

P-9/1/00

MUNICIPAL LAND FOR LAND BANK CONSIDERATION

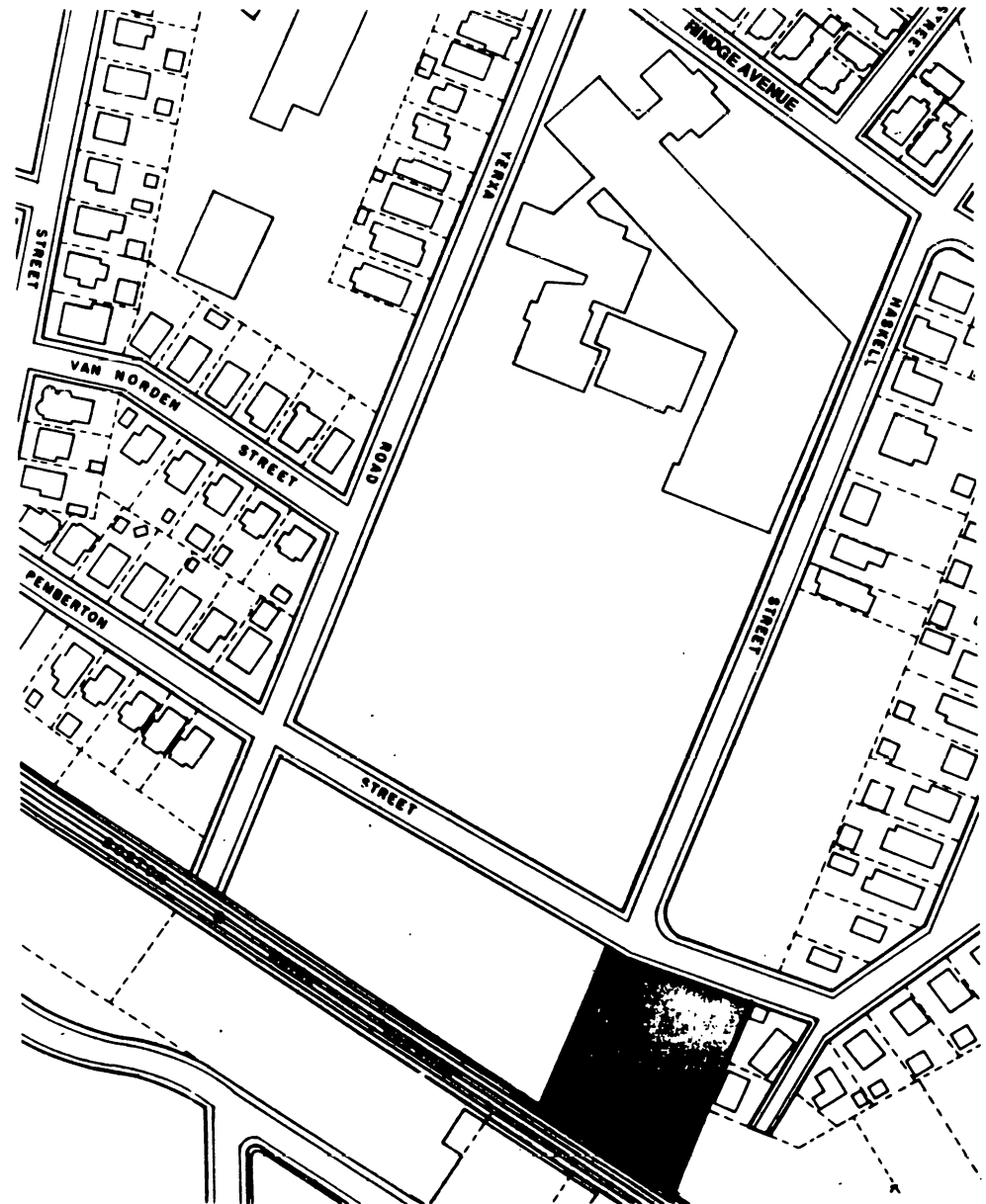
- 1. 12 Walden Street**
- 2. 109 Pemberton Street**
- 3. 25 Lowell Street**
- 4. 331 Norfolk Street**
- 5. 7 Warren Street**
- 6. 29 Third Street**
- 7. 178 Webster/126 Lincoln**
- 8. 149-189 Banks Street**

In addition to the above sites, other City-owned parcels with potential for use as affordable housing are:

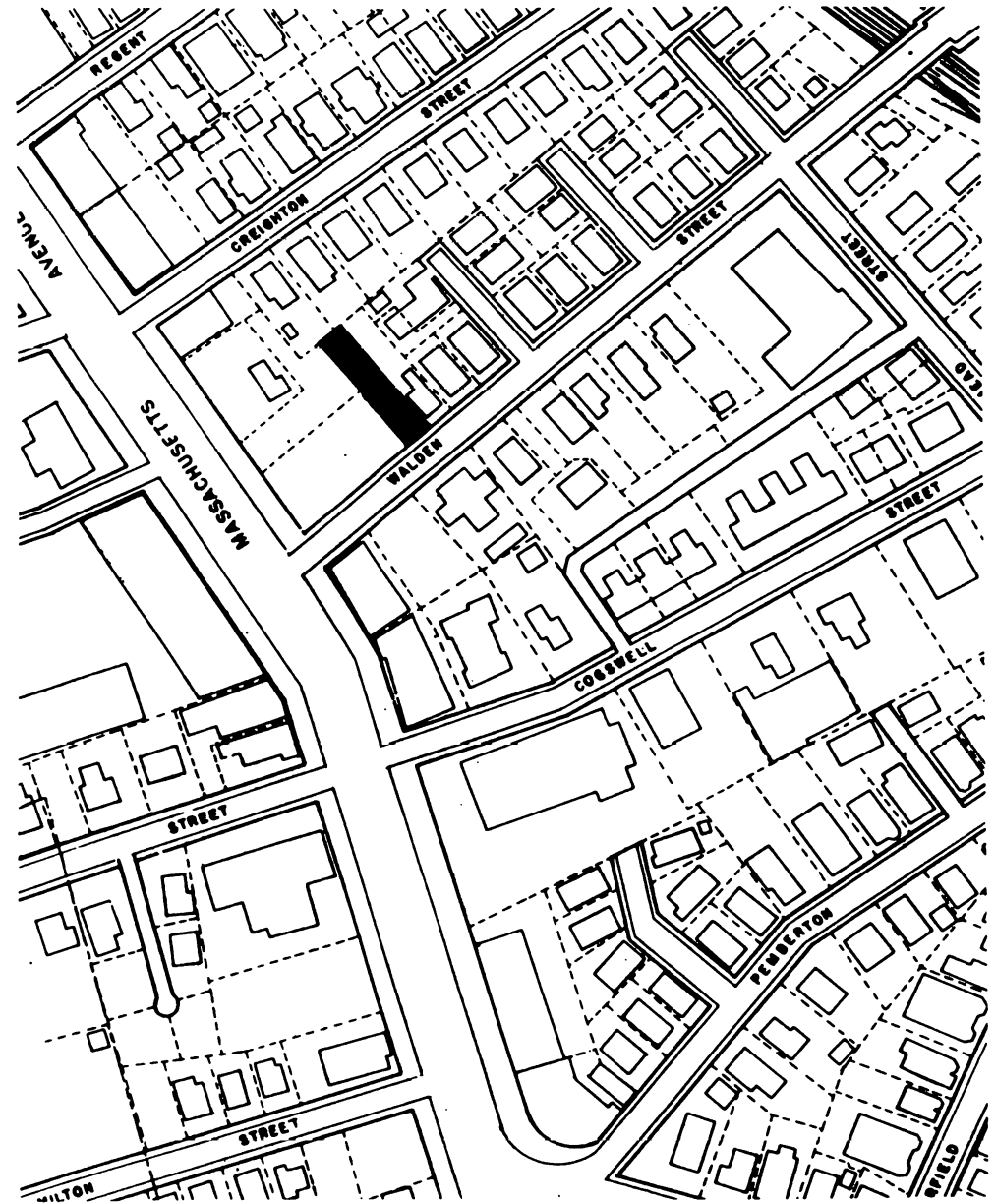
- 1. Central Square parking lots**
- 2. Fresh Pond greenhouse lot**
- 3. Trolley Square site**

The Central Square lots and the land bordering Fresh Pond require comprehensive planning efforts to resolve issues about their uses as housing sites.

Parcel Name/Location:	109 Pemberton Street
Size:	20,000 Square Feet (estimated) (10,000 of which would be dedicated to continuing use as recreational space)
Existing Zoning:	Residence B
Allowed Uses:	Residential: single family, two family and townhouse dwellings
As-of-Right Units:	8
Setback Requirements:	15' front; 7'6" side (sum of 20'); 20' rear
Neighborhood Character:	The surrounding neighborhood is residential, comprised of medium density, low-rise homes in mainly two- and three-family woodframe buildings. The site abuts a commuter rail line and recreational facilities.
Environmental Issues:	None
Traffic & Parking Issues:	Parking can be accommodated on site.



Parcel Name/Location:	12 Walden Street
Size:	6,268 Square Feet
Existing Zoning:	Residence B
Allowed Uses:	Residential: single family, two-family and townhouse dwellings
As-of-Right Units:	2
Setback Requirements:	15' front; 7'6" side (sum of 20'); 20' rear
Neighborhood Character:	The area is medium density residential, with predominately two- and three- family woodframe dwellings. The site is abutted on one side by a takeout restaurant and the Leonard J. Russell Senior Citizen's Apartments, both of which face onto Massachusetts Avenue. Massachusetts Avenue provides nearby neighborhood and citywide retail. The site is close to neighborhood shopping.
Environmental Issues:	None
Traffic & Parking Issues:	Parking can be accommodated on the site. The site is currently used as a parking lot by neighbors. Although Walden Street is busy, there is on street parking on one side of the street.



Parcel Name/Location: Lowell Street School
25 Lowell Street

Size: 11,990 Square Feet

Existing Zoning: Residence B

Allowed Uses: Residential: single family, two family
and townhouse dwellings

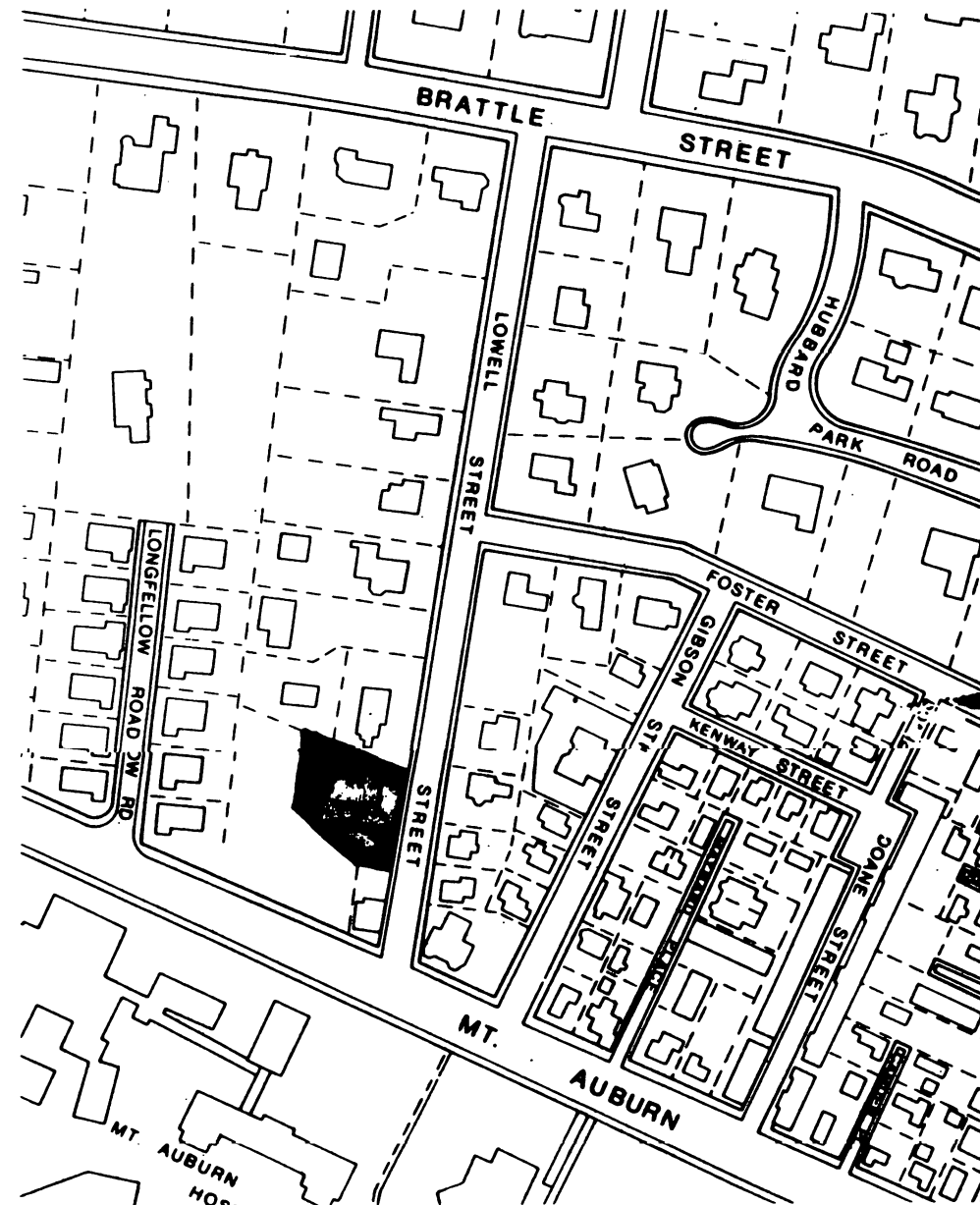
As-of-Right Units: 4

Setback Requirements: 15' front; 7'6" side (sum of 20'); 20' rear

Neighborhood Character: The surrounding neighborhood is low to medium density residential, with predominately single family and two-family homes. The site is abutted on two sides by a neighborhood park. (Currently, because the rest of the park is fenced, it can only be reached via the school parking lot.) The site is close to the Mt. Auburn Hospital and the Charles River.

Environmental Issues: None

Traffic & Parking Issues: Parking can be accommodated on-site.



Parcel Name/Location: 331 Norfolk Street

Size: 7,216 Square Feet

Existing Zoning: Residence C-1

Allowed Uses: Residential: single family, townhouse and multifamily

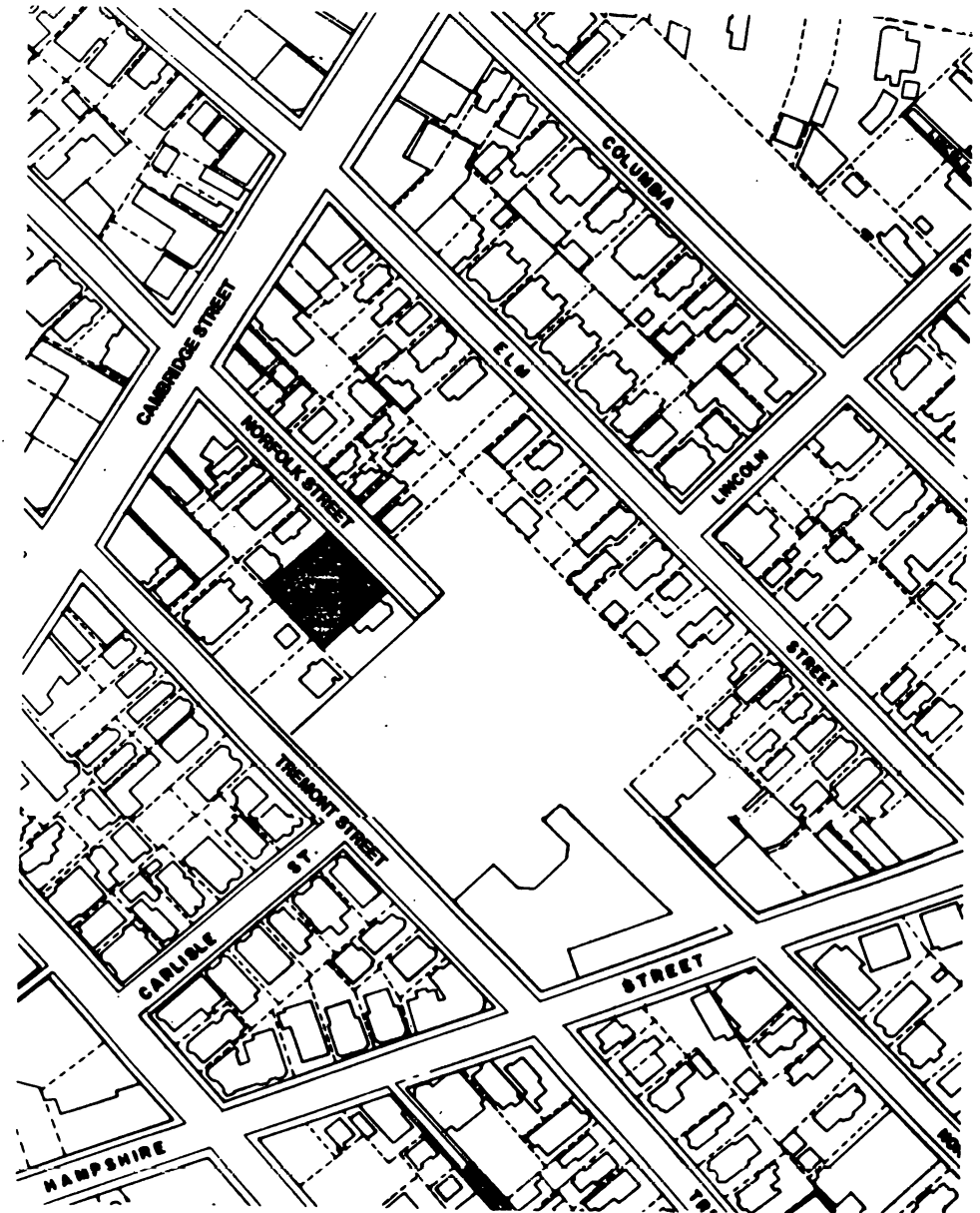
As-of-Right Units: 6

Setback Requirements: Determined by formula

Neighborhood Character: This neighborhood is characterized by dense low-rise residential uses, predominately single and two-family homes. The site is close to a Department of Public Works facility, which generates noise.

Environmental Issues: None

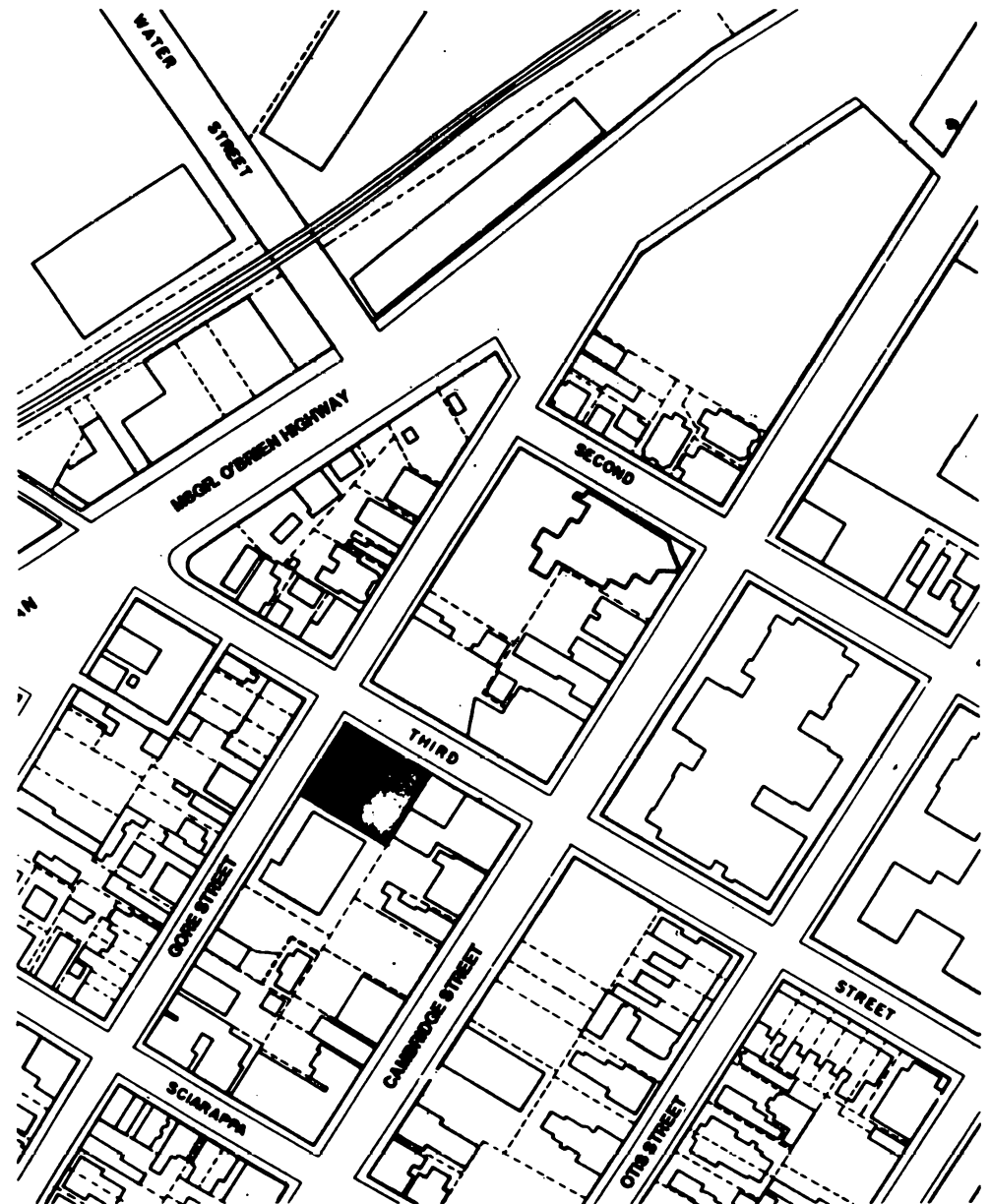
Traffic & Parking Issues: Public Works vehicles use this street as an alternate exit to the Department of Public Works yard during emergencies. Neighbors currently use the site as a parking lot.



Parcel Name/Location:	7 Warren Street
Size:	11,050 Square Feet
Existing Zoning:	Combination of BA and Residence C-1
Allowed Uses:	BA: Commercial, retail, office, single family, townhouse and multifamily housing C1: Residential: Single family, townhouse and multifamily housing
As-of-Right Units:	14
Setback Requirements:	Determined by formula
Neighborhood Character:	This part of East Cambridge is characterized by dense low-rise multifamily dwellings. Along Cambridge Street there is low scale neighborhood-oriented retail space on the ground floor, with apartments above.
Environmental Issues:	None
Traffic & Parking Issues:	The site is currently used as a municipal parking lot and as a public way.



Parcel Name/Location:	Third Street Fire Station 29 Third Street
Size:	4,955 Square Feet
Existing Zoning:	Residence C-1
Allowed Uses:	Residential: single family, town-house and multifamily housing
As-of-Right Units:	4
Setback Requirements:	Determined by formula
Neighborhood Character:	This site abuts a mixture of neighborhood-oriented and citywide retail and commercial uses along Third Street. It is located on the edge of an older, dense low-scale residential neighborhood. The site is convenient to shopping and recreational facilities.
Environmental Issues:	None
Traffic & Parking Issues:	No major impact



Parcel Name/Location: 178 Webster/126 Lincoln

Size: 5,171 Square Feet

Existing Zoning: Residence C-1

Allowed Uses: Residential: single family, townhouse and multifamily

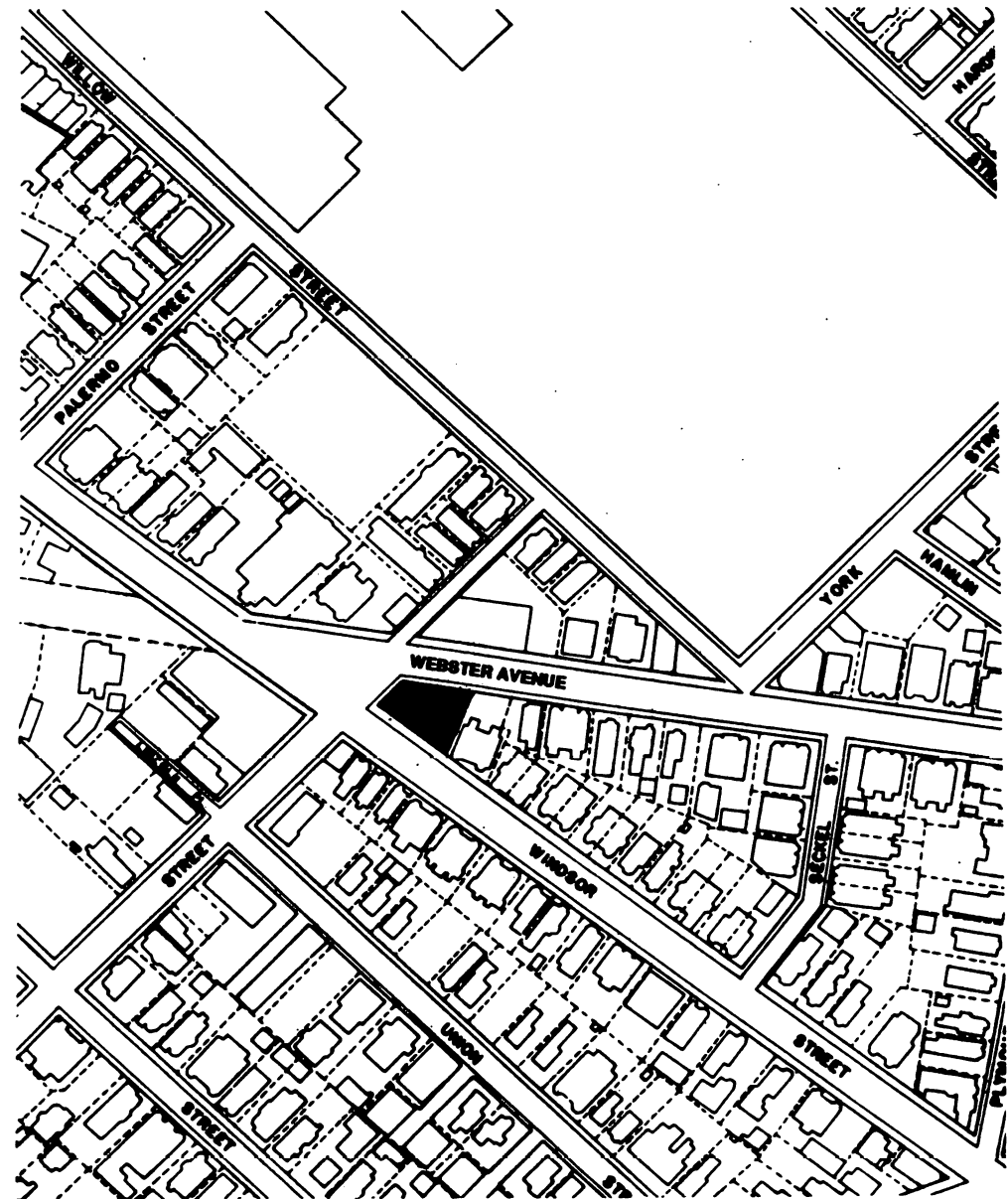
As-of-Right Units: 4

Setback Requirements: Determined by formula

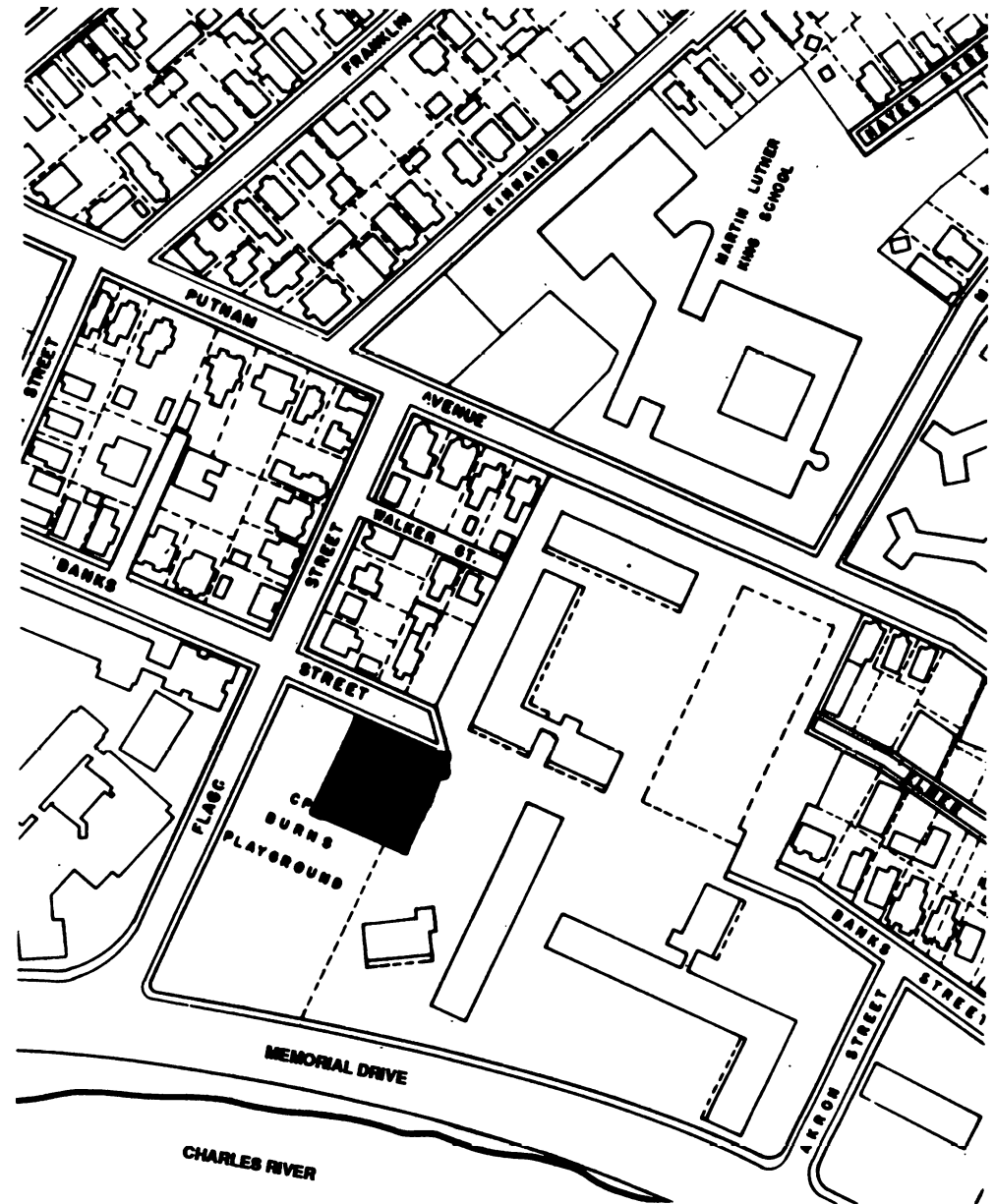
Neighborhood Character: This neighborhood is characterized by dense low-rise residential uses, predominately two-family homes. Roads abut the site on three sides. The site is one block from the Harrington School and is close to playgrounds.

Environmental Issues: None

Traffic & Parking Issues: Parking can be accommodated on-site.



Parcel Name/Location:	Corporal Burns Shelter 149-189 Banks Street
Size:	14,440 Square Feet (estimated)
Existing Zoning:	Residence C-3
Allowed Uses:	Institutional Uses Residential: single family, townhouse and multifamily
As-of-Right Units:	48 (CDD recommends developing the site at maximum C-1 density of 12 units)
Setback Requirements:	Determined by formula
Neighborhood Character:	Mix of high rise residential, institutional and low scale, dense single, two-, three- and four-family residential uses. The site is very close to the Charles River, and borders a park and athletic facility.
Environmental Issues:	None
Traffic & Parking Issues:	Parking can be accomodated on-site.



**Creation of an Affordable Housing Land Bank
Within the Affordable Housing Trust**

The creation of an Affordable Housing Land Bank (Land Bank) within the Affordable Housing Trust (Trust) is one measure among the many necessary to respond to the crisis-level shortage of affordable housing* in the City of Cambridge. The Council desires that the Land Bank operate in a manner that reflects the City's dedication to increasing the supply of affordable housing and recognizes and responds to the legitimate concerns of neighborhood residents about development in their neighborhoods.

One of the major obstacles to the development of affordable housing in Cambridge is the high cost of land. Availability of low-cost or free to the Land Bank removes the traditional necessity of building at unacceptably high densities. The Land Bank can be a mechanism for creating housing in Cambridge affordable to residents with low and moderate incomes.

The Land Bank's first land resources shall be City-owned lands designated by the Council. The full potential of the Land Bank, however, will be realized only as the Trust acquires additional land, buildings, and resources from a variety of sources which may include commercial, educational, charitable, and religious institutions, individuals, and the City.

To assist the Land Bank in maximizing its accomplishments, the Council must commit itself to ongoing action in support of the Land Bank's work. To assure that the scarce and valuable resource of land disposed to the Trust is used to accomplish the housing goals of the City, the Council must also restrict and direct the actions of the Trust. While changes in those restrictions may be necessary with the disposition of specific parcels of land, the general conditions listed below shall apply to all City-owned parcels of land disposed to the Trust. The Affordable Housing Trust can accept additional parcels of land, with appropriate conditions, established by the donor.

*Terms such as "affordable housing" are defined at the end of the document. Defined terms are marked with an asterisk.

Council Commitments:

1. Filling the Land Bank. The Council shall assist the Trust in assembling resources for the development of affordable housing.
 - a. City-owned Land. The Council shall, as it sees fit, dispose to the Trust surplus City-owned land for the purpose of affordable housing.
 - i. Request to City Manager. The Council now requests and shall request from time to time that the City Manager, and others when helpful, recommend to the Council City-owned land that meet the criteria.
 - ii. Planning Board Evaluation. The Council now requests and shall request from time to time that the City Manager first refer recommended City-owned land to the Planning Board for evaluation and report to the Council, along with the Manager's recommendation. The Planning Board shall consider at a public meeting whether the parcels referred by the City Manager are appropriate for residential use.

The Planning Board shall consider the following factors in evaluating each site:

- (a) Lot location and size
- (b) Relation of lot location to public transportation
- (c) Relation of lot location to public schools
- (d) Relation of lot location to business districts
- (e) Character of the surrounding neighborhood
- (f) Environmental impacts and issues (if any)
- (g) Traffic and parking impacts and issues
- (h) Existing zoning
 - (i) Allowed uses
 - (ii) Allowed number of dwelling units "as of right"
 - (iii) Setback requirements

The Planning Board shall return its report to Council within sixty (60) days.

- iii. Disposition of Land. The Council shall dispose to the Trust City-owned lands only from among those that the Council judges appropriate for development as affordable housing. The Council shall hold a hearing before disposing to the Trust any of such lands. The Council shall make timely and strenuous efforts to notify and invite the participation of civic and neighborhood groups, institutions, and individuals with an interest in affordable housing and the development sites. The disposition order shall include the mandates to the Trust listed below and other restrictions that the Council believes will further the creation of affordable housing.
 - b. Donations of Other Land and Resources. The Council shall seek donations of land and other housing and financing resources from commercial, educational, charitable, and religious institutions and from individuals. Donations that require the use of City- and/or Trust-provided resources shall be considered in the light of the restrictions on those resources and the City's housing goals.
 - c. Purchase of Advantageously Priced Housing or Land. The Council shall explore opportunities to acquire market-rate housing at advantageous prices, below market-rate and/or below-cost. The City desires to use the positive potential to provide affordable housing contained in the misfortune of financially distressed market-rate housing developments in the currently weak real estate market.
 - d. Tax Title Land. The Council requests the City Manager to develop procedures that assure speedy tax title proceedings where properties may be suitable for affordable housing.
2. Financial Resources. The Council shall assist the Trust in obtaining financial resources for the production of affordable housing.

- a. Grants, Loans, Subsidies. The Council shall cooperate with the Trust to secure grants, loans, and/or subsidies to the Trust and/or its designated developers from other governmental and private bodies.
 - b. Potential Revenue Sources. The Council shall explore the creation or expansion of tax and other revenue sources that shall be dedicated to the creation of affordable housing.
3. Future Opportunities for the Trust. The Council may wish to dispose to the Trust large parcels of land which may be best suited for housing for people of mixed incomes. The Council shall, when necessary, create procedures for the Trust to use in these cases.

Mandates to the Trust:

1. **Filling the Land Bank.** The Trust shall attempt to acquire land and buildings for affordable housing development from the City and other sources.
 - a. **Transfers of City-owned Land.** The Trust shall accept City-owned land disposed to it by the City Council.
 - b. **Donations of Other Land and Resources.** The Trust shall seek donations of land and other housing and financing resources from commercial, educational, charitable, and religious institutions and from individuals. Donations that require the use of City- and/or Trust-provided resources shall be considered only in the light of the restrictions on those resources and the Council's stated housing goals for the City.
 - c. **Purchase of Advantageously Priced Housing or Land.** The Trust shall explore opportunities to acquire market-rate housing at advantageous prices, below market-rate and/or below-cost. The City desires to use the positive potential to provide affordable housing contained in the misfortune of financially distressed market-rate housing developments in the currently weak real estate market.
2. **Affordable Housing.** All land and resources disposed to the Trust shall be used solely for the development and/or rehabilitation of affordable housing. [See also Article II of Cambridge Affordable Housing Trust document.] Every housing unit developed shall be affordable to persons and families with incomes at or below 80% of the median income of the Boston SMSA*.
 - a. **Affordability Criteria.** The Trust shall strive to develop housing affordable to those with the lowest incomes (i.e. below 50% of median) and those most in need. It is the desire of the City Council that we set a goal of 70% of the housing to be committed to very low-income people, but a least 50% of the housing built on public land shall be committed to very low-income people. To this end, feasible proposals which provide 100% of

units or, short of that, the highest number of units to very low-income households shall have an absolute preference in the selection criteria.

To insure Council oversight of the number of units being provided to those with the lowest incomes, the Trust shall report semi-annually to the Council as to the total number of units developed, and the number which have been allocated to those with the lowest income.

This report shall also include an analysis of any existing barriers to increasing the percentage of units provided to very low income persons, and recommendations as to actions necessary to eliminate these barriers.

- b. **Family and Supported Housing.** It is a strong priority of the City that housing be created for families and for persons who require housing with additional specialized social services and/or management. The Trust shall assess the need for family housing units of various sizes, especially larger units, and seek development that will meet that need. Any other housing use shall require extensive and compelling justification.
 - c. **Long-term Affordability.** The affordability of the housing created shall be structured to endure as long as possible, in perpetuity if possible. The Trust shall explore various mechanisms, such as Trust ownership with ground leases, deed restrictions, and limited-equity options. Both rental and home-ownership options shall be considered when they can provide opportunities to those most in need as describe herein.
3. **Trust Resources.** The Trust shall explore sources of revenue to be used for affordable housing.
- a. **Tenure and Equity Alternatives.** The Trust shall explore land and building tenure options, and equity sharing possibilities as potential sources of income to the Trust. Any income to the Trust shall be used solely for the development and/or rehabilitation of affordable housing in accordance with the mandates by the Council.

- b. Revenues. The Trust shall accept any monies donated to it by the City, provided by dedicated tax revenues or any other source deemed proper by the Council.
 - c. Subsidy Coordination. The Trust shall sell, lease, or otherwise make land available to approved affordable housing development projects at prices discounted from market rates to allow the development of housing at the desired and required levels of affordability. Developers shall be expected to use other funding and subsidy sources to the full extent they are available. These requirements shall not preclude the disposition of land from the Land Bank to a developer for a nominal fee.
4. Trust Procedures. The Trust shall use the following procedures in its creation of affordable housing.
- a. Initial Hearing. Soon after the adoption of this ordinance, the Trust shall hold a public hearing. This hearing shall collect information and opinions to further define the housing and other needs that the Trust shall endeavor to meet. The issues considered shall include, but not be limited to, defining those groups in need of housing, geographic needs for housing, and training and employment needs that can be addressed in the course of housing development and construction. The hearing shall also be an opportunity to clarify city-wide, neighborhood, and personal concerns about the development of affordable housing.
- Notification. The Trust shall make timely and strenuous efforts to notify and invite the participation of civic and neighborhood groups; charitable, religious, educational, and other institutions; and individuals with an interest in affordable housing and the development sites. Notification efforts shall include mailings to the above parties, publication in the newspapers by legal notice and press release, and publication on community-access public television.
- b. Request for Proposals. The Trust shall prepare a standard-form RFP that details the restrictions placed

by the City Council as well as others the Trust may include. The Advisory Committee(s) shall extend that document to prepare a site(s)-specific RFP.

RFP Requirements. The RFP's shall include developer qualification requirements, project specifications, community participation requirements, requirements for tenant and purchaser selection procedures, marketing requirements, and other criteria that shall be used in judging proposals.

- i. **Qualification of Developers.** The Trust shall set developer qualification criteria in accordance with its mandate from the Council and its own priorities. These criteria shall include:
 - (1) Demonstrated capability in affordable housing development and/or like projects.
 - (2) Financial and managerial strengths to complete new developments like those the Trust anticipates.
 - (3) Plans and/or capability to provide required support services during the life of the development.
 - (4) Preference, not absolute, to Cambridge-based, non-profit developers.
- ii. **Community Participation.** Community participation procedures are a critical requirement of every RFP and development proposal. Strenuous efforts to notify, as above, and to involve the community in the development process shall be required.
- iii. **Tenant and Purchaser Selection.** Tenant and purchaser selection procedures shall balance the needs of neighborhood residents for affordable housing; the needs of Cambridge residents for affordable housing; the needs of single- and two-parent families for affordable housing; the needs of the homeless, near homeless and those with

housing emergencies for affordable housing, the need for racial and ethnic diversity and opportunities for those with special needs, and City, State, and Federal requirements.

- (1) Cambridge Residents. In all cases, Cambridge residents and former Cambridge residents who have been forced to leave the city by high housing costs, poor conditions, and/or no fault eviction, etc. shall have priority.
 - (2) High Current Housing Expenses. Among persons and families with incomes between 50% and 80% of median, priority shall be given those whose current housing expenses are above 40% of their income. All applicants shall meet the income eligibility requirements of the development.
 - (3) Need. Tenant and purchaser selection procedures shall reflect the many other dimensions of personal need that cause people to apply for affordable housing developments including, but not limited to, displacement or impending displacement by condominium conversion or no-fault eviction, sub-standard housing conditions, over-crowded housing conditions, or family size that limits the market availability of housing choices.
- iv. Training and Employment Issues. The Trust should strive to use the occasion of the use of the public resources of the City for housing construction and development to provide training and employment opportunities to Cambridge residents, women and men, of all races and backgrounds.

The Trust shall exercise care that public resources not be used to undermine the wages and working conditions achieved by Boston-area construction workers. The Trust shall encourage the use of contractors who demonstrate a belief in fair wages and working conditions. Every Request for Proposals should detail requirements to these ends.

c. **Tentative Site Use.** The Trust shall decide a tentative affordable housing use for the specific parcel(s), or package(s) of parcels of land.

d. **Site Hearings.** After the decision on a tentative affordable housing use for the land, but before the elaboration of any broad plan for the site(s) or a RFP to developers, the Trust shall hold hearing(s) in the neighborhood(s) of the site(s).

Notification. The Trust shall make timely public notification of the site hearing including notice in one local newspaper. Owners of property and renters listed on the Annual Street List or the assessor's records within three hundred (300) feet of the parcel of land shall be notified of the hearing. Notice shall include the time and location of the hearing and the intent to discuss the proposed affordable housing use [not whether affordable housing is to be built on the site(s)].

e. **Site Advisory Committees.** The Trust shall form Site Advisory Committee(s) that include volunteers from the neighborhood. These committee(s) shall include representatives of the diversity of opinion in the neighborhood.

i. **Requests for Proposals.** The Trust and the committee(s) shall develop RFP's for affordable housing for the site(s). RFP's shall be developed in a timely fashion, in recognition of the urgency of the housing crisis facing the city, the time constraints imposed by limited funding sources, and the necessity of community participation. Every RFP shall require discussion at a public meeting and final approval by the Trust before its issuance and publication.

ii. **Proposal and Developer Selection.** The Advisory Committee(s) shall review developer proposals and advise the Trust of its judgements of their merit.

- iii. Ongoing Monitoring. The Advisory Committee(s) shall monitor the development process through developer and contractor selection, construction, and initial occupancy. The Trust shall continue to monitor the development throughout its life to assure long-term compliance with the affordable housing requirements of the development plan.

The Advisory Committee(s) shall hold public meetings, as necessary, to inform the public of progress made on the development(s) and issues that arise. Notification for these meetings shall include publication in the newspaper of a meeting notice.

- f. Proposal and Developer Selection. The Trust shall select a proposal and developer according to the criteria established in the RFP. The selection procedure, and disposition of land out of the Trust shall be in accordance with applicable provisions of the Uniform Procurement Act.
 - i. RFP Issuance. RFP's shall be published in the newspapers and mailed to civic and neighborhood groups and institutions and to individuals who have indicated interest at public hearings. A timely response shall be required.
 - ii. Selection. The Trust shall select a proposal and designate the developer that it judges has best satisfied the criteria of the RFP. The Trust may reject all proposals if it believes that they do not satisfy the criteria of the RFP.
 - iii. Public Notification. The Trust shall cooperate with the designated developer to inform the community of the Trust's selection. The award shall be published in the newspapers via press release, on public-access cable television, posted at the office of the City Clerk, and mailed to civic and neighborhood groups and institutions and to individuals who have indicated interest at public hearings.

- g. Ongoing Oversight. The Trust shall ensure that the designated developer fulfills its contractual obligations. These obligations shall include all of the obligations set forth in the RFP and in the developer's proposal.

The Advisory Committee(s) and its members shall have an ongoing obligation to perform the duties of monitoring the process [as noted in Sec. 3.e.iii.] and maintaining communication with the community. The Trust shall cooperate with and assist Committee members to this end. Should members of the Committee(s) fail to perform these duties, the Committee(s) shall find replacements for them.

Definitions:

Affordable Housing: Affordable Housing is housing where the total housing cost to a person or family is less than or equal to 30% of their income. The income levels of those the housing is intended to serve is defined above.

Family Housing: Family Housing developments are those with apartments that are sized and otherwise appropriate for families. The Land Bank process must recognize the vibrant diversity of types of families that live in the City of Cambridge.

Large Parcels: A Large Parcel of land is defined to be a single contiguous piece of land with area greater than 25,000 square feet.

Median Income: Half of the people in the Greater Boston area (SMSA) have incomes above the Median Income; half have incomes below the median.

Supported Housing: Supported Housing developments are those that provide specialized social services and/or management.

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c. Long-term Affordability. The affordability of the housing created shall be structured to endure as long as possible, in perpetuity if possible. The Trust shall explore various mechanisms, such as Trust ownership with ground leases, deed restrictions, and limited-equity options. Both rental and home-ownership options shall be considered when they can provide opportunities to those most in need as describe herein.

3. Trust Resources. The Trust shall explore sources of revenue to be used for affordable housing.

a. Tenure and Equity Alternatives. The Trust shall explore land and building tenure options, and equity sharing possibilities as potential sources of income to the Trust. Any income to the Trust shall be used solely for the development and/or rehabilitation of affordable housing in accordance with the mandates by the Council.

- b. Revenues. The Trust shall accept any monies donated to it by the City, provided by dedicated tax revenues or any other source deemed proper by the Council.
 - c. Subsidy Coordination. The Trust shall sell, lease, or otherwise make land available to approved affordable housing development projects at prices discounted from market rates to allow the development of housing at the desired and required levels of affordability. Developers shall be expected to use other funding and subsidy sources to the full extent they are available. These requirements shall not preclude the disposition of land from the Land Bank to a developer for a nominal fee.
4. Trust Procedures. The Trust shall use the following procedures in its creation of affordable housing.
- a. Initial Hearing. Soon after the adoption of this ordinance, the Trust shall hold a public hearing. This hearing shall collect information and opinions to further define the housing and other needs that the Trust shall endeavor to meet. The issues considered shall include, but not be limited to, defining those groups in need of housing, geographic needs for housing, and training and employment needs that can be addressed in the course of housing development and construction. The hearing shall also be an opportunity to clarify city-wide, neighborhood, and personal concerns about the development of affordable housing.
- Notification. The Trust shall make timely and strenuous efforts to notify and invite the participation of civic and neighborhood groups; charitable, religious, educational, and other institutions; and individuals with an interest in affordable housing and the development sites. Notification efforts shall include mailings to the above parties, publication in the newspapers by legal notice and press release, and publication on community-access public television.
- b. Request for Proposals. The Trust shall prepare a standard-form RFP that details the restrictions placed

by the City Council as well as others the Trust may include. The Advisory Committee(s) shall extend that document to prepare a site(s)-specific RFP.

RFP Requirements. The RFP's shall include developer qualification requirements, project specifications, community participation requirements, requirements for tenant and purchaser selection procedures, marketing requirements, and other criteria that shall be used in judging proposals.

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 - (1) Demonstrated capability in affordable housing development and/or like projects.
 - (2) Financial and managerial strengths to complete new developments like those the Trust anticipates.
 - (3) Plans and/or capability to provide required support services during the life of the development.
 - (4) Preference, not absolute, to Cambridge-based, non-profit developers.
- ii. **Community Participation.** Community participation procedures are a critical requirement of every RFP and development proposal. Strenuous efforts to notify, as above, and to involve the community in the development process shall be required.
- iii. **Tenant and Purchaser Selection.** Tenant and purchaser selection procedures shall balance the needs of neighborhood residents for affordable housing; the needs of Cambridge residents for affordable housing; the needs of single- and two-parent families for affordable housing; the needs of the homeless, near homeless and those with

housing emergencies for affordable housing, the need for racial and ethnic diversity and opportunities for those with special needs, and City, State, and Federal requirements.

- (1) Cambridge Residents. In all cases, Cambridge residents and former Cambridge residents who have been forced to leave the city by high housing costs, poor conditions, and/or no fault eviction, etc. shall have priority.
- (2) High Current Housing Expenses. Among persons and families with incomes between 50% and 80% of median, priority shall be given those whose current housing expenses are above 40% of their income. All applicants shall meet the income eligibility requirements of the development.
- (3) Need. Tenant and purchaser selection procedures shall reflect the many other dimensions of personal need that cause people to apply for affordable housing developments including, but not limited to, displacement or impending displacement by condominium conversion or no-fault eviction, sub-standard housing conditions, over-crowded housing conditions, or family size that limits the market availability of housing choices.

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The Trust shall exercise care that public resources not be used to undermine the wages and working conditions achieved by Boston-area construction workers. The Trust shall encourage the use of contractors who demonstrate a belief in fair wages and working conditions. Every Request for Proposals should detail requirements to these ends.

c. **Tentative Site Use.** The Trust shall decide a tentative affordable housing use for the specific parcel(s), or package(s) of parcels of land.

d. **Site Hearings.** After the decision on a tentative affordable housing use for the land, but before the elaboration of any broad plan for the site(s) or a RFP to developers, the Trust shall hold hearing(s) in the neighborhood(s) of the site(s).

Notification. The Trust shall make timely public notification of the site hearing including notice in one local newspaper. Owners of property and renters listed on the Annual Street List or the assessor's records within three hundred (300) feet of the parcel of land shall be notified of the hearing. Notice shall include the time and location of the hearing and the intent to discuss the proposed affordable housing use [not whether affordable housing is to be built on the site(s)].

e. **Site Advisory Committees.** The Trust shall form Site Advisory Committee(s) that include volunteers from the neighborhood. These committee(s) shall include representatives of the diversity of opinion in the neighborhood.

i. **Requests for Proposals.** The Trust and the committee(s) shall develop RFP's for affordable housing for the site(s). RFP's shall be developed in a timely fashion, in recognition of the urgency of the housing crisis facing the city, the time constraints imposed by limited funding sources, and the necessity of community participation. Every RFP shall require discussion at a public meeting and final approval by the Trust before its issuance and publication.

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- iii. Ongoing Monitoring. The Advisory Committee(s) shall monitor the development process through developer and contractor selection, construction, and initial occupancy. The Trust shall continue to monitor the development throughout its life to assure long-term compliance with the affordable housing requirements of the development plan.

The Advisory Committee(s) shall hold public meetings, as necessary, to inform the public of progress made on the development(s) and issues that arise. Notification for these meetings shall include publication in the newspaper of a meeting notice.

- f. Proposal and Developer Selection. The Trust shall select a proposal and developer according to the criteria established in the RFP. The selection procedure, and disposition of land out of the Trust shall be in accordance with applicable provisions of the Uniform Procurement Act.
 - i. RFP Issuance. RFP's shall be published in the newspapers and mailed to civic and neighborhood groups and institutions and to individuals who have indicated interest at public hearings. A timely response shall be required.
 - ii. Selection. The Trust shall select a proposal and designate the developer that it judges has best satisfied the criteria of the RFP. The Trust may reject all proposals if it believes that they do not satisfy the criteria of the RFP.
 - iii. Public Notification. The Trust shall cooperate with the designated developer to inform the community of the Trust's selection. The award shall be published in the newspapers via press release, on public-access cable television, posted at the office of the City Clerk, and mailed to civic and neighborhood groups and institutions and to individuals who have indicated interest at public hearings.

- g. Ongoing Oversight. The Trust shall ensure that the designated developer fulfills its contractual obligations. These obligations shall include all of the obligations set forth in the RFP and in the developer's proposal.

The Advisory Committee(s) and its members shall have an ongoing obligation to perform the duties of monitoring the process [as noted in Sec. 3.e.iii.] and maintaining communication with the community. The Trust shall cooperate with and assist Committee members to this end. Should members of the Committee(s) fail to perform these duties, the Committee(s) shall find replacements for them.

Definitions:

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Family Housing: Family Housing developments are those with apartments that are sized and otherwise appropriate for families. The Land Bank process must recognize the vibrant diversity of types of families that live in the City of Cambridge.

Large Parcels: A Large Parcel of land is defined to be a single contiguous piece of land with area greater than 25,000 square feet.

Median Income: Half of the people in the Greater Boston area (SMSA) have incomes above the Median Income; half have incomes below the median.

Supported Housing: Supported Housing developments are those that provide specialized social services and/or management.

City of Cambridge

MASSACHUSETTS

In City Council Jan. 7 1990

C. Cyr - Moved to take from the Table Item # 8

Re: Land Bank Proposal

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr	✓				
Mr. Francis H. Duehay	✓				
Mr. Jonathan S. Myers	✓				
Mr. Kenneth E. Reeves	✓				
Mrs. Sheila T. Russell		✓			
Mr. Walter J. Sullivan		✓			
Mr. Timothy J. Toomey, Jr.		✓			
Mr. William H. Walsh		✓			
Mayor Alice K. Wolf	✓				

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**Creation of an Affordable Housing Land Bank
Within the Affordable Housing Trust**

The creation of an Affordable Housing Land Bank (Land Bank) within the Affordable Housing Trust (Trust) is one measure among the many necessary to respond to the crisis-level shortage of affordable housing* in the City of Cambridge. The Council desires that the Land Bank operate in a manner that reflects the City's dedication to increasing the supply of affordable housing and recognizes and responds to the legitimate concerns of neighborhood residents about development in their neighborhoods.

One of the major obstacles to the development of affordable housing in Cambridge is the high cost of land. Availability of low-cost or free to the Land Bank removes the traditional necessity of building at unacceptably high densities. The Land Bank can be a mechanism for creating housing in Cambridge affordable to residents with low and moderate incomes.

The Land Bank's first land resources shall be City-owned lands designated by the Council. The full potential of the Land Bank, however, will be realized only as the Trust acquires additional land, buildings, and resources from a variety of sources which may include commercial, educational, charitable, and religious institutions, individuals, and the City.

To assist the Land Bank in maximizing its accomplishments, the Council must commit itself to ongoing action in support of the Land Bank's work. To assure that the scarce and valuable resource of land disposed to the Trust is used to accomplish the housing goals of the City, the Council must also restrict and direct the actions of the Trust. While changes in those restrictions may be necessary with the disposition of specific parcels of land, the general conditions listed below shall apply to all City-owned parcels of land disposed to the Trust. The Affordable Housing Trust can accept additional parcels of land, with appropriate conditions, established by the donor.

*Terms such as "affordable housing" are defined at the end of the document. Defined terms are marked with an asterisk.

Council Commitments:

1. **Filling the Land Bank.** The Council shall assist the Trust in assembling resources for the development of affordable housing.

a. **City-owned Land.** The Council shall, as it sees fit, dispose to the Trust surplus City-owned land for the purpose of affordable housing.

i. **Request to City Manager.** The Council now requests and shall request from time to time that the City Manager, and others when helpful, recommend to the Council City-owned land that meet the criteria.

ii. **Planning Board Evaluation.** The Council now requests and shall request from time to time that the City Manager first refer recommended City-owned land to the Planning Board for evaluation and report to the Council, along with the Manager's recommendation. The Planning Board shall consider at a public meeting whether the parcels referred by the City Manager are appropriate for residential use.

The Planning Board shall consider the following factors in evaluating each site:

- (a) Lot location and size
- (b) Relation of lot location to public transportation
- (c) Relation of lot location to public schools
- (d) Relation of lot location to business districts
- (e) Character of the surrounding neighborhood
- (f) Environmental impacts and issues (if any)
- (g) Traffic and parking impacts and issues
- (h) Existing zoning
 - (i) Allowed uses
 - (ii) Allowed number of dwelling units "as of right"
 - (iii) Setback requirements

The Planning Board shall return its report to Council within sixty (60) days.

- iii. **Disposition of Land.** The Council shall dispose to the Trust City-owned lands only from among those that the Council judges appropriate for development as affordable housing. The Council shall hold a hearing before disposing to the Trust any of such lands. The Council shall make timely and strenuous efforts to notify and invite the participation of civic and neighborhood groups, institutions, and individuals with an interest in affordable housing and the development sites. The disposition order shall include the mandates to the Trust listed below and other restrictions that the Council believes will further the creation of affordable housing.
 - b. **Donations of Other Land and Resources.** The Council shall seek donations of land and other housing and financing resources from commercial, educational, charitable, and religious institutions and from individuals. Donations that require the use of City- and/or Trust-provided resources shall be considered in the light of the restrictions on those resources and the City's housing goals.
 - c. **Purchase of Advantageously Priced Housing or Land.** The Council shall explore opportunities to acquire market-rate housing at advantageous prices, below market-rate and/or below-cost. The City desires to use the positive potential to provide affordable housing contained in the misfortune of financially distressed market-rate housing developments in the currently weak real estate market.
 - d. **Tax Title Land.** The Council requests the City Manager to develop procedures that assure speedy tax title proceedings where properties may be suitable for affordable housing.
2. **Financial Resources.** The Council shall assist the Trust in obtaining financial resources for the production of affordable housing.

- a. **Grants, Loans, Subsidies.** The Council shall cooperate with the Trust to secure grants, loans, and/or subsidies to the Trust and/or its designated developers from other governmental and private bodies.
 - b. **Potential Revenue Sources.** The Council shall explore the creation or expansion or tax and other revenue sources that shall be dedicated to the creation of affordable housing.
3. **Future Opportunities for the Trust.** The Council may wish to dispose to the Trust large parcels of land which may be best suited for housing for people of mixed incomes. The Council shall, when necessary, create procedures for the Trust to use in these cases.

Mandates to the Trust:

1. **Filling the Land Bank.** The Trust shall attempt to acquire land and buildings for affordable housing development from the City and other sources.
 - a. **Transfers of City-owned Land.** The Trust shall accept City-owned land disposed to it by the City Council.
 - b. **Donations of Other Land and Resources.** The Trust shall seek donations of land and other housing and financing resources from commercial, educational, charitable, and religious institutions and from individuals. Donations that require the use of City- and/or Trust-provided resources shall be considered only in the light of the restrictions on those resources and the Council's stated housing goals for the City.
 - c. **Purchase of Advantageously Priced Housing or Land.** The Trust shall explore opportunities to acquire market-rate housing at advantageous prices, below market-rate and/or below-cost. The City desires to use the positive potential to provide affordable housing contained in the misfortune of financially distressed market-rate housing developments in the currently weak real estate market.
2. **Affordable Housing.** All land and resources disposed to the Trust shall be used solely for the development and/or rehabilitation of affordable housing. [See also Article II of Cambridge Affordable Housing Trust document.] Every housing unit developed shall be affordable to persons and families with incomes at or below 80% of the median income of the Boston SMSA*.
 - a. **Affordability Criteria.** The Trust shall strive to develop housing affordable to those with the lowest incomes (i.e. below 50% of median) and those most in need. It is the desire of the City Council that we set a goal of 70% of the housing to be committed to very low-income people, but a least 50% of the housing built on public land shall be committed to very low-income people. To this end, feasible proposals which provide 100% of

units or, short of that, the highest number of units to very low-income households shall have an absolute preference in the selection criteria.

To insure Council oversight of the number of units being provided to those with the lowest incomes, the Trust shall report semi-annually to the Council as to the total number of units developed, and the number which have been allocated to those with the lowest income.

This report shall also include an analysis of any existing barriers to increasing the percentage of units provided to very low income persons, and recommendations as to actions necessary to eliminate these barriers.

- b. **Family and Supported Housing.** It is a strong priority of the City that housing be created for families and for persons who require housing with additional specialized social services and/or management. The Trust shall assess the need for family housing units of various sizes, especially larger units, and seek development that will meet that need. Any other housing use shall require extensive and compelling justification.
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TEL. 349-4300

FAX. 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

January 4, 1991

To The Honorable, The City Council:

The proposal for the establishment of a Land Bank is a creative and positive step. The Land Bank involves the conveyance by the City and other institutions and individuals of sites to the Affordable Housing Trust for the creation of affordable housing.

However, it is important to point out serious concerns about elements of the proposal which may jeopardize the actual production of affordable housing. The Trust shares the Council's commitment to building housing accessible to lower income families (with incomes of less than 50% of median). In fact 119 of 151 units/beds supported by Trust funds are available for lower income households. At this time, there are extremely limited subsidies to fill the gap between the level of subsidy now available for families with incomes of about 50 to 80% of median income, and the much deeper level of subsidy required to build housing for even lower income families. Rental housing for families with 25% of median income requires capital grants of approximately \$60,000 per unit even with free land, and may require additional operating subsidies.

Therefore, if the Council desires that units of housing for lower income households be built soon rather than conveying land for the Trust to hold until greater subsidy levels become available, it is essential to either identify the resources needed to build this housing as part of creating the Land Bank or to allow the Trust a greater degree of flexibility. For instance, if land to build 50 units is made available, and the Council wishes 70% of these units to be affordable to households below 50% of median income and the remaining units to be available to households between 50 - 80% of median income, a subsidy pool of approximately \$2,550,000 needs to be identified (\$60,000 of subsidy per low income unit; \$30,000 per moderate income unit).

The growing shortage of federal and state resources for affordable housing over the past few years makes it unlikely that these resources will be available within an acceptable time framework. Similarly, while present local resources such as the extension

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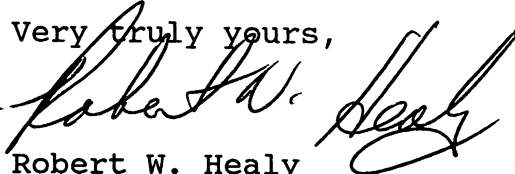
January 4, 1991
To The Honorable, The City Council
Page Two

of incentive zoning to a housing mitigation fee and the affordable housing lending fund established by four Cambridge banks represent important contributions to affordable housing development, neither will provide the level of deep subsidy required by the restrictions currently proposed.

Unless additional significant local resources can be identified which can be used by the Trust to ensure that housing for very low income households can be built, the Council should consider increasing the flexibility of the present proposal.

As the record shows, the Trust shares the Council's commitment to supporting the development of housing for those families and individuals with the greatest need. However, it is our strong belief that without the flexibility to serve a slightly higher income group (50 - 80% of median) or an identified source of subsidy, there is a danger that little housing will be built on Land Bank sites in the near future.

Very truly yours,



Robert W. Healy
Managing Trustee,
Cambridge Affordable Housing Trust

for

The following is a list of Trust commitments to date:

	<u># of Low Units</u>	<u># of Mod Units</u>
1. Howard Street	3	-
2. Portland-Marcella	9	-
3. Roberts Road	1	-
4. Magazine Street	10 (beds)	-
5. 230 Pearl Street	2	1
6. Columbia Street	-	6
7. YWCA	84 (rooms)	25
8. 30 Pearl Street	<u>10 (rooms)</u>	<u>-</u>
TOTALS	119	32 = 151

Creation of an Affordable Housing Land Bank Within the Affordable Housing Trust

The creation of an Affordable Housing Land Bank (Land Bank) within the Affordable Housing Trust (Trust) is one measure among the many necessary to respond to the crisis-level shortage of affordable housing* in the City of Cambridge. The Council desires that the Land Bank operate in a manner that reflects the City's dedication to increasing the supply of affordable housing and recognizes and responds to the legitimate concerns of neighborhood residents about development in their neighborhoods.

One of the major obstacles to the development of affordable housing in Cambridge is the high cost of land. Availability of low-cost or free to the Land Bank removes the traditional necessity of building at unacceptably high densities. The Land Bank can be a mechanism for creating housing in Cambridge affordable to residents with low and moderate incomes.

The Land Bank's first land resources shall be City-owned lands designated by the Council. The full potential of the Land Bank, however, will be realized only as the Trust acquires additional land, buildings, and resources from a variety of sources which may include commercial, educational, charitable, and religious institutions, individuals, and the City.

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a. **City-owned Land.** The Council shall, as it sees fit, dispose to the Trust surplus City-owned land for the purpose of affordable housing.

i. **Request to City Manager.** The Council now requests and shall request from time to time that the City Manager, and others when helpful, recommend to the Council City-owned land that meet the criteria.

ii. **Planning Board Evaluation.** The Council now requests and shall request from time to time that the City Manager first refer recommended City-owned land to the Planning Board for evaluation and report to the Council, along with the Manager's recommendation. The Planning Board shall consider at a public meeting whether the parcels referred by the City Manager are appropriate for residential use.

The Planning Board shall consider the following factors in evaluating each site:

- (a) Lot location and size
- (b) Relation of lot location to public transportation
- (c) Relation of lot location to public schools
- (d) Relation of lot location to business districts
- (e) Character of the surrounding neighborhood
- (f) Environmental impacts and issues (if any)
- (g) Traffic and parking impacts and issues
- (h) Existing zoning
 - (i) Allowed uses
 - (ii) Allowed number of dwelling units "as of right"
 - (iii) Setback requirements

The Planning Board shall return its report to Council within sixty (60) days.

- iii. **Disposition of Land.** The Council shall dispose to the Trust City-owned lands only from among those that the Council judges appropriate for development as affordable housing. The Council shall hold a hearing before disposing to the Trust any of such lands. The Council shall make timely and strenuous efforts to notify and invite the participation of civic and neighborhood groups, institutions, and individuals with an interest in affordable housing and the development sites. The disposition order shall include the mandates to the Trust listed below and other restrictions that the Council believes will further the creation of affordable housing.
 - b. **Donations of Other Land and Resources.** The Council shall seek donations of land and other housing and financing resources from commercial, educational, charitable, and religious institutions and from individuals. Donations that require the use of City- and/or Trust-provided resources shall be considered in the light of the restrictions on those resources and the City's housing goals.
 - c. **Purchase of Advantageously Priced Housing or Land.** The Council shall explore opportunities to acquire market-rate housing at advantageous prices, below market-rate and/or below-cost. The City desires to use the positive potential to provide affordable housing contained in the misfortune of financially distressed market-rate housing developments in the currently weak real estate market.
 - d. **Tax Title Land.** The Council requests the City Manager to develop procedures that assure speedy tax title proceedings where properties may be suitable for affordable housing.
2. **Financial Resources.** The Council shall assist the Trust in obtaining financial resources for the production of affordable housing.

- a. **Grants, Loans, Subsidies.** The Council shall cooperate with the Trust to secure grants, loans, and/or subsidies to the Trust and/or its designated developers from other governmental and private bodies.
 - b. **Potential Revenue Sources.** The Council shall explore the creation or expansion or tax and other revenue sources that shall be dedicated to the creation of affordable housing.
3. **Future Opportunities for the Trust.** The Council may wish to dispose to the Trust large parcels of land which may be best suited for housing for people of mixed incomes. The Council shall, when necessary, create procedures for the Trust to use in these cases.

Mandates to the Trust:

1. **Filling the Land Bank.** The Trust shall attempt to acquire land and buildings for affordable housing development from the City and other sources.
 - a. **Transfers of City-owned Land.** The Trust shall accept City-owned land disposed to it by the City Council.
 - b. **Donations of Other Land and Resources.** The Trust shall seek donations of land and other housing and financing resources from commercial, educational, charitable, and religious institutions and from individuals. Donations that require the use of City- and/or Trust-provided resources shall be considered only in the light of the restrictions on those resources and the Council's stated housing goals for the City.
 - c. **Purchase of Advantageously Priced Housing or Land.** The Trust shall explore opportunities to acquire market-rate housing at advantageous prices, below market-rate and/or below-cost. The City desires to use the positive potential to provide affordable housing contained in the misfortune of financially distressed market-rate housing developments in the currently weak real estate market.
2. **Affordable Housing.** All land and resources disposed to the Trust shall be used solely for the development and/or rehabilitation of affordable housing. [See also Article II of Cambridge Affordable Housing Trust document.] Every housing unit developed shall be affordable to persons and families with incomes at or below 80% of the median income of the Boston SMSA*.
 - a. **Affordability Criteria.** The Trust shall strive to develop housing affordable to those with the lowest incomes (i.e. below 50% of median) and those most in need. It is the desire of the City Council that we set a goal of 70% of the housing to be committed to very low-income people, but a least 50% of the housing built on public land shall be committed to very low-income people. To this end, feasible proposals which provide units to

very low income households will be given priority in the selection criteria.

To insure Council oversight of the number of units being provided to those with the lowest incomes, the Trust shall report semi-annually to the Council as to the total number of units developed, and the number which have been allocated to those with the lowest income.

This report shall also include an analysis of any existing barriers to increasing the percentage of units provided to very low income persons, and recommendations as to actions necessary to eliminate these barriers.

- b. **Family and Supported Housing.** It is a strong priority of the City that housing be created for families and for persons who require housing with additional specialized social services and/or management. The Trust shall assess the need for family housing units of various sizes, especially larger units, and seek development that will meet that need. Any other housing use shall require extensive and compelling justification.
 - c. **Long-term Affordability.** The affordability of the housing created shall be structured to endure as long as possible, in perpetuity if possible. The Trust shall explore various mechanisms, such as Trust ownership with ground leases, deed restrictions, and limited-equity options. Both rental and home-ownership options shall be considered when they can provide opportunities to those most in need as describe herein.
3. **Trust Resources.** The Trust shall explore sources of revenue to be used for affordable housing.
- a. **Tenure and Equity Alternatives.** The Trust shall explore land and building tenure options, and equity sharing possibilities as potential sources of income to the Trust. Any income to the Trust shall be used solely for the development and/or rehabilitation of affordable housing in accordance with the mandates by the Council.

- b. **Revenues.** The Trust shall accept any monies donated to it by the City, provided by dedicated tax revenues or any other source deemed proper by the Council.
 - c. **Subsidy Coordination.** The Trust shall sell, lease, or otherwise make land available to approved affordable housing development projects at prices discounted from market rates to allow the development of housing at the desired and required levels of affordability. Developers shall be expected to use other funding and subsidy sources to the full extent they are available. These requirements shall not preclude the disposition of land from the Land Bank to a developer for a nominal fee.
4. **Trust Procedures.** The Trust shall use the following procedures in its creation of affordable housing.
- a. **Initial Hearing.** Soon after the adoption of this ordinance, the Trust shall hold a public hearing. This hearing shall collect information and opinions to further define the housing and other needs that the Trust shall endeavor to meet. The issues considered shall include, but not be limited to, defining those groups in need of housing, geographic needs for housing, and training and employment needs that can be addressed in the course of housing development and construction. The hearing shall also be an opportunity to clarify city-wide, neighborhood, and personal concerns about the development of affordable housing.
- Notification.** The Trust shall make timely and strenuous efforts to notify and invite the participation of civic and neighborhood groups; charitable, religious, educational, and other institutions; and individuals with an interest in affordable housing and the development sites. Notification efforts shall include mailings to the above parties, publication in the newspapers by legal notice and press release, and publication on community-access public television.
- b. **Request for Proposals.** The Trust shall prepare a standard-form RFP that details the restrictions placed

by the City Council as well as others the Trust may include. The Advisory Committee(s) shall extend that document to prepare a site(s)-specific RFP.

RFP Requirements. The RFP's shall include developer qualification requirements, project specifications, community participation requirements, requirements for tenant and purchaser selection procedures, marketing requirements, and other criteria that shall be used in judging proposals.

- i. **Qualification of Developers.** The Trust shall set developer qualification criteria in accordance with its mandate from the Council and its own priorities. These criteria shall include:
 - (1) Demonstrated capability in affordable housing development and/or like projects.
 - (2) Financial and managerial strengths to complete new developments like those the Trust anticipates.
 - (3) Plans and/or capability to provide required support services during the life of the development.
 - (4) Preference, not absolute, to Cambridge-based, non-profit developers.
- ii. **Community Participation.** Community participation procedures are a critical requirement of every RFP and development proposal. Strenuous efforts to notify, as above, and to involve the community in the development process shall be required.
- iii. **Tenant and Purchaser Selection.** Tenant and purchaser selection procedures shall balance the needs of neighborhood residents for affordable housing; the needs of Cambridge residents for affordable housing; the needs of single- and two-parent families for affordable housing; the needs of the homeless, near homeless and those with

housing emergencies for affordable housing, the need for racial and ethnic diversity and opportunities for those with special needs, and City, State, and Federal requirements.

- (1) **Cambridge Residents.** In all cases, Cambridge residents and former Cambridge residents who have been forced to leave the city by high housing costs, poor conditions, and/or no fault eviction, etc. shall have priority.
 - (2) **High Current Housing Expenses.** Among persons and families with incomes between 50% and 80% of median, priority shall be given those whose current housing expenses are above 40% of their income. All applicants shall meet the income eligibility requirements of the development.
 - (3) **Need.** Tenant and purchaser selection procedures shall reflect the many other dimensions of personal need that cause people to apply for affordable housing developments including, but not limited to, displacement or impending displacement by condominium conversion or no-fault eviction, sub-standard housing conditions, over-crowded housing conditions, or family size that limits the market availability of housing choices.
- iv. **Training and Employment Issues.** The Trust should strive to use the occasion of the use of the public resources of the City for housing construction and development to provide training and employment opportunities to Cambridge residents, women and men, of all races and backgrounds.

The Trust shall exercise care that public resources not be used to undermine the wages and working conditions achieved by Boston-area construction workers. The Trust shall encourage the use of contractors who demonstrate a belief in fair wages and working conditions. Every Request for Proposals should detail requirements to these ends.

- c. **Tentative Site Use.** The Trust shall decide a tentative affordable housing use for the specific parcel(s), or package(s) of parcels of land.
- d. **Site Hearings.** After the decision on a tentative affordable housing use for the land, but before the elaboration of any broad plan for the site(s) or a RFP to developers, the Trust shall hold hearing(s) in the neighborhood(s) of the site(s).

Notification. The Trust shall make timely public notification of the site hearing including notice in one local newspaper. Owners of property and renters listed on the Annual Street List or the assessor's records within three hundred (300) feet of the parcel of land shall be notified of the hearing. Notice shall include the time and location of the hearing and the intent to discuss the proposed affordable housing use [not whether affordable housing is to be built on the site(s)].

- e. **Site Advisory Committees.** The Trust shall form Site Advisory Committee(s) that include volunteers from the neighborhood. These committee(s) shall include representatives of the diversity of opinion in the neighborhood.
 - i. **Requests for Proposals.** The Trust and the committee(s) shall develop RFP's for affordable housing for the site(s). RFP's shall be developed in a timely fashion, in recognition of the urgency of the housing crisis facing the city, the time constraints imposed by limited funding sources, and the necessity of community participation. Every RFP shall require discussion at a public meeting and final approval by the Trust before its issuance and publication.
 - ii. **Proposal and Developer Selection.** The Advisory Committee(s) shall review developer proposals and advise the Trust of its judgements of their merit.

- iii. **Ongoing Monitoring.** The Advisory Committee(s) shall monitor the development process through developer and contractor selection, construction, and initial occupancy. The Trust shall continue to monitor the development throughout its life to assure long-term compliance with the affordable housing requirements of the development plan.

The Advisory Committee(s) shall hold public meetings, as necessary, to inform the public of progress made on the development(s) and issues that arise. Notification for these meetings shall include publication in the newspaper of a meeting notice.

- f. **Proposal and Developer Selection.** The Trust shall select a proposal and developer according to the criteria established in the RFP. The selection procedure, and disposition of land out of the Trust shall be in accordance with applicable provisions of the Uniform Procurement Act.
 - i. **RFP Issuance.** RFP's shall be published in the newspapers and mailed to civic and neighborhood groups and institutions and to individuals who have indicated interest at public hearings. A timely response shall be required.
 - ii. **Selection.** The Trust shall select a proposal and designate the developer that it judges has best satisfied the criteria of the RFP. The Trust may reject all proposals if it believes that they do not satisfy the criteria of the RFP.
 - iii. **Public Notification.** The Trust shall cooperate with the designated developer to inform the community of the Trust's selection. The award shall be published in the newspapers via press release, on public-access cable television, posted at the office of the City Clerk, and mailed to civic and neighborhood groups and institutions and to individuals who have indicated interest at public hearings.

- g. Ongoing Oversight. The Trust shall ensure that the designated developer fulfills its contractual obligations. These obligations shall include all of the obligations set forth in the RFP and in the developer's proposal.

The Advisory Committee(s) and its members shall have an ongoing obligation to perform the duties of monitoring the process [as noted in Sec. 3.e.iii.] and maintaining communication with the community. The Trust shall cooperate with and assist Committee members to this end. Should members of the Committee(s) fail to perform these duties, the Committee(s) shall find replacements for them.

Definitions:

Affordable Housing: Affordable Housing is housing where the total housing cost to a person or family is less than or equal to 30% of their income. The income levels of those the housing is intended to serve is defined above.

Family Housing: Family Housing developments are those with apartments that are sized and otherwise appropriate for families. The Land Bank process must recognize the vibrant diversity of types of families that live in the City of Cambridge.

Large Parcels: A Large Parcel of land is defined to be a single contiguous piece of land with area greater than 25,000 square feet.

Median Income: Half of the people in the Greater Boston area (SMSA) have incomes above the Median Income; half have incomes below the median.

Supported Housing: Supported Housing developments are those that provide specialized social services and/or management.



City of Cambridge

37.

IN CITY COUNCIL

December 17, 1990

COUNCILLOR CYR

- WHEREAS: There exists in Cambridge a severe shortage of decent housing affordable to low and moderate income residents of Cambridge; and
- WHEREAS: It is the policy of the City Council to increase the opportunities, now and in the future, for low and moderate income residents of Cambridge to reside in decent, affordable housing; and
- WHEREAS: By Ordinance 1072, the City Council has created the City of Cambridge Affordable Housing Trust, and has provided that the Affordable Housing Trust may assist in the establishment of a city-wide Land Bank; and
- WHEREAS: The City Council desires to increase the opportunities, now and in the future, for low and moderate income residents of Cambridge to reside in decent, affordable housing by the creation of a land bank through the transfer of municipal land to the Affordable Housing Trust for the purpose of constructing low and moderate income housing; now therefore be it
- RESOLVED: That the City Council hereby accepts and adopts the Land Bank Proposal transmitted herewith as a statement of the City Council's Land Bank Policy; and be it further
- RESOLVED: That the City Manager is hereby requested, now and in the future, to recommend to the City Council City-owned land for consideration for transfer to the Affordable Housing Trust to be held by the Trust as a land bank and used for the construction of low and moderate housing in accordance with the criteria set forth in the Land Bank Proposal and accepted by the City Council; and be it further
- RESOLVED: That the City Manager is hereby requested to first refer said recommended land to the Planning Board for evaluation and report to the City Council, along with the City Manager's recommendation, within sixty days of the City Manager's referral to the Planning Board.

TABLED ON MOTION OF COUNCILLOR CYR.

Councillor Cyr

37.

WHEREAS:

There exists in Cambridge a severe shortage of decent housing affordable to low and moderate income residents of Cambridge; and

WHEREAS:

It is the policy of the City Council to increase the opportunities, now and in the future, for low and moderate income residents of Cambridge to reside in decent, affordable housing; and

WHEREAS:

by Ordinance 1072, the City Council has created the City of Cambridge Affordable Housing Trust, and has provided that the Affordable Housing Trust may assist in the establishment of a city-wide Land Bank; and

WHEREAS:

The City Council desires to increase the opportunities, now and in the future, for low and moderate income residents of Cambridge to reside in decent, affordable housing by the creation of a land bank through the transfer of municipal land to the Affordable Housing Trust for the purpose of constructing low and moderate income housing;

NOW, THEREFORE, be it

RESOLVED:

That the City Council hereby accepts and adopts the Land Bank Proposal transmitted herewith as a statement of the City Council's Land Bank Policy; and be it further

RESOLVED:

That the City Manager is hereby requested, now and in the future, to recommend to the City Council City-owned land for consideration for transfer to the Affordable Housing Trust to be held by the Trust as a land bank and used for the construction of low and moderate housing in accordance with the criteria set forth in the Land Bank Proposal and accepted by the City Council; and be it further

RESOLVED:

That the City Manager is hereby requested to first refer said recommended land to the Planning Board for evaluation and report to the Council, along with the Manager's recommendation, within 60 days of the Manager's referral to the Planning Board.

for Calendar 1/7/91



City of Cambridge

Calendar Item # 8

-37-

IN CITY COUNCIL

~~-December-17,-1990-~~

January 7, 1991

COUNCILLOR CYR

- WHEREAS: There exists in Cambridge a severe shortage of decent housing affordable to low and moderate income residents of Cambridge; and
- WHEREAS: It is the policy of the City Council to increase the opportunities, now and in the future, for low and moderate income residents of Cambridge to reside in decent, affordable housing; and
- WHEREAS: By Ordinance 1072, the City Council has created the City of Cambridge Affordable Housing Trust, and has provided that the Affordable Housing Trust may assist in the establishment of a city-wide Land Bank; and
- WHEREAS: The City Council desires to increase the opportunities, now and in the future, for low and moderate income residents of Cambridge to reside in decent, affordable housing by the creation of a land bank through the transfer of municipal land to the Affordable Housing Trust for the purpose of constructing low and moderate income housing; now therefore be it
- RESOLVED: That the City Council hereby accepts and adopts the Land Bank Proposal transmitted herewith as a statement of the City Council's Land Bank Policy; and be it further
- RESOLVED: That the City Manager is hereby requested, now and in the future, to recommend to the City Council City-owned land for consideration for transfer to the Affordable Housing Trust to be held by the Trust as a land bank and used for the construction of low and moderate housing in accordance with the criteria set forth in the Land Bank Proposal and accepted by the City Council; and be it further
- RESOLVED: That the City Manager is hereby requested to first refer said recommended land to the Planning Board for evaluation and report to the City Council, along with the City Manager's recommendation, within sixty days of the City Manager's referral to the Planning Board.

In City Council January 7, 1991.

Adopted as amended by the affirmative vote of 8 members.

Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton
Joseph E. Connarton, City Clerk.

**Creation of an Affordable Housing Land Bank
Within the Affordable Housing Trust**

The creation of an Affordable Housing Land Bank (Land Bank) within the Affordable Housing Trust (Trust) is one measure among the many necessary to respond to the crisis-level shortage of affordable housing* in the City of Cambridge. The Council desires that the Land Bank operate in a manner that reflects the City's dedication to increasing the supply of affordable housing and recognizes and responds to the legitimate concerns of neighborhood residents about development in their neighborhoods.

One of the major obstacles to the development of affordable housing in Cambridge is the high cost of land. Availability of low-cost or free to the Land Bank removes the traditional necessity of building at unacceptably high densities. The Land Bank can be a mechanism for creating housing in Cambridge affordable to residents with low and moderate incomes.

The Land Bank's first land resources shall be City-owned lands designated by the Council. The full potential of the Land Bank, however, will be realized only as the Trust acquires additional land, buildings, and resources from a variety of sources which may include commercial, educational, charitable, and religious institutions, individuals, and the City.

To assist the Land Bank in maximizing its accomplishments, the Council must commit itself to ongoing action in support of the Land Bank's work. To assure that the scarce and valuable resource of land disposed to the Trust is used to accomplish the housing goals of the City, the Council must also restrict and direct the actions of the Trust. While changes in those restrictions may be necessary with the disposition of specific parcels of land, the general conditions listed below shall apply to all City-owned parcels of land disposed to the Trust. The Affordable Housing Trust can accept additional parcels of land, with appropriate conditions, established by the donor.

*Terms such as "affordable housing" are defined at the end of the document. Defined terms are marked with an asterisk.

Council Commitments:

1. Filling the Land Bank. The Council shall assist the Trust in assembling resources for the development of affordable housing.

a. City-owned Land. The Council shall, as it sees fit, dispose to the Trust surplus City-owned land for the purpose of affordable housing.

i. Request to City Manager. The Council now requests and shall request from time to time that the City Manager, and others when helpful, recommend to the Council City-owned land that meet the criteria.

ii. Planning Board Evaluation. The Council now requests and shall request from time to time that the City Manager first refer recommended City-owned land to the Planning Board for evaluation and report to the Council, along with the Manager's recommendation. The Planning Board shall consider at a public meeting whether the parcels referred by the City Manager are appropriate for residential use.

The Planning Board shall consider the following factors in evaluating each site:

- (a) Lot location and size
- (b) Relation of lot location to public transportation
- (c) Relation of lot location to public schools
- (d) Relation of lot location to business districts
- (e) Character of the surrounding neighborhood
- (f) Environmental impacts and issues (if any)
- (g) Traffic and parking impacts and issues
- (h) Existing zoning
 - (i) Allowed uses
 - (ii) Allowed number of dwelling units "as of right"
 - (iii) Setback requirements

The Planning Board shall return its report to Council within sixty (60) days.

- iii. Disposition of Land. The Council shall dispose to the Trust City-owned lands only from among those that the Council judges appropriate for development as affordable housing. The Council shall hold a hearing before disposing to the Trust any of such lands. The Council shall make timely and strenuous efforts to notify and invite the participation of civic and neighborhood groups, institutions, and individuals with an interest in affordable housing and the development sites. The disposition order shall include the mandates to the Trust listed below and other restrictions that the Council believes will further the creation of affordable housing.
 - b. Donations of Other Land and Resources. The Council shall seek donations of land and other housing and financing resources from commercial, educational, charitable, and religious institutions and from individuals. Donations that require the use of City- and/or Trust-provided resources shall be considered in the light of the restrictions on those resources and the City's housing goals.
 - c. Purchase of Advantageously Priced Housing or Land. The Council shall explore opportunities to acquire market-rate housing at advantageous prices, below market-rate and/or below-cost. The City desires to use the positive potential to provide affordable housing contained in the misfortune of financially distressed market-rate housing developments in the currently weak real estate market.
 - d. Tax Title Land. The Council requests the City Manager to develop procedures that assure speedy tax title proceedings where properties may be suitable for affordable housing.
2. Financial Resources. The Council shall assist the Trust in obtaining financial resources for the production of affordable housing.

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3. Future Opportunities for the Trust. The Council may wish to dispose to the Trust large parcels of land which may be best suited for housing for people of mixed incomes. The Council shall, when necessary, create procedures for the Trust to use in these cases.

Mandates to the Trust:

1. **Filling the Land Bank.** The Trust shall attempt to acquire land and buildings for affordable housing development from the City and other sources.
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units or, short of that, the highest number of units to very low-income households shall have an absolute preference in the selection criteria.

To insure Council oversight of the number of units being provided to those with the lowest incomes, the Trust shall report semi-annually to the Council as to the total number of units developed, and the number which have been allocated to those with the lowest income.

This report shall also include an analysis of any existing barriers to increasing the percentage of units provided to very low income persons, and recommendations as to actions necessary to eliminate these barriers.

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Notification. The Trust shall make timely public notification of the site hearing including notice in one local newspaper. Owners of property and renters listed on the Annual Street List or the assessor's records within three hundred (300) feet of the parcel of land shall be notified of the hearing. Notice shall include the time and location of the hearing and the intent to discuss the proposed affordable housing use [not whether affordable housing is to be built on the site(s)].

e. **Site Advisory Committees.** The Trust shall form Site Advisory Committee(s) that include volunteers from the neighborhood. These committee(s) shall include representatives of the diversity of opinion in the neighborhood.

i. **Requests for Proposals.** The Trust and the committee(s) shall develop RFP's for affordable housing for the site(s). RFP's shall be developed in a timely fashion, in recognition of the urgency of the housing crisis facing the city, the time constraints imposed by limited funding sources, and the necessity of community participation. Every RFP shall require discussion at a public meeting and final approval by the Trust before its issuance and publication.

ii. **Proposal and Developer Selection.** The Advisory Committee(s) shall review developer proposals and advise the Trust of its judgements of their merit.

- iii. Ongoing Monitoring. The Advisory Committee(s) shall monitor the development process through developer and contractor selection, construction, and initial occupancy. The Trust shall continue to monitor the development throughout its life to assure long-term compliance with the affordable housing requirements of the development plan.

The Advisory Committee(s) shall hold public meetings, as necessary, to inform the public of progress made on the development(s) and issues that arise. Notification for these meetings shall include publication in the newspaper of a meeting notice.

- f. Proposal and Developer Selection. The Trust shall select a proposal and developer according to the criteria established in the RFP. The selection procedure, and disposition of land out of the Trust shall be in accordance with applicable provisions of the Uniform Procurement Act.
 - i. RFP Issuance. RFP's shall be published in the newspapers and mailed to civic and neighborhood groups and institutions and to individuals who have indicated interest at public hearings. A timely response shall be required.
 - ii. Selection. The Trust shall select a proposal and designate the developer that it judges has best satisfied the criteria of the RFP. The Trust may reject all proposals if it believes that they do not satisfy the criteria of the RFP.
 - iii. Public Notification. The Trust shall cooperate with the designated developer to inform the community of the Trust's selection. The award shall be published in the newspapers via press release, on public-access cable television, posted at the office of the City Clerk, and mailed to civic and neighborhood groups and institutions and to individuals who have indicated interest at public hearings.

- g. Ongoing Oversight. The Trust shall ensure that the designated developer fulfills its contractual obligations. These obligations shall include all of the obligations set forth in the RFP and in the developer's proposal.

The Advisory Committee(s) and its members shall have an ongoing obligation to perform the duties of monitoring the process [as noted in Sec. 3.e.iii.] and maintaining communication with the community. The Trust shall cooperate with and assist Committee members to this end. Should members of the Committee(s) fail to perform these duties, the Committee(s) shall find replacements for them.

Definitions:

Affordable Housing: Affordable Housing is housing where the total housing cost to a person or family is less than or equal to 30% of their income. The income levels of those the housing is intended to serve is defined above.

Family Housing: Family Housing developments are those with apartments that are sized and otherwise appropriate for families. The Land Bank process must recognize the vibrant diversity of types of families that live in the City of Cambridge.

Large Parcels: A Large Parcel of land is defined to be a single contiguous piece of land with area greater than 25,000 square feet.

Median Income: Half of the people in the Greater Boston area (SMSA) have incomes above the Median Income; half have incomes below the median.

Supported Housing: Supported Housing developments are those that provide specialized social services and/or management.

**Creation of an Affordable Housing Land Bank
Within the Affordable Housing Trust**

The creation of an Affordable Housing Land Bank (Land Bank) within the Affordable Housing Trust (Trust) is one measure among the many necessary to respond to the crisis-level shortage of affordable housing* in the City of Cambridge. The Council desires that the Land Bank operate in a manner that reflects the City's dedication to increasing the supply of affordable housing and recognizes and responds to the legitimate concerns of neighborhood residents about development in their neighborhoods.

One of the major obstacles to the development of affordable housing in Cambridge is the high cost of land. Availability of low-cost or free to the Land Bank removes the traditional necessity of building at unacceptably high densities. The Land Bank can be a mechanism for creating housing in Cambridge affordable to residents with low and moderate incomes.

The Land Bank's first land resources shall be City-owned lands designated by the Council. The full potential of the Land Bank, however, will be realized only as the Trust acquires additional land, buildings, and resources from a variety of sources which may include commercial, educational, charitable, and religious institutions, individuals, and the City.

To assist the Land Bank in maximizing its accomplishments, the Council must commit itself to ongoing action in support of the Land Bank's work. To assure that the scarce and valuable resource of land disposed to the Trust is used to accomplish the housing goals of the City, the Council must also restrict and direct the actions of the Trust. While changes in those restrictions may be necessary with the disposition of specific parcels of land, the general conditions listed below shall apply to all ~~disposed~~ parcels of land disposed to the Trust. ~~Nothing in the Affordable Housing Trust can accept additional parcels of land, with appropriate conditions, established by the donor.~~ The Affordable housing trust can accept additional parcels of land, with appropriate conditions, established by the donor.

*Terms such as "affordable housing" are defined at the end of the document. Defined terms are marked with an asterisk.

Council Commitments:

1. **Filling the Land Bank.** The Council shall assist the Trust in assembling resources for the development of affordable housing.
 - a. **City-owned Land.** The Council shall, as it sees fit, dispose to the Trust surplus City-owned land for the purpose of affordable housing.
 - i. **Request to City Manager.** The Council now requests and shall request from time to time that the City Manager, and others when helpful, recommend to the Council City-owned land that meet the criteria.
 - ii. **Planning Board Evaluation.** The Council now requests and shall request from time to time that the City Manager first refer recommended City-owned land to the Planning Board for evaluation and report to the Council, along with the Manager's recommendation. The Planning Board shall consider at a public meeting whether the parcels referred by the City Manager are appropriate for residential use.

The Planning Board shall consider the following factors in evaluating each site:

- (a) Lot location and size
- (b) Relation of lot location to public transportation
- (c) Relation of lot location to public schools
- (d) Relation of lot location to business districts
- (e) Character of the surrounding neighborhood
- (f) Environmental impacts and issues (if any)
- (g) Traffic and parking impacts and issues
- (h) Existing zoning
 - (i) Allowed uses
 - (ii) Allowed number of dwelling units "as of right"
 - (iii) Setback requirements

The Planning Board shall return its report to Council within sixty (60) days.

- iii. **Disposition of Land.** The Council shall dispose to the Trust City-owned lands only from among those that the Council judges appropriate for development as affordable housing. The Council shall hold a hearing before disposing to the Trust any of such lands. The Council shall make timely and strenuous efforts to notify and invite the participation of civic and neighborhood groups, institutions, and individuals with an interest in affordable housing and the development sites. The disposition order shall include the mandates to the Trust listed below and other restrictions that the Council believes will further the creation of affordable housing.
 - b. **Donations of Other Land and Resources.** The Council shall seek donations of land and other housing and financing resources from commercial, educational, charitable, and religious institutions and from individuals. Donations that require the use of City- and/or Trust-provided resources shall be considered in the light of the restrictions on those resources and the City's housing goals.
 - c. **Purchase of Advantageously Priced Housing or Land.** The Council shall explore opportunities to acquire market-rate housing at advantageous prices, below market-rate and/or below-cost. The City desires to use the positive potential to provide affordable housing contained in the misfortune of financially distressed market-rate housing developments in the currently weak real estate market.
 - d. **Tax Title Land.** The Council requests the City Manager to develop procedures that assure speedy tax title proceedings where properties may be suitable for affordable housing.
2. **Financial Resources.** The Council shall assist the Trust in obtaining financial resources for the production of affordable housing.

- a. **Grants, Loans, Subsidies.** The Council shall cooperate with the Trust to secure grants, loans, and/or subsidies to the Trust and/or its designated developers from other governmental and private bodies.
 - b. **Potential Revenue Sources.** The Council shall explore the creation or expansion or tax and other revenue sources that shall be dedicated to the creation of affordable housing.
3. **Future Opportunities for the Trust.** The Council may wish to dispose to the Trust large parcels of land which may be best suited for housing for people of mixed incomes. The Council shall, when necessary, create procedures for the Trust to use in these cases.

Mandates to the Trust:

1. **Filling the Land Bank.** The Trust shall attempt to acquire land and buildings for affordable housing development from the City and other sources.
 - a. **Transfers of City-owned Land.** The Trust shall accept City-owned land disposed to it by the City Council.
 - b. **Donations of Other Land and Resources.** The Trust shall seek donations of land and other housing and financing resources from commercial, educational, charitable, and religious institutions and from individuals. Donations that require the use of City- and/or Trust-provided resources shall be considered only in the light of the restrictions on those resources and the Council's stated housing goals for the City.
 - c. **Purchase of Advantageously Priced Housing or Land.** The Trust shall explore opportunities to acquire market-rate housing at advantageous prices, below market-rate and/or below-cost. The City desires to use the positive potential to provide affordable housing contained in the misfortune of financially distressed market-rate housing developments in the currently weak real estate market.
2. **Affordable Housing.** All land and resources disposed to the Trust shall be used solely for the development and/or rehabilitation of affordable housing. [See also Article II of Cambridge Affordable Housing Trust document.] Every housing unit developed shall be affordable to persons and families with incomes at or below 80% of the median income of the Boston SMSA*.
 - a. **Affordability Criteria.** The Trust shall strive to develop housing affordable to those with the lowest incomes (i.e. below 50% of median) and those most in need. To this end, feasible proposals which provide units to very low income households will be given priority in the selection criteria.

It is the desire of the City Council that we set a goal for 70% of the housing be committed to very low-income people, but at least 50% of the housing built with public land should be committed to very low income people.

shall report semi-annually to the Council as to the total number of units developed, and the number which have been allocated to those with the lowest income.

This report shall also include an analysis of any existing barriers to increasing the percentage of units provided to very low income persons, and recommendations as to actions necessary to eliminate these barriers.

- b. **Family* and Supported Housing***. It is a strong priority of the City that housing be created for families and for persons who require housing with additional specialized social services and/or management. The Trust shall assess the need for family housing units of various sizes, especially larger units, and seek development that will meet that need. Any other housing use shall require extensive and compelling justification.
 - c. **Long-term Affordability.** The affordability of the housing created shall be structured to endure as long as possible, in perpetuity if possible. The Trust shall explore various mechanisms, such as Trust ownership with ground leases, deed restrictions, and limited-equity options. Both rental and home-ownership options shall be considered when they can provide opportunities to those most in need as describe herein.
3. **Trust Resources.** The Trust shall explore sources of revenue to be used for affordable housing.
- a. **Tenure and Equity Alternatives.** The Trust shall explore land and building tenure options, and equity sharing possibilities as potential sources of income to the Trust. Any income to the Trust shall be used solely for the development and/or rehabilitation of affordable housing in accordance with the mandates by the Council.
 - b. **Revenues.** The Trust shall accept any monies donated to it by the City, provided by dedicated tax revenues or any other source deemed proper by the Council.
 - c. **Subsidy Coordination.** The Trust shall sell, lease, or otherwise make land available to approved affordable

housing development projects at prices discounted from market rates to allow the development of housing at the desired and required levels of affordability. Developers shall be expected to use other funding and subsidy sources to the full extent they are available. These requirements shall not preclude the disposition of land from the Land Bank to a developer for a nominal fee.

4. **Trust Procedures.** The Trust shall use the following procedures in its creation of affordable housing.

- a. **Initial Hearing.** Soon after the adoption of this ordinance, the Trust shall hold a public hearing. This hearing shall collect information and opinions to further define the housing and other needs that the Trust shall endeavor to meet. The issues considered shall include, but not be limited to, defining those groups in need of housing, geographic needs for housing, and training and employment needs that can be addressed in the course of housing development and construction. The hearing shall also be an opportunity to clarify city-wide, neighborhood, and personal concerns about the development of affordable housing.

Notification. The Trust shall make timely and strenuous efforts to notify and invite the participation of civic and neighborhood groups; charitable, religious, educational, and other institutions; and individuals with an interest in affordable housing and the development sites. Notification efforts shall include mailings to the above parties, publication in the newspapers by legal notice and press release, and publication on community-access public television.

- b. **Request for Proposals.** The Trust shall prepare a standard-form RFP that details the restrictions placed by the City Council as well as others the Trust may include. The Advisory Committee(s) shall extend that document to prepare a site(s)-specific RFP.

RFP Requirements. The RFP's shall include developer qualification requirements, project specifications,

community participation requirements, requirements for tenant and purchaser selection procedures, marketing requirements, and other criteria that shall be used in judging proposals.

i. **Qualification of Developers.** The Trust shall set developer qualification criteria in accordance with its mandate from the Council and its own priorities. These criteria shall include:

- (1) Demonstrated capability in affordable housing development and/or like projects.
- (2) Financial and managerial strengths to complete new developments like those the Trust anticipates.
- (3) Plans and/or capability to provide required support services during the life of the development.
- (4) Preference, not absolute, to Cambridge-based, non-profit developers.

ii. **Community Participation.** Community participation procedures are a critical requirement of every RFP and development proposal. Strenuous efforts to notify, as above, and to involve the community in the development process shall be required.

iii. **Tenant and Purchaser Selection.** Tenant and purchaser selection procedures shall balance the needs of neighborhood residents for affordable housing; the needs of Cambridge residents for affordable housing; the needs of single- and two-parent families for affordable housing; the needs of the homeless, near homeless and those with housing emergencies for affordable housing, the need for racial and ethnic diversity and opportunities for those with special needs, and City, State, and Federal requirements.

- (1) **Cambridge Residents.** In all cases, Cambridge residents and former Cambridge residents who have been forced to leave the city by high housing costs, poor conditions, and/or no fault eviction, etc. shall have priority.
- (2) **High Current Housing Expenses.** Among persons and families with incomes between 50% and 80% of median, priority shall be given those whose current housing expenses are above 40% of their income. All applicants shall meet the income eligibility requirements of the development.
- (3) **Need.** Tenant and purchaser selection procedures shall reflect the many other dimensions of personal need that cause people to apply for affordable housing developments including, but not limited to, displacement or impending displacement by condominium conversion or no-fault eviction, sub-standard housing conditions, over-crowded housing conditions, or family size that limits the market availability of housing choices.

- iv. **Training and Employment Issues.** The Trust should strive to use the occasion of the use of the public resources of the City for housing construction and development to provide training and employment opportunities to Cambridge residents, women and men, of all races and backgrounds.

The Trust shall exercise care that public resources not be used to undermine the wages and working conditions achieved by Boston-area construction workers. The Trust shall encourage the use of contractors who demonstrate a belief in fair wages and working conditions. Every Request for Proposals should detail requirements to these ends.

- c. **Tentative Site Use.** The Trust shall decide a tentative affordable housing use for the specific parcel(s), or package(s) of parcels of land.

- d. **Site Hearings.** After the decision on a tentative affordable housing use for the land, but before the elaboration of any broad plan for the site(s) or a RFP to developers, the Trust shall hold hearing(s) in the neighborhood(s) of the site(s).

Notification. The Trust shall make timely notification, as for the initial hearing [Section 4.a], of the site hearing. In addition, owners of property and renters listed on the Annual Street List or the assessor's records within three hundred (300) feet of the parcel of land shall be notified of the hearing. Notice shall include the time and location of the hearing and the intent to discuss the proposed affordable housing use [not whether affordable housing is to be built on the site(s)]; design, feel, and density issues of the site(s); rental and ownership forms of tenure for the site(s); development, construction, and operating management of the site(s); and other city and neighborhood concerns.

- e. **Site Advisory Committees.** The Trust shall form Site Advisory Committee(s) that include volunteers from the neighborhood. These committee(s) shall include representatives of the diversity of opinion in the neighborhood.

i. **Requests for Proposals.** The Trust and the committee(s) shall develop RFP's for affordable housing for the site(s). RFP's shall be developed in a timely fashion, in recognition of the urgency of the housing crisis facing the city, the time constraints imposed by limited funding sources, and the necessity of community participation. Every RFP shall require discussion at a public meeting and final approval by the Trust before its issuance and publication.

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- iii. **Ongoing Monitoring.** The Advisory Committee(s) shall monitor the development process through developer and contractor selection, construction, and initial occupancy. The Trust shall continue to monitor the development throughout its life to assure long-term compliance with the affordable housing requirements of the development plan.

The Advisory Committee(s) shall hold public meetings, as necessary, to inform the public of progress made on the development(s) and issues that arise. Notification for these meetings shall be as for the Trust's first site hearing in the neighborhood, except that publication in the newspaper shall not be required.

- f. **Proposal and Developer Selection.** The Trust shall select a proposal and developer according to the criteria established in the RFP. The selection procedure, and disposition of land out of the Trust shall be in accordance with applicable provisions of the Uniform Procurement Act.

- i. **RFP Issuance.** RFP's shall be published in the newspapers and mailed to civic and neighborhood groups and institutions and to individuals who have indicated interest at public hearings. A timely response shall be required.

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City of Cambridge

37.

IN CITY COUNCIL

December 17, 1990

COUNCILLOR CYR

- WHEREAS: There exists in Cambridge a severe shortage of decent housing affordable to low and moderate income residents of Cambridge; and
- WHEREAS: It is the policy of the City Council to increase the opportunities, now and in the future, for low and moderate income residents of Cambridge to reside in decent, affordable housing; and
- WHEREAS: By Ordinance 1072, the City Council has created the City of Cambridge Affordable Housing Trust, and has provided that the Affordable Housing Trust may assist in the establishment of a city-wide Land Bank; and
- WHEREAS: The City Council desires to increase the opportunities, now and in the future, for low and moderate income residents of Cambridge to reside in decent, affordable housing by the creation of a land bank through the transfer of municipal land to the Affordable Housing Trust for the purpose of constructing low and moderate income housing; now therefore be it
- RESOLVED: That the City Council hereby accepts and adopts the Land Bank Proposal transmitted herewith as a statement of the City Council's Land Bank Policy; and be it further
- RESOLVED: That the City Manager is hereby requested, now and in the future, to recommend to the City Council City-owned land for consideration for transfer to the Affordable Housing Trust to be held by the Trust as a land bank and used for the construction of low and moderate housing in accordance with the criteria set forth in the Land Bank Proposal and accepted by the City Council; and be it further
- RESOLVED: That the City Manager is hereby requested to first refer said recommended land to the Planning Board for evaluation and report to the City Council, along with the City Manager's recommendation, within sixty days of the City Manager's referral to the Planning Board.

TABLED ON MOTION OF COUNCILLOR CYR.

Order #37 F-20

Councillor Cyr re: Land Bank Proposal.

In City Council,

December 17, 1990

TABLED BY COUNCILLOR CYR

1/7/91 Adopted as
Amended.