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OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

CITY OF CAMBRIDGE
CAMBRIDGE CITY HALL, 795 MASSACHUSETTS AVENUE
CAMBRIDGE, MASSACHUSETTS 02139

TO THE CITY COUNCIL OF THE CITY OF CAMBRIDGE:

JOSEPH S. RONAYNE hereby petitions the City Council of the City of Cambridge to amend the Zoning Ordinance of the City of Cambridge, as amended, as follows:

- Amend the Zoning Map in the area(s) set forth in the attached text description(s) and map(s) by
 - changing the base Zoning District(s) from _____ to a new zoning designation(s) of _____
 - creating a new Overlay Zoning District(s) entitled _____
 - deleting or amending the boundaries of the current Overlay Zoning District(s) entitled _____

- Amend the text of the Zoning Ordinance as set forth in the attached text by
 - inserting a new Article(s) and/or section(s) numbered and entitled _____
 - deleting the current Article(s) and/or section(s) numbered and entitled _____
 - amending the current Article(s) and/or section(s) numbered and entitled Articles 4, 5, and 8

with the intent of allowing multifamily housing development across the city as of right and making residential development easier across the city.

Contact Person: JOSEPH S. RONAYNE
 Street Address: 279 HURON AVE
 Telephone Number: 617-285-2323
 E-mail Address: joerona@9mail.com

Attach the following materials:

- Signatures of 10 or more Cambridge residents registered to vote in Cambridge (if applicable – see attached page template)
- Map Amendments: a map and text description describing the exact boundaries of the area to be rezoned
- Text Amendments: a document providing the exact wording of all inserted, deleted, or amended sections (also provide in a word processing format to cityclerk@cambridgema.gov)

FOR CITY CLERK USE ONLY – Zoning Petition Number: _____

Submission Date: _____

Principles and Approach:

- Change standards in current districts, rather than a complete rezoning to better understand impacts on existing areas.
- Aim for substantial but incremental changes, rather than wholesale changes, because development standards interact with other forces (market forces, affordable housing overlay) that affect affordable housing production and it is important to retain a benefit for affordable housing development.
- Advance a zoning change soon while taking time to consider more wholesale changes down the road. Based on the recommendations by the Planning Board and CDD in 2022, setbacks will need more study and discussion, especially in terms of their effect on benefiting AHO development.
- Zoning changes are not the only way to affect affordability and incremental zoning changes like these will allow CDD to better understand changes in affordability over time. This petition seeks to deliver substantive zoning relief for multi-family development while retaining specific measures that incentivize affordable housing production via the AHO pathway.

Article 4.000 Use Regulations

4.20 Special Classification Rules

- Eliminate footnote (i) under 4.21 to eliminate the prohibition of accessory dwelling units outside of Industrial Districts.
- Eliminate footnote (i) under 4.21 to allow more existing accessory buildings to be converted to residential uses.
- Eliminate unnecessary requirements for special permit for accessory apartment development under 4.22.1 in order to streamline process. Future intent would be to allow a path for as-of-right accessory apartment development in line with existing dimensional regulations.

Intent: to ease development process for Accessory Dwelling Units

4.30 Table of Use Regulations

- Modify the Table of Uses to allow all residential uses in all residential districts.
- Eliminate footnotes (2), (15), and (17), which prohibit exterior changes in Res A districts.
- Eliminate footnote (5) from Res A, B, and C standards to eliminate Planning Board requirement for multifamily residential uses within residential districts.

Primary Intent: to allow multifamily residential uses across the city.

Secondary intent: to eliminate footnotes that further restrict residential development within fully residential districts and to bring Res A and B uses in line with existing Res C uses, making multifamily uses both permissible and feasible.

Article 5.000 Development Standards

5.30 District Dimensional Regulations

- Modify the Table of Dimensional Requirements – Residential Districts (Table 5-1) to:
 - o Increase FAR to 1.0 for Res. A-1, A-2, B, C, C-1 to allow density required for multifamily development.
 - o Decrease the minimum lot size in Res A-1, A-2 to 5,000 sqft, in line with Res B and C standards.
 - o Decrease the minimum lot area for each dwelling unit in Res. A-1, A-2, B, C, C-1 to 1000 sqft, in line with Res. C-1A to allow for more density and flexibility for housing development. This would bring a lot of existing C-1 zoning into conformity as well.
 - o Decrease the minimum lot width in Res A-1, A-2 to 50 feet, in line with Res B and C standards.
 - o Eliminate footnote (i) which distinguishes the dimensional differences between Res. C and Res. C-1, which would now be essentially standardized.
 - o Eliminate footnote (j) which unnecessarily restricts FAR and minimum lot area for lots larger than 5000 sqft in Res B districts.
- Modify the Table of Dimensional Requirements – Business Districts (Table 5-3) to:
 - o Increase FAR to 1.0 for Bus. A-3, and to reduce the minimum lot area for each dwelling unit to 1000 sqft, in line with Res. C-1 as they are essentially the same zoning district.

Article 8.000 Nonconformity

8.20 Nonconformance

- Amend footnote (c) that unnecessarily limits construction on nonconforming structures that is already occurring entirely within the structure to more closely conform with state law MCL Chapter 40A, Section 3.
- Eliminate the rules that limit new additions to a small percentage of the existing area or volume within otherwise conforming additions.
 - o 8.22.1 (f) eliminate the area or volume limit of 10%
 - o 8.22.2 (c) eliminate the area or volume limit of 25%

Other considerations not included:

Minimum Yard Setback Requirements

- We considered adjusting minimum yard setback requirements in Res A and B districts but determined to retain setbacks for two reasons: one was at the discretion of the Planning Board recommendations in 2022 and the other was to continue to give AHO projects a competitive advantage over market rate development.

Minimum Ratio of Private Open Space to Lot Area

- We considered reducing the minimum ratio of private open space to lot area to 30%, in line with Res. C-1 standards, but erred on the side of caution, given climate resilience concerns as well as affordability concerns, given the AHO development advantage.

ARTICLE 4.000 USE REGULATIONS

4.20 SPECIAL CLASSIFICATION RULES

4.21 Accessory Uses.

- j. ~~No accessory building shall be used as a dwelling except in an Industrial District for the accommodation of a night watchman or janitor.~~
- i. ~~No accessory building may be converted to a residential use unless it conforms with the district dimensional regulations specified in Section 5.30.~~

~~4.22 Accessory Apartments. The purpose of this Subsection 4.22 is to allow for the creation of accessory apartments in all districts. Many large existing single and two-family dwellings or other accessory buildings on their lots are underutilized. Alteration of these buildings to provide one additional dwelling unit on the lot would be prohibited in most cases due to the existing floor area ratio and/or lot area per dwelling unit requirements of Subsection 5.31, among other zoning limitations. Given contemporary lifestyles, housing needs, and energy and maintenance costs, it is beneficial to the City to allow greater flexibility in the use of such buildings to add new dwelling units without substantially altering the environmental quality of their surrounding neighborhoods. This Subsection 4.22 gives the Board of Zoning Appeal the authority to relax such requirements in certain instances as enumerated below.~~

~~4.22.1 In all districts the Board of Zoning Appeal may grant a special permit for the alteration of an existing single-family detached dwelling, two-family dwelling, or accessory building on the same lot as a single-family or two-family dwelling to provide one accessory apartment if the following conditions are met:~~

- 1. ~~The building containing the accessory apartment has been in existence since on or before February 1, 2019.~~
- 2. ~~In the case of an accessory apartment within a single family or two family dwelling, prior to alteration the dwelling contains at least one thousand eight hundred (1800) square feet of gross floor area.~~
- 3. ~~In the case of an accessory apartment within a single family or two family dwelling, such accessory apartment shall not occupy more than 900 square feet or thirty five (35) percent of the gross floor area of the principal dwelling, whichever is less. An accessory apartment created within an accessory building shall not occupy more than 900 square feet.~~
- 4. ~~No more than one accessory apartment shall be allowed on any lot.~~

4.3) TABLE OF USE REGULATIONS

	Open Space	Res A 1&2	Res B	Res C, C-1, C-1A, 2, 2A, 2B, 3, 3A, 3B	Off 1, 2A, 2, 3, 3A	Bus A-1, A-2, A-3 ¹ , A-5	Bus A A-4	Bus B, B-1, B-2	Bus C	Ind A-1, A-2	Ind A	Irid B-1, B-2	Ind B
4.31 Residential Uses													
a. Detached dwelling occupied by not more than one family	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	PB	PB	PB
b. Two family dwelling	No	No Yes ²	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	PB	PB	PB
c. Existing one-family detached dwelling converted for two families ^{15,16}	No	Yes ²	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	PB	PB	PB
d. Townhouse development	No	No Yes ³	Yes ³	Yes ³	Yes	Yes ³	Yes	Yes	Yes	Yes	PB ³	PB ³	PB ³
e. Elderly oriented congregate housing	No	Yes Yes ³	Yes Yes ³	Yes ⁵	Yes ⁵	Yes ⁵	Yes	Yes	Yes	Yes	PB ⁵	PB ⁵	PB ⁵
f. Existing dwelling converted for elderly oriented congregate housing ¹⁷	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	PB	PB	PB
g. Multifamily dwelling	No	Yes Yes ⁴	Yes Yes ⁴	Yes ⁵	Yes ⁵	Yes ⁵	Yes	Yes	Yes	Yes	PB ⁵	PB ⁵	PB ⁵
h. Existing dwelling converted for more than two families ¹⁶	No	No Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	PB	PB	PB

ARTICLE 5.000 DEVELOPMENT STANDARDS

5.30 DISTRICT DIMENSIONAL REGULATIONS

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

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(4) Minimum Lot Width in Feet	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Private Op. Sp. to Lot Area
					Front	Side	Rear		
Res. A- 1	<u>0.51.0</u>	8,000 <u>5,000</u>	6,000 <u>1,000</u>	80-50	25	15 (sum of 35)	25 ^(c)	35	50%
Res. A- 2	<u>0.51.0</u>	6,000 <u>5,000</u>	4,500 <u>1,000</u>	65-50	20	10 (sum of 25)	25 ^(c)	35	50%
Res. B	<u>0.5^(h)1.0</u>	5,000	2,500^(h) <u>1,000</u>	50	15	7'6" (sum of 20)	25 ^(c)	35	40%
Res. C ^(h)	<u>0.61.0</u>	5,000	1,800 <u>1,000</u>	50	H+L ^(a) 4	H+L 5 (min. 7'6" sum of 20)	H+L ^(c) 4	35	36%
Res. C- 1	<u>0.751.0</u>	5,000	1,500 <u>1,000</u>	50	H+L ^(a) 4	H+L ⁽ⁿ⁾ 5	H+L ^(c) 4	35	30%
Res. C- 1A	1.25	5,000	1,000	50	10	H+L ^(m) 7	H+L ^(m) 5	45	15%
Res. C- 2	1.75	5,000	600	50	H+L ^(a) 4	H+L 5	H+L ^(c) 4	85	15%
Res. C- 2B	1.75	5,000	600	50	H+L ^{(a)(k)} 4	H+L ^(k) 5	H+L ^{(c)(k)} 4	45	15%
Res. C- 2A	2.5	5,000	300	50	H+L ^{(b)(g)} 5	H+L ^(g) 6	H+L ^(c) 5	60	10 ^(h)
Res. C- 3	3.0	5,000	300	50	H+L ^(b) 5	H+L 6	H+L ^(c) 5	120	10%

Res. C-3A	3.0 ^(d)	5,000	300	50	H+L ^{(b)(e)} 5	H+L ^(f) 6	H+L ^(c) 5	120	10%
Res. C-3B	3.0/4.0	5,000 ^(m)	300	50	10	none	none	120	10%

2. Footnotes:

(i) ~~The dimensional requirements of the Residence C-1 district as detailed in this Section 5.31 shall apply in the Residence C district for structures in existence as of December 1, 1986 under the following limitations and conditions:~~

~~(1) Any increase in floor area or numbers of units, provided all construction occurs within the limits of the existing structure; or~~

~~(2) For any construction without limit as to cost (notwithstanding any contrary provisions of Section 8.23) of a nonconforming structure destroyed or damaged by fire or other catastrophe provided the structure as restored shall not be greater in lot coverage or volume, or shall not extend further into required yards, than the original structure; all other provisions of Section 8.23, however, shall continue to apply.~~

(j) ~~Applicable to the first five thousand (5,000) square feet of lot area. For those portions of any lot exceeding five thousand (5,000) square feet, the applicable Maximum Ratio of Floor Area to Lot Area shall be 0.25 for all permitted residential uses and the Minimum Lot Area for Each Dwelling Unit shall be four thousand (4,000) square feet. However, for any lot in existence as of June 30, 1995 that is subsequently subdivided into two or more lots, the total amount of gross area and number of units on the subdivided lots, in total, shall at no time exceed that permitted by this footnote (j) on the lot before the subdivision occurred. Unless otherwise permitted by special permit from the Board of Zoning Appeal, the gross floor area and dwelling units permitted on each subdivided lot shall be in the same ratio as that lot's area is to the area of the unsubdivided lot. Nothing in this footnote (j) shall prohibit the subdivision of a Townhouse Development conforming at the time of its construction, as permitted in Section 11.10.~~

Table 5-3 Table of Dimensional Requirements—Business Districts

District	(1) Max. Ratio of Floor Area to Lot Area	(2) Minimum Lot Size in Sq. Ft.	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Private Op. Sp. to Lot Area	
				(4) Minimum Lot Width in Feet	Front	Side			Rear
Bus. A	1.0/1.75	none	600	none	none	none	H+L ^(a) 5	35/45 to 65 ^(b)	none
Bus. A-1	1.0/0.75	none	1200	none	none	none	H+L ^(a) 5	35	none
Bus. A-2	1.0/1.75	none	600	none	5 ^(m)	10 ^(l)	20 ^(l)	45 ^(k)	none
Bus. A-3	0.75/1.0 ⁽ⁿ⁾	5,000	1,500/1000	50	H+L ^(h) /4	H+L/5	H+L ^(a) /4	35	30%

Bus. A-4	1.0 ^(p) /1.75	5,000	600	50	H+L/4 ^(p)	H+L/5 ^(p)	H+L/5 ^(p)	35 ^(p)	none
Bus. A-5	1.0/3.0 ^(q)	5,000	0	50	none	none	none	80 ^(q)	none
Bus. B	2.75/3.0	none	300	none	none	none	none	80	none
Bus. B-1	1.50 /3.25	none	300	none	none	none ^(e)	none ^(e)	55/90 ^(c)	^(d)
Bus. B-2	1.50 /3.0	none	300	none	none	none ^(e)	none ^(e)	45	^(d)
Bus. C	1.25/2.0	none	500	none	none	none	20 ^(l)	55 ^(g)	none
Bus. C-1	2.75/3.0 ⁽ⁿ⁾	none	450 ⁽ⁿ⁾	none	none	none ^(o)	20 ^(l)	50 ^{(g)(l)}	none

ARTICLE 8.000 NONCONFORMITY

8.20 NONCONFORMANCE

8.22.1 The following alterations, reconstructions, extensions, and/or enlargements of nonconforming structures, which do not result in a use for a substantially different purpose or for the same purpose in a substantially different manner or to a substantially greater extent than the existing use, or which are undertaken to accommodate a new conforming use, shall be permitted after the issuance of a building permit by the Superintendent of Buildings. Any change, extension or alteration of a nonconforming use shall be subject to the provisions of Subsection 8.22.2.

- e. ~~Construction occurring entirely within a structure, including structural changes, provided there is no increase in an existing or creation of a new violation of the requirements of Article 5.000.~~
- f. ~~Conforming additions, under Article 5.000, to a structure not conforming to the requirements of Article 5.000 provided that no nonconforming element or aspect of the nonconforming structure is extended or increased and further provided that the nonconforming structure is not thereby increased in area or volume by more than ten (10) percent since the structure first became nonconforming.~~

8.22.2 The following changes, extensions, or alterations of a pre-existing nonconforming structure or use may be granted in the following cases after the issuance of a special permit. Such a permit shall be granted only if the permit granting authority specified below finds that such change, extension, or alteration will not be substantially more detrimental to the neighborhood than the existing nonconforming use.

- c. In a Residence District the Board of Zoning Appeal may grant a special permit for the alteration or enlargement of a nonconforming structure, not otherwise permitted in Section 8.22.1 above, but not the alteration or enlargement of a nonconforming use, provided any enlargement or alteration of such nonconforming structure is not further in violation of the dimensional requirements of Article 5.000 or the off street parking and loading requirements in Article 6.000 for the district in which such structure is located ~~and provided such nonconforming structure will not be increased in area or volume by more than twenty five (25) percent since it first began to be nonconforming.~~

Petition to Amend the Zoning Ordinance of the City of Cambridge with the intent of:
allowing multifamily housing development across the city as of right and making residential development
easier across the city.

	Signature	Name	Address	Date
X 1	<i>J. Rowayne</i>	JOSEPH ROWAYNE	279 HURON AVE	4/2
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Petition to Amend the Zoning Ordinance of the City of Cambridge with the intent of:
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	Signature	Name	Address	Date
✓ 1	<i>Kelly A. Dolan</i>	Kelly A. Dolan	233 Upland Rd	4/2/24
✓ 2	<i>ANN STEWART</i>	ANN STEWART	31 WHEELER ST UNIT 101	2 APR 2024
✓ 3	<i>Gregory V. Berndt</i>	GREGORY V. BERNDT	233 UPLAND RD	4/2/24
✓ 4	<i>Ann M Tennis</i>	Ann Tennis	71 Griswold St.	April 2, 2024
✓ 5	<i>Leada M Callahan</i>	Leada M Callahan	330 Walden St.	4/3/24
✓ 6	<i>Leo W Lortie</i>	Leo W Lortie	330 Walden Street 02138	4/3/24
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	Signature	Name	Address	Date
1	<i>Martha O'Mara</i>	Martha O'Mara	12 Maple Ave	9/1/24
2	<i>Aidan Schwartz</i>	Aidan Schwartz	12 Maple	4/2/24
3	<i>Victor Stevens Harris</i>	Victor Stevens Harris	4 Malcolm	4/3/24
4	<i>Ellen Kramer</i>	ELLEN KRAMER	4 malcolm Rd	4/3/24
5	<i>Deborah Katz</i>	DEBORAH KATZ	26 ALPINE ST	4/3/24
6	<i>Jacob Farmer</i>	Jacob Farmer	1 Foster Street	4/3/24
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Petition to Amend the Zoning Ordinance of the City of Cambridge with the intent of:
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	Signature	Name	Address	Date
✓ 1		Douglas Brown	35 Standish St.	4/2
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Petition to Amend the Zoning Ordinance of the City of Cambridge with the intent of:
allowing multi-family housing development across the city as of
right and making residential development easier across the city.

	Signature	Name	Address	Date
1		Nicola Williams	8 BREWER ST	4/2/2024
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