

**ORDINANCE # 1378**

**Final Publication Number 3393. First publication in the Chronicle on December 10, 2015.**

**City of Cambridge**

**In the Year Two Thousand and Fifteen**

**AN ORDINANCE**

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

**Be it ordained by the City Council of the city of Cambridge that the Zoning Ordinances of the City of Cambridge be amended as follows:**

**KENDALL SQUARE URBAN RENEWAL AREA**

**CAMBRIDGE REDEVELOPMENT AUTHORITY**

**URBAN RENEWAL PLAN**

**DECEMBER 21, 2015**

**AMENDED AND RESTATED**



**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
Approved by Cambridge Redevelopment Authority	August 24, 1965
Public Hearing by Cambridge City Council	August 30, 1965
Approved by Cambridge City Council	August 30, 1965
Approved by Cambridge City Manager	August 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	December 16, 2015
Amendment No. 10 approved by City Council	December 21, 2015

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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 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

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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 1 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 within Kendall Square's knowledge and innovation based economy, 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 economic base and maximize the provision 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.<sup>1</sup>

### **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

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<sup>1</sup> 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.<sup>2</sup> 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:<sup>3</sup>

- 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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<sup>2</sup> The CRA anticipates no such relocations as a result of Amendment 10.

<sup>3</sup> 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 not 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 further be authorized to 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.

### **Section 112: Economic Development**

The CRA will establish, in coordination with the City, an economic development program to facilitate opportunities to engage residents and businesses in Cambridge in the broad range of economic development opportunities within Kendall Square. This program shall include, but is not limited to:

- (a) Placement of qualified individuals and small businesses within below market Innovation Space established by Sections 402 and 412 of this document, and
- (b) Implementation of retail entrepreneurship opportunities in Kendall Square consistent with a Retail Plan as described in Section 507. [10]

## CHAPTER 2: REAL PROPERTY ACQUIRED OR TO BE ACQUIRED

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### 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; <sup>4</sup>
- (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.<sup>5</sup>

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<sup>4</sup> The original urban renewal plan also referenced the Cambridge Industrial Track Management Corporation.

<sup>5</sup> 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 since then been sold and redeveloped as multi-family residential housing.

## CHAPTER 3: LAND USE PLAN

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### 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 Renewal 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 1: 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". [10]

### 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

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### 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.<sup>6</sup> [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.<sup>1</sup> [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 GFA (as defined in Section 504 below) in excess of three hundred and seventy-five thousand (375,000) square feet. [10]

- 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. [10]

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

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<sup>6</sup> 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).

<sup>1</sup> 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] [10]

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. [9]
- (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. [10]
- (C) Innovation Space: Innovation Space GFA up to twenty percent (20%) of the Infill GFA dedicated to Office and Biotechnology Manufacturing Uses . In order for the Innovation Space to be exempt from the Aggregate GFA limitations, at least twenty five percent (25%) of the Innovation Space utilization (measured by square footage or shared space membership) must be set aside as below market rate space to be offered by the CRA and/or the City to qualifying tenants. [10]
- (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. [10]
- (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: [10]
  - (1) 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. [10]
- (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. [10]

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**

<b>Use Group</b>	<b>Required Open Space (SF of open space required for each 100 SF of GFA)</b>
Light Industrial and Wholesale Uses allowed by Section 401(1)	5
<u>Office and Biotechnology Manufacturing</u> 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	<del>8</del> 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 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 twenty percent (20%) of the Infill GFA of new housing development is made permanently available to households qualifying for affordable housing under the Inclusionary Housing Ordinance, or the minimum percentage 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 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]

### 3) Dwelling Type Mixture

New housing development utilizing Infill GFA shall include a range of dwelling unit types and sizes. At a minimum, five percent (5%) of the residential GFA utilizing Infill GFA shall be devoted to dwelling units with three (3) bedrooms or more, which shall be designed to accommodate families with children.

To the extent legally permissible under Section 11.200 of the Zoning Ordinance and other applicable legal requirements, these three-bedroom units will all be Middle Income Units and Affordable Units; provided, however, that if three-bedroom units comprise more than five percent (5%) of the total floor area devoted to multi-family residential units, any such units in excess of five percent (5%) of the total floor area may be market-rate units. [10]

## **Section 412: Innovation Space**

Any proposal for new commercial development utilizing Infill 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 Infill GFA used for Office and Biotechnology Manufacturing Uses. 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 (or ten percent (10%) of newly constructed Infill GFA used for Office and Biotechnology Manufacturing Uses, if less), 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 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.
- (b) 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.
- (c) 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. [10]

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

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### 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 (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 GFA”) to supplement the original Redevelopment Concept Plan. This Concept Plan shall contain the required elements described in Article 14.32.2.1 of the Zoning Ordinance. All new development utilizing Infill GFA shall be consistent with the Concept Plan (as the same may be modified in accordance with Section 506 below.)

An individual building proposal utilizing Infill GFA may be submitted concurrently with the preparation and approval of the 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 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. The CRA shall develop Urban Design Guidelines, to be reviewed by the City, specific for the evaluation of development projects utilizing Infill GFA. [10]

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 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 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]

### **Section 507: Retail Plan**

In order to effectuate the goals of promoting a vibrant retail environment and street-level activation, the CRA shall require that the Concept Plan shall include a Retail Plan to demonstrate how the project will improve and diversify the existing retail environment, create active street-level uses, and attract and support the provision of local and independent businesses. Among other things, the Retail Plan shall:

- 1) Set forth target uses and users (and shall particularly target local and/or independent retailers and grocery store / pharmacy operators),
- 2) Designate an individual responsible for implementing the plan who shall serve as a point of contact with the CRA,
- 3) Describe the types of economic incentives which may be offered to tenants such as rental and fit-up allowances,
- 4) Include a street activation plan for Main Street, Broadway, and Ames Street, and
- 5) Identify opportunities for “start-up” retail uses at an entrepreneurial or developmental stage of business, which opportunities may, for example, be located in indoor or outdoor temporary space (such as kiosks, markets, food trucks and the like) or in leased space, or in some combination thereof.

The Concept Plan must include an annual reporting process to the CRA for the duration of the KSURP regarding the ongoing efforts on the part of the development to comply with the Retail Plan. [10]

## CHAPTER 6: REDEVELOPER'S OBLIGATIONS

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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. [10]

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. [10]

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. [10]

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

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### 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

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### **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;

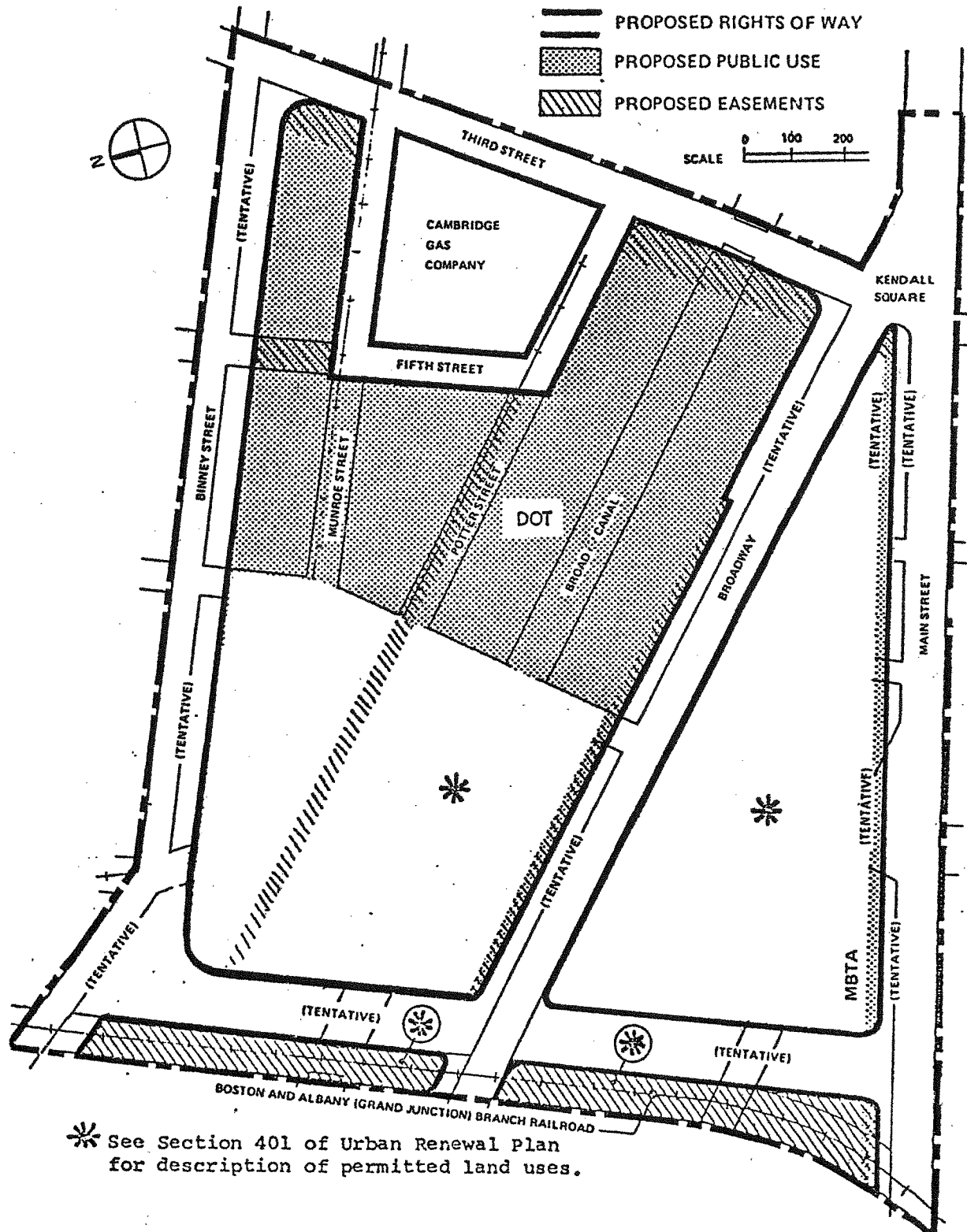
Thence, turning an angle and running westerly by various courses and distances along the southerly sideline of Main Street to a point which is the intersection of said line with the westerly

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.

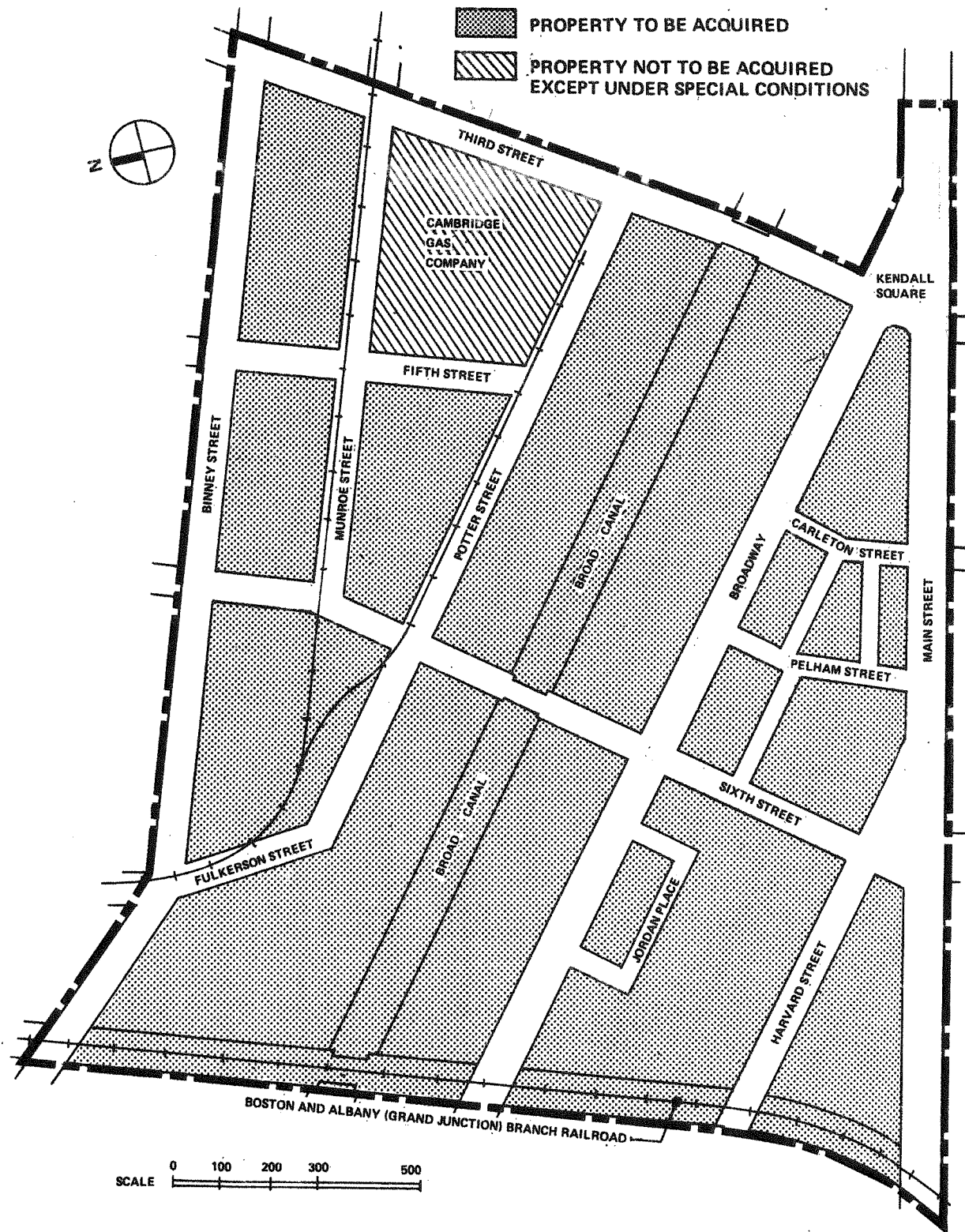


Exhibit B: Map 1 Proposed Land Uses



\* 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 acquisition.

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 (1) 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 (1) 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 (1) 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**

<u>Use Group</u>	<u>Incremental Area for Additional Bay Requirement</u>
Light Industrial and Wholesale Uses allowed by Section 401(1)	100,000
<u>Office and Biotechnology Manufacturing Uses</u> 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

In City Council December 21, 2015.  
Passed to be ordained as amended by a yeas and nays vote:  
Yeas 7; Nays 2; Absent 0.

A true copy;



ATTEST:

Donna P. Lopez  
City Clerk