



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

October 18, 1989

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 Cambridge City Council on Monday, October 16, 1989 approving the filing of the attached legislation entitled "AN ACT TO PERMIT THE CITY OF CAMBRIDGE TO ENACT ORDINANCES REQUIRING PERSON 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".

Your kind attention to 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

Enc. (1)



City of Cambridge

Agenda Item # 25
IN CITY COUNCIL

October 16, 1989

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 October 16, 1989.

Adopted by a yeas and nays vote:-

Yeas 8; Nays 0; Absent 1.

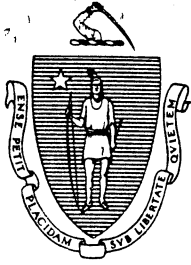
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton

Joseph E. Connarton, City Clerk.



The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND EIGHTY- NINE

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.

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.

Sandra Graham
P.O. Box 16

Wm H Walsh

Thomas W Doherty
Alfred Bellini Mayor

Shirley T. Russell

Alire K. Wasef

189 Western Ave Camb.
26 Lowell Street Cambridge

26 Hurlbut St Camb

19 Richmond Dr Cambridge

42 Porter St Cambridge

5 Hawthorne Pk, Cambridge

48 Huron Ave Cambridge

City of Cambridge

Agenda # 25 - Home Rule petition MASSACHUSETTS
for Cambridge to require
contributions from developers of office
and retail projects. In City Council

October 16

1989

	YEA	NAY	ABSENT	PRESENT
Mr. Thomas W. Danehy	✓			
Mr. Francis H. Duehay	✓			
Ms. Saundra Graham	✓			
Mrs. Sheila T. Russell	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan			✓	
Mr. William H. Walsh	✓			
Ms. Alice K. Wolf	✓			
Mayor Alfred E. Vellucci	✓			

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C. D. Sullivan
MS
MP



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

TEL. 498-9011

EXECUTIVE DEPARTMENT

ROBERT W. HEALY

City Manager

RICHARD C. ROSSI

Deputy City Manager

October 16, 1989

To the Honorable, the City Council:

In response to a Council Order, I am transmitting a proposed Home Rule Petition. The Petition requests authority from the Legislature for Cambridge to require contributions of money or land from developers of office or retail projects. The contributions collected would be used to mitigate the impacts of their developments on the availability and cost of affordable housing in the City.

The attached proposed Home Rule Petition was reviewed by Community Development staff and the Law Department. Given the recent developments in land use law, this proposed petition has been drafted by an expert specializing in this area.

If the Council votes to submit this petition to the legislature, and the legislature approves it, I will have my staff submit to the Council a proposed ordinance to implement the provisions of this petition.

Very truly yours,

Robert W. Healy

City Manager

RWH/dls

Agenda # 25

S-682

Filing of Home Rule Legislation entitled
AN ACT TO PERMIT THE CITY OF CAMBRIDGE
TO ENACT ORDINANCES REQUIRING PERSONS OR
ENTITIES BUILDING OFFICE OR RETAIL DEVELOP-
MENTS 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,
October 16, 1989

Order Adopted
8-0-1