

SIGN ORDINANCE REVISIONS

(New text is underlined)

Amend Article 7.000 – Signs and Illumination as set forth below.

I. Delete the existing Section 7.12 – Applicability and substitute therefor the following:

7.12 *Applicability*

A. *General Applicability*

No signs or advertising devices of any kind or nature shall be erected or maintained on any premises or affixed to the inside or outside of any structure to be visible from the outside of any structure except as specifically permitted in this Article 7.000.

B. *MXD District*

The provisions of this Section 7.10 shall not be applicable in the MXD District, Article 14.000 of this Ordinance, during the life of the Kendall Square Urban Renewal Plan, as amended.

C. *Signs in the Public Way*

Signs and banners located entirely within a public way are not subject to the provisions of this Article 7.000 except as may be specifically provided for elsewhere in this Article 7.000.

NOTE: *Paragraph A is existing language in Section 7.12. Paragraph B carries forward the exemption already provided for in the MXD district regulations in Article 14.000. Paragraph C is new language that makes explicit the current administrative interpretation of the provisions of Article 7.000.*

II. In Section 7.14 – Calculation of Area and Height of Signs, insert a new Paragraph C. Re-designate existing Paragraphs C to E as D to F.

7.14 *Calculation of Area and Height of Signs*

C. For all signs, where a color or graphic pattern constitutes a Corporate or Brand Identification (by custom, contract or practice) as illustrated in advertising or in sign or building designs employed at multiple locations, the full extent of that background color or graphic

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pattern shall be calculated as part of the sign area when it is associated with any logo, lettering, or other graphic element constituting a sign.

NOTE: *The new Paragraph C makes it clear that when a corporation employs color or graphic patterns as part of its identification, those elements will be counted as part of the area of the sign.*

III. In Section 7.16.11 – Exempt Signs, insert an additional phrase in Paragraph A2 and insert a new Paragraph A3 as set forth below. Renumber existing Paragraphs A3-7 to A4-8.

7.16.11 Exempt Signs

A. In All Districts:

1. Signs not visible from a public way. (All illumination permitted.)
2. Official traffic and directional signs, including bus and shuttle schedules. (All illumination permitted.)
3. Other signs in the public way.

NOTE: *Paragraph A3 reiterates the exemption described in Section 7.12 above.*

IV. In Section 7.16.22 – [permitted signs in] All Business, Office and Industrial Districts, insert a new Paragraph D3 to read as follows.

3. Building Identification Signs

For each building on a lot (except hotels and motels, which shall be subject to Paragraph 2 above), one Wall Sign for each street the lot abuts (but in no case more than two signs per building) may exceed the maximum Height of Signs and the maximum Area of Signs limitations set forth in Section 7.16.22, Paragraph C above, subject to the following conditions and limitations:

- (a) Any such sign shall be naturally or externally illuminated only.**
- (b) The sign may be located at any height below the roof of the building.**
- (c) Where the sign is located at a height greater than one hundred (100) feet, the maximum Area of Sign may be increased to ninety (90) square feet.**

(d) The sign shall consist of individual letters or graphic symbols attached directly to the building face or to a raceway.

(e) The sign shall be accessory to a tenant or activity located on the lot or within the building, or identifies the building itself.

(f) All other provisions of this Article 7.000 shall continue to apply, including the Total Area of Signs Permitted per Lot and the total area of signs permitted on any individual Sign Frontage.

NOTE: This new Paragraph 3 would allow a limited number of wall signs on a building to exceed the normal 20 foot height limit in order to identify the building or a major tenant within the building. The provision would not increase the total area of signs permitted on a building or lot but would relax the height and area limitations for individual wall signs.

V. In Section 7.16.22 – [permitted signs in] All Business, Office and Industrial Districts, insert a new Sub-section E to read as follows.

E. General Waiver of Sign Limitations

The limitations and restrictions of Section 7.16.22, Paragraphs A-C above and Section 7.16.3 below may be waived by special permit from the Board of Zoning Appeal, within the context of an approved plan for all prospective signs on a lot, subject to the following requirements and limitations.

1. The Plan shall allocate all permitted sign area on a lot (as permitted in this Section 7.16.22), including existing signs to remain and prospective signs. The proposed Plan shall show the location, size, dimensions, and method of illumination of all existing and prospective signs on the lot.

The applicant may choose not to allocate all of the sign area permitted on the lot; in such case, future allocation of that additional area shall require the issuance of a new special permit by the special permit granting authority even if such additional sign area is proposed to be used in a manner conforming to the limitations of Paragraphs A-C above unless the Plan shall identify a process by which such additional sign area may be approved.

2. A narrative shall describe the variations requested from the normally applicable restrictions and limitations of Section 7.16.22, Paragraph A-C above and how those variations better serve the objectives of this Article 7.000 and any applicable area-wide plans adopted by the City of Cambridge.

3. No sign in the approved Plan may be higher than twenty (20) feet unless otherwise permitted in this Article 7.000 or previously approved by variance.

4. The area of all existing and prospective signs identified in the Plan shall not exceed the area of sign permitted on the lot as set forth in this Section 7.16.22.

5. As a condition of the permit, the permit granting authority may require the removal of existing signs on the lot not conforming to the requirements of this Sub-section E (e.g. signs above the permitted height) including signs permitted by variance.

The special permit granting authority shall approve the process and timing by which such non-conforming signs are brought into conformance with the requirements of this Paragraph E and the approved Plan.

6. Location, size, dimensions, and method of illumination for individual signs may be presented in schematic detail. In such case the special permit decision shall establish a process by which the final design of each individual sign is approved.

NOTE: This new Sub-Section E would allow variations in the size, height and illumination of individual wall, freestanding and projecting signs by special permit from the BZA if the variations are incorporated within a plan for the all signage to be permitted on a lot. Such flexibility would allow the special permit granting authority to permit variations in the design of individual sign so that they can better reflect the unique circumstances of a specific site and, encourage better and more interesting sign designs. The total area of signs allowed on a site is not increased.

VI. Create a new Section 7.16.23 to read as follows.

17.16. 23 Special Sign Provisions for Non-Profit Theaters, Other Performance Spaces, Museums, Galleries, Libraries and Cinemas.

Notwithstanding the limitations of Sections 7.16.21 and 7.16.22 above and Section 7.16.3 below, additional signs shall be permitted on lots containing a theater, performance space, museum, library or art gallery owned and operated by a non-profit institution (which institution is granted the educational and religious exemption provided in Section 3 of Chapter 40A) or municipality for the purpose of identifying changing educational programs and exhibits open to the public occurring in those facilities, subject to the following limitations and conditions:

A. The signs may be any combination of wall, projecting or freestanding signs.

B. The signs shall not be subject to the Area of Sign, Height of Sign and Number of Signs limitations found in Sections 7.16.21, 7.16.22 and Section 7.16.3.

C. The signs shall be made of cloth, canvas or other similar flexible material and may only be naturally or externally illuminated.

D. A freestanding sign may not be higher than 25 feet. Signs on a building wall may not be higher than fifty feet.

E. Any individual sign shall be temporary in nature and be replaced at intervals not to exceed one year.

F. The maximum area of individual Freestanding or Projecting Signs shall be 50 square feet; the maximum area of individual Wall Signs shall be 200 square feet.

G. The total area of signs permitted on the lot shall be determined by the following:

(a) In non-residential districts the total area of signs on a lot shall be subject to the limitations for Total Area of Signs Permitted Per Lot as set forth in Section 7.16.22 for signs on the outside of the building (and shall be inclusive of any other signs on the lot not employing the provisions of this Section 7.16.23).

(b) In residential districts, the total area of signs on the lot shall be limited by the application of the formula of one square foot of sign for each linear foot of Sign Frontage on the lot for that portion of a building containing the eligible activity (and shall be inclusive of any other signs on the lot not employing the provisions of this Section 7.16.23).

H. All other provisions of this Article 7.000 shall continue to apply.

NOTE: This new Section is intended to allow the kinds of temporary graphic notices of changing exhibits and performance programs now customary at museums and performance spaces and which give visual interest to the activities that occur at such venues.

PROPOSED AMENDMENTS TO THE SIGN ORDINANCE – ARTICLE 7.000



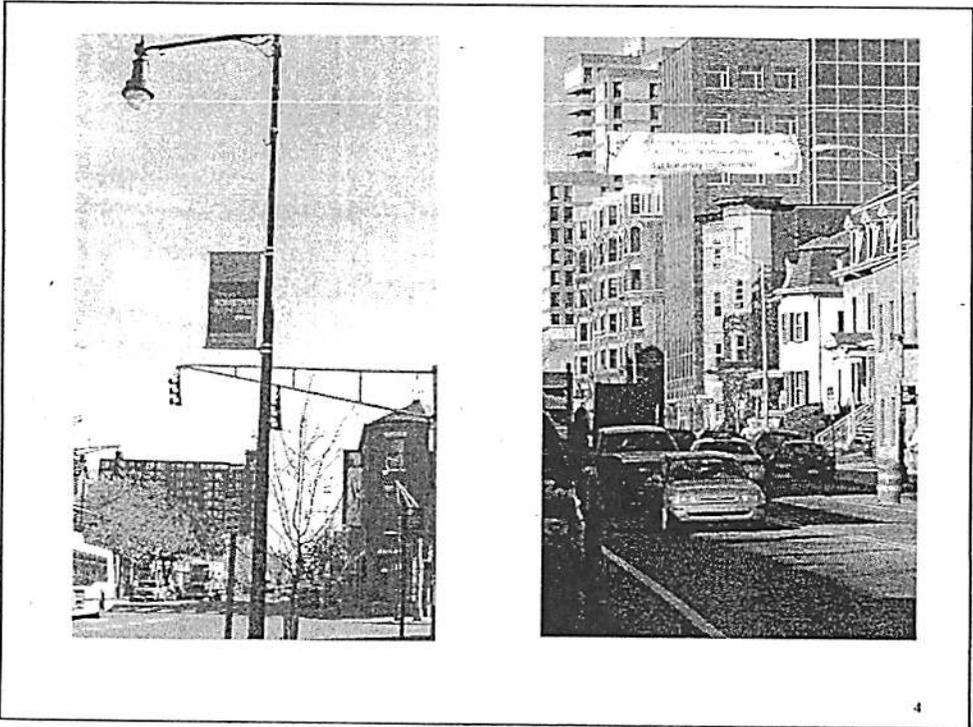
1. Signs in the Public Way
2. Corporate Branding
3. Building Identification Signs
4. General Waiver of Limitations
5. Exhibit and Performance Signs

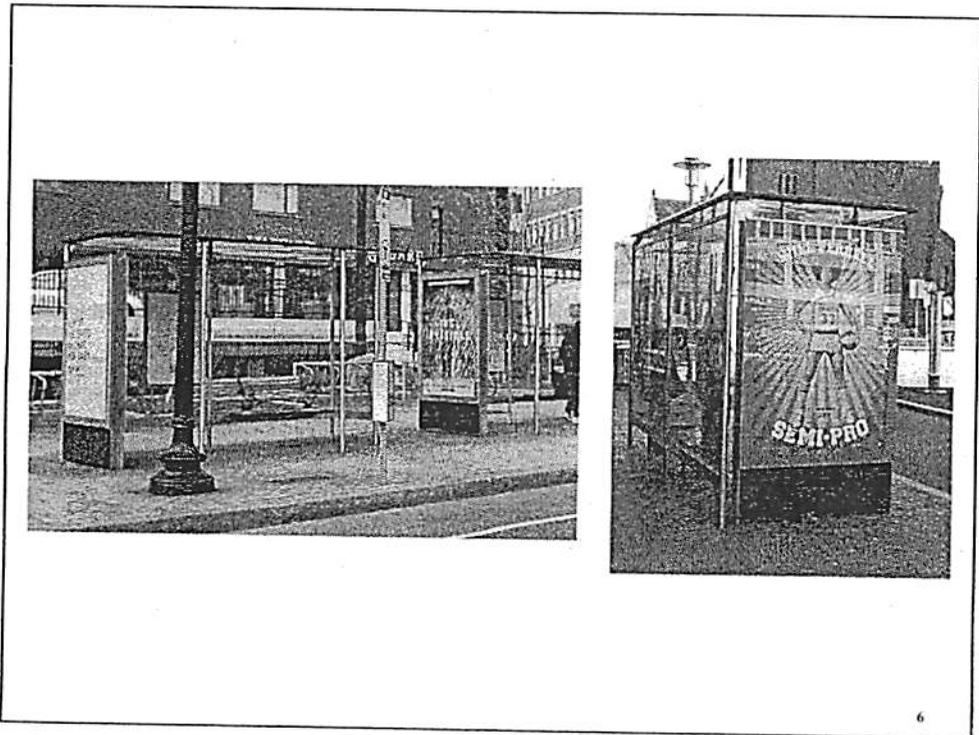
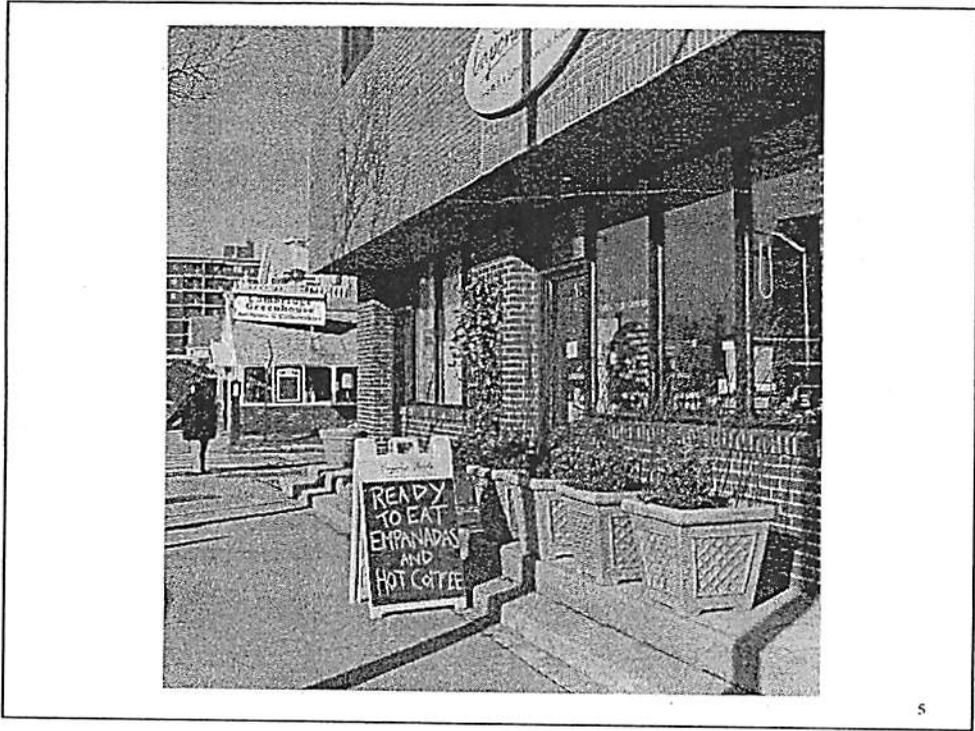


I. SIGNS IN THE PUBLIC WAY

PROPOSED ZONING AMENDMENT

Exempt from the Sign Ordinance signs in the public way. This change makes explicit the current administrative interpretation of the Ordinance that these signs are not subject to the limitations in the Ordinance. Signs are still subject to approval from the City Council and review by Public Works as is currently required under other Ordinances.



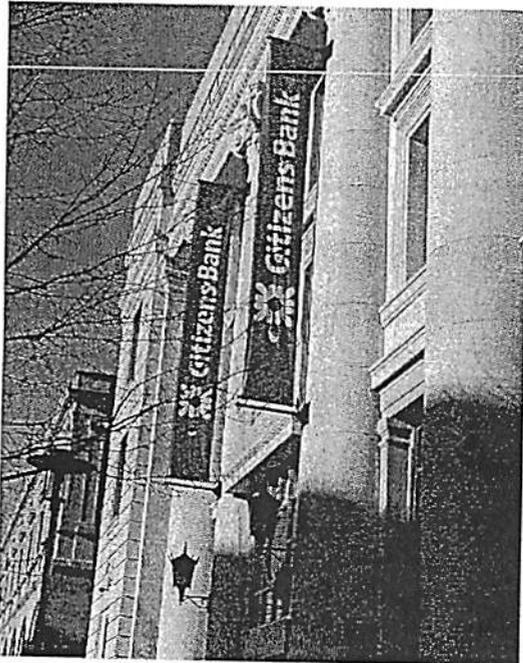


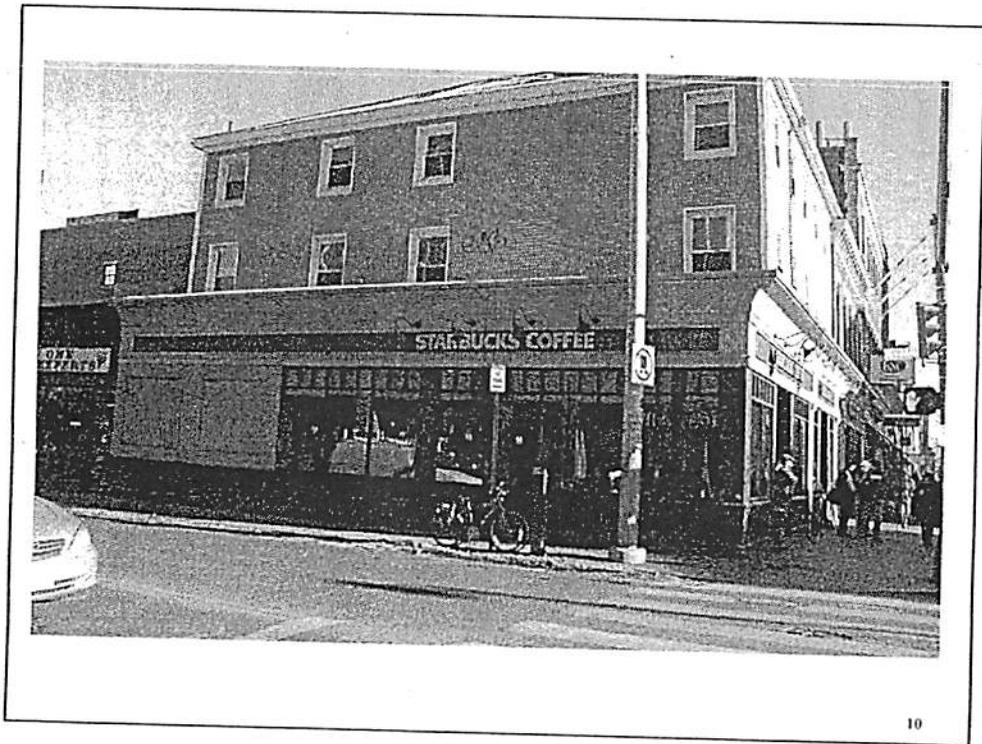
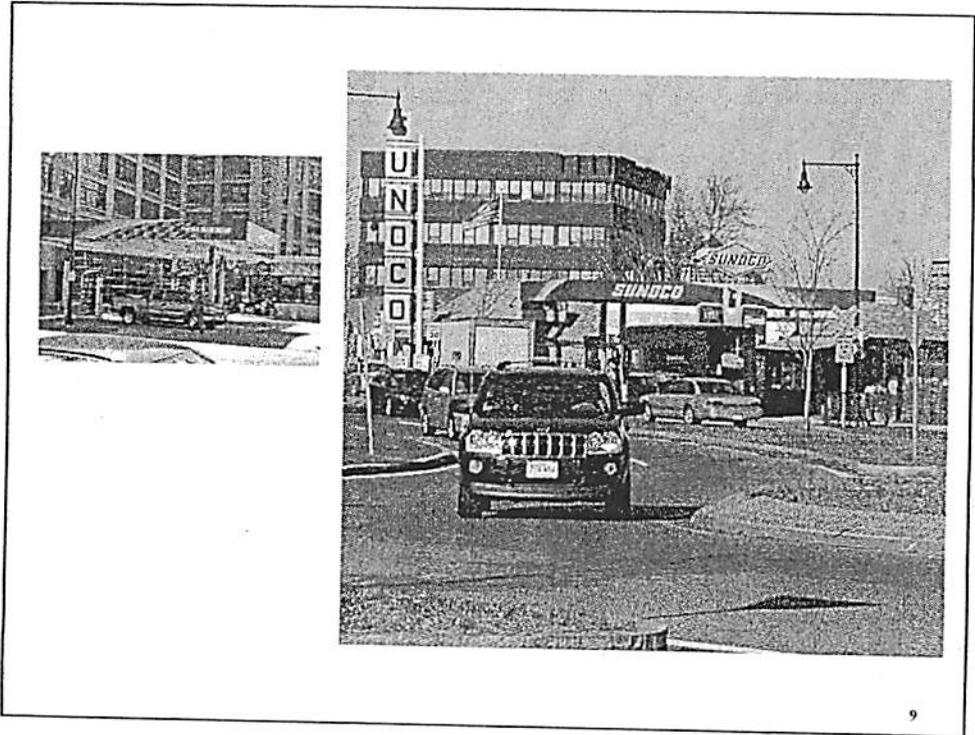


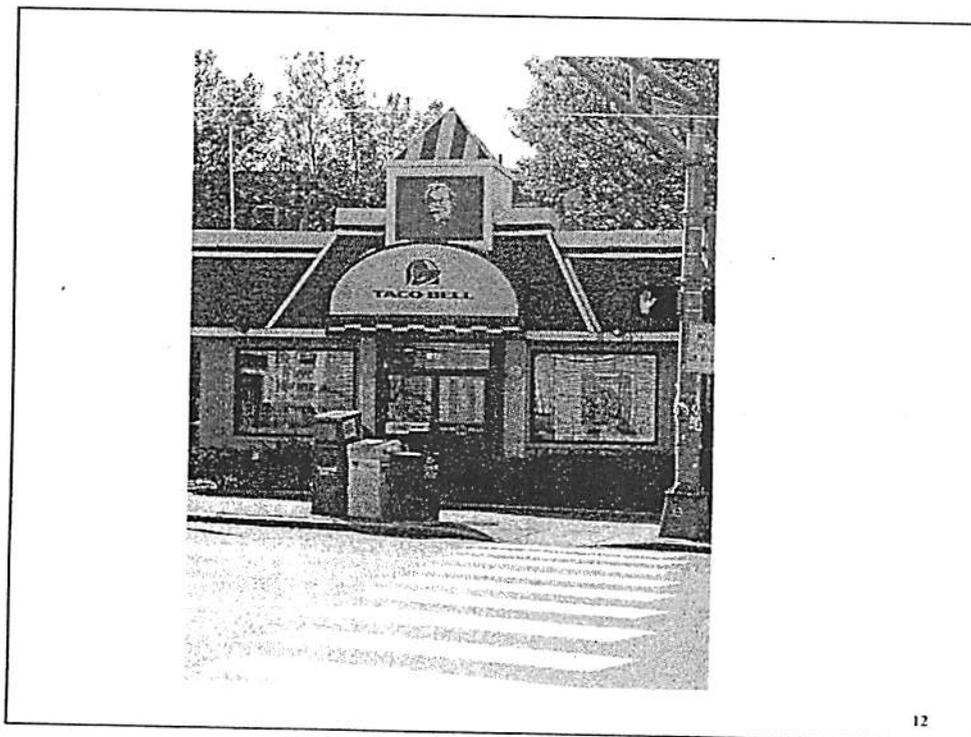
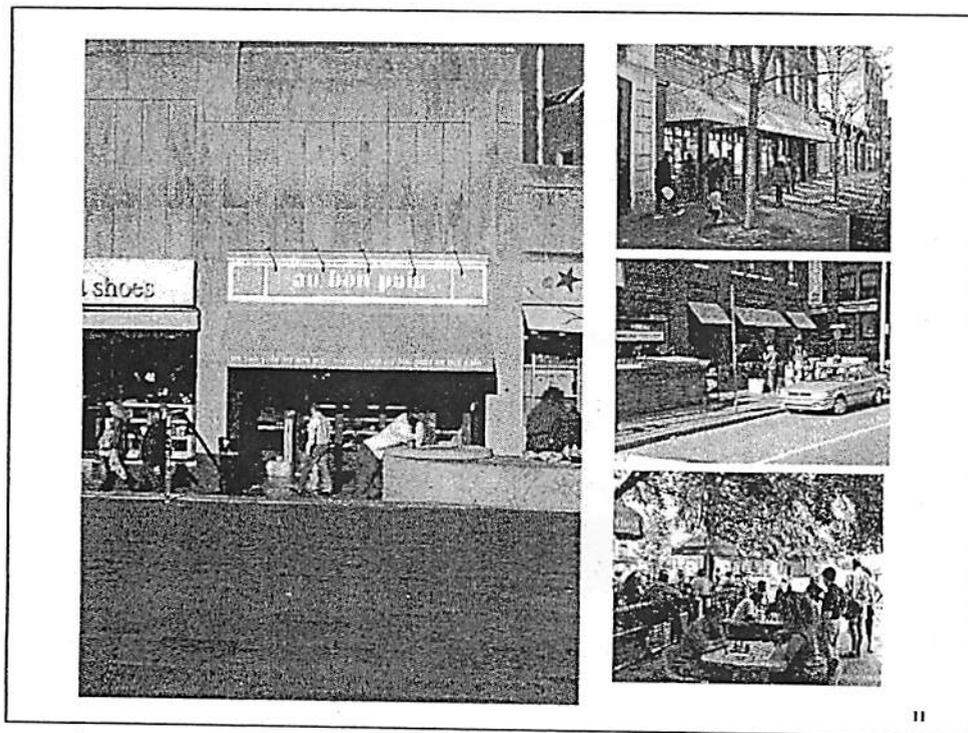
II. CORPORATE BRANDING

PROPOSED ZONING AMENDMENT

Require that any corporate color or graphic pattern be included in the calculation of the area of the sign.





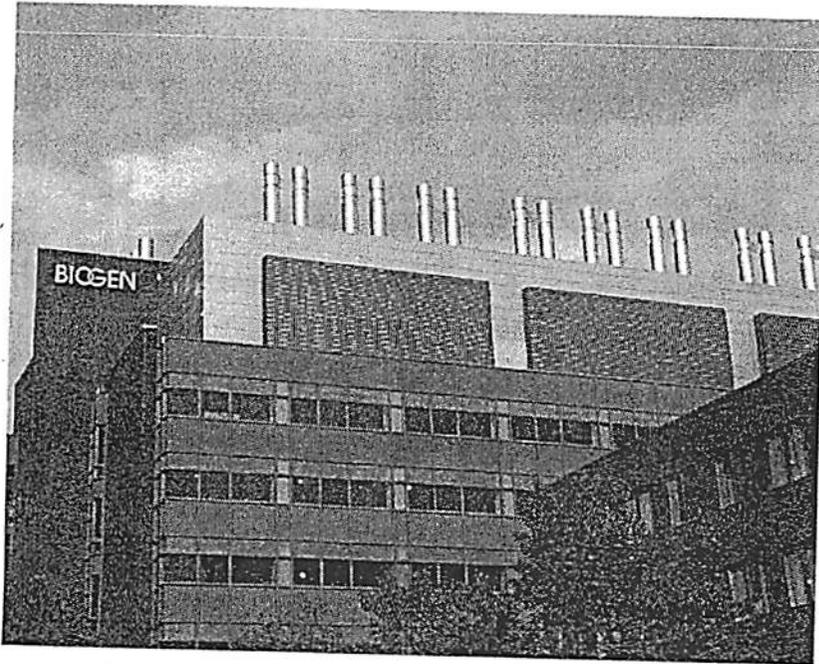


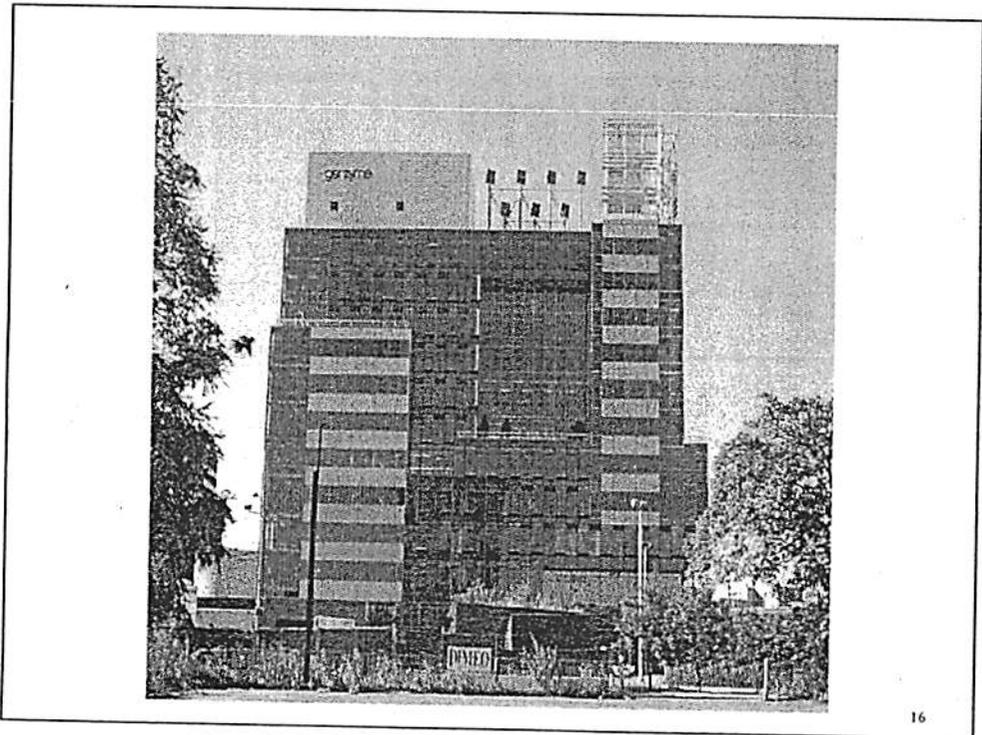


III. BUILDING IDENTIFICATION SIGNS

PROPOSED ZONING AMENDMENT

Permit up to two signs per building to exceed the 20 foot maximum height limit normally required. Such signs may not be internally illuminated, may not be located above the roof, must consist of individual letters, and may not exceed 90 square feet in area.



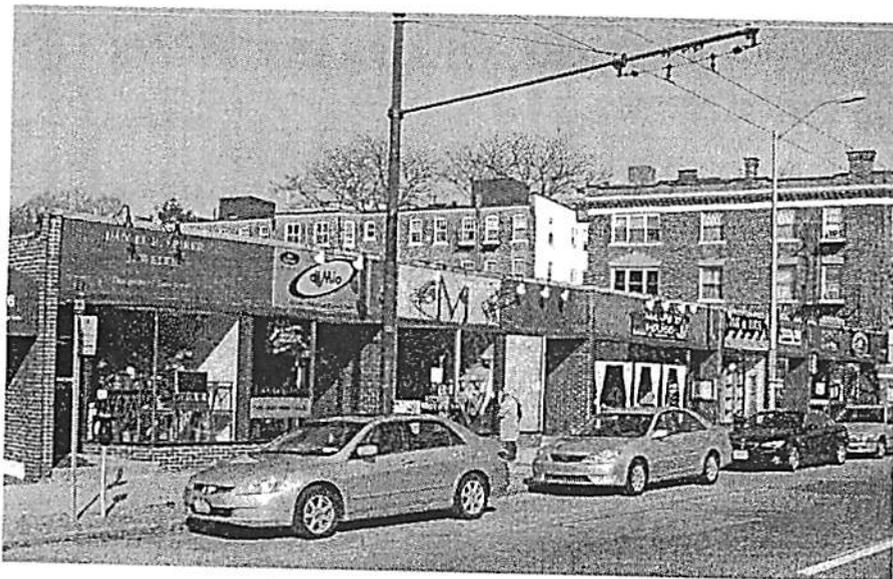




IV. GENERAL WAIVER OF LIMITATIONS

PROPOSED ZONING AMENDMENT

In non-residential districts, allow the size, illumination and height of individual signs to be waived by special permit. A plan for using all permitted sign area on the property is required. The existing limit on total sign area on the lot, however, may not be exceeded. No sign may be higher than 20 feet off the ground.

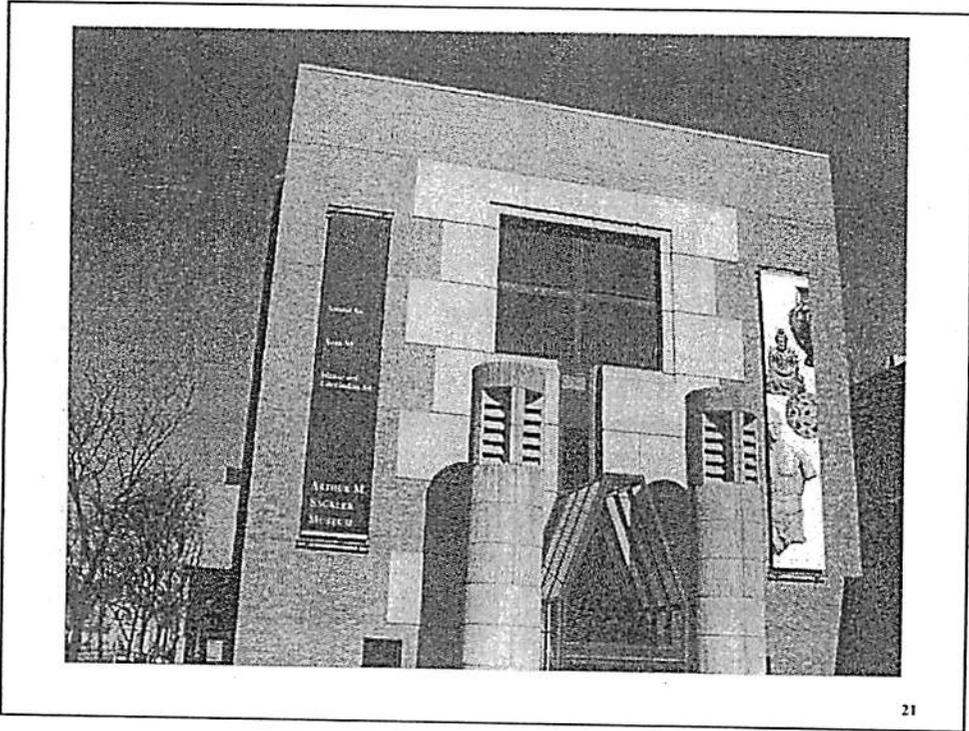




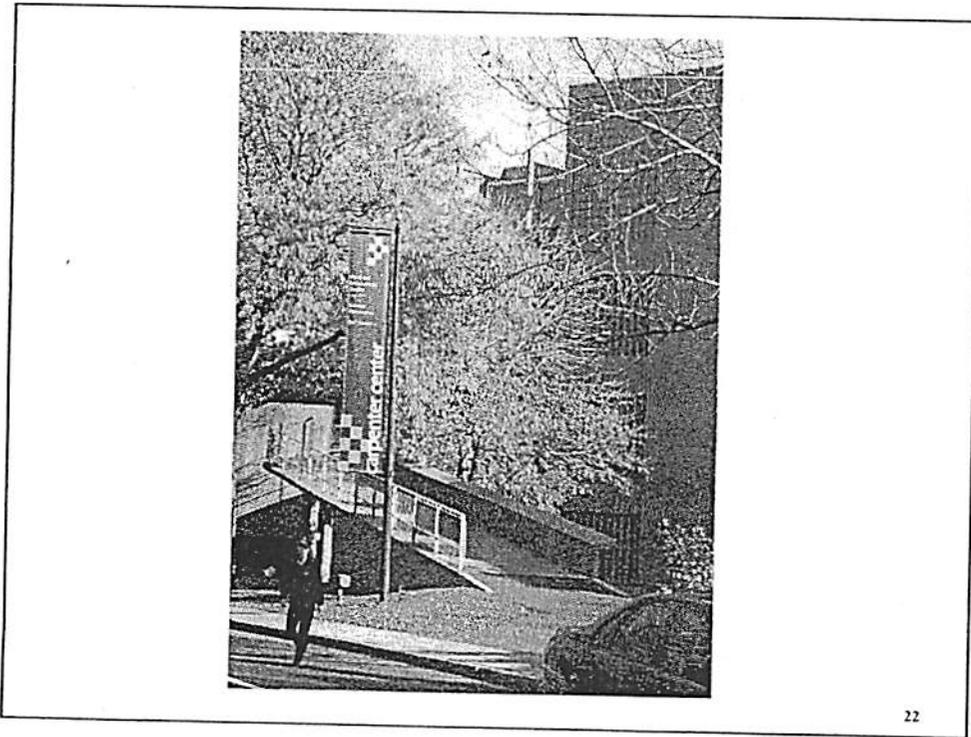
V. NON-PROFIT EXHIBIT AND PERFORMANCE SPACE SIGNS

PROPOSED ZONING AMENDMENT

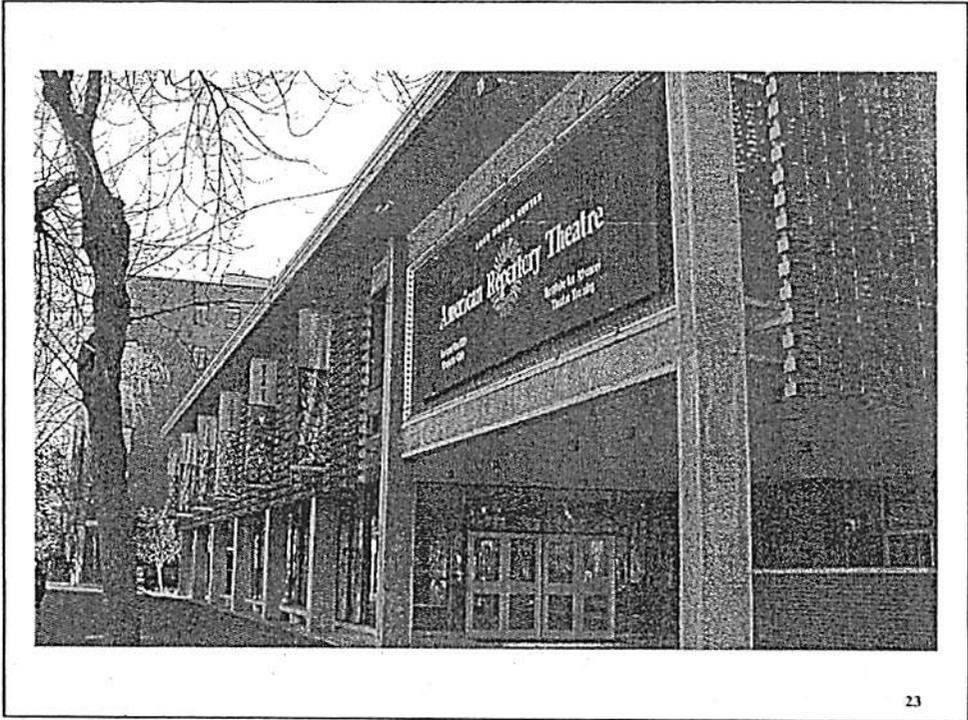
Allow temporary signs at museums, theaters, galleries, etc. to announce special exhibits, performances and presentations open to the public. Signs must be temporary in nature and made of canvas or cloth. Individual signs may range from 50-200 square feet depending on type and limited to 50 feet in height on a building and 25 feet if freestanding. Total area of signs on the site is limited as is currently the case in business districts.



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OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

June 30, 2010

Councilor Sam Seidel, Co-Chair,
Councilor Timothy J. Toomey, Jr.
Cambridge City Council Ordinance Committee
795 Massachusetts Avenue
Cambridge, MA 02139

RE: Sign Ordinance Revisions

Dear Councilors Seidel and Toomey:

Relative to the above-captioned proposed changes to the Cambridge Zoning Ordinance, which is scheduled for hearing on July 6, 2010 at the Planning Board, I write to you as a concerned Cambridge citizen and as counsel for Intersystems, Inc. of 1 Memorial Drive, Cambridge, Massachusetts. By way of introduction, Intersystems is a deep rooted Cambridge high technology company which has occupied significant space at 1 Memorial Drive for 22 years. My client employs 300 individuals at this site.

Myself and my client are quite concerned as to the negative visual/aesthetic effect that will result from the proposed changes. Presently in business, office, and industrial districts, Building Identification Signs cannot be erected above a 20 foot building height restriction and are limited to 60 square feet in area. Under the proposed amendment a Building Identification Sign is defined as a wall sign accessory to a tenant or activity in the building or identifying the building itself. The proposed change would eliminate the 20 foot height limitation and allow Building Identification Signs to be erected up to the roof line of the building as a matter of right. If the sign is higher than 100 feet on the building, the sign can be 90 square feet in area as a matter of right.

I do not believe the ramifications of these proposed changes have been fully dissected. During my nightly walk down Massachusetts Avenue yesterday, I envisioned a 60 square foot sign below the roof line on the northerly facing side of the Henderson Carriage Building identifying an occupant such as "Elephant Walk". I also envisioned in Porter Square a sign below the post office building

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roof line - "Roach's Sporting Goods". Finally, I envisioned a sign on the brick facade side of the Commonwealth Lock building advertising the occupant "Bank of America". Under the proposed changes, all of these signs could be erected as a matter of right. There are many other instances within the entire Massachusetts Avenue commercial corridor where such signs will be allowed as a matter of right if these changes are adopted. Similarly, in the Alewife Brook Parkway/Fresh Pond Parkway/Concord Avenue commercial areas, such signs would be permitted as of right. In the Kendall Square area, a building such as the Badger Building at 1 Broadway could have a Dunkin Donuts sign slapped on it below the roof line as Dunkin Donuts is a tenant. The cluttering of these as of right signs would greatly detract from our attractive business districts, deface our beautiful skylines, and make the entranceways to our city less appealing.

Just as troubling as the explosion of "as of right signs" is the new Subsection E to Section 7.16.22 which allows a general waiver of sign limitations by special permit. The proposal allows the size, height (with a 20 foot limit that is not applicable to so-called Building Identification Signs - see below), number and illumination limitations of Free Standing, Projecting, and Wall Signs, and individual wall signage area limitations to be varied by special permit, with no sign-specific standards to guide the Board of Zoning Appeal in determining whether a special permit should be granted or what sizes of signs to permit. There are no outside limits on size to constrain the BZA in the granting of special permits except the currently existing limits based on sign frontage, namely the total sign area per lot and the total signage area for signs on the exterior of a building. So-called Building Identification Signs - which are a type of Wall Sign - could be allowed by special permit to reach billboard sized dimensions in the case of buildings having large sign frontage, and such signs could be installed at the roof line.

Presently sign limitations are only waived through the variance process. Under the variance process, petitioners must tie their requests for relief to the individual building involved which results in greater scrutiny of a particular sign proposal. In contrast, subjecting the waiver of sign limitations to a special permit process produces a more uneven review guided by general standards such as the "detriment to the public interest". There is much more room for unfair, arbitrary treatment to individual petitioners within a special permit process than a variance process. If a level playing field is sought then any waiver of specific sign standards should be subject to the variance process. It is noteworthy that in neighboring communities such as Arlington, Somerville, Belmont or Watertown, no such sweeping standard-free power to exceed signage restrictions is given to the special permit granting authority and I submit that it should have no place in Cambridge as well.

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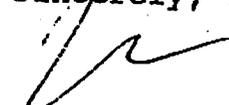
Enclosed is a vivid illustration of the likely outcome if the proposed amendment is adopted. It is a rendering showing a stretch of the City along the Charles River, with buildings festooned with the kinds of Building Identification Signs that could be authorized by special permit under the proposed amendment. The rendering depicts signs on identified buildings and each sign shown would constitute a Building Identification Sign if the company identified in the sign were a tenant in the building on which the sign appears. (The names appearing on the signs are for illustrative purposes only and are not the names of present tenants in any of the buildings on which signs are depicted).

In summary, the combination of the proliferation of "as of right" Building Identification Signs and the weakening of the waiver process by special permit will produce big signs on big buildings (special permit) and not-so-big signs on all buildings (as of right change).

I also enclose a "frequently asked questions" format document relative to the proposed amendments. In addition, I enclose my client's position letter regarding the proposed amendments and the issues raised by the proposed changes.

If I can answer any questions you might have prior to the July 6, 2010 hearing, please let me know and, otherwise, I look forward to the hearing and testifying.

Sincerely,



Kevin P. Crane

KPC/jg
Enclosures

- cc: Leland Cheung, City Councilor
- Henrietta Davis, Vice Mayor
- Marjorie C. Decker, City Councilor
- Craig A. Kelley, City Councilor
- Kenneth E. Reeves, City Councilor
- E. Denise Simmons, City Councilor
- David P. Maher, Mayor

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July 8, 2010

Councilor Sam Seidel, Co-Chair,
Councilor Timothy J. Toomey, Jr.
Cambridge City Council Ordinance Committee
795 Massachusetts Avenue
Cambridge, MA 02139

Dear Councilors Seidel and Toomey:

As you know I represent InterSystems Corporation of One Memorial Drive, Cambridge, Massachusetts relative to their opposition to the proposed sign zoning amendments. In conjunction with a package I previously submitted to you, a photo was included depicting the Cambridge skyline showing what could happen if the proposed zoning amendment is adopted. There has been a suggestion by some that the photo exaggerates what might be possible under the proposed zoning amendment. The following explains why the photo as depicted is realistic and would indeed be possible under the proposed amendment.

The picture shows "building identification" signs on six large buildings near the Charles River and Kendall Square. For each building it places a single sign at the roofline, as permitted by right in the amendment up to 90 square feet if the sign is higher than 100 feet on the building. Each sign includes a mixture of "letters or graphic symbols" as permitted by right in the amendment.

For size, we have assumed that a special permit is granted permitting the largest sign size allowed without a zoning variance. That is, we assume that the special permit surmounts the size limits applicable to individual signs but that the restrictions on total sign area per lot and total sign area on the building exterior do apply. For each building we calculated this limit based on building dimensions available via the property database on the City of Cambridge web site. For these six buildings the permitted size ranges from approximately 188 square feet to 553 square feet. The larger limits apply to buildings with frontage on two streets.

The signs shown do not represent current building tenants although Dunkin Donuts occupies a ground floor location at One Broadway where the Burger King sign is indicated. So substitute the Dunkin Donuts sign for a Burger King sign on that site. The proposed amendment permits a building identification sign by right in cases where the sign is "accessory to a tenant or activity located on the lot or within the building, or identifies the building itself." The amendment does not impose any requirement for the amount of space a tenant must occupy to qualify for a building identification sign. As a result, Dunkin Donuts falls within the definition of a building identification sign despite the fact that it occupies less than 1% of the building in question. Similarly, the other signs would be permitted if the companies they identify rented a small amount of space in the buildings to which they are attached.

Given that the special permit process applies to building identification signs, then any such tenant could apply to the special permit granting authority which by the terms of the ordinance says should normally grant special permits provided they are not in the "detriment to the public interest". This standard is quite vague and could easily be met and once one special permit is granted, I am certain that others will follow and it will be legally difficult to deny subsequent applicants of a special permit.

The proposed amendments regarding building identification signs and special permit waiver of limitations should be rejected.

Sincerely,

 Kevin P. Crane

KPC/jg

- cc: Leland Cheung, City Councilor
- Henrietta Davis, Vice Mayor
- Marjorie C. Decker, City Councilor
- Craig A. Kelley, City Councilor
- Kenneth E. Reeves, City Councilor
- E. Denise Simmons, City Councilor
- David P. Maher, Mayor

INTERSYSTEMS

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30 June 2010

Mr. Sam Seidel, Co-Chair
Mr. Timothy J. Toomey, Jr., Co-Chair
Cambridge City Council Ordinance Committee
795 Massachusetts Avenue
Cambridge, MA 02139

Dear Mr. Seidel and Mr. Toomey:

I am writing in advance of next week's Ordinance Committee meeting to explain my opposition to the proposed Zoning Ordinance amendment regarding signage. As a Cambridge resident for over 30 years and as the owner of a Cambridge company with 1000 employees (300 of whom are in Cambridge), I feel strongly about the serious harm that this proposal could bring to our city.

This amendment would radically change the Cambridge zoning laws on building signs, transforming them from among the strongest in the Boston area to one of the weakest – weaker than the surrounding communities of Arlington, Belmont, Somerville, and Watertown. It would permit billboard-sized illuminated signs on buildings along the Charles River (as well as every neighborhood of the city) and fundamentally alter the visual character of Cambridge.

There may well be some legitimate concerns addressed by this amendment that should be considered. However, as written this amendment is quite extreme and will permit huge signs advertising the names and logos of big companies. *It is to this element of the amendment that I address my comments.*

Current zoning laws limit signs to be no higher than 20 feet above the ground and no more than a total of 60 square feet (with more restrictive clauses for small buildings.) Such signs are perfectly adequate for retail and small businesses. This amendment would permit signs to be at virtually any height and, if they are over 100 feet high, 50% larger as a matter of right. It would also replace the variance process with more easily obtained special permits that allow signs to be hundreds of square feet in size. These permits will be extremely difficult to contest due to the lack of formal standards.

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This change is bad for Cambridge citizens and bad for Cambridge businesses. For citizens, it commercializes the Cambridge skyline throughout the city while providing no benefit. For businesses, it is very disruptive for a company to suddenly have the name of another company on the building it occupies – particularly if it is the name of a competitor. This often leads to dislocation and, in most cases, it will be Cambridge businesses that have to move, because it is likely to be large corporations from other states that obtain these advertising rights. The sole beneficiaries of this change are large (mostly out-of-state) companies seeking advertising opportunities along with some commercial landlords that see it as an opportunity to increase rents.

A number of people have asked me "who is behind this proposal?" Again, there are undoubtedly people who have reasonable requests they would like to see addressed. However, the scope of this amendment makes it clear that there are also large companies seeking to advertise their presence in Cambridge. At least one of the landlords wanting such signage is Equity Office, which is owned by the major Wall Street investment firm Blackstone. They are seeking to brand the building at One Memorial Drive as the Microsoft building. Indeed some people refer to the proposed amendment as the "Microsoft sign proposal."

Microsoft and Equity Office want to erect large illuminated signs with the Microsoft logo just below the roofline of One Memorial Drive – an 18 story building along the Charles River between MIT and the Longfellow Bridge.

If they succeed, Microsoft signs would become the most prominent feature of the Cambridge skyline as seen from Boston. Almost any panoramic view of Cambridge from Back Bay or Beacon Hill will feature the Microsoft logo hovering over the riverfront and the MIT campus. Anyone driving or riding the T from Boston to Cambridge across the Longfellow Bridge will see the Microsoft logo dominating the Cambridge skyline. The same will be true for the thousands of people that regularly walk, run, bike, sail, attend a summer concert, or otherwise enjoy the Charles River Basin and the green spaces along its banks. The Microsoft logo will also be prominent in any national broadcast of the 4th of July fireworks, as the fireworks barge sits almost directly in front of the building. *For many in the country watching TV, this logo will brand Cambridge.*

My company, InterSystems, has been headquartered for 22 years at One Memorial Drive, where we currently occupy 130,000 sq ft. Within a year we will occupy more than 175,000 sq ft – approximately half of the building. Obviously we would prefer not to have the logo of Microsoft, a competitor, on the building – nor, as a Cambridge resident, would I like to see InterSystems name or any other name on the building. No such sign has ever before existed on this building.

However, the issue is much greater than this building. In an effort to obtain such signage, an attempt is being made to gut longstanding signage regulations throughout Cambridge. Signs on this building are just an example of what will happen citywide if this amendment passes – no part of Cambridge is exempt. Cambridge is a special place to live. The skyline is owned by everyone, and we should preserve the characteristics that make Cambridge unique. This amendment puts those characteristics at grave risk.

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Many people wonder why there a number of large company signs in the area just west of Kendall Square. That area (the MXD mixed use development district) is zoned differently from most of Cambridge as a result of an effort launched many years ago to attract development to Kendall Square. That zoning permits large signs on buildings, and a company that feels compelled to obtain signage could consider locating there. However, that zoning is not residential-friendly – and no residents live there as a result. Whether that zoning continues to be in the public interest could be debated, but relaxing the zoning in other areas – including the Charles River – to permit similar or even larger signs is not in the public interest. (Note that One Memorial Drive is not in that district. It is located along the Charles River.)

There are several arguments being used in favor of this amendment, but they are inaccurate or misguided. These include:

This ordinance would help small businesses. Not true. Small businesses cannot afford to erect large illuminated signs over 100 feet high or pay large rent premiums for such signs. Large corporations often try to disguise their actions by labeling them as being in the interest of small businesses – and that is the case here. The current laws provide appropriate signage for small businesses. Signs up to 20 feet high and 60 square feet in area, which are permitted as of right by the current zoning laws, are adequate for small businesses and retail stores that need to create visibility for pedestrians and motorists. If the current zoning rules are perceived to be too restrictive, they could easily be adjusted by minor amendments, without opening the door to massive signs. In fact this ordinance is bad for small businesses; it will lead to higher rents, loss of identity, and the loss of the character that helps make Cambridge and its small businesses special.

The city needs money from higher real estate taxes. Higher commercial property values occur only as a result of higher rents – something Cambridge businesses cannot afford in this economic climate. If higher rents result in weaker businesses, layoffs, and less hiring, ultimately this strategy will hurt Cambridge businesses and employees and will reduce tax revenue. Commercializing the skyline will also decrease the attractiveness of living in Cambridge and will reduce residential property values.

The current regulations are not fair. What is unfair about clearly stated zoning laws that were carefully written to protect the public's interests? Consistently enforcing the laws is the best way to be fair. Variances are permitted for situations where there is a hardship related to a specific property. Replacing the variance process with one based on special permits, and asking officials to apply much more vague standards such as "detrimental to the public interest", invites uneven enforcement and reduces fairness.

Signage requests are clogging the zoning process. According to public records, over the last 3 years there have been an average of 11 variance requests per year related to signs. Of the requests during that 3-year period, all but 5 were approved. There were only 7 requests last year and only 3 so far this year, so perhaps such requests are on the decline. Given that the number of signage variance applications is relatively low, and that the public stakes are relatively high, scrapping the variance process for signs does not seem at all warranted.

E4

There may well be some aspects of this amendment that have merit. However, the gutting of signage regulation that would lead to large advertising signs and to commercialization of the Cambridge skyline is not one of them, and it is not in the interests of Cambridge citizens or businesses. I urge you to reject this proposed amendment.

Thank you.

Sincerely,



Phillip T. Ragon

Founder and CEO
InterSystems Corporation

CC: Leland Cheung, Councillor
Henrietta Davis, Vice Mayor
Marjorie C. Decker, Councillor
Craig A. Kelley, Councillor
David P. Maher, Mayor
Kenneth E. Reeves, Councillor
E. Denise Simmons, Councillor

E5

Contact: Karen Schwartzman, 617.437.9990
kschwartzman@polarispr.net

2010 JUL -7 P 4: 39
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Proposed Cambridge Zoning Amendment

Frequently Asked Questions – June 28, 2010

The Cambridge Planning Board and the City Council Ordinance Committee will hold hearings in early July (on July 6th and 8th, respectively) on a proposed amendment to the Cambridge Zoning Ordinance. This document provides answers to some frequently asked questions about this amendment and its impact on the city.

Why is a seemingly innocuous change to a zoning ordinance such a concern?

This amendment opens the door to branded advertising on top of buildings throughout Cambridge. We may well see a proliferation of illuminated billboard-sized signs that fundamentally alter the appearance and tone of our community.

What changes are included in this amendment?

The amendment makes a number of changes to Section 7 of the Cambridge Zoning Ordinance, which regulates the size, location and illumination of signs. Along with a series of minor corrections and clarifications, there are three significant changes.

The amendment creates a new sign category, *building identification signs*, for which:

- The restrictions on sign height are virtually eliminated, and
- The maximum size of signs that are permitted "as of right" – that is, *without the need for any approval whatsoever* – is increased by 50% for buildings taller than 100 feet.

In addition, for building identification and other types of signs:

- The need to obtain a zoning variance for even larger signs is eliminated, replaced with a much less stringent special permit mechanism.

What is a "building identification" sign?

The Zoning Ordinance describes three types of signs: free standing signs, projecting signs, and wall signs. A building identification sign is a new category of wall sign that is "accessory to a tenant or activity located on the lot or within the building, or identifies the building itself." Because this language is drafted very broadly, it will be subject to varying interpretation. For example, there is no requirement governing how much space a tenant must occupy in order for a building identification sign to be permitted. Is the presence of a McDonalds franchise on the ground floor of a large building sufficient to permit a McDonalds building identification sign? The answer would appear to be "yes". Similarly, most large buildings have an ATM somewhere in the lobby. Does that qualify the bank that operates the ATM for a building identification sign? Again, the amendment seems to permit exactly that.

What can appear on a building identification sign?

The amendment requires that a building identification sign consist of "individual letters or graphic symbols" – but otherwise leaves the content pretty much unrestricted. Certainly, the definition permits signs that go far beyond what is needed to identify a building tenant.

Why is sign height important?

Currently, the Zoning Ordinance specifies that the top of a wall sign may not be more than 20 feet above grade level. For the building identification signs added to the Zoning Ordinance by this amendment, there is virtually no height limit; a sign can be located at any height below the roof of the building.

The effect of this change is to alter the purpose and nature of permitted signs. Signs close to the street are needed to help pedestrians and vehicles locate buildings and businesses. A sign 50 or 100 or 200 feet above the street serves a very different purpose: it is an advertising device intended to make a statement or convey a message.

What changes are made to the size of signs?

Today, wall signs are subject to a number of limits: the size of each sign is limited to 60 square feet; the aggregate area of all signs on the exterior of a building is limited; and the aggregate area of all signs on a lot (including free-standing signs that are not attached to a building) is limited. The limits for the latter two restrictions are based on building size – more specifically, on the building's length along each street that it borders.

Under the proposed amendment, the maximum size is increased to 90 square feet for building identification signs on large buildings (i.e., sign heights in excess of 100 feet.) More significantly, the door is opened for much larger signs, up to the aggregate limit threshold for signs on the exterior of a building. Under the proposed amendment, a building owner could apply for a special permit for a single sign as large as the aggregate sign limit for the exterior of the building – without seeking a zoning variance.

What does this mean in practice? For a large Cambridge building, signs of 500 square feet or more will become possible without a zoning variance. (To put this in context, a typical billboard is 500 – 600 square feet.) Such large signs are not automatically available; they require a special permit, as described below. But the nature of the special permit process is such that we are likely to see these quite frequently.

What is the difference between a zoning variance and a special permit?

Under state law, a property owner can seek permission to exceed a zoning limitation by requesting a variance. The law sets a high bar for obtaining a variance, reflecting the fact that zoning rules reflect agreed-upon community standards that should be set aside only in cases of a genuine, special kind of hardship. These principles are echoed in the Cambridge Zoning Ordinance.

In some cases, the Zoning Ordinance enables a property owner to escape the provisions of one or more zoning rules by obtaining a special permit. In contrast to the specific criteria that are weighed in considering a variance, special permits are issued at the discretion of the

Board of Zoning Appeals (BZA). For that reason, Cambridge and other cities and towns have been cautious about where and how the special permit process can be used.

This amendment gives the BZA broad discretionary powers over signage. In fact, the amendment adds a new section to the Zoning Ordinance entitled "General Waiver of Sign Limitations". If this amendment is adopted, special permits can be used to circumvent restrictions on sign number, size, height and illumination. Also, these provisions do not just apply to building identification signs; they apply to other wall, free standing, and projecting signs as well.

How can a zoning variance or special permit be challenged?

Once a zoning variance or special permit has been granted, an interested party can challenge the results through the courts. A variance can be overturned if the statutory prerequisites for the granting of a variance have not been met.

Special permits, on the other hand, are largely discretionary. Consequently, efforts to overturn them seldom meet with success.

The bottom line is that, once granted, a special permit is highly unlikely to be overturned and it can become the baseline against which future requests are evaluated.

How does Cambridge compare to neighboring communities?

Traditionally, Cambridge and its neighboring cities and towns have carefully controlled signage. If this amendment is adopted, Cambridge will take a significant step back from this level of care. The amendment gives the BZA sweeping power to exceed signage restrictions, without providing sign-specific standards to guide whether a special permit should be granted or what sizes of signs to permit. None of the neighboring municipalities (Arlington, Somerville, Belmont, or Watertown) has extended this sort of open-ended power to its sign regulating body.

What areas of Cambridge are affected?

This amendment affects all neighborhoods throughout the city. While its impact may be most dramatic along the Charles River, it will affect East Cambridge, Harvard Square, North Cambridge, and everywhere in between.

The ramifications of this amendment will extend beyond the city's borders, too. The Charles River Basin has been remarkably sign-free along both shores. If this amendment passes, everyone who looks at Cambridge from Beacon Hill, who enters the city over the Longfellow Bridge, or who visits the Esplanade for a summer concert or the 4th of July fireworks, will have a totally different view of Cambridge.

Can signs be illuminated?

Under the proposed amendment, building identification signs can be naturally illuminated (i.e. by ambient light) or externally illuminated (i.e. by a light, which shines onto the sign face.) Other types of illumination, such as exposed neon tubing, are possible by way of a special permit.

Eg

Who benefits financially from this amendment?

If this amendment passes, large buildings with roofline advertising opportunities will become more attractive to companies seeking high visibility "branded" locations. Landlords will be able to charge higher rents, in some cases reaping significant gains in income and building value.

On the other hand, this amendment provides no benefit for small businesses. They are already well served by the current zoning rules – a sixty square foot sign up to twenty feet above the ground – and will only be hurt if billboard-sized illuminated signs become the norm in Cambridge.

Where can I get more information?

The text of the proposed amendment is available on line at

www.cambridgema.gov/cdd/cp/zng/amend/zngamend_sign_revisions.pdf

The entire Zoning Ordinance is available on line at

www.cambridgema.gov/cdd/cp/zng/zord/index.html

How can the public get involved?

Two public hearings have been scheduled:

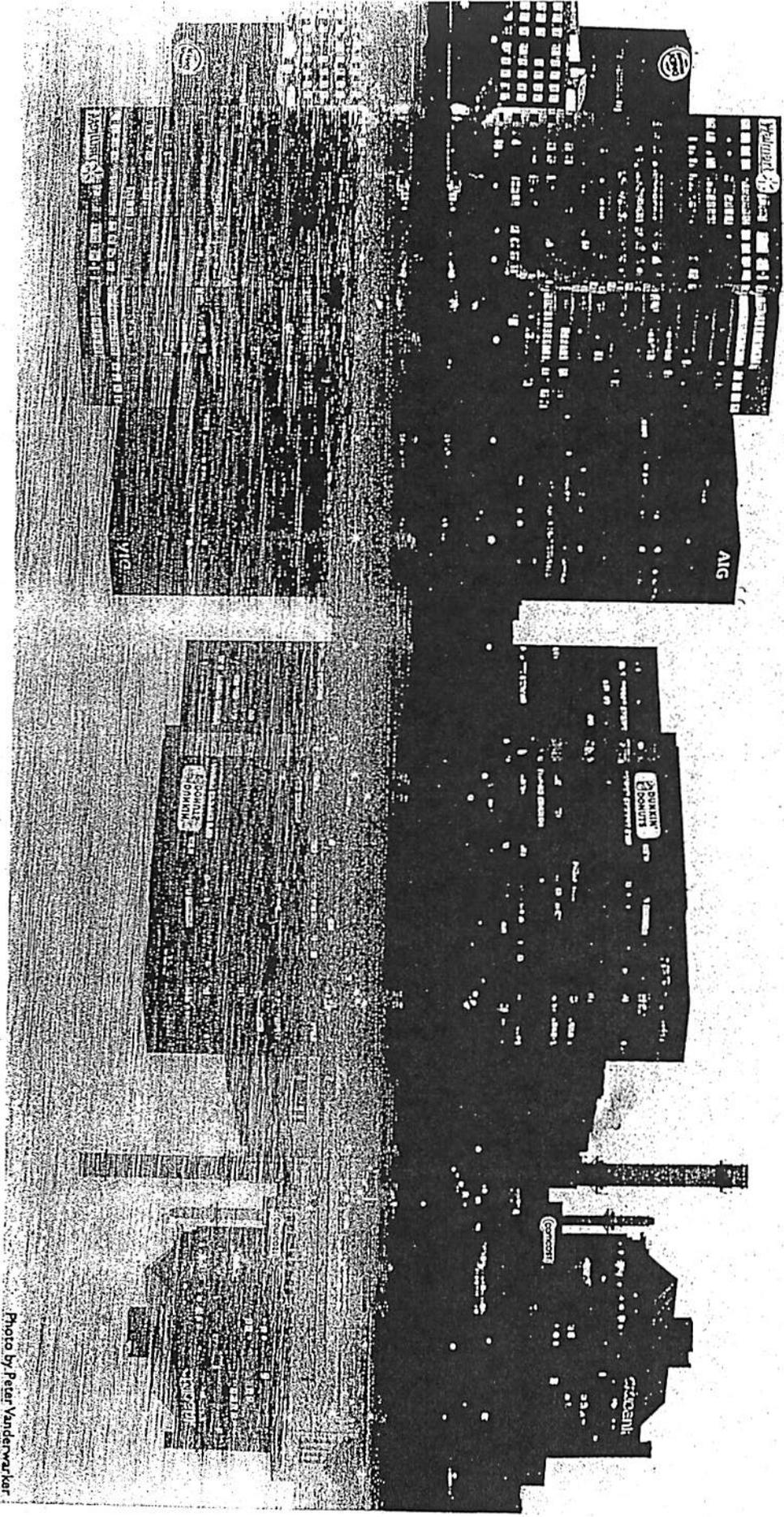
Planning Board Hearing
7:20 p.m. on Tuesday, July 6, 2010
344 Broadway, Cambridge

Ordinance Committee Hearing
4:00 p.m. on Thursday, July 8, 2010
795 Massachusetts Avenue, Cambridge

These hearings are open to the public. Members of the public may also wish to write to the Planning Board or to their City Councilors.

Given the unfortunate timing of these hearings – during the July 4th holiday week – as well as the "low key" summary of the amendment that has been published on line, observers have expressed concern about low levels of public participation in the consideration of this critical amendment.

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OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS



F₁



CHARLES RIVER
conservancy

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Testimony for Cambridge Ordinance Committee

July 8th, 2010

Regarding Proposed Amendments to the Sign Ordinance –Article 7.000; III Building Identification Signs

Dear Council Members;

My name is Renata von Tscharnner, founder and president of the Charles River Conservancy. This ten-year old organization has some 18,000 supporters and volunteers and provides advocacy and renewal for the urban parklands from the Boston Harbor to the Watertown Dam. The Conservancy’s mission includes making the Parklands more attractive.

While I am speaking on behalf of the Conservancy, I am also speaking as a resident of Cambridge, an architect and city planner, who has been professionally involved in city identity, public spaces and signage since my arrival in this country in the late 1970s.

While this is a planning concern that affects the whole City of Cambridge and its identity, the impact on the Charles River and its parklands is particularly serious.

As the painter Gauguin once said, “water doubles everything.” And when there are signs on buildings, they will be reflected in the Charles River as well.

The Charles River Parklands are not only the frontage and welcoming face of Cambridge, the Parklands are also on the National Register for Historic Places. The buildings that are around Kendall Square, an area where this change could have a large impact, are adjacent to what is also referred to as the Court of Honor.

The Longfellow Bridge, now being restored, could become one of the most visited tourist attraction. And the vistas from that bridge will set the tone for Cambridge’s identity.

While Cambridge has good reasons to be proud to be the home of some very innovative companies, that innovation can be manifested in other ways than signs on buildings. Cambridge has an identify all its own, and should not become like a strip mall with signs competing for size and visibility. Cambridge’s physical identity is

closely linked with the Charles River, its parklands, and its high quality of architecture.

Already the current zoning provisions allow for signs that in my view detract from the beauty of the parklands and the architecture, and therefore from the cityscape. I think the propose zoning amendments could make it even easier for large signs to be posted on the sides of buildings. The existing variance process asked the applicant to demonstrate hardship, a step that provided appropriate hurdles.

The proposed change increases the "per right" size of signs. Once a sign has been approved with a special permit, it might become more difficult for the public to contest that decision. With the existing zoning variance process, there are specific criteria that must be met. The Board of Zoning Appeals surely weighs those criteria. Because issuing special permits is discretionary, and not subject to the rigorous standards of the zoning variance process, such permits could as a practical matter, be largely immune to court challenges. Special permits could easily become the norm, dramatically changing the Cambridge cityscape.

As a city with a strong civic pride we want to be identified with beautiful parklands and elegant architecture, rather than corporate logos and advertizing. That can be found anyplace.

I therefore ask the Ordinance Committee of the Cambridge City Council to reject this change to Cambridge's planning laws.

Renata von Tscharnier
Founder and President
Charles River Conservancy

Resident of Cambridge
2 Hubbard Park Road

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*Charles J. Marquardt
10 Rogers Street Unit 1120
Cambridge, MA 02142*

July 6, 2010

Councillor Sam Seidel
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

VIA E:MAIL

Dear Councillor Seidel,

I am writing to express my opposition to provisions of the proposed amendments to the Sign Ordinance.

I am particularly concerned with the provisions of the proposed amendments that would allow for signs to be erected on buildings at heights above twenty feet without requiring a zoning variance and the concomitant public involvement. I am further confused as to the inclusion of "Bonus Sign Area" (my term) for signs placed on buildings at heights over 100 feet. In these instances signs will be allowed to be 50% larger than signs placed at heights below 100 feet. Other than providing additional area in which to advertise one's company, I can see no other public benefit, if you can even call increased advertising of a company a public benefit, in such a provision.

I am also concerned by the provision of the proposed amendments that seeks to move the exception process from a variance to a special permit process. It seems disingenuous to me that the proposed amendments would both seek to eliminate the public process required to erect signs above 20 feet on buildings while seeking to lessen the burden of seeking exemptions to the significantly relaxed requirements of the proposed amendments.

I would like to share a couple of thoughts I had as I made my way through Cambridge and along the Charles River in Boston over the past week thinking about the potential impact of these proposed amendments to what I was experiencing.

My first thought, while running along the Charles River, was that the proposed amendments would allow signs on the buildings on the Cambridge side of the River. I found this thought very troubling, as one of the unique characteristics of the Charles River area is the absence of a large number of commercial signs on either side of the river. The proposed amendments would forever alter the skyline and character of a very special resource to Cambridge. Such changes should not be made with broad brushstrokes as the proposed amendments do, but with well thought out variances to established zoning that the current process allows and requires.

My second thought was while driving along Concord Avenue towards Belmont looking at the many commercial and office buildings which would be allowed to have sign placed on them without public hearings under the terms of the proposed amendments. I looked at one building in particular and was struck by the magnitude of the change the proposed amendments would bring to this part of Cambridge. I recalled sitting in Planning Board

July 6, 2010
Page 2 of 2

meetings where Planning Board members discussed at length and over two meetings a request to modify a cellular antenna installation on this building's rooftop. The discussion centered on the visual impact that the proposed change, a small dish antenna less than a couple of square feet in total, would have on drivers viewing the building from Concord Avenue. Ultimately, after modifications to the antenna placement and other aspects thereof were made, the installation was granted approval, but not without protecting the visual image of Cambridge and its buildings. This dedication to protecting the image of Cambridge from various intrusions without public oversight and input is what makes Cambridge special. Yet, these proposed amendments to the Sign Ordinance would allow two sixty square foot signs to be placed on this very same building without any involvement from the public, City appointed Board or the City Council nor discussion of the impact of the signs on the visual experience of drivers on Concord Avenue. To what public purpose do the proposed amendments to the Sign Ordinance benefit to removal such careful and diligent oversight of our combined visual experience of the City other than to benefit building owners who will now be able to erect signs without the careful review of their plans by the public and many fine Board members that comprise the City Appointed Boards that review and grant variance requests.

Finally, I am disappointed that the City Staff would propose amendments to the Sign Ordinance that would remove the public, City Boards (Planning Board and Board of Zoning Appeals) and the City Council itself from the process of granting sign variances. Cambridge prides itself on the civic engagement of its residents from the opportunity to provide Public Comment at every City Council meeting to the involvement of individuals and neighborhood groups in projects affecting their neighborhoods and the City at large. Yet, here we have a proposal that seeks to eliminate ALL public involvement from the process of placing signs at heights greater than 20 feet on buildings except in the case where there is a request to exceed the newly relaxed requirements of the proposed amendments.

Cambridge is a great place to live for far too many reasons to list here. These reasons all coalesce into one general observation, Cambridge is not like any other city in America. The residents, elected officials, members of the many City Boards, City Staff and others have all worked hard to help Cambridge retain its unique character and place in our hearts. Please do not start the process of making Cambridge just another city by allowing these proposed amendments to the Sign Ordinance to pass as written.

Sincerely,



Charles Marquardt

Drury, Margaret

H1

From: Sullivan, Charles M.
Sent: Wednesday, July 07, 2010 4:12 PM
To: Drury, Margaret
Subject: Sign ordinance hearing
Attachments: Sign ordinance.pdf

Margaret,

Here's a letter I wrote to the Planning Board about the proposed sign amendments. I don't need to testify tomorrow night since the Planning Board has decided to keep this matter under discussion, but I guess it still makes sense to put this in the record.

Charlie

Charles M. Sullivan, Executive Director
Cambridge Historical Commission
831 Massachusetts Avenue
Cambridge, Mass. 02139
617 349-4684 voice, 349-3116 fax

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CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd Fl., Cambridge, Massachusetts 02139
Telephone: 617 349 4683 Fax: 617 349 3116 TTY: 617 349 6112
E-mail: histcomm@cambridgema.gov URL: <http://www.cambridgema.gov/Historic>

William B. King, *Chair*, Bruce A. Irving, *Vice Chair*, Charles M. Sullivan, *Executive Director*
M. Wyllis Bibbins, Robert G. Crocker, Chandra Harrington, Frank Shirley, Jo M. Solet, *Members*
Shary Page Berg, Joseph V. Ferrara, Susannah Barton Tobin, *Alternates*

July 6, 2010

Hugh Russell, Chair
Cambridge Planning Board
344 Broadway
Cambridge, Mass. 02139

Re: Petition to amend Article 7.000

Dear Mr. Russell:

I am writing with regard to the petition to amend Article 7.000 of the Zoning Ordinance.

I am most concerned with the proposal to amend Section 7.16.22 to allow signs to be placed higher than the present limit of 20'. Our regulation of the Harvard Square Conservation District accepts conforming signs as of right, but we also regulate upper stories of buildings to maintain their historic appearance. Relaxation of the 20' height limit would undermine this goal, and I urge the Planning Board to amend their submission to the City Council in this regard.

Sincerely,

Charles M. Sullivan
Executive Director

cc: Councillors Seidel and Toomey

Drury, Margaret

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1

From: Albano, Sandra
Sent: Thursday, July 08, 2010 11:15 AM
To: Drury, Margaret
Subject: FW: Ordinance Committee Meeting

Sandra Albano
Executive Assistant to the City Council
P: 617-349-4280
F: 617-349-4287
salbano@cambridgema.gov

From: Barbara Broussard [mailto:barbarabroussard@gmail.com]
Sent: Thursday, July 08, 2010 10:07 AM
To: City Council
Subject: Ordinance Committee Meeting

Mr. Mayor and other Council Members,
It saddens me to think that two very important issues to East Cambridge residents and abutting areas will be discussed on a week when many residents are away on vacation.
That being said, I do believe we need to carefully consider all the implications of changing the ordinance on signage. When a building is branded, does that mean the sign at the top indicates the owner, largest tenant or all?
What happens when another tenant in the building wants a sign indicating their presence?
How many signs on one building?
What happens when a tenant moves?
What about the effect on the neighborhood? The blinking light art feature at the Safety Building shines in many windows and is not at all pleasant in the evenings.
Do we want our side of the riverfront to look like Vegas or Hong Kong?
Just a few unanswered questions I feel neighbors need answers to.

Boston Properties to date has not been a good neighbor. The plaza at Kendall for the Marriott hotel has been an eyesore for awhile. The entry from the T was not always working so residents could pass through the lobby to the other side, one of the requirements for the hotel FAR.
The city staff has always said that smart zoning includes ground floor retail and housing. This will use the site designated for housing will be used for another biolab building. Alan Fine, Director of Research for Broad, stated he would LIKE the new Broad building to be on that site but, if not possible, Broad would look to other biolab buildings in the abutting area. He also stated at our recent meeting that Broad was not leaving Cambridge.

All of the sites indicated by Michael Cantalupa of Boston Properties for housing were not acceptable. Removing a public park on the garage to build housing does not constitute a 'smart' decision. Where would Boston Properties put the park it removes?
We have many sites already dedicated for biolab space. Alexandria has buildable space and I am sure could develop a building to Broad specifications.

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Please consider carefully any changes in zoning and approving any additional FAR for biotechnology without considering all options available.

Barbara Broussard

June 30, 2010

Cambridge City Council
Ordinance Committee
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

RE: July 8, 2010 Sign Ordinance Meeting

Honorable Members of the Ordinance Committee:

I am writing regarding the proposed amendments to Article 7.000 -- Signs and Illumination of the Cambridge Zoning Ordinance. I am sorry that I cannot attend the July 8 meeting on the proposed amendments.

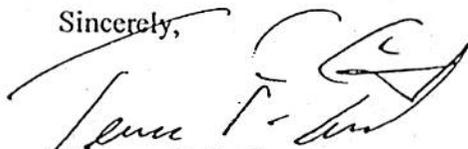
The appropriate regulation of signage can be controversial. It is important to remember that signage provides significant benefits. It serves as a guide post for people looking for services, employment, or just a landmark when moving from place to place. Cambridge is a global center of innovation and commerce and reasonable accommodations must be made to simply let residents and visitors know who and what is here. It is my understanding that those administering this regulation have identified the need for changes in the amendment.

It is my understanding that the proposed modifications have been developed based on the experience City staff and regulatory boards have had in administering the current ordinance. The changes were developed to clarify the applicability of the ordinance as well as some aspects of the ordinance related to corporate logos, color, etc., allow major tenants to be identified in buildings and allow variations by special permit in unique circumstances.

I appreciate the careful review by the Ordinance Committee of the amendments. I respect your ability to balance these modest changes in the sign ordinance and the goals they are designed to accomplish with other issues of importance to our City.

Thank you for the opportunity to comment on this proposal.

Sincerely,



Terrence F. Smith
Director of Government Affairs

Drury, Margaret

From: Harris, Victoria
Sent: Thursday, July 08, 2010 9:58 AM
To: Drury, Margaret; Albano, Sandra
Subject: FW: proposed zoning amendment regarding "billboard-size" signs on buildings

From: markmulligan66@aol.com [mailto:markmulligan66@aol.com]
Sent: Thursday, July 01, 2010 5:59 PM
To: Seidel, Sam
Cc: fairmont@otolith.com; jaquith@thecia.net
Subject: proposed zoning amendment regarding "billboard-size" signs on buildings

Dear Sam,

I see that there is a zoning amendment proposed next week (to be reviewed separately by the Planning Board and the Council's Ordinance Committee) that would change the approvals process in Cambridge for companies that would like to locate very large, illuminated signage on buildings – the kind one sees in Times Square, for example, or in Tokyo.

Currently getting approval for this kind of signage requires going to the Zoning Board and getting a variance based on "hardship"... that probably explains why we see few of these signs in Cambridge (though they do exist, particularly on hotels in Kendall Square). The new proposal is that anyone wishing to put this kind of sign on a building should instead go through a Special Permit process, which, though it still requires a public hearing, reverses the burden of proof and is generally easier to obtain.

It's interesting that Cambridge – not even Boston – should be the first city in Massachusetts to experiment with this change of process. If certain controls are not first put into place – not only guidelines for signage design and illumination levels, but also holistic urban design guidelines to protect sensitive neighborhoods – I fear the zoning amendment could unleash a rapid change in the city's appearance. I wonder whether it will be something people in Cambridge will live to regret. I also wonder whether heading towards a more brightly illuminated cityscape is in keeping with the City's sustainability efforts.

I will be unable to attend Tuesday's Planning Board or Thursday's Ordinance Committee meetings, but I'd like to voice to you my opposition to the amendment... at least until the proposal has been further vetted by residents and by those in the planning and design community. Thank you for taking my concerns into account.

Best regards,
Mark Mulligan



July 5, 2010

Dear Members of the Cambridge City Council,

As you may know, there has been some discussion recently about a CDD proposal that will be before your Ordinance Committee this July 8th that would make it easier for companies to in Cambridge have signs with their names up high on buildings they occupy. I will be out of town on the 8th, so I have taken a moment to record my thoughts on paper. Thank you for reading this. The KSA has not met on this topic, so I am sharing my personal views.

As you have heard, experts tell us we have 4-5 times more innovation per square mile than Palo Alto, CA. But you wouldn't know it if you visited both cities. If you drive down highway 101, signs on the buildings in Palo Alto highlight an impressive roster of famous companies with offices there. It feels like you are in the center of the tech world. Meanwhile, Cambridge's flagship business district, Kendall Square, does not feel like the center of anything. Anyone would conclude that the action is all out there.

Some hold that big signs are always bad. But who wishes to banish the word "Prudential" from Boston's Prudential Building? And wasn't it the case that when CITGO decided to remove its Boston sign, local residents fought to have it declared a landmark? New York's Times Square, which is basically one big sign, has indisputably achieved world landmark status. It would seem signs have a place.

Yet it took more than a year before just a tiny sign appeared at street level saying that Google was in town. Who would guess that Cambridge harbors their New England headquarters?

MIT's President Dr. Susan Hockfield said recently that, with all the amazing things we do inside our buildings, we somehow need to "turn our buildings inside out". While there are many ways we seek to do that, such as hosting high school interns, it would help if we also made a clearer visual statement about what is inside them.

There is some truth to the criticism that we hide our best assets. Does this make sense in today's competitive world?

With great respect,
Tim Rowe
CEO
Cambridge Innovation Center

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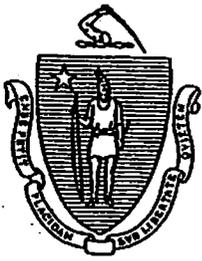
From: Marcia D Ross [mailto:mross@MIT.EDU]
Sent: Tuesday, July 06, 2010 1:03 PM
To: City Council
Subject: sky line

Dear Cambridge Councilors,

I just want to throw in my two cents on the proposal coming under discussion tonight at the open meeting (I can't attend) that includes potential/actual allowance for increased signage/ increased sign size in Cambridge. I believe that Cambridge should strive in every way to preserve her historically significant demeanor. That preservation will be more valuable in the long run than any increased economic perks resulting from eyesore signs on handsome and plain buildings alike.

Yours truly,

Marcia Ross
102 Hampshire St #1
Cambridge, MA 02139



The Commonwealth of Massachusetts
House of Representatives
State House, Boston 02133-1054

N1

MARTHA M. WALZ
8TH SUFFOLK DISTRICT
REPRESENTING
BOSTON AND CAMBRIDGE

Chair,
Committee on Education
ROOM 473G, STATE HOUSE
Tel. (617) 722-2070
Fax (617) 626-0699
marty.walz@state.ma.us

July 6, 2010

Councilor Timothy Toomey and Councilor Sam Seidel, Co-Chairs
Ordinance Committee
Cambridge City Council
City Hall
Cambridge, MA 02139

Re: Proposed Amendment to Article 7 of Zoning Ordinance

Dear Councilor Toomey and Councilor Seidel:

I am the State Representative for the 8th Suffolk District, which includes Cambridgeport and well as portions of Area 4 and MIT/Kendall Square. I strongly oppose the proposed amendment to Article 7 of the City's zoning ordinance.

At present, the Cambridge Zoning Ordinance does not allow wall signs to be higher than 20 feet or larger in area than 60 square feet. Under the proposed amendment, a wall sign accessory to a tenant or activity in the building or identifying the building itself (a building identification sign) could be installed, as of right, at any height below the roof of the building and, if installed at a height in excess of 100 feet, could be as large as 90 square feet in area - 50% greater than presently allowed.

The amendment would allow far bigger signs by special permit. Building identification signs the size of billboards could be allowed, and these could be installed at any height below the roof line. The proposal allows the size, height (with a 20-foot limit that is not applicable to building identification signs), number and illumination limitations of free standing, projecting and wall signs, and individual wall signage area limitations, to be varied by special permit, with no sign-specific standards to guide the Board of Zoning Appeal in determining whether a special permit should be granted or what sizes of signs to permit. There are no outside limits on size to constrain the BZA in the granting of special permits except the currently existing limits based on sign frontage, namely the total sign area per lot and the total signage area for signs on the exterior of a building. No such sweeping, standard-free power to exceed signage restrictions is given to the special permit granting authority in any of the abutting municipalities of Arlington, Somerville, Belmont or Watertown.

Further, the proposal does not differentiate buildings in or near the Charles River Basin Historic District and other historic districts from buildings in the remainder of the city. As you evaluate

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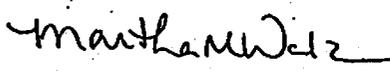
Councilor Toomey and Councilor Seidel
July 6, 2010
Page 2

changes to how the City of Cambridge regulates signage, I ask that you consider creating a separate set of standards for historic districts and buildings adjacent to them so that new signs are appropriate for the area in which they are located. My legislative district includes two historic districts in Boston in which exterior signage is regulated differently than in other neighborhoods. I believe that is a better approach than a one size fits all regulation.

This proposal sows the seeds for corporate advertising-driven damage to the scenic environment not only of Cambridge but also of all communities having a view of the Cambridge skyline. Each billboard-sized sign will spawn other billboard-sized signs as the big companies vie with one another for visual prominence. This is a problem for the entire city, and a particular one for the Charles River basin.

I urge you to reject the proposal. If you have any questions, I may be reached at marty.walz@state.ma.us or at (617) 722-2070. Thank you.

Sincerely,



Martha M. Walz

Drury, Margaret

From: Albano, Sandra
Sent: Thursday, July 08, 2010 3:52 PM
To: Drury, Margaret
Subject: FW: for July 8 Ordinance Committee hearing
Attachments: Section7Amendment.pdf

Sandra Albano
Executive Assistant to the City Council
P: 617-349-4280
F: 617-349-4287
salbano@cambridgema.gov

From: Ann Fienman [mailto:afienman@architects.org]
Sent: Thursday, July 08, 2010 1:24 PM
To: City Council
Subject: for July 8 Ordinance Committee hearing

Dear Councilors –

I am writing to share the attached letter regarding the proposed amendment to Section 7 of the Cambridge Zoning Ordinance. The BSA previously sent this letter to Board of Zoning Appeals prior to the July 6 Planning Board meeting.

Thank you for your consideration.
Ann Fienman

Ann Fienman
Interim Co-Director
afienman@architects.org
617-951-1433 x233
617-951-0845 (fax)

Boston Society of Architects/AIA
The Architects Building
52 Broad Street, Boston MA 02109-4301
www.architects.org

Passive House standards, energy tax deductions for architects and accessibility codes are just a few of this year's BSA summer workshop topics. Register now to get your continuing-education credits at www.architects.org/workshops.

July 6, 2010

Cambridge Board of Zoning Appeals
836 Massachusetts Avenue
Cambridge, MA 02139

Attn: Mr. Constantine Alexander, Chair

Re: Proposed Zoning Amendment to Section 7

Dear Mr. Alexander:

The Boston Society of Architects has been made aware of the proposed amendment to Section 7 of the Cambridge Zoning Ordinance regarding building signage. Although the BSA does not oppose the proposed change allowing a special permit rather than a variance, we feel that this is an opportune time to carefully consider the standards for the actual signage and the criteria for granting of a special permit for building identification signage. The proposed changes have the potential for major impact to Cambridge's skyline and to the image Cambridge presents to the outside world. Cambridge's new ordinance also may well lead to comparable changes in surrounding towns and cities. Thus the ripple impact of this ordinance from an urban environmental design impact is significant and should be carefully considered.

We would like to bring one example to your attention. The City of Cambridge is working aggressively to reduce its carbon footprint. Reviewing the building identification signage ordinance would allow an opportunity to, at very least, restrict the hours of illumination of building signage and thus reduce both light pollution at night and electrical use.

The BSA would like to work with the City to assure that high standards for size, location, lighting and overall urban impact on Cambridge are in place. We urge a delay on the passage of this ordinance change until the current criteria are fully reviewed.

Very truly yours,



Lawrence A. Chan FAIA
President

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Drury, Margaret

From: Albano, Sandra
Sent: Thursday, July 08, 2010 3:52 PM
To: Drury, Margaret
Subject: FW: ordinance committee - signs + boston property proposal

Sandra Albano
Executive Assistant to the City Council
P: 617-349-4280
F: 617-349-4287
salbano@cambridgema.gov

From: pjkep@comcast.net [mailto:pjkep@comcast.net]
Sent: Thursday, July 08, 2010 2:48 PM
To: City Council
Subject: ordinance committee - signs + boston property proposal

Since I will be arriving late to the Ordinance Committee meeting tonight, and will miss the public comment, I am sending my comments to all of the Councilors in this email.

On the issue of signage, please take into account that the Kendall Square area is very close to residential buildings, and all signage should recognize that. The Genzyme sign shines into the windows of the Esplanade building at night, to the annoyance of the residents there, and, although it is not a sign, strictly speaking, the art installation blinking at the neighbors on Sixth and Charles Streets can also be annoying. Signage is very important, but the buildings in Kendall Square are not like a Walmart by the side of a highway, beckoning shoppers. No one who does not have a reason to enter these businesses will be enticed to do so simply because they have seen the sign on the building from across the river. For people who have business with the companies in Kendall Square, street level signs make the most sense. I do agree with Timothy Rowe, who wrote both a letter to the editor of the Boston Globe, and also wrote a guest column in yesterday's Globe, that we are not Puritans and should not hide our light under a bushel, but large lighted signs are not necessary.

I have been told that one of the provisions in the rewritten ordinance eliminates community input for signage. If true, this is a very bad idea. We in the community must live with the results of the ordinances, and we should definitely have input. Having the Planning Board, and the Board of Zoning Appeal listen to both points of view - the developer and the community members - can make an idea or project better.

The other issue before the committee tonight is a change for more square footage so that Boston Properties can build a large commercial building in the last parcel in Kendall Square, which has long been proposed for housing. I have heard many times over the past several years, from the Planning Board, and the Council, Councilor Reeves in particular, that Kendall Square needs more housing so that there will be a greater presence of human activity in the area around the clock. The area does tend to become a little too quiet at night. At the East Cambridge Planning Team meeting last week, we were told that Broad Institute would like this building so that they can consolidate their operations, but that they will not abandon Kendall Square if they do not get this building. After all, there is vacant space in the biotech buildings in the area now, and more is on the way. The representative from Boston Properties and Attorney Rafferty gave three alternate sites for housing, all of them so ludicrous that I suspect none of them would ever be built. Please retain the requirement for housing, as this is already a very dense area.

Thank you for your consideration of my remarks,
Rhonda Massie
211 Charles Street
Cambridge, MA 02141

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TO THE MEMBERS OF THE ORDINANCE COMMITTEE:

Since it is entirely possible that we will be unable to exit our residence on Cambridge Parkway between 4 and 6 p.m. tonight because of traffic congestion, our comments on the proposed sign ordinance changes are included herein.

The existing sign ordinance was created to "improve aesthetics and physical appearance of the city" (Art. 7.11.1), to "minimize the intrusiveness of sign structures" (Art. 7.11.1), and "to control and reduce visual clutter and blight" (Art. 7.11.2). We think that the proposed changes will in fact contribute to both visual clutter and blight on the Cambridge side of the Charles River.

The proposed changes would make the above mentioned purposes not applicable in a MXD District, permit the inclusion of company logos on signs, allow signs at any height below the roof line of a building but even larger on buildings higher than 100 feet, and completely eliminate any public comment or approval by either the Planning Board or the Board of Zoning Appeals.

The name of a company should be sufficient identification for anyone needing to access the building, and the addition of a company logo is only free advertising. Once one company puts up a logo, another company will put up a larger one, and a sign "arms race" will begin. Not permitting logos will keep everyone on a level footing.

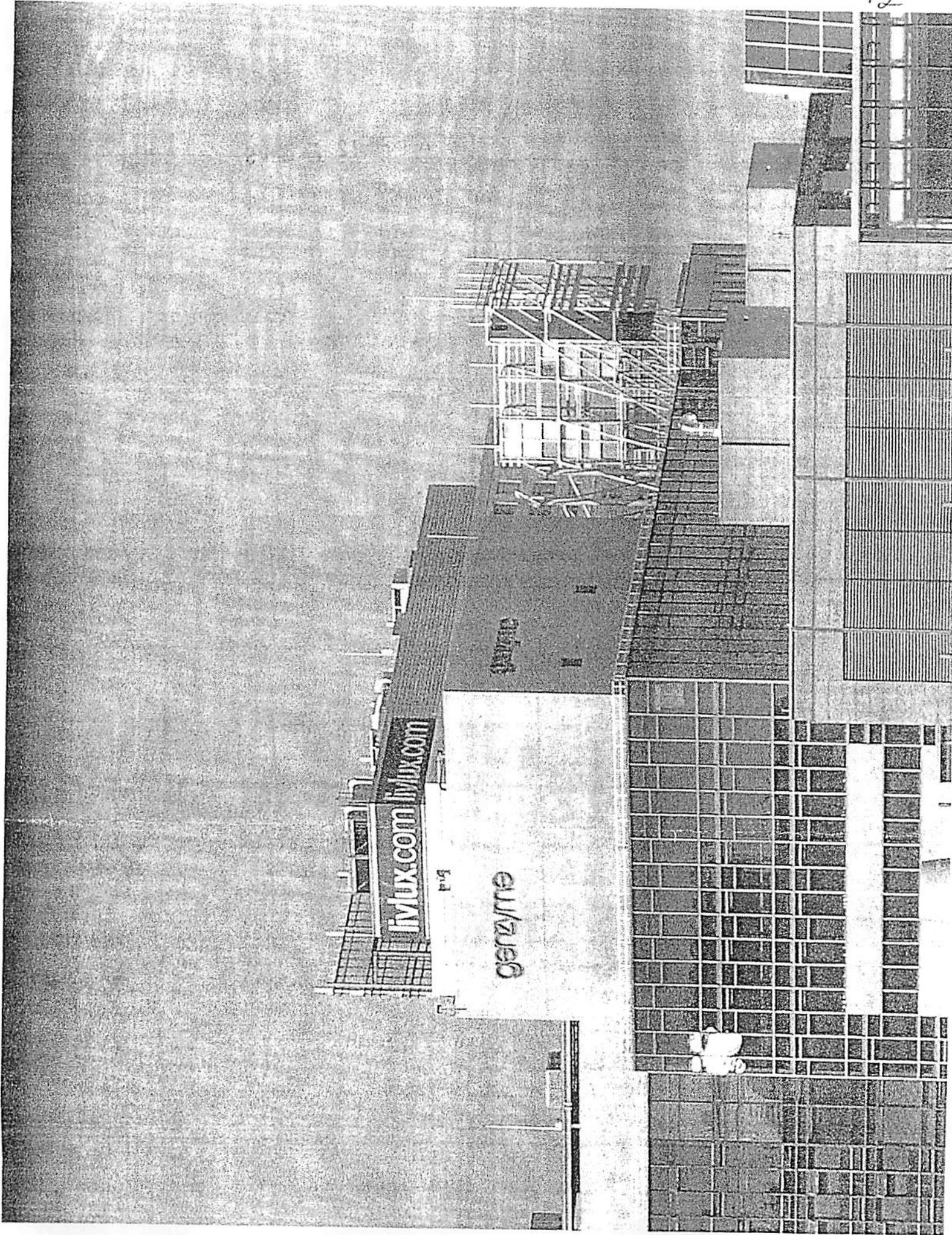
When Genzyme had to apply to the BZA for a variance to place their illuminated rooftop sign, Nancy went to object, and was told that since we lived more than 300 feet away, we couldn't count in their decision. That the existing sign is much smaller than originally requested is because the Genzyme representative did listen to our concerns. However, as you can see from the attached photograph, there is an additional mysterious "corporate symbol" on the corner of the building which is clutter. At least there was some venue for public comment, which would be eliminated if the proposed zoning change is approved.

Lastly, most of the new high-rise office and laboratory spaces are in mixed-use PUD's which include housing. Residents who have corporate logos and illuminated signs glaring and flashing in their homes for several hours a day (East Cambridge gets Amgen, Genzyme, Watermark, and the police station "artwork") all deserve the right to public comment and a chance to influence the skyline of their city too. Many of these commercial buildings will be 200 to 300 feet high, with signs visible for blocks. Please do not approve the proposed changes to the existing ordinance.

Nancy Stiening
Rae Stiening
75 Cambridge Parkway, Cambridge 01042

July 8, 2010

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Drury, Margaret

From: Harris, Victoria
Sent: Thursday, July 08, 2010 9:58 AM
To: Drury, Margaret; Albano, Sandra
Subject: FW: Sign Ordinance Amendment

From: Stephen Pettibone [mailto:Stephen.Pettibone@intersystems.com]
Sent: Friday, July 02, 2010 9:57 AM
To: Seidel, Sam
Subject: Sign Ordinance Amendment

Please absolutely do not approve the proposed changes to the zoning regulations pertaining to signs. This could destroy the character of Cambridge.

There are already large multi-national companies located in Cambridge that see nothing in Cambridge but an opportunity to advertise themselves. They would make nothing of this opportunity but a massive "photo op", ruining the skyline of our city. There is no reason to give these companies this opportunity to spoil our community in order to enhance their images.

The current zoning regulations include reasonable provisions for signs that identify buildings. In the rare case that these provisions are not adequate, the zoning variance process can be used to request relief. The so-called "building identification signs" authorized by this amendment are, in reality, aimed at a very different purpose than identifying buildings; they will be used by large companies to advertise their names, logos and brands.

By opening the door to signs that are much higher and much bigger, and by replacing the zoning variance process with a much less stringent special permit mechanism, this amendment will fundamentally alter the character of our community. I urge you to reject the provisions in this proposed amendment that will lead to billboard-sized signs on our skyline. We need to preserve the unique qualities of Cambridge – qualities that cause so many of us to make this city our home.

Stephen Pettibone
6 Harrington Rd
Cambridge 02140

Resident since 1968.