



CITY OF CAMBRIDGE

Community Development Department

To: Planning Board
From: Jeff Roberts, Director of Zoning and Development
Chris Cotter, Director of Housing
Date: June 20, 2019
Re: **Affordable Housing Overlay (AHO) Zoning Petition**

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Overview

This zoning petition was developed by CDD staff working with the City Council's Housing Committee over a series of meetings taking place in March and April, 2019. The concept of an affordable housing overlay has been a topic of discussion over the past several years, both by the Housing Committee and by the Housing Working Group of the Envision Cambridge planning process.

The intent of the proposal is to establish an alternative set of zoning standards that will enable "100%-affordable housing projects," meaning residential projects in which all of the units are subject to permanent affordability restrictions, to be built throughout the city at a higher scale and density compared to what is allowed by right under current zoning requirements and through a more predictable permitting process as zoning relief will not be necessary.

If adopted, this zoning proposal is expected to work in concert with the City's other affordable housing efforts, including the funding of affordable housing development and preservation through the Affordable Housing Trust, other City programs that provide financial assistance to qualifying households, and the Inclusionary Housing Requirements that require affordable units in larger market-rate developments.

Information Provided

This memo provides some of the background information on the petition and reviews the intent of the standards that are proposed, including affordability standards, land use, height and scale, yard setbacks, open space, parking standards, design standards, and design consultation process.

This memo is supplemented by two additional resources provided for reference:

- Zoning maps and charts summarizing current zoning standards in different districts in comparison with the proposed AHO standards.
- Site model illustrations meant to depict the potential outcomes of the proposed AHO standards on prototypical sites with different conditions and assumptions.

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An "FAQ" document created during discussions at the Housing Committee is also included for reference.

Rationale for Affordable Housing Overlay

Background

Creating and expanding the City's supply of affordable housing has long been a top priority for the City and its residents. Residents have consistently ranked the need for more affordable housing as the community's most concerning issue in the City's biannual resident surveys. Worries about housing costs and the threat of displacement have become growing concerns for many households in Cambridge. The City Council has made creating and preserving affordable housing a priority goal over multiple terms, and the City continues to increase the substantial funding dedicated to producing and preserving affordable housing. Among many ideas of how to address the City's affordable housing crisis, the concept of creating a citywide affordable housing zoning overlay was first raised several years ago during affordable housing discussions with the City Council's Housing Committee.

In 2015, the City Council set a goal of creating 1,000 new affordable units by the end of 2020. Responding to this goal, City staff noted that several new strategies would need to be considered, in combination with maintaining and expanding current programs and commitments, to achieve that goal. Among the new ideas discussed were:

- Creating a new set of zoning standards or an overlay for affordable housing development which would allow additional development density, reduced parking and other relaxed dimensional standards to affordable housing developers to enable them to be more competitive for available sites across the city;
- Creating a streamlined process for the permitting of new affordable housing developments through zoning.

The idea of creating zoning to give an advantage to affordable housing projects was further explored and recommended as a priority action in the Envision Cambridge planning process. Envision Cambridge sets a goal of creating 3,175 affordable housing units by 2030, of which an estimated 1,000 units would be created with City funding in 100%-affordable housing developments. Envision Cambridge recommends the following strategies for near-term consideration:

- Offer density bonuses and relief from other dimensional regulations for fully affordable housing developments through a citywide affordable housing overlay or other regulatory mechanism;
- Modify the development approval process for fully affordable housing projects to require design review instead of a discretionary approval.

Creating 100% affordable housing developments in Cambridge is very challenging and becomes more difficult each year. Rising land costs and competition from market-rate housing developers and investors make it difficult for affordable housing developers to secure buildings and sites where creating affordable housing is feasible. Affordable housing providers cannot compete with market purchasers who can afford to pay much higher prices for land and then recoup their investment through market rents and market sales prices. In evaluating more than 40 opportunities over the past three years to create new affordable housing through acquisition of existing multi-family housing, conversion of existing structures to housing, or building new housing, affordable housing providers were successful in acquiring only 4 properties.

Intent

The primary goal of the Affordable Housing Overlay (AHO) is to enable more affordable housing to be brought on-line more quickly. The AHO would allow larger buildings with more affordable units than would be allowed under the current zoning, which will improve the competitiveness of affordable housing projects against market-rate projects when sites become available. Equally important, by enabling affordable housing to be created as-of-right, affordable housing providers will be able to purchase sites which they otherwise might be reluctant to consider due to the need to seek zoning relief, and would be able to move developments into construction more quickly and make new affordable housing available in the community sooner.

A secondary benefit is that the AHO would allow housing to be created in cost effective ways by reducing or eliminating certain development costs. By streamlining the permitting process and reducing the risk of an unpredictable permitting and appeal process, the AHO would allow affordable housing providers to optimize their capacity by enabling them to use their limited resources more efficiently and predictably. Affordable housing providers now must devote significant staff capacity and resources to guide a single project through a multi-year review and permitting process. Under the AHO, cost savings could be realized through reduced carrying costs and soft costs due to shortened development schedules, and affordable housing providers could lock in construction pricing more quickly and avoid escalating costs that can be a significant area of uncertainty in the current market. These cost savings would allow City affordable housing funding to go further to create more affordable units.

The AHO is citywide in scope, with the goal of enabling affordable housing development in areas of Cambridge where there are fewer affordable housing options for residents and where the current zoning is too restrictive to make affordable housing feasible. For reference, a map showing where deed-restricted affordable housing is located in the city is provided.

Competitiveness of Affordable Housing Projects

This proposal draws from many past discussions of the CDD Housing Division, the City Council's Housing Committee, and the Envision Cambridge Housing Working Group. One of the tasks undertaken through Envision Cambridge was to study the scale of development that would enable affordable housing projects, with assumptions for the level of City subsidy needed per unit, to be competitive for sites in the current market. In general, it was found that a density of at least four times what is currently allowed in the most restrictive zoning districts and at least 2.5 times what is currently allowed in higher-density zoning districts would be needed to be competitive given current land costs.

Explanation of Zoning Proposal

Introduction

The core concept of the AHO proposal addresses three key topics:

- Establishing a set of development standards, as an alternative to the underlying base zoning, that would apply only to housing projects in which all units are subject to permanent, deed-recorded affordability restrictions.
- Allowing affordable housing projects to be built at a density and scale that would make them feasible throughout the city, including in the most restrictive zoning districts, while establishing clear dimensional limitations and design standards.
- Providing an “as-of-right” permitting process for affordable housing projects that meet the required standards, as an alternative to the Chapter 40B “comprehensive permit” process.

In current zoning, the development standards for affordable housing are the same as for any other type of housing. The one exception is that an Inclusionary Housing Project – in which at least 20% of residential space is permanently affordable – is allowed a 30% increase in density, but there is no change in the allowed height, dimensional limitations, required parking, or other standards. Inclusionary housing is required for all projects with 10 units or more. As described earlier, even greater density increases would be needed to enable projects that are entirely subject to permanent affordability restrictions to be competitive in acquiring sites.

Besides density limitations, there are many zoning requirements that impact the development of housing. As discussed in more detail in the sections below, most residential projects of a significant scale require special permits for development above a certain threshold and sometimes require relief from other zoning standards, such as setbacks or parking. Nearly all recent affordable housing projects in Cambridge have needed some form of special permit or variance relief.

Affordable housing projects have the option of seeking a comprehensive permit under Chapter 40B of Massachusetts General Laws. Through this process, projects can apply to the Board of Zoning Appeal (BZA) for zoning relief that would ordinarily require a special permit or variance, as well as relief from other local requirements. The procedures are similar to a special permit and it can take several months to reach a decision. Like a special permit, a comprehensive permit can be appealed in court by certain owners of abutting property, which can take additional months or years to resolve.

The comprehensive permit process has been successfully used to create many affordable housing projects in Cambridge, but some important limitations have been identified:

- Affordable housing projects cannot receive their funding commitments from non-City sources until all zoning approvals are in place. Competition for funding for affordable housing from state sources is very challenging, and often requires several years of waiting given that requests across the state well exceed the available funding, and access to state funds is generally only offered once each year. Waiting through a lengthy and uncertain approval process to begin the process to seek needed financing adds risk and uncertainty as costs can change significantly while projects are delayed.

- Though affordable housing projects can seek a broad range of zoning relief, the comprehensive permit process does not provide clear and specific development standards. Therefore, it is difficult for affordable housing developers and for others to have a clear indication of what scale of affordable housing development would be acceptable on a given site, adding to the inherent unpredictability of the process. Without knowing what amount of affordable housing development might be allowable on a site, housing providers are often hesitant to take significant risk in assuming how many units might be approved. This puts affordable housing providers at a disadvantage when competing for developable sites in an aggressive real estate market, as affordable housing providers cannot compete with market-rate developers when considering similarly sized developments.

The overall approach of the AHO is to move from a system in which affordable housing projects have broad latitude to seek relief through the comprehensive permit process, but where the amount of permitted development and the length and outcome of the approval process are unpredictable at the outset, to a system where there are clearly established development standards that are expected to enable at least some affordable housing projects to be feasibly developed as-of-right throughout the city. This is not entirely an “either-or” approach, since affordable housing projects will still be able to use the comprehensive permit process if needed.

Other Requirements

This proposed AHO would only amend the Zoning Ordinance, and would not affect other codes, ordinances, or regulations. In particular, ordinances pertaining to historic preservation or conservation would not be affected.

References

It is helpful to refer to the Zoning Map and Comparison Charts in the Appendix of this report when reviewing the proposed AHO standards.

Affordability Standards in Proposed AHO

The AHO proposal defines an “AHO Project” – a project in which all dwelling units are subject to permanent affordability restrictions – and establishes specific standards for the ongoing affordability of the units including income eligibility levels, rents and sales prices, marketing, and selection, among other standards.

Eligibility would be limited to Eligible Households who meet the following income criteria upon occupancy:

- Rental Units
 - All units to serve households earning less than 100% Area Median Income (AMI)
 - At least 80% of units to serve households earning less than 80% AMI
- Homeownership Units
 - All units to serve households earning less than 100% AMI
 - At least 50% of units to serve households earning less than 80% AMI

For context, the following table summarizes current income thresholds based on AMI:

Household Size	Minimum Income	80% AMI	100% AMI
1 person	Not regulated by AHO; set by affordable housing funding program	\$62,450	\$79,350
2 persons		\$71,400	\$90,650
3 persons		\$80,300	\$102,000
4 persons		\$89,200	\$113,300

The affordability standards would be enforced through an affordable housing covenant, recorded as a restriction on the property. The procedures for enforcement would be similar to those that have been applied under the inclusionary housing requirements.

Land Use Regulations in Proposed AHO

The AHO land use regulations are primarily intended to allow multifamily affordable housing throughout the city. A secondary intent is to allow ground-floor non-residential uses within an affordable housing project, consistent with the uses allowed in the underlying district.

Current Zoning

The Zoning Ordinance lists four use types in the general category of “family housing” – single-family and two-family detached dwellings, townhouses, and multifamily housing. Family housing consists of dwelling units with self-contained eating, sleeping, and living spaces intended for household occupancy. The AHO would not apply to other residential uses, like “group housing” such as dormitories, lodging houses, or elderly congregate housing, or “transient accommodations” such as hotels and motels.

Currently, multifamily housing is allowed in all districts of the city except the following (refer to the Zoning Map in the appendix for details):

- Residence A-1 and A-2 only allow single-family dwellings, though the conversion of an existing single-family dwelling to a two-family dwelling is allowed if the exterior is not changed.
- Residence B allows single-family, two-family, and townhouse dwellings, though townhouse projects with at least 6 units require a special permit from the Planning Board.

Approximately 24% of land in the city is in one of the above districts that prohibits multifamily housing.

In other districts, multifamily housing is not always allowed as-of-right. In lower-scale multifamily districts (Residence C, C-1, C-1A), a multifamily project of 12 units or more requires a special permit from the Planning Board (the same requirement applies to townhouse developments). In some industrial districts (Industry A, B-1, B-2, and B), all residential development requires a special permit from the Planning Board.

Approximately 23% of land in the city is in one of the above districts where multifamily housing would at least sometimes require a special permit to approve the use (housing in other districts may also require special permits for other reasons, as discussed below).

Proposed AHO Zoning

Affordable housing projects usually take the form of multifamily housing because it is the most economical type to build in an urban environment like Cambridge. The AHO would allow multifamily AHO projects as an as-of-right use in all zoning districts (except Open Space districts, where the AHO would not apply). An AHO Project could also include townhouses or detached dwellings.

While the AHO is primarily intended to apply to affordable housing units, non-residential uses are allowed at the ground floor of an AHO Project to the extent that they are otherwise allowed in the district. This exception is made to promote the overall planning goal and the desire in the community for ground-floor activation. In some cases (discussed further below), such non-residential use would be required at the ground floor for an AHO Project.

Height, Density, and Scale Standards in Proposed AHO

The AHO standards are intended to allow affordable housing at a density that will make them competitive in site acquisition with market-rate housing developers, while also establishing clear and predictable limitations on the height and scale of development.

Current Zoning

The Zoning Ordinance currently regulates the overall scale of housing development through a combination of standards. Density limitations, including floor area ratio (FAR) and lot area per dwelling unit (effectively, the “unit density”), determine the amount of floor area and number of dwelling units that can be built on a given lot in a given district. Height limits, along with other dimensional controls (discussed below), define a physical “building envelope” in which the floor area and units can be built. The range of density and height limitations for different base zoning districts are shown in the appendix. A 30% increase in density, but not in height, is allowed for inclusionary housing projects.

Different types and scales of development result from the interaction of these controls. For example, a 6,000 square-foot lot has the same 35-foot height limit in Residence A-1 and Residence C-1 districts. Due to the difference in density controls, the A-1 lot would only be allowed to have one dwelling unit and 3,000 square feet of gross floor area, while the C-1 lot would be allowed to have four dwelling units and 4,500 square feet of total gross floor area, or 1,125 square feet of gross floor area for each allowed unit.

Although height and density are generally regulated on an as-of-right basis, there are some thresholds in project scale that trigger special permit review for larger-scale residential projects (in addition to the aforementioned townhouse and multifamily special permit requirements in residential districts):

- Planned Unit Development (PUD) districts and Alewife Overlay Districts (AODs), along with some other special districts and overlay districts, have more restrictive height and density controls that apply as-of-right while allowing greater height and density by special permit. Projects must demonstrate compliance with criteria that are particular to the planning for that district in order to receive approval for higher-scale development.
- Project Review Special Permit requirements in Section 19.20 require Planning Board review and approval of residential projects exceeding 50,000 square feet in most parts of the city and 20,000 square feet in the BA, BA-1, and BA-2 zoning districts. Projects are reviewed against

citywide urban design objectives and traffic impact indicators, and requirements for mitigation are incorporated into special permit conditions.

Proposed AHO Standards

The background analysis for this proposal showed that significant increases in density would be needed for affordable housing projects to be competitive in acquiring sites on the market. Although there is variability from one site to another, the analysis concluded that an FAR of about 2.0 is needed to be viable in more restrictive residential districts, and as much as 2.5 times the currently allowed density would be needed in higher-density districts. These outcomes could not be achieved simply by increasing FAR and unit density (as with the inclusionary housing requirements), but require increased height and greater flexibility in other dimensional limitations.

Using these density measures as targets, the AHO proposal takes a different approach by setting a limit on the number of stories above grade, along with overall height limits in feet, instead of directly regulating density. Two sets of height and scale standards are proposed for AHO Projects, depending on the characteristics of the underlying zoning, as summarized in the chart below (refer to the accompanying map and detailed charts):

If the district allows:	AHO Projects can be up to:
40 feet or less	4 stories above grade, 45 feet max. / 50 feet with active ground floor
More than 40 feet	7 stories above grade, 80 feet max., reduced to 5 stories and 60 feet max. within 35 feet of an abutting district allowing 40 feet or less

The first set of districts mainly includes 35-foot lower-scale residential and mixed-use districts (one “special district” has a height limit of 40 feet). The proposed four-story limit would be one floor taller than the three-story character that prevails in most of these areas.

The second set of districts includes a range of different larger-scale residential and mixed-use districts. Even in districts that allow heights taller than 80 feet, the AHO standards would only apply to projects up to seven stories. The principle is that in these districts, optimizing the scale of mid-rise construction is a way to make affordable housing projects competitive with other market-rate development that might otherwise be allowed.

Each story would have a height (floor-to-floor) of at least 10 feet. The overall height limit is determined assuming 10 feet per story plus an additional 5 feet for residential projects (to accommodate some elevation of the ground floor and/or slightly taller floor-to-floor heights on some floors), or an additional 10 feet for projects that might include an active space (to enable taller floor-to-floor heights at the ground level). These standards are typical for contemporary residential or mixed-use projects.

There are a few main reasons for choosing this approach:

- Height is a community concern. Discussions with community members revealed the importance of being clear about how project scale is communicated through zoning. Density metrics like FAR and lot area per dwelling unit, are more difficult to interpret in a meaningful way than height and scale. Establishing a “building envelope” by limiting how tall buildings can be and defining

the horizontal footprint through setbacks and other dimensional controls is more understandable, and the outcome is similar to regulating FAR.

- Standards need to be prioritized. An AHO Project needs to meet all development standards, so every additional regulation or limitation reduces the range of potential projects that can conform. The AHO is already very limiting by requiring permanent affordability restrictions for every unit in a project, and the number of viable projects will be further limited by the amount of subsidy available to support their development. This is not a reason to not have any standards, but if the goal is to make more affordable housing projects viable, it is important to be thoughtful about choosing and prioritizing standards that will achieve the appropriate balance between control and flexibility.
- The purpose is to enable the creation of affordable units. There is nothing intrinsically special about FAR and lot area per dwelling unit, they are abstract measures of the “amount” of development on a lot. There could be limitations on density in addition to height and stories, but the direct result would be to limit the number and/or size of affordable units that could be created. If the AHO is intended to result in more affordable units, then it is rational for the development controls to focus on specific areas of concern such as height, bulk, and other development characteristics rather than limiting the number of affordable units.

This proposal attempts to balance the additional density needed to make affordable housing projects viable with the interest in setting standards that are compatible with the context of the area, even while the scale of development is greater than what is allowed under current zoning.

Yard Setback Standards in Proposed AHO

The AHO proposal intends to reduce the complexity in current yard or setback requirements, establish clear and consistent standards across lower-scale residential districts, and not be more restrictive than current standards in higher-scale residential and mixed-use districts.

Current Zoning

The required front, side, and rear yard setbacks – the distance between a lot line and the façade of a building – can be very complicated in ways that have significant impacts on residential development. The following are some types of standards that in many cases result in the need for variance or special permit relief:

- “Formula” setbacks: In many districts, required setbacks are based not on fixed distances but on a calculation using the height of the building and the length of the building parallel to a lot line. For example, a required side yard setback of “ $(H+L) \div 5$ ” means the height of the building (e.g., 45 feet) plus the length along that side (e.g., 50 feet) all divided by 5 (in this example, 19 feet). The calculations are further complicated by provisos in Section 5.24.4, which allow variations for circumstances such as buildings with multi-plane facades. These requirements are difficult to understand and often do not establish a clear building envelope.
- Different setbacks for different uses: In some mixed-use districts, residential development follows one set of setback rules (usually those of a referenced residential base district) while non-residential development follows different rules, or does not have any requirement at all.

This can result in incongruous development patterns within a district, especially for mixed-use buildings (such as housing with ground-floor retail) where separate sections of the building are subject to different standards.

- Unique district requirements: Some districts have complex, detailed provisions that do not apply elsewhere. One prominent example is the Residence C-2B district, where the setback requirements apply to portions of the building that are above and below grade. A result of this provision is that because residential development requires parking, and parking is usually provided below grade, it can be difficult to provide parking without violating the below-grade setback requirements. This provision does not apply in other residential districts, but it affects Business A (BA) districts where residential development must follow the C-2B standards.

Proposed AHO Standards

The AHO proposal takes a more simplified approach by establishing “baseline” setback requirements of 10 feet in the front yard, 7.5 feet on each side yard, and 20 feet in the rear yard, comparable to the minimum requirements in Residence C-1 districts if the “formula” calculations are disregarded. There are two exceptions where these baseline setbacks can be modified:

- If the underlying zoning establishes a less restrictive numerical setback standard (not counting the “formula” requirements), the less restrictive standard applies. The intent is to allow buildings to match the prevailing setbacks in areas such as mixed-use corridors, where buildings might have a reduced front yard or might be built to the lot line.
- Where the average front yard setbacks of the two buildings adjacent to a lot are less than what is otherwise required, then an AHO project’s front yard may be reduced to the average of the two adjacent buildings. This concept is applied in the current zoning for the Residence A-1, A-2, and B districts. The intent is to allow front yards to match the surrounding context.

Open Space Standards in Proposed AHO

The AHO proposal intends to reduce the complexity in current open space requirements while establishing consistent standards that are generally comparable to the current requirements in multifamily residential districts and maintain requirements for permeability.

Current Zoning

Open space includes areas that are open to the sky and usable by pedestrians, and excludes parking and driveways for vehicles. Structures are generally prohibited, but open space can contain trees, plantings, arbors, fences, flagpoles, sculpture, fountains, recreational and drying apparatus, bicycle parking, and beehives.

Requirements for open space usually set a minimum ratio of open space area to the total area of a lot (expressed as a percentage of lot area). The requirements get somewhat more complicated in the types of open space that must be provided.

- Private Open Space: Residential developments are generally required to include private open space, for use by the occupants of the building. A complication with private open space is that it must have a minimum dimension of 15 feet by 15 feet, which is a significant constraint for many

sites. In Residence A-1, A-2, B, C, and C-1 districts, only half of the required open space must meet the minimum 15'x15' dimension. Non-residential development is not required to provide private open space, but in special districts and unique cases like Planned Unit Developments (PUDs) other kinds of open space might be required.

- **Green Area and Permeable Open Space:** Green area is a subset of open space consisting of living trees, grass, ground cover, bushes, shrubs, and/or similar vegetation, water and other natural features. Permeable open space includes green area but can also include permeable surface materials such as rocks, pebbles, wood chips, or unit pavers. Green area and permeable area each allow some amount of paved pedestrian walkways. In Residence A-1, A-2, B, C, and C-1 districts, at least half of the required open space on the lot must be permeable. There are no generalizable requirements for green area open space, but in some districts certain yards are required to be green area.
- **At-Grade Open Space vs. Above-Grade Balconies and Decks:** Current zoning requires at least half of required private open space to be at ground level or within 10 feet of the lowest residential floor, with open space at other levels such as balconies, decks, and roofs allowed to count for no more than 25% of the required private open space.

Proposed AHO Standards

For an AHO Project, the required open space would be 30% of a lot, except where the underlying zoning establishes a lower requirement. This is commensurate with the required open space ratio in the Residence C-1 district, and less than the requirement in the Residence A-1, A-2, B, and C districts.

Some flexibility is provided by allowing the ratio to be reduced to no less than 15% for two purposes: to accommodate surface parking if it is provided, or to accommodate the preservation of a designated historic structure. This intent of this flexibility is to acknowledge that parking and historic preservation can have impacts on how lot area is used, which could be in tension with open space requirements. These provisions could be reevaluated depending on a closer evaluation of priorities. Parking and historic preservation are topics that are discussed further in this memo.

The proposed AHO also attempts to simplify and clarify some the complexity in the current zoning by setting the following standards in place of the varied standards that might apply in current zoning, depending on the project and the district:

- All of the required open space must be at the ground level or the level of the lowest story above grade.
- At least half of the required open space must be permeable.
- Bicycle parking may be counted as open space (as it is in current zoning), but not as permeable open space.
- The 15'x15' dimensional standards would not apply.

In some cases, these standards are more restrictive than current zoning, but they are meant to provide consistency while not greatly impacting project feasibility.

Parking Standards in Proposed AHO

The proposed AHO parking requirements are intended to create more flexibility than the current zoning by reducing the minimum parking requirements from the current citywide standard of one space per unit and by providing additional options to satisfy parking requirements off-site.

Current Zoning

Article 6.000 of the Zoning Ordinance contains many standards for parking. Residential development is typically required to provide one off-street parking space per dwelling unit. Spaces usually need to be provided on-site, with some flexibility for off-site arrangements. Zoning also requires long-term, secure bicycle parking for residential projects at a rate of one space per unit, with a slight increase for larger projects. In general, loading bays are not required for residential projects.

Although there are many detailed standards for parking and bicycle parking, including standards for layout and access, many standards can be modified by special permit. Residential projects often seek and receive special permits for parking reductions, off-site parking, modifications to layout standards, or other types of relief.

Proposed AHO Standards

The overall intent is to provide flexibility in areas where affordable housing projects often need to seek special permits for relief from parking requirements. Greater flexibility does not necessarily mean that parking would not be provided, but that the amount of parking and the manner in which it is provided would be determined in larger part by the anticipated needs of that particular project and the particular constraints of the site.

The following two principles provide the rationale for the AHO parking requirements:

- Not requiring more parking than necessary. A review of affordable housing developments finds that parking utilization tends to average approximately 0.4 space per dwelling unit, which is proposed as the baseline standard for AHO Projects. There are existing affordable housing developments with excess parking, and in some cases that could be shared with new AHO Projects. Minimum parking is also waived in proximity to transit, where reduced parking demand would be expected. The required amount of bicycle parking does not change, except that there is more flexibility in where and how it can be provided and an opportunity for some reduction in exchange for providing bicycle-sharing facilities (i.e., Bluebikes).
- Acknowledging that parking can affect other project goals. Providing parking involves many tradeoffs. The direct cost of parking can make the affordable housing less feasible, especially when it must be provided in structures or below grade. Parking also uses significant space on a site, which can cause tension with other design objectives, such as open space. The need for driveways and access aisles can impact other uses on the lot as well as neighboring lots, and curb cuts can reduce the availability of on-street parking.

The flexibility provided in parking and bicycle parking standards is meant to provide more options so that the needs of the project can be met in ways that will be the most minimally impactful. Because the impacts can be more substantial in the case of smaller sites, the parking requirements are waived for projects requiring up to four spaces, so that the site would not need to be disrupted by driveways and

curb cuts to provide a small number of parking spaces. Parking would also not be required for units within existing buildings or for an AHO Project that preserves a designated historic building, which might also be negatively impacted if curb cuts, driveways, and parking spaces were added.

Design Standards in Proposed AHO

The AHO proposal aims to consolidate and streamline many of the design-based standards that are applicable to residential development in different areas of the city, and to introduce some new standards that address issues that often arise for residential projects during urban design review by the Planning Board.

The proposed standards are expected to be the subject of continued review and discussion, particularly as urban design guidelines are developed to inform the development of affordable housing projects.

Current Zoning

The Zoning Ordinance contains many standards related to project design that are more refined than the use, scale, and dimensional limitations discussed earlier. Some standards are applicable citywide, such as the Building and Site Plan Requirements in Section 19.50 that apply to projects of 25,000 square feet or more. Others are applicable in specific areas, including the Central Square, Harvard Square, Massachusetts Avenue, Prospect Street, and Parkway Overlay Districts, and other special zoning districts. There are also design standards related to environmental performance, including the Green Building Requirements in Section 22.20 and the Flood Plain Overlay District standards in Section 20.70.

Many of these standards (with the notable exception of environmental performance standards) can be modified or waived by special permit from the Planning Board, and often the projects that are subject to these requirements trigger some other threshold requiring Planning Board review. Therefore, even though these existing design standards can be applied administratively in some cases, they often receive attention through a special permit review process that accounts for the particular characteristics of a site.

Proposed AHO Standards

The proposed AHO design standards are modeled on standards applied elsewhere in the Zoning Ordinance, but for simplicity they are consolidated into one list and tailored to apply to affordable housing projects in particular. The issue – and the challenge – for design standards under the AHO concept is to be specific enough to ensure acceptable outcomes without relying on special permit review, but also to be flexible enough to allow for a variety of outcomes that are appropriate to the project and the site. As discussed earlier, more extensive and restrictive standards will inevitably result in more projects that are infeasible or require some form of relief.

The environmental performance standards that currently apply to other residential projects are not modified in the proposed AHO and would continue to apply. Moreover, the City is in the process of considering additional standards, including increased minimum standards for Green Building Requirements that are recommended in the Net Zero Action Plan and expected to be introduced as a zoning petition later this year, and a Climate Resilience Zoning Task Force that is working to recommend zoning changes to mitigate increasing flooding and heat impacts by the end of this year. Nothing is

certain until these changes are adopted, but it is the current expectation that they would apply to affordable housing projects along with other types of development.

The following summarizes the intent in each subsection of design standards, aside from the environmental performance standards:

- **Site Design and Arrangement:** These standards are based on Section 19.50 and other district standards where the intent is to promote a pedestrian-friendly character along the street. They would require appropriate functions along a site's street frontage, ensure that access and egress is primarily pedestrian-oriented, and avoid large unbroken stretches of building.
- **Building Façades:** These standards are based on typical guidelines and expectations for buildings with a residential character, promoting an appropriate minimum façade area of clear windows on public spaces, articulation to avoid long flat (plane) façades (with variation at the roof and ground levels), and architectural elements that provide depth around windows.
- **Ground Floors:** These standards are based on Section 19.50 and other district standards where the intent is to have a positive relationship between the functions at the ground floor of the building and the streetscape. They are intended to avoid "sunken" ground floors, structured parking along the ground floor frontage, or unbroken stretches of ground floor frontage without windows and doors. They also require an active ground-floor use if the site formerly included retail and if there is also retail on an abutting site, to maintain continuity.
- **Mechanical Equipment, Refuse Storage, and Loading Areas:** These standards are essentially the same as in Section 19.50.

Preservation of Existing Buildings in Proposed AHO

One of the key issues voiced in the community is how the AHO might impact the preservation of existing buildings. There are various ways that the AHO, both in concept and in provisions included throughout the proposal, is intended to facilitate and encourage the preservation of existing buildings where they can be feasibly integrated into an affordable housing development.

The proposed AHO would only regulate zoning requirements, and AHO Projects would be required to comply with other historic preservation and conservation requirements. Among other requirements, all proposed AHO Projects that would require a demolition permit to conduct the demolition of buildings that are at least fifty years old would need to apply to the Historical Commission for review pursuant to the City's Demolition Delay Ordinance, Chapter 2.78, Article II of the Municipal Code.

The Zoning Ordinance regulates what new buildings can be built and how existing buildings can be modified. Zoning does not regulate whether buildings can be demolished, but can create incentives by making the preservation of buildings less cumbersome.

Current Zoning

The first Cambridge Zoning Ordinance was adopted in 1924, when the city was already developed in large part. Pre-1924 development was varied and the Zoning Ordinance has been amended many times since then. The result is that many buildings – including most residential buildings built in the 19th and 20th centuries – do not meet some current standards in the Zoning Ordinance, making them non-conforming buildings.

The Zoning Ordinance does contain provisions that allow for legally non-conforming buildings to be maintained for their existing use. However, altering or reusing an existing building can often require zoning relief. The following are some typical zoning issues that might arise when an existing structure is being repurposed for a new residential use:

- If a project increases the number of dwelling units or amount of floor area, even within the existing structure, it could require a variance. Non-residential structures can be converted to residential use by special permit, but with requirements and limitations. Even where dwelling units can be added without a variance, it may be difficult to add parking spaces, resulting in negative impacts to the building or the site or requiring a special permit for relief.
- Making additions or alterations to a non-conforming structure could require a special permit or variance, depending on the circumstances.
- Because of the complexity and variation in setback and open space requirements, making a change to a residential use can affect the requirements in unexpected ways whether or not physical changes are being made to the building, sometimes triggering new non-conforming conditions that would require relief.

Proposed AHO Zoning

The following aspects of the AHO proposal intends to remove some of the typical zoning barriers when repurposing existing buildings:

- By allowing existing buildings to be used, and by not directly limiting density, it would be more feasible for a large existing building to be converted to affordable housing units without needing a variance. In addition, existing buildings would be exempt from minimum parking requirements, so the need for parking spaces and/or curb cuts would not be an impediment.
- Simplifying the setback and open space requirements, particularly by eliminating formula setback calculations, means that alterations and additions are easier to make without causing changes to the formulas that often result in new non-conformities.
- Conforming additions and alterations to a non-conforming structure would be allowed as-of-right, without needing a special permit. Existing buildings could also be moved on the lot if they do not exacerbate any existing non-conformities.
- Flexibility is provided for typical improvements that are usually necessary or desirable for an affordable housing project but can otherwise require zoning relief, such as adding to a building's insulation to improve energy performance or making accessibility improvements for people with disabilities.

With all zoning, it is ultimately the choice of the property owner whether to use an existing building or construct new. Affordable housing projects very often include the preservation of existing buildings, sometimes because reusing a building is a cost-effective way to provide housing, or sometimes because there is a historic interest in preserving and adding to an existing building instead of demolishing and building new. The intent of the AHO is to make these types of projects more feasible without needing zoning relief through the comprehensive permit process.

Design Consultation Process in Proposed AHO

The AHO proposes a non-binding review process, conducted by the Planning Board, as an opportunity to provide public input into the design of a project but without requiring special permit approval.

Current Zoning

Article 19.000 of the zoning ordinance contains several different project review processes applicable in different cases, some conducted by staff, some conducted through a non-binding review by the public or by an appointed advisory committee (or in some cases the Planning Board), and in the largest cases through a special permit approval process. Projects that require non-binding review are often subject to other prescriptive design standards that are administratively applied, so the review process is helpful to provide site-specific input.

Affordable housing projects seeking comprehensive permits are reviewed by the Planning Board, which provides a recommendation to the Board of Zoning Appeal (BZA). As part of their review, it is typical for the Planning Board to consider the urban design objectives and guidelines that normally inform a special permit review and to recommend ways in which the design could be improved. Those comments are incorporated into a report that is sent to the BZA, and in the interim, CDD staff works with the developer to review improvements made in response to the Board's comments.

Proposed AHO Zoning

The proposed AHO consultation process is modeled on the current non-binding "Large Project Review" design consultation in Section 19.40, but with a few key differences:

- The process would be conducted by the Planning Board. Public comment would be taken.
- There would be required community engagement meetings prior to Planning Board review, similar to the engagement currently described in the Planning Board Rules for special permit projects.
- A developer would have to meet at least twice with the Planning Board, first to make an initial proposal and receive comments and suggestions, and then to present any changes made in response to the initial comments.

In practice, the process is expected to be similar to how the Planning Board currently reviews affordable housing projects, with the notable exception that the comments are made directly to the developer and to staff instead of to the BZA.

Design Guidelines

CDD has recently engaged with urban design consultants to develop a set of design guidelines specific to affordable housing projects that might be built under the proposed AHO. The purpose of these guidelines would be to inform affordable housing developers in designing projects that respond to the City's objectives, as well as informing CDD staff and the Planning Board in the process of reviewing and providing feedback on the designs.

The process of creating the guidelines is still at an early stage, but it is expected that material will be presented and discussed at future meetings in the hearing process.