



# HOUSING COMMITTEE

## COMMITTEE MEETING

~ MINUTES ~

Wednesday, March 8, 2023

3:00 PM

Sullivan Chamber

**The Housing Committee will hold a public meeting to continue the recessed meeting from February 8, 2023 to continue discussing potential amendments to the Affordable Housing Overlay district as outlined in the November 21, 2022 policy order adopted by the City Council**

Attendee Name	Present	Absent	Late	Arrived
E. Denise Simmons	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Burhan Azeem	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Dennis J. Caralone	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Alanna Mallon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Marc C. McGovern	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

A public meeting of the Cambridge City Council's Housing Committee was held on Wednesday, March 8, 2023. The meeting was Called to Order at 3:00 p.m. by the Chair, Councillor Simmons. Pursuant to Chapter 20 of the Acts of 2022 adopted by Massachusetts General Assembly and approved by the Governor, this public meeting was hybrid, allowing participation in person, in the Sullivan Chamber, 2<sup>nd</sup> Floor, City Hall, 795 Massachusetts Avenue, Cambridge, MA and by remote participation via zoom.

**At the request of the Chair, Deputy City Clerk Crane called the roll.**

**Councillor Simmons – Present/Remote**

**Councillor Azeem – Present/Remote**

**Councillor Caralone – Present/In Sullivan**

**Vice Mayor Mallon – Present/In Sullivan Chamber**

**Councillor McGovern – Present/In Sullivan Chamber**

**Present – 5, Absent – 0. Quorum established.**

Councillor Simmons began by noting that the Call of the Meeting was to continue the recessed meeting from February 8, 2023 to continue discussing potential amendments to the Affordable Housing Overlay district as outlined in the November 21, 2022 Policy Order (Attachment A) adopted by the City Council. She offered opening remarks (Attachment B) sharing that the amendments are intended to enhance the overlay and make it a more effective tool for easing the path to construction of the City's more affordable housing units. She noted that she would start discussion with Councillors Azeem, McGovern, and Zondervan, who gave a presentation (Attachment C) at the previous meeting around the proposed amendments and then would open discussion to other Committee members, Councillors, and City staff.

The Chair, Councillor Simmons recognized Councillor Azeem who offered comments around the proposed amendments and noted that affordable housing is the number one issue in the City and the issue that most people are concerned about. He shared that the proposed amendments would allow the opportunity to focus on corridors and how to add height and density.

The Chair, Councillor Simmons recognized Councillor McGovern who shared that there are three main numbers to focus on when talking about affordable housing in Cambridge, which includes the 20,000 people on the Cambridge Housing Authority waiting list, the 7,000-8,000 of those people on the waiting list who have a connection to Cambridge, and the 12,500 recommended housing units needed by 2030. Councillor McGovern stressed the importance of allowing more height and density in buildings if the City wants to come close to reaching the need and goal of providing more housing units. He noted that if the City allows for buildings to be taller and take up less space on a lot, it would provide more opportunity for open and green space. Councillor McGovern shared that there has been substituted language around open space in proposed amendments that offer flexibility to affordable housing developers.

The Chair, Councillor Simmons recognized Councillor Zondervan who reviewed substituted language around open space (Attachment D) in the proposed amendments and noted that the language has been worked out with the affordable housing developers who are in favor of the specific language. Councillor Zondervan also noted that this substituted language is being brought forward in the Housing Committee, but does not plan to take action on it until the proposed amendments reach the Ordinance Committee.

The Chair, Councillor Simmons recognized Councillor Carbone who shared his concerns around zoning changes and the proposed amendments, which will be discussed further at the March 22 Neighborhood and Long-Term Planning, Public Facilities, Arts & Celebrations Committee meeting. Councillor Carbone had a clarifying question for Jeff Roberts, Director of Zoning and Development, Cambridge Community Development Department (CDD), around the proposed amendments and if the Planning Board has submitted a memo on this petition. Jeff Roberts was available to respond and noted that there has been no report done by the Planning Board at this time because it is under discussion by the Committee and has not been referred to the Planning Board for a public hearing as a zoning petition.

The Chair, Councillor Simmons recognized Councillor McGovern who shared insight as to why the proposed amendments have not been referred to the Planning Board. Councillor Simmons offered comments around it as well.

The Chair, Councillor Simmons recognized Vice Mayor Mallon who noted she was glad that they were in Committee today discussing the proposed amendments. Vice Mayor Mallon had a clarifying question around the zoning language in the proposed amendments. She noted that there is no differentiation between major corridors and smaller corridors in the proposed zoning, and in the original affordable housing overlay (AHO) conversation there was a differentiation, where the Council discussed specific setbacks that need to be on the smaller corridors, and questioned if having no differentiation was intentional. Councillor Azeem noted that in the proposal the petitioners only wanted to focus on the high-density areas and kept base zoning in as much as possible. Councillor Zondervan shared that the step back provisions in the AHO would remain in effect even though the corridor project can have taller height and more density, and still be subject to the existing step back provisions. Vice Mayor Mallon had additional clarifying questions around the listed streets and zoning in the proposed amendments to which Jeff Roberts, Councillor Zondervan, and Councillor Azeem made themselves available to

respond. Vice Mayor Mallon shared that she looks forward to having more discussions on the AHO in the Neighborhood and Long-Term Planning, Public Facilities, Arts & Celebrations Committee meeting on March 22.

The Chair, Councillor Simmons recognized Councillor Carbone who offered comments around the proposed amendments and noted that it is important for the City to start buying land, which is something the Transfer Fee, if approved through the Enabling Act, could go towards. Councillor Carbone shared that if land is available and needs certain amenities in neighborhoods, such as open space, future schools, and universal pre-k, that is something that can be planned for.

The Chair, Councillor Simmons recognized Mayor Siddiqui who offered comments around the funding of high-rise projects, and what type of focus is on renovating existing buildings in Cambridge, she noted it would be helpful to understand what would go in to building more high-rise affordable housing. The Mayor shared that she would like hear feedback from staff from the Cambridge Housing Authority (CHA).

The Chair, Councillor Simmons recognized Councillor Nolan who noted that she would like to have a better understanding of the cost and price issue, specifically around the individual cost and how that plays a role in affordability moving forward. Councillor Nolan also had a clarifying question regarding these amendments will affect key elements of the AHO geographic diversity of affordable housing units across the City.

The Chair, Councillor Simmons recognized Councillor Zondervan who shared comments around some of the clarifying questions and comments that were shared by previous Councillors. He agreed that it would be beneficial to have affordable housing developers present at the next meeting to be available to answer questions directly. Councillor Zondervan noted that in previous discussions with CHA they have shared that they are focused on renovating and expanding existing properties. In response to the cost per unit, he noted that the taller the building is, the lower the per unit cost will be. Councillor Zondervan agreed with comments made by Councillor Carbone around the importance of the City focusing on purchasing more land. He shared that to reach the goals that the proposed amendments are referring to would require affordable housing developers to have a feasible financial project to purchase the land with assistance from the City and build affordable housing.

The Chair, Councillor Simmons, asked members of the Committee and Councillors for any additional comments or questions they have so at a future Housing Committee meeting they can be addressed by the appropriate staff and organizations.

The Chair, Councillor Simmons recognized Councillor Carbone who responded to Councillor Zondervan's comments about costs and purchasing or leasing land for developers.

The Chair, Councillor Simmons recognized Vice Mayor Mallon who stressed the importance that all Committee members are on the same page. The Vice Mayor noted that some Committee members have more information and knowledge around what is needed, and that information should be shared with everyone on the Committee in order to make the right decisions moving forward.

The Chair, Councillor Simmons recognized the Petitioners, Councillor Zondervan, Councillor Azeem, and Councillor McGovern who responded to comments made by Councillor Carlone and Vice Mayor Mallon regarding heights of buildings, costs, and open space. Councillor McGovern shared that he understands why some Councillors are feeling frustrated that most of the Council was not involved in planning discussions, noting that only four Councillors could participate in planning. He shared he appreciated the questions that have been brought forward to the Petitioners, and any additional questions Councillors have can be sent to the Petitioners to ensure that they are answered and researched.

The Chair, Councillor Simmons offered comments around the discussion during the Housing meeting, sharing that the Council needs to be proactive as opposed to reactive. She shared the importance that any questions Committee members may have should be sent to the Deputy City Clerk for the record to get them on the floor at the next Housing meeting.

The Chair, Councillor Simmons recognized Councillor Carlone who shared he had additional questions for the Committee. Councillor Carlone submitted the following questions to the Deputy City Clerk and Clerk of Committees to be added to the record:

1. What is the **justification or documented developers' need** for 13-25 story building heights?
2. What is the City's current **total available financing** for Affordable Housing from all sources?
3. How is a **developer paid** for developing Affordable Housing? (ie Base Fee + fee per unit?)
4. What is the **average cost per unit** of affordable housing, and the range among projects?
5. Are **mixed-use projects** eligible for the AHO? (For example, Rindge Commons, a 40B)
6. What is the status of the **Walden 2** project? (Developer has paused activity for a year)
7. Should the AHO revision include a provision for **flood zones**, where if you have to raise the bottom floor by 5ft due to flood regulations, you can extend the upper limit of the building by the same amount? (Would help New Street)

The Chair, Councillor Simmons recognized Vice Mayor Mallon who noted that she would like to try creative solutions to remove barriers through zoning and to add units to affordable housing sites. The Vice Mayor offered the example of New Street and having the possibility to potentially adding something to the zoning that would be able to add an additional five feet to the building to rise above the flood zoning. Vice Mayor Mallon questioned what other zoning flexibility the city would be able to write into the proposed amendments to encourage more units to make sure that the City is removing barriers through zoning.

The Chair, Councillor Simmons recognized Councillor Zondervan who shared that he would like Jeff Roberts to respond to the comment around flood zoning, noting that the flood zone heights through the climate resilience zoning were recently passed. Jeff Roberts was available to respond, noting that if the ground story of the building is raised above grade to provide flood resilience, the height of the building can be increased by the balancing amount. Councillor

Zondervan had a clarifying question for Jeff Roberts and Chris Cotter, Housing Director for CDD, around mixed-use affordable housing buildings and if they would take advantage of the AHO or not because it is not just housing. Chris Cotter shared that they have not looked into the development in the context of the overlay, but it is a good question and something that CDD can look more into. Jeff Roberts offered a response as well and noted that current provisions would allow some limited amount of nonresidential use in the building. Councillor Zondervan thanked Chris Cotter and Jeff Roberts and shared that a more detailed answer for future meetings would be very helpful.

The Chair, Councillor Simmons recognized Councillor Carfone who shared concerns around the Walden Square project and the status of it. Mayor Siddiqui was available to provide an update on the status with developers, and shared why the project has been stalled.

The Chair, Councillor Simmons offered closing remarks. She noted that the Housing Committee will include affordable housing development staff at the next meeting and have CDD answer questions that were brought forward on the floor or come up in the future before the next meeting.

The Chair, Councillor Simmons recognized Councillor Carfone who gave a brief overview on what he plans to discuss at the March 22 Neighborhood and Long-Term Planning, Public Facilities, Arts & Celebrations Committee meeting.

**The Chair, Councillor Simmons recognized Vice Mayor Mallon who made a motion to adjourn the meeting.**

**Deputy City Clerk Crane called the role.**

**Councillor Simmons – Yes**

**Councillor Azeem – Yes**

**Councillor Carfone – Yes**

**Vice Mayor Mallon – Yes**

**Councillor McGovern – Yes**

**Yes – 5, No – 0. Meeting adjourned.**

**Attachment A – Councillor Simmons Opening Remarks**

**Attachment B – Policy Order #2022 - 306**

**Attachment C – Presentation titled “Affordable Housing Overlay Amendments: Presentation to the Housing Committee”**

**Attachment D – Proposed amendments to open space**

**The City Clerk’s Office received one written communication, Attaclmanet E**

**Clerk’s Note:** The City of Cambridge/22 City View records every City Council meeting and every City Council Committee meeting. This is a permanent record.

The video for this meeting can be viewed at:

[https://cambridgema.granicus.com/player/clip/466?view\\_id=1&redirect=true&h=51ab97c806a489a2920fa016c16fabe4](https://cambridgema.granicus.com/player/clip/466?view_id=1&redirect=true&h=51ab97c806a489a2920fa016c16fabe4)

**Amendments to the Affordable Housing Overlay.**

A communication was received from Councillor Marc McGovern, transmitting the AHO amendments for the Housing Committee meeting.

## OPENING REMARKS FOR HOUSING COMMITTEE

**Wednesday, March 8, 2023 at 3:00 pm**

Zoom link: <https://cambridgema.zoom.us/s/97895847144>

**Committee Members: Simmons, Azeem, Carbone, Mallon, and McGovern**

**Call of the Meeting:** "The Housing Committee will hold a public meeting to continue the recessed meeting from February 8, 2023 to continue discussing potential amendments to the Affordable Housing Overlay district as outlined in the November 21, 2022 policy order adopted by the City Council."

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I want to thank everyone for tuning in and attending this afternoon's meeting of the Housing Committee. On February 8, this committee met to begin discussing proposed amendments to our Affordable Housing Overlay District – a piece of legislation that was adopted in order to make it easier to build more affordable units throughout the entire City. This was part of our ongoing efforts to expand the tools available to us – whether it's linkage fees, Inclusionary Zoning, potentially building on City-owned parking lots – that we're using to tackle our affordable housing crisis.

At that February 8<sup>th</sup> hearing, my colleagues Councilor McGovern, Councilor Azeem, and Councilor Zondervan each shared some information about the proposed amendments that were first introduced to the Council via a policy order on November 21, 2022. These amendments are intended to enhance the Affordable Housing Overlay and make it a more effective tool for easing the path to the construction of more affordable housing units. We also heard a number of people sharing their thoughts via Public Comment – and we anticipated that between the presentations and the Public Comment portion of the hearing, we would need a second meeting to allow for a full and robust discussion amongst the Committee Members. So today, we are going to enter into that discussion.

We are going to start with an open discussion among the members of the Housing Committee. Following that, I will open the floor to other Councilors who are not members of the Committee, and if any of our affordable housing providers wish to add further thoughts, I anticipate that we will have time for that as well.

After this discussion wraps, we will determine whether the next step is to forward these amendments to the Ordinance Committee, or whether there is another path that this legislation must follow. With that, I am going to open the floor for discussion among the Committee members. Is there anyone here who would like to kick things off?

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# Attachment B

**Cambridge City  
MA**

**Policy Order  
POR 2022 #306**

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## **Amendments to the Affordable Housing Overlay.**

### **Information**

<b>Department:</b>	City Clerk's Office, BA	<b>Sponsors:</b>	Councillor Burhan Azeem, Councillor Marc C. McGovern, Councillor E. Denise Simmons, Councillor Quinton Zondervan
<b>Category:</b>	Policy Order		

### **Attachments**

Printout  
AHOpolicyorder  
AHOcommunication  
Original Order \_15\_2022\_306

### **Body**

- WHEREAS: The Affordable Housing Overlay (AHO) has so far generated a healthy pipeline of six projects since it was first ordained in 2020; and
- WHEREAS: Though there is much to celebrate about the work that has been done, two years of implementation have also revealed that the somewhat inflexible dimensional requirements of the AHO have proven to be more of an obstacle than expected; and
- WHEREAS: The recent annual report revealed ten instances where affordable housing providers “decided not to pursue” and four instances where they actually made an offer but it was rejected; and
- WHEREAS: The proposal to build 49 affordable units at 2072 Mass Ave was not able to take advantage of the AHO and was withdrawn in August 2021 after it became apparent that a feasible version of the project wouldn’t be approved under 40B; and
- WHEREAS: It is clear that some refinements to the AHO would result in more new affordable housing and fewer missed or stalled opportunities; and
- WHEREAS: Offering substantially relaxed dimensional requirements on a citywide network of corridors and squares will allow more projects to advance, especially considering the recent linkage fee increase; and
- WHEREAS: Permitting additional height when green area open space is protected or expanded will add flexibility and expand options around providing such space without sacrificing any affordable housing production; and
- WHEREAS: The active affordable housing developers in Cambridge are in agreement that these changes will make a big difference; now therefore be it

ORDERED: That the City Council refer the attached zoning petition to the Housing and Neighborhood & Long Term Planning, Public Facilities, Arts & Celebration Committees

#### **11.207.5.1 General Provisions**

- (a) For the purposes of this Section, the phrase "District Development Standards" shall refer to the development standards of the base zoning district as they may be modified by the development standards of all overlay districts (with the exception of this Affordable Housing Overlay) that are applicable to a lot.
- (b) District Dimensional Standards shall include the most permissive standards allowable on a lot, whether such standards are permitted as-of-right or allowable by special permit. A District Dimensional Standard that is allowable by special permit shall include any non discretionary requirements or limitations that would otherwise apply.
- (c) An AHO Project that conforms to the following development standards shall not be subject to other limitations that may be set forth in Article 5.000 or other Sections of this Zoning Ordinance, except as otherwise stated in this Section.
- (d) For the purposes of this Section, the phrase "AHO Corridor" refers to Albany Street, Alewife Brook Parkway, Bishop Allen Drive, Broadway, Cambridge Street, Concord Avenue, First Street, Fresh Pond Parkway, Massachusetts Avenue, Memorial Drive, Mount Auburn Street, Prospect Street, and Sidney Street. For the purposes of this Section, the phrase "AHO Corridor Project" shall mean an AHO Project on one or more directly abutting Lots owned by the same entity, where at least one of the Lot Lines abuts an AHO Corridor.
- (e) For the purposes of this Section, the phrase "AHO Square" refers to the Central Square, Harvard Square and Lesley Porter Overlay Districts, as well as any Lot or directly adjacent Lots owned by the same entity, where at least one of the Lot Lines abuts the northern side of Massachusetts Avenue or Somerville Avenue between Davenport and the city border (just west of Acadia Park), or either Webster Avenue or Columbia Street, north of Cambridge Street.

#### **11.207.5.2 Dimensional Standards for AHO Projects**

11.207.5.2.1 Building Height and Stories Above Grade. For an AHO Project, the standards set forth below shall apply in place of any building height limitations set forth in the District Development Standards.

- (a) Where the District Dimensional Standards set forth a maximum residential building height of forty (40) feet or less, an AHO Project shall contain no more than four (4) Stories Above Grade and shall have a maximum height of forty-five (45) feet, as measured from existing Grade. For AHO Projects containing active non-residential uses on the ground floor, the maximum height may be increased to fifty (50) feet but the number of Stories Above Grade shall not exceed four (4) stories.
- (b) Where the District Dimensional Standards set forth a maximum residential building height of more than forty (40) feet but not more than sixty-five (65) ~~fifty (50)~~ feet, an AHO Project shall contain no more than nine (9) ~~six (6)~~ Stories Above Grade and shall have a maximum height of one hundred (100) ~~sixty-five (65)~~ feet, as measured

from existing Grade, except as further limited below. For AHO Projects containing active non-residential uses on the ground floor, the maximum height may be increased to seventy (70) feet but the number of Stories Above Grade shall not exceed six (6) stories.

- (i) Except where the AHO Project abuts a non-residential use, portions of an AHO Project that are within thirty-five (35) feet of a parcel subject to paragraph (a) district whose District Dimensional Standards allow a maximum residential building height of forty (40) feet or less (a) shall be limited by the provisions of Paragraph (a) above, except that if the AHO project parcel extends into that District, then the height limitation shall only extend thirty-five (35) feet from the property line.
- (c) Where the District Dimensional Standards set forth a maximum residential building height of more than sixty-five (65) fifty (50) feet, or if the project is an AHO Corridor Project, an AHO Project shall contain no more than thirteen (13) seven (7) Stories Above Grade and shall have a maximum height of one hundred and fifty (150) eighty (80) feet, as measured from existing Grade, except as further limited below.
- (d) An AHO Square Project shall have a maximum height of twenty-five (25) stories, or two hundred and eighty (280) feet, except as further limited below.
- (e) ~~(d)~~ The Height Exceptions set forth in Section 5.23 of this Zoning Ordinance shall apply when determining the building height of an AHO Project.
- (f) For an AHO Project with more than one base zoning district, the base zoning district that covers the majority of the lot shall apply.

#### 11.207.5.2.2 Residential Density

- (a) Where the District Dimensional Standards establish a maximum floor area ratio (FAR) of less than 1.00, an AHO Project shall not exceed an FAR of 2.00. Otherwise, there shall be no maximum FAR for an AHO Project. There shall be no maximum FAR for AHO Square or AHO Corridor projects.

#### 11.207.5.2.3 Yard Setbacks

- (a) For the purpose of this Section, the applicable District Dimensional Standards shall not include yard setback requirements based on a formula calculation as provided in Section 5.24.4 of the Zoning Ordinance, but shall include non-derived minimum yard setback requirements set forth in Article 5.000 or other Sections of this Zoning Ordinance.
- (b) Front Yards. An AHO Project shall have a ~~minimum front yard setback of 15 feet, except where the District Dimensional Standards establish a less restrictive requirement, or may be reduced to the average of the front yard setbacks of the four (4) nearest pre-existing principal buildings that contain at least two Stories Above Grade and directly front the same side of the street as the AHO Project, or may be reduced to a minimum of ten (10) feet in the case of an AHO Project on a corner lot. Where the District Dimensional Standards set forth different requirements for residential and non-residential uses, the non-residential front yard setback requirement shall apply to the entire AHO Project if the Ground Story contains a non-residential use as set forth in Section 11.207.4 Paragraph (b) above; otherwise, the residential front yard setback shall apply.~~ no minimum front yard setback requirement.
- (c) Side Yards. An AHO Project shall have a ~~minimum side yard setback of seven and one-half (7.5) two and one-half (2.5) feet, or may be reduced to the minimum side yard setback set forth in the District Dimensional Standards for residential uses that is not derived by formula if it is less restrictive.~~ no minimum side yard setback requirement.
- (d) Rear Yards. An AHO Project with a height of less than 4 stories or 45 feet, shall have a minimum rear yard setback of fifteen (15) twenty (20) feet or may be reduced to the minimum rear yard setback set forth in the District Dimensional Standards for residential uses that is not derived by formula if it is less restrictive. For all other AHO projects, no minimum rear yard setback is required.
- (e) Projecting eaves, chimneys, bay windows, balconies, open fire escapes and like projections which do not project more than three and one-half (3.5) feet from the principal exterior wall plane, and unenclosed steps, unroofed porches and the like which do not project more than ten (10) feet beyond the line of the foundation wall and which are not over four (4) feet above Grade, may extend beyond the minimum yard setback.
- (f) Bicycle parking spaces, whether short-term or long-term, and appurtenant structures such as coverings, sheds, or storage lockers may be located within a required yard setback but no closer than seven and one-half (7.5) feet to

an existing principal residential structure on an abutting lot.

#### 11.207.5.2.4 Open Space

- (a) Except where the District Dimensional Standards establish a less restrictive requirement or as otherwise provided below, the minimum percentage of open space to lot area for an AHO Project shall be thirty percent (30%). However, the minimum percentage of open space to lot area may be reduced to no less than fifteen percent (15%) if the AHO Project includes the preservation and protection of an existing building included on the State Register of Historic Places.
- (b) The required open space shall be considered Private Open Space but shall be subject to the limitations set forth below and shall not be subject to the dimensional and other limitations set forth in Section 5.22 of this Zoning Ordinance. Private Open Space shall exclude parking and driveways for automobiles.
- (c) All of the required open space that is located at grade shall meet the definition of Permeable Open Space as set forth in this Zoning Ordinance.
- (d) The required open space shall be located at Grade or on porches and decks that are no higher than the floor elevation of the lowest Story Above Grade, except that up to twenty five percent (25%) of the required open space may be located at higher levels, such as balconies and decks, only if it is accessible to all occupants of the building.
- (e) For the purpose of this Affordable Housing Overlay, area used for covered or uncovered bicycle parking spaces that are not contained within a building shall be considered Private Open Space.
- (f) In any AHO project where pre-existing contiguous Green Area Open Space will be preserved and/or expanded, or new Green Area Open Space will be created, in excess of what would otherwise be required for the project, including through consolidation and/or relocation of some portion of the Green Area Open Space to another part of the lot, without reducing the size of any contiguous portion, the project may exceed the applicable height limit without restriction, provided that the maximum possible FAR for the lot shall not be exceeded. If the AHO project is not subject to an FAR restriction, the effective FAR not to be exceeded under this provision shall be calculated using the dimensional requirements that apply to the AHO project, including the original height restriction and open space requirements.

## Meeting History

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**Nov 21, 2022 5:30 PM      City Council      Regular Meeting**

**RESULT: ORDER ADOPTED AS AMENDED [8 TO 1]**

**YEAS:** Burhan Azeem, Dennis J. Carlone, Alanna Mallon, Marc C. McGovern, Patricia Nolan, E. Denise Simmons, Paul F. Toner,

Sumbul Siddiqui

**NAYS:** Quinton Zondervan

**Feb 8, 2023 12:30 PM      Housing Committee      Committee Meeting**

Attachment C

# Affordable Housing Overlay Amendments: Presentation to the Housing Committee

February 8th, 2023

## **Isn't this a "radical" change? Why are these amendments needed?**

- Yes. It is radical in the sense that it is bold. We have a housing emergency that is not going to be solved by nibbling around the edges.
- According to the Cambridge Housing Authority, there are currently over 20,000 people on the affordable housing waiting list. Of those 20,000, over 7,000 of them live and/or work in Cambridge.
- We are nowhere close to being on track to reaching our Envision goals which state that we need to build 12,500 housing units by 2030.

## **116 Norfolk - CHA**

*62 units of permanent supportive housing, 3.5 stories tall on addition next to 4-story existing building, 44% open space*

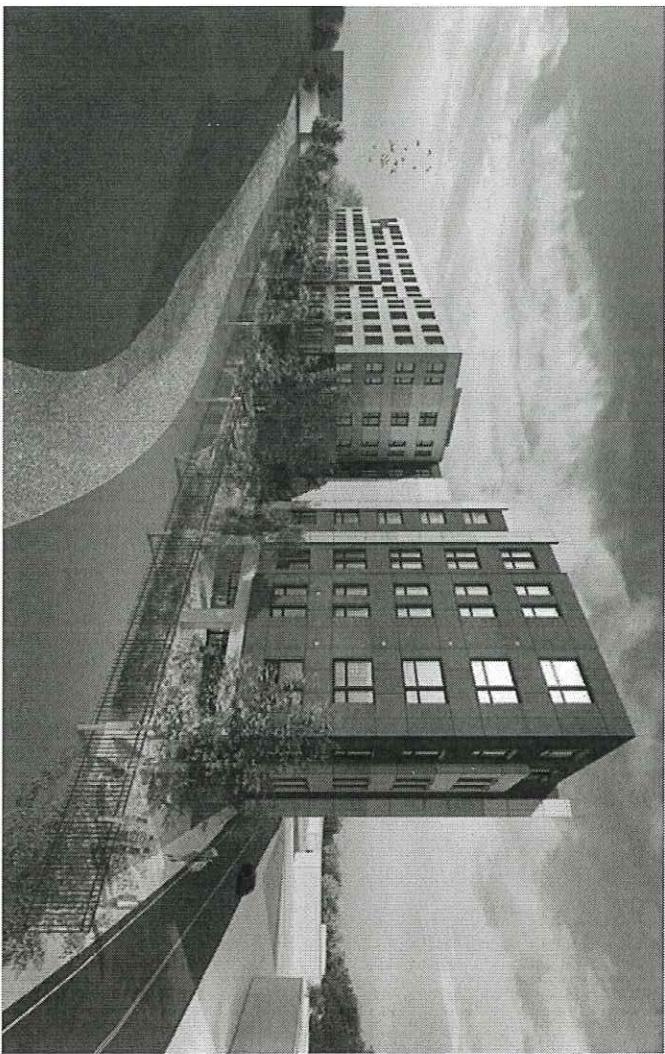
Under proposed Green Space language, we could have studied two scenarios that resulted in better design:

- +1 floor, 4.5 stories total on addition, we could have gained 4 units and increased open space by 4% (+~930 SF) to 48%
- +2 floors, 5.5 stories tall on addition, we could have gained 9 units and increased open space by 6% (50% open space)
- The added flexibility of the proposed AHO language would increase height for larger setbacks, more open space, and more units

## **52 New Street - Just A Start**

*106 affordable apartments and the 1<sup>st</sup> permitted Affordable Housing Overlay project*

The Resilient Cambridge plan required that the 1<sup>st</sup> floor of the building be raised above ground level by several feet in order to be prepared for flood conditions under the 2070 flood plans. If the law is updated to raise the height limit, we could improve the resiliency of the project without additional cost and with better floor-to-ceiling heights.



## **Prospective Just A Start Projects**

Increased FAR and height limits of the type included in the proposed AHO amendment would have enabled Just A Start to be more competitive with sites we have recently evaluated and pursued. These amendments would have allowed for more apartments/homes at each of these sites and would have given us the flexibility to design better projects.

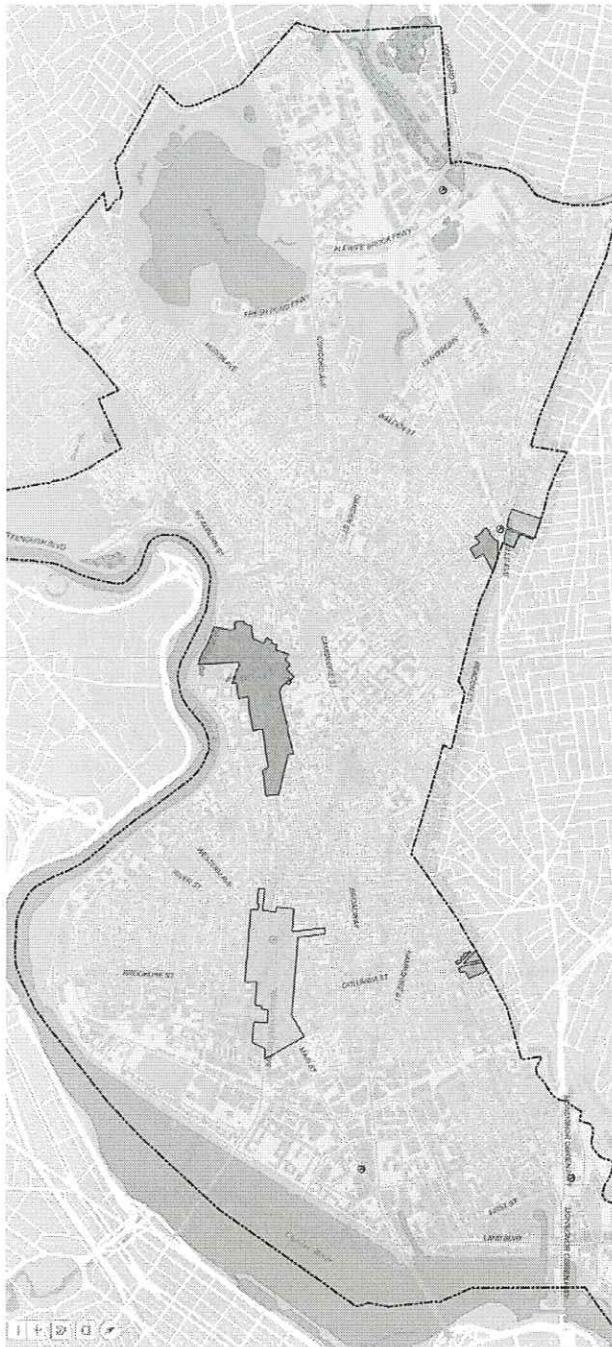
## Process thus far

- We are proposing a number of changes to the dimensional requirements of the AHO ordinance based on feedback we received from affordable housing developers.
  - We collaborated with CHA, HRI, Just a Start and other affordable housing developers.
  - One of the main points they brought up was the importance of flexibility when it came to dimensional requirements within the zoning code.
    - Some sites were too restrictive with height/setbacks/FAR and were missed opportunities for AHO projects.

# AHO Squares

For the purposes of this Section, the phrase “AHO Square” refers to the Central Square, Harvard Square and Lesley Porter Overlay Districts, as well as any Lot or directly adjacent Lots owned by the same entity, where at least one of the Lot Lines abuts the northern side of Massachusetts Avenue or the city border (just west of Acadia Park), or either Webster Avenue or Columbia Street, north of Cambridge Street.

- An AHO Square Project shall have a maximum height of twenty-five (25) stories, or two hundred and eighty (280) feet, except as further limited below.



# Dimensional Requirements - Building Height

## (11.207.5.2.1)

- (a) Where the District Dimensional Standards set forth a maximum residential building height of more than forty (40) feet but not more than sixty-five (65) fifty-(50) feet, an AHO Project shall contain no more than nine (9) six-(6) Stories Above Grade and shall have a maximum height of one hundred (100) sixty-five(65) feet, as measured from existing Grade, except as further limited below. For AHO Projects containing active non-residential uses on the ground floor, the maximum height may be increased to seventy-(70) feet but the number of Stories Above Grade shall not exceed six (6) stories.
- (i) Except where the AHO Project abuts a non-residential use, portions of an AHO Project that are within thirty-five (35) feet of a parcel subject to paragraph (e)~~district whose District Dimensional Standards allow a maximum residential building height of forty (40) feet or less~~ (a) shall be limited by the provisions of Paragraph (a) above, except that if the AHO project parcel extends into that District, then the height limitation shall only extend thirty-five (35) feet from the property line.
- (a) Where the District Dimensional Standards set forth a maximum residential building height of more than sixty-five (65) fifty-(50) feet, or if the project is an AHO Corridor Project, an AHO Project shall contain no more than thirteen (13) seven-(7) Stories Above Grade and shall have a maximum height of one hundred and fifty (150) eighty-(80) feet, as measured from existing Grade, except as further limited below.
- (b) An AHO Square Project shall have a maximum height of twenty-five (25) stories, or two hundred and eighty (280) feet, except as further limited below.
- (c) The Height Exceptions set forth in Section 5.23 of this Zoning Ordinance shall apply when determining the building height of an AHO Project.
- (d) For an AHO Project with more than one base zoning district, the base zoning district that covers the majority of the lot shall apply.

## Dimensional Requirements - Setbacks (11.207.5.2.3)

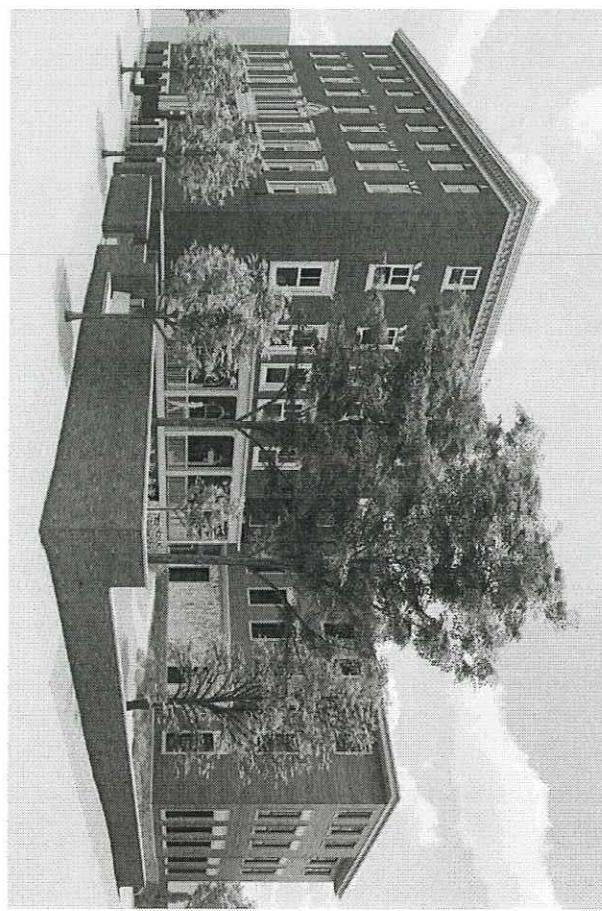
- (a) Front Yards. An AHO Project shall have a minimum front yard setback of 15 feet, except where the District Dimensional Standards establish a less restrictive requirement, or may be reduced to the average of the front yard setbacks of the four (4) nearest pre-existing principal buildings that contain at least two Stories Above Grade and directly front the same side of the street as the AHO Project, or may be reduced to a minimum of ten (10) feet in the case of an AHO Project on a corner lot. Where the District Dimensional Standards set forth different requirements for residential and non-residential uses, the non-residential front yard setback requirement shall apply to the entire AHO Project if the Ground Story contains a non-residential use as set forth in Section 11.207.4 Paragraph (b) above; otherwise, the residential front yard setback shall apply no minimum front yard setback requirement.
- (b) Side Yards. An AHO Project shall have a minimum side yard setback of seven and one-half (7.5) two-and-one-half (2.5) feet, or may be reduced to the minimum side yard setback set forth in the District Dimensional Standards for residential uses that is not derived by formula if it is less restrictive; no minimum side yard setback requirement.
- (c) Rear Yards. An AHO Project with a height of less than 4 stories or 45 feet, shall have a minimum rear yard setback of fifteen (15) twenty (20) feet or may be reduced to the minimum rear yard setback set forth in the District Dimensional Standards for residential uses that is not derived by formula if it is less restrictive. For all other AHO projects, no minimum rear yard setback is required.

## **Open space amendment**

More flexibility on building height in exchange for additional open space

Language allows for more height but not more density

CHA has analyzed how this would have impacted their recent projects, with very positive results



# Attachment D

## Councillor Zondervan

### 11.207.5.2.4 Open Space

- (a) Except where the District Dimensional Standards establish a less restrictive requirement or as otherwise provided below, the minimum percentage of open space to lot area for an AHO Project shall be thirty percent (30%). However, the minimum percentage of open space to lot area may be reduced to no less than fifteen percent (15%) if the AHO Project includes the preservation and protection of an existing building included on the State Register of Historic Places.
- (b) The required open space shall be considered Private Open Space but shall be subject to the limitations set forth below and shall not be subject to the dimensional and other limitations set forth in Section 5.22 of this Zoning Ordinance. Private Open Space shall exclude parking and driveways for automobiles.
- (c) All of the required open space that is located at grade shall meet the definition of Permeable Open Space as set forth in this Zoning Ordinance.
- (d) The required open space shall be located at Grade or on porches and decks that are no higher than the floor elevation of the lowest Story Above Grade, except that up to twenty five percent (25%) of the required open space may be located at higher levels, such as balconies and decks, only if it is accessible to all occupants of the building.
- (e) For the purpose of this Affordable Housing Overlay, area used for covered or uncovered bicycle parking spaces that are not contained within a building shall be considered Private Open Space.
- (f) In any AHO project where pre-existing contiguous Green Area Open Space will be preserved and/or expanded, or new Green Area Open Space will be created, in excess of what would otherwise be required for the project, including through consolidation and/or relocation of some portion of the Green Area Open Space to another part of the lot, without reducing the size of any contiguous portion, the project may exceed the applicable height limit without restriction, provided that the maximum possible FAR for the lot shall not be exceeded. If the AHO project is not subject to an FAR restriction, the effective FAR not to be exceeded under this provision shall be calculated using the dimensional requirements that apply to the AHO project, including the original height restriction and open space requirements. (f) In any AHO project where (a) pre-existing contiguous Green Area Open Space will be preserved and/or expanded in an amount representing 5% or more of the total lot area, including through consolidation and/or relocation of some portion of the Green Area Open Space to another part of the lot, without reducing the size of any contiguous portion or (b) the total Open Space will exceed the minimum amount required for the project, the project may exceed the applicable height limit without restriction, provided that the maximum possible FAR for the lot shall not be exceeded. If the AHO project is not subject to an FAR restriction, maximum gross floor area shall be calculated based on the lot area less the portion of the lot area required to be open space under the AHO multiplied by the maximum number of stories otherwise applicable under the AHO.

**From:** Kavish Gandhi <kmbrgandhi@gmail.com>  
**Sent:** Saturday, March 4, 2023 7:41 PM  
**To:** City Council  
**Cc:** City Clerk  
**Subject:** Comments, Housing Committee 3/8

Hi,

I am writing to again strongly, strongly support the AHO amendments, and I will repeat my comments made in a previous email. I see this as an incredibly important effort to fight displacement in our city. I have little sympathy to most of the concerns around height on our corridors – I think we have buildings like this already, e.g. Harvard Towers on Harvard St. – and similarly in our squares. I am open to reasonable adjustment but think that the council needs to take many types of bold action, and this is one of them. If affordable housing developers hope to compete in these corridors and build an appropriate amount of housing that helps quickly alleviate the cost-burdenship of our community, they need to be able to build at these types of density.

I will add, I hope that the discussion centers around the cost-burdenship of our community. 49% of Cambridge renters are cost-burdened, which means that they pay 30% or more of their income in housing costs. 20% of Cambridge **households** are severely cost-burdened, which means that they pay 50% or more of their income in housing costs. This is an absolute crisis, and the % of deed-restricted affordable units is not a suitable metric to capture this crisis. But of course increasing the number of deed-restricted affordable units is an incredibly effective way of mitigating this crisis, and we must take bold steps to do so.

All the best,  
Kavish Gandhi, 376 Windsor St #1