

PIERSON PETITION

Lodging House Discussion

November 21, 2023

CAMBRIDGE HAS MANY LARGE BUILDINGS THAT DO NOT CLEARLY REQUIRE PROFESSIONAL REVIEW BEFORE BEING TURNED INTO LODGING HOUSES

In a City as crowded as Cambridge, Lodging Houses and other transient uses create new impacts that need appropriate review to ensure maximum safety and compatibility.

OUR GROUNDBREAKING SHORT-TERM RENTAL REGULATIONS WERE DESIGNED TO PROHIBIT, AMONG OTHER THINGS THIS EXACT SITUATION

Hotel: Contemporary Room near T #2

[Share](#) [Save](#)



Room in boutique hotel in Cambridge, Massachusetts

2 guests · 1 bedroom · 1 bed · 1 private bath

★ 4.62 · [143 reviews](#)

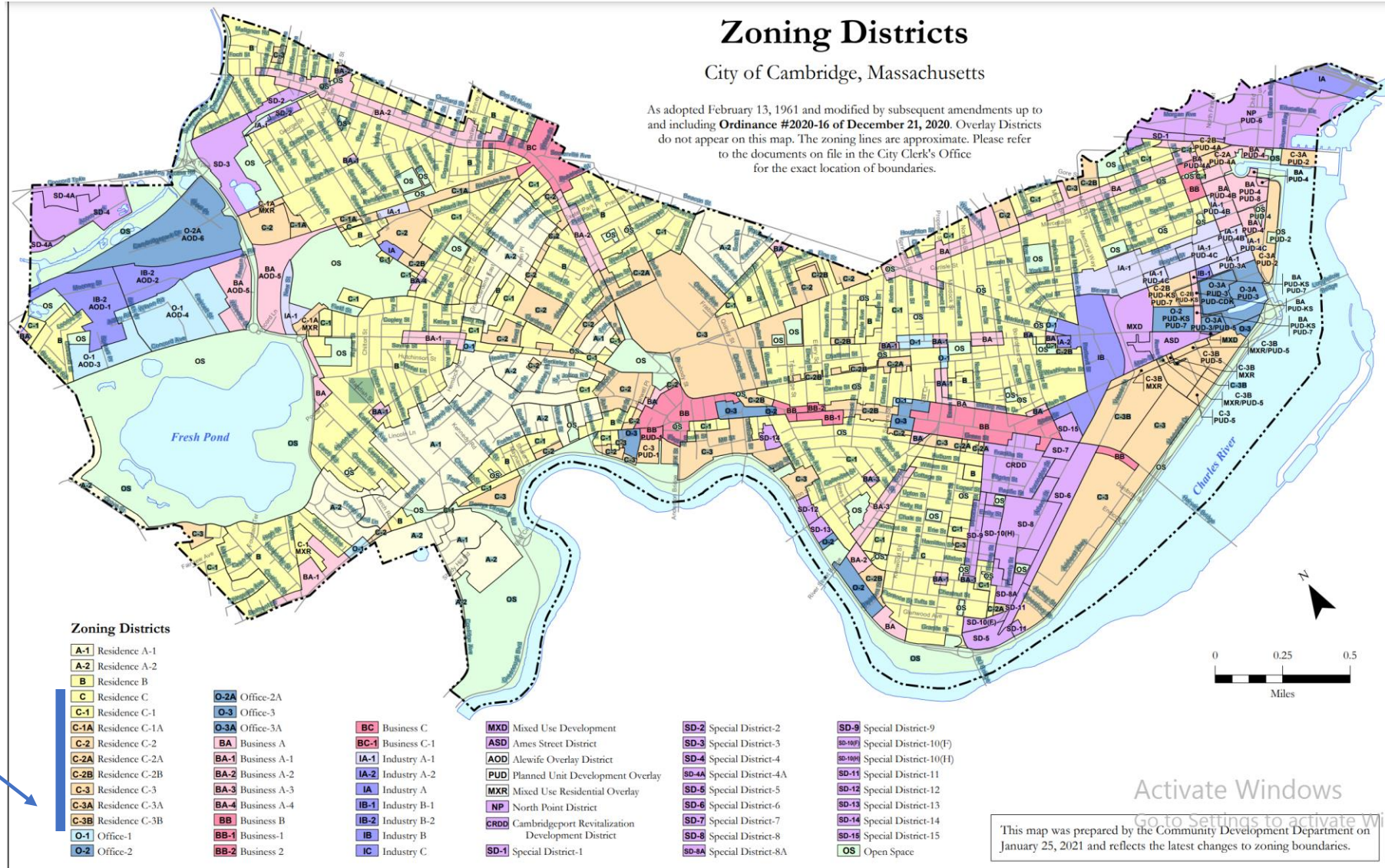
\$92 night

CHECK IN

CHECKOUT

CAMBRIDGE ZONING MAP

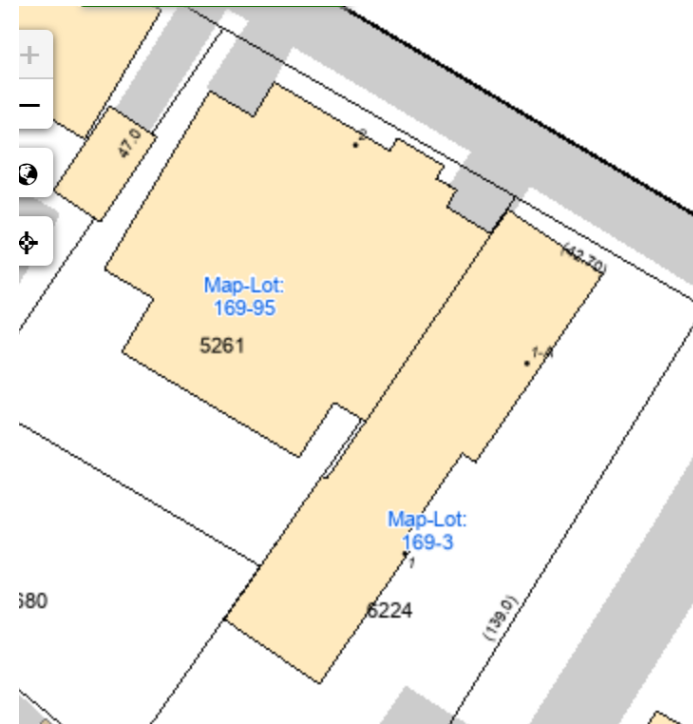
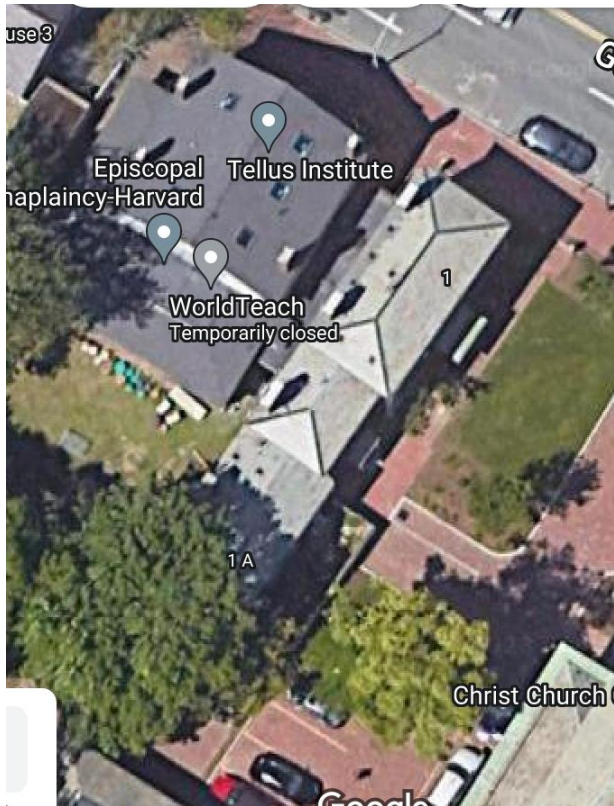
Currently
ALL
Residential
C districts
allow
Lodging
Houses per
Footnote 7
to the Table
of Uses.



But
“Lodging
Houses”
are not
mentioned
in
Footnote
7!

This map was prepared by the Community Development Department on January 25, 2021 and reflects the latest changes to zoning boundaries.

WE LEARNED ABOUT THIS ISSUE WHEN A LODGING HOUSE WAS PROPOSED FOR 2 GARDEN STREET, JUST A FEW FEET AWAY FROM OUR RECTORY (where our Priest and her family lives)



ISSUES THAT CONCERN US INCLUDE:

1. SMOKING
2. NOISE
3. PRIVACY

AND ESPECIALLY.....



SAFETY!

The Veranda House in Nantucket caught fire after visitors allegedly improperly disposed of cigarettes. The neighbor lost her house, all her belongings and her pet.

WE DON'T WANT TO BE NEIGHBORS TO A LODGING HOUSE WHERE POSSIBLY DOZENS OF UNRELATED PEOPLE, HOWEVER MANY IN NUMBER, RENT ROOMS BY THE NIGHT AS AN AIRBNB OR THAT OPERATES AS A FRAT HOUSE .

NO ONE ELSE IN THE CITY SHOULD HAVE TO WORRY ABOUT THAT EITHER.

REQUIRING THINGS THAT LOOK, SMELL, SOUND AND OPERATE LIKE HOTELS TO GET PERMITS AS HOTELS MAKES SENSE.


A THIRTEEN BEDROOM HOME FOR SALE IN GEORGTOWN




It would make a great hotel but not a great boarding or lodging house. Which is why the rules change as you have more bedrooms

ULTIMATELY, MANY OF THESE PROPERTIES COULD STILL BE A HOTEL VIA A SPECIAL PERMIT


Home About Irving House Photo Gallery My Reservations


 **IRVING HOUSE**
AT HARVARD
617-547-4600 24 Irving Street Cambridge, MA





Tue, Mar 14 - Wed, Mar 15 (1 night) 1 room, 1 adult, No children Rate Options [Check Availability](#)

Room View / List View Most Popular / By Name

 Queen Bed with private bath




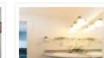


 Queen and Single(s) with private bath

 Full Bed with private bath

 2 beds, shared bath

Full Bed with private bath

Max Adults 2 Max Children 2 Max People 2 Smoking allowed No

Full-sized (double) bed with private bath

- Smaller room
- Free breakfast
- Free WiFi Internet
- TV

Please note, the photos above are representative of the room categories. Actual rooms may vary from what is shown.

THIS CHALLENGE CAN EASILY BE SOLVED BY INSERTING “NO” IN THE TABLE OF USES FOR LODGING HOUSES IN RES C DISTRICTS

3. Lodging House	No	No	No	Yes 7 No	Yes 6	Yes
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STATE BUILDING CODE ISSUES

“Boarding Rooms” are a somewhat complicated idea. Our Zoning Code does not even have a definition for “Boarding Rooms” or “Boarding House.” **This slide is just to show it’s complicated. I am not an expert.**

The State Building Code has a complex set of definitions and groups that, essentially, mean that their first plan of 18 rooms and, probably, their current plan, have more transient occupants than “Group R-3” would allow. Group R-3 is basically a single-family home where someone rents rooms.

The Building Code defines “transient” as staying no more than 30 days. A stay of more than 30 days is non-transient.

2 Garden Street’s first plan was for 18 rooms (2-person occupancy makes that 36 proposed occupants). That is hotel-big. This proposal isn’t about 2 Garden Street in particular, but it’s a good example of what might happen.

If they are doing a “Boarding House,” Group R-2 would limit them to non-transients (and *more* than 16 occupants).

If they are doing transients, Group R-3 would allow that for up to 10 occupants (which is five bedrooms, max).

Group R-1 allows for both transients and more than 10 occupants (and also covers hotels and motels as well as boarding houses). So they sound like a Group R-1 and that’s probably more of a pain for them.

ZONING TABLE OF USES FOR RESIDENTIAL C

4.31	Residential Uses				
	a. Detached dwelling occupied by not more than one family	No	Yes	Yes	Yes
	b. Two family dwelling	No	No	Yes	Yes
	c. Existing one-family detached dwelling converted for two families ^{15,16}	No	Yes ²	Yes	Yes
	d. Townhouse development	No	No	Yes ³	Yes ³
	e. Elderly oriented congregate housing	No	PB	PB	Yes ⁵
	f. Existing dwelling converted for elderly oriented congregate housing ¹⁷	No	Yes	Yes	Yes
	g. Multifamily dwelling	No	No	No	Yes ⁵
	h. Existing dwelling converted for more than two families ¹⁶	No	No	Yes	Yes
	i. Transient accommodations				
	1. Tourist house in an existing dwelling	No	No	No	Yes
	2. Hotel or motel	No	No	No	SP ⁷
	3. Lodging House	No	No	No	Yes ⁷

It's not clear to that footnote 7 applies to anything but hotels and motels. This amendment would clarify things for everyone.

CAMBRIDGE ZONING DEFINITION OF LODGING HOUSE

A dwelling where lodgings are let to four or more persons not within the second degree of kinship to the person conducting it, including fraternity housing but not including dormitories or charitable, educational or philanthropic institutions.

OTHER DEFINITIONS OF LODGING HOUSE*

LODGING HOUSE. A one-family dwelling with five or fewer guest rooms where one or more occupants are primarily permanent in nature and compensation is provided for the guest rooms. A building licensed as a “lodging house” in accordance with M.G.L. c. 140, §§ 22 through 31 shall comply with 780 CMR requirements according to its appropriate use and occupancy classification. Massachusetts Residential Code, which is part of the state’s building code

A one-family dwelling where one or more occupants are primarily permanent in nature and rent is paid for guest rooms.

2015 International Building Code

* State Law on **licensing** also says this: Section 22. "Lodging house", as used in sections twenty-two to thirty-one, inclusive, shall mean a house where lodgings are let to four or more persons not within second degree of kindred to the **person conducting it**, and shall include fraternity houses and dormitories of educational institutions, but shall not include dormitories of charitable or philanthropic institutions or convalescent or nursing homes licensed under section seventy-one of chapter one hundred and eleven or rest homes so licensed, or group residences licensed or regulated by agencies of the commonwealth.- *emphasis mine. This is a licensing licensing law*

THERE MAY BE OTHER WAYS TO SOLVE THIS IMPACT AND PERMITTING PROBLEM

1. Limit the number of rooms to 5 or less
2. Require the owner to live on site
3. Put larger boarding houses and lodging houses (everything that is transient with more than 10 occupants) in their own category

THE CITY LOOKED AT THIS ISSUE IN APRIL 2001 AND ASKED IT BE SOLVED

**The Expansion of Platform-Based uses in the past 22 years,
allowing anything to be rented by anyone to anyone
anywhere at anytime, requires a clearer and further
reaching solution than this suggested change of 2001**

Ordered: That the Housing Committee recommend that the technical language change in the zoning ordinance to clarify that lodging houses are prohibited in Residence C and C-1 districts be refiled by the City Council for referral to the Planning Board and Ordinance Committee for hearing and report

THE CURRENT FOOTNOTE 7 THAT DOES NOT MENTION
“LODGING HOUSES” DESPITE A CLEAR REFERENCE TO
THEM IN THE TABLE OF USES IS A SCRIBNER’S ERROR
WITH REAL CONSEQUENCES THAT WILL ONLY
INCREASE IN AN INTERNATIONAL, PLATFORM-BASED
HOUSING AND INVESTMENT ENVIRONMENT.

It is long past time to fix this error.