



CITY OF CAMBRIDGE

Community Development Department

To: Planning Board

From: Community Development Department (CDD) Staff

Date: August 10, 2022

Re: **Accessory Parking Requirements Zoning Petition**

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Overview

Petitioner: City Council

Zoning Articles: Section 6.36 entitled, Schedule of Parking and Loading Requirements, of Article 6.000 Off Street Parking and Loading Requirements and Nighttime Curfew on Large Commercial Through Trucks

Amendment Summary: The proposed amendment revises the Schedule of Parking and Loading Requirements table to require zero (0) minimum and maximum accessory parking for all uses in residential, office, business, industrial, and open space zoning districts. No other changes to the zoning language are proposed.

Planning Board Action: Recommendation to City Council

Memo Contents: Summary of the proposed zoning; background information on current planning for Cambridge parking regulations; and comments on proposed amendment.

Summary of Petition Effects

The Petition would eliminate all accessory parking requirements for all land uses under base zoning. This would remove both the minimum and the maximum accessory parking requirements of the base zoning.

Currently, base zoning sets minimum accessory parking ratios for most land uses, calculated as a required ratio of parking spaces to dwelling units, gross floor area, or other measurement of land use intensity. Many non-residential uses also have a maximum parking ratio that cannot be exceeded.

The Petition would not change parking requirements that were enacted for special districts, including Planned Unit Development (PUD) districts, or under other overlay zoning. However, a City Council Policy Order accompanying the Petition requests that staff review the rest of the Zoning Ordinance to determine other changes that would need to be made to remove all minimum parking requirements. The aforementioned Policy Order requests that staff study the potential for enacting new maximum parking ratios for non-residential uses.

Background Information

Basics of Parking Requirements

This Petition affects off-street “accessory parking,” or parking as an accessory use to other land uses, regulated in Article 6.000 of the Zoning Ordinance. Accessory parking is considered a component of other “principal” land uses, such as housing, offices, or retail. Accessory parking is intended only to be used in association with the principal use – for example, accessory parking for a residential building must be maintained for the use of residents, visitors, or others associated with the use of that building, and not available to those accessing other properties or to the general public. Usually, accessory parking is on the same lot as the principal use it serves, but zoning allows accessory parking to be provided off-site if certain requirements are met.

Parking can also be a principal land use on its own, distinct from accessory parking. Principal use parking is not “attached” to any other principal use but exists for the purpose of providing parking for users in general. An example of principal use parking would be a pay parking lot or garage that is open to the public. Article 4.000 of the Zoning Ordinance states that principal use parking is not allowed in residential districts but is allowed in many office, business, or industry districts, sometimes by special permit.

Cambridge Parking Zoning History

Before 1961, the Zoning Ordinance made little mention of parking except to allow for private or public garages in some cases. Accessory parking requirements in Cambridge Zoning were initially enacted in 1961. The requirements at that time set simple ratios for required accessory parking by land use. The

enactment of these requirements mirrored a larger trend in municipal zoning throughout the United States as automobile ownership rates increased in the 1960s.¹

Parking requirements in the Cambridge Zoning Ordinance were updated in 1981 to include minimum and maximum ratios for many uses, and to differentiate standards not just by land use but by zoning district as well. Generally, lower parking ratios were imposed in higher-density districts closer to transit compared to lower-density districts farther from transit. In 2001, lowered minimum and maximum ratios were enacted for office and laboratory uses. Few changes to the base parking requirements in zoning have been enacted since that time.

In more recent years, accessory parking requirements have been reduced or eliminated through rezoning in areas subject to special planning, such as Kendall and Central Squares, and lower maximum ratios were imposed based on the City's reduced single-occupancy-vehicle targets for those areas. Usually this has been done through overlay zoning approaches. In Kendall Square, where larger mixed-use development has been typical, zoning encourages parking to be shared by multiple land uses to reduce the total amount of parking created. Elimination of most minimum parking ratios, creation of maximum parking ratios, and encouragement of shared parking are all recommended in the Alewife District Plan as well. The Affordable Housing Overlay (AHO), adopted in 2020, also eliminated minimum parking requirements for affordable housing developments permitted under the AHO procedures.

Current Minimum and Maximum Parking Requirements

Because much of Cambridge was developed before parking requirements were in place, Article 6.000 explains the scenarios in which parking requirements are applicable.

In general, if a land use currently provides parking that is required to meet (or partially meet) an accessory parking requirement, it must maintain that parking. However, existing land uses that do not provide the required amount of parking may be maintained without needing to add new parking. New parking would need to be added to meet accessory parking requirements in the following scenarios:

- Construction of a new principal use building.
- Any increase in the number of dwelling units on a lot – either through addition or conversion.
- Increase of at least 15% in the gross floor area of an existing non-residential building.

In most cases, a non-residential use requiring four parking spaces or fewer would have its parking requirements waived. Any parking requirement may be reduced or waived by special permit from the Board of Zoning Appeal (BZA), rather than needing a variance.

To grant a reduction, the Board of Zoning Appeal (or Planning Board, if they have jurisdiction) would need to find that “the lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood, or that such lesser amount of parking will provide positive environmental or other

¹ Ferguson, Erik. (2004). Zoning for Parking as Policy Process: A Historical Review. *Transport Reviews - TRANSP REV.* 24. 177-194. 10.1080/0144164032000080485.

benefits to the users of the lot and the neighborhood, including specifically, among other benefits, assisting in the provision of affordable housing units” (Section 6.35.1). Specific considerations include:

- Availability of surplus off street parking in the vicinity of the use being served;
- Proximity of an MBTA transit station;
- Availability of public or commercial parking facilities in the vicinity;
- Shared use of parking spaces by uses with peak user demands at different times;
- Occupancy restrictions likely to result in a lower level of auto usage;
- Impacts of the parking requirement on the physical environment, including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, significant negative impact on the historic resources on the lot, impairment of the urban design objectives of the city, or loss of pedestrian amenities along public ways; and
- Impact on the provision of affordable housing units due to increased development costs or limitations of space on the lot.

The special permit granting authority may impose conditions to ensure that the criteria are met. Staff will often suggest measures such as transportation demand management (TDM) programs that are demonstrated to reduce the need for parking (e.g., transit subsidies, bicycle facilities, and charging for the use of parking) or investment in public improvements that will promote walking, bicycling, and transit use.

Base Parking Ratios

Below is a table summarizing current minimum and maximum parking ratios for different categories of use in base zoning. Requirements for residential uses are fairly uniform, but for non-residential uses the requirements can vary based on the exact use and zoning district. In zoning, most ratios are expressed as “one space per every XX square feet” or a similar metric; they can also be expressed as a number of parking spaces per dwelling unit, per 1,000 square feet of gross floor area, or other comparable metric.

<u>Use</u>	<u>Minimum</u>	<u>Maximum</u>
Residences (spaces/unit)	1.00	No max.
Institutional (based on various metrics – e.g., beds, classrooms, occupancy)	±0.50-1.67	Typically no max., sometimes ±0.83-3.33
Offices (spaces/1,000 sq.ft.)	1.00-3.00	2.0-6.0
Laboratories (spaces/1,000 sq.ft.)	0.75-0.95	1.5-1.9
Retail/Personal Services (spaces/1,000 sq.ft.)	0.50-2.00	1.0-4.0
Restaurants/Entertainment (spaces/1,000 sq.ft.)	0.80-2.50	1.7-5.0

Factories/Warehouses (spaces/1,000 sq.ft.)	0.33-0.83	No max.
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Special Cases

In a few parts of zoning, there are specified parking requirements for certain types of development that supersede base zoning and are not addressed in this Petition:

- **Conversion of Non-Residential Structures to Residential Use.** In these special cases, which require a special permit from the Planning Board, Section 5.28.27 notes that in instances where Section 6.36 does not apply due to the proposed use not being allowed in the base zoning district, the required off-street parking for approved residential uses shall be provided at a rate of one space per dwelling unit, and required off-street parking for non-residential uses shall be determined by the Planning Board.
- **Townhouse Development.** Section 11.16, which has special standards for townhouse-style development, requires one off-street parking space per dwelling unit unless a special permit is granted.
- **Affordable Housing Overlay Projects.** Developments permitted under the AHO are not required to provide any accessory parking under Section 11.207.6. However, when parking is reduced below certain thresholds, there are requirements to implement TDM measures and to ensure adequate capacity for short-term drop-offs and deliveries.
- **Other cases in which accessory parking is not required** include accessory apartments (Section 4.22) and non-residential uses in a Business A-3 district (Section 4.40(1)).

Special Districts

The following overlay districts and other special districts have accessory parking requirements that are distinct from those in base zoning:

- PUD-KS (Kendall Square) – Section 13.17
- PUD-1 – Section 13.27
- PUD-2 – Section 13.36
- PUD-3 – Section 13.47
- PUD-4 and 4A – Section 13.57 and 13.59
- PUD in the North Point Residence District – Section 13.73.1(ii) and 13.76
- PUD-5 – Section 13.88
- PUD-7 – Section 13.95
- PUD-8 – Section 13.106
- PUD-CDK (Canal District Kendall) – Section 13.205
- MXD-KS (Mixed Use Development District Kendall Square) – Section 14.52
- MXD-KS Ames Street District – Section 14.71.4 and 14.72.5
- North Point Residence, Office and Business District – Section 16.50
- SD-1 (Special District 1) – Section 17.14
- SD-3 – Section 17.34
- SD-4 and 4A – Section 17.43

- SD-5 – Section 17.54
- SD-6 – Section 17.64
- SD-7 – Section 17.74
- SD-8 – Section 17.81.4
- SD-8A – Section 17.82.4
- SD-11 – Section 17.204
- SD-12 – Section 17.303.7
- SD-15 – Section 17.606
- Central Square Overlay District – Section 20.304.6
- Mass and Main Residential Mixed Income Subdistrict – Section 20.307.7
- Grand Junction Pathway Overlay District – Section 20.1010

Planning To Date

There are several recent and ongoing planning efforts that include recommendations on parking ratios. Envision Cambridge recommends changing zoning to allow low maximum parking requirements near transit nodes and in key squares and corridors, with lowered parking requirements citywide, while balancing impacts of parking spillover on residential streets. The recently completed Alewife District Plan identifies the need for significant shifts in mobility patterns given the existing traffic congestion, lack of street connectivity, and auto-oriented development patterns. Maximum limitations on off-street parking with no minimum requirements are part of this strategy along with improved street networks, pedestrian/bicycle connections, and other sustainable modes of transportation.

Regionally, the MAPC measured the actual supply of and demand for residential parking in the Inner Core subregion, which includes Boston and 20 surrounding cities and towns. The study includes results from interviews with property managers and overnight counts of parking spaces and parked cars at multifamily residential developments in 14 municipalities, including Cambridge. The data from 189 sites included 19,600 housing units, most of which have been built since 2000, and all of which provide off-street parking. In the vast majority of developments, the average parking use was less than one space per household, and across the entire sample, only 70 percent of the available spaces were full when surveyed. In affordable housing developments (sites where 50 percent or more of the apartments are deed restricted) there were an average of 0.55 cars parked per household.

The City can also refer to local and regional information about parking utilization. The City's annual transportation monitoring of PTDM and Special Permit projects collects local data on parking utilization every two years. This information can be used to compare the percent of parking spaces used during peak hours with the transportation programs at the site to begin to understand what affects parking use by different groups of people in different Cambridge neighborhoods. This data reflects residential and non-residential properties with a combined total of 26,000 parking spaces in Cambridge.

CDD staff are currently undertaking a Parking Study to consider updating the City's parking regulations, including zoning along with other parking-related ordinances and policies. The purpose of this study is to make sure that parking regulations fulfill the City's goals for traffic, greenhouse gas emissions, climate

resilience, housing, economic development, and equity. Information is available online:

<https://www.cambridgema.gov/Departments/communitydevelopment/parkingstudy>

Other Communities

Cities around the United States have also undertaken efforts to reduce or eliminate minimum parking requirements in zoning. These efforts have been varied and have involved area-specific reductions or reductions for particular types of development, especially affordable housing. These efforts have been motivated by environmental goals of reduced auto use, impacts on housing production and affordability resulting from the cost of constructing off-street parking, and recognition that shifting patterns of car ownership may result in less need for parking (see: [Jeffrey Spivak, “People Over Parking,” *Planning: October, 2018*](#)).² Similar initiatives have been implemented in areas of Cambridge.

Examples of communities that have removed or significantly reduced minimum parking requirements include the following:

- Fayetteville, AR: Removed minimum parking requirements for commercial uses in 2015.³
- Buffalo, NY: Removed all minimum parking requirements from zoning in 2017. A 2021 study of development projects since the policy was enacted shows that 17 of 36 projects studied provided less parking than would have been previously required; the remaining 19 met or exceeded the number of parking spaces that would have been previously required.⁴
- Hartford, CT: Removed all minimum parking requirements from zoning (except as required by state and federal accessibility requirements) in 2017. This was preceded by removal of minimum parking requirements downtown in 2016.⁵ Maximum parking limits apply to some uses.
- Bridgeport, CT: Removed all minimum parking requirements, except accessible parking required by state law. There are maximums for retail and office uses. These reforms were adopted in 2021 as part of a comprehensive zoning reform.⁶
- San Francisco, CA: Removed all minimum parking requirements from zoning in 2017.⁷
- Minneapolis and St. Paul, MN: Both cities removed all minimum parking requirements from zoning in 2021. This was preceded by a reduction of residential minimum parking requirements (including removal of minimums for high-density residential near transit) in 2015.⁸ Maximum parking limits apply to some uses.

² <https://www.planning.org/planning/2018/oct/peopleoverparking/>

³ <https://www.sightline.org/2022/02/22/no-minimum-parking-requirements-no-problem-for-fayetteville-arkansas/>

⁴ <https://usa.streetsblog.org/2021/03/25/how-buffalo-moved-away-from-parking-requirements/>

⁵ <https://www.strongtowns.org/journal/2018/6/14/3-lessons-in-people-centered-transportation-from-the-first-us-city-to-completely-eliminate-parking-minimums>

⁶ <https://zonebridgeport.com/code?#page=226>

⁷ <https://usa.streetsblog.org/2018/12/17/san-francisco-eliminates-parking-minimums/>

⁸ <https://usa.streetsblog.org/2021/09/02/how-the-twin-cities-abolished-parking-minimums-and-how-your-city-can-too/>

- Raleigh, NC: Eliminated parking minimums citywide and imposed parking maximums on many uses in 2022.⁹
- State of Oregon: In May 2022, Oregon's Land Conservation and Development Committee approved temporary rules which will require 61 cities in the state's 8 metro regions to eliminate parking minimums near high frequency transit service by 1/1/2023.^{10 11}
- Boston, MA: Removed minimum parking requirements for residential developments where at least 60 percent of the units are affordable in 2021.¹²

Current Zoning Petition

As discussed earlier, the Cambridge Zoning Ordinance has not always required accessory parking, but since 1961 that has been one of the core elements of zoning regulations in Cambridge (and most other communities in the U.S.). While there is a precedent for not requiring accessory parking through zoning, the elimination of accessory parking requirements would be a major conceptual change to modern zoning.

Immediate Effects

The proposed elimination of accessory parking requirements would not have widespread immediate impacts because, like most zoning changes, it would not mandate any change to existing land use. When an owner decides to make a change to the use or conditions on their land, zoning would affect the types of changes that the owner can choose to make.

If the proposed zoning is adopted, the following is a summary of how these options would differ from current zoning.

- **If there is existing parking on a site, a property owner could choose to convert it to some other use.** Under current zoning, this could be done only if the parking is not needed to meet a minimum accessory parking requirement. Alternative uses might include open space or additional built area (if allowed by zoning). Accessory parking could also be converted to principal use parking, meaning it could be open for others to use, if principal use parking is permitted in the zoning district and if it complies with other parking regulations and controls, including the commercial parking freeze.
- **If the use of a building is changed, additional parking would be allowed but not required.** This is currently the case for a non-residential building that is changed from one use to another – existing parking could be maintained, but new parking would not need to be created. However, under

⁹ <https://www.bizjournals.com/triangle/news/2022/03/16/city-of-raleigh-eliminates-parking-minimums.html>

¹⁰ <https://www.oregonlive.com/portland/2022/06/portland-oregon-leading-move-away-from-mandates-that-link-new-housing-to-more-parking-spaces.html>

¹¹ <https://www.oregon.gov/lcd/UP/Pages/Housing-Choices.aspx>

¹² <https://www.bostonplans.org/news-calendar/news-updates/2021/12/22/mayor-wu-eliminates-parking-minimums-for-affordabl>

current zoning, a building that is converted to residential use would need to provide accessory parking or seek a special permit to reduce or waive the requirement.

- **If new buildings are built or existing buildings are enlarged, new accessory parking would be allowed but not required.** In these cases, the property owner would be able to decide how much accessory parking to create for the new built area. Because the Petition as written would also eliminate maximum parking requirements (except in special districts with additional limitations), zoning would place no limit on the number of parking spaces created.

Conversions of large existing parking areas are not likely to occur immediately due to the time involved in planning, investment, and construction. However, some changes might occur more quickly if they do not involve significant construction costs. Examples might include converting a parking area into a usable patio or turning an accessory parking lot in a commercial district into a principal use parking lot (if allowed by zoning) to serve multiple users.

Long-Term Effects

Market forces tend to determine what changes occur over time. However, it is generally expected that land use changes will trend in the direction of what is allowed by zoning. Without zoning requirements, market forces will play a more dominant role. So if the value to the property owner of accessory parking does not offset the cost to build and maintain it, a reduction in the total amount of off-street parking could result over time. However, if parking is valuable enough in the market to justify the cost of construction and/or maintenance, there could be no significant change or even some proportional increase in the supply of off-street parking.

Judgments about the value of off-street parking are not always based on a strict cost/revenue analysis. For example, it is a common expectation for parking to be “free” to users such as residents or business patrons, even though it has a value to the owner (e.g., a competitive edge over buildings or businesses without it) and a cost (e.g., construction, maintenance, and the “opportunity cost” of not being able to use that space for other purposes). The cost is supported by the end users as part of their rent, or as part of what businesses need to charge for products and services. As a result, when parking is “free,” it means that the costs are shared between people who use parking and people who don’t use parking. Decisions on accessory parking can be difficult to predict because different people involved in real estate decisions (land owners, developers, financiers, tenants, consumers) might have different ways of valuing parking.

The following is a summary of possible long-term outcomes if the overall accessory parking supply changes relative to other uses:

- If there is proportionally less parking over time, that is likely to lead to less auto traffic overall and more reliance on other modes of transportation. Such trends could be offset by increases in ride-hailing services, autonomous vehicles, or similar options for auto transportation that do not rely on parking at every destination.
- If there is proportionally less accessory parking over time, and if no other policy changes are made to support people traveling by other transportation modes or to make existing underused

parking available, this could also lead to increased demand for public parking (such as resident permit parking) or principal use parking. This demand could put more stress on relatively low-cost public parking, such as on-street parking, and/or could result in higher costs for private off-street parking. The increased demand could also encourage the conversion of accessory parking to principal use parking, or even the creation of new principal use parking, if allowed by zoning and other regulations.

- If accessory parking becomes increasingly “unbundled” from principal uses such as housing, offices, and retail space, then it could make the cost (and value) of that principal use space without parking lower than the comparable cost with parking. In the market, the cost of office space (for example) without parking included would generally be less than the cost of that same office space if parking were included. However, the total costs could be higher for users that want or need to buy or rent separate parking spaces, since the costs of these spaces might no longer be shared by non-users of parking.

Potential Conflicts or Ambiguity

As discussed earlier, the Petition would only change the base zoning, and much of the Zoning Ordinance is constructed around the assumption that there would be accessory parking provided with all uses. It is therefore difficult to anticipate the full effects of changing this one section of the Zoning Ordinance, and unexpected outcomes may arise that will need to be resolved in the future. The following are a few issues identified by staff that may be helpful to resolve to avoid future conflicts or ambiguity:

- **Special Districts and Development Types.** Earlier in this memo there are references to special districts and special development types (e.g., townhouses, residential conversions) whose requirements would not align with base zoning if accessory parking requirements were eliminated. Moreover, the Affordable Housing Overlay currently waives parking requirements but imposes conditions such as transportation demand management in some cases, which would not be required of market-rate development if the proposed zoning is adopted.
- **Gross Floor Area (GFA) of Parking.** In the Cambridge Zoning Ordinance, dimensional requirements (such as GFA) apply to structured parking that is above-grade. While above-ground parking is generally counted as GFA with some exceptions (per Section 5.25), the Article 2.000 definition of GFA states that “Any accessory parking spaces not in above ground structures if in excess of the maximum number permitted on the premises as set forth in Section 5.25 and 6.30” is also counted as GFA. Removing both minimum and maximum parking requirements could have unexpected effects on how GFA is counted for both new and existing parking facilities. There are also special cases where GFA for parking can be exempt only if it does not exceed the minimum required amount (e.g., Section 5.25.42).
- **Special Permit Criteria.** Special permits for some types of development – including Art/Craft Studios (Section 4.28.1), Institutional Uses (Section 4.57), Conversions of Non-Residential Structures to Residential Use (Section 5.28.2), and Fast Order or Quick-Service Food Establishments and Drive-in Food Service Establishments (Section 11.31) – cite impacts on the availability of parking among the considerations for approval. The general provisions for granting a special permit (Section 10.44) also cite “Requirement of off-street parking or other

special features beyond the minimum required by this or other applicable codes or regulations” as potential conditions to be placed on any special permit. Eliminating requirements for accessory off-street parking may introduce ambiguity into the interpretation of these special permit criteria.

Alternatives

The aforementioned parking study being undertaken by CDD is looking at alternative approaches to regulating parking both through zoning and through other City policies and ordinances, based on a holistic view of community priorities. While eliminating all accessory parking requirements is a possibility, there are a range of other approaches that can be considered in zoning. A few examples of variations on this approach include the following:

- In some cases, reduce parking minimums without eliminating them completely. Demand for parking could be reassessed based on study of the current parking demand and how that demand is expected to change over time. Different targets could be set for different types of land use.
- Eliminate or reduce parking requirements differently depending on the zoning district. For example, the lowest requirements (or no requirements) could be set in the zoning districts that are best served by transit (as suggested in the *Envision Cambridge* plan).
- Consider more exemptions and other flexibility in parking requirements to meet specific policy goals. For example, parking requirements could be waived for certain types of residential unit additions without being eliminated for all residential uses. Another example of flexibility would be allowing parking spaces to be temporarily put to other uses if they are not needed at particular points in time.
- Consider allowing reductions or waivers of parking in exchange for specific transportation impact mitigation programs, such as commitments to transit subsidies or support for public improvements that will reduce demand for parking.
- Explore more holistic parking strategies that rely on principal use parking over accessory parking. For this approach to be successful, other ordinances and regulations (such as the commercial parking freeze) would need to be studied.