



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

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To: Planning Board

From: Jeff Roberts, Land Use and Zoning Planner
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Date: December 10, 2014

Re: **Whitehead Institute Rezoning Petition**

Overview

The Whitehead Institute for Biomedical Research, an independent noncommercial research center, has proposed a zoning amendment that would allow an expansion of their existing facility by up to 60,000 square feet.

In general, the proposal reflects the recommendation of the City's recent Kendall Square (K2) Planning Study to nurture the growth of innovation, in part by increasing the capacity for office and lab activities. This memo provides background on the planning for the area and discusses how the proposed zoning change relates to the recommendations of the K2 Study.

For reference, the full text of Article 14.000 of the Zoning Ordinance (containing the applicable requirements for the MXD district) is attached with the proposed changes shown inline. A site map and a map of the MXD district are also included.

Background

The Whitehead Institute occupies 9 Cambridge Center, a building with about 200,000 square feet of Gross Floor Area (GFA) on an approximately 44,000 square-foot lot at the corner of Main Street and Galileo Galilei Way. The original building was built in the 1980s and an addition on the north side was built in the 1990s.

The site is within the MXD zoning district and is part of the Kendall Square Urban Renewal Area under the jurisdiction of the Cambridge Redevelopment Authority (CRA). While much of the Urban Renewal Area is owned or controlled by Boston Properties, the CRA's master developer, the Whitehead Institute owns its own site. Any new development would still require approvals from the CRA.

The MXD zoning regulations establish a "cap" on aggregate development in the area, now totaling approximately 3.3 million square feet of GFA. The zoning also requires a minimum amount of public open space in the district of 100,000 square feet, which is currently being met. The maximum building height is 250 feet. There are some Floor Area Ratio (FAR) and open space requirements that apply to individual lots, but they are generally less strict than the aggregate development requirements.

Kendall Square (“K2”) Planning Study

The K2 study, conducted in 2012 (with a final report issued in 2013), recommended zoning changes to direct future development in four key areas: the MXD area, the Volpe site, the area between Third Street and the riverfront, and the MIT-owned property south of Main Street. A rezoning of MIT-owned property was adopted by the City Council in 2013. CDD, working in coordination with Federal agencies responsible for the Volpe site, expects to advance a zoning proposal for the Volpe site early in 2015.

The stated objectives of the K2 study are listed below:

1. *Nurture Kendall’s Innovation Culture*

- *Expand opportunities for Kendall Square knowledge economy to continue to grow.*
- *Foster a strong connection between the MIT campus and the rest of Kendall Square. Enable MIT to develop in a manner consistent with its academic and research mission, so that it continues to be a magnet attracting innovative businesses to the area.*
- *Support a vibrant environment for creative interaction.*
- *Three themes (below) working together supporting the central theme of nurturing Kendall’s innovation culture.*

2. *Create great places*

- *Support open space and recreation needs of a growing neighborhood.*
- *Create lively, walkable streets.*
- *Expand opportunities for Kendall’s diverse community to interact.*
- *Development and public place improvements must happen in tandem.*

3. *Promote environmental sustainability*

- *Expand convenient, affordable transportation and access choices.*
- *Enhance streets as public places.*
- *Create a healthier natural environment.*
- *Reduce resource consumption, waste and emissions.*
- *Leverage the environmental and economic benefits of compact development.*

4. *Mix living, working, learning and playing*

- *Leverage community and innovation benefits of mixed-use environment.*
- *Focus intensity around transit.*
- *Minimize development pressures on traditional neighborhoods.*
- *Continue to support city and state economic development.*

Proposed Zoning Changes in Relation to K2 Study

The strategic approach of the K2 study recommendations is to allow additional office and laboratory development but to require, in exchange, a set of specific improvements that will contribute to advancing the community's goals. The following reviews the key recommendations of the K2 study in relation to the MXD district and the Whitehead petition.

Additional Gross Floor Area (GFA)

The K2 study recommends adding approximately 1 million square feet of development capacity to the MXD district, with a minimum of 40% for residential use. Since most lots in the district are built, new development would be distributed among sites where smaller buildings could be enlarged or replaced. Since it remains an Urban Renewal Area, the CRA would direct a plan for how the development is distributed, but the Planning Board would also review development plans as part of one or more Planned Unit Development (PUD) parcels (see further discussion of Project Review).

The petition proposes using up to 6% of the envisioned 1 million square foot capacity on the Whitehead site. (The Whitehead site occupies approximately 5% of the developable land area in the MXD district.) That is a relatively small proportion of the anticipated development, but it is still not known how additional development capacity would be assigned to other sites. The proposal also does not include any residential development, although it does propose a contribution to the Cambridge Affordable Housing Trust pursuant to the Incentive Zoning requirements (discussed further below).

Retail and Active Uses

The K2 study encourages ground floor retail and prioritizes active frontages along Main Street, Third Street, Broadway and Ames Street (between Broadway and Main). Incorporating both a requirement and incentive approach, it was recommended that building designs be required to include active storefronts on at least 75% of the frontage of those priority streets, and that any space devoted to smaller-scale retail uses on the ground floor would be exempt from GFA or FAR limitations.

The petition includes an exemption from GFA limits for retail establishments of up to 5,000 square feet, or 10,000 square feet in the case of pharmacies and grocery stores, which are desired in the area. Although retail is not explicitly required on Main Street, in order to authorize the new development the Planning Board would have to find that "the ground level of the proposed improvements fronting on Main Street will be designed to enhance public access and interaction."

Parking and Bicycle Parking

The K2 study recommends maximum parking limits for new nonresidential development. The approach suggested in the petition, that new parking would be neither required nor permitted and that existing parking facilities would be used to serve the expansion, is consistent in principle with the petitioner's approach. The petitioner should discuss the anticipated parking demand and demonstrate that this approach will not have an adverse impact on other uses utilizing parking in the area.

The K2 study also suggests applying the citywide bicycle parking standards adopted in 2012 to new development in Kendall Square. For the proposed Whitehead development, which would expand the size of the existing building by up to 30%, current zoning would require bicycle parking to be provided to serve the entire building (about 72 total spaces). The petition proposes a less stringent requirement that bicycle parking only be provided for the incremental GFA increase (about 22 new spaces). The petition also proposes giving the Planning Board the ability to approve alternative locations for bicycle parking, which could currently be done with a separate special permit.

Open Space

The key open space priority resulting from the K2 study is to work toward creating an area-wide open space system with a more unified feel. This was the impetus for the “Connect Kendall Square” design competition, currently underway, that is intended to result in creative strategies to strengthen the open space network across the neighborhood through public investment and review of private development plans (mainly through the PUD permitting process).

Current zoning requires a minimum of 100,000 square feet of public open space in the district (about 11% of developable land). The K2 study does not recommend changing that requirement, but suggests that there are ways open spaces could be better integrated into the larger network. While existing open spaces in the MXD district have their own particular benefits, they tend to be in marginal locations such as the edges of the district, above-grade terraces, indoor atriums or adjacent to parking and loading areas. Spaces such as the plaza by the Marriott and the walkway connecting Ames and Sixth Streets are well utilized, but do not connect well to other open spaces.

On the Whitehead site, there is an existing open plaza that is not highly used by the general public, partly because it is located several feet above grade and is not activated by retail or other public uses. The petition envisions replacing that plaza with the proposed building expansion and ground-floor retail. It is most likely (although the petitioners have not demonstrated it in their materials) that the minimum 100,000 square feet of open space in the district would continue to be met if this plaza were developed.

However, the open space requirements applicable to the individual lot would likely prohibit development on the plaza. The plaza is also subject to an open space covenant that would need to be modified with City Council approval. The K2 study proposes using the PUD zoning approach that waives lot open space requirements in favor of area-wide open space requirements and a more holistic review of an open space plan by the Planning Board. The petition proposes waiving the lot open space requirement for this site, which is reasonable to facilitate the proposed expansion, but does not allow for a larger discussion of an open space strategy for the district, or even the rest of the block.

Because the scope of the proposal is focused on only one site, the critical issue will be the tradeoff between providing a stronger, more active urban presence at the ground floor and providing usable open space. As noted, the petition sets as one of two criteria that “the ground level of the proposed improvements fronting on Main Street will be designed to enhance public access and interaction.”

The existing plaza, though underutilized, is well located in terms of sun exposure, is of a regular shape and by way of providing a broader open area at the entry point enhances the walkway between 7 and 9

Cambridge Center. As such, the proposed development should consider how the loss of these positive features can be offset through the quality of the ground floor, especially in its permeability and welcoming quality to the public, and strengthening connections at the ground level within and potentially through the site.

Sustainable Design and Development

The K2 study recommends that new development in Kendall Square should meet stronger sustainability requirements than those applicable citywide, including a LEED Gold design standard for all new buildings and requirements for energy monitoring, cool roofs and water quality management. In contrast, the petition references the current citywide Green Building Requirements (which require a LEED Silver design standard), which would apply regardless of the proposed rezoning. The petition also appears to grant the Planning Board the ability to modify or waive the Green Building Requirements, which is not permitted anywhere else in the city. Generally, the Green Building Requirements are enforced administratively and not as part of Planning Board review.

Innovation Space

One priority identified in the K2 study is to preserve space for smaller enterprises, such as start-up companies or individuals working in shared spaces. It is recommended that such “Innovation Space” be required to total at least 5% of new non-residential GFA in the area. The space could be in existing or new buildings and property owners in the area could pool their requirements to create larger facilities.

No Innovation Space requirement is proposed in the petition. Given the nature of the site as a noncommercial research center, it might not be reasonable to require a component of this building to be leased to smaller companies or individuals, especially since the requirement would be only 3,000 square feet and 20,000 square feet is the minimum desired size for an innovation office facility. It may be worth considering whether there are alternative ways that the petitioner could support the preservation of space for small innovation businesses in the area.

Project Review

The petition states that the proposed expansion would only be allowed by special permit from the Planning Board, and also that the project would be subject to the Project Review Special Permit requirements in Section 19.20 of the Zoning Ordinance (which is not generally applicable to projects in the MXD district).

The K2 study also recommends that new development be reviewed and permitted at a plan level according to the Planned Unit Development (PUD) procedures in Article 12.000 of the Zoning Ordinance. The standards for this review overlap in some ways with the Section 19.20 special permit standards. However, as noted in the prior discussions of GFA and open space, the PUD review process allows development plans to be reviewed more holistically across an area, which would not be possible in this case given that the proposed development would occur on a single site.

Housing

The petition proposes applying the Incentive Zoning requirements to new development, which would require a per-square-foot contribution to the Cambridge Affordable Housing Trust for non-residential development (currently set at \$4.58 per square foot, but subject to periodic adjustment). This requirement does not otherwise apply in the MXD district. The K2 study assumed that this contribution would be required in addition to the community fund contribution discussed below.

Community Fund Contributions

The K2 study recognized that there were some district-wide needs that would be better met through the collective effort of all property owners rather than through improvements made on individual properties. This led to a recommendation to require a contribution of \$10 per square foot to a fund that would be used for open space programming, transit improvements and workforce development programs benefitting the area. The petition proposes applying this required contribution to the new development that it would authorize.

**ARTICLE 14.000 MIXED USE DEVELOPMENT DISTRICT:
CAMBRIDGE CENTER**

- 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 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 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 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.

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

14.22 *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.

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- 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 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 ~~three million, seventy three thousand (3,073,000)~~ three million, one hundred thirty three thousand (3,133,000) square feet, providing that any development in excess of ~~two million seven hundred and seventy three thousand (2,773,000)~~ 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 two hundred thousand (200,000) square feet that shall be limited to residential uses as permitted in Section 14.21.4(1). Sixty thousand (60,000 square feet of such aggregate GFA of 3,133,000 shall be allowable only by special permit pursuant to Section 14.72. The two hundred thousand (200,000) square feet of GFA restricted to housing uses, 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.
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14.32.2 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=~~1,605,000~~ 1,665,000 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 Section 14.32 shall not be counted by the Superintendent of Buildings for any purpose in determining the aggregate GFA 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, seven hundred and seventy three thousand (2,773,000)~~ two million eight hundred and thirty three thousand (2,833,000) and ~~three million, seventy three thousand (3,073,000)~~ three million, one hundred thirty three thousand (3,133,000) square feet, and then to any remaining GFA under ~~two million, seven hundred and seventy three thousand (2,773,000)~~ 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 or cumulative GFA limitations of subsections 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 shall maintain a record of the aggregate GFA within the District and a record of cumulative GFA for each use group specified in Section 14.32.2. 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 Cambridge Redevelopment Authority as to an outstanding contract (including option) for the construction of a building.
- (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.
- (4) 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) 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;
- (d) 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.

14.33 *Lot Density Limitation.* In addition to the aggregate and cumulative GFA limitation 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 Section 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

(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. This requirement shall not apply to chimneys, water towers, air conditioning equipment, elevator bulkheads, skylights, ventilators and other necessary features appurtenant to buildings which are usually carried above roofs and are not used for human occupancy, nor to 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, nor to wireless or broadcasting towers and other like unenclosed structures which occupy less than ten percent (10%) to the lot area.

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, 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.

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

14.42.1 Retention by the Cambridge Redevelopment Authority;

14.42.2 Dedication to and acceptance by the City of Cambridge or other public entity;

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

14.42.4 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;

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

14.43 *Lot Minimum Open Space Requirement.* 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
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 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 and 14.44 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.

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

14.45.2 The pedestrian ways listed in Table 2 shall be designed to provide for public access and shall have the following meanings:

- (1) An open pedestrian bridge is a continuous open bridge having a minimum width of 6 (six) 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, 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 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 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.* Offstreet parking requirements for the 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 14.524.

14.52.2 Each development shall provide enough parking spaces either on or off the lot within the District to satisfy the requirements of Table 3. If a development includes more than one category of use, then the number of spaces required for the development shall be the sum of the 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.

Table 3 MXD District Parking Requirements

Use	Minimum number of spaces
Light Industrial uses allowed by Section 14.21.1	1/1750 sq. ft. ¹
Office uses and Biotechnology Manufacturing Uses allowed by Section 14.21.2	1/2000 sq. ft.
Retail and consumer establishment allowed by Section 14.21.3	1/1000 sq. ft.
Residential uses allowed by Section 14.21.4	
Multifamily residences	1 dwelling unit
Hotels or Motels	1/1.75 sleeping rooms
Public assembly uses allowed by Sections 14.21.3(2), 14.21.3(3), and Section 14.21.5 (restaurants, entertainment and recreation facilities)	1/15 seats or 1/300 sq. ft. ²
Other uses allowed by Section 14.21.6 and 14.21.7	1/1800 sq. ft.

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 requirement specified in Table 3 may be 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. The total number of parking spaces leased and constructed within the district for development on a lot shall be at least equivalent to the Table 3 requirement.

14.52.4 Ongrade parking, 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 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).

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.

14.53 Loading Requirements. It is the intent of this Section that sufficient offstreet 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 unless they qualify for one or 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 or 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 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 - 200,000 sq. ft.	Over 200,000 sq. ft. for each additional 150,000 sq. ft.
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 he 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 ~~SPEICAL PROVISIONS APPLICABLE WITHIN THE AMES STREET DISTRICT~~

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 Requirements in Section 14.43 shall be inapplicable 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 14.71 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 14.12, 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 Service 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.

14.80 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.

Cambridge, Massachusetts



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