

Missing Middle Housing Zoning Petition

WHEREAS: It is currently prohibited to build multifamily housing in Residence A-1, A-2, and B zones, which combined cover around a third of Cambridge's residential land area;

WHEREAS: In Residence C and C-1 zones, which combined cover just under half of Cambridge's residential land area, dimensional standards, parking minimums, and FAR limits make it infeasible to build multifamily housing on many lots even though it is formally allowed;

WHEREAS: Historically, restrictions on multifamily housing have been correlated with redlining maps, racial deed restrictions, and other more explicit methods to exclude certain classes of persons, such as minorities, immigrants, and low-income people, from being able to live in certain areas;

WHEREAS: Although current residents did not design Cambridge's zoning, neighborhoods which do not permit multifamily housing continue to have less rental housing, higher home sale prices, fewer affordable housing units, and fewer residents of color than the city as a whole;

WHEREAS: Cambridge is one of the best places in the nation to live without a car, but residential parking minimums incentivize car ownership and associated carbon emissions;

WHEREAS: The off-street parking required by parking minimums nearly always comes at the expense of permeable open space, tree canopy, and/or new units of housing;

WHEREAS: Cambridge needs more housing units in order to push back against rising rents, displacement, and traffic caused by commuters who work in Cambridge but cannot afford to live here;

WHEREAS: Despite the enormous demand for new housing, in the past two years Cambridge has lost more housing units through renovations than it has gained through renovations, because on most lots the number of existing units exceeds the number allowed by zoning;

WHEREAS: A recommended action of the Envision Cambridge Urban Form Plan is to "adjust zoning in residential districts to be more compatible with prevailing patterns of development, including building setbacks, maximum heights, open space, parking requirements, and uses";

WHEREAS: "Missing middle" multifamily housing is a sustainable, attractive housing typology that fits in to the prevailing context of every neighborhood in Cambridge;

THEREFORE WE, THE UNDERSIGNED, call on the Cambridge City Council to pass the attached Missing Middle Housing Zoning Amendment, which allows structures like triple-deckers, townhouses, and fourplexes in all Cambridge neighborhoods; and

THEREFORE WE, THE UNDERSIGNED, also call on the Cambridge City Council's Transportation Committee and the Community Development Department to urgently begin discussions on other potential strategies to encourage sustainable deployment of parking, including, but not limited to, ending commercial parking minimums, introducing residential and commercial parking maximums, and updating and reforming policies relating to residential parking permits, bicycle parking requirements, electric vehicles, shared parking, and loading and delivery facilities, and to demonstrate substantial progress to the public before May 2021.

Missing Middle Housing Zoning Amendment

Summary

The majority of changes listed are minor adjustments to the zoning language to reflect the consolidation of Residence A-1, A-2, B, C, and C-1 districts into a Residence N district (for “neighborhood”). The most significant changes are the changes to **section 4.30** (amending the table of uses to create Residence N), **section 5.31** (specifying the dimensional standards for Residence N), and **section 6.36.1** (setting minimum parking requirements to 0 for residential uses).

The Residence N district has the following dimensional standards:

- Maximum FAR: 1.25
- Maximum height: 40’
- Maximum stories: 3 above grade (unless special permit granted by Planning Board)
- Minimum lot size per dwelling unit: 500 sqft / unit
- Minimum front yard setback: 10’ (unless neighboring lots have smaller setbacks)
- Minimum side yard setback: 7’ 6” (or 5’ if the neighboring lot is significantly set back)
- Minimum rear yard setback: 10’
- Minimum private open space: 25%

Other minor non-cosmetic changes are:

- **Sections 4.21(h) and 5.13:** Move from a calculation based gap between buildings to a fixed 7’6” requirement.
- **Section 11.15.3:** Remove a 30’ cornice line requirement from townhouses, allowing them to simply be 40’ tall.

As we submit this zoning amendment for public consideration, we understand that CDD may request additions to ease the incorporation process or enhance consistency with the rest of the zoning code. We support CDD’s role as the stakeholder best-positioned to make these determinations.

List of Zoning Ordinance Changes

(Blue for additions, Red for removals)

Amend Section 3.11 as shown below, and renumber the remaining rows in the table:

1.	Open Space District	Public parks and recreation facilities and other public facilities
2.	Residence A-1 District	Single-family dwellings
3.	Residence A-2 District	Single-family dwellings
4.	Residence B District	Two family or semi-detached dwellings
5.	Residence C District	Multifamily dwellings
6.	Residence C-1 District	Multifamily dwellings
2.	Residence N District	Single-family dwellings, two-family dwellings, semi-detached dwellings, and multifamily dwellings
7.	Residence C-1A District	Multifamily dwellings
8.	Residence C-2 District	Multifamily dwellings
9.	Residence C-2B District	Multifamily dwellings
10.	Residence C-2A District	Multifamily dwellings
11.	Residence C-3A District	Multifamily dwellings and limited office

Amend the Zoning Map to reclassify all land currently in Residence A-1, Residence A-2, Residence B, Residence C, or Residence C-1 as being in Residence N.

Amend Section 4.21(c)

Provisions of garage or parking space for occupants, employees, customers, or visitors shall be considered as an accessory use, ~~provided that where accessory to residential uses in Residence A and B districts such garage or parking space shall be limited to the accommodation of three passenger vehicles, or two passenger vehicles for each dwelling unit, whichever is greater.~~

Amend Section 4.21(h)

In Residence ~~A, B, C, and C-1~~ **N** Districts an accessory building shall not be located nearer than ~~ten (10) feet~~ **seven feet and six inches (7'6")** to the principal building or nearer than five (5) feet to any side or rear lot line or nearer to the front lot line than the minimum setback in the zoning district.

Amend Section 4.21(k)

An accessory building in Residence ~~A, B, C, and C-1~~ **N** and Office-1 districts shall not exceed fifteen (15) feet in height above the ground level.

Amend Section 4.26.1

The construction of a multifamily dwelling containing twelve (12) or more dwelling units or of elderly oriented congregate housing containing twenty-four (24) or more separate living spaces in a Residence ~~C, Residence C-1~~ **N**, Residence C-1A, Office 1, Business A-1, or Business A-3 district shall require a special permit granted by the Planning Board.

Amend Section 4.26.2

The construction of a multifamily dwelling or of elderly oriented congregate housing in a Residence ~~C, Residence C-1~~ **N**, Residence C-1A, Office 1, Business A-1 or Business A-3 district which contains less than twelve (12) dwelling units or twenty-four (24) dwelling living spaces shall require a special permit if both of the following conditions pertain to the development.

Amend Section 4.26.3

The construction of multifamily dwellings and elderly oriented congregate housing in Industry A and A-2 districts, Industry B, B-1, and B-2 districts, and the Industry C district shall require a special permit granted by the Planning Board where any one of the following conditions exists: [...]

3) Twelve (12) or more dwelling units are proposed where any portion of the development is located within one hundred (100) feet of a Residence ~~A, B, C, or C-1~~ **N** district.

Amend Section 4.28.1

The Board of Zoning Appeal may grant a special permit for the location of an art/craft studio or group of studios in Residence Residence ~~C, C-1~~ **N**, C-2, C-2A, C-2B, C-3, C-3A, C-3B and Office Districts provided that the following requirements are satisfied;

- a) Residence ~~C, C-1~~ **N**, C-2, C-2A, C-2B, C-3, C-3A, C-3B Districts:
 - i) ...
- b) Residence ~~C, C-1~~ **N**, C-2A, C-2B, C-3, C-3A, C-3B and Office Districts:
 - i) ...

Amend Section 4.30 (Table of Use Regulations)

- Delete Column for Res A 1&2
- Delete Column for Res B
- Replace "~~C, C-1~~" in Column "Res C, C-1, C-1A, 2, 2A, 2B, 3, 3A, 3B" with "**N**"

Amend Section 4.40 (Footnotes to the Table of Use Regulations) as follows and renumber the remaining rows and references to reflect deletions:

- 2) ~~Provided that in Residence A districts the exterior design of the structure is not changed.~~
- 7) (a) Hotels and motels shall be prohibited in Residence ~~C or Residence C-1~~ **N** districts;
- 15) ~~Provided that in Residence A districts the exterior design of the structure is not changed.~~
- 17) ~~Provided that in Residence A districts the exterior design of the structure is not changed unless a special permit is granted by the Planning Board.~~
- 43) Except that in Residence ~~C and C-1~~ **N** districts this use shall be subject to the regulations of [Section 4.50](#), Institutional Use Regulations.

Amend Section 4.51

Legal Authority. In accordance with Chapter 565 of the 1979 General Court, and as amended by Chapter 387 of the Acts of 1980, the use of land for institutional purposes in ~~residentially zoned districts which require a lot of one thousand two hundred (1,200) square feet or more per dwelling unit~~ **the Residence N district** shall be governed by the provisions of this [Section 4.50](#).

Amend Section 4.53

Approach. This [Section 4.50](#) establishes special use regulations for institutional activities in the Residence ~~A, B, C, and C-1~~ **N** zoning districts.

Amend Section 4.54

Institutional Overlay District. [...] Regardless of the location of an Institutional Overlay District boundary, the special institutional use regulations of this [Section 4.50](#) shall only apply within the Residence ~~A-1, A-2, B, C, and C-1~~ **N** districts. The following Institutional Overlay Districts are hereby established on the Zoning Map.

Amend Section 4.55

Existing Lot Status. The institutional use of land or structures for each category of institutional activity in a Residence ~~A, B, C, and C-1~~ **N** district shall be governed by the Table of Institutional Use Regulations in Subsection 4.56.

Amend Section 5.13

In the case of multiple buildings on a lot, the minimum distance between such buildings shall not be less than ~~the sum of the heights of the buildings divided by six, or ten feet, whichever is greater.~~ **seven feet and six inches (7' 6")**. ~~In determining compliance with this section, portions of buildings exempted by Section 5.23 shall not be counted in computing building height.~~

Amend Section 5.14

For residential uses permitted in Residence ~~A, B, C, and C-1~~ **N** and Office districts which are not divided into dwelling units, each one thousand square feet of gross floor area of the building shall be considered equivalent to one dwelling unit for purposes of computing minimum lot area.

Amend Section 5.21.1

[...] In case of such lots of less than the required width the sum of the two required side yards need not be more than thirty (30) percent of the lot width, except that each side yard shall be a minimum of ~~seven feet, six inches (7' 6")~~ **five feet (5')**.

Amend Section 5.22.3

Special Requirements in Residence ~~A-1, A-2, B, C, and C-1~~ **N**

At least fifty (50) percent of the required Private open space in these districts shall meet all of the requirements of Section 5.22.1 above. At least fifty (50) percent of the required Private open space shall meet the definition of Permeable Open Space and shall not be subject to the dimensional limitations of Section 5.22.1 as applied to Private open space.

Amend Section 5.23

[...] However, building elements enumerated in (a) above shall be limited in height where they are placed on a building located in a non-residential district, which district abuts a Residence ~~A-1, A-2, B, C, and C-1~~ **N**, C-1A, C-2, C-2A, C-2B district. In these instances the following height limitations shall apply to those building elements:

Amend Section 5.28.1(b)

A dwelling in a Business A-1 district shall be subject to the same dimensional requirements and other restrictions as a dwelling in a Residence ~~C-1~~ **N** district.

Amend Section 5.31

Add: **2. Minimum lot sizes and minimum lot widths do not apply in residential districts.**

Amend Table 5-1 (Table of Dimensional Requirements - Residential Districts)

- Delete rows for A-1, A-2, B, C, C-1
- Remove Column 2 ("minimum lot size in square feet") and Column 4 ("minimum lot width in feet")
- Add row Res. N

District	(1) Max. Ratio of Floor Area to Lot Area	(3) Min. Lot Area for Each D.U. in Sq. Ft.	(5) Minimum Yard in Feet			(6) Maximum Height in Feet	(7) Min. Ratio of Private Op. Sp. to Lot Area
			Front	Side	Rear		
Res. N	1.25	500	10	7'6"	10	40(o)	25%

- Amend the footnotes as follows, then renumber to reflect deleted footnotes:

[...]

(c) In no case may a building be nearer the rear lot line than twenty (20) feet in Residence C-2, C-2B, C-2A, C-3, C-3A, C-3B districts. In Residence C and C-1 districts, no building may be nearer the rear lot line than twenty (20) feet plus one additional foot of rear yard for each four feet that the depth of the lot exceeds 100 feet, up to a maximum of thirty (30) feet. In Residence A-1, A-2, and B districts, no building may be nearer the rear lot line than twenty-five (25) feet plus one additional foot of rear yard for each four feet that the depth of the lot exceeds one hundred (100) feet, up to a maximum of thirty-five (35) feet. For purposes of this Footnote C, the lot depth shall be that distance measured along a line perpendicular to the front lot line and extending to that point on the rear lot line most distant from the front lot line.

(d) [...]

(i) The dimensional requirements of the Residence C-1 district as detailed in this Section 5.31 shall apply in the Residence C district for structures in existence as of December 1, 1986 under the following limitations and conditions:

(1) Any increase in floor area or numbers of units, provided all construction occurs within the limits of the existing structure: or

(2) For any construction without limit as to cost (notwithstanding any contrary provisions of Section 8.23) of a nonconforming structure destroyed or damaged by fire or other catastrophe provided the structure as restored shall not be greater in lot coverage or volume, or shall not extend further into required yards, than the original structure; all other provisions of Section 8.23, however, shall continue to apply.

(j) Applicable to the first five thousand (5,000) square feet of lot area. For those portions of any lot exceeding five thousand (5,000) square feet, the applicable Maximum Ratio of Floor Area to Lot Area shall be 0.35 for all permitted residential uses and the Minimum Lot Area for Each Dwelling Unit shall be four thousand (4,000) square feet. However, for any lot in existence as of June 30, 1995 that is subsequently subdivided into two or more lots, the total amount of gross area and number of units on the subdivided lots, in total, shall at no time exceed that permitted by this footnote (j) on the lot before the subdivision occurred. Unless otherwise permitted by special permit from the Board of Zoning Appeal, the gross floor area and dwelling units permitted on each subdivided lot shall be in the same ratio as that lot's area is to the area of the unsubdivided lot. Nothing in this footnote (j) shall prohibit the subdivision of a Townhouse Development conforming at the time of its construction, as permitted in Section 11.10.

(k) [...]

(n) In a Residence C-1 District, no building plane (excluding projections as permitted by Section 5.24.2) may be nearer than seven feet, six inches (7'6") to a side lot line.

(o) In a Residence N District, no building may contain more than three stories above grade without a special permit granted by the Planning Board.

Amend Section 5.31.3(a)

In a Residence **N A-1 or A-2** district a dwelling need not **be** set back **in the front by** more than the average of the setbacks of the buildings, other than accessory buildings, on the lots adjacent thereto on either side, **even if less than the prescribed front yard setback.** but in no case may any part of a building or accessory building extend nearer to any street line, or building line if such has been established, than fifteen (15) feet. A vacant lot or lot occupied by a building set back more than **ten (10) twenty-five (25)** feet in a Residence **N A-1** district and more than twenty (20) feet in a Residence **A-2** district shall be considered as though occupied by a building set back **ten (10) twenty-five (25)** feet and twenty (20) feet respectively.

Replace Section 5.31.3(b)

In a Residence B district a dwelling need not set back more than the average of the setbacks of the buildings, other than accessory buildings, on the lots adjacent thereto the on either side, but in no case may any part of a building or accessory building extend nearer to any street line, or building line if such has been established, than ten (10) feet. A vacant lot or a lot occupied by a building set back more than fifteen (15) feet shall be considered as though occupied by a building set back fifteen (15) feet.

In a Residence N district, if the buildings on the lot adjacent to a side yard lot line are set back by at least seven feet and six inches (7'6"), a dwelling need not be set back on that side by more than five (5) feet.

Amend Section 5.31.3(c)

In a Residence ~~C, C-1~~ N, C-2, C-2A, C-2B, C-3, or C-3A district if a building is hereafter erected on a lot adjacent to a building having a blank wall directly on the side lot line, [...]

Delete Section 5.53

~~In Residence A-1 and Residence A-2 districts, only one structure containing a principal use shall be allowed on a lot.~~

~~In Residence B districts only one structure containing a principal residential use shall be allowed on a lot except as set forth below [...]~~

Amend Section 6.36.1 (Schedule of Parking and Loading Requirements - Residential Uses)

- Remove "Res A-1, A-2, Res B" from Column 1
- Replace "~~C, C-1~~" with "N" in Column 2
- In columns 1 through 4 (i.e. the columns reflecting zones), update entries 6.36(a) -> 6.36(h) (i.e. nontransient residential uses) to n/a
- Amend the footnotes as follows, then renumber to reflect deleted footnotes:

~~Footnote 1. Required parking may be reduced if a special permit is granted by the Board of Appeals upon determination that the criteria of Subsection 6.35 will be satisfied.~~

~~Footnote 2. See also Section 11.16.~~

~~Footnote 3. Special permit granting authority may require visitor spaces in excess of the minimum requirement.~~

~~Footnote 4. The requirement for elderly oriented housing may be reduced below the requirement specified in the table but not below one space per four dwelling units.~~

Footnote 13. In Residence ~~C, C-1~~ N, C-2, C-2A, C-2B, C-3, C-3A districts the amount of parking required for this use may be reduced at the discretion of the Board of Zoning Appeal in accordance with Section 4.28.

Amend Section 6.44.1(e)

No on grade open parking shall be allowed in a Residence C-2A district within one hundred and twenty five (125) feet of a Residence ~~A-1, A-2, B, C, C-1~~ N, C-2, or C-2B District.

Amend Section 11.12

Applicability of Regulations. The development standards specified in this [Section 11.10](#) are applicable only to townhouse developments and do not change the development standards for other uses in the Residence, Office and Business, and Industry A-1 districts. Townhouse developments which meet the requirements specified in Sections 11.14, 11.15, and 11.16 shall be allowed in Residence ~~B, C, C-1~~ **N**, C-1A, C-2, C-2A, C-2B, C-3, C-3A, C-3B, Office and Business and Industry A-1 districts as follows:

Delete Section 11.12.1

~~Construction of a townhouse development containing six (6) or more dwelling units in a Residence B district and Residence C district shall require a special permit.~~

Amend Section 11.12.2 (renumber to 11.12.1)

Construction of a townhouse development containing twelve (12) or more dwelling units in a **Residence N**, ~~Residence C-1, Residence C-1A~~, Office 1, Office 2, Business A-1, Industry A-1 or Business A-3 district shall require a special permit.

Amend Section 11.12.3 (renumber to 11.12.2)

Construction of a townhouse development in a Residence ~~N-B, C, C-1~~, **Residence C-1A**, Office 1, Business A-1 or Business A-3 district which contains fewer units than specified in Section 11.12.1 ~~or 11.12.2~~ shall require a special permit if both of the following conditions pertain to the development:

(1) [...]

(2) The townhouse development for which the permit is being sought would increase the total number of dwelling units on said lot(s) to the threshold specified in Section 11.12.1 ~~or 11.12.2~~.

Amend Section 11.13

Special Permit Granting Authority. The Planning Board shall be the special permit granting authority for any townhouse development included in Section 11.12.1, ~~11.12.2~~, or 11.12.23.

Amend Section 11.15.1

Minimum Lot Width. In a townhouse development there shall be no minimum lot width, ~~except that in Residence B, Residence C, and Residence C-1 districts the minimum lot width applicable in the district shall apply.~~

Amend Section 11.15.3

Maximum Height. In a townhouse development the maximum permitted height shall be four habitable stories and the maximum height of the cornice line shall be ~~thirty (30)~~ **forty (40)** feet. ~~Any part of a townhouse structure which projects above the cornice line shall be set below an imaginary inclined plane beginning at the thirty (30) foot cornice line on any facade of the structure facing a street or facing any lot line abutting a residentially zoned lot, and thereafter rising at a forty-five degree (45°) angle. However, portions of the building may rise above the imaginary inclined plane provided the area of those portions above the inclined plane projected onto the vertical plane does~~

not exceed ten (10) percent of the area of the vertical plane lying between the thirty (30) foot cornice line and the maximum height of the structure, calculated for and limited to each separate plane.

However, the maximum height of any portion of a townhouse development shall be forty (40) feet, except that in a Residence B district the maximum height shall be thirty-five (35) feet.

Delete Section 11.16.1

One off-street parking space per dwelling unit in a townhouse development shall be provided unless a special permit is granted in accordance with Section 11.16.2(4) below.

Delete Section 11.16.2

Required parking spaces may be located as follows:

[...]