



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

January 24, 1990

Mr. Robert MacQueen
House Clerk
Massachusetts House of Representatives
Room 145
The State House
Boston, MA 02133

Dear Mr. MacQueen:

Pursuant to the request of the City Council, I am forwarding to you for filing with the Massachusetts House of Representatives, the enclosed order adopted by the City Council on Monday, January 22, 1990 approving the filing of the attached legislation entitled "AN ACT TO PERMIT THE CITY OF CAMBRIDGE TO ENACT ORDINANCES REQUIRING PERSONS OR ENTITIES BUILDING OFFICE OR RETAIL DEVELOPMENTS IN CAMBRIDGE TO CONTRIBUTE MONEY OR LAND TO MITIGATE THE IMPACT OF SUCH DEVELOPMENTS ON THE SUPPLY AND COST OF AFFORDABLE HOUSING IN THE CITY".

Your kind attention in this matter will be greatly appreciated, both by this office and the City Council.

Sincerely yours,

Joseph E. Connarton
Joseph E. Connarton
City Clerk.

JEC/dl

Encs.



City of Cambridge

3.

IN CITY COUNCIL

January 22, 1990

COUNCILLOR DUEHAY
MAYOR WOLF
VICE-MAYOR REEVES
COUNCILLOR CYR
COUNCILLOR RUSSELL
COUNCILLOR SULLIVAN
COUNCILLOR TOOMEY
COUNCILLOR WALSH
COUNCILLOR MYERS

ORDERED: That the Cambridge City Council go on record favoring the filing of Home Rule Legislation entitled "AN ACT TO PERMIT THE CITY OF CAMBRIDGE TO ENACT ORDINANCES REQUIRING PERSONS OR ENTITIES BUILDING OFFICE OR RENTAL DEVELOPMENTS IN CAMBRIDGE TO CONTRIBUTE MONEY OR LAND TO MITIGATE THE IMPACT OF SUCH DEVELOPMENTS ON THE SUPPLY AND COST OF AFFORDABLE HOUSING IN THE CITY".

In City Council January 22, 1990.
Adopted by the affirmative vote of nine members.
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:- *Joseph E. Connarton*
Joseph E. Connarton, City Clerk.

To the Honorable Senate and House of Representatives of The Commonwealth of Massachusetts
in General Court assembled.

The undersigned, citizens of CAMBRIDGE, respectfully
petition for the passage of the accompanying bill or resolve, and/or for legislation

to permit the city of Cambridge to enact ordinances
requiring persons or entities building office or retail
developments in Cambridge to contribute money or land to
mitigate the impact of such developments on the supply
and cost of affordable housing in the city.

Petitioners are requested to sign names and addresses legibly.

Alice K. Wolf
48 HURON AVE

Ben & Aubrey

Wm H. Walsh

John J. Sullivan

Kenneth E. Reeves

Spencer T. Russell

Jonathan Myers

Edward H. S.

26 Lowell St. Cambridge

83 State St. Cambridge

26 Herlbut St. Camb

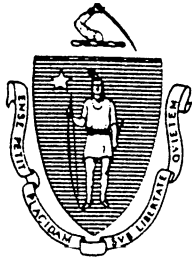
25 Putnam Ave. Cambridge

11 Everett St., Cambridge.

5 Hawthorne Pl, Camb.

5 HOLLIS ST CAMB. 02140

106 Dudley St. Camb 02140



The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND ~~XXXXXX~~ NINETY

AN ACT

TO PERMIT THE CITY OF CAMBRIDGE TO ENACT ORDINANCES
REQUIRING PERSONS OR ENTITIES BUILDING OFFICE OR RETAIL
DEVELOPMENTS IN CAMBRIDGE TO CONTRIBUTE MONEY OR LAND TO
MITIGATE THE IMPACT OF SUCH DEVELOPMENTS ON THE SUPPLY
AND COST OF AFFORDABLE HOUSING IN THE CITY.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the
authority of the same, as follows:*

SECTION 1.

The City Council ("Council") of the City of Cambridge
("City") is hereby authorized to enact ordinances
requiring persons or entitles seeking building permits
to contribute money or land to be used to create housing
for low and moderate income households ("Affordable
Housing") or to create Affordable Housing.

Section 2.

These ordinances would have as their purpose the
mitigation of the impacts of commercial real estate
development ("Development") on the supply and cost of
Affordable Housing in the City.

Section 3.

Development shall include office and retail uses over
thirty thousand square feet of gross floor area.

- Section 4. The amount or value of the monetary, land or housing contribution shall bear a substantial relationship to the impact of Development on the cost and supply of Affordable Housing in the City.
- Section 5. The monetary contribution ("Housing Mitigation Fee") shall be no more than three dollars per square foot of space over thirty thousand square feet unless the Council completes a study that analyzes the impacts of Development on the cost and supply of housing in the City and the study shows that a higher fee is necessary to mitigate development impacts, in which case the Council may impose a higher fee.
- Section 6. At the option of the Council, Housing Mitigation Fees shall be paid when the building permit is granted or in annual installments over a period not to exceed five years from the date the building permit was granted.
- Section 7. Any and all fees charged pursuant to these ordinances shall be paid into a Trust established by the Council.
- Section 8. Housing Mitigation Fees paid into the Trust shall be expended within ten years of the date the fees were paid into the Trust.
- Section 9. The Trust shall keep the Housing Mitigation Fees in a fund that is segregated from any and all other monies held by the Trust.

- Section 10. The Council is authorized to delegate to the Trust the authority to enact rules or regulations concerning housing contributions to be made by building permit applicants.
- Section 11. Any ordinance requiring the payment of Housing Mitigation Fees shall exempt Development for which an applicant for a building permit already paid or agreed to pay a fee to be used for Affordable Housing pursuant to an incentive zoning ordinance.
- Section 12. This act is not intended to limit the authority of the City to impose fees under any other statute or constitutional provision.
- Section 13. If any section, specific provision, or standard of this act is found by a court to be invalid for any reason, the decision of the court shall not affect the validity of any other section, provision or standard of this act except the provision in question. The other portions of this act not affected by the decision of the court shall remain in full force and effect.
- Section 14. This Act shall take effect upon its passage.



City of Cambridge

3.

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January 22, 1990

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MAYOR WOLF
VICE-MAYOR REEVES
COUNCILLOR CYR
COUNCILLOR RUSSELL
COUNCILLOR SULLIVAN
COUNCILLOR TOOMEY
COUNCILLOR WALSH
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ORDERED:

That the Cambridge City Council go on record favoring the filing of Home Rule Legislation entitled **"AN ACT TO PERMIT THE CITY OF CAMBRIDGE TO ENACT ORDINANCES REQUIRING PERSONS OR ENTITIES BUILDING OFFICE OR RENTAL DEVELOPMENTS IN CAMBRIDGE TO CONTRIBUTE MONEY OR LAND TO MITIGATE THE IMPACT OF SUCH DEVELOPMENTS ON THE SUPPLY AND COST OF AFFORDABLE HOUSING IN THE CITY"**.

In City Council January 22, 1990.
Adopted by the affirmative vote of nine members.
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in black ink, appearing to read "Joseph E. Connarton".

Joseph E. Connarton, City Clerk.



The Commonwealth of Massachusetts

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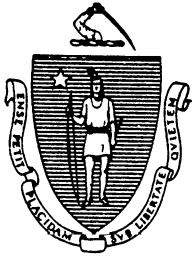
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City Council JAN. 22 1990

Adopted by the affirmative vote

of 9 members

Joseph E. Conorton City Clerk



The Commonwealth of Massachusetts

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3. 5-46

Councillor Duehay, Mayor Wolf, Vice-Mayor Reeves, Councillors Cyr, Russell, Sullivan, Toomey and Walsh re: filing legislation entitled "AN ACT TO PERMIT THE CITY OF CAMBRIDGE TO ENACT ORDINANCES REQUIRING PERSONS OR ENTITIES BUILDING OFFICE OR RETAIL DEVELOPMENTS IN CAMBRIDGE TO CONTRIBUTE MONEY OR LAND TO MITIGATE THE IMPACT OF SUCH DEVELOPMENTS ON THE SUPPLY AND COST OF AFFORDABLE HOUSING IN THE CITY".

In City Council,

January 22, 1990

*Order adopted
by 9 members*