

WHEREAS:	The Affordable Housing Overlay (AHO) was ordained in October 2020 after an extensive public process over several years; and
WHEREAS:	The AHO has a built-in review schedule of five years to monitor progress and consider improvements; however, new amendments are being considered in the city council currently; and
WHEREAS:	There have been concerns expressed about the definition of corridors in the proposed AHO amendments which are not the same as Envision and which treat some streets with two family homes the same as commercial retail streets like Massachusetts Avenue; now therefore be it
ORDERED:	That the City Council consider and vote on the attached amendment language which would reduce allowable heights slightly from those proposed, and restore front and side yard setback amounts to current ordinance requirements.

Currently Proposed Text:

AHO Corridor – One or more Lots with frontage on one or more of the following streets: 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.

AHO Square – One or more Lots located entirely within the confines of the Central Square Overlay District, Harvard Square Overlay District, Lesley Porter Overlay District, or the area bounded by the centerline of Elm Street to the west, the Somerville/Cambridge municipal boundary to the north, the centerline of Windsor Street to the east, and Cambridge Street to the south; but not including ML 81-50, ML 81-101, or ML 81-100.

Amend Section 11.207 as follows:

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 nondiscretionary 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) An AHO Project containing more than one base zoning district shall follow the requirements of the zoning district that covers the largest percentage of the area of the lot or development parcel, as if the entirety of the lot was served by a single zoning district. Section 3.32 shall generally not apply to development that proceeds under the provisions of this Section 11.207.
- (e) Where an AHO Project may have various applicable Building Height and Stories Above Grade limitations as specified in 11.207.5.2.1, the most permissive height limitations shall generally control. Notwithstanding the provisions set forth in Section 11.207.5.2.1, an AHO Project may match the height of an existing building on an adjacent lot.

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) feet, an AHO Project shall contain no more than ~~nine (9)~~ seven (7) Stories Above Grade and shall have a maximum height of ~~one hundred (100)~~ seventy-five (75) feet, as measured from existing Grade, except as further limited below.
 - (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 lot whose District Dimensional Standards allow a maximum residential building height of forty (40) feet or less shall be limited by the provisions of Paragraph (a) above.
- (c) Where the District Dimensional Standards set forth a maximum residential building height of more than sixty-five (65) feet, an AHO Project shall contain no more than ~~thirteen (13)~~ nine (9) Stories Above Grade and shall have a maximum height of ~~one hundred and fifty (150)~~ one hundred (100) feet, as measured from existing Grade, except as further limited below.
 - (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 district whose District Dimensional Standards allow a maximum residential building height of forty (40) feet or less shall be reduced to a minimum of five (5) Stories Above Grade or a maximum height of sixty (60) feet, as measured from existing Grade, 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.
- (d) An AHO Project within an AHO Square shall contain no more than fifteen (15) Stories Above Grade and shall have a maximum height of one hundred and seventy (170) feet, subject to the height restrictions specified in Section 11.207.5.2.1.c.i above.
- (e) An AHO Project within an AHO Corridor shall contain no more ~~stories and height than 1.5 times permitted under the existing zoning district, than twelve (12) Stories Above Grade and shall have a maximum height of one hundred and forty (140) feet,~~ subject to the height restrictions specified in Section 11.207.5.2.1.c.i above.
- (f) The Height Exceptions set forth in Section 5.23 of this Zoning Ordinance shall apply when determining the building height of an AHO Project.
- (g) An AHO Project may exceed the allowable height limitations of this Section, without restriction, under the following circumstances, subject to the Residential Density limitations set forth in Section 11.207.5.2.2. If the AHO Project is not subject to an FAR restriction in Section 11.207.5.2.2, then the total allowable floor area shall be calculated by subtracting the required open space from the total lot area, and multiplying the resulting lot area by the maximum number of stories otherwise permitted under this Section:
 - (i) Where pre-existing, contiguous Green Area Open Space on a lot will be preserved or expanded, consisting of at least 5% or more of the total lot area.
 - (ii) The AHO Project will exceed the minimum required open space as set forth in Section 11.207.5.2.4 of this Article.

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.
- (b) There shall be no maximum FAR for an AHO Project within an AHO Square or AHO Corridor.
- (c) There shall be no minimum lot area per dwelling unit for an AHO Project.

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 ~~no minimum front yard setback~~ 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.
- (c) Side Yards. An AHO Project shall have ~~no minimum side yard setback~~ a minimum side yard setback of seven and one-half (7.5) 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.
- (d) Rear Yards. An AHO Project shall have a minimum rear yard setback of fifteen (15) feet, or may be reduced to the minimum rear yard setback set forth in the District Dimensional Standards if it is less restrictive.
- (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) Notwithstanding the foregoing, lots consisting of five thousand (5,000) square feet or less in total lot area that directly abut a Public Open Space consisting of at least one thousand five hundred (1,500) square feet of area shall not have a minimum open space requirement under this Article.



City of Cambridge

COF 2023 #167
IN CITY COUNCIL
October 2, 2023

COUNCILLOR NOLAN
COUNCILLOR CARLONE
COUNCILLOR TONER

Attached find alternative language for the AHO amendments proposed by Councillors Nolan, Carlone, and Toner.