



CITY OF CAMBRIDGE

Community Development Department

To: Planning Board

From: Community Development Department (CDD) Staff

Date: July 20, 2023

Re: **Affordable Housing Overlay (“AHO”) Amendments Zoning Petition**

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Overview

Petitioner: City Council
Zoning Articles: Article 2.000 Definitions and Section 11.207 Affordable Housing Overlay

Amendment Summary: Create definitions for “AHO Corridor” and “AHO Square”, and modify the height and open space standards applicable to Affordable Housing Overlay developments, among other changes.

Planning Board Action: Recommendation to City Council

Memo Contents: Summary of the proposed zoning; background information on the Affordable Housing Overlay and progress to-date; and comments on proposed amendment.

Background on the Affordable Housing Overlay (AHO)

Planning Background

The AHO was first adopted in 2020. The idea of creating alternative zoning standards for 100% affordable housing developments was discussed for many years, and became a key recommendation of the [Envision Cambridge](#) comprehensive plan in 2019 with the goal of creating 3,175 affordable housing units by 2030. The AHO permits 100%-affordable housing developments to build taller and more dense than what is permitted under the applicable base zoning, while also providing for a unique, as-of-right approval pathway with advisory design review. The intent of the AHO concept is to give affordable housing developments greater competitiveness at the site acquisition stage of the development process and to make permitting more predictable.

Progress to Date

Since the adoption of the AHO, six AHO developments have been proposed, with four having completed the Planning Board Advisory Design Review procedure and one development currently under construction. 616 total units have been proposed, consisting of 62 studios, 116 one-bedrooms, 238 two-bedrooms, 174 three-bedrooms, and 26 four-bedroom units.

Below is a summary of active AHO developments:

Project Location	Project Type	Unit Total	Unit Mix	Status
116 Norfolk Street (AHO-5)	Renovation/Addition	62	OBR: 62 1BR: 0 2BR: 0 3BR: 0 4+ BR: 0	In Construction
52 New Street (AHO-1)	New Construction	106	OBR: 0 1BR: 22 2BR: 62 3BR: 22 4+ BR: 0	Completed Review
Jefferson Park (AHO-2)	Redevelopment	278	OBR: 0 1BR: 37 2BR: 111 3BR: 111 4+ BR: 19	Completed Review

49 6 th Street (AHO-4)	Renovation/Adaptive Reuse	46	OBR: 0 1BR: 14 2BR: 20 3BR: 11 4+ BR: 1	Completed Review
1627 Mass Ave (AHO-6)	Renovation/Addition	29	OBR: 0 1BR: 10 2BR: 12 3BR: 7 4+ BR: 0	Under Review
Walden Square (AHO-3)	New Construction	95	OBR: 0 1BR: 33 2BR: 33 3BR: 23 4+ BR: 6	Pending Review

AHO developments have included new, ground-up construction, as well as adaptive reuse, renovation and additions, and redevelopment of existing sites. AHO developments have also been spread across the City, with developments in Neighborhood 9, North Cambridge, East Cambridge, the Port, and the Baldwin neighborhood. All existing AHO developments have been proposed in residence zoning districts, with the exception of 52 New Street which is located in an industrial zoning district.

Existing AHO Framework

The AHO covers all zoning districts in the City except for Open Space districts. The AHO establishes a set of development standards that serves as an alternative to the underlying base zoning for housing developments that choose to make 100% of their units permanently affordable to below-median-income households, subject to specific affordability standards. AHO Projects must comply with a prescriptive set of form-based development standards and undergo an advisory design consultation process with the Planning Board. This process requires at least two pre-application community meetings prior to applying for a building permit. For existing buildings that are retrofitted for an AHO Project, the AHO removes some of the typical zoning barriers that apply when repurposing an existing building, such as alterations to a non-conforming structure.

The AHO is accompanied by a unique set of AHO Design Guidelines which apply specifically to affordable housing projects that might be built under the AHO. The purpose of these guidelines is to inform developers of AHO Projects how the proposal can best align with the City’s broader urban design objectives.

Summary of Petition Changes

The Petition makes several modifications to the maximum building height under the AHO, as well as modifications to general standards related to the dimensional standards that apply to an AHO Project. A

new provision in the AHO states that where multiple potential height limitations may apply to a single parcel, then the greatest allowable height limit shall generally control.

Base Height Standards

The primary change to the AHO height standards includes a redistribution of the base zoning height “height bands” that the original AHO is based on, as follows:

Existing AHO		Proposed AHO	
Base District Max Height	AHO Max Height	Base District Max Height	AHO Max Height
40’ or less	4 stories, 45’*	UNCHANGED	UNCHANGED
41’ – 50’	6 stories, 65’*	41’ – 65’	9 stories, 100’
51’ +	7 stories, 80’	65’ +	13 stories, 150’

**An additional 5 feet is permitted when the AHO Project contains an active non-residential use*

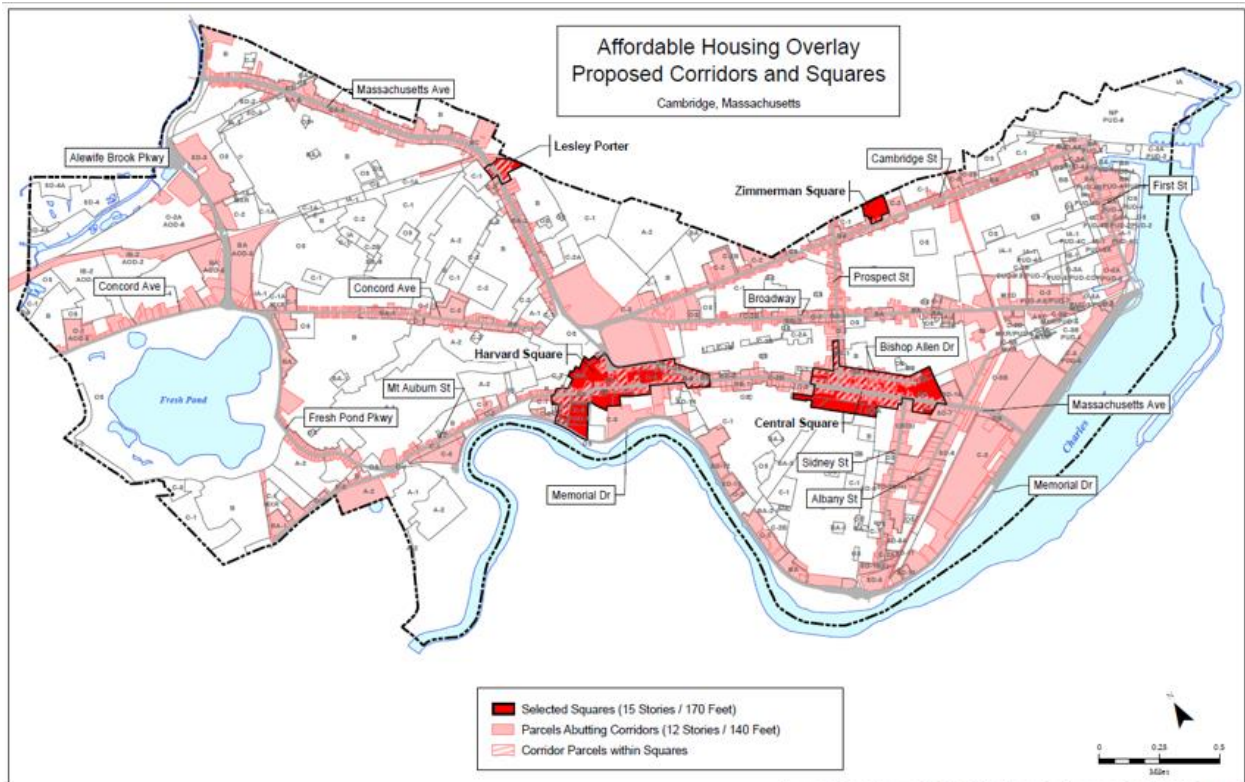
In addition to these height bands, the existing AHO consists of a required stepdown in height if the AHO Project abuts a residential use in a Residence zoning district. The Petition modifies the required stepdown under the 41’-50’ height band so that the stepdown is measured from the lot line, rather than the zoning district boundary.

With the goal of maximizing at grade open space, the proposal includes a new provision which would allow an AHO Project to exceed the allowable height, without limitation, in cases where existing open space consisting of 5% or more of the total lot area will be preserved or expanded and the AHO Project will exceed the minimum required open space required for the AHO Project. In cases where an AHO Project takes advantage of this provision and there is no other applicable FAR requirement, the AHO Project has a maximum floor area that is calculated by subtracting the required open space area from the AHO Project’s lot area, and multiplying by the maximum number of stories permitted on the lot.

AHO Corridors and Squares

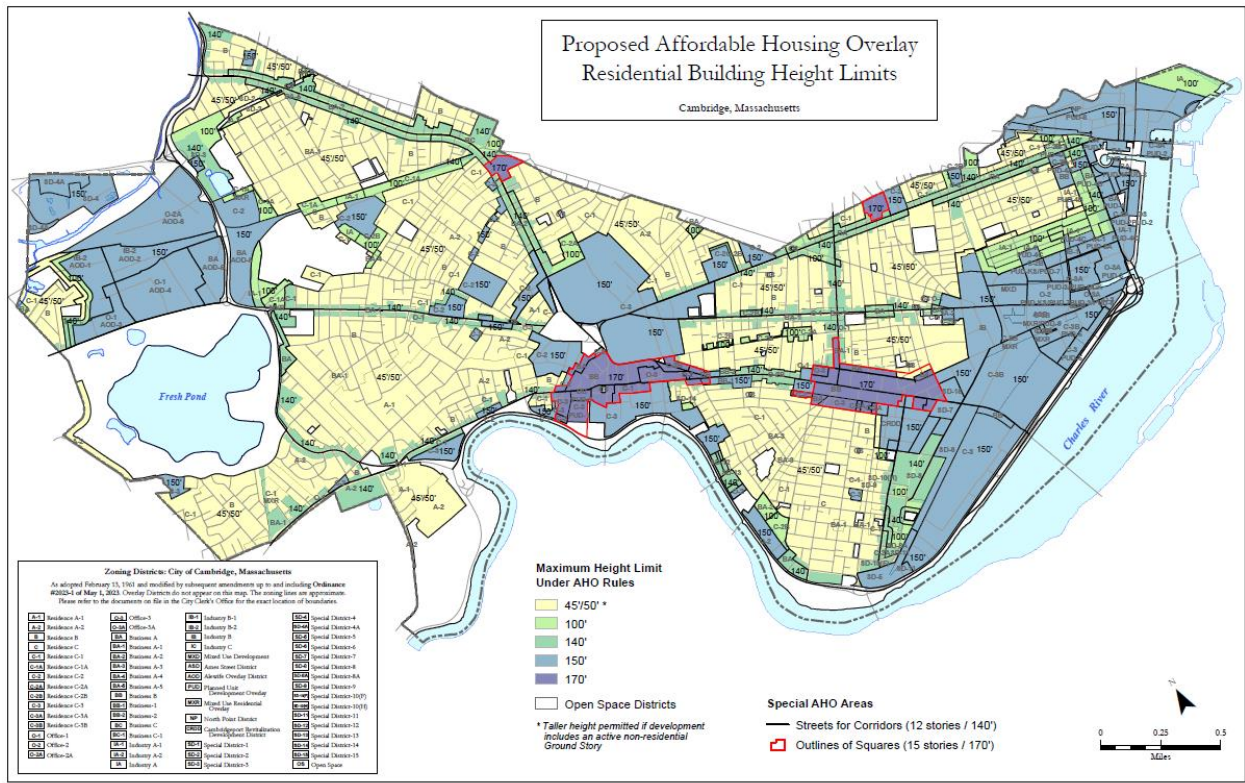
The Petition creates the concept of AHO Squares and AHO Corridors. AHO Squares include lots within the Central Square Overlay District, Harvard Square Overlay District, Lesley Porter Overlay District, and the corner of Cambridge Street, Columbia Street, and Webster Street in East Cambridge (referred to as “Zimmerman Square”) in East Cambridge. AHO Corridors include lots with frontage on 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.

The following map illustrates the scope of the AHO Corridors and Squares:



(Source: Cambridge GIS, 2023)

Under the Petition, AHO Projects within an AHO Square can be built up to 15 stories and 170 feet. AHO Projects within an AHO Corridor can build to a maximum height of 12 stories and 140 feet. There is no applicable FAR limit for AHO Projects within AHO Squares or AHO Corridors. The following map illustrates proposed AHO building heights under the Petition:



Yard Setback Modifications

The Petition modifies the existing AHO yard standards as follows:

Yard	Existing AHO Standard*	Proposed Standard
Front	15' **	No minimum setback
Side	7.5'	No minimum setback
Rear	20'	15'

*Can be reduced to base zoning standard if it is less than AHO standard.

**10' for corner lots. An AHO Project may match the average of the front yard setbacks of the four nearest pre-existing buildings of at least 2 stories on the same side of the street.

Open Space Standards

A new provision has been included in the Petition which waives open space requirements for AHO Projects on lots of 5,000 square feet or less in areas that directly abut a Public Open Space consisting of at least 1,500 square feet. In cases of exceptionally small lots, providing the required open space under the AHO can be prohibitively difficult. This change allows smaller lots to be redeveloped for housing under the AHO while retaining access to adjacent, protected open space areas.

Other Changes

In addition to the changes above, the Petition makes modifications to how the dimensional requirements generally apply to AHO Projects that contain more than one base zoning district (often referred to as “split-zoned” lots or parcels). Under existing zoning, a split-zoned lot is required to generally follow the specific zoning standards that apply to that portion of the lot. For example, if a lot is split-zoned Residence B and Business A, the portion of the lot zoned Residence B shall generally follow the standards applicable to Residence B, and the portion of the lot zoned Business A shall generally follow the standards applicable to Business A. There are circumstances where the Board of Zoning Appeal (BZA) may grant a special permit to allow the less restrictive district to extend up to twenty-five feet (25') into the more restrictive district.

The Petition would apply a different approach for AHO Projects by stating that the zoning district that covers the largest percentage of the area of the lot shall be the one that governs, as if the entire lot was served by a single zoning district.

Comments on Proposed Zoning

General Comments

The AHO was enacted to address a critical and urgent housing affordability crisis that affects Cambridge and many surrounding communities in the Boston metro area. This affordability crisis continues to persist, and can only be addressed through sustained long-term action. The AHO is a necessary component of a larger policy initiative to produce permanently affordable housing, working in concert with policies that provide the resources to develop that housing.

In concept, the AHO was designed to simplify and streamline the development standards that apply to affordable housing development. The current standards were developed after considering financial feasibility, urban design objectives, feedback from affordable housing providers, and practical considerations of what types of standards tend to be most effective in producing desired outcomes.

At a high level, the AHO standards are based on policy choices. More flexible development standards (e.g., greater height and density) will help to enable more affordable housing, but the design of buildings and their distinction from abutting buildings will be greater and will necessitate more care in site and building design. Alternatively, more restrictive development standards will result in more predictable

design outcomes, but will likely impact the feasibility of some affordable housing developments. No set of standards will have perfect results on every potential site. The City Council sets the overall policy balance between flexibility and constraint.

Competitiveness

When the AHO was adopted, many AHO provisions gave concrete advantages to AHO Projects over market-rate residential development throughout the City, such as:

- No minimum parking requirements
- No formula yard setback requirements
- Flexibility for alterations to existing buildings
- Incremental increases in allowable density and height
- Establishing an as-of-right review process

In recent years, the City has enacted or considered several zoning changes which could have the effect of reducing the competitive edge that AHO Projects have over market-rate developments. These changes include the elimination of minimum parking requirements citywide and amendments to Article 8 to provide a more flexible approach to the alteration of nonconforming single-family and two-family homes. These changes, in concert with future zoning changes being discussed by the City Council (such as permitting multifamily housing citywide), could have a cumulative impact on the competitiveness of AHO Projects under the original AHO. This impact is worth keeping in mind when considering zoning amendments, including amendments to the AHO.

Since it was adopted, the AHO has been successful in generating development proposals that have moved through the City review process and towards construction. In just under two years from the Ordinance going into effect, the AHO has become an essential tool which will assist greatly in working toward the target established in *Envision Cambridge*. The Petition aims to ensure this tool continues to work as intended by increasing the competitive advantage of AHO projects by further relaxing development standards under the AHO and increasing the allowable height for hundreds of parcels throughout the City.

Conceptual Framework

The Petition mostly retains the framework of the current AHO zoning, but departs from it in some meaningful ways.

By establishing different height and density standards for “AHO Corridors,” the proposal untethers the allowable height for an AHO Project from what the base zoning allows; instead opting for a height regime that is based partially on base zoning, and partially on the geography of the project.

In some ways, this could be seen as a change that is in alignment with some of the *Envision Cambridge* planning goals for increasing housing and density near transit and along major commercial corridors. However, *Envision Cambridge* anticipates that future zoning changes would follow area-specific planning and neighborhood studies. Many of these efforts are underway or soon-to-be underway, such as the Cambridge Street study and proposed Alewife Overlay District Quadrangle zoning. The proposed AHO

changes may interact in unintended ways with the recommendations that have arisen from these ongoing planning efforts.

The Petition also applies a uniform height limit in many areas of the City which previously underwent more specific area planning and zoning. Areas such as Harvard Square and Central Square have undergone rezoning efforts that establish a nuanced height regime within the squares themselves in order to respond to planning considerations around transitioning density and height from the central part of the squares to the surrounding, lower-scale residential neighborhoods.

Finally, the proposed section that allows an unlimited increase in height if density and open space standards are met would be a substantial departure from the current AHO concept. The current AHO standards are built around fixed, uniform height limits across a district, with more flexibility allowed in density and site design. The proposed new section would reverse that concept in favor of fixed density limitations and unlimited height.

In the past, the Cambridge Zoning Ordinance eliminated height limits in many districts in favor of strict density (FAR) limits. There are theoretical benefits to that approach – for example, it would encourage more open space while maintaining a fixed amount of housing that could be built. However, the “limited density / unlimited height” approach was not embraced by Cambridge residents over time, and height limits have since been reintroduced in all districts.

Technical Issues

The Petition includes some changes which may require further technical analysis and discussion of whether the application matches the intent. Some sections that were identified include the following:

- The proposed definitions of “AHO Corridor” and “AHO Square” may need further review to ensure that it is clear and unambiguous what should be included.
- Paragraph 11.207.5.1(e), which refers to the height standards in Section 11.207.5.2, should be moved to Section 11.207.5.2.
- Standards dealing with split-zoned lots and transitional height step-downs, such as in Paragraphs 11.207.5.1(d) and 11.207.5.2.1(b)(i), should be looked at carefully and simplified where possible to be clear about the intent. Standards that are calculated relative to lot lines and district lines are already a common source of confusion. In some cases, the proposed new standards could be read to be more restrictive than current standards, which may not be intended.
- The proposed Paragraph 11.207.5.2.1(g), discussed above, restricts FAR in a roundabout way by calculating a max floor area based on subtracting required open space area from the lot area and multiplying by the maximum allowable stories on the site. The interpretation of this zoning language is crucial and might not be straightforward in every case, especially where open space requirements are reduced or waived. Ambiguity could create conflicts or potential administrative issues after the Petition goes into effect.

