16.24 Environmental Protection Standards. No activity shall be permitted in the District unless it shall be in conformity with the following standards for environmental protection:
- 16.241 All dust, fumes, odors, smoke or vapor shall be effectively confined to the premises or disposed of in compliance with applicable environmental laws.
- 16.242 Any noise, vibration or flashing shall not be normally perceptible without instruments at a distance of one hundred feet from the premises.
- 16.243 All development proposals shall comply with Federal and State air pollution and water pollution control regulations, the City of Cambridge Ordinances, and other applicable environmental laws.
- 16.244 Except during construction activity on the lot, all refuse and other waste materials shall be stored within buildings prior to collection and disposal.

16.30 DIMENSIONAL REGULATIONS

- 16.31 Lot Density Limitation. For each lot within the District, a permitted floor area ratio (as defined in Article 2.000) of 1.0 is hereby established for each lot, and shall not be exceeded. The area of the lot to be counted in determining the floor area ratio shall include land dedicated (after adoption of this Article 16) by the owner or former owner of the lot, whether in fee or by easement, deed restriction, covenant or comparable legal instrument enforceable by the City of Cambridge or other public entity, as a public way, private way open to public use, or public open space.

- 16.32 Building Height Limitation. The maximum building height for all buildings within the District shall be fifty (50) feet.
- 16.33 Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 20% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such lot shall for purposes of this Section 16.33 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All streets, plazas, sidewalks, decks, arcades, loggias and parks (excluding, however, all interior space) located on land which is now (at the time of adoption of this Article 16) or hereafter privately owned, whether dedicated to such public use in fee or by easement, deed restriction, covenant, or comparable legal instrument, shall constitute public open spaces and/or publicly beneficial open space for purposes of this Section 16.33.
- 16.34 Other Dimensional Requirements. There shall be no minimum lot size or minimum lot area per dwelling unit requirement in the District. There shall be no requirement with respect to minimum lot widths or minimum front, side or rear yards in the District. There shall be no requirement with respect to frontage on any street for lots devoted to townhouse development.

16.40 PARKING AND LOADING REQUIREMENTS

- 16.41 Parking and Loading Requirements. Subject to Sections 16.411, 16.412, 16.413, and 16.414, off-street parking and loading requirements shall be the same as currently (at the time of the adoption of this Article 16.000) specified in Article 6.000 and in the Schedule of Parking and Loading Requirements applicable to Residence C-3, Office 3, Business B and Industry B Districts.
- 16.411 The minimum requirement for off-street parking facilities for any use shall be one-half the requirement set forth in Article 6.000. The minimum requirement may be satisfied by parking located outside of the North Point Residence, Office, and Business District outside of the City of Cambridge, but only by special permit from the Planning Board

pursuant to Section 10.40 or Section 13.70. The need for a special permit under this Section 16.411 shall not in itself subject any aspect of a development other than its minimum parking requirement to a special permit requirement. There shall be no limitation of off-street parking facilities to the extent parking for the development parcel involved shall be provided outside of the City of Cambridge. There shall be no maximum number of compact car parking spaces, and a maximum of two parking spaces per dwelling unit shall apply.

16.412 Parking facilities may be located on the lot they serve or, by special permit from the Planning Board under Section 10.40 or Section 13.70, may be located in whole or in part in one or more pooled private or public parking facilities located anywhere within the North Point Residence, Office, and Business District. The Planning Board shall not withhold a special permit permitting such a pooled parking facility so long as the limitations on the maximum amount of parking provided in this Section 16.40 are observed with respect to all affected lots, in the aggregate, and so long as the intent of Section 16.413 to limit the number of commercial parking spaces which are accessible from Monsignor O'Brien Highway and available for private development is not subverted.

16.413 Subject to Section 16.414 below, the maximum number of parking spaces available for non-residential use (but including hotel and motel use) which are accessible from Monsignor O'Brien Highway on any lot in the North Point Residence, Office, and Residence District shall be as follows:

- (1) For lots located entirely within the Front Development Area, such maximum shall be 1.223 parking spaces per 500 square feet of lot area.
- (2) For lots located entirely within the Back Development Area, such maximum shall be one parking space per 3,250 square feet of lot area.
- (3) For lots located partly within the Front Development Area and partly within the Back Development Area, the calculations set forth in subsections (1) and (2) above shall be performed separately with respect to the portions of such lot located within the Front Development Area and the Back Development Area, respectively, and such maximum shall equal the sum of the maximum so calculated under subsection (1) and the maximum

so calculated under subsection (2); such parking spaces may be located anywhere within such lot.

- (4) As used herein, the following terms have the following meanings:
- (a) "accessible" means having access and egress in the ordinary course of business, without regard to emergency access and egress or access and egress for maintenance purposes.
 - (b) "Front Development Area" means that portion of the North Point Residence, Office, and Business District lying (a) within 600 feet of the Charles River, or (b) easterly of a line in the same plane as and extending northerly and southerly from the westerly sideline of East Street as currently (at the time of adoption of this Article 16.000) constituted and within 725 feet of the Reference Line (as defined below).
 - (c) "Back Development Area" means all portions of the North Point Residence, Office, and Business District lying outside the Front Development Area.
 - (d) "Reference Line" means a line in the same plane as and extending northerly and southerly from the southern face of the span carrying the MBTA Green Line tracks between the piers supporting the same located on each side and nearest to Industrial Way at its intersection with Monsignor O'Brien Highway.

16.414 Wherever parking spaces are provided for residential use (other than hotel or motel use) on any lot, the number of parking spaces permitted to be made available to serve non-residential uses (but including hotel and motel use) on such lot under Section 16.413 above shall be reduced by one parking space for every 6.67 dwelling units served by any parking spaces provided for such residential use.

16.50 SIGNS

16.51 The sign regulations of Article 7.000 applicable to Office and Industrial Districts shall be applicable in the District.

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16.60 INAPPLICABILITY OF CERTAIN OTHER REGULATIONS

16.61 Where this Article 16.000 specifies some standard or establishes some other requirement contrary to or inconsistent with a requirement elsewhere in this Ordinance, the provisions of this Article 16.000 shall control.

XP-4166/c

North Point Policy Plan
Including Design Guidelines

Sasaki Associates, Inc.

September 1988

NORTH POINT POLICY PLAN

I. INTRODUCTION

1.01. Purpose and Intent. This document is and shall be considered a policy plan under Section 12.51 of the Cambridge Zoning Ordinance (the "Ordinance") with reference to the issuance of special permits under Section 13.70 of the Ordinance in the North Point residence, office, and business district (the "District"). This document sets forth the development policies which are to guide the development of the District anticipated to occur over the next twenty (20) years. It also sets forth Design Guidelines to be considered by the Planning Board in reviewing development proposals under Section 13.70 of the Ordinance.

1.02. Background. The District is located immediately north of Monsignor O'Brien Highway, bounded by the Charles River and parts of Boston to the east and by railroad lines and yards to the north and west. Although it is a large area, over 70 acres, relatively few people are aware of it. Indeed, the District is not commonly thought of as part of Cambridge - the elevated MBTA Green Line viaduct on the southern border of the District is often taken to mark the Cambridge boundary. Originally mostly tidelands, the District, as well as adjacent parts of Somerville and Boston, was first filled for use for heavy industrial purposes, including railroad yards and a gas works. Today, the predominant uses are warehouses, trucking, and rail use. Other uses include a garbage transfer station, a sewage pumping station, storage and various other industrial uses, as well as two small office buildings.

The area to the north of the District is the location of major rail uses, the Boston Sand and Gravel plant, and elevated Interstate 93. The elevated Gilmore Bridge to Charlestown (Charlestown Avenue) bisects the District, and the elevated MBTA Green Line tracks to Lechmere Station run along the District's southern boundary. Despite the District's lengthy frontage on the Charles River, there is no parkland or improved open space and no public access to the river. Some of the properties in the District are currently vacant and/or in substandard condition.

A number of these conditions are expected to continue for some period of time. In particular, some portions of the District and a large area north of the District will continue

to be used for transportation or other heavy industrial purposes in the future, because of the following:

- (a) the impending relocation of the MBTA Green Line Lechmere Station to the north side of Monsignor O'Brien Highway, including possible maintenance facilities;
- (b) the reconstruction of the Interstate 93/Route 1 interchange immediately north of the District, including construction of an additional elevated ramp at or possibly across the boundary of the District;
- (c) the likelihood that some land in the general area of the District will be required on a temporary basis for staging purposes in connection with the reconstruction of the Interstate 93/Route 1 interchange and the depression of the central artery in Boston;
- (d) the continued presence of the garbage transfer station for another five (5) years under its lease agreement;
- (e) the importance to the Commonwealth of the rail corridor immediately north of the District; and
- (f) the right of existing industrial users to continue their activities.

Despite all of the foregoing, the District has considerable development potential because of its proximity to Boston, its frontage on the Charles River near the Museum of Science, its proximity and access to the MBTA Green Line stations at Lechmere and Science Park, the MBTA Orange Line station at Community College, and North Station in Boston, and the impending completion of the redevelopment of the East Cambridge Riverfront immediately to the south. Recognizing this potential, the City imposed a zoning moratorium on the North Point area generally in 1986 for planning purposes, an effort which has culminated in the creation of the District and this Policy Plan. The zoning for the District and this Policy Plan, including the Design Guidelines set forth below, reflect the concerns which have arisen in the course of this planning effort, particularly with respect to the mitigation of traffic impacts on Monsignor O'Brien Highway and the encouragement of the use of the very significant mass transportation resources available to the North Point area.

II. PLANNING FOR THE DISTRICT

2.01. Planning Approach. Planning for the District follows a different path than that experienced along the East

Cambridge Riverfront. At the East Cambridge Riverfront, the City spearheaded redevelopment of the area by putting a master plan for the area through the environmental review process and providing from its own funds or obtaining from the state the very heavy roadway and other infrastructure improvements required for development of the area. As a result, in the East Cambridge Riverfront, the City was in effect a partner of the various private developers involved in transforming the area; the outstanding success of these efforts is due in large part to the strong role and heavy financial contribution made by the City or through its efforts.

North Point stands in sharp contrast to the East Cambridge Riverfront. North Point has none of the infrastructure and roads within the site necessary for revitalization, but at this time the City is not in the position to commit itself to funding those improvements (although it is hoped that funding may become available in the future for that purpose). Furthermore, it is advisable for the City to take a different role in view of the following:

- (a) the very substantial interest of the Commonwealth in the North Point area and area adjacent to it, as indicated in items (a), (b), (c), and (e) listed in Section 1.02 above;
- (b) the extensive state regulatory requirements applicable to much of the North Point area, particularly with respect to former tide lands and land now or formerly used for railroad purposes;
- (c) the long time horizon which the transition of the District from a heavy industrial area to a mixed-use commercial area will of necessity take;
- (d) the very high likelihood, given the existing and past uses of land within the District, that substantial environmental clean-up will be required, at great cost; and
- (e) property ownership lines within the District.

Accordingly, at North Point, the City is not expected to spearhead development, but rather to protect the public interest by enforcing the zoning and through its Planning Board reviewing and approving development proposals in accordance with Section 13.70 and this Policy Plan (including the Design Guidelines). Given the long time horizon for revitalization of the District, and the substantial uncertainty over the amount of land within the District that will be available for redevelopment, this Policy Plan sets forth the development

policies which are to guide the development of the District and illustrative plans which embody them; however in view of the uncertainties present at North Point, the development policies outlined in this Policy Plan do not impose a rigid plan for redevelopment. It is expected that the plans outlined here may change over time as the uncertainties involved diminish; this is particularly so west of the Gilmore Bridge. As individual building projects are approved through the PUD process under Section 13.70, they shall be reviewed for conformity with this Policy Plan and the Design Guidelines included in it. In making any changes to the plans set forth in this Policy Plan or approving projects which deviate from those plans, from this Policy Plan, or from the Design Guidelines, the Planning Board and the City must be responsive to the concerns and constraints listed as items (a) through (e) above in this Section 2.01.

III. DEVELOPMENT POLICIES

3.01. General. North Point should be an urban environment that will ultimately be active during the day and evening. The site is located on the Charles River with spectacular views of Boston's skyline and it is adjacent to the Boston Museum of Science and East Cambridge. At this location the site is uniquely situated to provide a distinctive setting for a high quality urban development that will be a positive addition to the East Cambridge environment. This Policy Plan and the zoning for the District respond to pedestrian and automobile transportation, environmental and community constraints and concerns, and form the framework for creation of a highly imageable environment and strong sense of place.

The goal of North Point development is to create an urban district with a diversity of uses consisting of moderate scale buildings which frame a public open space system. The open space system should extend across the site, connecting it directly to East Cambridge and to the Charles River waterfront.

The streets and blocks at North Point should organize the buildings to form a natural extension of the nearby East Cambridge Riverfront city block grid. Within North Point, streets and blocks are to be a series of public spaces which shall be clearly defined as part of the public realm and shall be interconnected by a primary spine street. This primary street shall connect the District's pedestrian ways and open spaces to the Charles River, East Cambridge and MBTA Green Line Lechmere Station providing clarity and continuity to the area. The buildings at North Point are to create a framework for defining the streets and open spaces with consistent setbacks from public ways.

Single use precincts are to be avoided and the mix of uses within the same development zone is encouraged to create active environments throughout the day and evening. Subject to the need for at and above-grade structured parking as discussed in Section 4.02(a) below, flexibility for street level retail uses should be maintained in order to provide more activity along main thoroughfares.

The public open spaces and roadways at North Point should make connections between uses on the site and off of the site. The District's primary spine street should form a major new path for direct public access to the Charles River waterfront edge from the new Lechmere MBTA station and the East Street entrance, which is also the District's gateway to and from the East Cambridge neighborhood.

Major urban parks are proposed for North Point. A waterfront park is planned along the Charles River which will take advantage of the spectacular views to the city skyline and river. To the west of Charlestown Avenue a central public square should be established to create a focus for the district west of Charlestown Avenue.

3.02. Transition from Existing Heavy Industrial Character. The transition of the District from its existing primarily heavily industrial character to a mixed-use area is expected take several years. To the extent of existing and proposed rail transportation uses which remain in the area, some developments in the District will for the near future abut rail uses; it is expected that this will diminish in the future as some rail land becomes available for development. In this connection, it is recognized that a large area immediately north of the District will remain in heavy industrial use for transportation purposes and to accommodate the Boston Sand and Gravel plant for the foreseeable future. The persistence of the existing heavy industrial and transportation uses on a temporary or permanent basis may restrict the ability of portions of the District to accommodate housing uses. Although additions to Cambridge's housing stock, particularly of affordable housing, are to be encouraged, and the zoning contains incentives for housing development, is recognized that the character of the area into which housing uses would be introduced must be substantially changed from the present character of many parts of the District. The mechanism which should be used to promote housing uses within the District is that experienced at the East Cambridge Riverfront: commercial development of office, research/development or other uses should be permitted to establish a favorable atmosphere, including appropriate open space and roadway and circulation patterns, so that housing can be introduced as an enriching feature of the overall development of the District.

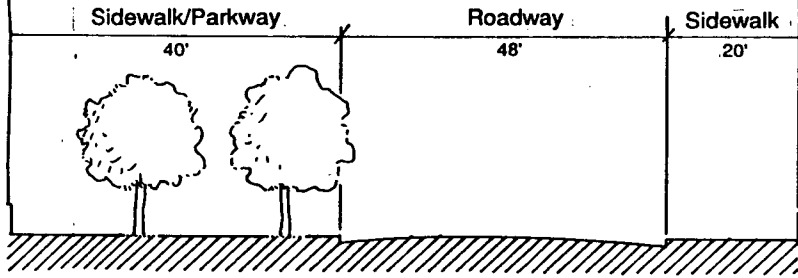
Accordingly, the desire for housing uses should not prevent commercial development but encourage it.

3.03. Roadway and Circulation Framework. The roadway plan for North Point (see illustration) proposes that the site will be serviced by a primary loop road which will provide access to the site from Monsignor O'Brien Highway at East Street and Industrial Way. The primary roadway should continue from this loop in an easterly direction towards the river's edge linking the projects open spaces to the riverfront. Connecting to the primary loop roadway should be a simple block pattern of secondary roadways which will provide each development parcel on the site with public access. As with the major spine road, these roads should be largely defined by the buildings at their edges. The provision of the primary loop roadway providing access at East Street and Industrial Way is a required part of the full development of the District, but the exact location of the roadway remains to be determined based on present and future property ownership lines, as well as engineering considerations. In particular, because of the unique configuration of the Ogden Realty Trust parcel, the primary loop roadway should not be located on or over that parcel without the agreement of Ogden Realty Trust or its successors in interest.

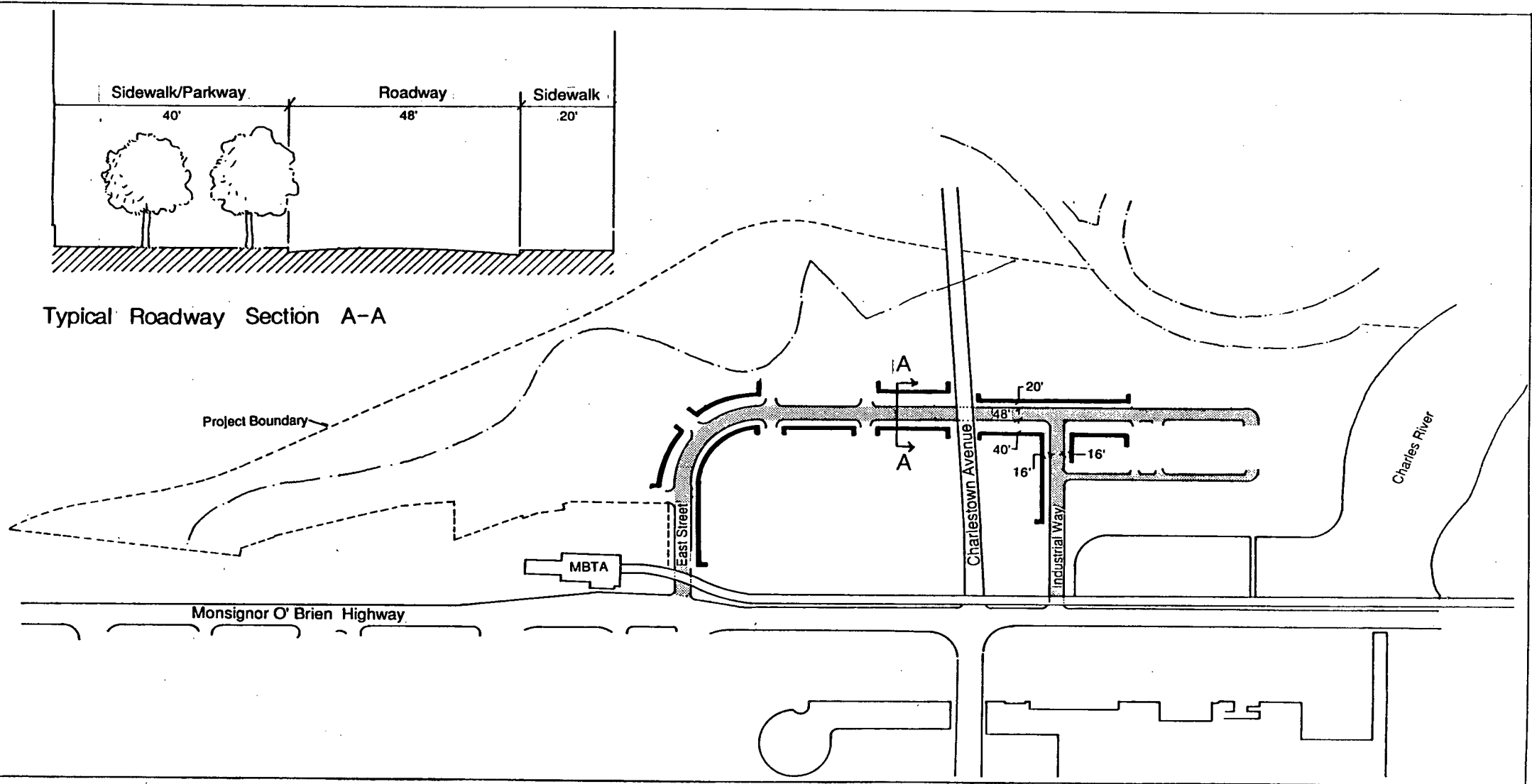
The primary roadways on the site should connect larger open spaces on the site and provide a continuity of urban landscape. The primary loop road should provide for up to four travel lanes with the possible addition of a fifth lane at the points of entry onto Monsignor O'Brien Highway. As shown on the open space plan (see illustration), significant portions of the north side of the roadway from the MBTA station to the water's edge should include a major pedestrian path and an allee of the trees.

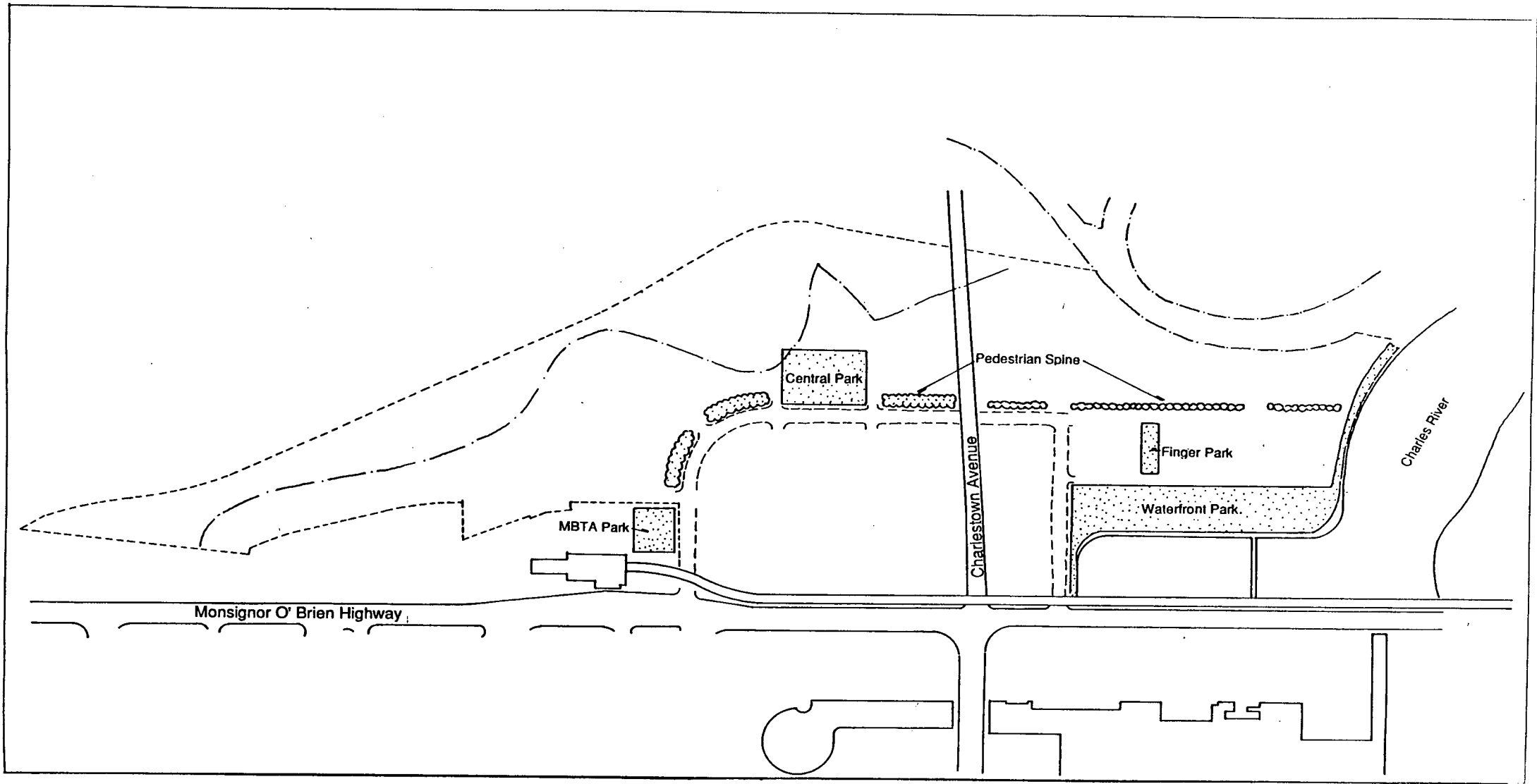
3.04. Open Spaces. Two major public open spaces are proposed by the open space plan (see illustration): a waterfront park, and a central park square. These parks should be connected to each other and to the MBTA station by the site's roadways and linear park system. The detailed program for each park should be developed in cooperation with the MDC and the City of Cambridge.

The waterfront park should be a focus for the uses that face it. Buildings should be discouraged easterly of Industrial Way within 200 feet of the Charles River canal on the southeastern edge of the District so as to enable the waterfront park and abutting secondary roadway to run the full length of the canal. The waterfront park should function as a destination for North Point and Cambridge residents and workers who will arrive via North Point's open space system or the MDC's Charles River park system. The park should be largely lawn and trees and have sufficient area for passive recreation. Finger parks between buildings should extend from the waterfront park connecting it to the primary spine roadway,



Typical Roadway Section A-A





North Point Policy Plan

Concept Plan-Open Space

September 1988



Sasaki Associates Inc.

providing direct waterfront access to the pedestrian system at North Point.

A major central park should be located in an appropriate site west of the Charlestown Avenue Bridge. This park should be the focus of the adjacent uses. The open space areas in this park should be largely trees and grass and provide a passive recreational amenity.

A smaller park is proposed adjacent to East Street at the new Lechmere MBTA station, on MBTA property. This park should be the beginning of the linked pedestrian open space system from East Cambridge and the Green Line station to the rest of North Point.

The major open space areas on the site should be connected to each other by a widening of the spine road right of way which should be planted to create a pedestrian walkway and visual connection between North Point's open spaces and the Charles River. This linear green space along the spine road should connect to the waterfront park via the finger parks described above.

A park with a minimum width of 50 feet of green space is proposed along the Charles River edge. This parkway should provide for public access and movement as part of the MDC system.

IV. DESIGN GUIDELINES

4.01. General. Development proposals under Section 13.70 of the Ordinance are to be reviewed by the Planning Board for consistency with the Design Guidelines set forth in this Section IV. Nothing in these Design Guidelines shall prevent the Planning Board from approving, in its discretion, a development proposal which deviates from specific language of this Section IV, but a deviation from the overall quality and character of development suggested here is strongly discouraged.

4.02. Elements of Form.

(a) Height:

The North Point project has been planned so that building height and bulk will relate compatibly to the building heights of the neighboring development at the Lechmere Triangle and help overcome the effects of the elevated roadway of Charlestown Avenue Bridge and the proposed I-93 ramp.

The highest buildings at North Point will be limited to a maximum height of 145 feet. These buildings will be located adjacent to the Charlestown Avenue Bridge and on the north side of the project site near the railyards. At these locations the buildings will provide North Point with a barrier from the visual and noise impacts of the elevated Charlestown Avenue Bridge and from the proposed ramp. These buildings will also take advantage of the views of Boston skyline, the Charles River and East Cambridge and they will maximize the amount of sunlight that will reach major open spaces.

Building heights will step down from the north side of the site to lower height zones at the south side of the project which are more compatible to neighboring development at Lechmere Canal and the Charles River edge. Beyond this, the long and substantial 85-foot height zone along Monsignor O'Brien Highway westerly of Charlestown Avenue provides an important transitional buffer zone to the residential East Cambridge neighborhood. A 115-foot zone and an 85-foot height zone achieve a gradual reduction in height across the site with the 85-foot zone being adjacent to and matching the building height limitation at Lechmere Canal.

The actual space available for commercial and residential uses in the District is much less than the full height envelope due to the City Engineer's determination that excavated parking will not be permitted in the District below 4.5 feet below grade, due to concerns over the water table. The effect of the City Engineer's determination is to require structured parking at and above grade, occupying a portion of the height envelope. This is in sharp contrast to the Lechmere Triangle, where largely excavated parking structures were encouraged. The effective height penalty imposed by the City Engineer's determination should be taken into account in reviewing the heights of proposed buildings in the District.

(b) Massing:

While North Point will be a new area, it should still be considered an extension of the Lechmere Development area and East Cambridge, with the pattern of urban streets of these areas being extended onto the site. The streets at North Point should be defined by buildings. Each building should have a clearly articulated base, middle and top, so as to create a streetscape that is at a human scale.

Each building should conform to the following general requirements which apply to building massing design:

1. Each Base should be composed of one to three floors, it is being understood that ordinarily some or all of the Base must necessarily accommodate structured parking.
2. Each Base should be clearly articulated from the rest of the building and should be designed to define an appropriate human scale at the street level.
3. As buildings increase in height, they should be broken down in scale toward the top. The top may be differentiated by a change in the window rhythm, change in apparent floor height setback, or use of alternate materials or a combination of these elements.
4. Rooftop elements such as mechanical penthouses and elevator overruns should be screened from view from above and below with roof or wall enclosures which, in their configuration, materials, coloration and surface design are compatible with roof and wall materials of the building.
5. Distinctive corner and entry treatments may differ from the Base, Middle, and Top guidelines of this section in order to enhance the building facades.

When possible, building massing for North Point should be arranged so that major open spaces at North Point maximize the hours of available sunlight. When buildings border the public domain they should form a common wall with adjacent buildings responding to their neighbors in an architecturally compatible manner. The creation of alleyways between buildings that are visible from the public realm is not encouraged.

(c) Building Edge:

The use of buildings to create a street edge is required. This may be accomplished by setbacks and cornice lines which are consistent between buildings along the spine road and on the same block. The consistent alignment of buildings with streets and open spaces will also help unify the entire North Point district.

Along the primary spine road west of Charlestown Avenue, building faces should be approximately 40 feet from the curb along the north side and approximately 20 feet along the south side. East of Charlestown Avenue, setbacks

from the curb should be approximately 20 feet on the north side and approximately 40 feet on the south side. Along a realigned Industrial Way, there should be approximately 16 feet from curb to face of building on both sides. Pedestrian paving along the other roads should generally be between 12 and 15 feet in width, inclusive of curbs and planting areas.

4.03. Architectural Detail:

(a) Materials:

All buildings should be faced predominantly with authentic brick and/or stone masonry. Stone masonry is defined as granite, limestone, marble or other natural stone or high-quality cast stone. String courses, lintels, sills and trim of complementary materials are encouraged to soften and refine these facades. The highest quality of materials should be used at the pedestrian level of all buildings.

(b) Windows:

Strip windows should be avoided. Glass curtain walls are permitted to be included as components of middle divisions where combined with major vertical masonry elements. Expansive glass and transparency at street level is encouraged, where possible given the need to provide structured parking at and above grade .

(c) Color:

The colors of materials should generally be compatible to the general palette of colors and materials that have been used for the Lechmere Canal development in East Cambridge.

(d) Signs:

Signage shall conform to relevant city ordinances. Bases should be designed to accommodate signage in an orderly and attractive manner.

(e) Parking Structures:

Facades of parking structures which face major streets, open space or residential uses should be designed with horizontal perimeter openings. Continuous horizontal strip openings are to be avoided; and in no case should openings exceed 45 feet in width.

4.04. Streetscape. The North Point streets consist of the primary loop roadway and the secondary streets that branch from it. Three design elements should be considered for these streets: pedestrian paving, street lighting, and street trees.

(a) Pedestrian Paving:

Pedestrian paving widths should be established based on pedestrian use, with differentiation among the primary loop roadway from the MBTA station to the river, secondary streets, streets bordering public open space, and the river edge promenade. The paving materials for pedestrian areas should provide a sense of continuity, with paving patterns being designed to reflect building modules and building entries, street crossings and other significant places. All pedestrian paving shall be separated from roadways by granite curbing.

(b) Street Lighting:

Street lighting will help provide North Point with a unified network of streets and spaces as well as provide suitable light levels for safety. Lighting types should relate to the different uses of each vehicular and/or pedestrian way including the primary loop roadway, secondary streets, the riverfront promenade, and other public open spaces.

(c) Street Planting:

The three dimensional scale and impact of the tree lined streets and open spaces are important aspects of the North Point plan. The grid of tree rows formed by street plantings is intended to organize the open spaces of the project. Tree types and species should be chosen for use so that complementary species and appropriate scale of tree size are selected for each area.

XP-3975/c

PLANNING BOARD AMENDMENTS
TO AMENDED GUILFORD ET AL. PETITION

1. Delete Section 13.71 in its entirety and insert the following in its place:

13.71 Purpose. This Section 13.70 is intended to provide the opportunity for a transition from the existing industrial character of the North Point area to a highly active, moderate density commercial area with a mix of residential, office, and/or business uses having a street pattern and significant open space. It is also intended to encourage development which is substantially in accordance with the development policies outlined in the September 1988 North Point Policy Plan and consistent with the limits to development imposed by the restricted traffic capacity of streets providing access to the North Point Residence, Office, and Business District.

2. Delete Section 13.742 in its entirety and insert the following in its place:

13.742 Traffic Mitigation Incentive. The floor area ratio of any building used for other than residential uses (but including hotel and motel uses) may be increased to a maximum of 2.5, but no increase in the number of parking spaces serving such uses shall be permitted beyond the number which would have been permitted if the applicable floor area ratio had been limited to 2.0.

3. Delete Section 13.743 in its entirety and insert the following in its place:

13.743 Incentive for Residential Development. In order to promote housing uses within the District, increases in floor area ratio shall be permitted as follows:

- (1) The maximum permitted floor area ratio for a development in which at least 30% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 2.5.

(2) The maximum permitted floor area ratio for a development in which at least 60% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.0.

(3) The maximum permitted floor area ratio for a development in which at least 90% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.5.

(4) As used herein, the term "development" shall mean one or more buildings located on the same lot.

4. Delete Section 13.746 in its entirety and insert the following in its place:

13.746 Building Height Limitation. The maximum building height for all buildings shall be one hundred fifteen (115) feet, except as set forth in Sections 17.747 and 17.748, and except that notwithstanding anything to the contrary in this Section 13.746 or in Sections 13.747 or 13.748, the Planning Board may in its discretion permit the height of any building serving residential uses to exceed the limitations set forth in this Section 13.746 or in Sections 13.747 or 13.748, provided that the average height of all buildings on the lot where such building is located is not in excess of 85 feet (excluding any building or portion thereof devoted to parking which is not covered with building included in gross floor area). In order to achieve an average height not in excess of 85 feet, the heights of the several parts of the building or buildings shall be such that the volume of building exceeding 85 feet in height shall be equal to or less than the volume of space lying between the 85 foot height and portions of building less than 85 feet in height, as illustrated below:

Volume 1 (area of building at a single height-1 above 85 feet x the difference between height-1 and 85 feet) + Volume 2 (area of building at a single height-2 above 85 feet x the difference between height-2 and 85 feet) MUST EQUAL OR BE LESS THAN THE SUM OF Volume 1' (area of building at a single height-1' below 85 feet x the difference between height-1' and 85 feet) + Volume 2' (area of building at a single height-2'

below 85 feet x the difference between height-2' and 85 feet).

5. Delete Subsections 13.749(e) and (f) in their entirety and insert the following immediately following subsection 13.749(d):

(e) that increased height would result from actions taken to lessen the impact of traffic and parking on the surrounding area;

(f) that the orientation and location of the proposed structure shall not otherwise diminish the health and safety of the North Point area; and/or

(g) that the increased height will not derogate from the overall intent of the September 1988 North Point Policy Plan, including the Design Guidelines therein.

6. Delete Section 13.75 in its entirety and insert the following in its place:

13.75 Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 20% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such lot shall for purposes of this Section 13.75 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All streets, plazas, sidewalks, decks, arcades, loggias, gallerias, and parks which are open to public use and are located on land which is now (at the time of adoption of this Section 13.70) or hereafter privately owned, shall constitute public open space and/or publicly beneficial open space for purposes of this Section 13.75; provided, however, that interior space shall constitute such public open space and/or publicly beneficial open space only if specifically approved by the Planning Board in its discretion.

The Planning Board may reduce the open space requirement if the development is located adjacent to a public open space and if the

development is physically and functionally integrated with the open space by means of building orientation, location of building entrances, pedestrian linkages between major activity centers, or similar factors.

7. Delete Section 13.78 in its entirety and insert the following in its place:

13.78 Public Benefits. All special permits granted under this Section 13.70 shall be subject to the provisions of Section 11.200.

8. Add, immediately following Section 13.782, a new Section 13.783, as follows:

13.783 Inclusionary Housing Requirements. Any special permit granted under this Section 13.70 for the development of one or two family dwellings, multi-family dwellings, or townhouse development shall be conditioned upon the following:

- (a) A minimum of seven and one half percent (7.5%) of the dwelling units authorized by such special permit shall be Affordable Housing Units made available to Eligible Households as defined in Section 11.200 and shall conform to the Standards detailed in Section 11.200.
- (b) An additional seven and one half percent (7.5%) of the dwelling units authorized by such special permit shall be offered to the City of Cambridge at prevailing market rates for inclusion in any program available to and selected by the City for provision of affordable housing. Should the City fail to exercise its option within three months the permittee is free to make the units available on the open market without any further obligations to the City of Cambridge.

9. Delete Sections 16.12 and 16.13 in their entirety and insert, immediately following Section 16.11, a new Section 16.12 as follows:

16.12 Intent. The purpose of the District is to limit as-of-right development due to constraints on the ability of the streets providing access to the District to accommodate additional traffic, and to provide for the development of the District into a mixed-use commercial area under the PUD process provided in Section 13.70.

10. Delete Section 16.214 in its entirety and insert the following in its place:

16.214 Residential Uses

Residential uses among those listed below, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70.

- (1) One and two family dwelling.
- (2) Townhouse development.
- (3) Elderly oriented congregate housing.
- (4) Multi-family dwelling.
- (5) Hotel or motel.

11. Delete Section 16.216(1) in its entirety and insert the following in its place:

- (1) Subject to the limitation on the number of parking spaces provided under Section 16.40 or a special permit granted under Section 13.70, as applicable, automobile parking lot or parking garage for private passenger cars, as follows:

- (a) as accessory parking for uses located on the same lot, without the need for any special permit;
- (b) as accessory parking for uses located on another lot, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70, as applicable.
- (c) as a principal use, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70, as applicable.

12. Delete Section 16.33 in its entirety and insert the following in its place:

16.33 Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 20% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge

or other public entity, in which event each such lot shall for purposes of this Section 16.33 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All streets, plazas, sidewalks, decks, arcades, loggias and parks (excluding, however, all interior space) located on land which is now (at the time of adoption of this Article 16) or hereafter privately owned, whether dedicated to such public use in fee or by easement, deed restriction, covenant, or comparable legal instrument, shall constitute public open spaces and/or publicly beneficial open space for purposes of this Section 16.33.

13. Delete Section 16.411 and 16.412 in their entirety and insert the following in their place:

16.411 The minimum requirement for off-street parking facilities for any use shall be one-half the requirement set forth in Article 6.000. The minimum requirement may be satisfied by parking located outside of the North Point Residence, Office, and Business District outside of the City of Cambridge, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70. The need for a special permit under this Section 16.411 shall not in itself subject any aspect of a development other than its minimum parking requirement to a special permit requirement. There shall be no limitation of off-street parking facilities to the extent parking for the development parcel involved shall be provided outside of the City of Cambridge. There shall be no maximum number of compact car parking spaces, and a maximum of two parking spaces per dwelling unit shall apply.

16.412 Parking facilities may be located on the lot they serve or, by special permit from the Planning Board under Section 10.40 or Section 13.70, may be located in whole or in part in one or more pooled private or public parking facilities located anywhere within the North Point Residence, Office, and Business District. The Planning Board shall not withhold a special permit permitting such a pooled parking facility so long as the limitations on the maximum amount of parking provided in this Section 16.40 are

observed with respect to all affected lots, in the aggregate, and so long as the intent of Section 16.413 to limit the number of commercial parking spaces which are accessible from Monsignor O'Brien Highway and available for private development is not subverted.

14. Delete subsections 16.413(1) and (2) in their entirety and insert the following in their place:

- (1) For lots located entirely within the Front Development Area, such maximum shall be 1.223 parking spaces per 500 square feet of lot area.
- (2) For lots located entirely within the Back Development Area, such maximum shall be one parking space per 3,250 square feet of lot area.

XP-4149/c

PLANNING BOARD AMENDMENTS
TO AMENDED GUILFORD ET AL. PETITION

1. Delete Section 13.71 in its entirety and insert the following in its place:

13.71 Purpose. This Section 13.70 is intended to provide the opportunity for a transition from the existing industrial character of the North Point area to a highly active, moderate density commercial area with a mix of residential, office, and/or business uses having a street pattern and significant open space. It is also intended to encourage development which is substantially in accordance with the development policies outlined in the September 1988 North Point Policy Plan and consistent with the limits to development imposed by the restricted traffic capacity of streets providing access to the North Point Residence, Office, and Business District.

2. Delete Section 13.742 in its entirety and insert the following in its place:

13.742 Traffic Mitigation Incentive. The floor area ratio of any building used for other than residential uses (but including hotel and motel uses) may be increased to a maximum of 2.5, but no increase in the number of parking spaces serving such uses shall be permitted beyond the number which would have been permitted if the applicable floor area ratio had been limited to 2.0.

3. Delete Section 13.743 in its entirety and insert the following in its place:

13.743 Incentive for Residential Development. In order to promote housing uses within the District, increases in floor area ratio shall be permitted as follows:

- (1) The maximum permitted floor area ratio for a development in which at least 30% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 2.5.

(2) The maximum permitted floor area ratio for a development in which at least 60% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.0.

(3) The maximum permitted floor area ratio for a development in which at least 90% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.5.

(4) As used herein, the term "development" shall mean one or more buildings located on the same lot.

4. Delete Section 13.746 in its entirety and insert the following in its place:

13.746 Building Height Limitation. The maximum building height for all buildings shall be one hundred fifteen (115) feet, except as set forth in Sections 17.747 and 17.748, and except that notwithstanding anything to the contrary in this Section 13.746 or in Sections 13.747 or 13.748, the Planning Board may in its discretion permit the height of any building serving residential uses to exceed the limitations set forth in this Section 13.746 or in Sections 13.747 or 13.748, provided that the average height of all buildings on the lot where such building is located is not in excess of 85 feet (excluding any building or portion thereof devoted to parking which is not covered with building included in gross floor area). In order to achieve an average height not in excess of 85 feet, the heights of the several parts of the building or buildings shall be such that the volume of building exceeding 85 feet in height shall be equal to or less than the volume of space lying between the 85 foot height and portions of building less than 85 feet in height, as illustrated below:

Volume 1 (area of building at a single height-1 above 85 feet x the difference between height-1 and 85 feet) + Volume 2 (area of building at a single height-2 above 85 feet x the difference between height-2 and 85 feet) MUST EQUAL OR BE LESS THAN THE SUM OF Volume 1' (area of building at a single height-1' below 85 feet x the difference between height-1' and 85 feet) + Volume 2' (area of building at a single height-2'

below 85 feet x the difference between height-2' and 85 feet).

5. Delete Subsections 13.749(e) and (f) in their entirety and insert the following immediately following subsection 13.749(d):

- (e) that increased height would result from actions taken to lessen the impact of traffic and parking on the surrounding area;
- (f) that the orientation and location of the proposed structure shall not otherwise diminish the health and safety of the North Point area; and/or
- (g) that the increased height will not derogate from the overall intent of the September 1988 North Point Policy Plan, including the Design Guidelines therein.

6. Delete Section 13.75 in its entirety and insert the following in its place:

13.75 Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 20% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such lot shall for purposes of this Section 13.75 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All streets, plazas, sidewalks, decks, arcades, loggias, gallerias, and parks which are open to public use and are located on land which is now (at the time of adoption of this Section 13.70) or hereafter privately owned, shall constitute public open space and/or publicly beneficial open space for purposes of this Section 13.75; provided, however, that interior space shall constitute such public open space and/or publicly beneficial open space only if specifically approved by the Planning Board in its discretion.

The Planning Board may reduce the open space requirement if the development is located adjacent to a public open space and if the

development is physically and functionally integrated with the open space by means of building orientation, location of building entrances, pedestrian linkages between major activity centers, or similar factors.

7. Delete Section 13.78 in its entirety and insert the following in its place:

13.78 Public Benefits. All special permits granted under this Section 13.70 shall be subject to the provisions of Section 11.200.

8. Add, immediately following Section 13.782, a new Section 13.783, as follows:

13.783 Inclusionary Housing Requirements. Any special permit granted under this Section 13.70 for the development of one or two family dwellings, multi-family dwellings, or townhouse development shall be conditioned upon the following:

- (a) A minimum of seven and one half percent (7.5%) of the dwelling units authorized by such special permit shall be Affordable Housing Units made available to Eligible Households as defined in Section 11.200 and shall conform to the Standards detailed in Section 11.200.
- (b) An additional seven and one half percent (7.5%) of the dwelling units authorized by such special permit shall be offered to the City of Cambridge at prevailing market rates for inclusion in any program available to and selected by the City for provision of affordable housing. Should the City fail to exercise its option within three months the permittee is free to make the units available on the open market without any further obligations to the City of Cambridge.

9. Delete Sections 16.12 and 16.13 in their entirety and insert, immediately following Section 16.11, a new Section 16.12 as follows:

16.12 Intent. The purpose of the District is to limit as-of-right development due to constraints on the ability of the streets providing access to the District to accommodate additional traffic, and to provide for the development of the District into a mixed-use commercial area under the PUD process provided in Section 13.70.

10. Delete Section 16.214 in its entirety and insert the following in its place:

16.214 Residential Uses

Residential uses among those listed below, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70.

- (1) One and two family dwelling.
- (2) Townhouse development.
- (3) Elderly oriented congregate housing.
- (4) Multi-family dwelling.
- (5) Hotel or motel.

11. Delete Section 16.216(1) in its entirety and insert the following in its place:

(1) Subject to the limitation on the number of parking spaces provided under Section 16.40 or a special permit granted under Section 13.70, as applicable, automobile parking lot or parking garage for private passenger cars, as follows:

- (a) as accessory parking for uses located on the same lot, without the need for any special permit;
- (b) as accessory parking for uses located on another lot, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70, as applicable.
- (c) as a principal use, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70, as applicable.

12. Delete Section 16.33 in its entirety and insert the following in its place:

16.33 Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 20% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge

or other public entity, in which event each such lot shall for purposes of this Section 16.33 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All streets, plazas, sidewalks, decks, arcades, loggias and parks (excluding, however, all interior space) located on land which is now (at the time of adoption of this Article 16) or hereafter privately owned, whether dedicated to such public use in fee or by easement, deed restriction, covenant, or comparable legal instrument, shall constitute public open spaces and/or publicly beneficial open space for purposes of this Section 16.33.

13. Delete Section 16.411 and 16.412 in their entirety and insert the following in their place:

16.411 The minimum requirement for off-street parking facilities for any use shall be one-half the requirement set forth in Article 6.000. The minimum requirement may be satisfied by parking located outside of the North Point Residence, Office, and Business District outside of the City of Cambridge, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70. The need for a special permit under this Section 16.411 shall not in itself subject any aspect of a development other than its minimum parking requirement to a special permit requirement. There shall be no limitation of off-street parking facilities to the extent parking for the development parcel involved shall be provided outside of the City of Cambridge. There shall be no maximum number of compact car parking spaces, and a maximum of two parking spaces per dwelling unit shall apply.

16.412 Parking facilities may be located on the lot they serve or, by special permit from the Planning Board under Section 10.40 or Section 13.70, may be located in whole or in part in one or more pooled private or public parking facilities located anywhere within the North Point Residence, Office, and Business District. The Planning Board shall not withhold a special permit permitting such a pooled parking facility so long as the limitations on the maximum amount of parking provided in this Section 16.40 are

observed with respect to all affected lots, in the aggregate, and so long as the intent of Section 16.413 to limit the number of commercial parking spaces which are accessible from Monsignor O'Brien Highway and available for private development is not subverted.

14. Delete subsections 16.413(1) and (2) in their entirety and insert the following in their place:

- (1) For lots located entirely within the Front Development Area, such maximum shall be 1.223 parking spaces per 500 square feet of lot area.
- (2) For lots located entirely within the Back Development Area, such maximum shall be one parking space per 3,250 square feet of lot area.

XP-4149/c

PLANNING BOARD AMENDMENTS
TO AMENDED GUILFORD ET AL. PETITION

1. Delete Section 13.71 in its entirety and insert the following in its place:

13.71 Purpose. This Section 13.70 is intended to provide the opportunity for a transition from the existing industrial character of the North Point area to a highly active, moderate density commercial area with a mix of residential, office, and/or business uses having a street pattern and significant open space. It is also intended to encourage development which is substantially in accordance with the development policies outlined in the September 1988 North Point Policy Plan and consistent with the limits to development imposed by the restricted traffic capacity of streets providing access to the North Point Residence, Office, and Business District.

2. Delete Section 13.742 in its entirety and insert the following in its place:

13.742 Traffic Mitigation Incentive. The floor area ratio of any building used for other than residential uses (but including hotel and motel uses) may be increased to a maximum of 2.5, but no increase in the number of parking spaces serving such uses shall be permitted beyond the number which would have been permitted if the applicable floor area ratio had been limited to 2.0.

3. Delete Section 13.743 in its entirety and insert the following in its place:

13.743 Incentive for Residential Development. In order to promote housing uses within the District, increases in floor area ratio shall be permitted as follows:

- (1) The maximum permitted floor area ratio for a development in which at least 30% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 2.5.

(2) The maximum permitted floor area ratio for a development in which at least 60% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.0.

(3) The maximum permitted floor area ratio for a development in which at least 90% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.5.

(4) As used herein, the term "development" shall mean one or more buildings located on the same lot.

4. Delete Section 13.746 in its entirety and insert the following in its place:

13.746 Building Height Limitation. The maximum building height for all buildings shall be one hundred fifteen (115) feet, except as set forth in Sections 17.747 and 17.748, and except that notwithstanding anything to the contrary in this Section 13.746 or in Sections 13.747 or 13.748, the Planning Board may in its discretion permit the height of any building serving residential uses to exceed the limitations set forth in this Section 13.746 or in Sections 13.747 or 13.748, provided that the average height of all buildings on the lot where such building is located is not in excess of 85 feet (excluding any building or portion thereof devoted to parking which is not covered with building included in gross floor area). In order to achieve an average height not in excess of 85 feet, the heights of the several parts of the building or buildings shall be such that the volume of building exceeding 85 feet in height shall be equal to or less than the volume of space lying between the 85 foot height and portions of building less than 85 feet in height, as illustrated below:

Volume 1 (area of building at a single height-1 above 85 feet x the difference between height-1 and 85 feet) + Volume 2 (area of building at a single height-2 above 85 feet x the difference between height-2 and 85 feet) MUST EQUAL OR BE LESS THAN THE SUM OF Volume 1' (area of building at a single height-1' below 85 feet x the difference between height-1' and 85 feet) + Volume 2' (area of building at a single height-2'

below 85 feet x the difference between height-2' and 85 feet).

5. Delete Subsections 13.749(e) and (f) in their entirety and insert the following immediately following subsection 13.749(d):

(e) that increased height would result from actions taken to lessen the impact of traffic and parking on the surrounding area;

(f) that the orientation and location of the proposed structure shall not otherwise diminish the health and safety of the North Point area; and/or

(g) that the increased height will not derogate from the overall intent of the September 1988 North Point Policy Plan, including the Design Guidelines therein.

6. Delete Section 13.75 in its entirety and insert the following in its place:

13.75 Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 20% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such lot shall for purposes of this Section 13.75 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All streets, plazas, sidewalks, decks, arcades, loggias, gallerias, and parks which are open to public use and are located on land which is now (at the time of adoption of this Section 13.70) or hereafter privately owned, shall constitute public open space and/or publicly beneficial open space for purposes of this Section 13.75; provided, however, that interior space shall constitute such public open space and/or publicly beneficial open space only if specifically approved by the Planning Board in its discretion.

The Planning Board may reduce the open space requirement if the development is located adjacent to a public open space and if the

development is physically and functionally integrated with the open space by means of building orientation, location of building entrances, pedestrian linkages between major activity centers, or similar factors.

7. Delete Section 13.78 in its entirety and insert the following in its place:

13.78 Public Benefits. All special permits granted under this Section 13.70 shall be subject to the provisions of Section 11.200.

8. Add, immediately following Section 13.782, a new Section 13.783, as follows:

13.783 Inclusionary Housing Requirements. Any special permit granted under this Section 13.70 for the development of one or two family dwellings, multi-family dwellings, or townhouse development shall be conditioned upon the following:

- (a) A minimum of seven and one half percent (7.5%) of the dwelling units authorized by such special permit shall be Affordable Housing Units made available to Eligible Households as defined in Section 11.200 and shall conform to the Standards detailed in Section 11.200.
- (b) An additional seven and one half percent (7.5%) of the dwelling units authorized by such special permit shall be offered to the City of Cambridge at prevailing market rates for inclusion in any program available to and selected by the City for provision of affordable housing. Should the City fail to exercise its option within three months the permittee is free to make the units available on the open market without any further obligations to the City of Cambridge.

9. Delete Sections 16.12 and 16.13 in their entirety and insert, immediately following Section 16.11, a new Section 16.12 as follows:

16.12 Intent. The purpose of the District is to limit as-of-right development due to constraints on the ability of the streets providing access to the District to accommodate additional traffic, and to provide for the development of the District into a mixed-use commercial area under the PUD process provided in Section 13.70.

10. Delete Section 16.214 in its entirety and insert the following in its place:

16.214 Residential Uses

Residential uses among those listed below, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70.

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11. Delete Section 16.216(1) in its entirety and insert the following in its place:
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14. Delete subsections 16.413(1) and (2) in their entirety and insert the following in their place:

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XP-4149/c

PLANNING BOARD AMENDMENTS
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XP-4149/c



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

To the Honorable, the City Council:

SUBJECT: Guilford, et al Petition to rezone the area in East Cambridge known as North Point.

Date: September 30, 1988

Recommendation

The Planning Board is not prepared to recommended approval of the Guilford, et al Petition even as it is proposed to be amended by the Petitioners.

Findings

The petition as filed was heard by the Planning Board in August. In response to comments and objections raised by the Planning Board to the original submission, the petitioners proposed a substantially revised, amended version which has only been available to the Board for review during the past two weeks. The Board is pleased at the major changes offered by the property owners, including adoption of the Planned Unit Development process, a central feature of the Planning Board's own rezoning proposal for North Point.

At a special meeting of the Board on Tuesday, September 27, 1988 a lengthy discussion of the amended petition resulted in numerous recommendations for changes which the Guilford petitioners have agreed to accept. The comments made by the Planning Board on that petition are enclosed as side notes to the text of the version of the petition they reviewed. It is our understanding that the property owners will make available to the Council a revised text reflecting those agreed upon changes. Nevertheless, several fundamental issues remain in dispute and they go the heart of public policy as it is about to be adopted for the North Point area. Those remaining fundamental differences are as follows:

* The amount of development permitted in North Point should be predicated on safe access for pedestrians and vehicles. While there is agreement among all parties that the limited access to the site places a severe restraint on the amount of development that can be permitted in the district, the Guilford Petition would allow significantly more development than the Planning Board and indeed, even the landowners, feel is appropriate. Additionally, as to the issue of parking which we agree is the principal means by which to control the amount of traffic which will be drawn to the new district by commercial development, the Guilford Petition will allow more than twice the number of parking spaces to be built in the District than the City considers advisable based on the extensive traffic analysis conducted by both the City and the property owners. As yet there is no adequate mechanism in even the revised petition to ensure that those excess parking spaces and the excess development they might stimulate will not be constructed. In the absence of the tight limits on total development (FAR) and total parking spaces, the Guilford Petition would likely allow too much building to occur in North Point. Both the City's and the property owners' traffic analyses assume that there will be very low use of private auto (50%) on the part of employees in this district. This compares to the 40% figure for Harvard Square where public transportation is more accessible and comprehensive than in North Point. Such optimistic assumptions leave no room for error.

* The Planning Board is strongly committed to a citywide linkage program and would strongly recommend support for the existing concept of a citywide fund where monies are not targeted to any one neighborhood. The linkage provisions of the Guilford Petition target linkage monies to North Point and East Cambridge contrary to the policy adopted by City Council.

* The success of any Planned Unit Development process depends on the policy plans and development guidelines against which the proposed new development is measured. Additional work is necessary before the Board is prepared to recommend a plan and set of guidelines for adoption as a companion to the adopted zoning text.

All parties have put an enormous amount of effort in crafting a rezoning proposal for North Point that will serve both the City and its residential neighborhood of East Cambridge and the property owners of the District. The opportunity to reach that desired compromise requires some additional time and effort on the part of the Planning Board, the owners, the East Cambridge community and the Community Development Department. The Board notes however that the few issues in dispute are very difficult ones. In the Board's view the Guilford Petition allows too much commercial development, too many parking spaces to adequately limit the potential new development the traffic will generate, and has too few definable standards on traffic generation and impact by which the Planning Board can adequately prevent overdevelopment through the PUD process.

The time is simply too short to comprehensively review the new proposal and also close the gap which exists on some very fundamental issues. The Board finds it unnecessary to adopt the current petition as the Planning Board proposal will remain before the City Council for many more weeks. Any compromise rezoning text, which we are hopeful can be achieved with some additional effort between the City and the property owners, can be substituted by the Council for the still active Planning Board Petition.

Respectfully submitted for the Planning Board,

A handwritten signature in cursive script, reading "Paul Dietrich", is written over a horizontal line.

Paul Dietrich, Chairman

A PUD process is essential in North Point

13.70 PLANNED UNIT DEVELOPMENT IN THE NORTH POINT RESIDENCE, OFFICE, AND BUSINESS DISTRICT.

13.71 Purpose. This Section 13.70 is intended to provide the opportunity for a transition from the existing industrial character of the North Point area to a highly active, moderate density commercial area with a mix of residential, office, and/or business uses having a street pattern and significant open space. It is also intended to encourage development which is substantially in accordance with the development policies outlined in the September 1988 North Point Policy Plan.

Identify traffic constraints as major reason for adopting this PUD for North Point.

13.72 Applicability. A special permit for a Planned Unit Development may be granted by the Planning Board in the North Point Residence, Office, and Business District in accordance with the requirements of Sections 12.30 and 12.40, and the development controls specified in Section 12.50 and this Section 13.70. All references to and requirements for a PUD district in those sections shall also apply to a Planned Unit Development in the North Point Residence, Office, and Business District.

13.73 Use Regulations. Any use permitted in Article 16.000-North Point Residence, Office, and Business District, may be allowed by the Planning Board.

13.74 Dimensional Requirements.

13.741 Floor Area Limitation. The maximum ratio of floor area to total area of the development parcel shall be 2.0, subject to the provisions of Sections 13.742 and 13.743. The area of the lot to be counted in determining the floor area ratio shall include land dedicated (after adoption of this Section 13.70) by the owner or former owner of the lot, whether in fee or by easement, deed restriction, covenant or comparable legal instrument enforceable by the City of Cambridge or other public entity, as a public way, private way open to public use, or public open space.

13.742 Traffic Mitigation Incentive. The floor area ratio of any building used for other than residential uses (but including hotel and motel uses) may be increased by the percentage by which the number of square feet of gross floor area per parking space provided for such building shall exceed the number of square feet of gross floor area per parking space permitted under the maximum amount of parking stipulated for the use or

This section should be greatly simplified to indicated that additional FAR to 2.5 is permitted with no increase in parking

uses to which such building is put in the Schedule of Parking and Loading Requirements applicable to Industry B, Residence C-3, Office 3, and Business B Districts set forth in Section 6.36, as currently (at the time of the adoption of this Section 13.70) constituted. In no event, however, shall the floor area ratio for any lot exceed 2.5 by reason of the application of this Section 13.742. (Example: for a general office use in an Office 3 District, Section 6.364d specifies a maximum of one space per 670 square feet of gross floor area. If parking is instead provided at a ratio of one space per 1,000 square feet of gross floor area, the floor area ratio would be increased by 49.25%, from 2.0 to 2.985 [$1,000/670=1.4925$, an increase of 49.25%], subject, however, to a maximum limit of 2.5.)

13.743 Incentive for Residential Development. In order to promote housing uses within the District, increases in floor area ratio shall be permitted as follows:

- (1) The maximum permitted floor area ratio for a development in which at least 25% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 2.5.
- (2) The maximum permitted floor area ratio for a development in which at least 50% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.0.
- (3) The maximum permitted floor area ratio for a development in which at least 75% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.5.
- (4) As used herein, the term "development" shall mean one or more buildings located on the same lot.

Percentages should be increased to 30, 60 and 90% respectively.

13.744 Development Parcel and Lot Size. The minimum size of the development parcel shall be 20,000 square feet. There shall be no specified minimum lot size for lots located within a development parcel. The Planning Board shall approve all lot sizes located within a development parcel.

13.745 Other Dimensional Requirements. There shall be no minimum lot area per dwelling unit requirement, and there shall be no requirement with respect to frontage on any street for lots devoted to townhouse development. There shall be no requirement with

respect to minimum lot widths or minimum front, side or rear yards in the District. The Planning Board shall approve all such building setbacks.

13.746 Building Height Limitation. The maximum building height for all buildings shall be one hundred fifteen (115) feet, except as set forth in Sections 17.747 and 17.748.

13.747 A maximum building height of one hundred forty five (145) feet shall apply: (a) in that portion of the District lying within 620 feet westerly of a line perpendicular to, and at the midpoint of, the span carrying the MBTA Green Line tracks between the piers supporting the same located on each side and nearest to Industrial Way at its intersection with Monsignor O'Brien Highway (excluding from such portion, however, any part thereof lying within 240 feet of a line in the same plane as and extending easterly and westerly from the southern face of such span [the "Reference Line"]), and (b) in that portion of the District lying more than 685 feet from the Reference Line (excluding from such portion, however, any part thereof lying within 350 feet of the Charles River).

Some provision might be made for the establishment of a cornice height along major streets; some additional height might be granted to housing.

13.748 Except as otherwise provided in Section 13.747, the maximum height of buildings located within 300 feet of the Reference Line described in Section 13.747 above shall be eighty five (85) feet.

13.749 In evaluating a development proposal providing for building height in excess of 85 feet, the Planning Board shall give consideration to evidence presented on the following:

(a) that increased height is necessary to accommodate structured parking which cannot reasonably be located below grade due to concerns over the water table;

Other standards might be desirable including reference to evidence that their is no derogation from the intent of the referenced master plan.

(b) that increased height will not cast shadows or alter air currents in ways that will unreasonably limit the amount of light and air reaching other buildings in the vicinity to a significantly greater extent than if the building height did not exceed 85 feet;

(c) that increased height would mitigate detrimental environmental impacts such as excessive ground coverage, diminution of open space, and monotonous development, and/or would enable the provision of open space, including roadways;

- (d) that increased height would not adversely affect and would result in increased sensitivity to the visual and physical characteristics of the particular location through more harmonious relationships to the terrain and to proposed and existing buildings in the vicinity that have functional or visual relationships to the proposed building, or would shield other buildings or areas from elevated roadways, railroad yards, or other detracting influences;
- (e) that increased height would result from actions taken to lessen the impact of traffic and parking on the surrounding area; and/or
- (f) that the orientation and location of the proposed structure shall not otherwise diminish the health and safety of the North Point area.

13.75

Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 15% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such lot shall for purposes of this Section 13.75 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All streets, plazas, sidewalks, decks, arcades, loggias, gallerias, and parks which are open to public use and are located on land which is now (at the time of adoption of this Section 13.70) or hereafter privately owned, shall constitute public open space and/or publicly beneficial open space for purposes of this Section 13.75.

Same as in base district.

The Planning Board may reduce the open space requirement if the development is located adjacent to a public open space and if the development is physically and functionally integrated with the open space by means of building orientation, location of building entrances, pedestrian linkages between major activity centers, or similar factors.

13.76

Perimeter and Transition. Any part of the perimeter of a planned unit development which fronts on a public open space for not less than 250 feet or is immediately adjacent to and within 300 feet of the Charles River shall be so designed as to complement

and harmonize with adjacent land uses (existing or proposed) with respect to scale, density, setback, bulk, height, landscaping, and screening.

13.77 Parking and Loading Requirements. Off-street parking and loading requirements shall be the same as provided in Section 16.40; provided, however, that the Planning Board may, in its discretion, increase the maximum number of parking spaces permitted.

13.78 Public Benefits. All special permits granted under this Section 13.70 shall be subject to the provisions of Section 11.200; provided, however, that notwithstanding any contrary provision of Section 11.200, all funds generated as a result of special permits granted under this Section 13.70 shall be held separately from those funds generated as a result of other special permits and shall be applied as follows:

Linkage funds should not be mandated to be used in one neighborhood; general city linkage policy should prevail.

- (a) fifty percent (50%) shall be applied towards the provision of affordable housing in the East Cambridge residential neighborhood; and
- (b) fifty percent (50%) shall be first applied towards the provision of affordable housing in the North Point Residence, Office, and Business District and if not used there within five (5) years from the time such funds were generated shall then be applied towards the provision of affordable housing in the East Cambridge residential neighborhood.

Nothing herein shall prevent or limit the application of funds generated under Section 11.200 as a result of the issuance of special permits granted under parts of this Ordinance other than this Section 13.70 towards the provision of affordable housing in the North Point Residence, Office and Business District and the East Cambridge residential neighborhood; to the contrary, such application of funds is encouraged in addition to the application of funds required in this Section 13.78.

13.781 Traffic Mitigation. Any special permit granted under this Section 13.70 may be conditioned upon compliance with any of the following traffic mitigation measures determined appropriate by the Planning Board and specified in its decision on the special permit:

Section should be rewritten or new section added which would define in detail the circumstances under which FAR

- (a) Encourage staggered or flexible work hours for employees of all tenants enjoying access from

bonus would be denied, as for example defining required traffic counts, maximum peak hour trips, because of potential traffic overload.

Monsignor O'Brien Highway through the provision of utilities during off-peak hours and other appropriate means.

- (b) Promote the use of public transportation by providing transit information and participation in the MBTA commuter pass program including the establishment of a commuter pass sales office or other means of facilitating the use of commuter passes.
- (c) Operate or coordinate with a computer-based ride-sharing information bank and collect and disseminate ride-sharing information to employees and cooperate with other landowners in the East Cambridge Riverfront District in this regard.
- (d) Reserve spaces at preferential locations for carpool and vanpool parking.
- (e) Establish reduced parking fees for carpool and vanpool parking.
- (f) In the case of any hotel, encourage the hotel operator to provide an airport motor vehicle shuttle.
- (g) Provide reduced parking fees on the site for monthly and daily parking spaces not available on working days until after 9:30 A.M.
- (h) Sensitize tenants to the issue of reducing or eliminating subsidized parking spaces for employees.
- (i) Make reference to the availability of mass transit facilities in marketing and advertising materials produced for new development projects.
- (j) Cooperate with the MDC, the MBTA, the City of Cambridge, and neighborhood groups to provide a pedestrian overpass across Monsignor O'Brien Highway serving the relocated MBTA Green Line Lechmere Station.
- (k) Cooperate with the MDC to provide pedestrian access to Charlestown Avenue for access to the MBTA Orange Line Community College Station from the North Point area.

- (l) Cooperate with the MDC, the MBTA, and the City of Boston to provide pedestrian access to North Station from the North Point area, to the extent feasible.
- (m) Cooperate with the MDC, the MBTA, and the City of Cambridge, and the City of Boston to improve pedestrian access to the MBTA Green Line Science Park Station from the North Point area.
- (n) Cooperate with Riverside Galleria Associates Trust to coordinate service to the North Point area with the Galleria shuttle bus system.
- (o) Cooperate with the MDC, the City of Cambridge, and the City of Boston to establish bicycle paths.
- (p) Provide bicycle parking racks.
- (q) Cooperate with the East Cambridge Transportation Coordinator.

13.782 Design Review. Every development proposal approved by the Planning Board as a Planned Unit Development under this Section 13.70 shall be reviewed by the Planning Board for consistency with the Design Guidelines set forth in the September 1988 North Point Policy Plan adopted by the City as of the time of ordination of this Section 13.70, but the Planning Board may in its discretion approve any development proposal notwithstanding deviations from such Design Guidelines. In addition, the Planning Board may condition any special permit granted hereunder upon further design review insofar as the public health, safety, and welfare shall be concerned.

The plan and design guidelines associated with the Planning Board petition may be more appropriate.

XP-3992/c

Planning Board strongly endorses base district/PUD organization

- ARTICLE 16.000 NORTH POINT RESIDENCE, OFFICE AND BUSINESS DISTRICT
- 16.10 SCOPE AND INTENT
 - 16.20 USE REGULATIONS
 - 16.30 DIMENSIONAL REGULATIONS
 - 16.40 PARKING AND LOADING REQUIREMENTS
 - 16.50 SIGNS
 - 16.60 INAPPLICABILITY OF CERTAIN OTHER REGULATIONS

16.10 SCOPE AND INTENT

- 16.11 Scope. This Article regulates development within the North Point Residence, Office and Business District (the "District"), located as shown on the Zoning Map, as amended.

- 16.12 Section should be modified to identify traffic constraints as major reason for base district limitations Intent. The purpose of the District is to allow an industrial area on the northern boundary of Cambridge, which will contain an MBTA Green Line Station, to be redeveloped for office, housing, and other uses consistent with high land costs prevalent in the area; to allow a diversity of land uses in close proximity within a limited area; and to encourage interaction among activities located within the District.

- 16.13 Approach. This Article is designed to fulfill the above purposes of the District by establishing controls which will facilitate development while protecting the public interest; by setting regulations which limit the amount of development within the District and encourage traffic mitigation and housing development by means of density incentives; and by allowing mixed uses within the District.

16.20 USE REGULATIONS

- 16.21 Permitted Uses. The following uses are allowed in the District. All uses not listed within one of the use groups in this section shall be prohibited. All uses within the District shall comply with the environmental protection standards of Section 16.24. The provisions of Section 4.50 et seq. shall not apply to institutional uses permitted within the District pursuant to Section 16.217.

16.211 Industrial Uses

- (1) Manufacturing, processing, assembly, and packaging as permitted in Section 4.37 a and b.

- (2) Bottling of beverages, as permitted in Section 4.37c.
- (3) Distribution center, parcel delivery center, delivery warehouse, as permitted in Section 4.37d.
- (4) Laundry, dry cleaning plant, as permitted in Section 4.37e.
- (5) Printing, binding, publishing, and related arts and trades, as permitted in Section 4.37f.
- (6) Automotive repair garage as permitted in Section 4.37h, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (7) Food commissary, as permitted in Section 4.37i.
- (8) Wholesale business and storage in roofed structures, as permitted in Section 4.37j.
- (9) Storage warehouse, cold storage plant, storage building, as permitted in Section 4.37k.
- (10) Open-lot storage as permitted in Section 4.37 l and m, subject to the provisions of Section 16.23.
- (11) Heavy industry as permitted in Section 4.38, subject to the provisions of Section 16.23.

16.212 Office and Laboratory Uses

- (1) Office of a physician, dentist or other medical practitioner not located in a clinic listed in Subsection 4.33d, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (2) Office of an accountant, attorney, or other non-medical professional person.
- (3) Real estate, insurance or other agency office.
- (4) General office use.
- (5) Bank, trust company or similar financial institution not located on the first floor of a building.

- (6) Technical office for research and development, laboratory and research facility, including (without limit) manufacturing facilities incident thereto.

16.213 Retail and Consumer Service Establishments

- (1) Store for retail sale of merchandise.
- (2) Eating and/or drinking establishment, whether or not liquor is sold or consumed, including restaurant, bar, lunchroom, cafeteria and food commissary.
- (3) Fast order food establishment subject to the Special Permit requirements of Section 11.30, unless such use is enclosed in a structure principally containing other uses and is included in a "food court" or similar specialized area (in which case no Special Permit shall be required).
- (4) Consumer service establishment, including but not limited to hairdresser, barber shop, laundry or dry-cleaning pick-up establishment, self-service laundry, shoe repair or tailoring shop, or photography studio.
- (5) Rental agency for autos or other products, but not including taxi companies. Such agencies shall be operated entirely within a building and no major automobile repairs shall be made on the premises.
- (6) Automobile service stations where no major repairs are made.
- (7) Bank, trust company or similar financial institution located on the first floor of a building.

16.214 Residential Uses

- (1) One and two family dwelling, but only by special permit from the Planning Board pursuant to Section 10.40.
- (2) Townhouse development.
- (3) Elderly oriented congregate housing.
- (4) Multi-family dwelling.

All residential uses should be allowed by special permit only.

- (5) Hotel or motel.

16.215 Entertainment and Recreational Uses

- (1) Indoor commercial entertainment establishments not open to the public on weekdays prior to 7:30 p.m. including but not limited to cinema, theater, concert hall, cabaret and night club.
- (2) Recreation facility, health club, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (3) Non-accessory recreation facilities including bowling alley, indoor or outdoor tennis courts, public recreation building, or skating rink, but only by special permit from the Planning Board pursuant to Section 10.40.
- (4) Halls, auditoriums and similar spaces used for public gatherings, as an accessory use occupying not more than twenty-five (25%) of the aggregate gross floor area of all buildings on a lot.
- (5) Non-accessory halls, auditorium and similar spaces used for public gatherings, but only by special permit from the Planning Board pursuant to Section 10.40.
- (6) Park or playground.

16.216 Transportation, Communication and Utility Uses

Parking uses in paragraph (1) should be subject to maximum limitations of Section 16.414 and a special permit should be required where the spaces are not accessory to uses on the lot or where they are a principal use.

- (1) Automobile parking lot or parking garage for private passenger cars, but only for the purpose of providing accessory parking under Section 16.40, or as a principal use so long as such parking is not made available to the general public.
- (2) Railroad freight terminal, railroad yard and shops.
- (3) Truck or bus terminal, yard or building for storage or servicing of trucks, trailers or buses, parking lot for trucks.
- (4) Radio and television studio.
- (5) Telephone exchange, transformer station, substation, gas regulating station, or pumping station.

(6) Bus or railroad passenger station.

16.217 Institutional Uses

- (1) All uses permitted in Sections 4.33a, b, c, d, e, f, and g.
- (2) All uses permitted in Section 4.33h.1 or .2.
- (3) Any institutional use not referred to in subparagraphs (1) and (2) above, but only by special permit from the Planning Board pursuant to Section 10.40.

16.22 Multiple Uses in the Same Structure. Except as set forth in Section 16.221 below, within the District there shall be no restriction on combining different categories of use within the same building other than those imposed by the State Building Code or other federal, state or local regulations other than this Ordinance.

16.221 Limitation on Retail and Consumer Service Establishments. Retail and consumer service establishments permitted under Section 16.213 shall occupy an aggregate in any building, of not more than twenty five percent (25%) (or, if less, 30,000 square feet) of the gross floor area of such building. Such uses shall be located only on the first and/or any second floor, except that eating and/or drinking establishments permitted under Section 16.213(2) may be located on any floor or floors.

16.23 Limitation on Certain Industrial Uses. Uses referred to in Section 16.211(10) and (11) shall be prohibited within the District except as provided in Sections 16.231 and 16.232 below. Such prohibition shall not apply to any use referred to in Section 16.211(10) or (11) which is a pre-existing non-conforming use under Article 8 by virtue of the adoption of this Article 16 or any prior amendment of this Ordinance (hereinafter referred to as a "Nonconforming Use"), except to the extent set forth in such Article 8.

16.231 Notwithstanding anything to the contrary in this Article 16, any use referred to in Section 16.211(10) shall be permitted within 800 feet of a lot which is the location of a Nonconforming Use included among those uses referred to in Sections 16.211(10) and (11), but only for the period during which such Nonconforming Use shall be permitted under Article 8, plus ten (10) years.

- 16.232 Notwithstanding anything to the contrary in this Article 16, any use referred to in Section 16.211(11) shall be permitted within 800 feet of a lot which is the location of a Nonconforming Use included among those uses referred to in Section 16.211(11), but only for the period during which such Nonconforming Use shall be permitted under Article 8, plus ten (10) years.
- 16.233 The allowance of a use under Section 16.231 or Section 16.232 does not and shall not be deemed to confer the protections of Article 8 upon any use referred to in Section 16.211(10) or (11) which is not a pre-existing non-conforming use under Article 8 by virtue of the adoption of this Article 16 or any prior amendment of this Ordinance.
- 16.24 Environmental Protection Standards. No activity shall be permitted in the District unless it shall be in conformity with the following standards for environmental protection:
- 16.241 All dust, fumes, odors, smoke or vapor shall be effectively confined to the premises or disposed of in compliance with applicable environmental laws.
- 16.242 Any noise, vibration or flashing shall not be normally perceptible without instruments at a distance of one hundred feet from the premises.
- 16.243 All development proposals shall comply with Federal and State air pollution and water pollution control regulations, the City of Cambridge Ordinances, and other applicable environmental laws.
- 16.244 Except during construction activity on the lot, all refuse and other waste materials shall be stored within buildings prior to collection and disposal.

16.30 DIMENSIONAL REGULATIONS

- 16.31 Lot Density Limitation. For each lot within the District, a permitted floor area ratio (as defined in Article 2.000) of 1.0 is hereby established for each lot, and shall not be exceeded. The area of the lot to be counted in determining the floor area ratio shall include land dedicated (after adoption of this Article 16) by the owner or former owner of the lot, whether in fee or by easement, deed restriction, covenant or comparable legal instrument enforceable by the City of Cambridge or other public entity, as a public way, private way open to public use, or public open space.

16.32 Building Height Limitation. The maximum building height for all buildings within the District shall be fifty (50) feet.

16.33 Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 15% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such lot shall for purposes of this Section 16.33 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All public streets, plazas, sidewalks, and parks located on land which is now (at the time of adoption of this Article 16) or hereafter privately owned, whether dedicated to such public use in fee or by easement, deed restriction, covenant, or comparable legal instrument, shall constitute public open space for purposes of this Section 16.33.

The Open space requirement should be raised to 20% and should be limited to facilities not enclosed within buildings.

16.34 Other Dimensional Requirements. There shall be no minimum lot size or minimum lot area per dwelling unit requirement in the District. There shall be no requirement with respect to minimum lot widths or minimum front, side or rear yards in the District. There shall be no requirement with respect to frontage on any street for lots devoted to townhouse development.

16.40 PARKING AND LOADING REQUIREMENTS

16.41 Parking and Loading Requirements. Subject to Sections 16.411, 16.412, 16.413, and 16.414, off-street parking and loading requirements shall be the same as currently (at the time of the adoption of this Article 16.000) specified in Article 6.000 and in the Schedule of Parking and Loading Requirements applicable to Residence C-3, Office 3, Business B and Industry B Districts.

Minimum parking should always be required; developments using parking facilities outside Cambridge to meet their parking requirement should require a special permit.

16.411 The minimum requirement for off-street parking facilities for any use shall be one-half the requirement set forth in Article 6.000, provided that there shall be no minimum requirement for off-street parking facilities if any parking for the development parcel involved shall be provided outside of the North Point Residence, Office, and Business District and outside of the City of Cambridge. There shall be no maximum number of compact car parking spaces, and a

maximum of two parking spaces per dwelling unit shall apply.

16.412
By special permit
only, subject to
evaluation in light
of traffic con-
straints.

Parking facilities may be located on the lot they serve or may be located in whole or in part in one or more pooled private or public parking facilities located anywhere within the North Point Residence, Office, and Business District.

16.413

Subject to Section 16.414 below, the maximum number of parking spaces available for non-residential use (but including hotel and motel use) which are accessible from Monsignor O'Brien Highway on any lot in the North Point Residence, Office, and Residence District shall be as follows:

This section should be
greatly simplified
to make clear that
it only details
a set of formulae
to determine the
maximum allocatin of
parking spaces for each
lot in the district. (2)

(1) For lots located entirely within the Front Development Area, such maximum shall be 1.223 parking spaces per 1,000 square feet of gross floor area, calculated solely for purposes of this Section 16.413 as if the applicable floor area ratio were 2.0.

(2) For lots located entirely within the Back Development Area, such maximum shall be one parking space per 3,250 square feet of gross floor area, calculated solely for purposes of this Section 16.413 as if the applicable floor area ratio were 1.0.

The Board continues to
- object to the maximum
number of parking spaces
permitted. (3)

(3) For lots located partly within the Front Development Area and partly within the Back Development Area, the calculations set forth in subsections (1) and (2) above shall be performed separately with respect to the portions of such lot located within the Front Development Area and the Back Development Area, respectively, and such maximum shall equal the sum of the maximum so calculated under subsection (1) and the maximum so calculated under subsection (2); such parking spaces may be located anywhere within such lot.

(4) As used herein, the following terms have the following meanings:

(a) "accessible" means having access and egress in the ordinary course of business, without regard to emergency access and egress or access and egress for maintenace purposes.

(b) "Front Development Area" means that portion of the North Point Residence, Office, and

Business District lying (a) within 600 feet of the Charles River, or (b) easterly of a line in the same plane as and extending northerly and southerly from the westerly sideline of East Street as currently (at the time of adoption of this Article 16.000) constituted and within 725 feet of the Reference Line (as defined below).

- (c) "Back Development Area" means all portions of the North Point Residence, Office, and Business District lying outside the Front Development Area.
- (d) "Reference Line" means a line in the same plane as and extending northerly and southerly from the southern face of the span carrying the MBTA Green Line tracks between the piers supporting the same located on each side and nearest to Industrial Way at its intersection with Monsignor O'Brien Highway.

16.414 Wherever parking spaces are provided for residential use (other than hotel or motel use) on any lot, the number of parking spaces permitted to be made available to serve non-residential uses (but including hotel and motel use) on such lot under Section 16.413 above shall be reduced by one parking space for every 6.67 dwelling units served by any parking spaces provided for such residential use.

16.50 SIGNS

16.51 The sign regulations of Article 7.000 applicable to Office and Industrial Districts shall be applicable in the District.

16.60 INAPPLICABILITY OF CERTAIN OTHER REGULATIONS

16.61 Where this Article 16.000 specifies some standard or establishes some other requirement contrary to or inconsistent with a requirement elsewhere in this Ordinance, the provisions of this Article 16.000 shall control.

XP-3995/c



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

To the Honorable, the City Council:

SUBJECT: Guilford, et al Petition to rezone the area in East Cambridge known as North Point.

Date: September 30, 1988

Recommendation

The Planning Board is not prepared to recommend approval of the Guilford, et al Petition even as it is proposed to be amended by the Petitioners.

Findings

The petition as filed was heard by the Planning Board in August. In response to comments and objections raised by the Planning Board to the original submission, the petitioners proposed a substantially revised, amended version which has only been available to the Board for review during the past two weeks. The Board is pleased at the major changes offered by the property owners, including adoption of the Planned Unit Development process, a central feature of the Planning Board's own rezoning proposal for North Point.

At a special meeting of the Board on Tuesday, September 27, 1988 a lengthy discussion of the amended petition resulted in numerous recommendations for changes which the Guilford petitioners have agreed to accept. The comments made by the Planning Board on that petition are enclosed as side notes to the text of the version of the petition they reviewed. It is our understanding that the property owners will make available to the Council a revised text reflecting those agreed upon changes. Nevertheless, several fundamental issues remain in dispute and they go to the heart of public policy as it is about to be adopted for the North Point area. Those remaining fundamental differences are as follows:

* The amount of development permitted in North Point should be predicated on safe access for pedestrians and vehicles. While there is agreement among all parties that the limited access to the site places a severe restraint on the amount of development that can be permitted in the district, the Guilford Petition would allow significantly more development than the Planning Board and indeed, even the landowners, feel is appropriate. Additionally, as to the issue of parking which we agree is the principal means by which to control the amount of traffic which will be drawn to the new district by commercial development, the Guilford Petition will allow more than twice the number of parking spaces to be built in the District than the City considers advisable based on the extensive traffic analysis conducted by both the City and the property owners. As yet there is no adequate mechanism in even the revised petition to ensure that those excess parking spaces and the excess development they might stimulate will not be constructed. In the absence of the tight limits on total development (FAR) and total parking spaces, the Guilford Petition would likely allow too much building to occur in North Point. Both the City's and the property owners' traffic analyses assume that there will be very low use of private auto (50%) on the part of employees in this district. This compares to the 40% figure for Harvard Square where public transportation is more accessible and comprehensive than in North Point. Such optimistic assumptions leave no room for error.

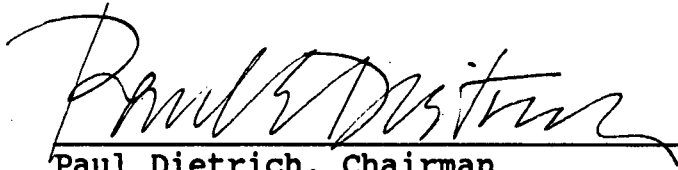
* The Planning Board is strongly committed to a citywide linkage program and would strongly recommend support for the existing concept of a citywide fund where monies are not targeted to any one neighborhood. The linkage provisions of the Guilford Petition target linkage monies to North Point and East Cambridge contrary to the policy adopted by City Council.

* The success of any Planned Unit Development process depends on the policy plans and development guidelines against which the proposed new development is measured. Additional work is necessary before the Board is prepared to recommend a plan and set of guidelines for adoption as a companion to the adopted zoning text.

All parties have put an enormous amount of effort in crafting a rezoning proposal for North Point that will serve both the City and its residential neighborhood of East Cambridge and the property owners of the District. The opportunity to reach that desired compromise requires some additional time and effort on the part of the Planning Board, the owners, the East Cambridge community and the Community Development Department. The Board notes however that the few issues in dispute are very difficult ones. In the Board's view the Guilford Petition allows too much commercial development, too many parking spaces to adequately limit the potential new development the traffic will generate, and has too few definable standards on traffic generation and impact by which the Planning Board can adequately prevent overdevelopment through the PUD process.

The time is simply too short to comprehensively review the new proposal and also close the gap which exists on some very fundamental issues. The Board finds it unnecessary to adopt the current petition as the Planning Board proposal will remain before the City Council for many more weeks. Any compromise rezoning text, which we are hopeful can be achieved with some additional effort between the City and the property owners, can be substituted by the Council for the still active Planning Board Petition.

Respectfully submitted for the Planning Board,

A handwritten signature in cursive script, appearing to read "Paul Dietrich", is written over a horizontal line.

Paul Dietrich, Chairman

A PUD process is essential in North Point

13.70 PLANNED UNIT DEVELOPMENT IN THE NORTH POINT RESIDENCE, OFFICE, AND BUSINESS DISTRICT.

13.71 Purpose. This Section 13.70 is intended to provide the opportunity for a transition from the existing industrial character of the North Point area to a highly active, moderate density commercial area with a mix of residential, office, and/or business uses having a street pattern and significant open space. It is also intended to encourage development which is substantially in accordance with the development policies outlined in the September 1988 North Point Policy Plan.

Identify traffic constraints as major reason for adopting this PUD for North Point.

13.72 Applicability. A special permit for a Planned Unit Development may be granted by the Planning Board in the North Point Residence, Office, and Business District in accordance with the requirements of Sections 12.30 and 12.40, and the development controls specified in Section 12.50 and this Section 13.70. All references to and requirements for a PUD district in those sections shall also apply to a Planned Unit Development in the North Point Residence, Office, and Business District.

13.73 Use Regulations. Any use permitted in Article 16.000-North Point Residence, Office, and Business District, may be allowed by the Planning Board.

13.74 Dimensional Requirements.

13.741 Floor Area Limitation. The maximum ratio of floor area to total area of the development parcel shall be 2.0, subject to the provisions of Sections 13.742 and 13.743. The area of the lot to be counted in determining the floor area ratio shall include land dedicated (after adoption of this Section 13.70) by the owner or former owner of the lot, whether in fee or by easement, deed restriction, covenant or comparable legal instrument enforceable by the City of Cambridge or other public entity, as a public way, private way open to public use, or public open space.

13.742 Traffic Mitigation Incentive. The floor area ratio of any building used for other than residential uses (but including hotel and motel uses) may be increased by the percentage by which the number of square feet of gross floor area per parking space provided for such building shall exceed the number of square feet of gross floor area per parking space permitted under the maximum amount of parking stipulated for the use or

This section should be greatly simplified to indicate that additional FAR to 2.5 is permitted with no increase in parking

uses to which such building is put in the Schedule of Parking and Loading Requirements applicable to Industry B, Residence C-3, Office 3, and Business B Districts set forth in Section 6.36, as currently (at the time of the adoption of this Section 13.70) constituted. In no event, however, shall the floor area ratio for any lot exceed 2.5 by reason of the application of this Section 13.742. (Example: for a general office use in an Office 3 District, Section 6.364d specifies a maximum of one space per 670 square feet of gross floor area. If parking is instead provided at a ratio of one space per 1,000 square feet of gross floor area, the floor area ratio would be increased by 49.25%, from 2.0 to 2.985 [$1,000/670=1.4925$, an increase of 49.25%], subject, however, to a maximum limit of 2.5.)

13.743 Incentive for Residential Development. In order to promote housing uses within the District, increases in floor area ratio shall be permitted as follows:

- (1) The maximum permitted floor area ratio for a development in which at least 25% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 2.5.
- (2) The maximum permitted floor area ratio for a development in which at least 50% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.0.
- (3) The maximum permitted floor area ratio for a development in which at least 75% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.5.
- (4) As used herein, the term "development" shall mean one or more buildings located on the same lot.

Percentages should be increased to 30, 60 and 90% respectively.

13.744 Development Parcel and Lot Size. The minimum size of the development parcel shall be 20,000 square feet. There shall be no specified minimum lot size for lots located within a development parcel. The Planning Board shall approve all lot sizes located within a development parcel.

13.745 Other Dimensional Requirements. There shall be no minimum lot area per dwelling unit requirement, and there shall be no requirement with respect to frontage on any street for lots devoted to townhouse development. There shall be no requirement with

respect to minimum lot widths or minimum front, side or rear yards in the District. The Planning Board shall approve all such building setbacks.

13.746 Building Height Limitation. The maximum building height for all buildings shall be one hundred fifteen (115) feet, except as set forth in Sections 17.747 and 17.748.

Some provision might be made for the establishment of a cornice height along major streets; some additional height might be granted to housing.

13.747 A maximum building height of one hundred forty five (145) feet shall apply: (a) in that portion of the District lying within 620 feet westerly of a line perpendicular to, and at the midpoint of, the span carrying the MBTA Green Line tracks between the piers supporting the same located on each side and nearest to Industrial Way at its intersection with Monsignor O'Brien Highway (excluding from such portion, however, any part thereof lying within 240 feet of a line in the same plane as and extending easterly and westerly from the southern face of such span [the "Reference Line"]), and (b) in that portion of the District lying more than 685 feet from the Reference Line (excluding from such portion, however, any part thereof lying within 350 feet of the Charles River).

13.748 Except as otherwise provided in Section 13.747, the maximum height of buildings located within 300 feet of the Reference Line described in Section 13.747 above shall be eighty five (85) feet.

13.749 In evaluating a development proposal providing for building height in excess of 85 feet, the Planning Board shall give consideration to evidence presented on the following:

(a) that increased height is necessary to accommodate structured parking which cannot reasonably be located below grade due to concerns over the water table;

Other standards might be desirable including reference to evidence that their is no derogation from the intent of the referenced master plan.

(b) that increased height will not cast shadows or alter air currents in ways that will unreasonably limit the amount of light and air reaching other buildings in the vicinity to a significantly greater extent than if the building height did not exceed 85 feet;

(c) that increased height would mitigate detrimental environmental impacts such as excessive ground coverage, diminution of open space, and monotonous development, and/or would enable the provision of open space, including roadways;

- (d) that increased height would not adversely affect and would result in increased sensitivity to the visual and physical characteristics of the particular location through more harmonious relationships to the terrain and to proposed and existing buildings in the vicinity that have functional or visual relationships to the proposed building, or would shield other buildings or areas from elevated roadways, railroad yards, or other detracting influences;
- (e) that increased height would result from actions taken to lessen the impact of traffic and parking on the surrounding area; and/or
- (f) that the orientation and location of the proposed structure shall not otherwise diminish the health and safety of the North Point area.

13.75

Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 15% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such lot shall for purposes of this Section 13.75 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All streets, plazas, sidewalks, decks, arcades, loggias, gallerias, and parks which are open to public use and are located on land which is now (at the time of adoption of this Section 13.70) or hereafter privately owned, shall constitute public open space and/or publicly beneficial open space for purposes of this Section 13.75.

Same as in base district.

The Planning Board may reduce the open space requirement if the development is located adjacent to a public open space and if the development is physically and functionally integrated with the open space by means of building orientation, location of building entrances, pedestrian linkages between major activity centers, or similar factors.

13.76

Perimeter and Transition. Any part of the perimeter of a planned unit development which fronts on a public open space for not less than 250 feet or is immediately adjacent to and within 300 feet of the Charles River shall be so designed as to complement

and harmonize with adjacent land uses (existing or proposed) with respect to scale, density, setback, bulk, height, landscaping, and screening.

13.77 Parking and Loading Requirements. Off-street parking and loading requirements shall be the same as provided in Section 16.40; provided, however, that the Planning Board may, in its discretion, increase the maximum number of parking spaces permitted.

13.78 Public Benefits. All special permits granted under this Section 13.70 shall be subject to the provisions of Section 11.200; provided, however, that notwithstanding any contrary provision of Section 11.200, all funds generated as a result of special permits granted under this Section 13.70 shall be held separately from those funds generated as a result of other special permits and shall be applied as follows:

Linkage funds should not be mandated to be used in one neighborhood; general city linkage policy should prevail.

- (a) fifty percent (50%) shall be applied towards the provision of affordable housing in the East Cambridge residential neighborhood; and
- (b) fifty percent (50%) shall be first applied towards the provision of affordable housing in the North Point Residence, Office, and Business District and if not used there within five (5) years from the time such funds were generated shall then be applied towards the provision of affordable housing in the East Cambridge residential neighborhood.

Nothing herein shall prevent or limit the application of funds generated under Section 11.200 as a result of the issuance of special permits granted under parts of this Ordinance other than this Section 13.70 towards the provision of affordable housing in the North Point Residence, Office and Business District and the East Cambridge residential neighborhood; to the contrary, such application of funds is encouraged in addition to the application of funds required in this Section 13.78.

13.781 Traffic Mitigation. Any special permit granted under this Section 13.70 may be conditioned upon compliance with any of the following traffic mitigation measures determined appropriate by the Planning Board and specified in its decision on the special permit:

Section should be rewritten or new section added which would define in detail the circumstances under which FAR

- (a) Encourage staggered or flexible work hours for employees of all tenants enjoying access from

bonus would be denied, as for example defining required traffic counts, maximum peak hour trips, because of potential traffic overload.

Monsignor O'Brien Highway through the provision of utilities during off-peak hours and other appropriate means.

- (b) Promote the use of public transportation by providing transit information and participation in the MBTA commuter pass program including the establishment of a commuter pass sales office or other means of facilitating the use of commuter passes.
- (c) Operate or coordinate with a computer-based ride-sharing information bank and collect and disseminate ride-sharing information to employees and cooperate with other landowners in the East Cambridge Riverfront District in this regard.
- (d) Reserve spaces at preferential locations for carpool and vanpool parking.
- (e) Establish reduced parking fees for carpool and vanpool parking.
- (f) In the case of any hotel, encourage the hotel operator to provide an airport motor vehicle shuttle.
- (g) Provide reduced parking fees on the site for monthly and daily parking spaces not available on working days until after 9:30 A.M.
- (h) Sensitize tenants to the issue of reducing or eliminating subsidized parking spaces for employees.
- (i) Make reference to the availability of mass transit facilities in marketing and advertising materials produced for new development projects.
- (j) Cooperate with the MDC, the MBTA, the City of Cambridge, and neighborhood groups to provide a pedestrian overpass across Monsignor O'Brien Highway serving the relocated MBTA Green Line Lechmere Station.
- (k) Cooperate with the MDC to provide pedestrian access to Charlestown Avenue for access to the MBTA Orange Line Community College Station from the North Point area.

- (l) Cooperate with the MDC, the MBTA, and the City of Boston to provide pedestrian access to North Station from the North Point area, to the extent feasible.
- (m) Cooperate with the MDC, the MBTA, and the City of Cambridge, and the City of Boston to improve pedestrian access to the MBTA Green Line Science Park Station from the North Point area.
- (n) Cooperate with Riverside Galleria Associates Trust to coordinate service to the North Point area with the Galleria shuttle bus system.
- (o) Cooperate with the MDC, the City of Cambridge, and the City of Boston to establish bicycle paths.
- (p) Provide bicycle parking racks.
- (q) Cooperate with the East Cambridge Transportation Coordinator.

13.782 Design Review. Every development proposal approved by the Planning Board as a Planned Unit Development under this Section 13.70 shall be reviewed by the Planning Board for consistency with the Design Guidelines set forth in the September 1988 North Point Policy Plan adopted by the City as of the time of ordination of this Section 13.70, but the Planning Board may in its discretion approve any development proposal notwithstanding deviations from such Design Guidelines. In addition, the Planning Board may condition any special permit granted hereunder upon further design review insofar as the public health, safety, and welfare shall be concerned.

The plan and design guidelines associated with the Planning Board petition may be more appropriate.

XP-3992/c

Planning Board strongly endorses base district/PUD organization

- ARTICLE 16.000 NORTH POINT RESIDENCE, OFFICE AND BUSINESS DISTRICT
- 16.10 SCOPE AND INTENT
 - 16.20 USE REGULATIONS
 - 16.30 DIMENSIONAL REGULATIONS
 - 16.40 PARKING AND LOADING REQUIREMENTS
 - 16.50 SIGNS
 - 16.60 INAPPLICABILITY OF CERTAIN OTHER REGULATIONS

16.10 SCOPE AND INTENT

16.11 Scope. This Article regulates development within the North Point Residence, Office and Business District (the "District"), located as shown on the Zoning Map, as amended.

16.12 Intent. The purpose of the District is to allow an industrial area on the northern boundary of Cambridge, which will contain an MBTA Green Line Station, to be redeveloped for office, housing, and other uses consistent with high land costs prevalent in the area; to allow a diversity of land uses in close proximity within a limited area; and to encourage interaction among activities located within the District.

Section should be modified to identify traffic constraints as major reason for base district limitations

16.13 Approach. This Article is designed to fulfill the above purposes of the District by establishing controls which will facilitate development while protecting the public interest; by setting regulations which limit the amount of development within the District and encourage traffic mitigation and housing development by means of density incentives; and by allowing mixed uses within the District.

16.20 USE REGULATIONS

16.21 Permitted Uses. The following uses are allowed in the District. All uses not listed within one of the use groups in this section shall be prohibited. All uses within the District shall comply with the environmental protection standards of Section 16.24. The provisions of Section 4.50 et seq. shall not apply to institutional uses permitted within the District pursuant to Section 16.217.

16.211 Industrial Uses

- (1) Manufacturing, processing, assembly, and packaging as permitted in Section 4.37 a and b.

- (2) Bottling of beverages, as permitted in Section 4.37c.
- (3) Distribution center, parcel delivery center, delivery warehouse, as permitted in Section 4.37d.
- (4) Laundry, dry cleaning plant, as permitted in Section 4.37e.
- (5) Printing, binding, publishing, and related arts and trades, as permitted in Section 4.37f.
- (6) Automotive repair garage as permitted in Section 4.37h, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (7) Food commissary, as permitted in Section 4.37i.
- (8) Wholesale business and storage in roofed structures, as permitted in Section 4.37j.
- (9) Storage warehouse, cold storage plant, storage building, as permitted in Section 4.37k.
- (10) Open-lot storage as permitted in Section 4.37 l and m, subject to the provisions of Section 16.23.
- (11) Heavy industry as permitted in Section 4.38, subject to the provisions of Section 16.23.

16.212 Office and Laboratory Uses

- (1) Office of a physician, dentist or other medical practitioner not located in a clinic listed in Subsection 4.33d, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (2) Office of an accountant, attorney, or other non-medical professional person.
- (3) Real estate, insurance or other agency office.
- (4) General office use.
- (5) Bank, trust company or similar financial institution not located on the first floor of a building.

- (6) Technical office for research and development, laboratory and research facility, including (without limit) manufacturing facilities incident thereto.

16.213 Retail and Consumer Service Establishments

- (1) Store for retail sale of merchandise.
- (2) Eating and/or drinking establishment, whether or not liquor is sold or consumed, including restaurant, bar, lunchroom, cafeteria and food commissary.
- (3) Fast order food establishment subject to the Special Permit requirements of Section 11.30, unless such use is enclosed in a structure principally containing other uses and is included in a "food court" or similar specialized area (in which case no Special Permit shall be required).
- (4) Consumer service establishment, including but not limited to hairdresser, barber shop, laundry or dry-cleaning pick-up establishment, self-service laundry, shoe repair or tailoring shop, or photography studio.
- (5) Rental agency for autos or other products, but not including taxi companies. Such agencies shall be operated entirely within a building and no major automobile repairs shall be made on the premises.
- (6) Automobile service stations where no major repairs are made.
- (7) Bank, trust company or similar financial institution located on the first floor of a building.

16.214 Residential Uses

- (1) One and two family dwelling, but only by special permit from the Planning Board pursuant to Section 10.40.
- (2) Townhouse development.
- (3) Elderly oriented congregate housing.
- (4) Multi-family dwelling.

All residential uses should be allowed by special permit only.

- (5) Hotel or motel.

16.215 Entertainment and Recreational Uses

- (1) Indoor commercial entertainment establishments not open to the public on weekdays prior to 7:30 p.m. including but not limited to cinema, theater, concert hall, cabaret and night club.
- (2) Recreation facility, health club, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (3) Non-accessory recreation facilities including bowling alley, indoor or outdoor tennis courts, public recreation building, or skating rink, but only by special permit from the Planning Board pursuant to Section 10.40.
- (4) Halls, auditoriums and similar spaces used for public gatherings, as an accessory use occupying not more than twenty-five (25%) of the aggregate gross floor area of all buildings on a lot.
- (5) Non-accessory halls, auditorium and similar spaces used for public gatherings, but only by special permit from the Planning Board pursuant to Section 10.40.
- (6) Park or playground.

16.216 Transportation, Communication and Utility Uses

Parking uses in paragraph (1) should be subject to maximum limitations of Section 16.414 and a special permit should be required where the spaces are not accessory to uses on the lot or where they are a principal use.

- (1) Automobile parking lot or parking garage for private passenger cars, but only for the purpose of providing accessory parking under Section 16.40, or as a principal use so long as such parking is not made available to the general public.
- (2) Railroad freight terminal, railroad yard and shops.
- (3) Truck or bus terminal, yard or building for storage or servicing of trucks, trailers or buses, parking lot for trucks.
- (4) Radio and television studio.
- (5) Telephone exchange, transformer station, substation, gas regulating station, or pumping station.

(6) Bus or railroad passenger station.

16.217 Institutional Uses

- (1) All uses permitted in Sections 4.33a, b, c, d, e, f, and g.
- (2) All uses permitted in Section 4.33h.1 or .2.
- (3) Any institutional use not referred to in subparagraphs (1) and (2) above, but only by special permit from the Planning Board pursuant to Section 10.40.

16.22 Multiple Uses in the Same Structure. Except as set forth in Section 16.221 below, within the District there shall be no restriction on combining different categories of use within the same building other than those imposed by the State Building Code or other federal, state or local regulations other than this Ordinance.

16.221 Limitation on Retail and Consumer Service Establishments. Retail and consumer service establishments permitted under Section 16.213 shall occupy an aggregate in any building, of not more than twenty five percent (25%) (or, if less, 30,000 square feet) of the gross floor area of such building. Such uses shall be located only on the first and/or any second floor, except that eating and/or drinking establishments permitted under Section 16.213(2) may be located on any floor or floors.

16.23 Limitation on Certain Industrial Uses. Uses referred to in Section 16.211(10) and (11) shall be prohibited within the District except as provided in Sections 16.231 and 16.232 below. Such prohibition shall not apply to any use referred to in Section 16.211(10) or (11) which is a pre-existing non-conforming use under Article 8 by virtue of the adoption of this Article 16 or any prior amendment of this Ordinance (hereinafter referred to as a "Nonconforming Use"), except to the extent set forth in such Article 8.

16.231 Notwithstanding anything to the contrary in this Article 16, any use referred to in Section 16.211(10) shall be permitted within 800 feet of a lot which is the location of a Nonconforming Use included among those uses referred to in Sections 16.211(10) and (11), but only for the period during which such Nonconforming Use shall be permitted under Article 8, plus ten (10) years.

- 16.232 Notwithstanding anything to the contrary in this Article 16, any use referred to in Section 16.211(11) shall be permitted within 800 feet of a lot which is the location of a Nonconforming Use included among those uses referred to in Section 16.211(11), but only for the period during which such Nonconforming Use shall be permitted under Article 8, plus ten (10) years.
- 16.233 The allowance of a use under Section 16.231 or Section 16.232 does not and shall not be deemed to confer the protections of Article 8 upon any use referred to in Section 16.211(10) or (11) which is not a pre-existing non-conforming use under Article 8 by virtue of the adoption of this Article 16 or any prior amendment of this Ordinance.
- 16.24 Environmental Protection Standards. No activity shall be permitted in the District unless it shall be in conformity with the following standards for environmental protection:
- 16.241 All dust, fumes, odors, smoke or vapor shall be effectively confined to the premises or disposed of in compliance with applicable environmental laws.
- 16.242 Any noise, vibration or flashing shall not be normally perceptible without instruments at a distance of one hundred feet from the premises.
- 16.243 All development proposals shall comply with Federal and State air pollution and water pollution control regulations, the City of Cambridge Ordinances, and other applicable environmental laws.
- 16.244 Except during construction activity on the lot, all refuse and other waste materials shall be stored within buildings prior to collection and disposal.

16.30 DIMENSIONAL REGULATIONS

- 16.31 Lot Density Limitation. For each lot within the District, a permitted floor area ratio (as defined in Article 2.000) of 1.0 is hereby established for each lot, and shall not be exceeded. The area of the lot to be counted in determining the floor area ratio shall include land dedicated (after adoption of this Article 16) by the owner or former owner of the lot, whether in fee or by easement, deed restriction, covenant or comparable legal instrument enforceable by the City of Cambridge or other public entity, as a public way, private way open to public use, or public open space.

16.32 Building Height Limitation. The maximum building height for all buildings within the District shall be fifty (50) feet.

16.33 Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 15% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such lot shall for purposes of this Section 16.33 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All public streets, plazas, sidewalks, and parks located on land which is now (at the time of adoption of this Article 16) or hereafter privately owned, whether dedicated to such public use in fee or by easement, deed restriction, covenant, or comparable legal instrument, shall constitute public open space for purposes of this Section 16.33.

The Open space requirement should be raised to 20% and should be limited to facilities not enclosed within buildings.

16.34 Other Dimensional Requirements. There shall be no minimum lot size or minimum lot area per dwelling unit requirement in the District. There shall be no requirement with respect to minimum lot widths or minimum front, side or rear yards in the District. There shall be no requirement with respect to frontage on any street for lots devoted to townhouse development.

16.40 PARKING AND LOADING REQUIREMENTS

16.41 Parking and Loading Requirements. Subject to Sections 16.411, 16.412, 16.413, and 16.414, off-street parking and loading requirements shall be the same as currently (at the time of the adoption of this Article 16.000) specified in Article 6.000 and in the Schedule of Parking and Loading Requirements applicable to Residence C-3, Office 3, Business B and Industry B Districts.

Minimum parking should always be required; developments using parking facilities outside Cambridge to meet their 16.411 parking requirement should require a special permit.

The minimum requirement for off-street parking facilities for any use shall be one-half the requirement set forth in Article 6.000, provided that there shall be no minimum requirement for off-street parking facilities if any parking for the development parcel involved shall be provided outside of the North Point Residence, Office, and Business District and outside of the City of Cambridge. There shall be no maximum number of compact car parking spaces, and a

maximum of two parking spaces per dwelling unit shall apply.

16.412
By special permit
only, subject to
evaluation in light
of traffic con-
straints.

Parking facilities may be located on the lot they serve or may be located in whole or in part in one or more pooled private or public parking facilities located anywhere within the North Point Residence, Office, and Business District.

16.413

Subject to Section 16.414 below, the maximum number of parking spaces available for non-residential use (but including hotel and motel use) which are accessible from Monsignor O'Brien Highway on any lot in the North Point Residence, Office, and Residence District shall be as follows:

This section should be
greatly simplified
to make clear that
it only details
a set of formulae
to determine the
maximum allocatin of
parking spaces for each
lot in the district.

(1) For lots located entirely within the Front Development Area, such maximum shall be 1.223 parking spaces per 1,000 square feet of gross floor area, calculated solely for purposes of this Section 16.413 as if the applicable floor area ratio were 2.0.

(2) For lots located entirely within the Back Development Area, such maximum shall be one parking space per 3,250 square feet of gross floor area, calculated solely for purposes of this Section 16.413 as if the applicable floor area ratio were 1.0.

The Board continues to
- object to the maximum
number of parking spaces
permitted.

(3) For lots located partly within the Front Development Area and partly within the Back Development Area, the calculations set forth in subsections (1) and (2) above shall be performed separately with respect to the portions of such lot located within the Front Development Area and the Back Development Area, respectively, and such maximum shall equal the sum of the maximum so calculated under subsection (1) and the maximum so calculated under subsection (2); such parking spaces may be located anywhere within such lot.

(4) As used herein, the following terms have the following meanings:

(a) "accessible" means having access and egress in the ordinary course of business, without regard to emergency access and egress or access and egress for maintenace purposes.

(b) "Front Development Area" means that portion of the North Point Residence, Office, and

Business District lying (a) within 600 feet of the Charles River, or (b) easterly of a line in the same plane as and extending northerly and southerly from the westerly sideline of East Street as currently (at the time of adoption of this Article 16.000) constituted and within 725 feet of the Reference Line (as defined below).

(c) "Back Development Area" means all portions of the North Point Residence, Office, and Business District lying outside the Front Development Area.

(d) "Reference Line" means a line in the same plane as and extending northerly and southerly from the southern face of the span carrying the MBTA Green Line tracks between the piers supporting the same located on each side and nearest to Industrial Way at its intersection with Monsignor O'Brien Highway.

16.414 Wherever parking spaces are provided for residential use (other than hotel or motel use) on any lot, the number of parking spaces permitted to be made available to serve non-residential uses (but including hotel and motel use) on such lot under Section 16.413 above shall be reduced by one parking space for every 6.67 dwelling units served by any parking spaces provided for such residential use.

16.50 SIGNS

16.51 The sign regulations of Article 7.000 applicable to Office and Industrial Districts shall be applicable in the District.

16.60 INAPPLICABILITY OF CERTAIN OTHER REGULATIONS

16.61 Where this Article 16.000 specifies some standard or establishes some other requirement contrary to or inconsistent with a requirement elsewhere in this Ordinance, the provisions of this Article 16.000 shall control.

XP-3995/c



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

TEL. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

October 3, 1988

To the Honorable, the City Council:

Enclosed please find a copy of the Cambridge Planning Board's response relative to the Guilford, et al, Petition to rezone the area in East Cambridge known as North Point.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf

Re: Planning Board recommendation on the Guilford, et al Zoning Petition to rezone the area in East Cambridge known as North Point.

In City Council,

October 3, 1988

*Referred to the
petition*