



ORDINANCE COMMITTEE

COMMITTEE MEETING

~ MINUTES ~

Wednesday, November 29, 2023

2:00 PM

Sullivan Chamber
795 Massachusetts Avenue
Cambridge, MA 02139

The Ordinance Committee, comprised of the entire membership of the City Council, will hold a public hearing on Wednesday, November 29, 2023 at 2:00p.m., on a Zoning Petition by Allene R. Pierson et al. to amend the Zoning Ordinance of the City of Cambridge by amending Section 4.31(i)(3) of the Table of Use Regulations such that “Lodging House” is changed from a permitted use (“Yes7”) to a prohibited use (“No”) in the Residence C, C-1, C-1A, C-2, C-2A, C-2B, C-3, C-3A, and C-3B zoning districts.

A public meeting of the Cambridge City Council’s Ordinance Committee was held on Tuesday, November 29, 2023. The meeting was Called to Order at 3:00 p.m. by the Chair, Councillor McGovern. Pursuant to Chapter 2 of the Acts of 2023 adopted by Massachusetts General Court and approved by the Governor, the City is authorized to use remote participation. This public meeting was hybrid, allowing participation in person, in the Sullivan Chamber, 2nd Floor, City Hall, 795 Massachusetts Avenue, Cambridge, MA and by remote participation via Zoom.

At the request of the Chair, Clerk of Committees Erwin called the roll.

- Councillor Azeem – Present/Remote
- Councillor Carlone – Present/In Sullivan Chamber
- Vice Mayor Mallon – Absent
- Councillor McGovern – Present/In Sullivan Chamber
- Councillor Nolan – Present/In Sullivan Chamber
- Councillor Simmons – Absent
- Councillor Toner – Absent
- Councillor Zondervan – Present/In Sullivan Chamber
- Mayor Siddiqui – Present/Remote

Present – 6, Absent – 3. Quorum established.

The Chair, Councillor McGovern offered opening remarks and noted that the Call of the meeting was to discuss a Zoning Petition by Allene R. Pierson et al. to amend the Zoning Ordinance of the City of Cambridge by amending Section 4.31(i)(3) of the Table of Use Regulations such that “Lodging House” is changed from a permitted use (“Yes7”) to a prohibited use (“No”) in the Residence C, C-1, C-1A, C-2, C-2A, C-2B, C-3, C-3A, and C-3B zoning districts. The Chair introduced the Petitioner, Allene R. Pierson, who was joined by former City Councillor Craig Kelley. Daniel Messplay, Senior Zoning Manager for the Community Development Department (CDD) and Megan Bayer, Acting City Solicitor were present at the meeting. Joining the meeting remotely was Jeffrey Roberts, Director of Zoning and Development for CDD.

Minutes Acceptance: Minutes of Nov 29, 2023 2:00 PM (Committee Reports)

The Chair, Councillor McGovern recognized the petitioner, who along with Craig Kelley, gave a presentation titled “Closing the Loophole Protecting and Expanding Cambridge Housing Options” (Attachment A).

The Chair, Councillor McGovern recognized Daniel Messplay who reviewed the two documents that were submitted to the Committee from CDD in advance of the meeting and were included in the Agenda Packet. Daniel Messplay shared that the Planning Board’s recommendation was not to adopt the petition.

The Chair, Councillor McGovern opened Public Comment.

Ryan Wittig, 18 Pleasant Street, Cambridge, MA, owner of 2 Garden Street, offered comments that were opposed to the petition and shared that there should be positive uses for lodging houses.

Kelley Brown, 457 Waltham Street, Senior Campus Planner at MIT, reviewed the consequences of solutions that are in the petition and how they will affect students of MIT. They urged the Committee to reject the petition.

Justin Saif, 259 Hurley Street, Cambridge, MA, offered comments on the petition and noted that SRO’s should be allowed in all residential districts.

Lauren Curry stressed the importance of the need for lodging houses and that they still need to exist.

Patrick Barrett shared that the problem lies in the Ordinance language, and it would be worth looking into having changes made within the language.

The Chair, Councillor McGovern recognized Councillor Azeem, Councillor Nolan, Councillor Zondervan, and Councillor Carlone, all who agreed the petition was not ready to be moved out of Committee at this time. It was noted that more discussion needs to happen before any decisions are made. Councillors offered comments in support of working with the Petitioners and the City to create Ordinance language that will benefit those who do provide lodging and affordable housing, while also looking language for those who are operating businesses similar to hotels. Councillors strongly felt that it was important to work on defining lodging housing and continue to allow those who need the availability of housing to have access to a resource like lodging houses. The Petitioners were available to respond to clarifying questions brought forward by members of the Committee.

The Chair, Councillor McGovern recognized Councillor Nolan who had a clarifying question for Daniel Messplay and Megan Bayer relative to the definitions of lodging houses and hotels. Daniel Messplay shared that there is a zoning definition for lodging house, but the City does not have a zoning definition for hotel and motel uses. Megan Bayer shared that the Law Department can look at how the courts have interpreted lodging houses to help create additional language. Megan Bayer shared that the City’s definition is similar to the definition in the licensing statute because lodging houses are required to be licensed. Megan Bayer provided additional

information on how to define a lodging house. Jeffrey Roberts also commented on the use of lodging houses and the license commission process. Jeffrey Roberts shared that the City acknowledges that there needs to be more clarity around the definitions that are currently in the Ordinance language.

The Chair, Councillor McGovern recognized Councillor Zondervan who noted that it is important to relook at the Ordinance language and the petition and make sure that the distinctions are captured correctly.

The Chair, Councillor McGovern shared that when projects are presented, they can unexpectedly raise concerns that have not been addressed and believes that this petition is highlighting issues throughout the City. Councillor McGovern noted that people who have the ability to provide housing and lodging services should continue to have the opportunity to do so. The Chair agreed that there needs to be work done to help define the Ordinance language moving forward. Councillor McGovern referenced Policy Order 2018 #87, which addressed the housing crisis, SRO's, and zoning regulations. The Chair shared that he would be interested in having this Policy Order addressed while working on the concerns that were raised during the discussion at today's meeting on lodging houses.

The Chair, Councillor McGovern recognized Councillor Nolan who wanted to clarify if CDD needs direction from the Committee on what they are looking for going forward regarding lodging houses and the Policy Order. Jeffrey Roberts shared that he has a consensus of what the goals of the Committee are relative to the petition, Ordinance language, and the Policy Order and will consult with staff to begin the work.

The Chair, Councillor McGovern recognized Councillor Nolan who made a motion to adjourn the meeting.

Clerk of Committees Erwin called the roll.

Councillor Azeem – Yes

Councillor Carlone – Yes

Vice Mayor Mallon – Absent

Councillor McGovern – Yes

Councillor Nolan – Yes

Councillor Simmons – Absent

Councillor Toner – Absent

Councillor Zondervan - Yes

Mayor Siddiqui – Yes

Yes – 6, No- 0, Absent – 3. Motion passed.

The Ordinance Committee adjourned at approximately 3:30p.m.

Attachments:

Attachment A - Presentation titled “Closing the Loophole Protecting and Expanding Cambridge Housing Options”

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/625?view_id=1&redirect=true&h=f0cd8303be501d5aa3a2134eaf9054c3

A Zoning Petition Has been received from Allene R. Pierson, regarding Cambridge Lodging House Zoning Change to strengthen Cambridge residential housing efforts, mitigate the disruptive impacts of short-term platform-based market rate rentals.

A communication was received from Director of Zoning and Development, Jeffrey Roberts, transmitting a memo from the Community Development Department to the Planning Board.

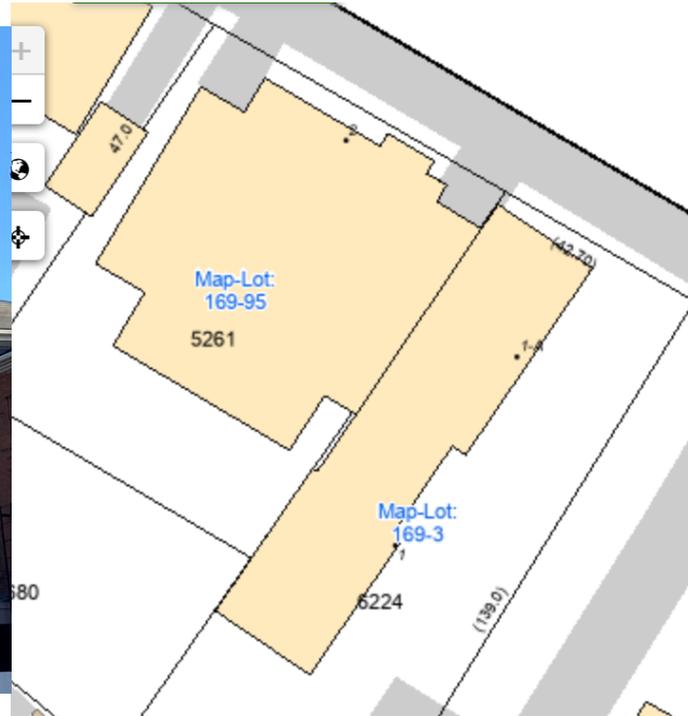
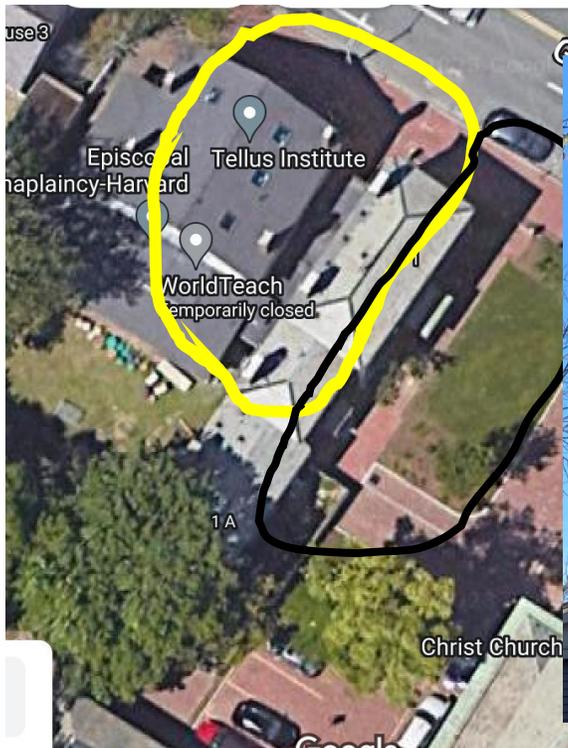
A communication was received from Director of Zoning and Development, Jeffrey Roberts, transmitting a memo from the Community Development Department regarding the Pierson, et al., Zoning Petition.

CLOSING THE LOOPHOLE PROTECTING AND EXPANDING CAMBRIDGE HOUSING OPTIONS

PIERSON PETITION
Lodging House Discussion
Ordinance Committee

November 28, 2023

WE LEARNED ABOUT THIS ISSUE WHEN A “LODGING HOUSE” WAS PROPOSED FOR 2 GARDEN STREET, JUST A FEW FEET AWAY FROM OUR RECTORY (where our Priest and her family lives)



Minutes Acceptance: Minutes of Nov 29, 2023 2:00 PM (Committee Reports)

IF SOMEONE WANTS TO PUT AN SRO OR A GROUP HOME NEXT TO OUR CHURCH AND HELP TO HOUSE OUR NEIGHBORS IN NEED, **THAT WOULD BE GREAT.**
WE ALREADY HAVE A VARIETY OF CHURCH-BASED SUPPORT PROGRAMS POTENTIAL RESIDENTS COULD ACCESS.

BUT THIS PROPOSAL FOR A BOUTIQUE HOTEL DOES NOTHING FOR ANYONE IN NEED OF HOUSING STABILITY.

HAVING ZONING THAT CREATES PREFERENCES FOR HOTELS AND SIMILAR SHORT STAY VISITS RATHER THAN ENCOURAGING HOUSING IS BAD FOR CAMBRIDGE

This Preference Distortion is a much bigger issue than 2 Garden Street. It will impact any property where market investors feel they can operate a hotel and thus outbid other possible owners when properties, whether its 2 Garden Street, an MIT-affiliated but corporately-owned Fraternity, Sorority or Independent Living Group (FSILG) building come up for sale or something entirely different. What we see as a dormitory, a fraternity, a possible, SRO or some other important housing option, investors will see as a functional market rate hotel and, based on a large return per “key,” they will be able to outbid most anyone else for these properties.

REQUIRING THINGS THAT LOOK, SMELL, SOUND
AND OPERATE LIKE EXPENSIVE AND EXCLUSIVE
BOUTIQUE HOTELS TO GET PERMITTING REVIEW
AS HOTELS JUST MAKES SENSE.



THE CURRENT FOOTNOTE 7 DOES NOT MENTION
“LODGING HOUSES” DESPITE A CLEAR REFERENCE TO
THEM IN THE TABLE OF USES. IT IS A CLASSIC LEGAL
“LOOPHOLE”

THIS IS A ‘SCRIBNER’S ERROR,’ ESSENTIALLY A TYPO IN OUR ZONING CODE,
WITH REAL WORLD CONSEQUENCES THAT WILL ONLY INCREASE AS OTHER
INVESTMENT COMPANIES FIGURE OUT HOW TO EXPLOIT THIS LOOPHOLE

ZONING TABLE OF USES FOR RESIDENTIAL C

4.31	Residential Uses				
	a. Detached dwelling occupied by not more than one family	No	Yes	Yes	Yes
	b. Two family dwelling	No	No	Yes	Yes
	c. Existing one-family detached dwelling converted for two families ^{15,16}	No	Yes ²	Yes	Yes
	d. Townhouse development	No	No	Yes ³	Yes ³
	e. Elderly oriented congregate housing	No	PB	PB	Yes ⁵
	f. Existing dwelling converted for elderly oriented congregate housing ¹⁷	No	Yes	Yes	Yes
	g. Multifamily dwelling	No	No	No	Yes ⁵
	h. Existing dwelling converted for more than two families ¹⁶	No	No	Yes	Yes
	i. Transient accommodations				
	1. Tourist house in an existing dwelling	No	No	No	Yes
	2. Hotel or motel	No	No	No	SP ⁷
	3. Lodging House	No	No	No	Yes ⁷

BUT “LODGING HOUSE” DOES NOT APPEAR IN FOOTNOTE 7

(c)

Hotels or motels shall be permitted by special permit from the Board of Zoning Appeal (BZA) in Residence 2, 2A, 2B, and 3 districts, where paragraph (b) above does not apply. In granting such special permit the BZA shall find that the proposed location and its surrounding neighborhood is predominately institutional or commercial in use, and specifically not a low-density residential area. The Board shall further find that the physical development of the site for **hotel use** will be similar to, and compatible with, the existing (or potential) site development pattern on surrounding sites for other uses permitted in the applicable zoning district or districts; and that the **operation of the hotel or motel**, with regard to delivery of goods, the kind and volume of vehicular trips to and from the site, and the numbers of people visiting the site on foot, among other factors, is compatible with the use of adjacent properties for uses permitted in the applicable zoning district or districts.....

AS WITH ANY TYPO, THE AUTHORS, IN THIS CASE THE CITY COUNCIL, HAVE THE POWER TO FIX THE EARLIER MISTAKE

THIS IS ALL ABOUT INVESTMENT CAPITAL EXPLOITING “LOOPHOLES” IN OUR ZONING CODE THAT INVOLVE ‘LODGING HOUSES’

(but don't let the term fool you, these are hotels)

2 Garden Street is the example, but the loophole/impact is much bigger

#2 Garden Street will not be a “lodging house” as any of us understand those to be. It will be a boutique hotel with roughly 16 guest rooms and 16 individual bathrooms. It will host Harvard parents, visiting lecturers and reunion guests. It will do nothing to help any aspect of Cambridge’s permanent housing market and will, in fact, make things worse as investment capital realizes it can dodge appropriate permitting review by calling their proposed hotel a “lodging house.”

The people I serve as a mental health attorney will never set foot inside boutique hotels like this one and the housing my clients need will be more difficult to create because investment capital will have more economic power to turn largish properties into high end hotels than HRI will have to create SROs.

THE SHORT STORY

Almost everyone here wants the same thing, a zoning code that does not preference hotels over housing.

How we get there and what language we use there is up for debate. But most of us pretty much want to get to the same place.

This proposed zoning amendment will not pass. It was meant to be an aggressive starting point for a larger, very important focused discussion about housing conversions in Cambridge and as long as it, or something like it, is pending, we have a “pause” in these potential hotel developments.

This proposed amendment expires at the end of February. That’s enough time to come to something closer to a solution. Maybe we can actually come to a solution. Maybe we will need more time to get it right. But if these zoning petition expires and nothing is refiled, the City will immediately see these hotel conversions start and possible housing options lost forever.

NOT SURPRISINGLY, IT ALL STARTS WITH PARKING BUT NOT AS MOST PEOPLE UNDERSTAND IT

When the Council got rid of minimum parking requirements last year, you opened up a whole new world of development options

As CDD said at the time: **Market forces tend to determine what changes occur over time. However, it is generally expected that land use changes will trend in the direction of what is allowed by zoning. Without zoning requirements, market forces will play a more dominant role.**

Now we know that “market forces” mean that this lack of parking requirements, without some additional protections regarding use, is going to give us more operational hotels and fewer housing options.

THIS ZONING PROOOPSAL IS INTENTIONALLY OVERLY BROAD AND IS INTENDED TO CLOSE A LOOPHOLE/INCENTIVE THAT FAVORS HOTELS AT THE EXPENSE OF LOCAL AND REGIONAL HOUSING NEEDS

The proposed zoning amendment's broad language intentionally gives you the proper place to start a discussion about closing this **hotel loophole/incentive**. There are many possible ways to do this, such as:

1. Put "Lodging House" in with "hotel" and "motel" in Footnote 7, requiring appropriate findings from the BZA to get a special permit while specifically excluding SROs as defined in 982 CFR from the definition of "Lodging House"
2. Recharacterize "Lodging House" in the Table of Uses to exclude establishments that offer a certain percentage rooms with attached rather than communal bathrooms
3. Redefine "Lodging House" in the Cambridge Zoning code to require a certain percentage of residents to stay for at least two weeks
4. Create specific SRO language in the zoning code

We wanted to give you the option of considering them all (and more)

THIS ZONING PROPOSAL DOES NOT DISCOURAGE OR PROHIBIT AFFORDABLE HOUSING DWELLING UNITS

11.207: Affordable Housing Overlay

The provisions set forth in this Section shall apply to AHO Projects, as defined in [Article 2.000](#) of this Zoning Ordinance, **in all zoning districts except Open Space Districts.**

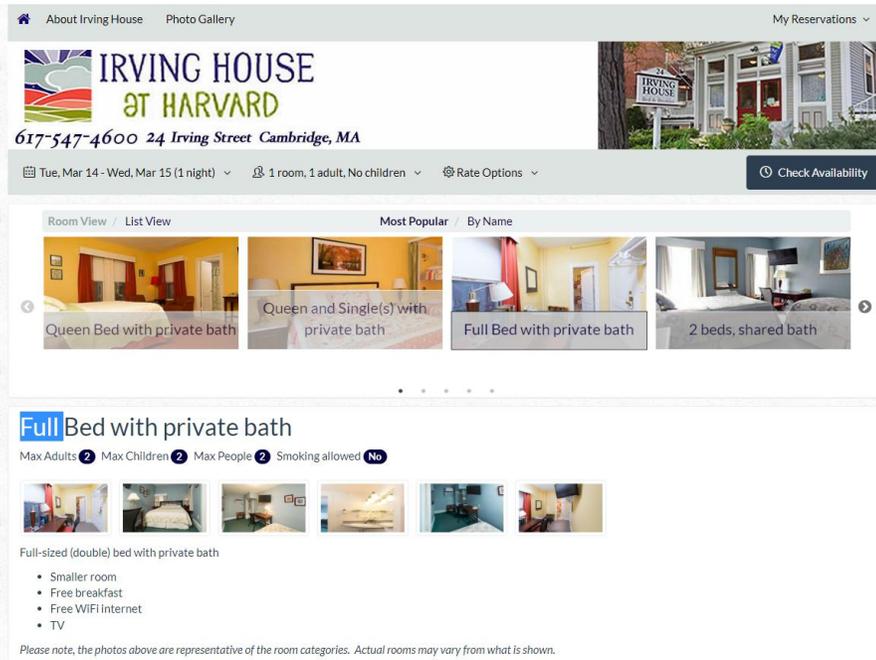
Affordable Housing Overlay (AHO) Project. The construction of a new building or buildings and/or the modification of an existing building or buildings resulting in single-family, two-family, townhouse, or multifamily dwellings within which each dwelling unit is an AHO Dwelling Unit subject to the standards and restrictions set forth in Section 11.207 of this Zoning Ordinance.

THERE IS A REASON 2 GARDEN
STREET WANTS YOU TO THINK
IT'S A "LODGING HOUSE"

BECAUSE THEY WOULD AVOID THE REQUIRED BZA PERMITTING REVIEW AND NECESSARY
FINDINGS OF COMPATABILITY THAT THEY WOULD GET IF THEY APPLIED AS THE
BOUTIQUE HOTEL THEY PLAN TO BE

ULTIMATELY, 2 GARDEN STREET COULD STILL BE A BOUTIQUE HOTEL VIA A SPECIAL PERMIT FROM THE BZA.

Cambridge has lots of nice boutique hotels.
This could be one of them.
But it needs the right permitting review.



Minutes Acceptance: Minutes of Nov 29, 2023 2:00 PM (Committee Reports)

FROM THE ZONING CODE

Hotels or motels **shall be permitted by special permit from the Board of Zoning Appeal (BZA) in Residence 2, 2A, 2B, and 3 districts**, where paragraph (b) above does not apply. **In granting such special permit the BZA shall find** that the proposed location and its surrounding neighborhood is predominately institutional or commercial in use, and specifically not a low-density residential area. The Board shall further find that the physical development of the site for hotel use will be similar to, and compatible with, the existing (or potential) site development pattern on surrounding sites for other uses permitted in the applicable zoning district or districts; and that the operation of the hotel or motel, with regard to delivery of goods, the kind and volume of vehicular trips to and from the site, and the numbers of people visiting the site on foot, among other factors, is compatible with the use of adjacent properties for uses permitted in the applicable zoning district or districts.....

The BZA has an important role to play in helping Cambridge function as safely and cohesively as possible. Allowing investors and developers to sidestep the BZA is a disservice to the entire City.

WHAT THE BZA WOULD NEED TO INVESTIGATE TO PERMIT A HOTEL IN A C-2 DISTRICT

In making its **required** findings of compatability, the Board shall consider the following, among other considerations:

1. The scale of the building in the immediate neighborhood;
2. The extent of non-residential development in the neighborhood, including the size of buildings, the specific uses, the kind and number of vehicular trips generated by those uses;
3. The density of residential use on adjacent lots and within the immediate neighborhood;
4. The details of operation of the proposed hotel or motel use including the kinds and number of vehicle trips to the site, including service trips;
5. The extent of access to arterial streets that customarily accommodate or provide direct service to non-residential uses;
6. The nature of **side** development on adjacent sites including setbacks from property lines, location and quantity of vehicular parking, the presence of accessory activities such as loading facilities, waste storage facilities, mechanical service equipment, landscaped green spaces, etc.

THAT'S A LONG LIST, APPROPRIATE FOR THE DENSE RESIDENTIAL AREAS REFERENCED IN FOOTNOTE 7

Residential C-2, C-2A, C-2B and C-3



THESE ISSUES ARE WHY THE CITY TASKS THE BZA TO SPECIFICALLY LOOK AT THEM WHEN CONSIDERING A PERMIT IN THESE CASES. THEY CAN MAKE A REAL-LIFE DIFFERENCE TO A LOT OF PEOPLE.

No surprise, I also want to talk about the project's impact on **BIKING AND WALKING SAFETY**

There just isn't enough room on site to manage pickup, drop-off, food delivery and everything else 30+ wealthy overnight guests would require. The adjacent on-street parking spots are for handicapped plats.

Uber drivers and delivery vehicles will block the sidewalk and double park in what is already a horribly congested and terrifying place to bike and a challenging place to walk.

SERIOUSLY- Are these hotel's guests going to pack their luggage on the Silver Line at Logan and take the T to Harvard Square? Or take the T to Newbury Street?



WHERE WILL THE NEXT HOTEL CALL ITSELF A
“LODGING HOUSE,” DISPLACE NEEDED HOUSING AND
DUMP THEIR TRAFFIC AND PARKING SAFETY PROBLEMS
ONTO THE PUBLIC WAY?

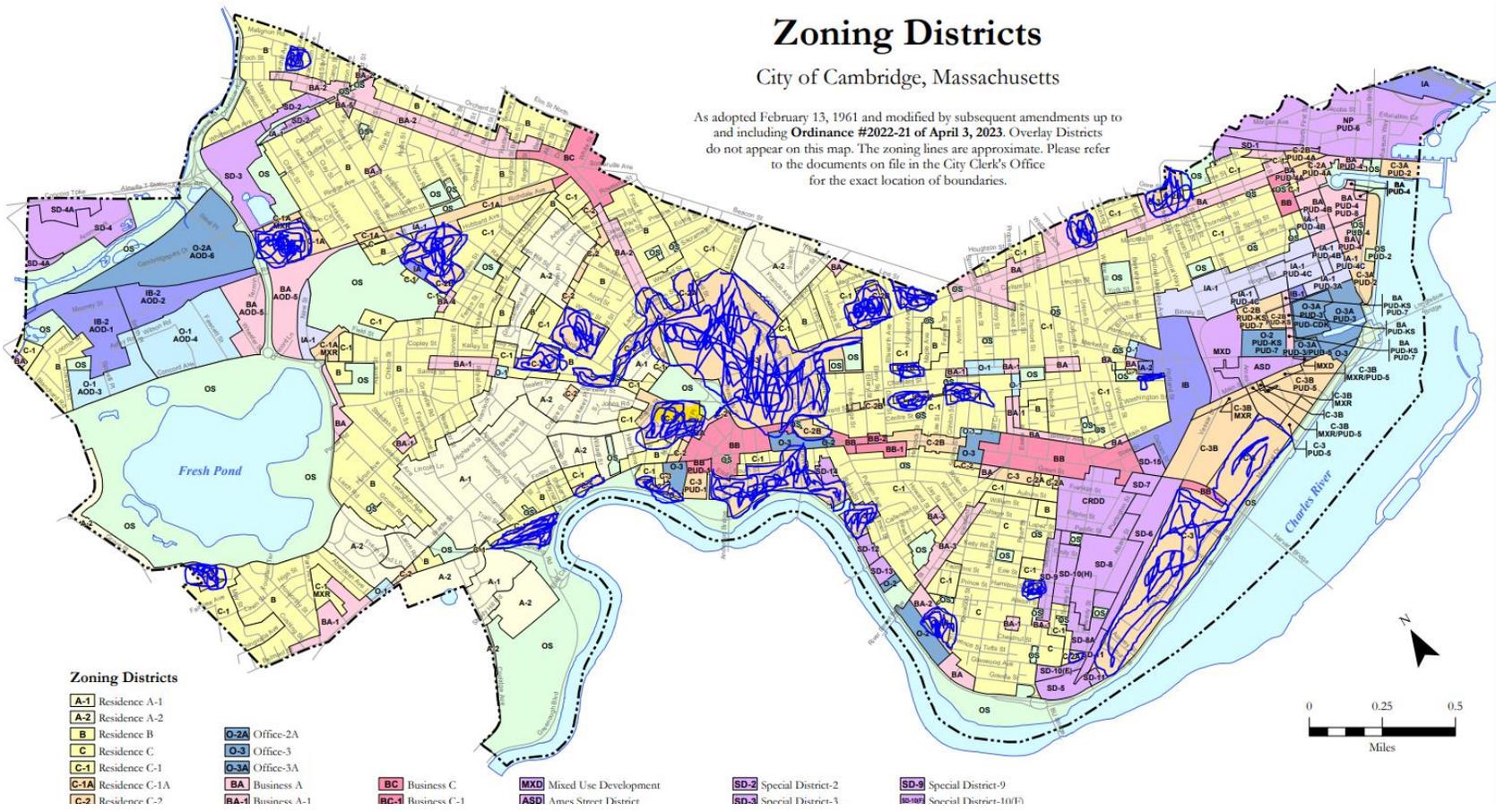


WHO KNOWS?

THAT’S THE PROBLEM WITH LOOPHOLES AND INCENTIVES.

THEY ARE OPPORTUNISTIC

THIS IS NOT JUST A 2 GARDEN STREET LOOPHOLE AND CONVERSION INCENTIVES GO FAR BEYOND RES C-2, 2A, 2B and 3



Minutes Acceptance: Minutes of Nov 29, 2023 2:00 PM (Committee Reports)

OUR GROUNDBREAKING SHORT-TERM RENTAL REGULATIONS DO NOT EXTEND TO LODGING HOUSES. BUT LODGING HOUSES AND HOTELS CAN RENT ROOMS FOR SHORT TERMS. THAT IS WHAT MAKES THEM SO PROFITABLE.

THAT IS WHY WE HAD TO REGULATE SHORT-TERM RENTALS- TO PROTECT OUR GENERAL HOUSING STOCK FROM INVESTORS WHO COULD CAPITALIZE ON THE VALUE OF MARKET RATE SHORT-TERM STAYS AND PAY MORE FOR A HOUSING UNIT THAN SOMEONE WHO ACTUALLY WANTED TO LIVE IN IT.

THIS PETITION ADDRESSES THE SAME MARKET FORCES WHEN IT COMES TO SHORT-TERM MARKET RATE LODGING HOUSES. WITHOUT A ZONING CORRECTION, INVESTORS WILL BUY BUILDINGS THAT COULD BE HOUSING AND RUN THEM A SHORT TERM MARKET RATE LODGING HOUSES

CAMBRIDGE ZONING DEFINITION OF “LODGING HOUSE”

A dwelling where lodgings are let to four or more persons not within the second degree of kinship to the person conducting it, including fraternity housing but not including dormitories or charitable, educational or philanthropic institutions.

OTHER DEFINITIONS OF “LODGING HOUSE”

Massachusetts Residential Code, which is part of the state’s building code

LODGING HOUSE. A one-family dwelling with five or fewer guest rooms where one or more occupants are primarily permanent in nature and compensation is provided for the guest rooms. A building licensed as a “lodging house” in accordance with M.G.L. c. 140, §§ 22 through 31 shall comply with 780 CMR requirements according to its appropriate use and occupancy classification.

A one-family dwelling where one or more occupants are primarily permanent in nature and rent is paid for guest rooms.

2015 International Building Code

STATE BUILDING CODE ISSUES

Using 2 Garden Street as an example

“Boarding Rooms,” “Lodging Houses” and “Single-Room Occupancy” definitions are somewhat complicated and often conflated. Our Zoning Code does not even have a definition for “Boarding Rooms” or “Boarding House.” Two Garden Street will functionally be none of these- it will be a **BOUTIQUE HOTEL**.

The State Building Code has a complex set of definitions and groups that, essentially, mean their 16-room plan would have more transient occupants than “Group R-3” would allow. Group R-3 is basically a single-family home where someone rents rooms. This is a traditional “lodging house.”

The State Building Code defines “transient” as staying no more than 30 days. A stay of more than 30 days is non-transient.

If they are doing a “Boarding House,” Group R-2 would limit them to non-transients (and *more* than 16 occupants).

If they are doing transients, Group R-3 would allow that for up to 10 occupants (which is five bedrooms, max).

Group R-1 allows for both transients and more than 10 occupants. 2 Garden Street seems like an R-1, which also covers hotels and motels (which is what 2 Garden Street would functionally be)

THE POINT OF THESE VARIOUS DEFINITIONS?



Lodging Houses are **supposed to be** fraternities, dormitories and that sort of congregate, long-term housing, smaller single-family rental or similar “non-commercial” housing.

Lodging Houses are **not supposed to be** Hotels.

CLOSING THIS LOOPHOLE/INCENTIVE WOULD DISCOURAGE HOTEL CREATION
AND MAKE SPACE FOR SINGLE ROOM OCCUPANCY (SRO)
AND SIMILAR AFFORDABLE HOUSING OPTIONS
(because no one makes money off of those uses)

982 CFR: No more than one person may reside in an SRO unit.

Some places have specific “SRO” zoning ordinances and policies to allow, define and protect this important use:

Mt. Shasta, CA

<https://www.codepublishing.com/CA/MtShasta/html/MtShasta18/MtShasta1897.html>

San Diego, CA

<https://docs.sandiego.gov/municode/MuniCodeChapter14/Ch14Art03Division05.pdf>

Cambridge, MA

Central House (YMCA)

Cambridge Housing Authority

<https://cambridge-housing.org/wp-content/uploads/2020/10/SRO-Program-2020.pdf>

Cambridge Zoning allows special needs group homes under definition of “Family”

CDD's MEMO WAS OFF TARGET ABOUT SROs, GROUP HOMES AND LODGING HOUSES

Lodging Houses are NOT interchangeable with SROs

The definitions are fuzzy and there is overlap, but under federal code (and current CHA policy), SROs can only have 1 occupant per room. Lodging houses such as the one proposed for 2 Garden Street, can have 2. That's how they make money.

Lodging Houses CAN be used for short-term rentals

Lodging Houses are not governed by our Short-Term Rental ordinance for a number of reasons. That does NOT mean they cannot be rented for short terms, as hotels and motels are rented. That is EXACTLY what lodging houses will do. **Call places like 2 Garden Street what you want, they are really hotels.**

Lodging Houses are NOT Group Homes for people with disabilities

Our definition of "Family" specifically says "if said occupants are handicapped persons" unrelated people can live exactly as a related family. There is no need for their residences to be lodging Houses.

THERE MAY BE OTHER WAYS TO CLOSE THIS LOOPHOLE/INCNETIVE AND PROMOTE HOUSING

1. Limit the number of rooms to 5 or less for “Lodging House” with transient occupants, subject to limitations
2. Put larger transient boarding houses and lodging houses (everything that is transient with more than 5 rooms/10 occupants) in their own category that requires a finding of suitability from the BZA, subject to limitations
3. Clearly remove SROs from footnote 7

ULTIMATELY, THIS IS AN ISSUE ABOUT LAWS, LOOPHOLES AND UNINTENDED INCENTIVES

2 Garden Street's pretense to be a "Lodging House" illustrates the risk this loophole creates for creating and maintaining stable, long-term affordable housing options in Cambridge.

By not requiring appropriate zoning review after minimum parking requirements were removed, the City created a world where developers and investors will often find they can squeeze in enough expensive overnight rooms to make more money off a boutique hotel than off of six condos, a true Single-Room Occupancy building, a group home or pretty much any other type of housing.

So, please, end this loophole/incentive

Don't allow hotel developers to use this loophole/incentive to manipulate our already challenged housing environment with their investment-based view of "highest and best use." If someone wants to run a hotel, they can get it properly permitted.

If someone wants to run an SRO, that's a good thing!

If someone wants to put in affordable housing, that's great!

If someone wants to create market-rate long-term housing, fine!

But do not incentivize market-rate, short-term visitor housing.

THIS ZONING PROPOSAL ISN'T THE RIGHT ANSWER TO THIS LARGE HOUSING PROBLEM
(that was clear from the start)

So, let's keep the discussion going, and a zoning petition alive, until we find the right answer!