



City of Cambridge

O-8

IN CITY COUNCIL

December 3, 2018

COUNCILLOR KELLEY
COUNCILLOR CARLONE
COUNCILLOR ZONDERVAN

WHEREAS: Recognizing the need to maximize opportunities for increasing residential units in Cambridge, the Cambridge City Council recently changed its zoning to allow easier creation of accessory dwelling units; and

WHEREAS: The creation of these new units is still not completely allowed in many cases per the City's existing zoning laws and may still require zoning relief to allow construction; now be it therefore

ORDERED: That the amendment to the zoning ordinance in section 4.22 be forwarded to the Planning Board and the Ordinance Committee for a hearing and report; said amendment to be viewed as a zoning solution to the challenges posed by current zoning constraints regarding accessory dwelling units; which reads as follows:

4.22.1 In all districts, the Board of Zoning Appeal may grant a Special Permit for alteration of a single family, two-family or accessory structure in existence as of 1 January, 2019 to provide one accessory apartment if the following conditions are met:

1. Only one accessory dwelling unit is allowed on any lot.
2. The dwelling has not been substantially enlarged since built. The addition in the aggregate of two hundred and fifty (250) square feet or more of gross floor area or six (6) inches of height shall be considered a substantial enlargement.
3. Prior to alteration, the principal dwelling contains at least one thousand eight hundred (1800) square feet of gross floor area.
4. Such accessory apartment shall not occupy more than nine hundred (900) square feet or thirty- five (35) percent of the gross floor area of the principal dwelling, whichever is less.
5. The owner(s) of the residence in conjunction with which the accessory dwelling unit is created must continue to occupy at least one of the dwelling units as their primary residence. Prior to issuance of a building permit, the owner(s) must submit a notarized letter stating that the owner will occupy one of the dwelling units on the premises as the owner's primary residence. Subsequent changes in ownership does not remove the requirement for the owner(s) of the accessory dwelling unit to live in one of the dwelling units as their primary unit.
6. Any existing two-family home may be converted to a single-family home with an accessory unit by right, without need for a Special Permit.
7. Parking requirements are not applicable to accessory dwelling units.
8. The accessory apartment does not count towards determination of lot area per dwelling unit.
9. The Board will consider flooding concerns when reviewing basement accessory units. In granting a Special Permit, the Board may impose such conditions, including limitations on other accessory uses of the premises, as it may deem appropriate to avoid detriment to the neighborhood or to nearby persons or property. The Board of Zoning Appeal shall evaluate each Special Permit application which involves exterior changes with consideration of the appearance and character of the neighborhood and may require that there be no change or minimal change to any face of a building oriented toward a public way or visible from a public way.

4.22.12 Accessory Structure Apartment. An accessory apartment in an accessory structure on the same lot may be allowed by Special Permit if the following criteria are met:

1. The gross floor area of the apartment does not exceed one thousand (1000) square feet.
2. The Special Permit Granting Authority determines that the exterior appearance of the accessory structure is compatible with the principal dwelling on the same lot and with dwellings and accessory structures on adjoining lots

Article 2.000 Definitions

Accessory Apartment. An accessory use with one or more rooms with separate kitchen and bathroom facilities, constituting a dwelling unit, located with and under the same ownership as the primary dwelling per Section 4.22.1 and designated for the occupancy of a single family.