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DATE: **NOVEMBER 5, 2015**

TO: **THE HONORABLE, THE CITY COUNCIL**

FROM: **DONNA P. LOPEZ, CITY CLERK**

SUBJECT: **MODIFICATIONS TO THE PROPOSED MXD ZONING PETITION AND KENDALL SQUARE URBAN RENEWAL PLAN AMENDMENT**

I am hereby transmitting documents that this office received from the Cambridge Redevelopment Authority for the November 9th City Council Agenda as follows:

- Overview of the recommended modifications;
- Revised CRA MXD Zoning Petition;
- Changes to the Mixed Use Development District: Kendall Center; and
- Kendall Square Urban Renewal Plan Amendment (draft amendment #10).

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Memo

Date: November 5, 2015

To: Members of the City Council and Planning Board

RE: Modifications to Proposed MXD Zoning Petition and Kendall Square Urban Renewal Plan Amendment

The Cambridge Redevelopment Authority (CRA) Board has voted to transmit to you the attached modifications to the proposed MXD Zoning Petition and Kendall Square Urban Renewal Plan Amendment 10. The CRA has revised the initial proposed text to further refine certain concepts and address concerns raised at the Ordinance Committee hearing of September 23, 2015 and the Planning Board hearing of October 13, 2015. These text changes were carefully considered through discussions with the Cambridge Community Development Department (CDD), and landowners within the MXD District. The changes outlined below address a range of topics reflecting evolving expectations for development across the City, and economic realities of that development.

Overview of Recommended Modifications

Since the preliminary hearings, the CRA published an Environmental Impact Report (EIR) in accordance with Massachusetts Environmental Policy Act on October 19, 2015. The EIR is required in order for the Massachusetts Department of Housing and Community Development to approve the amendment to the Kendall Square Urban Renewal Plan (KSURP). The EIR contains extensive analysis of project impacts related to a range of topics (including transportation, air quality, sustainability and greenhouse gas emissions, stormwater management, water and wastewater, hazardous materials and construction) and proposes mitigation measures to address these impacts.

The approval of the MXD District Zoning Petition and KSURP Amendment is only one step in the review process for the proposed project. In the future, the inter-agency design review process will be focused on both the Infill Development Concept Plan, and subsequent building design review, both of which the CRA Board and the Planning Board must approve. The scope of the Infill Development Concept Plan has been updated to reflect many of the topic areas addressed in the EIR, as well as an addition to the scope of building design review to include high quality architectural design and thoughtful adherence to the Infill Development Concept Plan.

The following list summarizes the changes that have been made in the newest version of the MXD District Zoning Petition and KSURP Amendment dated November 4, 2015:

- Housing (Inclusionary / Middle Market): The housing requirements have been revised to require each residential project using Infill GFA to include a minimum of 20% below market rate housing – 15% inclusionary and 5% middle income. The middle income housing will be mandatory, and the 350 foot height allowance for residential will be standard rather than achieved through a height bonus.

- Pacing of Residential and Commercial: Text has been added to require that in order to occupy more than 375,000 additional square footage of commercial space of Infill GFA, a second 200,000 sq. ft. residential project after 88 Ames Street must begin construction.

- Innovation Space: The Innovation Space requirement for commercial development has been increased from 5% to 10%, and all of that space is exempt from the aggregate GFA calculation.

- Retail:

    - *Retail Planning*: The Infill Development Concept Plan has been updated to require a Retail Plan component to further reinforce goals of creating active street level uses and encouraging local independent retailing.

    - *Independent and Local Retail Space*: A section was added to require a minimum of 25% of retail spaces (other than spaces used for grocery stores and pharmacies) to consist of independent and local retailers in order for the retail to be exempted from the aggregate GFA calculation.

    - *Active Ground Floors*: An update to the petition language was made to reflect ongoing conversations in the City regarding banks as ground floor retail. Banks and financial institutions will not be considered active ground floor uses. While not a total prohibition of bank branches, this provision does not allow those facilities to count toward the active frontage requirement.

- Open Space Programming: Language was added to the open space planning component of the Infill Development Concept Plan to require a strategy for programming of new and existing open space. Additionally, Section 108 of the KSURP will authorize the CRA to establish an open space management fund for the purpose of maintenance and programming of public open space within and around the MXD District. Further clarification of open space requirements are described on the following pages.

- Sustainability / Energy: The original zoning petition already included a requirement for LEED Gold, and for all new construction to be solar ready. The sustainability requirements were further improved to require Enhanced Commissioning, and language was added to require a feasibility study of district energy utilizing the existing district steam system or another similar on-site cogeneration facility.

- EIR Mitigation Commitments: Additional clarifying language was added requiring the Infill Concept Development Plan to include a status update on the implementation of mitigations found in the EIR.

- Parking Regulations: In response to concerns regarding impacts on neighborhood parking, the zoning petition was revised to increase the minimum parking ratio for residential development to 0.4 per unit. An addition was also made to require a minimum of ten car-share spaces with the first phase of development. Further discussion of current and future parking supply is featured below.

- Interagency Design Review Process: In response to Planning Board concerns, the reference to a new Joint Working Group was removed. The proposal retains a process that includes joint public meetings of the full CRA and Planning Boards to consider the Infill Development Concept Plan and subsequent building proposals.

Clarifications and Responses

The following discussion is a summary of other clarifications and explanations in response to comments from the Ordinance Committee Hearing and the Planning Board Hearing that are not reflected in the zoning petition text changes:

- Grocery Store and Pharmacy: Incentives for grocery stores and pharmacies are provided in the retail GFA exemptions in the MXD District Zoning Petition and KSURP Amendment. The CRA will work closely with Boston Properties to identify opportunities for retail sites to deliver these uses to the area. Already,

the two-floor retail component of the Ames Street Residential project approved by the Planning Board in March 2015, and currently under construction, was designed with the flexibility necessary to accommodate either one of these uses. Boston Properties is actively seeking prospective tenants for these operators to fulfill this need in Kendall Square.

- Home Ownership: The CRA will work with the Housing Division of CDD to assess the community needs for various housing types. The CRA will encourage developers to consider a mix of home tenancy to include ownership opportunities, however the decision to develop rental or ownership units cannot be regulated through zoning.

- Aging in Cambridge: The KSURP Amendment and MXD District Zoning Petition are consistent with the recommendations of the City's 2010 *Aging in the Cambridge Community* which include: inclusionary housing policies, allowing more density near transit, open space requirements, and neighborhood retail. Proposed development in the MXD District Zoning will improve the key design related recommendations of the report including: safer streets and sidewalks, better signage, lighting and crosswalks, active ground floors, and well-defined entries. The CRA will encourage future residential developers to design units for a broader range of demographics and living arrangements.

- Urban Farming: Green City Growers and Boston Properties launched an urban gardening program in two open spaces within the MXD District that includes free classes for the public. All food harvested from the gardens is donated to Food for Free, an organization that distributes the produce to 80+ food pantries, shelters, and meal delivery programs in the Boston region. The CRA and Boston Properties will seek opportunities to expand this program and/or other urban agriculture initiatives in the area.

- Food Trucks / Push Carts: Food trucks were a top request during the CRA's recent '*Kendall Questions'* poster campaign which allowed pedestrians to text ideas for certain vacant areas to our online Community Forum. The CRA is looking at opportunity sites to bring food trucks to the area in Summer 2016, and will be looking at these as part of the proposed programming of future parks in the area in consultation with CDD.

- Prevailing Wage Construction: Boston Properties has historically employed general contractors for base building construction that are signatory to either the laborers' or carpenters' union (and typically both). Boston Properties expects to continue this practice as future buildings are constructed, and will agree to make a good faith effort require its contractors to enroll young people in a union apprenticeship program.

- Active Ground Floors in Existing Buildings: The MXD District Zoning Petition allows some of the active ground floor requirement for 75% of the building façade to be fulfilled on the ground floor of existing buildings in the MXD District / KSURP area with a maximum limit of 50% of that requirement being fulfilled through modifications to existing buildings. With extensive frontage of existing buildings on Broadway being inactive, the ability to use existing buildings to meet the active ground floor requirement creates an incentive to spread new ground floor activity beyond the new building sites.

- CRA Implementation Plan: As a public agency, the CRA works in the public trust and will use the development revenues received in connection with the proposed project for purposes consistent with its mission, including strategic contributions toward publicly beneficial, community-oriented projects, programs and capital improvements to the public realm within the City of Cambridge.

  In its July 2014 Strategic Plan, the CRA identified a preliminary list of priority projects. These projects may cover a wide array of topic areas including open spaces, public transit improvements, bicycle and pedestrian infrastructure, housing, economic development, and sustainability. In 2016 through continued

public discussion, the CRA will assemble a more detailed work plan for the coming years as part of the CRA's Project Area Implementation Plan as required by Section 108 of the KSURP. This will outline the projected public improvements, private development, and redevelopment programs to be undertaken by the CRA in Kendall Square either directly or in partnership with the City and/or designated redevelopers. This Implementation Plan will provide a summary of future planned public benefits resulting from the execution of the KSURP and how the development revenues received by the CRA will be utilized to achieve these benefits.

Detailed overviews are provided below for the Development Timeline, Transportation Improvements and Open Space requirement, topics which elicited significant discussion at the Ordinance Committee and Planning Board hearings.

- Development Timeline: The conceptual development depicted in presentations to the Planning Board and included in the Environmental Impact Report (EIR), show development in the MXD District happening in phases. Phase 1 would include the office building on top of the North Garage as well as the 145 Broadway residential building. Due to the residential development pacing requirement described earlier, the commercial and residential would need to be constructed simultaneously in order to occupy the full proposed build-out of the office space (beyond the first 375,000 sq. ft.) on the North Garage or to begin the next phase of development on Main Street. Phase 1 is projected to be underway within the next five years. Phase 2 at 325 Main Street would be a mixed-use residential and commercial building with retail on the ground, and is not anticipated to be completed before 2025. Both the residential building in Phase 1 and the mixed-use building in Phase 2 require the demolition of existing smaller office buildings, and are considered very complex construction projects. A timeline has not been determined for the Whitehead Institute expansion and the Broad Institute office conversion; these project elements will move forward independently from the two major phases. The required Infill Development Concept Plan will provide a refined phasing schedule.

- Transportation Improvements: The recently published EIR includes an extensive transportation chapter with a comprehensive analysis of the proposed development's impact on all modes of transportation and proposed accommodations for each. The following is short selection of planned improvements by mode:

    - *Transit Enhancement Fund*: The KSURP establishes the Kendall Square Transit Enhancement Program, (KSTEP) which will provide funding for public transit improvements in a structured agreement with MassDOT/MBTA. Currently, the transit funding commitment is set at $6 million with additional funding anticipated. Following the completion of the Kendall Square Mobility Task Force's work in early 2016, the City, MassDOT and CRA will develop a final program format for the KSTEP. The CRA, CDD and Boston Properties are all active members of the Mobility Task Force.

    - *Traffic/Roadways:* The EIR identifies five intersections in or nearby the MXD District for specific improvements such as signal timing optimization, protected left turns, or additional turning lanes. The EIR also commits the CRA to conducting a Roadway Safety Audit (RSA) when the proposed project is more fully designed for three intersections in the area with crash rates above the district average.

    - *Annual Traffic Report*: The CRA will continue to conduct the annual traffic study and analysis of Kendall Square that began in 1994. The study will evolve to utilize the most up to date development square footage and traffic projections, as well as more holistically including additional data on bicycles, pedestrians, travel behavior and transit service, as it becomes available.

- *Bicycles:* The CRA and Boston Properties will work with the City to implement infrastructure improvements within the area in alignment with the CDD's new Bicycle Network Plan, including the cycle track along Galileo Galilei Way and the Grand Junction Shared Use Path. Additionally, the CRA and Boston Properties will explore with the City opportunities to create a full service bike station within the area as well as additional Hubway stations.

- *Pedestrians:* Pedestrian improvements to the MXD District may include additional pedestrian countdown timers with leading pedestrian indicator (LPI) programming; a new mid-block crossing on Broadway at one of the proposed building sites; improvements to the 6th Street crossing on Binney; improved pedestrian-level lighting and streetscape improvements along Galileo Galilei Way.

- *Parking Supply:* Approximately 2,660 off-street parking spaces exist in the MXD District today at the three Boston Properties parking garages. The proposed development may add approximately 740 new spaces. The EIR analysis indicates that with a robust parking management plan including TDM measures, such as a car sharing program and shared parking strategies, the future parking demand in the KSURP can be met with these new spaces. Under the K2 Plan guidelines, residential parking can share 40% of the designated spaces, while office parking can share up to 90% at night. A summer 2015 survey by the CRA of the major apartment buildings in Kendall Square found a per unit utilization ratio ranging from 0.42 to 0.61 parking spaces per unit, with one building at 0.19.

- Open Space Planning: Due to the original requirements for lot-by-lot open space, the MXD District has an abundance of underutilized green space, which currently functions as suburban style setbacks or landscaped screening on private land. This underutilized open space will be re-thought and re-designed to add much greater value to the district, contributing to a broad interconnected network of public spaces in Kendall Square that achieves the placemaking vision of the K2 Plan. In summary, the new open space requirements consist of the following distinct elements:

  - *100,000 sq. ft. as Protected Open Space*: The existing district-wide requirement of 100,000 sq. ft. of public open space guaranteed through ownership or covenant by the City or CRA will remain part of the zoning.

  - *15% Minimum Developable Land as Open Space*: The petition adds a new requirement to the district that the total open space in the district remains equal to 15% of developable land area.

  - *Open Space Plan*: The petition adds a new requirement for an open space plan as a requirement of the Infill Development Concept Plan. In addition to laying out physical enhancements of MXD District open spaces, the open space plan will clarify commitments to provide programming and space activation.

  - *Project Based Requirement:* The new project based requirement in the MXD District Zoning and KSURP simplifies the previous open space formula. It requires each development project to contribute to the open space network consistent with the approved open space plan at an equivalency of 8 sq. ft. per 100 sq. ft. of development. It also creates the opportunity for the CRA and Planning Board to allow some of that contribution to be within the nearby Kendall Square neighborhood, but outside the MXD District boundaries, within 0.5 miles, for example, the Grand Junction Shared Use Path north of Binney Street. Due to this requirement, the project based open space will go beyond the 15% minimum developable land area found in the MXD District Zoning.

- *Management and Programming*: Section 108 of the KSURP specifically authorizes the CRA to establish an open space management fund for the purpose of maintenance and programming of public open space within and around the MXD District.

- Interagency Design Review Process: The proposed amendments to the KSURP and MXD District Zoning provide for a coordinated role for the CRA in order to compliment the newly added jurisdiction of the Planning Board. The MXD District Zoning Petition and the KSURP Amendment require the preparation of a new Infill Development Concept Plan, which must be approved by the CRA and Planning Boards. The inter-agency design review process contemplated in these documents would authorize the CRA Board and Planning Board to hold joint design review meetings for the review of both the Infill Concept Development Plan and subsequent building design review, although the CRA Board and Planning Board would continue to make final decisions and vote separately. CDD and CRA staff will work collaboratively through the planning and design review process for the MXD District.

Petition: **To amend Article 14 of the Cambridge Zoning Ordinance -**
MIXED USE DEVELOPMENT DISTRICT: CAMBRIDGE CENTER – as set forth below:

1. *Rename **Article 14** to "Mixed Use Development District – Kendall Center" as replace the Term "Cambridge Center" with "Kendall Center" throughout the Article.*

2. Within the existing Subsection **14.21.3 (1)** insert the phrase " including grocery store, pharmacy, and market" after the word "merchandise."

3. Create the following new Subsection **14.21.8**

14.21.8 *Other Uses.* Any use not listed in subsections 14.21.1 through 14.21.7 may be allowed by the Planning Board in its approval of an Infill Development Concept Plan or subsequent Amendment, upon written determination by the Board that such use is consistent with the objectives of the District and with adopted City policies and guidelines applicable to Kendall Square.

4. *Replace first two paragraphs of current Subsection **14.32.1** with the text below:*

14.32.1 The Aggregate gross floor area (GFA) of development in the District shall not exceed the sum of (i) three million, six hundred seventy three thousand (3,673,000) square feet, plus (ii) six hundred thousand (600,000) square feet that shall be limited to multi-family residential uses as permitted in Section 14.21.4(1), for a total Aggregate GFA not to exceed 4,273,000 square feet. Up to sixty thousand (60,000) square feet of such Aggregate GFA of 3,673,000 in clause (i) of the preceding sentence, shall be allowable only by special permit pursuant to Section 14.72.

At least two hundred thousand (200,000) square feet of the GFA restricted to housing uses shall occur only within the area designated on the Zoning Map as the "Ames Street District" and has been approved by special permit dated March 27,2015 (the "Ames Street Residential Project"). The commencement of construction for the Ames Street Residential Project, approved by special permit in 2015, shall precede the occupancy of any commercial GFA in excess of three million and seventy three thousand (3,073,000) square feet, other than the 60,000 square feet of commercial space that may be permitted by special permit pursuant to Section 14.72.3.

Additionally, the commencement of construction of a second residential project of at least 200,000 square feet shall precede the occupancy of any commercial GFA utilizing Infill GFA (as defined in Section 14.32.2 below) in excess of three hundred and seventy five thousand (375,000) square feet.[1]

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[1] Provides phasing link between commercial development and residential development beyond the Ames Street Residential project.

Note: See attached document for proposed text changes with edits shown.

5. *Replace current Subsection **14.32.2** in its entirety with the following text:*

14.32.2 The Cambridge Redevelopment Authority (CRA) shall cause an Infill Development Concept Plan (Concept Plan) to be prepared providing for the distribution of additional GFA for new development within the District above and beyond 3,333,000 square feet ("Infill GFA") and meeting the requirements of Section 14.32.2.1. The Concept Plan shall be approved by CRA and by a special permit granted by the Planning Board in order to authorize the development of Infill GFA. The purpose of the Concept Plan is to provide a context and a conceptual governance structure for existing and potential future development that allows development to proceed in a flexible manner without requiring additional special permits for each building. The Concept Plan is expected to evolve over time, and with each subsequent development proposal updates to the Concept Plan shall be submitted. Amendments to the special permit may be granted as set forth below, but revisions to a Concept Plan shall not necessarily require amending the special permit so long as the revisions remain in conformance with the conditions of the special permit.

14.32.2.1 *Infill Development Concept Plan Requirements:*

1) A current development program illustrating the size, location, and uses of existing buildings at the time of submission,

2) A site plan for all proposed new development within the District including locations of Innovation Space as described in Section 14.32.5 and Active Ground Floor Uses described in Section 14.36.

3) A table summarizing the current and proposed future uses on building sites in the District and indicating the potential size and use (or alternate uses) of future development.

4) A Phasing Plan describing the anticipated timing of commercial and housing development.

5) A Transportation Impact Study certified by the Traffic, Parking and Transportation Department in accordance with the requirements of Section 19.24, Paragraph (2) of this Zoning Ordinance, which shall also include a parking demand analysis and a projection of proposed reliance on transit and plans to address non-automobile use.

6) A housing program describing the distribution of new housing units, including affordable housing units, middle income housing units, and larger family units containing two (2) or more bedrooms.

7) An open space plan depicting the size, layout and configuration of all open space within the District. This open space plan shall illustrate the open space existing in the District and open space to be developed or modified within the District and / or outside of the District in accordance with Section 14.40. The

plan shall provide a narrative discussion of public programming concepts for new and existing open space.[2]

8) A plan describing street and public infrastructure improvements to be undertaken in coordination with the development program, including all proposed water, stormwater and sewage facilities, which shall also be submitted to the Department of Public Works for review.

9) A plan illustrating proposed building scale, height and massing, including ~~A~~a and model and a study demonstrating the anticipated shadow and wind impacts of all proposed buildings taller than 100 feet, and a general description of proposed mitigation measures that will be employed.

10) Proposed modifications, if any, to the development plans then approved pursuant to the Massachusetts Environmental Policy Act (MEPA) and an update on implementation of required mitigations from MEPA.[3]

11) A sustainability plan describing concepts for how additional development will meet the requirements set forth in Section 14.74 below, including but not limited to district-wide approaches to energy, water and wastewater management, climate resiliency and waste management.

12) In order to effectuate the goals of promoting a vibrant retail environment and street-level activation, the Concept Plan shall include a Retail Plan for creating active street-level uses.[4]

14.32.2.2 *Findings and Approval*. The Planning Board shall grant a special permit approving an Infill Development Concept Plan upon finding that the new development identified within the plan meets the criteria for approval of a Planned Unit Development set forth in Section 12.35.3(3) of the Zoning Ordinance and the criteria for approval of a Project Review Special Permit set forth in Section 19.25 of the Zoning Ordinance. In making its findings, the Board shall consider the objectives set forth in the Kendall Square Final Report of the K2C2 Planning Study ("K2 Plan") and the *Kendall Square Design Guidelines*. The approval of a Concept Plan shall serve to meet any applicable project review requirements of Article 19.000, and no additional Project Review Special Permit shall be required for new development that is identified within an approved Concept Plan.

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[2] In addition to physical enhancement of MXD open spaces, the open space plan will clarify commitments to provide programming and space activation.

[3] Provide link to key transit mitigation measure in the EIR and the Concept Plan review process.. This will include a status update on the proposed Kendall Square Transit Enhancement Program (KSTEP) of the Kendall Square Urban Renewal Plan.

[4] A retail plan for the full district will illustrate how new development will fit into and improve the existing retail environment.

14.32.2.3 *Conditions.* The special permit shall include a summary of approved Infill GFA in the aggregate, a description of the sites on which the development of Infill GFA is permitted, and the allowed range of development and uses on each site. Alternatives and variations may be allowed as set forth in the conditions of the special permit. The special permit shall also include conditions for project mitigation applicable to each Infill GFA development site. Development on a particular site identified in the Concept Plan shall be authorized if the conditions applicable to that site are met.

14.32.2.4 *Ongoing Review*. The conditions of the special permit shall set forth a process for future review and approval of the design of buildings, landscaping and other significant components of an approved Concept Plan. Such process shall include representation by the CRA, Planning Board and City staff, in compliance with the Kendall Square Urban Renewal Plan. The special permit may specify that such further review not be required for any building design that is determined to have been sufficiently advanced at the time of granting of the special permit as to meet the standards for project review as set forth in Section 14.73.

14.32.2.5 *Amendments*. Major or Minor Amendments to the Infill Development Concept Plan may be approved as set forth in Section 12.37 of the Zoning Ordinance after review and approval by the CRA, with Major Amendments requiring the granting of a special permit by the Planning Board and Minor Amendments requiring a written determination by the Planning Board. The conditions of the special permit may specify what types of modifications would constitute Major or Minor Amendments.

14.32.2.6 Notwithstanding anything contained in this Section 14.32.2 to the contrary, (i) the GFA utilized for the Ames Street Residential Project and (ii) a maximum of 60,000 square feet of Aggregate GFA associated with a project seeking a special permit under Section 14.72.3, shall not be deemed to be Infill GFA for the purposes of this Article 14.

6. *Replace current Subsection **14.32.3** with the following text:*

14.32.3 Any construction or change of use within the District, which would cause Aggregate GFA limitation of Section 14.32.1 to be exceeded, shall not be allowed.

(1) Compliance with this Section 14.32.3 shall be determined by the Superintendent of Buildings at all times including at the time of issuance of a building permit and at the time of issuance of a Certificate of Occupancy under Section 9.20 of this Ordinance.

(2) The CRA shall maintain a record of the Aggregate GFA within the District and shall provide an Aggregate GFA record to the Superintendent of Buildings and the Community Development Department (CDD) with any building permit or certificate of occupancy application utilizing Infill GFA. Such record shall separately account for development within the Ames Street District. These records shall be adjusted as appropriate, from time to time, including upon issuance, revocation or expiration of a building permit or certificate of occupancy and upon receipt of a certificate from the CRA as to an outstanding contract (including option) for the construction of a building. The CRA shall also maintain a record of cumulative GFA by land use for the purpose of determining and tracking open space requirements for existing and future development.

(3) Each applicant for a building permit or a certificate of occupancy shall submit to the Superintendent of Buildings information, including the following, as appropriate

to the application, in order to determine compliance with this Section 14.32 and to demonstrate that the proposed construction and/or occupancy will not violate or be inconsistent with any outstanding contract or deed:

(a) measurement of total gross floor area of the building or building additions;

(b) measurement of future development commitments or limitations on the lot specified in deed restrictions, covenants or comparable legal instruments.

7. *Revise the title of the current Subsection* ***14.32.4*** *to Applicability of Section 19.20 and add the following sentence at the end of the paragraph:*

It is understood and agreed that the provisions of this Section 14.32.4 shall apply only to development proposals that are not included within the Infill Development Concept Plan process described in Section 14.32.2 above.

8. *Create the following new Subsection* ***14.32.5:***

14.32.5 *Innovation Space:* An Infill Development Concept Plan proposing more than 100,000 square feet of GFA for Office and Biotechnology Manufacturing Uses shall include a plan for Innovation Space meeting the requirements below. Innovation Space within the District must occupy GFA equal to, or in excess of, ten~~five~~ percent (10~~5~~%) of non-residential Infill GFA[5]. Existing GFA within the District may be converted to meet this requirement. The Innovation Space requirement shall be met through the provision of office spaces of at least 10,000 square feet (or ten~~five~~ percent (10~~5~~%) of the newly-constructed non-residential GFA, if less) within a single building and may be satisfied by means of a lease to a single user who will operate and manage a facility meeting the requirements hereof:

(a) *Combined Spaces*. Developers of properties within the District may collaborate with other developers in adjacent zoning districts in the Kendall Square area (defined as zoning districts reviewed as part of the K2 Planning Study) to develop a Joint Innovation Space Plan. In such a case, the total square footage of joint Innovation Space must be large enough to satisfy the sum of the requirements, if any, for such participating developers and zoning districts.

(b) *Characteristics*. For the purposes of this Section 14.32.5, Innovation Space shall have the following characteristics:

(i) Durations of lease agreements (or other similar occupancy agreements) with individual office tenants shall be for periods of approximately one (1) month.

(ii) No single business entity may occupy more than 2,000 square feet or 10% of the entire Innovation Space provided in the District, whichever is greater.

[5] Matches the increase in Innovation Space requirement agreed to through the MIT zoning process.

(iii) The average size of separately contracted private office suites may not exceed 200 square feet of GFA.

(iv) Innovation Space shall include shared resources (i.e., co-working areas, conference space, classroom space, office equipment, showroom, shop or lab equipment, storage, circulation, supplies and kitchens) available to all tenants and must occupy at least 50% of the Innovation Space.

(v) Individual entities occupying Innovation Space may include small business incubators, small research laboratories, office space for investors and entrepreneurs, facilities for teaching and for theoretical, basic and applied research, product development and testing and prototype fabrication or production of experimental products.

(c) *Variations*. In approving an Infill Development Concept Plan, Major or Minor Amendments to the Concept Plan, or through subsequent design review of individual building design per Section 14.32.2.4, the Planning Board may approve variations in the specific characteristics set forth above, if the proposed Innovation Space is found to be consistent with the purposes of these characteristics.

9. *Create the following new Subsection **14.32.6**:*

14.32.6 *GFA Exemptions*

The following items shall be excluded from the calculation of Aggregate GFA within the District for the purposes of determining compliance with the intensity of development requirements of Article 14:

(1) *Variances:* Any GFA within the District authorized by a variance issued by the Board of Zoning Appeal.

(2) *Residential Outdoor Area Exemptions:* Private outdoor decks or balconies for multi-family residential development, up to eight percent (8%) of the building floor area.

(3) *Innovation Space*: ~~Fifty percent (50%) of the~~ Innovation Space GFA up to the minimum required by ~~in~~ Section 14.32.5.

(4) *Retail:* The GFA occupied by retail and consumer service uses listed in Section 14.21.3, if the following conditions are met:

a) the excluded GFA is not located above the ground level of a building (provided, however, that the Planning Board may waive this limitation in specific instances where it finds that the proposed use would be uniquely beneficial to area residents, such as a grocery store or pharmacy);

b) the excluded GFA has frontage and direct pedestrian entrances onto Main Street, Binney Street, Broadway, Ames Street, Galileo Way, Pioneer Way, internal service drives or onto open space that is directly accessible and not more than one hundred (100) feet distant from at least one of the aforementioned streets or services drives;

c) the excluded GFA is occupied by separate retail establishments, each occupying no more than five thousand (5,000) square feet of floor area (provided, however, that the Planning Board may waive this limitation in specific instances where it finds that the proposed use would be uniquely beneficial to area residents, such as a grocery store, pharmacy, or an innovative retail format where multiple small vendors occupy a larger market space); ~~and~~

d) the ground level façade is designed with entrances and glazing materials such that at least 60% of the façade area is transparent providing visibility between the retail use and the public sidewalk or open space; and

~~d)~~e) A minimum of 25% of the retail space, exclusive of retail space used for grocery stores and/or pharmacies, consists of Independent and Local Retailers. "Independent and Local Retailers" shall include any retail operator, which does not own or operate more than ten (10) retail locations in the Commonwealth of Massachusetts with the same name and retail concept.[6]

(5) *Middle Income Housing Units*: The square footage of ~~any~~ middle income housing units as defined in Section 14.35(c).

(6) *Transfer of Development Rights*: Any GFA acquired through the transfer of development rights provisions of the Zoning Ordinance.

10. *Within the first paragraph of the current Section **14.33**, capitalize "Aggregate" and remove the phrase "and cumulative" in the first sentence, and replace the phrase "Section 14.33.6" with the phrase "Sections 14.32.6 and 14.33.6" in the second sentence.*

11. *Replace the current Subsection **14.33.4** with the following text:*

14.33.4 Residential uses:

(1) Multifamily housing: FAR 8.0

(2) Hotel/Motel: FAR 6.0

12. *Replace current Section **14.34** with the following text:*

14.34 *Building Height Limitation.* The maximum building height in the District shall be two hundred and fifty (250) feet, except for the area of the District more than 450 feet north of the centerline of Broadway, where the maximum building height for any portion of a building in such area shall be 200 feet. ~~Residential buildings within 450 feet of Broadway may be permitted up to a height of 350 feet.~~ Up to two (2) mixed-use ~~provided they meet the provisions for the Middle Income Housing Height Bonus set~~

[6] Sets out a requirement for local operators in ground floor retail space.

forth in Section 14.35 below. No more than two buildings within the 250-foot height area of the within the District may reach 350 feet provided, however, that the occupied floors above 250 feet may only contain residential and associated amenity space.utilize the Middle Income Housing Height Bonus. Additionally, the floorplate of any portion of a building above 250 feet shall not exceed -1224,000 square feet. [7]

This requirement shall not apply to chimneys, water towers, air conditioning equipment, elevator bulkheads, skylights, ventilators, solar or wind energy systems, and other necessary features appurtenant to buildings, which are usually carried above roofs and are not used for human occupancy. These requirements shall also not apply to (i) domes, towers or spires above buildings if such features are not used for human occupancy and occupy less than ten percent (10%) of the lot area, (ii) wireless or broadcasting towers and other like unenclosed structures which occupy less than ten percent (10%) to the lot area or (iii) rooftop terraces and enclosed structures ancillary thereto (provided that such structures occupy less than ten percent (10%) of the lot area).

13. *Create the following new Section **14.35**:*

14.35 *Middle Income Housing Requirement*. For any project utilizing*Height Bonus.* The Planning Board may permit the Infill GFA,height limit of a residential building to be increased to three hundred (350) feet, provided that the following requirements for Middle Income Housing Units shall apply in addition to the Inclusionary Housing requirements set forth below: are met:

(a) the use of any occupied space situated above 250 feet in height shall be limited to residential units, and associated amenity and mechanical space, and

(b)(a) Middle Income Units (as defined below) shall occupy an aggregate GFA floor area equal to at least twenty five percent (525%) of the total floor area devoted to private residential GFA dwelling units in of projects utilizing Infill Development GFA.the portions of the building that exceed 250 feet in height. Such Middle Income Units shall be distributed throughout the residential building in a manner approved by the Planning Board, in consultation with City and CRA staff, in order to ensure that the Middle Income Units are of an appropriate location, size, configuration and quality for households intended to occupy such units. The floor area of Middle Income Units provided per this Section 14.35 shall not be counted against the Aggregate GFA limitation in the District.[8]

(c)(b) For the purposes of this Section 14.35, Middle Income Units shall be defined as residential dwelling units for which:

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[7] Height bonus concept is removed. Residential height allowance is increase, and middle-income units are required. Scribner's error corrected.

[8] Rather than providing a height bonus for middle income units, the provision of at least 5% of middle income units is required, raising the below market housing requirement to 20%, 15% inclusionary for units affordable to low- and low-moderate income households, and 5% affordable to middle income households.

i. the occupancy is restricted to households whose total income ~~exceeds 80% but~~ does not exceed 120% of the median income of households in the Boston Standard Metropolitan Statistical Area adjusted for family size, or such other equivalent income standard as may be determined by the Board of Trustees of the Affordable Housing Trust Fund;

ii. the rent (including utilities) does not exceed thirty percent (30%) of the income of the renting household or, in the instance of home ownership units, the monthly mortgage payment (including insurance, utilities and real estate taxes) does not exceed thirty percent (30%) of the income of the purchasing household, or such other equivalent standard as may be determined by the Board of Trustees of the Affordable Housing Trust Fund; and

iii. the Middle-Income Units are not also designated as Affordable Units for the purpose of meeting the Inclusionary Housing requirements in Section 11.200.

14. *Create the following new Section **14.36**:*

14.36 *Affordable Housing Requirement*. For any project utilizing the Infill GFA, the following requirements shall apply in place of the Inclusionary Housing requirements set forth in Section 11.200 of this Zoning Ordinance.

a. Notwithstanding anything to the contrary in this Ordinance, no less than fifteen percent (15%) of the total floor area devoted to multi-family residential units shall be devoted to Affordable Units in accordance with the definitions and procedures set forth in Section 11.200 of the Zoning Ordinance. No increase in GFA beyond the limitations set forth in Section 14.32.1 shall be provided for a project or the District subject to the requirements of this Section 14.35.

b. The Planning Board may approve a Special Permit providing Affordable Units that are, on average, larger in area than the other dwelling units in the building. Where such units are larger in size and provide a greater number of bedrooms, they may be accordingly, fewer in number within the project, provided that the 15% of total floor area requirement is met.

c. If the Inclusionary Housing requirements applicable citywide are amended subsequent to September 1, 2015 such that more than fifteen percent (15%) of the total floor area devoted to residential units must be devoted to Affordable Units or Middle Income Units, then those citywide Inclusionary Housing requirements shall supersede the requirements of this Section 14.35.

15. *Create the following new Section **14.37**:*

14.37 *Active Ground Floors*: The ground floor of newly constructed buildings utilizing 50,000 square feet or more of Infill GFA, with frontage along Main Street, Broadway and Ames Street must be occupied by (i) Retail and Consumer Service uses, as listed in Section 14.21.3, or (ii) active public gathering space (whether enclosed or open), for a minimum

street frontage length of seventy-five percent (75%) of the building façade along this frontage. Dimensional variations and alternate uses may be approved by the Planning Board upon determining that the specific uses and designs proposed are consistent with the purpose and intent of this Section 14.36. Additionally the Planning Board may allow a development proposal to provide for the redevelopment of existing buildings with Retail and Consumer Service uses along the ground floor of any of the identified street frontage, may be credited for up to fifty percent (50%) of the Ground Floor requirement herein. Banks and financial institutions shall not be considered active ground floor uses for the purposes of meeting this requirement.[9]

16. *In the current Subsection **14.41**, within the third sentence insert the terms "roof decks, balconies" after the phrase "decorative plantings,"*

17. *Create the following new Subsection **14.42.2:***

14.42.2 In addition to the Public Open Space provisions above, development in the MXD District shall provide that a combination of public open spaces and private but publicly accessible spaces such that the total open space areas in the MXD District are equivalent to at least fifteen percent (15%) of the land area (excluding road rights-of-way) within the MXD District. The open spaces within the District shall contribute to an interconnected network of public spaces in the broader Kendall Square neighborhood, accommodating a variety of activities for employees, residents and visitors, consistent with the place-making goals of the 2013 K2 Final Report.

18. *Replace current Section 14.43 with the following text, including deletion of Table 1:*

14.43 *Project Based Minimum Open Space Requirement.* Each development project shall be required to contribute to the open space network of the District and/or the surrounding neighborhood, consistent in the case of Infill GFA with an open space plan approved through the Special Permit application as described in Section14.32.2 and consistent with the Open Space Requirements of Section 403 of the Kendall Square Urban Renewal Plan.

19. *Delete the current Section **14.44** in its entirety.*

20. *Replace current Subsection **14.45.1** with the following text, including deletion of Table 2:*

14.45.1 Pedestrian ways listed and defined below may be counted toward the open space requirement determined in Section 14.43.

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[9] While not a total prohibition of bank branches, this provision does not allow those facilities to count toward the new active frontage requirement.

21. Replace the first sentence of Subsection **14.45.2** with the following text:

14.45.2 Pedestrian ways shall be designed to provide for public access and shall have the following meaning:

22. *Replace the current Subsection **14.52.2** (including the table, to be renamed Table 1) with the following text and table:*

14.52.2 With the exception of multi-family residential development, there are no minimum parking requirements for new development in the District. Residential development shall provide at a minimum 0.4[10] ~~.25~~ automobile parking spaces per dwelling unit. All proposed development shall be restricted from constructing parking spaces, either on or off the lot within the District, beyond the maximum allowances of Table 1. If a development includes more than one category of use, then the number of spaces allowed for the development shall be the sum of the allowance for each category of use. Where the computation of required spaces results in a fractional number, only a fraction of one half or more shall be counted as one. The Planning Board may approve arrangements for shared parking of such residential parking spaces with commercial spaces or otherwise adjust the minimum parking requirements based on review and analysis of anticipated parking demand within the Transportation Impact Study.

At least ten (10) additional parking spaces reserved for car-sharing vehicles shall be provided by the first development project utilizing at least 100,000 square feet of Infill GFA. These spaces are not counted toward maximum parking space ratios. In the event that no car-sharing or site-based car rental organization is prepared to offer services, the designated car share spaces may be rented on a monthly basis unless and until an organization agrees to provide the services, if there is clear documentation that such parking spaces are continuously offered to car-sharing organizations.[11]

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[10] 0.4 per residential unit is the lowest minimum parking requirement in the base zoning code for Boston

[11] Add a car-sharing requirement to accommodate occasional vehicle demands for households or employees without automobiles.

Table 1 MXD District Parking Restrictions

Use	Maximum number of spaces
Light Industrial uses allowed by Section 14.21.1	.8/1000 sq. ft.[1]
Office uses and Biotechnology Manufacturing Uses allowed by Section 14.21.2	.9/1000 sq. ft.
Retail and consumer establishment allowed by Section 14.21.3	.5/1000 sq. ft.
Residential uses allowed by Section 14.21.4	
Multi-family residences	.75 per-dwelling unit
Hotels or Motels	1/4 sleeping rooms
Public assembly uses allowed by Sections 14.21.3(2), 14.21.3(3), and Section 14.21.5	1/15 seats
Other uses allowed by Section 14.21.6 and 14.21.7	.9/1000 sq. ft. [2]

1. All space measurements are in terms of square feet of gross floor area.
2. For assembly spaces having no fixed seating.

23. *Replace current Subsection **14.52.3** with the following text:*

14.52.3 The parking allowances specified in Table 1 may be satisfied by a lease agreement between the developer and the City, other public entity, or private consortium for use of parking spaces in a public or pooled private parking facility located within the District (or, in the case of the spaces required for residential uses, located outside of the District but within 1,000 feet of the residential building for which the parking is being provided). The total number of parking spaces leased and constructed within the district for development on a lot shall not exceed the maximum allowances provided for in Table 2.

24. *Replace current Subsection **14.52.4** with the following text:*

14.52.4 Off-street, on-grade parking lots, not enclosed in a structure, may be constructed in the MXD District only on an interim basis in anticipation of later construction of structured parking provided that there is compliance with each of the following:

(a) the future parking structure will be constructed within the District but it may be located either on or off the lot;

(b) construction of the future parking structure will commence within three years of the date of permit application for development on the lot;

(c) such future parking structure may be constructed and/or operated by the applicant or by a public or private entity;

(d) the future parking structure will contain sufficient spaces reserved for users of the lot to meet the parking requirements of the lot specified in Table 3; and

(e) binding commitments shall exist to guarantee, to the reasonable satisfaction of the Superintendent of Buildings, that requirements (a) through (d) above shall be satisfied. Such commitments shall be made by negotiated lease agreement, deed restriction, covenant, performance bond, or comparable legal instrument.

25. *Create the following new Subsection **14.52.6**:*

14.52.6 Bicycle parking shall be provided as set forth in Section 6.100 of this Ordinance.

26. *Rename the table in current Subsection **14.53.1** as "Table 2".*

27. *Revise the title of Section **14.70** to read "Special Provisions"*

***28**. Within the current Subsection **14.71.3**, capitalize the word "Space" where it appears in the first sentence, and replace the phrase "the Lot Minimum Open Space Requirement in Section 14.43 shall be inapplicable within the Ames Street District" with the phrase "there shall be no open space requirement for any individual lots within the Ames Street District."*

29. *Create the following new Section **14.73**:*

14.73 INTER-AGENCY DESIGN REVIEW

Review and approval of the Infill Development Concept Plan, as described in Section 14.32.2, and subsequent building design review under Section 14.32.2.4 shall be conducted jointly by the Planning Board and the CRA.~~, as described in Section 506 of the Kendall Square Urban Renewal Plan, "Inter-Agency Design Review."~~ The Planning Board and CRA ~~Inter-Agency Working Group, as therein described~~, shall hold at least one joint public meeting to consider the Infill Development Concept Plan. In order to insure high quality architectural design and thoughtful adherence to the Concept Plan, evaluation of ~~review session to review~~ subsequent building proposes~~proposals. As set forth in Section 14.32.2.4, the procedures for ongoing design review of subsequent building proposals shall be further defined per the Concept Plan Special Permit, however such procedures~~ shall include the review of:[12]

a) A site plan illustrating the new building proposal in context with existing and proposed new development within the District.

[12] Clarify enhanced opportunity for input into design review provided by specific building application requirements and combined CRA and Planning Board involvement.

b) A proposed development program illustrating the size and location of uses within the building,

c) Building plans, sections, elevations, and rendering sufficient to describe the urban design setting and architectural character of the proposed building(s). A materials board shall be provided along with annotated building elevations.

d) A digital or physical model of the building within the context of neighboring buildings.

e) A project specific open space plan depicting the design of open space provided on site by the project and any Public Open Space contributions to the area to be executed by the Project. Additionally streetscape designs for building frontages.

f) A sustainability narrative describing how the development proposal will meet the requirements set forth in Section 14.74 below.

As set forth in Section 14.32.2.4, the procedures for ongoing design review of subsequent building proposals shall be further defined per the Concept Plan Special Permit.

30. *Create the following new Section **14.74**:*

14.74 *Sustainability*. New buildings constructed within the District shall comply with the provisions of Section 22.20 of the Ordinance. For those construction projects utilizing Infill GFA subject to Section 22.23, LEED certification at the Gold level or better is required and must enlist a Commissioning Authority to perform Enhanced Commissioning of the building's performance. In connection with the submission requirements of Section 22.24.2.a., the Developer of such buildings shall submit a Statement of Energy Design Intent produced through the EnergyStar Target Finder tool, or comparable method. New buildings in the District utilizing Infill GFA must incorporate an integrated design approach and incorporate best practices for meeting sustainability in the following five (5) areas:

a) *Energy and Emissions*. Each new building must conserve building energy and, to the extent applicable, reduce greenhouse gas emissions. The project proponent must evaluate the potential for on-site energy generation or the construction or expansion of co-generation or district energy facilities within the District. All new construction shall be developed to be Solar-Ready, allowing for the immediate installation of solar voltaic units or provisions of building systems to allow future solar installation. Building proposals shall include a study considering the feasibility of connecting to the existing district steam system or other energy co-generation facility in the area.

b) *Water Management*. The Developer, for each new building, must explore opportunities for:

(i) potable water use reductions,

(ii) storm water management using open spaces,

(iii) the incorporation of indigenous vegetation and,

(iv) storm water for irrigation purposes.

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

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

e) *Rooftop Mechanical Equipment Noise Mitigation*. Sound emanating from rooftop mechanical equipment on all new or substantially altered structures shall be minimized by the adoption of best available and feasible practices regarding the location and sizing of equipment, the selection of equipment and sound attenuation measures.

ARTICLE 14.000 MIXED USE DEVELOPMENT DISTRICT: ~~CAMBRIDGE~~ KENDALL CENTER

MXD Zoning Petition Submitted by the Cambridge Redevelopment Authority 8.05.15

KEY:

Language additions are UNDERLINED

Language deletions are show with ~~STRIKETHROUGH~~ text

Footnotes are explanatory and are not proposed to be included in the zoning text. Only the underlined or strike-thorough portions of the text are elements of the Zoning Petition

14.10 SCOPE AND INTENT
14.20 USE REGULATIONS
14.30 INTENSITY OF DEVELOPMENT REQUIREMENTS
14.40 OPEN SPACE REQUIREMENTS
14.50 VEHICULAR ACCESS, PARKING AND LOADING
14.60 SIGNS
14.70 SPECIAL PROVISIONS ~~APPLICABLE WITHIN THE AMES STREET DISTRICT~~
14.80 INAPPLICABILITY OF CERTAIN OTHER REGULATIONS

14.10 SCOPE AND INTENT

14.11 *Scope.* This Article regulates development within the ~~Cambridge~~ Kendall Center Mixed Use Development (MXD) District, located within the Kendall Square Urban Renewal Project Area, as shown on the Zoning Map, as amended.

14.12 *Intent.* The purpose of the District is to allow a diversity of land uses in close proximity, within a limited area; to promote a balance of land uses; to facilitate development proposals responsive to current and future market conditions; to facilitate integrated physical design; and to encourage interaction among activities located within the District.

14.13 *Approach.* This Article is designed to fulfill the above purposes of the ~~Cambridge~~ Kendall Center MXD District by establishing controls which will facilitate development while protecting the public interest; by setting regulations which limit the aggregate amount of development within the District and set other district wide requirements while permitting flexible development scale and configuration on individual lots within the District; by allowing a broad set of land uses within the District; and by encouraging development of appropriate density for each class of land use.

14.20 USE REGULATIONS

14.21 *Permitted Uses.* The following uses, except as explicitly prohibited are permitted in the ~~Cambridge~~ Kendall Center MXD District. All uses not listed within one of the use groups in this section shall be prohibited. All uses within the District shall comply with the environmental protection standards of Section 14.23.

14.21.1 Light Industry

(1) Manufacturing: fabrication, assembly, finishing work (including packaging and bottling, but only as an accessory use) without limit as to category or product.

(2) Wholesale business, only if affiliated with and accessory to another use or located on the same lot as other non-wholesale uses. Development on any lot in the district shall not be devoted exclusively to wholesale uses.

(3) Printing, binding, or related establishment.

(4) Storage warehouse, cold storage building, as an accessory use only and not exceeding twenty thousand (20,000) square feet, but not including storage or bailing of junk scrap metal, rags, paper or other waste materials and not including outside storage of products or materials.

14.21.2 Office Uses and Biotechnology Manufacturing Uses

(1) Business or professional offices.

(2) Bank, trust company, or other financial institution

(3) Research and development office.

(4) Research, experimental and testing laboratory.

(5) Radio or television studio.

(6) Manufacturing of biotechnology and pharmaceutical products, including

(a) Fabrication, assembly, finishing work (including packaging and bottling, but only as an accessory use).

(b) Wholesale business, only if affiliated with and accessory to another use or located on the same lot as other nonwholesale uses.

(c) Storage warehouse, cold storage building, as an accessory use only.

14.21.3 Retail and Consumer Service Establishments

(1) Store for retail sale of merchandise, including grocery store, pharmacy, and market but not a sales place for automobiles or trucks.

(2) Eating and/or drinking establishment, whether or not liquor is sold or consumed, including restaurant, bar, lunchroom, cafeteria and food commissary.

(3) Fast order food establishment only if (i) it is not located in a separate structure, (ii) it does not exceed three thousand (3,000) square feet of gross floor area, (iii) there will be no more than fifteen (15) such establishments within the District (a maximum of eight (8) of which shall be located in the Ames Street District and a maximum of seven (7) of which shall be located in the portions of the District

outside of the Ames Street District) and (iv) it is granted a Special Permit, as provided in Section 10.40 and 11.30.

(4) Consumer service establishment, including but not limited to hairdresser, barber shop, laundry or dry cleaning pick up establishment, self-service laundry, shoe repair or tailoring shop, or photography studio.

(5) Rental agency for autos or other products, but not including taxi companies. Such agencies shall be operated entirely within a building and no major automobile repairs shall be made on the premises.

(6) Automobile service station, provided that it is located within or attached to a parking garage or other structure as an accessory use, that no major repairs are made on the premises, and that all lubrication and repairs are carried out within the building.

14.21.4 Residential Uses

(1) Multifamily dwelling

(2) Hotel or Motel

14.21.5 Entertainment and Recreational Uses

(1) Indoor commercial entertainment establishments including but not limited to cinema, theater, concert hall, cabaret and night club.

(2) Recreation facilities including bowling alley, indoor or outdoor tennis courts, public recreation building, health club, or skating rink. Such recreation facilities shall be allowed only if they are located in or attached to structures containing other principal uses.

(3) Hall, auditoriums and similar spaces used for public gatherings.

(4) Park or playground

14.21.6 Institutional Uses

(1) Religious purposes

(2) Educational purposes exempt by statute

(3) Library or museum as an accessory use only.

(4) Governmental offices and facilities, including post office, fire station and police station.

(5) Clinic licensed under Section 51, Ch. 111, General Laws but not a hospital licensed under said Chapter.

14.21.7 Transportation, Communication and Utility Uses

(1) Bus, subway or railroad passenger station.

(2) Automobile parking lot or parking garage.

(3) Distribution center, parcel delivery center or delivery warehouse as accessory uses only.

(4) Telephone exchange, as an accessory use.

(5) Radio or television transmission station.

(6) Transformer station, substation, gas regulator station, or pumping station and related utility uses designed primarily to serve development within the District.

14.21.8 Other Uses. Any use not listed in subsections 14.21.1 through 14.21.7 may be allowed by the Planning Board in its approval of an Infill Development Concept Plan or subsequent Amendment, upon written determination by the Board that such use is consistent with the objectives of the District and with adopted City policies and guidelines applicable to Kendall Square.

14.22 *Multiple Uses in the Same Structure.* Within the District there shall be no restriction on combining different categories of use within the same building other than those imposed by the State Building Code or other federal, state or local regulations other than the Zoning Ordinance.

14.23 *Environmental Protection Standards.* No activity shall be permitted in the District unless it shall be in conformity with the following standards for environmental protection.

14.23.1 All dust, fumes, odors, smoke or vapor shall be effectively confined to the premises or so disposed of as to avoid air pollution.

14.23.2 Any noise, vibration or flashing shall not be normally perceptible without instruments at a distance of one hundred (100) feet from the premises.

14.23.3 All development proposals shall comply with Federal and State air pollution and water pollution control regulations, the City of Cambridge Ordinances, and other applicable environmental laws.

14.23.4 Except during construction activity on the lot all refuse and other waste materials shall be stored within buildings prior to collection and disposal.

14.30 INTENSITY OF DEVELOPMENT REQUIREMENTS

14.31 *Applicability.* The amount and density of development within the ~~Cambridge~~ Kendall Center MXD District shall be governed by the provisions of this Section 14.30.

14.32 *District Development Limitations.* There shall be limitations on the overall amount of development within the District as specified below.

14.32.1 The Aggregate gross floor area (GFA) of development in the District shall not exceed the sum of (i) three million, ~~one~~ six hundred ~~thirty~~ seventy three thousand (3,673,000 ~~3,133,000~~) square feet, ~~providing that any development in excess of two million eight-hundred and thirty three thousand (2,833,000) shall occur only within the area designated on the Zoning Map as the "Ames Street District", and~~ plus (ii) six ~~two~~ hundred thousand (6~~2~~00,000) square feet that shall be limited to multi-family residential uses as permitted in Section 14.21.4(1), for a total Aggregate GFA not to exceed 4,273,000 square feet. Up to sixty thousand (60,000) square feet of such Aggregate GFA of ~~3,133,000~~ 3,673,000 in clause (i) of the preceding sentence, shall be allowable only by special permit pursuant to Section 14.72.

~~the~~ At least two hundred thousand (200,000) square feet of the GFA restricted to housing uses shall occur only within the area designated on the Zoning Map as the "Ames Street District" and has been approved by special permit dated March 27,2015 (the "Ames Street Residential Project"). The commencement of construction for the Ames Street Residential Project, approved by special permit in 2015, shall precede the occupancy of any commercial GFA in excess of three million and seventy three thousand (3,073,000) square feet, other than the 60,000 square feet of commercial space that may be permitted by special permit pursuant to Section 14.72.3.

Additionally, the commencement of construction of a second residential project of at least 200,000 square feet shall precede the occupancy of any commercial GFA utilizing Infill GFA (as defined in Section 14.32.2 below) in excess of three hundred and seventy five thousand (375,000) square feet.

~~however, may only be used in that portion of the MXD district located between Main Street and Broadway.~~

Aggregate GFA of development in the District is at any time the sum of the GFA (as defined in Article 2.000 of this Ordinance) of all buildings (i) which are then located in the District, (ii) which are being constructed or may be constructed in the District pursuant to then effective building permits, and (iii) which, pursuant to then outstanding contracts (including options) with Cambridge Redevelopment Authority and so stated in certificates from the Authority to the Superintendent of Buildings, may be constructed in the District in the future. Notwithstanding the definition in Article 2.000 for Gross Floor Area and the provisions of Section 5.25, parking garages and accessory parking facilities shall be exempt from the requirements as to Floor Area Ratio and shall not be included in the calculation for Gross Floor Area on a lot.

14.32.2 The Cambridge Redevelopment Authority (CRA) shall cause an Infill Development Concept Plan (Concept Plan) to be prepared providing for the distribution of additional GFA for new development within the District above and beyond 3,333,000 square feet ("Infill GFA") and meeting the requirements of Section 14.32.2.1. The Concept Plan

shall be approved by CRA and by a special permit granted by the Planning Board in order to authorize the development of Infill GFA. The purpose of the Concept Plan is to provide a context and a conceptual governance structure for existing and potential future development that allows development to proceed in a flexible manner without requiring additional special permits for each building. The Concept Plan is expected to evolve over time, and with each subsequent development proposal updates to the Concept Plan shall be submitted. Amendments to the special permit may be granted as set forth below, but revisions to a Concept Plan shall not necessarily require amending the special permit so long as the revisions remain in conformance with the conditions of the special permit.

14.32.2.1 *Infill Development Concept Plan Requirements*:

1) A current development program illustrating the size, location, and uses of existing buildings at the time of submission,

2) A site plan for all proposed new development within the District including locations of Innovation Space as described in Section 14.32.5 and Active Ground Floor Uses described in Section 14.36.

3) A table summarizing the current and proposed future uses on building sites in the District and indicating the potential size and use (or alternate uses) of future development.

4) A Phasing Plan describing the anticipated timing of commercial and housing development.

5) A Transportation Impact Study certified by the Traffic, Parking and Transportation Department in accordance with the requirements of Section 19.24, Paragraph (2) of this Zoning Ordinance, which shall also include a parking demand analysis and a projection of proposed reliance on transit and plans to address non-automobile use.

6) A housing program describing the distribution of new housing units, including affordable housing units, middle income housing units, and larger family units containing two (2) or more bedrooms.

7) An open space plan depicting the size, layout and configuration of all open space within the District. This open space plan shall illustrate the open space existing in the District and open space to be developed or modified within the District and / or outside of the District in accordance with Section 14.40. The plan shall provide a narrative discussion of public programming concepts for new and existing open space.

8) A plan describing street and public infrastructure improvements to be undertaken in coordination with the development program, including all proposed water, stormwater and sewage facilities, which shall also be submitted to the Department of Public Works for review.

9) A plan illustrating proposed building scale, height and massing, including a and model and a study demonstrating the anticipated shadow and wind impacts of all proposed buildings taller than 100 feet, and a general description of proposed mitigation measures that will be employed.

10) Proposed modifications, if any, to the development plans then approved pursuant to the Massachusetts Environmental Policy Act (MEPA) and an update on implementation of required mitigations from MEPA.

11) A sustainability plan describing concepts for how additional development will meet the requirements set forth in Section 14.74 below, including but not limited to district-wide approaches to energy, water and wastewater management, climate resiliency and waste management.

12) In order to effectuate the goals of promoting a vibrant retail environment and street-level activation, the Concept Plan shall include a Retail Plan for creating active street-level uses.

14.32.2.2 *Findings and Approval*. The Planning Board shall grant a special permit approving an Infill Development Concept Plan upon finding that the new development identified within the plan meets the criteria for approval of a Planned Unit Development set forth in Section 12.35.3(3) of the Zoning Ordinance and the criteria for approval of a Project Review Special Permit set forth in Section 19.25 of the Zoning Ordinance. In making its findings, the Board shall consider the objectives set forth in the Kendall Square Final Report of the K2C2 Planning Study ("K2 Plan") and the *Kendall Square Design Guidelines*. The approval of a Concept Plan shall serve to meet any applicable project review requirements of Article 19.000, and no additional Project Review Special Permit shall be required for new development that is identified within an approved Concept Plan.

14.32.2.3 *Conditions*. The special permit shall include a summary of approved Infill GFA in the aggregate, a description of the sites on which the development of Infill GFA is permitted, and the allowed range of development and uses on each site. Alternatives and variations may be allowed as set forth in the conditions of the special permit. The special permit shall also include conditions for project mitigation applicable to each Infill GFA development site. Development on a particular site identified in the Concept Plan shall be authorized if the conditions applicable to that site are met.

14.32.2.4 *Ongoing Review*. The conditions of the special permit shall set forth a process for future review and approval of the design of buildings, landscaping and other significant components of an approved Concept Plan. Such process shall include representation by the CRA, Planning Board and City staff, in compliance with the Kendall Square Urban Renewal Plan. The special permit may specify that such further review not be required for any building design that is determined to have been sufficiently advanced at the time of granting of the special permit as to meet the standards for project review as set forth in Section 14.73.

14.32.2.5 *Amendments*. Major or Minor Amendments to the Infill Development Concept Plan may be approved as set forth in Section 12.37 of the Zoning Ordinance after review

and approval by the CRA, with Major Amendments requiring the granting of a special permit by the Planning Board and Minor Amendments requiring a written determination by the Planning Board. The conditions of the special permit may specify what types of modifications would constitute Major or Minor Amendments.

14.32.2.6 Notwithstanding anything contained in this Section 14.32.2 to the contrary, (i) the GFA utilized for the Ames Street Residential Project and (ii) a maximum of 60,000 square feet of Aggregate GFA associated with a project seeking a special permit under Section 14.72.3, shall not be deemed to be Infill GFA for the purposes of this Article 14.

~~In addition to the Aggregate GFA limitation establishment in Section 14.32.1, the Cumulative GFA for each of the use groups shall not exceed the respective amounts stated below, except as provided in Subsection 14.32.2(5). Cumulative GFA for a use group is at any time the sum of GFA (as defined in Article 2.000 of this Ordinance) of all portions, occupied or to be occupied by uses within such use group, of all building (i) which are then located in the District, (ii) which are being constructed or may be constructed in the District pursuant to then effective building permits, and (iii) which pursuant to then outstanding contracts (including options) with Cambridge Redevelopment Authority and so stated in certificates from the Authority and so stated in certificates from the Authority to the Superintendent of Buildings, may be constructed in the District in the future.~~

~~(1) Industrial uses permitted by Section 14.21.1 of this Article: Cumulative GFA=770,000 square feet.~~

~~(2) Office Uses and Biotechnology Manufacturing Uses permitted by Section 14.21.2 of this Article: Cumulative GFA=1,665,000 – 2,205,000 square feet.~~

~~Aggregate GFA within the District authorized by a variance issued by the Board of Zoning Appeal to exceed the District Development Limitation of Section14.32 shall not be counted by the Superintendent of Buildings for any purpose in determining the aggregate GFDA within the District or compliance with the intensity of development requirements of Article 14.00.~~

~~The Superintendent of Buildings shall maintain a separate record of any development within the area of the MXD district designated on the Zoning Map as the "Ames Street District."~~

~~Development after September 30, 2010, within the area of the MXD District designated on the Zoning Map as the "Ames Street District" shall be allocated first to the increment of allowable GFA in the MXD District between two million eight-hundred and thirty three thousand (2,833,000) and three million, one hundred thirty three thousand (3,133,000) square feet, and then to any remaining GFA under two million eight-hundred and thirty three thousand (2,833,000) as authorized by the District Development Limitations of Section 14.32. Development~~

~~allowed by special permit under Section 14.72 shall be allocated to the increment of allowable GFA in the MXD District under two million, eight hundred and thirty three thousand (2,833,000) as authorized by the District Development Limitations of Section 14.32, and not to the increment between two million, eight hundred and thirty three thousand (2,833,000) and three million, one hundred thirty three thousand (3,133,000).~~

~~Issuance of any base building permit or certificate of occupancy for any building in the Ames Street District utilizing any part of the 2010 Additional GFA shall be conditioned upon certification of all relevant departments of the City to the Superintendent of Buildings that the project is proceeding in accordance and compliance with all provisions of that certain "Letter of Commitment" dated August 2, 2010 given by the property owner of the Ames Street District to the City of Cambridge pertaining to the utilization of the 2010 Additional GFA.~~

~~(3) Retail and consumer service uses permitted by Section 14.21.3 of this Article: Cumulative GFA= 150,000 square feet.~~

~~(4) Residential uses permitted by Section 14.21.4 of this Article:~~

~~(a) Multifamily housing: Cumulative GFA=300,000 square feet~~

~~(b) Hotel/Motel: Cumulative GFA=440,000 square feet~~

~~(5) Entertainment, recreation, institutional, transportation, communication and utility uses permitted by Sections 14.21.5, 14.21.6 and 14.21.7 and additional development of industrial, office and biotechnology manufacturing uses, retail, consumer service and hotel/motel uses exceeding the cumulative GFA limitations of paragraphs (1), (2), (3), and (4b) above: Cumulative GFA=973,000 square feet.~~

14.32.3 Any construction or change of use within the District which would cause Aggregate ~~cumulative~~ GFA limitation of Section 14.32.1 ~~and 14.32.2~~ to be exceeded, shall not be allowed.

(1) Compliance with this Section 14.32.3 shall be determined by the Superintendent of Buildings at all times including at the time of issuance of a building permit and at the time of issuance of a Certificate of Occupancy under Section 9.20 of this Ordinance.

(2) The ~~Superintendent of Buildings~~ CRA shall maintain a record of the Aggregate GFA within the District and shall provide an Aggregate GFA record to the Superintendent of Buildings and the Community Development Department (CDD) with any building permit or certificate of occupancy application utilizing Infill GFA. ~~and a record of cumulative GFA for each use group specified in Section 14.32.2~~. Such record shall separately account for development within the Ames Street District. These records shall be adjusted as appropriate, from time to time, including upon issuance, revocation or expiration of a building permit or certificate of occupancy and upon receipt of a certificate from the CRA ~~Cambridge Redevelopment Authority~~ as to an outstanding contract (including option) for the construction of a building. The CRA shall also maintain a record of cumulative

GFA by land use for the purpose of determining and tracking open space requirements for existing and future development.

~~(3) In determining cumulative GFA for a building containing uses in more than one use group, spaces to be utilized by users in more than one of the use groups, such as lobbies, interior courts, elevator shafts and basement storage areas shall be apportioned to each use group in proportion to the share of space that use groups will occupy within the building.~~

(3) Each applicant for a Special Permit, building permit or a certificate of occupancy shall submit to the Superintendent of Buildings information, including the following, as appropriate to the application, in order to determine compliance with this Section 14.32 and to demonstrate that the proposed construction and/or occupancy will not violate or be inconsistent with any outstanding contract or deed:

(a) measurement of total gross floor area of the building or building additions;

~~(b) in a building containing uses in more than one use group, the measurement of gross floor area(s) by use group, for spaces to be devoted exclusively to uses in such group and the measurement of gross floor area of spaces to be shared by users in more than one use group;~~

~~(c) measurement of gross floor areas of renovations or use changes within existing buildings;~~

(b) measurement of future development commitments or limitations on the lot specified in deed restrictions, covenants or comparable legal instruments.

14.32.4 *Applicability of Section 19.20~~. for Residential Uses~~*. Notwithstanding the provisions of Section 19.22 (1), a structure, any portion of which contains residential uses as set forth in Section 14.21.4 (1) above, shall be subject to the provisions of Section 19.20 – Project Review Special Permit. In addition, notwithstanding the provisions of Section 19.22(1), any development within the area designated on the Zoning Map as the "Ames Street District" utilizing the 2010 Additional GFA under Section 14.32.3(2) above shall be subject to the provisions of Section 19.20-Project Review Special Permit, with the exception of Section 19.21.1. It is understood and agreed that the provisions of this Section 14.32.4 shall apply only to development proposals that are not included within the Infill Development Concept Plan process described in Section 14.32.2 above.

14.32.5 *Innovation Space:* An Infill Development Concept Plan proposing more than 100,000 square feet of GFA for Office and Biotechnology Manufacturing Uses shall include a plan for Innovation Space meeting the requirements below. Innovation Space within the District must occupy GFA equal to, or in excess of, ten percent (10%) of non-residential Infill GFA. Existing GFA within the District may be converted to meet this requirement. The Innovation Space requirement shall be met through the provision of office spaces of at least 10,000 square feet (or ten percent (10%) of the newly-constructed non-residential GFA, if less) within a single building and may be satisfied by means of a lease to a single user who will operate and manage a facility meeting the requirements hereof:

(a) *Combined Spaces*. Developers of properties within the District may collaborate with other developers in adjacent zoning districts in the Kendall Square area (defined as zoning districts reviewed as part of the K2 Planning Study) to develop a Joint Innovation Space Plan. In such a case, the total square footage of joint Innovation Space must be large enough to satisfy the sum of the requirements, if any, for such participating developers and zoning districts.

(b) *Characteristics*. For the purposes of this Section 14.32.5, Innovation Space shall have the following characteristics:

(i) Durations of lease agreements (or other similar occupancy agreements) with individual office tenants shall be for periods of approximately one (1) month.

(ii) No single business entity may occupy more than 2,000 square feet or 10% of the entire Innovation Space provided in the District, whichever is greater.

(iii) The average size of separately contracted private office suites may not exceed 200 square feet of GFA.

(iv) Innovation Space shall include shared resources (i.e., co-working areas, conference space, classroom space, office equipment, showroom, shop or lab equipment, storage, circulation, supplies and kitchens) available to all tenants and must occupy at least 50% of the Innovation Space.

(v) Individual entities occupying Innovation Space may include small business incubators, small research laboratories, office space for investors and entrepreneurs, facilities for teaching and for theoretical, basic and applied research, product development and testing and prototype fabrication or production of experimental products.

(c) *Variations*. In approving an Infill Development Concept Plan, Major or Minor Amendments to the Concept Plan, or through subsequent design review of individual building design per Section 14.32.2.4, the Planning Board may approve variations in the specific characteristics set forth above if the proposed Innovation Space is found to be consistent with the purposes of these characteristics.

14.32.6 *GFA Exemptions*

The following items shall be excluded from the calculation of Aggregate GFA within the District for the purposes of determining compliance with the intensity of development requirements of Article 14:

(1) *Variances:* Any GFA within the District authorized by a variance issued by the Board of Zoning Appeal.

(2) *Residential Outdoor Area Exemptions:* Private outdoor decks or balconies for multi-

family residential development, up to eight percent (8%) of the building floor area.

(3) *Innovation Space*: Fifty percent (50%) of the Innovation Space GFA up to the minimum required by Section 14.32.5.

(4) *Retail:* The GFA occupied by retail and consumer service uses listed in Section 14.21.3, if the following conditions are met:

a) the excluded GFA is not located above the ground level of a building (provided, however, that the Planning Board may waive this limitation in specific instances where it finds that the proposed use would be uniquely beneficial to area residents, such as a grocery store or pharmacy);

b) the excluded GFA has frontage and direct pedestrian entrances onto Main Street, Binney Street, Broadway, Ames Street, Galileo Way, Pioneer Way, internal service drives or onto open space that is directly accessible and not more than one hundred (100) feet distant from at least one of the aforementioned streets or services drives;

c) the excluded GFA is occupied by separate retail establishments, each occupying no more than five thousand (5,000) square feet of floor area (provided, however, that the Planning Board may waive this limitation in specific instances where it finds that the proposed use would be uniquely beneficial to area residents, such as a grocery store, pharmacy, or an innovative retail format where multiple small vendors occupy a larger market space);

d) the ground level façade is designed with entrances and glazing materials such that at least 60% of the façade area is transparent providing visibility between the retail use and the public sidewalk or open space; and

e) A minimum of 25% of the retail space, exclusive of retail space used for grocery stores and/or pharmacies, consists of Independent and Local Retailers. “Independent and Local Retailers” shall include any retail operator, which does not own or operate more than ten (10) retail locations in the Commonwealth of Massachusetts with the same name and retail concept.

(5) *Middle Income Housing Units*: The square footage of any middle income housing units as defined in Section 14.35(c).

(6) *Transfer of Development Rights*: Any GFA acquired through the transfer of development rights provisions of the Zoning Ordinance.

14.33 *Lot Density Limitation.* In addition to the Aggregate GFA limitation ~~and cumulative~~ established in Section 14.32, there shall also be a density limitation for each lot within the District. The following floor area ratios (as defined in Article 2.000) for each lot shall not be exceeded, except as provided in Sections 14.32.6 and 14.33.6. The area of the lot to be counted in determining FAR shall include land dedicated by the owner or former owner of the lot as public open space under Section 14.42.

14.33.1 Industrial and Wholesale uses: FAR 4.0

14.33.2 Office Uses and Biotechnology Manufacturing Uses: FAR 8.0

14.33.3 Retail and Consumer Services uses: FAR 5.0

14.33.4 Residential uses:

(1) Multifamily housing: FAR ~~4.0~~ 8.0

(2) Hotel/Motel: FAR 6.0

14.33.5 Other uses: FAR 4.0

14.33.6 If development on a lot is to include activities in more than one of the use groups above, the maximum FAR for the lot shall be the FAR for the use group containing the largest proportion of space on the lot.

14.34 *Building Height Limitation.* The maximum building height in the District shall be two hundred and fifty (250) feet, except for the area of the District more than 450 feet north of the centerline of Broadway, where the maximum building height for any portion of a building in such area shall be 200 feet. Up to two (2) mixed-use buildings may reach 350 feet provided, however, that the occupied floors above 250 feet may only contain residential and associated amenity space. Additionally, the floorplate of any portion of a building above 250 feet shall not exceed 12,000 square feet.

This requirement shall not apply to chimneys, water towers, air conditioning equipment, elevator bulkheads, skylights, ventilators, solar or wind energy systems, and other necessary features appurtenant to buildings, which are usually carried above roofs and are not used for human occupancy. These requirements shall also not apply to (i) domes, towers or spires above buildings if such features are not used for human occupancy and occupy less than ten percent (10%) of the lot area, (ii) wireless or broadcasting towers and other like unenclosed structures which occupy less than ten percent (10%) to the lot area or (iii) rooftop terraces and enclosed structures ancillary thereto (provided that such structures occupy less than ten percent (10%) of the lot area).

14.35 *Middle Income Housing Requirement*. For any project utilizing Infill GFA, the following requirements for Middle Income Housing Units shall apply in addition to the Inclusionary Housing requirements set forth below:

(a) Middle Income Units (as defined below) shall occupy floor area equal to at least five percent (5%) of the total floor area devoted to private residential dwelling units in projects utilizing Infill Development GFA. Such Middle Income Units shall be distributed throughout the residential building in a manner approved by the Planning Board, in consultation with City and CRA staff, in order to ensure that the Middle Income Units are of an appropriate location, size, configuration and quality for households intended to occupy such units. The floor area of Middle Income Units provided per this Section 14.35 shall not be counted against the Aggregate GFA limitation in the District.

(b) For the purposes of this Section 14.35, Middle Income Units shall be defined as residential dwelling units for which:

i. the occupancy is restricted to households whose total income does not exceed 120% of the median income of households in the Boston Standard Metropolitan Statistical Area adjusted for family size, or such other equivalent income standard as may be determined by the Board of Trustees of the Affordable Housing Trust Fund;

ii. the rent (including utilities) does not exceed thirty percent (30%) of the income of the renting household or, in the instance of home ownership units, the monthly mortgage payment (including insurance, utilities and real estate taxes) does not exceed thirty percent (30%) of the income of the purchasing household, or such other equivalent standard as may be determined by the Board of Trustees of the Affordable Housing Trust Fund; and

iii. the Middle-Income Units are not also designated as Affordable Units for the purpose of meeting the Inclusionary Housing requirements in Section 11.200.

14.36 *Affordable Housing Requirement*. For any project utilizing the Infill GFA, the following requirements shall apply in place of the Inclusionary Housing requirements set forth in Section 11.200 of this Zoning Ordinance.

a. Notwithstanding anything to the contrary in this Ordinance, no less than fifteen percent (15%) of the total floor area devoted to multi-family residential units shall be devoted to Affordable Units in accordance with the definitions and procedures set forth in Section 11.200 of the Zoning Ordinance. No increase in GFA beyond the limitations set forth in Section 14.32.1 shall be provided for a project or the District subject to the requirements of this Section 14.35.

b. The Planning Board may approve a Special Permit providing Affordable Units that are, on average, larger in area than the other dwelling units in the building. Where such units are larger in size and provide a greater number of bedrooms, they may be accordingly, fewer in number within the project, provided that the 15% of total floor area requirement is met.

c. If the Inclusionary Housing requirements applicable citywide are amended subsequent to September 1, 2015 such that more than fifteen percent (15%) of the total floor area devoted to residential units must be devoted to Affordable Units or Middle Income Units, then those citywide Inclusionary Housing requirements shall supersede the requirements of this Section 14.36.

14.37 *Active Ground Floors*:

The ground floor of newly constructed buildings utilizing 50,000 square feet or more of Infill GFA, with frontage along Main Street, Broadway and Ames Street must be occupied by (i) Retail and Consumer Service uses, as listed in Section 14.21.3, or (ii) active public gathering space (whether enclosed or open), for a minimum street frontage length of seventy-five percent (75%) of the building façade along this frontage. Dimensional variations and alternate uses may be approved by the Planning Board upon determining that the specific uses and designs proposed are consistent with the purpose and intent of this Section 14.36. Additionally the Planning Board may allow a development proposal to provide for the redevelopment of existing buildings with Retail and Consumer Service

uses along the ground floor of any of the identified street frontage, may be credited for up to fifty percent (50%) of the Ground Floor requirement herein. Banks and financial institutions shall not be considered active ground floor uses for the purposes of meeting this requirement.

14.40 OPEN SPACE REQUIREMENTS

14.41 *Definition of Open Space.* For purposes of this Section 14.40, open space shall mean a portion of a lot or other area of land associated with and adjacent to a building or group of buildings in relation to which it serves to provide light and air, or scenic, recreational or similar purposes. Such space shall, in general, be available for entry and use by the occupants of the building(s) with which it is associated, and at times to the general public, but may include a limited proportion of space so located and treated as to enhance the amenity of development by providing landscaping features, screening or buffering for the occupants or neighbors or a general appearance of openness. Open space shall include parks, plazas, lawns, landscaped areas, decorative plantings, roof decks, balconies, pedestrian ways listed in Section 14.45, active and passive recreational areas, including playgrounds and swimming pools. Streets, parking lots, driveways, service roads, loading areas, and areas normally inaccessible to pedestrian circulation beneath pedestrian bridges, decks or shopping bridges shall not be counted in determining required open space.[1]

14.42 *District Public Open Space Requirement.* A minimum of one hundred thousand (100,000) square feet within the District shall be reserved or designated as public open space. No development shall be allowed which would reduce public open space in the District below one hundred thousand (100,000) square feet.

14.42.1 Public Open Space shall be open space reserved for public use and enjoyment as guaranteed through one or more of the following:

(a) Retention by the Cambridge Redevelopment Authority;

(b) Dedication to and acceptance by the City of Cambridge or other public entity;

(c) Easements or deed restrictions over such land sufficient to ensure its perpetual reservation for public open space purposes.

(d) Dedication, by covenant or comparable legal instrument, to the community use of the residents, lessees and visitors to the District for reasonable amounts of time on a regular basis;

(e) Lease agreements of ninety-nine (99) years or longer from the private developer or owner to the City or other public entity.

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[1] Open space definition broadened to include roof decks and balconies to encourage their development within the MXD District.

14.42.2 In addition to the Public Open Space provisions above, development in the MXD District shall provide that a combination of public open spaces and private but publicly accessible spaces such that the total open space areas in the MXD District are equivalent to at least fifteen percent (15%) of the land area (excluding road rights-of-way) within the MXD District. The open spaces within the District shall contribute to an interconnected network of public spaces in the broader Kendall Square neighborhood, accommodating a variety of activities for employees, residents and visitors, consistent with the place-making goals of the 2013 K2 Final Report.

14.43 *Project Based* ~~*Lot*~~ *Minimum Open Space Requirement.* Each development project shall be required to contribute to the open space network of the District and/or the surrounding neighborhood, consistent, in the case of Infill GFA, with an open space plan approved through the Special Permit application as described in Section14.32.2 and consistent with the Open Space Requirements of Section 403 of the Kendall Square Urban Renewal Plan. ~~The minimum amount of open space to be provided on each lot within the District shall be as shown on Table 1, subject to the reduction provided in Section 14.44. When development on a lot includes uses in more than one of the use categories in Table 1, the requirement for each use category shall be calculated and totaled to determine a total requirement for the lot. Some or all of this required open space may be designated and also serve as public open space, if reserved by one of the methods specified in Section 14.42~~

~~**Table 1: MXD Minimum Open Space Requirements**~~

~~User Group~~	~~Required Open Space (number of sq. ft. of open space required for each 100 sq. ft. of gross floor area in the use group)~~
~~Light Industrial and Wholesale Uses allowed by Section 14.21.1~~	~~5~~
~~Office Uses and Biotechnology Manufacturing Uses allowed by Section 14.21.2~~	~~8~~
~~Retail and Consumer Service Establishment Uses allowed by Section 14.21.3~~	~~10~~
~~Residential Uses allowed by Section 14.21.4~~	
~~Multifamily housing~~	~~15~~ ~~8~~[2]
~~Hotel or Motel~~	~~10~~
~~Other uses allowed by Section 14.21.5, 14.21.6, & 14.21.7~~	~~8~~

~~14.44 Reduction of Required Lot Open Space.~~

~~14.44.1 Eligibility for Reduction. The minimum amount of open space required for a lot by Section 14.43 may be reduced if at least twenty (20%) percent of the total perimeter~~

[2] Adjusted the open space requirement for residential to match that for commercial.

~~boundary of the lot abuts public open space reserved under Section 14.42, and if at least one major pedestrian entrance to the principal building will abut and provide direct access to said open space.~~

~~14.44.2 Amount of reduction. The allowed percentage reduction of required open space shall be determined by dividing the length of the lot's common boundary on the public open space by length of the total boundary of the public open space.~~

~~14.44.3 Public Open Space in Common Ownership Located Directly Across a Private Way. Public Open Space held in common ownership with the lot for which open space is required, located within the District and directly across a private way from said lot, shall be counted toward satisfaction of the lot minimum open space requirements of Section 14.43. The perimeter of such public open space, less the boundary that abuts the private way, shall count toward the "total perimeter boundary of the lot" under Section 14.44.1 and "the length of the lots' common boundary on the public open space" under Section 14.44.2. The perimeter of such public open space, including the boundary that abuts the private way, shall count toward the "total boundary of the public open space" under Section 14.44.2.~~

14.45 *Pedestrian Ways.*

14.45.1 Pedestrian ways listed and defined below may be counted toward the open space requirement determined in Section 14.43. ~~Each lineal foot of pedestrian way provided may be deducted from the Project's Open Space requirement described in Section 14.43_in the proportions specified in Table 2. In calculating the open space reduction in said table, all of the area of the pedestrian way located within the lot boundary and one half (1/2) the area of such ways over streets of service drives adjoining but outside the lot shall be counted~~ [3]

~~**Table 2: Open Space Substitutions for Constructing Pedestrian Ways**~~

~~Pedestrian Way~~	~~For each lineal foot of pedestrian way provided, the following amounts of open space may be deducted from the lot's open space requirement~~
~~Open Pedestrian Bridge~~	~~30 sq. ft.~~
~~Raised Pedestrian Deck~~	~~50 sq. ft.~~
~~Enclosed Pedestrian Bridge~~	~~40 sq. ft.~~
~~Elevated Pedestrian Bridge~~	~~120 sq. ft.~~
~~Shopping Arcade~~	~~20 sq. ft~~

[3] This section is simplified, and Table 2 eliminated to establish the same credit toward open space requirements for all types of pedestrians ways, and to specifically not encourage elevated or raised pathways over facilities at grade.

~~Elevated Shopping Way~~	~~50 sq. ft.~~
~~Through Block Arcade~~	~~40 sq. ft.~~

14.45.2 ~~The p~~ Pedestrian ways ~~listed in Table 2~~ shall be designed to provide for public access and shall have the following meanings: [4]

(1) An open pedestrian bridge is a continuous open bridge having a minimum width of six (6) feet and spanning a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots.

(2) A raised pedestrian deck is a continuous, open platform at least twenty (20) feet in width which is at least eight (8) feet above the mean elevation of the lot and which extends over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have direct pedestrian access from abutting buildings, shall provide seating facilities and shall be landscaped including one tree, of at least three and a half (3 1/2) inch ~~calliper~~ caliper, per five hundred (500) square feet of pedestrian deck.

(3) An enclosed pedestrian bridge is a continuous, enclosed space having a minimum width of eight (8) feet which spans a street, pedestrian way, access or service road or open space, making connections within a lot or between two adjacent lots. At least fifty (50%) percent of the surface area along its facades shall consist of transparent materials.

(4) An elevated shopping bridge is a continuous, enclosed space which spans a street, pedestrian way, access or service road or open space, making connection within a lot or between two adjacent lots. Such a shopping bridge shall have a minimum width of thirty-six (36) feet and a maximum width of forty-eight (48) feet, with retail uses as allowed in Section 14.21.3 along one or both sides of a pedestrian circulation route with a minimum width of twelve (12) feet. Such shopping bridge shall connect, at a minimum, at both ends to other internal or external pedestrian ways.

(5) A shopping arcade is a continuous, covered, but not necessarily enclosed, space which extends along the front facade of a building facing a street or pedestrian way within the District, and having retail uses as permitted in Section 14.21.3 accessible from it. It shall have a minimum continuous width, unobstructed, except for building columns, of at least twelve (12) feet, and also have a minimum continuous height of twelve (12) feet. Such shopping arcades shall have access from the abutting street or pedestrian way, having its floor at the same level and continuous with the sidewalk or other abutting pedestrian way. It shall be open to the public at all hours.

(6) An elevated shopping way is a continuous, enclosed space which extends along the front facade of a building facing a street or a pedestrian way and which has a

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[4] These definitions are not edited as they are referenced by other sections of the Zoning Ordinance.

minimum width of twelve (12) feet. It shall be located on the second level of the building and have a minimum continuous height of twelve (12) feet. It shall be open to the public for a minimum of twelve (12) hours daily, on weekdays, and shall have fronting retail uses as permitted in Section 14.21.3.

(7) A through block arcade is a covered space which provides a connection through a building and connects streets, open spaces, pedestrian ways, or any combination of the above, and is directly accessible to the public. A through block arcade shall have a minimum area of at least two thousand (2,000) square feet and a minimum width at any point of twenty (20) feet. A through block arcade shall have openings at the face of the building for entrance at least twelve (12) feet in width and ten (10) feet high. At least fifty (50%) percent of its aggregate interior frontage shall be retail use as permitted in Section 14.21.3. Vertical circulation elements, columns, pedestrian bridges and balconies are permitted obstructions provided they do not cover in the aggregate more than fifteen (15%) percent of the floor area of the arcade.

14.45.3 The minimum height of any pedestrian way above the surface of a public way over which it is constructed shall be fourteen feet (14'-0").

14.50 VEHICULAR ACCESS, PARKING AND LOADING

14.51 *Access.* Buildings erected in the Kendall ~~Cambridge~~ Center MXD District need not be located on lots which have frontage on a street. However, provisions for access to all buildings by emergency and service vehicles in lieu of public street access shall be made possible by the layout and design of driveways, interior service roads, or pedestrian and bicycle circulation corridors not normally open to vehicular traffic to the reasonable satisfaction of the City of Cambridge Fire Department, and the Cambridge Traffic Department.

14.52 *Parking Requirements.* Off-street parking regulations ~~requirements~~ for the Kendall ~~Cambridge~~ Center MXD District shall be as follows:

14.52.1 No on-grade, open parking areas shall be allowed in the District except as provided for in Section 14.52.4.

14.52.2 ~~Each~~ With the exception of multi-family residential development, there are no minimum parking requirements for new development in the District. Residential development shall provide at a minimum 0.4 automobile parking spaces per dwelling unit. All proposed development shall be restricted from constructing ~~provide enough~~ parking spaces, either on or off the lot within the District, beyond ~~to satisfy~~ the maximum allowances ~~requirements~~ of Table 1 ~~3~~. If a development includes more than one category of use, then the number of spaces ~~required~~ allowed for the development shall be the sum of the allowance ~~requirements~~ for each category of use. Where the computation of required spaces results in a fractional number, only a fraction of one half or more shall be counted as one. The Planning Board may approve arrangements for shared parking of such residential parking spaces with commercial spaces or otherwise adjust the minimum parking requirements based on review and analysis of anticipated parking demand within the Transportation Impact Study.

At least ten (10) additional parking spaces reserved for car-sharing vehicles shall be provided by the first development project utilizing at least 100,000 square feet of Infill GFA. These spaces are not counted toward maximum parking space ratios. In the event that no car sharing or site-based car rental organization is prepared to offer services, the designated car share spaces may be rented on a monthly basis unless and until an organization agrees to provide the services, if there is clear documentation that such parking spaces are continuously offered to car sharing organizations.

Table 1 ~~3~~ MXD District Parking Restrictions

Use	~~Minimum~~ Maximum number of spaces
Light Industrial uses allowed by Section 14.21.1	.8~~1~~/100~~75~~0 sq. ft.[1]
Office uses and Biotechnology Manufacturing Uses allowed by Section 14.21.2	.9/1~~2~~000 sq. ft.
Retail and consumer establishment allowed by Section 14.21.3	.5/1000 sq. ft.
Residential uses allowed by Section 14.21.4	
Multifamily residences	.75 per~~1~~ dwelling unit
Hotels or Motels	1/4 sleeping rooms
Public assembly uses allowed by Sections 14.21.3(2), 14.21.3(3), and Section 14.21.5	1/15 seats
Other uses allowed by Section 14.21.6 and 14.21.7	.9/1000 sq. ft. 2

1. All space measurements are in terms of square feet of gross floor area.
2. For assembly spaces having no fixed seating.

14.52.3 The parking ~~requirements~~ allowances specified in Table 1 may be ~~provided~~ satisfied in total or in part by a lease agreement between the developer and the City, other public entity, or private consortium for use of parking spaces in a public or pooled private parking facility located within the District (or, in the case of the spaces required for residential uses, located outside of the District but within 1,000 feet of the residential building for which the parking is being provided). The total number of parking spaces leased and constructed within the district for development on a lot shall not exceed the maximum allowances provided for in Table 2 ~~be at least equivalent to the Table 3 requirements~~.

14.52.4 Off-street, on-grade parking lots, not enclosed in a structure, may be constructed in the MXD District only ~~under the following conditions. (1)~~ on an interim basis in anticipation of later construction of structured parking provided that there is compliance with each of the following:

(a) the future parking structure will be constructed within the District but it may be located either on or off the lot;

(b) construction of the future parking structure will commence within three years of the date of permit application for development on the lot;

(c) such future parking structure may be constructed and/or operated by the applicant or by ~~an~~ a public or private entity;

(d) the future parking structure will contain sufficient spaces reserved for users of the lot to meet the parking requirements of the lot specified in Table 3; and

(e) binding commitments shall exist to guarantee, to the reasonable satisfaction of the Superintendent of Buildings, that requirements (a) through (d) above shall be satisfied. Such commitments shall be made by negotiated lease

agreement, deed restriction, covenant, performance bond, or comparable legal instrument.

~~(2) On a permanent basis on the lot for visitors parking or for such other limited uses as the user of the lot deems appropriate, provided that no more than ten (10%) percent of the spaces required by Table 3 or twenty-five (25) spaces, whichever is lesser, shall be allowed on grade under Section 14.52.4(2).~~ [5]

14.52.5 Regulations governing the layout and design of parking facilities in Article 6.000 of this Ordinance shall not be applicable in the MXD District. This Article 14.000 sets no such regulations for the MXD District.

14.52.6 Bicycle parking shall be provided as set forth in Section 6.100 of this Zoning Ordinance. [6]

14.53 Loading Requirements. It is the intent of this Section that sufficient off-street loading facilities be constructed within the District to meet the needs of users located there. The requirements of Article 6.000 shall not apply in the MXD District.

14.53.1 All buildings in the MXD District shall provide the number of bays required in Table 4 3 unless they qualify for one or more of the exemptions below:

(1) In buildings with uses in more than one use group under Section 14.21, the loading bay requirements for that use consuming the most gross floor area shall be first computed and required. Only fifty (50%) percent of the floor area of the other uses shall be counted in determining the additional loading requirements.

(2) Where there are contractual arrangements for sharing loading and service facilities with other users in the District for a period of ten (10) years of more, a fifty (50%) percent reduction in the loading bay requirements computed in Subsection 14.53.1 or 14.53.1(1) shall be allowed. Such contractual agreement shall be guaranteed to the satisfaction of the Superintendent of Buildings by covenant, deed restriction, or comparable legal instrument.

Table 2 ~~Table 4~~ MXD Off-Street Loading Requirements

(Number of bays required by gross floor area or use)

GROSS FLOOR AREA BY USE

(1) Use	Up to 25,000 sq. ft.	25,001 - 40,000 sq. ft.	40,001 - 100,000 sq. ft.	100,001 - 200,00 sq. ft.	Over 200,000 sq. ft. for each additional 150,000 sq. ft.

[5] Eliminates provision for permanent off street surface parking lots.

[6] Insures the application of bicycle parking requirements.

Light Industrial Uses allowed by Section 14.21.1	1		2	3	1
Office Uses and Biotechnology Manufacturing Uses allowed by Section 14.21.2	0	1	1	2	1
Retail and consumer service establishments allowed by Section 14.21.3	1	1	2	4	1
Residential uses allowed by Section 14.21.4					
Multifamily residences	0	1	1	2	1
Hotels and motels	1	1	1	2	1
Public assembly uses allowed by Sections 14.21.3(2), 14.21.3(3) and 14.21.5 (restaurants, entertainment and recreational facilities)	0	1	1	2	1
Other uses allowed by Section 14.21.6 and 14.21.7	0	0	1	2	1

14.53.2 Regulations governing the location, layout and design of loading facilities, specified in Section 6.90 of this Ordinance shall not be applicable in the MXD District. This Article 14.000 establishes no such regulations for the MXD District.

14.60 SIGNS

During the life of the Kendall Square Urban Renewal Plan as amended, the sign regulations of Section 7.10 shall not be applicable in the MXD District.

14.70 SPE~~I~~CIAL PROVISIONS

14.71 Special Provisions Applicable within the Ames Street District

14.71.1 *Applicability*. The provisions set forth in this Section 14.71 shall apply solely within the Ames Street District. Where this Section 14.71 specifies some standards or makes some other requirement contrary to the standards or requirements set forth elsewhere in this Article 14.00 or in the Ordinance, the provisions of this Section 14.71 shall control.

14.71.2 *Lot Density Limitation.* Notwithstanding the Lot Density Limitations in Section 14.33, there shall be no maximum floor area ratio for Multifamily dwelling uses. However, the District Development Limitations in Section 14.32 shall continue to apply.

14.71.3 *Lot Minimum Open Space Requirement.* So long as the District Public Open Space Requirement in Section 14.42 is met, and there exists within the Ames Street District a minimum of fifty-three thousand (53,000) square feet of public open space (as defined in Section 14.42), ~~the Lot Minimum Open Space Requirement in Section 14.43 shall be inapplicable~~ there shall be no open space requirement for any individual lots within the Ames Street District.

14.71.4 *Parking.* The minimum number of spaces for multifamily residential uses shall be 0.50 per dwelling unit.

14.71.5 *Loading Requirements.* Where there are contractual arrangements for sharing loading and service facilities with other users in the Ames Street District for a period of ten (10)

years or more, a sixty percent (60%) reduction in the loading bay requirements computed in Subsection 14.53.1 or 14.53.1(1) shall be allowed. Such contractual agreement shall be guaranteed to the satisfaction of the Superintendent of Buildings by covenant, deed restriction, easement or comparable legal instrument.

14.72 Special Provisions Applicable Outside the Ames Street District

14.72.1 *Applicability*. The provisions set forth in this Section 14.72 shall apply solely within the portion of the MXD District consisting of lots fronting on Main Street that are not within the Ames Street District as such District is constituted as of October 1, 2014. Where this Section 14.72 specifies some standards or makes some other requirement contrary to the standards or requirements set forth elsewhere in this Article 14.00 or in the Ordinance, the provisions of this Section 14.72 shall control.

14.72.2 *Purpose and Intent.* In furtherance of the intent provided in Section 14.72, and in response to the Kendall Square planning process, the purpose and intent of this Section 14.72 is to provide an incentive for improvements that will remedy a gap in the urban street edge, propose retail and other ground floor activity to increase public engagement, reduce parking utilization levels and enhance sustainability, and upgrade design to current standards, in keeping with Kendall Square's identity as a world-renowned research center and a vibrant neighborhood.

14.72.3 *Special Permit.* Where improvements are proposed to be constructed on any lot within the portion of the MXD District fronting on Main Street that is not within the Ames Street District as such District is constituted as of October 1, 2014, and release of an open space covenant by the City will be necessary to accommodate such improvements, the Planning Board may grant a special permit allowing improvements containing incremental square footage of not more than 60,000 square feet of GFA within the limits of Section 14.32 in excess of the square footage of improvements located on such lot as of October 1, 2014. In granting such special permit, the Planning Board shall find the following:

(1) The lot upon which such improvements are proposed contained, as of October 1, 2014, no portion of a building located so as to create a street edge along any part of the Main Street frontage of such lot; and the proposed improvements will remedy that condition by including the establishment of a street edge in keeping with the urban nature of the area, on at least a portion of the Main Street building façade.

(2) The ground level of the proposed improvements fronting on Main Street will be designed to enhance public access and interaction.

14.72.4 *Retail and Consumer Services Uses.* If retail or consumer services uses are a part of any improvements authorized by special permit under this Section 14.72, the Gross Floor Area of any first floor or areas situated no more than one (1) floor below grade of such improvements devoted to such retail or consumer service uses shall be excluded from calculations of Gross Floor Area and FAR for all purposes of this Article 14.00 and the Ordinance, provided that the portion of any individual retail or consumer service use exceeding 5,000 square feet (or 10,000 square feet for a grocery, market

or pharmacy retail use) shall be counted as Gross Floor Area for the purposes of calculating allowable FAR.

14.72.5 *Parking and Loading.* The improvements authorized by special permit under this Section 14.72 shall not require vehicle parking or loading facilities by reason of the incremental development authorized, and no additional parking spaces shall be provided by reason of improvements located on such lot beyond the number of parking spaces provided as of October 1, 2014.

14.72.6 *Bicycle Parking.* Additional bicycle parking shall be provided as required in Section 6.100 to the extent of the incremental development authorized by special permit under this Section 14.72, provided that any such spaces may be located anywhere on the lot or in such other location as the Planning Board may in its discretion approve.

14.72.7 *Open Space.* The Lot Open Space Requirements in Section 14.43 shall be inapplicable on any lot on which improvements are authorized by special permit under this Section 14.72, and the Planning Board may in its discretion waive any other open space requirement applicable to such lot under this Ordinance. Any ground floor publicly accessible feature, if so determined by the Planning Board, shall be excluded from calculations of Gross Floor Area and FAR for the purposes of this Article 14.00 and the Ordinance. The Planning Board may grant a special permit for improvements to be located within the area of the open space covenant that would need to be released by the City notwithstanding that such open space covenant may not have been released prior to issuance of such special permit.

14.72.8 *Sustainable Design and Development.* The incremental development authorized by special permit under this Section 14.72 shall comply with the green building requirements of Section 22.20, provided that the Planning Board may in its discretion vary or waive any such requirements.

14.72.9 *Project Review.* Incremental development authorized by special permit under this Section 14.72 shall be subject to project review by the Planning Board under the provisions of Section 19.20.

14.72.10 *Incentive for Housing Development.* The incremental development authorized by special permit under this Section 14.72 shall be considered an Incentive Project pursuant to Section 11.200.

14.72.11 *Contribution to Community Fund.* Upon issuance of a Final Certificate of Occupancy for the incremental development authorized by special permit under this Section 14.72, the permittee shall contribute to a Community Fund, established by the City Manager, an amount equal to $10.00 multiplied by the number of square feet of new gross floor area for office and biotechnology manufacturing uses identified in Section 14.21.2 contained in such incremental development.

14.72.12 *Public Benefits.* The public benefits to be provided by a development for which a special permit may be granted under this Section 14.72, including those provided in Sections 14.72.10 and 14.72.11, shall be deemed to satisfy any future requirements for public benefits that may be adopted with respect to the MXD District or any portion thereof that may include any lot eligible for such special permit, including without limitation any other funding requirement or exaction, any requirements to provide

innovation or other space or services, or any limitations relating to the progress or sequence of development of residential or other space, none of which shall apply thereto.

14.72.13 *Letter of Commitment.* The Letter dated March 26, 2015, by Richard McKinnon on behalf of the Whitehead Institute and received by the City Council as Communication #5 of March 30, 2015, and attached "Design Narrative/Zoning Guidelines" Memorandum prepared by Andy Pecora of Tsoi / Kobus & Associates, shall be binding upon the Whitehead Institute and its successors and assigns. The issuance of any building permit or certificate of occupancy authorized by a special permit issued pursuant to this Section 14.72 shall be conditioned upon certification by the Community Development Department and all other relevant City departments to the Inspectional Services Department that all portions of the aforementioned Letter are continuing to be met.

14.73 INTER-AGENCY DESIGN REVIEW [7]

Review and approval of the Infill Development Concept Plan, as described in Section 14.32.2, and subsequent building design review under Section 14.32.2.4 shall be conducted jointly by the Planning Board and the CRA, as described in Section 506 of the Kendall Square Urban Renewal Plan, "Inter-Agency Design Review." The Planning Board and CRA , shall hold at least one joint public meeting to consider the Infill Development Concept Plan. In order to insure high quality architectural design and thoughtful adherence to the Concept Plan, evaluation of subsequent building proposes shall include the review of:

a) A site plan illustrating the new building proposal in context with existing and proposed new development within the District.

b) A proposed development program illustrating the size and location of uses within the building,

c) Building plans, sections, elevations, and rendering sufficient to describe the urban design setting and architectural character of the proposed building(s). A materials board shall be provided along with annotated building elevations.

d) A digital or physical model of the building within the context of neighboring buildings.

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[7] New section added to insure consistency with KSURP redevelopment plan requirements for a Concept Plan outlining the build out of the MXD District. The details of this provision previously lived within the Land Disposition Agreements and the areas north and south of Broadway were initially planned and designed separately rather than as an entire District.

e) A project specific open space plan depicting the design of open space provided on site by the project and any Public Open Space contributions to the area to be executed by the Project. Additionally streetscape designs for building frontages.

f) A sustainability narrative describing how the development proposal will meet the requirements set forth in Section 14.74 below.

As set forth in Section 14.32.2.4, the procedures for ongoing design review of subsequent building proposals shall be further defined per the Concept Plan Special Permit.

14.74 *Sustainability*. New buildings constructed within the District shall comply with the provisions of Section 22.20 of the Ordinance. For those construction projects utilizing Infill GFA subject to Section 22.23, LEED certification at the Gold level or better is required and must enlist a Commissioning Authority to perform Enhanced Commissioning of the building's performance. In connection with the submission requirements of Section 22.24.2.a., the Developer of such buildings shall submit a Statement of Energy Design Intent produced through the EnergyStar Target Finder tool, or comparable method. New buildings in the District utilizing Infill GFA must incorporate an integrated design approach and incorporate best practices for meeting sustainability in the following five (5) areas:

a) *Energy and Emissions*. Each new building must conserve building energy and, to the extent applicable, reduce greenhouse gas emissions. The project proponent must evaluate the potential for on-site energy generation or the construction or expansion of co-generation or district energy facilities within the District. All new construction shall be developed to be Solar-Ready, allowing for the immediate installation of solar voltaic units or provisions of building systems to allow future solar installation. Building proposals shall include a study considering the feasibility of connecting to the existing district steam system or other energy co-generation facility in the area.

b) *Water Management*. The Developer, for each new building, must explore opportunities for:

(i) potable water use reductions,

(ii) storm water management using open spaces,

(iii) the incorporation of indigenous vegetation and,

(iv) storm water for irrigation purposes.

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

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

e) *Rooftop Mechanical Equipment Noise Mitigation*. Sound emanating from rooftop mechanical equipment on all new or substantially altered structures shall be minimized by the adoption of best available and feasible practices regarding the location and sizing of equipment, the selection of equipment and sound attenuation measures. [8]

14.80 INAPPLICABILITY OF CERTAIN OTHER REGULATIONS

Where this Article 14.000 specifies some standard or makes some other requirement contrary to a requirements elsewhere in this Ordinance, the provisions of this Article 14.000 shall control.

[8] New sustainability section added consistent with K2 recommendations and MIT PUD with additional solar-ready provisions reflecting recommendation emerging from the Net Zero Task Force.

KENDALL SQUARE URBAN RENEWAL AREA

CAMBRIDGE REDEVELOPMENT AUTHORITY

URBAN RENEWAL PLAN

OCTOBER 21, 2015

(DRAFT AMENDMENT 10)

CAMBRIDGE
REDEVELOPMENT
AUTHORITY

Urban Renewal Plan / Project No. Mass. R - 107

Kendall Square Urban Renewal Area
Cambridge Redevelopment Authority
Cambridge, MA

Submitted to Cambridge City Council	August 9, 1965
Hearing Notice by Cambridge City Council	August 14, 1965
Approved by Cambridge Planning Board	August 7, 1965
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Submitted to Housing and Home Finance Agency	September 21, 1965
Hearing Notice by Division of Urban Renewal	September 23, 1965
Public Hearing by Division of Urban Renewal	September 30, 1965
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Approved by Division of Urban Renewal	October 7, 1965
Amendment No. 1 approved by Cambridge City Council	February 14, 1977
Revised Amendment No. 1 approved by Cambridge City Council	October 31, 1977
Amendment No. 2 approved by Cambridge City Council	June 22, 1981
Amendment No. 3 approved by Cambridge City Council	September 13, 1993
Amendment No. 4 approved by Cambridge City Council	September 8, 1997
Amendment No. 5 approved by Cambridge Redevelopment Authority	July 11, 2001
Amendment No. 6 approved by Cambridge Redevelopment Authority	April 26, 2004
Revised Amendment No. 8 approved by Cambridge Redevelopment Authority	November 14, 2012
Amendment No. 9 approved by Cambridge Redevelopment Authority	March 19, 2014
Amendment No. 10 approved by Cambridge Redevelopment Authority	July 15, 2015
Amendment No. 10 approved by City Council	date

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FORWARD TO AMENDMENT 10 AND THE RE-STATED KENDALL SQUARE URBAN RENEWAL PLAN

In the nearly forty years since the adoption of Amendment 1 to the Kendall Square Urban Renewal Plan (Plan), the CRA has adopted many changes to the Plan in response to the dynamic development environment in Cambridge. The execution of the Plan within the Project Area has been a key catalyst to the overall transformation of the Kendall Square neighborhood. The emergence of Kendall Square as a center of innovation, creativity and technology has exceeded the expectation of the planners, designers, and developers who first drafted the Plan in 1977.

Amendment 10 aims to reflect these changes and to chart a way forward in furtherance of the recommendations from the 2013 K2 Planning Study. The update of the Plan's objectives reflects not only the important work of bringing jobs to Kendall Square, but also the larger goal of creating a sustainable, inviting, and inclusive neighborhood. As in prior adopted amendments, the proposed amendment increases the development limits to reflect the continued demand for commercial and laboratory space, with an emphasis on bringing additional housing and retail to the Project Area. New provisions will assist the CRA in linking transit investment to development, aiming to ensure that the Project Area's transit assets grow along with it. Provisions for innovation space and affordable housing are included so that Kendall Square remains not only a destination for the great thinkers of today, but also a laboratory for the great ideas of tomorrow and a great urban neighborhood for Cambridge.

The Plan under Amendment 10 has been re-stated, not remade anew. Consequently, some sections - such as those discussing land clearance - address matters already undertaken, and have been modified accordingly to reflect things that happened in the past. This is by design as the document is meant not only to guide Kendall Square's development in the future, but also to tell the story of its past. For this reason, bracketed numbers appearing at the ends of paragraphs throughout the Plan indicate where language has been changed, and sometimes changed again and again. The bracketed numbers identify which plan amendment facilitated the revisions. The proposed language changes of Amendment 10 are further designated with underlined and strikethrough text. Formatting updates and clarifications of defined terms are not highlighted or numbered.

CHAPTER 1: DESCRIPTION OF PROJECT

This document, prepared by the Cambridge Redevelopment Authority (CRA), sets forth a plan for urban renewal action in the so-called Kendall Square Area of Cambridge, in accordance with the terms of Section 48 and other applicable provisions of Chapter 121B of the Massachusetts General Laws, and with the provisions of the U.S. Housing Act of 1949 as amended.

Section 101: Boundaries of the Project Area

The project is situated in an area bounded generally by Main Street, the land or right of way now or formerly of the Boston and Albany (Grand Junction) Branch Railroad, Binney Street, and Third Street.

A description of the perimeter boundary of the project area is attached hereto as Exhibit A of the Urban Renewal Plan and is made a part hereof as if fully set forth herein.

The perimeter boundary of the project area is shown on Map 1: Proposed Land Use Plan, which is attached hereto as Exhibit B of the Urban Renewal Plan and made a part hereof as if fully set forth herein.

As shown on Map l Proposed Land Use Plan, that portion of the project area which has not been conveyed to the United States of America (and which is bounded generally by Binney Street on the North, the Boston and Albany (Grand Junction) Branch Railroad on the west, Main Street on the South and discontinued Sixth Street and Broadway on the East) is hereinafter described as the "MXD District" or "MXD District portion" and the remaining portion of the Project Area is hereinafter described as the "remainder of the project area."[10]

Section 102: Urban Renewal Plan Objectives

The Urban Renewal Plan objectives of the project are as follows:

(a) To secure the elimination and prevent the recurrence of blighted, deteriorated, deteriorating, or decadent conditions in the project area;

(b) To insure the replacement of such conditions by well-planned, well-designed improvements which provide for the most appropriate reuse of the land in conformity with the general plan for the City of Cambridge (the "City") as a whole and with definite local objectives, which objectives are:

1. The provision of land uses which maximize job opportunities at a variety of skill levels <u>within Kendall Square's knowledge and innovation based economy</u>, including blue-collar and non-professional white-collar employment, for present and future Cambridge residents; upgrade Cambridge workers' skills and wages in a manner commensurate with the cost of living in Cambridge; and help stabilize the City's <u>economic</u> base and <u>maximize the provision</u> of local jobs; [10]

2. The improvement of land development and design to facilitate multi-modal circulation, emphasizing transit, pedestrian, and bicycle travel; [10]

3. The improvement of public transportation facilities, infrastructure and utilities, open space and other public realm improvements; [10]

4. The improvement of material handling and freight access to and within the project area; and [10]

5. The provision of a decent, pleasant, and humane environment involving a mixture of land uses, including multi-family housing, needed to produce balanced development;

(c) To capitalize on the location of rapid transit facilities to maximize the full socio-economic potential of the project area with transit-oriented land uses and densities, and consistent with the other objectives stated herein; [10]

(d) To promote economic development which strengthens the City's tax base without unacceptably impacting upon the physical, social, and cultural environment;

(e) To establish the minimum necessary land use controls which promote development, yet protect the public interest and the common good; with a flexible set of controls which are adaptable to both current and future market conditions;

(f) To create an urban environment that encourages innovation, entrepreneurship, and creative interaction; [10]

(g) To secure development in the shortest possible time period to be responsive to economic conditions and housing demand; [10]

(h) To relate to development controls in the surrounding area;

(i) To provide economic development opportunities for residents of the existing surrounding neighborhoods, including East Cambridge, Area Four, and Wellington Harrington; [10]

(j) To help alleviate problems of mobility throughout the surrounding neighborhoods for all modes of travel and goods movement; [10]

(k) To achieve harmonious visual and functional relationships with adjacent areas;

(l) To establish a sense of identity and place for Kendall Square and integrate it into the built environment including public open space; [10]

(m) To encourage the development of Kendall Square as an activity center in which to live, work, play, and learn; [10]

(n) To promote neighborhood safety, public health, and wellness through universal access and active environmental design; and

(o) To promote both environmental sustainability and climate change resiliency through resource efficient development and district level infrastructure planning. [10]

Section 103: Execution of the Urban Renewal Plan

The CRA will undertake and carry out an urban renewal project within the perimeter boundary of the project area in accordance with the Urban Renewal Plan:

(a) After approval of the Urban Renewal Plan, and a Cooperation Agreement by and between the City of Cambridge and the CRA, by the Cambridge City Council and the City Manager;

(b) After approval of the Urban Renewal Plan by the Massachusetts Department of Housing and Community Development; and

(c) After execution of a Loan and Grant Contract by and between the CRA and the United States of America.[1]

Section 104: Proposed Urban Renewal Actions

Proposed urban renewal actions will be essentially land assembly, and clearance and redevelopment, and may include as essential, appropriate or necessary for the carrying out of urban renewal objectives, but not by way of limitation:

(a) The acquisition, in whole or in part, of land, buildings, structures and other improvements, appurtenances, rights-of-way, easements, and other rights and interests in real property within the project area;

(b) The management of acquired property;

(c) The relocation of facilities, individuals, and business concerns displaced by the project;

(d) The demolition and removal of existing structures and improvements, and the undertaking of site clearance;

(e) The making of project or site improvements;

(f) The making of right-of-way, street, and utility adjustments;

(g) The provision of public improvements and public facilities;

(h) The planning and monitoring of development, construction and building usage;

(i) The making of zoning adjustments; and

[1] On April 10, 1985, the CRA, the City, and the U.S. Department of Housing and Urban Development executed a Closeout Agreement with regards to local loans and grants provided for the implementation of the Kendall Square Urban Renewal Plan.

(j) The disposition of land for reuse and development in accordance with the land use provisions and building requirements set forth in the Urban Renewal Plan.

Section 105: Land Acquisition

The CRA may acquire by donation, purchase, eminent domain, or otherwise, in whole or in part, land, buildings, structures and other improvements, appurtenances, rights-of-way, easements, and other rights and interests in real property within the Project Area.

Section 106: Relocation

The CRA assisted families, individuals, and business concerns who occupied property in the urban renewal area and who were displaced as a result of the CRA's action in finding standard dwelling or business accommodations to meet their rehousing and business relocation needs, within their financial means, in reasonably convenient locations.[2] The objectives and methods of the original relocation plan are described in Exhibit D. [10]

Section 107: Land Clearance

The CRA previously implemented the following land clearance activities:[3]

1) Demolish or cause to be demolished buildings, structures, or other improvements located on land acquired by it;

2) Fill or cause to be filled the so-called Broad Canal;

3) Back-fill or cause to be back-filled cellar holes; and

4) Rough-grade or cause to be rough-graded cleared or filled land.

Section 108: Public Improvements and Public Facilities

The CRA will provide for or cause to be provided the abandonment, improvement, extension, reconstruction, construction, and installation of:

(a) Public buildings and facilities;

(b) Public open spaces, plazas, parks, and landscaping;

(c) Public rights-of-way and other easements;

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[2] The CRA anticipates no such relocations as a result of Amendment 10.

[3] Extensive land clearance activities were performed by the CRA under the original urban renewal plan and the first amendment to the urban renewal plan. Subsequent plan amendments have revised the dimensional requirements for the lands both acquired and cleared by the CRA, but have nor expanded those land clearance activities.

(d) Public streets, sidewalks, other vehicular and pedestrian and facilities, public transit infrastructure, and off-street parking facilities, appurtenances, and related improvements; [10]

(e) Waterways; and

(f) Public utilities such as water, sewer, drainage, police and fire protection and communications, traffic and parking signs and signals, street lighting systems, and related improvements; and all lines for such utilities shall be maintained, relocated, or otherwise placed underground.

The CRA shall be authorized to establish a transit implementation fund to provide support for the operation of existing transit and rail service and the development of new transit and rail facilities to meet future transit needs of the Project Area and the surrounding neighborhoods. The CRA shall be authorized to obligate developers to contribute to this fund in such amounts as may be mutually agreed (taking into account the total mitigation required in connection with any specific project). The CRA shall work with the City and the Massachusetts Department of Transportation to administer and disburse these funds to further the redevelopment objectives described in Section 102. The CRA may also consider the use of programs established or otherwise used by the Commonwealth and available for the creation, modification, or financing of public infrastructure. [10]

The CRA shall further be authorized to establish an open space management fund for the purpose of maintenance and programming of public open space within and around the Project Area. [10]

The CRA shall create a Project Area Implementation Plan that outlines the projected public improvements, private development, and other redevelopment programs to be undertaken by the CRA either directly or in partnership with the City and/or designated redevelopers. This Implementation Plan will provide a projection of future public benefits resulting from the execution of the urban renewal plan. [10]

Section 109: Right-of-Way Adjustments

The City, upon request of the CRA, may discontinue and abandon certain existing streets and vacate certain existing rights-of-way located within the project area, and may convey any and all rights, title and interest therein to the CRA or a redeveloper. [10]

Section 110: Zoning Adjustments

The City, upon request of the CRA:

(a) Will amend the existing zoning district within which the project area is located;

(b) Will conduct joint conceptual site planning and development project design review; [10]

(c) Will grant certain special permits; and

(d) May authorize, except with respect to permitted uses, certain variances;

under the provisions of City of Cambridge, Massachusetts, Zoning Ordinance, ordained May 28, 1962, as amended to and including the date of approval by the Cambridge City Council of Revised Amendment No. 1 to the Urban Renewal Plan (the "Zoning Ordinance") and subsequent plan amendments and zoning petitions.

Section 111: Land Disposition

The CRA will:

(a) Dedicate certain land or rights, title, or interests therein, in whole or in part, for public use including rights-of-way and easements; and

(b) Sell or lease at its fair market value remaining land or rights, title, or interests therein, in whole or in part, for public or private reuse and development;

in accordance with the land use plan and the land use provisions and building requirements set forth in the Urban Renewal Plan.

CHAPTER 2: REAL PROPERTY ACQUIRED OR TO BE ACQUIRED

Section 201: Real Property Designated to be Acquired

Real property, including land, buildings, structures and other improvements, appurtenances, rights-of-way, easements, and other rights and interests, acquired or to be acquired, in whole or in part, by the CRA shall be as shown on Map 2: Property Map, which is attached hereto as Exhibit C of the Urban Renewal Plan and made a part thereof as if fully set forth herein; provided, however, that real property, now or formerly of:

(a) The Boston and Albany (Grand Junction) Branch Railroad; [4]

(b) The Massachusetts Bay Transportation Authority; or

(c) Any utility distribution system which is under private ownership or control;

will be acquired subject to such requisite approvals of the Interstate Commerce Commission, the Massachusetts Department of Public Utilities, or other public regulatory agencies, as may be required by law or regulation.[5]

[4] The original urban renewal plan also referenced the Cambridge Industrial Track Management Corporation

[5] The original urban renewal plan provided for the acquisition of the real property formerly owned by the Cambridge Gas Company upon mutual consent and agreement of the CRA and the Cambridge Gas Company. This property has sine then been sold and redeveloped as multi-family residential housing.

Section 301: Right-of-Way Adjustments

The location of proposed rights-of-way and other easements, and right-of-way adjustments, shall be, at least tentatively, as shown on Map 1: Proposed Land Use Plan, attached hereto as Exhibit B of the Urban Renewa1 Plan.

Section 302: Street and Utility Adjustments

The location and nature of proposed streets and utilities, and street and utility adjustments, shall be such as to conform to the proposed rights-of-way and other easements shown, at least tentatively, on Map l: Proposed Land Use Plan. All public and private utility lines within the project area shall be maintained, re- located, tended, reconstructed, constructed, installed, or otherwise placed underground.

Section 303: Zoning Adjustments

The zoning district within which the MXD District of the project area is located was changed from “Industry B District" to the "Cambridge Center Mixed Use Development District" (or "Cambridge Center MXD District") zoning classification for the project area, as shown on Map 1: Proposed Land Use Plan.

These zoning changes were made by amendment upon the "Zoning Map”, under the provisions of "Article I : Administration and Enforcement”, set forth in the Zoning Ordinance, prior to the time land was disposed of by the CRA for reuse and development. Future amendments to the Plan may require additional changes to the MXD District per the provisions of "Article I : Administration and Enforcement”.

Section 304: Public or Special Purpose Uses

The location and nature of proposed public or special purpose uses, shall be as shown on Map 1: Proposed Land Use Plan, to be developed by:

(a) The Department of Transportation (DOT) for a Transportation Systems Center (TSC) within a portion of the Project Area, bounded, generally, by or abutting Broadway, Sixth Street, (a portion of which was discontinued as a public way on December 15, 1969), Binney Street, and Third Street, except for land now or formerly of Cambridge Gas Company;

(b) The Massachusetts Bay Transportation Authority (MBTA) for improved subway, rapid transit, bus transportation and terminal, passenger station and interchange, electric power, and appurtenant facilities and incidental or accessory services, tentatively, in that portion of the project area adjoining or related to the present subway station and tunnel located under Main Street.

The City, the CRA, or other public or quasi-public agencies may develop or cause to be developed, at any location or locations, such other public or special purpose uses, including but not limited to public parking facilities, pedestrian circulation systems, and open space for parks

and plazas, as approved by the CRA and as may be required to carry out the Urban Renewal Plan.

Section 305: Land Use and Open Space Definitions

(a) Gross Floor Area or "GFA" is hereby defined as follows:

The sum, in square feet, of the gross horizontal areas of all of the floors of a building, as measured from the exterior face of the exterior walls or center lines of walls separating two buildings, including: (i) enclosed porches and balconies, (ii) elevator shafts and stairwells on each floor (iii) attic space, whether finished or unfinished, except as herein after excluded, (iv) interior balconies, mezzanines and penthouses, and (v) basement and cellar areas not devoted exclusively to uses accessory to the operation of the building;

but excluding: (i) areas used for parking garages, accessory parking, off-street loading purposes, (ii) basement and cellar areas devoted exclusively to uses accessory to the operation of the building, (iii) non-enclosed porches and balconies, (iv) courtyards, atriums, and enclosed gardens that are determined to qualify as public space and/or pedestrian ways and (v) attic space and other areas for elevator machinery or mechanical equipment accessory to the building.

Except as set forth above, interior courtyards whether or not covered by a roof, which have a minimum dimension of less than forty feet in any direction shall be included in GFA calculations, unless twenty-five percent or more of the perimeter of such courtyard at each floor level measured consecutively is not enclosed and the courtyard is open to the sky.

(b) Floor area ratio or "FAR" is defined as ratio of gross floor area of a structure to the total area of the lot.

(c) Open space shall mean a portion of a lot or other area of land associated with and adjacent to a building or group of buildings in relation to which it serves to provide light and air, or scenic, recreational, or similar purposes. Such space may either be:

(i) Public open space or private open space accessible to the general public,

(ii) Available exclusively for entry and use by the occupants of the building(s) with which it is associated or

(iii) A limited proportion of space so located and treated as to enhance the amenity of development by providing landscaping features, for the occupants or neighbors or a general appearance of openness.

Open space shall include parks, plazas, lawns, landscaped areas, decorative plantings, roof decks or gardens, non-enclosed balconies, pedestrian ways, active and passive recreational areas, including playgrounds and swimming pools.

Courtyards, atriums, and enclosed gardens may be determined by the CRA to qualify as open space if designed, managed, and programmed in a manner that functions similarly to public parks. Streets, parking lots, driveways, service roads, loading areas, and areas normally inaccessible to pedestrian circulation beneath pedestrian bridges, decks, or shopping bridges shall not be counted in determining required open space. [10]

Section 306: Other Land Uses

The portion of the Project Area located within the MXD District shall be developed for such other uses as are permitted under the provisions of Section 401 of the Plan Renewal Plan, and Article 14 of the Zoning Ordinance. [10]

The portion of the Project Area located within the Kendall PUD District of the Project Area shall be developed in accordance with Article 12 and Article 13 of the Zoning Ordinance. [10]

CHAPTER 4: LAND USE PROVISIONS AND BUILDING REQUIREMENTS

Section 401: Permitted Uses on Acquired Land

Terms used in this Urban Renewal Plan and not otherwise defined shall have the meanings ascribed to them in the Zoning Ordinance, as the same may be amended from time to time. The uses permitted in the MXD District of the project area on land previously acquired by the Cambridge Redevelopment Authority shall be:[9]

(1) Light Industry

(a) Manufacturing: fabrication, assembly, finishing work (including packaging and bottling, but only as an accessory use) without limit as to category or product.

(b) Wholesale business, only if affiliated with and accessory to another use or located on the same lot as other non-wholesale uses. Development on any lot in the MXD District shall not be devoted exclusively to wholesale uses.

(c) Printing, binding, or related establishment.

(d) Storage warehouse, cold storage plant, storage building, as an accessory use only and not exceeding 20,000 square feet, but not including storage or bailing of junk, scrap metal, rags, paper or other waste materials and not including outside storage of products or materials.

(2) Office Uses and Biotechnology Manufacturing Uses [3]

1) Business or professional offices.

1) Bank, trust company or other financial institution.

2) Research and development office.

3) Research, experimental and testing laboratory.

4) Radio or television studio.

5) Manufacturing of biotechnology and pharmaceutical products, including:

(i) Fabrication, assembly, finishing work (including packaging and bottling, but only as an accessory use).

(ii) Wholesale business, only if affiliated with and accessory to another use or located on the same lot as other non-wholesale uses.

(iii) Storage warehouse, cold storage building, as an accessory use only.[3]

(3) Retail and Consumer Service Establishments

1) Store for retail sale of merchandise, but not a sales place for automobiles or trucks.

2) Eating and/or drinking establishment, whether or not liquor is sold or consumed, including restaurant, bar, lunchroom, cafeteria and food commissary.

3) Fast order food establishment only if it (i) is not located in a separate structure, (ii) it does not exceed 3,000 square feet gross floor area, and (iii) there will be no more than fifteen (15) such establishments within the MXD District (a maximum of (8) of which shall be located in the Ames Street District and a maximum of seven (7) of which shall be located in the portions of the District outside the Ames Street District), and (iv) it is approved through the granting of a Special Permit, as provided in the Zoning Ordinance. [9]

4) Consumer service establishment, including but not limited to hairdresser, barber shop, laundry or dry-cleaning pick-up establishment, self-service laundry, shoe repair or tailoring shop, or photography studio.

5) Rental agency for autos or other products, but not including taxi companies. Such agencies shall be operated entirely within a building and no major automobile repairs shall be made on the premises.

6) Automobile service station, provided that it is located within or attached to a parking garage or other structure as an accessory use, that no major repairs are made on the premises, and that all lubrication and repairs are carried out within the building.

(4) Residential Uses

1) Multi-family dwelling.

2) Hotel or motel.

(5) Entertainment and Recreational Uses

1) Indoor commercial entertainment establishments including but not limited to cinema, theater, concert hall, cabaret and night club.

2) Recreation facilities including bowling alley, indoor or outdoor tennis courts, public recreation building, health club, or skating rink. Such recreation facilities shall be allowed only if they are located in or attached to structures containing other principal uses.

3) Halls, auditoriums and similar spaces used for public gatherings.

4) Parks or playgrounds.

(6) Institutional Uses

1) Religious purposes.

2) Educational purposes exempt by statute.

3) Library or museum.

4) Governmental offices and facilities, including post office, fire station and police station.

5) Clinic licensed under Sec G.L. c. 111, § 51 but not a hospital licensed under said Chapter.

(7) Transportation, Communication and Utility Uses

1) Bus, subway or railroad passenger station.

2) Automobile parking lot or parking garage.

3) Distribution center, parcel delivery center or delivery warehouse as accessory uses only.

4) Telephone exchange, as an accessory use.

5) Radio or television transmission station.

6) Transformer station, substation, gas regulator station, or pumping station and related utility uses designed primarily to serve development within the District.

The location of these uses will be in accordance with the Zoning Ordinance changed as specified in Section 303 and with the objectives of the Urban Renewal Plan as specified in Section 102.

The uses permitted in the remainder of the project area, and the location of such uses, shall be as set forth in Section 304 hereof.

No activity shall be permitted in the MXD District unless it shall be in conformity with the following standards for environmental protection:

1) All dust, fumes, odors, smoke or vapor shall be effectively confined to the premises or so disposed of as to avoid air pollution.

2) Any noise, vibration or flashing shall not be normally perceptible without instruments at a distance of one hundred (100) feet from the premises.

3) All development proposals shall comply with Federal and State air pollution and water pollution control regulations, the City of Cambridge Ordinances, and other applicable environmental laws.

4) Except during construction activity on the lot all refuse and other waste materials shall be stored within buildings prior to collection and disposal.

Section 402: Dimensional Requirements

Dimensional requirements pertaining to floor area ratios, dwelling unit densities, and height limitations in the MXD District of the project area shall be as follows:

1) Aggregate GFA: The Aggregate Gross Floor Area ("GFA") of development in the MXD District shall not exceed three million, six hundred and seventy-three thousand, (3,673,000) square feet plus six hundred thousand (600,000) square feet that shall be limited to multi-family residential, for a total GFA not to exceed four million, two hundred seventy-three thousand (4,273,000) square feet. Aggregate GFA of development in the MXD District is at any time the sum of the GFA of all buildings (i) which are then located in the MXD District, (ii) which are being constructed or may be constructed in the MXD District pursuant to the effective building permits, and (iii) which, pursuant to then outstanding contracts (including options) with CRA and so stated in certificates from the CRA to the Superintendent of Buildings, may be constructed in the MXD District in the future.[6] [5] [6] [8] [9] [10]

   Two hundred thousand (200,000) square feet of the multi-family residential GFA shall occur only within the area designated on the Zoning Map as the "Ames Street District" (the "Ames Street Residential Project"), the construction of which shall precede the occupancy of any commercial GFA in excess of three million and seventy three thousand (3,073,000) square feet, other than the 60,000 square feet of commercial space that may be permitted by special permit pursuant to Section 416.[1] [10]

   Additionally, the commencement of construction of a second residential project of at least 200,000 square feet shall precede the occupancy of any commercial GFA utilizing Infill Development GFA (as defined in Section 504 below) in excess of three hundred and seventy-five thousand (375,000) square feet.

2) Cumulative GFA: In addition to the Aggregate GFA limitation, the Cumulative GFA for each of the use groups shall not exceed the respective amounts stated below, except as provided hereinafter. The sum of the Cumulative GFA limitations below exceeds the Aggregate GFA limitation to provide flexibility between uses in the Project Area. Cumulative GFA for a use group is at any time the sum of the GFA of all portions, occupied or to be occupied by uses within such use group, of all buildings (i) which are then located in the MXD District, (ii) which are being constructed or may be constructed in the MXD District pursuant to then effective building permits, and (iii) which, pursuant to then outstanding contracts (including options) with the CRA to the Superintendent of Buildings, may be constructed in the MXD District in the future.

   1. Industrial uses permitted by Section 401(1):

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[6] Previous versions of the Plan included an additional 29,100 GFA provided to Seven Cambridge Center via Amendment 6 and a subsequent variance from the MXD Zoning. The GFA limitations have revised to match the zoning ordinance and additional language allowing GFA exemptions for variances is added in Section 402 (4).

[1] Provision allows the GFA provided by the Whitehead Institute zoning petition to be added independent of the residential obligation.

Cumulative GFA = 770,000 square feet.

2. Office and Biotechnology Manufacturing Uses permitted by Section 401(2):

Cumulative GFA = 2,265,000 square feet. [3] [8] [10]

3. Retail and consumer service uses permitted by Section 401(3):

Cumulative GFA = 200,000 square feet. [10]

4. Residential uses permitted by Section 401(4):

(i) Multi-family housing:

Cumulative GFA = 800,000 square feet. [5] [10]

(ii) Hotel/Motel:

Cumulative GFA = 440,000 square feet. [4]

5. Entertainment, recreational, institutional, transportation, communication and utility uses permitted by Sections 401(5), 401(6) and 401(7) and additional development of industrial, office, retail, consumer service and hotel/motel uses exceeding the foregoing cumulative GFA limitations:

Cumulative GFA = 973,000 square feet for buildings which are located or are being constructed or may be constructed at any location within the MXD District. [2] [6] [10]

Any construction or change of use within the MXD District, which would cause the foregoing aggregate or cumulative GFA limitations to be exceeded shall not be allowed.

The Cambridge Redevelopment Authority (CRA) and Cambridge Inspectional Services Department (ISD – also referred to as the Superintendent of Buildings) shall maintain a record of the Aggregate GFA within the MXD District. The CRA shall also maintain a record of Cumulative GFA for each use group specified in Section 401. The CRA and ISD shall further maintain a separate record of any development within the area of the MXD district designated in Exhibit F as the "Ames Street District." These records shall be adjusted, as appropriate, from time to time, including upon issuance, revocation, or expiration of a building permit or certificate of occupancy and upon receipt of a certificate from the CRA as to an outstanding contract (including an option) for the construction of a building. Additional building area within the MXD District authorized by variance issued by the Board of Zoning Appeal, shall not be counted by the CRA or the ISD against the GFA Limitations of this Section 402. [9]

In determining Cumulative GFA for a building containing uses in more than one use group, spaces to be utilized by users in more than one of the use groups (such as lobbies, interior courts, elevator shafts and basement storage areas) shall be apportioned to each use group in proportion to the share of space that use group will occupy within the building.

3) Floor Area Ratio: In addition to both the Aggregate and Cumulative GFA limitations established herein, there shall also be a density limitation for each lot within the MXD District. The following Floor Area Ratios (hereinafter referred to as "FAR") for each lot shall not be exceeded, except as provided hereinafter. The area of the lot to be counted in determining FAR shall include land dedicated by the owner or former owner of the lot as public open space under Section 403, as well as developed land.

Industrial and Wholesale Uses: FAR 4.0

Office Uses and Biotechnology Manufacturing Uses: FAR 8.0 [3]

Retail and Consumer Services Uses: FAR 5.0

Residential uses:

- Multi-family housing: FAR 8.0 [10]

- Hotel/Motel: FAR 6.0

Other uses: FAR 4.0

If development on a lot is to include activities in more than one of the uses above, the maximum FAR for the lot shall be the FAR for the use group containing the largest proportion of space on the lot.

(4) GFA Exemptions:

The following items shall be excluded from the calculation of Aggregate GFA within the District for the purposes of determining compliance with the intensity of development requirements of the Plan and Article 14 of the Zoning Ordinance:

(A) Variances: Aggregate GFA within the District authorized by a variance issued by the Board of Zoning Appeal.

(B) Residential Outdoor Area Exemptions: Private outdoor decks or balconies for multi-family residential development, up to five percent (5%) of the building floor area.

(C) Innovation Space: Innovation Space GFA required in Section 412 below.

(D) Retail: The GFA occupied by retail and consumer service uses listed in Article 14.21.3 of the Zoning Ordinance, if the conditions set forth in Section 14.32.6(4) or 14.72.4, as applicable of the Zoning Ordinance are met.

(E) Middle Income Residential Housing Units: The GFA committed to the provision of middle income housing units per the provisions of Section 411 below.

(F) Transfer of Development Rights: Any GFA acquired through the transfer of development rights provisions of the Zoning Ordinance [10]

(5) Building Height Limits

The maximum building height for commercial buildings in the MXD District shall be 250 feet, except for the area of the District more than 450 feet north of Broadway where the maximum building height for any portion of a building located in such area shall be 200 feet. Up to two (2) mixed-use buildings elsewhere in the District may be permitted to be built up to 350 feet within the 250-foot building height area of the District provided, however, that the occupied floors above 250 feet may only contain residential uses and associated amenity space. No more than two buildings within the MXD District may exceed 250 feet in height. Additionally the average floorplate of the occupied portions of a building above 250 feet shall not exceed 12,000 square feet. [10]

These requirements shall not apply to chimneys, water towers, air conditioning equipment, elevator bulkheads, skylights, ventilators, solar or wind turbine energy systems, and other necessary features appurtenant to buildings, which are usually carried above roofs and are not used for human occupancy. These requirements shall also not apply to (i) domes, towers or spires above buildings if such features are not used for human occupancy and occupy less than ten percent (10%) of the lot area, (ii) wireless or broadcasting towers and other like un-enclosed structures which occupy less than ten percent of the lot area or (iii) rooftop terraces and enclosed structures ancillary thereto (provided that such structures occupy less than ten percent (10%) of the lot area). [10]

Section 403: Open Space Requirements

To the maximum feasible degree, the CRA will dispose of project land in such a manner as to achieve the mixture and density of those land uses needed to produce balanced development in accordance with the objectives set forth in Section 102.

1) Public Open Space Requirement: The CRA will reserve at least 100,000 square feet of land in the MXD District for the development of public open space for parks, gardens and plazas. Public open space shall be open space reserved for public use and enjoyment as guaranteed through one or more of the following:

   (l) Retention by the CRA;

   (2) Dedication to and acceptance by the City or other public entity;

   (3) Easements or deed restrictions over such land sufficient to ensure its perpetual reservation for public open space purposes;

   (4) Dedication, by covenant or comparable legal instrument. to the community use of the residents, lessees and visitors to the MXD District for reasonable amounts of time on a regular basis; or

   (5) Lease agreements of 99 years or longer from the private developer or owner to the City or other public entity.

2) Project Open Space Requirement: Each development project shall be required to contribute to the open space network of the Project Area. Table One lists the minimum amount of open space (public, private or combined) to be provided by each development within the MXD District, subject to the reduction provided hereinafter. When development on a lot includes uses in more than one of the use categories in Table One, the requirement for each use

category shall be calculated and totaled to determine a total requirement for the project. This open space requirement may be met by any combination of the following:

(a) Creating open space on the development lot. Some or all of this required open space may be designated and also serve as public open space, if reserved by one of the methods specified above.

(b) Creating new public open space within the MXD District (not otherwise reserved by another project to meet its lot open space requirement), or enhancing existing open areas to create more publicly accessible open space (e.g., by physical improvements, access dedication, public programming, etc.). The CRA shall set conditions on the level of enhancement necessary to utilize space to qualify as an open space contribution toward the objectives of linking existing open space and activating previously unused open areas. Additionally a project may provide, as qualifying open space, funding toward sustaining, continuous public programming and maintenance of special features of open space enhancements.

(c) Providing land and/or adequate acquisition and development funds for the creation of new public open space, or adequate funds for the enhancement of existing or future public open space, elsewhere within one half mile of the MXD District. This outside of the MXD option may be used to provide up to fifty percent (50%) of the Project Open Space Requirement. The CRA will set a funding level necessary for this financial contribution to meet a portion of the open space requirement, based on the then-prevailing market costs of acquiring, improving and/or enhancing an equivalent amount of space within a comparable open space project.

The CRA shall maintain and shall make publicly available a record of Cumulative GFA by land use for the purpose of determining and tracking open space requirements for existing and future development. [10]

Table One: Project Open Space Requirements

Use Group	Required Open Space (SF of open space required for each 100 SF of GFA)
Light Industrial and Wholesale Uses allowed by Section 401(1)	5
Office and Biotechnology Manufacturing Uses allowed by Section 401(2)	8
Retail and Consumer Service Uses allowed by Section 401(4)	10
Residential Uses allowed by Section 401(4)	
Multifamily housing	8 ~~15~~
Hotel or Motel	10
Other Uses allowed by Sections 401(5), 401(6) and 401(7)	8 [10]

3) Pedestrian Ways: Pedestrian ways listed and defined in Exhibit E may be counted toward the project open space requirement. For each linear foot of pedestrian way meeting the requirements within Exhibit E provided by a development project, 20 square feet may be deducted from the Project Open Space Requirement. [10]

Section 404: Vehicular Access, Parking and Loading Regulations

1) Buildings erected in the MXD District need not be located on lots that have frontage on a street. However, provisions for access to all buildings by emergency and service vehicles in lieu of public street access shall be made possible by the layout and design of driveways, interior service roads, or pedestrian and bicycle circulation corridors not normally open to vehicular traffic to the reasonable satisfaction of the City Fire Department, and the City Traffic Department.

2) With the exception of multi-family residential development, there are no minimum parking requirements in the MXD District. Multi-family residential development shall provide a minimum of 0.4 parking spaces per dwelling unit. The CRA may approve arrangements for shared parking of such residential parking spaces with commercial spaces or otherwise adjust the minimum residential parking requirements based on review and analysis of anticipated parking demand. Otherwise off-street parking allowance for motor vehicles within the MXD District shall be restricted according to building use, with additional standards as follows in Table One: [10]

Table One: Off Street Parking Maximum Allowance

Use Group	Maximum Parking Allowance
Light Industrial and Wholesale Uses allowed by Section 401(1)	.8/1000 sq ft
Office and Biotechnology Manufacturing Uses allowed by Section 401(2)	.9/1000 sq ft
Retail and Consumer Service Uses allowed by Section 401(4)	.5 /1000 sq ft
Residential Uses allowed by Section 401(4)	
Multifamily housing	.75/unit
Hotel or Motel	1 / 4 sleeping rooms
Other Uses	.9/1000 sq ft

No permanent surface (i.e. not structured), off-street parking areas shall be allowed in the MXD District. [10]

The parking for requirements specified above may be allocated in total or in part by a lease agreement between the developer and the City, other public entity, or private consortium for use of parking spaces in a public or pooled private parking facility located within the MXD District (or, in the case of the spaces required for residential uses, located outside of the MXD District but within 1,000 feet of the residential building for which the parking is being provided). [10]

At least ten (10) additional parking spaces reserved for car-sharing services shall be provided by the first development project utilizing at least 100,000 square feet of Infill Development GFA. Parking spaces permanently dedicated to accessible parking, car sharing programs, vanpools, or electronic vehicle charging stations are not included in the maximum parking space calculations so long as the aggregate number spaces of the special designated spaced does not exceed 10% of the maximum allowance per use. In the event that no car sharing organization or site-based car rental organization is prepared to offer services, the designated car sharing spaces may be rented on a monthly basis unless and until an organization agrees to provide the services, if there is clear documentation that such spaces are continuously offered to car sharing organizations. [10]

Parking requirements for bicycles within the MXD District shall be provided as called for in Article 6 of the Zoning Ordinance. [10]

3) Sufficient off-street loading facilities shall be constructed within the MXD District to meet the needs of users located there. Each building of 25,000 square feet or greater shall provide loading bays per Article 14. 53 of the Zoning Ordinance. [10]

   In addition, parking and loading areas must be laid out, constructed, paved, equipped, landscaped, and effectively screened to provide an attractive visual appearance.

4) The parking and loading of vehicles within the remainder of the project area on land designated to be acquired shall be provided in accordance with the provisions of "Article 6 Off-Street Parking and Loading Requirements", as set forth in the Zoning Ordinance, as it may be amended from time to time.

Section 405: Vehicular Access and Discharge Areas

All buildings within the Project Area on land designated to be acquired, shall be suitably provided with automobile, bicycle and truck access and service and delivery areas in such a way as not to impede general vehicular and pedestrian traffic flow in public streets and rights-of-way. [10]

Section 406: Building Construction

All buildings within the project area shall be constructed as Type I or Type II, in full conformity with the provisions of and as defined in the Massachusetts Building Code, as amended from time to time.

Section 407: Signs and Advertising Devices

Signs within the project area, except for official, uniform traffic and parking signals and devices, shall be provided in accordance with development guidelines established pursuant to Section 502 of the Plan.

Section 408: Storage

The open air storage of materials, equipment, or merchandise, other than the temporary parking of automobiles, shall not be permitted within the project area on any land designated to be acquired.

Section 409: Exterior Lighting

Exterior lighting within the project area shall be provided in accordance with development guidelines established pursuant to Section 502 of the Plan.

Section 410: Landscaping

All open areas within the project area on land disposed of by the CRA must be suitably landscaped so as to provide a visually attractive environment in accordance with development guidelines established pursuant to Section 502 of the Plan.

Section 411: Housing

1) Affordable Housing Requirements

   Multi-family housing development shall provide that at least a final net fifteen percent (15%) of the Infill Development GFA of new housing development is made permanently available to households qualifying for affordable housing under the Inclusionary Housing Ordinance, or the minimum required by the Zoning Ordinance, whichever is greater. The CRA will utilize this square footage measurement rather than unit counts for meeting this requirement to provide opportunities for larger affordable units with two and three bedrooms to be constructed. [10]

2) Middle Income Housing

   Middle Income Units (as defined in Article 14.35(c) of the Zoning Ordinance.) shall occupy at least five percent (5%) of the total residential GFA of each residential building utilizing Infill Development GFA. Such Middle Income Units shall be distributed throughout each residential building and be comparable in size, configuration and quality to the market rate units. The floor area of Middle Income Units provided per this Section 411 shall not be counted against the Aggregate or Cumulative GFA limitations in the District. [10]

Section 412: Innovation Space

Any proposal for new commercial development utilizing Infill Development GFA (as defined in Section 14.32.2 of the Zoning Ordinance) and containing more than 100,000 square feet for Office and Biotechnology Manufacturing Uses shall include a plan for Innovation Space meeting the requirements below. Innovation Space within the MXD District must occupy GFA equal to, or in excess of, ten percent (10%) of newly constructed non-residential GFA. Existing GFA within the MXD District may be converted to meet this requirement. The Innovation Commercial Space requirement shall be met through the provision of office spaces of at least 10,000 square feet within a single building, and may be satisfied by means of a lease to a single user who will operate and manage a facility meeting the requirements hereof.

(a) *Required Space.* For a development proposal containing new Office and Biotechnology Manufacturing Uses, Innovation Commercial Space within the MXD

District must at a minimum occupy Gross Floor Area equal to the amount of Gross Floor Area that is ten percent (10 %) of newly constructed Gross Floor Area for Office and Biotechnology Manufacturing Uses. Existing Gross Floor Area within the District may be used to meet this requirement.

(b) *Combined Spaces.* Developers of properties within the MXD District may collaborate with other developers in adjacent zoning districts in the Kendall Square area (defined as zoning districts reviewed as part of the K2 Planning Study) to create a Joint Innovation Space Plan. In such a case, the total square footage of joint Innovation Space must be large enough to satisfy the sum of the requirements, if any, for such participating developers and zoning districts.

(c) *Characteristics.* For the purposes of this Section 412, Innovation Space shall have the characteristics specified in Article 14.32.5(c) of the Zoning Ordinance.

(d) *Variations.* In reviewing development proposals, variations in the specific characteristics set forth above, may be allowed if the proposed Innovation Space is found to be consistent with the purposes of these characteristics. [10]

Section 413: Interim Uses

The CRA may devote real property designated to be acquired, or acquired under special conditions, prior to the time such properties are needed for disposition for reuse and development in accordance with the provisions of the Urban Renewal Plan to temporary, interim uses for signs for project identification, relocation, parking, traffic circulation and public transportation, project or site improvements or building construction, storage, recreation, or landscaping in accordance with such provisions, requirements, standards, controls, and regulations as the CRA may deem essential, necessary, or appropriate to the carrying out of the objectives of the Urban Renewal Plan.

Section 414: Permitted Uses on Land Designated to be Acquired Under Special Conditions

In the event that the real property described in Section 202 above is acquired by the CRA the land use provisions and building requirements, which shall pertain thereto shall be those set forth in Chapter 4 of the Urban Renewal Plan.

Section 415: Special Provisions Applicable Within the Ames Street District

1) Applicability. The provisions set forth in this Section 415 shall apply solely within the Ames Street District. Where this Section 415 specifies some standard or makes some other requirement contrary to the standards or requirements set forth elsewhere in Chapter Four of this Plan, the provisions of this Section 415 shall control. [9]

2) FAR. Notwithstanding the Lot Density Limitations in Section 402, there shall be no maximum FAR for Multi-family dwelling uses. However, the District Development Limitations in Section 402 shall continue to apply. [9]

3) Lot Minimum Open Space Requirement. So long as the District Public Open Space Requirement in Section 403 is met and there exists within the Ames Street District a minimum of fifty-three thousand (53,000) square feet of public open space (as defined in

Section 403), the Lot Minimum Open Space Requirements in Section 403 shall be inapplicable within the Ames Street District. [9]

4) Parking. The minimum number of spaces for multifamily residential use shall be 0.50 per dwelling unit. [9]

5) Loading Requirements. Where there are contractual arrangements for sharing loading and service facilities with other users in the Ames Street District for a period of ten (10) years or more, a sixty percent (60%) reduction in the loading bay requirements shall be allowed. Such contractual agreement shall be guaranteed to the satisfaction of the Superintendent of Buildings by covenant, deed restriction, easement or comparable legal instrument. [9]

6) Affordable Housing: So long as the requirements of the Cambridge Inclusionary Housing Ordinance are met, the Affordable Housing Requirements of Section 411 shall not apply to the initial 200,000 square feet of GFA of multi-family residential development within the Ames Street District. [10]

Section 416: Special Provisions Applicable Outside the Ames Street District

1) Applicability. The provisions set forth in this Section 416 shall apply solely within the portion of the MXD District consisting of lots fronting on Main Street that are not within the Ames Street District as such District is constituted as of October 1, 2014. Where this Section 416 specifies some standards or makes some other requirement contrary to the standards or requirements set forth elsewhere in Chapter Four of this Plan, the provisions of this Section 416 shall control.

2) Special Permit. Where improvements are proposed to be constructed on any lot within the portion of the MXD District fronting on Main Street that is not within the Ames Street District as such District is constituted as of October 1, 2014, and release of an open space covenant by the City will be necessary to accommodate such improvements, improvements containing incremental square footage of not more than 60,000 square feet of GFA within the limits of Section 402 in excess of the square footage of improvements located on such lot as of October 1, 2014 shall be allowed, subject to the issuance of a special permit by the Cambridge Planning Board under Article 14.72 of the Zoning Ordinance.

3) Parking and Loading. The improvements authorized subject to special permit under this Section 416 shall not require vehicle parking or loading facilities by reason of the incremental development authorized, and no additional parking spaces shall be provided by reason of improvements located on such lot beyond the number of parking spaces provided as of October 1, 2014.

4) Project Review. Development authorized subject to special permit under this Section 416 shall be subject to project review by the Planning Board under the provisions of Article 19.20 of the Zoning Ordinance or as may otherwise be required by the Zoning Ordinance, and shall be subject to the review and comment, but not the approval, of the CRA in accordance with Section 505.

CHAPTER 5: DESIGN PRINCIPLES, DEVELOPMENT GUIDELINES AND DESIGN REVIEW, AND REDEVELOPMENT PROPOSALS

Section 501: General Design Principles

Proposals by redevelopers shall be designed to:

(1) Create an environment which will be lively and attractive and provide daily amenities and services for the use and enjoyment of the working population and City residents.

(2) Establish an active urban character for the area by the intensive utilization of land and by the mixing of compatible land uses, especially near the Kendall rapid transit station.

(3) Achieve a proper integration of buildings and spaces within and outside the project area by carefully relating the scale and materials in new development both among project components and with respect to the scale and materials of surrounding development.

(4) Establish a focus through building form and open space which will serve to create development identity of sufficient positive impact.

(5) Preserve and enhance long and short range views, visual privacy, and sun orientation by the careful positioning of buildings and open space.

(6) Obtain a relationship between buildings, open space and public ways, which provides increased protection to the pedestrian during unfavorable weather conditions.

(7) Link all project components with continuous and safe pedestrian and bicycle circulation systems. [10]

(8) Establish an orderly sequence and hierarchy of open spaces and pedestrian routes throughout the site.

(9) Provide maximum opportunity for safe and convenient pedestrian and bicycle access to surrounding areas. [10]

Section 502: Development Guidelines

The CRA shall from time to time establish land disposition policies and procedures, design standards, and other development guidelines and evaluate the quality and appropriateness of development proposals with reference to the Plan objectives, land use provisions, building requirements, design principles and other controls as set forth in this Plan, in the disposition documents, and development guidelines. The CRA shall also utilize urban design guidelines established by the City, including the "K2 Design Guidelines."[10]

The design review process will be conducted by the CRA in coordination with the City and the Planning Board, as described in Section 506. [10]

Section 503: Compliance with Plan and Development Guidelines

Redevelopment in the project area shall conform to the Plan objectives, land use provisions, building requirements, design principles, and other controls as set forth in the Urban Renewal Plan and to development guidelines established by the CRA.

Section 504: Infill Development Concept Plan

The CRA will cause an Infill Development Concept Plan to be prepared providing for the distribution of any GFA associated with new development within the MXD District above and beyond 3,333,000 square feet (Infill Development GFA) to supplement the original Redevelopment Concept Plan. This Infill Development Concept Plan shall contain the required elements described in Article 14.32.2.1 of the Zoning Ordinance. All new development utilizing Infill Development GFA shall be consistent with the Infill Development Concept Plan (as the same may be modified in accordance with Section 506 below.)

An individual building proposal utilizing Infill Development GFA may be submitted concurrently with the preparation and approval of the Infill Development Concept Plan. Notwithstanding anything contained in this Section 14.32.2 to the contrary, (i) the GFA utilized for the Ames Street Residential Project and (ii) a maximum of 60,000 square feet of GFA associated with any project proceeding under Section 416 above, shall not be deemed to be Infill Development GFA for the purposes of the Plan. [10]

Section 505: Proposed Building and Architectural Plans

All development proposals and architectural plans will be subject to design review, comment, and approval by the CRA prior to land disposition (if applicable) and prior to the commencement of construction. All construction work will be subject to review by the CRA in order to assure compliance of development proposals and architectural plans, with any previously approved plans.

A schematic development proposal shall consist of text, maps and drawings that describe to the CRA how the parcels will be developed. The form, content and time schedule for each development proposal will be specified in development guidelines established by the CRA pursuant to Section 502 of the Plan, and the Infill Development Concept Plan pursuant to Section 504. [10]

Proposed building and architectural plans and related materials including diagrams, scale models, perspective sketches, and photographs illustrating building design and arrangement, to a suitable scale, and based upon the land development specifications set forth above, shall show, among other things:

1) Detailed elevations and floor plans for all buildings, and dwelling unit types;

2) The specific use of all non-residential floor space;

3) The location and layout of all signs; and

4) Outline specifications for building types, including construction and finish, together with actual samples of proposed exterior and interior building materials.

Section 506: Inter-Agency Design Review

For any development requiring the approval of both the CRA and the Planning Board in accordance with the Zoning Ordinance, the CRA shall conduct its design review in close coordination with the City and the Planning Board. In connection therewith, the CRA may make such modifications to the Concept Plan as may be necessary to reflect development proposals.

Review and approval of the Infill Development Concept Plan, detailed in Article 14.32.2 of the Zoning Ordinance, as well as subsequent building design review, shall be performed jointly by the CRA and the Planning Board.

The review of subsequent building designs will be guided by the Objectives outlined in Section 102, the Design Principles and Development Guidelines outlined in Sections 501 and 502, as well as by applicable design guidelines in the Zoning Ordinance. The CRA Board and the Planning Board shall hold joint meetings to consider the Concept Plan and as necessary to review subsequent building designs. [10]

CHAPTER 6: REDEVELOPER'S OBLIGATIONS

Notwithstanding lesser requirements in the provisions of any zoning or building ordinance or regulation or hereafter in effect, the CRA by use of the following controls in the form of restrictive covenants or conditions running with the land, or by other appropriate means, shall obligate and bind all developers, purchasers, and lessees of project land, and their successors in interest, lessees, sub-lessees, or assigns. Such obligations, together with suitable provisions for reasonable action in the event of default or non-compliance, shall be inserted in and made an effective part of all agreements, conveyances, and other instruments for the disposition of any rights, title, or interests, in whole or in part, in any land acquired or to be acquired within the project area by the CRA.

Section 601: Use and Improvement of Project Land

The use, development, and maintenance of any part or parcel of land within the project area together with improvements thereon shall be undertaken and carried out only for the purposes and in the manner set forth in the general conditions, land use provisions, and building requirements of the Urban Renewal Plan and in full conformity with the provisions of any applicable development proposal and the terms and conditions under which such a development proposal may have been approved and consented to in writing by the CRA.

Section 602: Commencement and Completion of Improvements

The construction of improvements on any part or parcel of land within the project area shall be commenced, carried out, and completed within such periods of time as the CRA may establish as reasonable and which it may have approved and consented to in writing as a part of any applicable development proposal.

Section 603: Disposition of Project Land by Redeveloper

No disposition of any rights, title, or interests in any part of land within the project area by the developer thereof shall be made prior to the full completion of each and all of the improvements thereon as required by and in full conformity with the terms and conditions of the Urban Renewal Plan, the approved development proposal, and the land disposition agreement which are applicable thereto, unless and until the CRA shall have consented in writing to such disposition.

Section 604: Non-Discrimination

At no time shall the acquisition, development, construction, installation, reconstruction, disposal or conveyance by sale or lease, management, or maintenance of any part or parcel of land within the project area or of improvements thereon, to or by any person, be denied, restricted, or abridged, nor his employment thereon, or his use, occupancy, or possession thereof preferred, discriminated against, segregated, or refused because of race, color, sex, age, religious creed, religious creed, disability, national origin or ancestry, sexual orientation, gender, marital status, family status, military status or source of income .

All transactions affecting or respecting such activities shall be subject to the applicable provisions of Chapter 151-B of the Massachusetts General Laws as amended, and to all other

applicable Federal, State and local laws, ordinances, and regulations guaranteeing civil rights, providing for equal opportunities in housing, employment, and education, and prohibiting discrimination or segregation because of race, color, sex, age, religious creed, disability, national origin or ancestry, sexual orientation, gender, marital status, family status, military status or source of income.

No covenant, agreement, contract, lease, conveyance, or other instrument shall be effected or executed by the CRA, or its contractors, or by developers, purchasers, or lessees of any part or parcel of land within the project area, or their successors in interest, contractors, lessees, sub-lessees, or assigns, whereby the disposition of any rights, title, or interests, in whole or in part in such land shall be restricted because of race, color, sex, age, religious creed, disability, national origin or ancestry, sexual orientation, gender, marital status, family status, military status or source of income.

Every covenant, agreement, contract, lease, conveyance, or other instrument by which any part or parcel of land within the project area is disposed of or by which its improvement is provided for shall include an affirmative covenant which shall obligate and bind each developer, contractor, purchaser, lessee, grantee, or other party to such instrument, or any successors in interest, so that there shall be no discrimination because of race, color, sex, age, religious creed, disability, national origin or ancestry, sexual orientation, gender, marital status, family status, military status or source of income in the sale, lease, or rental, or in the employment on, or in the use, occupancy, or possession of such land or of any improvements constructed or to be constructed thereon. [10]

For the purposes of Section 604 of the Plan, the definition of the word “age” shall be in accordance with the provisions of Chapter 151B of the Massachusetts General Laws as amended.

The CRA shall take all steps necessary and appropriate to enforce such provisions and covenants, and shall not itself so discriminate.

CHAPTER 7: RELATION OF PLAN TO DEFINITE LOCAL OBJECTIVES

Section 701: Conformity to General Plan

The Urban Renewal Plan is based upon a local survey, and is in conformity with a comprehensive plan for the City as a whole. Proposed urban renewal actions and the renewal and redevelopment of the project area for predominantly nonresidential uses are necessary for the proper development of the community.

Section 702: Relation to Definite Local Objectives

The Urban Renewal Plan for the project area, proposed urban renewal actions, and the renewal and redevelopment of the project area for predominantly nonresidential uses are related to definite local objectives as set forth in Section 102 by:

(a) Providing for such mixture and density of land uses as will produce a balanced development consistent with the Plan objectives, land use provisions, building requirements, design principles, and other controls, as set forth in the Urban Renewal Plan;

(b) Providing for the development of those light industrial uses which are consistent with the socio-economic and other objectives of the Plan;

(c) Providing for the discontinuance of local, short and narrow streets and private ways, and for the establishment of a rational and efficient street network which reduces congestion, improves traffic flow, including truck access to and through the project area, and otherwise conforms to the objectives, design principles, and other controls of the Plan;

(d) Providing for the redevelopment of Massachusetts Bay Transportation Authority (MBTA) facilities in such a way as to make them more convenient, attractive and efficient;

(e) Providing for the adjustment of utility service lines, making them more efficient and capable of providing better and more uninterrupted service; and

(f) Requiring new building development to contain appropriate allowances for open space, landscaping and vehicular parking and loading arrangements.

CHAPTER 8 : PROVISION FOR MODIFICATION AND TERMINATION

Section 801: Interpretation

Interpretation of the objectives, general conditions, land use and building requirements, and other provisions of the Urban Renewal Plan by the CRA shall be final and binding.

Section 802: Modification

The Urban Renewal Plan may be modified at any time by the CRA; provided, however, that if the general conditions, land use provisions, and building requirements, applicable to any part or parcel of land within the project area are modified after the disposition of any land within the project area affected thereby, the modification shall be consented to in writing by the purchaser or lessee, or by his successors or assigns, of the land affected by the proposed modification.

Whenever proposed modifications of the Urban Renewal Plan will substantially or materially alter or change the Urban Renewal Plan, the proposed modifications shall be approved by the Cambridge City Council and the City Manager, and by the Massachusetts Department of Housing and Community Development [10].

Section 803: Duration and Termination

The Urban Renewal Plan shall be maintained and in effect for a period of sixty-five (65) years from the date of the original approval of the Urban Renewal Plan by the Cambridge City Council and the City Manager, and by the Massachusetts Department of Housing and Community Development; provided, however, that the provisions of Section 604 shall remain in effect for a period of one hundred (100) years from the date of the original approval of the Urban Renewal Plan. [3] [8] [10]

Exhibit A: Project Area Description

The project area is described as follows:
That certain tract of land, referred to as the Kendall Square Urban Renewal Area, situated in the City of Cambridge, County of Middlesex, Commonwealth of Massachusetts, and bounded generally as follows:

Beginning at a point, near the southwesterly corner of the tract herein described which point is the intersection of the northerly sideline of Main Street with the westerly sideline of land or right-of-way now or formerly of the Boston and Albany (Grand Junction) Branch Railroad;

Thence, running northerly by various courses and distances along the westerly sideline of land or right-of-way now or formerly of the Boston and Albany (Grand Junction) Branch Railroad to a point which is the intersection of said line with the northerly sideline of Binney Street;

Thence, turning an angle and running easterly by various courses and distances along the northerly sideline of Binney Street to a point which is the intersection of said line with the easterly sideline of Third Street;

Thence, turning an angle and running southerly by various courses and distances along the easterly sideline of Third Street to a point which is the intersection of said line with the northerly sideline of the so-called Broad Canal;

Thence, continuing southerly across the alignment of the former Broad Canal to a point which is the intersection of the southerly sideline of the former Broad Canal with the easterly sideline of Third Street Thence, continuing southerly by various courses and distances along the easterly sideline of Third Street to a point of curvature at Broadway:

Thence, running southeasterly on a curved line twenty-three (23) feet more or less along the northeasterly sideline of roadway to a point of tangency located on the northeasterly sideline of Broadway fifteen (15) feet more or less from a point which is the intersection of the prolongation of the northeasterly sideline of Broadway with the prolongation of the easterly line of Third Street;

Thence, running southeasterly by various courses and distances along the northeasterly sideline of Broadway to a point which is the intersection of said line with the northerly sideline of Main Street;

Thence, turning an angle and running easterly by various courses and distances along the northerly sideline of Main Street to a point which is the intersection of said line with the westerly property line of land now or formerly of Cambridge Gas Company;

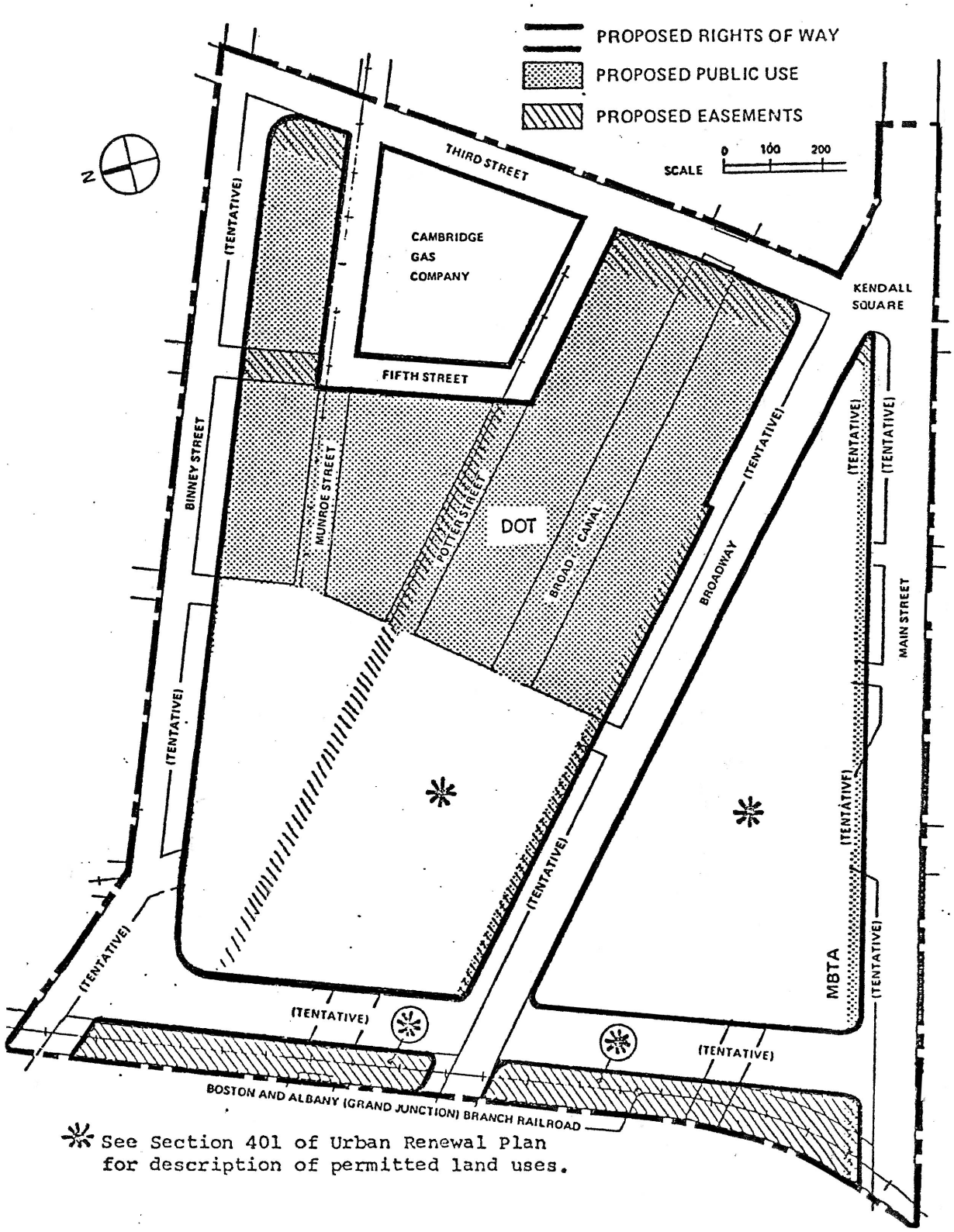
Thence, turning an angle and running southerly across Main Street along a line which is the prolongation of the westerly property line of land now or formerly of Cambridge Gas Company to a point which is the intersection of said line with the southerly sideline of Main Street;

Thence, turning an angle and running westerly by various courses and distances along the southerly sideline of Main Street to a point which is the intersection of said line with the westerly

sideline of land or right-of-way now or formerly of the Boston and Albany (Grand Junction) Branch Railroad;

Thence, turning an angle and running northerly across Main Street to a point which is the intersection of the northerly sideline of Main Street with the westerly sideline of land now or formerly of the Boston and Albany (Grand Junction) Branch Railroad, which point is the place of beginning.

Exhibit B: Map 1 Proposed Land Uses



* See Section 401 of Urban Renewal Plan for description of permitted land uses.

Exhibit C: Map 2 Property Map

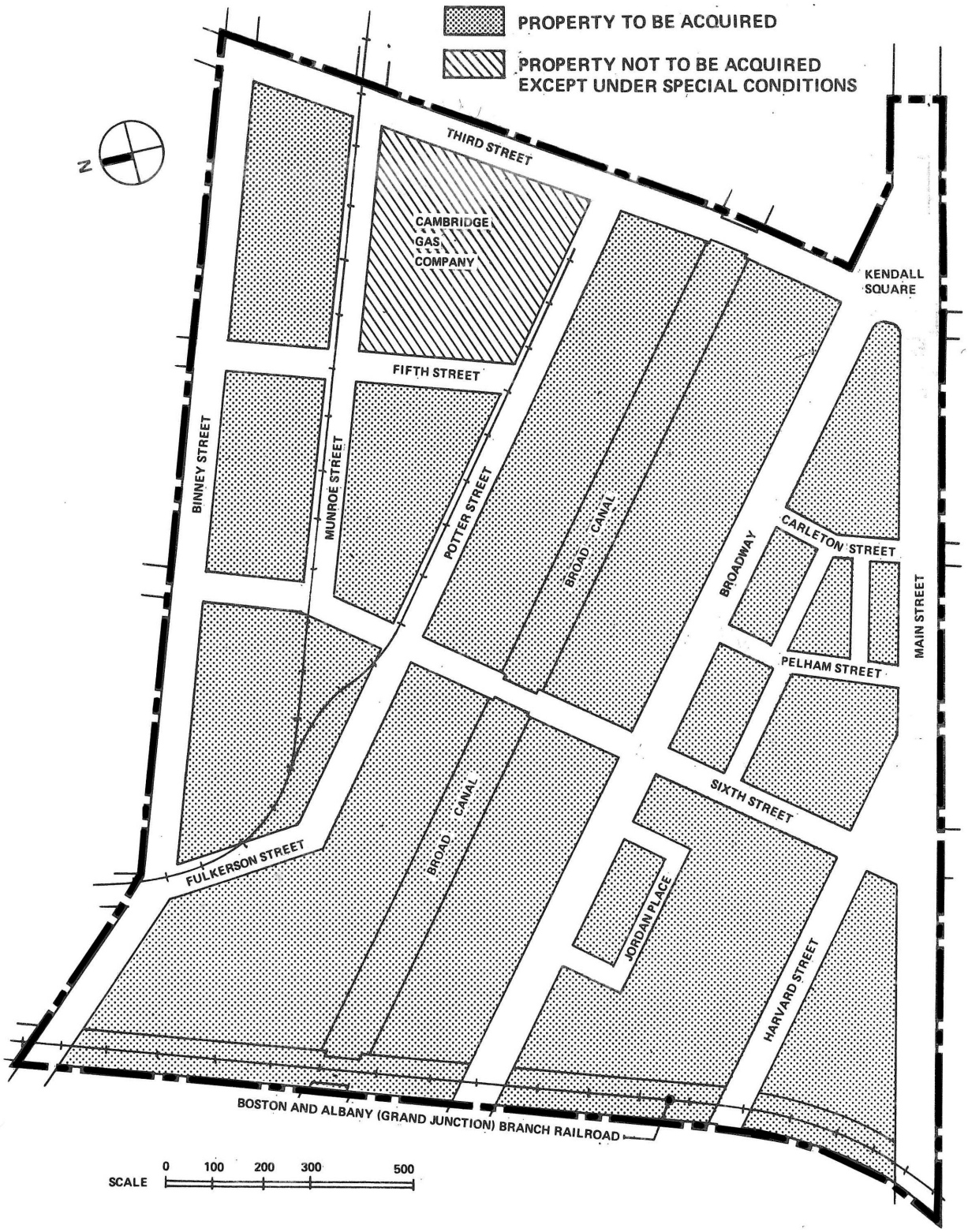


Exhibit D: Historic Relocation Assistance Program

A relocation assistance program was established by the CRA for this purpose of finding standard dwelling or business accommodations to meet the rehousing and business relocation needs of displaced residents and business, within their financial means, in reasonably convenient locations at the earliest practicable time. The basic objectives of the relocation assistance program were:

1) To provide such measures, facilities, and services as were necessary to determine the needs of displaced site occupants for relocation assistance; and

2) To make information and assistance available to them in such a way as to minimize the hardships of displacement.

Assistance included the making of such relocation payments as were provided for under the provisions of Federal, State, or local laws and regulations.

The CRA administered the relocation assistance program. It was the only agency responsible for the relocation of site occupants displaced from the Project Area as a result of its land aquisition.

There were some 10 families and individuals who occupied property, all of whom were relocated when the Project Area was originally cleared. [10]

The method for the relocation of persons previously living in the Project Area, and the availability of and the means by which there were provided dwelling units for such persons substantially equal in number to the number of dwelling units cleared from the Project Area were as follows:

1) Method for Relocation:

Each dwelling unit vacancy found by or referred to the CRA will be inspected for the CRA by a trained housing inspector in order to determine (l) that it is decent, safe, and sanitary; (2) that it complies with the provisions of the Cambridge Housing Code; (3) that it contains adequate heating, lighting, cooking, and sanitary facilities; and (4) that it is structurally sound.

Only standard dwelling units reasonably accessible to the places of employment of displaced site occupants, and in areas not less desirable in regard to public utilities and commercial facilities than the project area, will be referred to families and individuals to be displaced from the Project Area.

The cost of any dwelling unit referred to a family or individual for rehousing purposes will, generally, not exceed (l) one-quarter of monthly income, in the case of dwelling units for rent, or (2) twice annual income, in the case of dwelling units for sale.

In order to make such referrals, the CRA will secure and maintain listings of all standard dwelling units for sale or rent in Cambridge and the Cambridge housing market area.

Preference will be accorded by the Cambridge Housing Authority to persons who appear to be eligible for (l) state-aided veterans' housing and housing for the elderly; and (2) federally-aided low-rent housing and housing for the elderly. Persons eligible to be

accorded preference will be admitted to public housing projects under "continued occupancy" income limits by the Cambridge Housing Authority.

(b) Availability of Dwelling Units:

Availability of private rental housing: As of the date of the original adoption of the Plan, records maintained by the CRA indicated that 1131, 1083, 1105 and 1126 private dwelling units were available for rent in the City alone for each year during a recent four-year period. [10]

Availability of private sales housing: As of the date of the original adoption of the Plan, records maintained by the CRA indicated that 107, and 122 private dwelling units were available for sale in the City alone for each year during a recent two-year period. [10]

Availability of public housing: As of the date of the original adoption of the Plan, records maintained by the Cambridge Housing Authority, as reported in December of 1964, indicated that 220 dwelling units in public housing developments become available on the average for occupancy each year.

Clearly, dwelling units for the relocation of persons living in the Project Area at that time substantially equal in number to the number of units to be cleared are available, as are the means by which they can be provided through suitable methods, for the relocation of persons now living in the project area. [10]

Exhibit E: Definition of Pedestrian Ways:

Pedestrian ways shall be designed to provide for public access and shall have the following meanings:

(i) An **open pedestrian bridge** is a continuous open bridge having a minimum width of 6 feet and spanning a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots.

(ii) A **raised pedestrian deck** is a continuous, open platform at least 20 feet in width which is at least 9 feet above the mean elevation of the lot and which extends over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have direct pedestrian access from abutting buildings, shall provide seating facilities and shall be landscaped including one tree, of at least 3-1/2 inch caliper, per 500 square feet of pedestrian deck.

(iii) An **enclosed pedestrian bridge** is a continuous, enclosed space having a minimum width of 8 feet which spans a street, pedestrian way, access or service road or open space, making connections within a lot or between two adjacent lots. At least 50% of the surface area along its facades shall consist of transparent materials.

(iv) An **elevated shopping bridge** is a continuous, enclosed space which spans a street, pedestrian way, access or service road or open space, making connection within a lot or between two adjacent lots. Such a shopping bridge shall have a minimum width of 36 feet and a maximum width of 48 feet, with retail uses as allowed in Section 401(3) along one or both sides of a pedestrian circulation route with a minimum width of 12 feet. Such shopping bridge shall connect, at a minimum, at both ends to other internal or external pedestrian ways.

(v) A **shopping arcade** is a continuous, covered, but not necessarily enclosed, space which extends along the front facade of a building facing a street or a pedestrian way within the MXD District and having retail uses as permitted in Section 401(3) accessible from it. It shall have a minimum continuous width, unobstructed, except for building columns, of at least 12 feet, and also have a minimum continuous height of 12 feet. Such shopping arcade shall have access from the abutting street or pedestrian way, having its floor at the same level and continuous with the sidewalk or other abutting pedestrian way. It shall be open to the public at all hours.

(vi) An **elevated shopping way** is a continuous, enclosed space which extends along the front facade of a building facing a street or a pedestrian way and which has a minimum width of 12 feet. It shall be located on the second level of the building and have a minimum continuous height of 12 feet. It shall be open to the public for a minimum of 12 hours daily, on weekdays, and shall have fronting retail uses as permitted in Section 401(3).

(vii) A **through-block arcade** is a covered space which provides a connection through a building and connects streets, open spaces, pedestrian ways, or any combination of the above, and is directly accessible to the public. A through-block arcade shall

have a minimum area of at least 2,000 square feet and a minimum width at any point of 20 feet. A through-block arcade shall have openings at the face of the building for entrances at least 12 feet in width and 10 feet high. At least 50% of its aggregate interior frontage shall be retail use. Vertical circulation elements, columns, pedestrian bridges and balconies are permitted obstructions provided they do not cover in the aggregate more than 15% of the floor area of the arcade.

The minimum height of any pedestrian way above the surface of a public way over which it is constructed shall be 14 '-0".

Exhibit F:

Table Three: Loading Requirements

Use Group	Incremental Area for Additional Bay Requirement
Light Industrial and Wholesale Uses allowed by Section 401(1)	100,000
Office and Biotechnology Manufacturing Uses allowed by Section 401(2)	200,000
Retail and Consumer Service Uses allowed by Section 401(4)	50,000
Residential Uses allowed by Section 401(4)	
Multifamily housing	200,000
Hotel or Motel	100,000
Other Uses allowed by Sections 401(5), 401(6) and 401(7)	100,000