

*Dianna R. Stallone*

*Attorney at Law*

*169A Salem Street*

*Boston, Massachusetts 02113*

*617-720-4474*

SEP 23 PM 4:30

HAND DELIVERED

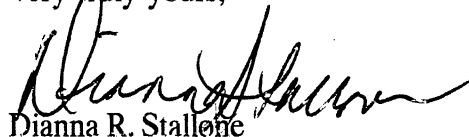
Joe Connarton, Clerk  
City of Cambridge  
City Hall  
Cambridge, MA 02109

Dear Mr. Connarton:

Pursuant to Mass. G.L. c 40A section 5, the residents of Cambridgeport have previously submitted to you an objection to the proposal to change the zoning on Brookline Street from BA-1 to residential signed by more than twenty percent of the owners of the land proposed to be included in the change or in the area immediately adjacent therefrom and requesting that the change be made by three fourths vote as is provided in the statute.

As you know, the City Counsel intends to again rule on a plan which would incorporate this change. Please consider this a renewal of the objection and request already on file.

Very truly yours,



Dianna R. Stallone

Amendments to the Lynch, et al Petition as amended by City Council on September 16, 1991.

2. In Section 11.302 of the South Cambridgeport Affordable Housing Overlay District, delete the last sentence in the paragraph and substitute therefor the following:

The Planning Board may grant a special permit in said District for specific variations in the requirements of the Residence C base district as detailed in Section 11.304, provided all affordable housing requirements of this Section 11.300 are met.

3. In Section 11.303 of the South Cambridgeport Affordable Housing Overlay District, add the following phrase to the first sentence:

...except as may otherwise be permitted in Section 11.307 below.

4. Delete the phrase "the existing residential neighborhood" in Section 11.304, paragraph (c)(1) and substitute therefor a new phrase reading:

...any residential district not modified by this Section 11.300,...

7. In the South Cambridgeport Open Space Overlay District, Section 11.404, delete in its entirety paragraph (l) and substitute therefor the following:

**Designated Development Lot** Notwithstanding the limitations imposed by the definition of lot in Article 2.000, gross floor area may be transferred from one lot to another lot within the South Cambridgeport Open Space Overlay District provided each lot is defined as a constituent lot of a Designated Development Lot, which shall be a lot or group of lots designated for unified development in the application for a special permit under this Section 11.400. No Designated Development Lot shall be smaller than 20,000 square feet. The constituent lots of a Designated Development Lot need not be under single ownership, nor contiguous. Constituent donating lot(s) which contribute FAR to a recipient lot may be anywhere within Special District VI. There is no minimum size for donating lots. Constituent recipient lot(s), which receive the FAR transferred within the Designated Development Lot must be contiguous except in the area southeasterly of the railroad right of way that is parallel to Vassar Street. A recipient lot may be anywhere within the Special District VI.

8. In Section 11.404, delete paragraph (2) in its entirety and substitute therefor the following:

(2) **Minimum Requirements** As a condition of the special permit for FAR transfer, any donating lot(s) must be relieved of all toxic contaminants which are subject to regulation under state and/or federal law. Except for additional FAR and heights as permitted herein, recipient lots shall be developed in compliance with all other requirements of the Special District VI.

9. In Section 11.404, paragraph (4), delete the phrase "development parcel" and substitute therefor the following:

...Designated Development Lot...

10. In Section 11.404, paragraph (4), subparagraph (c) 2. insert the following new phrase after the first occurrence of the phrase "one hundred (100) feet":

..., but not exceeding one hundred and eighty (180) feet,...

11. In Section 11.405, paragraph (2), insert the word "permanently" in the first sentence so that it reads as follows:

The donating lot(s) are offered to the City either as outright gift of land, or else via lease or appropriate legal contract conveying to the City the right to permanently use and make improvements to land consistent with the provisions therein.

13. In Section 17.53.2 - Front Yard Requirements in Special District V, delete the second paragraph in Subparagraph a.

14. In Section 17.62, paragraph b (2) and in Section 17.82, paragraph b (3) the existing language should be deleted in its entirety and the following substituted therefor (inserting the appropriate Section reference):

Office Uses, Section 4.34 c and d. For the purpose of this Section (17.62 in the first instance, 17.82 in the second instance) **Technical Office for Research and Development** shall mean those offices and similar facilities occupied by persons principally engaged in basic research or in the application of such research or knowledge derived therefrom to the development of products or processes that have academic or commercial applications. Any office activity not meeting the above definition shall be permitted only as an accessory use to permitted uses in the district and shall not exceed thirty three (33)

percent of the total gross floor area authorized by building permit in the development.

### **ADDITIONS TO THE LYNCH PETITION**

- I. Amend the Text of the Zoning Ordinance by deleting the existing footnote (d) in Section 5.32 - Office Districts, Table 5-2 and substituting therefor the following:
  - (d) Thirty-five (35) foot height limit within one hundred and twenty-five (125) feet of Residence B districts.
2. In Article 3.000, Section 3.14, delete all reference to the Cambridgeport Interim Planning Overlay District.

Margaret Lynch, et al rezone the area

PETITION OF Margaret A. Lynch et al  
South Cambridge part rezoning area.  
Petition filed with the City Clerk May 30, 1991

(all hearings to be completed 65 days from In City Council date)

28 days June  
31 days July  
6 days Aug. = Aug 7, 1991 = all hearings

65 days =  
In City Council June 3, 1991

Referred to the Planning Board for report June 3, 1991

Planning Board Hearing July 16, 1991

(CITY COUNCIL must act within 90 days of the ORDINANCE COMMITTEE hearing which would be Sept. 24, 1991.)

4 days June  
31 days July  
31 days Aug.  
24 days Sept.  
90 days = Sept. 24, 1991  
City Council hearing published Chronicle on June 6, 1991  
and June 13, 1991

Hearing before the Ordinance Committee Wed, June 26, 1991 at 5:30 p.m.

Reported to the City Council Aug 7, 1991

Passed to a second reading on Aug 7, 1991

published in Chronicle on August 15, 1991

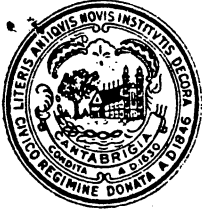
Planning Board report received on \_\_\_\_\_

Ready for ordination on August 26, 1991

Passed to be ordained on Graded of ordination 6-3-0 9/23/91

published in \_\_\_\_\_ on \_\_\_\_\_

COMPLETION DATE Sept. 24, 1991



# City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

## AN ORDINANCE

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

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

To amend the Zoning Ordinances of the City of Cambridge by creating a new Section 8.26(a) and (b), Non-Conformity; creating a new zoning district, Industrial B-3, Light Industry and Light Manufacturing; creating new sections South Cambridgeport Affordable Housing Overlay District, South Cambridgeport Open Space Overlay District, Cambridgeport Development Review, 17.50 - Special District V, 17.60 - Special District VI, 17.70 - Special District VII, 17.80 - Special District VIII, 18.10 - Traffic Mitigation Measures, 18.20 - Construction Management Program; and by amending the Zoning Map of the City of Cambridge by deleting the existing zoning districts in the Cambridgeport Interim Planning Overlay District and replacing them with Residence C, Business A, the new zoning district Industrial B-3, the new Special Districts V, VI, VII, and VIII, the South Cambridgeport Affordable Housing Overlay District, the South Cambridgeport Open Space Overlay District, and the Cambridgeport Development Review in that area generally bounded by Brookline and Vassar Streets, Massachusetts Avenue and Memorial Drive as shown on the accompanying map. The petition would replace the Cambridgeport Interim Planning Overlay District in its entirety.

In City Council September 23, 1991.

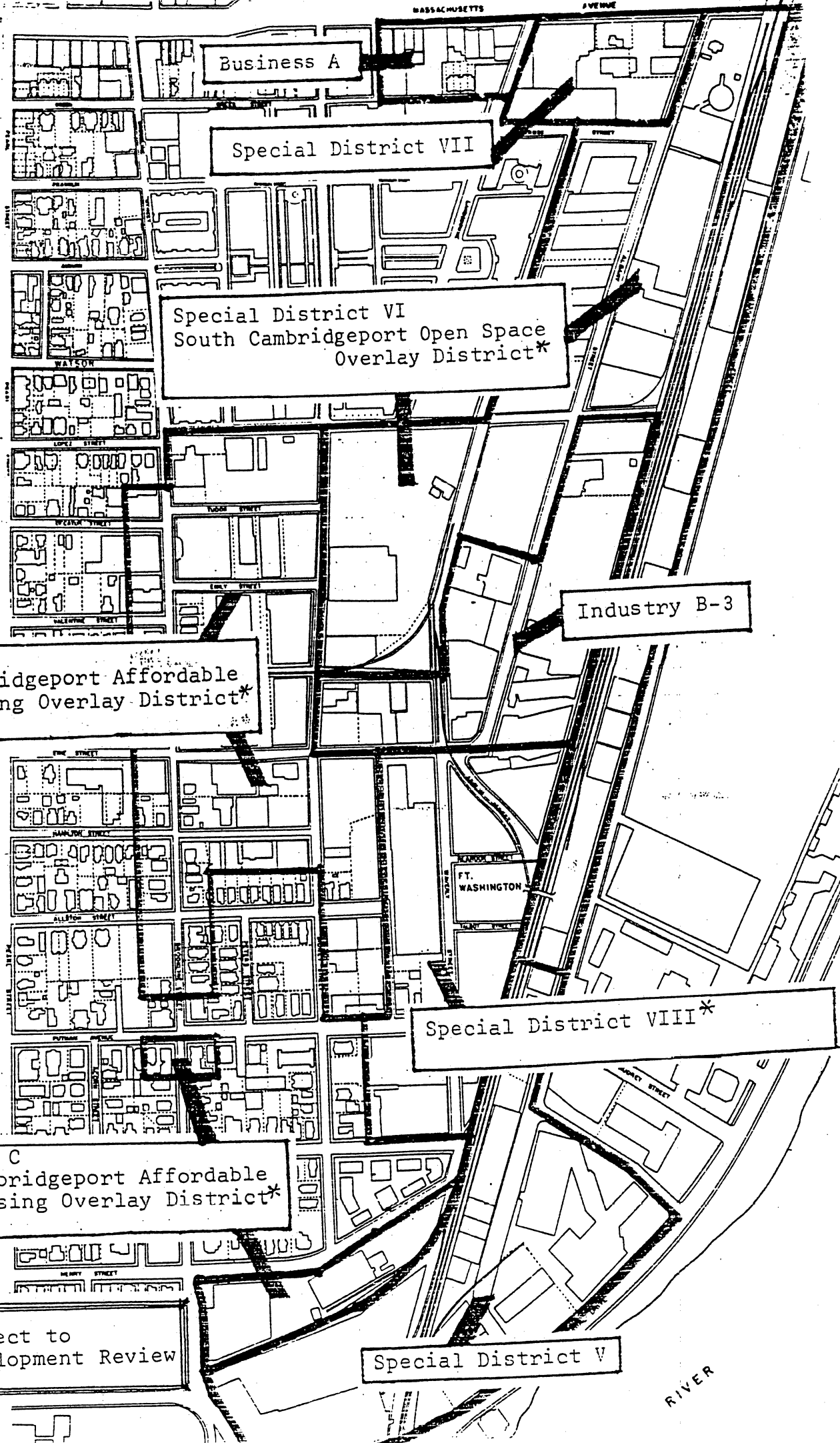
Failed of ordination as amended by a yea and nay vote:- Yeas 6;  
Nays 3; Absent 0.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk.

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

ATTEST:- Joseph E. Connarton, City Clerk



Business A

Special District VII

Special District VI  
South Cambridgeport Open Space  
Overlay District\*

Industry B-3

Residence C  
South Cambridgeport Affordable  
Housing Overlay District\*

Special District VIII\*

Residence C  
South Cambridgeport Affordable  
Housing Overlay District\*

\* = Subject to  
Development Review

Special District V

RIVER

# City of Cambridge

MASSACHUSETTS

In City Council Sept. 23 1991

C. Myers - Quor. Comes on Passing To Be Ordained Re:

Margaret Lynch et al Petition as Amended

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	✓			
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mr. Kenneth E. Reeves	✓			
Mrs. Sheila T. Russell		✓		
Mr. Walter J. Sullivan		✓		
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh		✓		
Mayor Alice K. Wolf	✓			

4 3 0

*C. Duehay*  
ms  
RP

# City of Cambridge

MASSACHUSETTS

In City Council Sept. 23 1991

*C. Duehay*

*Reconsideration*

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	✓			
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mr. Kenneth E. Reeves	✓			
Mrs. Sheila T. Russell		✓		
Mr. Walter J. Sullivan		✓		
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh		✓		
Mayor Alice K. Wolf	✓			

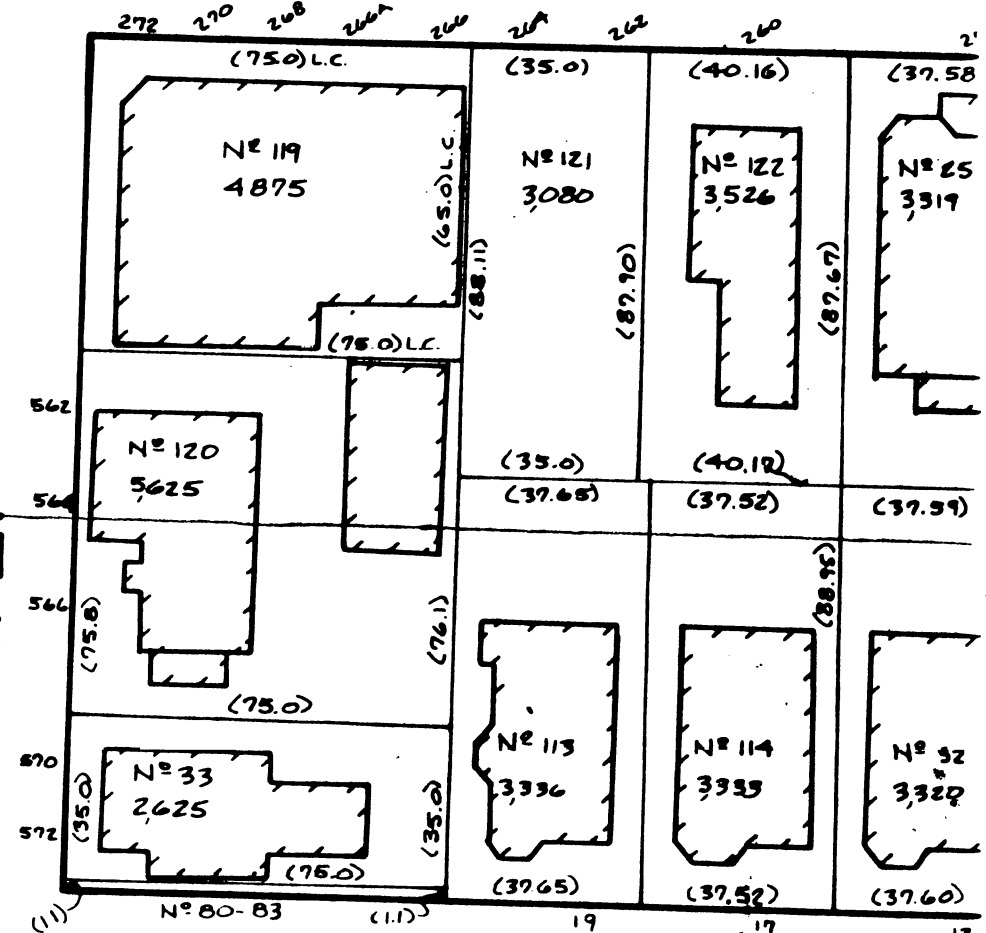
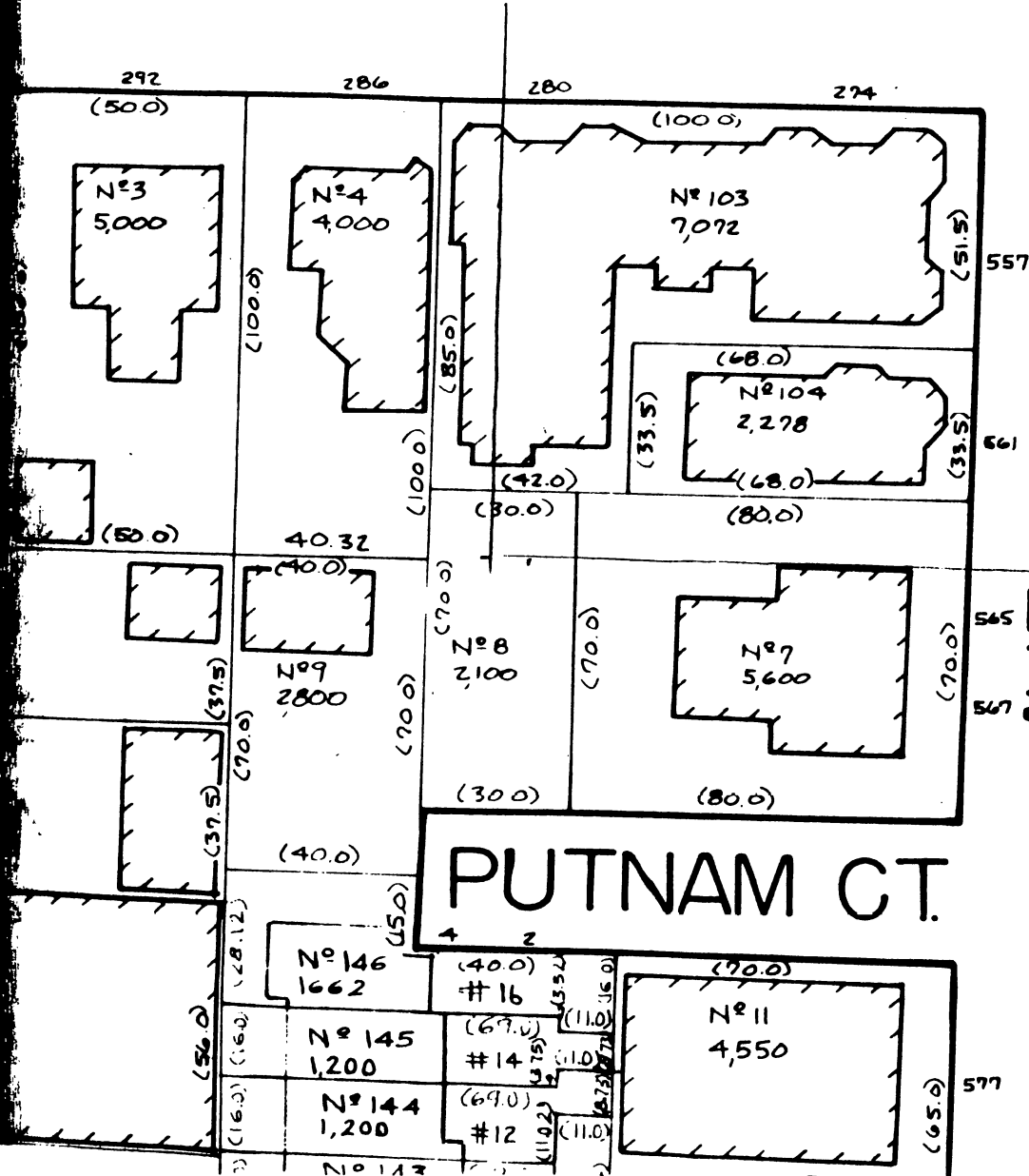
*6 3 0*

CCJR

Amend the Zoning Map  
as submitted such  
that lot numbered  
# 111 at 263 Brookline  
Street remains in its  
entirety outside the  
South Cambridge  
Affordable Housing Overlay  
District.

VIV  
9

# BROOKLINE



# PETERS

Proposed Amendments to the Lynch Petition as amended  
on September 16, 1991

A. Amendments relating to nonconforming uses in the residential zone.

1. In paragraph A 10 of the Lynch Petition delete in its entirety the existing language.

Add a new Section 11.307 as follows:

11.307      **ADDITIONAL USE PROVISIONS**

(A) **IT IS THE INTENT OF THIS SECTION 11.307 TO ENCOURAGE A GRADUAL EVOLUTION OF NON-RESIDENTIAL USES IN THE SOUTH CAMBRIDGEPORT AFFORDABLE HOUSING OVERLAY DISTRICT NOW HEAVILY NON-RESIDENTIAL IN CHARACTER, FROM THOSE LEAST IN HARMONY WITH THE ADJACENT RESIDENTIAL NEIGHBORHOOD AND THE RESIDENTIAL USES ULTIMATELY DESIRED IN THE DISTRICT, TO THOSE NON-RESIDENTIAL USES MOST COMPATIBLE WITH RESIDENTIAL USES AND ULTIMATELY TO RESIDENTIAL USES EXCLUSIVELY. THEREFORE, IN THE OVERLAY DISTRICT THE FOLLOWING ADDITIONAL USES NOT OTHERWISE PERMITTED IN THE BASE RESIDENCE C DISTRICT SHALL BE PERMITTED AS OF RIGHT, PROVIDED THE CONDITIONS SET FORTH BELOW ARE MET. NOTWITHSTANDING THE PROVISIONS OF SECTION 10.31, NO VARIANCE FOR USE SHALL BE PERMITTED IN THE SOUTH CAMBRIDGEPORT AFFORDABLE HOUSING OVERLAY DISTRICT. FOR THE PURPOSES OF ARTICLE 8.000 THE OVERLAY DISTRICT SHALL CONTINUE TO BE CONSIDERED A RESIDENTIAL DISTRICT AND THEREFORE SECTION 8.22, PARAGRAPHS A AND B SHALL NOT APPLY.**

**(1) ALL USES IN SECTION 4.34, OFFICE AND LABORATORY USES, SHALL BE PERMITTED BUT ONLY IF THE FOLLOWING CONDITIONS ARE MET:**

**A. THE LOT OR ANY BUILDING THEREON IS VACANT (OR ANY PORTION OF THE LOT OR BUILDING PROPOSED TO BE REUSED) AND NOT OCCUPIED BY A RESIDENTIAL USE IN THE FIVE YEARS IMMEDIATELY PRECEDING THE TIME OF APPLICATION FOR A CERTIFICATE OF OCCUPANCY FOR THE PROPOSED USE, OR IF OCCUPIED, THE CURRENT USE IS ANY**

*C. Mayed's  
minutes  
Adoption*

**OFFICE AND LABORATORY USE, SECTION 4.34; ANY RETAIL BUSINESS AND CONSUMER SERVICE ESTABLISHMENT, SECTION 4.35; ANY LIGHT INDUSTRY, WHOLESALE BUSINESS OR STORAGE USE, SECTION 4.37; OR ANY HEAVY INDUSTRY USE, SECTION 4.38.**

**(2) ALL USES IN SECTION 4.35, RETAIL BUSINESS AND CONSUMER SERVICE ESTABLISHMENTS, PARAGRAPHS A, C AND D SHALL BE PERMITTED, BUT ONLY IF THE FOLLOWING CONDITIONS ARE MET:**

**A. THE USE EXISTING AT THE TIME OF APPLICATION FOR A CERTIFICATE OF OCCUPANCY FOR THE PROPOSED NEW USE, OR THAT FIRST LEGALLY ESTABLISHED USE IMMEDIATELY PRECEDING THE APPLICATION FOR A PROPOSED NEW USE SHOULD THE PREMISES BE VACANT (PROVIDED THAT THE PREVIOUS USE WAS IN OPERATION WITHIN THE TWO YEARS IMMEDIATELY PRECEDING THE APPLICATION FOR A CERTIFICATE OF OCCUPANCY), IS ANY RETAIL BUSINESS AND CONSUMER SERVICE ESTABLISHMENT, SECTION 4.35; OR ANY LIGHT INDUSTRY, WHOLESALE BUSINESS AND STORAGE USE, SECTION 4.37; OR ANY HEAVY INDUSTRY USE, SECTION 4.38; AND**

**B. THE USE SHALL OCCUPY ONLY THAT GROSS FLOOR AREA MEETING THE USE LIMITATIONS OF PARAGRAPH A ABOVE.**

**(3) ALL USES IN SECTION 4.37, LIGHT INDUSTRY, WHOLESALE BUSINESS, AND STORAGE, PARAGRAPHS A AND B SHALL BE PERMITTED, BUT ONLY IF THE FOLLOWING CONDITIONS ARE MET:**

**A. THE USE EXISTING AT THE TIME OF APPLICATION FOR A CERTIFICATE OF OCCUPANCY FOR THE PROPOSED USE, OR THAT FIRST LEGALLY ESTABLISHED USE IMMEDIATELY PRECEDING THE APPLICATION FOR A CERTIFICATE OF OCCUPANCY FOR A PROPOSED NEW USE SHOULD THE PREMISES BE VACANT (PROVIDED THAT THE PREVIOUS USE WAS IN OPERATION WITHIN THE TWO YEARS IMMEDIATELY PRECEDING THE APPLICATION FOR A CERTIFICATE OF OCCUPANCY), IS LIGHT INDUSTRY,**

**WHOLESALE BUSINESS OR STORAGE USE, SECTION 4.37; OR ANY HEAVY INDUSTRY USE, SECTION 4.38; AND**

**B. THE USE SHALL OCCUPY ONLY THAT GROSS FLOOR AREA MEETING THE USE LIMITATIONS OF PARAGRAPH A ABOVE.**

v/v

C. Myers  
Mixed  
Adoption  
5.

**B. Amendments to the Affordable Housing Overlay**

In Section 11.305 add a new paragraph to read as follows:

(e) In granting a special permit under this Section 11.300, the Planning Board may allow for deviations from the requirements of paragraph (d) above to permit the use of any state or federal housing assistance program which may have requirements that differ from those imposed in this Section 11.305. In granting any deviations, however, the Planning Board shall find that the approved housing development continues to advance the purposes and intent of this Section 11.305, particularly with regard to the provision of **MIXED INCOME HOUSING WHERE THE AFFORDABLE UNITS SERVE HOUSEHOLDS WITH A RANGE OF INCOMES, INCLUDING THE VERY LOW INCOME CATEGORY, AND WITH REGARD TO THE RANGE OF SIZES FOR AFFORDABLE UNITS WHICH SHOULD BE SIMILAR TO THAT OF MARKET RATE UNITS.**

v/v

C. Myers  
Mixed  
Adoption  
15.

**IN SECTION 11.304 - DIMENSIONAL REQUIREMENTS, PARAGRAPH (B), DELETE THE SENTENCE BEGINNING WITH THE WORD "HOWEVER" AND SUBSTITUTE THEREFOR THE FOLLOWING SENTENCE:**

**HOWEVER, THE AGREED NUMBER OF SUCH AFFORDABLE UNITS SHALL BE AT LEAST SIXTEEN AND ONE HALF (16.5) PERCENT OF THE TOTAL NUMBER OF HOUSING UNITS ON THE LOT.**

v/v

C. Myers  
Mixed  
Adoption  
12.

**C. Amendments to Development Review.**

In Section 11.500, Cambridgeport Development Review, make the following changes:

(l) In Section 11.504.1, delete the second sentence and substitute therefor the following:

All development within the Cambridgeport Development Review Areas shall comply with the Development Consultation Procedures as specified in Section 11.40 except as herein modified in this Section 11.500.

v/v

(2) In Section 11.504.3, paragraph b., delete the first sentence and substitute therefor the following:

The Committee shall undertake all Large Project Review Procedures as specified in Section 11.44 in lieu of the Community Development Department and shall receive all applications for variances and special permits for activities within the Cambridgeport Development Review Areas for review and comment. **IN THAT AREA WHICH LIES SOUTHEASTERLY OF A LINE, WHICH LINE IS SOUTHEASTERLY OF, PARALLEL TO AND ONE HUNDRED FEET DISTANT FROM THE SOUTHEASTERLY SIDELINE OF BROOKLINE STREET, AND WHICH AREA ALSO LIES ONE HUNDRED FEET OR MORE FROM ANY ABUTTING RESIDENCE C OR RESIDENCE C-1 DISTRICT NOT SUBJECT TO THE PROVISIONS OF THIS SECTION 11.500 AND WHICH ALSO LIES SOUTHEASTERLY OF THAT LINE DESCRIBED ABOVE (BUT NOT INCLUDING ANY AREA WITHIN THE SOUTH CAMBRIDGEPORT AFFORDABLE HOUSING OVERLAY DISTRICT WHICH LIES WITHIN ONE HUNDRED (100) FEET OF ANY RESIDENTIAL USE), THE LARGE PROJECT REVIEW PROCEDURE SHALL BE REQUIRED ONLY FOR THOSE DEVELOPMENT PROPOSALS WHICH INCREASE THE GROSS FLOOR AREA BY TEN THOUSAND (10,000) SQUARE FEET IN A NEW BUILDING OR ADDITION TO AN EXISTING BUILDING.**

(3) In Section 11.504.3, paragraph c (2), add the following sentences:

The time periods specified above shall be in lieu of those required in Section 11.44, Large Project Review. Submittal shall be deemed to have occurred when all required documents have been submitted to the Community Development Department acting in its capacity as staff to the Committee.

(4) **IN SECTION 11.504.3 - CAMBRIDGEPORT ADVISORY COMMITTEE, PARAGRAPH D, SUBPARAGRAPH (1) A, DELETE ALL LANGUAGE AFTER THE WORD "PLANNER" SO THAT THE PARAGRAPH READS AS FOLLOWS**

**A. ONE MEMBER HAVING RECOGNIZED QUALIFICATIONS AS AN ATTORNEY OR CITY PLANNER.**

C. Toomey

In order to obtain a playing field large enough for a baseball field, soccer field and other sports and civic events, it will be necessary to amend the Lynch petition in the following way.

IN SECTION 11.404, SOUTH CAMBRIDGEPORT OPEN SPACE OVERLAY DISTRICT, MAKE THE FOLLOWING CHANGE:

IN SUBPARAGRAPH 3 (b), substitute "~~100,000~~ square feet" for "75,000 square feet".

~~100,000~~  
135,000

This is found on page 7 of the Lynch petition as amended September 16, 1991.

~~2.5 108,900~~

3.0 135,000

WV  
9

GARY BURKE  
3/4/91  
Wheeler  
MFg.

Appendix I

**MODIFICATIONS TO THE LYNCH PETITION  
AS RECOMMENDED BY THE PLANNING BOARD, SEPTEMBER 3, 1991**

1. In paragraph A 10 of the Lynch Petition delete in its entirety the existing language and substitute therefor the following:

8.26 Notwithstanding the limitations otherwise imposed in this Article 8.000, non-conforming uses and non-conforming structures may be extended and altered after the issuance of a special permit from the Board of Zoning Appeal in conformance with the provisions of Section 11.307 of the South Cambridgeport Affordable Housing Overlay District.

- ✓ 2. In Section 11.302 of the South Cambridgeport Affordable Housing Overlay District, delete the last sentence in the paragraph and substitute therefor the following:

The Planning Board may grant a special permit in said District for specific variations in the requirements of the Residence C base district as detailed in Section 11.304, provided all affordable housing requirements of this Section 11.300 are met.

- ✓ 3. In Section 11.303 of the South Cambridgeport Affordable Housing Overlay District, add the following phrase to the first sentence:

...except as may otherwise be permitted in Section 11.307 below.

- ✓ 4. Delete the phrase "the existing residential neighborhood" in Section 11.304, paragraph (c)(1) and substitute therefor a new phrase reading:

...any residential district not modified by this Section 11.300,...

5. In Section 11.305 add a new paragraph to read as follows:

(e) In granting a special permit under this Section 11.300, the Planning Board may allow for deviations from the requirements of paragraphs (a) - (d) above to permit the use of any state or federal housing assistance program which may have requirements that differ from those imposed in this Section 11.305. In granting any deviations, however, the Planning Board shall find that the approved housing development continues to advance the purposes and intent of this Section 11.305, particularly with regard to the provision of

housing for households with a wide range of incomes, including households with very low incomes.

6. Add a new Section 11.307 as follows:

**11.307 Extension of Non-Residential Structures and Alteration or Extension of Non-Residential Uses.**

(a) An extension of a principal use non-residential structure in existence as of January 1, 1991 shall be permitted by special permit from the Board of Zoning Appeal up to a maximum of twenty five percent (25%) of the gross floor area in existence in that structure on January 1, 1991 provided such extension is not in further violation of the dimensional requirements of Article 5.000 for the Residence C base district.

(b) A non-residential use in existence as of January 1, 1991 may be altered or extended by special permit from the Board of Zoning Appeal, including extension into the gross floor area permitted in paragraph (a) above, provided such extension or alteration shall be to one of the following non-residential uses: Table of Use Regulations, Sections 4.32 b,f, and g; 4.34 a-c; Section 4.35 a-e,q; and 4.37 a-c, f-k.

(c) In granting any special permit permitted in paragraphs (a) and (b) above, the Board of Zoning Appeal shall find that the alteration or extension shall not be substantially more detrimental to the neighborhood than the existing structure or use.

✓ 7. In the South Cambridgeport Open Space Overlay District, Section 11.404, delete in its entirety paragraph (l) and substitute therefor the following:

**Designated Development Lot** Notwithstanding the limitations imposed by the definition of lot in Article 2.000, gross floor area may be transferred from one lot to another lot within the South Cambridgeport Open Space Overlay District provided each lot is defined as a constituent lot of a Designated Development Lot, which shall be a lot or group of lots designated for unified development in the application for a special permit under this Section 11.400. No Designated Development Lot shall be smaller than 20,000 square feet. The constituent lots of a Designated Development Lot need not be under single ownership, nor contiguous. Constituent donating lot(s) which contribute FAR to a recipient lot may be anywhere within Special District VI. There is no minimum size for donating lots. Constituent recipient lot(s), which receive the FAR transferred within the

Designated Development Lot must be contiguous except in the area southeasterly of the railroad right of way that is parallel to Vassar street. A recipient lot may be anywhere within the Special District VI.

- ✓ 8. In Section 11.404, delete paragraph (2) in its entirety and substitute therefor the following:

(2) Minimum Requirements As a condition of the special permit for FAR transfer , any donating lot(s) must be relieved of all toxic contaminants which are subject to regulation under state and/or federal law. Except for additional FAR and heights as permitted herein, recipient lots shall be developed in compliance with all other requirements of the Special District VI.

- ✓ 9. In Section 11.404, paragraph (4), delete the phrase "development parcel" and substitute therefor the following:

...Designated Development Lot...

- ✓ 10. In Section 11.404, paragraph (4), subparagraph (c) 2. insert the following new phrase after the first occurrence of the phrase "one hundred (100) feet":

..., but not exceeding one hundred and eighty (180) feet,...

- ✓ 11. In Section 11.405, paragraph (2), insert the word "permanently" in the first sentence so that it reads as follows:

The donating lot(s) are offered to the City either as outright gift of land, or else via lease or appropriate legal contract conveying to the City the right to permanently use and make improvements to land consistent with the provisions therein.

12. In Section 11.500, Cambridgeport Development Review, make the following changes:

(l) In Section 11.504.1, delete the second sentence and substitute therefor the following:

All development within the Cambridgeport Development Review Areas shall comply with the Development Consultation Procedures as specified in Section 11.40 except as herein modified in this Section

11.500.

(2) In Section 11.504.3, paragraph b., delete the first sentence and substitute therefor the following:

The Committee shall undertake all Large Project Review Pocedures as specified in Section 11.44 in lieu of the Community Development Department and shall receive all applications for variances and special permits for activities within the Cambridgeport Development Review Areas for review and comment.

(3) In Section 11.504.3, paragraph c (2), add the following sentences:

The time periods specified above shall be in lieu of those required in Section 11.44, Large Project Review. Submittal shall be deemed to have occurred when all required documents have been submitted to the Community Development Department acting in its capacity as staff to the Committee.

✓ 13. In Section 17.53.2 - Front Yard Requirements in Special District V, delete the second paragraph in Subparagraph a.

✓ 14. In Section 17.62, paragraph b (2) and in Section 17.82, paragraph b (3) the existing language should be deleted in its entirety and the following substituted therefor (inserting the appropriate Section reference):

Office Uses, Section 4.34 c and d. For the purpose of this Section (17.62 in the first instance, 17.82 in the second instance) **Technical Office for Research and Development** shall mean those offices and similar facilities occupied by persons principally engaged in basic research or in the application of such research or knowledge derived therefrom to the development of products or processes that have academic or commercial applications. Any office activity not meeting the above definition shall be permitted only as an accessory use to permitted uses in the district and shall not exceed thirty three (33) percent of the total gross floor area authorized by building permit in the development.

#### ADDITIONS TO THE LYNCH PETITION

I. 5 Amend the Text of the Zoning Ordinance by deleting the existing footnote (d) in Section 5.32 - Office Districts, Table 5-2 and substituting therefor the following:

(d) Thirty-five (35) foot height limit within one hundred and twenty-five (125) feet of Residence B districts.

R6

In Article 3.000, Section 3.14, delete all reference to the Cambridgeport Interim Planning Overlay District.

# City of Cambridge

MASSACHUSETTS

In City Council Sept. 23 1991

*C. Myers - Moved Ordination of the Lynch et al Petition  
to Amend the zoning Ordinance. Relative to South  
Cambridgeport as Amended*

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr				
Mr. Francis H. Duehay				
Mr. Jonathan S. Myers				
Mr. Kenneth E. Reeves				
Mrs. Sheila T. Russell				
Mr. Walter J. Sullivan				
Mr. Timothy J. Toomey, Jr.				
Mr. William H. Walsh				
Mayor Alice K. Wolf				

**Appendix I**

**MODIFICATIONS TO THE LYNCH PETITION  
AS RECOMMENDED BY THE PLANNING BOARD, SEPTEMBER 3, 1991**

1. In paragraph A 10 of the Lynch Petition delete in its entirety the existing language and substitute therefor the following:

8.26 Notwithstanding the limitations otherwise imposed in this Article 8.000, non-conforming uses and non-conforming structures may be extended and altered after the issuance of a special permit from the Board of Zoning Appeal in conformance with the provisions of Section 11.307 of the South Cambridgeport Affordable Housing Overlay District.

2. In Section 11.302 of the South Cambridgeport Affordable Housing Overlay District, delete the last sentence in the paragraph and substitute therefor the following:

The Planning Board may grant a special permit in said District for specific variations in the requirements of the Residence C base district as detailed in Section 11.304, provided all affordable housing requirements of this Section 11.300 are met.

3. In Section 11.303 of the South Cambridgeport Affordable Housing Overlay District, add the following phrase to the first sentence:

...except as may otherwise be permitted in Section 11.307 below.

4. Delete the phrase "the existing residential neighborhood" in Section 11.304, paragraph (c)(1) and substitute therefor a new phrase reading:

...any residential district not modified by this Section 11.300,...

5. In Section 11.305 add a new paragraph to read as follows:

(e) In granting a special permit under this Section 11.300, the Planning Board may allow for deviations from the requirements of paragraphs (a) - (d) above to permit the use of any state or federal housing assistance program which may have requirements that differ from those imposed in this Section 11.305. In granting any deviations, however, the Planning Board shall find that the approved housing development continues to advance the purposes and intent of this Section 11.305, particularly with regard to the provision of

housing for households with a wide range of incomes, including households with very low incomes.

6. Add a new Section 11.307 as follows:

**11.307 Extension of Non-Residential Structures and Alteration or Extension of Non-Residential Uses.**

(a) An extension of a principal use non-residential structure in existence as of January 1, 1991 shall be permitted by special permit from the Board of Zoning Appeal up to a maximum of twenty five percent (25%) of the gross floor area in existence in that structure on January 1, 1991 provided such extension is not in further violation of the dimensional requirements of Article 5.000 for the Residence C base district.

(b) A non-residential use in existence as of January 1, 1991 may be altered or extended by special permit from the Board of Zoning Appeal, including extension into the gross floor area permitted in paragraph (a) above, provided such extension or alteration shall be to one of the following non-residential uses: Table of Use Regulations, Sections 4.32 b,f, and g; 4.34 a-c; Section 4.35 a-e,q; and 4.37 a-c, f-k.

(c) In granting any special permit permitted in paragraphs (a) and (b) above, the Board of Zoning Appeal shall find that the alteration or extension shall not be substantially more detrimental to the neighborhood than the existing structure or use.

7. In the South Cambridgeport Open Space Overlay District, Section 11.404, delete in its entirety paragraph (l) and substitute therefor the following:

Designated Development Lot Notwithstanding the limitations imposed by the definition of lot in Article 2.000, gross floor area may be transferred from one lot to another lot within the South Cambridgeport Open Space Overlay District provided each lot is defined as a constituent lot of a Designated Development Lot, which shall be a lot or group of lots designated for unified development in the application for a special permit under this Section 11.400. No Designated Development Lot shall be smaller than 20,000 square feet. The constituent lots of a Designated Development Lot need not be under single ownership, nor contiguous. Constituent donating lot(s) which contribute FAR to a recipient lot may be anywhere within Special District VI. There is no minimum size for donating lots. Constituent recipient lot(s), which receive the FAR transferred within the

Designated Development Lot must be contiguous except in the area southeasterly of the railroad right of way that is parallel to Vassar street. A recipient lot may be anywhere within the Special District VI.

8. In Section 11.404, delete paragraph (2) in its entirety and substitute therefor the following:

(2) Minimum Requirements As a condition of the special permit for FAR transfer , any donating lot(s) must be relieved of all toxic contaminants which are subject to regulation under state and/or federal law. Except for additional FAR and heights as permitted herein, recipient lots shall be developed in compliance with all other requirements of the Special District VI.

9. In Section 11.404, paragraph (4), delete the phrase "development parcel" and substitute therefor the following:

...Designated Development Lot...

10. In Section 11.404, paragraph (4), subparagraph (c) 2. insert the following new phrase after the first occurrence of the phrase "one hundred (100) feet":

..., but not exceeding one hundred and eighty (180) feet,...

11. In Section 11.405, paragraph (2), insert the word "permanently" in the first sentence so that it reads as follows:

The donating lot(s) are offered to the City either as outright gift of land, or else via lease or appropriate legal contract conveying to the City the right to permanently use and make improvements to land consistent with the provisions therein.

12. In Section 11.500, Cambridgeport Development Review, make the following changes:

(l) In Section 11.504.1, delete the second sentence and substitute therefor the following:

All development within the Cambridgeport Development Review Areas shall comply with the Development Consultation Procedures as specified in Section 11.40 except as herein modified in this Section

11.500.

(2) In Section 11.504.3, paragraph b., delete the first sentence and substitute therefor the following:

The Committee shall undertake all Large Project Review Pocedures as specified in Section 11.44 in lieu of the Community Development Department and shall receive all applications for variances and special permits for activities within the Cambridgeport Development Review Areas for review and comment.

(3) In Section 11.504.3, paragraph c (2), add the following sentences:

The time periods specified above shall be in lieu of those required in Section 11.44, Large Project Review. Submittal shall be deemed to have occurred when all required documents have been submitted to the Community Development Department acting in its capacity as staff to the Committee.

✓ 13. In Section 17.53.2 - Front Yard Requirements in Special District V, delete the second paragraph in Subparagraph a.

✓ 14. In Section 17.62, paragraph b (2) and in Section 17.82, paragraph b (3) the existing language should be deleted in its entirety and the following substituted therefor (inserting the appropriate Section reference):

Office Uses, Section 4.34 c and d. For the purpose of this Section (17.62 in the first instance, 17.82 in the second instance) **Technical Office for Research and Development** shall mean those offices and similar facilities occupied by persons principally engaged in basic research or in the application of such research or knowledge derived therefrom to the development of products or processes that have academic or commercial applications. Any office activity not meeting the above definition shall be permitted only as an accessory use to permitted uses in the district and shall not exceed thirty three (33) percent of the total gross floor area authorized by building permit in the development.

#### ADDITIONS TO THE LYNCH PETITION

⑤ i. Amend the Text of the Zoning Ordinance by deleting the existing footnote (d) in Section 5.32 - Office Districts, Table 5-2 and substituting therefor the following:

(d) Thirty-five (35) foot height limit within one hundred and twenty-five (125) feet of Residence B districts.

2. In Article 3.000, Section 3.14, delete all reference to the Cambridgeport Interim Planning Overlay District.

16



CITY OF CAMBRIDGE  
CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300  
FAX 349-4307

EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

RICHARD C. ROSSI  
Deputy City Manager

September 16, 1991

To the Honorable, the City Council:

Attached please find the Planning Board's analysis of and recommendations on the two Cambridgeport zoning proposals: the Planning Board Petition and the Lynch Petition.

Very truly yours,

Robert W. Healy  
City Manager

Attachments



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

September 3, 1991

To the Honorable, the City Council:

Attached is the Planning Board's analysis of the two Cambridgeport zoning proposals and recommendation in support of the Planning Board petition. The following is a brief summary of the planning goals for the area, the two zoning approaches and the Planning Board's conclusions.

## 1. Promote development of both market rate and affordable housing.

### Planning Board Petition:

- Creates mixed use districts which allow market rate housing throughout the Cambridgeport area.
- Provides FAR and height incentives for affordable housing.

### Lynch Petition:

- Allows market rate housing in all districts with one exception.
- Creates new residential districts, with provisions to address nonconformity and expansion issues raised by business owners.
- Provides FAR incentives for affordable housing.

### Conclusions:

- The Lynch petition's provisions for expansion of nonconforming uses are not consistent with the requirements of M.G.L. c.40A.
- The Board's mixed use approach allows housing without creating nonconformities for existing businesses.
- The Planning Board's affordable housing strategy is more likely to produce affordable housing in a market environment and, with public subsidies, produce affordable housing at a rate comparable to the Lynch petition.

## 2. Facilitate the creation of open space.

### Planning Board Petition:

- Allows for transfer of development rights to make land available for open space.

### Lynch Petition:

- Allows for a transfer of development rights.
- Provides FAR bonuses in some circumstances.
- Requires that the donating site be rezoned as open space.

**Conclusions:**

- Even with the bonuses, it is unlikely that the amount of development allowed by the Planning Board in the Purrington to Vassar St. area could be achieved by the Lynch petition.
- The Lynch petition's required open space rezoning may jeopardize future use of development rights. The Planning Board model protects those rights and is therefore more likely to be successful.

**3. Preserve and provide for expansion of existing businesses, including light industrial uses.****Planning Board Petition:**

- Creates mixed use districts which allow industrial and commercial uses as-of-right.

**Lynch Petition:**

- Creates mixed use districts.
- Creates a light industry/R&D zone.

**Conclusions:**

- The Lynch petition would rezone parts of the industrial district as a residential zone making all conforming businesses nonconforming. The Planning Board allows these businesses to continue as-of-right.
- The light industry/R&D zone will be difficult to enforce since many R&D uses are difficult to differentiate from office uses.

**4. Limit height and densities in areas abutting existing residential areas, permitting greater height and density east of Sidney Street.****Planning Board and Lynch Petitions:**

- Both petitions generally meet this goal.

**Conclusions:**

- Much of the area proposed for rezoning is currently a 4.0 FAR with no height limit.
- The Lynch petition is generally more restrictive.
- The densities allowed in the Planning Board petition are more equitable, allow for some expansion, and provide incentives for affordable housing. It also appears that the traffic generated by the Board's petition will not exceed that generated by the Lynch proposal.

**5. Minimize the traffic impacts of new development by limiting commercial growth and encouraging housing.****Planning Board and Lynch Petitions:**

- Both petitions significantly downzone the district, encourage housing and limit maximum parking.

**Conclusions:**

- It appears that there is little difference in the amount of traffic generated by the two proposals.



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

September 3, 1991

To the Honorable, the City Council:

**SUBJECT:** Planning Board Recommendation on the Rezoning Petitions by the Planning Board and Lynch, et al Affecting the Area Covered by the Former Cambridgeport Interim Planning Overlay District

## Recommendation

The Planning Board has recently concluded a sixteen month planning process, following up on the work of the Cambridgeport Rezoning Advisory Committee, to develop a rezoning petition for the former Cambridgeport Interim Planning Overlay District. Since May of this year, the Board has considered the merits of two rezoning proposals for the area, one submitted by the Planning Board, the other by Margaret Lynch, et al.

Throughout the many months of discussion there has been unanimous agreement by all parties on five planning goals for this district. While there are similarities between the two zoning petitions, there are also key differences in the methods proposed for achieving these goals.

**After careful consideration of the two petitions and the issues they raise, the Board recommends adoption of the Planning Board petition for the former Cambridgeport Interim Planning Overlay District, with modest technical and substantive changes as noted.** In our opinion, the Board's petition better addresses the diverse, and sometimes competing goals, established for this area. It is our belief that the petition will allow for an orderly transition from a heavy industrial zone to one which provides for a mix of uses including both market rate and affordable housing, allows for expansion of existing businesses in the district, reduces traffic impacts on the Cambridgeport residential area and provides opportunities for new open space.

The following is a summary of the major land use goals established for the Cambridgeport Industrial District, and generally endorsed by all groups, and a comparison of the different approaches the Planning Board and Lynch petitions recommend as methods to achieve those goals. In addition, the Planning Board has

enclosed summary charts (Attachment 1) which compare the dimensional requirements of the two petitions, as originally filed, and the language of the zoning text.

### **Rezoning Goals and Approaches**

#### **1. Promote development of both market rate and affordable housing.**

**Planning Board Petition.** The Planning Board's petition allows for market rate housing in all of the proposed districts. Three of the districts, two along Brookline Street and the other along Henry, are proposed as residential designations. Because of the industrial and commercial nature of the remaining area, the Planning Board allows for a mix of uses in all other districts, with market rate housing allowed at the same FAR as other permitted uses.

The Board's petition also provides FAR and/or height incentives for affordable housing in all districts with the exception of the Mass. Ave. and Vassar Street corridors. The areas on Brookline and Henry Streets, proposed as Residence C zoning, include the affordable housing provisions of the Residence C base district. In all other districts, the additional FAR and height can be achieved through a special permit process for projects which are at least 50% residential with 10% of the units affordable. An additional 5% of the units must be offered to the City for a total of 15% affordable units.

Dormitories are allowed in Cambridgeport Overlay Districts A, B and C, Special District V (area along Memorial Drive) and along the Vassar Street corridor.

**Lynch Petition.** The Lynch petition allows for market rate housing in all of its proposed districts with the exception of the IB-3 zone. Two areas are proposed for Residence C zoning, the Brookline to Sidney Street corridor (including parcels east of Sidney and west of Grove Avenue) and the area adjacent to Henry Street. Each of these areas allows market rate housing at a .6 FAR.

The South Cambridgeport Affordable Housing Overlay District establishes incentives and the affordable housing requirements to obtain those incentives. Through a special permit process, additional FAR over the base of 0.6 may be allowed in the proportion of 0.023 additional FAR for every one percent of the total number of units which will be affordable. At a minimum, 20% of the units on a lot must be affordable.

The Lynch petition allows dormitories along the Vassar Street corridor and in Special Districts VI (east of Sidney and north of Erie) and Special District VIII (area around Fort Washington). Dormitories are also allowed in Special District V, but only at a 1.5 FAR.

**Analysis.** The petitions present two very different alternatives for promoting the development of both market rate and affordable housing.

- A. The Lynch proposal incorporates a larger geographic area in its proposed residential district from Brookline to Sidney Street and would rezone several light industrial and commercial uses which are currently conforming. The proposal includes language to address issues of nonconformity and expansion of the existing businesses. However, these provisions appear contrary to the legal requirements of M.G.L. Chapter 40A, as discussed in Sandra Shapiro's August 14, 1991 letter to the Planning Board (Attachment 2). As a result, the Planning Board must recommend against this approach. (See Planning Board recommended changes to Lynch petition, Items 1, 3 and 6).

The Planning Board's proposal does not raise the issue of nonconformity for that portion of the corridor proposed as an Industry A-1 district. The mixed use approach allows and encourages the development of affordable housing while at the same time preserving existing businesses, another of the planning goals for this area.

However, the Board's original proposal to rezone the Business A zone on Brookline Street to a Residence C-1 zone would limit future use of these sites to the grandfathered use or housing. This will create hardships for the existing businesses, even though most are already nonconforming, by reducing future reuse options. Under current zoning, these properties could convert to retail, office or residential uses. As a result, the Board is recommending new language for this zoning district which will maintain some of the Business A flexibility while encouraging the transition to housing over time. (See Planning Board's recommended changes to the Planning Board petition, Item 8).

- B. The Lynch proposal also establishes affordable housing requirements greater than those required by the Planning Board petition. An analysis of the Lynch Petition's housing provisions prepared by the Community Development Department (see Attachment 3, memo to Michael Rosenberg dated July 22, 1991), indicates that it is very unlikely that currently built-up non-residential sites will be converted to housing at the .6 FAR base density or that owners would take advantage of the incentive provisions for affordable housing. Neither the market rate nor the affordable housing provisions provide adequate internal financial incentive for an owner to convert from uses currently on the site or to assume the burden of the additional affordable requirements. Public housing subsidies would greatly assist this model. However, the future of Federal and State housing subsidies is dim at best.

The lack of adequate internal subsidies in the Lynch petition is further supported by the conclusions of an analysis done on the Planning Board's 10% affordability requirement (Attachment 4). That analysis indicates that even at the 10% level, up to 50% of the project needs to be developed as commercial use to make the option financially competitive with a commercial project at the 1.25 FAR. From our

review of these analyses, it is clear that the Planning Board's petition is more likely to produce affordable housing in a market environment. Since we cannot predict the future of public housing subsidies, the Board believes that this model will better achieve the housing goals for the Cambridgeport area and, with the availability of public subsidies, produce affordable housing at a rate comparable to the Lynch petition objectives.

The Planning Board petition is also preferred because it permits development of dormitory uses to a greater extent than the Lynch petition. Should dormitories be developed in this area, they will reduce the demand on existing, as well as on any new, affordable housing in Cambridgeport and elsewhere in the City.

## **2. Facilitate the creation of open space.**

**Planning Board Petition.** The Planning Board proposal allows for a transfer of development rights to make land available for open space. The petition provides the opportunity to provide large as well as smaller facilities but establishes a minimum size of 20,000 square feet. The major provisions of the Planning Board's proposal are included in the zoning summary charts.

**Lynch Petition.** The Lynch petition also allows for the transfer of development rights for open space. In addition, it provides for FAR bonuses, depending on the size of open space and location of the receiving site, has no minimum size for the open space and requires that the donating site be rezoned as open space. The major provisions of the Lynch petition are also summarized on the attached chart.

**Analysis.** The petitions propose different geographic areas for the location of the donating and receiving sites as shown on the summary chart. The Planning Board's petition would allow open space to be created in an area extending from upper Brookline Street to the railroad tracks. The Lynch petition allows for open space east of Sidney Street and north of Merriam, extending to Vassar Street.

Throughout our discussions and in those held by the Advisory Committee, interest was expressed in creating open space near existing residential areas to provide access to current neighborhood residents. The Planning Board petition better achieves this goal by allowing open space to be developed in areas closer to the neighborhood as well as in areas farther away.

Although the Lynch petition offers FAR bonuses under certain circumstances, the as-of-right development permitted in the base district is very limited. Even with the bonuses, it is unlikely that the amount of development allowed by the Planning Board in the Purrington to Vassar Street area could be achieved by the Lynch petition.

In addition, the Lynch petition's required rezoning of the donating site may present timing

problems for the use of the development rights. If an owner is unable to use all of the transfer rights by the time the open space is rezoned, these rights could be negated by a future rezoning. The Planning Board petition requires that the open space be placed under the control of the City through some legal mechanism but allows for this to happen incrementally as development rights are used. Since the Board's model provides a mechanism to protect the development rights, it is more likely to be successful in achieving new open space.

**3. Preserve and provide for expansion of the existing businesses, including light industrial uses.**

**Planning Board Petition.** The Planning Board's proposal addresses this goal by creating mixed use zoning districts which allow light industrial and commercial uses to continue as of right. Non-residential FARs, ranging from 1.25 to a 3.0, are generally higher than what actually exists on affected sites, therefore allowing for some expansion.

**Lynch Petition.** The Lynch petition proposes two methods for addressing this goal: mixed use districts and a light industry/R&D zone. As in the Planning Board proposal, the mixed use districts recommend FAR's ranging from 1.25 to 3.0. The IB-3 zone, as proposed, prohibits residential uses and places restrictions on general office use. It allows a 1.0 FAR.

**Analysis.** Two substantive differences exist between the two approaches for preserving and providing for expansion of the existing businesses.

First, the Planning Board's mixed use approach includes businesses in the Brookline to Sidney Street corridor which are proposed for residential zoning in the Lynch petition. The Planning Board petition as filed permits most of these businesses to continue as-of-right. In addition the Board is recommending changes to upper Brookline Street to minimize hardship on existing businesses in this area.

The Lynch petition's approach to the Brookline to Sidney Street corridor will make all conforming businesses in this area nonconforming. This will create serious financial hardship for business owners by making it extremely difficult, if not impossible, for them to expand or sell their businesses. The Lynch petitioners recognize this issue and have addressed it in their proposal. However, as discussed in Item 1 above, the Planning Board must recommend against the approach as the proposed provisions regarding nonconformity and expansion of existing uses do not appear to meet the requirements of M.G.L. c.40A.

Second, the Lynch petition establishes a light industry/R&D zone. The Planning Board deliberated the merits of including such a zone in its petition and decided against it. R&D uses are extremely varied and are often difficult to differentiate from office uses. Though the Board considered definitions for R&D uses and limitations on general office use, these

approaches created ambiguities which would make enforcement of the provisions difficult at best.

In addition, a substantial portion of the proposed light industry/R&D zone in the Lynch petition is owned by MIT and would allow institutional uses as well. Since MIT has expressed an interest in developing housing in this area, it is unlikely that this proposed zone will achieve its intended objective.

**4. Limit heights and densities in those areas abutting the existing residential neighborhood, permitting additional height and density east of Sidney Street.**

**Planning Board Petition.** The Planning Board petition significantly reduces FARs and establishes height limits throughout the district, meeting the above stated goal by establishing the lowest densities and heights adjacent to residential areas. Additional height and density is permitted east of Sidney Street.

**Lynch Petition.** The Lynch petition is similar to the Planning Board's in that it limits heights and densities adjacent to residential areas and permits greater heights and densities east of Sidney Street.

**Analysis.** The proposed FARs and heights vary somewhat throughout the district with a few important exceptions.

- A. The Lynch petition limits as-of-right FAR west of Sidney Street to a .6. Additional FAR, to a maximum of 1.75, is allowed only if affordable housing requirements are met. The Planning Board petition establishes several base FARs for this corridor ranging from .6 to a 1.25.
- B. The IB-3 zone east of Sidney Street is limited to a 1.0 FAR in the Lynch petition. The Planning Board proposal establishes a 1.25 base FAR and allows up to 1.75 FAR for affordable housing.
- C. The Planning Board petition recommends a 3.0 FAR and heights of 100' to 180' for the upper portion of the Vassar Street corridor. The Lynch petition proposes an FAR of 1.25 and a height of 45'.
- D. The Planning Board petition recommends an extension of the Business B/Central Square Overlay District for the block west of Lansdowne Street on Massachusetts Avenue. This allows a 3.0 FAR and heights ranging from 55'-80'. The Lynch petition proposes to rezone the area to a Business A district with an FAR of 1.0 and a 35' height limit. This district permits residential uses at a 1.75 FAR with an 85' height limit.
- E. The Planning Board petition recommends a 1.25 FAR and 45' height limit in the

base district for lower Vassar Street (the area behind the Hyatt Hotel). The Overlay District allows an increase in FAR to 1.75 for affordable housing and dormitory uses and grants additional height up to 60'. The Lynch petition proposes an 85' height limit and FARs of 1.5 for commercial and market rate residential uses and a 2.0 for affordable housing.

In establishing FAR and height restrictions, the Planning Board considered issues of equity, the desire to allow for some expansion of the existing businesses, the desire to develop incentives for affordable housing and the need to reduce densities to minimize traffic impacts.

Much of the area proposed for rezoning is currently a 4.0 FAR with no height limit. In the areas mentioned in A through D above, the Lynch petition is more restrictive than the Planning Board's and will have a greater impact on land values and on the ability of the existing businesses to expand. In addition, the proposed zoning for upper Vassar Street will restrict MIT's ability to meet their housing needs in this area.

The densities permitted in the Planning Board petition are more equitable, allow for some expansion, and provide incentives for affordable housing. As discussed in item 5 below, it also appears that the traffic generated by the Planning Board's petition will not exceed that generated by the Lynch proposal.

In item E above, the Lynch petition is less restrictive than the Planning Board's. The Lynch petitioners, and property owners in this area, feel that the district relates more to the Office District along Memorial Drive than to the areas west of the railroad tracks. Based on our discussions, the Planning Board is recommending adoption of the Lynch petition's floor area limits but retains the height limits proposed by the Board. (See Planning Board's recommended changes to the Planning Board petition, Item 6).

**5. Minimize the traffic impacts of new development by limiting commercial growth and encouraging housing.**

**Planning Board Petition.** The Planning Board petition significantly downzones the Cambridgeport Industrial District much of which is currently zoned IB with a 4.0 FAR and no height limit. Incentives are given to promote housing which will generate less peak hour traffic. In addition, the petition limits the maximum parking ratio in much of the area to 1.5 spaces per thousand to further limit traffic in the area.

**Lynch Petition.** The Lynch petition also significantly downzones the Cambridgeport Industrial District. As noted above, the proposed FARs for some areas are more restrictive than the Planning Board's proposal. In addition, a larger geographic area is zoned for housing. The proposal also incorporates restrictions on parking similar to those proposed by the Planning Board.

**Analysis.** Trip generation numbers have been run for both the Planning Board and the Lynch petitions. Two major differences are evident from our analysis. First, the Lynch petition, as interpreted by the petitioner, would result in approximately twice as much housing as the Planning Board petition as interpreted by Community Development staff. On the other hand, the Planning Board petition would result in approximately twice as much manufacturing/R&D development as the Lynch petition. However, since the trip generation rates for these two land uses are similar, the differences do not result in any significant difference in total trip generation, although the Planning Board petition numbers are slightly higher.

The significant difference in trip generation results from the amount of retail space projected for each petition. The analysis provided by the Lynch petitioners indicate that the district will contain 400,000 square feet of retail space as opposed to the Community Development Department projection of only 80,000 square feet for the Planning Board petition. Since retail uses generate a large amount of vehicle trips, this results in a situation where the Lynch petition will generate significantly more vehicle trips than the Planning Board petition.

However, the Lynch petition's retail projections were obtained through a formula which assumed an equal mix of uses permitted in certain districts. When converted to square feet, this approach results in the projected 400,000 square feet of retail. Based on our discussions, the Planning Board believes that neither the Community Development Department nor the Lynch petitioners expect this amount of retail to be developed. However, the excess retail square footage would need to be redistributed to other uses.

If the Lynch proposal was reduced to 100,000 or less square feet, there would no longer be a significant difference in vehicle trip generation between the two proposals.

Since the Planning Board petition appears to generate approximately the same amount of traffic as the Lynch petition, with an adjusted retail projection, and better addresses the other planning goals for the area, the Board recommends that its petition be adopted.

### **Other Issues**

The Planning Board and the Lynch petitions also differ in the composition of the proposed Cambridgeport Advisory Committee. The Lynch petition recommends that membership consist of a chair, two business representatives and four members representing residents of the Cambridgeport neighborhood. The Planning Board petition recommends that the committee consist of a chair and three representatives each of the business and residential communities.

The composition of the Advisory Committee as recommended by the Planning Board is the same as both the Harvard Square and Central Square Advisory Committees and is balanced in representation between businesses and residents. Since this model has

been successful, the Planning Board recommends that it be used in Cambridgeport as well.

Both petitions propose a 2,000 square foot threshold for project review. Based on our discussions it appears that this threshold is unnecessarily restrictive. The Board is therefore recommending a two tier approach. The 2,000 square foot threshold will apply to any project located within 100 feet of an existing residential district. A 10,000 square foot threshold is proposed for all other projects.

### **Recommended Technical Changes**

In addition to our overall recommendation in support of the Planning Board Petition, the Board also recommends a series of technical modifications to both the Planning Board and Lynch Petitions.

#### **Lynch Petition**

The following changes to the text of the Lynch Petition are recommended by the Planning Board should the City Council choose to adopt it. For the most part the changes are made to clarify the intent of several specific provisions of the Petition without altering their regulatory substance, or in limited cases to alter the substance where concern has been raised with regard to the legality of the existing provision. While the Planning Board has not recommended the adoption of the Lynch Petition for the reasons outlined above, should it be adopted the resulting regulations would be a more effective and enforceable if the following changes were adopted. **[See Appendix I for the specific proposed language. The numbers in the Appendix correspond to the numbers following]**

**1. Creation of a new Section 8.26 Regulating Non-conformity in the South Cambridgeport Affordable Housing Overlay District.**

In combination with changes proposed in Items 3 and 6 below, the Planning Board recommends that this provision dealing with treatment of the many non-conforming non-residential uses in the Housing Overlay District be changed both in substance and format. The change proposed here is merely a technical one, moving the special and substantive regulatory details from the general Article 8.000 location to the specific Section 11.300 location where they apply exclusively. The language in this Item 1 simply notes in Article 8.000, the general non-conforming section of the Zoning Ordinance, that certain non-conforming regulations applicable only to the Housing Overlay District exist and that the substance of those special regulations can be found in Section 11.300 where they will be most easily noted by those to whom they apply.

**2. In Section 11.302 - Applicability Section of the Housing Overlay District.**

This is purely technical language to make clear the specific intent of the Overlay District.

**3. In Section 11.303 - Use Regulations of the Housing Overlay District.**

A technical change consistent with the changes proposed in Items 1 and 6, indicating that there are provisions in the Overlay District, detailed elsewhere, with regard to non-residential uses.

**4. In Section 11.304 - Dimensional Requirements of the Housing Overlay District.**

The phrase "existing residential neighborhood" has no enforceable regulatory meaning. The recommendation is to substitute a phrase which does have meaning within the context of the Zoning Ordinance.

**5. In Section 11.305 - Affordable Housing Requirements of the Housing Overlay District.**

The very specific schedule of unit sizes, sequence of units to be provided for specific household incomes, and other requirements contained in this Section could make it virtually impossible for anyone developing housing to use the very public subsidy programs that would make it possible to achieve the results desired by the Housing Overlay District. As all subsidy programs invariably have their own requirements and are frequently competitive between communities, the more inflexible and mismatched the zoning requirements are the more likely the subsidy program cannot be employed or made competitive in Cambridge if it could be applied. The recommended language would permit the Planning Board, in considering a special permit under the provisions of the Housing Overlay District, to waive the specific requirements which conflict if the project meets the overall intent of the Overlay District.

**6. Addition of a New Section 11.307 - Non-conforming Uses and Structures.**

A companion to the changes proposed in Items 1 and 3, the new section recommended here would significantly alter the non-conforming provisions proposed for the Housing Overlay District in the Petition as filed. The changes are proposed to address legal concerns raised throughout the hearing process; specifically that the existing provisions are (1) inconsistent with the requirements of Chapter 40A which mandate that changes to non-conforming structures and uses be permitted only after issuance of a permit and a finding by the Board of Zoning Appeal that the changes are not more detrimental than the existing circumstances and (2) inconsistent with other provisions of Chapter 40A requiring uniform application of zoning district regulations to all property owners within a district. The changes recommended here by the Board (1) require a special permit

process before the Board of Zoning Appeal when non-residential uses are changed or buildings altered and (2) eliminate the provision in the petition allowing structures to be expanded by twenty- five percent without reference to the FAR limits in the base district. As modified by the Planning Board expansion is permitted to occur only up to the gross floor area limit imposed in the base district (Residence C) regulations.

**7. In Section 11.404 - Definition of Development Parcel in the South Cambridgeport Open Space Overlay District.**

The term "Development Parcel" is used in the Lynch Petition to refer to the multiple lots, which may not be contiguous and may be in separate ownership, between which transfer of development potential may occur in order to secure public open space. In the Zoning Ordinance "Development Parcel" has a specific meaning related to planned unit developments. To eliminate any confusion the Planning Board is recommending that a term specific to the Open Space Overlay District be used, and is recommending the term "Designated Development Lot". Some additional clarifying language is proposed but no substantive change is made to regulatory features of the paragraph.

**8. In Section 11.404 - Minimum Requirements in the Open Space Overlay District.**

The Planning Board recommendation is to delete reference to the requirement in this paragraph that the created open space be rezoned to the Open Space District designation before issuance of a special permit and that that zoning be in place for twenty-five years. As a property owner cannot bind the City Council to any rezoning action it is a condition that is not within the power of a special permit applicant to meet and therefore is unreasonable and probably unenforceable as a condition.

**9. In Section 11.404 - Open Space Overlay District.**

The term "Designated Development Lot" is substituted for the term in the Lynch Petition "Development Parcel"; a companion change to that recommended in Item 7.

**10. In Section 11.404 - Open Space Overlay District.**

A phrase is inserted to make it clear that one hundred and eighty feet is the maximum height permitted in the District.

**11. In Section 11.404 - Open Space Overlay District.**

The word "permanently" is inserted to make it clear that any open space created as part of any special permit issued in the Open Space Overlay District will remain in the effective possession of the City on a permanent basis.

**12. In Section 11.500 - Cambridgeport Development Review.**

A series of clarifications are made in the text of this Section to assure property owners that the Review Committee's responsibilities are as outlined in the existing Section 11.40 - Development Consultation Procedure. The changes make it clear that the Committee is acting in place of the Community Development Department, not in addition to its review; that the time for consideration is limited to thirty days unless the applicant agrees to an extension; and that a building permit may be sought after the time limits established in Section 11.500 have elapsed.

**13. In Section 17.53.2 - Yard Requirements in the Special District V.**

The second paragraph in Subparagraph a is deleted. See the discussion of the same deletion in the recommendations for changes to the Planning Board Petition.

**14. In Sections 17.62 and 17.82 - Office Uses Permitted in Special Districts VI and VIII.**

Additional language is added to make clear that in these two districts general office uses are permitted only as accessory uses to other permitted uses.

**15. Table 5-2 - Footnote to the Office 2 Dimensional Requirements.**

This change, which affects the Special District V created in both the Lynch and Planning Board Petitions, is included in the Planning Board Petition but was inadvertently omitted in the Lynch Petition. The proposed change to the footnote would retain the very restrictive height limit in the Office 2 District (used as the base district in the Special District V) only in that area of Alewife for which it was initially created. The very restrictive height is not intended or desired by the Planning Board or the Lynch petitioners in the Special District V.

**16. In Article 3.000 - References to the Interim Planning Overlay District in Cambridgeport.**

The Interim Overlay District no longer exists although the text technically still appears in the Zoning Ordinance. This addition to the Lynch Petition, contained in the Planning Board Petition as well, would simply delete all unnecessary language from the printed Zoning Ordinance.

## **Planning Board Petition**

The Planning Board is recommending a number of changes to its own petition. As is the case with the Lynch Petition, most of the changes are purely technical and in many cases parallel those proposed in the Lynch Petition where the petitions are very similar. The changes to the Planning Board Petition have been incorporated into the text and are indicated by bold type. **[See Appendix II for the full, revised text of the Planning Board Petition with the changes noted in bold upper case type]**

**1. In Section 17.53.4 - Height Limitations in the Special District V.**

Text is inserted to identify the base height from which additional height may be allowed by special permit.

**2. In Section 17.53.3 - Yard Requirements in the Special District V.**

The second paragraph in Subsection 17.53.3 a is deleted. Proposed regulations elsewhere in the petition create similar non-conformity issues. It seems wise to achieve the objective of this paragraph through a city-wide modification to Article 8.000 as has already been proposed by the Council.

**3. In Section 17.63.2 b - Height Limits in the Special District VI.**

Text is inserted to clarify that one hundred and eighty feet is the maximum height permitted in the district.

**4. In Section 11.504 - General Provisions Applicable to All Cambridgeport Overlay Districts.**

A series of additions are made to the text, paralleling those made in the Lynch Petition, clarifying the procedures applicable to the advisory committee. In addition the threshold for the large project review procedure is increased for those portions of the Overlay Districts located more than one hundred feet from the existing residentially zoned neighborhood. The proposed increase is from two thousand square feet of new construction to ten thousand square feet.

**5. In Section 11.506.1 - Additional Height Permitted in the Cambridgeport Overlay Districts.**

Text is inserted to identify the base heights from which additional height may be sought by special permit in the three Overlay Districts.

**6. In Section 11.506.2 - Additional Gross Floor Area in the Cambridgeport Overlay Districts.**

Text is inserted here to identify the base FAR limits in the Overlay Districts from which additional gross floor area may be sought by special permit from the Planning Board. In addition a substantive change in regulations is recommended. In that small area of Overlay District B lying along Vassar Street, behind the Hyatt Hotel, the Planning Board has chosen to adopt the floor area limits proposed in the Lynch Petition. The area is transitional in nature, bordered on the one side by the large developments along Memorial Drive and on the other by the lower scale of development proposed for the area across the railroad right of way in Cambridgeport. The Board has chosen to recommend FAR's for this area as have been proposed along Memorial Drive (Special District V) but retain the heights imposed throughout the Overlay District B.

**7. In Section 11.506.3 - Residential Density in the Cambridgeport Overlay Districts.**

Text is inserted again to identify the base density which is modified by the Overlay District provisions.

**8. In Section 11.506.4 - Additional Use Provisions in Overlay District A and Overlay District B.**

This is a new section proposed by the Planning Board to address the concerns of non-residential property owners in the Overlay District A, which is proposed by the Planning Board to be a residential district in an area of Brookline Street that is currently occupied predominantly by retail and industrial enterprises. To avoid the legal problems associated with adoption of special non-conforming provisions the Board is suggesting a set of regulations which would permit reuse of non-residential property as of right but would prohibit the reestablishment of most incompatible non-residential uses once they have been abandoned. Once a building or site is used residentially no other use may be established unless the residential use is abandoned for five or more years. It is anticipated that this set of regulations will permit reasonable use of non-residential property in the near term while encouraging the phasing out of the most incompatible non-residential uses and the establishment of the desired residential uses. As in the Lynch Petition use variances, would be prohibited.

The new provisions affecting Overlay District B would limit the amount of retail use on a lot to ten percent of the allowed gross floor area on that lot or ten thousand square feet, whichever is greater. While some retail use is desirable in this proposed mixed use district, it is not the intent of the Planning Board to encourage retail use as a major component of the mix of uses in the Overlay District.

**9. 11.507 - Transfer Provisions to Secure Publicly Accessible Open Space.**

Two changes are proposed: in paragraph 5 new text is recommended to more explicitly identify the boundary of the district affected, and in paragraph 6 insertion of the word "permanent" is made to make clear that the open space secured will be in the permanent control of the City.

**10. Change in the Boundaries of the Residence C district Proposed Along Brookline Street.**

The Planning Board is recommending adoption of the Lynch Petition proposal to retain a small Business A-1 District along the northeast side of Putnam Avenue at its intersection with Brookline Street. A change in the legal description restores that small Business A-1 District.

Respectfully submitted for the Planning Board,

A handwritten signature in cursive script that reads "Paul Dietrich" with a small mark at the end.

Paul Dietrich, Chairman

## Appendix II

### AMENDED TEXT OF THE PLANNING BOARD PETITION, AS RECOMMENDED BY THE PLANNING BOARD, SEPTEMBER 3, 1991

- A. Amend the Text of the Zoning Ordinance of the City of Cambridge by creating new Sections 17.50, 17.60 and 17.70 - Special Districts as follows:

17.50 Special District V

17.51 **SCOPE** This Section 17.50 regulates development within the Special District V as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.50, all requirements of and regulations applicable to the Office 2 District shall apply equally to the Special District V.

17.52 **PERMITTED USES** Uses permitted in the Office 2 District shall be equally allowed in the Special District V with the exception of the following:

- a. The following additional uses shall be permitted:

- (1) Manufacturing, processing, assembly and/or packaging of articles and products listed in Section 4.37 a, and Section 4.37 b 4,5,9 provided the fully assembled product regularly produced shall not exceed two hundred (200) pounds in weight.
- (2) Retail, Business and Consumer Service Establishments, Section 4.35 a and b as would otherwise be permitted in a Business A-1 and A-2 District, provided such uses are in a building containing uses permitted in an Office 2 District and do not exceed in area an amount equal to ten (10) percent of the gross floor area of the building in which they are located, or twenty five thousand (25,000) square feet, whichever is less.
- (3) Residential Uses Section 4.31 a-h shall be permitted as of right.

- b. The following uses shall be prohibited:

Parking lot or parking garage for private passenger cars, Section 4.32 b.

**17.53** **DIMENSIONAL REGULATIONS** The following Dimensional Regulations shall apply to all development proposals within the district.

**17.53.1** **Maximum FAR** The FAR applicable on any lot in the district shall not exceed 1.5 for all permitted uses. However, the applicable FAR may be increased by an additional .5 to a maximum of 2.0, by Special Permit from the Planning Board, for permitted residential uses, excluding hotels and motels, and for dormitory uses, Section 4.33 b(7); all residential development authorized by the special permit shall be subject to the affordable housing requirements of Section 11.506.22.

**17.53.2** **Building Height Limitations** The maximum height for permitted residential and dormitory uses, excluding hotels and motels, may be increased **FROM EIGHTY FIVE (85) FEET** to one hundred (100) feet after issuance of a special permit from the Planning Board.

**17.53.3** **Front Yard Requirements.**

- a. The minimum front yard setback from Memorial Drive for the principal front wall plane for any structure shall be twenty-five (25) feet measured from the street line. The required front yard setback shall apply to any portion of a structure below ground as well as those portions of a structure above ground.

**THE FOLLOWING PARAGRAPH IS DELETED: [Any structure erected prior to January 1, 1991 which is set closer to the Memorial Drive streetline than permitted by this Section 17.53.3 shall not be considered a non conforming structure as defined in Article 2.000 with regard to required front yard setbacks from Memorial Drive.]**

- b. The required Memorial Drive front yard shall consist entirely of green area as defined in Article 2.000 with the exception of paving necessary for vehicular access. Such paved access area shall be limited to one twenty-four (24) foot driveway for each one hundred (100) feet of lot frontage, or fraction thereof, located so as to provide the most direct access to parking facilities located elsewhere on the site. It is preferred that all vehicular access be provided from other than Memorial Drive.

- c. The Memorial Drive front yard shall contain at least one three and one-half (3½) to four (4) inch caliper tree for every twenty-five (25) linear feet of street frontage.
- d. All other yards shall conform to the requirements of the Office 2 District.

**17.54 OFF STREET PARKING AND LOADING REQUIREMENTS**

**17.54.1** Off street parking and loading requirements shall be as specified in Article 6.000 for uses in the Office 2 District except as provided below.

**17.54.2** **Minimum Parking Requirement** The minimum parking requirement shall be one space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit and for dormitory uses, Section 4.33 b(7), one parking space for each twelve (12) beds.

**17.54.3** **Maximum Parking** The maximum accessory parking permitted for all uses in the district shall be one parking space for each six hundred and fifty (650) square feet of gross floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provisions of Section 6.31.3.

**17.6 Special District VI**

**17.61** **SCOPE** This Section 17.60 regulates development within the Special District VI as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.60, all requirements of and regulations applicable to the Residence C-3 District shall apply equally to the Special District VI.

**17.62** **PERMITTED USES** Uses permitted in the Residence C-3 District shall be equally allowed in the Special District VI with the exception of the following:

- a. The following uses shall be prohibited:

- (1) Parking lot or parking garage for private passenger cars, Section 4.32 b.
- (2) Hotel and Motel uses, Section 4.31 i (2).

17.63 DIMENSIONAL REGULATIONS

17.63.1 Yard Requirements There shall be no minimum yard requirements for structures within the Special District VI.

17.63.2 Maximum Height The maximum height permitted in the district shall be one hundred (100) feet except as permitted or further restricted below:

- a. In that portion of the district lying southwesterly of a line, which line is the southeasterly projection of a line one hundred feet northeasterly of and parallel to the southwesterly sideline of Reardon Street the maximum height shall be forty-five (45) feet. Upon issuance of a special permit from the Planning Board the height may be increased to sixty (60) feet.
- b. The maximum height may be increased above one hundred (100) feet **TO A MAXIMUM OF ONE HUNDRED AND EIGHTY (180) FEET** in that portion of the district lying northeasterly of the line described in paragraph a above after the issuance of a special permit by the Planning Board, provided portions of buildings exceeding one hundred (100) feet but not exceeding one hundred and eighty (180) feet in height contain no more than 165,000 square feet of gross floor area, in total for the entire district.
- c. In granting a special permit for additional height the Planning Board shall consider the following:
  1. The height of the other buildings or portions of buildings constructed in the district is reduced to significantly below the one hundred (100) foot height permitted as of right.
  2. In the vicinity of Fort Washington buildings are constructed below the one hundred (100) foot height permitted or green space is created so as to increase the views from Fort Washington across the MIT campus to the river and to the Boston skyline beyond. Where

heights are proposed to exceed the base limit of forty-five (45) feet at Fort Washington, the Planning Board shall find that an increase in height up to sixty (60) feet allows flexibility in the design of buildings such that the view from the park to and beyond the campus is increased and/or enhanced.

3. The view corridors down streets in residential Cambridgeport, as for instance, down Erie, Pacific, perhaps Tudor and Emily Streets, are not obstructed by buildings.
4. Significant green space is created in the district at grade where it can be visible to the general public.
5. The buildings are not so distributed in the district as to create a strong sense of enclosure as viewed from the residential Cambridgeport neighborhood.

#### **17.64 OFF STREET PARKING AND LOADING REQUIREMENTS**

Off street parking and loading requirements shall be the same as specified in Article 6.000 for uses in the Residence C-3 District except as provided below.

- 17.64.1 **Minimum Parking Requirement** The minimum parking requirement shall be one space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit, and for dormitory uses, Section 4.33 b(7) one parking space for each twelve (12) beds.
- 17.64.2 **Maximum Parking** The maximum accessory parking permitted for all uses in the district shall be one parking space for each six hundred and fifty (650) square feet of floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provisions of Section 6.31.3.
- 17.70 **Special District VII**
- 17.71 **SCOPE** This Section 17.70 regulates development within the Special District VII as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.70, all requirements of and regulations applicable to the Business B District

as modified by the Central Square Overlay District shall apply equally to the Special District VII.

**17.72 ADDITIONAL PERMITTED USES**

a. The following uses shall be permitted as of right:

Assembly or packaging of articles (Section 4.37a) and manufacture, processing, assembly and/or packaging of specified articles and products (Section 4.37 b, 1-15) shall be permitted on any lot on which any one or combination of the above uses has been established on or before January 1, 1991 and which uses remain in continuous operation thereafter. Once said industrial uses have been discontinued on the lot, the lot shall only be used for those uses permitted in the Business B District.

b. The following uses shall be prohibited:

Parking lot or parking garage for private passenger cars, Section 4.32 b.

**17.73 ADDITIONAL HEIGHT** The maximum height permitted in the district may be increased to one hundred (100) feet by special permit from the Planning Board; all other height limitations imposed by the Central Square Overlay District shall apply.

**17.74 OFF STREET PARKING AND LOADING REQUIREMENTS**

**17.74.1** Off street parking and loading requirements shall be the same as specified in Article 6.000 for uses in the Office 2 District except as provided below.

**17.74.2** **Minimum Parking Requirement** The minimum parking requirement shall be one space for two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit.

**17.74.3** **Maximum Parking** The maximum accessory parking permitted for all uses in the district shall be one parking space for each one thousand (1,000) square feet of floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provisions of Section 6.31.3.

B. Amend the text of the Zoning Ordinance of the City of Cambridge by creating a new Section 11.500 Cambridgeport Overlay Districts as follows:

11.500 Cambridgeport Overlay Districts A - C

11.501 **ESTABLISHMENT AND SCOPE** There are hereby established the Cambridgeport Overlay Districts A-C which shall be governed by the regulations and procedures specified in this Section 11.500. It is the intent of this section that these regulations shall apply to a single area described generally as the Cambridgeport Industrial Area.

11.502 **GENERAL PURPOSE** It is the purpose of this Section 11.500 to augment existing zoning regulations to respond to the unique problems and pressures affecting the area. The Overlay Districts are intended to promote development that is consistent with the objectives of the districts to encourage the construction of housing in appropriate locations; permit the continued operation and expansion of existing manufacturing and research and development enterprises; provide opportunities for establishment and development of new and innovative enterprises; limit the peak hour and total daily traffic generated by uses in the district; regulate the scale, density, and design of new development such that a new mixed use neighborhood is created that is: compatible with the abutting residential neighborhood, consistent in its character and image, and effective as a bridge between the residential streets west of Brookline Street and the MIT campus and the Charles River.

11.503 **APPLICABILITY** The Cambridgeport Overlay Districts shall be Overlay Districts on the Zoning Map established by Section 3.20 (Zoning Map).

11.503.1 The use of land within said districts shall be controlled by the pertinent regulations in the base zoning districts except as modified by the requirements of this Section 11.500 which shall apply in addition to the regulations imposed by the base zoning map designations.

11.504 **GENERAL PROVISIONS APPLICABLE TO ALL DISTRICTS**

11.504.1 The Cambridgeport Overlay Districts shall be considered areas of special planning concern.

**ALL DEVELOPMENT WITHIN THE DISTRICTS SHALL COMPLY WITH THE DEVELOPMENT CONSULTATION PROCEDURES AS SPECIFIED IN SECTION 11.40 EXCEPT AS HEREIN MODIFIED IN THIS**

## **SUBSECTION 11.504.**

### **11.504.2 Criteria for Development Consultation Review and Review of Applications for Special Permits and Variances.**

In reviewing applications for variances, special permits or development consultation reviews the permit or special permit granting authority shall be guided by the objectives and criteria contained in the publication Cambridgeport Overlay Districts Development Guidelines, Community Development Department, 1991, in addition to the requirements of Sections 10.30 (Variances) and 10.40 (Special Permits) and this Section 11.500. These guidelines are also intended to assist in shaping any contemplated physical change within the Cambridgeport Overlay Districts.

### **11.504.3 Cambridgeport Advisory Committee. There shall be established a Cambridgeport Advisory Committee, with members appointed by the City Manager, which shall have the following duties, responsibilities, and membership.**

- a. **Purpose.** It is the intent of this Subsection 11.504.3 that the Committee in its official actions fulfill the following purposes.
  - (1) To establish a formal, ongoing body that will review all major development actions in the Cambridgeport Overlay Districts.
  - (2) To provide a forum within which a wide range of perspectives on development actions can be heard.
  - (3) To establish a citizen/professional body which can advise both public agencies and private interests as to the development and urban design issues raised by a development or planning proposal and suggest avenues of research which might be pursued to resolve identified conflicts or make the project better fulfill both public and private objectives for the Cambridgeport Overlay Districts.
- b. **Responsibilities.** The Committee shall undertake all Large Project Review **PROCEDURES AS SPECIFIED IN SECTION 11.44 IN LIEU OF THE COMMUNITY DEVELOPMENT DEPARTMENT** and shall receive all applications for variances and special permits for activities within the Cambridgeport

Overlay Districts for review and comment. In addition, the Committee may comment on any preliminary proposal, for which any public agency or private interests may wish to receive advice and recommendations. **IN THAT PORTION OF THE CAMBRIDGEPORT OVERLAY DISTRICTS WHICH LIES SOUTHEASTERLY OF A LINE, WHICH LINE IS SOUTHEASTERLY OF, PARALLEL TO AND ONE HUNDRED FEET DISTANT FROM THE SOUTHEASTERLY SIDELINE OF BROOKLINE STREET, AND WHICH ALSO LIES ONE HUNDRED FEET OR MORE FROM ANY ABUTTING PORTION OF A RESIDENCE C OR C-1 DISTRICT LYING SOUTHEASTERLY OF THAT LINE, THE LARGE PROJECT REVIEW PROCEDURE SHALL BE REQUIRED ONLY FOR THOSE DEVELOPMENT PROPOSALS WHICH INCREASE THE GROSS FLOOR AREA BY TEN THOUSAND (10,000) SQUARE FEET IN A NEW BUILDING OR ADDITION TO AN EXISTING BUILDING.**

c. Procedures.

- (1) Within the six (6) months preceding any application for (1) a building permit for any project subject to a Large Project Development Consultation Review or (2) a special permit or variance for any project within the Cambridgeport Overlay Districts, the graphic and other material required in Section 11.45 - Large Project Submittal Requirements shall be submitted to the Cambridgeport Advisory Committee for their review and comment.
- (2) Within thirty (30) days of that submittal, (or within 60 days with the written consent of the applicant) the Committee shall prepare a written report of findings and recommendations with respect to the applicant's proposed project. **THE TIME PERIODS SPECIFIED ABOVE SHALL BE IN LIEU OF THOSE REQUIRED IN SECTION 11.44, LARGE PROJECT REVIEW. SUBMITTAL SHALL BE DEEMED TO HAVE OCCURRED WHEN ALL REQUIRED DOCUMENTS HAVE BEEN SUBMITTED TO THE COMMUNITY DEVELOPMENT DEPARTMENT ACTING IN ITS CAPACITY AS STAFF TO THE COMMITTEE.**
- (3) The Committee's written report shall outline the urban design and development issues raised by the proposal. It shall suggest those areas within which additional exploration of alternatives might be sought or factual

information gathered which might help to resolve potential conflicts between public and private objectives or which might help to shape the project to better serve these objectives.

- (4) The report shall be forwarded to the applicant and shall be included in any application for a building permit, special permit or variance.
  - (5) It is expected that, in making decisions regarding special permits and variances within the Cambridgeport Overlay Districts, the Planning Board and/or Board of Zoning Appeal will give due consideration to the report and recommendations of the advisory committee.
  - (6) The Community Development staff shall serve as staff to the Committee.
- d. (1) Membership. Members in all categories shall be Cambridgeport residents or business persons or landowners within the Cambridgeport Overlay Districts.
- a. One member having recognized qualifications as architect or landscaped architect who shall also serve as chair of the Committee.
  - b. Three (3) members representing the business and institutional community in the Cambridgeport Overlay Districts.
  - c. Three (3) members representing residents of the Cambridgeport neighborhood.
- (2) Terms. Committee members shall be appointed for terms of three (3) years each.

**11.505 DETAILED PROVISIONS APPLICABLE TO ALL DISTRICTS**

**11.505.1 Uses** The buildings and land uses within the Cambridgeport Overlay Districts shall be controlled by the pertinent regulations within the applicable base zoning district except as provided below:

- a. The following uses shall be prohibited:

Parking lot or parking garage for private passenger cars, Section

**4.32 b.**

**b. The following uses shall be permitted as of right:**

- 1. Dormitory, resident fraternity or sorority, Section 4.33 b(7), except in District C.**
- 2. Residential Uses Section 4.31 a-h.**

**11.505.2 Off street parking and loading requirements shall be the same as specified in Article 6.000 for the applicable base zoning district except as provided below.**

**11.505.21 Minimum Parking Requirement** The minimum parking requirements shall be one parking space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit and for dormitory uses, Section 4.33 b,7 one parking space for each twelve (12) beds.

**11.505.22 Maximum Parking** The maximum parking permitted for uses in the district shall be one parking space for each six hundred and fifty (650) square feet of gross floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provision of Section 6.31.3; however the Planning Board may permit by Special Permit the number of parking spaces to exceed the maximum allowed under this Section 11.505.2 provided the number of parking spaces authorized by special permit does not exceed that number which would be permitted on the lot if the maximum parking ratio were applied to the maximum gross floor area permitted on the lot, notwithstanding the fact that all such allowed gross floor area is not in fact proposed to be constructed.

**11.505.23** No special permit shall be issued in any Cambridgeport Overlay District which permits the total number of parking spaces on a lot to exceed (a) that number permitted in Section 11.505.22 for development authorized by the special permit plus (b) any additional parking present on the site before the date of application for uses not located on the lot, which parking is provided as legally established required accessory parking, not exceeding the minimum required in Article 6.000 at the time of the granting of the special permit in the zoning district applicable to such uses.

Where the parking provided on the site at the time of the special permit approval exceeds that quantity permitted above, the approved Special Permit shall provide a schedule by which the parking on the development parcel shall be brought into compliance with this subsection 11.505.23.

**11.505.3 Yard Requirements** A minimum five (5) foot front yard setback shall be required for all development in the Overlay Districts. Where a greater setback is required in the base district for the front yard, the greater setback shall be the required unless the Planning Board specifically waives the greater requirement by Special Permit. All other yard requirements shall be as required in the base district unless the Planning Board specifically waives the requirement by Special Permit.

**11.505.31 Restrictions in Required or Provided Front Yard Setbacks** That area between the principal front wall plane of a building and a public street, whether required or provided, shall be devoted to Green Area as defined in Article 2.000 of this Ordinance, an expansion of the adjacent public sidewalk, or other landscaped or paved area devoted exclusively to pedestrian use and extending along the entire length of that portion of a lot abutting the street. Areas devoted to vehicular use are prohibited from this area with the exception of access drives located to provide the most direct access to parking facilities located elsewhere on the site. Said access drives shall be limited to a total of thirty (30) feet of width for each one hundred (100) feet of lot frontage. Where a lot is bounded by more than one street, the provisions of this subsection 11.505.31 shall apply fully only to a single street, which street shall be the principal, major or most important street abutting the lot. For all other streets the provisions of this subsection 11.505.31 shall apply only to the required front yard setback.

## **11.506 DETAILED PROVISIONS APPLICABLE TO INDIVIDUAL DISTRICTS**

**11.506.1 Additional Height** By Special Permit from the Planning Board the permitted height may be increased as detailed below; however, any portion of a building exceeding a height of forty-five (45) feet shall be set back a minimum of twenty (20) feet from the adjacent front property line(s) on all abutting streets.

- (1) In District A the maximum height shall be INCREASED FROM THIRTY FIVE (35) FEET TO sixty (60) feet for permitted**

residential uses in that portion of the district lying southeasterly of a line, which line is southeasterly of, parallel to and one hundred (100) feet distant from the southeast sideline of Brookline Street.

- (2) In District B the maximum height shall be **INCREASED FROM FORTY FIVE (45) FEET TO** sixty (60) feet for permitted residential uses, and for permitted dormitory uses located southeasterly of Sidney Street. All uses, however, shall be limited to forty-five (45) feet in that area defined by a line one hundred (100) feet distant from and parallel to all front and side property lines of Fort Washington Park, lot #72, Assessor's Plat #66.
- (3) In District C the maximum height shall be **INCREASED FROM THIRTY FIVE (35) FEET TO** sixty (60) feet between the southwesterly extension of the centerline of Sidney Street and the railroad right of way; and forty-five (45) feet between the southwesterly extension of the centerline of Sidney Street and Brookline Street.

11.506.11 In granting a Special Permit for additional height the Planning Board shall consider the following.

- (1) A superior site development will result as indicated by:
  - (a) more generous setbacks used to widen sidewalks or add street trees or other landscaping along public streets;
  - (b) more varied forms of urban open space, including courtyards and plazas;
  - (c) more sensitive relationship of building forms to the height and other characteristics of development on adjacent lots;
  - (d) more rational arrangement of parking so as to reduce its negative impacts on adjacent properties and public streets; and/or
  - (e) greater solar access to building and open space elements within the development and/or reduced shadow impacts on adjacent development.

11.506.2 Additional Gross Floor Area

11.506.21 **ADDITIONAL GROSS FLOOR AREA PERMITTED AS OF RIGHT**

**IN DISTRICT B, IN THAT PORTION LYING SOUTHEASTERLY OF THE MAINLINE RAILROAD RIGHT OF WAY PARALLEL TO VASSAR STREET, THE MAXIMUM FAR FOR ALL USES SHALL BE INCREASED FROM 1.25 TO 1.50.**

11.506.22 By Special Permit from the Planning Board the permitted gross floor area on a lot may be increased as provided below for permitted residential and/or dormitory uses provided residential and/or dormitory uses total at least fifty (50) percent of the authorized gross floor area.

- (1) For permitted residential uses only, in District A the maximum FAR shall be **INCREASED FROM 0.75 TO 1.25.**
- (2) In District B, **IN THAT PORTION DESCRIBED IN SECTION 11.506.21 ABOVE, THE MAXIMUM FAR SHALL BE INCREASED FROM 1.50 TO 2.0 FOR PERMITTED RESIDENTIAL AND DOMRITORY USES. ELSEWHERE IN DISTRICT B** the maximum FAR shall be **INCREASED FROM 1.25 TO 1.75** throughout for permitted residential uses **AND** in that portion of the district lying southeasterly of Sidney Street the maximum FAR for permitted dormitory uses, Section 4.33b(7), shall be **INCREASED FROM 1.25 TO 1.75.**

11.506.23 The following affordable housing requirements shall be met for all residential development authorized by Special Permit under this Section 11.506.2.

- (1) A minimum of ten (10) percent 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.
- (2) An additional five (5) percent 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 provisions of affordable housing. The offer shall be formally made to the City by the permittee only at such time as the specific size, location, finished details, and cost of each unit are known. Should the City fail to exercise its option within three (3) months the permittee is free

to make the units available on the open market without further obligations to the City of Cambridge.

**11.506.3 Residential Density** The maximum residential density shall be increased **FROM TWELVE HUNDRED (1200) SQUARE FEET OF LOT AREA PER DWELLING UNIT** to six hundred (600) square feet of lot area per dwelling unit for Districts A and B.

**11.506.4 ADDITIONAL USE PROVISIONS**

**11.506.41 IT IS THE INTENT OF THIS SECTION 11.506.41 TO ENCOURAGE A GRADUAL EVOLUTION OF NON-RESIDENTIAL USES IN DISTRICT A, NOW HEAVILY NON-RESIDENTIAL IN CHARACTER, FROM THOSE LEAST IN HARMONY WITH THE ADJACENT RESIDENTIAL NEIGHBORHOOD AND THE RESIDENTIAL USES ULTIMATELY DESIRED IN THE DISTRICT, TO THOSE NON-RESIDENTIAL USES MOST COMPATIBLE WITH RESIDENTIAL USES AND ULTIMATELY TO RESIDENTIAL USES EXCLUSIVELY. THEREFORE, IN OVERLAY DISTRICT A THE FOLLOWING ADDITIONAL USES NOT OTHERWISE PERMITTED IN THE BASE RESIDENCE C-1 DISTRICT SHALL BE PERMITTED AS OF RIGHT, PROVIDED THE CONDITIONS SET FORTH BELOW ARE MET. NOTWITHSTANDING THE PROVISIONS OF SECTION 10.31, NO VARIANCE FOR USE SHALL BE PERMITTED IN OVERLAY DISTRICT A. FOR THE PURPOSES OF ARTICLE 8.000 DISTRICT A SHALL CONTINUE TO BE CONSIDERED A RESIDENTIAL DISTRICT AND THEREFORE SECTION 8.22, PARAGRAPHS A AND B SHALL NOT APPLY.**

**(1) ALL USES IN SECTION 4.34, OFFICE AND LABORATORY USES, SHALL BE PERMITTED BUT ONLY IF THE FOLLOWING CONDITIONS ARE MET:**

**A. THE LOT OR ANY BUILDING THEREON IS VACANT (OR ANY PORTION OF THE LOT OR BUILDING PROPOSED TO BE REUSED) AND NOT OCCUPIED BY A RESIDENTIAL USE IN THE FIVE YEARS IMMEDIATELY PRECEDING THE TIME OF APPLICATION FOR A CERTIFICATE OF OCCUPANCY FOR THE PROPOSED USE, OR IF OCCUPIED, THE CURRENT USE IS ANY OFFICE AND LABORATORY USE, SECTION 4.34; ANY RETAIL BUSINESS AND CONSUMER SERVICE ESTABLISHMENT, SECTION 4.35; ANY LIGHT INDUSTRY, WHOLESALE BUSINESS OR STORAGE USE, SECTION 4.37; OR ANY HEAVY INDUSTRY USE, SECTION 4.38.**

**(2) ALL USES IN SECTION 4.35, RETAIL BUSINESS AND CONSUMER**

**SERVICE ESTABLISHMENTS, PARAGRAPHS A, C, AND D SHALL BE PERMITTED, BUT ONLY IF THE FOLLOWING CONDITIONS ARE MET:**

**A. THE USE EXISTING AT THE TIME OF APPLICATION FOR A CERTIFICATE OF OCCUPANCY FOR THE PROPOSED NEW USE, OR THAT FIRST LEGALLY ESTABLISHED USE IMMEDIATELY PRECEDING THE APPLICATION FOR A PROPOSED NEW USE SHOULD THE PREMISES BE VACANT (PROVIDED THAT THE PREVIOUS USE WAS IN OPERATION WITHIN THE TWO YEARS IMMEDIATELY PRECEDING THE APPLICATION FOR A CERTIFICATE OF OCCUPANCY), IS ANY RETAIL BUSINESS AND CONSUMER SERVICE ESTABLISHMENT, SECTION 4.35; OR ANY LIGHT INDUSTRY, WHOLESALE BUSINESS AND STORAGE USE, SECTION 4.37; OR ANY HEAVY INDUSTRY, SECTION 4.38; AND**

**B. THE USE SHALL OCCUPY ONLY THAT GROSS FLOOR AREA MEETING THE USE LIMITATIONS OF PARAGRAPH A ABOVE.**

**(3) ALL USES IN SECTION 4.37, LIGHT INDUSTRY, WHOLESALE BUSINESS, AND STORAGE, PARAGRAPHS A AND B SHALL BE PERMITTED, BUT ONLY IF THE FOLLOWING CONDITIONS ARE MET:**

**A. THE USE EXISTING AT THE TIME OF APPLICATION FOR A CERTIFICATE OF OCCUPANCY FOR THE PROPOSED USE, OR THAT FIRST LEGALLY ESTABLISHED USE IMMEDIATELY PRECEDING THE APPLICATION FOR A CERTIFICATE OF OCCUPANCY FOR A PROPOSED NEW USE SHOULD THE PREMISES BE VACANT (PROVIDED THAT PREVIOUS USE WAS IN OPERATION WITHIN THE TWO YEARS IMMEDIATELY PRECEDING THE APPLICATION FOR A CERTIFICATE OF OCCUPANCY), IS LIGHT INDUSTRY, WHOLESALE BUSINESS OR STORAGE USE, SECTION 4.37; OR ANY HEAVY INDUSTRY USE, SECTION 4.38; AND**

**B. THE USE SHALL OCCUPY ONLY THAT GROSS FLOOR AREA MEETING THE USE LIMITATIONS OF PARAGRAPH A ABOVE.**

**11.506.42 IN OVERLAY DISTRICT B, PERMITTED RETAIL USES, SECTION 4.35, SHALL BE LIMITED TO TEN (10) PERCENT OF THE TOTAL GROSS**

**FLOOR AREA PERMITTED ON THE LOT, OR TEN THOUSAND (10,000) SQUARE FEET, WHICHEVER IS GREATER.**

**11.507 Transfer of Development Rights and/or Additional Height to secure Publicly Accessible Open Space.**

Notwithstanding the limitations imposed by the definition of lot in Article 2.000 or the dimensional limitations imposed in Section 11.506 the Planning Board may allow by special permit: (1) the transfer of part of all of the permitted gross floor area on one lot (donating lot) to one or more other lots (receiving lots), held in common ownership or in separate ownership; and/or (2) may allow an increase in the permitted height, for the purpose of creating a large open space facility or series of open space facilities, accessible to the general public and designed and intended to be used for active recreation, meeting the following requirements:

1. The open space parcel shall have a minimum area of twenty thousand (20,000) square feet.
2. The effective FAR on the receiving lot(s) does not exceed 2.5 for nonresidential uses or 3.0 FAR for residential and dormitory uses.
3. The receiving lot(s) is located in that portion of District B lying northeasterly of Erie Street and its southeasterly projection and southeasterly of Sidney Street.
4. The maximum height of any structure on the receiving lot does not exceed the following limitations:
  - (a) Sixty (60) feet in that area lying between Sidney Street and a line, which line is parallel to, southeasterly of and three hundred and fifty (350) feet distant from Sidney Street;
  - (b) Eighty (80) feet in that area lying between the parallel line described in paragraph (a) above and Albany Street;
  - (c) One hundred (100) feet in that area southeasterly of Albany Street.
5. The donating site is located in District A or District B northwesterly of the **MAINLINE RAILROAD RIGHT OF WAY**

**PARALLEL TO VASSAR AND ALBANY STREETS.**

6. The open space facility is under the **PERMANENT** control of and programmed by the City of Cambridge or its designated agent, whether by fee title, easement or other approved legal mechanism.
7. The site is physically suitable for the recreational uses proposed and free from environmental hazard at the time of transfer to the City of Cambridge.

**11.507.1** In granting a special permit under Section 11.507 the Planning Board shall consider the following:

1. The proposed open space is consistent with the objectives of this Section 11.507 to create a usable open space or recreational facility addressing the unmet needs of the adjacent residential neighborhood and those of the new residents of the district and, if one is adopted, is consistent with a plan for the distribution and use of open space in the district.
2. If less than one acre, the open space is clearly an element of a larger facility to be incrementally created through the issuance of additional special permits, or is clearly acceptable as an independent facility.
3. If it is intended to be a part of a larger facility, the open space is useable on its own, as an independent facility, if intended future special permits are not sought or granted.

**11.508** **CONSTRUCTION MANAGEMENT PROGRAM** The applicant for any special permit authorized in this Section 11.500 shall submit a construction management program, detailing the construction period impacts and a program for their mitigation as detailed in Article 18.000.

**11.509** **STANDARDS FOR ISSUANCE OF SPECIAL PERMITS** In addition to the general standards for the issuance of a special permit found in Section 10.40 of the Zoning Ordinance, the special permit granting authority shall in addition make the following findings:

1. The proposed development is consistent with the following goals and objectives:
  - To encourage mixed use development compatible with

the Cambridgeport residential neighborhood with housing uses strongly encouraged along Brookline Street and over to Sidney Street;

- To promote street and sidewalk improvements to create a unified image and improve the physical and visual environment and tie the existing non-residential district to the existing residential neighborhood; and
- To promote strong visual and pedestrian connections between the residential neighborhood and the MIT campus and the Charles River.

2. The development is consistent with the provisions of the Cambridgeport Overlay Districts Guidelines;
3. No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and
4. No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

C. Amend the Text of the Zoning Ordinance by deleting the existing footnote (d) in Section 5.32 - Office Districts, Table 5-2 and substituting therefore the following:

(d) Thirty-five (35) foot height limit within one hundred and twenty-five (125) feet of Residence B districts.

D. In Article 3.000, Section 3.14, delete all reference to the Cambridgeport Interim Planning Overlay District.

E. Amend the text of the Zoning Ordinance of the City of Cambridge by creating a new Article 18.000 as follows:

**No change in the text of this portion of the Petition as filed is proposed.**

F. In the legal descriptions of the zoning districts proposed in the Petition, the description of Area 7 should be amended as follows to restore the existing Business A-1 designation, which in the petition as filed is proposed to be rezoned to Residence C. No other change in the text of the legal descriptions contained in the Petition as filed is proposed.

**7A Amend the legal description of Area 7 above by deleting from the rezoning an area currently designated Business A-1 on the Zoning Map which, area is bounded by the following:**

**7A.1 The centerline of Putnam Avenue;**

**7A.2 A line southeasterly of, parallel to and 100 feet distant from the southeasterly sideline of Brookline Street;**

**7A.3 A line northwesterly of, parallel to and 100 feet distant from the northwesterly sideline of Brookline Street;**

**7A.4 A northeasterly of, parallel to and 100 feet distant from the northeasterly sideline of Putnam Avenue;**

**7A.01 All or parts of lots numbered 34, 35, and 111 on Assessor's Plat #97;**

**7A.02 All or parts of lots numbered 113, 119, 120, and 131 on Assessor's Plat #96;**

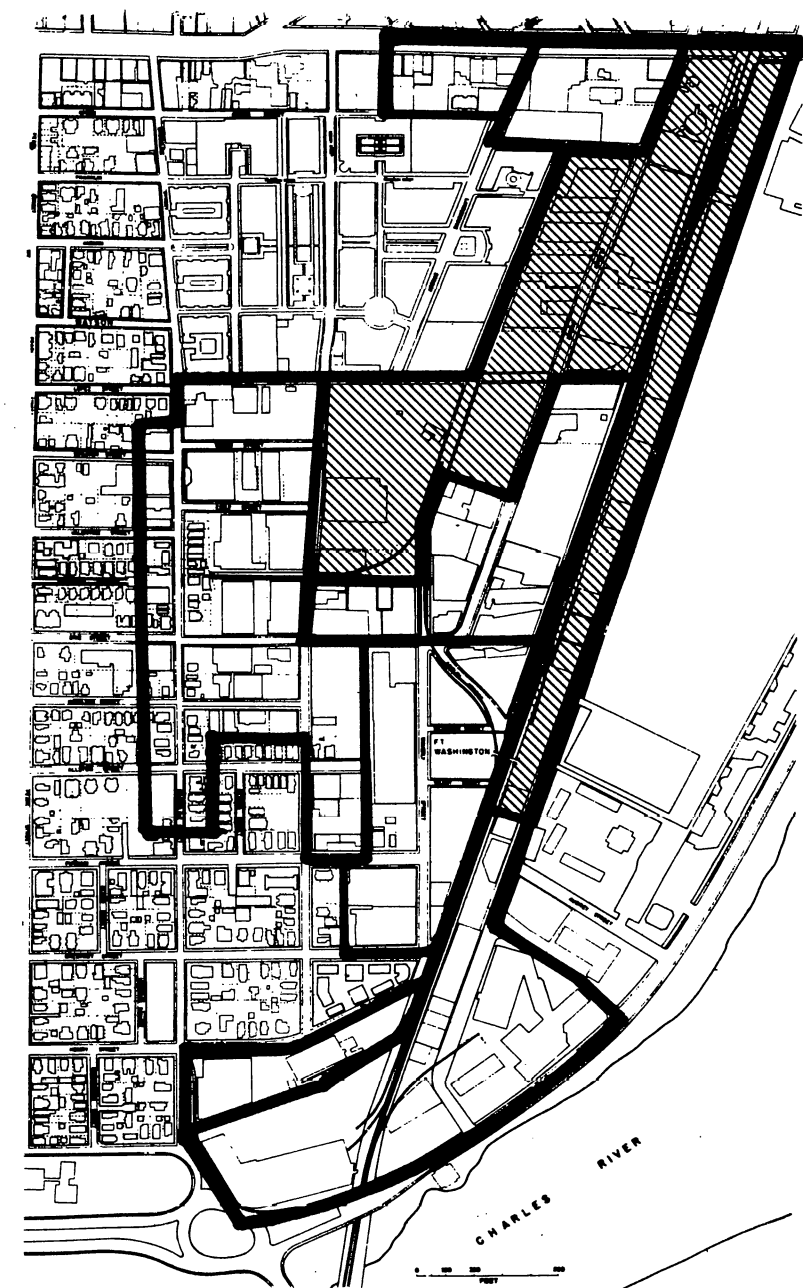
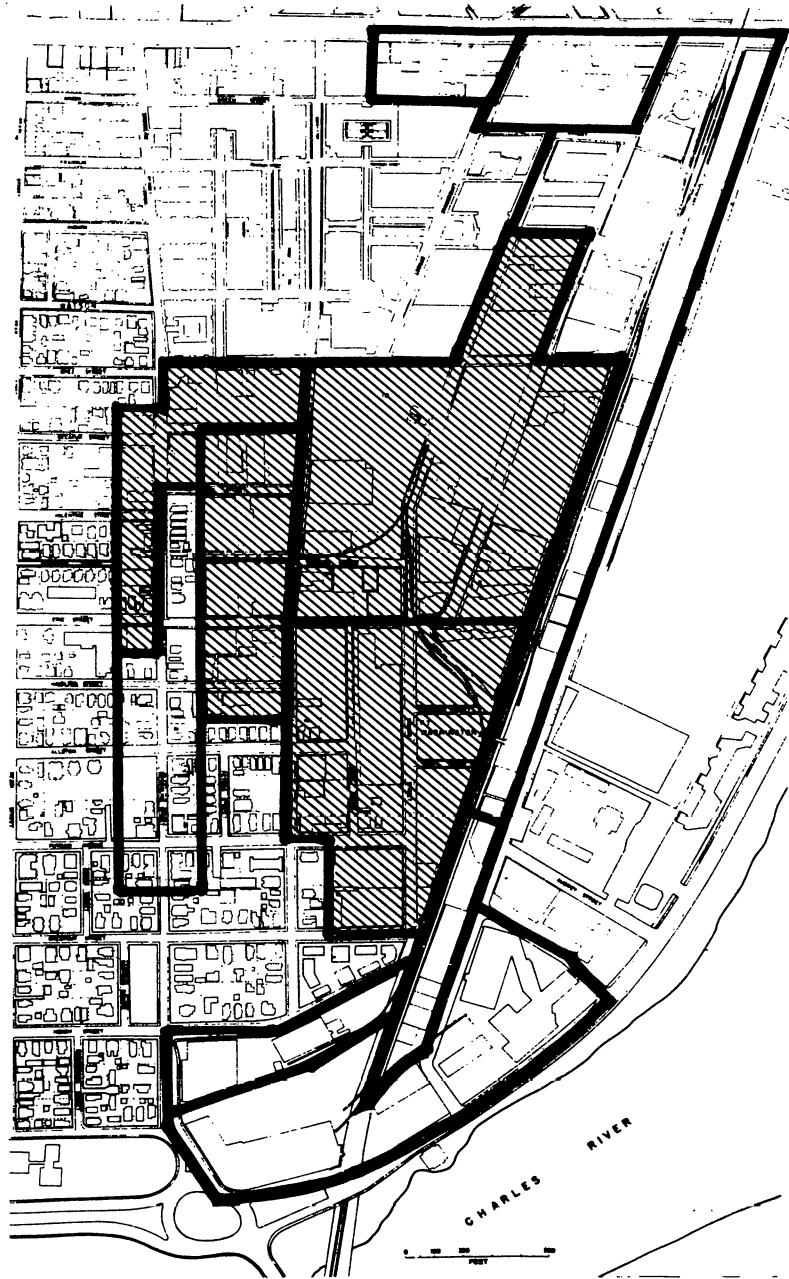
**Even numbers 548-564 Putnam Avenue, even numbers 262-272 Brookline Street, and odd numbers 263-269 Brookline Street.**

**ATTACHMENT I - Part 2**

# PLANNING BOARD PETITION

# OPEN SPACE BONUS PROVISIONS

# LYNCH PETITION



	Planning Board	Lynch
	<b>Cambridgeport Overlay Districts A and B</b>	<b>South Cambridgeport Open Space Overlay District</b>
<b>Special Permit Required:</b>	Yes	Yes
<b>Allows Floor Area Transfer:</b>	Yes	Yes
<b>Effective FAR Limit on Receiving Lots:</b>	2.5/3.0 Residential	2.0/2.5/3.0 Residential, depending on location
<b>Location of Receiving Lots Limited:</b>	Yes	No
<b>Minimum Open Space Size:</b>	20,000 s.f.	None
<b>Minimum Development Parcel Size:</b>	20,000+ s.f.	20,000 s.f.
<b>Floor Area Bonus:</b>	None	2.5/3.75 depending on size of open space and location of receiving site
<b>Height Bonus:</b>	60/80/100'	60/80/100/180'
<b>Special Features:</b>	Open Space controlled by City	Similar
	Open Space programed by City	Similar
	Site free from environmental hazards	Similar
	One acre of larger site encouraged	75,000 s.f. or larger site encouraged
	Site must be suitable for open space	Site must be rezoned to open space *

## PLANNING BOARD PETITION

# Open Space Bonus Provisions

## LYNCH PETITION

11.507 Transfer of Development Rights and/or Additional Height to secure Publicly Accessible Open Space.

Notwithstanding the limitations imposed by the definition of lot in Article 2.000 or the dimensional limitations imposed in Section 11.506 the Planning

Board may allow by special permit: (1) the transfer of part of all of the permitted gross floor area on one lot (donating lot) to one or more other lots (receiving lots), held in common ownership or in separate ownership; and/or (2) may allow an increase in the permitted height, for the purpose of creating a large open space facility or series of open space facilities, accessible to the general public and designed and intended to be used for active recreation, meeting the following requirements:

1. The open space parcel shall have a minimum area of twenty thousand (20,000) square feet.
2. The effective FAR on the receiving lot(s) does not exceed 2.5 for nonresidential uses or 3.0 FAR for residential and dormitory uses.
3. The receiving lot(s) is located in that portion of District B lying northeasterly of Erie Street and its southeasterly projection and southeasterly of Sidney Street.
4. The maximum height of any structure on the receiving lot does not exceed the following limitations:
  - (a) Sixty (60) feet in that area lying between Sidney Street and a line, which line is parallel to, southeasterly of and three hundred and fifty (350) feet distant from Sidney Street;
  - (b) Eighty (80) feet in that area lying between the parallel line described in paragraph (a) above and Albany Street;
  - (c) One hundred (100) feet in that area southeasterly of Albany Street.
5. The donating site is located in District A or District B northwesterly of the railroad right of way.
6. The open space facility is under the control of and programed by the City of Cambridge or its designated agent, whether by fee title, easement or other approved legal mechanism.
7. The site is physically suitable for the recreational uses proposed and free from environmental hazard at the time of transfer to the City of Cambridge.

11.400 South Cambridgeport Open Space Overlay District

11.401 SCOPE This Section 11.400 regulates the transfer of development rights within the South Cambridgeport Open Space Overlay District as shown on the Zoning Map of the City of Cambridge, as amended.

11.402 PURPOSE This section is intended to:

- 1) provide a mechanism by which public parks and recreation fields and open space amenities can be secured in order to address the unmet needs of the adjacent residential neighborhood and of new residents in the district;
- (2) encourage the shift of building density away from the residential areas and toward public transit and higher capacity streets, and;
- (3) enhance the development potentials of small, inefficient, awkwardly sized and located lots.

11.403 PERMITTED USES The special permit shall allow any uses permitted in Special District VI.

11.404 In order to accomplish the purposes of this Section 11.400, the transfer of FAR permitted in the underlying base zoning may, by special permit of the Planning Board, be transferred from one site to another subject to the following provisions:

- (1) Development Parcel Notwithstanding definitions in Article 2.000, a development parcel may be a lot or any group of lots designated as a unified development parcel. No development parcel shall be smaller than 20,000 sq ft of lot area. Development parcels need not be under single ownership, nor contiguous. Donating lot(s), which contribute FAR to the recipient site, may be anywhere within Special District VI. There is no minimum size for donating lot(s). Recipient lot(s), which receive the FAR transferred within the development parcel, must be contiguous except in the area southeasterly of the railroad right-of-way that is parallel to Vassar Street. A recipient lot may be anywhere within Special District VI.
- (2) Minimum Requirements As a condition of the special permit for FAR transfer, any donating lot(s) must be rezoned to Open Space, brought into full compliance with all requirements of Open Space zoning, and relieved of all toxic contaminants subject to state law. Lots re-zoned shall not be subject to further change of district designation for a period of 25 years. Except for additional FAR and heights as permitted herein, recipient lots shall be developed in compliance with all other use and parking requirements of Special District VI.
- (3) Additional Provisions for Donating Lots For each square foot of lot area brought into compliance with the above minimum requirements for donating lots, 1.25 square feet of gross floor area shall be available for transfer to a recipient site. However, for each square foot of lot area meeting additional requirements, larger ratios of gross floor area to lot size may be transferred as follows:
  - (a) for lot(s) within Special District VI and lying northwesterly of Purrington and/or Waverly Streets, the ratio shall be 2.5.
  - (b) for large, contiguous lot(s) in excess of 75,000 sq. ft. and located as specified in Section 11.404 (3) (a) above, the ratio shall be 3.75.



11.507.1 In granting a special permit under Section 11.507 the Planning Board shall consider the following:

1. The proposed open space is consistent with the objectives of this Section 11.507 to create a usable open space or recreational facility addressing the unmet needs of the adjacent residential neighborhood and those of the new residents of the district and, if one is adopted, is consistent with a plan for the distribution and use of open space in the district.
2. If less than one acre, the open space is clearly an element of a larger facility to be incrementally created through the issuance of additional special permits, or is clearly acceptable as an independent facility.
3. If it is intended to be a part of a larger facility, the open space is useable on its own, as an independent facility, if intended future special permits are not sought or granted.

(4) Recipient Lot Limitations The recipient lot or lots of a development parcel shall have a limit on the total permitted height and FAR, as measured by total gross floor area on the lot(s) divided by the aggregate area of the recipient lot(s). Within the South Cambridgeport Open Space Overlay District, there shall be a maximum FAR of 2.0 and a maximum height of 60 ft. for recipient lot(s) except as follows:

- (a) for recipient lots that lie northeasterly of Pacific Street and/or southeasterly of the railroad right-of-way that is parallel to Vassar Street, the FAR may not exceed 2.5 for non-residential uses or 3.0 FAR for residential and dormitory uses.
- (b) for recipient lots that lie between Purrington Street and Albany Street, the maximum height shall be eighty (80) feet
- (c) for recipient lots that lie southeasterly of Albany Street the maximum height shall be one hundred (100) feet except as permitted or further restricted below:
  - (1) In that portion of the district lying southwestery of a line, which line is the southeasterly projection of a line one hundred feet northeasterly of and parallel to the southwestery sideline of Reardon Street, the maximum height shall be forty five (45) feet. However, as provided in the special permit from the Planning Board the height may be increased to sixty (60) feet.
  - (2) The maximum height may be increased above one hundred (100) feet in that portion of the district lying northeasterly of the line described in paragraph (a) above after the issuance of a special permit by the Planning Board, provided portions of buildings exceeding one hundred (100) feet but not exceeding one hundred and eighty (180) feet in height contain no more than 165,000 square feet of gross floor area, in total for the entire district.

11.404.1 In permitting this additional height as provided for in Subsection 11.404 (4) (c) 1 and 2, the Planning Board shall consider the following:

- (1) The height of the other buildings or portions of buildings constructed in the district is reduced to significantly below the one hundred (100) foot height indicated above.
- (2) In the vicinity of Fort Washington, buildings are constructed below the one hundred (100) foot height permitted or green space is created so as to increase the views from Fort Washington across the MIT campus to the river and to the Boston skyline beyond. Where heights are proposed to exceed the base limit of forty-five (45) feet at Fort Washington, the Planning Board shall find that an increase in height up to sixty (60) feet allows flexibility in the design of buildings such that the view from the park to and beyond the campus is increased and/or enhanced.
- (3) The view corridors down streets in residential Cambridgeport, as for instance, down Erie, Pacific, perhaps Tudor and Emily Streets, are not obstructed by buildings.
- (4) Significant green space is created in the district at grade where it can be visible to the general public.
- (5) The buildings are not so distributed in the district as to create a strong sense of enclosure as viewed from the residential Cambridgeport neighborhood.

11.405 In granting a special permit under Section 11.400 for the South Cambridgeport Open Space Overlay District, the Planning Board shall find that the proposed plan fulfills the purposes herein listed. Further, prior to issuing a special permit for the transfer of development rights described above, the Planning Board shall find that each and all of the following conditions are met:

- (1) The donating lot(s) are of such size, shape, and location that it/they are deemed useful for the public use as a park or recreation facility by the applicable city standards and by being consistent with the South Cambridgeport Development Guidelines.
- (2) The donating lot(s) are offered to the City either as outright gift of land, or else via lease or appropriate legal contract conveying to the City the right to use and make improvements to land consistent with the provisions herein.

## PLANNING BOARD PETITION

# Affordable Housing Requirements

## LYNCH PETITION

### 11.506.2 Additional Gross Floor Area

11.506.21 By Special Permit from the Planning Board the permitted gross floor area on a lot may be increased as provided below for permitted residential and/or dormitory uses provided residential and/or dormitory uses total at least fifty (50) percent of the authorized gross floor area.

- (1) For permitted residential uses only, in District A the maximum FAR shall be 1.25.
- (2) In District B the maximum FAR shall be 1.75 throughout for permitted residential uses. In that portion of the district lying southeasterly of Sidney Street the maximum FAR for permitted dormitory uses, Section 4.33b(7) shall be 1.75.

11.506.22 The following affordable housing requirements shall be met for all residential development authorized by Special Permit under this Section 11.506.2.

- (1) A minimum of ten (10) percent 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.
- (2) An additional five (5) percent 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 provisions of affordable housing. The offer shall be formally made to the City by the permittee only at such time as the specific size, location, finished details, and cost of each unit are known. Should the City fail to exercise its option within three (3) months the permittee is free to make the units available on the open market without further obligations to the City of Cambridge.

11.304

### DIMENSIONAL REQUIREMENTS

(a) Except as allowed by a special permit under paragraphs (b), (c), and (d), the dimensional requirements of the Residence C base district under Section 5.31, but not including footnote (i), shall apply in the South Cambridgeport Affordable Housing Overlay District.

(b) In order to promote affordable housing within the district, the special permit shall allow additional FAR over the base of 0.6 in the proportion of 0.023 additional FAR for every one percent of the total number of housing units on a lot which the owner agrees will be affordable as required by Subsection 11.305. However, the agreed number of such affordable units shall be at least one-fifth of the total number of housing units on the lot. Where the calculation of the number of affordable units required under this section results in a fraction, any fraction from 0.5 upward will be rounded up and any lower fraction rounded down. The maximum FAR allowed by the special permit under this section shall be as follows:

(1) In Subdistrict H the maximum FAR shall be 1.25 except for the portion of the district lying southeasterly of, parallel to, and one hundred (100) feet distant from the southeast sideline of Brookline Street, where the maximum FAR shall be 1.75.

(2) In Subdistrict F the maximum FAR shall be 1.25 between the southwesterly extension of the centerline of Sidney Street and Brookline Street and 1.75 between the southwesterly extension of Sidney Street and the railroad right of way.

For the purpose of this Section, the gross floor area of such an affordable unit that exceeds 1,200 square feet shall not be considered in calculating the allowed FAR, if the unit has three or more bedrooms.

(c) In order to promote affordable housing within the District, the special permit shall allow additional height as indicated below:

(1) In Subdistrict H the maximum height shall be forty-five (45) feet, except for the portion of the district lying southeasterly of, parallel to, and one hundred (100) feet distant from the southeast sideline of Brookline Street and one hundred (100) feet distant from the boundary of the existing residential neighborhood, where the maximum height shall be sixty (60) feet.

(2) In Subdistrict F the maximum height shall be forty five (45) feet between the southwesterly extension of the centerline of Sidney Street and Brookline Street and sixty (60) feet between the southwesterly extension of Sidney Street and the railroad right of way.

(d) In order to promote affordable housing, the special permit shall allow maximum residential density to be increased to eight hundred (800) square feet of lot area per dwelling unit for the district.



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 (30) percent of the income of the renting household or whose mortgage payment (including insurance, utilities and real estate taxes) does not exceed thirty (30) percent of the income of the purchasing household or other standards as may be established pursuant to any city, state or federal housing program designed to assist low and moderate income households.

Covered Project shall mean that portion of projects containing uses listed in Sections 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 (80) 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.

11.204 *Standards for Construction and Occupancy of Affordable Units.* 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 purpose 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

**AFFORDABLE HOUSING REQUIREMENTS** Before issuing any special permit under this Section, the Planning Board shall receive the owner's written agreement that the affordable units will:

(a) Meet requirements of Section 11.204. Even if the applicant establishes that a permanent affordability restriction is legally impossible under Section 11.204 (c)(2), affordability must be ensured for at least forty (40) years from the date of initial occupancy;

(b) Be comparable in exterior appearance, energy efficiency, services and size to market units on the same lot.

(c) Contain at least two bedrooms, and have the following minimum gross floor areas per unit:

two bedrooms:	1,100 square feet
three bedrooms:	1,250 square feet
four bedrooms:	1,350 square feet;

(d) Be affordable to eligible households of no more than the following incomes: the first affordable unit to a very low income eligible household; the second and third affordable units to low income eligible households; the fourth affordable unit to a moderate income eligible household; and repeating the preceding pattern for further affordable units. As used in this section, the terms "affordable" (as to a unit) and "median income" shall have the meanings assigned to them in section 11.201. "Eligible household" shall have such meaning, modified by the following income categories: "very low income", not exceeding 50 percent of median income; "low income", not exceeding 80 percent of median income; "moderate income", not exceeding median income.

Before approving any special permit, the Planning Board must receive the written report of the Affordable Housing Trust, established in subsection 11.205, that in the Trust's opinion all the requirements of this subsection have been met, and that the development is consistent with the open space considerations specified in the design guidelines for the South Cambridgeport Affordable Housing Overlay District.

11.306

**ENFORCEMENT** Every special permit issued under this section 11.300, and every building permit issued in reliance on such a special permit, shall state by reference as conditions the requirements of subsection 11.305 and the terms of the owner's agreement under subsection 11.306. All such requirements,

**PLANNING BOARD PETITION**

**Advisory Committee \***

**LYNCH PETITION**

11.500	Cambridgeport Development Review
11.501	ESTABLISHMENT AND SCOPE. There are hereby established the Cambridgeport Development Review areas which shall be governed by the regulations and procedures specified in this Section 11.500. It is the intent of this section that these regulations shall apply to a single area described generally as the South Cambridgeport Revitalization Area.
11.502	GENERAL PURPOSE. It is the purpose of this Section 11.500 to augment existing zoning regulations to respond to the unique problems and pressures affecting the area. The Cambridgeport Development Review is intended to promote development that is consistent with the objectives of the districts to encourage the construction of housing and siting of open space in appropriate locations; permit the continued operation and expansion of existing manufacturing and research and development enterprises; provide opportunities for establishing and development of new and innovative enterprises; limit the peak hour and total daily traffic generated by uses in the district; regulate the scale, density, and design of new development such that a new mixed use neighborhood is created that is compatible with the abutting residential neighborhood, consistent in its character and image, and effective as a bridge between the residential streets west of Brookline Street and the MIT campus and the Charles River.
11.503	APPLICABILITY. The Cambridgeport Development Review Areas shall include the South Cambridgeport Open Space Overlay District, Special District VIII and the South Cambridgeport Affordable Housing Overlay District, as shown on the Zoning Map established by Section 3.20 (Zoning Map).
11.504	GENERAL PROVISIONS

**TEXT AS IN PLANNING BOARD PETITION EX-CPT AS NOTED**

11.504	GENERAL PROVISIONS APPLICABLE TO ALL DISTRICTS
11.504.1	The Cambridgeport Overlay Districts shall be considered areas of special planning concern.
11.504.2	Development proposals listed in subsection 11.42, to the Development Consultation Procedures, shall be subject to the Development Consultation Procedure specified in Section 11.40.
11.504.3	Criteria for Development Consultation Review and Review of Applications for Special Permits and Variances. In reviewing applications for variances, special permits or development consultation reviews the permit or special permit granting authority shall be guided by the objectives and criteria contained in the publication Cambridgeport Overlay Districts Development Guidelines, Community Development Department, 1991, in addition to the requirements of Sections 10.30 (Variances) and 10.40 (Special Permits) and this Section 11.500. These guidelines are also intended to assist in shaping any contemplated physical change within the Cambridgeport Overlay Districts.
11.504.3	Cambridgeport Advisory Committee. There shall be established a Cambridgeport Advisory Committee, with members appointed by the City Manager, which shall have the following duties, responsibilities, and membership purpose. It is the intent of this subsection 11.504.3 that the committee in its official actions fulfill the following purposes.
	<ol style="list-style-type: none"> <li>(1) To establish a formal, ongoing body that will review all major development actions in the Cambridgeport Overlay Districts.</li> <li>(2) To provide a forum within which a wide range of perspectives on development actions can be heard.</li> <li>(3) To establish a citizen/professional body which can advise both public agencies and private interests as to the development and urban design issues raised by a development or planning proposal and suggest avenues of research which might be pursued to resolve identified conflicts or make the project better fulfill both public and private objectives for the Cambridgeport Overlay Districts.</li> </ol>
	Responsibilities. The Committee shall undertake all large project reviews and shall receive all applications for variances and special permits for activities within the Cambridgeport Overlay Districts for review and comment. In addition, the Committee may comment on any preliminary proposal, for which any public agency or private interests may wish to receive advice and recommendations.

c. Procedures.

- (1) Within the six (6) months preceding any application for (1) a building permit for any project subject to a Large Project Development Consultation Review or (2) a special permit or variance for any project within the Cambridgeport Overlay Districts, the graphic and other material required in Section 11.45 - Large Project Submittal Requirements shall be submitted to the Cambridgeport Advisory Committee for their review and comment.
- (2) Within thirty (30) days of that submittal, (or within 60 days with the written consent of the applicant) the Committee shall prepare a written report of findings and recommendations with respect to the applicant's proposed project.
- (3) The Committee's written report shall outline the urban design and development issues raised by the proposal. It shall suggest those areas within which additional exploration of alternatives might be sought or factual information gathered which might help to resolve potential conflicts between public and private objectives or which might help to shape the project to better serve these objectives.
- (4) The report shall be forwarded to the applicant and shall be included in any application for a building permit, special permit or variance.
- (5) It is expected that, in making decisions regarding special permits and variances within the Cambridgeport Overlay Districts, the Planning Board and/or Board of Zoning Appeal will give due consideration to the report and recommendations of the advisory committee.
- (6) The Community Development staff shall serve as staff to the Committee.

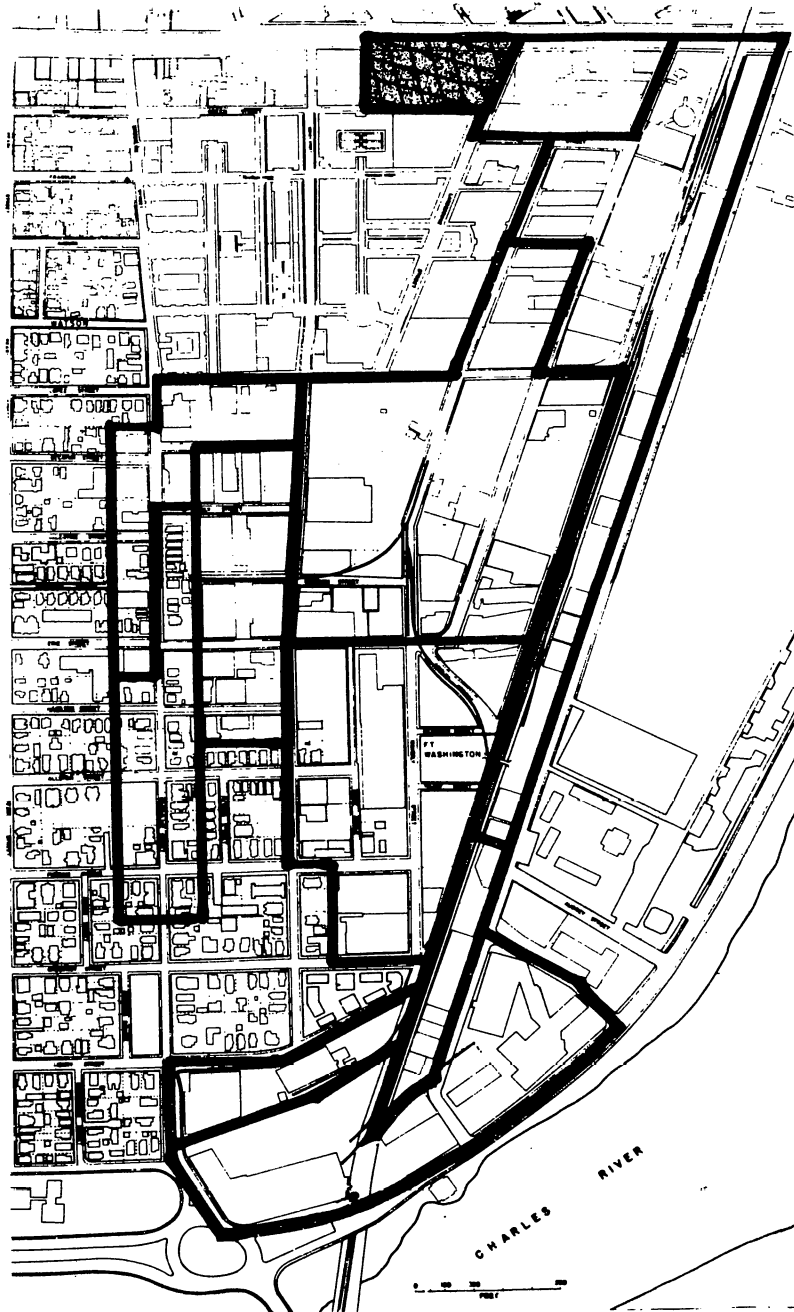
- d. (1) Membership. Members in all categories shall be Cambridgeport residents or business persons or landowners within the Cambridgeport Overlay Districts.
- a. One member having recognized qualifications as architect or landscaped architect who shall also serve as chair of the Committee.
  - b. Three (3) members representing the business and institutional community in the Cambridgeport Overlay Districts.
  - c. Three (3) members representing residents of the Cambridgeport neighborhood.
- (2) Terms. Committee members shall be appointed for terms of three (3) years each.

- d. (1) Membership. Members in all categories shall be Cambridgeport residents or business persons or landowners within the Cambridgeport Development Review Areas.
- a. One member having recognized qualifications as an attorney or a city planner who shall also serve as chair of the Committee.
  - b. Two (2) members representing the business and institutional community in the Cambridgeport Development Review Areas.
  - c. Four (4) members representing residents of the Cambridgeport neighborhood.

ATTACHMENT I - Part I

\* Denotes regulation for which a change is recommended by the Planning Board

**PLANNING BOARD PETITION  
Affected Zoning District**



**PROPOSED ZONING DISTRICT  
Principal Dimensional Features**

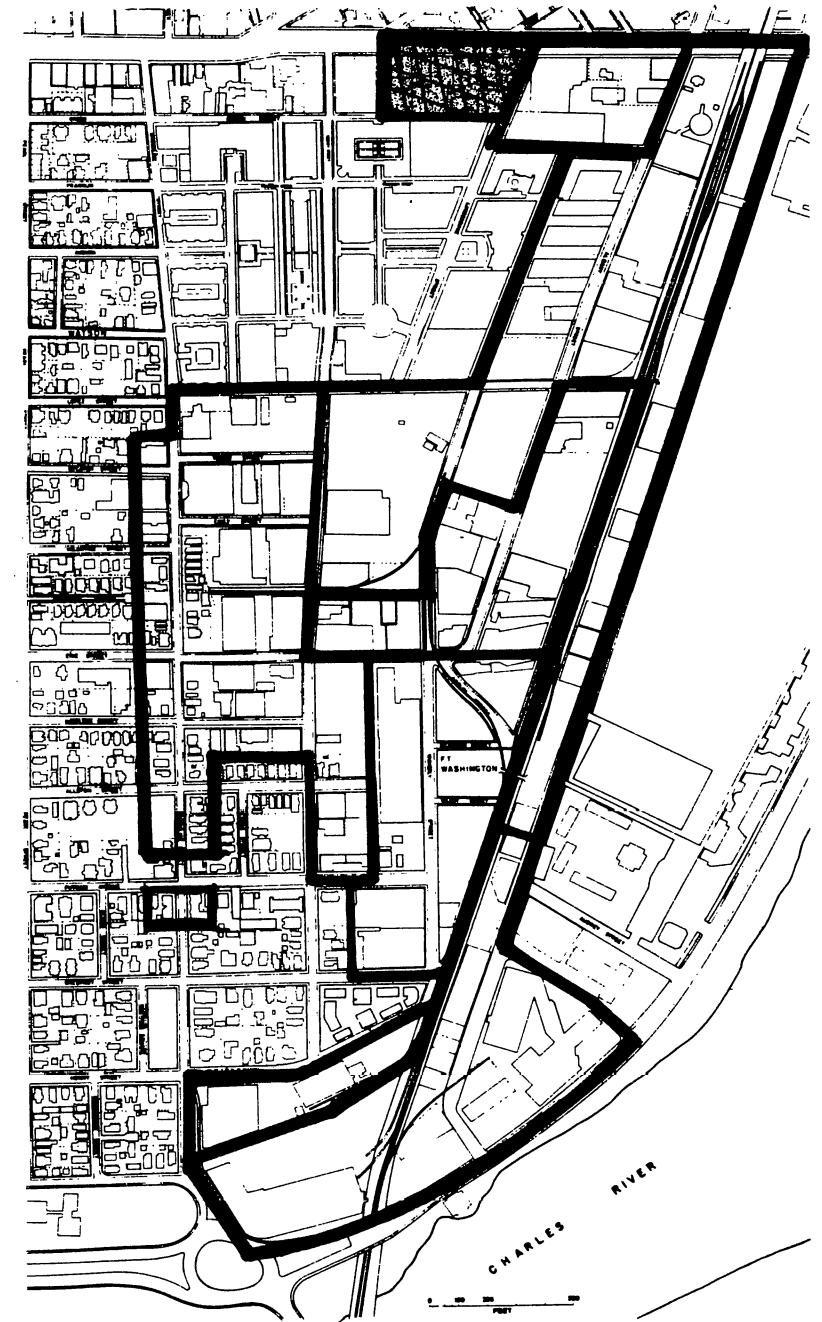
**Planning Board Petition**

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	Industry B Business B	Business B	Central Square Overlay District
<b>USES ALLOWED</b>	Heavy Industry, Retail, Office Retail, Office, Housing	Retail, Office, Housing	Same
<b>PERMITTED HEIGHTS</b>	No Limit	See Overlay	55'/80'
<b>PERMITTED FLOOR AREA RATIO</b>	4.0	See Overlay	3.0

**Lynch Petition**

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	Industry B Business B	Business A	None
<b>USES ALLOWED</b>	Heavy Industry, Retail, Office Retail, Office, Housing	Retail, Office, Housing	
<b>PERMITTED HEIGHTS</b>	No Limit	35'/85' Housing	
<b>PERMITTED FLOOR AREA RATIO</b>	4.0	1.0/1.75 Housing	

**LYNCH PETITION  
Affected Zoning District**



Total Zoning District Area
  Area Described

**PLANNING BOARD PETITION**

**PROPOSED ZONING DISTRICT  
Text Comparison**

**LYNCH PETITION**

**BUSINESS B DISTRICT  
MODIFIED BY THE EX-  
ISTING CENTRAL SQ.  
OVERLAY DISTRICT**

**5.33 Business Districts**

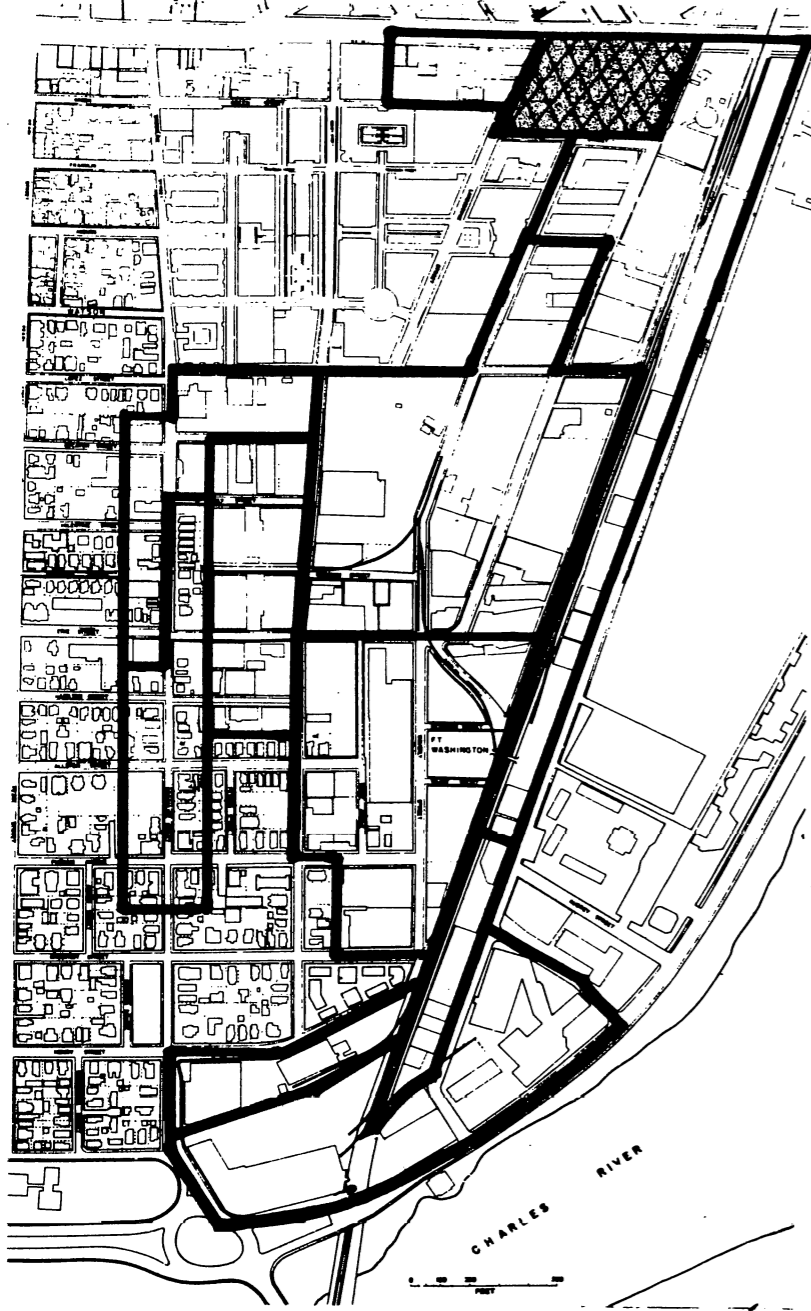
- The following dimensional requirement, set forth in Table 5-3 and modified elsewhere in this Ordinance, shall be applicable to development in business districts:

**Table 5-3 Table of Dimensional Requirements - Business Districts**

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Bus. A	1.0	none	800	none	none	none	$\frac{H+1}{5}$	35	none
Bus. A-1	1.0	none	1200	none	none	none	$\frac{H+1}{5}$	35	none
Bus. A-2	1.75 <sup>(h)</sup>	none	800	none	5 <sup>(m)</sup>	10 <sup>(l)</sup>	20 <sup>(l)</sup>	45 <sup>(k)</sup>	none
Bus. B	4.0	none	300	none	none	none	none	none	none
Bus. B-1	3.0 <sup>(b)</sup>	none	300	none	none	none <sup>(e)</sup>	none <sup>(e)</sup>	90 <sup>(c)</sup>	(d)
Bus. B-2	3.0	none	300	none	none	none <sup>(e)</sup>	none <sup>(e)</sup>	90 <sup>(f)</sup>	(d)
Bus. C	2.0	none	500	none	none	none	20 <sup>(l)</sup>	55 <sup>(g)</sup>	none
Bus. C-1	3.0 <sup>(n)</sup>	none	450 <sup>(n)</sup>	none	none	none <sup>(o)</sup>	20 <sup>(l)</sup>	50 <sup>(g)(f)</sup>	none

**BUSINESS A DISTRICT  
UNMODIFIED**

**PLANNING BOARD PETITION  
Affected Zoning District**



**PROPOSED ZONING DISTRICT  
Principal Dimensional Features**

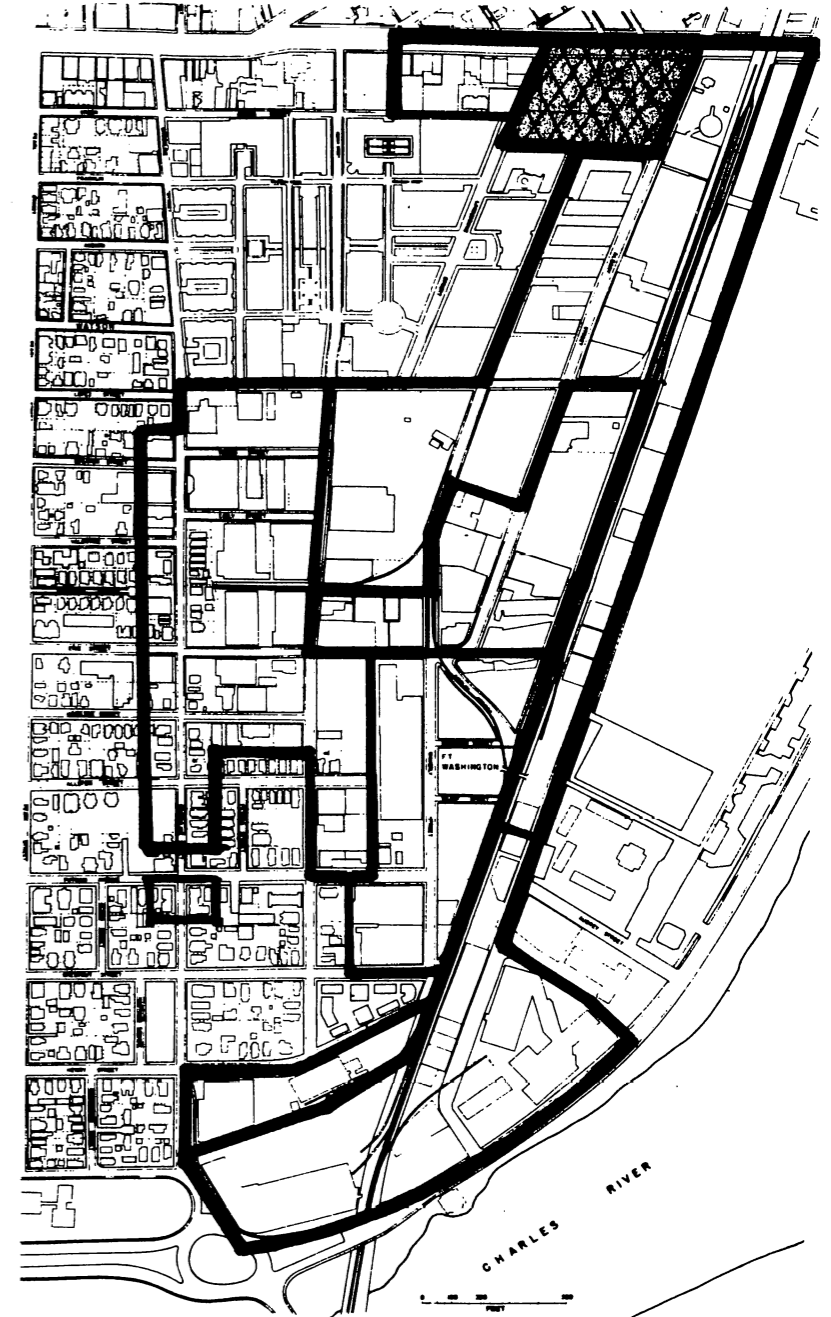
**Planning Board Petition**

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	Industry B	Special District VII	None
<b>USES ALLOWED</b>	Heavy Industry, Retail, Office	Retail, Office, Housing	
<b>PERMITTED HEIGHTS</b>	No Limit	55'/80'/100'	
<b>PERMITTED FLOOR AREA RATIO</b>	4.0	3.0	

**Lynch Petition**

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	Industry B	Special District VII	None
<b>USES ALLOWED</b>	Heavy Industry, Retail, Office	Retail, Office, Housing	
<b>PERMITTED HEIGHTS</b>	No Limit	55'/80'/100'	
<b>PERMITTED FLOOR AREA RATIO</b>	4.0	3.0	

**LYNCH PETITION  
Affected Zoning District**



Total Zoning District Area



Area Described

## PLANNING BOARD PETITION

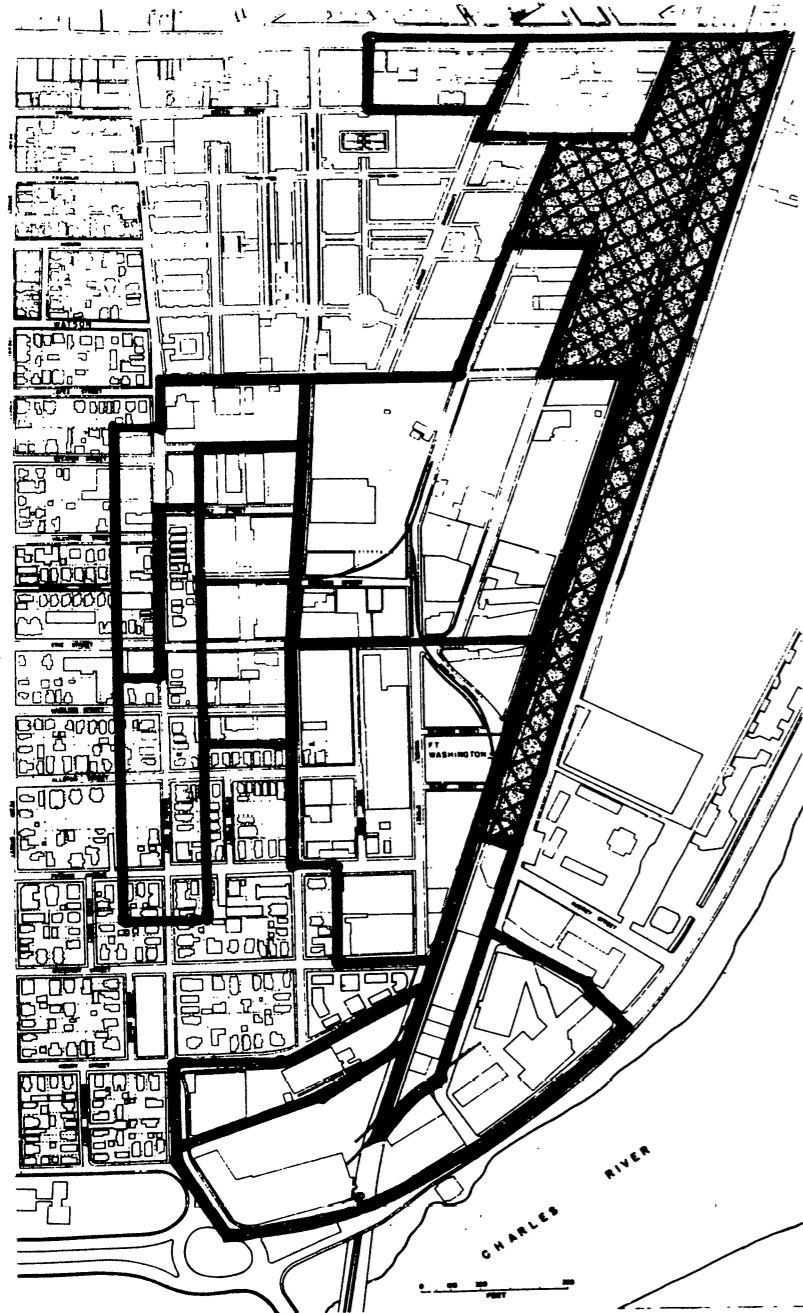
# PROPOSED ZONING DISTRICT Text Comparison

## LYNCH PETITION

TEXT AS IN THE  
PLANNING BOARD  
PETITION

- 17.70 Special District VII
- 17.71 SCOPE This Section 17.70 regulates development within the Special District VII as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.70, all requirements of and regulations applicable to the Business B District as modified by the Central Square Overlay District shall apply equally to the Special District VII.
- 17.72 ADDITIONAL PERMITTED USES
- a. The following uses shall be permitted as of right:
- Assembly or packaging of articles (Section 4.37a) and manufacture, processing, assembly and/or packaging of specified articles and products (Section 4.37 b, 1-15) shall be permitted on any lot on which any one or combination of the above uses has been established on or before January 1, 1991 and which uses remain in continuous operation thereafter. Once said industrial uses have been discontinued on the lot, the lot shall only be used for those uses permitted in the Business B District.
- b. The following uses shall be prohibited:
- Parking lot or parking garage for private passenger cars, Section 4.32 b.
- 17.73 ADDITIONAL HEIGHT The maximum height permitted in the district may be increased to one hundred (100) feet by special permit from the Planning Board; all other height limitations imposed by the Central Square Overlay District shall apply.
- 17.74 OFF STREET PARKING AND LOADING REQUIREMENTS
- 17.74.1 Off street parking and loading requirements shall be the same as specified in Article 6.000 for uses in the Office 2 District except as provided below.
- 17.74.2 Minimum Parking Requirement The minimum parking requirement shall be one space for two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit.
- 17.74.3 Maximum Parking The maximum accessory parking permitted for all uses in the district shall be one parking space for each one thousand (1,000) square feet of floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provisions of Section 6.31.3.

**PLANNING BOARD PETITION  
Affected Zoning District**



**PROPOSED ZONING DISTRICT  
Principal Dimensional Features**

**Planning Board Petition**

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	Industry B	Special District VI	None
<b>USES ALLOWED</b>	Heavy Industry, Retail, Office	Residential, Institutional	
<b>PERMITTED HEIGHTS</b>	No Limit	100'/180'	
<b>PERMITTED FLOOR AREA RATIO</b>	4.0	3.0	

**Lynch Petition**

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	Industry B	Special District VI	Open Space Overlay District
<b>USES ALLOWED</b>	Heavy Industry, Retail, Office	Light Industry, Housing, Dormitories/Limited Office	
<b>PERMITTED HEIGHTS</b>	No Limit	45'	
<b>PERMITTED FLOOR AREA RATIO</b>	4.0	1.25	

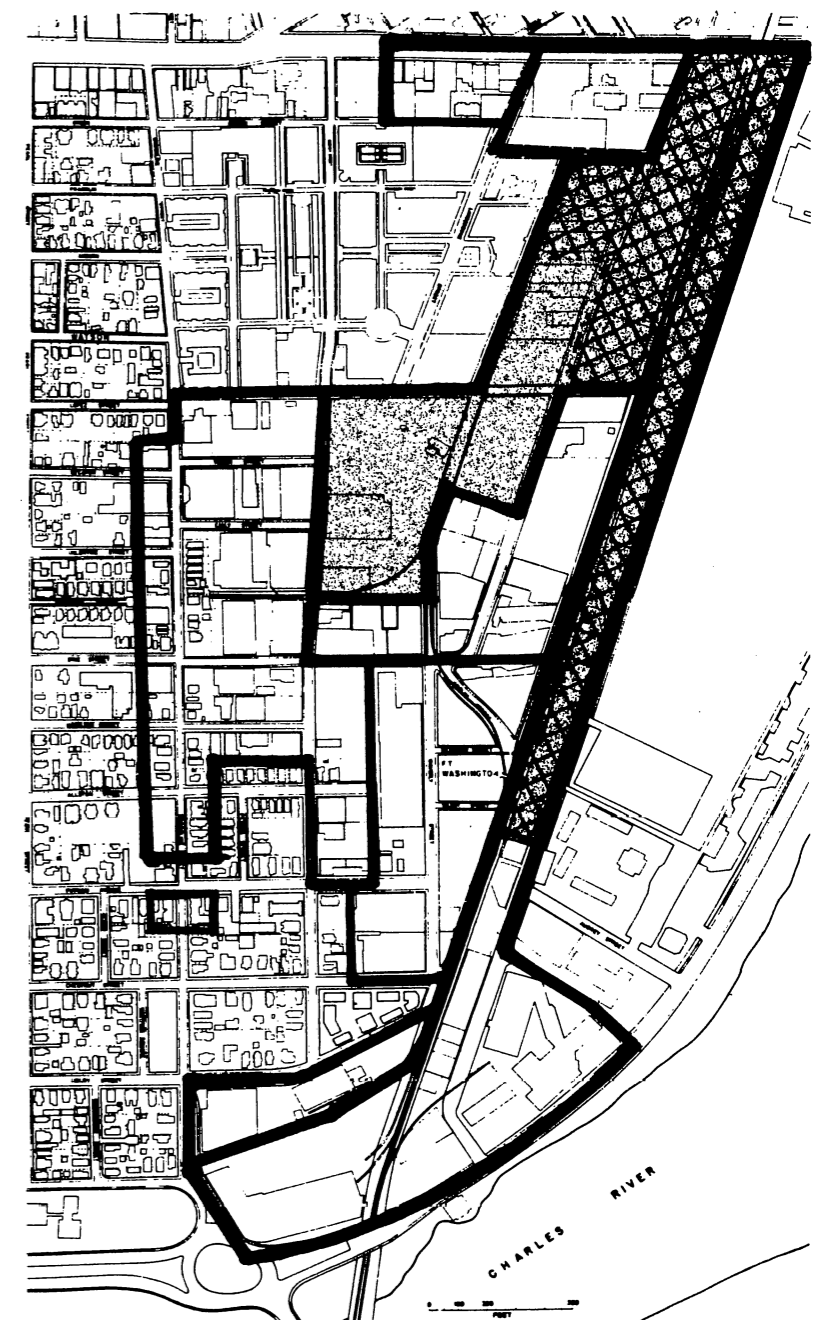


Total Zoning District Area



Area Described

**LYNCH PETITION  
Affected Zoning District**



# PLANNING BOARD PETITION

# PROPOSED ZONING DISTRICT Text Comparison

# LYNCH PETITION

- 17.6 Special District VI
- 17.61 SCOPE This Section 17.60 regulates development within the Special District VI as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.60, all requirements of and regulations applicable to the Residence C-3 District shall apply equally to the Special District VI.
- 17.62 PERMITTED USES Uses permitted in the Residence C-3 District shall be equally allowed in the Special District VI with the exception of the following:
- a. The following uses shall be prohibited:
    - (1) Parking lot or parking garage for private passenger cars, Section 4.32 b.
    - (2) Hotel and Motel uses, Section 4.31 i (2).
- 17.63 DIMENSIONAL REGULATIONS
- 17.63.1 Yard Requirements There shall be no minimum yard requirements for structures within the Special District VI.
- 17.63.2 Maximum Height The maximum height permitted in the district shall be one hundred (100) feet except as permitted or further restricted below:
- a. In that portion of the district lying southwesterly of a line, which line is the southeasterly projection of a line one hundred feet northeasterly of and parallel to the southwesterly sideline of Reardon Street the maximum height shall be forty-five (45) feet. Upon issuance of a special permit from the Planning Board the height may be increased to sixty (60) feet.
  - b. The maximum height may be increased above one hundred (100) feet in that portion of the district lying northeasterly of the line described in paragraph a above after the issuance of a special permit by the Planning Board, provided portions of buildings exceeding one hundred (100) feet but not exceeding one hundred and eighty (180) feet in height contain no more than 165,000 square feet of gross floor area, in total for the entire district.
  - c. In granting a special permit for additional height the Planning Board shall consider the following:
    - 1. The height of the other buildings or portions of buildings constructed in the district is reduced to significantly below the one hundred (100) foot height permitted as of right.

**INSURANCE AGENCY,  
GENERAL OFFICE**

**PROVISIONS SIGNIFICANTLY MODIFIED BY THE OPEN SPACE OVERLAY DISTRICT PROVISIONS (which see); PRODUCE RESULTS SIMILAR TO PLANNING BOARD PETITION SPECIAL DISTRICT VI AT VASSAR STREET**

- 17.60 Special District VI
- 17.61 SCOPE This Section 17.60 regulates development within the Special District VI as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.60, all requirements of and regulations applicable to the Industry A-1 District shall apply equally to the Special District VI.
- 17.62 PERMITTED USES Uses permitted in the Industry A-1 District shall be equally allowed in the Special District VI with the exception of the following:
- a. The following additional uses shall be permitted as of right:
    - (1) Dormitory and resident fraternity or sorority, Section 4.33, b (7).
    - (2) Residential uses Section 4.31 a-h.
  - b. The following uses shall be prohibited:
    - (1) Parking lot or parking garage for private passenger cars, Section 4.32 b.
    - (2) Office Uses Section 4.34 c and d. For the purpose of this Section 17.62 Technical Office for Research and Development shall mean those offices and similar facilities occupied by persons principally engaged in basic research or in the application of such research or knowledge derived therefrom to the development of products or processes that have academic or commercial applications. The gross floor area not meeting this definition shall not exceed 33% of the total gross floor area in the authorized development.
    - (3) All Retail, Business and Consumer Service Establishments Section 4.35 with the exception of 4.35 b-e.
- 17.63 DIMENSIONAL REGULATIONS Dimensional requirements for the Industry A-1 District shall apply equally in Special District VI with the exception of the following:
- (1) The maximum height shall be sixty (60) feet for permitted uses located southeasterly of Waverly and/or Purrington Street. However, any portion of a building exceeding a height of forty five (45) feet shall be set back a minimum of twenty (20) feet from the adjacent front property line(s) on all abutting streets.
- 17.64 OFF STREET PARKING AND LOADING REQUIREMENTS
- 17.64.1 Off street parking and loading requirements shall be the same as specified in Article 6.000 for uses in the Industry A-1 District except as provided below.
- 17.64.2 Minimum Parking Requirement The minimum parking requirement shall be one space for two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit, and for dormitory uses, Section 4.33 b (7), one parking space for each twelve (12) beds.
- 17.64.3 Maximum Parking The maximum accessory parking permitted for all uses in the district shall be one parking space for each six hundred and fifty (650) square feet of floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking.

2. In the vicinity of Fort Washington buildings are constructed below the one hundred (100) foot height permitted or green space is created so as to increase the views from Fort Washington across the MIT campus to the river and to the Boston skyline beyond. Where heights are proposed to exceed the base limit of forty-five (45) feet at Fort Washington, the Planning Board shall find that an increase in height up to sixty (60) feet allows flexibility in the design of buildings such that the view from the park to and beyond the campus is increased and/or enhanced.
3. The view corridors down streets in residential Cambridgeport, as for instance, down Erie, Pacific, perhaps Tudor and Emily Streets, are not obstructed by buildings.
4. Significant green space is created in the district at grade where it can be visible to the general public.
5. The buildings are not so distributed in the district as to create a strong sense of enclosure as viewed from the residential Cambridgeport neighborhood.

17.64 OFF STREET PARKING AND LOADING REQUIREMENTS

Off street parking and loading requirements shall be the same as specified in Article 6.000 for uses in the Residence C-3 District except as provided below.

- 17.64.1 Minimum Parking Requirement The minimum parking requirement shall be one space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit, and for dormitory uses, Section 4.33 b(7) one parking space for each twelve (12) beds.
- 17.64.2 Maximum Parking The maximum accessory parking permitted for all uses in the district shall be one parking space for each six hundred and fifty (650) square feet of floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provisions of Section 6.31.3.

5.34 Industrial Districts

1. The following dimensional requirements, set forth in Table 5-4 and modified elsewhere in this Ordinance, shall be applicable to development in office districts:

Table 5-4 Table of Dimensional Requirements - Industrial Districts

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Ind. A-1	1.25	5,000	1,200 <sup>(a)</sup>	50	0	0 <sup>(b)</sup>	0 <sup>(b)</sup>	45	none

5.30 DISTRICT DIMENSIONAL REGULATIONS

5.31 Residential Districts

1. The following dimensional requirements, set forth in Table 5-1 and modified elsewhere in this Ordinance, shall be applicable to development in residential districts:

Table 5-1. Table of Dimensional Requirements - Residential Districts

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Res. A-1	0.5	8,000	6,000	80	25	15(sum of 35)	25	35	25%
Res. A-2	0.5	6,000	4,500	65	20	10 (sum of 25)	20	35	25%
Res. B	0.5	5,000	2,500	50	15	7'8" (sum of 20)	20	35	20%
Res. C <sup>(i)</sup>	0.8	5,000	1,800	50	$\frac{H+L}{4}$	$\frac{H+L}{5}$ (min. 7'6" sum of 20)	$\frac{H+L}{4}$	35	18%
Res. C-1	0.75	5,000	1,200	50	$\frac{H+L}{4}$	$\frac{H+L}{5}$	$\frac{H+L}{4}$	35	15%
Res. C-2	1.75	5,000	600	50	$\frac{H+L}{4}$	$\frac{H+L}{5}$	$\frac{H+L}{4}$	85	15%
Res. C-2B	1.75	5,000	600	50	$\frac{H+L}{4}$	$\frac{H+L}{5}$	$\frac{H+L}{4}$	45	15%
Res. C-2A	2.5	5,000	300	50	$\frac{H+L}{5}$ <sup>(b)(g)</sup>	$\frac{H+L}{8}$ <sup>(g)</sup>	$\frac{H+L}{5}$ <sup>(c)</sup>	60	10% <sup>(h)</sup>
Res. C-3	3.0	5,000	300	50	$\frac{H+L}{5}$ <sup>(b)</sup>	$\frac{H+L}{8}$	$\frac{H+L}{5}$ <sup>(c)</sup>	none	10%
Res. C-3A	3.0 <sup>(d)</sup>	5,000	300	50	$\frac{H+L}{5}$ <sup>(b)(e)</sup>	$\frac{H+L}{8}$ <sup>(f)</sup>	$\frac{H+L}{5}$ <sup>(c)</sup>	120	10%

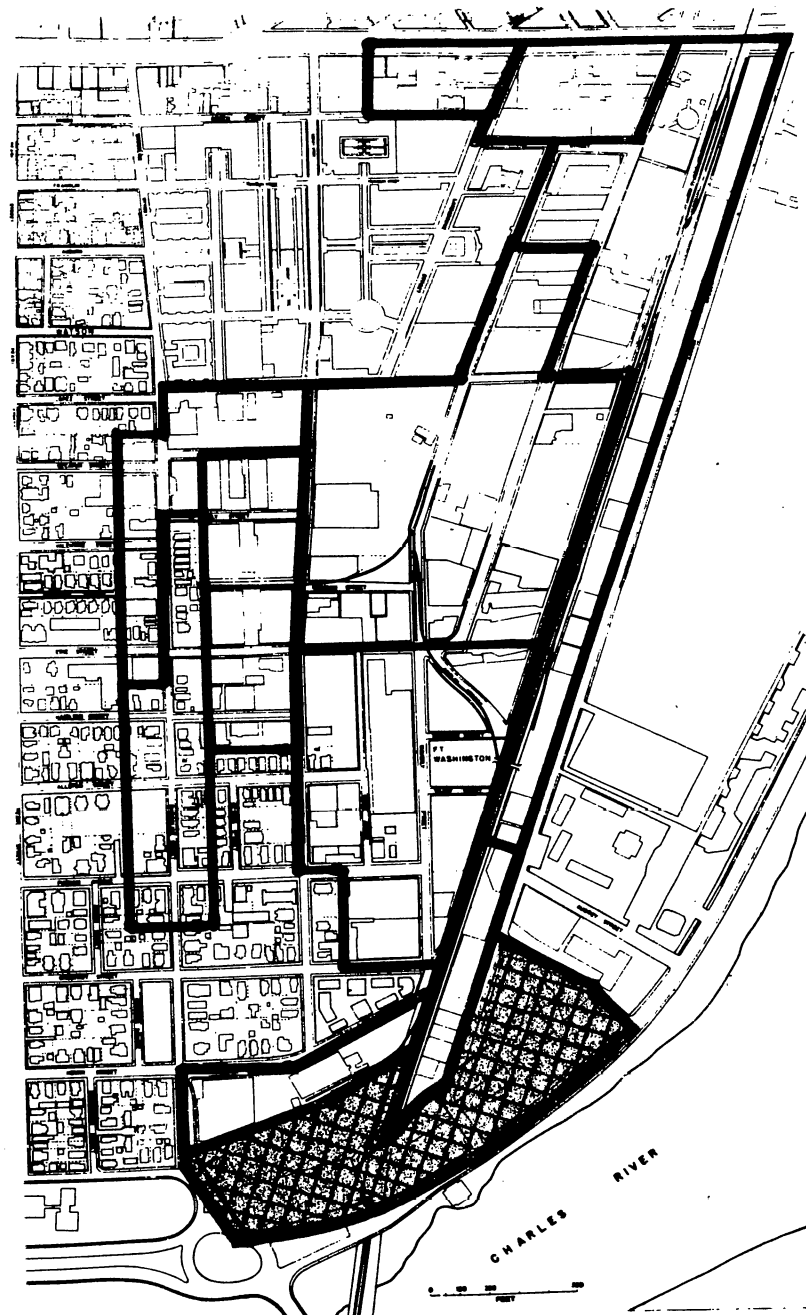
2. Footnotes

- (a) Measured from the center line of the street, but in no case may a building be nearer the street than ten (10) feet.
- (b) Measured from the center line of the street, but in no case may a building be nearer the street line than five (5) feet
- (c) In no case may a building be nearer the rear lot line than twenty (20) feet.
- (d) The maximum ratio of floor area to lot area for buildings containing principal uses specified in Section 4.34 shall not exceed 1.25.

2. Footnotes

- (a) This requirement may be reduced to nine hundred (900) square feet per dwelling unit for conversion of nonresidential buildings in existence on April 1, 1978, to residential use.
- (b) A side yard setback of  $\frac{H+L}{7}$  and a rear yard setback of  $\frac{H+L}{5}$  shall be required only for residential uses in new structures and for nonresidential uses abutting residences, residential or open space districts or public parks and recreation areas. These requirements may be reduced to a minimum required setback of ten (10) feet on special permit, provided that the yard is suitably landscaped to effectively buffer building walls from abutting lots.
- (c) Thirty-five (35) foot height limit within one hundred (100) feet of a residential structure less than thirty-five (35) feet in height or a residential district.
- (d) One hundred and thirty (130) feet by special permit for buildings related to storage and processing of materials permitted in Section 4.37m.

**PLANNING BOARD PETITION  
Affected Zoning District**



**PROPOSED ZONING DISTRICT  
Principal Dimensional Features**

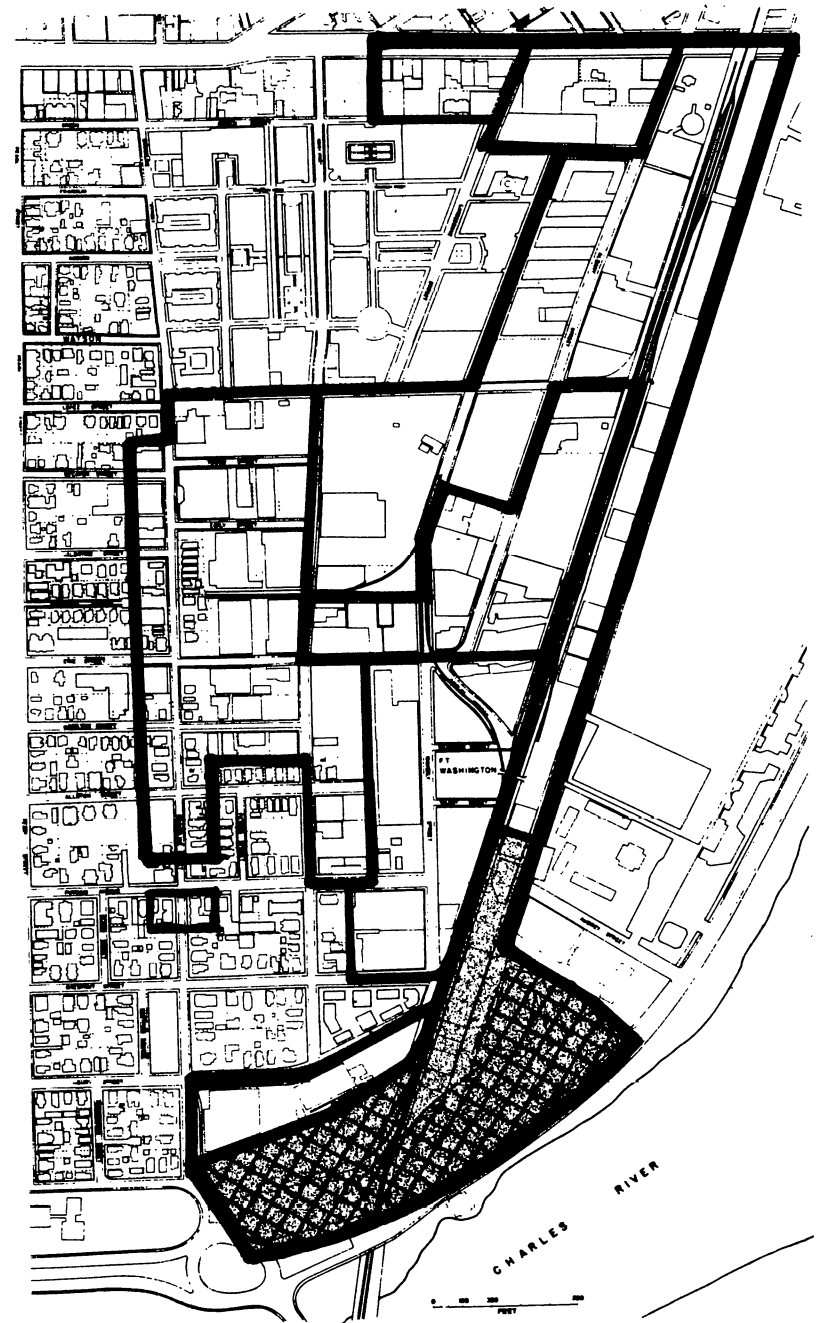
**Planning Board Petition**

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	Industry A Office 3	Special District V	None
<b>USES ALLOWED</b>	Light Industry, Retail, Office Office, Housing	Office, Housing, Light Industry	
<b>PERMITTED HEIGHTS</b>	85' No Limit	85'/100' Housing, Dormitories	
<b>PERMITTED FLOOR AREA RATIO</b>	2.0 3.0	1.5/2.0 Housing, Dormitories	

**Lynch Petition**

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	Industry A Office 3	Special District V	None
<b>USES ALLOWED</b>	Light Industry, Retail, Office Office, Housing	Office, Housing, Light Industry	
<b>PERMITTED HEIGHTS</b>	85' No Limit	85'/35' within 125' * of a Residential District	
<b>PERMITTED FLOOR AREA RATIO</b>	2.0 3.0	1.5/2.0 Housing	

**LYNCH PETITION  
Affected Zoning District**



 Total Zoning District Area    
  Area Described

# PROPOSED ZONING DISTRICT Text Comparison

## PLANNING BOARD PETITION

## LYNCH PETITION

- 17.50 Special District V
- 17.51 SCOPE This Section 17.50 regulates development within the Special District V as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.50, all requirements of and regulations applicable to the Office 2 District shall apply equally to the Special District V.
- 17.52 PERMITTED USES Uses permitted in the Office 2 District shall be equally allowed in the Special District V with the exception of the following:
- a. The following additional uses shall be permitted:
- (1) Manufacturing, processing, assembly and/or packaging of articles and products listed in Section 4.37 a, and Section 4.37 b 4,5,9 provided the fully assembled product regularly produced shall not exceed two hundred (200) pounds in weight.
  - (2) Retail, Business and Consumer Service Establishments, Section 4.35 a and b as would otherwise be permitted in a Business A-1 and A-2 District, provided such uses are in a building containing uses permitted in an Office 2 District and do not exceed in area an amount equal to ten (10) percent of the gross floor area of the building in which they are located, or twenty five thousand (25,000) square feet, whichever is less.
  - (3) Residential Uses Section 4.31 a-h shall be permitted as of right.
- b. The following uses shall be prohibited:
- Parking lot or parking garage for private passenger cars, Section 4.32 b.
- 17.53 DIMENSIONAL REGULATIONS The following Dimensional Regulations shall apply to all development proposals within the district.
- 17.53.1 Maximum FAR The FAR applicable on any lot in the district shall not exceed 1.5 for all permitted uses. However, the applicable FAR may be increased by an additional .5 to a maximum of 2.0, by Special Permit from the Planning Board, for permitted residential uses, excluding hotels and motels, and for dormitory uses, Section 4.33 b(7); all residential development authorized by the special permit shall be subject to the affordable housing requirements of Section 11.506.22.
- 17.53.2 Building Height Limitations The maximum height for permitted residential and dormitory uses, excluding hotels and motels, may be increased to one hundred (100) feet after issuance of a special permit from the Planning Board.

TEXT AS IN PLANNING  
BOARD PETITION EX-  
CEPT AS NOTED

- 17.53 DIMENSIONAL REGULATIONS The following Dimensional Regulations shall apply to all development proposals within the district.
- 17.53.1 Maximum FAR The FAR applicable on any lot in the district shall not exceed 1.5 for all permitted uses. However, the applicable FAR may be increased by an additional 0.5 to a maximum of 2.0, by special permit from the Planning Board, for permitted residential uses, excluding hotels and motels.
- 17.53.2 Front Yard Requirements.

17.53.3 Front Yard Requirements.

- a. The minimum front yard setback from Memorial Drive for the principal front wall plane for any structure shall be twenty-five (25) feet measured from the street line. The required front yard setback shall apply to any portion of a structure below ground as well as those portions of a structure above ground.



Any structure erected prior to January 1, 1991 which is set closer to the Memorial Drive streetline than permitted by this Section 17.53.3 shall not be considered a non conforming structure as defined in Article 2.000 with regard to required front yard set backs from Memorial Drive.

- b. The required Memorial Drive front yard shall consist entirely of green area as defined in Article 2.000 with the exception of paving necessary for vehicular access. Such paved access area shall be limited to one twenty-four (24) foot driveway for each one hundred (100) feet of lot frontage, or fraction thereof, located so as to provide the most direct access to parking facilities located elsewhere on the site. It is preferred that all vehicular access be provided from other than Memorial Drive.
- c. The Memorial Drive front yard shall contain at least one three and one-half (3½) to four (4) inch caliper tree for every twenty-five (25) linear feet of street frontage.
- d. All other yards shall conform to the requirements of the Office 2 District.

17.54 OFF STREET PARKING AND LOADING REQUIREMENTS

17.54.1 Off street parking and loading requirements shall be as specified in Article 6.000 for uses in the Office 2 District except as provided below.

17.54.2 Minimum Parking Requirement The minimum parking requirement shall be one space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit and for dormitory uses, Section 4.33 b(7), one parking space for each twelve (12) beds.

17.54.3 Maximum Parking The maximum accessory parking permitted for all uses in the district shall be one parking space for each six hundred and fifty (650) square feet of gross floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provisions of Section 6.31.3.

- c. Amend the Text of the Zoning Ordinance by deleting the existing footnote (d) in Section 5.32 - Office Districts, Table 5-2 and substituting therefore the following:

(d) Thirty-five (35) foot height limit within one hundred and twenty-five (125) feet of Residence B districts.

5.32 Office Districts

- 1. The following dimensional requirements, set forth in Table 5-2 and modified elsewhere in this Ordinance, shall be applicable to development in Office districts:

Table 5-2. Table of Dimensional Requirements - Office Districts

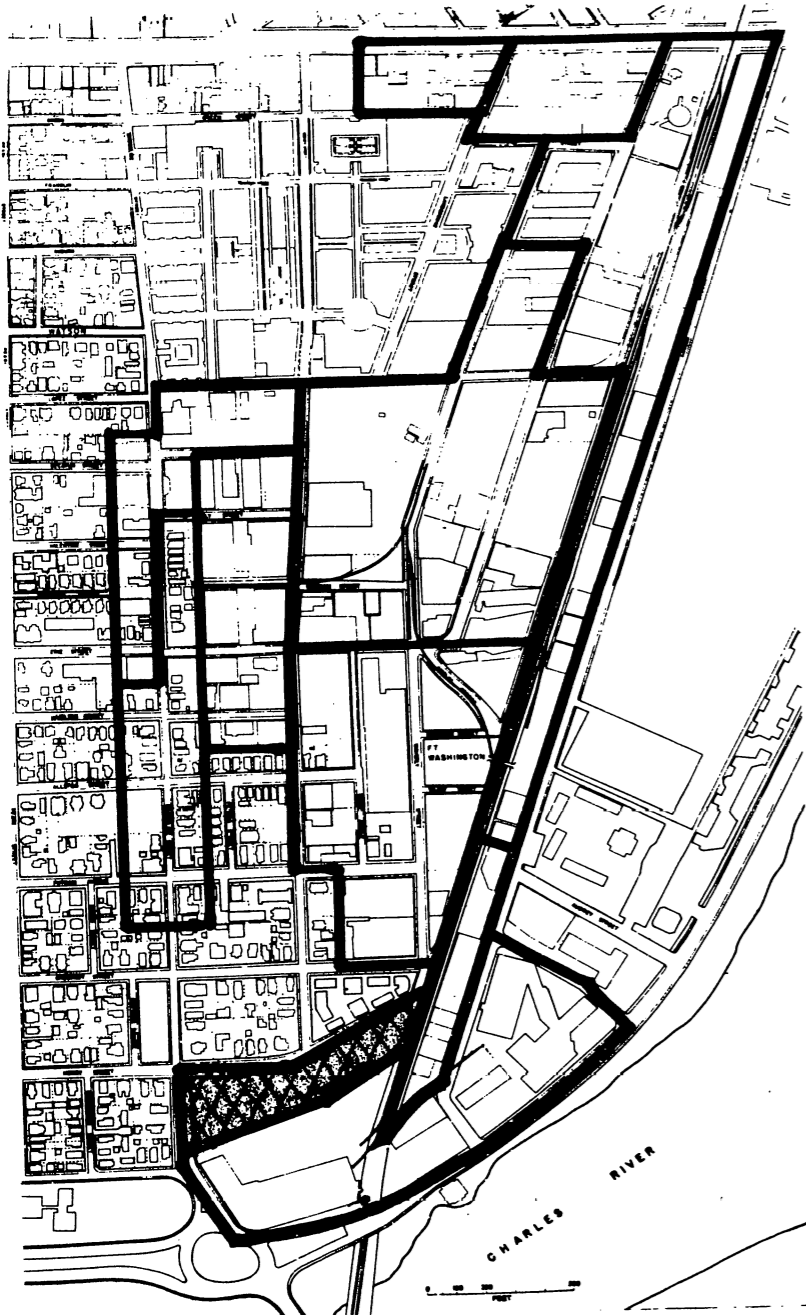
District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Office 1	0.75	5,000	1,200	50	$\frac{H+L}{4}$ (a)	$\frac{H+L}{5}$	$\frac{H+L}{4}$ (c)	35	15%
Office 2	2.0	5,000	600	50	$\frac{H+L}{4}$ (a)	$\frac{H+L}{5}$	$\frac{H+L}{4}$ (c)	85(d)	15%
Office 3	3.0	5,000	300	50	$\frac{H+L}{5}$ (b)	$\frac{H+L}{6}$	$\frac{H+L}{5}$ (c)	none	10%
Office 3A	3.0	5,000	300	50	$\frac{H+L}{5}$ (b)	$\frac{H+L}{6}$	$\frac{H+L}{5}$ (c)	120	10%

- 2. Footnotes

- (a) Measured from the center line of the street, but in no case may a building be nearer the street line than ten (10) feet.
- (b) Measured from the center line of the street, but in no case may a building be nearer to the street line than five (5) feet.
- (c) In no case may a building be nearer the rear lot line than twenty (20) feet.
- (d) Thirty-five (35) foot height limit within one hundred and twenty-five (125) feet of residential districts.

**FOOTNOTE (d), THROUGH  
INADVERTENCE, STILL  
APPLIES IN THE LYNCH  
PETITION**

**PLANNING BOARD PETITION  
Affected Zoning District**



**PROPOSED ZONING DISTRICT  
Principal Dimensional Features**

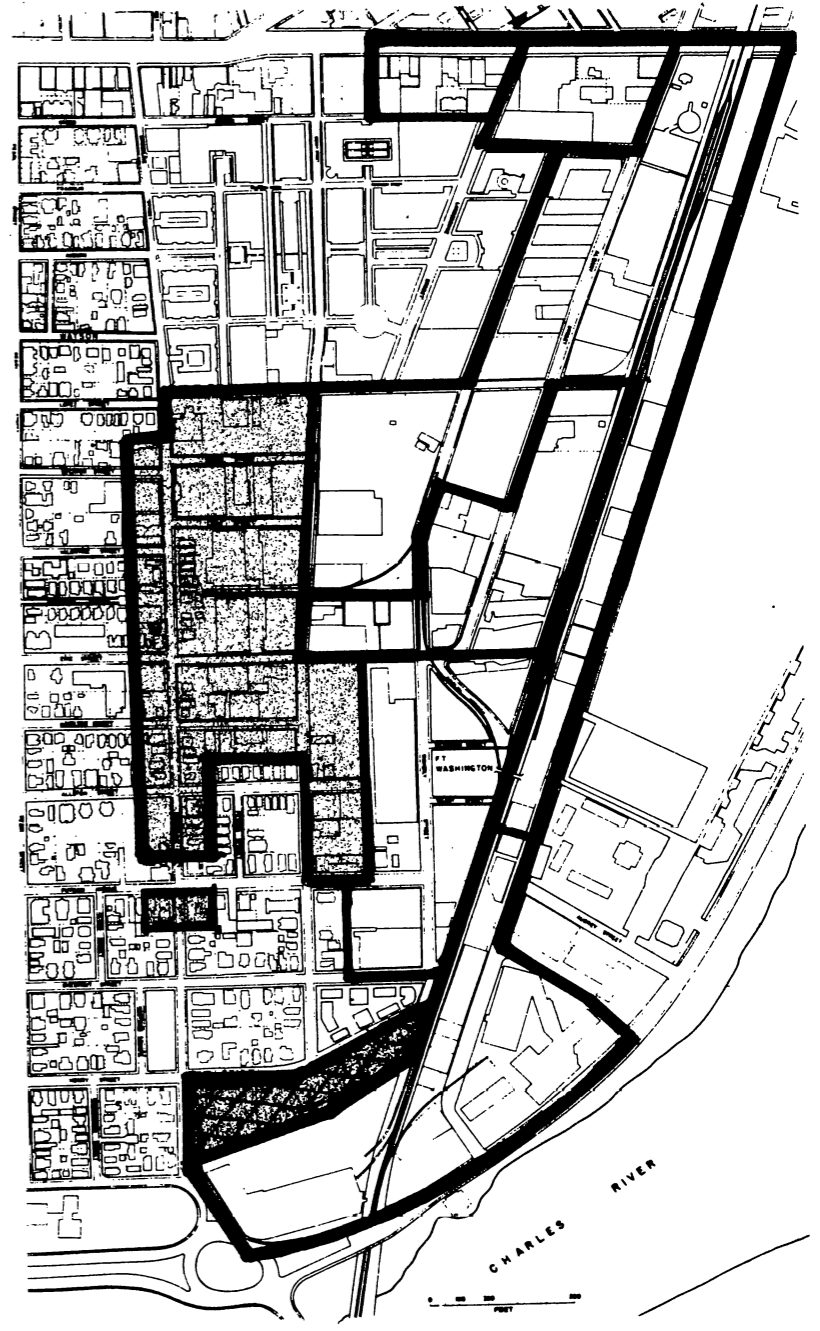
**Planning Board Petition**

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	Industry A	Residence C	Cambridgeport Overlay District C
<b>USES ALLOWED</b>	Light Industry, Office, Retail	Housing	Housing/Dormitories
<b>PERMITTED HEIGHTS</b>	85'	35'	45'/60'
<b>PERMITTED FLOOR AREA RATIO</b>	2.0	.6/75	Same

**Lynch Petition**

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	Industry A	Residence C	Affordable Housing Overlay District
<b>USES ALLOWED</b>	Light Industry, Office, Retail	Housing	Housing/Limited Retail, Office, Industry
<b>PERMITTED HEIGHTS</b>	85'	35'	45'/60'
<b>PERMITTED FLOOR AREA RATIO</b>	2.0	.6	1.25/1.75

**LYNCH PETITION  
Affected Zoning District**



Total Zoning District Area
  Area Described

# PLANNING BOARD PETITION

# PROPOSED ZONING DISTRICT Text Comparison

# LYNCH PETITION

## 5.30 DISTRICT DIMENSIONAL REGULATIONS

### 5.31 Residential Districts

- The following dimensional requirements, set forth in Table 5-1 and modified elsewhere in this Ordinance, shall be applicable to development in residential districts:

Table 5-1. Table of Dimensional Requirements - Residential Districts

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Res. A-1	0.5	8,000	8,000	80	25	15 (sum of 35)	25	35	25%
Res. A-2	0.5	6,000	4,500	65	20	10 (sum of 25)	20	35	25%
Res. B	0.5	5,000	2,500	50	15	7'6" (sum of 20)	20	35	20%
Res. C. <sup>(i)</sup>	0.6	5,000	1,800	50	$\frac{H+L}{4}$ <sup>(a)</sup>	$\frac{H+L}{5}$ <sup>(b)</sup> (min. 7'6" sum of 20)	$\frac{H+L}{4}$ <sup>(c)</sup>	35	18%
Res. C-1	0.75	5,000	1,200	50	$\frac{H+L}{4}$ <sup>(a)</sup>	$\frac{H+L}{5}$ <sup>(b)</sup>	$\frac{H+L}{4}$ <sup>(c)</sup>	35	15%

## 2. Footnotes

- Measured from the center line of the street, but in no case may a building be nearer the street than ten (10) feet.
- Measured from the center line of the street, but in no case may a building be nearer the street line than five (5) feet
- In no case may a building be nearer the rear lot line than twenty (20) feet.
- The maximum ratio of floor area to lot area for buildings containing principal uses specified in Section 4.34 shall not exceed 1.25.

(i) The dimensional requirements of the Residence C-1 district as detailed in this Section 5.31 shall apply in the Residence C district under the following conditions and limitations:

- For any construction on a lot involving the addition of dwelling units above that permitted in a Residence C district [and not otherwise permitted in paragraph (1) above], upon the issuance of a special permit from the Board of Zoning Appeal subject to the requirements of Section 11.200.

**BOTH PETITIONS MAKE  
USE OF THE RESIDENCE  
C DISTRICT AS A BASE**

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 fifty (50) percent 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.

## 11.500 Cambridgeport Overlay Districts A - C

### 11.505 DETAILED PROVISIONS APPLICABLE TO ALL DISTRICTS

11.505.1 Uses The buildings and land uses within the Cambridgeport Overlay Districts shall be controlled by the pertinent regulations within the applicable base zoning district except as provided below:

- The following uses shall be prohibited:

Parking lot or parking garage for private passenger cars, Section 4.32 b.

- The following uses shall be permitted as of right:

- Dormitory, resident fraternity or sorority, Section 4.33 b(7), except in District C.
- Residential Uses Section 4.31 a-h.

11.505.3 Yard Requirements A minimum five (5) foot front yard setback shall be required for all development in the Overlay Districts. Where a greater setback is required in the base district for the front yard, the greater setback shall be the required unless the Planning Board specifically waives the greater requirement by Special Permit. All other yard requirements shall be as required in the base district unless the Planning Board specifically waives the requirement by Special Permit.



**AUTO PARKING LOT, TV  
AND RADIO STUDIO,  
UTILITY FACILITIES;  
DOCTORS AND OTHER  
PROFESSIONAL OFFICES,  
TECHNICAL OFFICE AND  
RESEARCH FACILITIES;  
RETAIL STORES, SERVICES,  
RESTAURANTS; LIGHT MANU-  
FACTURING**

11.300 South Cambridgeport Affordable Housing Overlay District

11.303 USE REGULATIONS The special permit shall allow only the uses allowed in the Residence C base district. Use variances are hereby expressly prohibited, Section 10.31 notwithstanding.

Amend Section 8.20, Non-Conformity, by adding a new Subsection 8.26 that reads as follows:

"8.26 a) An expansion of a non-residential structure in existence as of January 1, 1991 up to twenty-five percent (25%) of gross floor area is allowed as of right in the South Cambridgeport Affordable Housing Overlay District (Section 11.300). Such expansion shall not make a structure non-conforming as defined in Article 2.000 with regard to gross floor area.

b) An extension or alteration of a non-residential use existing as of January 1, 1991 is allowed as of right in the South Cambridgeport Affordable Housing Overlay District (Section 11.300) as long as

such change, extension, or alteration will not be substantially more detrimental to the neighborhood than the existing non-conforming use; that is, restricted to those uses found in the Table of Use Regulations, Articles 4.32 b, f and g; 4.34 a-c, f; 4.35 a-e, q; and 4.37 a-c, f-k."

11.505.31 Restrictions in Required or Provided Front Yard Setbacks That area between the principal front wall plane of a building and a public street, whether required or provided, shall be devoted to Green Area as defined in Article 2.000 of this Ordinance, an expansion of the adjacent public sidewalk, or other landscaped or paved area devoted exclusively to pedestrian use and extending along the entire length of that portion of a lot abutting the street. Areas devoted to vehicular use are prohibited from this area with the exception of access drives located to provide the most direct access to parking facilities located elsewhere on the site. Said access drives shall be limited to a total of thirty (30) feet of width for each one hundred (100) feet of lot frontage. Where a lot is bounded by more than one street, the provisions of this subsection 11.505.31 shall apply fully only to a single street, which street shall be the principal, major or most important street abutting the lot. For all other streets the provisions of this subsection 11.505.31 shall apply only to the required front yard setback.

11.506 DETAILED PROVISIONS APPLICABLE TO INDIVIDUAL DISTRICTS

11.506.1 Additional Height By Special Permit from the Planning Board the permitted height may be increased as detailed below; however, any portion of a building exceeding a height of forty-five (45) feet shall be set back a minimum of twenty (20) feet from the adjacent front property line(s) on all abutting streets.

- (3) In District C the maximum height shall be sixty (60) feet between the southwesterly extension of the centerline of Sidney Street and the railroad right of way; and forty-five (45) feet between the southwesterly extension of the centerline of Sidney Street and Brookline Street.

11.506.11 In granting a Special Permit for additional height the Planning Board shall consider the following.

- (1) A superior site development will result as indicated by:
- (a) more generous setbacks used to widen sidewalks or add street trees or other landscaping along public streets;
  - (b) more varied forms of urban open space, including courtyards and plazas;
  - (c) more sensitive relationship of building forms to the height and other characteristics of development on adjacent lots;
  - (d) more rational arrangement of parking so as to reduce its negative impacts on adjacent properties and public streets; and/or
  - (e) greater solar access to building and open space elements within the development and/or reduced shadow impacts on adjacent development.

**FOOTNOTE "i" DOES NOT APPLY**

**SEE AFFORABLE HOUSING TEXT COMPARISION**

**AFFORABLE HOUSING REQUIREMENT IS ONLY CONTAINED WITHIN THE RESIDENCE C BASE REQUIREMENTS**

11.304

**DIMENSIONAL REQUIREMENTS**

(a) Except as allowed by a special permit under paragraphs (b), (c), and (d), the dimensional requirements of the Residence C base district under Section 5.31, but not including footnote (i), shall apply in the South Cambridgeport Affordable Housing Overlay District.

(b) In order to promote affordable housing within the district, the special permit shall allow additional FAR over the base of 0.6 in the proportion of 0.023 additional FAR for every one percent of the total number of housing units on a lot which the owner agrees will be affordable as required by Subsection 11.305. However, the agreed number of such affordable units shall be at least one-fifth of the total number of housing units on the lot. Where the calculation of the number of affordable units required under this section results in a fraction, any fraction from 0.5 upward will be rounded up and any lower fraction rounded down. The maximum FAR allowed by the special permit under this section shall be as follows:

(2) In Subdistrict F the maximum FAR shall be 1.25 between the southwesterly extension of the centerline of Sidney Street and Brookline Street and 1.75 between the southwesterly extension of Sidney Street and the railroad right of way.

For the purpose of this Section, the gross floor area of such an affordable unit that exceeds 1,200 square feet shall not be considered in calculating the allowed FAR, if the unit has three or more bedrooms.

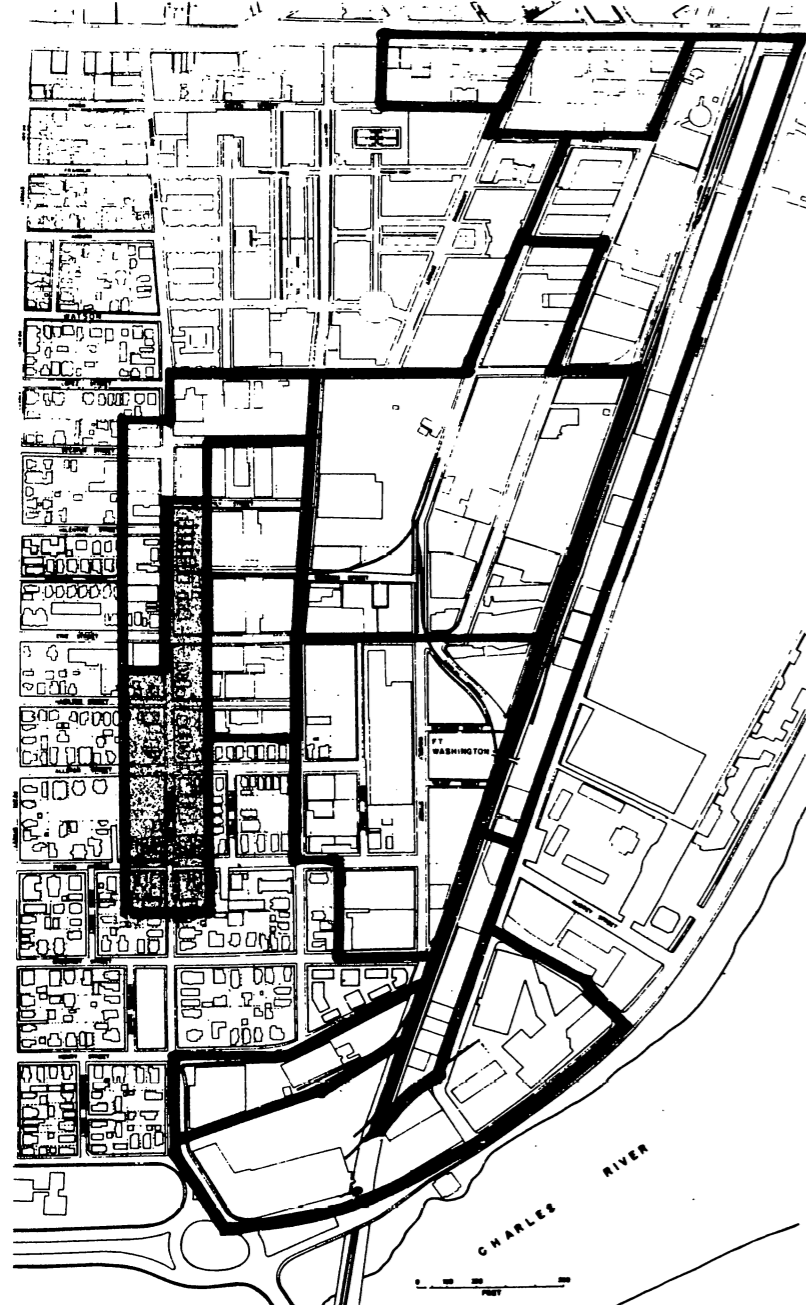
(c) In order to promote affordable housing within the District, the special permit shall allow additional height as indicated below:

(2) In Subdistrict F the maximum height shall be forty five (45) feet between the southwesterly extension of the centerline of Sidney Street

and Brookline Street; and sixty (60) feet between the southwesterly extension of Sidney Street and the railroad right of way.

(d) In order to promote affordable housing, the special permit shall allow maximum residential density to be increased to eight hundred (800) square feet of lot area per dwelling unit for the district.

**PLANNING BOARD PETITION  
Affected Zoning District**



**PROPOSED ZONING DISTRICT  
Principal Dimensional Features**

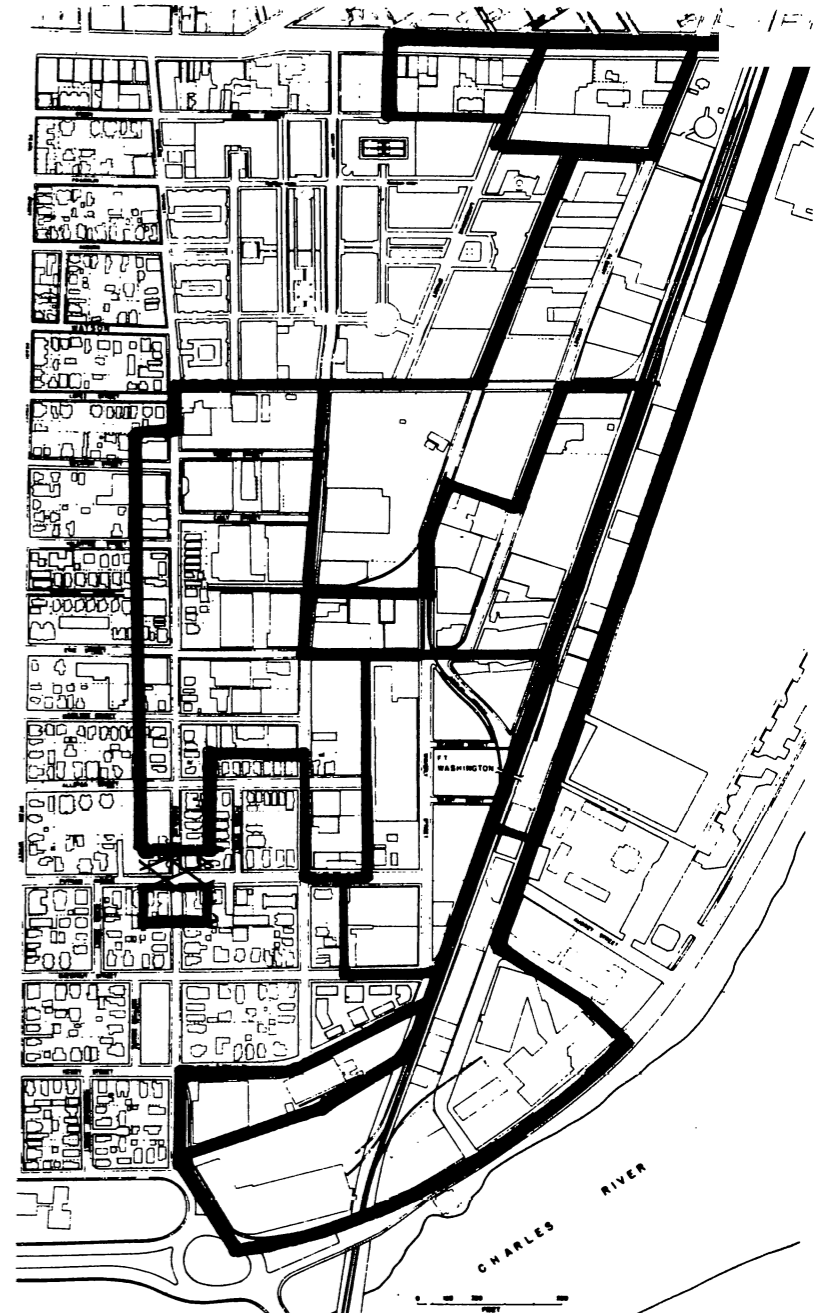
**Planning Board Petition**

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	Business A-1	Residence C *	None
<b>USES ALLOWED</b>	Retail, Office, Housing	Housing	
<b>PERMITTED HEIGHTS</b>	35'	35'	
<b>PERMITTED FLOOR AREA RATIO</b>	1.0/.75 Housing	.6/.75	

**Lynch Petition**

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	Business A-1	None	None
<b>USES ALLOWED</b>	Retail, Office, Housing		
<b>PERMITTED HEIGHTS</b>	35'		
<b>PERMITTED FLOOR AREA RATIO</b>	1.0/.75 Housing		

**LYNCH PETITION  
Affected Zoning District**



Total Zoning District Area
  Area Described

**PLANNING BOARD PETITION**

**PROPOSED ZONING DISTRICT  
Text Comparison**

**LYNCH PETITION**

**5.31 Residential Districts**

- The following dimensional requirements, set forth in Table 5-1 and modified elsewhere in this Ordinance, shall be applicable to development in residential districts:

**Table 5-1. Table of Dimensional Requirements - Residential Districts**

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Res. A-1	0.5	8,000	8,000	80	25	15(sum of 35)	25	35	25%
Res. A-2	0.5	6,000	4,500	65	20	10 (sum of 25)	20	35	25%
Res. B	0.5	5,000	2,500	50	15	7'6" (sum of 20)	20	35	20%
Res C. <sup>(1)</sup>	0.8	5,000	1,800	50	$\frac{H_{\max}(a)}{4}$	$\frac{H_{\max}(a)}{5}$ (min. 7'6" sum of 20)	$\frac{H_{\max}(a)}{4}$	35	18%

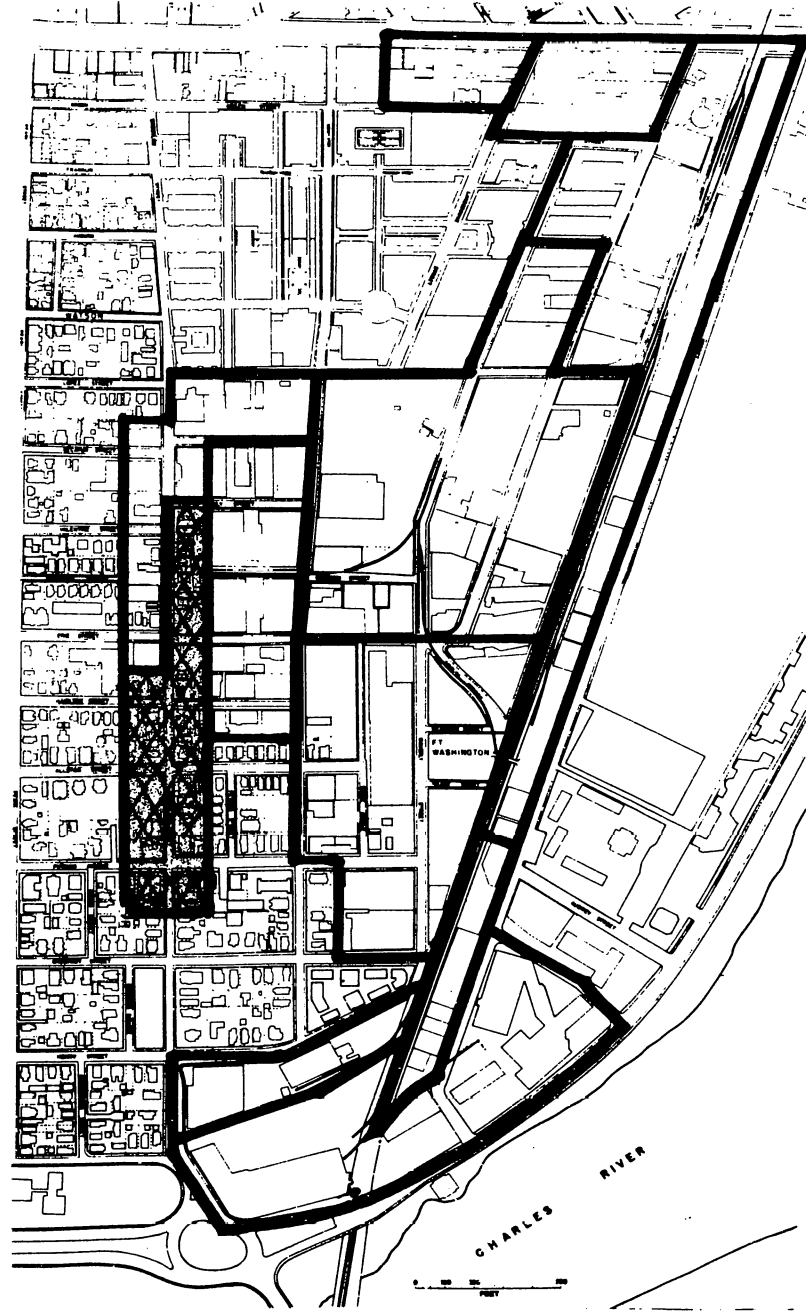
**5.33 Business Districts**

- The following dimensional requirement, set forth in Table 5-3 and modified elsewhere in this Ordinance, shall be applicable to development in business districts:

**Table 5-3 Table of Dimensional Requirements - Business Districts**

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Bus. A	1.0	none	600	none	none	none	$\frac{H_{\max}(a)}{5}$	35	none
Bus. A-1	1.0	none	1200	none	none	none	$\frac{H_{\max}(a)}{5}$	35	none

**PLANNING BOARD PETITION  
Affected Zoning District**



**PROPOSED ZONING DISTRICT  
Principal Dimensional Features**

**Planning Board Petition**

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	<u>Business A</u> Business A-1	Residence C	None
<b>USES ALLOWED</b>	<u>Retail, Office, Housing</u> Retail, Office, Housing	Housing	
<b>PERMITTED HEIGHTS</b>	<u>35'/85' Housing</u> 35'	35'	
<b>PERMITTED FLOOR AREA RATIO</b>	<u>1.0/1.75 Housing</u> 1.0/1.75 Housing	.6/1.75	

**Lynch Petition**

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	<u>Business A</u> Business A-1	Residence C	Affordable Housing Overlay District
<b>USES ALLOWED</b>	<u>Retail, Office, Housing</u> Retail, Office, Housing	Housing	Housing/Limited Retail, Office, Industrial
<b>PERMITTED HEIGHTS</b>	<u>35'/85' Housing</u> 35'	35'	45'
<b>PERMITTED FLOOR AREA RATIO</b>	<u>1.0/1.75 Housing</u> 1.0/1.75 Housing	.6	1.25

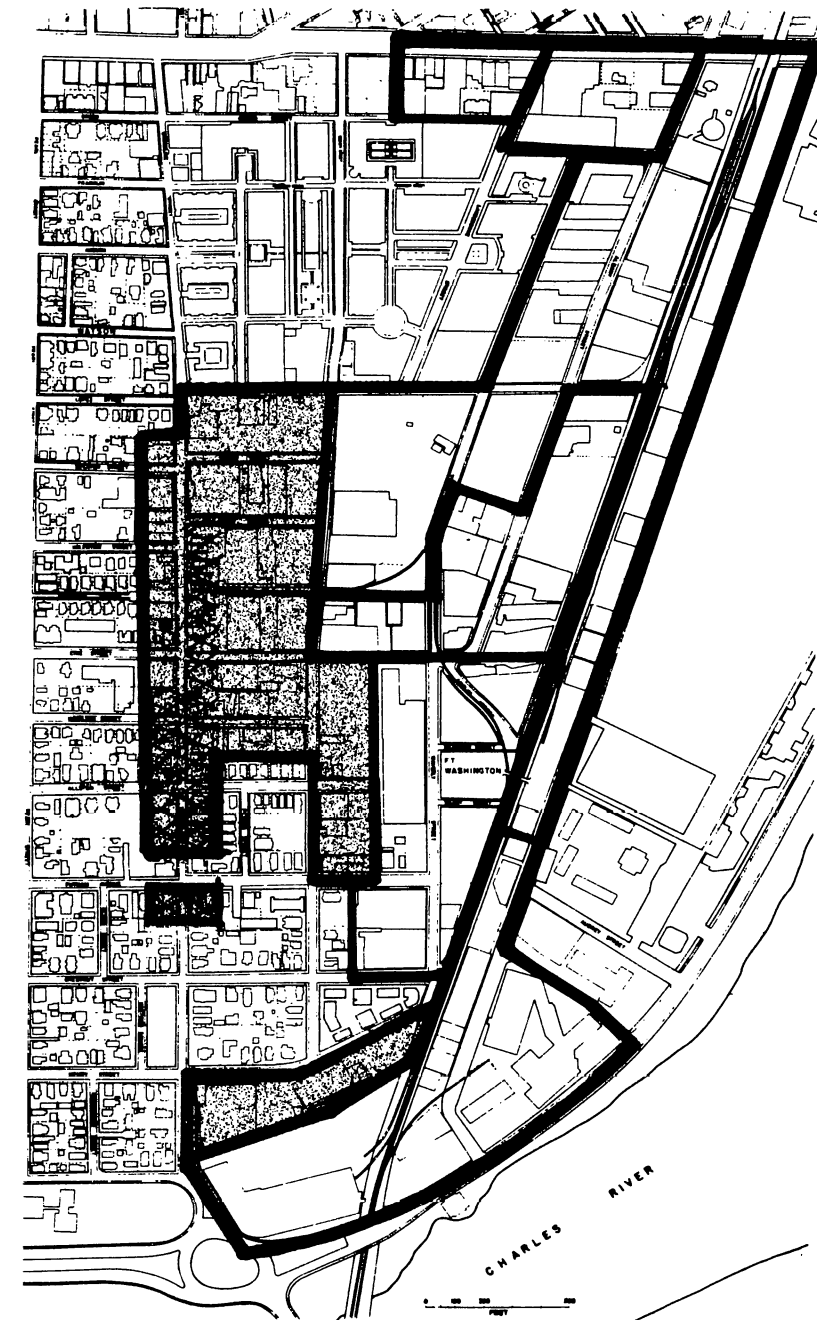


Total Zoning District Area



Area Described

**LYNCH PETITION  
Affected Zoning District**



# PLANNING BOARD PETITION

# PROPOSED ZONING DISTRICT Text Comparison

# LYNCH PETITION

## 5.31 Residential Districts

- The following dimensional requirements, set forth in Table 5-1 and modified elsewhere in this Ordinance, shall be applicable to development in residential districts:

**Table 5-1. Table of Dimensional Requirements - Residential Districts**

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Res. A-1	0.5	8,000	6,000	80	25	15 (sum of 35)	25	35	25%
Res. A-2	0.5	6,000	4,500	65	20	10 (sum of 25)	20	35	25%
Res. B	0.5	5,000	2,500	50	15	7'6" (sum of 20)	20	35	20%
Res. C <sup>(1)</sup>	0.6	5,000	1,800	50	$\frac{H+L}{4}$ <sup>(a)</sup>	$\frac{H+L}{5}$ <sup>(b)</sup> (min. 7'6" sum of 20)	$\frac{H+L}{4}$ <sup>(c)</sup>	35	18%

11.300 South Cambridgeport Affordable Housing Overlay District

11.303 USE REGULATIONS The special permit shall allow only the uses allowed in the Residence C base district. Use variances are hereby expressly prohibited, Section 10.31 notwithstanding.



Amend Section 8.20, Non-Conformity, by adding a new Subsection 8.26 that reads as follows:

- "8.26 a) An expansion of a non-residential structure in existence as of January 1, 1991 up to twenty-five percent (25%) of gross floor area is allowed as of right in the South Cambridgeport Affordable Housing Overlay District (Section 11.300). Such expansion shall not make a structure non-conforming as defined in Article 2.000 with regard to gross floor area.
- b) An extension or alteration of a non-residential use existing as of January 1, 1991 is allowed as of right in the South Cambridgeport Affordable Housing Overlay District (Section 11.300) as long as such change, extension, or alteration will not be substantially more detrimental to the neighborhood than the existing non-conforming use; that is, restricted to those uses found in the Table of Use Regulations, Articles 4.32 b, f and g; 4.34 a-c, f; 4.35 a-e, q; and 4.37 a-c, f-k."

11.304 DIMENSIONAL REQUIREMENTS

(a) Except as allowed by a special permit under paragraphs (b), (c), and (d), the dimensional requirements of the Residence C base district under Section 5.31, but not including footnote (i), shall apply in the South Cambridgeport Affordable Housing Overlay District.

(b) In order to promote affordable housing within the district, the special permit shall allow additional FAR over the base of 0.6 in the proportion of 0.023 additional FAR for every one percent of the total number of housing units on a lot which the owner agrees will be affordable as required by Subsection 11.305. However, the agreed number of such affordable units shall be at least one-fifth of the total number of housing units on the lot. Where the calculation of the number of affordable units required under this section results in a fraction, any fraction from 0.5 upward will be rounded up and any lower fraction rounded down. The maximum FAR allowed by the special permit under this section shall be as follows:

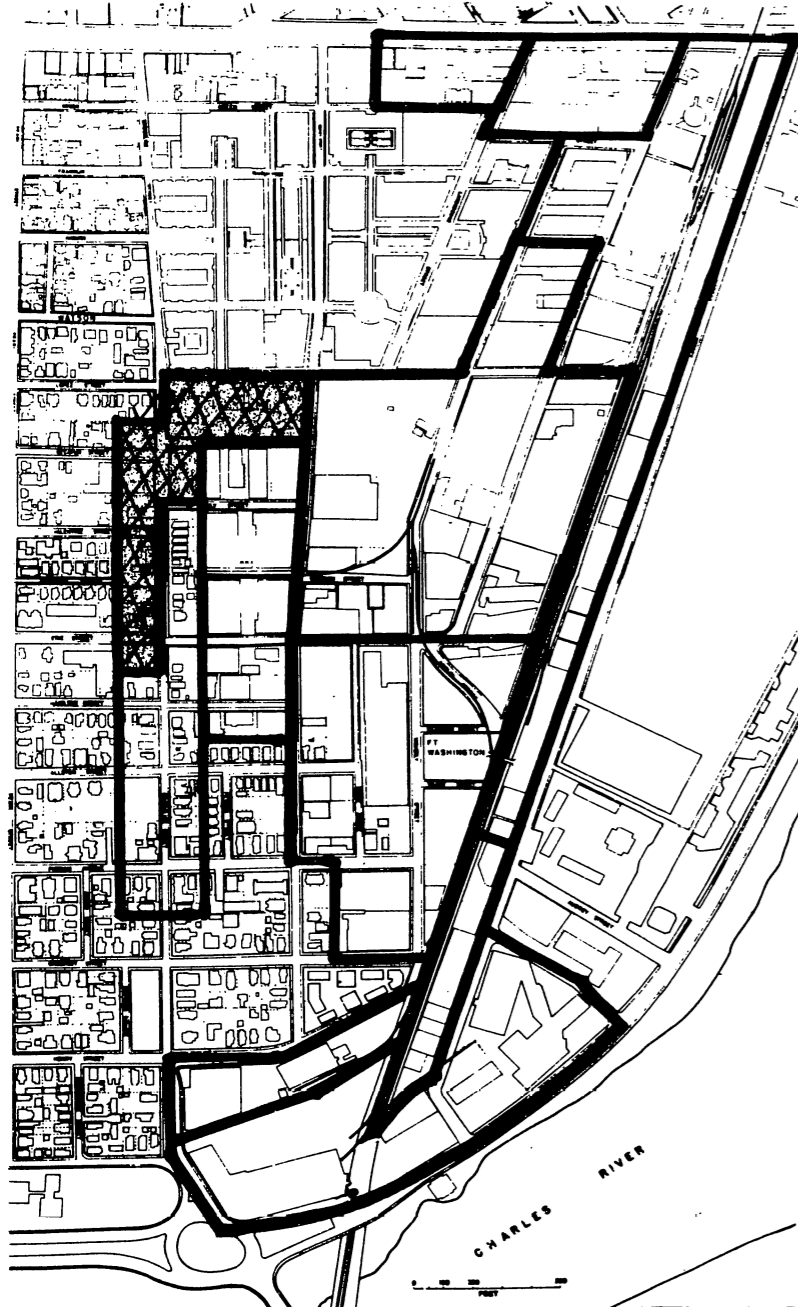
(1) In Subdistrict H the maximum FAR shall be 1.25 except for the portion of the district lying southeasterly of, parallel to, and one hundred (100) feet distant from the southeast sideline of Brookline Street, where the maximum FAR shall be 1.75.

For the purpose of this Section, the gross floor area of such an affordable unit that exceeds 1,200 square feet shall not be considered in calculating the allowed FAR, if the unit has three or more bedrooms.

(c) In order to promote affordable housing within the District, the special permit shall allow additional height as indicated below:

(1) In Subdistrict H the maximum height shall be forty-five (45) feet, except for the portion of the district lying southeasterly of, parallel to, and one hundred (100) feet distant from the southeast sideline of Brookline Street and one hundred (100) feet distant from the boundary of the existing residential neighborhood, where the maximum height shall be sixty (60) feet.

**PLANNING BOARD PETITION  
Affected Zoning District**



**PROPOSED ZONING DISTRICT  
Principal Dimensional Features**

**Planning Board Petition**

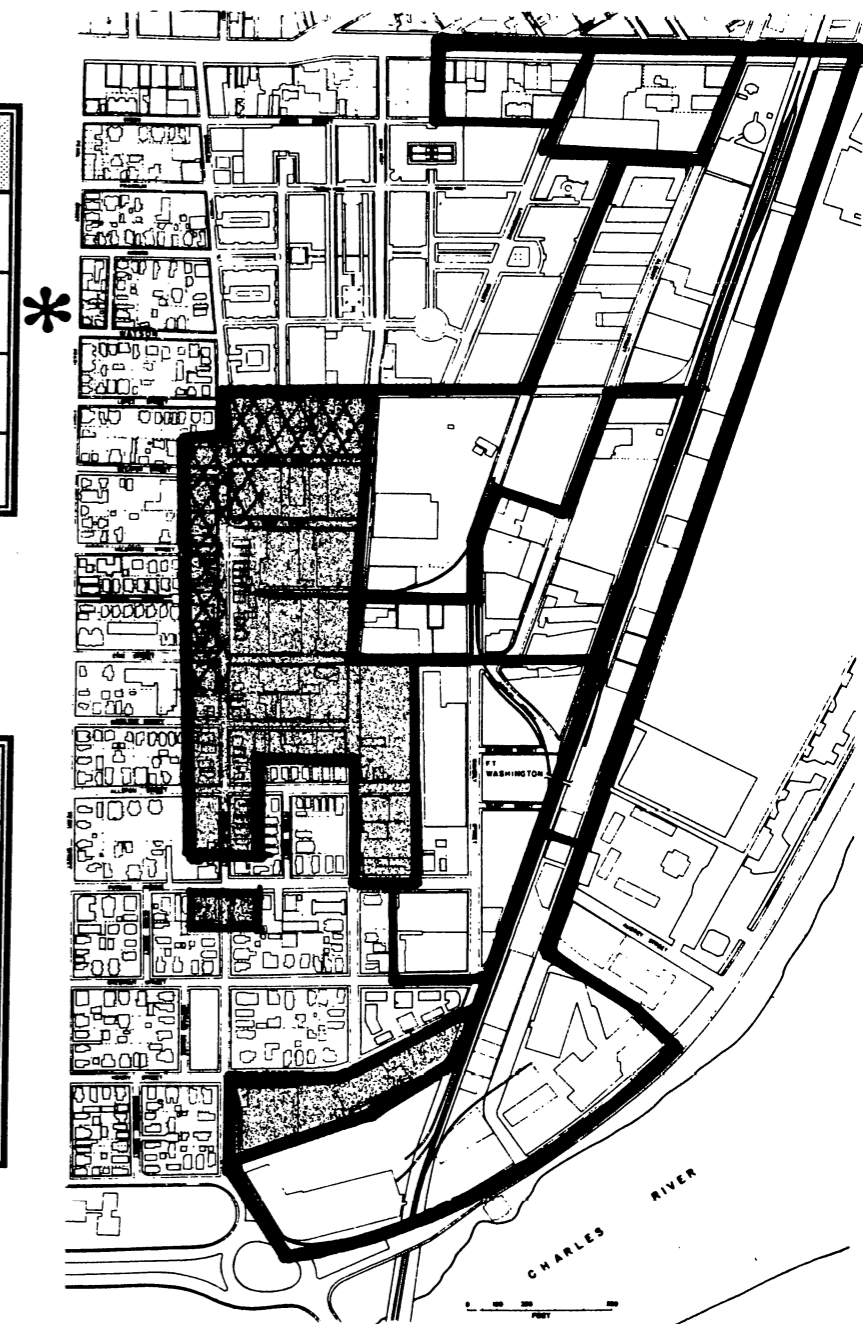
	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	Industry B Business A	Residence C-1	Cambridgeport Overlay District A
<b>USES ALLOWED</b>	Heavy Industry, Office, Retail Retail, Office, Housing	Housing	Housing/Dormitories
<b>PERMITTED HEIGHTS</b>	No Limit 35'/85' Housing	35'	60' Housing in former IB portion
<b>PERMITTED FLOOR AREA RATIO</b>	4.0 1.0/1.75 Housing	.75	1.25

**Lynch Petition**

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	Industry B Business A	Residence C	Affordable Housing Overlay District
<b>USES ALLOWED</b>	Heavy Industry, Office, Retail Retail, Office, Housing	Housing	Housing/Limited Retail, Office, Industrial
<b>PERMITTED HEIGHTS</b>	No Limit 35'/85' Housing	35'	45'/60' in former IB portion
<b>PERMITTED FLOOR AREA RATIO</b>	4.0 1.0/1.75 Housing	.6	1.25/1.75 in former IB portion

 Total Zoning District Area    
  Area Described

**LYNCH PETITION  
Affected Zoning District**



**PLANNING BOARD PETITION**

**PROPOSED ZONING DISTRICT  
Text Comparison**

**LYNCH PETITION**

**ZONING TEXT AS OUTLINED  
IN AREA 7**

5.31 Residential Districts

1. The following dimensional requirements, set forth in Table 5-1 and modified elsewhere in this Ordinance, shall be applicable to development in residential districts:

**Table 5-1. Table of Dimensional Requirements - Residential Districts**

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Res. A-1	0.5	8,000	6,000	80	25	15(sum of 35)	25	35	25%
Res. A-2	0.5	6,000	4,500	65	20	10 (sum of 25)	20	35	25%
Res. B	0.5	5,000	2,500	50	15	7'6" (sum of 20)	20	35	20%
Res. C. <sup>(1)</sup>	0.8	5,000	1,800	50	$\frac{H_{st}(a)}{4}$	$\frac{H_{st}(b)}{5}$ (min. 7'6" sum of 20)	$\frac{H_{st}(c)}{4}$	35	18%
Res. C-1	0.75	5,000	1,200	50	$\frac{H_{st}(a)}{4}$	$\frac{H_{st}(b)}{5}$	$\frac{H_{st}(c)}{4}$	35	15%

11.500 Cambridgeport Overlay Districts A - C

11.505.1 Uses The buildings and land uses within the Cambridgeport Overlay Districts shall be controlled by the pertinent regulations within the applicable base zoning district except as provided below:

a. The following uses shall be prohibited:

Parking lot or parking garage for private passenger cars, Section 4.32 b.

b. The following uses shall be permitted as of right:

1. Dormitory, resident fraternity or sorority, Section 4.33 b(7), except in District C.

2. Residential Uses Section 4.31 a-h.

11.505.3 Yard Requirements A minimum five (5) foot front yard setback shall be required for all development in the Overlay Districts. Where a greater setback is required in the base district for the front yard, the greater setback shall be the required unless the Planning Board specifically waives the greater requirement by Special Permit. All other yard requirements shall be as required in the base district unless the Planning Board specifically waives the requirement by Special Permit.

11.505.31 Restrictions in Required or Provided Front Yard Setbacks That area between the principal front wall plane of a building and a public street, whether required or provided, shall be devoted to Green Area as defined in Article 2.000 of this Ordinance, an expansion of the adjacent public sidewalk, or other landscaped or paved area devoted exclusively to pedestrian use and extending along the entire length of that portion of a lot abutting the street. Areas devoted to vehicular use are prohibited from this area with the exception of access drives located to provide the most direct access to parking facilities located elsewhere on the site. Said access drives shall be limited to a total of thirty (30) feet of width for each one hundred (100) feet of lot frontage. Where a lot is bounded by more than one street, the provisions of this subsection 11.505.31 shall apply fully only to a single street, which street shall be the principal, major or most important street abutting the lot. For all other streets the provisions of this subsection 11.505.31 shall apply only to the required front yard setback.

11.506 DETAILED PROVISIONS APPLICABLE TO INDIVIDUAL DISTRICTS

11.506.1 Additional Height By Special Permit from the Planning Board the permitted height may be increased as detailed below; however, any portion of a building exceeding a height of forty-five (45) feet shall be set back a minimum of twenty (20) feet from the adjacent front property line(s) on all abutting streets.

- (1) In District A the maximum height shall be sixty (60) feet for permitted residential uses in that portion of the district lying southeasterly of a line, which line is southeasterly of, parallel to and one hundred (100) feet distant from the southeast sideline of Brookline Street.

11.506.11 In granting a Special Permit for additional height the Planning Board shall consider the following.

- (1) A superior site development will result as indicated by:
  - (a) more generous setbacks used to widen sidewalks or add street trees or other landscaping along public streets;
  - (b) more varied forms of urban open space, including courtyards and plazas;
  - (c) more sensitive relationship of building forms to the height and other characteristics of development on adjacent lots;
  - (d) more rational arrangement of parking so as to reduce its negative impacts on adjacent properties and public streets; and/or
  - (e) greater solar access to building and open space elements within the development and/or reduced shadow impacts on adjacent development.

11.506.2 Additional Gross Floor Area

11.506.21 By Special Permit from the Planning Board the permitted gross floor area on a lot may be increased as provided below for permitted residential and/or dormitory uses provided residential and/or dormitory uses total at least fifty (50) percent of the authorized gross floor area.

- (1) For permitted residential uses only, in District A the maximum FAR shall be 1.25.

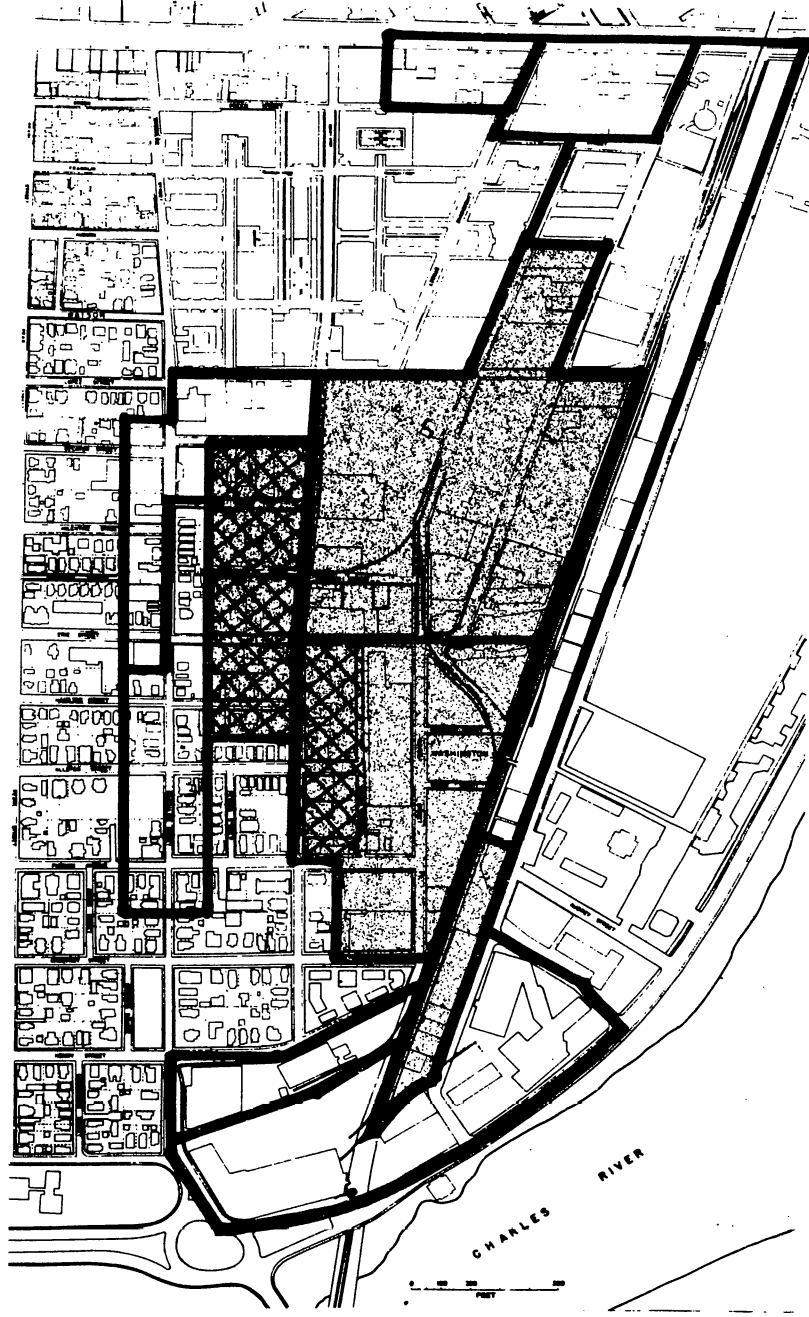
11.506.22 The following affordable housing requirements shall be met for all residential development authorized by Special Permit under this Section 11.506.2.

11.506.3 Residential Density The maximum residential density shall be increased to six hundred (600) square feet of lot area per dwelling unit for Districts A and B.

**SEE AFFORDABLE HOUSING  
TEXT COMPARISON**



**PLANNING BOARD PETITION  
Affected Zoning District**



**PROPOSED ZONING DISTRICT  
Principal Dimensional Features**

**Planning Board Petition**

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
DISTRICT NAME	Industry B	Industry A-1	Cambridgeport Overlay District B
USES ALLOWED	Heavy Industry, Office, Retail	Light Industry, Office, Housing, Retail	Same *
PERMITTED HEIGHTS	No Limit	45'	60' Housing/Dormitories
PERMITTED FLOOR AREA RATIO	4.0	1.25	1.75 Housing/Dormitories

**Lynch Petition**

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
DISTRICT NAME	Industry B	Residence C	Affordable Housing Overlay District
USES ALLOWED	Heavy Industry, Office, Retail	Housing	Housing/Limited Retail, Office, Industrial
PERMITTED HEIGHTS	No Limit	35'	60'
PERMITTED FLOOR AREA RATIO	4.0	.6	1.75

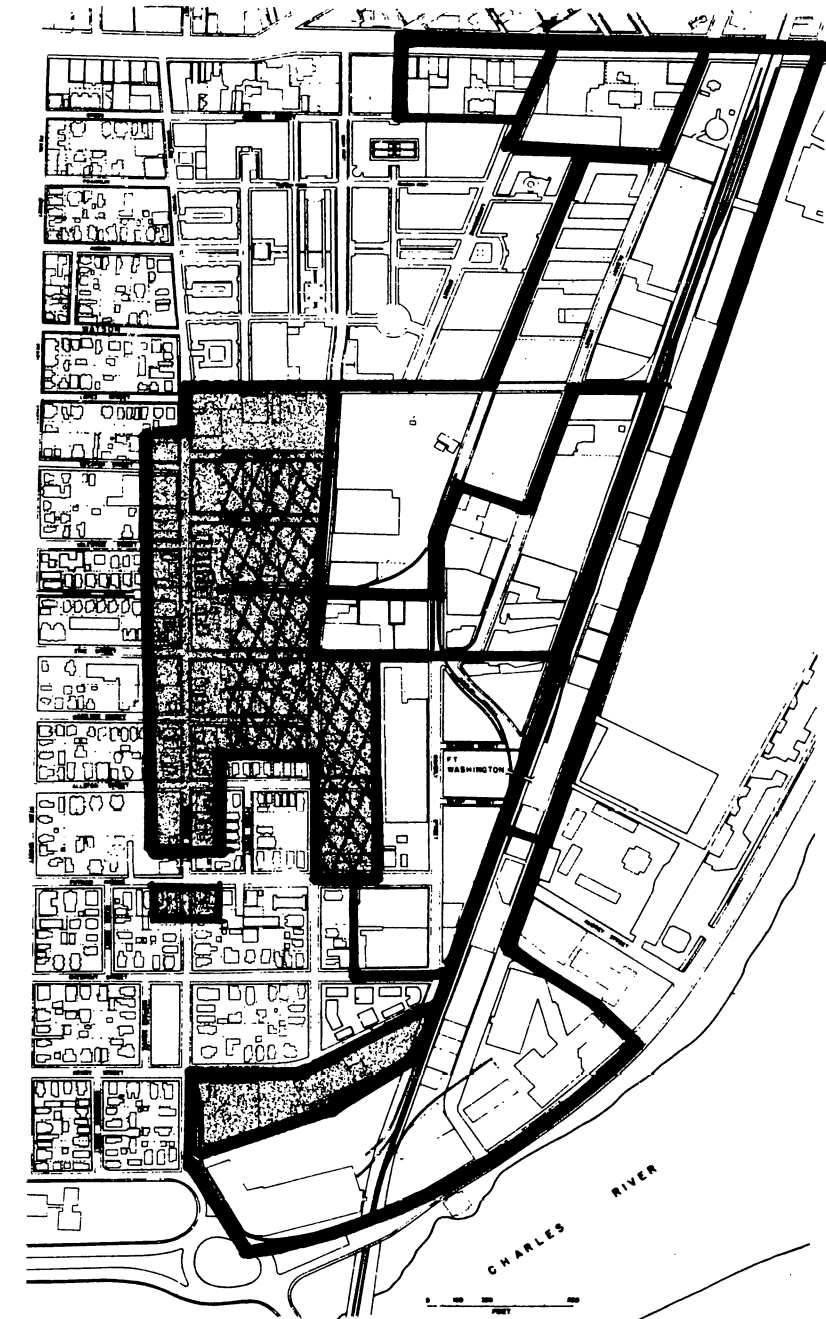


Total Zoning District Area



Area Described

**LYNCH PETITION  
Affected Zoning District**



# PLANNING BOARD PETITION

# PROPOSED ZONING DISTRICT Text Comparison

# LYNCH PETITION

## 5.34 Industrial Districts

- The following dimensional requirements, set forth in Table 5-4 and modified elsewhere in this Ordinance, shall be applicable to development in office districts:

**Table 5-4 Table of Dimensional Requirements - Industrial Districts**

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Ind. A-1	1.25	5,000	1,200 <sup>(a)</sup>	50	0	0 <sup>(b)</sup>	0 <sup>(b)</sup>	45	none

## 2. Footnotes

- This requirement may be reduced to nine hundred (900) square feet per dwelling unit for conversion of nonresidential buildings in existence on April 1, 1978, to residential use.
- A side yard setback of  $\frac{H+L}{7}$  and a rear yard setback of  $\frac{H+L}{5}$  shall be required only for residential uses in new structures and for nonresidential uses abutting residences, residential or open space districts or public parks and recreation areas. These requirements may be reduced to a minimum required setback of ten (10) feet on special permit, provided that the yard is suitably landscaped to effectively buffer building walls from abutting lots.

## 11.500 Cambridgeport Overlay Districts A - C

### 11.505 DETAILED PROVISIONS APPLICABLE TO ALL DISTRICTS

11.505.1 Uses The buildings and land uses within the Cambridgeport Overlay Districts shall be controlled by the pertinent regulations within the applicable base zoning district except as provided below:

- The following uses shall be prohibited:  
Parking lot or parking garage for private passenger cars, Section 4.32 b.
- The following uses shall be permitted as of right:
  - Dormitory, resident fraternity or sorority, Section 4.33 b(7), except in District C.
  - Residential Uses Section 4.31 a-h.

11.505.2 Off street parking and loading requirements shall be the same as specified in Article 6.000 for the applicable base zoning district except as provided below.

11.505.21 Minimum Parking Requirement The minimum parking requirements shall be one parking space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit and for dormitory uses, Section 4.33 b, 7 one parking space for each twelve (12) beds.

## 5.31 Residential Districts

- The following dimensional requirements, set forth in Table 5-1 and modified elsewhere in this Ordinance, shall be applicable to development in residential districts:

**Table 5-1. Table of Dimensional Requirements - Residential Districts**

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Res. A-1	0.5	8,000	6,000	80	25	15(sum of 35)	25	35	25%
Res. A-2	0.5	6,000	4,500	65	20	10 (sum of 25)	20	35	25%
Res. B	0.5	5,000	2,500	50	15	7'6" (sum of 20)	20	35	20%
Res. C <sup>(1)</sup>	0.6	5,000	1,800	50	$\frac{H+L}{4}$ <sup>(a)</sup>	$\frac{H+L}{5}$ <sup>(b)</sup> (min. 7'6" sum of 20)	$\frac{H+L}{4}$ <sup>(c)</sup>	35	18%

## 2. Footnotes

- Measured from the center line of the street, but in no case may a building be nearer the street than ten (10) feet.
- Measured from the center line of the street, but in no case may a building be nearer the street line than five (5) feet.
- In no case may a building be nearer the rear lot line than twenty (20) feet.

**ZONING TEXT OF OVERLAY  
AS OUTLINED IN AREA 7**

11.505.22 **Maximum Parking** The maximum parking permitted for uses in the district shall be one parking space for each six hundred and fifty (650) square feet of gross floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, not withstanding the provision of Section 6.31.3; however the Planning Board may permit by Special Permit the number of parking spaces to exceed the maximum allowed under this Section 11.505.2 provided the number of parking spaces authorized by special permit does not exceed that number which would be permitted on the lot if the maximum parking ratio were applied to the maximum gross floor area permitted on the lot, notwithstanding the fact that all such allowed gross floor area is not in fact proposed to be constructed.

11.505.23 No special permit shall be issued in any Cambridgeport Overlay District which permits the total number of parking spaces on a lot to exceed (a) that number permitted in Section 11.505.22 for development authorized by the special permit plus (b) any additional parking present on the site before the date of application for uses not located on the lot, which parking is provided as legally established required accessory parking, not exceeding the minimum required in Article 6.000 at the time of the granting of the special permit in the zoning district applicable to such uses.

Where the parking provided on the site at the time of the special permit approval exceeds that quantity permitted above, the approved Special Permit shall provide a schedule by which the parking on the development parcel shall be brought into compliance with this subsection 11.505.23.

11.505.3 **Yard Requirements** A minimum five (5) foot front yard setback shall be required for all development in the Overlay Districts. Where a greater setback is required in the base district for the front yard, the greater setback shall be the required unless the Planning Board specifically waives the greater requirement by Special Permit. All other yard requirements shall be as required in the base district unless the Planning Board specifically waives the requirement by Special Permit.

11.505.31 **Restrictions in Required or Provided Front Yard Setbacks** That area between the principal front wall plane of a building and a public street, whether required or provided, shall be devoted to Green Area as defined in Article 2.000 of this Ordinance, an expansion of the adjacent public sidewalk, or other landscaped or paved area devoted exclusively to pedestrian use and extending along the entire length of that portion of a lot abutting the street. Areas devoted to vehicular use are prohibited from this area with the exception of access drives located to provide the most direct access to parking facilities located elsewhere on the site. Said access drives shall be limited to a total of thirty (30) feet of width for each one hundred (100) feet of lot frontage. Where a lot is bounded by more than one street, the provisions of this subsection 11.505.31 shall apply fully only to a single street, which street shall be the principal, major or most important street abutting the lot. For all other streets the provisions of this subsection 11.505.31 shall apply only to the required front yard setback.

#### 11.506 DETAILED PROVISIONS APPLICABLE TO INDIVIDUAL DISTRICTS

11.506.1 **Additional Height** By Special Permit from the Planning Board the permitted height may be increased as detailed below; however, any portion of a building exceeding a height of forty-five (45) feet shall be set back a minimum of twenty (20) feet from the adjacent front property line(s) on all abutting streets.

- (2) In District B the maximum height shall be sixty (60) feet for permitted residential uses, and for permitted dormitory uses located southeasterly of Sidney Street. All uses, however, shall be limited to forty-five (45) feet in that area defined by a line one hundred (100) feet distant from and parallel to all front and side property lines of Fort Washington Park, lot #72, Assessor's Plat #66.

11.506.11 In granting a Special Permit for additional height the Planning Board shall consider the following.

- (1) A superior site development will result as indicated by:
  - (a) more generous setbacks used to widen sidewalks or add street trees or other landscaping along public streets;
  - (b) more varied forms of urban open space, including courtyards and plazas;
  - (c) more sensitive relationship of building forms to the height and other characteristics of development on adjacent lots;
  - (d) more rational arrangement of parking so as to reduce its negative impacts on adjacent properties and public streets; and/or
  - (e) greater solar access to building and open space elements within the development and/or reduced shadow impacts on adjacent development.

#### 11.506.2 Additional Gross Floor Area

11.506.21 By Special Permit from the Planning Board the permitted gross floor area on a lot may be increased as provided below for permitted residential and/or dormitory uses provided residential and/or dormitory uses total at least fifty (50) percent of the authorized gross floor area.

- (2) In District B the maximum FAR shall be 1.75 throughout for permitted residential uses. In that portion of the district lying southeasterly of Sidney Street the maximum FAR for permitted dormitory uses, Section 4.33b(7) shall be 1.75.

11.506.22 The following affordable housing requirements shall be met for all residential development authorized by Special Permit under this Section 11.506.2.

11.506.3 **Residential Density** The maximum residential density shall be increased to six hundred (600) square feet of lot area per dwelling unit for Districts A and B.

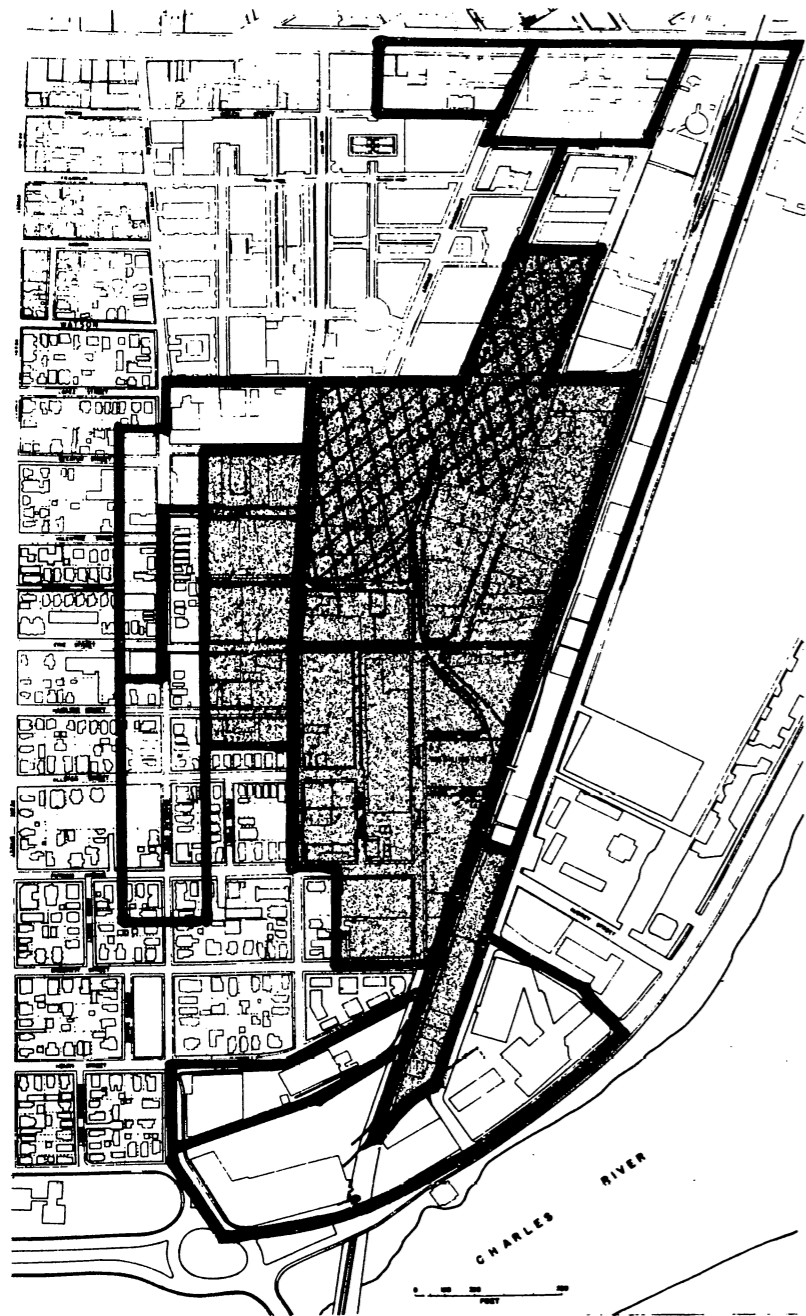




# PROPOSED ZONING DISTRICT Principal Dimensional Features

## PLANNING BOARD PETITION Affected Zoning District

## LYNCH PETITION Affected Zoning District

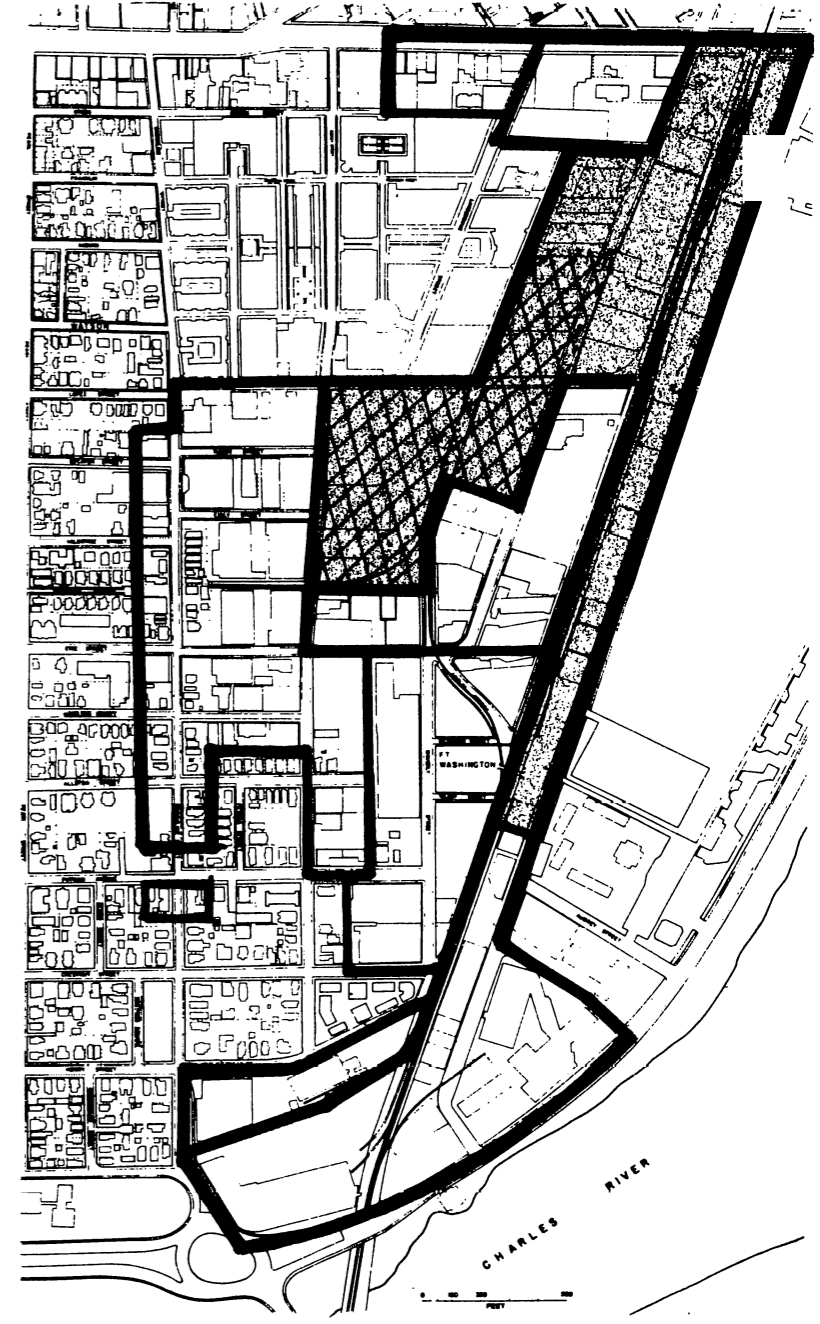


### Planning Board Petition

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	Industry B	Industry A-1	Cambridgeport Overlay District B
<b>USES ALLOWED</b>	Heavy Industry, Office, Retail	Light Industry, Office, Housing, Retail	Same
<b>PERMITTED HEIGHTS</b>	No Limit	45'	60' Housing/Dormitories
<b>PERMITTED FLOOR AREA RATIO</b>	4.0	1.25	1.75 Housing/Dormitories

### Lynch Petition

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	Industry B	Special District VI	Open Space Overlay District
<b>USES ALLOWED</b>	Heavy Industry, Office, Retail	Light Industry, Housing, Dormitories, Limited Office	
<b>PERMITTED HEIGHTS</b>	No Limit	45'/60'	
<b>PERMITTED FLOOR AREA RATIO</b>	4.0	1.25	



 Total Zoning District Area
  Area Described

**PLANNING BOARD PETITION**

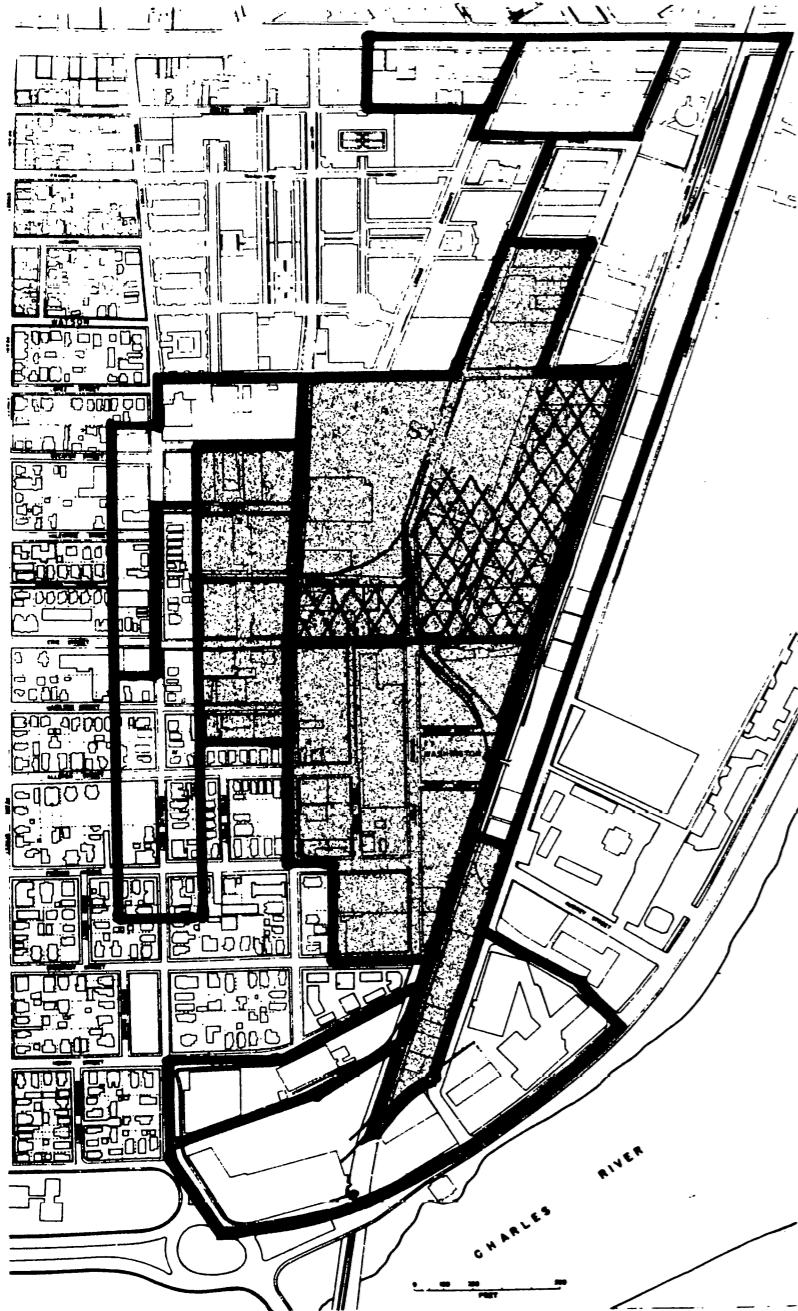
**PROPOSED ZONING DISTRICT  
Text Comparison**

**LYNCH PETITION**

ZONING TEXT OF BASE AND  
OVERLAY AS OUTLINED IN  
AREA 9

ZONING TEXT OF BASE  
AS OUTLINED IN AREA  
3; BASE MODIFIED BY  
OPEN SPACE BONUS  
PROVISIONS (which see)

**PLANNING BOARD PETITION  
Affected Zoning District**



**PROPOSED ZONING DISTRICT  
Principal Dimensional Features**

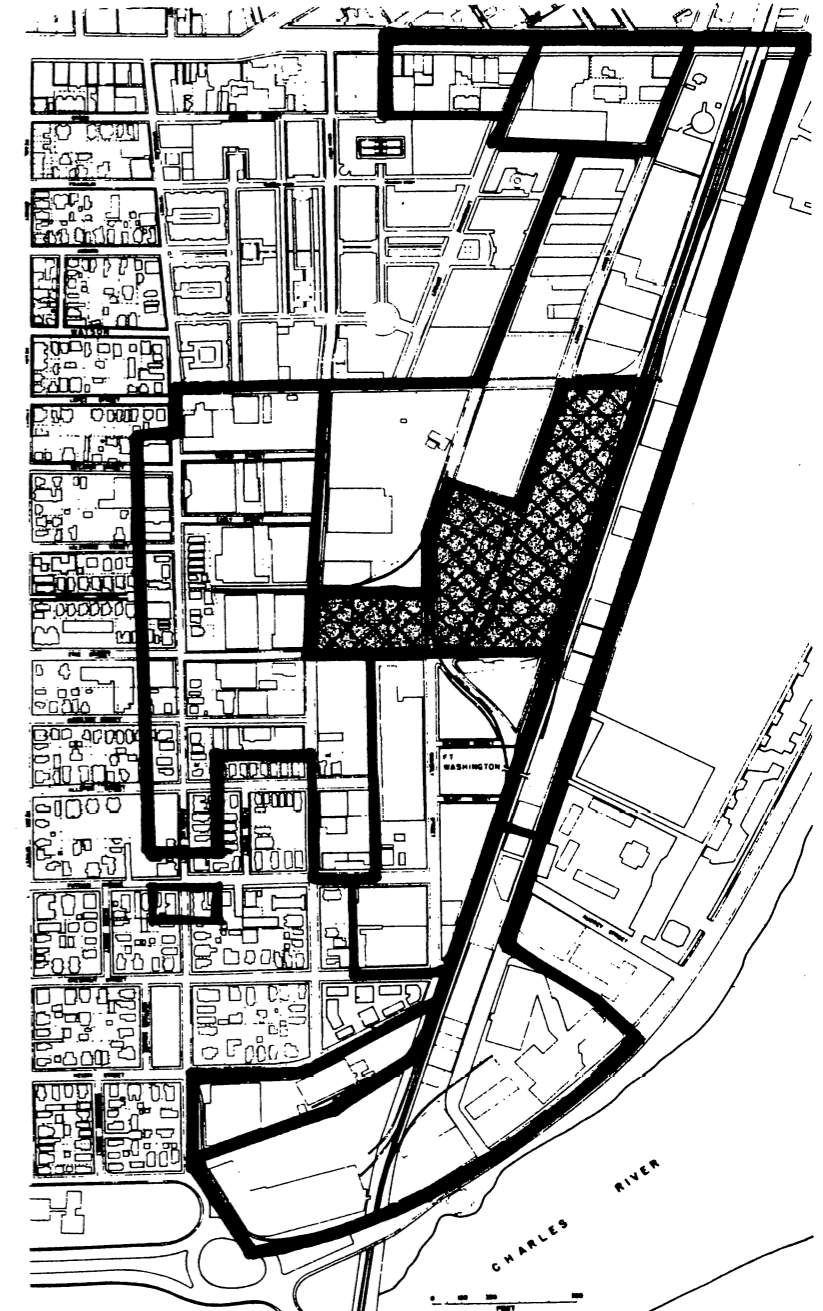
**Planning Board Petition**

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	Industry B	Industry A-1	Cambridgeport Overlay District B
<b>USES ALLOWED</b>	Heavy Industry, Office, Retail	Light Industry, Office, Housing, Retail	Same
<b>PERMITTED HEIGHTS</b>	No Limit	45'	60' Housing/Dormitories
<b>PERMITTED FLOOR AREA RATIO</b>	4.0	1.25	1.75 Housing/Dormitories

**Lynch Petition**

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	Industry B	Industry B-3	None
<b>USES ALLOWED</b>	Heavy Industry, Office, Retail	Light Industry/Office, R+D Limited	
<b>PERMITTED HEIGHTS</b>	No Limit	45'	
<b>PERMITTED FLOOR AREA RATIO</b>	4.0	1.0	

**LYNCH PETITION  
Affected Zoning District**



Total Zoning District Area
  Area Described

# PLANNING BOARD PETITION

# PROPOSED ZONING DISTRICT Text Comparison

# LYNCH PETITION

## 5.34 Industrial Districts

- The following dimensional requirements, set forth in Table 5-4 and modified elsewhere in this Ordinance, shall be applicable to development in office districts:

**Table 5-4 Table of Dimensional Requirements - Industrial Districts**

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Ind. A-1	1.25	5,000	1,200 <sup>(a)</sup>	50	0	0 <sup>(b)</sup>	0 <sup>(b)</sup>	45	none

## 2. Footnotes

- This requirement may be reduced to nine hundred (900) square feet per dwelling unit for conversion of nonresidential buildings in existence on April 1, 1978, to residential use.
- A side yard setback of  $\frac{H+L}{7}$  and a rear yard setback of  $\frac{H+L}{5}$  shall be required only for residential uses in new structures and for nonresidential uses abutting residences, residential or open space districts or public parks and recreation areas. These requirements may be reduced to a minimum required setback of ten (10) feet on special permit, provided that the yard is suitably landscaped to effectively buffer building walls from abutting lots.

**ZONING TEXT OF BASE  
AND OVERLAY AS IN  
AREA 9**

"26. Industry B-3 District .....Light Industry and  
Light Manufacturing"

District	Max. Ratio of floor area to lot area	Minimum Lot Size in Sq Ft	Min. Lot Area per D.U.	Min. Lot Width in Ft.	Minimum Yard in Feet			Max Height in feet	Min. Ratio of usable Op. Sp. to lot area
					Front	Side	Rear		
3-3	1.0	none	---	none	0	0	0	45	none

Amend Section 4.30, Table of Use Regulations, as follows:

- add the new district designation "B-3" to the twelfth column heading so the heading reads, "Ind. B-1, B-2, B-3"

In Subsections 4.33 b.5. (College or university not exempt by statute) and 4.33 c. (Non-commercial research facility) of the Table of Use Regulations add the superscript "52" to entries in the Ind. B-1, B-2, and B-3 column and add the following footnote in subsection 4.40:

"52. No in the Industry B-3 District."

In Section 4.34 (Office and Laboratory Use) of the Table of Use Regulations add the superscript "53" to the entries for the Ind. B-1, B-2, and B-3 column and add the following footnote in subsection 4.40:

"53. In the Industry B-3 district permitted only as an accessory use on the same lot as the principal use and subject to the following limitations:

1) The total floor area of these uses accessory to the principal use may not exceed thirty three percent (33%) of the gross floor area of the building in which the principal use is located.

2) The total area of these uses or buildings accessory to the principal use except for parking facilities and driveways may not occupy more than twenty five percent (25%) of the area of the lot."

In Subsection 4.35 (Retail Business and Consumer Service Establishments) add a new superscript "54" to line 4.35 e under the twelfth column heading, Ind. B-1, B-2, B-3 and add the following footnote in Subsection 4.40:

"54. Yes in the Industry B-3 district."

Amend Section 6.36, Schedule of Parking and Loading Requirements, by adding new district designations as follows:

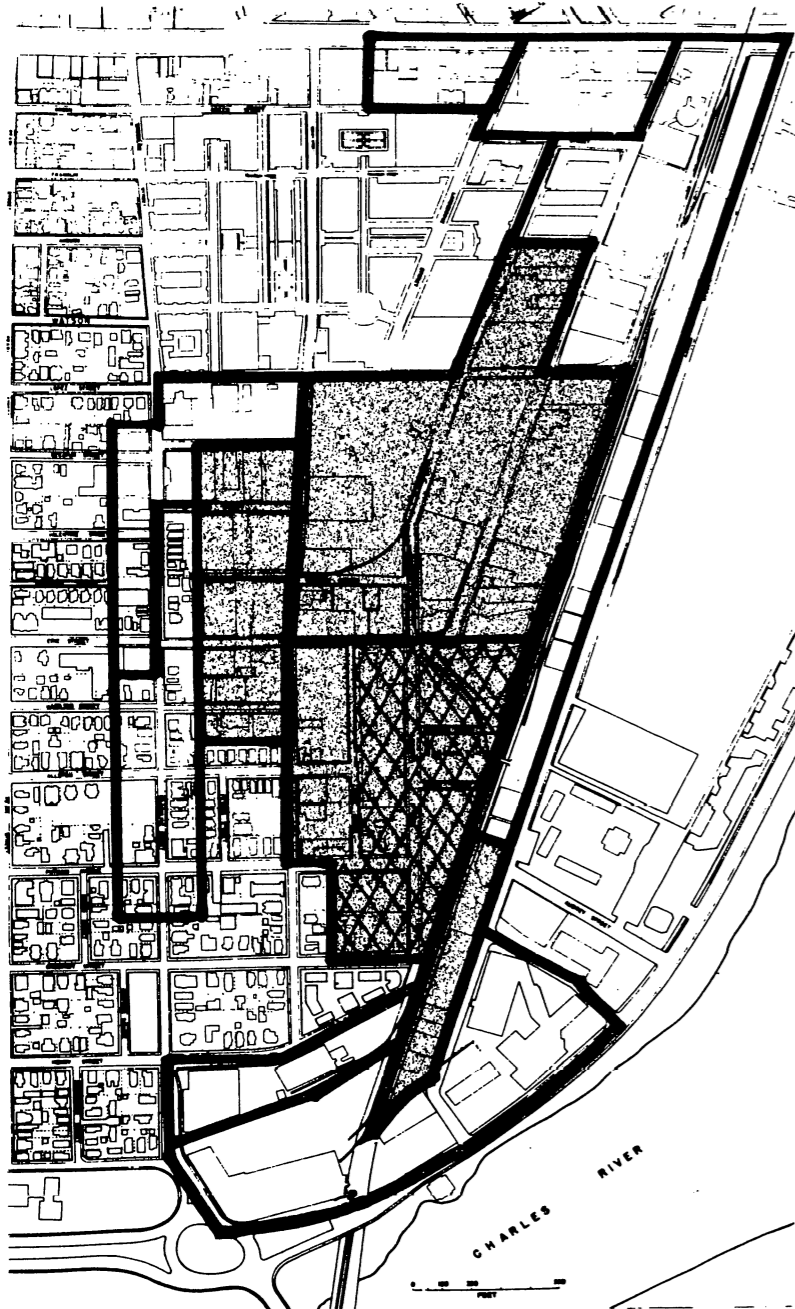
- Ind. B-3 to the third column heading throughout so the heading reads:

"Bus. C	Res. C-2A
Bus. C-1	Res. C-2B
Ind. A	Ind. B-2
Off. 2	Ind. B-3
Res. C-2	Bus. A (res.)"

# PROPOSED ZONING DISTRICT Principal Dimensional Features

## PLANNING BOARD PETITION Affected Zoning District

## LYNCH PETITION Affected Zoning District

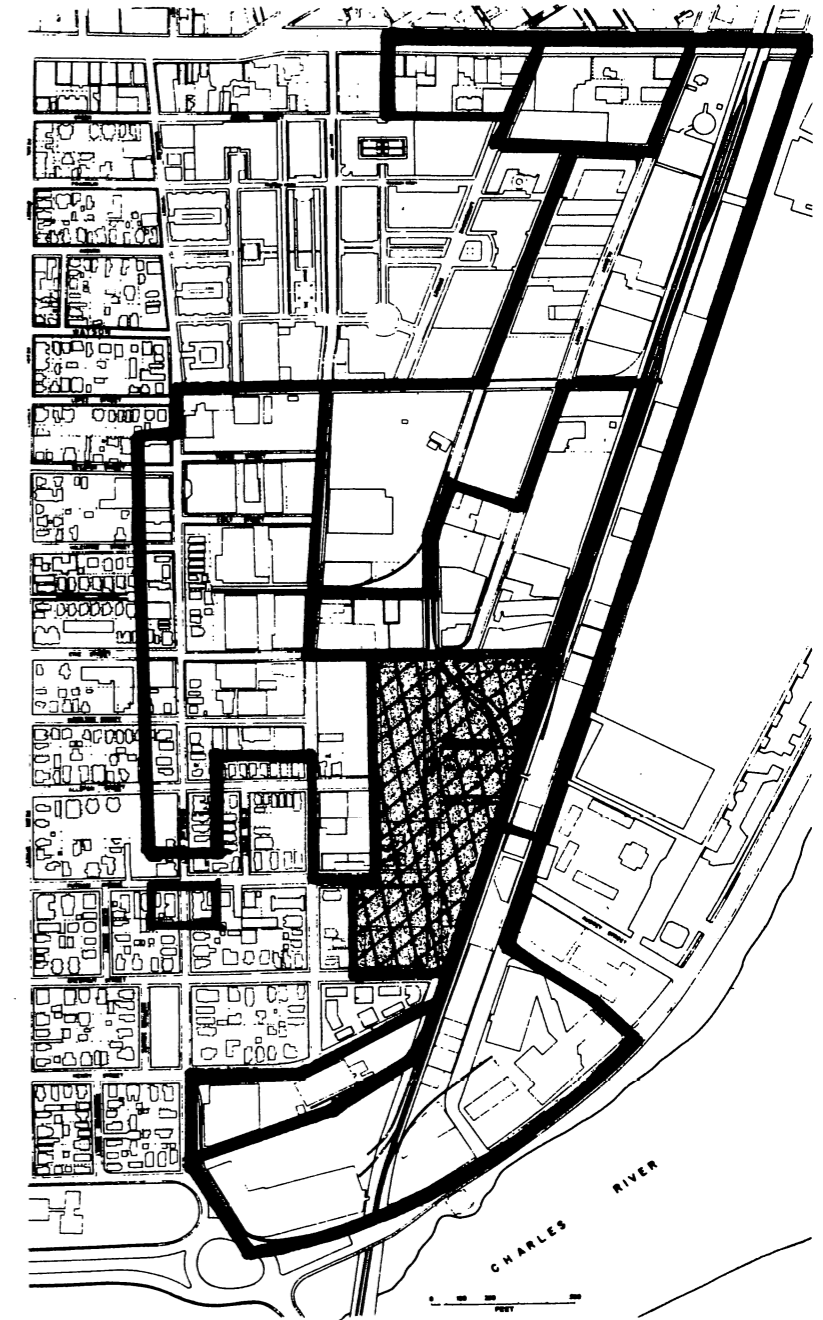


### Planning Board Petition

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	Industry B	Industry A-1	Cambridgeport Overlay District B
<b>USES ALLOWED</b>	Heavy Industry, Office, Retail	Light Industry, Office, Housing, Retail	Same
<b>PERMITTED HEIGHTS</b>	No Limit	45'	60' Housing/Dormitories
<b>PERMITTED FLOOR AREA RATIO</b>	4.0	1.25	1.75 Housing/Dormitories

### Lynch Petition

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
<b>DISTRICT NAME</b>	Industry B	Special District VIII	None
<b>USES ALLOWED</b>	Heavy Industry, Office, Retail	Light Industry, Housing, Dormitories/Limited Office	
<b>PERMITTED HEIGHTS</b>	No Limit	35'/60' Residential 45' Non-Residential	
<b>PERMITTED FLOOR AREA RATIO</b>	4.0	1.25 Non-Residential .6/1.75 Residential	



 Total Zoning District Area    
  Area Described

# PLANNING BOARD PETITION

# PROPOSED ZONING DISTRICT Text Comparison

# LYNCH PETITION

## 5.34 Industrial Districts

1. The following dimensional requirements, set forth in Table 5-4 and modified elsewhere in this Ordinance, shall be applicable to development in office districts:

**Table 5-4 Table of Dimensional Requirements - Industrial Districts**

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Ind. A-1	1.25	5,000	1,200 <sup>(a)</sup>	50	0	0 <sup>(b)</sup>	0 <sup>(b)</sup>	45	none

## 2. Footnotes

- (a) This requirement may be reduced to nine hundred (900) square feet per dwelling unit for conversion of nonresidential buildings in existence on April 1, 1978, to residential use.
- (b) A side yard setback of  $\frac{H+L}{7}$  and a rear yard setback of  $\frac{H+L}{5}$  shall be required only for residential uses in new structures and for nonresidential uses abutting residences, residential or open space districts or public parks and recreation areas. These requirements may be reduced to a minimum required setback of ten (10) feet on special permit, provided that the yard is suitably landscaped to effectively buffer building walls from abutting lots.

**ZONING TEXT OF BASE  
AND OVERLAY AS OUT-  
LINED IN AREA 9**

## 17.80 Special District VIII

17.81 **SCOPE** This Section 17.80 regulates development within the Special District VIII as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.80, all requirements of and regulations applicable to the Industry A-1 District shall apply equally to the Special District VIII.

17.82 **PERMITTED USES** Uses permitted in the Industry A-1 District shall be equally allowed in the Special District VIII with the exception of the following:

- a. The following additional uses shall be permitted as of right:
- (1) Dormitory and resident fraternity or sorority, Section 4.33 b (7).
  - (2) Residential uses, Section 4.31 a-h.
- b. The following uses shall be prohibited:
- (1) Parking lot or parking garage for private passenger cars, Section 4.32 b.
  - (2) All Retail, Business and Consumer Service Establishments Section 4.35 with the exception of 4.35 a (1) and 4.35 b-e.
  - (3) Office Uses Section 4.34 c and d. For the purpose of this Section 17.82 Technical Office for Research and Development shall mean: those offices and similar facilities occupied by persons principally engaged in basic research or in the application of such research or knowledge derived therefrom to the development of products or processes that have academic or commercial applications. The gross floor area not meeting this definition shall not exceed 33% of the total gross floor area in the authorized development.



17.83 **DIMENSIONAL REGULATIONS** The following dimensional regulations shall apply to all development proposals within the district.

17.83.1 **Maximum FAR** The FAR applicable on any lot in the district shall not exceed 1.25 for all non-residential uses. The FAR applicable on any lot in the district shall not exceed 0.6 for all residential uses. However, the applicable FAR may be increased by an additional 1.15 to a maximum of 1.75 by special permit from the Planning Board, for permitted residential uses as provided for in Section 11.304 (b) and (d). All residential development authorized by special permit shall be subject to the affordable housing requirements of Section 11.305 and 11.306.

17.83.2 **Building Height Limitations** The maximum height permitted in the district shall be forty five (45) feet for all non-residential uses. The maximum height permitted in the district for all residential uses shall be thirty five (35) feet. However, the maximum height may be increased by an additional twenty-five (25) feet to a maximum of sixty (60) feet, by special permit from the Planning Board, for permitted residential uses. All residential development authorized by special permit shall be subject to the affordable housing requirements of Section 11.305 and 11.306.

17.83.21 For all uses, the maximum height shall be further limited as follows:

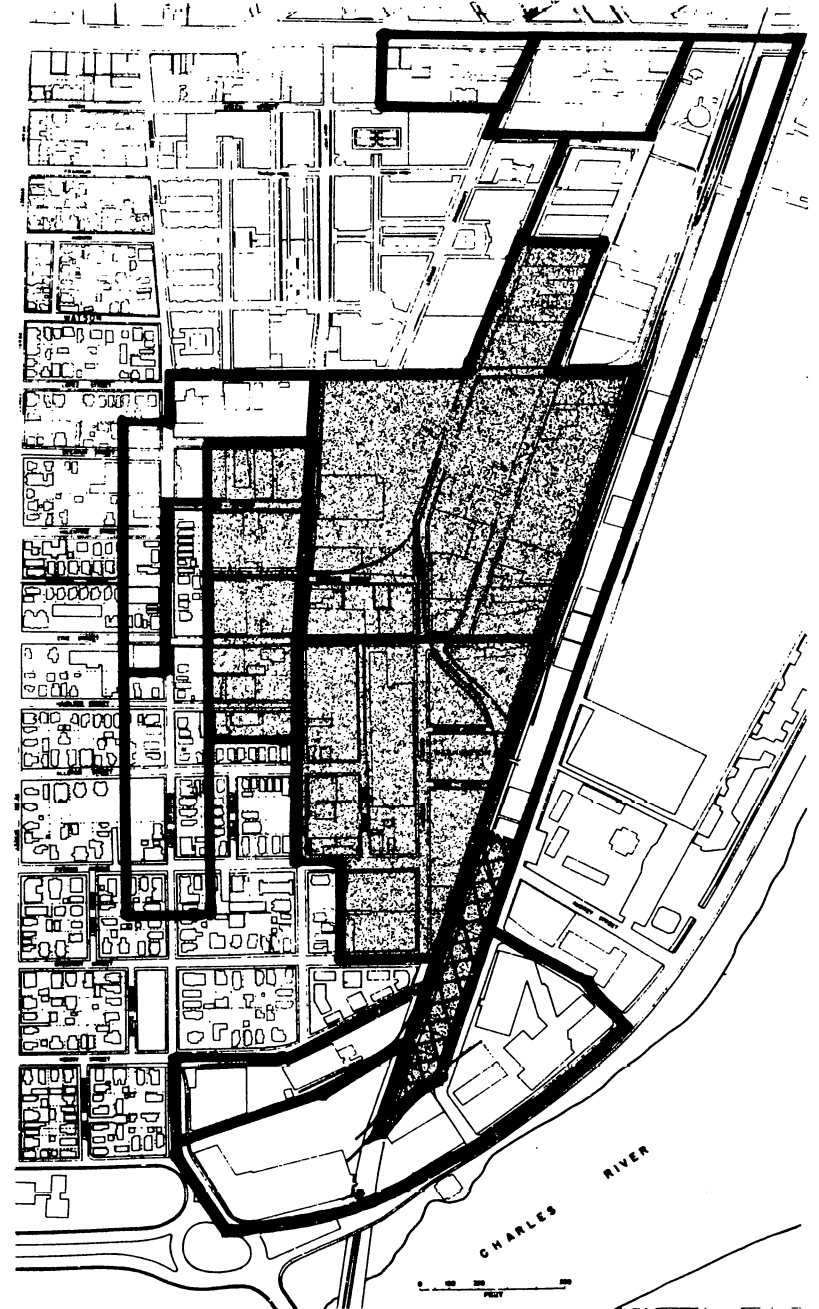
- (a) Any portion of a building exceeding a height of forty five (45) feet shall be set back a minimum of twenty (20) feet from the adjacent front property lines on all abutting streets.
- (b) Height shall be limited to forty five (45) feet in that area defined by a line one hundred (100) feet distant from and parallel to all front and side property lines of Fort Washington Park, lot #72, Assessor's Plat #66.
- (c) Height shall be limited to forty five (45) feet within one hundred (100) feet from the boundary of the existing residential neighborhood.

- 17.83.3 **Yard Requirements** A minimum five (5) foot front yard setback shall be required for all development in the district.
- 17.83.31 **Restrictions in Required or Provided Front Yard Setbacks** That area between the principal front wall plane of a building and a public street, whether required or provided, shall be devoted to Green Area as defined in Article 2.000 of this Ordinance, an expansion of the adjacent public sidewalk, or other landscaped or paved area devoted exclusively to pedestrian use and extending along the entire length of that portion of a lot abutting the street. Areas devoted to vehicular use are prohibited from this area with the exception of access drives located to provide the most direct access to parking facilities located elsewhere on the site. Said access drives shall be limited to a total of thirty (30) feet of width for each one hundred (100) feet of lot frontage. Where a lot is bounded by more than one street, the provisions of this subsection 17.83.31 shall apply fully only to a single street, which street shall be the principal, major or most important street abutting the lot. For all other streets the provisions of this subsection 17.83.31 shall apply only to the required front yard setback.
- 17.84 **OFF STREET PARKING AND LOADING REQUIREMENTS**
- 17.84.1 Off street parking and loading requirements shall be the same as specified in Article 6.000 for the applicable base zoning district except as provided below.
- 17.84.2 **Minimum Parking Requirement** The minimum parking requirements shall be one parking space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit and for dormitory uses, Section 4.33 b,7 one parking space for each twelve (12) beds.
- 17.84.3 **Maximum Parking** The maximum parking permitted for uses in the district shall be one parking space for each six hundred and fifty (650) square feet of gross floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, not withstanding the provision of Section 6.31.3; however the Planning Board may permit by Special Permit the number of parking spaces to exceed the maximum allowed under this Section 17.84.3 provided the number of parking spaces authorized by special permit does not exceed that number which would be permitted on the lot if the maximum parking ratio of 650 were applied to the maximum gross floor area permitted on the lot, notwithstanding the fact that all such allowed gross floor area is not in fact proposed to be constructed.
- 17.84.4 No special permit shall be issued in this district which permits the total number of parking spaces on a lot to exceed (a) that number permitted in Section 17.84.3 for development authorized by the special permit plus (b) any additional parking present on the site before the date of application for uses not located on the lot, which parking is provided as legally established required accessory parking, not exceeding the minimum required in Article 6.000 at the time of the granting of the special permit in the zoning district applicable to such uses.
- Where the parking provided on the site at the time of the special permit approval exceeds that quantity permitted above, the approved Special Permit shall provide a schedule by which the parking on the development parcel shall be brought into compliance with this subsection 17.84.4.

# PROPOSED ZONING DISTRICT Principal Dimensional Features

## PLANNING BOARD PETITION Affected Zoning District

## LYNCH PETITION Affected Zoning District

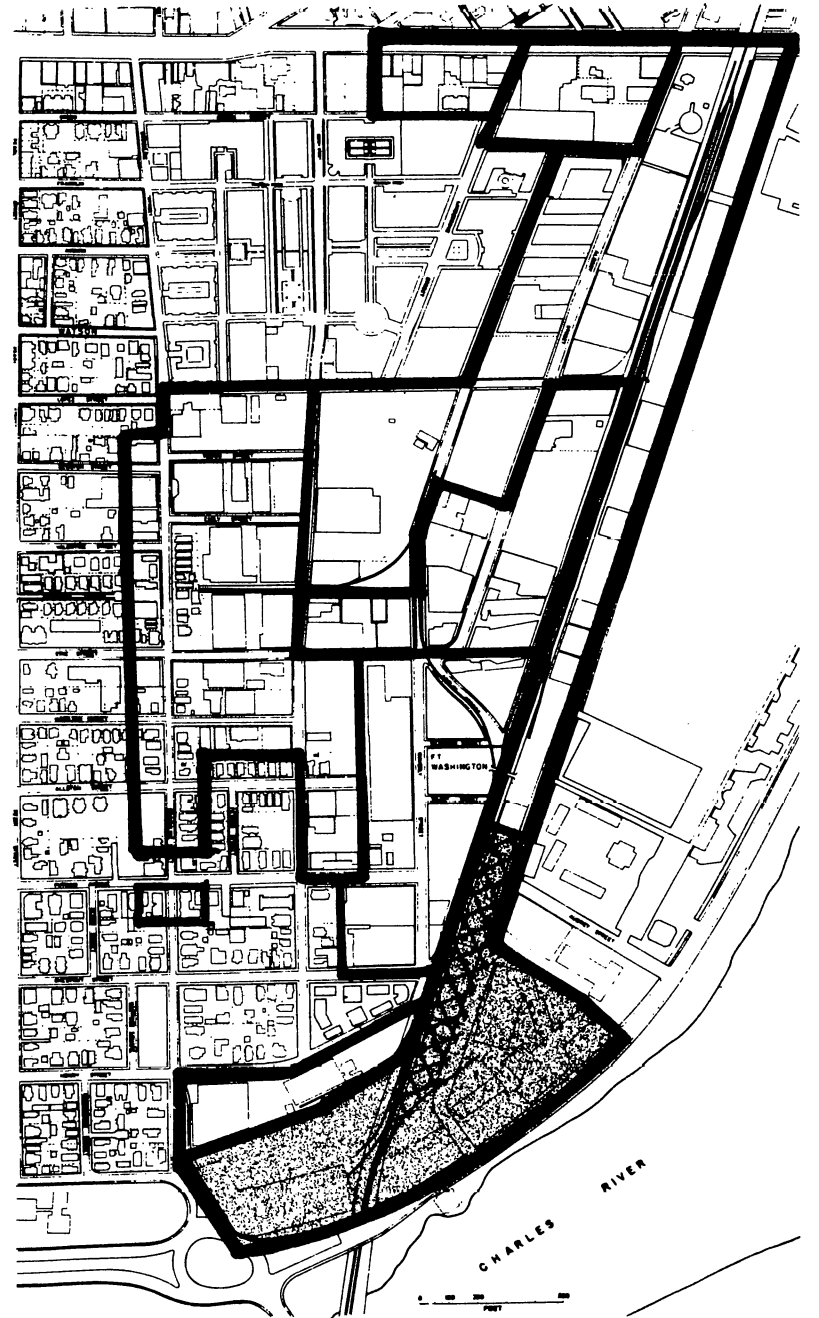


### Planning Board Petition

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
DISTRICT NAME	Industry A	Industry A-1	Cambridgeport Overlay District B
USES ALLOWED	Light Industry, Office, Retail	Light Industry, Office, Housing, Retail	Same
PERMITTED HEIGHTS	85'	45'	60' Housing/Dormitories
PERMITTED FLOOR AREA RATIO	2.0	1.25 *	1.75 Housing/Dormitories *

### Lynch Petition

	EXISTING DISTRICT	PROPOSED BASE DISTRICT	PROPOSED OVERLAY DISTRICT
DISTRICT NAME	Industry A	Special District V	None
USES ALLOWED	Light Industry, Office, Retail	Office, Housing, Light Industry	
PERMITTED HEIGHTS	85'	85'/35' within 125' of a Residential District *	
PERMITTED FLOOR AREA RATIO	2.0	1.5/2.0 Housing	



Total Zoning District Area
  Area Described

# PLANNING BOARD PETITION

# PROPOSED ZONING DISTRICT Text Comparison

# LYNCH PETITION

### 5.34 Industrial Districts

- The following dimensional requirements, set forth in Table 5-4 and modified elsewhere in this Ordinance, shall be applicable to development in office districts:

**Table 5-4 Table of Dimensional Requirements - Industrial Districts**

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Ind. A-1	1.25	5,000	1,200 <sup>(a)</sup>	50	0	0 <sup>(b)</sup>	0 <sup>(b)</sup>	45	none

### 2. Footnotes

- This requirement may be reduced to nine hundred (900) square feet per dwelling unit for conversion of nonresidential buildings in existence on April 1, 1978, to residential use.
- A side yard setback of  $\frac{H+L}{7}$  and a rear yard setback of  $\frac{H+L}{5}$  shall be required only for residential uses in new structures and for nonresidential uses abutting residences, residential or open space districts or public parks and recreation areas. These requirements may be reduced to a minimum required setback of ten (10) feet on special permit, provided that the yard is suitably landscaped to effectively buffer building walls from abutting lots.

ZONING TEXT OF BASE  
AND OVERLAY AS OUT-  
LINED IN AREA 9

### 5.32 Office Districts

- The following dimensional requirements, set forth in Table 5-2 and modified elsewhere in this Ordinance, shall be applicable to development in Office districts:

**Table 5-2. Table of Dimensional Requirements - Office Districts**

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Usable Op. Sp. to Lot Area
					Front	Side	Rear		
Office 1	0.75	5,000	1,200	50	$\frac{H+L(a)}{4}$	$\frac{H+L}{5}$	$\frac{H+L(c)}{4}$	35	15%
Office 2	2.0	5,000	600	50	$\frac{H+L(a)}{4}$	$\frac{H+L}{5}$	$\frac{H+L(c)}{4}$	85 <sup>(d)</sup>	15%
Office 3	3.0	5,000	300	50	$\frac{H+L(b)}{5}$	$\frac{H+L}{6}$	$\frac{H+L(c)}{5}$	none	10%
Office 3A	3.0	5,000	300	50	$\frac{H+L(b)}{5}$	$\frac{H+L}{6}$	$\frac{H+L(c)}{5}$	120	10%

### 2. Footnotes

- Measured from the center line of the street, but in no case may a building be nearer the street line than ten (10) feet.
- Measured from the center line of the street, but in no case may a building be nearer to the street line than five (5) feet.
- In no case may a building be nearer the rear lot line than twenty (20) feet.
- Thirty-five (35) foot height limit within one hundred and twenty-five (125) feet of residential districts.

ZONING TEXT AS OUT-  
LINED IN AREA 4

FOLEY, HOAG & ELIOT

ONE POST OFFICE SQUARE  
BOSTON, MASSACHUSETTS 02109

TELEPHONE: (617) 482-1390  
CABLE ADDRESS "FOLEYHOAG"  
TELECOPIER (617) 482-7347  
TELEX 940693

IN WASHINGTON, D.C.  
1615 L STREET, N.W.  
WASHINGTON, D.C. 20036  
TELEPHONE (202) 775-0600

SANDRA SHAPIRO

August 14, 1991

Cambridge Planning Board  
57 Inman Street  
Cambridge, MA 02139

Re: Proposed Cambridgeport Zoning Ordinance Amendments

Ladies and Gentlemen:

At the meeting on July 30, 1991 to review the petition of Margaret Lynch et al. for Cambridgeport zoning ordinance amendments the Board requested a letter summarizing the discussion concerning the issue of nonconformity. The Board expressed its concern that the zoning proposal might create nonconforming status for certain existing uses and structures in the area proposed to be rezoned. In response to that request, we have prepared the following summary of the nonconformity issues presented by the petition.

We have reviewed the petition which was subject of a hearing before the Committee on Ordinances of the City Council on June 26, 1991 and a hearing before the Planning Board on July 16, 1991. Based upon this review, it is our view that the proposed new Subsection 8.26(a) which would allow as-of-right expansion of a non-residential structure in existence as of January 1, 1991 for up to twenty-five percent (25%) of gross floor area appears contrary to the Massachusetts Zoning Act, M.G.L. c. 40A (the "Zoning Act") and to fundamental principles of uniformity in zoning regulation.

With limited exceptions, zoning ordinances and amendments thereto apply uniformly to structures and uses in a zoning district. There are exceptions in M.G.L. c. 40A, § 6 ("Section 6") for "nonconforming" structures and uses "lawfully in existence or lawfully begun" before the first publication of notice of a public hearing on an ordinance. Under Section 6, such pre-existing nonconforming structures or uses may be extended or altered provided there is a "finding" by the appropriate permit granting authority "that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood."

The Section 6 "finding" is the outgrowth of a line of cases decided under prior zoning acts. These earlier decisions recognized the authority of localities, in the absence of a statutory prohibition to the contrary, to limit the effect of zoning changes on pre-existing nonconforming structures through use of reasonable standards applied on a case by case basis. See, e.g., Chilson v. Zoning Board of Appeal of Attleboro, 344 Mass. 406 (1962); LaMontagne v. Kenney, 288 Mass. 363 (1934).

In two cases decided before the enactment of the present Section 6, the Supreme Judicial Court was presented with issues related to zoning ordinances not unlike the proposed new Subsection 8.26(a). In Smith v. City Council of Marlborough, 302 Mass. 571 (1939) the Court, without analysis, applied an ordinance which by definition excluded from a residential district "all lands which at the time this ordinance [became] effective [are used] for any business or industry". The validity of this aspect of the ordinance was not at issue before the Court. In Vasilakis v. City of Haverhill, 339 Mass. 97 (1959) the Court construed an ordinance provision allowing pre-existing nonconforming buildings to be enlarged up to twenty-five percent (25%) of the floor and/or ground area of the building or land which was used at the time of the adoption of the ordinance. These cases were decided under predecessor statutes to the Zoning Act, have limited value as precedent and do not resolve the issues raised by the proposed new Subsection 8.26(a).

The proposal for a new Subsection 8.26(a) appears to fall outside of the Zoning Act and case law precedent in two important principal respects. First, the proposed amendment appears not to be authorized by statute. It omits the Section 6 "finding" and applies without reference to the Section 6 statutory standard concerning detriment to the neighborhood. It is unlikely that the requirements of the Zoning Act can be satisfied by allowing as of right twenty-five percent (25%) expansion for existing non-residential structures. Because the proposal would prohibit new non-residential structures, any such existing non-residential structures become nonconforming and subject to Section 6 "finding" requirements. In addition, the proposed new Subsection 8.26(a) appears to run counter to the principle of uniform classification required by M.G.L. c. 40A, § 4. By authorizing expansion rights for existing structures as of a certain pre-adoption date on a parcel by parcel basis, rather than upon the basis of the broad class of use, the proposed amendment fosters non-uniform treatment. The greatest relief is potentially made available to the parcels which are most out of compliance with the ordinance. The relief is proposed to be granted without a Section 6 finding, without public review and without consideration for the effects of greater nonconformity on the city planning process.

You have also asked for comments on proposed Section 17.53.3(a) of the Planning Board petition which provides that a structure erected prior to January 1, 1991 which is set closer to the Memorial Drive streetline than otherwise permitted by Section 17.53.3 "shall not be considered a nonconforming structure as defined in Article 2.000 with regard to required front yard set backs from Memorial Drive." Under Article 2.000 a structure which does not conform to the Article 5.000 dimensional requirements would ordinarily be defined as a "nonconforming structure" provided that the structure "was in existence and lawful at the time the applicable provisions of this or prior zoning ordinances became effective."

Proposed Section 17.53.3 would presumably not protect any existing structure otherwise affected by the Memorial Drive front yard requirements from nonconformity under Article 2.000 for other dimensional irregularities. Thus for any particular structure, the proposal might not provide the protection intended. It appears that this section raises similar concerns to those described earlier in this letter and might be subject to legal challenge as beyond the limited definition for nonconformity contained in Chapter 40A, Section 6. The Board might achieve its goal by providing a zoning map showing the front yard requirements as the Board intends the effect on existing structures. This approach could eliminate the unintended negative effect on existing structure(s) not in compliance with the proposal.

I would be pleased to discuss this matter further with you at your convenience and to answer any questions which you may have concerning this letter.

Yours sincerely,

*Sandra Shapiro*

Sandra Shapiro

SS/tm

Enclosure

cc: Mr. Michael Rosenberg  
Donald Drisdell, Esq.



**CITY OF CAMBRIDGE**  
**COMMUNITY DEVELOPMENT DEPARTMENT**  
City Hall Annex - Inman & Broadway - Cambridge, Mass. 02139

617-349-4600  
Fax 617-349-4669

To: Michael Rosenberg  
From: Carole Marks *CM*  
Date: July 22, 1991  
Re: Financial Analysis of the Housing Provisions of the Lynch Petition

As you requested, I have examined the incentive zoning provisions of the Lynch proposal, with respect to whether nonresidential sites are likely be redeveloped as housing and whether the including the amount of affordable housing required in order to use the incentive zoning provisions would be financially feasible.

As the following examples show, under the specifically residential zones with base densities of .6 proposed in the Lynch petition, it is very unlikely that currently built-up nonresidential sites will be converted to housing. If housing is built, it is unlikely that owners would take advantage of the incentive provisions intended to encourage affordable housing because of the high shortfall that results from developing affordable units and the high proportion of affordable units required.

The Lynch petition proposes two affordable housing overlay districts that establish specifically residential districts with as-of-right floor area ratios (FARs) of .6 and a minimum lot area per dwelling unit of 1,800 square feet. In part of the district, FARs of up to 1.25 are allowed and the minimum lot area restriction can be relaxed to 800 square feet, if a certain percentage of affordable units is constructed. In the other part of the district, a FAR of up to 1.75 is allowed if affordable housing is built. In both areas, an owner must develop one percent of the development as affordable housing for every additional .023 of FAR over the base FAR of .6.

#### Conversion of Current Uses to Housing

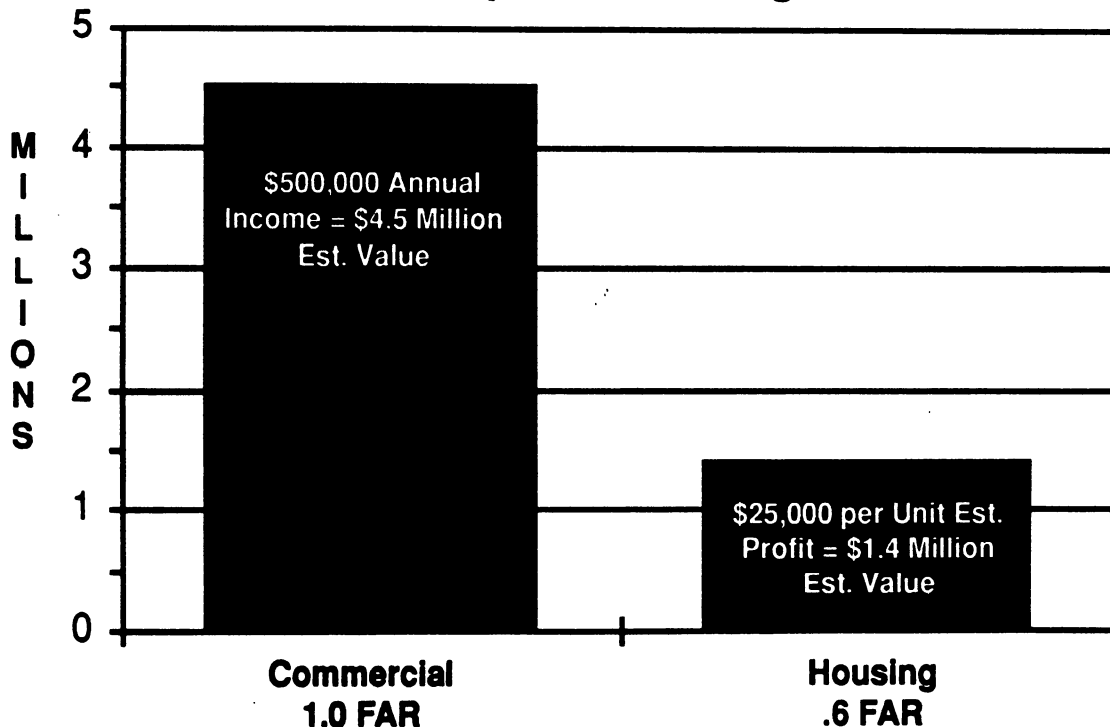
For most sites, under the provisions of the Lynch proposal, it is unlikely that current uses would be redeveloped into housing. This is because most of the sites in the overlay district have a higher value if they continue an existing commercial use.

It is easiest to see this by considering the example of a 100,000 square foot lot with an existing commercial building at an FAR of 1.0. (The average commercial density in Cambridgeport is 1.13, including vacant land.) According to Gerry Mimno, the Community Development Department's Director of Economic Planning, the average lease rate for this kind of building is from \$5.00 to \$8.00 annually per square foot, net of all operating expenses and taxes.

In this example, a 100,000 square foot building would have an annual net cash flow of \$500,000. At a normal income to value ratio, this would give the building a value of \$4.55 million. (The ratio of income to value in this case uses a capitalization rate of 9.11%, the break even rate if 10.5%, 30 year bank financing was used to purchase a building.)

As Figure 1 shows, if the site was cleared and housing was developed, 55 units would be allowed at a .6 FAR. If an owner could make between \$20,000 and \$30,000 per unit in profit and overhead (unlikely in this market), the net value of developing the site would be between \$1.1 and \$1.6 million. In fact, an owner would need to make nearly \$83,000 in net profit per unit from developing the land in order to make developing housing at this density equal the value of a commercial use.

Figure 1  
**Value of Site in Current Use at 1.0 FAR VS.  
Value Redeveloped as Housing at .6 FAR**



Unless commercial rents decline substantially, it is unlikely that commercial sites with existing structures built to a FAR of .3 or more will be converted to residential use. (At a floor area ratio of .3, the owner who is earning \$5.00 per square foot on a 30,000 square foot building on a 100,000 site would have a capitalized value of 1.36 million, roughly the same as if the site was redeveloped as housing with a \$25,000 per unit profit.) At floor area ratios of .3 and higher, an average site has more value in its current use.

### Incentive Zoning for Affordable Housing

Even if sites are redeveloped for housing, it is unlikely that, in the absence of significant public subsidies, owners will choose to build affordable housing in return for the density bonuses proposed in the Lynch petition. This results from a combination of two factors: the large shortfall between the cost of developing units and the price that is affordable as defined in the petition; and the high proportion of affordable units required. As a consequence, our financial models indicate that it is not financially feasible for a developer to include affordable units at the levels required in the Lynch proposal.

The following tables and figures demonstrate this by examining a potential residential development on a hypothetical 100,000 square foot site.

### Development Allowed at Different Densities

In the Lynch proposal, there are two important limits on what can be built in the Residence C districts: floor area ratio, and minimum lot area per unit. The following table gives the maximum number of units and maximum average unit size, given both of these limits.

It is important to note that, for the portions of the district that allow a maximum FAR of 1.75, the practical limit for the number of units is achieved at a floor area ratio of 1.38. At higher FARs, it is possible to have larger units, but not more units because the minimum lot area of 800 square feet per unit establishes a ceiling on the number of units. This means that the full site potential at a FAR of 1.5 is only realized by building units averaging 1,200 square feet, and the full potential at 1.75 is only realized by building units averaging 1,400 square feet. At FARs under 1.38, (which would include all portions of the district with a maximum FAR of 1.25), the combination of the floor area ratio and the 1,100 minimum unit size establish the ceiling on the number of units that can be built, and site potential is maximized by building as many 1,100 square foot units as the FAR limit allows.

Figure 2 shows the maximum number of base units allowed on a 100,000 square foot lot, the number of bonus units and the number of units that must be affordable at different FARs.

Figure 2  
**LYNCH PETITION DENSITY BONUS PROVISIONS**  
**Proportion of Market & Affordable Units Allowed**  
**Example: 100,000 Square Foot Site**

**FAR**

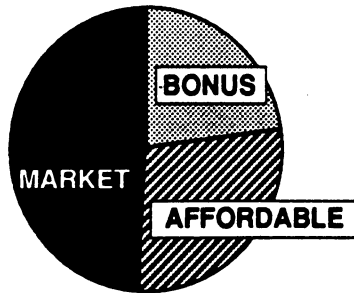
**.6**



55 Market Rate units  
 1100 Sq. Ft. Units

**FAR**

**1.25**



55 Market Base Units  
 26 Bonus  
 32 Affordable  
113 1100 Sq. Ft. Units

**FAR**

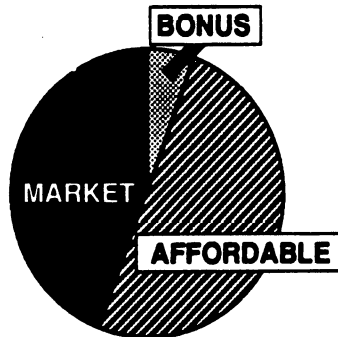
**1.5**



55 Market Base Units  
 21 Bonus Units  
 49 Affordable Units  
125 1200 Sq. Ft. Units

**FAR**

**1.75**



55 Market Base Units  
 7 Bonus Units  
 63 Affordable Units  
125 1400 Sq. Ft. Units

Potential Residential Developments Under the Lynch Petition  
 Example: 100,000 Square Foot Lot

Floor Area Ratios	.6	1.25	1.5*	1.75*
Total Units Allowed	55	114	125	125
Average Size in Square Feet	1,100	1,100	1,200	1,400
Percent Affordable Required	n/a	28%	39%	50%
Base Units	55	55	55	55
Bonus Market Units		26	21	7
Affordable Units		32	49	63
Number of Affordable Units per Bonus Unit		1.2	2.3	8.3

\* allowed in some portions of both districts

We expect an owner to choose to take advantage of the density bonus if he believes that he can make enough profit on the bonus market rate units to cover the cost of writing down the related affordable units. The Lynch petition requires that, at a 1.25 FAR, every bonus market unit must support the shortfall from 1.2 affordable units. At a FAR of 1.5, a bonus unit must support the shortfall from 2.3 affordable units, and at a 1.75 FAR it must support the shortfall from more than 8 units.

### The Cost of Developing Units

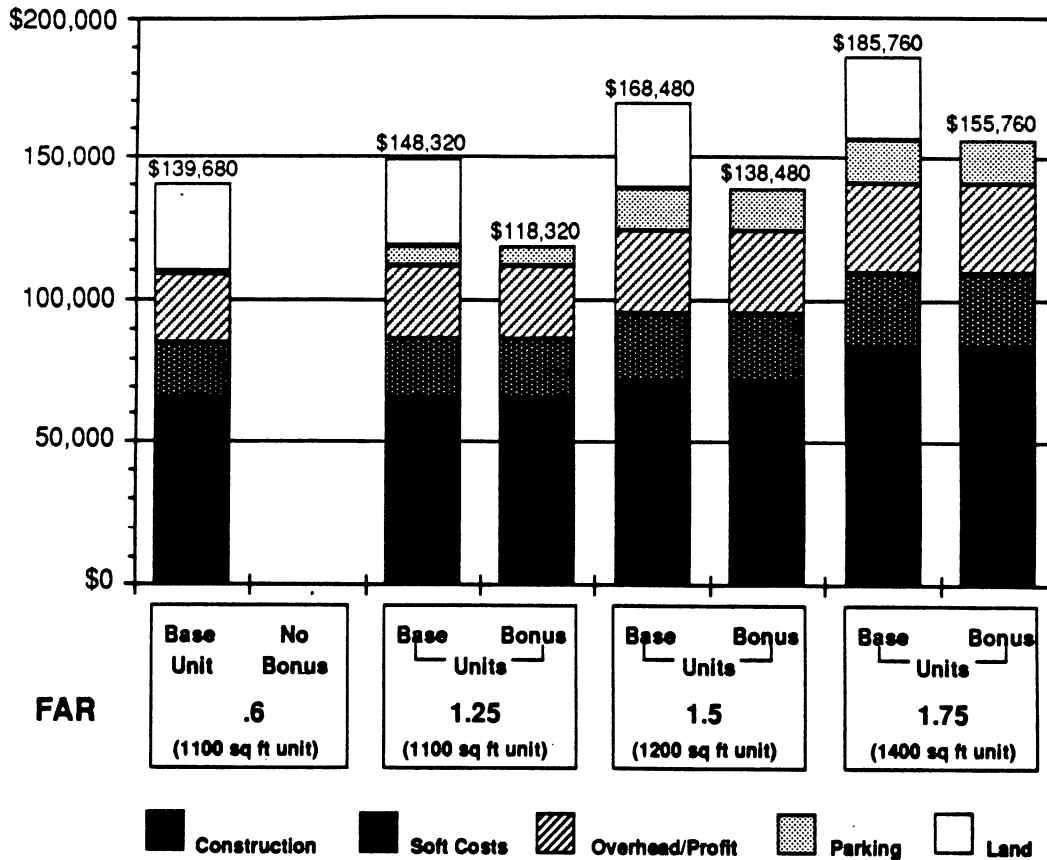
It currently costs between \$139,000 and \$185,000 to develop a townhouse-style unit, depending on size and density. Costs are somewhat higher at higher densities because of the additional costs of structured or underground parking. If land costs are excluded, a unit costs between \$109,000 and \$155,000 to construct. The following figures give typical development costs for the densities and unit sizes considered in our example.

### Typical Development Costs

Floor Area Ratio	.6	1.25	1.5	1.75
Unit Size (square feet)	1,100	1,100	1,200	1,400
Land	\$30,000	\$30,000	\$30,000	\$30,000
Parking	1,000	7,000	15,000	15,000
Overhead/Profit	23,280	24,720	28,080	30,960
Soft Costs	19,400	20,600	23,400	25,800
Hard Construction	<u>66,000</u>	<u>66,000</u>	<u>72,000</u>	<u>84,000</u>
Total Development Cost	\$139,680	\$148,320	\$168,480	\$185,760

These costs are presented graphically in Figure 3.

Figure 3  
**TYPICAL DEVELOPMENT COSTS PER UNIT**  
 Townhouse - Style Units



According to Peter Helwig, Cambridge's Director of Revaluation, a typical townhouse style unit in Cambridgeport will sell for between \$130 and \$150 per square foot. (Multifamily condominium buildings sell for somewhat more, but are also more expensive to build.) This means that an 1,100 square foot unit can be expected to sell for between \$143,000 and \$165,000, depending on construction quality, design and location. As a typical unit costs between \$139,000 and \$148,000 to develop, an owner developing market rate units at the base floor area ratio of .6 will, on average, make a modest profit, depending on development and land costs and sale prices.

#### The Gap Between Costs and Affordable Sale Prices

The Lynch petition requires that, for affordable units, the first be affordable to a household earning 50% of the Boston SMSA, the second and third be affordable to a household earning 80%, and the fourth be affordable to a household earning the median. If the four households are averaged together, units developed under the incentive zoning provision must be affordable to a household earning 77% of the area median.

In order for a unit to be affordable to a household earning 50% of median, it must sell for between \$35,000 and \$50,000, depending on household size. For a household earning 80%, a unit must sell for between \$68,000 and \$87,000, and for a household at median income, between \$89,000 and \$112,000. This assumes 10% downpayments, bank financing, and modest condominium fees.

The following table compares the average cost of developing units with the average amount the households defined in the Lynch petition can pay, and then calculates the resulting shortfall per affordable unit. Figure 4 also presents this information graphically for a typical unit developed at a floor area ratio of 1.25

**Affordable Units Developed Under the Lynch Proposal  
Average Shortfall per Unit**

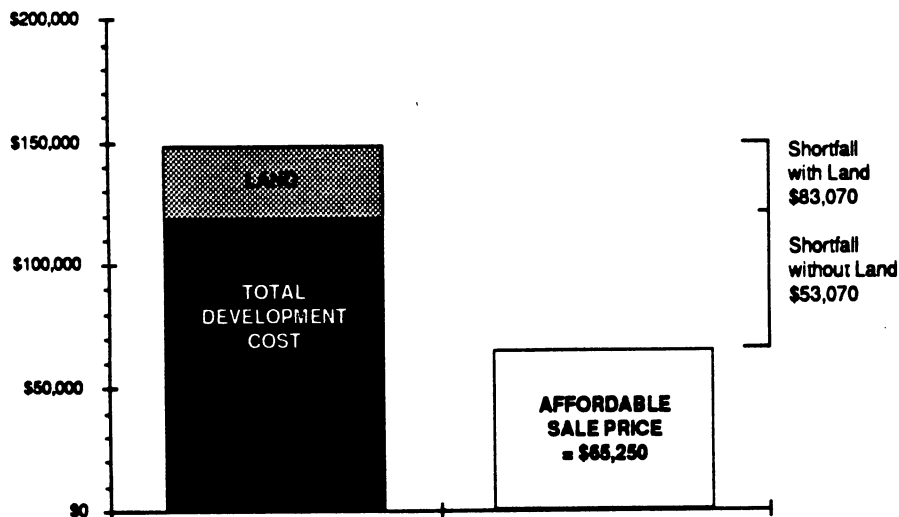
Floor Area Ratio	.6	1.25	1.5	1.75
Unit Size (square feet)	1,100	1,100	1,200	1,400
Total Development Cost*	\$139,680	\$118,320	\$138,480	\$155,760
Average Affordable Price**	n/a	65,250	76,000	84,000
Shortfall		\$ 53,070	\$ 62,480	\$ 71,760

\* without land costs

\*\* assumes three person households in the 1,100 square foot units; four person households in the 1,200 square foot units, and five person households in the 1,400 square foot units

Figure 4

**SHORTFALL BETWEEN COST AND SALE PRICE OF AFFORDABLE UNITS**



We expect an incentive zoning program to work if an owner can make enough profit on each incremental unit to fill the gap for an affordable unit. In theory, it is possible to produce both incremental and affordable units for less because land costs are excluded. This zero land cost allows the owner to make a higher profit on the bonus market units, and this can support the development of affordable units. However, if the number of affordable units that must be supported by this "excess profit" is too high, any owner considering development will most likely choose to maximize profit (or minimize losses) by developing housing at the base density.

Under the Lynch proposal, at a FAR of 1.25, each additional market rate unit needs to cover the shortfall from 1.2 affordable units, and the number of units that must be subsidized by each bonus market rate unit increases at higher densities. The following chart illustrates the shortfall per bonus market unit that the petition proposes at different densities. The number of affordable units that must be supported by each bonus unit is also presented graphically in Figure 5.

Affordable Units Developed Under the Lynch Proposal  
Shortfall per Bonus Unit

FAR unit size	.6 1,100	1.25 1,100	1.5 1,200	1.75 1,400
Gap (x ratio of affordable units per bonus unit)		\$ 53,070 1.21	\$ 62,480 2.32	\$ 71,760 8.33
Shortfall per bonus unit		\$ 64,214	\$ 114,953	\$ 597,660

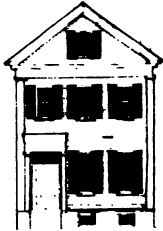
This means that at a FAR of 1.25, a bonus market rate unit that costs \$118,000 to build must be sold for over \$182,000 in order to cover the shortfall from the 1.2 bonus units that it supports. This sale amount, \$15,000 more than the top sale price for similar units in the area, would allow the developer to break even, and does not include a premium to cover additional marketing costs or risks. At a 1.5 FAR, the bonus unit costing \$138,000 must sell for more than \$250,000 -- nearly 140% of the top market value -- in order to support the shortfall from 2.3 affordable units. At a 1.75 FAR, the single bonus unit needs to be sold for nearly \$800,000 -- four times its market value -- to cover the shortfall created by the eight affordable units it supports. Even in the most overheated housing market, it is unlikely that, in the absence of additional large public subsidies, any owner would elect to develop affordable units in order to be allowed a higher density.

Figure 5

# LYNCH PETITION DENSITY BONUS PROVISIONS: Additional Market and Affordable Units Allowed

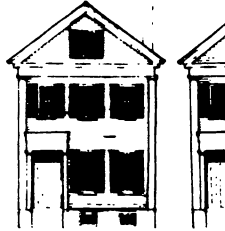
**FAR**

**1.25**



**1 Market Unit**

must support  
the shortfall  
from

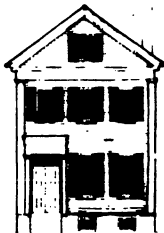


**1.21 Affordable Units**

**\$64,214 Total Shortfall per Bonus Market Units**

**FAR**

**1.5**



**1 Market Unit**

must support  
the shortfall  
from

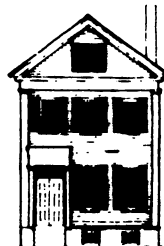


**2.32 Affordable Units**

**\$114,953 Total Shortfall per Bonus Market Unit**

**FAR**

**1.75**



**1 Market Unit**

must support  
the shortfall  
from



**8.33 Affordable Units**

**\$597,660 Total Shortfall per Bonus Market unit**

## State and Federal Subsidy Programs

There are currently no State or Federal subsidy programs, except for MHFA's shallow mortgage subsidy programs, that support mixed income ownership housing. Some programs do exist that subsidize rental housing development (Low Income Tax Credits and the State's Housing Innovations Fund), but the subsidies are modest and the gaps associated with rental housing are even larger than those for homeownership. Given the size of the shortfalls under the density bonus provisions of the Lynch proposal, it is also unlikely that developments in Cambridgeport could compete effectively for funds available under these programs.

In general, State and Federal programs that support new construction of affordable units have very specific requirements with respect to income levels served, terms of affordability requirements, tenure of units and in some cases, design of units and mix of bedroom sizes. It would be very difficult to make these requirements compatible with the mix of affordable units or size of units prescribed by the Lynch petition, and even more difficult for a for-profit owner to develop a marketable project while meeting constraints imposed both by zoning and by subsidy sources.

## Smaller Lots

Under the Lynch petition, affordable units must be developed in a certain order: the first must be affordable to a household earning 50% of median, the next two to households earning 80%, and the fourth to a household earning 100% of median. This means that the shortfall is even higher if affordable units are not developed in sets of four, because the most deeply subsidized units must be developed first. At a density of 1.25 and a requirement that 28% of the units be affordable), lot sizes which are a multiple of approximately 12,000 square feet (four affordable units, ten market units) will have the shortfall levels described above, and smaller lots, or those of other sizes will have larger shortfalls.

## Larger Units

A recent survey of newly constructed condominium units indicated that most of the units developed in Cambridge are two bedroom units. Under the Lynch petition, we assumed that developers would build larger units if it is financially advantageous to them to do so. At densities over approximately 1.4, it is possible to build larger units without sacrificing the total number of units allowed. However, the increase in the shortfall that results from constructing an additional bedroom (estimated to cost \$13,000 for a 150 square foot bedroom addition) exceeds the increase in financial capacity that results from a household being larger by one member (a household under the four person income limit can afford to pay, on average, \$11,000 more than a household at the five person limit.)

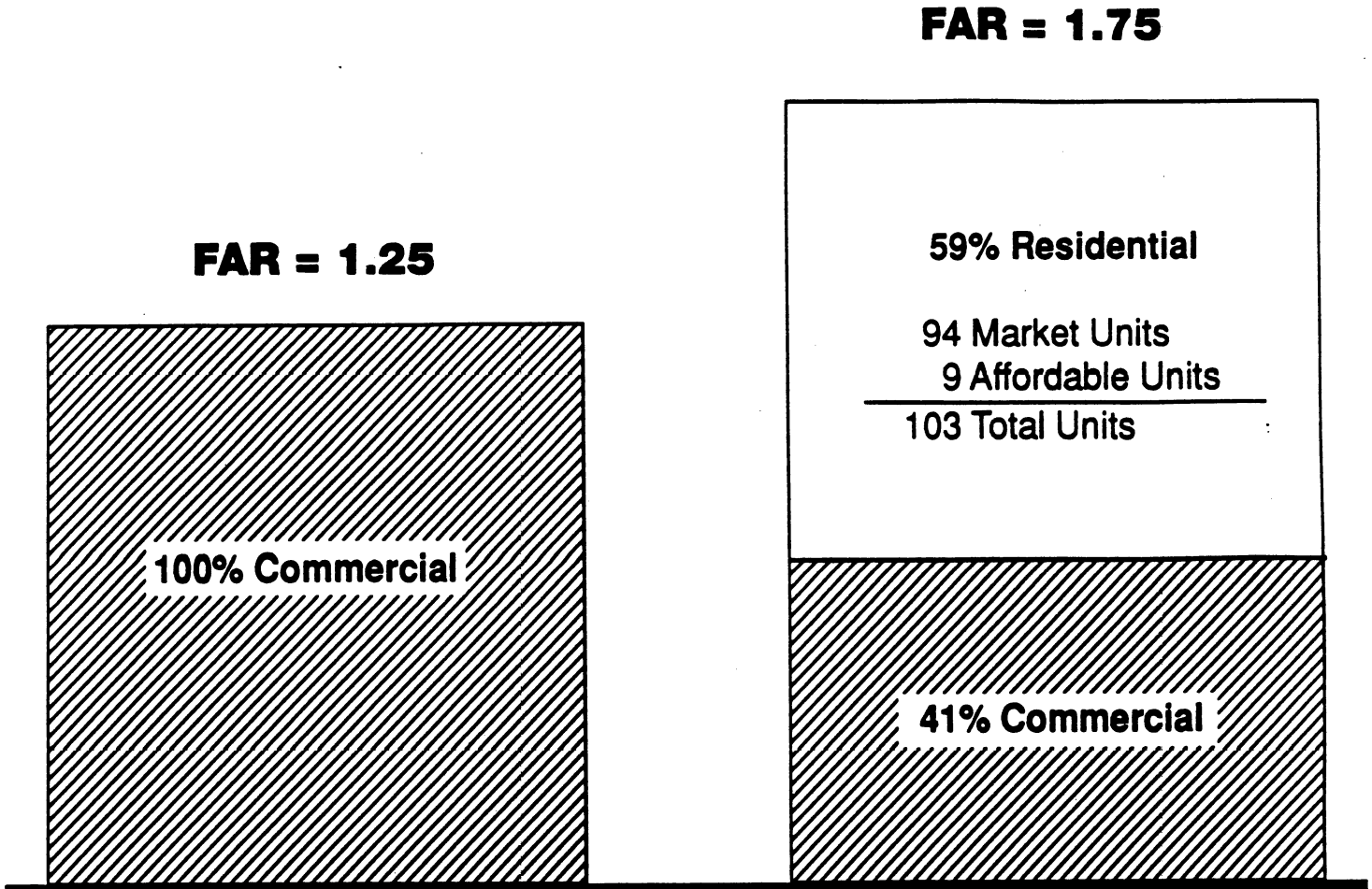
This increase in the shortfall is exacerbated by the fact that at higher densities there is a higher proportion of affordable units required. On the 100,000 square foot lot example described above, a 125 unit development with 1,200 square foot units would have to have one third of its units affordable. If it had 1,400 square foot units, half of the units would need to be affordable.

Because these shortfalls increase as unit sizes increase, it is unlikely that even if owners did take advantage of the bonus provisions and develop affordable housing, they would develop units larger than two bedrooms.

# CAMBRIDGEPORT REZONING EXAMPLE

## Different Density Scenarios that Keep Land Value Constant

Example of 100,000 Square Foot Site, Value of \$ 3.750 Million



**ASSUMPTIONS:**

- **Land Value Calculations**

Commercial Land Value = \$30/Buildable Square Foot;

Residential Land Value = \$20/Buildable Square Foot;

Affordable Residential Land Value = (\$30)/Buildable Square Foot.

- 1.25 FAR: 125,000 Sq. Ft. @ \$25 Commercial = \$3.750 Million

- 1.75 FAR: 71,875 Sq. Ft. @ \$30 Commercial = \$2.156 Million
- 93,750 Sq. Ft. @ \$20 Residential = \$1.875 Million
- 9,375 Sq. Ft. @ \$(30) Affordable Residential = \$(.281) Million

---

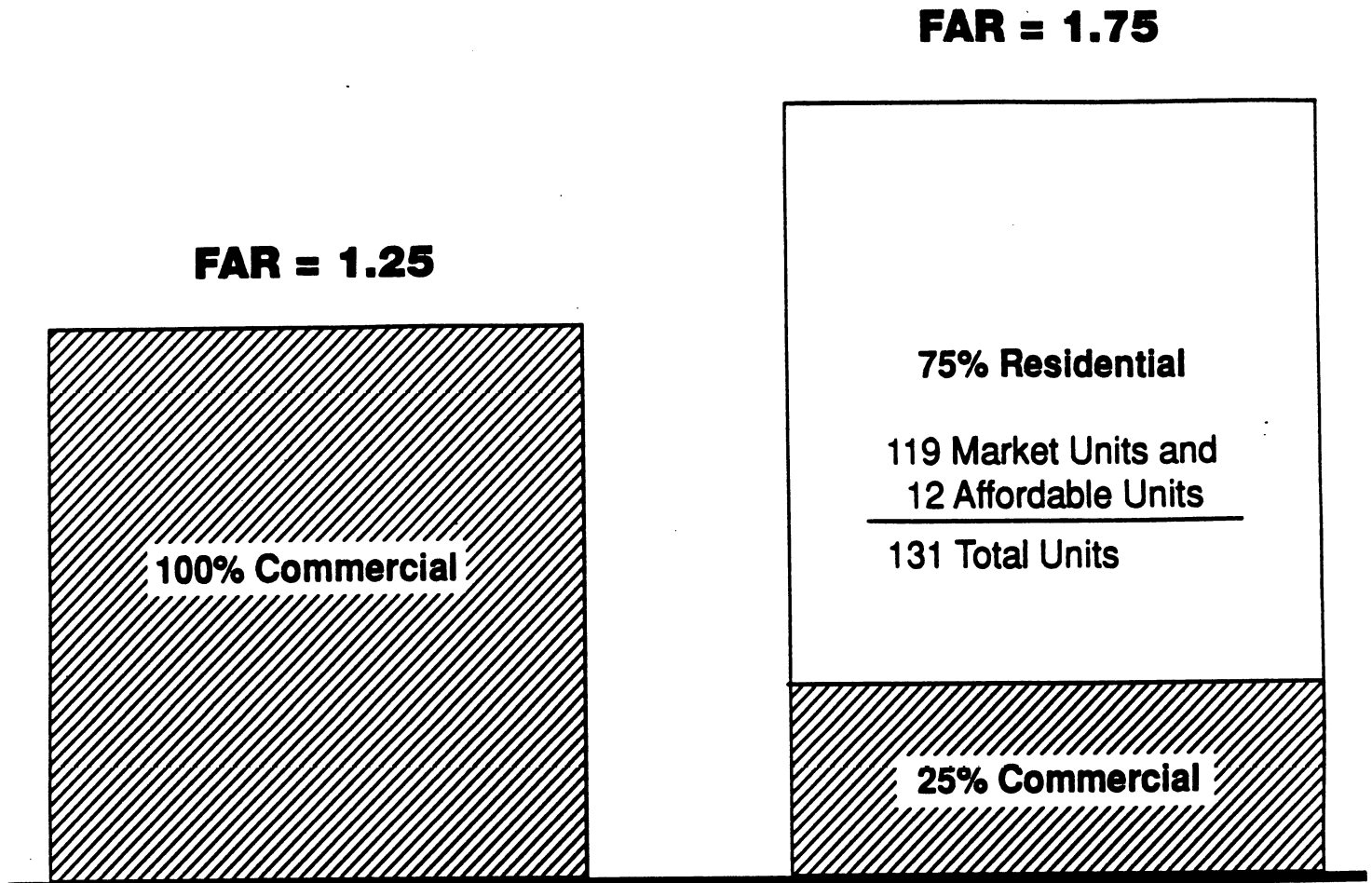
**TOTAL:** 175,000 Sq. Ft. **\$3.750 Million**

Assumes 1,000 Square Foot Units and 10% Affordability Requirement

# CAMBRIDGEPORT REZONING EXAMPLE

## Different Density Scenarios that Keep Land Value Constant

Example of 100,000 Square Foot Site, Value of \$ 3.125 Million



### ASSUMPTIONS:

- Land Value Calculations**

Commercial Land Value = \$25/Buildable Square Foot;

Residential Land Value = \$20/Buildable Square Foot;

Affordable Residential Land Value = (\$30)/Buildable Square Foot.

- 1.25 FAR: 125,000 Sq. Ft. @ \$25 Commercial = \$3.125 Million
- 1.75 FAR:
 

44,048 Sq. Ft. @ \$25 Commercial =	\$1.101 Million
119,048 Sq. Ft. @ \$20 Residential =	\$2.381 Million
11,905 Sq. Ft. @ \$(30) Affordable Residential =	\$(-.357) Million
<b>TOTAL:</b> 175,000 Sq. Ft.	<b>\$3.125 Million</b>

Assumes 1,000 Square Foot Units and 10% Affordability Requirement

3/26/91

**Notes:**

These examples assume that average medium-quality commercial sites are worth more than medium quality residential sites, and this is reflected in the estimated land values of \$30 and \$25 per buildable square foot of commercial space and \$20 per buildable square foot of residential space. As a result, at higher "bonus" floor area ratios, zoning can require higher proportions of residential development without affecting land value. Affordable housing requirements impose a negative value.

This analysis is for an "average" site over an "average" business cycle. For real sites at fixed points in time, results will be less predictable for several reasons:

- The values of residential and commercial space fluctuate over time, and at different rates. At any given time, a developer will assess the market and estimate that it will be more profitable to build one or the other.
- Different sites have characteristics that can dramatically affect value. For example, site-specific factors such as views, parking requirements, soil conditions, or whether a street has enough foot traffic to support retail uses, will affect development plans.
- Because of the difficulty of combining two uses in a single building, a developer with a small site will usually choose to build a single use. The choice of the use will depend on:
  - the relative value of the two uses;
  - whether the developer has experience building residential or commercial; and,
  - whether abutting uses add to the value of a particular use.

# Cambridgeport Rezoning Example

## Different Density Scenarios that Keep Land Value Constant

Example of 100,000 Square Foot Lot

<b>Land value per Buildable Square Foot:</b>		
	<b>Commercial @ \$25</b> <b>Residential @ \$20</b> <b>Affordable Residential @ (\$30)</b> <b>TOTAL VALUE \$3.125 Million</b>	<b>Commercial @ \$30</b> <b>Residential @ \$20</b> <b>Affordable Residential @ (\$30)</b> <b>TOTAL VALUE \$3.750 Million</b>
<b>0% Affordable Required</b>	175 Units, including 0 Affordable Units 100% Residential*	115 Units, including 0 Affordable Units 66% Residential
<b>5% Affordable Required</b>	146 Units, including 7 Affordable Units 83% Residential	108 Units, including 5 Affordable Units 62% Residential
<b>7.5 % Affordable Required</b>	138 Units, including 10 Affordable Units 79% Residential	105 Units, including 7 Affordable Units 60% Residential
<b>10% Affordable Required</b>	131 Units, including 12 Affordable Units 75% Residential	103 units, including 9 Affordable Units 59% Residential
<b>15% Affordable Required</b>	120 Units, including 16 Affordable Units 68% Residential	99 Units, including 13 Affordable Units 56% Residential

\*Land value exceeds \$3.125 Million in this case

Unit counts assume 1,000 square foot units



# CITY OF CAMBRIDGE

## COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex - Inman & Broadway - Cambridge, Mass. 02139

617.349.4600

Fax 617.349.4669

### CAMBRIDGEPORT REZONING STUDY 1988 - 1991

June, 1991

#### **I. Introduction.**

This report documents the Cambridgeport Rezoning Study, a three year planning effort involving the participation of the Cambridgeport Rezoning Advisory Committee, the Cambridge Planning Board, the Community Development Department, neighborhood residents, landowners and business owners. Throughout the study numerous land use and zoning issues raised by the future development of this 78 acre industrial area have been carefully considered.

The future of the Cambridgeport Industrial District has been a matter of great concern to the City for the last twenty years. As industry has left the City, discussion has focused on determining the appropriate mix of uses for industrial areas like Cambridgeport. Cambridgeport's location adjacent to a residential community, University Park and the MIT campus creates the need for a careful transition between these uses and new development. Transitions also need to occur within the district to address environmental and urban design issues raised by mixing current industrial land uses with new development. Potential growth in the area raises questions of transportation access and traffic impacts on the neighborhood in addition to questions about density and scale.

The size of the district, the diversity of its business uses, and its proximity to the Cambridgeport neighborhood have produced a broad set of goals for the area. While each of these is of value, and is supported by those who have participated in this effort, it has been a difficult task to develop a zoning package which incorporates and balances goals which are sometimes in conflict with each other. This report will examine these conflicts and explain the choices and the decision making process which led to the Planning Board's Zoning Proposal of April, 1991.

#### **II. Background/Purpose.**

The Cambridgeport Rezoning Study has its roots in the work of the Cambridgeport Blue Ribbon Committee, a group appointed by the

City Manager in 1986 to study the Cambridgeport Industrial Area. While the Committee was able to study the University Park Proposal and make specific recommendations for the northern part of the district, its report was less detailed for the remainder of the industrial area. Instead, the committee made general recommendations in support of encouraging new mixed-income housing, upgrading the environment, creating a system of open spaces including a neighborhood park for active recreation, and developing pedestrian connections to the riverfront. Their report suggested that further study of this area was appropriate particularly in light of the very permissive Industry B zoning which allows a 4.0 FAR, unlimited height and all uses except housing.

Upon completion of the University Park Rezoning in January, 1988, the City began to prepare for the Cambridgeport Rezoning Study. A very restrictive interim zoning petition (1.0 FAR, 45' height limit) was filed in March, 1988 to ensure that large scale development would not occur while the study was in process. That petition was refiled four times and remained in effect until the Planning Board's petition for a permanent rezoning was filed in April, 1991.

In August, 1988, the City Manager appointed the **Cambridgeport Rezoning Advisory Committee**, a ten member committee with both landowner/business and neighborhood representatives. The Committee's mandate was to study the diverse land use, urban design, traffic, open space and zoning issues and develop a zoning recommendation for the Planning Board's consideration. The Community Development Department provided technical assistance and support to the committee throughout the study process.

### **III. Study Process.**

The Committee began meeting regularly with Community Development staff in September, 1988. The first six months of the process were devoted to a study of existing conditions and analysis of the issues. The committee was provided information regarding current land uses, densities and ownership in addition to data on Cambridgeport businesses and industrial trends. The group also researched affordable housing programs, the existing supply of open space in the neighborhood, and proposed roadway improvements for the industrial area. A traffic study was prepared by Cambridge Systematics and trip generation analyses were done for several different buildout scenarios. Analyses were also done on various affordable housing and development transfer models to understand their zoning implications.

In addition to using data prepared and presented by the Community Development Department, the Committee invited guest speakers from the Massachusetts Housing Finance Agency (MHFA), Boston

University's School of Management and Boston's Economic Development and Industrial Corporation (EDIC) to assist them in understanding ways to promote both market rate and affordable housing and the incentives needed to encourage light industrial growth. Through this process, the committee was able to unanimously agree to five goals to be achieved by a rezoning of the Cambridgeport Area and begin to develop a zoning proposal.

In September, 1989, the Committee presented a draft proposal (see Attachment A) to the neighborhood and to the landowners in the study area. Using feedback from these meetings, committee members spent the next six months reexamining several key issues and considering zoning options. In May, 1990, when it became clear that agreement could not be reached on all elements of a zoning proposal, the Committee filed a report with the Planning Board that detailed both areas of agreement and disagreement (see Attachment B).

The Planning Board has carefully considered the Committee's report and has held numerous meetings over the past year to deliberate a zoning recommendation. These meetings have involved further analysis of land use, traffic and dimensional questions and discussion with both residents and landowners. Although the Planning Board's final proposal differs somewhat from the recommendations and suggestions of the Rezoning Advisory Committee, it is entirely consistent with the goals and objectives established by the committee.

#### **IV. Goals and Objectives.**

The following goals and objectives were established by the Cambridgeport Rezoning Advisory Committee for the future of the Cambridgeport area and are supported by the Planning Board:

- Promote development of both market rate and affordable housing;
- Minimize the traffic impacts of new development by limiting commercial growth and encouraging housing;
- Facilitate the creation of open space;
- Limit heights and densities in those areas abutting the existing residential neighborhood, permitting additional height and density east of Sidney Street; and
- Preserve and provide for expansion of the existing businesses, including light industrial uses.

The challenge for both the Rezoning Advisory Committee and the Planning Board in developing zoning recommendations has been to balance these diverse and sometimes conflicting goals. Their

task has been further complicated by real world conditions, including existing land uses and financial resources, which in some cases limit the range of options available to meet these goals.

The current land use pattern which established the context for discussing these goals and making zoning recommendations is summarized below.

#### **V. Existing Conditions.**

The Cambridgeport Rezoning Study Area (see Attachment C) includes 78 acres of land, most of which is currently zoned Industry B. Two small business districts, a Business A and a Business A-1 zone, link the existing residential area to the west with the industrial area and include a mix of commercial, light industrial and residential uses. A light industrial district, Industry A, is found south of Henry Street and along the southern end of Vassar Street. A summary of the key provisions of each of these districts is included Attachment A, the Committee's Draft Proposal of September, 1989.

Major property owners include MIT (54%), Stimpson Properties (8%), Graham Gund (6%), American Science and Engineering (5%), NECCO (4%) and California Products (2%).

The district is currently built to an average 1.15 FAR, for a total of 3.93 million square feet. Of this, approximately 267,000 square feet is residential, 335,000 square feet is hotel, 784,000 square feet is institutional, 30,000 square feet is institutional housing, 42,000 square feet is commercial, and 2.47 million square feet is devoted to manufacturing, R&D and warehouse uses. Higher FARs are found north of Pacific Street, along Vassar Street and along Memorial Drive. Approximately 10% of the land in the study area is vacant or used for parking.

The study area includes a mix of industrial and research and development users. A total of 107 manufacturing and R&D firms were located in the district (including University Park) as of May, 1987. The Industry B area between Brookline and Sidney Street consists of 18 parcels owned by 11 owners, including Stimpson Properties and MIT, and is home to approximately 25 businesses. The land to the east of Sidney Street, and west of the railroad tracks, consists of larger parcels and is primarily owned by four of the larger landowners, MIT, Stimpson, AS&E and California Products.

Most buildings are one to two stories in height, although there are a few buildings along the northern, eastern and southern edges of the study area, including the NECCO building, the Ford Assembly plant and the Hyatt Regency, that range in height from 80 to 150 feet.

Several open spaces exist within or adjacent to the study area. Fort Washington, located between Waverly Street and the railroad tracks, is a one acre passive open space of historic significance. Additional publicly accessible passive open space is planned for the University Park Project just north of the study area. Other sites, offering both active and passive uses, include the MDC recreational area along the riverfront, Fullmore Playground on Sidney Street, the Morse School playground and ballfields and Old Morse Playground on Brookline Street. However, none of these sites adequately meets the community's need for a large active open space targeted to the Cambridgeport community.

## **VI. Study Issues.**

Given existing conditions, several of the goals and objectives for the Cambridgeport Industrial Area presented difficult choices for both committee members and the Planning Board. These issues and choices are summarized below.

### **1. What is the appropriate zoning mechanism to promote both market rate and affordable housing while preserving existing businesses, including light industrial uses?**

This issue was the most difficult and controversial of the land use policy questions raised by the Cambridgeport rezoning. The area preferred by community representatives for housing is the Brookline to Sidney Street corridor as it provides a direct connection from the existing neighborhood. However, this area also includes numerous small businesses, which contribute to the City's tax and employment base, and a potential open space site. Other members of the Advisory Committee and the Planning Board have suggested that housing is a use to be encouraged in other parts of the district as well.

Two options were considered for promoting housing:

1. residential zones which would grandfather existing businesses and allow for modest expansion; and
2. mixed use zones which would allow existing businesses to continue as-of-right and provide FAR and height incentives for affordable housing.

The Rezoning Advisory Committee disagreed on the best mechanism for balancing these two goals. Neighborhood representatives preferred Option 1, arguing that it would be difficult for housing to compete economically with other uses. The landowners preferred Option 2, expressing concerns about their ability to obtain financing for their businesses if they were made

non-conforming.

The Planning Board invested substantial time studying existing land uses, to identify areas where housing could be encouraged, and both of the options presented by the Advisory Committee. The Board agreed that a residential designation is appropriate along Brookline and Henry Street. Housing and dormitory uses are encouraged along the upper half of the Vassar Street corridor. However, the Board had reservations about extending an exclusively residential zone into areas that to date have prohibited housing.

Their discussions raised the following points:

- The area in question is zoned Industry and has no housing uses;
- Though the Brookline to Sidney Street corridor does provide an opportunity to extend the existing Cambridgeport neighborhood it does not come without cost to the City including possible loss of jobs and tax revenue;
- The resources required to substantially redevelop this area to achieve public objectives, as was the case with the East Cambridge Riverfront, are no longer available; and
- A residential zoning designation would cause considerable hardship for the existing businesses. Nonconforming status would make it extremely difficult for them to obtain financing for expansion of their business operations or their buildings. This argument was supported by letters received from Joseph Junkin, President of California Products Corporation, Christopher Allen, Vice President of the Shawmut Bank, a lender to California Products, and the law firm of Rackemann, Sawyer and Brewster.

In addition, the Community Development Department sought the advice of Attorney Sandra Shapiro with the firm of Foley, Hoag and Elliot on the impact of a residential zoning designation on existing businesses. Ms. Shapiro is well versed in both the Cambridge Zoning Ordinance and Chapter 40A. Her findings support claims regarding the hardship residential zoning would create for existing businesses in the district.

The Board has carefully considered the arguments for and against each option and agrees that a residential designation will have a serious negative impact on existing businesses. In addition, given the current character of the district and market conditions, new housing is not likely to be built in Cambridgeport for some time.

A residential designation would create hardship for owners at a

time when housing is not a viable option for these sites. The Planning Board is therefore recommending an incentive approach for housing which will encourage the area to evolve to a mixed use district as market conditions improve and opportunities for new development occur.

**2. How should densities be structured to provide incentives for affordable housing, promote building types in keeping with the City's residential fabric, and allow some growth of commercial uses?**

Given the lack of sufficient public subsidies to produce affordable housing, the Committee was interested in creating FAR incentives to make housing development competitive with commercial development. The Community Development Department's housing staff studied this using several different financial models. These models suggested that at a minimum a .5 FAR increase over allowable commercial and market rate housing densities was needed to encourage developers to build affordable housing.

Using this information, the committee then worked to determine appropriate base densities for commercial and market rate housing uses. Neighborhood representatives expressed a desire to keep residential densities as low as possible to ensure that new construction would complement the City's existing residential fabric. Landowner and business representatives expressed the need for a base commercial FAR which would allow for growth and expansion.

Though members differed in their final recommendations for the area west of Sidney Street (see above discussion), they agreed that a 1.5 commercial base, a 1.75 market rate housing base and a 2.0 FAR for affordable housing was appropriate east of Sidney Street and west of the railroad tracks.

Using this information the Planning Board weighed the maximum residential density it thought desirable against an appropriate commercial density. The Board expressed concern that the 2.0 FAR for housing was too high. Also, given the district's average built 1.15 FAR and concerns about traffic generated by commercial development, a 1.5 commercial FAR was determined to be too permissive.

The Board's final proposal maintains the recommended .5 FAR increment in most areas where affordable housing is encouraged. However, the Board decreased the Committee's recommended 1.5 FAR base to a 1.25 FAR for commercial and market rate housing uses. Affordable housing is allowed at a 1.75 FAR. These densities apply to portions of the industrial area both east and west of Sidney Street.

**3. What is a reasonable percentage requirement for affordable housing?**

Since subsidies for affordable housing are diminishing and may not be available in the future, the Committee was interested in recommending an inclusionary zoning mechanism with incentives for affordable housing. In studying inclusionary zoning models, the Committee's goal was to find one that was economically feasible while requiring as much affordable housing as possible.

Members considered existing zoning districts which require affordable units including North Point and the Residence C district. The North Point model, which allows for 15% affordability with 7.5% required of the developer and 7.5% offered to the City, was analyzed by the Department's housing staff and committee members within the context of a .5 FAR incentive for affordable housing. This analysis showed that the North Point model was a feasible alternative for Cambridgeport and the committee recommended that model to the Planning Board.

Further analysis, done for the Planning Board, suggested that a total of 15% for affordable housing was realistic but that the required contribution could be in the range of 10%. Studies were done to determine what percentage of the total development should be required for housing, if the .5 FAR incentive was used. This analysis showed that the high cost of developing affordable housing required that a project have a substantial nonresidential component to subsidize the affordable units.

Based on these studies, the Planning Board has proposed a 10% affordable requirement for projects using the .5 FAR housing bonus. At least 50% of the total development must be residential. This requirement applies to those areas proposed as Industry A-1. The Planning Board has recommended Residence C and Residence C-1 designations, which also incorporate affordable housing provisions, elsewhere in the district.

**4. Can zoning create incentives to encourage light industrial uses?**

In response to a City Council order, the Rezoning Advisory Committee explored the feasibility of establishing an exclusive industrial zone within the Cambridgeport area. The notion was to create an area where light manufacturing uses would be encouraged in order to create new manufacturing jobs and provide job upgrading for the City's blue collar workers.

In discussions with Joseph Kellogg, former Economic Development Director for the City of Cambridge, Sue Helper, Professor at Boston University's School of Management and Jean Strain from the Economic Development and Industrial Corporation (EDIC) several

key points were made:

- Cambridge sites have not proven to be competitive with suburban industrial locations because of transportation access;
- The high cost of land in Cambridge makes it difficult for light industry to compete with other uses and suburban locations;
- The availability of a technically trained labor force, housing affordable to that workforce and transportation are also important factors in determining an area's competitiveness;
- There is a need to train the labor force to meet the needs of local employers;
- Cambridge, and in particular Cambridgeport, is attractive to small, start-up R&D firms given its proximity to MIT;
- The "sustainable competitive advantage" of Cambridgeport is an important factor to identify and consider. Part of Cambridgeport's advantage is the presence of stable influences such as Polaroid and MIT;
- Cambridge is well suited to take advantage of the growing bio-technology market;
- The primary concern behind the recommendation for a light manufacturing zone is the creation of good jobs with growth potential also known as job upgrading.

Based on these points, the committee recommended against an exclusive light industrial zone. It was clear from the discussions that zoning was insufficient in itself to provide the incentive for new manufacturing facilities to locate in Cambridgeport. A more comprehensive employment and economic development policy with additional incentives, such as providing a trained labor force, solving traffic and transportation problems and subsidizing land costs, would be required to attract new light manufacturing users to Cambridge.

The committee felt it was more appropriate to establish a zoning base that would allow for both R&D and light industrial uses. This would allow existing companies to remain and expand and give new companies the flexibility to evolve from start-up R & D firms and potentially do some small scale prototype manufacturing.

The Planning Board agreed with the approach adopted by the Rezoning Advisory Committee and has incorporated it into the

April, 1991 zoning proposal.

**5. What is the best mechanism for reducing traffic generated by new development in Cambridgeport?**

In general, both the Committee and the Planning Board agreed that limiting office development and encouraging housing and R&D uses is the best strategy for limiting traffic in Cambridgeport. The Board's proposal supports this concept, dramatically downzoning allowable commercial development from a 4.0 FAR to a 1.25 FAR in a major portion of the district and encouraging housing throughout the area.

The Planning Board's zoning proposal allows a total of between 5.3 and 6.6 million square feet, depending on the development scenario. This permits an additional 1.4 to 2.7 million square feet beyond the current buildout and is between 4.5 to 5.7 million square feet less than the total development allowed by the current zoning.

Cambridge Systematics conducted traffic analyses throughout the study process. The firm has recently analyzed one possible scenario allowed under the Planning Board's proposal and compared that to existing conditions and potential buildout under current zoning (see Attachment D). This shows a major decrease in the number of potential trips compared to existing zoning (a reduction of 49,100 average daily trips). It also shows an increase of 600 trips in the AM Peak Hour (unmitigated) and an increase of 13,900 average daily trips over current conditions.

The Board also explored further restrictions on back office and general office uses in the district. Concerns were raised about the definition of R&D uses since some, like Lotus Development, resemble office uses rather than research labs though they have low peak hour traffic generation. Enforcement issues are created by placing a cap on the amount of allowable back office space without a clear definition for R&D uses.

After considerable discussion, the Planning Board felt that the area south of Pacific Street is not a strong first class office market, and that office uses such as insurance companies and law firms which are high traffic generators, are not likely to locate there due to poor transportation access. While the Board did not feel it was necessary to prohibit office use, it did restrict the maximum parking allowable in most parts of the district to 1.5 spaces per thousand square feet of development to limit traffic generation. This parking ratio is adequate for R&D and manufacturing uses but is low for office use, particularly due to the distance of the district from public transportation.

**6. How can an active recreational open space be created given limited financial resources?**

An important goal for the community is to create a large public open space for active recreational use. The Rezoning Advisory Committee strongly supported this goal and felt that opportunities for smaller sites throughout the district should also be encouraged. However, as with affordable housing, public subsidies for open space acquisition are diminishing. Therefore, the committee sought to develop a mechanism whereby land would be made available to the City for use as open space.

The open space transfer mechanism allows an owner, or owners, to transfer the development rights from a parcel west of Sidney Street to a site east of Sidney Street to create a new open space. The density and height on the receiving site can be increased, to a maximum of 2.5 FAR for non-residential uses and maximum of 3.0 FAR for residential uses, to accommodate the additional development.

To make use of this mechanism, a site must be determined appropriate for open space in accordance with special permit criteria and design guidelines. The facility will be under the control of the City of Cambridge, and publicly accessible, through fee title, lease or other legal mechanism.

The open space transfer mechanism will not increase the total allowable development in the Cambridgeport District. It will, however, allow for greater height and density on particular sites to accommodate the transferred development rights. In all cases, this additional height and density will be located east of Sidney and north of Erie Streets. This is consistent with the Committee's goal of limiting heights and densities in those areas abutting existing residential areas and permitting additional height and density east of Sidney Street.

The Planning Board is in agreement with the Committee's recommendation establishing an open space transfer mechanism and has incorporated the provision in its April, 1991 petition.

**VII. Summary.**

The Planning Board's zoning proposal is the result of an open and highly participatory three year planning process which provided for a thorough examination of the full range of issues. This examination was supported by land use, density, and housing analyses in addition to traffic studies of various development alternatives. The Board's recommendations reflect sound land use planning combined with a recognition of the constraints, concerns and goals of residents, landowners and the business community.

The proposed regulations:

- Allow and encourage housing in an area where it has historically been prohibited and establish requirements for affordable housing;
- Address traffic impacts by significantly reducing the amount of development permitted in the district and by establishing maximum parking limits;
- Preserve and provide for limited expansion of the existing businesses, including light industrial and R&D activities;
- Establish height limits, limiting both height and density in those areas abutting the existing residential neighborhood and generally permitting greater height and density east of Sidney Street; and
- Establish a mechanism for the creation of new open space.

The Planning Board's April, 1991 petition provides a comprehensive approach to accomplishing the diverse planning and land use goals established for the Cambridgeport Industrial District. Its aim is to achieve common goals for the future while minimizing hardship in the present.



## The Cambridgeport Rezoning Advisory Committee

TO: The Cambridgeport Community  
 FROM: The Cambridgeport Rezoning Advisory Committee  
 SUBJECT: Update on the Proposed Cambridgeport Rezoning  
 DATE: August 10, 1989

### Introduction

The Cambridgeport Rezoning Advisory Committee was established by the City Manager in August, 1988, following the adoption of an interim zoning for the Cambridgeport area, to address the numerous land use, urban design, traffic and economic issues raised by future development of this 70 acre area. Our specific task has been to draft a zoning petition which will best address these diverse concerns.

To do so, the 10 member committee, comprised of neighborhood residents, landowners and business representatives, has met regularly since September, 1988 to learn about and understand:

- current land use patterns;
- the economic, regulatory, and transportation restrictions on the area;
- the incentives needed to encourage light industrial growth and to promote both market rate and affordable housing; and
- the traffic impacts of additional development.

### Rezoning Goals

As we have considered the above information and the concerns of the neighborhood, the landowners, the business community and the City, the following have emerged as goals for the future of this area:

- promote development of both market rate and affordable housing;
- minimize the traffic impacts of new development by limiting commercial growth and encouraging housing;
- facilitate the creation of open space;
- limit heights and densities in those areas abutting the existing residential neighborhood, permitting additional height and density east of Sidney Street; and
- preserve and provide for expansion of the existing businesses, including light industrial uses.

As a result of the study process, the committee has drafted a zoning petition which allows the flexibility to accomplish the goals established for this area. The intent of the petition is to balance specific, allowable land uses and densities with incentives to achieve affordable housing and open space.

The draft petition includes seven base zoning districts and two overlay districts. Maps outlining the boundaries of the districts and a table summarizing the existing zoning, study objectives and proposed zoning for each are attached for your review.

### Process

The draft zoning proposal summarized in this package has been developed and revised based on discussions with numerous parties including: the City Council; the Planning Board; neighborhood groups; landowners; the Community Development Department; the Mass. Housing Finance Agency (MHFA); and the Economic Development and Industrial Corporation (EDIC).

During the next month, the committee will further refine the zoning proposal, in preparation for a September submission to the Cambridge Planning Board. To assist us in this effort, we would appreciate your feedback, concerns, and recommendations on the proposal. A comment sheet is included for your convenience. Please take a few moments of your time to give us your thoughts on this very important effort.

Public meetings will be held in mid-September to review the petition and to discuss neighborhood and landowner comments and concerns. Notice of the exact date, time and location will be sent to you within the next few weeks.

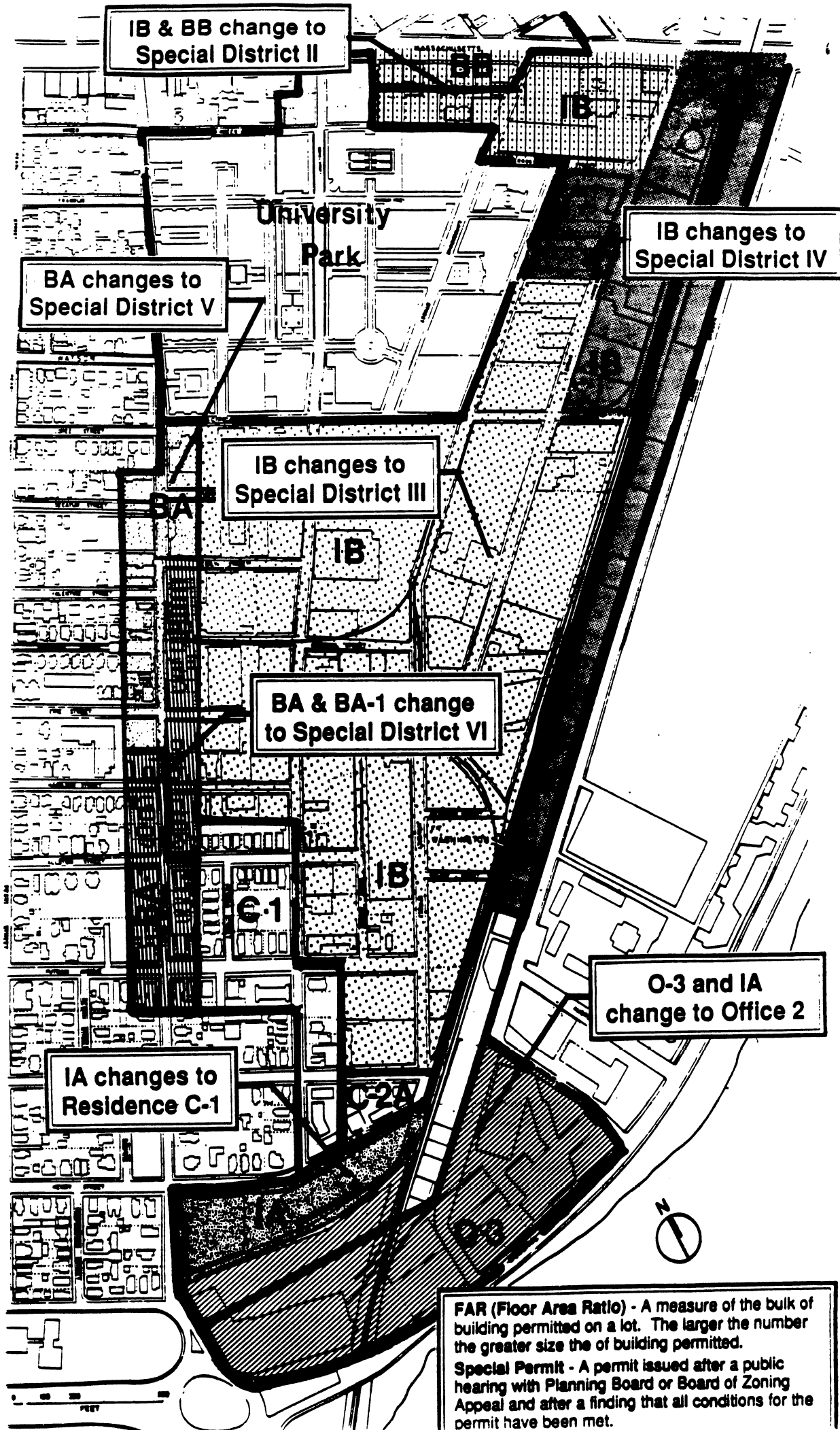
In the meantime if you have questions or desire additional information, please contact Mary Flynn, Les Barber or Roger Boothe at 498-9034. Thank you very much for your time and consideration. We look forward to hearing from you.

### The Cambridgeport Rezoning Advisory Committee

Peter Steffian, Chair,  
 Steffian Bradley Associates

Joel Alstein, FAR Group  
 Donna Dreschel, Cambridgeport resident  
 Ruth Fredericks, Cambridgeport resident  
 Jonathan Kaledin, Cambridgeport resident  
 Norman McIver, Cambridge Trust Company

Peter Neehe, Fort Washington Associates  
 Ron Suduiko, Massachusetts Institute of Technology  
 Nancy Bellows Woods, Cambridgeport resident  
 Frances Wirtz, Cambridgeport resident



**FAR (Floor Area Ratio)** - A measure of the bulk of building permitted on a lot. The larger the number the greater size the of building permitted.

**Special Permit** - A permit issued after a public hearing with Planning Board or Board of Zoning Appeal and after a finding that all conditions for the permit have been met.

**CAMBRIDGEPORT REZONING - SUMMARY OF DRAFT PROPOSAL - AUGUST, 1989**

• **Base Districts** •

**SPECIAL DISTRICT II:**

Existing Zoning:	Business B/Industry B		
	<u>Uses</u>	<u>FAR</u>	<u>Height Limit</u>
	Retail/Office/Industry/ Housing (BB only)	4.0	None
Study Objectives:	<ul style="list-style-type: none"> <li>• Continue the diverse commercial, residential and industrial uses found in this area.</li> <li>• Establish this district as an integral part of Central Square.</li> </ul>		
Proposed Zoning:	Business B/ Central Square Overlay District (modified)		
	<u>Uses</u>	<u>FAR</u>	<u>Height Limit</u>
	Retail/Office/ Housing/Industry	3.0	55'/80' special permit

**SPECIAL DISTRICT III:**

Existing Zoning:	Industry B		
	<u>Uses</u>	<u>FAR</u>	<u>Height Limit</u>
	Retail/Office/Industry	4.0	None
Study Objectives:	<ul style="list-style-type: none"> <li>• Encourage housing, in particular affordable housing.</li> <li>• Limit the amount of future development to reduce traffic impacts.</li> <li>• Create opportunities to provide new open space.</li> <li>• Provide for retention of existing businesses and allow some opportunity for expansion.</li> </ul>		
Proposed Zoning:	Industry A-1 (modified)		
	<u>Uses</u>	<u>FAR</u>	<u>Height Limit</u>
	Retail/Office/Industry	1.5	45'
	Housing	1.75	45'
	Affordable Housing	2.0 special permit	60' special permit

**SPECIAL DISTRICT IV:**

Existing Zoning:	Industry B		
	<u>Uses</u>	<u>FAR</u>	<u>Height Limit</u>
	Retail/Office/Industry	4.0	None
Study Objectives:	<ul style="list-style-type: none"> <li>• Establish zoning to reflect existing institutional uses.</li> <li>• Allow housing and dormitory uses.</li> </ul>		
Proposed Zoning:	Residence C-3 (modified)		
	<u>Uses</u>	<u>FAR</u>	<u>Height Limit</u>
	Housing/Institutional	3.0	Under discussion

**SPECIAL DISTRICT V:**

Existing Zoning:	Business A		
	<u>Uses</u>	<u>FAR</u>	<u>Height Limit</u>
	Retail/Office	1.0	35'
	Housing	1.75	85'
Study Objectives:	<ul style="list-style-type: none"> <li>• Preserve existing housing stock.</li> <li>• Encourage new residential development.</li> <li>• Provide for retention of existing businesses.</li> </ul>		
Proposed Zoning:	Business A (modified)		
	<u>Uses</u>	<u>FAR</u>	<u>Height Limit</u>
	Retail/Office	1.0	35'
	Housing	1.5	45'
	Affordable Housing	1.75 special permit	45'

**SPECIAL DISTRICT VI:**

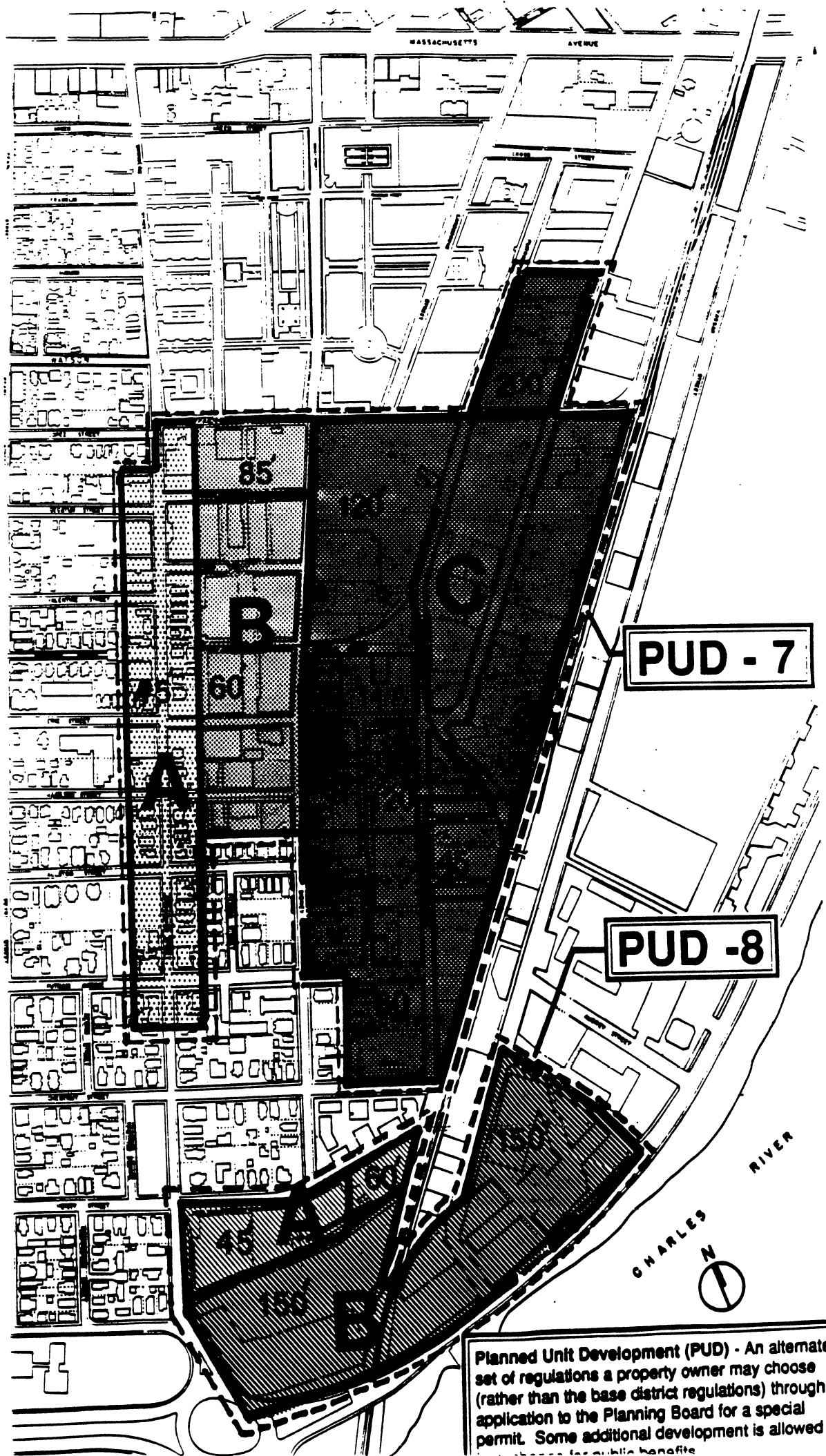
Existing Zoning:	Business A/Business A-1		
	<u>Uses</u>	<u>FAR</u>	<u>Height Limit</u>
	Retail/Office	1.0 1.0	35' 35'
	Housing	1.75 .75	85' 35'
Study Objectives:	<ul style="list-style-type: none"> <li>• Preserve existing housing stock.</li> <li>• Encourage new residential development.</li> </ul>		
Proposed Zoning:	Residence C-2B (modified)		
	<u>Uses</u>	<u>FAR</u>	<u>Height Limit</u>
	Housing	1.0	45'
	Affordable Housing	1.75 special permit	45'

**RESIDENCE C-1:**

Existing Zoning:	Industry A		
	<u>Uses</u>	<u>FAR</u>	<u>Height Limit</u>
	Industry/Retail/Office	2.0	85' (under consideration by City Council)
Study Objectives:	<ul style="list-style-type: none"> <li>• Create a transition from the low-rise residential district to more intense uses along the riverfront.</li> </ul>		
Proposed Zoning:	Residence C-1		
	<u>Uses</u>	<u>FAR</u>	<u>Height Limit</u>
	Housing	.75	35'-40'

**OFFICE 2:**

Existing Zoning:	Office 3		
	<u>Uses</u>	<u>FAR</u>	<u>Height Limit</u>
	Office/Housing	3.0	none
Study Objectives:	<ul style="list-style-type: none"> <li>• Limit the amount of future office development to reduce traffic impacts.</li> <li>• Complete the transition away from the neighborhood.</li> </ul>		
Proposed Zoning:	Office 2		
	<u>Uses</u>	<u>FAR</u>	<u>Height Limit</u>
	Office/Housing	2.0	85'



**PUD - 7**

**PUD - 8**

**Planned Unit Development (PUD)** - An alternate set of regulations a property owner may choose (rather than the base district regulations) through application to the Planning Board for a special permit. Some additional development is allowed for public benefits.

**CAMBRIDGEPORT REZONING - SUMMARY OF DRAFT PROPOSAL - AUGUST, 1989**

• **Planned Unit Development Districts (PUD) •**

**PUD - 7 (A, B & C):**

**Study Objectives:**

- Encourage housing development, in particular affordable housing.
- Provide opportunities to create new open space for the community.
- Limit the height and density permitted adjacent to existing residential areas.
- Provide opportunities for retention of a wide range of light industrial uses to ensure a diversity of employment opportunities.
- Discourage large-scale, general office development.

**Proposed Zoning:**

PUD - 7 (A, B, & C)\*

<u>Uses</u>	<u>FAR**</u>	<u>Height Limit</u>
Industry/Office/Commercial	1.5	45'/200' depending on the location
Affordable Housing	2.0	45'/200' depending on the location

\* Permitted densities generally increase from areas A to C.

\*\*Within defined limits, the built FAR may be increased from these figures through:

- 1) transfer of gross floor area between non-contiguous lots; or
- 2) through incentive provisions of the PUD to encourage conversion of existing non-residential floor area to housing use.

Through the transfer mechanism, the PUD encourages the creation of a variety of open spaces. The PUD allows landowners dedicating land of a sufficient size and configuration to achieve the desired open space, to use the development rights from the site elsewhere in the district. Transfers can also be used to reduce density in the Brookline to Sidney Street corridor, shifting the development rights to parcels east of Sidney Street. The PUD permits further flexibility by allowing varying heights throughout the district.

**PUD - 8 (A & B)**

**Study Objectives:**

- Provide for a height and density transition between the existing residential neighborhood and larger scale development along Memorial Drive.
- Encourage the establishment of residential uses.
- Reduce traffic impacts.

**Proposed Zoning:**

PUD - 8 (A&B)\*

Greater height and an additional 1.0 FAR are permitted for housing projects developed through the PUD mechanism.

<u>Uses</u>	<u>FAR</u>	<u>Height Limit</u>
Affordable Housing	1.75 - 3.0	45'/150' depending on the location
Office**	2.0	45'/150' depending on the location
Industry**	2.0	45'/150' depending on the location

\* Permitted densities generally increase from area A to B.

\*\*These uses are allowed only in the Office 2 base district portion of the PUD.



# City of Cambridge

## Cambridgeport Rezoning Advisory Committee

To: The Cambridge Planning Board  
From: The Cambridgeport Rezoning Advisory Committee  
Subject: Recommendations for the Cambridgeport Rezoning  
Date: April 24, 1990

On May 1, 1990 we will meet with the Planning Board to present and discuss our recommendations for the rezoning of the 70 acre Cambridgeport Industrial District. These recommendations are the result of 19 months of study and debate on the planning issues raised by the future development of this area.

As you know, the committee agreed early on in its process on the following goals for a rezoning proposal:

- promote development of both market rate and affordable housing;
- minimize the traffic impacts of new development by limiting commercial growth and encouraging housing;
- facilitate the creation of open space;
- limit heights and densities in those areas abutting the existing residential neighborhood, permitting additional height and density east of Sidney Street; and
- preserve and provide for expansion of the existing businesses, including light industrial uses.

Throughout the process, our commitment to these goals has remained intact. To a great extent, we have also been able to agree on the zoning mechanisms to implement our objectives.

However, some disagreements remain. Since it is clear that further discussion at the committee level will not produce agreement, we would like to move the rezoning process forward by asking for the Planning Board's assistance in resolving the issues. The attached document summarizes our points of agreement and disagreement for each area of the district and will be the focus of our presentation to you on May 1st.

We look forward to meeting with you then and to working with you over the next two months as a final petition is developed.

The Cambridgeport Rezoning Advisory Committee

Peter Steffian, Chair,  
Steffian Bradley Associates

Joel Alstein, FAR Group  
Donna Dreschel, Cambridgeport resident  
Ruth Fredericks, Cambridgeport resident  
Jonathan Kaledin, Cambridgeport resident  
Norman McIver, Cambridge Trust Company  
Peter Neshe, Fort Washington Associates  
Ron Sudiuko, Massachusetts Institute of Technology  
Nancy Bellows Woods, Cambridgeport resident  
Frances Wirta, Cambridgeport resident

April 20, 1990

To: The Cambridge Planning Board

From: The neighborhood members of the Cambridgeport Rezoning  
Advisory Committee

The following three statements reflect our unified goals for  
this designated area.

1. Establishment of an exclusive use residential area from  
Brookline to Sidney with transfer rights out of area.
2. An area which can accommodate a large open space, to be  
achieved by a transfer mechanism.
3. Recognition of an area with already existing light  
industrial use which could include future additional light  
industrial.

Neighborhood Members:

Donna Dreschel

Ruth Fredericks

Jonathan Kaledin

Frances Wirta

Nancy Bellows Woods

Preamble to Property Owners Zoning Petition for Industrial  
Cambridgeport

In proposing new zoning to guide the future development of Industrial Cambridgeport, the business representatives and property owners have been guided by a vision of the area as following a progression from its past as a primarily industrial area -- serving both heavy and light industries -- to a primarily residential area with certain sub-areas continuing in existing uses into the future. Not only the predominant uses of the area are expected to change, but its character, scale and environment would be expected to emphasize the amenities associated with an attractive residential neighborhood - such as open space and street improvements--while allowing for appropriate mixed use nonresidential development. The residential character of the area would vary from low-scale family oriented housing near its Brookline/Sidney Street edges to moderate scale housing serving a variety of Cambridge housing needs as the district moves eastward to the institutional edge along Vassar Street.

The challenge to the Rezoning Committee in achieving this vision was to identify the best zoning mechanisms whereby this use pattern might most realistically be accomplished, recognizing that zoning is a vehicle that defines allowed uses and dimensions but does not by itself lead to their development. In contemplating the appropriate mechanisms, the business representatives and property owners worked within the framework of tension created by seeking to bring about a new land use pattern without unduly restricting the property rights of existing owners, especially the many owners of single or small properties. These owners of both residential and industrial properties are primarily found in the Brookline to Sidney/Pacific to Hamilton quadrant of the area.

The conclusion of the business representatives and property owners on the issue of use districts is that while a clear emphasis on housing and other types of acceptable nonresidential development is essential for the future of Industrial Cambridgeport, it is important to acknowledge existing conditions in the proposed zoning. As a result, the business representatives and property owners have put

forward a set of recommendations that provide strong incentives to achieve housing through development transfers and bonus provisions, and which allow for the continuation of existing uses without the problems associated with being non-conforming.

In regard to height, the property owners have recommended that additional height be permitted for review under Special Permit and Regulated Overlay Districts. The increment of height proposed offers flexibility within a carefully structured review process to seize opportunities in the future that may not be apparent now. Additional height in areas East of Sidney Street approaching the railroad tracks offers a broader range of design options for housing types, allows for less building coverage on available land, and may be essential to achieving open space objectives for the area.

We have welcomed the opportunity of working with our colleagues on the Cambridgeport Rezoning Committee and the dedicated staff of the Cambridge Community Development Department in what has been a committed, eighteen month effort to meet the many challenges presented by the zoning area. Be assured of our commitment to work with the committee and the planning board as this important work continues.

Joel Alstein, Far Group

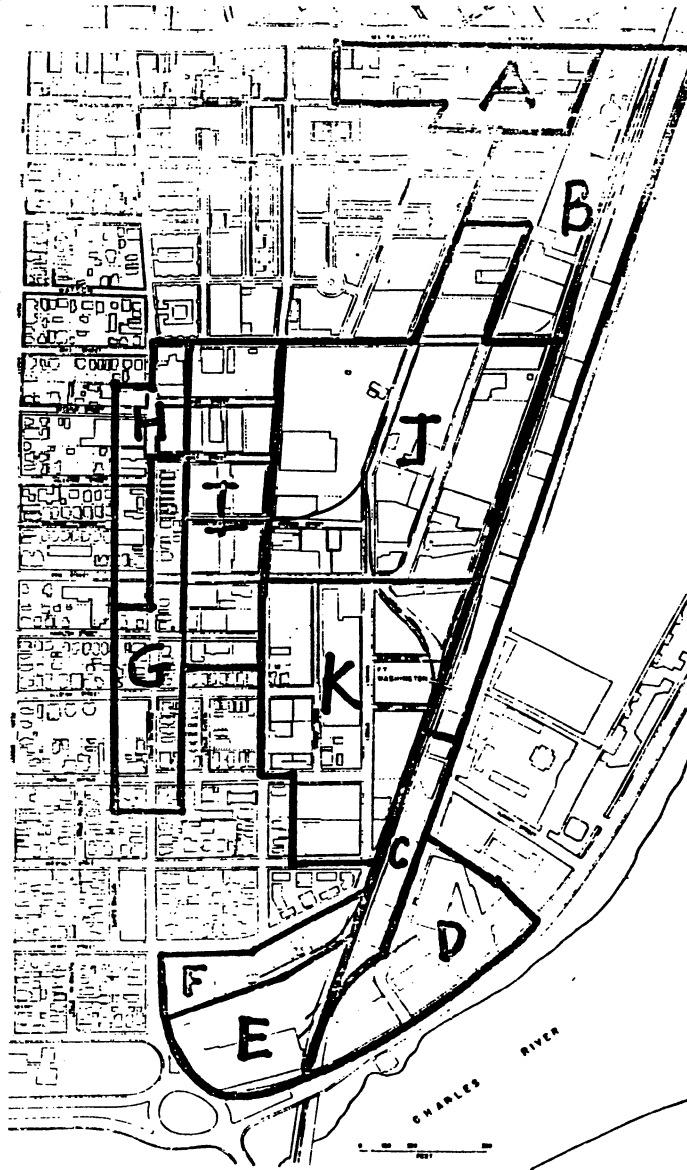
Norman McIver, Cambridge Trust Company

Peter Neshe, Fort Washington Associates

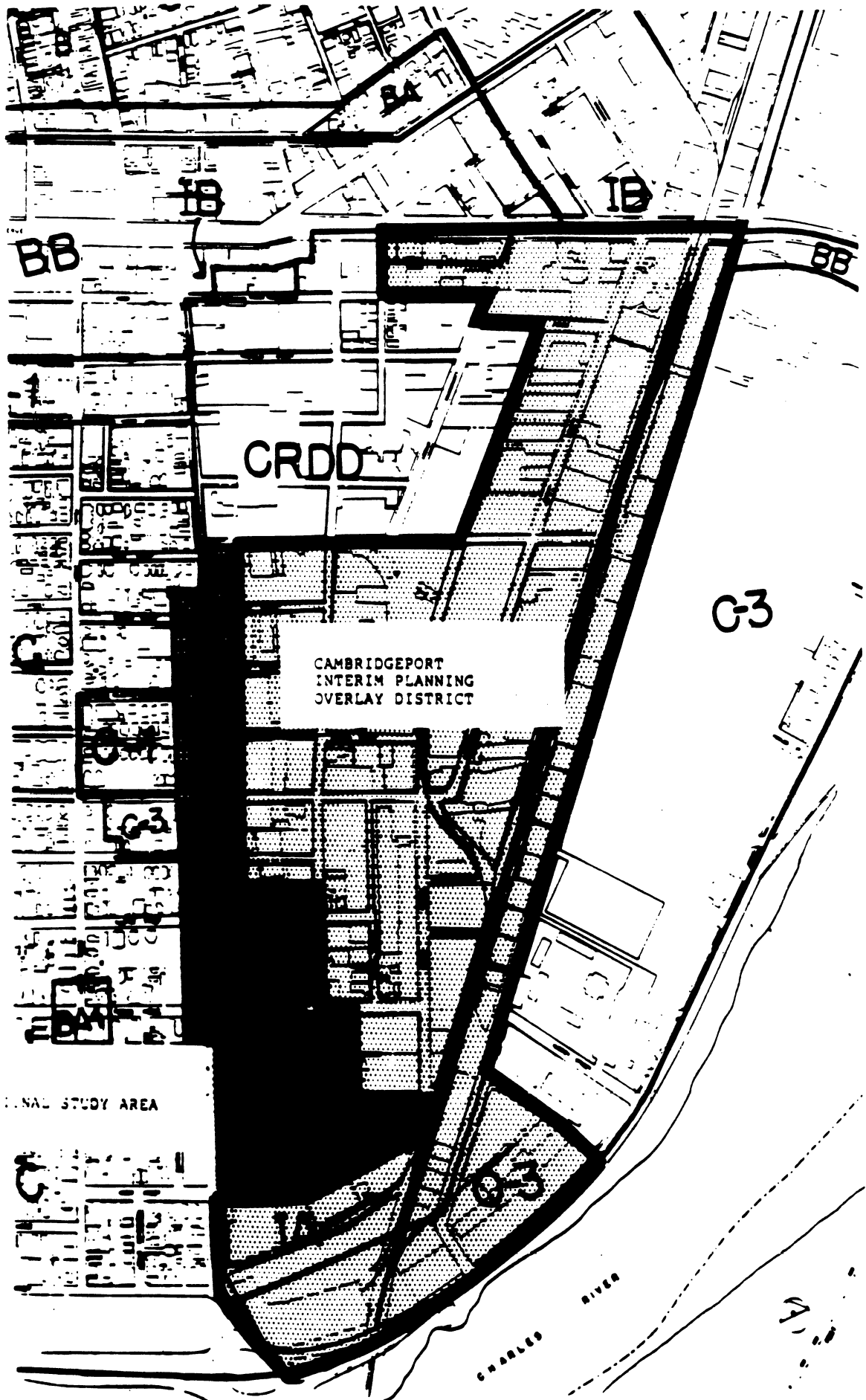
Ron Suduiko, MIT

Urban Management Planning Program  
AREAS OF AGREEMENT AND DISAGREEMENT

Neighborhood Position	Committee Position	Landowner Position
	<p><b>AREA A</b> <u>Base District</u> Uses: Retail, office, housing, industry, institutional FAR: 3.0 Height: 55-80' <u>Overlay District</u> Incorporates provisions of the Central Square Overlay District</p>	
	<p><b>AREA B</b> <u>Base District</u> Uses: Housing, institutional FAR: 3.0 <u>Overlay District</u> none</p>	Height: 120' with 15% @ 240' north of Pacific only and 45' limitation at Fort Washington
	<p><b>AREA C</b> <u>Base District</u> Uses: Office, retail, industry, institutional FAR: 2.0 Height: 85' <u>Overlay District</u> none</p>	
	<p><b>AREA D</b> <u>Base District</u> Uses: Office, housing, hotel, institutional FAR: 2.0 Height: 85' <u>Overlay District</u> Uses: As in base district FAR: 2.0 for office or 3.0 for housing</p>	Height: 120'
	<p><b>AREA E</b> <u>Base District</u> Uses: Office, housing, hotel, institutional FAR: 2.0 Height: 85' <u>Overlay District</u> Uses: As in base district FAR: 2.0 for office or 3.0 for housing</p>	Height: 150'
	<p><b>AREA F</b> <u>Base District</u> Uses: Exclusive housing FAR: .75 Height: 35-40' <u>Overlay District</u> Uses: As in base district FAR: .75 with additional 1.00 usable in AREA E only</p>	Height: 35-40'



Neighborhood Position	Committee Position	Landowner Position
	<p><b>AREA G</b> <u>Base District</u> Uses: Exclusive housing FAR: .75 Height: 35-40' <u>Overlay District</u> Uses: As in base district</p>	<p>FAR: 1.0/1.75 Height: 45' FAR: As in base district Height: As in base district</p>
	<p><b>AREA H</b> <u>Base District</u> Uses: Housing FAR: .75 Height: 35-40' <u>Overlay District</u> Uses: As in base district FAR: Additional .75 to be used in AREA J through transfer Height: As in base</p>	<p>Uses: Housing, retail, institutional FAR: 1.0 for non-residential or 1.5/1.75 for housing Height: 35' for non-residential or 45' for housing Uses: As in base district FAR: Additional .5 for transfer to AREA J or AREA K for each 1.0 of industrial removed Height: As in base</p>
	<p><b>AREA I</b> <u>Base District</u> Uses: Housing FAR: .75 Height: 35-40' <u>Overlay District</u> Uses: As in base district FAR: Additional .75 to be used in AREA J through transfer Height: As in base district</p>	<p>Uses: Industrial, office, housing, institutional FAR: 1.5 non-residential 1.75/2.0 housing Height: 45-60' Uses: As in base district FAR: Additional .5 for transfer to AREA J or AREA K for each 1.0 of industrial removed Height: 60-85'</p>
	<p><b>AREA J</b> <u>Base District</u> Uses: Retail, office, industry, housing, institutional FAR: 1.5 for non-residential or 1.75/2.0 for housing Height: 45-60' <u>Overlay District</u> Uses: As in base district FAR: As in base district with a maximum of 3.0 cap with transfers</p>	Height: 120-200'
	<p><b>AREA K</b> <u>Base District</u> Uses: Retail, office, industry, housing, institutional FAR: 1.5 for non-residential or 1.75/2.0 for housing Height: 45' along the neighborhood edge, 45-60' elsewhere <u>Overlay District</u> Uses: As in base district</p>	<p>Height: 45-60' FAR: As in base district Height: 45-60' FAR: As in base district with a maximum 2.0 cap with transfer Height: 45-120'</p>



CAMBRIDGEPORT INTERIM PLANNING OVERLAY DISTRICT AND STUDY AREA  
EXTENSION THROUGH FEBRUARY 28, 1991  
1.0 Floor Area Ratio (FAR)  
45 Foot Height Limit

June 4, 1991

# Cambridgeport Overlay Districts Development Guidelines

## Introduction

These guidelines supplement the provisions of the *Cambridge Zoning Ordinance*\* dealing with the districts generally south of Pacific Street and west of the railroad tracks; towards the west, these districts abut the residential areas along Brookline Street. In addition, the guidelines treat the Vassar Street corridor from Massachusetts Avenue to the Memorial Drive riverfront area.

\* Types of development subject to review:

All projects requiring Special Permits (for extra height, ie over 45' in most of districts, over 85' near Memorial Drive, over 100' along Vassar; for transfers to create open space)

## **AREA-WIDE GUIDELINES**

Certain of the City's goals for the Cambridgeport Overlay Districts are generalizable to the entire area, while others may be best understood in more specific contexts. Thus, this first chapter will deal with the overarching guidelines, followed by a second chapter which gives details of design issues in sub-areas.

### **A. Urban Design Plan**

The overall goal of the urban design plan is to integrate all new projects into the pattern of streets and squares which make Cambridge a walkable, liveable city. The traditional residential areas of Cambridgeport are made up of small blocks, with tree-lined streets and sidewalks, and a mix of architectural types including single and two family structures, many triple deckers, and brick apartment buildings. The small parks in the area, such as the Old Morse and Fulmore Playgrounds and Hastings Square, are essential open spaces which help organize the pattern of the neighborhood. In more recent development above Pacific Street, the Common of the University Park project will provide the major open space focus for the mix of uses there. This space will be connected to the surrounding areas by landscaped pathways along the major streets.

Clearly, the Cambridgeport Overlay Districts need to have some similar way to orient new development. The Urban Design Plan suggests ways that the open space system may be used to help make this area fit better into the Cambridgeport context.

### **B. Housing Design Strategy**

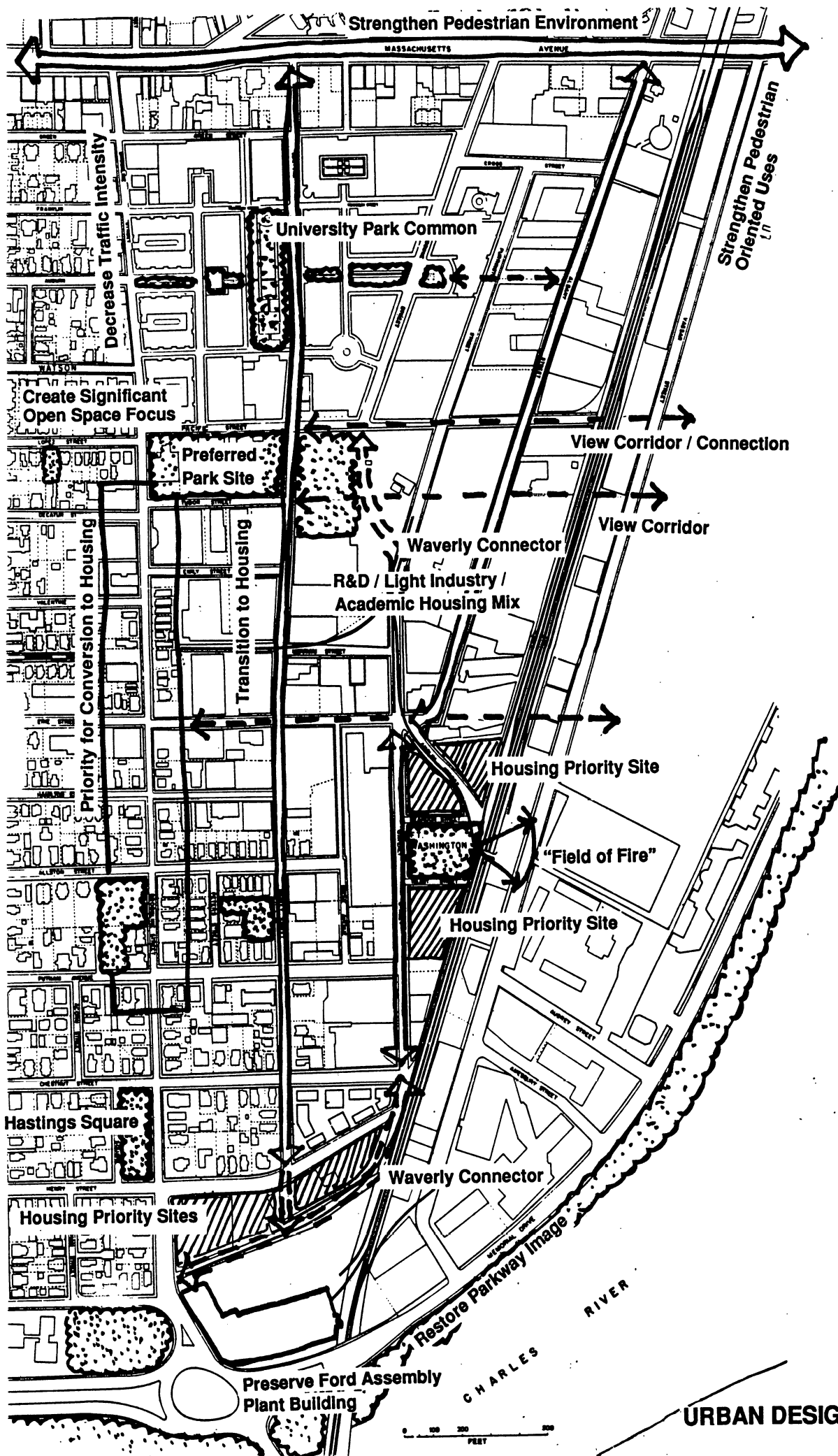
Infill housing will help strengthen the residential character of the areas near Brookline Street. Furthermore, as new development takes place in close proximity to existing housing, it is hoped that additional new residential uses in scale with the traditional patterns will be provided. More dense housing may be anticipated further away from the existing neighborhood, where impacts may be minimized.

Wherever housing for families is being developed, access to open space needs to be assured. Assuming the goal of creating a major new open space is realized, there may be the opportunity to design both the park and proximate new housing so that both benefit--the park by having neighbors to help make the space active and the housing by having light, air, and green space. Even if the housing cannot be coordinated with such a park, adequate open space must be provided. This is an especially serious concern given that the area has for so long been in industrial use, and has been a rather hostile environment that would accommodate residential use only with significant environmental change.

### **C. Street and Sidewalk Design**

An important feature of the street system for lower Cambridgeport will be the realization of the two segments of the planned Waverly Street connector, linking Waverly to Brookline through the Ford Assembly site towards the BU Bridge and connecting Waverly to Pacific and thence towards Massachusetts Avenue.

More generally, it will be desirable throughout the area provide street connections through large blocks, such as the long ones in the area between Sidney Street and the railroad right-of-way, and between Pacific and Erie. This will help break down the scale of new development to be compatible with the historic block pattern. In addition, it will allow for sight lines ultimately connecting the existing residential area to new development and beyond, towards the MIT campus and the River. Whether or not actual



**URBAN DESIGN PLAN**

new street connections are made, sight lines as suggested on the urban design plan should be respected to the maximum extent possible, given parcelization and other constraints.

On major streets including Sidney, Pacific, Erie, and Waverly, street furnishings, landscaping, etc. should be consistent with the University Park guidelines for Type 2 streets (see document dated 12/22/87). For other less prominent streets, the Type 3 standards would be appropriate.

#### **D. Parking Facilities**

Parking lots and garages should be located carefully to avoid negative impacts on residential areas and major public ways. Where parking is in open lots, landscaping should be provided to soften the visual impact; especially important are the edges of such sites, which should be buffered from any adjacent housing and tree-lined along any street frontages. Structured parking should be architecturally treated to have no negative impact upon neighboring uses or streets. Buildings on "stilts" with parking visible are not acceptable.

## **GUIDELINES FOR OVERLAY DISTRICTS 1-6**

The following outline explains the structure of the guidelines.

### **Character and Use**

Each of the districts, because of the existing pattern of development, previous history, or future regulatory environment, can be expected to evolve a somewhat unique character that should be encouraged whenever a project is subject to public review. That character will be defined in part by the scale and design of the new buildings, the mix of uses developed and the relationship between the public and private realms: it is the appearance, the impression, the feel of the district created by the sum total of density, height, open space, materials, activity that public and private developments should strive to achieve.

### **Dimensional Standards**

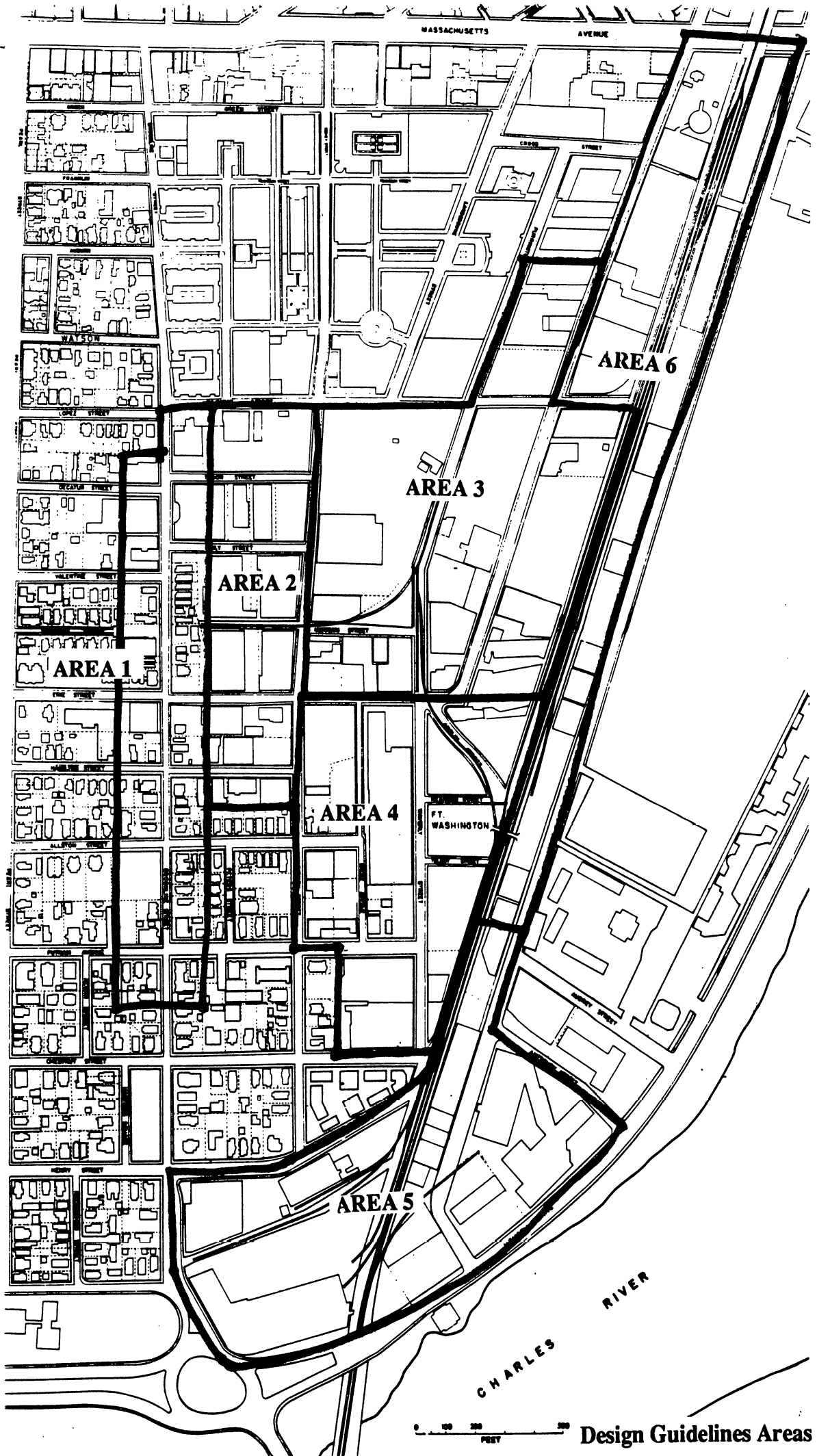
Those characteristics of building height and setback from public ways and abutting property that should be encouraged as typical and prevailing throughout the district. Exceptions, consistent with the maximum limitations permitted by the applicable zoning, can be expected where the specific context and/or a clearly superior design might suggest alternate approaches.

### **Open Space**

The location, character, size and use of the parks and landscaped areas that might be created to serve the general public or the residents of the private developments newly created.

### **Design Standards**

Special considerations of building design, materials, and orientation on the lot; landscaping; site development; and circulation that are unique to the district and which contribute to the character that is being sought.



Design Guidelines Areas 1-6

## **AREA 1**

### **Brookline Street Corridor**

#### **Character and Use**

This corridor, at the edge of both the older residential neighborhood and the industrial district, has had a mixed development history. In the future it is hoped that existing industrial and retail uses will be replaced on redeveloped lots with new housing construction. The ultimate goal is to thoroughly integrate the corridor into the residential neighborhood. Scattered small-scale, neighborhood serving businesses may continue to persist or be incorporated into new development where that can be demonstrated to be appropriate. New construction, whether on vacant lots or on redeveloped sites, should match as closely as possible the small scale, discrete building forms typical of the lower end of the corridor and the abutting neighborhood. The traditional pattern of landscaped front, side and rear yards should be repeated.

#### **Dimensional Standards**

New development is most appropriate at heights of 25-35', matching the prevailing height along Brookline Street. Additional height up to 40' may be appropriate in specific circumstances, where lower cornice heights or other architectural devices are employed to create the perception of lower height.

The traditional setbacks of the residential neighborhood should be respected and such setbacks should be finished as green space.

#### **Open Space**

The preferred location for a major open space is at the upper edge of Area 1-- the block between Brookline and Sidney and between Pacific and Tudor. If this site were to be developed as parkland, it would provide a welcome landscaped presence along Brookline Street and could help create a positive edge between University Park and development below Pacific. Otherwise, the sites in Area 1 are typically rather small in scale, and no other large park is likely to be achieved in this vicinity. Where small-scale open space features can be created, well landscaped passive parks or gardens should be emphasized. Play areas for very small children and their parents may be appropriate.

Brookline Street, in particular, needs to be more consistently lined with trees. Additional street tree plantings on cross streets leading into Area 2 will be important to help knit the two areas together as Cambridgeport evolves.

#### **Design Standards**

Small wood-framed structures repeating the diversity of development patterns and materials common in the residential neighborhood should be encouraged. Only a very limited number of existing non-residential structures are worthy of retention and possible conversion to residential use.

Dwellings adjacent to a street should generally face the street in the traditional manner with entry porches, stoops, windows, gates and pathways facing and/or leading to the street.

## **AREA 2**

### **The Industrial Area between Brookline and Sidney Streets**

#### **Character and Use**

This area is heavily devoted to light industrial and research and development uses. Those uses are expected to remain and may expand modestly but the long term goal is to encourage the conversion of the district to residential use, initially on vacant lots and ultimately through the redevelopment of existing developed lots. At the same time, it is recognized that a number of the existing industrial buildings have been reused and architecturally renovated; to the extent that housing goals are deferred and uses more like the existing ones remain, the creative rehabilitation of the older buildings is encouraged.

Townhouse and two and three family housing forms are preferred where vacant and redeveloped lots are employed. In the absence of significant reduction in the density of potential or actual development of lots in this district through transfer, individual sites might be expected to be developed to more intense apartment style housing forms.

Whatever the housing form, transformation of the district to a better landscaped residential neighborhood is the long term objective. Scattered small scale neighborhood retail uses might be incorporated into new developments in limited circumstances.

#### **Dimensional Standards**

Height for all uses in the 35' - 45' range is desirable. Residential development to a maximum of 60' may be appropriate in specific circumstances where significant benefits can be achieved, as in the creation of more open space at ground level, more effective means of shielding parking from view, the provision of affordable housing. However, a consistent two or three story cornice line along streets is important to maintain.

Maintenance of setbacks is important in this area to facilitate its transformation from an industrial district to a residential neighborhood. Setbacks should generally be landscaped to that same end. Nevertheless, flexibility and innovation should be encouraged in providing those setbacks to best reflect the specific conditions applicable on any particular development site.

The objectives of this area are best served by use of the density transfer mechanisms available in the applicable zoning regulations. Transfer of industrial uses out of the district and construction of housing at low densities can best or perhaps only be achieved if existing development building area or development potential is shifted elsewhere in the Cambridgeport industrial district from this already heavily developed area.

#### **Open Space**

The large size of the area and the variety of individual sites that make up it, are likely to result in different sizes and types of open space. Both active recreational and more sedate garden parks are appropriate to serve both the new residents of the area as well as the existing neighborhood. A very large recreational field, however, may be difficult to achieve here due to limitations imposed by the pattern of lot size and existing development, although this location is particularly favorable for a significant open space, as indicated in the urban design plan.

Innovation in the style, configuration and location of open space and landscaping is encouraged. However, all open space and landscaping should advance the objective of transforming the area's industrial character into a more friendly residential ambience.

### **Design Standards**

The basic intent of the yard requirements, to impart a residential quality to the district over time, should be respected in all developments but the actual shape of the open space can be modified to more creatively reflect the potential of each development site.

All building designs for non-residential uses should, in their details, establish a residential quality: building volumes are best broken down into residentially scaled elements; walls should be provided with window openings and other similar residential features. Domestic elements such as fences, trellises, gardenesque landscaping treatment, etc. are encouraged. Any non-residential development in the district should be sited and designed to be compatible with any existing or future housing constructed on adjacent lots.

### **AREA 3**

Industrial Area Between Sidney and the Railroad Right-of-way, Above Erie

#### **Character and Use**

New development will transform the character of this district, since large areas now are vacant or derelict. While existing technical office and research activities will remain and possibly expand, housing is the preferred dominant use over the long term. In addition to other building types, larger scaled multi-family buildings are suitable here provided courtyards, yards, and other open space are integral elements of the design serving to impart a clear residential character to the district. As suggested in the urban design plan, introduction of new roads or pedestrian ways should be considered, whether public or private, to reduce the scale of the developed blocks and more closely reflect the texture and scale of the adjacent neighborhood street layout. Wherever possible, view corridors which visually connect Area 3 to surrounding spaces are important to counteract the currently isolated character of this area.

#### **Dimensional Standards**

This area should provide a transition between the existing residential neighborhood (and its continuation into the adjacent Area 2) and the more intensively developed areas to the north at University Park and eastward toward the MIT campus.

Heights in Area 3 are allowed at 45' for non-residential, and up to 60' for housing uses. Heights at the lower range, however, should be encouraged along all major east/west streets, existing and newly created, as a means of visually reducing the impact of the additional height where it would be visible down a street corridor from the neighborhood. Discretion should be used in reviewing building setbacks and open space in each development respecting, however, the intent of the base district requirements to maintain a residential character.

Importantly, this is the area which can be expected to receive additional development through transfer of development potential from Areas 1 and 2. The appropriateness of the increased density (as evidenced by requests for added height, additional floor area or waiver of yard requirements) should be measured in part by the benefits achieved in such

transfers: more open space or lower residential density in Areas 1 and 2, affordable housing, better site design etc.

### **Open Space**

Because of its large size unbroken by streets and the large parcels it contains, Area 3 provides perhaps the best opportunity to incorporate a major recreational facility as part of a larger development scheme. In addition, as the potential for residential density increases here, the provision of smaller open space elements of varying sizes and uses, active and passive, become important within new developments to meet the needs of their new residents. Open spaces of all kinds, as recreational facilities and as an element of the urban setting, becomes increasingly critical as the density increase; flexibility, however, should be used in reviewing each proposal to ensure the optimum mix of open space and other uses for each particular development program.

### **Design Standards**

As the scale of building increases, architectural and site development features should be employed which would mitigate the visual impact of the increased density. The tallest elements of a development, where possible, should be set back from public ways such that they will not terminate or dominate the view down public streets, particularly as viewed from the existing neighborhood.

## **AREA 4**

### **Industrial Area Surrounding Fort Washington Park**

#### **Character and Use**

This area is likely to remain very much a mixed district of existing office, research and development, and industrial uses in combination with the same in new construction as well as residential use around Fort Washington. As in Area 2 every effort should be made in site and building design to assure the compatibility of new development with the adjacent residential neighborhood or any possible new residential use within the Area. The base district yard requirements should, in this regard, be respected in spirit if not in detail for all new land development. The existing AS&E complex is a useful model for of the kind of site development pattern the zoning regulations hope to encourage, with the exception that the block it is on has been developed as a long wall impeding pedestrian flow from the neighborhood towards Fort Washington.

#### **Dimensional Standards**

While it can be expected that a maximum height of 45' would prevail, variations should be expected. At Fort Washington heights in a somewhat lower range would be appropriate along Reardon and Talbot Streets (35-40') with greater height more removed from the park frontage. Greater height to sixty feet for residential use might be reasonable elsewhere in the area where other objectives might be better achieved (more open space, affordable housing, manufacturing or R&D space generating significant employment). The setback requirements of the base district should be respected in any development proposal.

## **Open Space**

The small lots in separate ownership and the mixed use nature of the area suggest that open space will generally be small in scale and treated as finished passive space (gardens, sitting areas, street tree plantings, etc) contributing to a more residential ambience in the area.

## **Design Standards**

Fort Washington is the preeminent feature of Area 4 and should receive special consideration. Active uses are important for all floors of buildings facing the park along Reardon and Talbot Streets; service to any development at these edges including parking should be provided from Waverly Street or other locations away from the park. Pedestrian entries should be frequent along both street facades. While residential development is preferred for the vacant sites north and south of the park, whatever uses are ultimately located here should be contained in buildings that are domestic in scale and detail.

All parking should be hidden from view, screened by active uses along the park edges and elsewhere to the maximum extent possible, or placed underground.

## **AREA 5**

Henry Street, the Ford Assembly Site, and Memorial Drive to the Hyatt

### **Character and Use**

Proposed long-range road improvements will significantly alter the environment in this area in the future. New development will of necessity have to adjust to significantly increased traffic volumes which can be expected to influence the design of new construction. Housing is the preferred long term use, with a phasing out of the existing industrial and research facilities. However, it is recognized that the building does not lend itself easily to residential use, in particular given the very large floor plate and the impact of the Memorial Drive bridge on the riverfront facade. The highest priority is for preservation of the building; if other uses as allowed in the zoning are brought into the building, the reuse of the structure should be conceived with care in regard to the relation to nearby residential uses. Throughout Area 5, development should continue the scale and character of the adjacent neighborhood, including the occurrence of small parks located to help buffer the residential areas from heavy traffic and visual impacts of other new development in the area.

### **Dimensional Standards**

Along Henry Street, the requirements of the residential base district should be observed generally with minor adjustments to accommodate difficult sites or to encourage creative solutions to the grade conditions-- there is a precipitous drop from the street down to the existing parking lot behind the Ford Assembly building..

On the Ford Assembly site, it will be important to preserve the historic structure. Additional new development on this parcel should be compatible in scale and character with the original building. The large vertical space which was formerly used for industrial purposes should be carefully integrated into the project, perhaps as an atrium connecting new and old, if feasible.

Along the riverfront, the setbacks long established by the Metropolitan District Commission should be respected. These include a minimum of 25' of landscaping from the property line, and stepping back of building heights from there (details being researched).

### **Open Space**

Tree-lined edges will help tie this area into the local street system. In particular, the housing along Henry Street should have adequate setbacks and landscaping. The design of this housing should take into account the presence of Hastings Square; the massing should be arranged to avoid shadows or visual intrusion onto the park. Further, the section of the Waverly Connector separating this housing from the Ford Assembly building reuse needs to be appropriately landscaped.

The pleasant character of the Memorial Drive landscaping breaks down around the BU Bridge intersection, mainly because of the bridge approaches and spatial confusion resulting from the railroad bridge. Over time, any new development should be conceived to help mitigate this problem to the extent possible through landscaped front yards, etc.

### **Design Standards**

New construction as clusters of discrete buildings are preferred, replicating the scale if not the precise use of the homes that make up the immediately adjacent neighborhood. Townhouse and multi-family forms might also be appropriate provided an effort is made to reflect the rhythms of the adjacent neighborhood. Larger multi-family structures may be appropriate at the eastern end of Henry Street. Along Henry Street between Brookline and Sidney, the housing should relate to the street in the traditional way with multiple entries, walks, front yards, etc.

Service and parking should be accessed from the rear of the lots, off of the Waverly Street extension when it is created or parking should be screened and preferably enclosed. However, every effort should be made to minimize the treatment of the Waverly Street Extension as the back side of any development; generous landscaping, careful design, pedestrian oriented features (entries, wide sidewalks, and as much occupied space as possible) should be employed.

## **AREA 6**

### **The Vassar Street Corridor**

#### **Character and Use**

The upper section of Area 6 is rather heavily developed and not likely to change radically in the near future. However, the middle section of the Vassar Street corridor opposite the MIT playing field is seen by MIT as an important area for development of academic housing. Clearly, such housing could help make this street a better place for people, with green plantings and a well-designed residential edge.

#### **Dimensional Standards**

The height of new structures along Vassar should follow the typical pattern of development at MIT, with a predominance of rather low rise structures, with only

occasional and very carefully sited higher elements. Such higher structures should not block any view corridors which may tie across the railroad right-of-way-- of particular importance are the views aligned with Pacific and Erie Streets.

A particular concern is that any higher elements not visually impact the Fort Washington district across the railroad right-of-way. At the same time, development should not form a wall which would block visual connections between the Fort Washington area and land on the other side of the tracks.

### **Open Space**

The new housing development should have adequate open space, perhaps in the form of courtyards with landscaped edges along the sidewalk. Such courtyards can help make the street space be a friendly place for pedestrians.

### **Design Standards**

Area 6 is different from any of the other subdistricts treated in the Guidelines in that it is basically an extension of the MIT campus. As such, the design standards applicable elsewhere on the campus are appropriate here. As noted above, the generally low-rise character of the campus should be followed to establish the basic residential pattern, with higher rise exceptions located to avoid shadows on open space, etc.

Testimony from the Massachusetts Institute of Technology  
Ordinance Committee  
Cambridge City Council  
June 26, 1991

The Lynch petition which is the subject of this hearing has been represented as an amendment to the zoning ordinance, but it is by virtue of its language and provisions, something much different. It is a combination of housing legislation and administrative regulations; it moves in the direction of legislation for the purpose of taking property; and it operates outside of the boundaries for municipal zoning established by Chapter 40A of the General Laws of the Commonwealth of Massachusetts.

Let me explain each of these points. By moving well beyond establishing use and dimensional regulations for land within the SOPA district, this petition seeks to legislate as zoning terms running with the land,-- unit sizes and affordability ratios for housing, --which are indeed proper public concerns--, but are not conditions that work within zoning laws.

For example, should a proposed affordable housing development vary by just 10 sf from the requirements established in this proposed amendment, --because of the very specific, detailed design provisions for affordable units in this ordinance-- the developer would have to stop and get a variance for that 10 sq ft in order to meet the unit count requirements in order to get the FAR bonus in order to make the financing subsidy package work.

The entire project would be held up while that process was completed - design and financing could not proceed until the variance was in place, and another layer of unnecessary work and cost would have been added to the project. Such provisions, and the complexity and confusion and conundrums they create, stand as obstacles and discouragement to providing affordable housing, not as incentives for creating it.

The issue of incentives for affordable housing raises another question about this ordinance. The Lynch petition, in one section of the text-- which extends for three pages-- establishes an exclusive affordable housing district, The South Cambridgeport Affordable

Housing Overlay District-- and then in another section of the proposed petition---comprising just two paragraphs-- it allows 16 other categories of use, effectively **as-of-right, in that very same district** -- ranging from parking lots to beverage bottling plants to electric transformer stations. How can one district be called an exclusive housing district when housing is only 1 of 17 uses allowed??. Perhaps, before any new petitions are considered, we need a Truth-in-Zoning ordinance to require petitions to define their terms in a straightforward manner so that our officials and citizens are not misled by labels.

The proposed ordinance also fails in its attempt to achieve a mechanism for transferring FAR to create open space. The provisions established in this document seek to offer protections for the donated open space but do not similarly protect the transferred FAR. In effect, the proposed rezoning would try to take property without just compensation; case law would overwhelmingly indicate that such a provision is illegal.

While the transfer provision appears to be unsupportable within constitutional law, many other provisions of this proposed ordinance appear also to be illegal, in that they do not meet the provisions of the Massachusetts Zoning Enabling Act. Municipalities cannot establish time limits for zoning conditions beyond those allowed in the state statute; they cannot bind future legislative bodies from exercising their lawful police powers as may be required from time to time by their community; and they cannot deny property owners from the rights vested by zoning. Chapter 40 A establishes the rules of the zoning game for municipalities, and --while they are sufficiently flexible to allow for the many creative ideas that Cambridge has enacted in its rezonings over the past decade--, they do not extend to the types of provisions that Lynch defines.

Another difficulty with the Lynch petition are those provisions which limit certain types of office space to 33% of developments in certain districts. They present an enforcement dilemma. How will the Cambridge Building Inspector grant a building permit for a building whose tenants are unknown at the start of construction? How can a bank get a zoning opinion to support its loan for the construction of such a building- when it cannot know that the building can be filled with unchallengeable tenants in the future. Without cash flow from tenants that loan cannot be repaid. Who from the Building Department will visit buildings every year to

inspect tenant activities to certify that they meet the code? And who will define the standards and train the inspectors to identify the permitted users and to cite the scofflaws. It's an enforcement and financing nightmare.

A final word --about traffic. Much was said last week at the hearing on the Planning Board petition about traffic and trip generation by different uses. I think it is fair to say that we cannot predict what the traffic consequences of this zoning are likely to be because we don't know what the pattern of development will be. However, some general points can be made. The first is that institutional uses are the lowest trip generators of any uses in the Cambridge ordinance - yet in the Lynch petition, institutional uses are highly constrained and even prohibited in one district. Housing units of 1000 sf inhabited by 2 adults generate typically 4- 6 vehicle trips per day- about comparable to many office and technical uses. At the very least, it is again misleading to characterize and compare these petitions on the merits of their the traffic implications - - because the trip numbers are based on assumptions, --many of which have been established to achieve shock value-- not reality.

Having said all this, it should also be acknowledged that this petition is demonstrably the product of much thought and effort on the part of its authors. However much we agree with their goals -- which are the same as the goals of the Planning Board, whose petition we stood here in support of ( with minor modifications) last week-- we cannot support a zoning ordinance with the shortcomings of the Lynch petition.

For all of these reasons MIT wishes to be recorded in opposition to the Lynch Petition.

SIGN UP SHEET

CAMBRIDGEPORT REZONING

IN OPPOSITION

NAME

ADDRESS

Stephen Logere <sup>LEGERE</sup>

594 Putnam Ave

C. Charles Occhini

175 Brookline St

Lawrence D'Onofrio

543 Putnam Ave

# SIGN UP SHEET

## CAMBRIDGEPORT REZONING

### IN FAVOR

#### NAME

#### ADDRESS

Steve Kaiser

191 HAMILTON ST. CAMBR.

Jennie Bush

302 Brookline St. Camb.

James Wilkinson

17 Ferry St. Cambridge

RUTH FREDERICKS

35 BROOKLINE CAMB.

JAN PUZZELLO

69 BROOKLINE ST

Bill Noble

38 Green St.

FHD  
EL  
KL  
WHLW  
STR 6:05 P.M.  
SMM 6:21 P.M.  
TST

CAMBRIDGEPORT REZONING 5:54 P.M.

Councillor Dubay opened and outlined process

Peggy Lynch Panel of 3 exp. involvement w/ SOPA people. Held meetings and presented our plan in Feb. 2011

Real prepared self given historical overview

- Our petition is better
- More housing
  - Higher FAR
  - Light manufacturing
  - Less area for mixed use
  - Greater density to provide for more open space

Nancy Woods  
4 Hastings Sq

We're committed to social  
responsibility  
wished to address C/C concerns  
for good urban planning.

- 2 acre open space
- Housing - mixed income  
is given priority.
- Light industry R+D
- MIT expansion and business  
this gives them ability to  
plan for future.
- Our plan would produce  
less traffic

Mayon

Ques. just plain office  
development, shld be  
near O; how many  
sq. ft.

Bill Cavallini  
274 Brookline St.

Geneva Malenfant  
75 Henry St.

Discussed uses, consent/proposed  
made them all conforming

C. Gys  
C. Myers

Que. Technical aspects.  
Talking w/ people; traffic  
real issue.

Way W

Que. adequate analysis  
on housing incentive.

B. Cavellin

Yes we have done this  
done # crunching

Francis Werner?  
248 Hamilton St

Supports the plan and  
it represents neighborhood.

David Sullivan  
323 Allison St.

" "

Steve Liege  
198 Hamilton St.

" "  
worry about how  
she was coming along  
but it's good petition  
my concern, as always  
is w/ traffic.

S- Kiezy

78 acres 12,400 vehicle trips  
by COO #

This plan represents 33% growth  
vs 112% in traffic trips

MIT's consultant hasn't done  
any work in 18 mos on this  
area

James Bush  
352 Brookline St.

Supports petition  
much community input

James Williamson  
17 Perry St.

" "  
Live in residential w/  
business area. I'm  
on my 4th land level  
Other zoning changes have  
been dismal, this is  
positive.

Sidney St. shld be  
renamed Avenue d'Etat

Herveitta Davis  
Cherry Hill St.

Supports neighborhood  
plan; traffic major  
issue.

Supports process of  
neighborhood ~~and~~ plan.  
C.O.D. really kept  
us out.

Urge C/C to adopt.

Peter Valentini  
Brooklyn St.

Conjunction. We are  
on a crash course  
on this planet

Patricia Natick  
23 Whitney Ave.

Supports plan.  
Neighborhood threatened  
by many forces.  
This plan preserves  
quality of life.

Charles  
5475 Brooklyn St.

Opposed to petition.  
Disappointed he was  
not made part of the  
process.

Property is used as line of credit. We have blue collar workers. Value of property will decrease

Lauren D'Onofrio  
543 Putnam Ave

Opposed to petition property owner and tenant. Hard to oppose plan, but I'm concerned w/ unfairness of it. We become back guys.

John Natale  
92 South St.

opposed because of affordable housing piece and anti business approach. It is not the mission of Cambridge to provide housing for everyone who wants it.

Katherine Donaghy  
20 Copley St  
Brookline St

opposed / read prepared req.  
"beyond 40A"  
"takes property w/o"

C. Dukey

Request response from C. Julevici  
on letter from M.I.C.

Puell

Opposed to petition.

Don Grossman  
179 Sidney St

Opposed

- exclusive housing
- Brooklyn 58 - corridors
- FAR of 1.0 - neighborhood
- FAR .6

March 22 - Advisory Committee  
21-2 acres for housing less  
than that probably 7-5  
of planning board petition

Que. many inadequacies  
of petition, lack of her  
input.

Ruth Fredericks  
35 Brooklyn St

Supports petition.  
~~Opposed~~  
Higher density higher parking

Joseph Jensen  
California Products

Opposed to petition

Business needs more than  
25% allowance for pass.

C. Meyers

We're not looking for  
legal battle, but we  
must decide what is  
best for this neighborhood

C. Gyd

Grandfather us exclusion  
zone for housing, should  
my issue. C.D.D. may  
want to look @ it

"

Moved to refer to full  
C/L w/o recommendation  
v/d

9/17 / 9/24 dates for  
finalization on both  
petitions

"

Moved to refer to full  
C/L Planning Bd.  
v/d



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

JOSEPH E. CONNARTON  
CITY CLERK

(617) 349-4260

JOHN E. FLYNN  
DEPUTY CITY CLERK

June 11, 1991

Mr. Robert H. Pease, Jr.  
Director of Corporate Real Estate  
Baxter Health Care Corporation  
1 Baxter Parkway  
Deerfield, IL 60015

Dear Mr. Pease:

Enclosed, please find for your review a copy of the Planning Board's submission and recommendation for the permanent rezoning for the Cambridgeport Industrial Area.

Also enclosed is a copy of the Lynch Petition which is also relative to this area.

If this Office can be of further assistance, please do not hesitate to contact us.

Thank you.

Very truly yours,

John E. Flynn  
Deputy City Clerk

JEF/mev  
enclosures



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

JOSEPH E. CONNARTON  
CITY CLERK

JOHN E. FLYNN  
DEPUTY CITY CLERK

TO: Donald Drisdell, Esquire  
Deputy City Solicitor

FROM: Joseph E. Connarton  
City Clerk

DATE: July 5, 1991

SUBJECT: Communication dated 6/26/91 re: rezoning petition of  
Margaret Lynch et al.

Please be advised that at the public hearing of the City Council Committee on Ordinances held on Wednesday, June 26, 1991 the above referenced communication was read into the record by Ms. Katherine Donagher of the Massachusetts Institute of Technology. As you will note the communication makes several references to Chapter 40A of the General Laws of the Commonwealth.

Councillor Duehay, Chair of the Committee has requested that I forward this to you for review and comment prior to any final action of the Committee. You should be aware that at the conclusion of the hearing this petition was referred to the full City Council without recommendation and the next meeting of the Council is currently scheduled for Monday, July 29, 1991.

Thank you for your attention to this matter and if you should have any questions, please feel free to call.



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

JOSEPH E. CONNARTON  
CITY CLERK

(617) 349-4260

JOHN E. FLYNN  
DEPUTY CITY CLERK

June 7, 1991

To Whom It May Concern:

Enclosed you will find a copy of hearing scheduled before the Committee on Ordinances for Wednesday, June 26, 1991 at 5:30 p. m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on the petition of Margaret A. Lynch, et al to amend the Zoning Ordinances of the City of Cambridge in the area bound on the attached map regarding the South Cambridgeport area.

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,

A handwritten signature in cursive script that reads "Joseph E. Connarton".

Joseph E. Connarton  
City Clerk

JEC/dl

Enc. (1)

# City of Cambridge

## MASSACHUSETTS

Office of the City Clerk.

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Wednesday, June 26, 1991 at 5:30 p. m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition from Margaret A. Lynch, et al to amend the Zoning Ordinances of the City of Cambridge by creating a new Section 8.26(a) and (b), Non-Conformity; creating a new zoning district, Industrial B-3, Light Industry and Light Manufacturing; creating new sections South Cambridgeport Affordable Housing Overlay District, South Cambridgeport Open Space Overlay District, Cambridgeport Development Review, 17.50 - Special District V, 17.60 - Special District VI, 17.70 - Special District VII, 17.80 - Special District VIII, 18.10 - Traffic Mitigation Measures, 18.20 - Construction Management Program; and by amending the Zoning Map of the City of Cambridge by deleting the existing zoning districts in the Cambridgeport Interim Planning Overlay District and replacing them with Residence C, Business A, the new zoning district Industrial B-3, the new Special Districts V, VI, VII, and VIII, the South Cambridgeport Affordable Housing Overlay District, the South Cambridgeport Open Space Overlay District, and the Cambridgeport Development Review in that area generally bounded by Brookline and Vassar Streets, Massachusetts Avenue and Memorial Drive as shown on the accompanying map. The petition would replace the Cambridgeport Interim Planning Overlay District in its entirety.

Copies of this petition are on file in the office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Francis H. Duehay,  
Chairman

**NOTE:**

Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

Business A

Special District VII

Special District VI  
South Cambridgeport Open Space  
Overlay District\*

Industry B-3

Residence C  
South Cambridgeport Affordable  
Housing Overlay District\*

Residence C  
South Cambridgeport Affordable  
Housing Overlay District\*

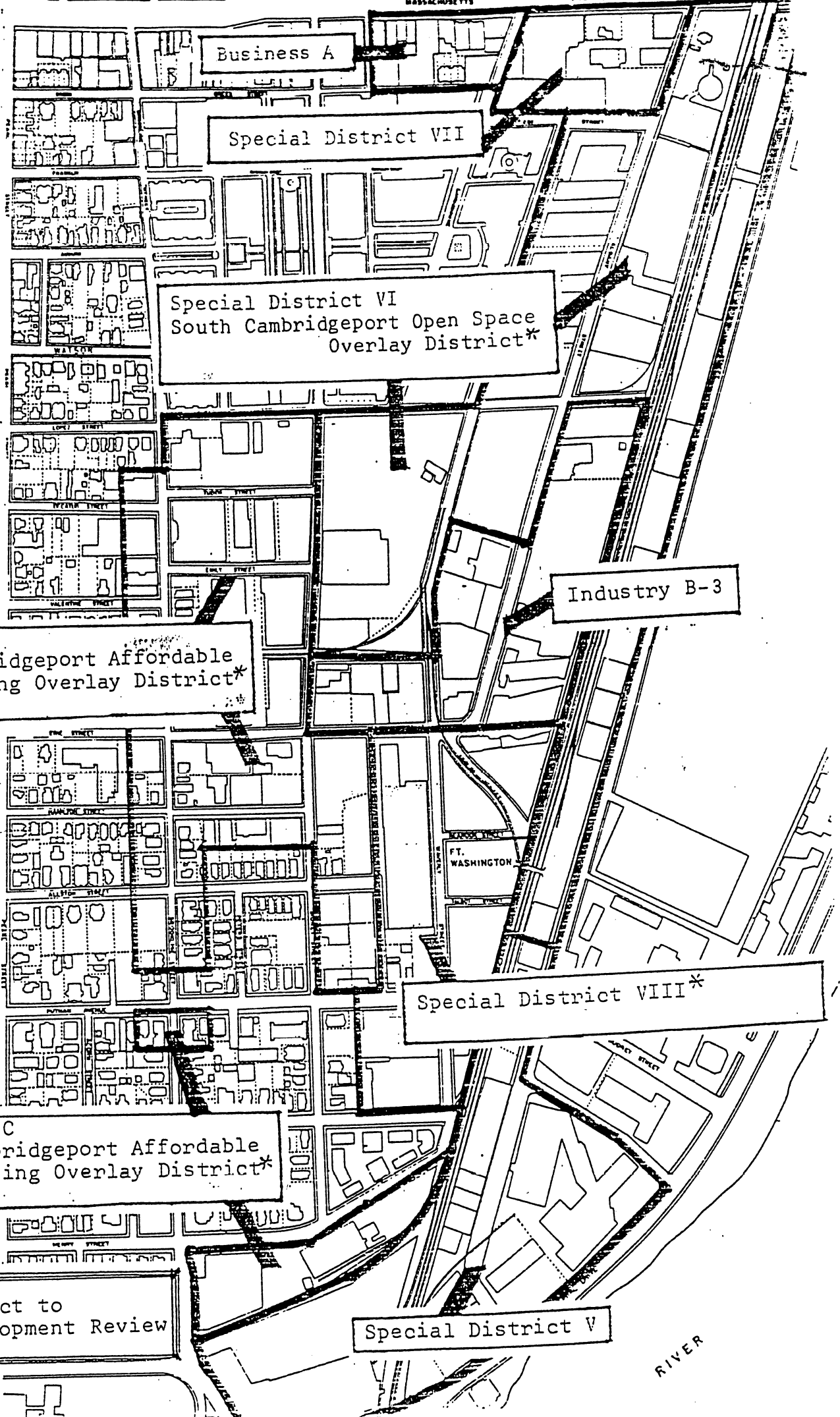
Special District VIII\*

Residence C  
South Cambridgeport Affordable  
Housing Overlay District\*

\* = Subject to  
Development Review

Special District V

RIVER





# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

JOSEPH E. CONNARTON  
CITY CLERK

JOHN E. FLYNN  
DEPUTY CITY CLERK

June 7, 1991

To Whom It May Concern:

Enclosed you will find a copy of hearing scheduled before the Committee on Ordinances for Wednesday, June 26, 1991 at 5:30 p. m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on the petition of Margaret A. Lynch, et al to amend the Zoning Ordinances of the City of Cambridge in the area bound on the attached map regarding the South Cambridgeport area.

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,

A handwritten signature in cursive script that reads "Joseph E. Connarton".

Joseph E. Connarton  
City Clerk

JEC/dl

Enc. (1)

# City of Cambridge

## MASSACHUSETTS

### Office of the City Clerk.

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Wednesday, June 26, 1991 at 5:30 p. m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition from Margaret A. Lynch, et al to amend the Zoning Ordinances of the City of Cambridge by creating a new Section 8.26(a) and (b), Non-Conformity; creating a new zoning district, Industrial B-3, Light Industry and Light Manufacturing; creating new sections South Cambridgeport Affordable Housing Overlay District, South Cambridgeport Open Space Overlay District, Cambridgeport Development Review, 17.50 - Special District V, 17.60 - Special District VI, 17.70 - Special District VII, 17.80 - Special District VIII, 18.10 - Traffic Mitigation Measures, 18.20 - Construction Management Program; and by amending the Zoning Map of the City of Cambridge by deleting the existing zoning districts in the Cambridgeport Interim Planning Overlay District and replacing them with Residence C, Business A, the new zoning district Industrial B-3, the new Special Districts V, VI, VII, and VIII, the South Cambridgeport Affordable Housing Overlay District, the South Cambridgeport Open Space Overlay District, and the Cambridgeport Development Review in that area generally bounded by Brookline and Vassar Streets, Massachusetts Avenue and Memorial Drive as shown on the accompanying map. The petition would replace the Cambridgeport Interim Planning Overlay District in its entirety.

Copies of this petition are on file in the office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Francis H. Duehay,  
Chairman

**NOTE:**

Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

Business A

Special District VII

Special District VI  
South Cambridgeport Open Space  
Overlay District\*

Industry B-3

Residence C  
South Cambridgeport Affordable  
Housing Overlay District\*

FT. WASHINGTON

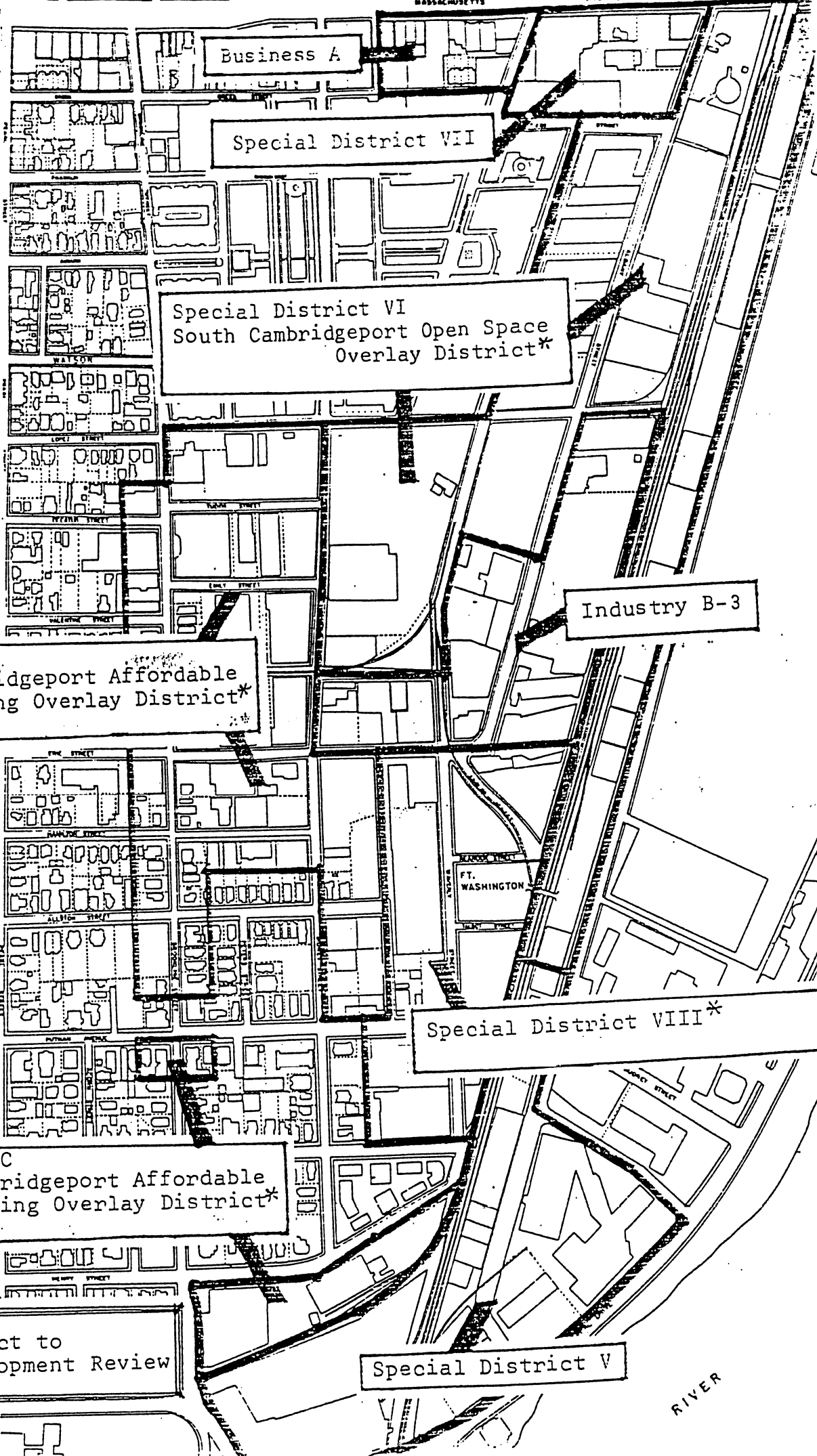
Special District VIII\*

Residence C  
South Cambridgeport Affordable  
Housing Overlay District\*

\* = Subject to  
Development Review

Special District V

RIVER





# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

JOSEPH E. CONNARTON  
CITY CLERK

JOHN E. FLYNN  
DEPUTY CITY CLERK

June 7, 1991

To Whom It May Concern:

Enclosed you will find a copy of hearing scheduled before the Committee on Ordinances for Wednesday, June 26, 1991 at 5:30 p. m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on the petition of Margaret A. Lynch, et al to amend the Zoning Ordinances of the City of Cambridge in the area bound on the attached map regarding the South Cambridgeport area.

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,

A handwritten signature in cursive script that reads "Joseph E. Connarton".

Joseph E. Connarton  
City Clerk

JEC/dl

Enc. (1)

# City of Cambridge

MASSACHUSETTS

Office of the City Clerk.

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Wednesday, June 26, 1991 at 5:30 p. m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition from Margaret A. Lynch, et al to amend the Zoning Ordinances of the City of Cambridge by creating a new Section 8.26(a) and (b), Non-Conformity; creating a new zoning district, Industrial B-3, Light Industry and Light Manufacturing; creating new sections South Cambridgeport Affordable Housing Overlay District, South Cambridgeport Open Space Overlay District, Cambridgeport Development Review, 17.50 - Special District V, 17.60 - Special District VI, 17.70 - Special District VII, 17.80 - Special District VIII, 18.10 - Traffic Mitigation Measures, 18.20 - Construction Management Program; and by amending the Zoning Map of the City of Cambridge by deleting the existing zoning districts in the Cambridgeport Interim Planning Overlay District and replacing them with Residence C, Business A, the new zoning district Industrial B-3, the new Special Districts V, VI, VII, and VIII, the South Cambridgeport Affordable Housing Overlay District, the South Cambridgeport Open Space Overlay District, and the Cambridgeport Development Review in that area generally bounded by Brookline and Vassar Streets, Massachusetts Avenue and Memorial Drive as shown on the accompanying map. The petition would replace the Cambridgeport Interim Planning Overlay District in its entirety.

Copies of this petition are on file in the office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Francis H. Duehay,  
Chairman

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

Business A

Special District VII

Special District VI  
South Cambridgeport Open Space  
Overlay District\*

Industry B-3

Residence C  
South Cambridgeport Affordable  
Housing Overlay District\*

FT. WASHINGTON

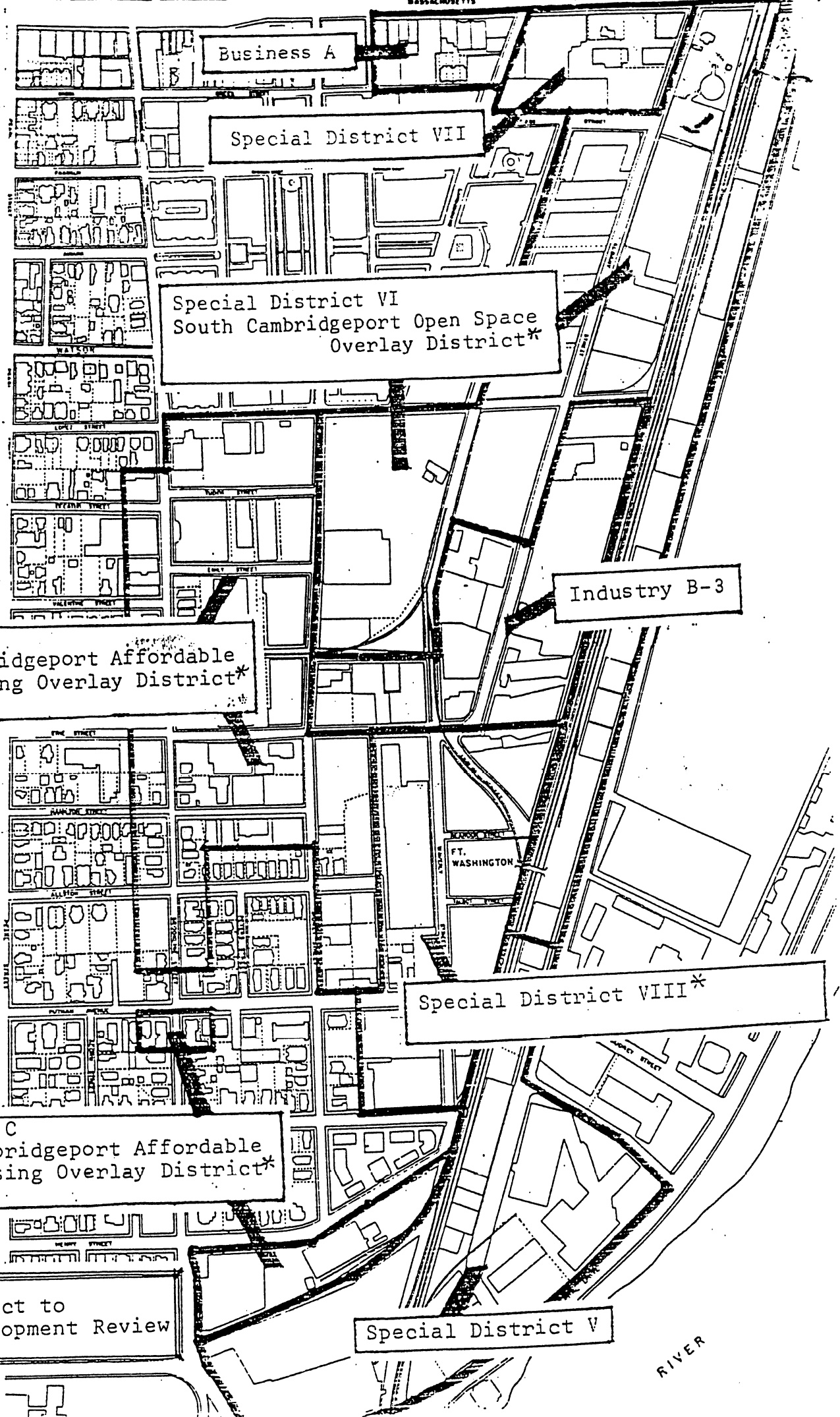
Special District VIII\*

Residence C  
South Cambridgeport Affordable  
Housing Overlay District\*

\* = Subject to  
Development Review

Special District V

RIVER



LYNCH, Et Al Petition as amended by City Council on September 16, 1991

A. Amend the text of the Zoning Ordinance of the City of Cambridge by making the following changes and additions:

1. In Subsection 3.11 of Section 3.10, Division of the City into Zoning Districts, change "thirty-two" to "thirty-three" in the first sentence. In the list of zoning districts renumber items 26 through 32 as 27 through 33,

and insert the following new district designations at their appropriate numerical locations:

"26. Industry B-3 District .....Light Industry and  
Light Manufacturing"

2. In Article 3.000, Section 3.14, delete all reference to the Cambridgeport Interim Planning Overlay District.
3. Amend Section 4.30, Table of Use Regulations, as follows:
  - a. add the new district designation "B-3" to the twelfth column heading so the heading reads, "Ind. B-1, B-2, B-3"
4. In Subsections 4.33 b.5. (College or university not exempt by statute) and 4.33 c. (Non-commercial research facility) of the Table of Use Regulations add the superscript "52" to entries in the Ind. B-1, B-2, and B-3 column and add the following footnote in subsection 4.40:

"52. No in the Industry B-3 District."

5. In Section 4.34 (Office and Laboratory Use) of the Table of Use Regulations add the superscript "53" to the entries for the Ind. B-1, B-2, and B-3 column and add the following footnote in subsection 4.40:

"53. In the Industry B-3 district permitted only as an accessory use on the same lot as the principal use and subject to the following limitations:

- 1) The total floor area of these uses accessory to the principal use may not exceed thirty three percent (33%) of the gross floor area of the building in which the principal use is located.

2) The total area of these uses or buildings accessory to the principal use except for parking facilities and driveways may not occupy more than twenty five percent (25%) of the area of the lot."

6. In Subsection 4.35 (Retail Business and Consumer Service Establishments) add a new superscript "54" to line 4.35 e under the twelfth column heading, Ind. B-1, B-2, B-3 and add the following footnote in Subsection 4.40:

"54. Yes in the Industry B-3 district."

7. Amend Subsection 5.34, Industrial Districts, Table 5-4, Table of Dimensional Requirements - Industrial Districts by adding a new line for Ind. B-3 between the Ind. B-2 and Ind. B lines, as follows:

	Max. Ratio of floor area to lot area	Minimum Lot Size in Sq Ft	Min. Lot Area per D.U.	Min. Lot Width in Ft.	Minimum Yard in Feet			Max Height in feet	Min. Ratio of usable Op. Sp. to lot area
					Front	Side	Rear		
B-3	1.0	none	---	none	0	0	0	45	none

8. Amend Section 6.36, Schedule of Parking and Loading Requirements, by adding new district designations as follows:

a. Ind. B-3 to the third column heading throughout so the heading reads:

"Bus. C            Res. C-2A  
 Bus. C-1        Res. C-2B  
 Ind. A            Ind. B-2  
 Off. 2            Ind. B-3  
 Res. C-2        Bus. A (res.)"

9. Amend the Zoning Map of the City of Cambridge, Section 3.20, to include the new Industry B-3 district.

10. Amend Section 8.20, Non-Conformity, by adding a new Subsection 8.26 that reads as follows:

"8.26 a) An expansion of a non-residential structure in existence as of January 1, 1991 up to twenty-five percent (25%) of gross floor area is allowed as of right in the South Cambridgeport Affordable Housing Overlay District (Section 11.300). Such expansion shall not make a structure non-conforming as defined in Article 2.000 with regard to gross floor area.

b) An extension or alteration of a non-residential use existing as of January 1, 1991 is allowed as of right in the South Cambridgeport Affordable Housing Overlay District (Section 11.300)) as long as

such change, extension, or alteration will not be substantially more detrimental to the neighborhood than the existing non-conforming use; that is, restricted to those uses found in the Table of Use Regulations, Articles 4.32 b, f and g; 4.34 a-c, f; 4.35,a-e,q; and 4.37 a-c, f-k."

11. Amend Subsection 11.82 of Section 11.80, Employment Plan Compliance Procedure, so that it reads as follows:

"11.82       **Applicability.** The provisions of this Section 11.80 shall apply to new economic development activity in the Alewife Revitalization District and the South Cambridgeport Revitalization Area and in other major economic revitalization areas designated by the City Council through amendments to this Subsection 11.82. The Alewife Revitalization District shall be that area contained within the comprehensive Alewife Area Rezoning Amendment ordained on June 16, 1980. The South Cambridgeport Revitalization Area shall be that area contained within the comprehensive South Cambridgeport Area Rezoning Amendment as ordained by the City Council. For purposes of this Section 11.80, the following shall be considered new economic development activity:"

B. Amend the text of the Zoning Ordinance by creating new Sections 11.300, South Cambridgeport Affordable Housing Overlay District and 11.400, South Cambridgeport Open Space Overlay District as follows:

**11.300       South Cambridgeport Affordable Housing Overlay District**

**11.301       PURPOSE** This section 11.300 is intended to:

- (a) promote in this portion of Cambridgeport significant housing development that becomes integrated with the existing neighborhood physically, architecturally, and socially;
- (b) address current housing needs in Cambridge, especially the need for units affordable for households with children; and
- (c) provide significant incentives for developing housing affordable by persons of low and moderate income, in accordance with chapter 40A, section 9 of the General Laws, while balancing the goals of affordability and low density.

**11.302       APPLICABILITY** The South Cambridgeport Affordable Housing Overlay District shall be an Overlay District on the Zoning Map established by Section 3.2 (Zoning Map). The Planning Board may grant a special permit in said District for specific variations in the requirements of the Residence C base district as detailed in Section 11.304, provided all affordable housing requirements of this Section 11.300 are met.

11.303 USE REGULATIONS The special permit shall allow only the uses allowed in the Residence C base district. Use variances are hereby expressly prohibited, Section 10.31 notwithstanding **except as may otherwise be permitted in Section 11.307 below**

11.304 DIMENSIONAL REQUIREMENTS

(a) Except as allowed by a special permit under paragraphs (b), (c), and (d), the dimensional requirements of the Residence C base district under Section 5.31, but not including footnote (i), shall apply in the South Cambridgeport Affordable Housing Overlay District.

(b) In order to promote affordable housing within the district, the special permit shall allow additional FAR over the base of 0.6 in the proportion of 0.023 additional FAR for every one percent of the total number of housing units on a lot which the owner agrees will be affordable as required by Subsection 11.305. However, the agreed number of such affordable units shall be at least one-fifth of the total number of housing units on the lot. Where the calculation of the number of affordable units required under this section results in a fraction, any fraction from 0.5 upward will be rounded up and any lower fraction rounded down. The maximum FAR allowed by the special permit under this section shall be as follows:

(1) In Subdistrict H the maximum FAR shall be 1.25 except for the portion of the district lying southeasterly of, parallel to, and one hundred (100) feet distant from the southeast sideline of Brookline Street, where the maximum FAR shall be 1.75.

(2) In Subdistrict F the maximum FAR shall be 1.25 between the southwesterly extension of the centerline of Sidney Street and Brookline Street and 1.75 between the southwesterly extension of Sidney Street and the railroad right of way.

For the purpose of this Section, the gross floor area of such an affordable unit that exceeds 1,200 square feet shall not be considered in calculating the allowed FAR, if the unit has three or more bedrooms.

(c) In order to promote affordable housing within the District, the special permit shall allow additional height as indicated below:

(1) In Subdistrict H the maximum height shall be forty-five (45) feet, except for the portion of the district lying southeasterly of, parallel to, and one hundred (100) feet distant from the southeast sideline of Brookline Street and one hundred (100) feet distant from the boundary of **any residential district not modified by this Section 11.300**, where the maximum height shall be sixty (60) feet.

(2) In Subdistrict F the maximum height shall be forty five (45) feet between the southwesterly extension of the centerline of Sidney Street and Brookline Street; and sixty (60) feet between the southwesterly extension of Sidney Street and the railroad right of way.

(d) In order to promote affordable housing, the special permit shall allow maximum residential density to be increased to eight hundred (800) square feet of lot area per dwelling unit for the district.

**11.305**

**AFFORDABLE HOUSING REQUIREMENTS** Before issuing any special permit under this Section, the Planning Board shall receive the owner's written agreement that the affordable units will:

(a) Meet requirements of Section 11.204. Even if the applicant establishes that a permanent affordability restriction is legally impossible under Section 11.204 (c)(2), affordability must be ensured for at least forty (40) years from the date of initial occupancy;

(b) Be comparable in exterior appearance, energy efficiency, services and size to market units on the same lot.

(c) Contain at least two bedrooms, and have the following minimum gross floor areas per unit:

two bedrooms:	1,100 square feet
three bedrooms:	1,250 square feet
four bedrooms:	1,350 square feet;

(d) Be affordable to eligible households of no more than the following incomes: the first affordable unit to a very low income eligible household; the second and third affordable units to low income eligible households; the fourth affordable unit to a moderate income eligible household; and repeating the preceding pattern for further affordable units. As used in this section, the terms "affordable" (as to a unit) and "median income" shall have the meanings assigned to them in section 11.201. "Eligible household" shall have such meaning, modified by the following income categories: "very low income", not exceeding 50 percent of median income; "low income", not exceeding 80 percent of median income; "moderate income", not exceeding median income.

Before approving any special permit, the Planning Board must receive the written report of the Affordable Housing Trust, established in subsection 11.205, that in the Trust's opinion all the requirements of this subsection have been met, and that the development is consistent with the open space considerations specified in the design guidelines for the South Cambridgeport Affordable Housing Overlay District.

11.306 **ENFORCEMENT** Every special permit issued under this section 11.300, and every building permit issued in reliance on such a special permit, shall state by reference as conditions the requirements of subsection 11.305 and the terms of the owner's agreement under subsection 11.305. All such requirements, terms, and conditions shall run with the land, and shall bind the original owner's successors, heirs, assigns, and agents. If the original or any subsequent owner violates any such requirement, term, or condition, then in addition to pursuing any other remedy available, the City shall immediately commence a civil action in the Superior Court in the name of the Inspectional Services Commissioner under chapter 40A, section 7 of the General Laws, seeking an injunction requiring compliance with such requirement, term, or condition.

11.400 **South Cambridgeport Open Space Overlay District**

11.401 **SCOPE** This Section 11.400 regulates the transfer of development rights within the South Cambridgeport Open Space Overlay District as shown on the Zoning Map of the City of Cambridge, as amended.

11.402 **PURPOSE** This section is intended to:

- 1) provide a mechanism by which public parks and recreation fields and open space amenities can be secured in order to address the unmet needs of the adjacent residential neighborhood and of new residents in the district;
- (2) encourage the shift of building density away from the residential areas and toward public transit and higher capacity streets, and;
- (3) enhance the development potentials of small, inefficient, awkwardly sized and located lots.

11.403 **PERMITTED USES** The special permit shall allow any uses permitted in Special District VI.

11.404 In order to accomplish the purposes of this Section 11.400, the transfer of FAR permitted in the underlying base zoning may, by special permit of the Planning Board, be transferred from one site to another subject to the following provisions:

- (1) **Designated Development Lot** Notwithstanding the limitations imposed by the definition of lot in Article 2.000, gross floor area may be transferred from one lot to another lot within the South Cambridgeport Open Space Overlay District provided each lot is defined as a constituent lot of a Designated Development Lot, which shall be a lot or group of lots designated for unified development in the application for a special permit under this Section 11.400. No Designated Development Lot shall be smaller than 20,000 square feet. The constituent lots of a Designated Development Lot need not be under single ownership, nor contiguous. Constituent donating lot(s) which contribute FAR to a recipient lot may

be anywhere within Special District VI. There is no minimum size for donating lots. **Constituent** recipient lot(s), which receive the FAR transferred within the **Designated Development Lot** must be contiguous except in the area southeasterly of the railroad right of way that is parallel to Vassar Street. A recipient lot may be anywhere within the Special District VI.

- (2) **Minimum Requirements** As a condition of the special permit for FAR transfer, any donating lot(s) must be relieved of all toxic contaminants **which are** subject to **regulation under** state **and/or** federal law. Except for additional FAR and heights as permitted herein, recipient lots shall be developed in compliance with all other requirements of the Special District VI.
- (3) **Additional Provisions for Donating Lots** For each square foot of lot area brought into compliance with the above minimum requirements for donating lots, 1.25 square feet of gross floor area shall be available for transfer to a recipient site. However, for each square foot of lot area meeting additional requirements, larger ratios of gross floor area to lot size may be transferred as follows:
  - (a) for lot(s) within Special District VI and lying northwesterly of Purrington and/or Waverly Streets, the ratio shall be 2.5 .
  - (b) for large, contiguous lot(s) in excess of 75,000 sq. ft. and located as specified in Section 11.404 (3) (a) above, the ratio shall be 3.75.
- (4) **Recipient Lot Limitations** The recipient lot or lots of a **Designated Development Lot** shall have a limit on the total permitted height and FAR, as measured by total gross floor area on the lot(s) divided by the aggregate area of the recipient lot(s). Within the South Cambridgeport Open Space Overlay District, there shall be a maximum FAR of 2.0 and a maximum height of 60 ft. for recipient lot(s) except as follows:
  - (a) for recipient lots that lie northeasterly of Pacific Street and/or southeasterly of the railroad right-of-way that is parallel to Vassar Street, the FAR may not exceed 2.5 for non-residential uses or 3.0 FAR for residential and dormitory uses.
  - (b) for recipient lots that lie between Purrington Street and Albany Street, the maximum height shall be eighty (80) feet
  - (c) for recipient lots that lie southeasterly of Albany Street the maximum height shall be one hundred (100) feet except as permitted or further restricted below:
    - (1) In that portion of the district lying southwesterly of a line, which line is the southeasterly projection of a line one

hundred feet northeasterly of and parallel to the southwesterly sideline of Reardon Street, the maximum height shall be forty five (45) feet. However, as provided in the special permit from the Planning Board the height may be increased to sixty (60) feet.

- (2) The maximum height may be increased above one hundred (100) feet, but not exceeding one hundred and eighty (180) feet, in that portion of the district lying northeasterly of the line described in paragraph (a) above after the issuance of a special permit by the Planning Board, provided portions of buildings exceeding one hundred (100) feet but not exceeding one hundred and eighty (180) feet in height contain no more than 165,000 square feet of gross floor area, in total for the entire district.

11.404.1 In permitting this additional height as provided for in Subsection 11.404 (4) (c) 1 and 2, the Planning Board shall consider the following:

- (1) The height of the other buildings or portions of buildings constructed in the district is reduced to significantly below the one hundred (100) foot height indicated above.
- (2) In the vicinity of Fort Washington, buildings are constructed below the one hundred (100) foot height permitted or green space is created so as to increase the views from Fort Washington across the MIT campus to the river and to the Boston skyline beyond. Where heights are proposed to exceed the base limit of forty-five (45) feet at Fort Washington, the Planning Board shall find that an increase in height up to sixty (60) feet allows flexibility in the design of buildings such that the view from the park to and beyond the campus is increased and/or enhanced.
- (3) The view corridors down streets in residential Cambridgeport, as for instance, down Erie, Pacific, perhaps Tudor and Emily Streets, are not obstructed by buildings.
- (4) Significant green space is created in the district at grade where it can be visible to the general public.
- (5) The buildings are not so distributed in the district as to create a strong sense of enclosure as viewed from the residential Cambridgeport neighborhood.

11.405 In granting a special permit under Section 11.400 for the South Cambridgeport Open Space Overlay District, the Planning Board shall find that the proposed plan fulfills the purposes herein listed. Further, prior to issuing a special permit for the transfer of development rights described above, the Planning Board shall find that each and all of the following conditions are met:

- (1) The donating lot(s) are of such size, shape, and location that it/they are deemed useful for the public use as a park or recreation facility by the applicable city standards and by being consistent with the South Cambridgeport Development Guidelines.
- (2) The donating lot(s) are offered to the City either as outright gift of land, or else via lease or appropriate legal contract conveying to the City the right to permanently use and make improvements to land consistent with the provisions therein.

C. Amend the text of the Zoning Ordinance of the City of Cambridge by creating a new Section 11.500, Cambridgeport Development Review as follows:

**11.500 Cambridgeport Development Review**

**11.501 ESTABLISHMENT AND SCOPE** There are hereby established the Cambridgeport Development Review areas which shall be governed by the regulations and procedures specified in this Section 11.500. It is the intent of this section that these regulations shall apply to a single area described generally as the South Cambridgeport Revitalization Area.

**11.502 GENERAL PURPOSE** It is the purpose of this Section 11.500 to augment existing zoning regulations to respond to the unique problems and pressures affecting the area. The Cambridgeport Development Review is intended to promote development that is consistent with the objectives of the districts to encourage the construction of housing and siting of open space in appropriate locations; permit the continued operation and expansion of existing manufacturing and research and development enterprises; provide opportunities for establishment and development of new and innovative enterprises; limit the peak hour and total daily traffic generated by uses in the district; regulate the scale, density, and design of new development such that a new mixed use neighborhood is created that is: compatible with the abutting residential neighborhood, consistent in its character and image, and effective as a bridge between the residential streets west of Brookline Street and the MIT campus and the Charles River.

**11.503 APPLICABILITY** The Cambridgeport Development Review Areas shall include the South Cambridgeport Open Space Overlay District, Special District VIII and the South Cambridgeport Affordable Housing Overlay District, as shown on the Zoning Map established by Section 3.20 (Zoning Map).

**11.504 GENERAL PROVISIONS**

**11.504.1** The Cambridgeport Development Review Areas shall be considered areas of special planning concern. Development proposals listed in Subsection 11.42, Development Consultation Procedures, shall be subject to the Development Consultation Procedure specified in Section 11.40.

**11.504.2 Criteria for Development Consultation Review and Review of Applications for Special Permits and Variances.**

In reviewing applications for variances, special permits or development consultation reviews the permit or special permit granting authority shall be guided by the objectives and criteria contained in the publication South Cambridgeport Development Guidelines, Community Development Department, 1991, in addition to the requirements of Sections 10.30 (Variances) and 10.40 (Special Permits) and this Section 11.500. These guidelines are also intended to assist in shaping any contemplated physical change within the Cambridgeport Development Review Areas.

**11.504.3 Cambridgeport Advisory Committee. There shall be established a Cambridgeport Advisory Committee, with members appointed by the City Manager, which shall have the following duties, responsibilities, and membership.**

- a. Purpose. It is the intent of this Subsection 11.504.3 that the Committee in its official actions fulfill the following purposes:
  - (1) To establish a formal, ongoing body that will review all major development actions in the Cambridgeport Development Review Areas.
  - (2) To provide a forum within which a wide range of perspectives on development actions can be heard.
  - (3) To establish a citizen/professional body which can advise both public agencies and private interests as to the development and urban design issues raised by a development or planning proposal and suggest avenues of research which might be pursued to resolve identified conflicts or make the project better fulfill both public and private objectives for the Cambridgeport Development Review Areas.
- b. Responsibilities. The Committee shall undertake all Large Project Reviews and shall receive all applications for variances and special permits for activities within the Cambridgeport Development Review Areas for review and comment. In addition, the Committee may comment on any preliminary proposal, for which any public agency or private interests may wish to receive advice and recommendations.
- c. Procedures.
  - (1) Within the six (6) months preceding any application for (1) a building permit for any project subject to a Large Project Development Consultation Review or (2) a special permit or variance for any project within the Cambridgeport Development Review Areas, the graphic and other material required in Section

**11.45 - Large Project Submittal Requirements shall be submitted to the Cambridgeport Advisory Committee for their review and comment.**

- (2) Within thirty (30) days of that submittal, (or within 60 days with the written consent of the applicant) the Committee shall prepare a written report of findings and recommendations with respect to the applicant's proposed project.**
  - (3) The Committee's written report shall outline the urban design and development issues raised by the proposal. It shall suggest those areas within which additional exploration of alternatives might be sought or factual information gathered which might help to resolve potential conflicts between public and private objectives or which might help to shape the project to better serve these objectives.**
  - (4) The report shall be forwarded to the applicant and shall be included in any application for a building permit, special permit or variance.**
  - (5) It is expected that, in making decisions regarding special permits and variances within the Cambridgeport Development Review Areas, the Planning Board and/or Board of Zoning Appeal will give due consideration to the report and recommendations of the advisory committee.**
  - (6) The Community Development staff shall serve as staff to the Committee.**
- d. (1) Membership. Members in all categories shall be Cambridgeport residents or business persons or landowners within the Cambridgeport Development Review Areas.**
- a. One member having recognized qualifications as an attorney or a city planner who shall also serve as chair of the Committee.**
  - b. Two (2) members representing the business and institutional community in the Cambridgeport Development Review Areas.**
  - c. Four (4) members representing residents of the Cambridgeport neighborhood.**
- (2) Terms. Committee members shall be appointed for terms of three (3) years each.**

**11.505**

**CONSTRUCTION MANAGEMENT PROGRAM** The applicant for any special permit governed by this Section 11.500 shall submit a construction management program, detailing the construction period impacts and a program

for their mitigation as detailed in Article 18.000.

**11.506 STANDARDS FOR ISSUANCE OF SPECIAL PERMITS** In addition to the general standards for the issuance of a special permit found in Section 10.40 of the Zoning Ordinance, the special permit granting authority shall in addition make the following findings:

1. The proposed development is consistent with the following goals and objectives:
  - To encourage mixed use development compatible with the Cambridgeport residential neighborhood with housing uses strongly encouraged along Brookline Street and over to Sidney Street;
  - To promote street and sidewalk improvements to create a unified image and improve the physical and visual environment and tie the existing non-residential district to the existing residential neighborhood; and
  - To promote strong visual and pedestrian connections between the residential neighborhood and the MIT campus and the Charles River.
2. The development is consistent with the provisions of the South Cambridgeport Development Guidelines;
3. No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and
4. No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

D. Amend the text of the Zoning Ordinance of the City of Cambridge by creating new Sections 17.50, 17.60, 17.70, and 17.80 -Special Districts as follows:

**17.50 Special District V**

**17.51 SCOPE** This Section 17.50 regulates development within the Special District V as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.50, all requirements of and regulations applicable to the Office 2 District shall apply equally to the Special District V.

**17.52 PERMITTED USES** Uses permitted in the Office 2 District shall be equally allowed in the Special District V with the exception of the following:

- a. The following additional uses shall be permitted:

- (1) Manufacturing, processing, assembly and/or packaging of articles and products listed in Section 4.37 a, and Section 4.37 b 4,5,9 provided the fully assembled product regularly produced shall not exceed two hundred (200) pounds in weight.
- (2) Retail, Business and Consumer Service Establishments, Section 4.35 a and b as would otherwise be permitted in a Business A-1 and A-2 District, provided such uses are in a building containing uses permitted in an Office 2 District and do not exceed in area an amount equal to ten (10) percent of the gross floor area of the building in which they are located, or twenty five thousand (25,000) square feet, whichever is less.
- (3) Residential Uses Section 4.31 a-h shall be permitted as of right.

b. The following uses shall be prohibited:

Parking lot or parking garage for private passenger cars, Section 4.32 b.

**17.53** DIMENSIONAL REGULATIONS The following Dimensional Regulations shall apply to all development proposals within the district.

**17.53.1** Maximum FAR The FAR applicable on any lot in the district shall not exceed 1.5 for all permitted uses. However, the applicable FAR may be increased by an additional 0.5 to a maximum of 2.0, by special permit from the Planning Board, for permitted residential uses, excluding hotels and motels.

**17.53.2** Front Yard Requirements.

- a. The minimum front yard setback from Memorial Drive for the principal front wall plane for any structure shall be twenty-five (25) feet measured from the street line. The required front yard setback shall apply to any portion of a structure below ground as well as those portions of a structure above ground.
- b. The required Memorial Drive front yard shall consist entirely of green area as defined in Article 2.000 with the exception of paving necessary for vehicular access. Such paved access area shall be limited to one twenty-four (24) foot driveway for each one hundred (100) feet of lot frontage, or fraction thereof, located so as to provide the most direct access to parking facilities located elsewhere on the site. It is preferred that all vehicular access be provided from other than Memorial Drive.
- c. The Memorial Drive front yard shall contain at least one three and one-half (3½) to four (4) inch caliper tree for every twenty-five (25) linear feet of street frontage.
- d. All other yards shall conform to the requirements of the Office 2 District.

17.54 OFF STREET PARKING AND LOADING REQUIREMENTS

17.54.1 Off street parking and loading requirements shall be as specified in Article 6.000 for uses in the Office 2 District except as provided below.

17.54.2 Minimum Parking Requirement The minimum parking requirement shall be one space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit, and for dormitory uses, Section 4.33 b(7), one parking space for each twelve (12) beds.

17.54.3 Maximum Parking The maximum accessory parking permitted for all uses in the district shall be one parking space for each six hundred and fifty (650) square feet of gross floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provisions of Section 6.31.3.

17.60 Special District VI

17.61 SCOPE This Section 17.60 regulates development within the Special District VI as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.60, all requirements of and regulations applicable to the Industry A-1 District shall apply equally to the Special District VI.

17.62 PERMITTED USES Uses permitted in the Industry A-1 District shall be equally allowed in the Special District VI with the exception of the following:

a. The following additional uses shall be permitted as of right:

- (1) Dormitory and resident fraternity or sorority, Section 4.33, b (7).
- (2) Residential uses Section 4.31 a-h.

b. The following uses shall be prohibited:

- (1) Parking lot or parking garage for private passenger cars, Section 4.32 b.
- (2) Office Uses, Section 4.34 c and d. For the purpose of this Section 17.62 **Technical Office for Research and Development** shall mean those offices and similar facilities occupied by persons principally engaged in basic research or in the application of such research or knowledge derived therefrom to the development of products or processes that have academic or commercial applications. Any office activity not meeting the above definition shall be permitted only as an accessory use to permitted uses in the district and shall

not exceed thirty three (33) percent of the total gross floor area authorized by building permit in the development.

- (3) All Retail, Business and Consumer Service Establishments Section 4.35 with the exception of 4.35 b-e.

17.63 **DIMENSIONAL REGULATIONS** Dimensional requirements for the Industry A-1 District shall apply equally in Special District VI with the exception of the following:

- (1) The maximum height shall be sixty (60) feet for permitted uses located southeasterly of Waverly and/or Purrington Street. However, any portion of a building exceeding a height of forty five (45) feet shall be set back a minimum of twenty (20) feet from the adjacent front property line(s) on all abutting streets.

17.64 **OFF STREET PARKING AND LOADING REQUIREMENTS**

17.64.1 Off street parking and loading requirements shall be the same as specified in Article 6.000 for uses in the Industry A-1 District except as provided below.

17.64.2 Minimum Parking Requirement The minimum parking requirement shall be one space for two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit, and for dormitory uses, Section 4.33 b (7), one parking space for each twelve (12) beds.

17.64.3 Maximum Parking The maximum accessory parking permitted for all uses in the district shall be one parking space for each six hundred and fifty (650) square feet of floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking.

17.70 **Special District VII**

17.71 **SCOPE** This Section 17.70 regulates development within the Special District VII as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.70, all requirements of and regulations applicable to the Business B District as modified by the Central Square Overlay District shall apply equally to the Special District VII.

17.72 **ADDITIONAL PERMITTED USES**

- a. The following uses shall be permitted as of right:

Assembly or packaging of articles (Section 4.37a) and manufacture, processing, assembly and/or packaging of specified articles and products (Section 4.37 b, 1-15) shall be permitted on any lot on which any one or combination of the above uses has been established on or before January 1, 1991 and which uses

remain in continuous operation thereafter. Once said industrial uses have been discontinued on the lot, the lot shall only be used for those uses permitted in the Business B District.

b. The following uses shall be prohibited:

Parking lot or parking garage for private passenger cars, Section 4.32 b.

- 17.73** **ADDITIONAL HEIGHT** The maximum height permitted in the district may be increased to one hundred (100) feet by special permit from the Planning Board; all other height limitations imposed by the Central Square Overlay District shall apply.
- 17.74** **OFF STREET PARKING AND LOADING REQUIREMENTS**
- 17.74.1** Off street parking and loading requirements shall be the same as specified in Article 6.000 for uses in the Office 2 District except as provided below.
- 17.74.2** Minimum Parking Requirement The minimum parking requirement shall be one space for two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit.
- 17.74.3** Maximum Parking The maximum accessory parking permitted for all uses in the district shall be one parking space for each one thousand (1,000) square feet of floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provisions of Section 6.31.3.
- 17.80** **Special District VIII**
- 17.81** **SCOPE** This Section 17.80 regulates development within the Special District VIII as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.80, all requirements of and regulations applicable to the Industry A-1 District shall apply equally to the Special District VIII.
- 17.82** **PERMITTED USES** Uses permitted in the Industry A-1 District shall be equally allowed in the Special District VIII with the exception of the following:
- a. The following additional uses shall be permitted as of right:
- (1) Dormitory and resident fraternity or sorority, Section 4.33 b (7).
  - (2) Residential uses, Section 4.31 a-h.
- b. The following uses shall be prohibited:

- (1) Parking lot or parking garage for private passenger cars, Section 4.32 b.
- (2) All Retail, Business and Consumer Service Establishments Section 4.35 with the exception of 4.35 a (1) and 4.35 b-e.
- (3) Office Uses, Section 4.34 c and d. For the purpose of this Section 17.82 **Technical Office for Research and Development** shall mean those offices and similar facilities occupied by persons principally engaged in basic research or in the application of such research or knowledge derived therefrom to the development of products or processes that have academic or commercial applications. Any office activity not meeting the above definition shall be permitted only as an accessory use to permitted uses in the district and shall not exceed thirty three (33) percent of the total gross floor area authorized by building permit in the development.

17.83 **DIMENSIONAL REGULATIONS** The following dimensional regulations shall apply to all development proposals within the district.

17.83.1 **Maximum FAR** The FAR applicable on any lot in the district shall not exceed 1.25 for all non-residential uses. The FAR applicable on any lot in the district shall not exceed 0.6 for all residential uses. However, the applicable FAR may be increased by an additional 1.15 to a maximum of 1.75 by special permit from the Planning Board, for permitted residential uses as provided for in Section 11.304 (b) and (d). All residential development authorized by special permit shall be subject to the affordable housing requirements of Section 11.305 and 11.306.

17.83.2 **Building Height Limitations** The maximum height permitted in the district shall be forty five (45) feet for all non-residential uses. The maximum height permitted in the district for all residential uses shall be thirty five (35) feet. However, the maximum height may be increased by an additional twenty-five (25) feet to a maximum of sixty (60) feet, by special permit from the Planning Board, for permitted residential uses. All residential development authorized by special permit shall be subject to the affordable housing requirements of Section 11.305 and 11.306.

17.83.21 For all uses, the maximum height shall be further limited as follows:

- (a) Any portion of a building exceeding a height of forty five (45) feet shall be set back a minimum of twenty (20) feet from the adjacent front property lines on all abutting streets.
- (b) Height shall be limited to forty five (45) feet in that area defined by a line one hundred (100) feet distant from and parallel to all front and side property lines of Fort Washington Park, lot #72, Assessor's Plat #66.

- (c) Height shall be limited to forty five (45) feet within one hundred (100) feet from the boundary of the existing residential neighborhood.

**17.83.3** Yard Requirements A minimum five (5) foot front yard setback shall be required for all development in the district.

**17.83.31** Restrictions in Required or Provided Front Yard Setbacks That area between the principal front wall plane of a building and a public street, whether required or provided, shall be devoted to Green Area as defined in Article 2.000 of this Ordinance, an expansion of the adjacent public sidewalk, or other landscaped or paved area devoted exclusively to pedestrian use and extending along the entire length of that portion of a lot abutting the street. Areas devoted to vehicular use are prohibited from this area with the exception of access drives located to provide the most direct access to parking facilities located elsewhere on the site. Said access drives shall be limited to a total of thirty (30) feet of width for each one hundred (100) feet of lot frontage. Where a lot is bounded by more than one street, the provisions of this subsection 17.83.31 shall apply fully only to a single street, which street shall be the principal, major or most important street abutting the lot. For all other streets the provisions of this subsection 17.83.31 shall apply only to the required front yard setback.

**17.84** OFF STREET PARKING AND LOADING REQUIREMENTS

**17.84.1** Off street parking and loading requirements shall be the same as specified in Article 6.000 for the applicable base zoning district except as provided below.

**17.84.2** Minimum Parking Requirement The minimum parking requirements shall be one parking space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit and for dormitory uses, Section 4.33 b, 7 one parking space for each twelve (12) beds.

**17.84.3** Maximum Parking The maximum parking permitted for uses in the district shall be one parking space for each six hundred and fifty (650) square feet of gross floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provision of Section 6.31.3; however the Planning Board may permit by Special Permit the number of parking spaces to exceed the maximum allowed under this Section 17.84.3 provided the number of parking spaces authorized by special permit does not exceed that number which would be permitted on the lot if the maximum parking ratio of 650 were applied to the maximum gross floor area permitted on the lot, notwithstanding the fact that all such allowed gross floor area is not in fact proposed to be constructed.

**17.84.4** No special permit shall be issued in this district which permits the total number of parking spaces on a lot to exceed (a) that number permitted in Section 17.84.3 for development authorized by the special permit plus (b) any

additional parking present on the site before the date of application for uses not located on the lot, which parking is provided as legally established required accessory parking, not exceeding the minimum required in Article 6.000 at the time of the granting of the special permit in the zoning district applicable to such uses.

Where the parking provided on the site at the time of the special permit approval exceeds that quantity permitted above, the approved Special Permit shall provide a schedule by which the parking on the development parcel shall be brought into compliance with this subsection 17.84.4.

- E. Amend the text of the Zoning Ordinance of the City of Cambridge by creating a new Article 18.000 as follows:

18.10 Traffic Mitigation Requirements

18.20 Construction Management Program

- 18.10 Traffic Mitigation Requirements Where a Traffic Mitigation Plan is required as a condition of approval of any special permit the plan shall be submitted to the special permit granting authority for review and approval, at a time and in a manner set forth by the special permit granting authority in its Decision. Upon approval of the plan the permittee shall be obligated to thereafter implement the provisions of the plan for as long as the special permit is in force and effect. In developing the plan the permittee shall consider and adopt as appropriate but shall not be limited to the following traffic mitigation techniques:

- (1) Join and participate in a Landowners' Transportation Management Association if in operation, and ensure that the following traffic mitigation measures are implemented, maintained and monitored. If such an operation is not in effect, then reasonable efforts shall be undertaken to form such an organization.
- (2) Promote the use of public transportation by providing up to date maps, schedules and transit information, establishing an MBTA Pass sales office, educating and strongly encouraging or requiring all tenants to subsidize employee "T" Passes, and making reference to transit facilities and proximity in marketing and advertising materials.
- (3) Operate the computer based ride sharing program RideSource from CARAVAN for Commuters, Inc., collect and disseminate ride sharing information, and share information with other tenants, organizations and companies where applicable.
- (4) Encourage staggered or flexible work hours for employees of all tenants through the provisions of utilities and open parking facilities during off peak hours and other appropriate means.

- (5) Establish parking management techniques such as providing preferential parking spaces and reduced rates for van pools and car pools, and encouraging short term parking when possible.
- (6) Consider joint use of parking facilities to maximize effectiveness of parking management programs.
- (7) Operate a shuttle system or join with and expanding an existing system, e.g. CambridgeSide Galleria, to serve tenants and make public transit more accessible.
- (8) Provide sufficient covered and secure bicycle racks.
- (9) Consider cooperating to provide innovative tenant services, such as day care, courier and copy services, shower and locker room facilities, and shuttles to airports.
- (10) Work with the Commuter Mobility Manager of the City of Cambridge to facilitate implementation of this traffic mitigation program.
- (11) Require that all conditions of an approved plan be made a condition of tenant leases as applicable or appropriate.

#### 18.20

**Construction Management Program** Where a construction management program is required as a condition of approval of any special permit the applicant shall submit such a program, detailing the construction period impacts anticipated and a program for mitigation of those impacts. The permittee shall be obligated to thereafter implement the provisions of the Plan until a certificate of occupancy has been issued for all development authorized by the Permit. This program will include but not be limited to the following:

- Restricting contractor and supplier site access to designated roadways;
- Identify construction worker parking areas at sufficient capacity to prevent on street parking. Include a shuttle bus system if needed;
- Designating locations for storing construction equipment and materials;
- Developing a construction plan which will ensure minimum disruption to street and pedestrian flow and safety; and
- Posting of a bond or other surety to ensure the repair of all damage to public property resulting from construction of the project.

**F. Amend the Text of the Zoning Ordinance by deleting the existing footnote (d) in Section 5.32 - Office Districts, Table 5-2 and substituting therefor the following:**

**(d) Thirty-five (35) foot height limit within one hundred and twenty-five (125) feet of Residence B districts.**

G. In Article 3.000, Section 3.14, delete all reference to the Cambridgeport Interim Planning Overlay District.

Proposed Amendments to the Lynch Petition as amended  
on September 16, 1991

A. Amendments relating to nonconforming uses in the residential zone.

✓ 1. In paragraph A 10 of the Lynch Petition delete in its entirety the existing language.

✓ 6. Add a new Section 11.307 as follows:

11.307 **ADDITIONAL USE PROVISIONS**

*C. Myers  
Moved Adoption  
✓  
9*

(A) **IT IS THE INTENT OF THIS SECTION 11.307 TO ENCOURAGE A GRADUAL EVOLUTION OF NON-RESIDENTIAL USES IN THE SOUTH CAMBRIDGEPORT AFFORDABLE HOUSING OVERLAY DISTRICT NOW HEAVILY NON-RESIDENTIAL IN CHARACTER, FROM THOSE LEAST IN HARMONY WITH THE ADJACENT RESIDENTIAL NEIGHBORHOOD AND THE RESIDENTIAL USES ULTIMATELY DESIRED IN THE DISTRICT, TO THOSE NON-RESIDENTIAL USES MOST COMPATIBLE WITH RESIDENTIAL USES AND ULTIMATELY TO RESIDENTIAL USES EXCLUSIVELY. THEREFORE, IN THE OVERLAY DISTRICT THE FOLLOWING ADDITIONAL USES NOT OTHERWISE PERMITTED IN THE BASE RESIDENCE C DISTRICT SHALL BE PERMITTED AS OF RIGHT, PROVIDED THE CONDITIONS SET FORTH BELOW ARE MET. NOTWITHSTANDING THE PROVISIONS OF SECTION 10.31, NO VARIANCE FOR USE SHALL BE PERMITTED IN THE SOUTH CAMBRIDGEPORT AFFORDABLE HOUSING OVERLAY DISTRICT. FOR THE PURPOSES OF ARTICLE 8.000 THE OVERLAY DISTRICT SHALL CONTINUE TO BE CONSIDERED A RESIDENTIAL DISTRICT AND THEREFORE SECTION 8.22, PARAGRAPHS A AND B SHALL NOT APPLY.**

**(1) ALL USES IN SECTION 4.34, OFFICE AND LABORATORY USES, SHALL BE PERMITTED BUT ONLY IF THE FOLLOWING CONDITIONS ARE MET:**

**A. THE LOT OR ANY BUILDING THEREON IS VACANT (OR ANY PORTION OF THE LOT OR BUILDING PROPOSED TO BE REUSED) AND NOT OCCUPIED BY A RESIDENTIAL USE IN THE FIVE YEARS IMMEDIATELY PRECEDING THE TIME OF APPLICATION FOR A CERTIFICATE OF OCCUPANCY FOR THE PROPOSED USE, OR IF OCCUPIED, THE CURRENT USE IS ANY**

**OFFICE AND LABORATORY USE, SECTION 4.34; ANY RETAIL BUSINESS AND CONSUMER SERVICE ESTABLISHMENT, SECTION 4.35; ANY LIGHT INDUSTRY, WHOLESALE BUSINESS OR STORAGE USE, SECTION 4.37; OR ANY HEAVY INDUSTRY USE, SECTION 4.38.**

**(2) ALL USES IN SECTION 4.35, RETAIL BUSINESS AND CONSUMER SERVICE ESTABLISHMENTS, PARAGRAPHS A, C AND D SHALL BE PERMITTED, BUT ONLY IF THE FOLLOWING CONDITIONS ARE MET:**

**A. THE USE EXISTING AT THE TIME OF APPLICATION FOR A CERTIFICATE OF OCCUPANCY FOR THE PROPOSED NEW USE, OR THAT FIRST LEGALLY ESTABLISHED USE IMMEDIATELY PRECEDING THE APPLICATION FOR A PROPOSED NEW USE SHOULD THE PREMISES BE VACANT (PROVIDED THAT THE PREVIOUS USE WAS IN OPERATION WITHIN THE TWO YEARS IMMEDIATELY PRECEDING THE APPLICATION FOR A CERTIFICATE OF OCCUPANCY), IS ANY RETAIL BUSINESS AND CONSUMER SERVICE ESTABLISHMENT, SECTION 4.35; OR ANY LIGHT INDUSTRY, WHOLESALE BUSINESS AND STORAGE USE, SECTION 4.37; OR ANY HEAVY INDUSTRY USE, SECTION 4.38; AND**

**B. THE USE SHALL OCCUPY ONLY THAT GROSS FLOOR AREA MEETING THE USE LIMITATIONS OF PARAGRAPH A ABOVE.**

**(3) ALL USES IN SECTION 4.37, LIGHT INDUSTRY, WHOLESALE BUSINESS, AND STORAGE, PARAGRAPHS A AND B SHALL BE PERMITTED, BUT ONLY IF THE FOLLOWING CONDITIONS ARE MET:**

**A. THE USE EXISTING AT THE TIME OF APPLICATION FOR A CERTIFICATE OF OCCUPANCY FOR THE PROPOSED USE, OR THAT FIRST LEGALLY ESTABLISHED USE IMMEDIATELY PRECEDING THE APPLICATION FOR A CERTIFICATE OF OCCUPANCY FOR A PROPOSED NEW USE SHOULD THE PREMISES BE VACANT (PROVIDED THAT THE PREVIOUS USE WAS IN OPERATION WITHIN THE TWO YEARS IMMEDIATELY PRECEDING THE APPLICATION FOR A CERTIFICATE OF OCCUPANCY), IS LIGHT INDUSTRY,**

**WHOLESALE BUSINESS OR STORAGE USE, SECTION 4.37; OR ANY HEAVY INDUSTRY USE, SECTION 4.38; AND**

**B. THE USE SHALL OCCUPY ONLY THAT GROSS FLOOR AREA MEETING THE USE LIMITATIONS OF PARAGRAPH A ABOVE.**

B. Amendments to the Affordable Housing Overlay

✓ 5. In Section 11.305 add a new paragraph to read as follows:

*C. Cyr*  
*NO 2nd ADOPTION*  
*✓ 11/9*

(e) In granting a special permit under this Section 11.300, the Planning Board may allow for deviations from the requirements of paragraph (d) above to permit the use of any state or federal housing assistance program which may have requirements that differ from those imposed in this Section 11.305. In granting any deviations, however, the Planning Board shall find that the approved housing development continues to advance the purposes and intent of this Section 11.305, particularly with regard to the provision of **MIXED INCOME HOUSING WHERE THE AFFORDABLE UNITS SERVE HOUSEHOLDS WITH A RANGE OF INCOMES, INCLUDING THE VERY LOW INCOME CATEGORY, AND WITH REGARD TO THE RANGE OF SIZES FOR AFFORDABLE UNITS WHICH SHOULD BE SIMILAR TO THAT OF MARKET RATE UNITS.**

✓ 15. **IN SECTION 11.304 - DIMENSIONAL REQUIREMENTS, PARAGRAPH (B), DELETE THE SENTENCE BEGINNING WITH THE WORD "HOWEVER" AND SUBSTITUTE THEREFOR THE FOLLOWING SENTENCE:**

*C. Myers*  
*NO 2nd ADOPTION*  
*✓ 11/9*

**HOWEVER, THE AGREED NUMBER OF SUCH AFFORDABLE UNITS SHALL BE AT LEAST SIXTEEN AND ONE HALF (16.5) PERCENT OF THE TOTAL NUMBER OF HOUSING UNITS ON THE LOT.**

C. Amendments to Development Review.

✓ 12. In Section 11.500, Cambridgeport Development Review, make the following changes:

(l) In Section 11.504.1, delete the second sentence and substitute therefor the following:

*C. Myers*  
*NO 2nd ADOPTION*  
*✓ 11/9*

All development within the Cambridgeport Development Review Areas shall comply with the Development Consultation Procedures as specified in Section 11.40 except as herein modified in this Section 11.500.

(2) In Section 11.504.3, paragraph b., delete the first sentence and substitute therefor the following:

The Committee shall undertake all Large Project Review Procedures as specified in Section 11.44 in lieu of the Community Development Department and shall receive all applications for variances and special permits for activities within the Cambridgeport Development Review Areas for review and comment. **IN THAT AREA WHICH LIES SOUTHEASTERLY OF A LINE, WHICH LINE IS SOUTHEASTERLY OF, PARALLEL TO AND ONE HUNDRED FEET DISTANT FROM THE SOUTHEASTERLY SIDELINE OF BROOKLINE STREET, AND WHICH AREA ALSO LIES ONE HUNDRED FEET OR MORE FROM ANY ABUTTING RESIDENCE C OR RESIDENCE C-1 DISTRICT NOT SUBJECT TO THE PROVISIONS OF THIS SECTION 11.500 AND WHICH ALSO LIES SOUTHEASTERLY OF THAT LINE DESCRIBED ABOVE (BUT NOT INCLUDING ANY AREA WITHIN THE SOUTH CAMBRIDGEPORT AFFORDABLE HOUSING OVERLAY DISTRICT WHICH LIES WITHIN ONE HUNDRED (100) FEET OF ANY RESIDENTIAL USE), THE LARGE PROJECT REVIEW PROCEDURE SHALL BE REQUIRED ONLY FOR THOSE DEVELOPMENT PROPOSALS WHICH INCREASE THE GROSS FLOOR AREA BY TEN THOUSAND (10,000) SQUARE FEET IN A NEW BUILDING OR ADDITION TO AN EXISTING BUILDING.**

(3) In Section 11.504.3, paragraph c (2), add the following sentences:

The time periods specified above shall be in lieu of those required in Section 11.44, Large Project Review. Submittal shall be deemed to have occurred when all required documents have been submitted to the Community Development Department acting in its capacity as staff to the Committee.

(4) **IN SECTION 11.504.3 - CAMBRIDGEPORT ADVISORY COMMITTEE, PARAGRAPH D, SUBPARAGRAPH (1) A, DELETE ALL LANGUAGE AFTER THE WORD "PLANNER" SO THAT THE PARAGRAPH READS AS FOLLOWS**

**A. ONE MEMBER HAVING RECOGNIZED QUALIFICATIONS AS AN ATTORNEY OR CITY PLANNER.**

\*  
C. Toomey

11.404 subsection 3 - P 7

Insert 135,000 sq. Ft. For 75,000 sq. Ft.

$\frac{\sqrt{V}}{9}$

**Proposed Amendments to the Lynch Petition as amended  
on September 16, 1991**

- A. Amendments relating to nonconforming uses in the residential zone.
  - 1. In paragraph A 10 of the Lynch Petition delete in its entirety the existing language.
  - 6. Add a new Section 11.307 as follows:

**11.307      ADDITIONAL USE PROVISIONS**

**(A) IT IS THE INTENT OF THIS SECTION 11.307 TO ENCOURAGE A GRADUAL EVOLUTION OF NON-RESIDENTIAL USES IN THE SOUTH CAMBRIDGEPORT AFFORDABLE HOUSING OVERLAY DISTRICT NOW HEAVILY NON-RESIDENTIAL IN CHARACTER, FROM THOSE LEAST IN HARMONY WITH THE ADJACENT RESIDENTIAL NEIGHBORHOOD AND THE RESIDENTIAL USES ULTIMATELY DESIRED IN THE DISTRICT, TO THOSE NON-RESIDENTIAL USES MOST COMPATIBLE WITH RESIDENTIAL USES AND ULTIMATELY TO RESIDENTIAL USES EXCLUSIVELY. THEREFORE, IN THE OVERLAY DISTRICT THE FOLLOWING ADDITIONAL USES NOT OTHERWISE PERMITTED IN THE BASE RESIDENCE C DISTRICT SHALL BE PERMITTED AS OF RIGHT, PROVIDED THE CONDITIONS SET FORTH BELOW ARE MET. NOTWITHSTANDING THE PROVISIONS OF SECTION 10.31, NO VARIANCE FOR USE SHALL BE PERMITTED IN THE SOUTH CAMBRIDGEPORT AFFORDABLE HOUSING OVERLAY DISTRICT. FOR THE PURPOSES OF ARTICLE 8.000 THE OVERLAY DISTRICT SHALL CONTINUE TO BE CONSIDERED A RESIDENTIAL DISTRICT AND THEREFORE SECTION 8.22, PARAGRAPHS A AND B SHALL NOT APPLY.**

**(1) ALL USES IN SECTION 4.34, OFFICE AND LABORATORY USES, SHALL BE PERMITTED BUT ONLY IF THE FOLLOWING CONDITIONS ARE MET:**

**A. THE LOT OR ANY BUILDING THEREON IS VACANT (OR ANY PORTION OF THE LOT OR BUILDING PROPOSED TO BE REUSED) AND NOT OCCUPIED BY A RESIDENTIAL USE IN THE FIVE YEARS IMMEDIATELY PRECEDING THE TIME OF APPLICATION FOR A CERTIFICATE OF OCCUPANCY FOR THE PROPOSED USE, OR IF OCCUPIED, THE CURRENT USE IS ANY**

**OFFICE AND LABORATORY USE, SECTION 4.34; ANY RETAIL BUSINESS AND CONSUMER SERVICE ESTABLISHMENT, SECTION 4.35; ANY LIGHT INDUSTRY, WHOLESALE BUSINESS OR STORAGE USE, SECTION 4.37; OR ANY HEAVY INDUSTRY USE, SECTION 4.38.**

**(2) ALL USES IN SECTION 4.35, RETAIL BUSINESS AND CONSUMER SERVICE ESTABLISHMENTS, PARAGRAPHS A, C AND D SHALL BE PERMITTED, BUT ONLY IF THE FOLLOWING CONDITIONS ARE MET:**

**A. THE USE EXISTING AT THE TIME OF APPLICATION FOR A CERTIFICATE OF OCCUPANCY FOR THE PROPOSED NEW USE, OR THAT FIRST LEGALLY ESTABLISHED USE IMMEDIATELY PRECEDING THE APPLICATION FOR A PROPOSED NEW USE SHOULD THE PREMISES BE VACANT (PROVIDED THAT THE PREVIOUS USE WAS IN OPERATION WITHIN THE TWO YEARS IMMEDIATELY PRECEDING THE APPLICATION FOR A CERTIFICATE OF OCCUPANCY), IS ANY RETAIL BUSINESS AND CONSUMER SERVICE ESTABLISHMENT, SECTION 4.35; OR ANY LIGHT INDUSTRY, WHOLESALE BUSINESS AND STORAGE USE, SECTION 4.37; OR ANY HEAVY INDUSTRY USE, SECTION 4.38; AND**

**B. THE USE SHALL OCCUPY ONLY THAT GROSS FLOOR AREA MEETING THE USE LIMITATIONS OF PARAGRAPH A ABOVE.**

**(3) ALL USES IN SECTION 4.37, LIGHT INDUSTRY, WHOLESALE BUSINESS, AND STORAGE, PARAGRAPHS A AND B SHALL BE PERMITTED, BUT ONLY IF THE FOLLOWING CONDITIONS ARE MET:**

**A. THE USE EXISTING AT THE TIME OF APPLICATION FOR A CERTIFICATE OF OCCUPANCY FOR THE PROPOSED USE, OR THAT FIRST LEGALLY ESTABLISHED USE IMMEDIATELY PRECEDING THE APPLICATION FOR A CERTIFICATE OF OCCUPANCY FOR A PROPOSED NEW USE SHOULD THE PREMISES BE VACANT (PROVIDED THAT THE PREVIOUS USE WAS IN OPERATION WITHIN THE TWO YEARS IMMEDIATELY PRECEDING THE APPLICATION FOR A CERTIFICATE OF OCCUPANCY), IS LIGHT INDUSTRY,**

**WHOLESALE BUSINESS OR STORAGE USE, SECTION 4.37; OR ANY HEAVY INDUSTRY USE, SECTION 4.38; AND**

**B. THE USE SHALL OCCUPY ONLY THAT GROSS FLOOR AREA MEETING THE USE LIMITATIONS OF PARAGRAPH A ABOVE.**

**B. Amendments to the Affordable Housing Overlay**

**5. In Section 11.305 add a new paragraph to read as follows:**

**(e) In granting a special permit under this Section 11.300, the Planning Board may allow for deviations from the requirements of paragraph (d) above to permit the use of any state or federal housing assistance program which may have requirements that differ from those imposed in this Section 11.305. In granting any deviations, however, the Planning Board shall find that the approved housing development continues to advance the purposes and intent of this Section 11.305, particularly with regard to the provision of **MIXED INCOME HOUSING WHERE THE AFFORDABLE UNITS SERVE HOUSEHOLDS WITH A RANGE OF INCOMES, INCLUDING THE VERY LOW INCOME CATEGORY, AND WITH REGARD TO THE RANGE OF SIZES FOR AFFORDABLE UNITS WHICH SHOULD BE SIMILAR TO THAT OF MARKET RATE UNITS.****

**15. IN SECTION 11.304 - DIMENSIONAL REQUIREMENTS, PARAGRAPH (B), DELETE THE SENTENCE BEGINNING WITH THE WORD "HOWEVER" AND SUBSTITUTE THEREFOR THE FOLLOWING SENTENCE:**

**HOWEVER, THE AGREED NUMBER OF SUCH AFFORDABLE UNITS SHALL BE AT LEAST SIXTEEN AND ONE HALF (16.5) PERCENT OF THE TOTAL NUMBER OF HOUSING UNITS ON THE LOT.**

**C. Amendments to Development Review.**

**12. In Section 11.500, Cambridgeport Development Review, make the following changes:**

**(l) In Section 11.504.1, delete the second sentence and substitute therefor the following:**

**All development within the Cambridgeport Development Review Areas shall comply with the Development Consultation Procedures as specified in Section 11.40 except as herein modified in this Section 11.500.**

- (2) In Section 11.504.3, paragraph b., delete the first sentence and substitute therefor the following:

The Committee shall undertake all Large Project Review Procedures as specified in Section 11.44 in lieu of the Community Development Department and shall receive all applications for variances and special permits for activities within the Cambridgeport Development Review Areas for review and comment. **IN THAT AREA WHICH LIES SOUTHEASTERLY OF A LINE, WHICH LINE IS SOUTHEASTERLY OF, PARALLEL TO AND ONE HUNDRED FEET DISTANT FROM THE SOUTHEASTERLY SIDELINE OF BROOKLINE STREET, AND WHICH AREA ALSO LIES ONE HUNDRED FEET OR MORE FROM ANY ABUTTING RESIDENCE C OR RESIDENCE C-1 DISTRICT NOT SUBJECT TO THE PROVISIONS OF THIS SECTION 11.500 AND WHICH ALSO LIES SOUTHEASTERLY OF THAT LINE DESCRIBED ABOVE (BUT NOT INCLUDING ANY AREA WITHIN THE SOUTH CAMBRIDGEPORT AFFORDABLE HOUSING OVERLAY DISTRICT WHICH LIES WITHIN ONE HUNDRED (100) FEET OF ANY RESIDENTIAL USE), THE LARGE PROJECT REVIEW PROCEDURE SHALL BE REQUIRED ONLY FOR THOSE DEVELOPMENT PROPOSALS WHICH INCREASE THE GROSS FLOOR AREA BY TEN THOUSAND (10,000) SQUARE FEET IN A NEW BUILDING OR ADDITION TO AN EXISTING BUILDING.**

- (3) In Section 11.504.3, paragraph c (2), add the following sentences:

The time periods specified above shall be in lieu of those required in Section 11.44, Large Project Review. Submittal shall be deemed to have occurred when all required documents have been submitted to the Community Development Department acting in its capacity as staff to the Committee.

- (4) **IN SECTION 11.504.3 - CAMBRIDGEPORT ADVISORY COMMITTEE, PARAGRAPH D, SUBPARAGRAPH (1) A, DELETE ALL LANGUAGE AFTER THE WORD "PLANNER" SO THAT THE PARAGRAPH READS AS FOLLOWS**

**A. ONE MEMBER HAVING RECOGNIZED QUALIFICATIONS AS AN ATTORNEY OR CITY PLANNER.**

# City of Cambridge

## MASSACHUSETTS

Office of the City Clerk.

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Wednesday, June 26, 1991 at 5:30 p. m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition from Margaret A. Lynch, et al to amend the Zoning Ordinances of the City of Cambridge by creating a new Section 8.26 (a) and (b), Non-Conformity; creating a new zoning district, Industrial B-3, Light Industry and Light Manufacturing; creating new sections South Cambridgeport Affordable Housing Overlay District, South Cambridgeport Open Space Overlay District, Cambridgeport Development Review, 17.50 - Special District V, 17.60 - Special District VI, 17.70 - Special District VII, 17.80 - Special District VIII, 18.10 - Traffic Mitigation Measures, 18.20 - Construction Management Program; and by amending the Zoning Map of the City of Cambridge by deleting the existing zoning districts in the Cambridgeport Interim Planning Overlay District and replacing them with Residence C, Business A, the new zoning district Industrial B-3, the new Special Districts V, VI, VII, and VIII, the South Cambridgeport Affordable Housing Overlay District, the South Cambridgeport Open Space Overlay District, and the Cambridgeport Development Review in that area generally bounded by Brookline and Vassar Streets, Massachusetts Avenue and Memorial Drive as shown on the accompanying map. The petition would replace the Cambridgeport Interim Planning Overlay District in its entirety.

Copies of this petition are on file in the office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Francis H. Duehay,  
Chairman

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

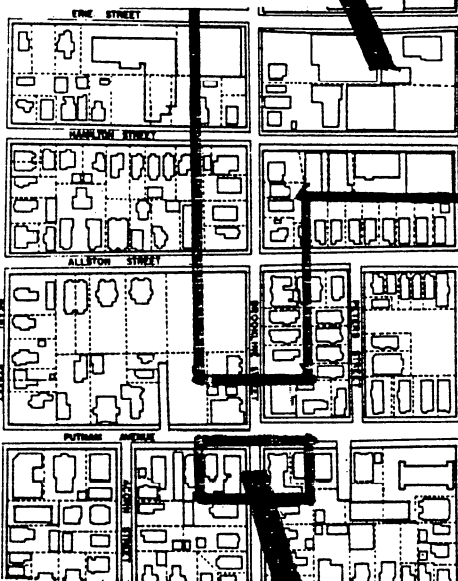
Business A

Special District VII

Special District VI  
South Cambridgeport Open Space  
Overlay District\*

Industry B-3

Residence C  
South Cambridgeport Affordable  
Housing Overlay District\*



FT. WASHINGTON

Special District VIII\*

Residence C  
South Cambridgeport Affordable  
Housing Overlay District\*

\* = Subject to  
Development Review

Special District V

RIVER

## WE DELIVER

September 23, 1991

CAMBRIDGE, MA

The Cambridgeport Landowners' Group will gather on the steps of City Hall today to express its opposition to the proposed Lynch petition for the rezoning of 70 acres in Cambridgeport. The proposed petition severely downzones this primarily industrial section of the City.

The Cambridgeport Landowners' Group represents the historic fabric of the Cambridgeport Industrial District. The group is comprised of business owners, landowners, residents, and MIT. The businesses in the area are largely family-owned and operated, and have been doing business in Cambridge for decades. They have been engaged in producing electrical, lighting, and welding supplies, machine tools, candy, and paint products, and in providing technology research services.

**WE DELIVER** to the City of Cambridge, in the commitment of families and investors to the prosperity of our companies, in our commitment to the growth of jobs, in our commitment to the quality of life in Cambridge, and in our commitment as good neighbors in an area where we have devoted over 600 aggregate years to doing business in our city. **WE DELIVER.**

Below is a sampling of the businesses affected by the rezoning listed with the number of years of their operations in Cambridge.

Wheeler Manufacturing	100 years
EMF Electric	75 years
MIT	75 years
California Products	65 years
New England Confectionary Company (NECCO)	64 years
RPM Tool Corporation	50 years
Central Pipe & Supply	45 years
Manlabs	40 years
American Science and Engineering	33 years
Emline Realty Trust	30 years
Welders Supply Co. Inc.	30 years
Rizika Realty Trust	25 years
Aetna Electrical and Lighting Services	12 years
Coastal Leasing	8 years

Together, these businesses, and others not listed, employ over 200 Cambridge residents and pay over \$3,800,000 in property taxes annually to the City. **WE DELIVER.**

MIT, which owns 40 of the 70 acres to be rezoned, also has its history in the area beginning when the City of Cambridge first invited the Institute to become a member of the community 75 years ago. MIT employs 1300 Cambridge residents and pays over \$4,000,000 in property taxes annually. In the last five years, University Park, an MIT-sponsored development, has produced over 142 units of housing, of which 65 are designated for low and moderate income people. **WE DELIVER.**

The Cambridgeport Landowners' Group is opposed to the Lynch Petition. The group has worked within the City's municipal processes for over 1 1/2 years to help the Planning Board shape a downzoning petition that is balanced and fair for Cambridgeport. The final form of the Planning Board petition was supported unanimously by the group. However, the Planning Board petition was voted down last week at City Council by a vote of 6-3, with all but Councillors Sheila Russell, Walter Sullivan, and William Walsh voting against it.

Tonight, the City Council will vote on a zoning petition which, if passed, will severely limit the ability of businesses and institutions to continue to prosper within the City of Cambridge. The Lynch petition has been shown to be flawed in many ways when examined under the State laws governing zoning. It is also unnecessarily restrictive to existing businesses and severely strips the rights of property owners in the area, property owners who **DELIVER FOR THE CITY OF CAMBRIDGE.**

Most importantly, it does not successfully achieve the stated goals of the rezoning effort -- affordable housing, open space, traffic control, and the preservation of businesses -- yet the Planning Board petition does.

The Cambridgeport Landowners' Group believes that the Lynch Petition is not responsive to the present needs and future concerns of business operations and landowners in Cambridgeport. The group has already accepted a major downzoning proposal by the Planning Board. It cannot accept the Lynch petition as it is overly-restrictive, unreasonable, and does not meet the stated goals of the rezoning effort.

We urge the City Council to vote **NO** on the Lynch petition!

Cambridgeport Landowners' Group

## SPEAKERS OPPOSED TO LYNCH PETITION

Joseph Junkin	California Products
Vincent Vappi	Vappi & Company
Catherine Donaher	Massachusetts Institute of Technology (MIT)
Dick Gaffney	New England Confectionary Company (NECCO)
Mark Gilbert	Emline Realty Trust
Bob Lewis	Chamber of Commerce
Donald Grossman	Coastal Leasing
Ed Katz	EMF Electric
Ed Stimpson	Stimpson Properties
Peter Neshe	Manlabs
Ralph Shaw	Central Pipe and Supply
Joel Alstein	Blue Ribbon Committee
Norm McIver	Blue Ribbon Committee
Charlie Occhino	Aetna Lighting and Electrical Supplies
Reggie Moser	RPM Tool Supply
Pete Plank	Welders Supply Co. Inc.
Bill McTighe	Wheeler Manufacturing
Representatives	Small Property Owners' Association (SPOA)

## WE DELIVER

September 23, 1991

### CAMBRIDGE, MA

The Cambridgeport Landowners' Group will gather on the steps of City Hall today to express its opposition to the proposed Lynch petition for the rezoning of 70 acres in Cambridgeport. The proposed petition severely downzones this primarily industrial section of the City.

The Cambridgeport Landowners' Group represents the historic fabric of the Cambridgeport Industrial District. The group is comprised of business owners, landowners, residents, and MIT. The businesses in the area are largely family-owned and operated, and have been doing business in Cambridge for decades. They have been engaged in producing electrical, lighting, and welding supplies, machine tools, candy, and paint products, and in providing technology research services.

**WE DELIVER** to the City of Cambridge, in the commitment of families and investors to the prosperity of our companies, in our commitment to the growth of jobs, in our commitment to the quality of life in Cambridge, and in our commitment as good neighbors in an area where we have devoted over 600 aggregate years to doing business in our city. **WE DELIVER.**

Below is a sampling of the businesses affected by the rezoning listed with the number of years of their operations in Cambridge.

Wheeler Manufacturing	100 years
EMF Electric	75 years
MIT	75 years
California Products	65 years
New England Confectionary Company (NECCO)	64 years
RPM Tool Corporation	50 years
Central Pipe & Supply	45 years
Manlabs	40 years
American Science and Engineering	33 years
Emline Realty Trust	30 years
Welders Supply Co. Inc.	30 years
Rizika Realty Trust	25 years
Aetna Electrical and Lighting Services	12 years
Coastal Leasing	8 years

Together, these businesses, and others not listed, employ over 200 Cambridge residents and pay over \$3,800,000 in property taxes annually to the City. **WE DELIVER.**

MIT, which owns 40 of the 70 acres to be rezoned, also has its history in the area beginning when the City of Cambridge first invited the Institute to become a member of the community 75 years ago. MIT employs 1300 Cambridge residents and pays over \$4,000,000 in property taxes annually. In the last five years, University Park, an MIT-sponsored development, has produced over 142 units of housing, of which 65 are designated for low and moderate income people. **WE DELIVER.**

The Cambridgeport Landowners' Group is opposed to the Lynch Petition. The group has worked within the City's municipal processes for over 1 1/2 years to help the Planning Board shape a downzoning petition that is balanced and fair for Cambridgeport. The final form of the Planning Board petition was supported unanimously by the group. However, the Planning Board petition was voted down last week at City Council by a vote of 6-3, with all but Councillors Sheila Russell, Walter Sullivan, and William Walsh voting against it.

Tonight, the City Council will vote on a zoning petition which, if passed, will severely limit the ability of businesses and institutions to continue to prosper within the City of Cambridge. The Lynch petition has been shown to be flawed in many ways when examined under the State laws governing zoning. It is also unnecessarily restrictive to existing businesses and severely strips the rights of property owners in the area, property owners who **DELIVER FOR THE CITY OF CAMBRIDGE.**

Most importantly, it does not successfully achieve the stated goals of the rezoning effort -- affordable housing, open space, traffic control, and the preservation of businesses -- yet the Planning Board petition does.

The Cambridgeport Landowners' Group believes that the Lynch Petition is not responsive to the present needs and future concerns of business operations and landowners in Cambridgeport. The group has already accepted a major downzoning proposal by the Planning Board. It cannot accept the Lynch petition as it is overly-restrictive, unreasonable, and does not meet the stated goals of the rezoning effort.

We urge the City Council to vote **NO** on the Lynch petition!

Cambridgeport Landowners' Group

## SPEAKERS OPPOSED TO LYNCH PETITION

✓ Joseph Junkin	California Products
Vincent Vappi	Vappi & Company
✓ Catherine Donaher	Massachusetts Institute of Technology (MIT)
Dick Gaffney	New England Confectionary Company (NECCO)
✓ Mark Gilbert	Emline Realty Trust
✓ Bob Lewis	Chamber of Commerce
✓ Donald Grossman	Coastal Leasing
✓ Ed Katz	EMF Electric
Ed Stimpson	Stimpson Properties
Peter Neshe	Manlabs
Ralph Shaw	Central Pipe and Supply
Joel Alstein	Blue Ribbon Committee
Norm McIver	Blue Ribbon Committee
✓ Charlie Occhino	Aetna Lighting and Electrical Supplies
✓ Reggie Moser	RPM Tool Supply
Pete Plank	Welders Supply Co. Inc.
✓ Bill McTighe	Wheeler Manufacturing
✓ Representatives	Small Property Owners' Association (SPOA)

# WARD FIVE DEMOCRATIC CITY COMMITTEE

## 67 PLEASANT ST., CAMBRIDGE, MA 02139

To: The Ordinance Committee of the Cambridge City Council  
Re: Zoning South of Pacific Street

Dear Mayor and City Councilors,

The Ward 5 Democratic Committee has been following the zoning issues south of Pacific Street since the beginning and has been an active supporter of the process which has led to a neighborhood plan for the area. We are vitally aware of the importance of this large piece of land for determining the future of our neighborhood and the city itself. The future of housing, open space and light industry in Cambridgeport (and all of Cambridge) will be decided now by the zoning decisions before the Council. Ward 5 is committed to a future for our community which extends the diversity and mixture of uses now present. We want a neighborhood which will enable residents to find work in the city, live in affordable homes and enjoy recreational space. Based on the commitments and promises made to the neighborhood following the University Park agreements, we are particularly hopeful that the city council will endorse a fully neighborhood based plan.

The Ward 5 Committee watched closely the progress of the original committee appointed by the city to develop a zoning plan. We participated in the first community-wide meeting in September of 1989 at the Morse School in which 150 residents attended to respond to the plan. The response to the plan presented at that time was universally negative. There were very few provisions for housing (none for affordable units), no system for maintaining light industry which has been shrinking in Cambridge, no plan for a large open space and no discussion of traffic impact. Although some progress followed the meeting, ultimately the group retreated, and 2 positions emerged from the process - a landowner's proposal almost identical in form to the proposal at the September meeting and a "neighborhood" plan.

At this point in time, the proposal from the Planning Board still closely resembles the "landowner's position" without a provision for a large open space, limited opportunities for blue collar work, a limited strip designated for housing without significant affordable incentives and major traffic increase. While we share with the Planning Board the stated goals for the neighborhood, we do not see any guaranteed mechanisms for implementation in their plan. With their concept and the overlays, housing is possible every where but not designated anywhere except a tiny strip of Brookline St. (Their attempts to place housing on an even footing with other uses is a beginning, but without a full commitment to housing, we all have seen that "equal footing" means that the most profitable use (office) wins out.) Similarly, light industry is possible many places but not given its own specific area leaving it to compete with the more profitable office use. There has been no substantial or credible traffic impact presented nor a vision of what their plan might look like built out. They speculate that a mix of uses could happen but there is no guarantee that research and development, office, and institutional uses will not crowd out other uses for the area. Since all the professionals acknowledge that the largest generator of traffic is office use and the

lowest generator is housing, it is obvious that the more offices built will produce the most new traffic.

While the Planning Board continued to develop a plan based on the rejected model from the September meeting, neighborhood residents took up the concerns from that meeting and began to create their own plan. First CANDO (Cambridgeport Action for Neighborhood Development Organization) organized a series of meetings with the support of Ward 5, and then a further group of residents (including the resident members of the city's original Cambridgeport Re-Zoning Committee) wrote their own zoning proposal as a way of trying to meet the needs of the neighborhood.

Ward 5 is both supportive of the efforts of these community residents and of the plan which they have evolved. In subsequent community meetings, the "neighborhood plan" has received support from all parts of our neighborhood. We see it as a balanced plan which allows for research and development and institutional expansion as well as community defined needs of jobs, affordable housing and open space. Although the neighborhood plan could result in 53,000 traffic trips a day which seems overpowering, the Planning Board Plan would generate far more (a minimum of 81,000!!!). Finally, the neighborhood plan allows for the small businesses which currently exist in our community to remain (with the possibility of grandfathering provisions to allow for necessary expansion). While, the neighborhood is not sympathetic to business investments in order to make large profits off the community, we are very interested in supporting those businesses which want to stay in the neighborhood. In addition, the neighborhood plan actually provides incentives which would enable light industry to either re-locate in the area or remain without losing out to the more profitable office and research and development.

We hope that the City Council will consider giving their support to a plan which was developed in total concert with the community and which seeks to reflect the diverse needs of Cambridgeport and Cambridge.

Sincerely,

A handwritten signature in cursive script that reads "Cathy Hoffman". The signature is written in black ink and is positioned above the typed name.

Cathy Hoffman, Chair - Ward 5

Cambridge, May 30, 1991

RECEIVED BY  
OFFICE OF CITY CLERK

1991 JUN -3 AM 10:26

To the Honorable, the City Council of the  
City of Cambridge:

CAMBRIDGE MA.

The undersigned respectfully pray that the Zoning Ordinance  
of the City of Cambridge be amended as follows:

A. Amend the text of the Zoning Ordinance of the City of Cambridge by making the  
following changes and additions:

1. In Subsection 3.11 of Section 3.10, Division of the City into Zoning Districts,  
change "thirty-two" to "thirty-three" in the first sentence. In the list of zoning  
districts renumber items 26 through 32 as 27 through 33,  
and insert the following new district designations at their appropriate numerical  
locations:

"26. Industry B-3 District .....Light Industry and  
Light Manufacturing"

2. In Article 3.000, Section 3.14, delete all reference to the Cambridgeport Interim  
Planning Overlay District.

3. Amend Section 4.30, Table of Use Regulations, as follows:
  - a. add the new district designation "B-3" to the twelfth column heading so the  
heading reads, "Ind. B-1, B-2, B-3"

4. In Subsections 4.33 b.5. (College or university not exempt by statute) and 4.33  
c. (Non-commercial research facility) of the Table of Use Regulations add the  
superscript "52" to entries in the Ind. B-1, B-2, and B-3 column and add the  
following footnote in subsection 4.40:

"52. No in the Industry B-3 District."

5. In Section 4.34 (Office and Laboratory Use) of the Table of Use Regulations add  
the superscript "53" to the entries for the Ind. B-1, B-2, and B-3 column and  
add the following footnote in subsection 4.40:

"53. In the Industry B-3 district permitted only as an accessory use on the  
same lot as the principal use and subject to the following limitations:

- 1) The total floor area of these uses accessory to the principal use may  
not exceed thirty-three percent (33%) of the gross floor area of the  
building in which the principal use is located.

2) The total area of these uses or buildings accessory to the principal use except for parking facilities and driveways may not occupy more than twenty five percent (25%) of the area of the lot."

6. In Subsection 4.35 (Retail Business and Consumer Service Establishments) add a new superscript "54" to line 4.35 e under the twelfth column heading, Ind. B-1, B-2, B-3 and add the following footnote in Subsection 4.40:

"54. Yes in the Industry B-3 district."

7. Amend Subsection 5.34, Industrial Districts, Table 5-4, Table of Dimensional Requirements - Industrial Districts by adding a new line for Ind. B-3 between the Ind. B-2 and Ind. B lines, as follows:

	Max. Ratio of floor area to lot area	Minimum Lot Size in Sq Ft	Min. Lot Area per D.U.	Min. Lot Width in Ft.	Minimum Front Yard	Minimum Side Yard	Minimum Rear Yard	Max Height in feet	Min. Ratio of usable Op. Sp. to lot area
B-3	1.0	none	---	none	0	0	0	45	none

8. Amend Section 6.36, Schedule of Parking and Loading Requirements, by adding new district designations as follows:

a. Ind. B-3 to the third column heading throughout so the heading reads:

"Bus. C            Res. C-2A  
 Bus. C-1        Res. C-2B  
 Ind. A            Ind. B-2  
 Off. 2            Ind. B-3  
 Res. C-2        Bus. A (res.)"

9. Amend the Zoning Map of the City of Cambridge, Section 3.20, to include the new Industry B-3 district.

10. Amend Section 8.20, Non-Conformity, by adding a new Subsection 8.26 that reads as follows:

"8.26 a) An expansion of a non-residential structure in existence as of January 1, 1991 up to twenty-five percent (25%) of gross floor area is allowed as of right in the South Cambridgeport Affordable Housing Overlay District (Section 11.300). Such expansion shall not make a structure non-conforming as defined in Article 2.000 with regard to gross floor area.

b) An extension or alteration of a non-residential use existing as of January 1, 1991 is allowed as of right in the South Cambridgeport Affordable Housing Overlay District (Section 11.300) as long as

such change, extension, or alteration will not be substantially more detrimental to the neighborhood than the existing non-conforming use; that is, restricted to those uses found in the Table of Use Regulations, Articles 4.32 b, f and g; 4.34 a-c, f; 4.35, a-e, q; and 4.37 a-c, f-k."

11. Amend Subsection 11.82 of Section 11.80, Employment Plan Compliance Procedure, so that it reads as follows:

"11.82 **Applicability.** The provisions of this Section 11.80 shall apply to new economic development activity in the Alewife Revitalization District and the South Cambridgeport Revitalization Area and in other major economic revitalization areas designated by the City Council through amendments to this Subsection 11.82. The Alewife Revitalization District shall be that area contained within the comprehensive Alewife Area Rezoning Amendment ordained on June 16, 1980. The South Cambridgeport Revitalization Area shall be that area contained within the comprehensive South Cambridgeport Area Rezoning Amendment as ordained by the City Council. For purposes of this Section 11.80, the following shall be considered new economic development activity:"

B. Amend the text of the Zoning Ordinance by creating new Sections 11.300, South Cambridgeport Affordable Housing Overlay District and 11.400, South Cambridgeport Open Space Overlay District as follows:

**11.300 South Cambridgeport Affordable Housing Overlay District**

**11.301 PURPOSE** This section 11.300 is intended to:

- (a) promote in this portion of Cambridgeport significant housing development that becomes integrated with the existing neighborhood physically, architecturally, and socially;
- (b) address current housing needs in Cambridge, especially the need for units affordable for households with children; and
- (c) provide significant incentives for developing housing affordable by persons of low and moderate income, in accordance with chapter 40A, section 9 of the General Laws, while balancing the goals of affordability and low density.

**11.302 APPLICABILITY** The South Cambridgeport Affordable Housing Overlay District shall be an Overlay District on the Zoning Map established by Section 3.2 (Zoning Map). The Planning Board may grant a special permit in said District in accordance with the requirements of this Section 11.300.

**11.303 USE REGULATIONS** The special permit shall allow only the uses allowed in the Residence C base district. Use variances are hereby expressly prohibited, Section 10.31 notwithstanding.

**11.304 DIMENSIONAL REQUIREMENTS**

(a) Except as allowed by a special permit under paragraphs (b), (c), and (d), the dimensional requirements of the Residence C base district under Section 5.31, but not including footnote (i), shall apply in the South Cambridgeport Affordable Housing Overlay District.

(b) In order to promote affordable housing within the district, the special permit shall allow additional FAR over the base of 0.6 in the proportion of 0.023 additional FAR for every one percent of the total number of housing units on a lot which the owner agrees will be affordable as required by Subsection 11.305. However, the agreed number of such affordable units shall be at least one-fifth of the total number of housing units on the lot. Where the calculation of the number of affordable units required under this section results in a fraction, any fraction from 0.5 upward will be rounded up and any lower fraction rounded down. The maximum FAR allowed by the special permit under this section shall be as follows:

(1) In Subdistrict H the maximum FAR shall be 1.25 except for the portion of the district lying southeasterly of, parallel to, and one hundred (100) feet distant from the southeast sideline of Brookline Street, where the maximum FAR shall be 1.75.

(2) In Subdistrict F the maximum FAR shall be 1.25 between the southwesterly extension of the centerline of Sidney Street and Brookline Street and 1.75 between the southwesterly extension of Sidney Street and the railroad right of way.

For the purpose of this Section, the gross floor area of such an affordable unit that exceeds 1,200 square feet shall not be considered in calculating the allowed FAR, if the unit has three or more bedrooms.

(c) In order to promote affordable housing within the District, the special permit shall allow additional height as indicated below:

(1) In Subdistrict H the maximum height shall be forty-five (45) feet, except for the portion of the district lying southeasterly of, parallel to, and one hundred (100) feet distant from the southeast sideline of Brookline Street and one hundred (100) feet distant from the boundary of the existing residential neighborhood, where the maximum height shall be sixty (60) feet.

(2) In Subdistrict F the maximum height shall be forty five (45) feet between the southwesterly extension of the centerline of Sidney Street

and Brookline Street; and sixty (60) feet between the southwesterly extension of Sidney Street and the railroad right of way.

(d) In order to promote affordable housing, the special permit shall allow maximum residential density to be increased to eight hundred (800) square feet of lot area per dwelling unit for the district.

**11.305 AFFORDABLE HOUSING REQUIREMENTS** Before issuing any special permit under this Section, the Planning Board shall receive the owner's written agreement that the affordable units will:

(a) Meet requirements of Section 11.204. Even if the applicant establishes that a permanent affordability restriction is legally impossible under Section 11.204 (c)(2), affordability must be ensured for at least forty (40) years from the date of initial occupancy;

(b) Be comparable in exterior appearance, energy efficiency, services and size to market units on the same lot.

(c) Contain at least two bedrooms, and have the following minimum gross floor areas per unit:

two bedrooms:	1,100 square feet
three bedrooms:	1,250 square feet
four bedrooms:	1,350 square feet;

(d) Be affordable to eligible households of no more than the following incomes: the first affordable unit to a very low income eligible household; the second and third affordable units to low income eligible households; the fourth affordable unit to a moderate income eligible household; and repeating the preceding pattern for further affordable units. As used in this section, the terms "affordable" (as to a unit) and "median income" shall have the meanings assigned to them in section 11.201. "Eligible household" shall have such meaning, modified by the following income categories: "very low income", not exceeding 50 percent of median income; "low income", not exceeding 80 percent of median income; "moderate income", not exceeding median income.

Before approving any special permit, the Planning Board must receive the written report of the Affordable Housing Trust, established in subsection 11.205, that in the Trust's opinion all the requirements of this subsection have been met, and that the development is consistent with the open space considerations specified in the design guidelines for the South Cambridgeport Affordable Housing Overlay District.

**11.306 ENFORCEMENT** Every special permit issued under this section 11.300, and every building permit issued in reliance on such a special permit, shall state by reference as conditions the requirements of subsection 11.305 and the terms of the owner's agreement under subsection 11.305. All such requirements,

terms, and conditions shall run with the land, and shall bind the original owner's successors, heirs, assigns, and agents. If the original or any subsequent owner violates any such requirement, term, or condition, then in addition to pursuing any other remedy available, the City shall immediately commence a civil action in the Superior Court in the name of the Inspectional Services Commissioner under chapter 40A, section 7 of the General Laws, seeking an injunction requiring compliance with such requirement, term, or condition.

**11.400 South Cambridgeport Open Space Overlay District**

**11.401 SCOPE** This Section 11.400 regulates the transfer of development rights within the South Cambridgeport Open Space Overlay District as shown on the Zoning Map of the City of Cambridge, as amended.

**11.402 PURPOSE** This section is intended to:

- 1) provide a mechanism by which public parks and recreation fields and open space amenities can be secured in order to address the unmet needs of the adjacent residential neighborhood and of new residents in the district;
- 2) encourage the shift of building density away from the residential areas and toward public transit and higher capacity streets, and;
- 3) enhance the development potentials of small, inefficient, awkwardly sized and located lots.

**11.403 PERMITTED USES** The special permit shall allow any uses permitted in Special District VI.

**11.404** In order to accomplish the purposes of this Section 11.400, the transfer of FAR permitted in the underlying base zoning may, by special permit of the Planning Board, be transferred from one site to another subject to the following provisions:

- (1) **Development Parcel** Notwithstanding definitions in Article 2.000, a development parcel may be a lot or any group of lots designated as a unified development parcel. No development parcel shall be smaller than 20,000 sq ft of lot area. Development parcels need not be under single ownership, nor contiguous. Donating lot(s), which contribute FAR to the recipient site, may be anywhere within Special District VI. There is no minimum size for donating lot(s). Recipient lot(s), which receive the FAR transferred within the development parcel, must be contiguous except in the area southeasterly of the railroad right-of-way that is parallel to Vassar Street. A recipient lot may be anywhere within Special District VI.

(2) **Minimum Requirements** As a condition of the special permit for FAR transfer, any donating lot(s) must be rezoned to Open Space, brought into full compliance with all requirements of Open Space zoning, and relieved of all toxic contaminants subject to state law. Lots re-zoned shall not be subject to further change of district designation for a period of 25 years. Except for additional FAR and heights as permitted herein, recipient lots shall be developed in compliance with all other use and parking requirements of Special District VI.

(3) **Additional Provisions for Donating Lots** For each square foot of lot area brought into compliance with the above minimum requirements for donating lots, 1.25 square feet of gross floor area shall be available for transfer to a recipient site. However, for each square foot of lot area meeting additional requirements, larger ratios of gross floor area to lot size may be transferred as follows:

- (a) for lot(s) within Special District VI and lying northwesterly of Purrington and/or Waverly Streets, the ratio shall be 2.5.
- (b) for large, contiguous lot(s) in excess of 75,000 sq. ft. and located as specified in Section 11.404 (3) (a) above, the ratio shall be 3.75.

(4) **Recipient Lot Limitations** The recipient lot or lots of a development parcel shall have a limit on the total permitted height and FAR, as measured by total gross floor area on the lot(s) divided by the aggregate area of the recipient lot(s). Within the South Cambridgeport Open Space Overlay District, there shall be a maximum FAR of 2.0 and a maximum height of 60 ft. for recipient lot(s) except as follows:

(a) for recipient lots that lie northeasterly of Pacific Street and/or southeasterly of the railroad right-of-way that is parallel to Vassar Street, the FAR may not exceed 2.5 for non-residential uses or 3.0 FAR for residential and dormitory uses.

(b) for recipient lots that lie between Purrington Street and Albany Street, the maximum height shall be eighty (80) feet

(c) for recipient lots that lie southeasterly of Albany Street the maximum height shall be one hundred (100) feet except as permitted or further restricted below:

- (1) In that portion of the district lying southwesterly of a line, which line is the southeasterly projection of a line one hundred feet northeasterly of and parallel to the southwesterly sideline of Reardon Street, the maximum height shall be forty five (45) feet. However, as provided in the special permit from the Planning Board the height may be increased to sixty (60) feet.

- (2) The maximum height may be increased above one hundred (100) feet in that portion of the district lying northeasterly of the line described in paragraph (a) above after the issuance of a special permit by the Planning Board, provided portions of buildings exceeding one hundred (100) feet but not exceeding one hundred and eighty (180) feet in height contain no more than 165,000 square feet of gross floor area, in total for the entire district.

11.404.1 In permitting this additional height as provided for in Subsection 11.404 (4) (c) 1 and 2, the Planning Board shall consider the following:

- (1) The height of the other buildings or portions of buildings constructed in the district is reduced to significantly below the one hundred (100) foot height indicated above.
- (2) In the vicinity of Fort Washington, buildings are constructed below the one hundred (100)-foot height permitted or green space is created so as to increase the views from Fort Washington across the MIT campus to the river and to the Boston skyline beyond. Where heights are proposed to exceed the base limit of forty-five (45) feet at Fort Washington, the Planning Board shall find that an increase in height up to sixty (60) feet allows flexibility in the design of buildings such that the view from the park to and beyond the campus is increased and/or enhanced.
- (3) The view corridors down streets in residential Cambridgeport, as for instance, down Erie, Pacific, perhaps Tudor and Emily Streets, are not obstructed by buildings.
- (4) Significant green space is created in the district at grade where it can be visible to the general public.
- (5) The buildings are not so distributed in the district as to create a strong sense of enclosure as viewed from the residential Cambridgeport neighborhood.

11.405 In granting a special permit under Section 11.400 for the South Cambridgeport Open Space Overlay District, the Planning Board shall find that the proposed plan fulfills the purposes herein listed. Further, prior to issuing a special permit for the transfer of development rights described above, the Planning Board shall find that each and all of the following conditions are met:

- (1) The donating lot(s) are of such size, shape, and location that it/they are deemed useful for the public use as a park or recreation facility by the applicable city standards and by being consistent with the South Cambridgeport Development Guidelines.
- (2) The donating lot(s) are offered to the City either as outright gift of land, or else

via lease or appropriate legal contract conveying to the City the right to use and make improvements to land consistent with the provisions herein.

- C. Amend the text of the Zoning Ordinance of the City of Cambridge by creating a new Section 11.500, Cambridgeport Development Review as follows:

**11.500 Cambridgeport Development Review**

**11.501 ESTABLISHMENT AND SCOPE** There are hereby established the Cambridgeport Development Review areas which shall be governed by the regulations and procedures specified in this Section 11.500. It is the intent of this section that these regulations shall apply to a single area described generally as the South Cambridgeport Revitalization Area.

**11.502 GENERAL PURPOSE** It is the purpose of this Section 11.500 to augment existing zoning regulations to respond to the unique problems and pressures affecting the area. The Cambridgeport Development Review is intended to promote development that is consistent with the objectives of the districts to encourage the construction of housing and siting of open space in appropriate locations; permit the continued operation and expansion of existing manufacturing and research and development enterprises; provide opportunities for establishment and development of new and innovative enterprises; limit the peak-hour and total daily traffic generated by uses in the district; regulate the scale, density, and design of new development such that a new mixed use neighborhood is created that is compatible with the abutting residential neighborhood, consistent in its character and image, and effective as a bridge between the residential streets west of Brookline Street and the MIT campus and the Charles River.

**11.503 APPLICABILITY** The Cambridgeport Development Review Areas shall include the South Cambridgeport Open Space Overlay District, Special District VIII and the South Cambridgeport Affordable Housing Overlay District, as shown on the Zoning Map established by Section 3.20 (Zoning Map).

**11.504 GENERAL PROVISIONS**

**11.504.1** The Cambridgeport Development Review Areas shall be considered areas of special planning concern. Development proposals listed in Subsection 11.42, Development Consultation Procedures, shall be subject to the Development Consultation Procedure specified in Section 11.40.

**11.504.2** Criteria for Development Consultation Review and Review of Applications for Special Permits and Variances.

In reviewing applications for variances, special permits or development consultation reviews the permit or special permit granting authority shall be guided by the objectives and criteria contained in the publication South

Cambridgeport Development Guidelines, Community Development Department, 1991, in addition to the requirements of Sections 10.30 (Variances) and 10.40 (Special Permits) and this Section 11.500. These guidelines are also intended to assist in shaping any contemplated physical change within the Cambridgeport Development Review Areas.

11.504.3 Cambridgeport Advisory Committee. There shall be established a Cambridgeport Advisory Committee, with members appointed by the City Manager, which shall have the following duties, responsibilities, and membership.

a. Purpose. It is the intent of this Subsection 11.504.3 that the Committee in its official actions fulfill the following purposes:

- (1) To establish a formal, ongoing body that will review all major development actions in the Cambridgeport Development Review Areas.
- (2) To provide a forum within which a wide range of perspectives on development actions can be heard.
- (3) To establish a citizen/professional body which can advise both public agencies and private interests as to the development and urban design issues raised by a development or planning proposal and suggest avenues of research which might be pursued to resolve identified conflicts or make the project better fulfill both public and private objectives for the Cambridgeport Development Review Areas.

b. Responsibilities. The Committee shall undertake all Large Project Reviews and shall receive all applications for variances and special permits for activities within the Cambridgeport Development Review Areas for review and comment. In addition, the Committee may comment on any preliminary proposal, for which any public agency or private interests may wish to receive advice and recommendations.

c. Procedures.

- (1) Within the six (6) months preceding any application for (1) a building permit for any project subject to a Large Project Development Consultation Review or (2) a special permit or variance for any project within the Cambridgeport Development Review Areas, the graphic and other material required in Section 11.45-- Large Project Submittal Requirements shall be submitted to the Cambridgeport Advisory Committee for their review and comment.
- (2) Within thirty (30) days of that submittal, (or within 60 days with the written consent of the applicant) the Committee shall prepare a

written report of findings and recommendations with respect to the applicant's proposed project.

(3) The Committee's written report shall outline the urban design and development issues raised by the proposal. It shall suggest those areas within which additional exploration of alternatives might be sought or factual information gathered which might help to resolve potential conflicts between public and private objectives or which might help to shape the project to better serve these objectives.

(4) The report shall be forwarded to the applicant and shall be included in any application for a building permit, special permit or variance.

(5) It is expected that, in making decisions regarding special permits and variances within the Cambridgeport Development Review Areas, the Planning Board and/or Board of Zoning Appeal will give due consideration to the report and recommendations of the advisory committee.

(6) The Community Development staff shall serve as staff to the Committee.

d. (1) Membership. Members in all categories shall be Cambridgeport residents or business persons or landowners within the Cambridgeport Development Review Areas.

a. One member having recognized qualifications as an attorney or a city planner who shall also serve as chair of the Committee.

b. Two (2) members representing the business and institutional community in the Cambridgeport Development Review Areas.

c. Four (4) members representing residents of the Cambridgeport neighborhood.

(2) Terms. Committee members shall be appointed for terms of three (3) years each.

11.505 CONSTRUCTION MANAGEMENT PROGRAM The applicant for any special permit governed by this Section 11.500 shall submit a construction management program, detailing the construction period impacts and a program for their mitigation as detailed in Article 18.000.

11.506 STANDARDS FOR ISSUANCE OF SPECIAL PERMITS In addition to the general standards for the issuance of a special permit found in Section 10.40 of the Zoning Ordinance, the special permit granting authority shall in addition make the following findings:

1. The proposed development is consistent with the following goals and objectives:
  - To encourage mixed use development compatible with the Cambridgeport residential neighborhood with housing uses strongly encouraged along Brookline Street and over to Sidney Street;
  - To promote street and sidewalk improvements to create a unified image and improve the physical and visual environment and tie the existing non-residential district to the existing residential neighborhood; and
  - To promote strong visual and pedestrian connections between the residential neighborhood and the MIT campus and the Charles River.
2. The development is consistent with the provisions of the South Cambridgeport Development Guidelines;
3. No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and
4. No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

D. Amend the text of the Zoning Ordinance of the City of Cambridge by creating new Sections 17.50, 17.60, 17.70, and 17.80 -Special Districts as follows:

**17.50 Special District V**

**17.51 SCOPE** This Section 17.50 regulates development within the Special District V as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.50, all requirements of and regulations applicable to the Office 2 District shall apply equally to the Special District V.

**17.52 PERMITTED USES** Uses permitted in the Office 2 District shall be equally allowed in the Special District V with the exception of the following:

a. The following additional uses shall be permitted:

- (1) Manufacturing, processing, assembly and/or packaging of articles and products listed in Section 4.37 a, and Section 4.37 b 4,5,9 provided the fully assembled product regularly produced shall not exceed two hundred (200) pounds in weight.
- (2) Retail, Business and Consumer Service Establishments, Section

4.35 a and b as would otherwise be permitted in a Business A-1 and A-2 District, provided such uses are in a building containing uses permitted in an Office 2 District and do not exceed in area an amount equal to ten (10) percent of the gross floor area of the building in which they are located, or twenty five thousand (25,000) square feet, whichever is less.

(3) Residential Uses Section 4.31 a-h shall be permitted as of right.

b. The following uses shall be prohibited:

Parking lot or parking garage for private passenger cars, Section 4.32 b.

**17.53** DIMENSIONAL REGULATIONS The following Dimensional Regulations shall apply to all development proposals within the district.

**17.53.1** Maximum FAR The FAR applicable on any lot in the district shall not exceed 1.5 for all permitted uses. However, the applicable FAR may be increased by an additional 0.5 to a maximum of 2.0, by special permit from the Planning Board, for permitted residential uses, excluding hotels and motels.

**17.53.2** Front Yard Requirements.

a. The minimum front yard setback from Memorial Drive for the principal front wall plane for any structure shall be twenty-five (25) feet measured from the street line. The required front yard setback shall apply to any portion of a structure below ground as well as those portions of a structure above ground.

Any structure erected prior to January 1, 1991 which is set closer to the Memorial Drive streetline than permitted by this Section 17.53.3 shall not be considered a non-conforming structure as defined in Article 2.000 with regard to required front yard setbacks from Memorial Drive.

b. The required Memorial Drive front yard shall consist entirely of green area as defined in Article 2.000 with the exception of paving necessary for vehicular access. Such paved access area shall be limited to one twenty-four (24) foot driveway for each one hundred (100) feet of lot frontage, or fraction thereof, located so as to provide the most direct access to parking facilities located elsewhere on the site. It is preferred that all vehicular access be provided from other than Memorial Drive.

c. The Memorial Drive front yard shall contain at least one three and one-half (3½) to four (4) inch caliper tree for every twenty-five (25) linear feet of street frontage.

d. All other yards shall conform to the requirements of the Office 2 District.

17.54 OFF STREET PARKING AND LOADING REQUIREMENTS

17.54.1 Off street parking and loading requirements shall be as specified in Article 6.000 for uses in the Office 2 District except as provided below.

17.54.2 **Minimum Parking Requirement** The minimum parking requirement shall be one space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit, and for dormitory uses, Section 4.33 b(7), one parking space for each twelve (12) beds.

17.54.3 **Maximum Parking** The maximum accessory parking permitted for all uses in the district shall be one parking space for each six hundred and fifty (650) square feet of gross floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provisions of Section 6.31.3.

17.60 Special District VI

17.61 **SCOPE** This Section 17.60 regulates development within the Special District VI as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.60, all requirements of and regulations applicable to the Industry A-1 District shall apply equally to the Special District VI.

17.62 **PERMITTED USES** Uses permitted in the Industry A-1 District shall be equally allowed in the Special District VI with the exception of the following:

a. The following additional uses shall be permitted as of right:

- (1) Dormitory and resident fraternity or sorority, Section 4.33, b (7).
- (2) Residential uses Section 4.31 a-h.

b. The following uses shall be prohibited:

- (1) Parking lot or parking garage for private passenger cars, Section 4.32 b.
- (2) Office Uses Section 4.34 c and d. For the purpose of this Section 17.62 **Technical Office for Research and Development** shall mean those offices and similar facilities occupied by persons principally engaged in basic research or in the application of such research or knowledge derived therefrom to the development of products or processes that have academic or commercial applications. The gross floor area not meeting this definition shall not exceed 33%

of the total gross floor area in the authorized development.

- (3) All Retail, Business and Consumer Service Establishments Section 4.35 with the exception of 4.35 b-e.

**17.63** **DIMENSIONAL REGULATIONS** Dimensional requirements for the Industry A-1 District shall apply equally in Special District VI with the exception of the following:

- (1) The maximum height shall be sixty (60) feet for permitted uses located southeasterly of Waverly and/or Purrington Street. However, any portion of a building exceeding a height of forty five (45) feet shall be set back a minimum of twenty (20) feet from the adjacent front property line(s) on all abutting streets.

**17.64** **OFF STREET PARKING AND LOADING REQUIREMENTS**

**17.64.1** Off street parking and loading requirements shall be the same as specified in Article 6.000 for uses in the Industry A-1 District except as provided below.

**17.64.2** Minimum Parking Requirement The minimum parking requirement shall be one space for two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit, and for dormitory uses, Section 4.33 b (7), one parking space for each twelve (12) beds.

**17.64.3** Maximum Parking The maximum accessory parking permitted for all uses in the district shall be one parking space for each six hundred and fifty (650) square feet of floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking.

**17.70** **Special District VII**

**17.71** **SCOPE** This Section 17.70 regulates development within the Special District VII as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.70, all requirements of and regulations applicable to the Business B District as modified by the Central Square Overlay District shall apply equally to the Special District VII.

**17.72** **ADDITIONAL PERMITTED USES**

- a. The following uses shall be permitted as of right:

Assembly or packaging of articles (Section 4.37a) and manufacture, processing, assembly and/or packaging of specified articles and products (Section 4.37 b, 1-15) shall be permitted on any lot on which any one or combination of the above uses has been established on or before January 1, 1991 and which uses

remain in continuous operation thereafter. Once said industrial uses have been discontinued on the lot, the lot shall only be used for those uses permitted in the Business B District.

b. The following uses shall be prohibited:

Parking lot or parking garage for private passenger cars, Section 4.32 b.

**17.73** **ADDITIONAL HEIGHT** The maximum height permitted in the district may be increased to one hundred (100) feet by special permit from the Planning Board; all other height limitations imposed by the Central Square Overlay District shall apply.

**17.74** **OFF STREET PARKING AND LOADING REQUIREMENTS**

**17.74.1** Off-street parking and loading requirements shall be the same as specified in Article 6.000 for uses in the Office 2 District except as provided below.

**17.74.2** Minimum Parking Requirement The minimum parking requirement shall be one space for two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit.

**17.74.3** Maximum Parking The maximum accessory parking permitted for all uses in the district shall be one parking space for each one thousand (1,000) square feet of floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provisions of Section 6.31.3.

**17.80** **Special District VIII**

**17.81** **SCOPE** This Section 17.80 regulates development within the Special District VIII as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.80, all requirements of and regulations applicable to the Industry A-1 District shall apply equally to the Special District VIII.

**17.82** **PERMITTED USES** Uses permitted in the Industry A-1 District shall be equally allowed in the Special District VIII with the exception of the following:

a. The following additional uses shall be permitted as of right:

(1) Dormitory and resident fraternity or sorority, Section 4.33 b (7).

(2) Residential uses, Section 4.31 a-h.

b. The following uses shall be prohibited:

- (1) Parking lot or parking garage for private passenger cars, Section 4.32 b.
- (2) All Retail, Business and Consumer Service Establishments Section 4.35 with the exception of 4.35 a (1) and 4.35 b-e.
- (3) Office Uses Section 4.34 c and d. For the purpose of this Section 17.82 **Technical Office for Research and Development** shall mean: those offices and similar facilities occupied by persons principally engaged in basic research or in the application of such research or knowledge derived therefrom to the development of products or processes that have academic or commercial applications. The gross floor area not meeting this definition shall not exceed 33% of the total gross floor area in the authorized development.

**17.83** **DIMENSIONAL REGULATIONS** The following dimensional regulations shall apply to all development proposals within the district.

**17.83.1** **Maximum FAR** The FAR applicable on any lot in the district shall not exceed 1.25 for all non-residential uses. The FAR applicable on any lot in the district shall not exceed 0.6 for all residential uses. However, the applicable FAR may be increased by an additional 1.15 to a maximum of 1.75 by special permit from the Planning Board, for permitted residential uses as provided for in Section 11.304 (b) and (d). All residential development authorized by special permit shall be subject to the affordable housing requirements of Section 11.305 and 11.306.

**17.83.2** **Building Height Limitations** The maximum height permitted in the district shall be forty five (45) feet for all non-residential uses. The maximum height permitted in the district for all residential uses shall be thirty five (35) feet. However, the maximum height may be increased by an additional twenty-five (25) feet to a maximum of sixty (60) feet, by special permit from the Planning Board, for permitted residential uses. All residential development authorized by special permit shall be subject to the affordable housing requirements of Section 11.305 and 11.306.

**17.83.21** For all uses, the maximum height shall be further limited as follows:

- (a) Any portion of a building exceeding a height of forty five (45) feet shall be set back a minimum of twenty (20) feet from the adjacent front property lines on all abutting streets.
- (b) Height shall be limited to forty five (45) feet in that area defined by a line one hundred (100) feet distant from and parallel to all front and side property lines of Fort Washington Park, lot #72, Assessor's Plat #66.
- (c) Height shall be limited to forty five (45) feet within one hundred (100) feet from the boundary of the existing residential neighborhood.

**17.83.3** Yard Requirements A minimum five (5) foot front yard setback shall be required for all development in the district.

**17.83.31** Restrictions in Required or Provided Front Yard Setbacks That area between the principal front wall plane of a building and a public street, whether required or provided, shall be devoted to Green Area as defined in Article 2.000 of this Ordinance, an expansion of the adjacent public sidewalk, or other landscaped or paved area devoted exclusively to pedestrian use and extending along the entire length of that portion of a lot abutting the street. Areas devoted to vehicular use are prohibited from this area with the exception of access drives located to provide the most direct access to parking facilities located elsewhere on the site. Said access drives shall be limited to a total of thirty (30) feet of width for each one hundred (100) feet of lot frontage. Where a lot is bounded by more than one street, the provisions of this subsection 17.83.31 shall apply fully only to a single street, which street shall be the principal, major or most important street abutting the lot. For all other streets the provisions of this subsection 17.83.31 shall apply only to the required front yard setback.

#### **17.84** OFF-STREET PARKING AND LOADING REQUIREMENTS

**17.84.1** Off-street parking and loading requirements shall be the same as specified in Article 6.000 for the applicable base zoning district except as provided below.

**17.84.2** Minimum Parking Requirement The minimum parking requirements shall be one parking space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit and for dormitory uses, Section 4.33 b, 7 one parking space for each twelve (12) beds.

**17.84.3** Maximum Parking The maximum parking permitted for uses in the district shall be one parking space for each six hundred and fifty (650) square feet of gross floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provision of Section 6.31.3; however the Planning Board may permit by Special Permit the number of parking spaces to exceed the maximum allowed under this Section 17.84.3 provided the number of parking spaces authorized by special permit does not exceed that number which would be permitted on the lot if the maximum parking ratio of 650 were applied to the maximum gross floor area permitted on the lot, notwithstanding the fact that all such allowed gross floor area is not in fact proposed to be constructed.

**17.84.4** No special permit shall be issued in this district which permits the total number of parking spaces on a lot to exceed (a) that number permitted in Section 17.84.3 for development authorized by the special permit plus (b) any additional parking present on the site before the date of application for uses not

located on the lot, which parking is provided as legally established required accessory parking, not exceeding the minimum required in Article 6.000 at the time of the granting of the special permit in the zoning district applicable to such uses.

Where the parking provided on the site at the time of the special permit approval exceeds that quantity permitted above, the approved Special Permit shall provide a schedule by which the parking on the development parcel shall be brought into compliance with this subsection 17.84.4.

E. Amend the text of the Zoning Ordinance of the City of Cambridge by creating a new Article 18.000 as follows:

18.10 Traffic Mitigation Requirements

18.20 Construction Management Program

18.10 Traffic Mitigation Requirements Where a Traffic Mitigation Plan is required as a condition of approval of any special permit the plan shall be submitted to the special permit granting authority for review and approval, at a time and in a manner set forth by the special permit granting authority in its Decision. Upon approval of the plan the permittee shall be obligated to thereafter implement the provisions of the plan for as long as the special permit is in force and effect. In developing the plan the permittee shall consider and adopt as appropriate but shall not be limited to the following traffic mitigation techniques:

- (1) Join and participate in a Landowners' Transportation Management Association if in operation, and ensure that the following traffic mitigation measures are implemented, maintained and monitored. If such an operation is not in effect, then reasonable efforts shall be undertaken to form such an organization.
- (2) Promote the use of public transportation by providing up to date maps, schedules and transit information, establishing an MBTA Pass sales office, educating and strongly encouraging or requiring all tenants to subsidize employee "T" Passes, and making reference to transit facilities and proximity in marketing and advertising materials.
- (3) Operate the computer based ride sharing program RideSource from CARAVAN for Commuters, Inc., collect and disseminate ride sharing information, and share information with other tenants, organizations and companies where applicable.
- (4) Encourage staggered or flexible work hours for employees of all tenants through the provisions of utilities and open parking facilities during off peak hours and other appropriate means.
- (5) Establish parking management techniques such as providing preferential

- parking spaces and reduced rates for van pools and car pools, and encouraging short term parking when possible.
- (6) Consider joint use of parking facilities to maximize effectiveness of parking management programs.
  - (7) Operate a shuttle system or join with and expanding an existing system, e.g. CambridgeSide Galleria, to serve tenants and make public transit more accessible.
  - (8) Provide sufficient covered and secure bicycle racks.
  - (9) Consider cooperating to provide innovative tenant services, such as day care, courier and copy services, shower and locker room facilities, and shuttles to airports.
  - (10) Work with the Commuter Mobility Manager of the City of Cambridge to facilitate implementation of this traffic mitigation program.
  - (11) Require that all conditions of an approved plan be made a condition of tenant leases as applicable or appropriate.

#### 18.20

**Construction Management Program** Where a construction management program is required as a condition of approval of any special permit the applicant shall submit such a program, detailing the construction period impacts anticipated and a program for mitigation of those impacts. The permittee shall be obligated to thereafter implement the provisions of the Plan until a certificate of occupancy has been issued for all development authorized by the Permit. This program will include but not be limited to the following:

- Restricting contractor and supplier site access to designated roadways;
- Identify construction worker parking areas at sufficient capacity to prevent on street parking. Include a shuttle bus system if needed;
- Designating locations for storing construction equipment and materials;
- Developing a construction plan which will ensure minimum disruption to street and pedestrian flow and safety; and
- Posting of a bond or other surety to ensure the repair of all damage to public property resulting from construction of the project.

# SOUTH CAMBRIDGEPORT DEVELOPMENT GUIDELINES

JUN 13 1991 5 41 PM '91

CAMBRIDGE MA.

## Introduction

These guidelines supplement the provisions of the Cambridge Zoning Ordinance\* dealing with the districts generally south of Pacific Street and west of the railroad tracks; towards the west, these districts abut the residential areas along Brookline Street. In addition, the guidelines treat the Vassar Street corridor from Massachusetts Avenue to the Memorial Drive riverfront area.

\*Types of development subject to review:

All projects requiring Special Permits (for extra height and/or density).

## Area-Wide Guidelines

Certain of the city's goals for the Cambridgeport Development Review Areas are applicable to the entire area, while others may be best understood in more specific contexts. Therefore, this section deals with the overall guidelines. The second section gives details of design issues in sub-areas.

## A. Urban Design Plan

The overall goal of the urban design plan is to integrate all new projects into the pattern of streets and squares which make Cambridge a walkable, liveable city. The traditional residential areas of Cambridgeport are made up of small blocks, with tree-lined streets and sidewalks, and a mix of architectural types including single and two family structures, many triple deckers, and brick apartment buildings. The small parks in the area, such as the Old Morse and Fulmore Playgrounds and Hastings Square, are essential open spaces which help organize the pattern of the neighborhood. In more recent development above Pacific Street, the Common of the University Park project will provide the major open space focus for the mix of uses there. The plan calls for this space to be connected to the surrounding areas by landscaped pathways along the major streets.

The South Cambridgeport Area needs to have a way to help orient new development. The Urban Design Plan suggests ways that the open space system may be used to help make this area fit better into the Cambridgeport context. Open space elements can also help to buffer the industrial area between Sidney Street and the railroad right-of-way above Erie Street where industrial uses are expected to remain. The long term goal is to encourage them to continue and expand. This area could be the home of emerging types of light manufacturing/R&D and prototype, contract, and networked manufacturing. Where vacant lots exist, and when building vacancies occur, light industrial uses from areas H<sub>1</sub> and H<sub>2</sub> should be encouraged, with the help of City initiatives, to relocate in this industrial/manufacturing area.

## B. Housing Design Strategy

Infill housing will help strengthen the residential character of the areas near Brookline Street. As new development takes place in close proximity to existing housing, it is hoped that additional new

residential uses in scale with the traditional patterns will be provided. More dense housing may be anticipated further away from the existing neighborhood, where impacts may be minimized.

The architectural variety of the Cambridgeport neighborhood underlies the social diversity by servicing a variety of housing needs. Market forces operating in the recent past posed a significant threat to the balance within the neighborhood by putting much of the housing stock financially out of reach for a large portion of the population. Therefore, a significant initiative for more affordable housing is required to conserve the character of Cambridgeport and respond to citywide housing needs.

Wherever housing for families is being developed, access to open space needs to be assured. Assuming the goal of creating a major new open space is realized, there may be the opportunity to design both the park and proximate new housing so that both benefit -- the park by having neighbors to help make the space active and the housing by having light, air, and green space. Even if the housing cannot be coordinated with such a park, adequate open space must be provided. This is an especially serious concern given that the area has for so long been in industrial use, and has been a rather hostile environment that would accommodate residential use only with significant environmental change.

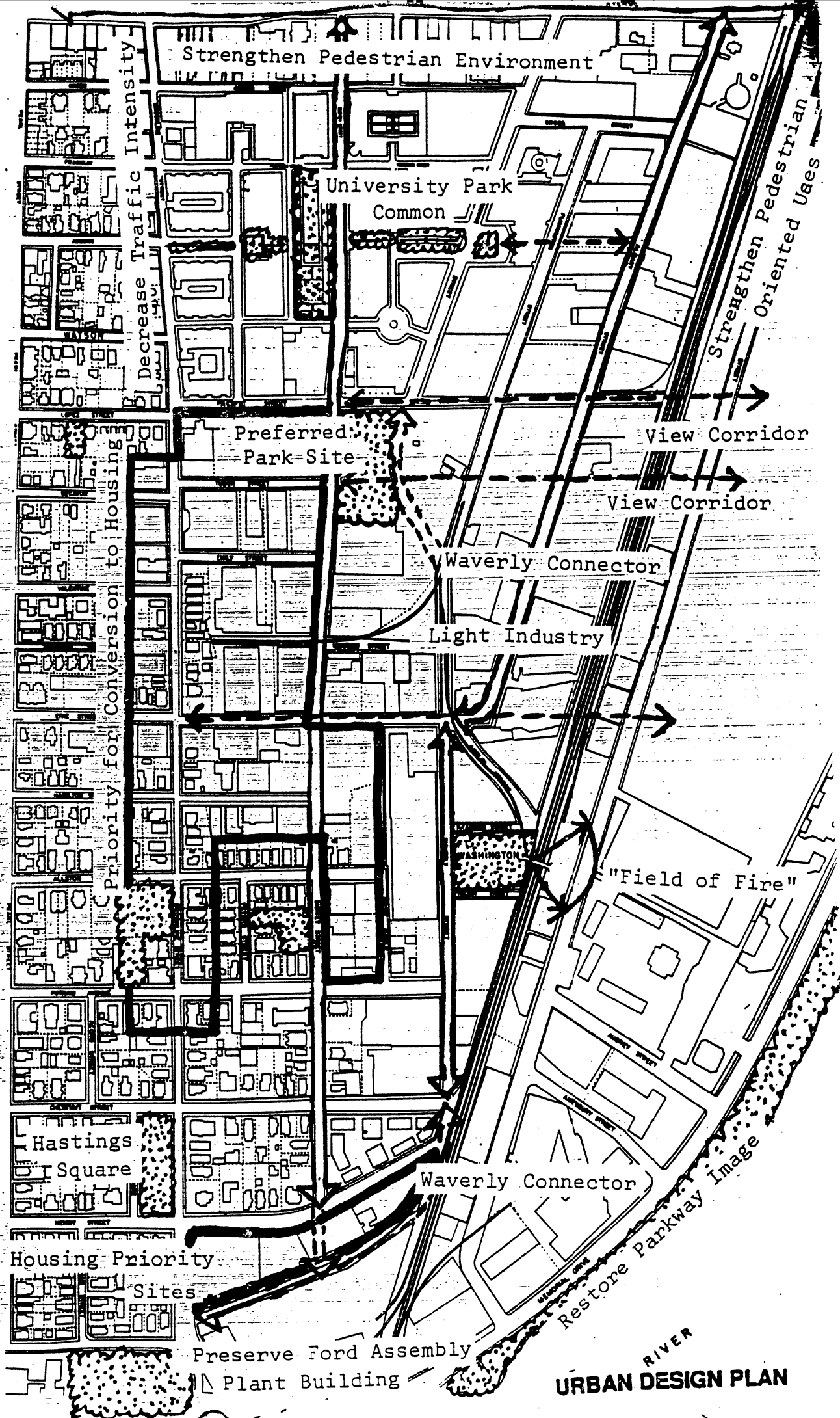
### **C. Street and Sidewalk Design**

An important feature of the street system for lower Cambridgeport will be the realization of the planned Waverly Street connector, linking Waverly to Brookline through the Ford Assembly site towards the BU Bridge. More generally, it will be desirable throughout the area to provide street connections through large blocks, such as the long ones in the area between Sidney Street and the railroad right-of-way, and between Pacific and Erie. This will help break down the scale of new development to be compatible with the historic block pattern. In addition, it will allow for sight lines ultimately connecting the existing residential area to new development and beyond, towards the MIT campus and the River. Whether or not actual new street connections are made, sight lines as suggested on the urban design plan should be respected to the maximum extent possible, given parcelization and other constraints.

On major streets including Sidney, Pacific, Erie, and Waverly, street furnishings, landscaping, etc. should be consistent with the University Park guidelines for Type 2 streets (see document dated 12/22/87). For other less prominent streets, the Type 3 standards would be appropriate. In the industrial/manufacturing area, new development will likely be built to the lot lines. The lack of, or minimum requirement for, setbacks and yards will cause a visual density at street level. Architectural and site development features should be employed which would mitigate the impact of this density.

### **D. Parking Facilities**

Parking lots and garages should be located carefully to avoid negative impacts on residential areas and major public ways. Where parking is in open lots, landscaping should be provided to soften the visual impact; especially important are the edges of such sites, which should be buffered from any adjacent housing and tree-lined along any street frontages. Structured parking should be architecturally treated to have no negative impact upon neighboring uses or streets. Buildings on "stilts" with parking visible are not acceptable.



**URBAN DESIGN PLAN**

# **GUIDELINES FOR DEVELOPMENT REVIEW AREAS**

The following outline explains the structure of the guidelines.

## **Character and Use**

Each of the districts, because of the existing pattern of development, previous history, or future regulatory environment, can be expected to evolve a somewhat unique character that should be encouraged whenever a project is subject to public review. That character will be defined in part by the scale and design of the new buildings, the mix of uses developed and the relationship between the public and private realms: it is the appearance, the impression, the feel of the district created by the sum total of density, height, open space, materials, activity that public and private developments should strive to achieve.

## **Dimensional Standards**

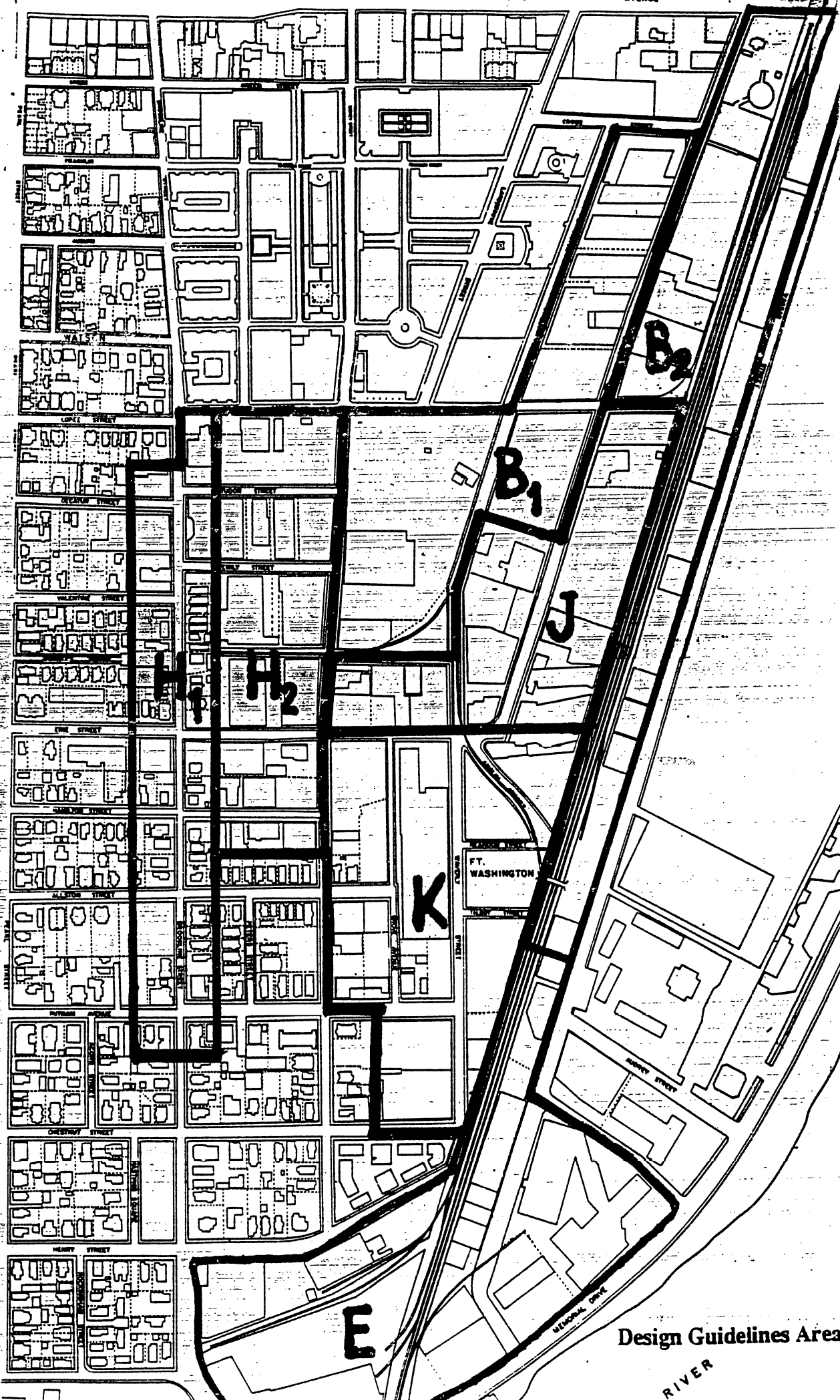
Those characteristics of building height and setback from public ways and abutting property that should be encouraged as typical and prevailing throughout the district. Exceptions, consistent with the maximum limitations permitted by the applicable zoning, can be expected where the specific context and/or a clearly superior design might suggest alternate approaches.

## **Open Space**

The location, character, size and use of the parks and landscaped areas that might be created to serve the general public or the residents of the private developments newly created.

## **Design Standards**

Special considerations of building design, materials, and orientation on the lot; landscaping; site development; and circulation that are unique to the district and which contribute to the character that is being sought.



Design Guidelines Areas

RIVER

## **AREA H<sub>1</sub> Brookline Street Corridor**

### **Character and Use**

This corridor, at the edge of both the older residential neighborhood and the industrial district, has a mixed development history. Residential and industrial uses coexist. There has been new residential development adjacent to industrial sites. This is a pattern that can be accommodated. In the future it is hoped that existing industrial and retail uses will be relocated elsewhere in Cambridgeport and replaced on redeveloped lots with new housing construction. The ultimate goal is to thoroughly integrate the corridor into the residential neighborhood that surrounds it on three sides. Scattered, small-scale, neighborhood serving businesses may continue to persist (especially at the Putnam Avenue corner) or be incorporated into new development where that can be demonstrated to be appropriate. New construction, whether on vacant lots or on redeveloped sites, should match as closely as possible the small scale, discrete building forms typical of the lower end of the corridor and the abutting neighborhood. The traditional pattern of landscaped front, side and rear yards should be repeated.

### **Dimensional Standards**

New development is most appropriate at a height of 35', matching the prevailing height along Brookline Street. Additional height up to 45' is allowed as a bonus for providing affordable housing. Lower cornice heights or other architectural devices should be employed to create the perception of lower height. The traditional setbacks of the residential neighborhood should be respected and such setbacks should be finished as green space.

### **Open Space**

A landscaped presence along Brookline Street is desirable and a preferred location is the upper section of Area H<sub>1</sub>. Where small-scale open space features can be created, well landscaped passive parks or gardens should be emphasized. Play areas for very small children and their parents may be appropriate.

Brookline Street, in particular, needs to be more consistently lined with trees. Additional street tree plantings on cross streets leading into Area H<sub>2</sub> will be important to help knit the two areas together as Cambridgeport evolves.

### **Design Standards**

Small wood-framed and brick structures repeating the diversity of development patterns and materials common in the residential neighborhood should be encouraged. Only a very limited number of existing non-residential structures are worthy of retention and possible conversion to residential use. Dwellings adjacent to a street should generally face the street in the traditional manner with entry porches, stoops, windows, gates and pathways facing and/or leading to the street.

## **AREA H<sub>2</sub> The Industrial Area between Brookline and Sidney Streets**

### **Character and Use**

This area is heavily devoted to light industrial and research and development uses. Those uses are expected to remain and may expand modestly but the long term goal is to encourage the conversion of the district to residential use, initially on vacant lots and ultimately through the assisted relocation of industry to Area J and the subsequent redevelopment of developed lots.

Townhouses and two and three family housing forms are preferred. Individual sites might be expected to be developed to more intense apartment style housing forms.

Whatever the housing form, transformation of the district to a better landscaped residential neighborhood is the long term objective. Scattered small scale neighborhood retail uses might be incorporated into new developments in limited circumstances.

### **Dimensional Standards**

Height in the 40'-45' range is desirable. Residential development to a maximum of 60' may be appropriate in specific circumstances where significant benefits can be achieved, for the provision of affordable housing. However, a consistent three or four story cornice line along streets is important to maintain. The creation of open space at ground level and effective means of shielding parking from view are desirable goals and are especially important where 60' heights are attained.

Where the area abuts the existing residential neighborhood on its southwest border, heights over 45' should be excluded from a 100' buffer zone.

Maintenance of setbacks is important in this area to facilitate its transformation from an industrial district to a residential district. Setbacks should generally be landscaped to that same end. Nevertheless, flexibility and innovation should be encouraged in providing those setbacks to best reflect the specific conditions applicable on any particular development site.

### **Open Space**

The large size of the area and the variety of individual sites located therein are likely to result in different sizes and types of open space. Both active recreational and more sedate garden parks are appropriate to serve both the new residents of the area as well as the existing neighborhood. Innovation in the style, configuration and location of open space and landscaping should advance the objective of transforming the area's industrial character into a more friendly residential environment. Additional street tree plantings on cross streets will be important to help knit Area H<sub>2</sub> into the rest of residential Cambridgeport.

## **Design Standards**

The basic intent of the yard requirements, to impart a residential quality to the district over time, should be respected but the actual shape can be modified to reflect the potential of each development site.

**AREA B<sub>1</sub>** Industrial Area between Sidney and Albany Streets, north of the Light Industrial Area J

### **Character and Use**

New development will transform the character of this district, since large areas now are vacant. While existing technical office and research activities will remain and possibly expand, housing is a desired use as well (especially around the park). In addition to other building types, larger scaled multi-family buildings are suitable here provided courtyards, yards, and other open space are integral elements of the design. As suggested in the urban design plan, introduction of new roads or pedestrian ways should be considered, whether public or private, to reduce the scale of the developed blocks and more closely reflect the texture and scale of the adjacent neighborhood street layout. Wherever possible, view corridors which visually connect Area B<sub>1</sub> to surrounding spaces are important to counteract the currently isolated character of this area.

### **Dimensional Standards**

This area should provide a transition between the existing residential neighborhood (and its continuation into adjacent Area H<sub>2</sub>) and the more intensively developed areas to the north at University Park and eastward toward the MIT campus.

Heights in Area B<sub>1</sub> are allowed at 45' (although transfer of development rights could push them much higher). A height of 45' should be encouraged along all major east/west streets, existing and newly created, as a means of visually reducing the impact of the additional height where it would be visible down a street corridor from the neighborhood. Discretion should be used in reviewing building setbacks and open space in each development respecting, however, the intent of the base district requirements.

Importantly, parts of this area can be expected to receive additional development rights through transfer of development potential from other parts of this area. The appropriateness of the increased density (as evidenced by requests for added height, additional floor area) should be measured in part by the benefits achieved in such transfers: more open space, better site design, affordable housing, etc.

## **Open Space**

Because of its large size unbroken by streets and the large parcels it contains, Area B<sub>1</sub> provides perhaps the best opportunity to incorporate a major recreational facility as part of a larger development scheme. The preferred location for a major open space is at the southwest edge of Area B<sub>1</sub> -- the block between Sidney and Purrington Streets and south of Pacific Street. If this site were to be developed as active playing fields, it could help create a positive edge between University Park and development below Pacific. Open spaces of all kinds, as recreational facilities and as an element of the urban setting, becomes increasingly critical as the density increases; flexibility, however, should be used in reviewing each proposal to ensure the optimum mix of open space and other uses for each particular development program.

## **Design Standards**

As the scale of building increases, architectural and site development features should be employed which would mitigate the visual impact of the increased density. The tallest elements of a development, where possible, should be set back from public ways such that they will not terminate or dominate the view down public streets, particularly as viewed from the existing neighborhood.

## **AREA B<sub>2</sub> The Vassar Street Corridor**

### **Character and Use**

The upper section of Area B<sub>2</sub> is rather heavily developed and not likely to change radically in the near future, except for the Massachusetts Avenue site. However, the middle section of the Vassar Street corridor opposite the MIT playing fields is seen by MIT as an important area for development of academic housing. Housing could help make this street a better place for people, with green plantings and a well-designed residential edge.

### **Dimensional Standards**

The height of new structures along Vassar Street should follow the typical pattern of development at MIT, with a predominance of mid rise structures, only broken by occasional and very carefully-sited higher elements. Such higher structures should not block any view corridors which may tie across the railroad right of way. Of particular importance are the views aligned with Pacific and Erie Streets. Nor should they be perceived as a wall. A particular concern is that any higher elements not visually impact the Fort Washington district across the railroad right-of-way.

Importantly, parts of this area can be expected to receive additional development through transfer of development potential from Area B<sub>1</sub>. The appropriateness of the increased density should be measured

mainly by the benefits achieved in increased size and better site location for the playing fields in Area B<sub>1</sub>.

### **Open Space**

The new housing development should have adequate open space, perhaps in the form of courtyards with landscaped edges along the sidewalk. Such courtyards can help make the street a friendly place for pedestrians.

### **Design Standards**

Area B<sub>2</sub> is different from any of the other subdivisions treated in the Guidelines in that it is perceived as an extension of the MIT campus. As such, the design standards applicable elsewhere on the campus are appropriate here. As noted above, the generally mid rise character of the campus housing should be followed to establish the basic residential pattern, with exceptional high-rise structures located to avoid shadows on the open space, etc.

## **AREA K Industrial Area Surrounding Fort Washington Park**

### **Character and Use**

This area is likely to remain very much a mixed district of existing office, research and development, and industrial uses in combination with the same plus residential use in new construction. As in Area H<sub>2</sub>, every effort should be made in site and building design to assure the compatibility of new development with the adjacent residential neighborhood or any possible new residential use within the area. The base district yard requirements should, in this regard, be respected in spirit, if not in detail for all new land development. The existing AS&E complex is a useful model for the kind of site development pattern the zoning regulations hope to encourage, with the exception that the block it is on has been developed as a long wall impeding pedestrian flow from the neighborhood towards Fort Washington.

### **Dimensional Standards**

While it can be expected that a maximum height of 45 feet would prevail, variations should be expected. At Fort Washington heights in a somewhat lower range would be appropriate along Reardon and Talbot Streets (35-40') with greater height more removed from the park frontage. Greater height to sixty feet for residential use is acceptable elsewhere in the area where other objectives are achieved (more open space, affordable housing, manufacturing or R&D space-generating significant employment). The setback requirements of the base district should be respected in any development proposal. Where the area abuts the existing residential neighborhood on its southwest border, heights over 45' should be excluded from a 100' buffer zone.

## Open Space

Innovation in the style, configuration, and location of open space and landscaping is encouraged. However, all open space and landscaping should advance the objective of transforming the area's industrial character into a more friendly environment.

## Design Standards

Fort Washington is the preeminent feature of Area K and should receive special consideration. Development should:

- (1) recognize its significance, historically,
- (2) protect and enhance its use and enjoyment, and
- (3) articulate it as a well-defined urban park.

Active uses are important for the street level of buildings facing the park along Reardon and Talbot Streets. Service to any development at these edges, including parking, should be provided from Waverly Street or other locations away from the park. Pedestrian entries should be frequent along both street facades. Whatever uses are ultimately located here should be contained in buildings that are domestic in scale and detail.

All parking should be hidden from view, screened by active uses along the park edges and elsewhere to the maximum extent possible, or placed underground.

## AREA E Henry Street, the Ford Assembly Site, and Memorial Drive to the Hyatt Hotel

### Character and Use

Proposed long-range road improvements will significantly alter the environment in this area in the future. New development will of necessity have to adjust to significantly increased traffic volumes which can be expected to influence the design of new construction. Housing is the preferred long term use, with a phasing out of the existing industrial and research facilities. However, it is recognized that the building does not lend itself easily to residential use, in particular given the very large floor plate and the impact of the Memorial Drive bridge on the riverfront facade. The highest priority is for preservation of the building: if other uses as allowed in the zoning are brought into the building, the reuse of the structure should be conceived with care in regard to the relation to nearby residential uses. Throughout Area E, development should continue the scale and character of the adjacent neighborhood, including the occurrence of small parks located to help buffer the residential areas from heavy traffic and visual impacts of other new development in the area.

An important concern is to preserve the park-like feeling along Memorial Drive and the Charles River. Parking lots should be located or landscaped accordingly. Under no circumstances should a parking garage be allowed to be built on an existing lot facing the River.

## **Dimensional Standards**

Along Henry Street the requirements of the residential base district should be observed generally with minor adjustments to accommodate difficult sites or to encourage creative solutions to the grade conditions--there is a precipitous drop from the street down to the existing parking lot behind the Ford Assembly building.

On the Ford Assembly Site, it will be important to preserve the historic structure. Additional, new development on this parcel should be compatible in scale and character with the original building. The large vertical space which was formerly used for industrial purposes should be carefully integrated into the project, perhaps as an atrium connecting new and old, if feasible.

Along the riverfront, the setbacks long established by the Metropolitan District Commission should be respected. These include a minimum of 25 feet of landscaping from the property line, and stepping back of building heights from there.

## **Open Space**

Tree-lined edges will help tie this area into the local street system. In particular, the housing along Henry Street should have adequate setbacks and landscaping. The design of this housing should take into account the presence of Hastings Square; the massing should be arranged to avoid shadows or visual intrusion onto the park. Further, the section of the Waverly Connector separating this housing from the Ford Assembly building reuse needs to be appropriately landscaped.

The pleasant character of the Memorial Drive landscaping breaks down around the BU Bridge intersection, mainly because of the bridge approaches and spatial confusion resulting from the bridge. Over time, any new development should be conceived to help mitigate this problem to the extent possible through landscaped front yards, etc.

## **Design Standards**

New construction as clusters of discrete buildings is preferred, replicating the scale if not the use of the homes that make up the immediately adjacent neighborhood. Townhouse and multi-family forms might also be appropriate provided an effort is made to reflect the rhythms of the adjacent neighborhood. Larger multi-family structures may be appropriate at the eastern end of Henry Street. Along Henry Street between Brookline and Sidney, the housing should relate to the street in the traditional way with multiple entries, walks, frontyards, etc.

Service and parking should be accessed from the rear of the lots, off of the Waverly street extension when it is created, or parking should be screened and preferably enclosed. However, every effort should be made to minimize the treatment of the Waverly Street Extension as the back side of any development; generous landscaping, careful design, pedestrian oriented features (entries, wide sidewalks, and as much occupied space as possible) should be employed.

RECEIVED BY  
CLERK OF CITY CLERK  
1991 JUN -3 AM 10:26  
CAMBRIDGE MA.

May 30, 1991

The Honorable,  
City Council  
Cambridge City Hall  
Cambridge, MA 02139

Dear Councillors:

We submit this zoning petition with the expectation that you will seriously consider it as the appropriate method to rectify the existing outmoded and inappropriate zoning in the Cambridgeport Industrial area. This area, with the exception of University Park, was zoned decades ago. Needless to say, that zoning, primarily Industrial B, is not conducive to achieving a balanced development program beneficial to either the Cambridgeport neighborhood or the City of Cambridge.

We realize that you will be receiving a rezoning plan from the Cambridge Planning Board with another approach to solving this problem. We ask you to carefully consider and compare both proposals and act for the best interests of our neighborhood as well as for the city. The development of this land will have great impact on Cambridgeport.

Our petition is the result of three years of involvement in this issue. Many of us participated in all of the South of Pacific Advisory Committee (SOPA) meetings. Some of us made presentations and submitted written materials. When the SOPA Committee was unable to reach agreement internally and the discussion moved to the Planning Board, some of us attended all the Planning Board meetings and expressed our

thoughts and opinions about the future for Cambridgeport. We presented the general themes of our plan, by invitation, to the City Council on February 25th of this year.

It would have been our preference to support the proposal of the Planning Board and not have to engage in the laborious and time-consuming effort of writing and proposing our Neighborhood Plan. None of us is trained or well-suited to this task of writing zoning ordinances, but we believed that it was necessary in order to make our case for a balanced proposal for the future.

Unlike the Neighborhood Plan, the Planning Board proposes housing zones which are very small, have very few vacant sites and are lacking in adequate incentive for affordable housing units. Other zones in the area propose affordable housing as 10% of most development parcels in which only 50% is required to be housing. Secondly, in contrast to the Planning Board proposal, the Neighborhood Plan emphasizes the desirability of a 2 acre playing field rather than small scattered vest-pocket type parks. Thirdly, there is no area zoned for light industry and R&D related manufacturing, activities which have historically been essential to the economic well-being of Cambridge. The use of parking limitations to control the development of general office buildings which generate large amounts of traffic is less certain than directly controlling traffic by limitation of office use. Finally, the densities and heights permitted in the Planning Board proposal are too large.

In order to protect the existing neighborhood, the Neighborhood Plan has three goals:

- Housing
- Open space
- Light industry and R&D related manufacturing

Specific use and incentive zoning are the strategies used to achieve the Neighborhood Plan. Specific use zoning is the mechanism for protecting existing housing and industry and encouraging new construction. It slows the escalation of land costs and significantly increases the likelihood of achieving the desired goals in the desired location.

Incentive zoning is the mechanism for promoting affordable housing, a large open space, and the benefits of design review.

#### HOUSING

The basic premise of our proposal is that increased affordable housing production is not only desirable but necessary for maintaining the social and economic character of Cambridgeport, and more widely Cambridge. A mixed use zone is not an economically feasible method for producing housing, especially mixed income housing. We designate for housing only, an area already surrounded on three sides by housing, continuing the precedent set by the design of University Park. In this area there is already in existence a housing population consisting of about 300 people in 32 buildings.

It is obvious that land abutting the Cambridgeport

residential neighborhood is not all vacant or undeveloped, but rather is the site of many productive industrial and commercial uses. These would be "grandfathered" and allowed to expand by 25% as well as to change their use as long as the new use was not more detrimental to the neighborhood.

This zoning petition, like most zoning petitions, represents a plan and a hope for the future rather than an immediate change. The need for more housing in the city is widely accepted as well as the knowledge that the availability of land for housing is limited. This site provides the needed location for housing. Other sites located deeper into the industrial area, especially along the railroad tracks, recall errors of the past fifty years in locating publicly assisted housing separate from existing residential neighborhoods.

To achieve affordable housing the Neighborhood Plan combines residentially-zoned districts and inclusionary zoning incentives. Developers with experience in producing affordable housing have consistently recommended that specific residential zones with a low base FAR is a prerequisite for affordable housing development in Cambridge. The base zone is Residence C, used throughout Cambridgeport, with a FAR of 0.6. A direct relationship is established between density bonuses granted and the percentage of affordable units required in residential developments allowed under a special permit process which assures the production of promised affordable units. From the neighborhood's perspective, this ensures that the price paid in higher

density is compensated for by a significant public benefit. From the developer's perspective, the scheme is well-defined yet flexible. It makes no attempt to lock in density increases which are tied to particular housing programs. The minimum affordable component required for the maximum density is 50% with a FAR of 1.75. There is an effective upper limit on the density of dwelling units; the maximum FAR can only be achieved by including larger units. This serves the dual objectives of promoting both market-rate and affordable housing to meet the need for family units and yet not exceeding liveable residential densities.

The maximum height in the base district is 35 feet.

Under special permit, the maximum height will be 60 feet, with the exception that within 100 feet of existing residential zones or uses the height is limited to 45 feet.

These limits provide a gradual transition in height.

The Neighborhood Plan proposes inclusionary zoning which is economically feasible, flexible, predictable, and adaptable to the market place. It also responds to the magnitude and character of the affordability gap. This proposal is a necessary part of any strategy to achieve affordable housing in Cambridge

#### OPEN SPACE

The Neighborhood Plan proposes an Open Space Overlay District which has the following goals:

- provide a mechanism which will obtain public parks and playing fields

- encourage a shift in density away from residential areas and toward public transit nodes and towards high capacity roadways
- enhance the development potential of small, poorly located and/or configured lots of land
- provide M.I.T. with the density and height it needs to build dormitories and relieve pressure on existing housing stock

This proposal is consistent with city-wide open space goals to provide a diversity of open spaces across the city; create public/private partnerships to obtain land; integrate open space into urban design plans for redevelopment areas and business districts; and create new open space to serve new housing developments. The parcel of land located just south of Pacific Street provides the best site for a major recreational area. This location, formerly occupied by Pat's Towing Company, is preferred because of its size and its proximity to AREA 4 as well as the suitability of incorporating it into the development scheme for University Park. The location of a large open space at this site would create a positive link between University Park and the development below Pacific Street.

The Neighborhood Plan proposes to realize the open space through a transfer of heights and densities from the area to become open space to an area farther from the neighborhood but within the overlay district. As a condition of transfer, any donating parcels of land must be rezoned to open space

and be cleared of all toxic contaminants identified as such by the State of Massachusetts.

For each square foot of land so donated, between 1.25 and 3.75 of gross floor area may be transferred, depending on the size and location of the receiving parcel. Receiving parcels of land have limitations on densities and heights in order to preclude all of the transferred development rights being concentrated on one site. Options are provided for outright gift, lease, or appropriate legal agreement conveying to the city of Cambridge the right to use and make improvements to the land consistent with open space use.

In addition to a large open space, the design guidelines in the Neighborhood Plan call for smaller green spaces and plantings throughout the eighty acres, especially where residential and non-residential uses meet.

#### LIGHT INDUSTRY AND R&D RELATED MANUFACTURING

The basic premise of the Neighborhood Plan is that a diversified economy with a diversity of job opportunities is necessary for a healthy Cambridge economy. Light industry and light manufacturing must be part of that mix. Light industry, whose major activity takes place in physical spaces other than office space, has not only fled the inner city but also the region, and the country. However, small-scale manufacturing, printing, assembly, distribution, service, and prototype manufacturing continue to flourish in urban areas where they are encouraged through controlled land costs.

Emerging types of light manufacturing/R&D i.e. MediSense,

Genzyme, AS&E, Biogen, and some new uses envisioned for the future, like prototype, contract, or networked manufacturing may not be so land-cost sensitive.

The Neighborhood Plan creates a light industrial zone, Industry B-3, located just below Pacific Street and adjacent to the railroad tracks where land values are the least inflated, industrial uses presently exist, and where impacts on residential areas would be minimal. By establishing a low FAR (1.0) and height of 45 feet, and by limiting the percentage of floor area which can be used for accessory office to 33%, light manufacturing uses can compete with office uses, which have the ability to spread land costs over many floors.

This zone would continue Cambridge's historic role as the site of innovative and break-through technologies, which have often occurred in older industrial buildings. It would also be beneficial to Cambridge to reduce traffic through a manufacturing zone, which is a low traffic generator.

#### TRAFFIC

The Neighborhood Plan will generate an estimated 35,000 fewer afternoon peak hour trips than the Planning Board proposal.

The Cambridgeport neighborhood is already under stress from traffic generated by East Cambridge development and University Park. The arterial roadways are over capacity. No engineering solution is available for this problem. Housing, open space and light industrial zones are necessary to control the generation of traffic. The Neighborhood Plan

means less traffic for the Cambridgeport neighborhood as well as for the rest of Cambridge. This difference alone may have the greatest impact on Cambridgeport residents.

In closing we would like to acknowledge the help and support we have received from everyone who has participated in preparing this proposal. Although there have been some disagreements as to how best to reach common goals, the hard work contributed by everyone including the SOPA Committee, the Community Development Department, and the Planning Board demonstrates dramatically the importance of this rezoning for the Cambridgeport neighborhood as well as the city of Cambridge. It has been difficult in the past for Cambridgeport, a lively and diverse neighborhood, to speak with a unified voice. Now we believe that we do. It is now up to the Cambridge City Council to consider these issues carefully and thoughtfully and to act wisely to make the changes that are best for the Cambridgeport neighborhood and for the city of Cambridge.

Our future is in your hands.

Respectfully submitted,

The Working Committee for The Neighborhood Plan.

Jonathan Austin  
William Cavelinni  
Nancy Downer  
Margaret Lynch  
Geneva Malenfant  
Frances Wirta  
Nancy Woods

Business A

Special District VII

Special District VI  
South Cambridgeport Open Space  
Overlay District\*

Industry B-3

Residence C  
South Cambridgeport Affordable  
Housing Overlay District\*

ONE STREET  
HAMILTON STREET  
ALLETON STREET  
PUTNAM AVENUE  
HENRY STREET

FT. WASHINGTON

Special District VIII\*

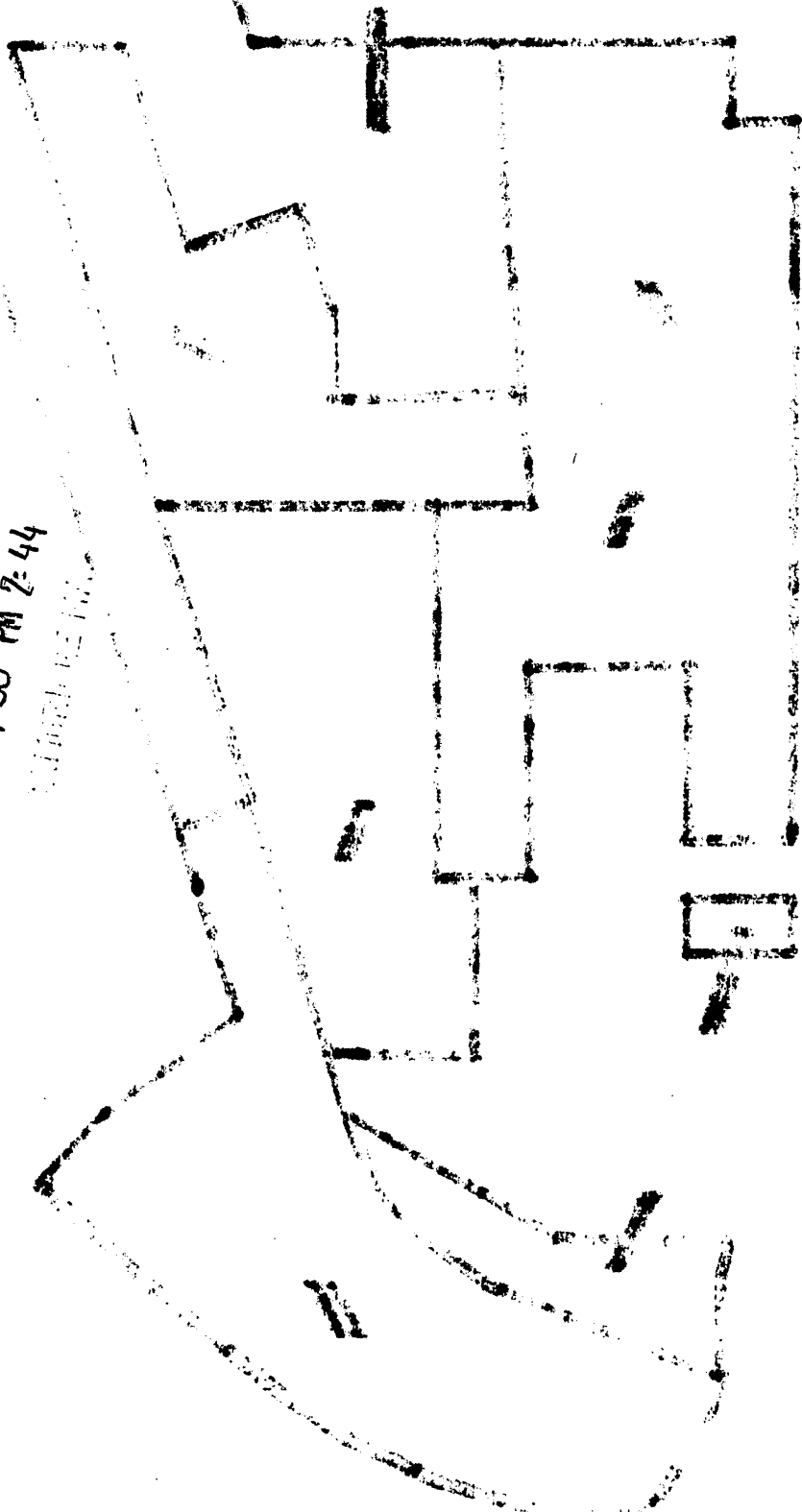
Residence C  
South Cambridgeport Affordable  
Housing Overlay District\*

\* = Subject to  
Development Review

Special District V

RIVER

1991 MAY 30 PM 7:44



Cambridge, May 30., 1991

To the Honorable, the City Council of the  
City of Cambridge:

The undersigned respectfully pray

that the Zoning Ordinance of the City of Cambridge be amended by creating a new Section 8.26 (a) and (b), Non-Conformity; creating a new zoning district, Industrial B-3, Light Industry and Light Manufacturing; creating new sections 11.300 - South Cambridgeport Affordable Housing Overlay District; 11.400 - South Cambridgeport Open Space Overlay District, 11.500 - Cambridgeport Development Review, 17.50 - Special District V, 17.60 - Special District VI, 17.70 - Special District VII, 17.80 - Special District VIII, 18.10 - Traffic Mitigation Measures, 18.20 - Construction Management Program; and by amending the Zoning Map of the City of Cambridge by deleting the existing zoning districts in the Cambridgeport Interim Planning Overlay District and replacing them with Residence C, Business A, the new zoning district Industrial B-3, the new Special Districts V, VI, VII, and VIII, the South Cambridgeport Affordable Housing Overlay District, the South Cambridgeport Open Space Overlay District, and the Cambridgeport Development Review in that area generally bounded by Brookline and Vassar Streets, Massachusetts Avenue and Memorial Drive as shown on the accompanying map. The petition would replace the Cambridgeport Interim Planning Overlay District in its entirety.

Name	Address	Ward-Precinct	
<sup>LYNCH</sup> Margaret A. Lynch	69 Brookline St	5-1	✓
Nancy B. Woods	4 Hastings Square	5-2	✓
<sup>GENEVA</sup> Geneva A. <sup>MAIENFANT.</sup> Maienfant	75 Henry St	5-2	✓
Francis J. Wirta	248 Franklin St.	4-3	✓
William Cavellini	274 Brookline St.	5-2	✓
<sup>JENNIE</sup> Jennie <sup>BUSH</sup> Bush	302 Brookline St.	5-2	✓
<sup>HENRIETTA</sup> Henrietta <sup>PAULS</sup> Pauls	120 Chestnut St	5-2	✓
<sup>DOWNER</sup> Nancy W. Downer	59 Pleasant St	5-3	✓
<sup>SHEFFIELD</sup> Laura P. Sheffield	218 Brookline St.	5-2	✓
<sup>JONATHAN</sup> Jonathan <sup>AUSTIN</sup> Austin	218 Brookline St.	5-2	✓
Elaine M. DeRosa	4 Pleasant Place	5-3	

✓ = Registered voters.

11.

0-39 B

CONSENT COMMUNICATIONS

Petition received from Margaret A. Lynch,  
et al to amend the Zoning Ordinances in  
the <sup>South</sup> Cambridgeport Interim Planning  
Overlay District.

In City Council,

June 3, 1991

*Referred to Ordinance  
Committee & Planning  
Board for hearing &  
report.*

1991 MAY 30 PM 2:44  
CAMBRIDGE MA