



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

Date: June 1, 2021

Subject: Missing Middle Housing (Fuller, et al.) Zoning Petition

Recommendation: The Planning Board does NOT RECOMMEND adoption.

To the Honorable, the City Council,

On March 30, 2021, the Planning Board (the “Board”) held a public hearing to discuss the Missing Middle Housing (Fuller, et al.) Zoning Petition (the “Petition”). Representatives of A Better Cambridge, a housing advocacy group, presented the Petition at the hearing. Staff from the City’s Community Development Department (CDD) also attended the hearing and answered questions from the Board. Following a presentation by the Petitioners, Board members posed a number of questions to the Petitioners and City staff, and discussed the merits of the Petition. At the conclusion of the March 30, 2021 hearing, the Board did not vote to make a recommendation, but requested that CDD staff draft a report summarizing the comments made by Board members, to be reviewed by the Board at a future meeting prior to taking a vote.

On May 11, 2021, the Board held a continued public hearing at which they reviewed a draft report of Planning Board comments, prepared by CDD staff, and a brief summary of suggestions that were raised by the Ordinance Committee at its hearing on April 8, 2021. In addition, representatives of A Better Cambridge provided and spoke about potential amendments to the Petition. The Board also heard public comment.

Following deliberation, the Board voted to recommend that the City Council not adopt the Petition, with five members voting in favor and three opposed. Members voting not to recommend adoption expressed general support for the goal of promoting housing affordability, but did not believe that this specific Petition was the appropriate vehicle to achieve that goal. Members voting against this recommendation argued that while the Petition may not be ideal, it still represents an improvement over the status quo, which restricts multifamily housing development in many parts of the City and is tied to a history of exclusion. Some Board members suggested that further study may lead to a better proposal, while some urged for more immediate action. Members also raised concerns that it may not be possible to amend the Petition in the ways the Petitioners suggest without filing a new petition.

Petition Overview

The Petition seeks to allow multifamily housing in all zoning districts in Cambridge and to reduce barriers in the Zoning Ordinance to increasing the number of dwelling units that can be

constructed on a parcel. To accomplish this, the Petition proposes consolidating the Residence A-1, Residence A-2, Residence B, Residence C, and Residence C-1 Districts into a new zoning district, Residence N, which would allow the same range of uses as Residence C and C-1, including single-family dwellings, two-family dwellings, semi-detached dwellings, and multifamily dwellings. The Petition also proposes revised dimensional standards for Residence N that would be more permissive than for any of the current districts that it would encapsulate. In addition to changes specific to the proposed Residence N District, the Petition would eliminate the minimum lot size and lot width requirements in all residential districts, and eliminate the minimum requirements for off-street parking accessory to any nontransient residential use in all zoning districts.

Board Member Comments

The Board had a broad and diverse discussion at its two hearing sessions and Board members expressed varying views. The following is a summary of the main comments made by Board members:

- All Board members recognized the importance of encouraging a diversity of housing typologies in Cambridge, including those that reflect the existing development patterns in the city.
- Many, but not all, members of the Board expressed support for allowing multifamily residential uses in all zoning districts with the appropriate dimensional controls. Some Board members expressed enthusiastic support for change, noting the history of zoning as promoting race and class exclusion, and questioned why the City should continue to make multifamily housing illegal in many areas given this legacy of discrimination. Some Board members were more comfortable allowing up to three-family residential uses citywide but were concerned about larger buildings.
- Some Board members questioned how well the Petition aligns with the City's policy and planning objectives. They noted that attention should be paid to studying what we actually need and how to get it. They noted that the scale of change proposed by the Petition requires careful measuring. Other members noted that studies are not always conclusive and can delay action, and that action is needed now given the lack of available housing in Cambridge.
- Some Board members were concerned that the outcome of implementing the amendments identified in the Petition would not meet the goals of the Petition. In particular, they did not believe that the Petition would result in greater housing affordability, but that it would only serve higher-income households by promoting larger buildings with a higher density of market-rate units. Some Board members believed that an increase in allowed density should include affordability requirements. Other Board Members expressed support that the Petition would reduce the amount of nonconforming buildings and uses and promote development patterns that are more consistent with existing development in many parts of Cambridge.

- Some Board members raised concerns about whether the proposed dimensional requirements were appropriate. In particular, some Board members noted that the Petition could result in tree loss and rear yard infill development that impacts adjacent residents, since it would reduce the open space and setback requirements in many zoning districts. Board members also raised concerns about the impacts of buildings with a significantly higher unit density in neighborhoods where parking is limited. However, other Board members expressed the view that dense, walkable neighborhoods with the availability of transportation and street life were desirable and supportive of Cambridge's planning goals.
- Some Board members were enthusiastic about eliminating minimum parking requirements, while others were comfortable with the concept, but requested further analysis. Other Board members were concerned that such an action would negatively impact parking availability in the city.
- Some Board members also raised concerns about the impact of the Petition on the effectiveness of the recently adopted Affordable Housing Overlay, as noted in the CDD memo to the Planning Board dated March 25, 2021.
- Several Board members suggested that a targeted, time-limited analysis to study the impacts and effects of allowing multifamily housing citywide might lead to a better result. However, other Board members noted that if the status quo of not allowing multifamily housing citywide is not desirable, then delaying action is a conscious decision to accept that status quo. Some Board members suggested interim actions that could be taken while a study is underway. One suggestion was to allow multifamily residential uses by special permit citywide, though other Board members believed that this would create additional regulatory hurdles that could make it ineffective. Other Board members suggested applying the use and dimensional regulations for Residence C-1 to the Residence A-1, A-2, B, and C districts as an interim measure, since the Residence C-1 standards have been in place for many years throughout much of the City.

Regarding the amendments presented by the Petitioners at the second hearing session, the Board noted some additional issues:

- Several Board members expressed concern that the suggested changes were not within the scope of the original Petition as advertised, because they would affect articles of the Zoning Ordinance that were not originally proposed to be amended and would impose new restrictions that were not part of the original Petition. Some Board members suggested that the City Council may want to ask the Law Department to advise the City Council as to whether the suggested changes would alter the fundamental character of the Petition and whether that would require re-filing and re-advertising the Petition for new hearings.
- Some Board members said that the suggested amendments helped to clarify the goals of the Petition and addressed some of the concerns that were previously raised, such as by

limiting the size of buildings that are allowable under the proposed standards and by increasing open space requirements. However, Board members noted that in some ways the changes might not support the City's goals. For example, the proposed limits on building size in combination with higher unit densities might discourage the creation of units that are large enough for families with children, which the Board has encouraged.

Respectfully submitted for the Planning Board,

Catherine Preston Connolly

Catherine Preston Connolly, Chair.