



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

July 21, 1998

To the Honorable, the City Council:

Subject: Planning Board recommendation on the Planning Board Zoning Petition Modifying Provisions of Section 17.83.1 of Special District 8.

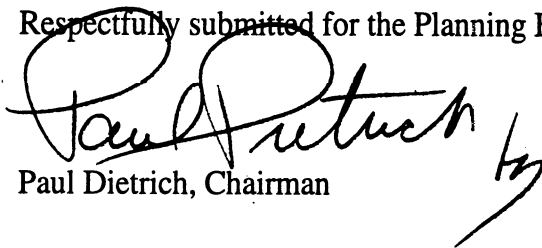
Recommendation The Planning Board recommends adoption of the petition as filed.

Findings.

In adopting the revised Section 11.200 of the Zoning Ordinance to require the provision of affordable housing for larger residential developments in the city, changes were made to several zoning districts in the Zoning Ordinance to bring previously existing inclusionary provisions into harmony with the new city-wide requirements. In making such a change in Special District 8 in Cambridgeport, Section 17.83.1 - Maximum FAR, the effect has been to allow, inadvertently, more floor area for affordable housing than intended in either the old Section 17.83.1 regulations or the new Section 11.200 requirements.

This change would correct this oversight. The change would retain the maximum FAR at 1.75, which can be achieved only through issuance of a special permit (from a base as-of-right FAR of 1.25); the bonus FAR permitted in the new Section 11.200 would not be permitted to apply, however (bringing the FAR to a possible 2.275). As this special permit was only granted under the old provisions if affordable housing were provided, the amendment the Board hereby recommends would make Section 17.83.1 consistent with both the new Inclusionary Housing requirements and the original intent of Section 17.83.1 when it was first adopted.

Respectfully submitted for the Planning Board



Paul Dietrich, Chairman

Text as Recommended by the Planning Board

Amend the Text of the Zoning Ordinance of the City of Cambridge, in Section 17.83.1, by adding a new phrase at the end of the paragraph so that the paragraph reads as follows (new language is indicated in **Bold**).

17.83.1 Maximum FAR. The FAR applicable on any lot in the district shall not exceed 1.25 for all uses except that it may be increased to 1.75 for permitted dormitory uses and to 1.75 by special permit from the Planning Board for permitted residential uses; **however, the additional FAR bonus permitted in Section 11.203.2 shall not apply to developments employing the special permit provisions of this Section 17.83.1.**



EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300
FAX 349-4307



29.

July 27, 1998

To The Honorable, The City Council:

Please find attached for your consideration, a Planning Board recommendation on the Planning Board Zoning Petition modifying provisions of Section 17.83.1 of Special District 8.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
Attachment

Consent Agenda #291

Relative to a PB recommendation on
the Planning Board Zoning Petition
modifying provisions of Section 17.83.01
of Special District 8.

In City Council July 27, 1998

Referred to

The Petition

PETITION OF Modify provisions of Special District
8 regarding Inclusionary Housing
Ordinance

Petition filed with the City Clerk _____

(all hearings to be completed 65 days from In City Council date)

17 days = April
31 days = May
17 days = June
65 days = June 17

In City Council April 13, 1998

Referred to the Planning Board for report April 13, 1998

Planning Board Hearing _____

(CITY COUNCIL must act within 90 days of the ORDINANCE COMMITTEE hearing which would be September 14, 1998.)

14 days = June
31 days = July
31 days = Aug.
14 days = Sept. 14
90 days =

City Council hearing published Chronicle on 6/2/98
and 6/9/98

Hearing before the Ordinance Committee June 16, 1998

Reported to the City Council July 27, 1998

Passed to a second reading on July 27, 1998

published in 7/30 on 8/6

Planning Board report received on July 27, 1998

Ready for ordination on _____

Passed to be ordained on _____

published in _____ on _____

COMPLETION DATE September 14, 1998

*** SUCCESSFUL TX REPORT ***

05-28-98 16:27

ID:6173494269

CAMBRIDGE CITY CLERKS OFFICE

JOB No.	-----	588
START TIME	-----	16:26
ID No.	-----	817814536650
RESOLUTION	-----	STANDARD
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MACHINE ENGAGED	-----	00'43
INFORMATION	-----	OK
ERROR PAGE	-----	



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-~~3302~~ 4269

ity/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

FAX TRANSMITTAL SHEET

DATE: 5/28/98

TO: Debbie Fields
The Tab

FAX #: (781) 453-6650

PHONE #: _____

OF PAGES: 2

FROM: Gail Jones
349-4257

ADDITIONAL COMMENT:

Please advertise for 2 weeks and
confirm receipt
Thanks!
June 2 + June 9



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

April 7, 1998

To the Honorable, the City Council:

Subject: Recommended zoning amendment to modify provisions of Special District 8 with regard to the recently adopted Inclusionary Housing Ordinance.

In adopting the revised Section 11.200 of the Zoning Ordinance to require the provision of affordable housing for larger residential developments in the city, changes were made to several zoning districts in the Zoning Ordinance to bring previously existing inclusionary provisions into harmony with the new city-wide requirements. In making such a change in Special District 8 in Cambridgeport, Section 17.83.1 - Maximum FAR, the effect has been to allow, inadvertently, more floor area for affordable housing than intended in either the old Section 17.83.1 regulations or the new Section 11.200 requirements.

The Planning Board therefore submits to the City Council for its consideration a zoning amendment affecting Section 17.83.1 that would correct this oversight. The change would retain the maximum FAR at 1.75, which can be achieved only through issuance of a special permit; the bonus FAR permitted in the new Section 11.200 would not be permitted to apply, however (bringing the FAR to a possible 2.275). As this special permit was only granted under the old provisions if affordable housing were provided, the amendment proposed would make Section 17.83.1 consistent with both the new Inclusionary Housing requirements and the original intent of Section 17.83.1 when it was first adopted.

The text of the proposed zoning text amendment is enclosed.

Respectfully submitted for the Planning Board

Paul Dietrich, Chairman

Amend the Text of the Zoning Ordinance of the City of Cambridge, in Section 17.83.1, by adding a new phrase at the end of the paragraph so that the paragraph reads as follows (new language is indicated in **Bold**).

17.83.1 Maximum FAR. The FAR applicable on any lot in the district shall not exceed 1.25 for all uses except that it may be increased to 1.75 for permitted dormitory uses and to 1.75 by special permit from the Planning Board for permitted residential uses; **however, the additional FAR bonus permitted in Section 11.203.2 shall not apply to developments employing the special permit provisions of this Section 17.83.1.**



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300
FAX 349-4307



7.

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

April 13, 1998

To The Honorable, The City Council:

Please find attached for your consideration, a Planning Board recommendation on zoning amendments to modify provisions of Special District 8 with regard to the recently adopted Inclusionary Housing Ordinance.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec



254 Second Ave., Needham, MA 02194
617-947-1241

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CLASSIFIED — (800) 624-7355

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Building awareness

If the American interest in feng shui has yielded good beyond a new wave of trendiness to ride, we are more aware of how people and architecture interact, how space and energy moves in and around and through a building or the grounds that surround it. While the layman may never deem the Cambridge-side Galleria "aspatial" or be able to tell their Bauhaus from their outdoors, he or she has can grow to become more sensitive to the surroundings.

Beauty is proverbially in the beholder's eye; ugly seldom encounters many objections. It may not be news to report that the shopping plaza in Porter Square is ugly as sin or that there are hospices more attractive and welcoming than many apartment complexes; still, by soliciting opinions on structural eyesores in the city, we hope to stimulate some discussion, awareness and sensitivity of the topic.

A city can assert its values through its architecture, whether through skyscrapers that stand as monuments to money or priapic towers of ego or in historic homes that preserve the past. Our opinion of what buildings are beautiful reveals more than simple aesthetics; consider someone who thinks the Crate & Barrel building in Harvard Square deserves to be called beautiful, versus someone who holds the same opinion about the First Baptist Church.

The prevailing interest in Massachusetts may be more in real estate than architecture, in property values than aesthetic virtues, in location and proximity to good schools than in form, balance and harmony, and in we live with buildings — they are neighbors, parts of our community.

Until, of course, we tear them down to create more jobs.

The next rep for the 8th

When John F. Kennedy was elected to Congress from the Eighth Congressional District, he was little more than a rich man's son. When Thomas "Tip" O'Neill was elected to the seat in 1953, he did not even have that much going for him. And when U.S. Rep. Joseph P. Kennedy II was elected in 1986, he had a four year experience running Citizens Energy under his belt. And a name.

That name is the legacy of the Eighth Congressional District seat. But each of the three previous occupants of that seat prove that the person who represents the Eighth does not have start out as a political giant. Perhaps it is just enough to have the potential to erow into one. History shows that the pressure from political and media pundits to find the next JFK among the 12 candidates is nothing more than manufactured hype.

The person elected to this seat need not be the next Kennedy or O'Neill come September. He or she just needs to be a strong representative who understands and works for the working families, senior citizens and minorities that live in this district. If whoever is elected succeeds in doing that well, then perhaps the representative will turn around someday and find out he or she truly has become the next Kennedy or O'Neill in the legacy.



Tell us what you think!

We want to hear from you. Letters or guest columns should be typewritten and signed, a daytime phone number is required for verification. Letters should be 300 words or fewer; columns should not exceed 700 words.

By mail: The TAB Community Newspapers, Letters to the Editor, 254 Second Ave., Needham, MA 02194. By fax: (781) 433-8202. By e-mail: Tabnews@cnc.com.



Letters to the Editor

Excited about O'Connor

I moved to Cambridge five years ago from Dorchester, where I enjoyed Boston politics, but I am now truly excited by Cambridge politics, especially by John O'Connor's run for the 8th Congressional District seat being vacated by Rep. Joe Kennedy.

I happened to be near Faneuil Hall on Saturday when I came upon a swarm of John O'Connor volunteers holding blue signs and inviting passersby into the packed historic hall to learn a little more about John at his kickoff.

I was very impressed with John O'Connor, particularly by his crusade for a safer environment. This had its roots when John was a boy and saw his little league friends die of cancer caused by the toxic chemicals dumped by the town's asbestos company. After he told this story about fighting for Superfund dollars, I realized that his environmental issues should really be referred to as public health issues and hope that the media starts to treat them as such.

Two other issues I was happy to hear him say he would fight for: adequate health care for young and old, and the threat of losing our Social Security to the mutual fund industry. I do not want this country's Social Security system to depend so much on the market's ups and downs, nor do I want the insurance industry to determine my health care. Already I have had two primary care physicians leave their practice after just one year. How am I to get proper care when I have to choose a new doctor every year?

These are among the many reasons that I decided to vote for John O'Connor in September. I hope that as other Cambridge residents hear his refreshingly genuine message, they will be as moved as I was on Saturday.

Siobhan Houston, Cambridge

Thompson sets record straight

A letter to the editor (Cambridge TAB 6/2) suggested erroneously that I did not support an increase in Chapter 70 Education Aid for next year's school budget. I worked for and supported the increase from \$75 to \$100 per pupil as presented in the budget. The amendment to increase the per-pupil cost from \$100 to \$125 was defeated on a voice vote, and the move to reconsider the amendment was also defeated.

I supported the economically sensible increase from \$75 to \$100 per pupil. A further increase would have pulled funding away from the full funding of education reform, child care and other measures in the budget which ensure that young people are receiving maximum support and benefits from state funding.

Every town and city in the Commonwealth will see an increase in their per-pupil funding this coming year, and I have supported that increase.

State Rep. Alvin E. Thompson, 28th Middlesex District

Thanks for successful dinner

On May 14, our association held the fourth dinner for the purpose of bringing together a very wide cross-section of those people who are really representative of Cambridge. We were so pleased to see people from major corpora-

tions sitting near residents of the housing for the elderly, a mixture of people of all religions, ethnic backgrounds, color and education and all without limit. That feeling truly represented the real meaning of diversity in its best connotation.

The recipient of the CSRA Unity Dinner Community Award was the Honorable Joyce London Alexander, Chief United States Magistrate Judge of the United States District Court, Boston, well-known for her community activities and responsibility in addition to being an outstanding jurist and the first black chief magistrate in the history of the Commonwealth of Massachusetts.

One of the highlights of the evening was the wonderful dinner provided by a great many restaurants under the leadership of John Clifford of the Green Street Grill and president of the Central Square International Restaurant Association. The other restaurants who participated so wonderfully were: Asmara, Carbery's Bakery and Coffee House, Jessie Chan, Mary Chung, Cinderella's, Green Street Grill, Hi Fi Pizza, Dino Pavilion Restaurant, Izzi Restaurant, La Groceria, Legal Sea Foods, Middle East Restaurant, Pho Republic, Picante III, Riley-to-the-Rescue Catering, The Fishery and Toscanini's Ice Cream.

Our thanks also to Reverend Roy Attles and his congregation of St. Paul's A.M.E. Church, who so graciously lent their Christian Life Center for our fourth such event, a wonderful display of community and civic responsibility and cooperation.

Everyone cooperated so well that I felt thanks is due to each and every one who gave so generously, each in his or her own way.

Carl F. Barron, Central Square Business Association

Another no on Gregory petition

I write in strong support of the \$1.5 million community investment package as negotiated by my neighbors with the Bullfinch Companies, the developer of 205 and 210 Grosvenor. This package is now put at risk by the filing and consideration of the Gregory downsizing petition. I urge the city council to reject the Gregory petition.

Acceptance of the investment package would not only benefit the Area 4 residents by providing a computer Internet training center and community land, but the entire city could be the beneficiary of this plan. The team negotiating this package is more encouraged by the possibility of establishing a collaborative relationship between the business community and the city residents.

Many businesses have entered the city in the past decade, quite a few have high-tech jobs for which Cambridgeans are not qualified. This is an opportunity to create training programs to provide our youth and under-employed a chance to reap the benefits from the new businesses and developments.

These programs will never become a reality if the city council were to act favorably on the Gregory down zoning petition. The Gregory petition does not provide any benefits to the community and will hurt my neighbor's efforts to negotiate further benefits and development restrictions from Bullfinch. Don Hardings, Cambridge



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-~~3307~~ 4269

tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

FAX TRANSMITTAL SHEET

DATE: 5/28/98

TO: Debbie Fields
The Tab

FAX #: (781) 453-6650

PHONE #: _____

OF PAGES: 2

FROM: Gail Jones
349-4257

ADDITIONAL COMMENT:

Please advertise for 2 weeks and
confirm receipt
Thanks!
June 2 + June 9



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139



7.

TEL 349-4300
FAX 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

April 13, 1998

To The Honorable, The City Council:

Please find attached for your consideration, a Planning Board recommendation on zoning amendments to modify provisions of Special District 8 with regard to the recently adopted Inclusionary Housing Ordinance.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

Consent Agenda #7

Relative to Planning Board
recommendation on zoning
amendments to modify provisions
of Special District 8 with
regard to the recently adopted
Inclusionary Housing Ordinance.

In City Council April 13, 1998

Referred to

~~Ordinance Committee and~~

Planning Board

Sent to C. Davis + PB on 4/15/98.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Eight

AN ORDINANCE

In amendment to the ordinance entitled " Zoning Ordinance of the City of Cambridge"

Be it ordained by the City Council of the City of Cambridge as follows:

17.83.1 Maximum FAR. The FAR applicable on any lot in the district shall not exceed 1.25 for all uses except that it may be increased to 1.75 for permitted dormitory uses and to 1.75 by special permit from the Planning Board for permitted residential uses; however, the additional FAR bonus permitted in Section 11.203.2 shall not apply to developments employing the special permit provisions of this Section 17.83.1.

Passed to a second reading at the City Council meeting held on July 27, 1998 and on or after August 10, 1998 the question comes on passing to be ordained.

ATTEST:-

D. Margaret Drury
City Clerk

NOTICE OF PUBLIC HEARING

**Relative to Zoning
City of Cambridge**

Massachusetts

Office of the City Clerk

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Tuesday, June 16, 1998, at 5:00 p.m., in the Sullivan Chamber, second floor, City Hall, 795 Massachusetts Avenue, Cambridge, Massachusetts on a petition to amend the Zoning Ordinance of the City of Cambridge in Section 17.83.1, Special District 8, by adding a new phrase at the end of the paragraph so that the paragraph reads as follows: (new language in **bold**)

17.83.1 Maximum FAR. The maximum FAR (Floor Area Ratio) applicable on any lot in the district shall not exceed 1.25 for all uses except that it may be increased to 1.75 for permitted dormitory uses and to 1.75 by special permit from the Planning Board for permitted residential uses; **however, the additional FAR bonus permitted in Section 11.203.2 shall not apply to developments employing the special permit provisions of this Section 17.83.1.**

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Henrietta Davis, Chair

Kids' Calendar

Sunday, June 7 - Sunday, June 21

Sunday, June 7

► **EDDIE ANIMALES'S NINTH ANNUAL HOT DOG SAFARI** 9 a.m.-5 p.m., Suffolk Downs, East Boston. Children's entertainment, interactive sports and a live broadcast throughout the day from Sports Radio 850 WEE-AM with Eddie Animales and Dale Amorel. Event will raise money for Joey Fund/Cystic Fibrosis Foundation. More hot dogs than you can shake a bun at.
\$10/general admission prior to event; \$15/door; \$2/children under 12. For more information, call the WEE-AM Team 850 at (617) 244-7241 (8326).

Tuesday, June 9

► **YOUTH SOCCER CLINIC** 8-9 p.m., Brooks Field, Pierce Middle School, 25 Gile Road, Milton. The Boston Globe invites

boys and girls ages 5-17 to attend soccer clinics instructed by soccer expert and former New England Patriots place kicker John Smith. No registration required. Free. Open to all skill levels. Rain date: Tuesday, June 16. For more information, call John Smith at 1-800-998-SOCCER.

Saturday, June 13

► **DIANE PURDY'S CHILDREN'S THEATRE WORKSHOP** 7 p.m., Woodward School, 1102 Hancock St., Quincy Square, Boston. "Hansel & Gretel, More or Less," presented by the Super Stars: a wacky interpretation of the children's classic. \$6/6 the door; \$4/advance, children under 6 and seniors (refreshments included). For more information, call (617) 472-9233.

Sunday, June 14

► **DIANE PURDY'S CHILDREN'S THEATRE WORKSHOP** 7 p.m., Woodward School, 1102 Hancock St., Quincy Square, Boston.

"The Toymaker," presented by Amazing Actors: a futuristic children's story. \$6/6 the door; \$4/advance, children under 6 and seniors (refreshments included). For more information, call (617) 472-9233.

Saturday, June 20

► **DIANE PURDY'S CHILDREN'S THEATRE WORKSHOP** 7 p.m., Woodward School, 1102 Hancock St., Quincy Square, Boston. "Robbery in the Strawberry Fay Saloon," presented by the Thrilling Thespians: a zany Western tale for kids. \$6/6 the door; \$4/advance, children under 6 and seniors (refreshments included). For more information, call (617) 472-9233.

Sunday, June 21

► **"DADS MAKE A DIFFERENCE: A CELEBRATION OF FATHERS AND FAMILIES"** 11 a.m.-4 p.m., Boston Common, Boston, Dads, granddads and families are invited to celebrate Father's Day in a tree, fun celebration

of fathering and families, rain or shine. Celebrity appearances, games and activities for the whole family. Free and open to the public. For more information, call The Medical Foundation at (617) 451-0049.

► **DIANE PURDY'S CHILDREN'S THEATRE WORKSHOP** 1 p.m., Woodward School, 1102 Hancock St., Quincy Square, Boston. "Camp Chippeva Capers" and "May Day in Maypoine Mississippi," presented by the Hot Shots. \$6/6 the door; \$4/advance, children under 6 and seniors (refreshments included). For more information, call (617) 472-9233.

Ongoing

► **ARTHUR AT CHILDREN'S MUSEUM** May-September, Children's Museum, 300 Congress St., Boston. "Arthur's World," an exclusive interactive exhibit, replicates the popular Mr. Brown books. Call for museum times and admission prices: (617) 426-8855.

ORNELAS
LEGAL NOTICE
THE COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT
Case No. 248151
To John Ornelas, Jr.,
Ramona Ornelas
and all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended; Federal National Mortgage Association claiming to be the holder of a mortgage covering real property in Cambridge, numbered 246 Hampshire Street, Unit 2, Inman Village Condominium, owned by John Ornelas, Jr. and Ramona Ornelas to Commonwealth Mortgage Company, Inc., dated December 29, 1988, and recorded with the Middlesex County (Southern District) Registry of Deeds, at Book 15548, Page 110. Notice is filed with said court a complaint for authority to foreclose said mortgage in the manner following; by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the first day of July 1998 or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, PETER W. KILBORN, Chief Justice of said Court this 22nd day of May 1998

Charles W. Trombly, Jr.
Recorder

AD #557862
Cambridge Tab, 6/2/98

ZBA MEETING 6/18

LEGAL NOTICE
CITY OF CAMBRIDGE
MASSACHUSETTS
BOARD OF ZONING APPEAL

The Board of Appeal will hold a Public Meeting, **THURSDAY, JUNE 18, 1998** in Room 200 of the City of Cambridge, Massachusetts. The following cases will be heard:

7:45 P.M. CASE NO. 7712
25 HILLSIDE AVENUE

Residence A-2 Zone
Variance: To construct an addition on the second and third floor of existing two family dwelling, AT 5.000, Sec. 5.31 (Table of Dimensional Requirements).

8:00 P.M. CASE NO. 7713
1 BROADWAY

OFFICE 3-A/PUD-3 ZONE
TELEIGNT, INC. - RICARDO M. SOUSA, ESQ.
Special Permit: To install antennae support structure, antennae and associated equipment on the rooftop of the subject building at Broadway, serving as a telephone exchange.
AT 5.000, Sec. 4.32.6.1 (Utilities - Telephone Exchange).

8:15 P.M. CASE NO. 7714
111 WALDEN STREET

Residence C-1 Zone
SUSANNE C. HOWARD

Variance: To enclose the third floor deck with a pitched roof.
AT 5.000, Sec. 5.31 (Table of Dimensional Requirements). AT 8.000, Sec. 8.2 (Alteration/Enlargement of a Non-Conforming Structure), AT 10.000, Sec. 10.3.10 (Variances), AT 11.000, Sec. 11.15.1.2 (Dimensional Standards).
Townhouse Development - Maximum Height).

8:30 P.M. CASE NO. 7715
74-6 RICE STREET

Residence B Zone
DARLENE MENASHI
Variance: To construct addition and to create a third dwelling unit, and to occupy the garage as accessory to residential units. AT 5.000, Sec. 5.31 (Table of Dimensional Requirements), AT 8.000, Sec. 8.11 (Existing Buildings).

8:30 P.M. CASE NO. 7717
642 HURON AVENUE

Residence B Zone
DOUGLAS & ANNE FERNALD
Variance: To construct dormers and add living space at the third level. AT 5.000, Sec. 5.31 (Table of Dimensional Requirements).

9:00 P.M. CASE NO. 7717
705-721 CAMBRIDGE STREET

Residence A Zone
GIORGIO DIBASE - LAWRENCE W. V. V. ESCO
Variance: To construct an additional floor, converting an existing two (2) story building to a three (3) story building within the existing height limitations. AT 5.000, Sec. 5.33 (Table of Dimensional Requirements).
Special Permit: To reduce the required amount of parking. AT 6.000, Sec. 6.35 (Reduction Of Required Parking).

9:15 P.M. CASE NO. 7718
283 UPLAND ROAD

Residence B Zone
THOMAS M. & VIRGINIA C. PAYETTE
Variance: To construct an addition to existing structure. AT 5.000, Sec. 5.31 (Table of Dimensional Requirements).

9:30 P.M. CASE NO. 7719
40 ESSEX STREET

Residence B Zone
JONATHAN KING & JACQUELINE DEE KING
Variance: To construct a second and third floor addition over an existing first floor projection. AT 5.000, Sec. 5.31 (Table of Dimensional Requirements).
COPIES OF THIS PETITION ARE ON FILE IN THE OFFICE OF THE CITY CLERK, CITY HALL, CAMBRIDGE, MA. IF ANY QUESTIONS REGARDING THE NOTICE BOARD AT CITY CLERK'S OFFICE, CONTINUED CASES ARE NOT ADVERTISED BUT POSTED IN THE NOTICE BOARD AT CITY CLERK'S OFFICE, CITY HALL.

#557736
Cambridge Tab, 6/2, 6/9/98

ZONING ORDINANCE AMENDMENT
LEGAL NOTICE
OFFICE OF PUBLIC HEARING

The Planning Board of the City of Cambridge will hold a public hearing on Tuesday, June 15, 1998, at 7:30 p.m. in the Conference Room, third floor, City Hall Annex, 57 Inman Street, Cambridge,

LEGAL NOTICES

Massachusetts on a petition from the Planning Board, to amend the Zoning Ordinance of the City of Cambridge in Section 17.8.3.1, Special District 8, by adding a new phrase at the end of the paragraph 8(a) that the paragraph reads as follows: (new language in bold)

17.8.3.1 Maximum FAR. The maximum FAR (Floor Area Ratio) applicable on any lot in the district shall not exceed 1.25 for all uses except that it may be increased to 1.75 for permitted dormitory uses and to 1.15 for special permits from the Planning Board for permitted residential uses; however, the additional FAR bonus permitted in Section 17.8.3.2 shall not apply to developments employing the special permit provisions of this Section 17.8.3.1.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts. Questions concerning the petition may be addressed to lawyer: Lester Barab at 349-4657 or Liza Padan at 349-3447, AT 739-4621, email at lbarab@c2.combridge.ma.

#556113
Cambridge Tab, 6/2, 6/9/98

104-106 HARVEY STREET
LEGAL NOTICE
CITY OF CAMBRIDGE
MASSACHUSETTS
BOARD OF ZONING APPEAL

The Board of Zoning Appeal will hold a Public Hearing, **THURSDAY, JUNE 11, 1998**, in Room 200, City Hall, Cambridge, Massachusetts. The following cases will be heard:

5:00 P.M. CASE NO. 7479
104-106 HARVEY STREET

Residence B Zone

HEARING: On remand from Land Court, whereby the plans submitted for building permit comply with all applicable sections of Cambridge Zoning Ordinance including dimensional standards of Article 5.000, with the exception of minimum lot size and coverage requirements.

VIOLATIONS: Article 6, Section 9.10 (Enforcement), AT 10.000, Sec. 10.20 (Appeals).
COPIES OF THIS PETITION ARE ON FILE IN THE OFFICE OF THE CITY CLERK, CITY HALL, CAMBRIDGE, MA. IF ANY QUESTIONS REGARDING THE PETITION YOU MAY CALL 349-6100. CONTINUED CASES ARE NOT ADVERTISED BUT POSTED IN THE NOTICE BOARD AT CITY CLERK'S OFFICE, CITY HALL.

#551805
Cambridge Tab, 5/26, 6/2/98

616 HEARING
LEGAL NOTICE
OFFICE OF PUBLIC HEARING
RELATIVE TO ZONING
CITY OF CAMBRIDGE
MASSACHUSETTS
OFFICE OF THE CITY CLERK

Notice is hereby given that in accordance with the provisions of Chapter 40A, Sections 5 of the General Laws, Tentative Edition and amendments thereof, that any Committee on Ordinances, comprised of

the entire membership of the City Council, will hold a public hearing on Tuesday, June 16, 1998, at 5:00 p.m. in the Sullivan Chamber, second floor, City Hall, 755 Massachusetts Avenue, Cambridge, Massachusetts on a petition to amend the Zoning Ordinance of the City of Cambridge in Section 17.8.3.1, Special District 8, by adding a new phrase at the end of the paragraph so that the paragraph reads as follows: (new language in bold)

17.8.3.1 Maximum FAR. The maximum FAR (Floor Area Ratio) applicable on any lot in the district shall not exceed 1.25 for all uses except that it may be increased to 1.75 for permitted dormitory uses and to 1.15 for special permits from the Planning Board for permitted residential uses; however, the additional FAR bonus permitted in Section 17.8.3.2 shall not apply to developments employing the special permit provisions of this Section 17.8.3.1.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,
Councillor Henrietta Davis, Chair

#558230
Cambridge Tab, 6/2, 6/9/98

61 ELLERY STREET
LEGAL NOTICE
THE COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT
Case No. 24804-A

To Stavros M. Macarakis,
and all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended; Fleet Mortgage Corp. claiming to be the holder of a mortgage covering real property in Cambridge, numbered 61 Ellery Street in Cambridge, owned by Stavros M. Macarakis, MORTGAGE CORPORATION, dated March 15, 1993, recorded with Middlesex County Registry of Deeds (Southern District) at Book 22997, Page 194, and now held at plaintiff by assignment has filed with said court a complaint for authority to foreclose said mortgage in the manner following; by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the 29th day of June 1998, or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, PETER W. KILBORN, Chief Justice of said Court this 18th day of May 1998.

Charles W. Trombly, Jr.
Recorder

#555990
Cambridge Tab, 6/2/98

Events requiring registration

► **BELMONT HILL SCHOOL SUMMER PROGRAMS** June 26-Aug. 8, 350 Prospect St., Belmont. Applications now being accepted for students aged 9 to 16 for the school's Arts Program, with workshops offered in painting, photography, theater, pottery and woodwork in two-week sessions beginning June 25. For more information, call (617) 484-4410 ext. 215.

► **COMPUTER MUSEUM** July 13, July 20, Aug. 3, The Computer Museum, 300 Congress St., Boston. Kids ages 8-15 can engage in a variety of computer-based activities from creating animation and recording music to building computer-controlled Lego and designing a Web page. Five-day camps sessions. \$250/camp. To register, call (617) 426-2800 x433.

► **MASSACHUSETTS AUDUBON SOCIETY** Camp June 23-Aug. 22, Massachusetts Audubon Wildwood Camp. Recreational and educational activities for children entering grades two through nine throughout the summer on scenic Lake Wampanoag in Gardner and Ashburnham. Call (617) 259-9506 x7253.

► **ART CAMP FOR KIDS** Tuesdays-Fridays, 9 a.m.-2 p.m., June to September, 348 Huron Ave., Cambridge. Susi's Mini Art Camp features such activities as T-shirt painting, neoner painting, mask making, paper modeling, jewelry making and more. \$200/week. Call Susi at (617) 876-SUSI (7874).

► **AUDUBON FAMILY TRIPS TO AFRICA** June-July and September. The Massachusetts Audubon Society is offering two rare family excursion packages to Africa. "Kenya for Kids" and "South Africa in September." Packages include wildlife and game drives, lectures and travel in open safari vehicles. Prices vary per package. For more information call 1-800-289-9504.

► **MASSACHUSETTS FAMILIES FOR KIDS** 8 p.m. Training meetings and sessions for adoptive, guardian and kinship parents, or those interested in learning more about adoption. June 9 (Trauma and Loss; June 23, Characteristics of Successful Adoptive Families; July 7, Blended Families; July 21, Developmental Stages in Adoption. Free Call (617) 542-2336 for information, location and registration.

► **SECOND ANNUAL BULLFINCH'S GOLF TOURNAMENT** June 16, 7:45 a.m., Wayland Country Club, 121 Old Sudbury Road, Wayland. All proceeds from the event benefit Life Services at the UMMS Medical Center. Player check-in is at 7:45 a.m., followed by shotgun start at 8 a.m. Player fee is \$100 and includes greens fees, cart rental and barbecue after the tournament. Other events include prizes, raffle and silent auction. Player's guests are welcome to attend the barbecue for \$20 donation. For more information or to register to play, call (978) 443-4094.

Please send your listings, at least two weeks in advance, to: The Lamp, P.O. Box 9112, Needham, MA 02192.

Home sweet home

Community Bulletin Board

FROM PAGE 22

6:15-8:00, 19 class hours per week, \$3600. **Saturdays, 6/6-8/1**, 11 a.m.-3 p.m. Intensive **Bakery/Pastry Arts**. \$600. Call: 354-2020.

► **ROWING CLASSES**, M.I.T. Pierce Boathouse, 409 Memorial Drive, Cam. **Monday-Thursdays, 6/6-8/18**, 3:30-6:30 p.m. Classes for those age 11-18. **Sundays, Monday-Thursdays, 6/29-8/20**, 6:30-8:00 a.m. or 6:30-8:00 p.m. Adult classes. \$225. Call: 353-2748.

► **ACT UP! WORKSHOP**, 40 Boylston St. **Bos. Ongoing**. Summer term classes begin on 5/18 in beginning, intermediate and advanced acting, speech, musical styles, stand up comedy, film acting and acting for TV commercials. Call: 423-7313.

► **ROWING INSTRUCTION**, M.I.T. Pierce Boathouse, 409 Memorial Drive, Cam. **Ongoing**: Get introductory instruction lessons or more advanced training all summer long. Call: 253-2921.

► **THE BOSTON PHOTO COLLABORATIVE**, 67 Brookline Ave., J.P. Ongoing. Six-session course on "Open B&W Darkroom." Call: 524-7729.

► **KARATE**, YWCA, 7 Temple St., Cam. **Ongoing**. Call: 492-6550.

► **LEAD CROSS TRAINING COURSES**, YMCA, 820 Mass. Ave., Cam. **Through 6/7**, 8 a.m. Sponsored by the American Red Cross. \$149. Call: 375-0700 x221.

► **WATER SAFETY COURSES**, Simmons College, Holmes Sports Center, 334 Brookline Ave., Bos. **Tuesdays and Thursdays**, 5 p.m., starting April 2. \$175. Call: 375-0700 x221.

► **YOGA**, 7 Temple St., Cam. **Wednesdays**, 6-7:30 p.m. Beginning/intermediate level classes are offered by Patrick Crowley. Call: 491-9550.

► **CITIZEN APPLICATION WORKSHOP**, St. Columba's, Brighton. Call: 507-1126 x15.

► **MEDITATION CLASSES**, The Sweden Bookstore, 79 Newbury St., Bos. **Tuesdays**. Lead meditation from a Buddhist monk. Call: 628-2646.

► **TUI CHI**, Cambridge Center, 1611 Cambridge St., Cam. **Ongoing**, 6:45-7:45 p.m. This course combines relaxation techniques and meditation with physical conditioning. \$70 & \$80. Call: 731-7311.

► **RED CROSS CERTIFICATION PROGRAMS**, American Red Cross, 285 Columbus Ave., Bos. **Ongoing**: A dual certification course for participants to be trained as Nurse Assistants and Home Health Aides. \$515. Call: 800-554-1254 x221.

► **FELDENKRAIS AWARENESS THROUGH MOVEMENT**, Mount Auburn Hospital, 330 Mt. Auburn St., Cam. **Ongoing**: Lessons in Feldenkrais movement, designed to restore ease of movement, energy, and vitality. \$60. Call: 543-6489.

► **ARTHRITIS EXERCISE PROGRAM**, Mt. Auburn Hospital, 330 Mt. Auburn St., Cam. **Ongoing**: Six-week program designed to help people with arthritis improve their strength, flexibility and endurance with progressive exercises. Physicians referral required. Call: 643-6489.

SUPPORT GROUPS

► **PUBLIC ACTION FOR THE ARTS BENEFIT**, Mistral, 221 Columbus Ave., Bos. **6/3, 7/00**, 9:30 p.m. An event to help fund-raising efforts towards groups that support children. \$10 for members, \$15 for non-members, free if you join as a new member on or before 6/3. Call: 269-1655.

► **PARENT PRIDE CONFERENCE**, Simmons College, Park Science Center, The Fenway and Avenue Louis Pasteur. **Bos. 6/6**, 9:00 a.m.-4:00 p.m. Events are geared toward parents of 99% lesbians and bisexuals, and include special presentations and small group discussions. Free. Call: 332-5404.

► **OUT ON THE PARKWAYS**, Meeting Pot Coffee House, 2 Belgrade Ave., Ros. **W/ly Ongoing**: Fourth Wednesday of each month. A social organization for lesbians and lesbians and their friends. Call: 364-6599.

► **FINALLY FRIDAYS**, Marks Crab House, 148 Northern Ave., Bos. **Fridays**, 8 p.m.-1 a.m. This is not just a singles event. It's a mingling event, with live music and entertainment changing each week. Call: 244-4420.

► **FEEDING OURSELVES** is a program for compulsive overeaters, chronic dieters and individuals suffering from bulimia or binge eating disorder. 10-week workshops begin in mid-May. Call: Maryellen Bradley-Gilbert, MA, 661-3727.

► **EASTERN MASSACHUSETTS WOMEN'S SOCCER LEAGUE** seeks women 17 and older interested in recreational and/or competitive soccer. Call: Kathleen Genova, 523-4683 or genwa@earthlink.net

► **PROJECT BREAD'S FOODSOURCING HOTLINE** is for people who are having a hard time

finding their family. Call for free and low-cost food resources and a confidential food stamp eligibility screening. **Open 8 a.m.-5 p.m.** Call: 380-2455.

► **ART TO ARTISTS**, The Cambridge Arts Council seeks participants for "It's About Time," an exhibition of art created by seniors who live or work in Cambridge. Call: Sabrina Molye, 349-4391.

► **COMMON VOICES**, Fenway Community Health Center, 77 Harvard St., Bos. A confidential, drop-in social/support group for gay and bisexual men meets the third Thursday of every month from 7-9 p.m. Call: 927-6032.

► **ADOPTION INFORMATIONAL MEETING**, 14 Beacon St., Room 101, Bos. **Ongoing**. Call: 227-1336.

► **BOSTON AREA RAPE CRISIS CENTER**, 99 Bishop Allen Dr., Central Square, Cam. **Ongoing**. Call: 482-5036.

► **SPEAK UP! WRITE ON!**, 7 Standish St., Cam. **Ongoing**: A discussion/writing group for girls ages 10-14 exploring identity issues. Call: 491-1302.

► **INCEST SURVIVORS**, The Elizabeth Stone House, J.P. **Ongoing**: This group is free and confidential. Call: 442-5519.

► **PROFESSIONAL TRANSITIONS**, Dimrock Community Health Center, Bos. **Ongoing**: This group discusses job readiness and employment placement programs. Call: 442-8800 x272.

► **TEEN CLINIC**, Dimrock Community Health Center, 55 Dimrock St., Rox. **Mondays**, 11-4:30 p.m. The clinic offers health care, counseling, support and family planning for teens ages 13-21. Call: 442-8800.

► **PANIC DISORDER/AGORAPHOBIA SUPPORT GROUP**, Mt. Auburn Hospital, Cam. Newcomers group begins. Pre-register. Call: 492-5163.

► **VICTIM'S RIGHTS MESSAGE**: If you are a victim of domestic violence, rape, assault, or any violent crime, a witness in a case, or the relative of a murder victim, and the criminal was convicted and is serving a sentence in a MA state or county prison, you have the right to be registered with the Criminal History Systems Board to be notified of the prisoner's escape, release, parole, or commutation. Call: 1-800-533-3052.

► **BEING TOGETHER: THE PRACTICE OF INTIMACY**, Center for the Study of Relationship, 86 Washington Ave., Cam. **Ongoing**: 10 Wednesdays. Call: 661-7890.

► **MASSACHUSETTS EATING DISORDER ASSOCIATION** offers many services for people struggling with anorexia, bulimia and compulsive eating, including support groups, assessments and workshops for friends or family members. Call: MEDA, 558-1818.

► **PARENTS ANONYMOUS GROUP** is available for parents under stress. The group meets **Tuesdays** from noon-1 p.m., no fees or dues, just parents helping parents. Call: 1-800-882-1250.

► **FREE MIND/BODY GROUP** for infertile women. Beth Israel Deaconess Medical Center seeks women who have been trying to conceive for at least a year and who are not taking infertility medication. This is a drug-free study. Call: Judith, 493-7142.

► **HOMEWORK HELP**, West Roxbury Public Library, 1981 Centre St., W. Rox. Available for school-age children grades 2-8 from 3-4:30 p.m. on Monday and Wednesday afternoons. Call: Ms. Duff, 325-3147.

► **MENTOR PROGRAM FOR FEMALE APPRENTICES**, 62 Berkeley St., Bos. **Ongoing**: Begins at the end of May. Provides a structured base of support and guidance for women in construction. Call: 956-9983 to join.

VOLUNTEERS

► **THE AIDS ACTION COMMITTEE** needs people to drive clients, provide emotional support, and be "buddies" to people living with AIDS. Upcoming volunteer orientations 6/9, 5:30-8:00 p.m., 6/17, 1:00-4:30 p.m. Call: 453-1255.

► **BOSTON RECYCLING** has announced that the drop-off day for all hazardous household products is 6/6 at the Umass/Boston Harbor Campus, from 9:00 a.m.-2:00 p.m.

► **ONE WITH ONE**, an organization providing training and support to tutors, seeks volunteer tutors to supplement their ESL/Office Skills Training Program. Learn about a different culture as you help to launch a person's career in this country! Information meetings held 6/11, 6/16, 6/24, 6/29. Call: 254-1691.

► **ACROSS THE WORLD INTERCULTURAL ASSOCIATION** seeks host families for 25

see Bulletin, page 25

Free This Week

TUE The Lenox Chamber Players are featured in the King's Chapel weekly noon-hour recitals. 12-15 p.m. School and Tremont streets, Boston.

WED Folk singer Rick Silberg performs, followed by an offering of coffee and tea. Noon. Harvard-Epworth United Methodist Church, 1555 Mass. Ave., Cambridge.

THU Romanian violinist Iliana Muresanu, winner of the Pro Musica International Award, performs, 12:30 p.m. Federal Reserve Bank of Boston, 600 Atlantic Ave., Boston.

SAT EAGLE 93.7 Concert Series continues with John Cafferty and the Beaver Brown Band. 5:45 p.m. City Hall Plaza, Boston.

SAT Jazz artist Stan Strickland headlines the "Arts in the Park" family festival and art fair which features children's activities, a sale by professional artists, and music and dance performances. Noon-6 p.m. Dana Park, between Magazine and Pearl streets, Cambridge.

SAT Freshwater Fair features pond cleanup, face painting, bird & nature walks, and thumbprint art. Noon-4 p.m. Olmsted Park's Leverett Pond, Jamaica Plain.

SUN The "Hills of Somerville" is an escorted walk through neighborhoods such as Union Square, Prospect Hill and Winter Hill. 1 p.m. In front of Davis Square Red Line MBTA station, Holland Street entrance, Somerville.

SUN The Beacon Hill Art Walk features more than 100 artists from Beacon Hill and beyond selling -- and displaying -- their work in the gardens, courtyards and entravues of the historic neighborhood. Noon, 135 1/2 Charles St., Boston.

Southwick

has a Father's Day gift for you...

Let Southwick co-ordinate the elements of your wardrobe. Visit our store where you will find men's hand-crafted suits, sportcoats, trousers, and accessories offered at the most affordable prices.

Present this ad at the time of purchase during the month of June and receive a complimentary Southwick tie with every purchase over \$375.00. Additional values throughout the store. Shop early while the selection is best.

Offer good now through June 1998.



STORE HOURS

Wednesday - Saturday 9am - 5pm

DIRECTIONS

Ret 495 to exit 45 (Marston St) left onto Canal St. Left at lights, next left onto Island St.

50 Island Street, Lawrence, MA 01840 Telephone (978) 794-2474

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SUMMER FASHIONS HAVE ARRIVED



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Hours: Mon-Sat 10-6 Thurs 10-8 Sun Noon-5

FEEL LIKE CHATTING?



Plug into Town Online and find exciting chats designed to spark your interest!

Chat with David Solomon author of *How to Win the Mortgage War: No Mortgage, No Debt, In as Little as Two Years*. Discuss strategies on how to save money on your mortgage.

TUESDAY, JUNE 9TH from 7-8 P.M.

Chat with State Auditor candidate Michael Duffy. Michael has been endorsed by the Republican convention. He is the former head of the Massachusetts Commission Against Discrimination and former Director for Consumer Affairs.

TUESDAY, JUNE 9TH from 8-9 P.M.

Let's chat soon.



www.townonline.com



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

April 7, 1998

To the Honorable, the City Council:

Subject: Recommended zoning amendment to modify provisions of Special District 8 with regard to the recently adopted Inclusionary Housing Ordinance.

In adopting the revised Section 11.200 of the Zoning Ordinance to require the provision of affordable housing for larger residential developments in the city, changes were made to several zoning districts in the Zoning Ordinance to bring previously existing inclusionary provisions into harmony with the new city-wide requirements. In making such a change in Special District 8 in Cambridgeport, Section 17.83.1 - Maximum FAR, the effect has been to allow, inadvertently, more floor area for affordable housing than intended in either the old Section 17.83.1 regulations or the new Section 11.200 requirements.

The Planning Board therefore submits to the City Council for its consideration a zoning amendment affecting Section 17.83.1 that would correct this oversight. The change would retain the maximum FAR at 1.75, which can be achieved only through issuance of a special permit; the bonus FAR permitted in the new Section 11.200 would not be permitted to apply, however (bringing the FAR to a possible 2.275). As this special permit was only granted under the old provisions if affordable housing were provided, the amendment proposed would make Section 17.83.1 consistent with both the new Inclusionary Housing requirements and the original intent of Section 17.83.1 when it was first adopted.

The text of the proposed zoning text amendment is enclosed.

Respectfully submitted for the Planning Board

Paul Dietrich, Chairman

Amend the Text of the Zoning Ordinance of the City of Cambridge, in Section 17.83.1, by adding a new phrase at the end of the paragraph so that the paragraph reads as follows (new language is indicated in **Bold**).

17.83.1 Maximum FAR. The FAR applicable on any lot in the district shall not exceed 1.25 for all uses except that it may be increased to 1.75 for permitted dormitory uses and to 1.75 by special permit from the Planning Board for permitted residential uses; **however, the additional FAR bonus permitted in Section 11.203.2 shall not apply to developments employing the special permit provisions of this Section 17.83.1.**



EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300
FAX 349-4307



7.

April 13, 1998

To The Honorable, The City Council:

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Very truly yours,

Robert W. Healy
City Manager

RWH/mec



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Paul Dietrich, Chairman

A handwritten mark resembling the number "13" or a stylized signature.

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17.83.1 Maximum FAR. The FAR applicable on any lot in the district shall not exceed 1.25 for all uses except that it may be increased to 1.75 for permitted dormitory uses and to 1.75 by special permit from the Planning Board for permitted residential uses; **however, the additional FAR bonus permitted in Section 11.203.2 shall not apply to developments employing the special permit provisions of this Section 17.83.1.**



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300
FAX 349-4307



7.

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

April 13, 1998

To The Honorable, The City Council:

Please find attached for your consideration, a Planning Board recommendation on zoning amendments to modify provisions of Special District 8 with regard to the recently adopted Inclusionary Housing Ordinance.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4307

tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

TO: THE HONORABLE, THE CITY COUNCIL
FROM: D. MARGARET DRURY, CITY CLERK
DATE: MAY 28, 1998
RE: ORDINANCE COMMITTEE MEETING

Please be advised that Councillor Henrietta Davis, Chair of the Ordinance Committee, has scheduled a public hearing on Tuesday, June 16, 1998 to be held in the Sullivan Chamber as follows:

5:00 P.M.

A petition to amend the Zoning Ordinance of the City of Cambridge in Section 17.83.1, Special District 8, by adding a new phrase at the end of the paragraph.

Your kind attention in this matter will be greatly appreciated.

cc: Councillor Davis



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D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

**TO: ROBERT W. HEALY
CITY MANAGER**

FROM: D. MARGARET DRURY, CITY CLERK

DATE: MAY 28, 1998

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You or your designee is requested to be present at this time.



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D. MARGARET DRURY
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DONNA P. LOPEZ
DEPUTY CITY CLERK

**TO: RUSSELL HIGLEY
CITY SOLICITOR**

FROM: D. MARGARET DRURY, CITY CLERK

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CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

April 7, 1998

To the Honorable, the City Council:

Subject: Recommended zoning amendment to modify provisions of Special District 8 with regard to the recently adopted Inclusionary Housing Ordinance.

In adopting the revised Section 11.200 of the Zoning Ordinance to require the provision of affordable housing for larger residential developments in the city, changes were made to several zoning districts in the Zoning Ordinance to bring previously existing inclusionary provisions into harmony with the new city-wide requirements. In making such a change in Special District 8 in Cambridgeport, Section 17.83.1 - Maximum FAR, the effect has been to allow, inadvertently, more floor area for affordable housing than intended in either the old Section 17.83.1 regulations or the new Section 11.200 requirements.

The Planning Board therefore submits to the City Council for its consideration a zoning amendment affecting Section 17.83.1 that would correct this oversight. The change would retain the maximum FAR at 1.75, which can be achieved only through issuance of a special permit; the bonus FAR permitted in the new Section 11.200 would not be permitted to apply, however (bringing the FAR to a possible 2.275). As this special permit was only granted under the old provisions if affordable housing were provided, the amendment proposed would make Section 17.83.1 consistent with both the new Inclusionary Housing requirements and the original intent of Section 17.83.1 when it was first adopted.

The text of the proposed zoning text amendment is enclosed.

Respectfully submitted for the Planning Board

A handwritten signature in cursive script, reading "Paul Dietrich".

Paul Dietrich, Chairman

A handwritten mark resembling the number "13" or a similar symbol, located at the bottom right of the page.

Amend the Text of the Zoning Ordinance of the City of Cambridge, in Section 17.83.1, by adding a new phrase at the end of the paragraph so that the paragraph reads as follows (new language is indicated in **Bold**).

17.83.1 Maximum FAR. The FAR applicable on any lot in the district shall not exceed 1.25 for all uses except that it may be increased to 1.75 for permitted dormitory uses and to 1.75 by special permit from the Planning Board for permitted residential uses; **however, the additional FAR bonus permitted in Section 11.203.2 shall not apply to developments employing the special permit provisions of this Section 17.83.1.**



CITY OF CAMBRIDGE
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TEL 349-4300
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EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

April 13, 1998

To The Honorable, The City Council:

Please find attached for your consideration, a Planning Board recommendation on zoning amendments to modify provisions of Special District 8 with regard to the recently adopted Inclusionary Housing Ordinance.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

Consent Agenda #7

0-1

Relative to Planning Board
recommendation on zoning
amendments to modify provisions
of Special District 8 with
regard to the recently adopted
Inclusionary Housing Ordinance.

In City Council April 13, 1998

Referred to

~~Ordinance Committee and~~

Planning Board

Sent to C. Davis + PB on 4/15/98.

received at City Council meeting of
2/23/98 as a handout.

Memo:

To: anyone who is interested,

From: Elie Yarden, 143 Pleasant Street, Cambridge

Date: February 23, 1998

Much information relevant to the Planning Board recommendation on provision of affordable housing in residential developments of ten or more units is to be found in a wide assortment of places. With regard to the housing issue and inclusionary zoning, and incentive zoning, I call your attention to the following:

1) In City Manager's Truck Traffic Advisory Committee reports (both A & B): appendix J; 1.1

"Cambridge, Massachusetts, is the sixth most densely populated city in the United States."

"... a daytime population of 250,000 people and a nighttime population of 100,000 people."

"6.25 square miles"

"4 miles of underground subways"

"6.3 miles of waterfront"

"Throughout the city, there are heavily travelled roadways over which hazardous materials are transported regularly."

2) from the Boston Sunday Globe, February 22, 1998 City Weekly Section, p. 4

Facts on open space, a comparison of five communities by the Open Space Task Force. Arlington, Brookline, Cambridge, Newton, and Wellesley.

Amount of private open space as percentage of all open space:

Wellesley, highest with 20.1%

Brookline, 16.6%

Newton, 9%

Arlington, 2.5%

Cambridge, lowest with 0.1%

Amount of conservation land as percentage of all open space:

Newton, highest with 22%

Wellesley, 12.1%

Arlington, 11.4%

Brookline, 11%

Cambridge, None

Expenditure of city budget on open space:
Wellesley, highest with 1.98%
Brookline, 1.62%
Cambridge, lowest with 1%

3) 'Information' from culled from brief conversations with two private housing builders.

There is no procedure whereby private (for profit) housing construction companies can bid on the construction of housing on land owned by the city. Only non-profit companies can be used. There are companies which would be interested in providing high-quality low-income rental housing, who can do so with a healthy profit, if permitted to construct such housing on city-owned land under long term (50 yrs or more) leases. The cost of land in Cambridge accounts for between 20% and 30% of total cost of housing construction, depending on such factors as zoning regulations and area.

There is no incentive to builders in allowing for additional (and additional affordable) units which exceed the existing zoning limits because, in most cases the parking spaces required by zoning for the additional units would reduce the footprint, or add to the cost in such a way as to not make it worthwhile to the entrepreneur.

Inclusionary housing regulations interfere with the operation of the housing market and are an invasion of the rights of developers to act in terms of the market.

These conversations excited my interest about the avenues which might be explored for genuine solutions to the problem of how to provide adequate housing to low income wage workers in Cambridge, and I am pursuing the matter further.

Query: Given the nature of the density of population in Cambridge, the relative paucity of open space, the density and dangerous quality of through truck traffic, how will a distribution of housing appropriate to the economic distribution of its working population be achieved through allowing 85 units of expensive housing to be built for every 15 units of affordable housing? What will happen if the housing construction market tends increasingly to projects of less than ten units?

Query: Where is the data that would help to do projections that would answer the above questions? How does one obtain a copy of the study that was prepared by Stockard & Engler & Brigham?

PATRICIA SMITH

Elegy written in a city square



THERE'S A NEW RESIDENT in Central Square.

You probably haven't noticed him because he's an expert at blending in, folding himself into storefronts, adopting the hue of concrete. Blackhooded, faceless, and wielding a gleaming scythe, he ducks in and out of the grease-spattering eateries, polyester palaces,

and funky cafes that once were the soul of the neighborhood. He pauses to listen to their heartbeats. Then he stops their hearts.

Recently, he dropped into Golden Doughnuts, that beloved purveyor of sugar and goo in the heart of the Square. Soon after, someone slapped this note on the front window: "We are closed for business due to the upcoming demolition plans set forth by the owners of this building . . . It has been a pleasure serving you and getting to know you. Thank you for your friendship and your business. You will be greatly missed." The computerized goodbye is from former employees Chhoy, Vicky, Kayla and "TC". You read the note again and again. You wonder where they are.

Peer through the padlocked door into the darkness, and the Reaper's presence is almost palpable. Your breath catches at the sight of the bubble gum machines, half-full and languishing, and the dingy and deserted U-shaped counters, the yawning display case, that damned push broom tilted against the wall. You don't have to be inside to know that the sweet smell is gone.

Central Square is dying. It may not look that way, since the mortal wounds are covered with increasingly garish bandages. The bandages have names like Starbucks. Foot Locker. A community whose strength was its real people and wonderfully ragged character is being sucked dry because it lies unprotected between two real big schools and people who spend inordinate amounts of moolah.

The Square is ripe for the kill. Its newest resident strolls and swings his bloody blade with a vengeance. He doesn't miss much. Besides, the Cambridge Planning Board is helping him hold down the victims.

Around the corner from Golden Doughnuts, Emily Rose has wilted. After 69 years of peddling perky and crisp cotton clothing and affordable glittering garb for that "special evening", all that's left is the prerequisite sign: "Thank You!" Central Cleaners is gone. The New Airirang Restaurant, where bulgogi, chap chae and mandu graced a lavish daily buffet, has its "Closed" sign facing the world.

The Lucy Parsons Center, a raised-fist bookstore-sporting sections on radical environmentalism, ruling institutions, utopianism, and anarchism, is putting up some semblance of a fight. In the window is a yellow piece of paper with its message clipped and pasted, much like a ransom note: "A Quick Message to the Developers - This Building Will Not Be Evicted Quietly."

Inside, the mood is more of resignation than revolt.

"At this point, it's pretty much a clear-cut deal," says Marc Lasky. He is Central Square before it went upscale, nose rings, and attitude. "I'm confident we're going to lose, but we might as well be a pain in the ass on the way down."

Then there's Surman's, the men's clothing mecca, which bustles still, doggedly ignoring the scythe swinging lazily and rhythmically from the ceiling. The place is classic. Furry Kangol caps. Pre-hemmed pants (an exclusive). Pierre Cardin everywhere. And of course, since the store is scheduled to close at the end of this month - after 90 years in the Square - there are bargains to be had: wide, lemon-yellow ties, 3 for \$1. All suits, half price. Denim caps with leather visors, a paltry \$4. Questionable underwear. Practically free.

Philip Surman, the "Cal Ripken of retail," will be 83 years old next month. He has worked in the store for 65 years. His motto: "Sweet and kind goes a long way, but the dollar is the boss." His most notable feature: eyebrows with minds of their own.

"These stores will never come back," he preaches from his perch at the front, by the door. "They're dead forever. They claim demographics are changing around here, that the upper middle-class is coming in. I haven't seen it. We sell to the working people, people who make \$300, \$400 a week. You know how much rents have gone up? From \$2,000 to \$5,000 a month!"

"But the guys from Harvard came down and made a study, so who am I to argue?"

Across Mass Ave., two young people wander through the glitzy Foot Locker. Their feet whisper on the polished hardwood. Aside from bored and sluggish salespeople, they are alone. Or so they believe.

The Grim Reaper, newly appointed architect of Central Square, has decided to update his image. He's trying on a new pair of Reeboks, and he likes them. He likes them a lot.

NEW CITYWIDE INCLUSIONARY ZONING ORDINANCE

Amend the text of the Zoning Ordinance of the City of Cambridge by doing the following:

A. Delete the existing Section 11.200 - Incentive Zoning Provisions in its entirety and substitute therefore the following:

11.200 Incentive Zoning and Inclusionary Housing Provisions

Purposes. The purposes of this Section 11.200 are to promote the public health, safety and welfare by encouraging the expansion and upgrading of the City's housing stock while accommodating the expansion of housing and commercial opportunities in the City; to provide for a full range of housing choices throughout the city for households of all incomes, ages and sizes; to mitigate the impacts of commercial and residential development on the availability and cost of housing and especially housing affordable to low and moderate income households; to increase the production of affordable housing units to meet existing and anticipated housing and employment needs within the City; to provide a mechanism by which commercial and residential development can contribute in a direct way to increasing the supply of affordable housing in exchange for a greater density or intensity of development than that otherwise permitted as a matter of right; and to establish standards and guidelines for the use of such contributions.

11.201 Definitions.

Affordable Housing Trust shall mean the entity established by Chapter 42 of the Acts of 1991 and defined in Section 11.205.

Affordable Unit shall mean any dwelling unit for which the rent (including utilities) does not exceed thirty (30) percent of the income of the renting household or for which the mortgage payment (including insurance, utilities and real estate taxes) does not exceed thirty (30) percent of the income of the purchasing household or other standards as may be established pursuant to any city, state or federal housing program designed to assist low and moderate income households.

Converted Dwelling Unit shall mean a dwelling unit that has been converted from a non-housing use to a housing use in connection with the construction of an Inclusionary Project.

Developer shall mean any individual, corporation, business trust, estate trust, partnership or association, or any other entity or combination thereof.

Eligible Household shall mean any household whose total income does not exceed eighty (80) percent of the median income of households in the Boston Standard Metropolitan Statistical Area adjusted for family size, or such other equivalent income standard as may be determined by the Board of Trustees of the Affordable Housing Trust Fund.

Median Income shall mean the income set forth in or calculated from regulations promulgated by the United States Department of Housing and Urban Development, pursuant to Section 8 of the Housing Act of 1937, as amended by the Housing and Community Development Act of 1974 or any successor program thereto, or such other standard established by the Board of Trustees of the Affordable Housing Trust Fund.

Mixed Use Development shall mean a development that contains a combination of residential development and any other use.

Project, Incentive, shall mean that portion of projects containing uses listed in Sections 4.33c, 4.34, 4.35, 4.36, and 4.56 d 1 subject to the provisions of the special permits listed in Section 11.202.1.

Project, Inclusionary, shall mean any residential or mixed use development containing or creating ten or more new or converted dwelling units, including phased projects; or where fewer than ten new or converted dwelling units are created, a residential development containing 10,000 square feet or more of gross floor area, in which case each 1,000 square feet shall be considered a dwelling unit.

Project, Phased, shall mean any residential or mixed use development or developments at one site or two or more adjoining sites in common ownership or under common control within a period of five years from the first date of application for any special or building permit for construction on the lot or lots, or for the twelve months immediately preceding the date of application for any special or building permit, where a total of no less than ten new or converted units are built.

Project, Voluntary Inclusionary, shall mean any residential or mixed use development containing less than ten new or converted dwelling units, including phased projects where the developer chooses to comply with the provisions of Section 11.203.2.

Residential Development shall mean single, two family and multi-family homes, townhouse development, elderly oriented congregate housing and lodging and rooming house dwellings as set forth in Section 4.31 a-h, and i(3).

11.202 Applicability.

11.202.1 **Applicability of Incentive Zoning Provisions.** Where a developer chooses to seek to obtain a special permit pursuant to the sections listed below, which special permit authorizes an increase in the permissible density or intensity of a particular use in the proposed development, the developer shall be subject to the applicable provisions of this Section 11.200 et al. Increases in density or intensity of use shall include an increase in gross floor area or height, a reduction or

waiver of parking requirements, or a change in dimensional requirements or the addition of uses that result in an increase in density or intensity of use.

Section 6.35	Reduction in required parking for nonresidential development
Section 11.108	Divergence from dimensional requirements, North Massachusetts Avenue Overlay District
Section 11.54.2(2)	Additional height, Harvard Square Overlay District
Section 11.54.4(2)	Waiver of parking and loading requirements, Harvard Square Overlay District
Section 11.54.5(b)	Exemption from yard requirements, Harvard Square Overlay District
Section 11.63.5	Parkway Overlay District
Section 11.63.7	Divergence from dimensional requirements, Parkway Overlay District
Section 11.304.2(b),(c)	Additional height, Central Square Overlay District
Section 11.304.4	Waiver of setback requirements, Central Square Overlay District
Section 11.304.6	Waiver of parking requirements, Central Square Overlay District
Section 17.13.1(b)	Additional FAR, Special District I
Section 17.17	Transfer of Development Rights, Special District I
Article 13.00	PUD Districts, all permits.

11.202.2 Applicability of Inclusionary Housing Provisions. The provisions of this Section 11.200 shall apply to any Inclusionary Project and may be applied to any Voluntary Inclusionary Project. These provisions shall apply with respect to developments in all zoning districts of the city except those governed by the provisions of Article 15.000.

11.203 Requirements

11.203.1 Requirements for Incentive Zoning Contributions. A developer of an Incentive Project shall either make a Housing Contribution in accordance with this Section 11.203.1 (a) or shall create or cause to be created housing, in accordance with this Section 11.203.1 (b).

(a) **Housing Contribution.** For any project that is in whole or in part an Incentive Project, and that is, in total, less than thirty thousand (30,000) square feet of gross floor area, no contribution shall be required.

For any project of thirty thousand (30,000) square feet of gross floor area or more, the developer shall contribute three dollars (\$3.00) for every square foot of gross floor area over two thousand five hundred (2500) square feet of that portion of the project authorized by the Special Permit that is an Incentive Project.

Before the Superintendent of Buildings issues the first occupancy permit for the Incentive Project the developer of the Incentive Project shall deliver the Housing Contribution to the Managing Trustee of the Affordable Housing Trust or its designee.

The amount of the Housing Contribution shall be subject to review and recalculation three (3) years after the effective date of this provision and every three (3) years thereafter by the Cambridge City Council based on a consideration of current economic trends including but not limited to development activity, commercial rents per square foot, employment growth, and housing trends measured in terms of, but not limited to, vacancy rates, production statistics, and prices for dwelling units. The Board of Trustees for the Affordable Housing Trust may adjust the amount annually based on CPI or a similar standard to reflect changes in inflation rates.

(b) Housing Creation Option. The Developer of an Incentive Project required to make a Housing Contribution in Subsection 11.203.1 (a) above may create or cause to be created affordable units for occupancy exclusively by eligible households, or may donate land to be used exclusively for the development of affordable units. These units or land donation, must be of equivalent benefit toward addressing the City's affordable housing need as the housing contribution otherwise required.

When this option is chosen a Developer shall obtain a report from the Board of Trustees of the Affordable Housing Trust, which report shall accompany the special permit application and shall advise the special permit granting authority as to whether the proposed Housing Creation conforms to the intent and purposes of this Section 11.200 et al. The report shall also recommend such conditions, if any, as the Trustees may find appropriate to the issuance of the special permit to assure full compliance with the intent of this Section 11.200.

The special permit granting authority shall give due consideration to the report of the Board of Trustees in granting any special permit subject to this Section 11.200 et al., and, in its discretion may approve the developers use of the Housing Creation Option.

11.203.2 Requirements for Inclusionary Housing .

(a) Any Inclusionary Project shall provide ____ percent of the total number of dwelling units provided as Affordable Units. [The Community Development Department recommends the amount of Affordable Units provided to be in a range of 10% to 15%, depending on findings made and conclusions drawn by the City Council.] Where the application of that formula results in a fractional dwelling unit, a fraction of one half of a dwelling unit or more shall be considered as one Affordable Unit. Each Affordable Unit shall meet the standards established in Section 11.204.

(b) To facilitate the objectives of this Section 11.200, modifications to the dimensional requirements in any zoning district, as set forth in Section 5.30, shall be permitted as of right for an Inclusionary Project, as set forth below:

(i) The FAR normally permitted in the applicable zoning district for residential uses shall be increased by [twice the percentage requirement] for Affordable Units as set forth in Section 11.203.2 (a) above.

(ii) The lot area per dwelling unit normally required in the applicable zoning district shall be reduced by that amount necessary to permit up to two additional units on the lot for each one Affordable Unit required in Section 11.203.2 (a) above.

(c) For any Voluntary Inclusionary Project that proposes to provide one Affordable Unit, the provisions of Section 2.203.2 (b) (i) and (ii) may be applied after the issuance of a special permit from the Planning Board. In issuing a special permit the Planning Board shall find that the additional dwelling units or gross floor area permitted will not create a development significantly different in scale, density, or placement on the lot than can be found on adjacent lots or in the surrounding neighborhood; or if the development is significantly more dense, larger in scale or closer to the lot lines than can be found on adjacent lots, the Board shall find that the size or shape of the lot, the characteristics of development on abutting lots, and the nature of the design proposed on the subject lot mitigate any negative impact that such additional development may impose and that such impact is compensated for in part by the provision of affordable housing. In making its findings the Planning Board shall consider the other kinds of dimensional relief that the development may require and the extent to which such relief varies from the requirements of the zoning district.

(d) Affordable Units required by this Section 11.203.2 shall be provided on-site. However, approval for alternate means of compliance may be granted by the Planning Board in certain exceptional circumstances. In granting such approval, the Planning Board must find that the property owner has demonstrated that building the required affordable units on-site would create a hardship. To have such a request considered, the property owner must make full disclosure to the Planning Board of all relevant information. Any request for alternate means of compliance shall be reviewed by the Affordable Housing Trust, which shall then forward its recommendation on the request to the Planning Board. The Affordable Housing Trust's recommendation shall be based upon whether the alternate means of compliance shall be of comparable value to the affordable unit that would have otherwise been provided in the Inclusionary Project. The Planning Board's approval of the request shall be based upon the Affordable Housing Trust's recommendations, and the demonstration of hardship made by the property owner. The Planning Board may, in its sole discretion, use other information to determine the validity of the property owner's request. Approval of alternate means of compliance shall be only for payment of a sum equivalent to the value of the provision of an Affordable Unit at the Inclusionary Project site, which payment shall be made to the Affordable Housing Trust.

11.204 Standards for Construction and Occupancy of Affordable Units.

The following standards are intended to provide guidance to the special permit granting authority in instances where the Housing Creation Option is chosen to meet the requirements of this Section 11.200, to the Board of Trustees of the Trust in making any report it may make to the special permit granting authority or in authorizing the expenditure of any Housing Contribution funds, and to the Developer of any Inclusionary Project or Voluntary Inclusionary Project. In granting any special permit the special permit granting authority may allow for deviations from, or further define, these standards consistent with the purpose of this Section 11.200.

(a) Affordable Units shall be comparable in services and size to dwelling units in the neighborhood where the units are to be located for an Incentive Project. Units for an Incentive Project shall generally be designed and intended for families with children. Where the Affordable Units are for elderly, handicapped, or other special needs households, the similar size standard in an Incentive Project does not apply.

To ensure livability, Affordable Units in an Inclusionary Project shall be of comparable size as the unit sizes in the overall project, and in general, shall have the following minimum square footage of living space:

Unit size	For-Sale Units	Rental Units
1-Bedroom	750 sf	650 sf
2-Bedroom	950 sf	800 sf
3-Bedroom	1,100 sf	950 sf
4-Bedroom	1,250 sf	1,000 sf

The Trust shall establish minimum standards via regulations to assure durability, energy efficiency, and water conservation.

For Inclusionary Projects, or Incentive Projects where appropriate, the Trust shall develop regulations to ensure that exteriors of affordable units shall closely resemble the exteriors of other units in a project, and residents of affordable units should have full use of all amenities in the common spaces.

(b) The Affordable Units shall, to a reasonable extent, serve eligible households of diverse incomes, including very low income, and diverse sizes throughout the city.

(c) The Affordable Units shall be subject to restrictions providing that they shall:

(1) be occupied by eligible households.

(2) be conveyed subject to restrictions, which to the extent legally possible shall guarantee the permanent availability of the Affordable Units to eligible households. Such restrictions shall include but not be limited to limited equity deed restrictions. In general, to meet this requirement, affordable rent levels shall be maintained for a minimum of 50 years in accordance with practices of

the City. With for-sale units, the City's system of deed restrictions controlling resale prices shall be observed.

(3) not be financed by the Developer with the use of publicly subsidized capital financing to meet the requirements of this Section 11.200, to the extent that this would allow the Developer to externalize the costs of compliance with this Section 11.200.

(4) to the extent possible, give preference to eligible households who are Cambridge residents.

(5) be rented or sold to Eligible Households, using marketing and selection guidelines customarily employed by the Community Development Department in selecting tenant and homeowner households under other City, state or federal housing assistance programs.

(d) The rental or ownership of affordable units shall mirror the project as a whole. For example, affordable units should be sold, not rented, where a majority of units will be offered for sale.

(e) The affordable units in general shall be affordable to households having a target income of 65% of the area median income. The Trust shall have the discretion to approve a mix of higher and lower rents or sale prices, the average of which approximates an affordable price for a household at the target income level.

11.205 Affordable Housing Trust.

Pursuant to the provisions of Chapter 42 of the Acts of 1991, an Affordable Housing Trust Fund was established. To facilitate the implementation of the provision of this Section 11.200, the Affordable Housing Trust Fund receives funds generated by this Section 11.200 and specifically Sections 11.203(a) and 11.203.2(d), as well as other funds generated from other sources.

11.205.1 Use of the Affordable Housing Trust. The Trust property may be made available for, but shall not be limited to, the following uses.

- (1) Creation of Affordable Units. To encourage the development of Affordable Units through a variety of means, including but not limited to, the provision of favorable financing terms or direct write down of costs for either nonprofit or for profit developers or to subsidize the purchase of sites, existing structures, or affordable units within a larger development.
- (2) Multifamily Rehabilitation Programs, To finance the substantial rehabilitation of deteriorated properties in a manner that preserves the affordability of units through interest rate subsidies, loan guarantees or write down of projects costs. Multifamily housing owned by nonprofit entities

that ensure maximum long-term affordability shall receive priority funding consideration.

- (3) **Limited Equity Cooperative or Condominium Conversion.** For acquisition and rehabilitation of potential cooperatives or condominiums through low interest blanket loans, share loans or direct cost write down.

11.205.2 Administration of the Affordable Housing Trust and its Activities. The Trust property may be made available to fund reasonable administrative expenses necessary to support Trust activities, including but not limited to consulting services such as legal, appraising or engineering, as well as other project related expenses. The Community Development Department shall provide the Board of Trustees with technical and administrative assistance.

11.205.3 Board of Trustees of Affordable Housing Trust. The City Manager shall appoint and chair a nine (9) member Board of Trustees of the Affordable Housing Trust. The Board of Trustees shall be composed of representatives from different sectors of the community with housing policy, and may include members of City Boards and agencies, nonprofit housing organizations and community representative. The trustees, with concurrence of the City Manager, shall establish regulations for the operations of the Trust and Board of Trustees, and procedures for the implementation of this Subsection 11.205.

- (1) The Board of Trustees shall manage and administer the Affordable Housing Trust Fund including the disbursement of all funds, units and land conveyed to the City of Cambridge.
- (2) The Board of Trustees shall review and approve or disapprove proposals submitted for use of the Housing Trust Fund. The Board shall develop policies and standards appropriate to and consistent with the Incentive Zoning and Inclusionary Housing provisions, Section 11.200.
- (3) The Board shall serve as the Advisory Committee for the purpose of The Massachusetts Housing Partnership (MHP). The Board shall review and make recommendations on housing proposals to be submitted to MHP.
- (4) The Board shall explore the feasibility of and assist in the establishment of new programs designed to meet Cambridge affordable housing needs. These programs may include a city wide Land Bank program and Home Mortgage Pool.
- (5) The Board of Trustees shall provide assistance and necessary reports where appropriate to any special permit granting authority authorized to issue a special permit for any development making use of funds from the Affordable Housing Trust.

11.206 Enforcement

The Community Development Department shall certify in writing to the Superintendent of Buildings that all conditions of this Section 11.200, including any conditions that may be established by the special permit granting authority in issuing a special permit under this Section 11.200, have been met before issuance of the first building permit for any Incentive Project, Inclusionary Project, or Voluntary Inclusionary Project. Before the issuance of the first Certificate of Occupancy for such development the Trust shall certify in writing to the Superintendent of Buildings that all documents have been filed and actions taken that are necessary to fulfill the conditions of this Section 11.200 and any special permit authorized herein.

B. In Section 5.31 - Residential Districts, Paragraph 2 - Footnotes, Footnote (i), delete the existing text in its entirety and substitute therefore the following:

(i) The dimensional requirements of the Residence C-1 district as detailed in this Section 5.31 shall apply in the Residence C district for structures in existence as of December 1, 1986 under the following limitations and conditions:

- (1) Any increase in floor area or numbers of units on a lot, provided all construction occurs within the limits of the existing structure; or
- (2) For the reconstruction without limit as to cost (notwithstanding any contrary provisions of Section 8.23) of a non conforming structure destroyed or damaged by fire or other catastrophe provided the structure as restored shall not be greater in lot coverage or volume, or shall not extend further into required yards, than the original structure; all other provisions of Section 8.23, however, shall continue to apply.

C. In Section 13.70 - Planned Unit Development in the North Point Residence, Office and Business District do the following:

1. In Section 13.74.3 - Incentive for Residential Development, delete in its entirety Paragraph (3).
 2. Delete Section 13.78.3 - Inclusionary Housing Requirements in its entirety.
-

D. In Article 17.000 - Special Business, Office and Industrial Districts do the following:

1. In Section 17.90 - Special District 9, delete existing Subsections 17.94, 17.95, and 17.96 in their entirety and substitute therefore the following:

- a. 17.94 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 9.**
- b. Renumber existing Subsections 17.97, 17.98 and 17.99 as new Subsections 17.95, 17.96, and 17.97.**

2. In Section 17.100 - Special District 10, delete existing Subsections 17.104, 17.105, and 17.106 in their entirety and substitute therefore the following:

- a. 17.104 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 10.**
- b. Renumber existing Subsections 17.107, 17.108, and 17.109 as new Subsections 17.105, 17.106, and 17.107.**



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139



14.

TEL 349-4300
FAX 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

February 23, 1998

To The Honorable, The City Council:

Please find attached for your consideration, a Planning Board recommendation on the City Council Petition to require the provision of affordable housing units in residential developments of ten or more units, Section 11.200.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
Attachment

Consent Agenda #14

Relative to a Planning Board recommendation on the City Council Petition to require the provision of affordable housing units in residential developments of ten or more units, Section 11.200.

In City Council February 23, 1998

Referred to the
Petition.

Order Adopted.



The New Cambridge Diversity

COMMENTARY

Standing up for one's age

BY RICHARD GRIFFIN



The young man on the Green Line subway car, a 20-something, looked up at me and made as if to rise and give me his seat. But, ready to get off at the next stop, I muttered a startled, "No, thank you."

As the train was pulling into Copley, I leaned over and told him how much I had appreciated his offer. "No problem," he replied, using young people's lingo for "You're welcome."

The offer, among the first I have ever received, made a strong impression on me. "Do I look that old?" was my first shocked question. "So that's what comes from postponing a haircut?" was the second.

I also felt gratified that a young man would be so sensitive and courteous. Gallantry has not entirely died out after all. There is hope for the rising generation — its members cherish social ideals as noble as ours.

It might well have been that I did need to sit down. Though clearly not burdened with packages, I could have been lame or otherwise disabled.

I wonder what experience that young man has had with older people and what his attitudes toward us are. Offering me a seat may have meant that the fellow habitually reverences men and women much older than himself. This may be an old-fashioned politesse which honors the elders whom he encounters each day.

The young man possibly has grandparents with whom he has frequent contact. If so, he is fortunate — they may have given him a favorable impression of later life. His grandparents may be people who have passed on to him a legacy of vital family memories and traditions. I would like to think of them as happy with having such a grandson.

Despite his sensitive instincts, however, he may suffer from stereo-

types about us elders. He may, for instance, equate aging with disability. It would be surprising if he knows that the rate of disability among elders has gone dramatically down in recent years and that most people my age do not have major disabilities.

Whatever one's interpretation of the young man's actions, some disquieting personal questions remained for me. Do I look a good deal older than I feel myself to be? And what kind of adjustments does that reality call for?

Correcting one's view of the self is a lifelong activity in any event.

Even people far older than I, those in their 90s for instance, often feel young. Looking into the mirror and seeing a face marked by deep wrinkles continually surprises them. Can that person be me, they ask, when the image reflected there seems so at odds with what I am feeling about myself?

That young man acted like a mirror for me. He forced me to re-examine the face and figure which I present to the world. Yes, I am officially senior; the MBTA allows me to ride the subway for a drastically reduced fare. And never once has a T official asked to see the card given me on my 65th birthday making the low fare legal.

But still I thought myself to appear, if not dashing, at least vigorous. I had counted myself as representative of the new elderly — healthy and fit of physique. Though

not tempted to emulate George Bush in jumping out of an airplane, I sometimes run from first to third if a batter who comes after me in our softball lineup comes through with a base hit.

The difference between perception and reality always provides matter for chewing on. If that is the way the young man saw me, his perception perhaps deserves to be worked into my self-image. Correcting one's view of the self is a lifelong activity in any event. So why should I claim exemption from this task now?

My friend Stan Miles, now in his 83rd year, has grown comfortable with the same gestures that still trouble me. Younger people frequently offer him their seat on the subway, and he welcomes those offers. "They're always very nice about it," he says appreciatively. Sometimes, if he is going only a short distance, he will turn down the offer while bantering with the young person. "Why give me the seat? he asks. "After all, I am only paying 20 cents for this ride."

Perhaps then, this kind of public deference amounts to a rite of passage that takes a little getting used to. My friend has come to grips with it; I have not yet done so. It will take time before being recognized as a person deserving deference by reason of age will become second nature to me.

These reflections may seem to have drawn too much from one casual incident on the subway train. But isn't this incident typical of the many events of everyday life, large and small, which can prod us to think further about who we have become?

Chronicle columnist Richard Griffin is an author and consultant who lives on Harvard Street.

Do you have a comment for Richard Griffin, or an idea for a future column? Richard can be reached via e-mail at rgriffin180@aol.com.

LETTERS

Pond bike path changes wrong

The proposed changes to the Fresh Pond Parkway will result in a general enhancement of the area to motorists, pedestrians and bicyclists. However, a review of the drawings reveals one aspect of the plan that is questionable.

The aspect in question is the proposal to route the bike path through the small wetlands area extending from the Ground Round rotary to the current path directly across from the Sinoc station. This routing will require the removal of trees and the filling of part of an area that is ecologically and esthetically significant to the status of the reservation as an urban wild.

As there is no pressing reason to encroach upon one of the few precious remaining wild spaces of Cambridge, we urge the city and the MDC to reconsider the routing of the bike path along Concord Avenue between the two traffic circles (Ground Round and Sozio). In this space, there is a corridor equal at least to half that required for the bike path. It is presently not very well kept, and little used.

The widening of the path would involve moving or replacing the sound and visual barrier of trees now planted along the small field just south of the wetland. However, the trees are only about 20 years old, have no particular ecological significance, and were placed there for practical purposes that could be sat-

isfactorily recreated 10 feet or so closer to the pond. This route would maintain the integrity of the wetland woods and the small field while providing for a bike path. Commuters would be freed to ride as fast as they need to without endangering pedestrians, as they would if the path, as currently constructed, dips into the reservation. A letter signed by 14 Cambridge residents in support of this rerouting proposal is attached.

In general, I would urge that no construction of any kind be approved for any part of the Fresh Pond property until the Fresh Pond Advisory Committee has completed its master plan for the reservation.

HERESA HILL
Holworthy Street

EDITORIAL

SPED kids deserve the best

There is one thing everyone agrees on when it comes to special education — it's expensive and places a huge burden on local school budgets.

Beyond that point opinions diverge. Should all special needs students receive the maximum education possible, as is the current policy in the Bay State? Or should the state follow the federal standard that requires schools to offer "free and appropriate" education?

Should local taxpayers continue to foot three-quarters of the cost? Or should the Legislature dig deeper to pay more and bring the state in line with the national average, which is that communities pay 40 percent of the freight?

This week the Joint Education Committee voted to strike language that would have brought Massachusetts in line with the other 49 states — quite likely lowering the chances

that all special needs students would get the best possible education. Adequate, yes. But suitable for all special needs students? No.

It was the right vote because it puts the issue of revising special education back in the hands of a study committee, with a deadline for reporting out by Feb. 1, 1999. Generally, the idea of further study of an issue by a state Legislature known for sending bills into committee "for study," only to die a quiet death is absurd. But in this case, the public outcry from special education advocates and parents of special needs children was significant and raised enough concerns that further study is in order.

This additional scrutiny should allow the state to get a handle on how to control costs and fairly allocate the burden without dismantling special education and discarding the current system, possibly hurting the chances of thousands of children to live fuller lives.

LETTERS

Massage therapy is not prostitution

It's a shame that your paper's edition of Jan. 29 contributed to the long-standing public misapprehension that massage therapy and prostitution are linked by their very nature. Aside from being two of the world's oldest types of human interaction, prostitution and massage are completely different things.

From the ancient peoples of Greece and India to many indigenous peoples of the present day, massage is part of traditional healing modalities. Massage is neither exotic nor "New Age." It is a venerable and highly effective form of connective tissue treatment.

America has yet to comprehend what massage is all about. Body workers in this country have poured their efforts into educating the public about massage therapy for years, and headlines about police raids and massage parlors do nothing to alleviate the persistent and mistaken notions surrounding massage. The American Massage Therapy Association, to which I belong, would instantly expel any member found to be offering sexual services because such services are outside the scope of practice of any massage therapist, aside from being illegal and unethical. A few months ago, the AMTA's membership dissuaded Playboy magazine from running a massage fantasy pictorial spread.

Can one massage therapist prevail upon your publication to display similar sensitivity toward the massage therapy profession next time protesters posing as therapists make the news?

KILIAN MELLOY
Eustis Street

Mom's tour missed a stop

I was dismayed to read the inaccuracies in your front page article about a parent visiting every school in Cambridge looking for the "right" one for her child. Unfortunately, Ms. [Betsy] Haddada did not visit Dr. Martin Luther King Jr. School.

As most people are aware, there are two schools at 100 Putnam Ave., the King School and the King Open. If she had visited our school, she would have seen wonderful things happening in classrooms such as our primary children learning Chinese as a second language. She would have seen inquiry-based and analytical "hands on" learning in our classrooms. Ms. Haddada would have witnessed our primary grades' literacy block; four teachers working in small, cooperative groups on journal writing, editing, reading and literary projects.

Ms. Haddada would have seen our creative, dedicated, energetic staff nurturing our students to achieve to the highest level possible. It is indeed unfortunate that Ms. Haddada did not visit Dr. Martin Luther King Jr. School where "we keep Dr. King's dream alive."

Another inaccuracy that needs to be put in context is Ms. Haddada's statement about police calls to the King schools. There are no major safety issues in and around the building during school hours. The vast majority of police reports pertained to late weekend and summer nights. Recently, the community has worked to respond to

these issues. I would hope that in the spirit of honest and accurate reporting, the Cambridge Chronicle would check out facts before printing questionable articles.

BETH CARMAN
Family Liaison, Dr. Martin Luther King Jr. School

Work together for Common solution

I would like to follow up on the recent article and letters to the editor regarding a bike path through Cambridge Common. Behind the controversy there are two issues:

• What is the purpose of Cambridge Common?

• Underlying attitudes of pedestrians, bicyclists and motorists.

Cambridge Common primarily a destination, a place to stroll, a park for passive relaxation, as one letter suggests? I think this is too limited a view. If you contrast Boston Common with Boston Public Gardens, the Gardens is the destination, the place to stroll, and bicycles are banned. Boston Common is a mix of passive and active uses, a place of assembly, and a crossroads where people from all walks of life pass through.

Similarly, the Cambridge Common I know is a mix of uses and users. I've gone there to read in the shade in summer, to bring my children to the tot lot and ball fields, and to pass through on my way to my dentist on Concord Avenue. I've seen people of all ages, from the homeless to some of the more well-off residents.

Historic maps of early Cambridge show the Common at the crossroads of early highways in several directions. While motor vehicles are excluded, the Common remains a crossroads of many pedestrian and bicycle trips.

I believe Cambridge Common should continue as a mix of active and passive recreational uses for people from all walks of life in the city. Its name, "Common," implies a park for all. Exclusions should be few, if any. In this vein, I believe bicycles should be permitted.

I am a member of the Cambridge Bicycle Committee, and the committee has favored a low-speed bike path. I expressed the concern that special measures are needed at the lot entrance as I know my own children would tend to suddenly run in random directions, including the path of oncoming pedestrians or bicyclists. Still, I believe that with close attention to details, it is possible to a low-speed bike path.

Finally, this controversy illustrates some of the attitudes and prejudice-

ments made by some pedestrians, bicyclists and motorists. While some members of each group may have a tendency to demonize the other groups, we need a healthier, more realistic attitude to address this Common issue. The members of the bicycle committee recognize that too many bicyclists ride in ways that are illegal and dangerous. However, the committee seeks to find constructive ways to encourage safe biking.

To address the Common issue (and many other issues involving bikes, pedestrians and motor vehicles), we need an attitude that constructive dialogue will improve conditions for pedestrians, bicyclists and motorists alike. We cannot afford attitudes that seek to demonize one group.

JOHN BURCKARDT
Cambridge Street

Straight white men not extinct

I am puzzled by the complaint of at least one of Councillor [Katherine] Triantafyllou's supporters that the election of Frank Duebay and Anthony Galluccio as mayor and vice mayor was choosing "a bunch of straight white men."

The implication is apparently that women, gay people, and people of color have been excluded from these offices.

As I understand it, over the past eight years the offices have been filled as follows:

- 1990-1991 — Mayor: Alice Wolf (straight, white, female); Vice mayor: Ken Reeves (gay, black, male).
- 1992-1993 — Mayor: Ken Reeves (gay, black, male); Vice mayor: Ed Cyr (straight, white, male).
- 1994-1995 — Mayor: Ken Reeves (gay, black, male); Vice mayor: Sheila Russell (straight, white, female).
- 1996-1997 — Mayor: Sheila Russell (straight, white, female); Vice mayor: Kathy Born (straight, white, female).

Is there something I don't know about these people? Or am I correct in thinking that in the last eight years, having a mayor or vice mayor who was white and male and straight was exceptional to the point of being unique?

I am proud, and we should all be proud, of our city's record of diversity in these offices. However, while Councillor Triantafyllou's supporters may (or may not) have legitimate complaints about the mayoral election, the complaints they make should at least be intellectually honest. This one is nonsense.

RUTH HANIG
Essex Street

CAMBRIDGE CHRONICLE

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The Cambridge Chronicle prints itself on serving as a forum for the community. Send your typed, double-spaced letters to: Letters to the Editor, 240A Elm St., Suite 20, Somerville, MA 02144.

Letters should be 400 words or less, signed and include a telephone number for verification. We reserve the right to edit for length, grammar, accuracy, and libel.

Agnes V. Murphy

Administrator

Charlestown native and 50-year Cambridge resident Agnes V. (Hegarty) Murphy, an administrator at the MDC, died Friday, Feb. 6, at home in Cambridge.

She was the wife of Robert Murphy of Cambridge; mother of Janice of Los Angeles and Barbara Murphy of Cambridge.

Funeral services were held Feb. 11 at St. John's Church, Cambridge and burial followed at Mt. Auburn Cemetery. Arrangements were made by the Keefe Funeral Home.

Marion A. Dunn

Office manager

Longtime Cambridge resident Marion A. Dunn died Friday, Feb. 6, at Symmes Hospital in Arlington. She was 80.

Dunn was employed by Elliott Addressing Company as an office manager.

She was the daughter of the late Bernard and Mary Dunn; and sister of the late James and Frederick Dunn, Mary Clifford and Emma Potter.

She is also survived by nephews Arthur Clifford of Arlington and Robert Dunn of Bellingham; niece Elaine Dupuis of Florida; and grandnieces Mary Caggiano and Denise Steinberg.

A funeral Mass was held Feb. 9 at St. Agnes' Church, and burial was private. Arrangements were made by the Keefe Funeral Home.

Roy Lynch Jr.

MIT police officer

U.S. Air Force veteran of World War II Roy Lynch Jr. died Friday, Feb. 6, at the MIT Infirmary, Cambridge. He was 70.

Lynch was employed by MIT as a patrol officer, and was formerly the chief of police at Northeastern University.

sity. He was the past exalted ruler and grand esquire at Somerville RPO# 917, and was also a past grand knight of the Cambridge Knights of Columbus.

He is survived by his wife Ann Lynch of Somerville; children Mary Ramsey of Waverston, Sharon Carr of Manchester, NH, Patricia Crary of Salem, NH; brother Tom Lynch of Somerville; and grandchildren Greg, Jon, Kristin and Tracy.

A funeral Mass was held Feb. 9 at St. John's Church, Cambridge and burial was held at Puritan Lawn Memorial Park, Peabody. Arrangements were made by the Keefe Funeral Home.

Catherine Day

Sales clerk

Catherine (D'Agostino) Day, a retired sales clerk, died Friday, Jan. 16, at her Cambridge home. A lifetime resident of Cambridge, she was 84 years old.

She was the wife of the late Charles Day; mother of Catherine Miller of Londonderry, NH; grandmother of Brad and Tracy Miller; sister of William and Paul D'Agostino, both of Auburndale, Grace DeFillippo and Ida Dodge, both of Florida.

A funeral Mass was held at the Church of the Blessed Sacrament, Cambridge, with burial at the Mt. Calvary Cemetery, Manchester, NH. Arrangements were made by the John J. Donahue and Son Funeral Home, Cambridge.

Enrico Nuttoli

Shipper

Longtime Cambridge resident Enrico Nuttoli died Monday, Jan. 19, at Mt. Auburn Hospital. He was 76.

Born in Boston, he was a 50-year resident of Cambridge and was a retired shipper.

He was the father of Enrico Nuttoli III and Lucy Jones of Billerica and Anette Zola of Revere; grandfather of

Enrico and Jaime Nuttoli and Joseph Zola; uncle of Rhonda Petrella; and brother of Helen La Conte and Millie Frusciano, both of East Boston.

A funeral Mass was held at the Blessed Sacrament Church, with a private burial. Arrangements were made by the John J. Donahue and Son Funeral Home, Cambridge.

Mary C. Kline

Homemaker

Mary C. (Casey) Kline died Sunday, Jan. 18, at the Cambridge Nursing Home. She was 85.

Kline, a homemaker, was born in Boston and was a resident of Cambridge for over 65 years.

She was the wife of the late Edward Kline; mother of Mary Raposa of Tewksbury, Edward Kline of Cambridge, Dorothy Phillips of Medford, Charles Kline of Somerville, Catherine Janetti of Somerville and the late Charlotte Doucette and John Kline. She is also survived by 11 grandchildren and five great-grandchildren.

A funeral Mass was held at the Blessed Sacrament Church, with burial at Cambridge Cemetery. Arrangements were made by the John J. Donahue Funeral Home, Cambridge.

Bernard McClelland

Steel worker

Steel worker Bernard "Mac" McClelland died Sunday, Feb. 1, at Cambridge Hospital. He was 71.

Born in Michigan, McClelland was a longtime resident of Cambridge.

He was the father of Derek Ray Navin-McClelland of Dedham; best friend of Helen Navin of Hyde Park; step-father of Mary Ellen Barkitt of Foxboro, Ann Demaree of Arlington, Arthur Navin of Hyde Park, Kathleen Moore of East Bridgewater, Cecil Marcynowski of Hyde Park, Robert Marcynowski of Dedham and Edward Navin of Hyde Park; and close friend of Sherri Bisette of Hyde Park.

Funeral services were held Feb. 4 at the Brady and Fallon Funeral Home, Forest Hills. A funeral Mass followed at the Sacred Heart Church, with burial at New Calvary Cemetery.

John D. Thompson Jr.

Construction worker

U.S. Army veteran of the Vietnam War John D. "Danny" Thompson Jr. died Sunday, Feb. 1, at his Cambridge home. He was 57.

Thompson was employed as a construction worker. He was the son of John Sr. and Marie (Barry) Thompson; and brother of William, Michael, Christopher and James Thompson, Eileen Phillips, Judith Constanti, Mari DiBenedetto and the late Mark Thompson.

He is also survived by numerous nieces and nephews. Funeral services were held Feb. 5 at the Rogers Funeral Home, Cambridge. A funeral Mass followed at Sacred Heart Church, with burial in Canaan, NH.

Lois B. Linehan

Nurse

Lois B. Linehan, of Holden, formerly of Cambridge, died Wednesday, Feb. 4, in Worcester. She was 62.

She is survived by her mother Hester E. (Presbo) Linehan; brothers Donald Linehan of Oakham and Jeffrey Linehan of Wilmington; and several nieces and nephews.

Linehan was born in New Jersey and lived in Cambridge for 17 years. A graduate of Simmons College, she worked as a nurse at Camp Putnam in Braintree and the Visiting Nurses Association in New Haven. She was a trustee of the Fobes Memorial Library in Oakham for many years.

Funeral services were held Feb. 7 at the Oakham Congregational Church, with burial at the Pine Grove Cemetery. Arrangements were made by the Miles Funeral Home, Holden.

Memorial donations may be made to the Fobes Memorial Library, Maple St., Oakham, 01068.

Lawrence M. Hudson

Former resident

Lawrence M. Hudson, of Newport, RI, formerly of Cambridge, died Friday, Jan. 30, in Newport. He was 46.

He was the son of the late Francis M. Sr. and Catherine (Gordon) Hudson; brother of Francis M. Hudson of Cambridge, Linda A. Hudson of Rochester, MA and Joan Greenwood of Florida.

Funeral services were held Feb. 4 at the JM Reardon Funeral Home, Belmont, with burial at Mt. Auburn Cemetery.

Charlotte E. McCoy

John Hancock employee

Somerville native and Cambridge resident Charlotte E. McCoy died Thursday, Jan. 29. She was 78.

McCoy, who worked for John Hancock, was the daughter of the late George A. and Frances S. McCoy; sister of Mildred R. McCarthy and

William C. McCoy, both of Cambridge and the late George F. McCoy. Funeral services were held Feb. 2 at the Brown and Sons Funeral Home, Belmont with a private burial.

Memorial donations may be made to St. Andrew's Episcopal Church Memorial Fund, 25 Marlboro St., Belmont, 02178; or the charity of one's choice.

Natalie Paglia

Cook

Funeral services were held Feb. 3 for Natalie (DiCesare) Paglia, a long-time resident of Cambridge, at the Rogers Funeral Home, Cambridge. A funeral Mass followed at St. Francis of Assisi Church.

Paglia, a cook, died Saturday, Jan. 31, at Cambridge Hospital. She was 81. She was the wife of Ernest Paglia, sister of Edith Toscano, Christine Pilieri, Nunzio DiCesare and the late Connie Iacozzi, Jennie Vannelli, Josephine DiCesare and Virginia Petralia.

She is also survived by numerous nieces and nephews. Burial was held at the Cambridge Cemetery.

CCTV celebrates Black History Month

Cambridge Community Television is celebrating Black History Month on channels 9, 10 and 22. Highlights include: •Islam and the Black Community, a forum looking at the history of Islam in the African and African-American communities. This panel discussion was taped at the Cambridge Multicultural Arts Center and will be broadcast with the Cambridge Forum. Watch panelists explore the upward surge in African-American interests in Islam on channel 9 Wednesday, Feb. 18, at 4 p.m., Monday, Feb. 23, at 9 p.m., and Wednesday, Feb. 25, at 9 p.m. •CCTV will air the Cambridge Chapter of the NAACP Dr. Martin Luther King Breakfast. Watch highlights on channel 9 Friday, Feb. 20, at 5 p.m. and Wednesday, Feb. 25, at 9 p.m.



•CCTV Open Studios Series presents "The Black Spectrum Book Club." Cambridge author Sara Smith Beattie is interviewed by the club about her recent book, "A Question of Color." Catch it on channel 10 Wednesday, Feb. 18, at 4 p.m., Monday, Feb. 23, at 9 p.m., and Wednesday, Feb. 25, at 9 p.m. •CCTV will air the Cambridge Chapter of the NAACP Dr. Martin Luther King Breakfast. Watch highlights on channel 9 Friday, Feb. 20, at 5 p.m. and Wednesday, Feb. 25, at 9 p.m.

LEGAL NOTICES

ANGELS LICENSE
LEGAL NOTICE
CITY OF CAMBRIDGE
BOARD OF LICENSING
COMMISSIONERS
Notice is hereby given that Manuel Goncalves and Bruno Pires, d/b/a Angels Fast Food has applied for a Peddler license to operate a mobile food truck at 459 Broadway directly across from High School and Public Library between the hours of 11:00 a.m. to 12:30 p.m. Monday through Friday; Sidney Street next to Suffolk Construction area between the hours of 12:45 p.m. to 2:00 p.m. Monday through Friday selling pizza, sausage, subs, and soda.
A hearing on said application will be held on Tuesday, February 24, 1998 at six o'clock in the Michael J. Lombardi Municipal Building, 831 Massachusetts Avenue, Basement Conference Room, Cambridge, MA 02139.

MARCH 5 AUCTION
LEGAL NOTICE
CAMBRIDGE SELF STORAGE
445 CONCORD AVE.
CAMBRIDGE, MA 02138
(617)876-6060
NOTICE IS HEREBY GIVEN THAT THE UNDERSIGNED WILL SELL AT PRIVATE AUCTION ON March 5th, 1998 AT 2:30 p.m. THE PERSONAL PROPERTY HERETOFORE STORED WITH THE UNDERSIGNED BY:
Mary Lennon - Unit 1222
Contains: Boxes and Heater
Jacquelyn Sheffield - Unit 1059
Contains: Boxes
William Mathews - Unit 2034
Contains: Shelf, Table, and Boxes
Paul Chatabalish - Unit 2116
Contains: Radio, Lamp, and Boxes
Gavin Moses - Unit 2208
Contains: Boxes, Chairs, Wooden Shelf
Mary Lennon - Unit 1226
Contains: Boxes and Heater
Lawrence Mondralo - Unit 1077
Contains: Mattress, Bed and Boxes

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Lawrence Mondralo - Unit 1077
Contains: Mattress, Bed and Boxes

Debra Morris - Unit 4003
Contains: T.V., Bed, Furniture
Cambridge Chronicle, 2/5, 2/12/98

INCENTIVE ZONING ORDINANCE
LEGAL NOTICE
CITY OF CAMBRIDGE
FIRST PUBLICATION NO. 2763
IN THE YEAR ONE THOUSAND,
NINE HUNDRED NINETY EIGHT
AN ORDINANCE
In Amendment to the "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:
The Zoning Ordinances of the City of Cambridge is amended by amending the text by deleting the existing Section 11.200 - Incentive Zoning provisions in its entirety and substituting a new Section 11.200 entitled "Incentive Zoning and Inclusionary Housing Provisions".

Also by deleting in Section 5.31 - Residential Districts, Paragraph 2 - Footnotes, Footnote (i) in its entirety and substituting a new Footnote (i).

In Section 13.70 - Planned Unit Development in the North Point Residence, Office and Business District to delete Paragraph (3) in Section 13.74.3 and to delete Section 12.78.3 - Inclusionary Housing Requirements in its entirety.

In Section 17.90 - Special District 9 by deleting the existing subsections 17.94, 17.95 and 17.96 entirely and substituting a new 17.94 Dimensional Requirements and to renumber the existing Subsections 17.97, 17.98 and 17.99 as new Subsection 17.95, 17.96 and 17.97.

In Section 17.100 - Special District 10 by deleting the existing Subsection 17.104, 17.105 and 17.106 entirely and substituting a new 17.104 Dimensional Requirements and to renumber the existing Subsections 17.107, 17.108 and 17.109 as new Subsections 17.105, 17.106 and 17.107.
Passed to a second reading at the City Council Meeting held on February 9, 1998 and on or after February 23, 1998 the question comes on passing to be ordained.
ATTEST:
D. Margaret Dury
City Clerk
NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 39A, Section 39B, and Section 39C, this ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning

Ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting of the second publication.
Cambridge Chronicle, 2/12/98

KASSA SUMMONS
LEGAL NOTICE
COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
PROBATE AND FAMILY COURT DEPARTMENT
MIDDLESEX DIVISION
DOCKET NO. 97D-192-DV1
SUMMONS BY PUBLICATION
Tazashov Kassa, Plaintiff(s) v. Satargachew Faleke A/K/A Satargachew Nayway, Defendant(s).
To the above named Defendant: A Complaint has been presented to this Court by the Plaintiff, Tazashov Kassa, seeking a divorce.

You are required to serve upon Tazashov Kassa - plaintiff(s) - whose address is: 161 B Pearl St. Cambridge, 02139 your answer on or before March 9, 1998. If you fail to do so, the court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer at the office of the Registrar of this Court at Cambridge.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, this 9th day of January, 1998.
Marie A. Gardin
Acting Register of Probate Court
Cambridge Chronicle, 2/5, 2/12, 2/19/98

LEGAL NOTICE
CITY OF CAMBRIDGE
PURCHASING DEPARTMENT
Sealed bids will be received at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass., until 11:00 o'clock A.M. **THURSDAY, FEBRUARY 26, 1998** at which time and place they will be publicly opened and read for furnishing the following to the City of Cambridge:
LOCK BOX BIDS
LOCK BOX SERVICES (1)
AMBULANCE BILLING SERVICE (2)
COMPACT PICK-UP TRUCKS (3)
The City of Cambridge reserves the right to waive any minor informality or to reject any or all bids if it is in the City's best interest to do so.
Specifications may be obtained at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass.

Each bid must be in a sealed envelope plainly marked "Bid for Designated Item" and addressed to Gail A. Cohen, Purchasing Agent, City Hall, Cambridge, Massachusetts.
Gail A. Cohen
Purchasing Agent
Cambridge Chronicle, 2/12/98
LOSS ESTATE
LEGAL NOTICE
COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL AND CODICIL WITHOUT SURETIES
MIDDLESEX, SS DIVISION
DOCKET NO. 98P0333EP
ESTATE OF Louis Loss
LATE OF Cambridge
IN THE COUNTY OF MIDDLESEX
A petition has been presented in the above captioned matter praying that a certain instrument purporting to be the last will and codicil of said deceased may be proved and allowed and that Margaret R. Loss of New York in the State of New York & Robert S. Loss of Lexington in the County of Middlesex be appointed executors without giving surety on their bond.
If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:30 a.m. in the forenoon on March 6, 1998.
In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 15.
WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the Thirtieth day of January in the year of our Lord one thousand nine hundred ninety eight.
Marie A. Gardin
Acting Register of Probate Court
Cambridge Chronicle, 2/12/98

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Gail A. Cohen
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Cambridge Chronicle, 2/12/98

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WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the Thirtieth day of January in the year of our Lord one thousand nine hundred ninety eight.
Marie A. Gardin
Acting Register of Probate Court
Cambridge Chronicle, 2/12/98

MARRAKESH LICENSE
LEGAL NOTICE
CITY OF CAMBRIDGE
BOARD OF LICENSING
COMMISSIONERS
Notice is hereby given under General Laws, Chapter 138, as amended, that Marrakesh, Inc. d/b/a Marrakesh Restaurant, Myriam Sabisa Manager, has applied for a Wine and Malt Beverages as a Restaurant license at 561 Cambridge Street.
The Corporate Officers and Directors are: Myriam Batista, President, Treasurer, and Clerk.
The 100% stockholder is: Myriam Batista.
The premise description is: The front half of the restaurant contains a dining area, including lavatories. The rear half of the restaurant consists of a dining area to one side and the kitchen/food preparation area on the other side. There is the main entrance to the restaurant on Cambridge Street and the rear exit off the kitchen area.
A hearing on said application will be held on Tuesday, February 24, 1998 at six o'clock in the Michael J. Lombardi Municipal Building, 831 Massachusetts Avenue, Basement Conference Room, Cambridge, MA 02139.

METAL DOOR BIDS
LEGAL NOTICE
INVITATION FOR BIDS
SUPPLY AND INSTALL
METAL DOORS
121 JACKSON STREET APARTMENTS
The Cambridge Housing Authority invites sealed bids for the Supply and Installation of Metal Doors at 121 Jackson Street Apartments. This project generally consists of supply and installation of hollow core metal doors and frames, as well as metal storm doors.
Specifications and documents will be available until the date and time set for bid opening. There is no charge for the documents which will be mailed on request or may be picked up at the Cambridge Housing Authority, Purchasing Department, 675 Massachusetts Avenue, Cambridge, MA 02139, (617) 864-3020.
Bids will be subject to approval and award by the Cambridge Housing Authority Board of Commissioners. Bids will be irrevocable for a period of 30 days from the date of the bid opening.
Bids will be subject to Common Rule 24 CFR 85.36. In addition, any ensuing contract which includes on-site labor will be subject to the appropriate prevailing Federal Wage rates as detailed in the bidding documents.
Bid surety in the amount and form described in the Instructions to Bidders is required with bid submittal and shall be in the form of 5% payable to the Cambridge

Street.
The Corporate Officers and Directors are: Myriam Batista, President, Treasurer, and Clerk.
The 100% stockholder is: Myriam Batista.
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Housing Authority, and issued by a responsible bank or trust company qualified to do business in the state of Massachusetts. A 100% performance and payment bond will be required of the awarded contractor.
The Cambridge Housing Authority reserves the right to reject any and all bids and to waive any informalities in bidding. The rear half of the restaurant consists of a dining area to one side and the kitchen/food preparation area on the other side. There is the main entrance to the restaurant on Cambridge Street and the rear exit off the kitchen area.
A hearing on said application will be held on Tuesday, February 24, 1998 at six o'clock in the Michael J. Lombardi Municipal Building, 831 Massachusetts Avenue, Basement Conference Room, Cambridge, MA 02139.

Bids must be received at the office of the Cambridge Housing Authority, 675 Massachusetts Avenue, Cambridge, MA 02139 no later than February 25, 1998 at 4:00 P.M. At that time all bids will be publicly opened and read aloud.
Cambridge Chronicle, 2/12/98

OFFICE SPACE PROPOSAL
LEGAL NOTICE
WARRANT TO LEASE
OFFICE SPACE IN CAMBRIDGE
WITHIN A HALF MILE OR
TEN MINUTE WALK OF
THE CAMBRIDGE COURTHOUSE
On behalf of the Committee for Public Counsel Services, the Massachusetts Division of Capital Planning and Operations is requesting proposals to lease approximately 5,200 usable square feet of office space in Cambridge within a half mile or ten minute walk of the Cambridge courthouse for a term of five years.
Proposals must be submitted to:
Division of Capital Planning
and Operations
Office of Leasing and
State Office Planning
100 Cambridge Street, Room 1611
Boston, Massachusetts 02202

Proposals must be submitted by the deadline of **March 4, 1998** at 2:00 p.m. Proposals will be opened at that time.
To obtain a Request for Proposals (RFP) please call (617) 727-8000 x355 during business hours or send a request to the Office of Leasing and State Office Planning at the above address. Please include your name, address, telephone and fax number or a business card, and cite the name of the agency seeking space. The RFP Project Number 971270. This Request for Proposals (RFP) can also be obtained through the Internet at <http://www.compass.com>.
For further information, please call (617) 727-8000 x300 during business hours.
Cambridge Chronicle, 1/29/98, 2/5, 2/12/19/98

To place your legal notice call
617-876-6247-7355

FD, KR DMD, RH, N6

7:57

Inclus. Zing Received by

C. Dubay reviewed the issues - left open.

1. Question of the legal advertisement ^{Bis Lat}
2. Whether developers had enough ~~to~~
3. Hardship question - wh

He worked stuff to respond

N.G. stated that she has done research + that the advertisement does comply with the requirements of Ch 40A.

The range of 10-15' 90 is ^{an adequate} perfectly

~~acceptable~~ notice provision

~~11:00~~

FD asked ^{if there were any} other

blanks in the ordinance. N.G. stated

that there was one cm. FD asked

that N.G. submit a written statement of her

opinion



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

SUSAN B. SCHLESINGER
Assistant City Manager for
Community Development

BETH RUBENSTEIN
Deputy Director for
Community Development

MEMORANDUM

TO: Robert W. Healy, City Manager

FROM: Susan Schlesinger, Assistant City Manager for Community Development

DATE: October 22, 1997

RE: Proposal for a New Citywide Inclusionary Zoning Ordinance

We are forwarding to you a proposal for a new citywide inclusionary zoning ordinance. This ordinance would establish requirements for new residential developments of ten or more units to set aside a portion of the newly created residential units for use as affordable housing. The proposed ordinance is based on the policy recommendations submitted to the City Council in June, 1997.

The policy goal of the inclusionary zoning proposal is to maintain the existing economic diversity in the City of Cambridge. This diversity is threatened by the rapid changes in the local housing market, which result in significant increases in both rents and sales prices. Low and moderate income residents are facing greater barriers to remaining in the community due to these price increases.

The development of new market-rate housing is not easing the pressures on housing prices, and, in fact, is having a negative impact on the City's overall diversity. The new rental and ownership units coming to the Cambridge market are priced at the high end of the market, and are not leading to general housing price reductions in the City despite the increase in the overall supply. The private sector is not producing housing priced at affordable levels for low and moderate income households.

We therefore recommend that the City establish a mandatory requirement on developers of market-rate housing. We recommend that this requirement be set in the range of ten to fifteen percent (10-15%) of the newly created units in projects of ten or more units. Based on a preliminary study undertaken by the City, this is the percentage requirement that is justified in terms of the actual impact on the need for affordable housing directly caused by the development of new market-rate housing.

Existing voluntary provisions in the zoning ordinance offer residential developers additional density if they agree to provide affordable housing. These voluntary provisions have not worked to produce affordable housing. For this reason, we propose mandatory requirements with a density bonus to generate affordable housing units in new developments.

City Hall Annex
57 Inman Street
Cambridge, MA 02139
Voice: 617 349-4600
Fax: 617 349-4669
TTY: 617 349-4621

The proposed inclusionary zoning ordinance will provide these community benefits:

- Increase the stock of housing units with long term affordability restrictions;
- Integrate lower income households into new market-rate housing developments creating mixed-income projects;
- Provide affordable housing opportunities throughout all of the City's neighborhoods; and,
- Utilize the financial strength of the private sector in producing affordable housing.

As you know, there is a significant amount of private residential development activity in the City. Over the past three years, ten private residential projects containing 623 units are either under construction or in predevelopment (this does not include the 435-unit Museum Towers development, which is required to provide 7.5% or 33 affordable units). An inclusionary zoning requirement of 10% would have yielded 62 affordable units, and a 15% requirement would have yielded 93 affordable units. While these numbers appear modest, they would provide a steady growth of the affordable housing stock to supplement the efforts of the City through its affordable housing development programs.

The provision of affordable housing adds a significant cost to a housing developer, due to the financial gap between the cost of housing production and a rent or sale price that is affordable to a low or moderate income household. Based on the complex legal issues related to inclusionary zoning, the City needs to provide residential developers with the ability to add units to their projects to offset the costs associated with meeting these proposed affordable housing requirements. This proposal establishes the right of a developer to increase the number of housing units on a one for one basis: for each affordable unit that the City requires a developer to provide, the owner has the right to add an additional market-rate unit to offset the cost.

For example, if a developer planned to develop a 10-unit residential project, and the City had a 10% inclusionary zoning requirement in place, the developer would be required to provide one unit of affordable housing. In return, the developer would have the ability to increase the allowable number of units by two. The end result is a 12-unit project with one affordable unit.

If the requirement were 15%, the developer would be required to provide two affordable units. In this scenario, the developer would receive a density bonus of four units. The project would consist of fourteen units, two of which are affordable.

	<u>10% Requirement</u>	<u>15% Requirement</u>
By Right	10 Units	10 Units
Affordable Units	1 Unit	2 Units
Density Bonus	2 Units	4 Units
Total Units	12 Units	14 Units

We strongly recommend that the City Council adopt the proposed approach to inclusionary zoning: a mandatory program to provide affordable housing with a density bonus. We believe that this proposal will strongly enhance the City's efforts to maintain its diversity in the face of an otherwise non-affordable housing market.

Attachment

NEW CITYWIDE INCLUSIONARY ZONING ORDINANCE

Amend the text of the Zoning Ordinance of the City of Cambridge by doing the following:

A. Delete the existing Section 11.200 - Incentive Zoning Provisions in its entirety and substitute therefore the following:

11.200 Incentive Zoning and Inclusionary Housing Provisions

Purposes. The purposes of this Section 11.200 are to promote the public health, safety and welfare by encouraging the expansion and upgrading of the City's housing stock while accommodating the expansion of housing and commercial opportunities in the City; to provide for a full range of housing choices throughout the city for households of all incomes, ages and sizes; to mitigate the impacts of commercial and residential development on the availability and cost of housing and especially housing affordable to low and moderate income households; to increase the production of affordable housing units to meet existing and anticipated housing and employment needs within the City; to provide a mechanism by which commercial and residential development can contribute in a direct way to increasing the supply of affordable housing in exchange for a greater density or intensity of development than that otherwise permitted as a matter of right; and to establish standards and guidelines for the use of such contributions.

11.201 Definitions.

Affordable Housing Trust shall mean the entity established by Chapter 42 of the Acts of 1991 and defined in Section 11.205.

Affordable Unit shall mean any dwelling unit for which the rent (including utilities) does not exceed thirty (30) percent of the income of the renting household or for which the mortgage payment (including insurance, utilities and real estate taxes) does not exceed thirty (30) percent of the income of the purchasing household or other standards as may be established pursuant to any city, state or federal housing program designed to assist low and moderate income households.

Converted Dwelling Unit shall mean a dwelling unit that has been converted from a non-housing use to a housing use in connection with the construction of an Inclusionary Project.

Developer shall mean any individual, corporation, business trust, estate trust, partnership or association, or any other entity or combination thereof.

Eligible Household shall mean any household whose total income does not exceed eighty (80) percent of the median income of households in the Boston Standard Metropolitan Statistical Area adjusted for family size, or such other equivalent income standard as may be determined by the Board of Trustees of the Affordable Housing Trust Fund.

Median Income shall mean the income set forth in or calculated from regulations promulgated by the United States Department of Housing and Urban Development, pursuant to Section 8 of the Housing Act of 1937, as amended by the Housing and Community Development Act of 1974 or any successor program thereto, or such other standard established by the Board of Trustees of the Affordable Housing Trust Fund.

Mixed Use Development shall mean a development that contains a combination of residential development and any other use.

Project, Incentive, shall mean that portion of projects containing uses listed in Sections 4.33c, 4.34, 4.35, 4.36, and 4.56 d 1 subject to the provisions of the special permits listed in Section 11.202.1.

Project, Inclusionary, shall mean any residential or mixed use development containing or creating ten or more new or converted dwelling units, including phased projects; or where fewer than ten new or converted dwelling units are created, a residential development containing 10,000 square feet or more of gross floor area, in which case each 1,000 square feet shall be considered a dwelling unit.

Project, Phased, shall mean any residential or mixed use development or developments at one site or two or more adjoining sites in common ownership or under common control within a period of five years from the first date of application for any special or building permit for construction on the lot or lots, or for the twelve months immediately preceding the date of application for any special or building permit, where a total of no less than ten new or converted units are built.

Project, Voluntary Inclusionary, shall mean any residential or mixed use development containing less than ten new or converted dwelling units, including phased projects where the developer chooses to comply with the provisions of Section 11.203.2.

Residential Development shall mean single, two family and multi-family homes, townhouse development, elderly oriented congregate housing and lodging and rooming house dwellings as set forth in Section 4.31 a-h, and i(3).

11.202 Applicability.

11.202.1 **Applicability of Incentive Zoning Provisions.** Where a developer chooses to seek to obtain a special permit pursuant to the sections listed below, which special permit authorizes an increase in the permissible density or intensity of a particular use in the proposed development, the developer shall be subject to the applicable provisions of this Section 11.200 et al. Increases in density or intensity of use shall include an increase in gross floor area or height, a reduction or

waiver of parking requirements, or a change in dimensional requirements or the addition of uses that result in an increase in density or intensity of use.

Section 6.35	Reduction in required parking for nonresidential development
Section 11.108	Divergence from dimensional requirements, North Massachusetts Avenue Overlay District
Section 11.54.2(2)	Additional height, Harvard Square Overlay District
Section 11.54.4(2)	Waiver of parking and loading requirements, Harvard Square Overlay District
Section 11.54.5(b)	Exemption from yard requirements, Harvard Square Overlay District
Section 11.63.5	Parkway Overlay District
Section 11.63.7	Divergence from dimensional requirements, Parkway Overlay District
Section 11.304.2(b),(c)	Additional height, Central Square Overlay District
Section 11.304.4	Waiver of setback requirements, Central Square Overlay District
Section 11.304.6	Waiver of parking requirements, Central Square Overlay District
Section 17.13.1(b)	Additional FAR, Special District I
Section 17.17	Transfer of Development Rights, Special District I
Article 13.00	PUD Districts, all permits.

11.202.2 Applicability of Inclusionary Housing Provisions. The provisions of this Section 11.200 shall apply to any Inclusionary Project and may be applied to any Voluntary Inclusionary Project. These provisions shall apply with respect to developments in all zoning districts of the city except those governed by the provisions of Article 15.000.

11.203 Requirements

11.203.1 Requirements for Incentive Zoning Contributions. A developer of an Incentive Project shall either make a Housing Contribution in accordance with this Section 11.203.1 (a) or shall create or cause to be created housing, in accordance with this Section 11.203.1 (b).

(a) **Housing Contribution.** For any project that is in whole or in part an Incentive Project, and that is, in total, less than thirty thousand (30,000) square feet of gross floor area, no contribution shall be required.

For any project of thirty thousand (30,000) square feet of gross floor area or more, the developer shall contribute three dollars (\$3.00) for every square foot of gross floor area over two thousand five hundred (2500) square feet of that portion of the project authorized by the Special Permit that is an Incentive Project.

Before the Superintendent of Buildings issues the first occupancy permit for the Incentive Project the developer of the Incentive Project shall deliver the Housing Contribution to the Managing Trustee of the Affordable Housing Trust or its designee.

The amount of the Housing Contribution shall be subject to review and recalculation three (3) years after the effective date of this provision and every three (3) years thereafter by the Cambridge City Council based on a consideration of current economic trends including but not limited to development activity, commercial rents per square foot, employment growth, and housing trends measured in terms of, but not limited to, vacancy rates, production statistics, and prices for dwelling units. The Board of Trustees for the Affordable Housing Trust may adjust the amount annually based on CPI or a similar standard to reflect changes in inflation rates.

(b) Housing Creation Option. The Developer of an Incentive Project required to make a Housing Contribution in Subsection 11.203.1 (a) above may create or cause to be created affordable units for occupancy exclusively by eligible households, or may donate land to be used exclusively for the development of affordable units. These units or land donation, must be of equivalent benefit toward addressing the City's affordable housing need as the housing contribution otherwise required.

When this option is chosen a Developer shall obtain a report from the Board of Trustees of the Affordable Housing Trust, which report shall accompany the special permit application and shall advise the special permit granting authority as to whether the proposed Housing Creation conforms to the intent and purposes of this Section 11.200 et al. The report shall also recommend such conditions, if any, as the Trustees may find appropriate to the issuance of the special permit to assure full compliance with the intent of this Section 11.200.

The special permit granting authority shall give due consideration to the report of the Board of Trustees in granting any special permit subject to this Section 11.200 et al., and, in its discretion may approve the developers use of the Housing Creation Option.

11.203.2 Requirements for Inclusionary Housing .

(a) Any Inclusionary Project shall provide ____ percent of the total number of dwelling units provided as Affordable Units. [The Community Development Department recommends the amount of Affordable Units provided to be in a range of 10% to 15%, depending on findings made and conclusions drawn by the City Council.] Where the application of that formula results in a fractional dwelling unit, a fraction of one half of a dwelling unit or more shall be considered as one Affordable Unit. Each Affordable Unit shall meet the standards established in Section 11.204.

(b) To facilitate the objectives of this Section 11.200, modifications to the dimensional requirements in any zoning district, as set forth in Section 5.30, shall be permitted as of right for an Inclusionary Project, as set forth below:

(i) The FAR normally permitted in the applicable zoning district for residential uses shall be increased by [twice the percentage requirement] for Affordable Units as set forth in Section 11.203.2 (a) above.

(ii) The lot area per dwelling unit normally required in the applicable zoning district shall be reduced by that amount necessary to permit up to two additional units on the lot for each one Affordable Unit required in Section 11.203.2 (a) above.

(c) For any Voluntary Inclusionary Project that proposes to provide one Affordable Unit, the provisions of Section 2.203.2 (b) (i) and (ii) may be applied after the issuance of a special permit from the Planning Board. In issuing a special permit the Planning Board shall find that the additional dwelling units or gross floor area permitted will not create a development significantly different in scale, density, or placement on the lot than can be found on adjacent lots or in the surrounding neighborhood; or if the development is significantly more dense, larger in scale or closer to the lot lines than can be found on adjacent lots, the Board shall find that the size or shape of the lot, the characteristics of development on abutting lots, and the nature of the design proposed on the subject lot mitigate any negative impact that such additional development may impose and that such impact is compensated for in part by the provision of affordable housing. In making its findings the Planning Board shall consider the other kinds of dimensional relief that the development may require and the extent to which such relief varies from the requirements of the zoning district.

(d) Affordable Units required by this Section 11.203.2 shall be provided on-site. However, approval for alternate means of compliance may be granted by the Planning Board in certain exceptional circumstances. In granting such approval, the Planning Board must find that the property owner has demonstrated that building the required affordable units on-site would create a hardship. To have such a request considered, the property owner must make full disclosure to the Planning Board of all relevant information. Any request for alternate means of compliance shall be reviewed by the Affordable Housing Trust, which shall then forward its recommendation on the request to the Planning Board. The Affordable Housing Trust's recommendation shall be based upon whether the alternate means of compliance shall be of comparable value to the affordable unit that would have otherwise been provided in the Inclusionary Project. The Planning Board's approval of the request shall be based upon the Affordable Housing Trust's recommendations, and the demonstration of hardship made by the property owner. The Planning Board may, in its sole discretion, use other information to determine the validity of the property owner's request. Approval of alternate means of compliance shall be only for payment of a sum equivalent to the value of the provision of an Affordable Unit at the Inclusionary Project site, which payment shall be made to the Affordable Housing Trust.

11.204 Standards for Construction and Occupancy of Affordable Units.

The following standards are intended to provide guidance to the special permit granting authority in instances where the Housing Creation Option is chosen to meet the requirements of this Section 11.200, to the Board of Trustees of the Trust in making any report it may make to the special permit granting authority or in authorizing the expenditure of any Housing Contribution funds, and to the Developer of any Inclusionary Project or Voluntary Inclusionary Project. In granting any special permit the special permit granting authority may allow for deviations from, or further define, these standards consistent with the purpose of this Section 11.200.

(a) Affordable Units shall be comparable in services and size to dwelling units in the neighborhood where the units are to be located for an Incentive Project. Units for an Incentive Project shall generally be designed and intended for families with children. Where the Affordable Units are for elderly, handicapped, or other special needs households, the similar size standard in an Incentive Project does not apply.

To ensure livability, Affordable Units in an Inclusionary Project shall be of comparable size as the unit sizes in the overall project, and in general, shall have the following minimum square footage of living space:

Unit size	For-Sale Units	Rental Units
1-Bedroom	750 sf	650 sf
2-Bedroom	950 sf	800 sf
3-Bedroom	1,100 sf	950 sf
4-Bedroom	1,250 sf	1,000 sf

The Trust shall establish minimum standards via regulations to assure durability, energy efficiency, and water conservation.

For Inclusionary Projects, or Incentive Projects where appropriate, the Trust shall develop regulations to ensure that exteriors of affordable units shall closely resemble the exteriors of other units in a project, and residents of affordable units should have full use of all amenities in the common spaces.

(b) The Affordable Units shall, to a reasonable extent, serve eligible households of diverse incomes, including very low income, and diverse sizes throughout the city.

(c) The Affordable Units shall be subject to restrictions providing that they shall:

(1) be occupied by eligible households.

(2) be conveyed subject to restrictions, which to the extent legally possible shall guarantee the permanent availability of the Affordable Units to eligible households. Such restrictions shall include but not be limited to limited equity deed restrictions. In general, to meet this requirement, affordable rent levels shall be maintained for a minimum of 50 years in accordance with practices of

the City. With for-sale units, the City's system of deed restrictions controlling resale prices shall be observed.

(3) not be financed by the Developer with the use of publicly subsidized capital financing to meet the requirements of this Section 11.200, to the extent that this would allow the Developer to externalize the costs of compliance with this Section 11.200.

(4) to the extent possible, give preference to eligible households who are Cambridge residents.

(5) be rented or sold to Eligible Households, using marketing and selection guidelines customarily employed by the Community Development Department in selecting tenant and homeowner households under other City, state or federal housing assistance programs.

(d) The rental or ownership of affordable units shall mirror the project as a whole. For example, affordable units should be sold, not rented, where a majority of units will be offered for sale.

(e) The affordable units in general shall be affordable to households having a target income of 65% of the area median income. The Trust shall have the discretion to approve a mix of higher and lower rents or sale prices, the average of which approximates an affordable price for a household at the target income level.

11.205 Affordable Housing Trust.

Pursuant to the provisions of Chapter 42 of the Acts of 1991, an Affordable Housing Trust Fund was established. To facilitate the implementation of the provision of this Section 11.200, the Affordable Housing Trust Fund receives funds generated by this Section 11.200 and specifically Sections 11.203(a) and 11.203.2(d), as well as other funds generated from other sources.

11.205.1 Use of the Affordable Housing Trust. The Trust property may be made available for, but shall not be limited to, the following uses.

- (1) **Creation of Affordable Units.** To encourage the development of Affordable Units through a variety of means, including but not limited to, the provision of favorable financing terms or direct write down of costs for either nonprofit or for profit developers or to subsidize the purchase of sites, existing structures, or affordable units within a larger development.
- (2) **Multifamily Rehabilitation Programs,** To finance the substantial rehabilitation of deteriorated properties in a manner that preserves the affordability of units through interest rate subsidies, loan guarantees or write down of projects costs. Multifamily housing owned by nonprofit entities

that ensure maximum long-term affordability shall receive priority funding consideration.

- (3) Limited Equity Cooperative or Condominium Conversion. For acquisition and rehabilitation of potential cooperatives or condominiums through low interest blanket loans, share loans or direct cost write down.

11.205.2 Administration of the Affordable Housing Trust and its Activities. The Trust property may be made available to fund reasonable administrative expenses necessary to support Trust activities, including but not limited to consulting services such as legal, appraising or engineering, as well as other project related expenses. The Community Development Department shall provide the Board of Trustees with technical and administrative assistance.

11.205.3 Board of Trustees of Affordable Housing Trust. The City Manager shall appoint and chair a nine (9) member Board of Trustees of the Affordable Housing Trust. The Board of Trustees shall be composed of representatives from different sectors of the community with housing policy, and may include members of City Boards and agencies, nonprofit housing organizations and community representative. The trustees, with concurrence of the City Manager, shall establish regulations for the operations of the Trust and Board of Trustees, and procedures for the implementation of this Subsection 11.205.

- (1) The Board of Trustees shall manage and administer the Affordable Housing Trust Fund including the disbursement of all funds, units and land conveyed to the City of Cambridge.
- (2) The Board of Trustees shall review and approve or disapprove proposals submitted for use of the Housing Trust Fund. The Board shall develop policies and standards appropriate to and consistent with the Incentive Zoning and Inclusionary Housing provisions, Section 11.200.
- (3) The Board shall serve as the Advisory Committee for the purpose of The Massachusetts Housing Partnership (MHP). The Board shall review and make recommendations on housing proposals to be submitted to MHP.
- (4) The Board shall explore the feasibility of and assist in the establishment of new programs designed to meet Cambridge affordable housing needs. These programs may include a city wide Land Bank program and Home Mortgage Pool.
- (5) The Board of Trustees shall provide assistance and necessary reports where appropriate to any special permit granting authority authorized to issue a special permit for any development making use of funds from the Affordable Housing Trust.

11.206 *Enforcement*

The Community Development Department shall certify in writing to the Superintendent of Buildings that all conditions of this Section 11.200, including any conditions that may be established by the special permit granting authority in issuing a special permit under this Section 11.200, have been met before issuance of the first building permit for any Incentive Project, Inclusionary Project, or Voluntary Inclusionary Project. Before the issuance of the first Certificate of Occupancy for such development the Trust shall certify in writing to the Superintendent of Buildings that all documents have been filed and actions taken that are necessary to fulfill the conditions of this Section 11.200 and any special permit authorized herein.

B. In Section 5.31 - Residential Districts, Paragraph 2 - Footnotes, Footnote (i), delete the existing text in its entirety and substitute therefore the following:

(i) The dimensional requirements of the Residence C-1 district as detailed in this Section 5.31 shall apply in the Residence C district for structures in existence as of December 1, 1986 under the following limitations and conditions:

- (1) Any increase in floor area or numbers of units on a lot, provided all construction occurs within the limits of the existing structure; or
- (2) For the reconstruction without limit as to cost (notwithstanding any contrary provisions of Section 8.23) of a non conforming structure destroyed or damaged by fire or other catastrophe provided the structure as restored shall not be greater in lot coverage or volume, or shall not extend further into required yards, than the original structure; all other provisions of Section 8.23, however, shall continue to apply.

C. In Section 13.70 - Planned Unit Development in the North Point Residence, Office and Business District do the following:

1. In Section 13.74.3 - Incentive for Residential Development, delete in its entirety Paragraph (3).
2. Delete Section 13.78.3 - Inclusionary Housing Requirements in its entirety.

D. In Article 17.000 - Special Business, Office and Industrial Districts do the following:

1. In Section 17.90 - Special District 9, delete existing Subsections 17.94, 17.95, and 17.96 in their entirety and substitute therefore the following:

- a. 17.94 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 9.
- b. Renumber existing Subsections 17.97, 17.98 and 17.99 as new Subsections 17.95, 17.96, and 17.97.

2. In Section 17.100 - Special District 10, delete existing Subsections 17.104, 17.105, and 17.106 in their entirety and substitute therefore the following:

- a. 17.104 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 10.
- b. Renumber existing Subsections 17.107, 17.108, and 17.109 as new Subsections 17.105, 17.106, and 17.107.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Eight

AN ORDINANCE

In Amendment to the "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Ordinances of the City of Cambridge is amended by amending the text by deleting the existing Section 11.200 - Incentive Zoning provisions in its entirety and substituting a new Section 11.200 entitled "Incentive Zoning and Inclusionary Housing Provisions".

Also by deleting in Section 5.31 - Residential Districts, Paragraph 2 - Footnotes, Footnote (i) in its entirety and substituting a new Footnote (i).

In Section 13.70 - Planned Unit Development in the North Point Residence, Office and Business District to delete Paragraph (3) in Section 13.74.3 and to delete Section 13.78.3 - Inclusionary Housing Requirements in its entirety.

In Section 17.90 - Special District 9 by deleting the existing subsections 17.94, 17.95 and 17.96 entirely and substituting a new 17.94 Dimensional Requirements and to renumber the existing Subsections 17.97, 17.98 and 17.99 as new Subsection 17.95, 17.96 and 17.97.

In Section 17.100 - Special District 10 by deleting the existing Subsection 17.104, 17.105 and 17.106 entirely and substituting a new 17.104 Dimensional Requirements and to renumber the existing Subsections 17.107, 17.108 and 17.109 as new Subsections 17.105, 17.106 and 17.107

Passed to a second reading at the City Council Meeting held on February 9, 1998 and on or after February 23, 1998 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury, City Clerk

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning Ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.
(C) Oct 20

*** SUCCESSFUL TX REPORT ***

02-10-98 10:24

ID:6173494269
CAMBRIDGE CITY CLERKS OFFICE

JOB No.	-----	333
START TIME	-----	10:24
ID No.	-----	84536650
RESOLUTION	-----	STANDARD
TOTAL PAGE	-----	02
MACHINE ENGAGED	-----	00'50
INFORMATION	-----	OK
ERROR PAGE	-----	



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260
FAX (617) 349-~~3302~~ 4269
ty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

FAX TRANSMITTAL SHEET

DATE: Feb. 10, 1998

TO: Wendy
Legal Ads

FAX #: 453-6650

PHONE #: _____

OF PAGES: 3

FROM: Marybeth
349-4256

ADDITIONAL COMMENT:

① week only - February 12, 1998



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CITY OF CAMBRIDGE

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D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

FAX TRANSMITTAL SHEET

DATE: Feb. 19, 1998

TO: Wendy
Legal Ads

FAX #: 433-6650

PHONE #: _____

OF PAGES: 3

FROM: Marybeth
349-4256

ADDITIONAL COMMENT:

① week only - February 17, 1998



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Eight

AN ORDINANCE

In Amendment to the "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Ordinances of the City of Cambridge is amended by amending the text by deleting the existing Section 11.200 - Incentive Zoning provisions in its entirety and substituting a new Section 11.200 entitled "Incentive Zoning and Inclusionary Housing Provisions".

Also by deleting in Section 5.31 - Residential Districts, Paragraph 2 - Footnotes, Footnote (i) in its entirety and substituting a new Footnote (i).

In Section 13.70 - Planned Unit Development in the North Point Residence, Office and Business District to delete Paragraph (3) in Section 13.74.3 and to delete Section 13.78.3 - Inclusionary Housing Requirements in its entirety.

In Section 17.90 - Special District 9 by deleting the existing subsections 17.94, 17.95 and 17.96 entirely and substituting a new 17.94 Dimensional Requirements and to renumber the existing Subsections 17.97, 17.98 and 17.99 as new Subsection 17.95, 17.96 and 17.97.

In Section 17.100 - Special District 10 by deleting the existing Subsection 17.104, 17.105 and 17.106 entirely and substituting a new 17.104 Dimensional Requirements and to renumber the existing Subsections 17.107, 17.108 and 17.109 as new Subsections 17.105, 17.106 and 17.107

Passed to a second reading at the City Council Meeting held on February 9, 1998 and on or after February 23, 1998 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury, City Clerk

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning Ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

(C) Oct 20

PUBLIC NOTICE

RELATIVE TO ZONING

City of Cambridge
MASSACHUSETTS

OFFICE OF THE CITY CLERK

RECEIVED BY
OFFICE OF CITY CLERK
97 NOV -7 AM 11.40
CAMBRIDGE MA.

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Thursday, December 11, 1997 at 6:30 P.M. in the Sullivan Chamber, City Hall, Cambridge Massachusetts on an amendment to the text of the Zoning Ordinance of the City of Cambridge as set forth in full below.

The Zoning Ordinances of the City of Cambridge is amended by amending the text by deleting the existing Section 11.200 - Incentive Zoning provisions in its entirety and substituting a new Section 11.200 entitled "Incentive Zoning and Inclusionary Housing Provisions".

Also by deleting in Section 5.31 - Residential Districts, Paragraph 2 - Footnotes, Footnote (i) in its entirety and substituting a new Footnote (i).

In Section 113.70 - Planned Unit Development in the North Point Residence, Office and Business District to delete Paragraph (3) in Section 13.74.3 and to delete Section 13.78.3 - Inclusionary Housing Requirements in its entirety.

In Section 17.90 - Special District 9 by deleting the existing subsections 17.94, 17.95 and 17.96 entirely and substituting a new 17.94 Dimensional Requirements and to renumber the existing Subsections 17.97, 17.98 and 17.99 as new Subsection 17.95, 17.96 and 17.97.

In Section 17.100 - Special District 10 by deleting the existing Subsection 17.104, 17.105 and 17.106 entirely and substituting a new 17.104 Dimensional Requirements and to renumber the existing Subsections 17.107, 17.108 and 17.109 as new Subsections 17.105, 17.106 and 17.107

Copies of this petition are on file in the Office of the City Clerk. City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Francis H. Duehay,
Chair

First Floor
Board

①

Ordinance
COMMITTEE MINUTES
COVER SHEET

The Ordinance Committee
resumed its recessed public hearing of December 11, 1997
~~^ (held a public meeting/hearing)~~ on December 18, 1997, beginning at 7:57 ~~am~~

pm in the Sullivan Chamber/~~Ackermann~~ Room for the purpose of continuing discussion on the purpose for an amendment to the zoning Ordinance to provide for citywide inclusionary zoning.

Present at the hearing were Councillor Francis H. Duehay,
Chair of the Committee, ~~Vice Mayor Kathleen L. Bern, Councillor
Henrietta Davis, Councillor Francis H. Duehay, Councillor Anthony D. Galluccio, Councillor
Councillor Kenneth E. Reeves, Mayor Sheila T. Russell, Councillor Michael A. Sullivan,
Councillor Timothy J. Toomey, Jr., Councillor Katherine Triantafillou, and City Clerk D.
Margaret Drury. Also present were Roger Herzog, Housing Director, C-
D-D, and Nancy Glous, First Assistant City Solicitor.~~

Councillor Duehay convened the hearing and explained the purpose. He reviewed the issues held over at the last meeting for further discussion: whether the legal notice of the proposed inclusionary ^{zoning} ~~zoning~~ ~~ordinance~~ advertised a ~~10%~~ 10% to 15% range was sufficient as a matter of law, whether developers had had

enough input and participation in formation of the proposal, and whether the provision for hardship ^{in Sec. 11.203.2(d)} to the requirement that affordable units be ~~located~~ ^{provided} on-site, exemptions should be more specific. We would like to respond to these issues.

Attorney ~~Glass~~ Glava stated that pursuant to the request of the Committee at the December 11, 1997 meeting, she did additional legal research on this matter and

^{is confident} she ~~remains~~ ^{remains} convinced that the ~~the~~ legal the number of affordable units required for a project advertisement, which stated ^{as} a range of 10% - 15%,

within which a particular percentage would be set by the City Council as part of ^{is consideration of the proposal} ~~the~~ ~~advertisement~~

~~and~~, ~~was~~ ^{is} computed with the requirements of

M.G.L. Ch. 40A.

C. Duchay asked whether the order

Mr. ~~Raja~~ Herzog added that the 10-15% range, which appears in Sec. 11.203.2(a), is based on a study ~~was~~ undertaken by the City to determine the actual impact on the need for affordable housing directly caused by the development of new market-rate housing.

C. Duehay asked whether the

proposed ordinance as advertised contained any other provisions ~~was~~ left open for the City Council to set during its consideration of the proposal.

Ms. Glava answered in the affirmative.

She stated that sec. 11.201(b) provides that

for ~~increase~~ increase of the FAR in the applicable zoning district equal to twice the percentage requirement for affordable units established in ~~Sec. 11.203~~.

Sec. 11.203.2(a) (the percentage of between ^{and} 10% to 15% which the Council must establish).

This percentage must be based on the City and enclosures as to actual ^(on the need for affordable housing) the direct impact of directly

caused by new development of market-rate housing.

Mr. Herzig

plans for

RH then ~~discussed~~ discussed additional outreach ~~plans~~ to developers. He submitted a copy of ~~the~~ ^a ~~sent~~ letter to developers + a list of developers who have done work on ~~the~~ projects of ten or more units in Cambridge

Smaller Reels

KR stated that he would like to encourage growth among the group that is active in creating affordable housing and suggested including developers of smaller projects as well. ~~the~~

FD suggested putting a notice in the paper

FD then moved to the issue of the definition of hardship. RH stated that

~~there was a public hearing~~ ~~public hearing~~ ~~before P-B~~ ~~extended~~ ~~off~~

~~December 1997~~

~~These~~ ~~issues~~ ~~were~~ ~~raised~~ ~~at~~ ^{also} The December 16, 1997 Planning Board public hearing. C-D-D-staff ~~They~~ will be present by ^(in-fd) + alternating

for the P-B and the P-B will include a recommendation regarding this issue in their report. Two alternatives

are 1) leaving out the hardship ^{provision}, and 2)

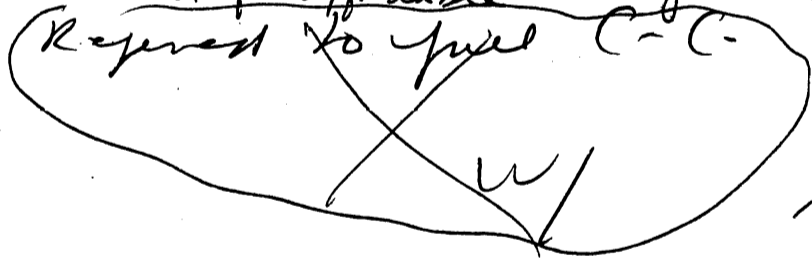
creating a more specific delineation of the circumstances that would justify allowing the developer ~~an~~ alternative to providing the affordable units on-site

C. Duchay raised the issue of whether

the Ord Committee should make ~~first~~ a recommendation on this matter or refer to the ^{matter to the full C-C} _{with recommendation}. It was

^{with} agreed that the Committee will recommend adoption of a requirement that inclusionary projects provide

15% ^{affordable units} subject to ^{the City Council} finding that 15% represents the percentage unit which is justified in terms of the actual impact on the need for affordable housing directly caused by



Other development of new market-rate housing.

The hearing was Adj'd 8:15 pm.

F to C

C R I + D, Chair

*** SUCCESSFUL TX REPORT ***

10-31-97 17:32

ID:6173494269
CAMBRIDGE CITY CLERKS OFFICE

JOB No.	-----	172
START TIME	-----	17:31
ID No.	-----	84337929
RESOLUTION	-----	STANDARD
TOTAL PAGE	-----	04
MACHINE ENGAGED	-----	01'25
INFORMATION	-----	OK
ERROR PAGE	-----	



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CITY OF CAMBRIDGE

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D. MARGARET DRURY
CITY CLERK

DONNA F. LOPEZ
DEPUTY CITY CLERK

FAX TRANSMITTAL SHEET

DATE: Oct. 31, 1997

TO: Wendy

FAX #: 433-7929

PHONE #: _____

OF PAGES: 3

FROM: Margaret
349-4256

ADDITIONAL COMMENT:

2 weeks November 6 and
November 13



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-~~3307~~ 4269

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D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

FAX TRANSMITTAL SHEET

DATE: Oct. 31, 1997

TO: Wendy

FAX #: 433-7929

PHONE #: _____

OF PAGES: 3

FROM: Margybeth
349-4256

ADDITIONAL COMMENT:

(2) weeks November 6 and
November 13

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning Ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

(C) Oct 20

PUBLIC NOTICE

RELATIVE TO ZONING

City of Cambridge
MASSACHUSETTS

OFFICE OF THE CITY CLERK

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Thursday, December 11, 1997 at 6:30 P.M. in the Sullivan Chamber, City Hall, Cambridge Massachusetts on an amendment to the text of the Zoning Ordinance of the City of Cambridge as set forth in full below.

The Zoning Ordinances of the City of Cambridge is amended by amending the text by deleting the existing Section 11.200 - Incentive Zoning provisions in its entirety and substituting a new Section 11.200 entitled "Incentive Zoning and Inclusionary Housing Provisions".

Also by deleting in Section 5.31 - Residential Districts, Paragraph 2 - Footnotes, Footnote (i) in its entirety and substituting a new Footnote (i).

In Section 13.70 - Planned Unit Development in the North Point Residence, Office and Business District to delete Paragraph (3) in Section 13.74.3 and to delete Section 13.78.3 - Inclusionary Housing Requirements in its entirety.

In Section 17.90 - Special District 9 by deleting the existing subsections 17.94, 17.95 and 17.96 entirely and substituting a new 17.94 Dimensional Requirements and to renumber the existing Subsections 17.97, 17.98 and 17.99 as new Subsection 17.95, 17.96 and 17.97.

In Section 17.100 - Special District 10 by deleting the existing Subsection 17.104, 17.105 and 17.106 entirely and substituting a new 17.104 Dimensional Requirements and to renumber the existing Subsections 17.107, 17.108 and 17.109 as new Subsections 17.105, 17.106 and 17.107

Copies of this petition are on file in the Office of the City Clerk. City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Francis H. Duehay,
Chair

PUBLIC NOTICE
RELATIVE TO ZONING

City of Cambridge

MASSACHUSETTS

OFFICE OF THE CITY CLERK

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Thursday, December 11, 1997 at 5:30 P.M. in the Sullivan Chamber, City Hall, Cambridge Massachusetts on an amendment to the text of the Zoning Ordinance of the City of Cambridge as set forth in full below.

3.14 - Further Limitations on new Construction and Installation of Additional Accessory Parking Spaces in Residence A-1, A-2, B, C and C-1 Districts

Notwithstanding the provisions of this Ordinance affecting the above referenced residential zoning districts, the following further limitations with regard to the construction of additional gross floor area on a lot and the addition of new parking spaces on any lot occupied by an existing residential structure shall apply in these districts until June 30, 1998:

For any lot having one or more existing residential dwelling units, no additional gross floor area that extends beyond the existing footprint shall be permitted on the lot, in a separate detached structure or as an addition to an existing structure, that has the effect of creating one or more additional dwelling units; the inclusion of both a kitchen and a bathroom in said new gross floor area shall be deemed to be the creation of a new dwelling unit.

For any lot having one or more existing residential dwelling units, the installation of any new accessory parking space that brings the total number of such spaces on the lot to three or more.

The provisions of this Section 3.14 shall not apply to the construction of affordable dwelling units sponsored by the Cambridge Housing Authority, a non-profit housing agency, the Cambridge Affordable Housing Trust, or any other entity assisted by city, state or federal governments housing assistance programs meeting the objectives of Section 11.200 of the Zoning Ordinance.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Francis H. Duehay,
Chair

6:30 Ordinance Committee

Speakers In Support

<u>Name</u>	<u>Address</u>
Bill Marcotte	19 Agassiz St. #22
Washington Taylor	7 R.C. Kelley St.
James Williamson	17 Perry St.
	(should be strings)
David Hicks	10 Lopez St.

Opposed

Name

Address



City of Cambridge

In the Year One Thousand, Nine Hundred **Ninety-Eight**

AN ORDINANCE

In Amendment to the "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Ordinances of the City of Cambridge is amended by amending the text by deleting the existing Section 11.200 - Incentive Zoning provisions in its entirety and substituting a new Section 11.200 entitled "Incentive Zoning and Inclusionary Housing Provisions".

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In Section 17.90 - Special District 9 by deleting the existing subsections 17.94, 17.95 and 17.96 entirely and substituting a new 17.94 Dimensional Requirements and to renumber the existing Subsections 17.97, 17.98 and 17.99 as new Subsection 17.95, 17.96 and 17.97.

In Section 17.100 - Special District 10 by deleting the existing Subsection 17.104, 17.105 and 17.106 entirely and substituting a new 17.104 Dimensional Requirements and to renumber the existing Subsections 17.107, 17.108 and 17.109 as new Subsections 17.105, 17.106 and 17.107

Passed to a second reading at the City Council Meeting held on February 9, 1998 and on or after February 23, 1998 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury, City Clerk

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning Ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

(C) Oct 20



City of Cambridge

In the Year One Thousand, Nine Hundred **Ninety-Eight**

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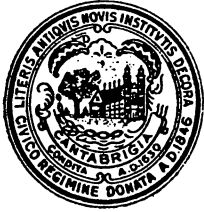
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ATTEST:- D. Margaret Drury, City Clerk

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning Ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

(C) Oct 20



City of Cambridge

In the Year One Thousand, Nine Hundred **Ninety-Eight**

AN ORDINANCE

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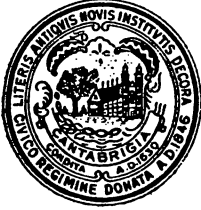
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**PROPOSED AMENDMENTS TO CITY'S INCLUSIONARY ZONING PROPOSAL
December, 1997**

- 1. Increase the percentage of affordable units for larger developments**
 - 25 to 49 units, plus 5%
 - 50 to 99 units, plus 10%
 - 100 and over units, plus 15%

- 2. If government subsidies exist, require that the developer use them to double the percentage of affordable units included in the development**
 - that means, if a developer is building over 100 units and they are required to build 25-30% affordable units (under proposed amendment #1); then, under this amendment, they would be required to build another 25-30% affordable units, if the subsidies are available---for a total of 50-60% affordable.

- 3. Among the affordable units there must be, at a minimum, an even distribution of units affordable to very low, low, and moderate income people**

- 4. The developer should be required to make full use of Section 8 programs for the affordable units**

- 5. The affordable units must be comparable in materials and construction to the market rate units**

CAMBRIDGE EVICTION FREE ZONE

LA ZONA LIBRE DE DESALOJO

ZONA LIVRE DE DESPEJOS

ZON LIB/KOMITE KREYOL

CAMPAIGN TO SAVE **2000** CAMBRIDGE HOMES

Campaña para Salvar 2000 Hogares

Kanpay pou Sove 2000 Kay

11 Inman St., Cambridge MA 02139 (617) 868-2900

December 11, 1997

Members of the Ordinance Committee
of the Cambridge City Council

Dear Council member,

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The Campaign voted to support the proposal and the amendments at its meetings December 2 and December 9. The EFZ voted to support them at its Steering Committee meeting December 4.

As councilors are aware, the need for affordable housing continues to be desperate. Many of our neighbors still trying to stay in their homes face displacement without the creation of additional affordable housing. This is true even of Sec. 8 certificate holders who find it very difficult to find rents low enough for that program to cover. These facts make passage of the inclusionary zoning proposal important as *one part* of ongoing affordable housing efforts. We urge its speedy passage.

We would like to offer several amendments to the proposal, which are outlined on the attached page. In addition to these amendments, the EFZ would like to restate its established position in favor of permanently affordable housing outside of the market. Wherever possible, the EFZ believes it important to create deed-restricted housing under non-profit, public, or tenant limited equity ownership.

Thank you for your consideration of our views.

Sincerely,

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6:30

Ordinance Committee

Speakers In Support

Name

Address

Philip Ponds

48 Banks St

Bill Avellino

9 Speridakis Terrace

Susan Lindsay Mello

324 Franklin St.

BILL MARCOTTE

R Philip Dowds

MARGARET — PLEASE
TRANSMIT TO COUNCIL
w/ THEIR COMMUNICA-
TIONS.

48 Banks Street, Cambridge, MA 02138

(617) 354-6094

THANKS



RECEIVED BY
OFFICE OF CITY CLERK
CAMBRIDGE, MA.
November 29, 1997
97 DEC - 5 PM 12: 06

CAMBRIDGE COMMUNITY DEVELOPMENT DEPARTMENT
57 Inman Street / City Hall Annex
Cambridge, MA 02139

Attn: Ms Susan Schlesinger, Asst City Manager
Re: CDD's Proposed Article 11.200 Revision

Dear Susan:

Thank you for sending me a copy of your proposed revisions to Article 11.200 of the Zoning Ordinance. I have comments as follows:

Clarity: It took me a couple reads to scope out the fundamental premise of this revision — that Article 11.200 is proposed to support *two* kinds of affordable housing mechanisms: “incentives” and “inclusion”. Part of what confused me is the continued insistence on using the word “incentive” in lieu of what you are really describing: a *linkage fee*. I know that our current political climate is dedicated to “win-win” euphemisms, but I remain an advocate of keeping vocabulary usages true to form.

In any event, once I tuned in on the duality of this proposal, the parallel constructions of 11.202 and 11.203 were pretty clear. Maybe some sentences in the opening *Purposes* paragraph about “implementation via *two* mechanisms” would help the general reader.

Technical Anomalies: Your definition establishes an “eligible household” as 80% of median, but later you change the criterion to 65% of median. You made a nice try at dealing with “phased projects”, but this text is still unclear. One thing that would help is converting the standard to that of *occupancy* permits issued within any five-year time frame.

The Linkage Threshold: If I read this right, non-residential projects must meet each of four separate qualifying criteria — a particular kind of (1) **special permit request** for a (2) **building over 30,000 sq ft** (3) supporting a **specific use type** in (4) a **named district**. Failure to meet any one of these four criteria = no linkage payment.

You will not be surprised to learn I think you’ve set your thresholds too low. In particular:

- You let too many use types off the hook. New institutional and health care uses have just as much impact on housing costs as do new retail and office uses; given the way *students and affiliates* shop for housing, new *university* uses may have the greatest impact of all. And, if you want to be consistent with your own *Economic Development Policy* (Oct 97), you would assign a linkage fee to new high-tech manufacturing uses, but perhaps let new “blue collar” manufacturing take a pass.
- You should establish a broader base of special permit triggers. For instance, a section 8.22.2 special permit for converting a nonconforming premise from an “off the hook” use to a “trigger” use should generate a linkage payment.

17-1

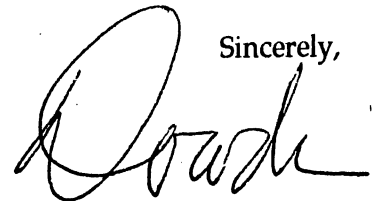
- And finally, I've never favored the 30,000 sq ft exemption. Yes, there may be some reason to try to favor the "little guy" — but for most of us, "little guys" are those having very limited financial resources and political clout. Plainly, some tiny projects can be very well funded by international corporations, and some big projects can get patched together by endeavors of modest means. Further, anybody who can get funded and organized enough to develop something in Cambridge is typically, by definition, well above little guy ranks. So I'd dump the 30,000 sq ft exclusion altogether, and find some other way better to identify and support little guys.

The Inclusionary Mandate and Bonus: I mostly like this part, as far as it goes. I think the arithmetic you've mapped out can work, creating some companion below-market units without unduly burdening specific sites or neighborhoods. There are three improvements I'd like to see:

- Get rid of the off-site and separate-structure options; require, instead, that affordable units be mixed into the main project as at (for instance) the 929 House on Mass Ave. The separate-structure option, in particular, causes me to envision massive and ornate market-rate condo construction accompanied by little side-car affordable housing boxes — a design peculiarity we should strive to discourage.
- As presently written, the inclusionary mandate and bonus does not address (1) multi-family exclusions from Res A and B, nor (2) the inability of housing uses to compete with commercial uses in most of our non-residential districts. Thus the "burden" of this stick-and-carrot approach seems to fall uniquely on Res C and C-1. Even though I'd be pleased to have such a program apply to my own C-1 neighborhood, I don't think this lop-sided emphasis will play out too well in most C zones, or with most of my neighbors.
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I hope you find these comments helpful. For your interest, I enclose my own short-form, plain-English description of what I think your revised 11.200 says. As always, please feel free to contact me if you have questions or requests of your own. (I don't know why I keep putting this last part in, I never hear from you.)

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cc:

Bob Healy
City Council, c/o City Clerk
Hugh Russell

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R Philip Dowds

48 Banks Street, Cambridge, MA 02138

(617) 354-6094

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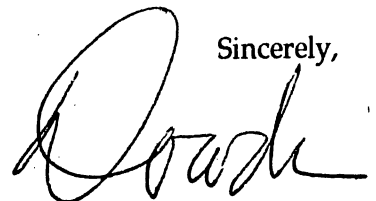
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cc:

Bob Healy
City Council, c/o City Clerk
Hugh Russell

17-2

What's the Main Idea Here?

Currently in the Cambridge Zoning Ordinance, Article 11.200 addresses "Affordable Housing Requirements". The CDD's proposal of November 97 is a comprehensive update to 11.200, and deals with two separate issues:

- (1) **Incentive Requirements**, which are enhanced requirements for a cash contribution (or housing formation) from non-residential projects. And,
- (2) **Inclusionary Requirements**, which stipulate that a certain percentage of new housing be placed on the market as affordable.

These "incentive" requirements — better described as a compulsory linkage fee payment for some projects — are presently the main purpose of the existing Article 11.200.

This is the *new* part of 11.200. In the definitions, the CDD retains our customary definitions of "affordable" = costing not more than 30% of household income, and limited to households of total income not exceeding 80% of the regional median income.

When Do Incentive Requirements Kick In?

There are four necessary conditions which must be met in order for the requirements of 11.200 to apply to a Project:

- (1) The Project must seek a **special permit** for extra floor area, extra height, parking relief, "dimensional" relief (mostly yard setbacks), or specially permitted uses. AND ALSO...
- (2) The special permit must be in **support of certain specific uses** listed the use tables of Article 4 — namely, a "noncommercial research facility", office and laboratory uses, retail and consumer service establishments, open air and drive-in businesses. AND ALSO...
- (3) The special permit must be sought for a commercial parking waiver anywhere in the city, or else from **certain specific districts**: any PUD; the Harvard and Central Square Overlay Districts; the Parkway Overlay District; or the North Mass Ave Overlay District. AND ALSO...
- (4) The Project must be **larger** than 30,000 sq ft.

Special permits issued pursuant to 8.22.2, modification of pre-existing nonconformities, do not trigger 11.200.

It's worth noting what's off the hook with respect to 11.200: all residential uses, almost all institutional uses, all health care uses (whether for profit or not), and all manufacturing and industrial uses (whether high or low tech).

Special permits issued pursuant to 4.50, Institutional Use Regulations, do not trigger incentive requirements. Nor do special permits issued pursuant to Article 15, the Cambridgeport Revitalization District (Simplex / Forest City).

What Do the Incentive Requirements Require?

An Incentive Project (one which meets the four conditions above) must pay to the Affordable Housing Trust \$3 / sq ft for each sq ft over 2500 sq ft. OR ELSE, build affordable housing, or donate land for affordable housing, in value equivalent to the \$3 / sq ft.

It's worth noting that \$3 / sq ft was a number recommended by the Kayden / Pollard "nexus" study almost a decade ago; it is probably now on the low side, given inflation and the collapse of rent control.

When Do the Inclusionary Requirements Kick In?

An Inclusionary Project is any residential project equal to or exceeding 10 dwelling units or 10,000 sq ft in gross floor area.

The CDD proposal has some additional text dealing with "voluntary" inclusionary projects — ones smaller than the 10/10,000 threshold — and with "phased" projects which go over the threshold over a period of five years or less.

What Do the Inclusionary Requirements Require?

The Inclusionary Project must commit a certain percentage (not yet stipulated in the draft zoning) of its housing units as affordable units.

At the moment, the CDD is recommending to Council that the inclusionary percentage be 10% to 15%.

Additionally, 11.204 sets some standards for affordable units, like:

- they must be comparable in size and service to dwelling units in the surrounding neighborhood;
- they should generally be designed for families, and of a minimum size (e.g., 950 sq ft for a 2-bedroom condo, and 750 sq ft for a two-bedroom apartment); and
- they should give priority to current Cambridge households, to the extent permissible by law.

Note that it is NOT required for the affordable units to be mixed in the same building, or in "comparable" locations in that building. There is some language that the affordable units should be on the same site as market units, but this requirement might be waived by special permit of the Planning Board.

Also note that 11.204 (e) contradicts an earlier definition of eligible household, setting the "Eligible Household" threshold lower, to 65% of the regional median.

What's the Catch?

In exchange for the mandatory requirement that some units be affordable, developers of housing projects get an **as-of-right floor area bonus**. The CDD recommends that this bonus be **twice** the percentage requirement for affordable units. Additionally, the CDD proposes reductions in lot area per dwelling unit to facilitate this bonus.

Here's an example of the bonus in action: A one acre lot in a C-1 district currently permits 32,700 sq ft of construction, or maybe 32 dwelling units. If the affordable requirement is set at 10% of the total, then the floor area bonus = $32,700 + 20\% = 39,200$ sq ft = about 39 units. Of the 39 total, 4 would be affordable. In other words: Add seven units to get four affordable.

By **special permit**, the Planning Board can award the same bonuses to *Voluntary* Inclusionary Projects (ones too small to be governed by the requirements).

This approach amounts to an across-the-board floor area upgrade in all zoning districts where housing is permitted, although there may be little impact in districts other than the various Res C zones.

17-4

Consent Communication #17

**Communication was received from
R. Philip Dowds, regarding the proposed
Incentive and Inclusionary Zoning
Petition.**

In City Council December 15, 1997

*Referred to
the Petition*

at the C-C at the time of the end of rent
control $2\frac{1}{2}$ years ago. The City has

had inclusionary zoning in some districts such as
North Point ^{and part of Cambridgeport} ~~and~~ The goals ^{are} to increase

the supply of housing units w/ long term affordability,
to add an effective tool to the City's affordable

housing, ^{to} provide affordable housing throughout the

city and ^{to} utilize the private sector in producing ~~low~~
affordable housing.

MS. Schlessinger stated that

The proposal is mandatory because
voluntary inclusionary zoning has not worked, not
in Cambridge and not in this country in general.

She
85 noted the importance of acting quickly. She

then introduced Roger Herzog, ^{Director} Dir of Housing (CDD)
Mr Herzog distributed written information on the
proposal, which summarized his presentation. Attachment A.

The proposal is ^{very different} v. diff from the existing provisions.

It is mandatory ~~of~~ developers must provide 10-15% of units on the site as long term affordable housing.

~~To provide~~ There is a one-for-one density

bonus allowed as-of-right for each affordable

unit. This increases $(FAR) = \frac{\text{the allowable floor area ratio}}{\text{the number of units}}$

allowed on the site ^{or would} ~~would~~ apply elsewhere except

for Univ^{ersity} Park where there ^{are} already more

stringent affordable housing requirements in place

Mr. Herzog noted that the proposed

defines ~~affordable~~ ^{low/midrange income} low/mod ~~affordable~~ as up to

80% of median income, w/ a target for 65% of

median income. Where it is not possible to provide

units on the site, there ^{could} be a cash

payment in lieu of units, w/ ^{Planning Board} p 13

approval.

Mr. H noted that inclusionary zoning is

used effectively in hundreds of jurisdictions throughout

the county, including local communities ^{like} ~~like~~ Lexington
and Newton.

KB asked what 65% of median income is

and why it was chosen, as it is ^{very} v. low. SS noted
that this is an average target, there is a real
~~the~~ need for a realistic window that does not
limit possible occupants to an unworkably small pool.

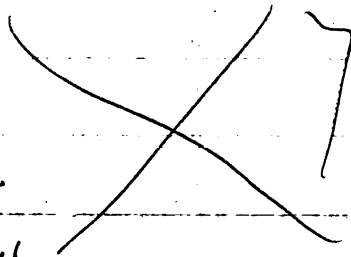
KB asked what would happen for a

^{if there were a 10% requirement}
30 unit building. SS said that there would be

a requirement for 3 additional ~~but~~ affordable units
plus a bonus of 3 additional market units, so ~~the~~ ^{it}

Mr. Herzog looked the projects set forth in Attachment B.

Richdale Ave
Ellis Square
200 Mass Ave
87 Hancock Street



get from
R/H

KB stated that

SS listed several developers ^{and stated} ~~and stated~~
by her calculations ~~that~~ it would have resulted in about 45

affordable housing units, SS agreed

Councilor Reeves asked who ^{is the} ~~was the~~

~~the moving party~~ petitioner. ~~C-D-D~~ SS stated

that C-D-D developed the proposal ~~and~~

KK asked whether C-D-D staff

talked to ^{private} ~~public~~ developers who provide

affordable housing

R/H stated that C-D-D utilized

a consultant who contacted several ^{and} ~~and~~ developers who

provided a great deal of ~~flexibility~~ feedback

which the staff tried to incorporate into the

proposal ~~the committee~~ Mr. Herzog stated

that in addition he has had discussions w/

~~private~~ but developers and will continue to ~~do so~~ ~~do so~~.

KR asked how developers can put out

all their opportunity for input SS said

that the C-D-D will be happy to continue to have

additional meetings, and ~~she~~ ^{that} would welcome the Council's
assistance in encouraging these meetings

MAS stated his concern that affordable

housing ^{be} being citywide and noted that there is no

definition of hardship.

RH stated that there is no provision

for offsite units, MAS ^{reiterated his concern} ~~stated~~ that there is

no definition of hardship. ^{SS +} ~~At~~ Rlt agreed that

a better definition is necessary.

MAS requested an explanation of ^{subsection} ~~subject~~ ^{subject} in

^{page} p. 4. A ^{of the proposed amendment} Rlt explained that this section relates to

(linkage) incentive zoning for commercial development; it is included because it will be in the chapter, but no changes are being proposed to the existing incentive zoning provisions.

MAS expressed support for ^{the} requirement.

that the affordable units ~~being~~ ^{be} ~~being~~ identical to

the market rate units. He thanked the C-D-D

staff for all the work on the proposal.

FD asked why there is a need for

a hardship provision. ^{Mr. Herzog} Rlt stated that there

may be ^{particular projects} ~~partic~~ ^{proj} where financial or

on the affordable

the additional units, for example,

or physical requirements make it impossible, Fig very high costs due to physical constraints of site.

FD recommended specifying exactly what what

situations would qualify for a hardship exemption

FD asked ~~at~~ how much development this proposal would have offered in the past two years. Mr. Herzog said that there have been 477 total units in development

of 10 units or more in the last two years, 2 yrs.

FD requested that this list be made part of the report of this hearing.

KR stated that he has observed a different

quality in ^{some} affordable units in the past, ^{for example} e.g. the Kennedy Biscuit Building, ^{had become bedrooms and porches.} and ^{he} asked how the

new ^{ordinance} rule will prevent this. MS. Schlesinger SS noted ~~the~~ the specific provisions of Sec. 11.204(a). ~~11.204(a)~~

KR recommended including ~~to~~ additional language specifying factors such as ^{and} ~~location~~ location & views to signal more strongly to developers the ~~terms~~ need for equality of quality in all respects including aesthetics and attractiveness. He then urged the C-B-D to put more thought into including ^{in discussing} private developers who might want to be ~~included~~ involved in discussions.

C. Ducey then invited
A public testimony in support
of the proposal.

Philip Dando, 48 Banks Street, stated
his support for the concept. He stated
that he agrees w/ C. Rees's concern as to

more specific language to strengthen & clarify the
requirement for equal quality for the affordable

units. Mr. Davis noted that he agrees

w/ C Sullivan's concern as to ^a how to make

~~the~~ disparate impact on Res C, C-1 and C-7

^{morning} ~~disrupts~~ ^{Building of more than 10 units are} ~~excluded~~ ^{Residence} from Res A + B zones

and density does not compete well in commercial zone,
so the ~~you~~ amendment will really only affect Residence C, C-1 and
C-2 zones. Mr. Davis added that language should be
~~stated~~ clarified ^{to ensure} that ~~it~~ ^{it} doesn't apply to
these inclusionary zoning

University affordable housing. In addition, the C-1
should ~~consider~~ ^{consider} coordination of enactment of this provision
~~and~~ ^{of} lowering zoning density overall.

He ended by emphasizing that
~~Bad~~ ^{he is} basically a strong supporter of the proposal.

William Carollini, 9 Spondakis Terrace,
submitted a letter for the Cambridge Ethnic Free

Zone and the Campaign to Save 2000 Cambridge Homes,
with suggested amendments.

(Attachment ~~B~~^C) Mr Cavellini noted that the

City, the Cambridge Housing Authority and the

nonprofit housing developers have all

responded to the housing crisis engendered by the

end of rent control. ~~But~~ The private

housing and development sector has done

nothing to try to alleviate the housing crisis;

rather it has been an obstacle.

Mr. Cavellini stated that the

hardship provision is problematic. Perhaps

the proper approach is to leave it to the

variance process. He stated that it is important

to get the reference in place on our names then to

spend the most time on the quality aspects

a provision for comparison but there are a lot of comparison markers

the reference instruction in the market make and agreeable

units

Susan Lindsay (Milly) 324 Franklin

~~dated that this is a month~~

Street, 324 + 340 Tenth Assn, Via Chair

Lachy

(pg 4)

order that while this program does not go

far enough, C-D-D has worked hard to

find a viable compromise that can be put

in place. She commented S ST felt the program

outreach effort. She noted that unlike the

franchise has, this program ~~is~~ is after the authority

of the C.C. She urged ~~ada~~ that the City Council
move on this matter to make it a reality.

Bill Marcotte, 19 Agassiz Street, stated
that the real estate boom in Cambridge jump-
started the collapse of affordable housing in
Cambridge. The city needs long term solutions
and this is one. It should be passed as
soon as possible.

Washington Taylor, 7 R.C. Kelley
Street, spoke in support of inclusionary zoning.

He urged starting w/ ^{seven} 7 unit developments rather
than 10 unit projects. All units, affordable or
not, must be built uniformly as to materials

and all aspects. He noted that the Holmes developer
is willing to provide 15% affordable units w/0
a density bonus, and he urged quick action

David Hoicka, 10 Lopez Street, spoke
in support of affordable housing. Over the
last several years there has been tremendous
development of enormous profits. This is
a good proposal to start with, but it
can go further. ~~For example~~ He suggested
changes to the Incentive Zoning provisions.
w/ regard to the inclusionary zoning, he stated
that 15% is too low, and suggested 25%. He
stated that the FAK incentive is too good.

He also suggested "rounding up" at 50%.

Barbara Sty, 25 Irving Terrace, stated

that 10% is too low. It is a v. lucrative market
for developers.

C. Duesky then invited public ~~opposite~~ ^{testimony} testimony in
opposition to the proposal.

Robert La Tremouille, 875 Massachusetts

Avenue, stated that the petition ~~was~~ cannot
be acted upon w/o re-submission. He
noted that crucial paragraphs have left out
essential numbers and said that on
Pg 4, sub 1. 201.2 ~~elements~~ ^{there} is a blank, and on
Pg 5, paragraph (i) also has a blank.

~~essential number.~~

Mr. La Tremouille stated that

this is basically a proposal for HUD housing

Cambridge is ~~the~~ a very dense city. This is a

30% city upzoning that will result in a

game of "musical chairs" for ^{Section} Sec 8 tenants

w/o increasing the overall supply of ^{Section} Sec 8

housing in the Boston area. ~~Overall~~

Guy Asaph, 5 ^{Deer Haven Road} Deer Haven Rd, Lincoln,

^{with address,}

2 Brattle Square, stated that he is a

developer. ~~He is~~ The inclusionary

bonus of adding extra units would not

assist his present development because he

is already building at low density. He noted

the issue of additional parking spaces that would

be required. If the proposal is supposedly "as of

right" but requires these extra parking spaces, ~~at~~
w/ the same open space and height requirements, it
does not work. It is also a ~~problem~~ mistake
to focus on projects of 10 units or more. There
are many opportunities to provide affordable
housing in smaller projects.

~~FD asked if ~~other~~ he~~

FD requested that SS & AG

clerk w/ the issue raised w/ ~~the~~ regard

to ~~the~~ any need to re-advertise a ~~the~~

will hold ^{the matter} in committee until next ~~the~~ week

Thursday. He also requested that language

be changed to respond to C. Sullivan's

concerns about the hardship provision.

~~KR stated that he ~~is~~~~

FD stated that his ~~matter~~ ^{heavy} will be ~~is~~

recessed until Thursday, December 18, 1997 at 6 pm.
~~Continued to work~~

The hearing was recessed at
Adj 8:27 pm

F m e

c FHD, Chair

Ordinance Committee
18 December 1997 5:00 pm

Urena Petition

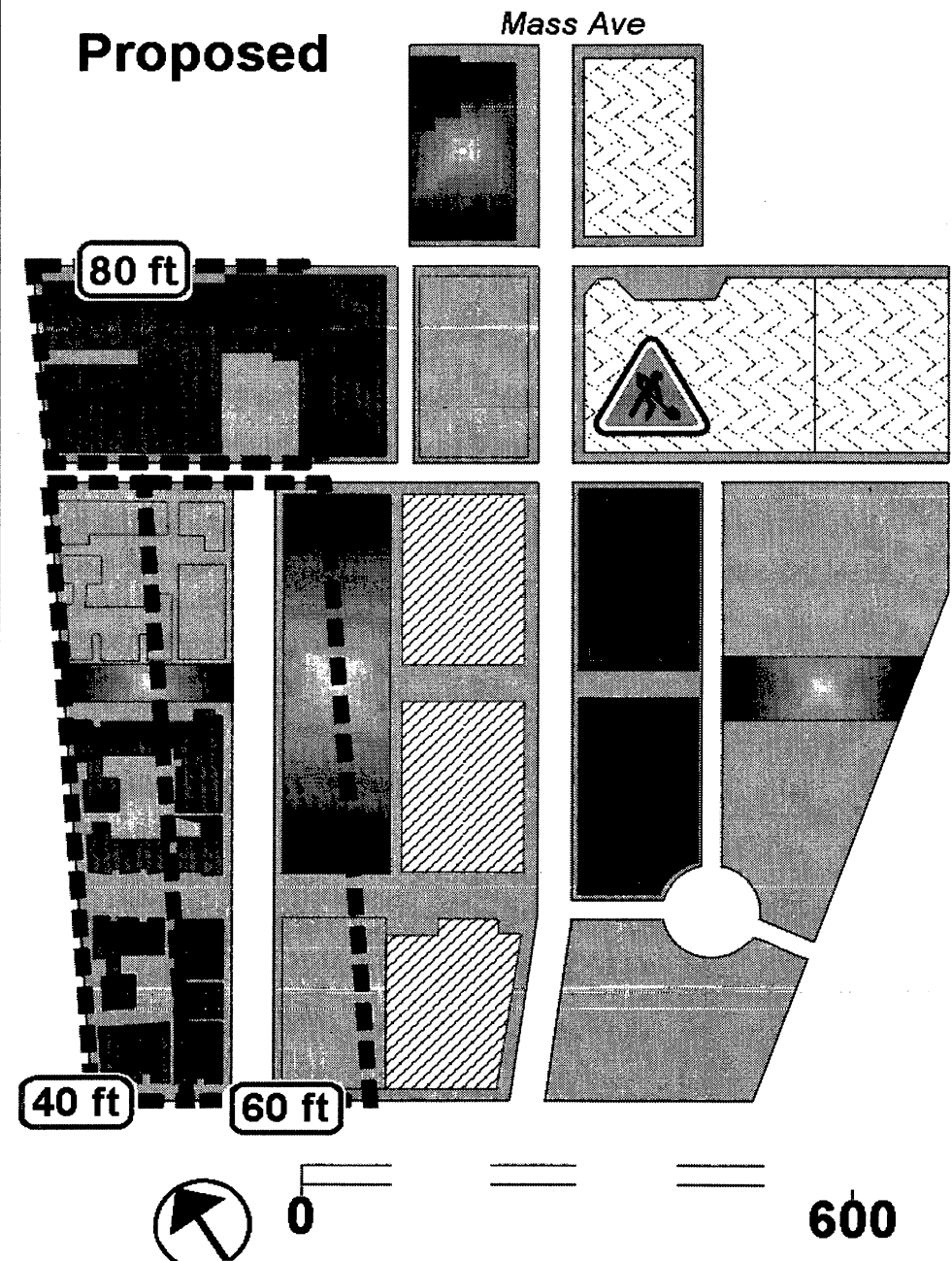
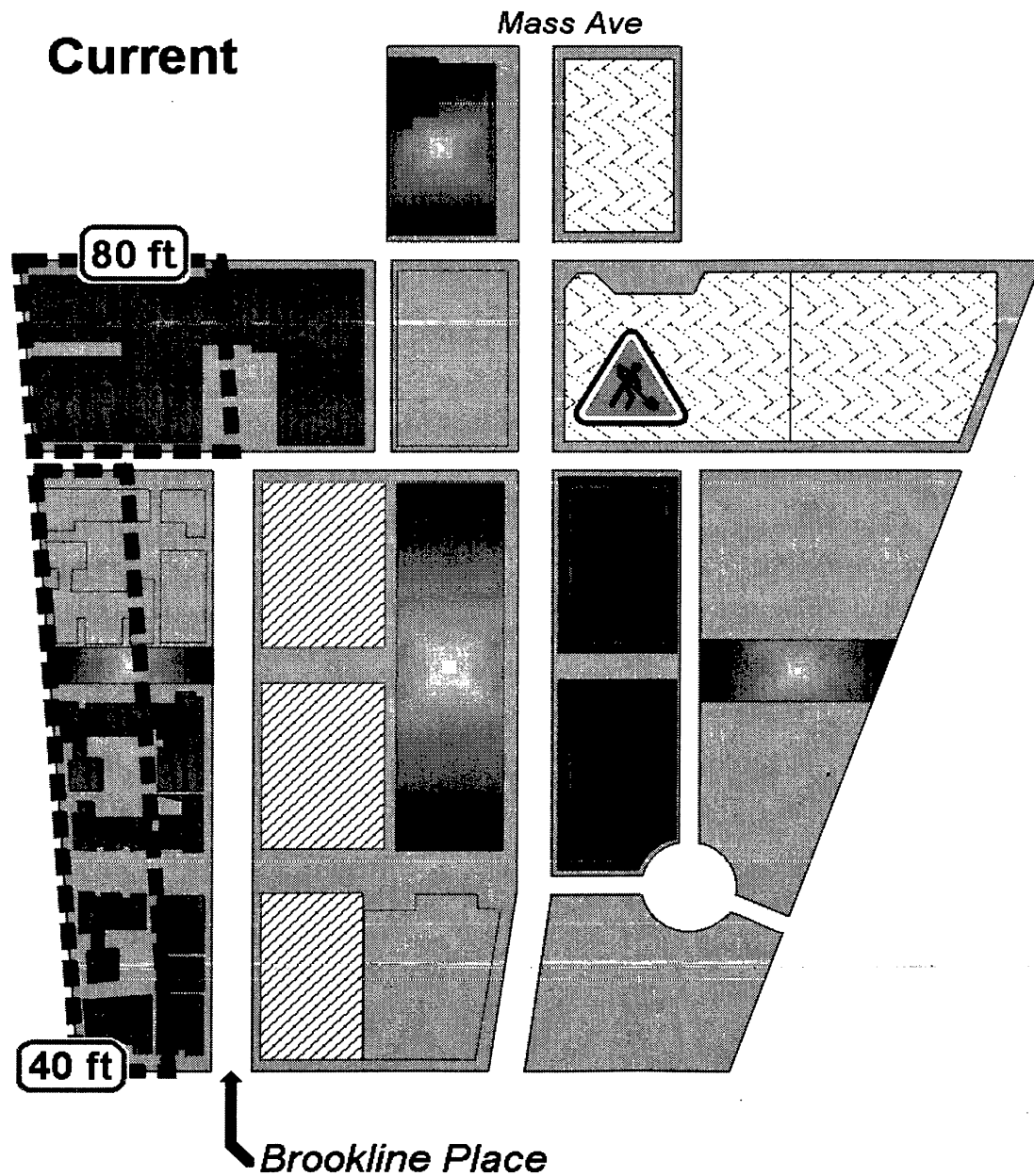


University Park Common - Plan for a Better 100 Years

University Park Common will be a part of Cambridge for at least the next 100 years. We owe to future generations to make it into something that enhance and benefit the whole community. Experts and residents agree: we can do this by placing the park in a shared location.

CRDD Zoning

Western Edge Setbacks Showing Effect of Amendment





University Park Common - Commentary

Argument Against the Current Site Plan for University Park Common:

1. The park will be dangerous after dark:

- (a) Because it is not in view of residential areas there will no supervision of the park after dark.
- (b) The park will be lighted only by 15-foot sodium lights along its walkways. The rest of the park will be dark. This combined with its large amount of "structure" (hedges, trees, benches, etc.) and unsupervised location will make it an ideal forum for crime.
- (c) Nearby residences, mall and hotel (under construction), and proposed theatre will provide a large supply of potential crime victims for the park.
- (d) In November four young men abducted a 19-year-old women as she emerged from a bathroom in the CambridgeSide Galleria and gang raped her nearby. Providing a large, dark, unsupervised park near to a mall and student residences invites repetitions of this sort of crime. It also presents an excellent vista for muggings and other dangerous assaults.

2. The park is inaccessible and forbidding to the public:

- (a) The park is at least 250 feet walking distance from the nearest residence and is separated from the residential areas by private property. Moreover, it is well out of sight of those residences, thus making it unacceptable as a place for children to play.
- (b) The park has been landscaped by the same architect who did Post Office Square in Boston and like that park it is designed to provide visual relief for white-collar workers. There are no playgrounds, fields, bike paths, or other normal features of a community park.
- (c) The walkways in the park are not convenient for through traffic. People going to the Star Market, for example, will go around the park via Franklin Street. There is no incentive for anyone to enter the park. There is every indication that the park will be nothing but a sterile and deserted dead space.

3. Noone will use the park -- it is dead space:

- (a) Not Like Post Office Square. The park cannot be compared to Post Office Square because PO Square sits astride major pedestrian thoroughfares and has many thousands of workers nearby. The labs being built to surround the park employ relatively small numbers of workers who do not leave their buildings (except to go to their cars and depart for the suburbs). There is absolutely no foreseeable pedestrian traffic through the park and the "lunch" crowd will be anemic at best.
- (b) The seclusion and remoteness of the park's planned location guarantee that few residents will "congregate" there, except for homeless, dog-walkers or others that desire that seclusion. Yet even these few will likely be harassed and driven off by the company "security" employees.
- (c) Unlike most parks which are located in the middle of active areas, the proposed park is on the edge of the community and is far away from pedestrian byways. As the area develops the surrounding buildings will be occupied by commuters or other car-oriented transients. Geographically, the park location is off the map when it comes to usability.

4. The park and buildings are poorly situated in the current plan:

- (a) Sidney Street, a high-speed traffic through-way abuts the park. Even urban design beginners know parks should not be located next to traffic connectors like Sidney Street. The picture the developer paints of the elderly sitting around talking does not fit if you imagine the big commercial trucks rumbling by. The exhaust and distraction of the traffic make a poor companion to the park. The architectural renderings the developer has presented conspicuously leave out Sidney Street.
- (b) The proposed buildings (45 & 75 Sidney Street) turn their back to the neighborhood. M.I.T. claims to want to be a "good neighbor" yet their arrangements wall off the neighborhood from the commercial areas and expose loading bays to residences -- something specifically disapproved in in the design guidelines for the area.



Neighbors decry plan for public park at MIT site

By COSMO MACERO JR.

A major research complex to be built near Central Square in Cambridge could be stalled

“From our perspective, if they’re allowed to continue without challenge we won’t be able to get the park where we want it.”

— John Chamberlain, opponent

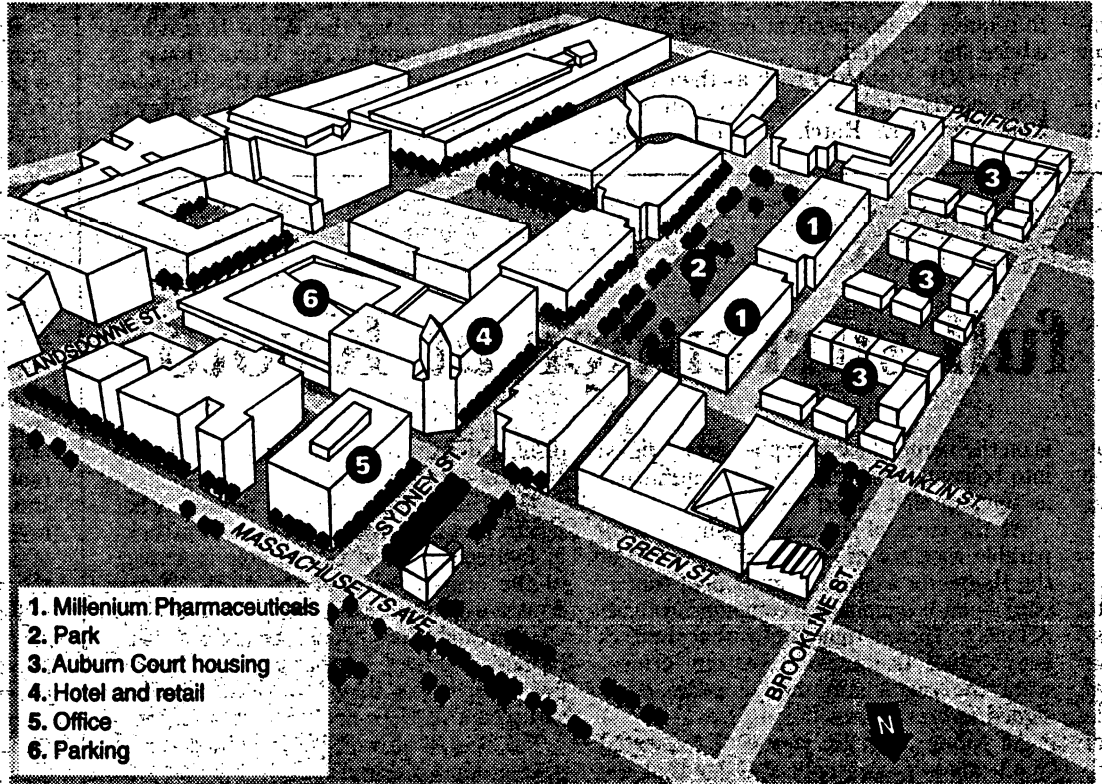
by a challenge to its permit.

The \$66 million development, part of University Park at MIT, first drew criticism a month ago from neighbors who don’t like the planned location of a public park.

The group stepped up pressure

Park placement

Construction of a research complex near Central Square could be stalled by a group of neighbors who don’t like the planned location of a public park. Here’s the planned development of University Park at MIT:



- 1. Millenium Pharmaceuticals
- 2. Park
- 3. Auburn Court housing
- 4. Hotel and retail
- 5. Office
- 6. Parking

STAFF GRAPHIC BY MICHAEL BERTRAND

Thursday by appealing a building permit issued Nov. 26.

If zoning officials side with neighbors, it could halt work just as it’s starting.

“On its face, this appeal looks erroneous and patently absurd,” said Jonathan Ginsburg, head of government affairs for Forest City Development, a partner with the Massachusetts Institute of Technology in the three-phase University Park.

“The plan we’ve submitted is supported by a majority of the residents.”

On Monday, Forest City inked a 15-year lease with Millennium Pharmaceuticals Inc., a Cambridge company that develops diagnostic products.

The project centers on two buildings at 45 and 75 Sydney St., near a hotel and supermarket that will open next year as part of University Park.

The appeal says the plans violate city ordinances, because air-quality systems atop the two 70-foot buildings will exceed height and area limits.

Building Commissioner Robert Bersani, whose office issued the permit, said only that a hearing is scheduled for Jan. 22.

Residents of nearby Brookline Street say the project’s public open space should front their neighborhood.

The developer has research

buildings facing the homes and encircling the park.

John Chamberlain, a neighborhood opponent, acknowledged that the permit fight is really an effort to make Forest City negotiate on open space.

“From our perspective, if they’re allowed to continue without challenge we won’t be able to get the park where we want it,” Chamberlain said.

“This would stop progress on the building.”

In the meantime, Ginsburg said, construction crews “are out there in full force.”

“They should have come to us earlier,” he added. “This is an 11th-hour attempt to derail a permitted project.”

Activists seek changes to MIT park

By COSMO MACERO JR.

While a major biotechnology firm has committed to a lengthy occupancy in the MIT/University Park complex in Cambridge, neighborhood activists from Central Square are calling for changes to the \$66 million development.

"We're going to be hit by traffic from every direction," said Peter Valentine, an activ-

ist whose Brookline Street home is near two parcels being developed for Millennium Pharmaceuticals, Inc. "We've asked for some open space ... to have a safe place for our children to play."

The existing proposal by Forest City Development, partners in the mixed-use complex with the Massachusetts Institute of Technology, is already slated to include a one-acre

park between the Millennium and other University Park buildings.

Yesterday, Forest City announced that Millennium has signed a 15-year lease to occupy 175,000 square feet of planned space.

But Valentine and others

want to flip the design so the park becomes a buffer between the offices and residential neighborhood.

"Without the park next to the residences, it's much less accessible," said Valentine's Brookline Street neighbor, John Chamberlain.

Still, Forest City spokesman Jonathan Ginsberg said the park as it's proposed has for a long time been part of a master plan for the area.

"This is an 11th-hour attempt to de-rail the project," Ginsberg said. "It's unfortunate this is coming up at the last second."

The intent of the proposal, according to members of the Brookline Street Neighborhood Coalition who spoke before the City Council last week, is to force Forest City to move a proposed 55,000-square-foot park from Sydney Street to Brookline Street, a location more accessible to nearby residents.

"The proposed park is not friendly to residents and their families," Cottage Street resident Ann Strong told the council. "The reason this plan is not inviting is that will be walled off by 70 foot buildings."

The downzoning would not achieve the petitioners' intent, however, according to Jonathan Ginsberg, director of government and community relations for Forest City, who said such a move would only deter tenants from moving into University Park and might reduce low-income housing in the partially constructed Auburn Court development on the site.

"These changes could have injurious and grave consequences concerning our ability to retain Cambridge-based research and development companies," Ginsberg wrote in a letter to the council. "In addition, the petition cuts the height ... of Auburn Court housing and could result in reduced density and the number of affordable housing units in University Park."

Harvard issues policy on protests

Following a demonstration at which students alleged Harvard

NOVEMBER 30, 1997



ration begins at 9 a.m. For more information, call 349-4604.

Funds approved for B&M bridges

On Monday, the City Council approved an appropriation of \$500,000, which moves the city one step closer to building safety improvements on the B&M railroad tracks in North Cambridge.

"We're very excited to bring this appropriation to you at this time," Susan Schlessinger, assistant city manager for community development, told the council.

The funds, which the state Executive Office of Transportation and Construction allocated in August, will allow the city to design three pedestrian bridges over the tracks. Over the last 25 years, six people have been struck and killed by trains while crossing the tracks.

Once designs are complete, the state will allocate an additional \$5 million from Transportation Improvement Program funds for construction, which could begin in spring of 1999, according to Schlessinger.

Changes sought at University Park

A group of Brookline Street residents has filed a zoning petition with the city seeking to lower building heights at the site of the University Park development near Central Square.

Not called 'University' Park for nothing

As MIT and its agent, Forest City Enterprises, proceed further to develop "University Park" in the Cambridgeport neighborhood just outside of Central Square, they are supposed to be including an acre-plus of open space that is 1) accessible and 2) beneficial to the public (as required by the Master Plan Design Review Guidelines agreed to in 1987).

However, the actual plan for which they are about to seek building permits shows a park designed to serve — you guessed it — the University and its commercial tenants (The area is not named "University Park" for nothing, folks!)

This open space will be a long, narrow strip or mall, half a block wide and two blocks long, running along the north side of Sidney Street.

First, as to public access, the park will be screened

from the view of the residents living nearby on Franklin Street (across its eastern end) and from residents of Brookline Street (along its northern side) by office buildings rising for five stories plus penthouses and mechanicals, i.e., over 70 feet high.

In addition, folks using the Pacific Street playing field one block beyond the western end will have their awareness of the proposed "park" blocked by yet another office building, this one joined to a parking garage so as to fill that entire block. (The fourth side will be bounded by Sidney Street and more office buildings.)

BY ANNIE STRONG

Public access is not possible without public knowledge. Most of the people who will notice on their own that the park is even there will not be the neighborhood residents and citizens, but will be the people who frequent the office buildings, patrons of the proposed movie theater, perhaps, and those who travel up or down Sidney Street.

By the same token, at night and on weekends, nearby residents will be prevented by the surrounding 70-foot buildings from keeping a watchful eye on what goes on inside the park.

Granted, a pedestrian will be able to enter the park from Brookline Street via the extension of Auburn Street. But first he or she will have to walk 45 yards between the two office buildings down an alley with 70-foot-high

walls on both sides and less than 20 feet of width for walking between the trees planted inside the ends of both buildings — not exactly an inviting ambience

Second, as to public benefit (assuming that there were adequate public access), the park is designed mostly for office workers looking out their windows or eating lunch outdoors on a warm day. It contains many plantings, pathways and places to sit, but no open space or equipment for children's active play.

Residents from the nearby neighborhood could carry their lunches over there to eat too, but

— seriously — it would benefit only a narrow segment of the broader fulltime community.

The scheme falls far short of the master Plan Design Guidelines' stated objective of creating an environment that "...becomes a vital and integral part of the Cambridge community." At the very least, the park and the new office buildings should exchange places, so that the park looks and feels like a meeting ground or transition between the residential and office areas, instead of a private enclave surrounded by a fortress. Even better would be also re-designing the park so as to accommodate more varied uses, including active uses by children from the area.

Cottage Street resident Anne Strong raised her two children in Cambridge and founded Cambridge Youth Soccer in 1980.

Too many cooks for U. Park zoning stew?

BY JOHN CHAMBERLAIN

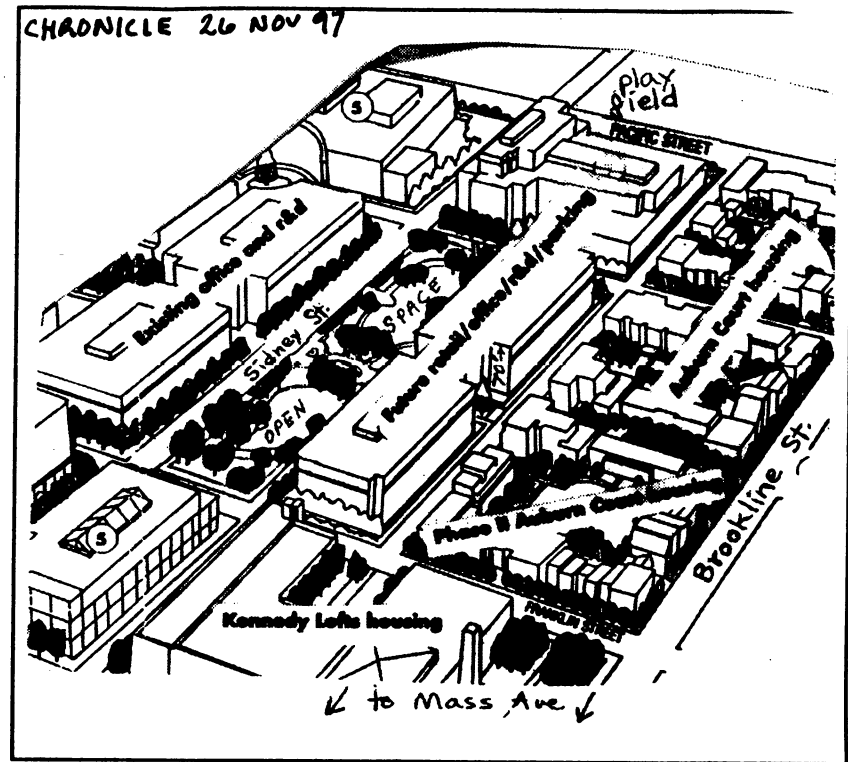
Davis, the board, led by chairman Paul Dietrich, proposed doing some design of its own and holding hearings on changing the position of a planned park.

The developers, not to be outdone, called in their legal artillery from the law firm of Warner & Stackpole who [allegedly] threatened to sue the city if they changed the location of the park (even though such power is granted to municipal planning boards under state laws which reserve for planning boards the right to amend master plans at any time). At issue is "University Common" which the developer

would like to nestle snugly in a cluster of office buildings and which most everyone else would like to see adjoining the neighboring residential areas.

Since the park is supposedly for the benefit of the public, the legality of the developer's plans was called into question before the board. Other potential problems, such as the developer's current and planned non-compliance with the area's strict noise control ordinance and sewage issues, have enriched this zoning stew. What will be cooked up next?

John Chamberlain is a Brookline Street resident.



A sketch of Forest City's proposed development in University Park

Legal Notice

City of Cambridge Massachusetts Office of the City Clerk Public Notice Relative to Zoning

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Thursday, December 18, 1997 at 5:00pm in the Sullivan Chamber, City Hall, Cambridge Massachusetts on an amendment to the text of the Zoning Ordinance of the City of Cambridge as set forth in full below.

Article 15.33 (CambridgePort Revitalization Development District, Building Height limitations) shall be amended to read (changes in bold):

15.33 *Building Height Limitation*. The maximum building height within one hundred (100) feet of the easterly sideline of Brookline Street south of Franklin Street shall be forty (40) feet. The maximum building height within **three hundred (300) feet** of the easterly sideline of Brookline Street north of Franklin Street shall be eighty (80) feet **and south of Franklin Street shall be sixty (60) feet.**

[rest of paragraph is unchanged]

Areas Affected by the Proposed Amendment

The lots affected by the proposed amendment are shown shaded on the attached zoning plat.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Francis H. Duehay, Chair



CHADNICK, 4 DEC 97

COMMITTEE MINUTES
COVER SHEET

The Ordinance

Committee

held a public ~~meeting~~/hearing on December 11, 1997, beginning at 6:30 ~~am~~ pm in the Sullivan Chamber/Ackermann Room for the purpose of considering a proposal for a new citywide inclusionary zoning ordinance.

Present at the hearing were Councillor Francis H. Duehay

, Chair of the Committee, Vice Mayor Kathleen L. Born, Councillor

Henrietta Davis, Councillor Francis H. Duehay, Councillor Anthony D. Galluccio, Councillor

Councillor Kenneth E. Reeves, Mayor Sheila T. Russell, Councillor Michael A. Sullivan,

Councillor Timothy J. Toomey, Jr., Councillor Katherine Triantafillou, and City Clerk D.

Margaret Drury. Also present were Susan Schlesinger, A CM for C-D-D; Nancy Glawa, First Assistant City Solicitor; Lesta Barber, Director of Land Use and Zoning, C-D-D,

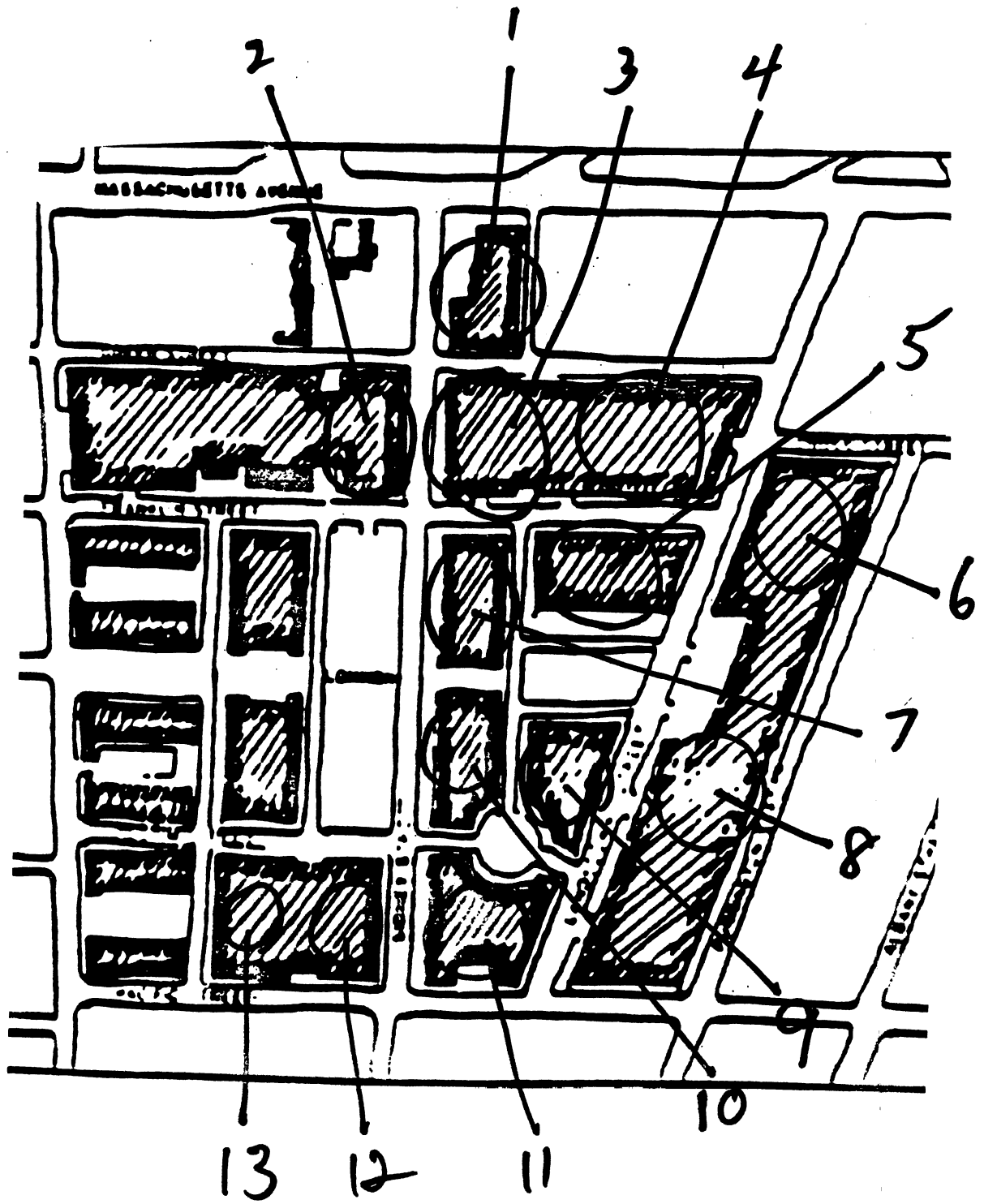
Councillor Duehay convened the hearing and explained the purpose and procedure of the hearing. He invited staff of the C-D-D to explain the proposal.

Susan Schlesinger stated that the inclusionary zoning proposal grows out of a process begun

and procedure of the hearing

University Park buildings
built or unbuilt which are uncontested

B



Exactly how the CDD violated the law and thereby illegally activated the granting of licenses and permits.

State law

Planning Boards may amend master plans at any time.

That means that until the planning board's review was finished, they could have amended any aspect of the master plan.

State law

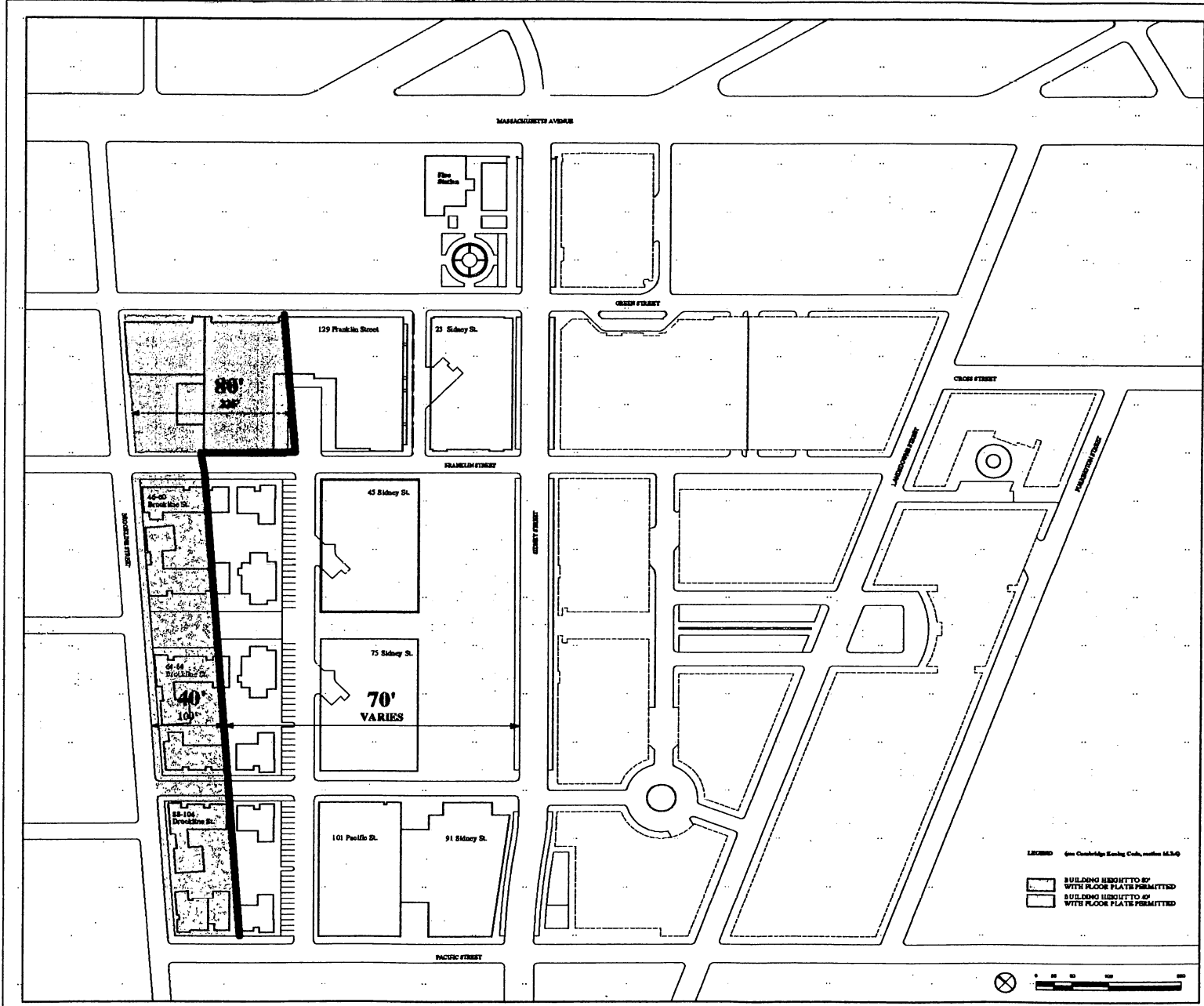
Town's cannot change a Planning Board's Statutory Powers.

Added together this means that until the Planning Board was finished reviewing Forest City's proposal it could have amended the master plan at any time especially since it specifically stated quote "it wanted a future discussion of the master plan ".

The CDD does not have the power to change a Planning Board's right to review or amend any aspect of Forest City's master plan.

By solidifying an aspect of the master plan connected to the rearrangement of the park, that aspect being the buildings directly next to the park, CDD violated the law that, Towns cannot change a planning board's statutory powers.

Forest City's licenses and permits to build the buildings it is presently working on, were derived illegally and therefore are illegal.



MASTER PLAN

Existing
ZONING PLAN

Koetter, Kim & Associates
2000 Massachusetts Avenue, Cambridge, MA 02139
Scale: 1/8" = 1'-0" Date: 09/20/07

City of Cambridge

Thursday, December 18, 1997

5:00 P.M.

The Ordinance Committee will hold a public hearing on a proposed amendment to the Zoning Ordinance in Article 15.33 (CambridgePort Revitalization Development District, Building Height limitations) in the area of Brookline and Franklin Street.

(Sullivan Chamber)

6:00 P.M.

Continuation of recessed hearing on proposal for a New Citywide Inclusionary Zoning Ordinance.

(Sullivan Chamber)

November 9, 1997

RECEIVED BY
OFFICE OF CITY CLERK

97 NOV 10 AM 9:22

CAMBRIDGE MA.

To the Honorable, the Cambridge City Council,

We, the undersigned, respectfully petition the City Council of Cambridge to amend the zoning ordinances of the City of Cambridge as written below:

Signature	Name	Address
✓ 1. <i>Angelica Urena</i>	ANGELICA URENA	129 Franklin St #316
✓ 2. <i>Lydia Horton</i>	LYDIA HORTON	129 Franklin St #226
✓ 3. <i>Thomas Ashe</i>	THOMAS ASHE	129 Franklin St #113
✓ 4. <i>Kathryn Ashe</i>	KATHRYN ASHE	129 Franklin St #113
5. <i>John Nardi</i>	JOHN NARDI	80 Auburn Park #602
6. <i>Margaret Lynch</i>	MARGARET LYNCH	69 Brookline St
7. <i>Shelley Kieman</i>	Shelley Kieman	204 Franklin St
✓ 8. <i>Samuel E. DeGema</i>	Samuel E. DeGema	203 Franklin St
✓ 9. <i>Sarah M. Hougden</i>	Sarah M. Hougden	203 Franklin St
✓ 10. <i>Melissa S. Wal</i>	Melissa S. Wal	202 Franklin St
✓ 11. <i>Janis L. Puibello</i>	Janis L. Puibello	69 Brookline St
✓ 12. <i>Sarah Wilkiner</i>	Sarah Wilkiner	129 Franklin #201
✓ 13. <i>Karin Hauck</i>	Karin Hauck	202 Franklin St Camb MA
14. <i>Michael White</i>	MICHAEL WHITE	204 Franklin St Cambr.
15. <i>Frederick B. Taylor Jr</i>	FREDERICK B. TAYLOR JR	55A Brookline St CAMBR

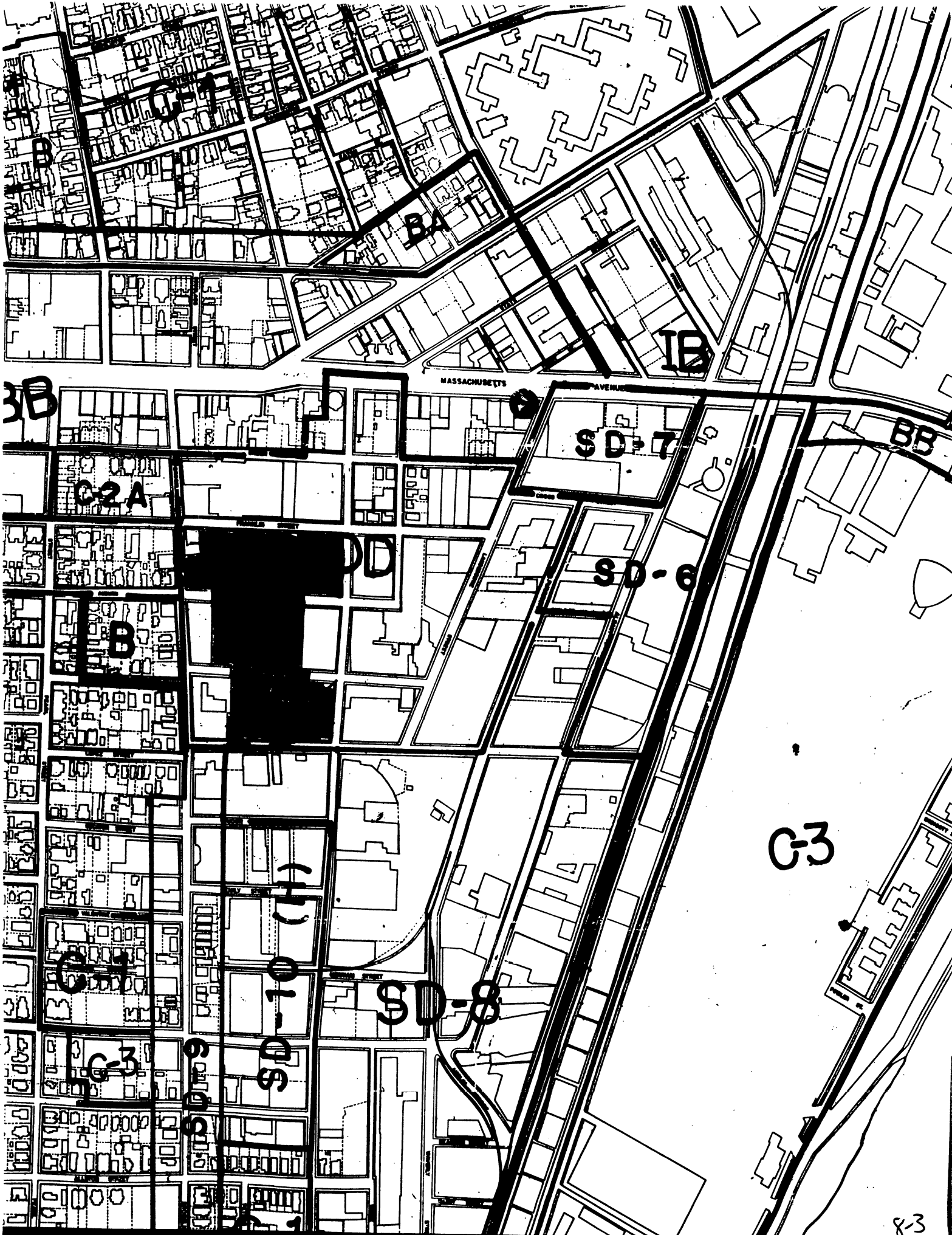
Proposed Amendment to the Zoning Ordinances of the City of Cambridge

Article 15.33 (CambridgePort Revitalization Development District, Building Height limitations) shall be amended to read (changes in bold):

15.33 **Building Height Limitation.** The maximum building height within one hundred (100) feet of the easterly sideline of Brookline Street south of Franklin Street shall be forty (40) feet. The maximum building height within **three hundred (300)** feet of the easterly sideline of Brookline Street north of Franklin Street shall be eighty (80) feet and south of Franklin Street shall be sixty (60) feet. ...
[rest of paragraph is unchanged]

Areas Affected by the Proposed Amendment

The lots affected by the proposed amendment are shown shaded on the attached zoning plat.



NEW CITYWIDE INCLUSIONARY ZONING ORDINANCE

Amend the text of the Zoning Ordinance of the City of Cambridge by doing the following:

A. Delete the existing Section 11.200 - Incentive Zoning Provisions in its entirety and substitute therefore the following:

11.200 Incentive Zoning and Inclusionary Housing Provisions

Purposes. The purposes of this Section 11.200 are to promote the public health, safety and welfare by encouraging the expansion and upgrading of the City's housing stock while accommodating the expansion of housing and commercial opportunities in the City; to provide for a full range of housing choices throughout the city for households of all incomes, ages and sizes; to mitigate the impacts of commercial and residential development on the availability and cost of housing and especially housing affordable to low and moderate income households; to increase the production of affordable housing units to meet existing and anticipated housing and employment needs within the City; to provide a mechanism by which commercial and residential development can contribute in a direct way to increasing the supply of affordable housing in exchange for a greater density or intensity of development than that otherwise permitted as a matter of right; and to establish standards and guidelines for the use of such contributions.

11.201 Definitions.

Affordable Housing Trust shall mean the entity established by Chapter 42 of the Acts of 1991 and defined in Section 11.205.

Affordable Unit shall mean any dwelling unit for which the rent (including utilities) does not exceed thirty (30) percent of the income of the renting household or for which the mortgage payment (including insurance, utilities and real estate taxes) does not exceed thirty (30) percent of the income of the purchasing household or other standards as may be established pursuant to any city, state or federal housing program designed to assist low and moderate income households.

Converted Dwelling Unit shall mean a dwelling unit that has been converted from a non-housing use to a housing use in connection with the construction of an Inclusionary Project.

Developer shall mean any individual, corporation, business trust, estate trust, partnership or association, or any other entity or combination thereof.

Eligible Household shall mean any household whose total income does not exceed eighty (80) percent of the median income of households in the Boston Standard Metropolitan Statistical Area adjusted for family size, or such other equivalent income standard as may be determined by the Board of Trustees of the Affordable Housing Trust Fund.

Median Income shall mean the income set forth in or calculated from regulations promulgated by the United States Department of Housing and Urban Development, pursuant to Section 8 of the Housing Act of 1937, as amended by the Housing and Community Development Act of 1974 or any successor program thereto, or such other standard established by the Board of Trustees of the Affordable Housing Trust Fund.

Mixed Use Development shall mean a development that contains a combination of residential development and any other use.

Project Incentive, shall mean that portion of projects containing uses listed in Sections 4.33c, 4.34, 4.35, 4.36, and 4.56 d 1 subject to the provisions of the special permits listed in Section 11.202.1.

Project Inclusionary, shall mean any residential or mixed use development containing or creating ten or more new or converted dwelling units, including phased projects; or where fewer than ten new or converted dwelling units are created, a residential development containing 10,000 square feet or more of gross floor area, in which case each 1,000 square feet shall be considered a dwelling unit.

Project Phased, shall mean any residential or mixed use development or developments at one site or two or more adjoining sites in common ownership or under common control within a period of five years from the first date of application for any special or building permit for construction on the lot or lots, or for the twelve months immediately preceding the date of application for any special or building permit, where a total of no less than ten new or converted units are built.

Project Voluntary Inclusionary, shall mean any residential or mixed use development containing less than ten new or converted dwelling units, including phased projects where the developer chooses to comply with the provisions of Section 11.203.2.

Residential Development shall mean single, two family and multi-family homes, townhouse development, elderly oriented congregate housing and lodging and rooming house dwellings as set forth in Section 4.31 a-h, and i(3).

11.202 Applicability.

11.202.1 **Applicability of Incentive Zoning Provisions.** Where a developer chooses to seek to obtain a special permit pursuant to the sections listed below, which special permit authorizes an increase in the permissible density or intensity of a particular use in the proposed development, the developer shall be subject to the applicable provisions of this Section 11.200 et al. Increases in density or intensity of use shall include an increase in gross floor area or height, a reduction or

waiver of parking requirements, or a change in dimensional requirements or the addition of uses that result in an increase in density or intensity of use.

Section 6.35	Reduction in required parking for nonresidential development
Section 11.108	Divergence from dimensional requirements, North Massachusetts Avenue Overlay District
Section 11.54.2(2)	Additional height, Harvard Square Overlay District
Section 11.54.4(2)	Waiver of parking and loading requirements, Harvard Square Overlay District
Section 11.54.5(b)	Exemption from yard requirements, Harvard Square Overlay District
Section 11.63.5	Parkway Overlay District
Section 11.63.7	Divergence from dimensional requirements, Parkway Overlay District
Section 11.304.2(b),(c)	Additional height, Central Square Overlay District
Section 11.304.4	Waiver of setback requirements, Central Square Overlay District
Section 11.304.6	Waiver of parking requirements, Central Square Overlay District
Section 17.13.1(b)	Additional FAR, Special District I
Section 17.17	Transfer of Development Rights, Special District I
Article 13.00	PUD Districts, all permits.

11.202.2 Applicability of Inclusionary Housing Provisions. The provisions of this Section 11.200 shall apply to any Inclusionary Project and may be applied to any Voluntary Inclusionary Project. These provisions shall apply with respect to developments in all zoning districts of the city except those governed by the provisions of Article 15.000.

11.203 Requirements

11.203.1 Requirements for Incentive Zoning Contributions. A developer of an Incentive Project shall either make a Housing Contribution in accordance with this Section 11.203.1 (a) or shall create or cause to be created housing, in accordance with this Section 11.203.1 (b).

(a) Housing Contribution. For any project that is in whole or in part an Incentive Project, and that is, in total, less than thirty thousand (30,000) square feet of gross floor area, no contribution shall be required.

For any project of thirty thousand (30,000) square feet of gross floor area or more, the developer shall contribute three dollars (\$3.00) for every square foot of gross floor area over two thousand five hundred (2500) square feet of that portion of the project authorized by the Special Permit that is an Incentive Project.

Before the Superintendent of Buildings issues the first occupancy permit for the Incentive Project the developer of the Incentive Project shall deliver the Housing Contribution to the Managing Trustee of the Affordable Housing Trust or its designee.

The amount of the Housing Contribution shall be subject to review and recalculation three (3) years after the effective date of this provision and every three (3) years thereafter by the Cambridge City Council based on a consideration of current economic trends including but not limited to development activity, commercial rents per square foot, employment growth, and housing trends measured in terms of, but not limited to, vacancy rates, production statistics, and prices for dwelling units. The Board of Trustees for the Affordable Housing Trust may adjust the amount annually based on CPI or a similar standard to reflect changes in inflation rates.

(b) Housing Creation Option. The Developer of an Incentive Project required to make a Housing Contribution in Subsection 11.203.1 (a) above may create or cause to be created affordable units for occupancy exclusively by eligible households, or may donate land to be used exclusively for the development of affordable units. These units or land donation, must be of equivalent benefit toward addressing the City's affordable housing need as the housing contribution otherwise required.

When this option is chosen a Developer shall obtain a report from the Board of Trustees of the Affordable Housing Trust, which report shall accompany the special permit application and shall advise the special permit granting authority as to whether the proposed Housing Creation conforms to the intent and purposes of this Section 11.200 et al. The report shall also recommend such conditions, if any, as the Trustees may find appropriate to the issuance of the special permit to assure full compliance with the intent of this Section 11.200.

The special permit granting authority shall give due consideration to the report of the Board of Trustees in granting any special permit subject to this Section 11.200 et al., and, in its discretion may approve the developers use of the Housing Creation Option.

11.203.2 Requirements for Inclusionary Housing .

(a) Any Inclusionary Project shall provide ____ percent of the total number of dwelling units provided as Affordable Units. [The Community Development Department recommends the amount of Affordable Units provided to be in a range of 10% to 15%, depending on findings made and conclusions drawn by the City Council.] Where the application of that formula results in a fractional dwelling unit, a fraction of one half of a dwelling unit or more shall be considered as one Affordable Unit. Each Affordable Unit shall meet the standards established in Section 11.204.

(b) To facilitate the objectives of this Section 11.200, modifications to the dimensional requirements in any zoning district, as set forth in Section 5.30, shall be permitted as of right for an Inclusionary Project, as set forth below:

(i) The FAR normally permitted in the applicable zoning district for residential uses shall be increased by [twice the percentage requirement] for Affordable Units as set forth in Section 11.203.2 (a) above.

(ii) The lot area per dwelling unit normally required in the applicable zoning district shall be reduced by that amount necessary to permit up to two additional units on the lot for each one Affordable Unit required in Section 11.203.2 (a) above.

(c) For any Voluntary Inclusionary Project that proposes to provide one Affordable Unit, the provisions of Section 2.203.2 (b) (i) and (ii) may be applied after the issuance of a special permit from the Planning Board. In issuing a special permit the Planning Board shall find that the additional dwelling units or gross floor area permitted will not create a development significantly different in scale, density, or placement on the lot than can be found on adjacent lots or in the surrounding neighborhood; or if the development is significantly more dense, larger in scale or closer to the lot lines than can be found on adjacent lots, the Board shall find that the size or shape of the lot, the characteristics of development on abutting lots, and the nature of the design proposed on the subject lot mitigate any negative impact that such additional development may impose and that such impact is compensated for in part by the provision of affordable housing. In making its findings the Planning Board shall consider the other kinds of dimensional relief that the development may require and the extent to which such relief varies from the requirements of the zoning district.

(d) Affordable Units required by this Section 11.203.2 shall be provided on-site. However, approval for alternate means of compliance may be granted by the Planning Board in certain exceptional circumstances. In granting such approval, the Planning Board must find that the property owner has demonstrated that building the required affordable units on-site would create a hardship. To have such a request considered, the property owner must make full disclosure to the Planning Board of all relevant information. Any request for alternate means of compliance shall be reviewed by the Affordable Housing Trust, which shall then forward its recommendation on the request to the Planning Board. The Affordable Housing Trust's recommendation shall be based upon whether the alternate means of compliance shall be of comparable value to the affordable unit that would have otherwise been provided in the Inclusionary Project. The Planning Board's approval of the request shall be based upon the Affordable Housing Trust's recommendations, and the demonstration of hardship made by the property owner. The Planning Board may, in its sole discretion, use other information to determine the validity of the property owner's request. Approval of alternate means of compliance shall be only for payment of a sum equivalent to the value of the provision of an Affordable Unit at the Inclusionary Project site, which payment shall be made to the Affordable Housing Trust.

11.204 Standards for Construction and Occupancy of Affordable Units.

The following standards are intended to provide guidance to the special permit granting authority in instances where the Housing Creation Option is chosen to meet the requirements of this Section 11.200, to the Board of Trustees of the Trust in making any report it may make to the special permit granting authority or in authorizing the expenditure of any Housing Contribution funds, and to the Developer of any Inclusionary Project or Voluntary Inclusionary Project. In granting any special permit the special permit granting authority may allow for deviations from, or further define, these standards consistent with the purpose of this Section 11.200.

(a) Affordable Units shall be comparable in services and size to dwelling units in the neighborhood where the units are to be located for an Incentive Project. Units for an Incentive Project shall generally be designed and intended for families with children. Where the Affordable Units are for elderly, handicapped, or other special needs households, the similar size standard in an Incentive Project does not apply.

To ensure livability, Affordable Units in an Inclusionary Project shall be of comparable size as the unit sizes in the overall project, and in general, shall have the following minimum square footage of living space:

Unit size	For-Sale Units	Rental Units
1-Bedroom	750 sf	650 sf
2-Bedroom	950 sf	800 sf
3-Bedroom	1,100 sf	950 sf
4-Bedroom	1,250 sf	1,000 sf

The Trust shall establish minimum standards via regulations to assure durability, energy efficiency, and water conservation.

For Inclusionary Projects, or Incentive Projects where appropriate, the Trust shall develop regulations to ensure that exteriors of affordable units shall closely resemble the exteriors of other units in a project, and residents of affordable units should have full use of all amenities in the common spaces.

(b) The Affordable Units shall, to a reasonable extent, serve eligible households of diverse incomes, including very low income, and diverse sizes throughout the city.

(c) The Affordable Units shall be subject to restrictions providing that they shall:

(1) be occupied by eligible households.

(2) be conveyed subject to restrictions, which to the extent legally possible shall guarantee the permanent availability of the Affordable Units to eligible households. Such restrictions shall include but not be limited to limited equity deed restrictions. In general, to meet this requirement, affordable rent levels shall be maintained for a minimum of 50 years in accordance with practices of

the City. With for-sale units, the City's system of deed restrictions controlling resale prices shall be observed.

(3) not be financed by the Developer with the use of publicly subsidized capital financing to meet the requirements of this Section 11.200, to the extent that this would allow the Developer to externalize the costs of compliance with this Section 11.200.

(4) to the extent possible, give preference to eligible households who are Cambridge residents.

(5) be rented or sold to Eligible Households, using marketing and selection guidelines customarily employed by the Community Development Department in selecting tenant and homeowner households under other City, state or federal housing assistance programs.

(d) The rental or ownership of affordable units shall mirror the project as a whole. For example, affordable units should be sold, not rented, where a majority of units will be offered for sale.

(e) The affordable units in general shall be affordable to households having a target income of 65% of the area median income. The Trust shall have the discretion to approve a mix of higher and lower rents or sale prices, the average of which approximates an affordable price for a household at the target income level.

11.205 Affordable Housing Trust.

Pursuant to the provisions of Chapter 42 of the Acts of 1991, an Affordable Housing Trust Fund was established. To facilitate the implementation of the provision of this Section 11.200, the Affordable Housing Trust Fund receives funds generated by this Section 11.200 and specifically Sections 11.203(a) and 11.203.2(d), as well as other funds generated from other sources.

11.205.1 Use of the Affordable Housing Trust. The Trust property may be made available for, but shall not be limited to, the following uses.

- (1) Creation of Affordable Units. To encourage the development of Affordable Units through a variety of means, including but not limited to, the provision of favorable financing terms or direct write down of costs for either nonprofit or for profit developers or to subsidize the purchase of sites, existing structures, or affordable units within a larger development.
- (2) Multifamily Rehabilitation Programs. To finance the substantial rehabilitation of deteriorated properties in a manner that preserves the affordability of units through interest rate subsidies, loan guarantees or write down of projects costs. Multifamily housing owned by nonprofit entities

that ensure maximum long-term affordability shall receive priority funding consideration.

- (3) **Limited Equity Cooperative or Condominium Conversion.** For acquisition and rehabilitation of potential cooperatives or condominiums through low interest blanket loans, share loans or direct cost write down.

11.205.2 Administration of the Affordable Housing Trust and its Activities. The Trust property may be made available to fund reasonable administrative expenses necessary to support Trust activities, including but not limited to consulting services such as legal, appraising or engineering, as well as other project related expenses. The Community Development Department shall provide the Board of Trustees with technical and administrative assistance.

11.205.3 Board of Trustees of Affordable Housing Trust. The City Manager shall appoint and chair a nine (9) member Board of Trustees of the Affordable Housing Trust. The Board of Trustees shall be composed of representatives from different sectors of the community with housing policy, and may include members of City Boards and agencies, nonprofit housing organizations and community representative. The trustees, with concurrence of the City Manager, shall establish regulations for the operations of the Trust and Board of Trustees, and procedures for the implementation of this Subsection 11.205.

- (1) The Board of Trustees shall manage and administer the Affordable Housing Trust Fund including the disbursement of all funds, units and land conveyed to the City of Cambridge.
- (2) The Board of Trustees shall review and approve or disapprove proposals submitted for use of the Housing Trust Fund. The Board shall develop policies and standards appropriate to and consistent with the Incentive Zoning and Inclusionary Housing provisions, Section 11.200.
- (3) The Board shall serve as the Advisory Committee for the purpose of The Massachusetts Housing Partnership (MHP). The Board shall review and make recommendations on housing proposals to be submitted to MHP.
- (4) The Board shall explore the feasibility of and assist in the establishment of new programs designed to meet Cambridge affordable housing needs. These programs may include a city wide Land Bank program and Home Mortgage Pool.
- (5) The Board of Trustees shall provide assistance and necessary reports where appropriate to any special permit granting authority authorized to issue a special permit for any development making use of funds from the Affordable Housing Trust.

11.206 Enforcement

The Community Development Department shall certify in writing to the Superintendent of Buildings that all conditions of this Section 11.200, including any conditions that may be established by the special permit granting authority in issuing a special permit under this Section 11.200, have been met before issuance of the first building permit for any Incentive Project, Inclusionary Project, or Voluntary Inclusionary Project. Before the issuance of the first Certificate of Occupancy for such development the Trust shall certify in writing to the Superintendent of Buildings that all documents have been filed and actions taken that are necessary to fulfill the conditions of this Section 11.200 and any special permit authorized herein.

B. In Section 5.31 - Residential Districts, Paragraph 2 - Footnotes, Footnote (i), delete the existing text in its entirety and substitute therefore the following:

(i) The dimensional requirements of the Residence C-1 district as detailed in this Section 5.31 shall apply in the Residence C district for structures in existence as of December 1, 1986 under the following limitations and conditions:

- (1) Any increase in floor area or numbers of units on a lot, provided all construction occurs within the limits of the existing structure; or
- (2) For the reconstruction without limit as to cost (notwithstanding any contrary provisions of Section 8.23) of a non conforming structure destroyed or damaged by fire or other catastrophe provided the structure as restored shall not be greater in lot coverage or volume, or shall not extend further into required yards, than the original structure; all other provisions of Section 8.23, however, shall continue to apply.

C. In Section 13.70 - Planned Unit Development in the North Point Residence, Office and Business District do the following:

1. In Section 13.74.3 - Incentive for Residential Development, delete in its entirety Paragraph (3).
 2. Delete Section 13.78.3 - Inclusionary Housing Requirements in its entirety.
-

D. In Article 17.000 - Special Business, Office and Industrial Districts do the following:

1. In Section 17.90 - Special District 9, delete existing Subsections 17.94, 17.95, and 17.96 in their entirety and substitute therefore the following:

- a. 17.94 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 9.
- b. Renumber existing Subsections 17.97, 17.98 and 17.99 as new Subsections 17.95, 17.96, and 17.97.

2. In Section 17.100 - Special District 10, delete existing Subsections 17.104, 17.105, and 17.106 in their entirety and substitute therefore the following:

- a. 17.104 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 10.
- b. Renumber existing Subsections 17.107, 17.108, and 17.109 as new Subsections 17.105, 17.106, and 17.107.



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

SUSAN B. SCHLESINGER
*Assistant City Manager for
Community Development*

BETH RUBENSTEIN
*Deputy Director for
Community Development*

MEMORANDUM

TO: Robert W. Healy, City Manager

FROM: Susan Schlesinger, Assistant City Manager for Community Development

DATE: February 17, 1998

RE: Cambridge Inclusionary Housing Study

I am forwarding to you a study that was prepared for the City by the Cambridge firm of Stockard & Engler & Brigham, LLC. This study provides background information and analysis related to the proposed inclusionary zoning policy that the Board is reviewing. The study concludes with findings that the creation of new market-rate housing in the City is increasing the need for affordable housing. This additional affordable housing is required to meet the City's stated policy of preserving economic diversity amongst its population.

This study provides a step by step approach that analyzes the impacts of new market-rate housing development on the City's economic diversity policy. According to this study, new market-rate development is producing no housing that is affordable to low and moderate income households with incomes below 80% of the Boston area median income. The majority of this new market-rate housing is occupied by households moving to Cambridge from other jurisdictions. A smaller percentage of new occupants are moving into new units from other Cambridge locations. The housing market dynamics triggered by the creation of new market-rate units are not resulting in the availability of existing housing units affordable to low and moderate income households, based on this analysis.

It concludes with findings that, in order to meet the policy goal of preserving the City's economic diversity, developers of market-rate housing should provide affordable housing proportionate to the need created by such new housing. Based on the study's findings, the amount of affordable housing needed is 1.5 units for every 10 units, or 15% of new market-rate housing development.

This study supports the proposed inclusionary zoning policy that requires developers of market-rate housing to provide affordable housing units in new residential developments up to the 15% level.

Enclosure

City Hall Annex
57 Inman Street
Cambridge, MA 02139
Voice: 617 349-4600
Fax: 617 349-4669
TTY: 617 349-4621



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300
FAX. 349-4307



16.

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

June 23, 1997

To The Honorable, The City Council:

Please find attached for your information recommendations on the "New Inclusionary Zoning Ordinance," received from Assistant City Manager for Community Development Susan Schlesinger.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
attachment

Consent Agenda #16

Relative to recommendations on a
"New Inclusionary Zoning Ordinance."

3/2/98 Passed to be Ordained
as amended 7-2-0.

3/5/98 Published in Chronicle

In City Council June 23, 1997

Referred to
Ordinance
Committee
motion of
Councilor
Triantafyllou
copy
sent
6-25-97
am



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

SUSAN B. SCHLESINGER
*Assistant City Manager for
Community Development*

ELIZABETH EPSTEIN
*Deputy Director for
Community Development*

City of Cambridge, Massachusetts

Housing Market Information

Cambridge Community Development Department
October 21, 1997

City Hall Annex
57 Inman Street
Cambridge, MA 02139
617 349-4600
Fax: 617 349-4669

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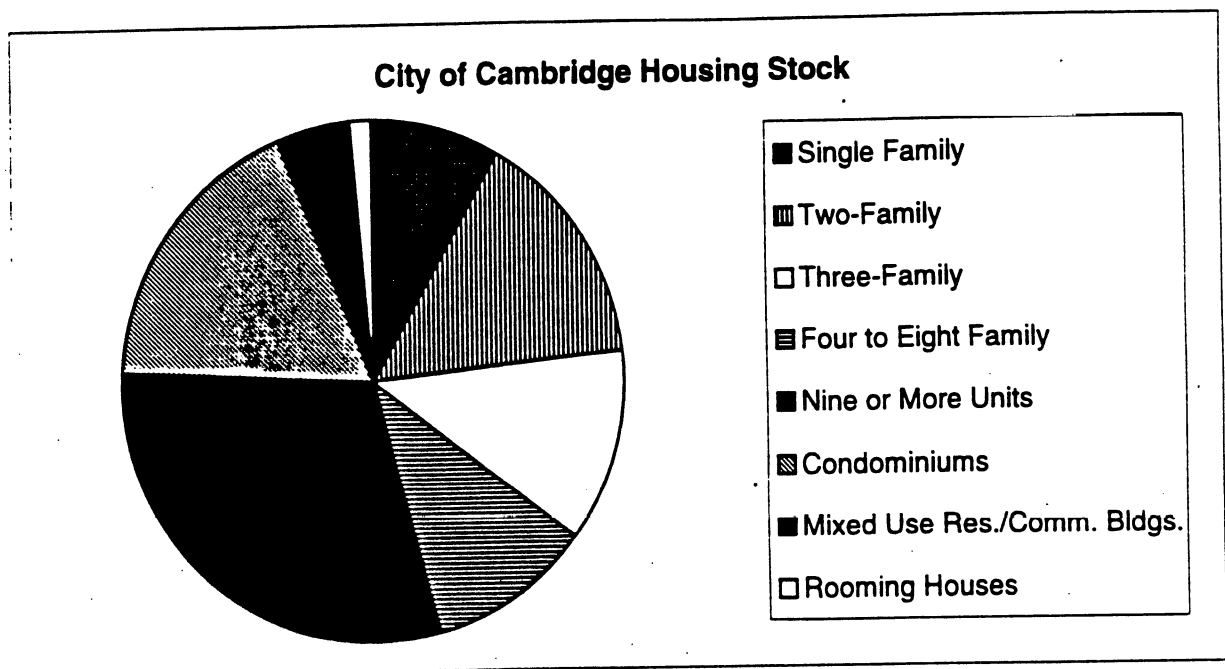
24. City of Cambridge: 1993 - 1997 Typical Housing Rents25

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To obtain more housing information about the City of Cambridge, or if you have questions regarding this document, contact Clifford Cook, Planning Data Manager, Cambridge Community Development Department, by phone at 617/349-4656 or by email at cook@ci.cambridge.ma.us. For information on Cambridge housing programs call 617/349-HOME. The Community Development Department TTY number is 617/349-4621.

1996 Cambridge Housing Stock Overview

Type of Housing	Number of Bldgs. ¹	Number of Units ¹	% of Units
Single Family	3,525	3,525	8.4%
Two-Family	3,171	6,342	15.1%
Three-Family	1,655	4,965	11.8%
Four to Eight Family	806	4,432	10.5%
Nine or More Units	304	12,650	30.1%
Condominiums	935	7,562	18.0%
Mixed Use Res./Comm. Bldgs.	355	2,032	4.8%
Rooming Houses	49	565	1.3%
Total	10,800	42,073	100.0%



Type of Units	Number of Units ¹	% of Units
Owner Occupied - Market Rate	11,234	26.7%
Owner Occupied - Subsidized	266	0.6%
Rental - Market Rate	24,630	58.5%
Rental - Subsidized	5,943	14.1%
Total	42,073	100.0%

1. Above data is as of January 1, 1996. During January 1997, the City Manager reported to the City Council that 6,465 units of subsidized housing existed in Cambridge at the time, or 15.47% of the housing stock. The latter percentage figure reflects a comparison to the 1990 U. S. Census housing stock count of 41,979 units.

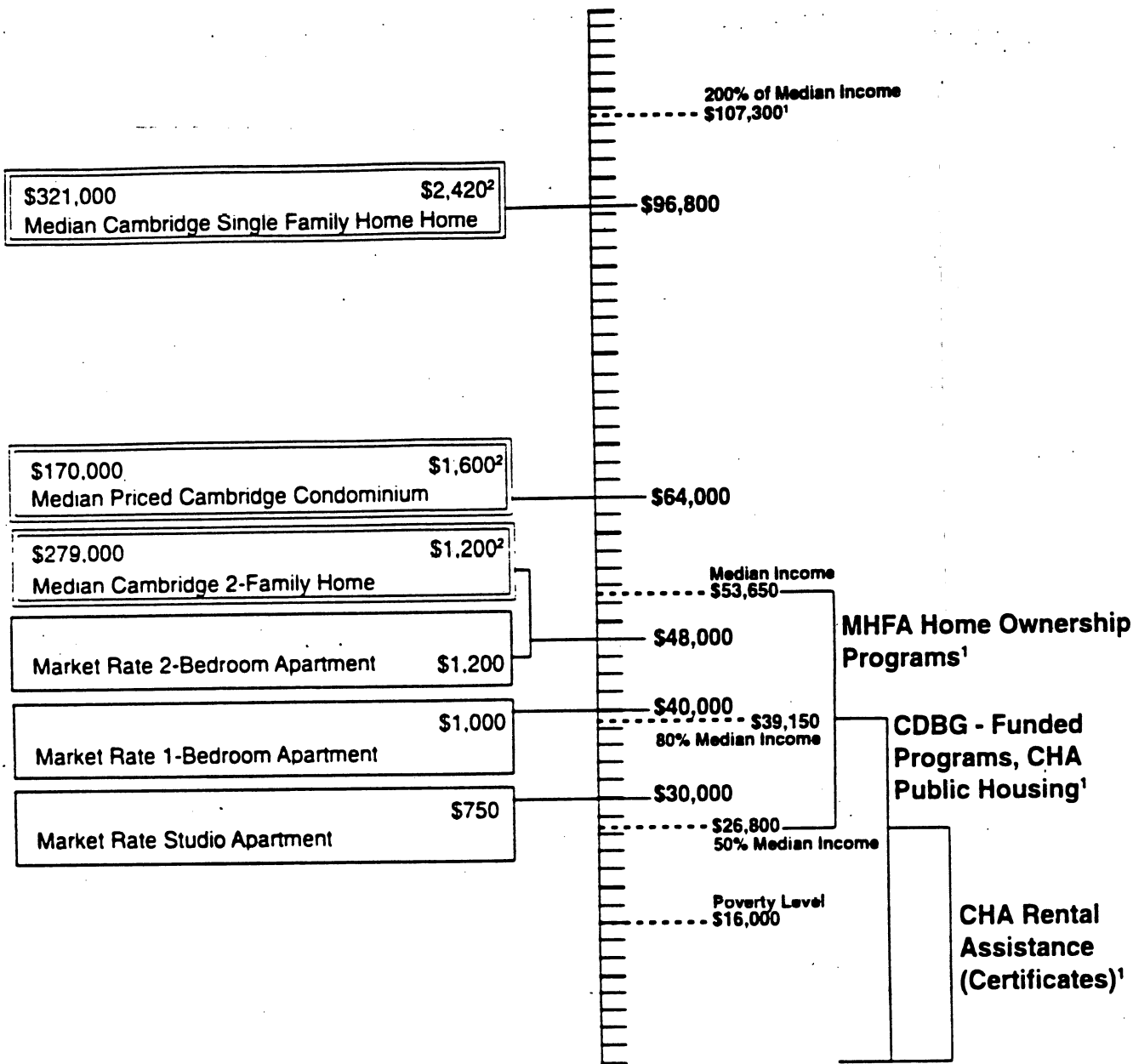
Source: Cambridge Revaluation Office, 1996.
Cambridge Community Development Dept., 1997.

1997 Cambridge Housing Affordability Comparison

HOUSING COSTS **INCOME** **PROGRAM ELIGIBILITY**

Purchase Price

Monthly Cost/Rent



 Purchase Rental

¹ 3 Person Household

² Assumes 10% down payment and 8% interest rate

Derivation of Housing Sales Information

1. The objective of the proceeding tables and charts is to indicate the median sales price for a Cambridge residence, where the purchase occurs at a rate typical of the open market at the time. Note the use of median prices, rather than mean, or average, prices. Exactly 50% of sales occurred above the median price and 50% below.
2. To develop open market median prices, certain sales were excluded from this analysis. All sales under \$10,000 were excluded. All non-arms length transactions under \$50,000 were excluded. Many non-arms length transactions over \$50,000 were also excluded. Non-arms length transactions are those where the buyer and seller have a pre-existing relationship, such as a sale between members of the same family, or where the transaction does not reflect typical market costs, such as during a foreclosure sale.
3. A common source of housing price information in the Boston area is the publication Banker and Tradesman. The median sale figures used in this document differ from those reported by Banker and Tradesman. That publication bases median prices upon all sales between \$50,000 and \$1,000,000, some of which are excluded here.
4. Median sales prices from years prior to 1993 and reported here might have been developed using different methodologies, making comparisons suspect under some circumstances. However, the exclusion of most non-arms length sales appears to have been a consistent practice throughout all prior analyses.
5. All of the housing sales information provided here is derived from data provided by the Cambridge Assessor's office.

**1996 Cambridge Housing Sales:
Number of Sales & Median Housing Prices by Neighborhood**

	Single Family		Two Family		Three Family		1-3 Family		Condominium	
	Sales	Median Price	Sales	Median Price	Sales	Median Price	Sales	Median Price	Sales	Median Price
Area 1	12	\$133,375	7	\$190,000	3	\$200,000	22	\$148,500	64	\$241,250
Area 3	10	\$164,125	4	\$215,725	7	\$205,000	21	\$184,000	7	\$180,000
Area 4	5	\$133,000	8	\$179,500	6	\$235,000	19	\$184,000	7	\$132,000
Area 5	12	\$246,000	5	\$258,000	8	\$215,000	25	\$225,000	23	\$147,000
Area 6	12	\$408,000	7	\$430,000	1	\$300,000	20	\$425,000	167	\$160,000
Area 7	10	\$198,225	3	\$182,800	3	\$235,000	16	\$202,725	32	\$182,500
Area 8	12	\$466,500	2	\$347,500	3	\$435,000	17	\$450,000	16	\$167,000
Area 9	29	\$515,000	13	\$362,500	2	\$365,563	44	\$388,750	209	\$153,000
Area 10	44	\$499,000	19	\$378,000	3	\$339,000	66	\$425,000	64	\$256,500
Area 11	22	\$169,250	13	\$196,333	9	\$280,000	44	\$199,542	55	\$146,000
Area 12	2	\$204,500	1	\$269,000	0	NA	3	\$225,000	0	NA
Area 13	5	\$225,000	5	\$240,000	2	\$219,000	12	\$232,500	12	\$196,000
Citywide	175	\$321,000	87	\$279,000	47	\$248,000	309	\$284,000	656	\$170,500

**1995 Cambridge Housing Sales:
Number of Sales & Median Housing Prices by Neighborhood**

	Single Family		Two Family		Three Family		1-3 Family		Condominium	
	Sales	Median Price	Sales	Median Price	Sales	Median Price	Sales	Median Price	Sales	Median Price
Area 1	6	\$101,750	4	\$125,500	8	\$196,250	18	\$169,500	72	\$225,500
Area 3	15	\$157,000	6	\$159,750	5	\$193,000	26	\$163,250	6	\$113,830
Area 4	8	\$127,950	4	\$165,000	7	\$173,000	19	\$162,000	18	\$90,250
Area 5	8	\$169,500	9	\$278,000	8	\$266,500	25	\$243,875	41	\$198,000
Area 6	14	\$263,900	5	\$232,000	2	\$315,250	21	\$262,800	159	\$135,000
Area 7	8	\$224,500	4	\$306,250	1	\$277,500	13	\$277,500	33	\$182,000
Area 8	14	\$500,000	7	\$362,000	0	NA	21	\$435,000	29	\$177,000
Area 9	29	\$360,000	14	\$372,500	1	\$310,000	44	\$358,000	124	\$147,250
Area 10	29	\$537,500	13	\$340,000	1	\$415,000	43	\$415,000	75	\$192,500
Area 11	21	\$244,850	16	\$222,500	8	\$248,500	46	\$241,000	37	\$146,000
Area 12	1	\$212,500	1	\$225,000	0	NA	2	\$218,750	0	NA
Area 13	8	\$188,750	1	\$250,000	1	\$296,500	10	\$205,000	3	\$206,000
Citywide	161	\$275,250	84	\$263,000	42	\$226,500	288	\$260,250	597	\$159,000

October 21, 1997

1994 Cambridge Housing Sales: Number of Sales & Median Prices by Neighborhood

	Single Family		Two Family		Three Family		1-3 Family		Condominium	
	Sales	Median Price	Sales	Median Price	Sales	Median Price	Sales	Median Price	Sales	Median Price
Area 1	14	\$162,000	4	\$157,000	1	\$136,500	19	\$162,000	42	\$274,000
Area 3	11	\$155,000	4	\$157,000	5	\$193,000	20	\$158,750	4	\$115,000
Area 4	7	\$160,000	4	\$166,750	7	\$178,000	18	\$168,500	7	\$158,500
Area 5	6	\$225,850	12	\$243,000	7	\$212,000	25	\$213,000	31	\$158,000
Area 6	13	\$320,000	9	\$227,500	6	\$377,500	28	\$316,000	100	\$150,250
Area 7	6	\$175,000	7	\$187,500	2	\$192,000	15	\$187,000	24	\$156,500
Area 8	9	\$370,000	2	\$340,000	1	\$300,000	12	\$354,000	11	\$173,400
Area 9	33	\$430,000	9	\$236,000	3	\$580,000	45	\$380,000	60	\$169,000
Area 10	35	\$570,000	23	\$405,000	0	NA	58	\$470,000	60	\$175,000
Area 11	18	\$178,500	23	\$215,000	11	\$223,800	52	\$215,000	30	\$167,500
Area 12	3	\$280,000	0	NA	0	NA	3	\$280,000	0	NA
Area 13	5	\$230,000	3	\$270,000	1	\$285,000	9	\$270,000	9	\$155,000
Citywide	160	\$305,000	100	\$235,000	44	\$214,000	304	\$246,250	378	\$169,000

October 21, 1997

**1993 Cambridge Housing Sales:
Number of Sales & Median Prices by Neighborhood**

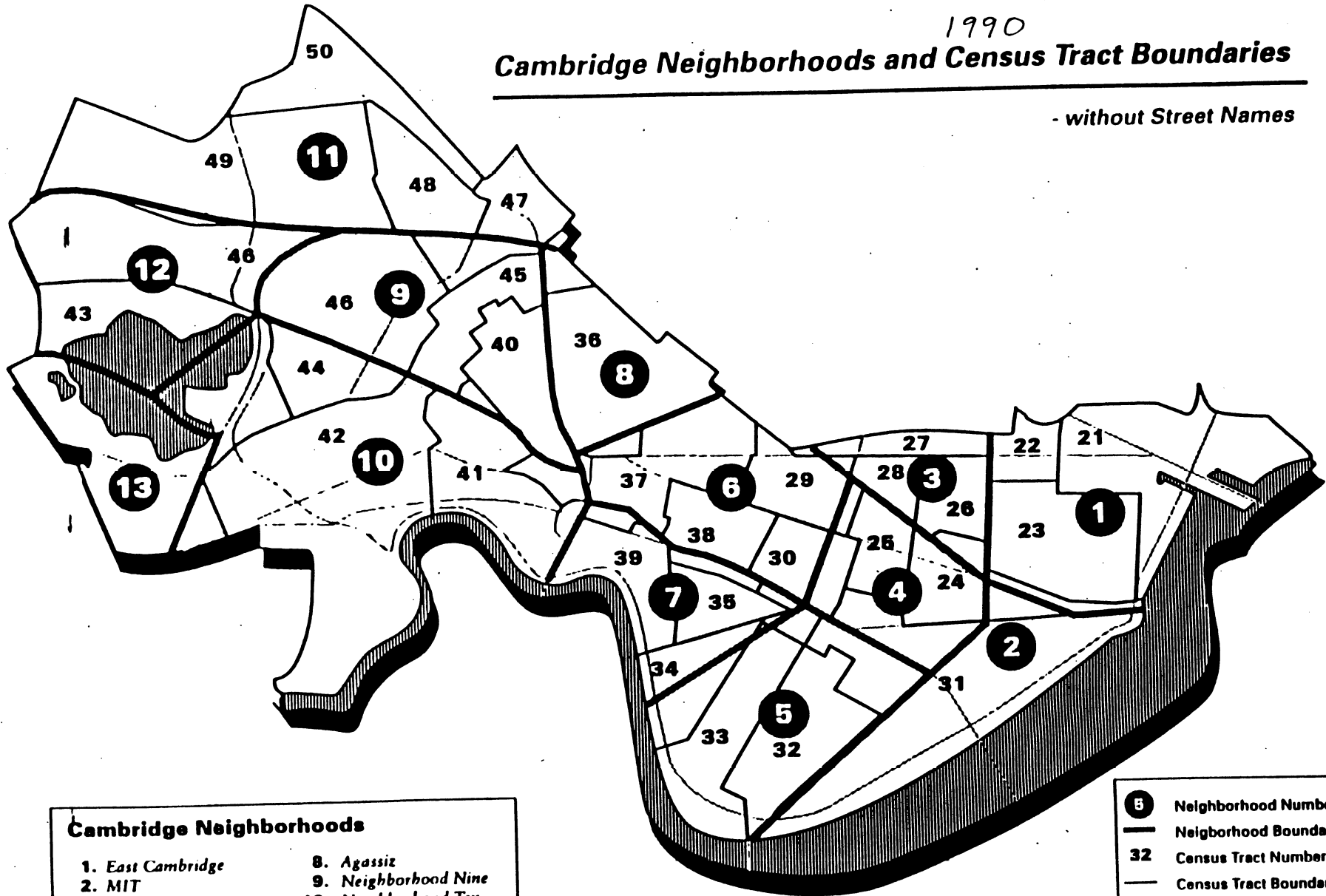
	Single Family		Two Family		Three Family		1-3 Family		Condominium	
	Sales	Median Price	Sales	Median Price	Sales	Median Price	Sales	Median Price	Sales	Median Price
Area 1	5	\$90,000	4	\$150,500	2	\$155,000	11	\$125,000	45	\$255,000
Area 3	4	\$149,000	0	NA	2	\$141,000	6	\$149,000	1	\$86,500
Area 4	2	\$168,000	3	\$83,000	1	\$234,000	6	\$158,500	4	\$125,250
Area 5	11	\$210,500	12	\$237,500	2	\$270,000	25	\$240,000	33	\$139,000
Area 6	17	\$257,700	10	\$332,500	5	\$285,000	32	\$296,250	92	\$134,500
Area 7	4	\$127,250	8	\$155,000	0	NA	12	\$143,250	20	\$173,650
Area 8	6	\$346,100	2	\$632,500	1	\$835,000	9	\$360,000	16	\$157,000
Area 9	20	\$411,365	8	\$321,600	2	\$415,000	30	\$338,250	77	\$154,250
Area 10	25	\$487,000	21	\$360,000	2	\$262,000	48	\$441,250	43	\$186,000
Area 11	22	\$156,250	11	NA	5	\$225,000	38	\$212,500	25	\$155,000
Area 12	2	\$215,000	1	\$60,000	0	NA	3	\$190,000	0	NA
Area 13	2	\$219,475	6	\$199,850	0	NA	8	\$199,850	9	\$223,500
Citywide	120	\$277,000	86	\$242,000	22	\$236,000	228	\$255,000	365	\$160,000

**Cambridge Housing Prices:
1993 - 1996 Percent Change in Cambridge Median Housing Prices**

	Single Family	Two Family	Three Family	All 1 - 3 Family	Condominiums
Area 1	48.2%	26.2%	29.0%	18.8%	-5.4%
Area 3	10.2%	NA	45.4%	23.5%	108.1%
Area 4	-20.8%	116.3%	0.4%	16.1%	5.4%
Area 5	16.9%	8.6%	-20.4%	-6.3%	5.8%
Area 6	58.3%	29.3%	5.3%	43.5%	19.0%
Area 7	55.8%	17.9%	NA	41.5%	5.1%
Area 8	34.8%	-45.1%	-47.9%	25.0%	6.4%
Area 9	25.2%	12.7%	-11.9%	14.9%	-0.8%
Area 10	2.5%	5.0%	29.4%	-3.7%	37.9%
Area 11	8.3%	NA	24.4%	-6.1%	-5.8%
Area 12	-4.9%	348.3%	NA	18.4%	NA
Area 13	2.5%	20.1%	NA	16.3%	-12.3%
Citywide	15.9%	15.3%	5.1%	11.4%	6.6%

1990
Cambridge Neighborhoods and Census Tract Boundaries

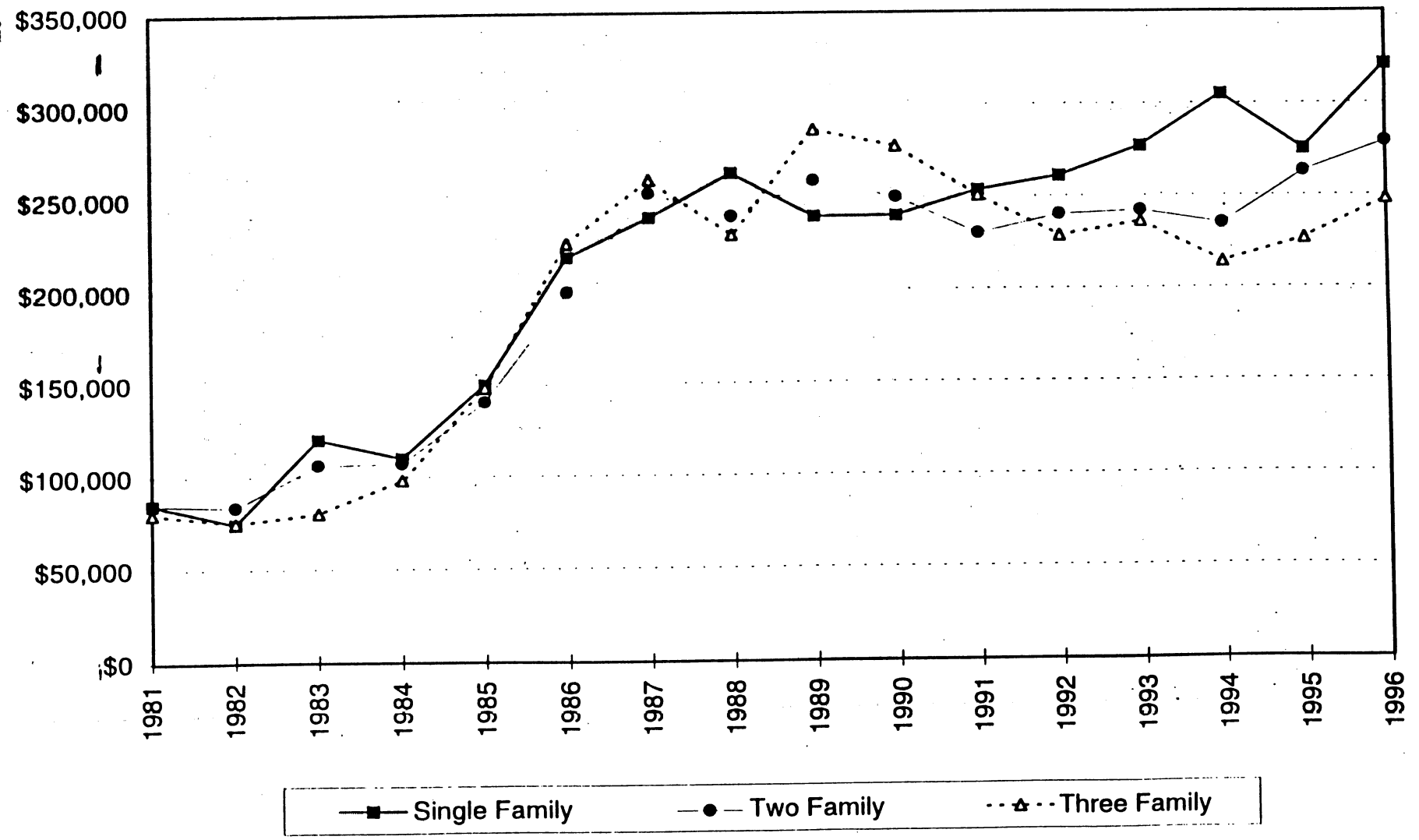
- without Street Names



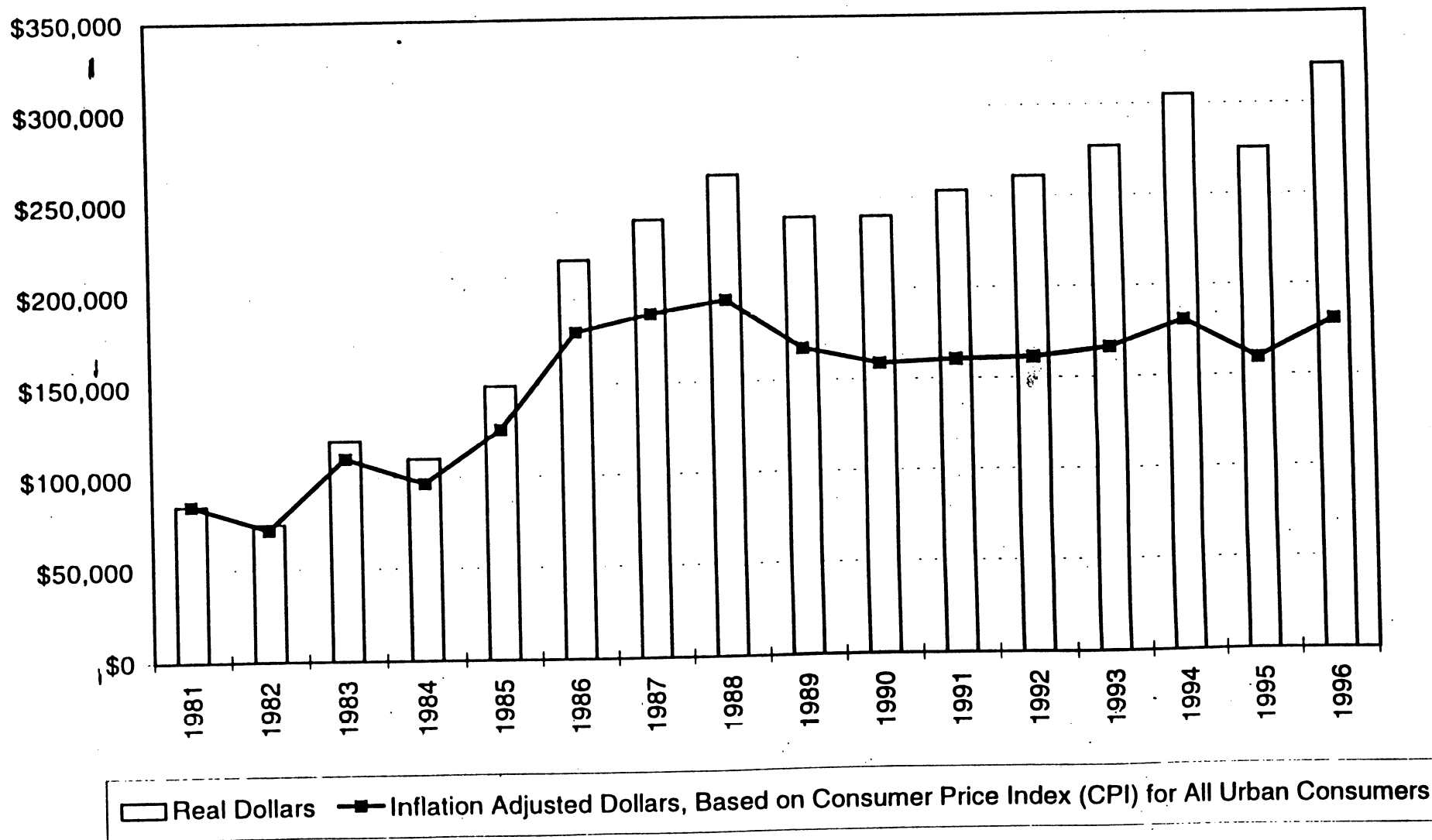
Cambridge Neighborhoods	
1. East Cambridge	8. Agassiz
2. MIT	9. Neighborhood Nine
3. Wellington Harrington	10. Neighborhood Ten
4. Neighborhood Four	11. North Cambridge
5. Cambridgeport	12. Cambridge Highlands
6. Mid-Cambridge	13. Strawberry Hill
7. Riverside	

5	Neighborhood Numbers
—	Neighborhood Boundaries
32	Census Tract Numbers
—	Census Tract Boundaries
---	Major City Streets
N	
Community Development Department December 1995	

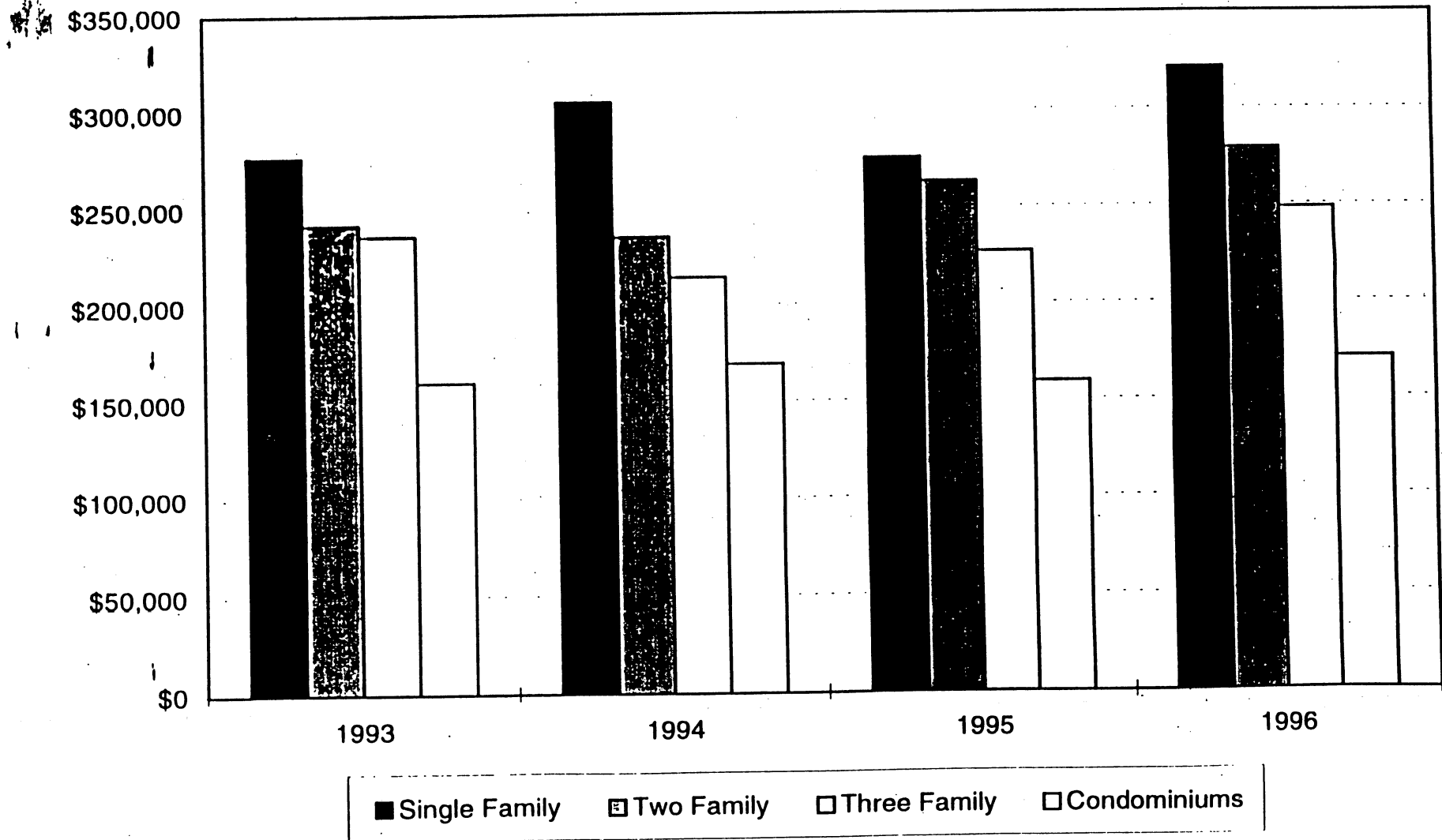
City of Cambridge: 1981 - 1996 Single, Two & Three Family Building Median Sales Prices



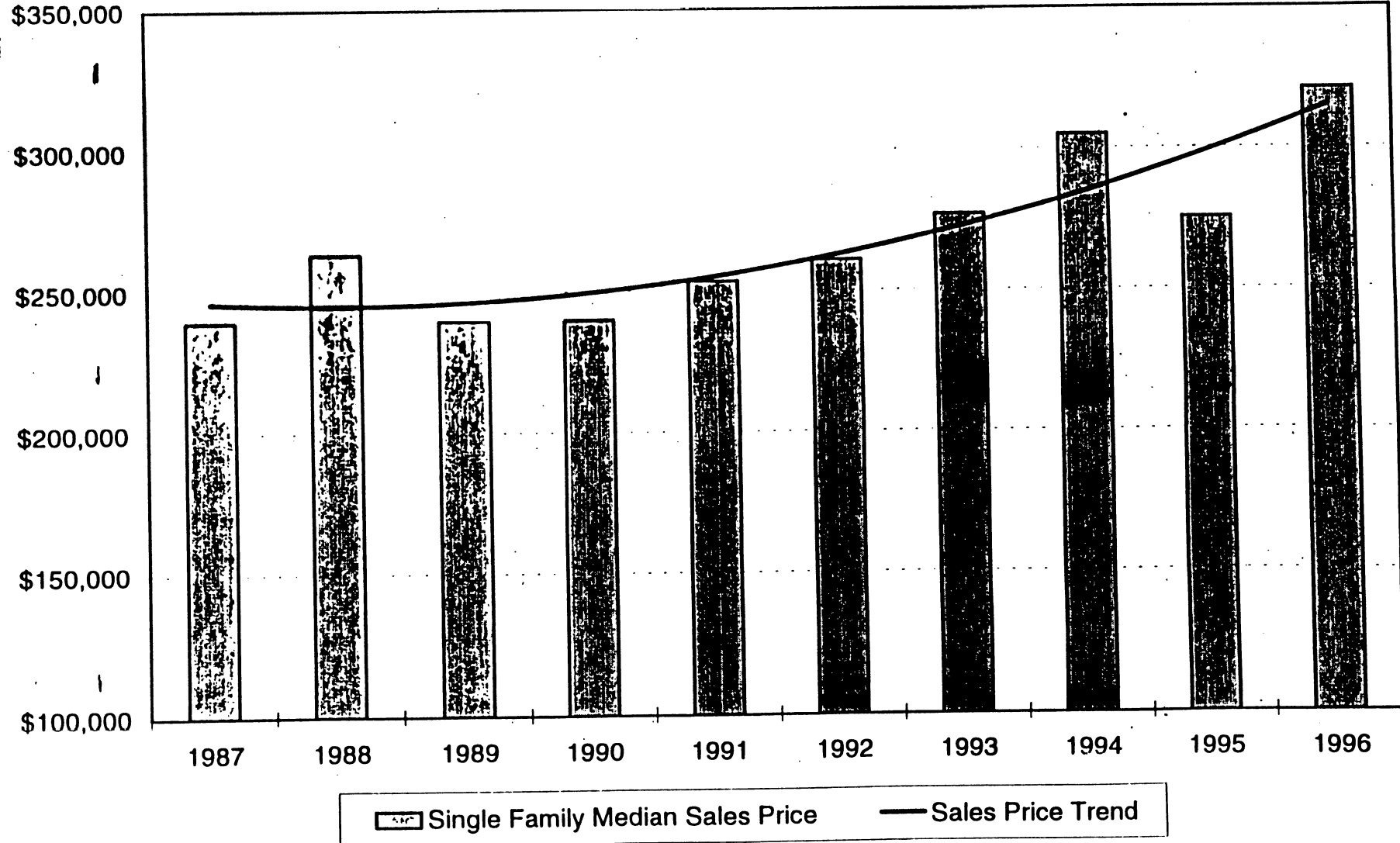
City of Cambridge: 1981 - 1996 One-to-Three Family Building Inflation Adjusted Median Sales Prices



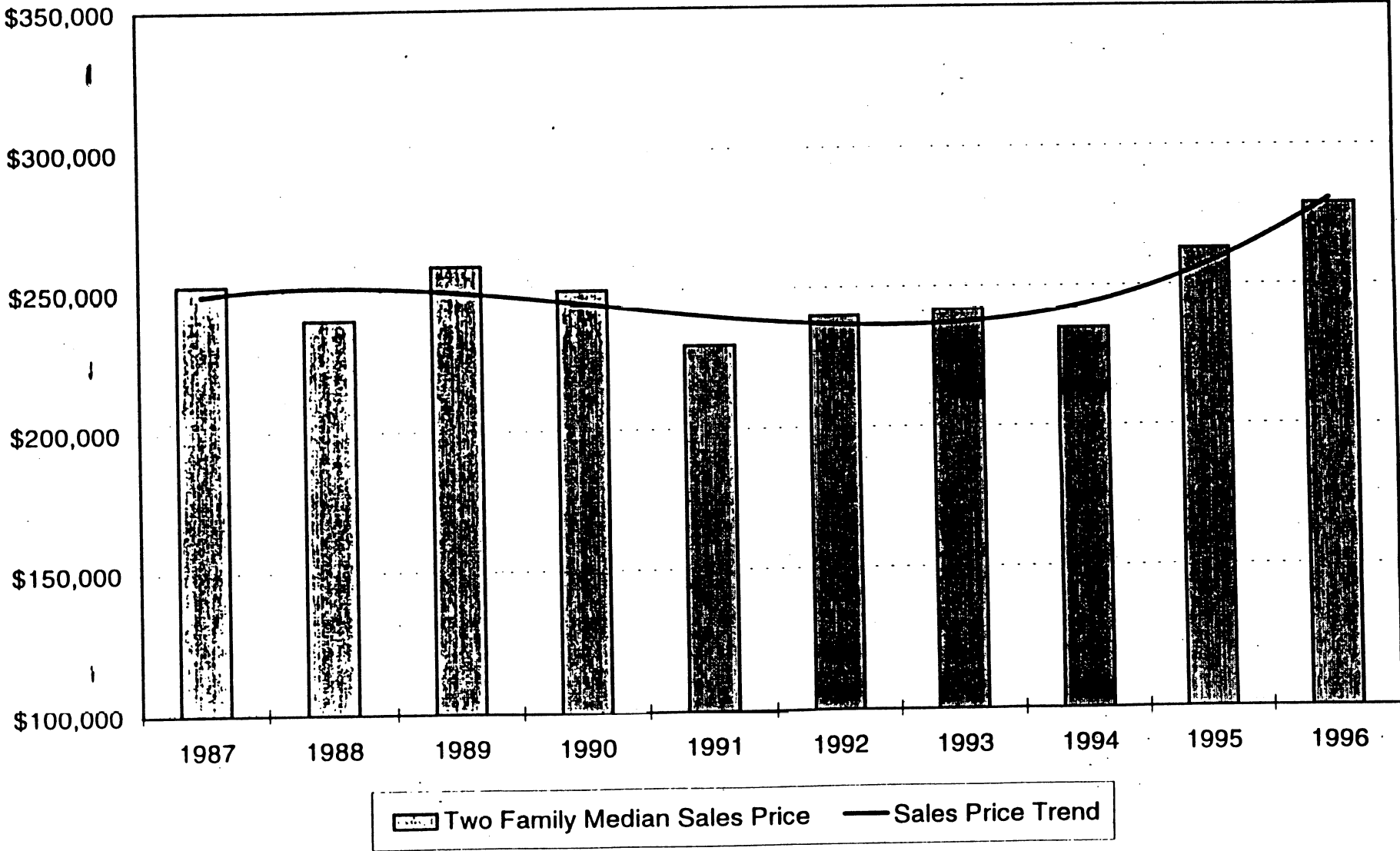
City of Cambridge: Comparison of 1993 - 1996 Single Family, Two Family, Three Family & Condominium Median Sales Prices



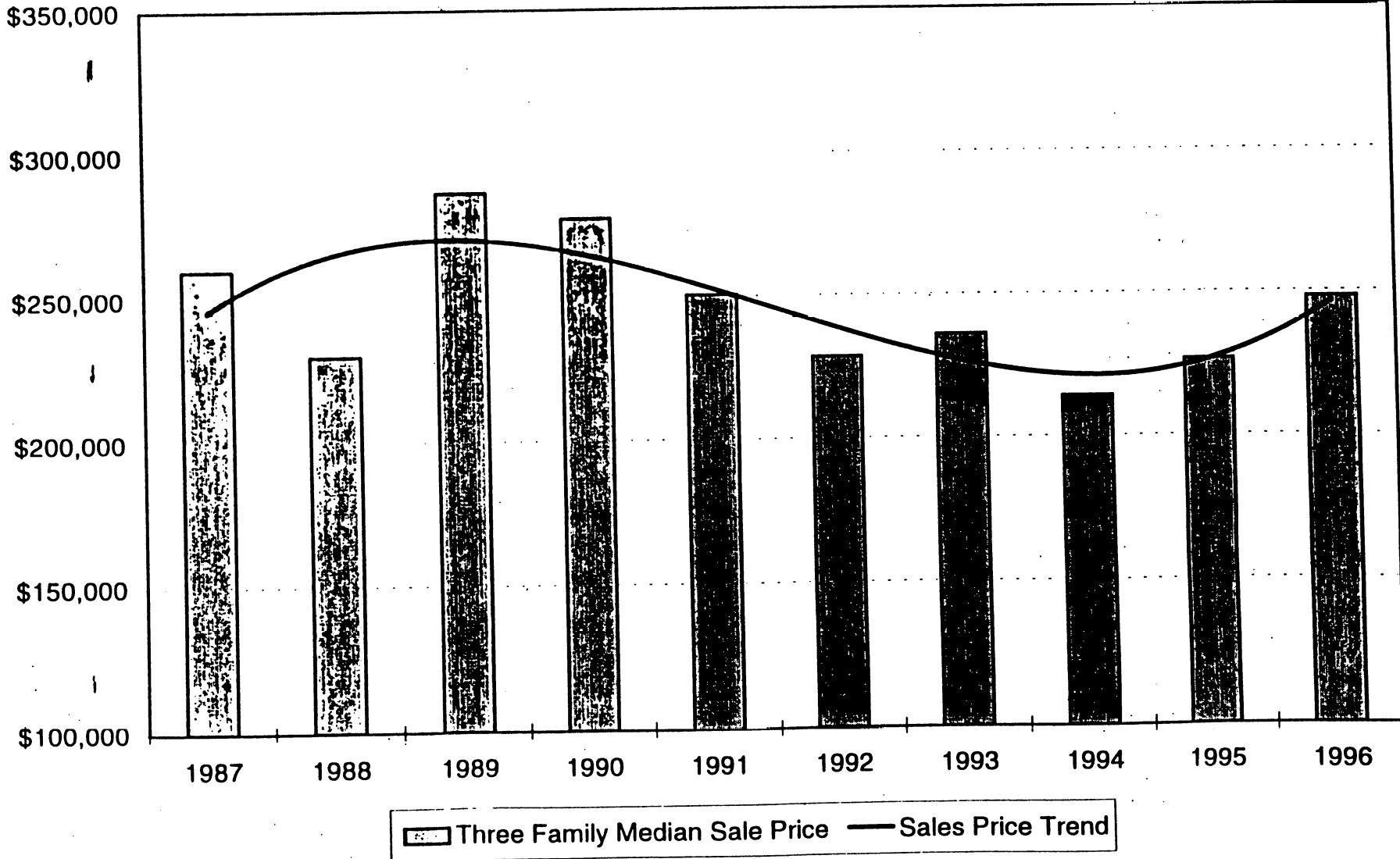
City of Cambridge: 1987 - 1996 Single Family Building Median Sales Price Trend



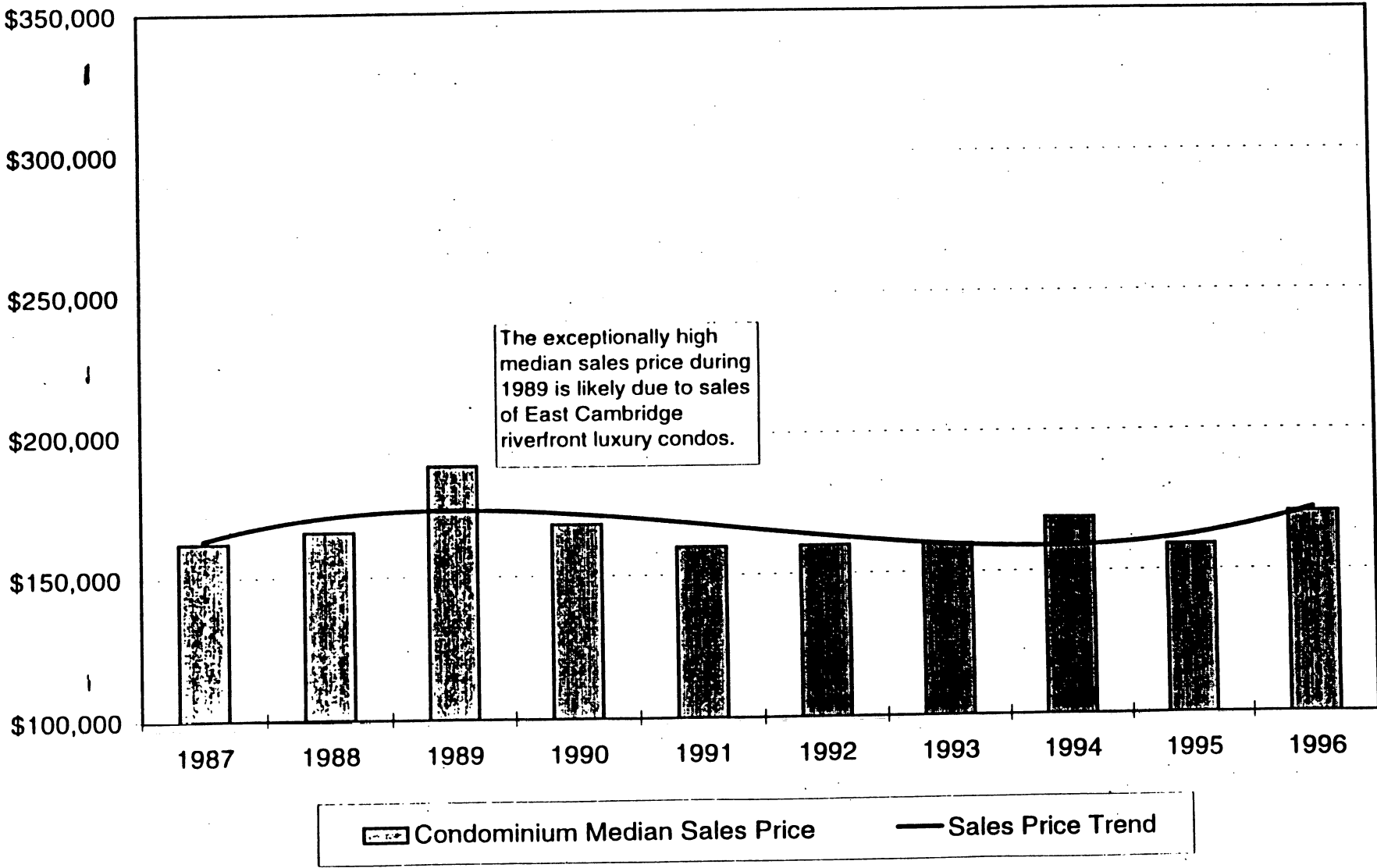
City of Cambridge: 1987 - 1996 Two Family Building Median Sales Price Trend



City of Cambridge: 1987 - 1996 Three Family Building Median Sales Price Trend



City of Cambridge: 1987 - 1996 Condominium Median Sales Price Trend



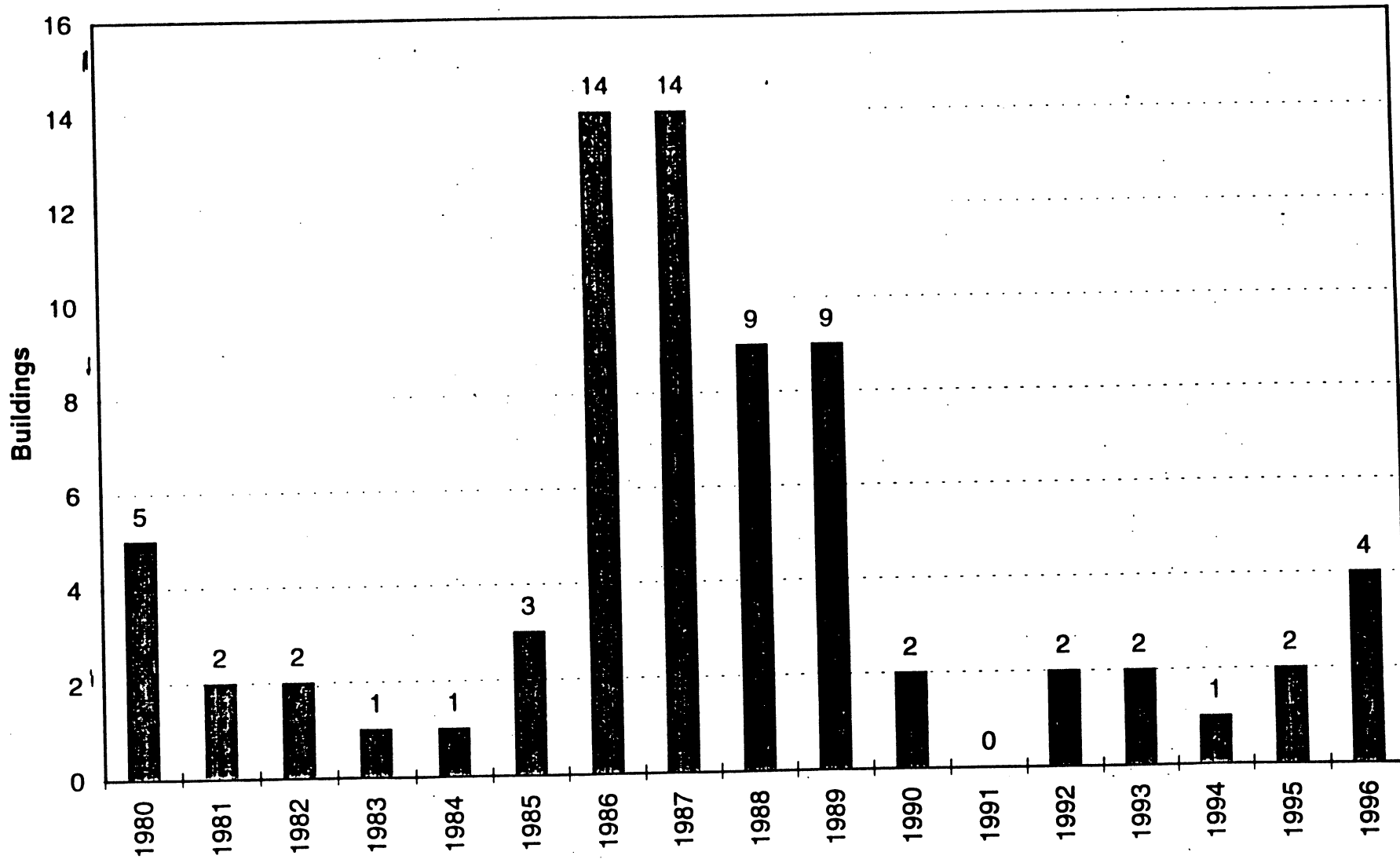
Derivation of Cambridge Condominium Conversion Information

1. Information on the construction and conversion of condominium buildings is derived from data provided by the Cambridge Assessor's office.
2. The Assessor's office does not record buildings constructed for sales as condominiums. Instead, the Assessor records both the year of construction and the date of filing of the condominium master deed. Since filing of the master deed need not occur upon completion of construction, all instances where the dates of construction and filing differ by three or fewer years are presumed to represent cases of new construction, not condominium conversion.
3. The Assessor's office continually updates and corrects its records. Therefore, the reported number of buildings converted or constructed in a given year may experience minor fluctuations over time.

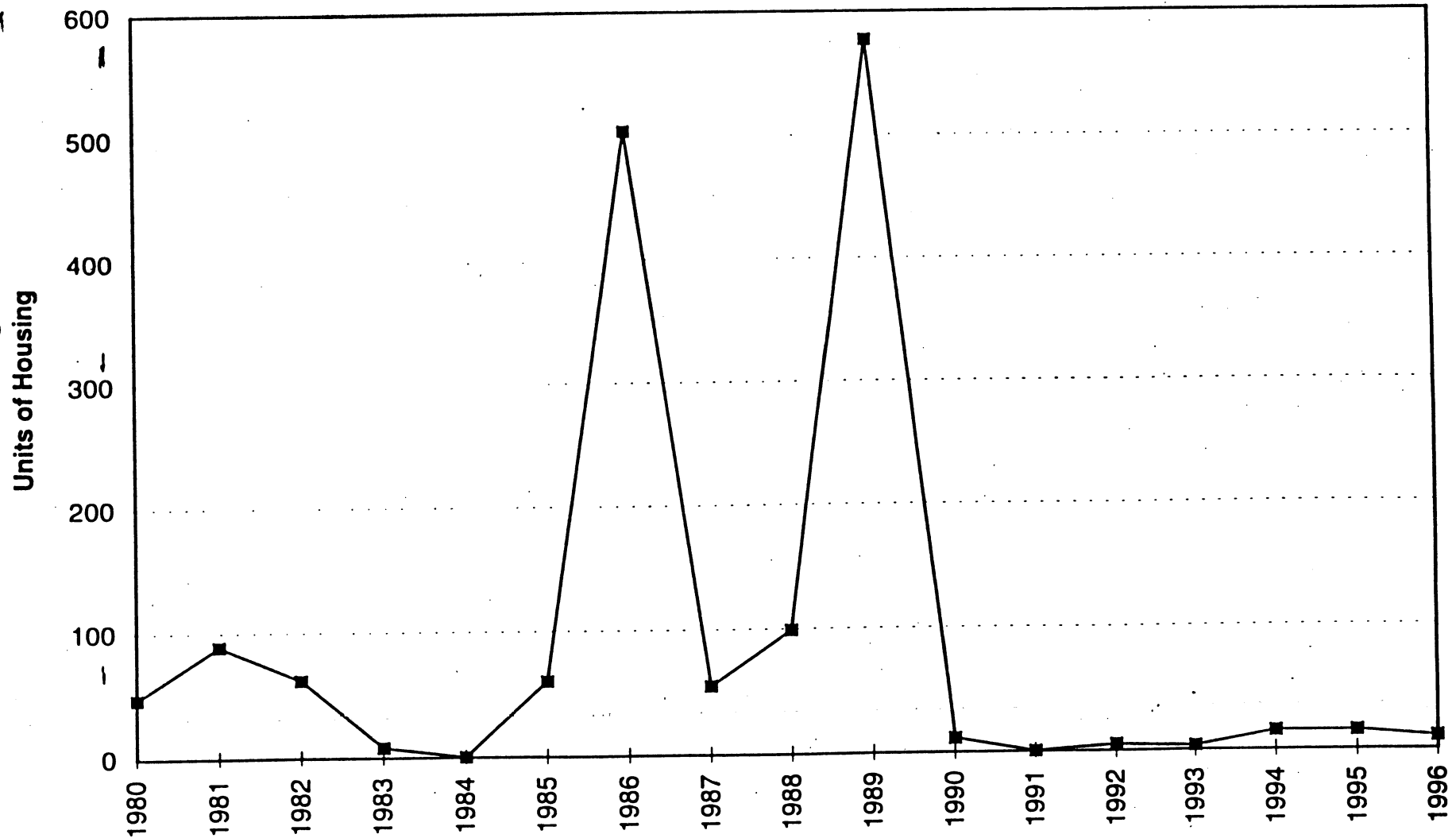
**City of Cambridge:
1970 - 1996 Condominium Construction & Conversion**

Year	New Buildings	New Units	Converted Buildings	Converted Units
1970	3	63	0	0
1971	0	0	3	58
1972	2	50	3	83
1973	1	16	7	81
1974	0	0	8	193
1975	3	19	4	28
1976	0	0	5	93
1977	0	0	21	482
1978	4	121	21	276
1979	0	0	39	619
1980	5	47	33	428
1981	2	89	33	625
1982	2	62	35	147
1983	1	8	41	201
1984	1	0	35	92
1985	3	60	55	198
1986	14	504	99	293
1987	14	55	75	245
1988	9	99	68	383
1989	9	577	65	401
1990	2	11	48	245
1991	0	0	20	72
1992	2	5	28	78
1993	2	3	14	34
1994	1	15	21	59
1995	2	15	42	255
1996	4	10	33	142
Total	86	1829	856	5811

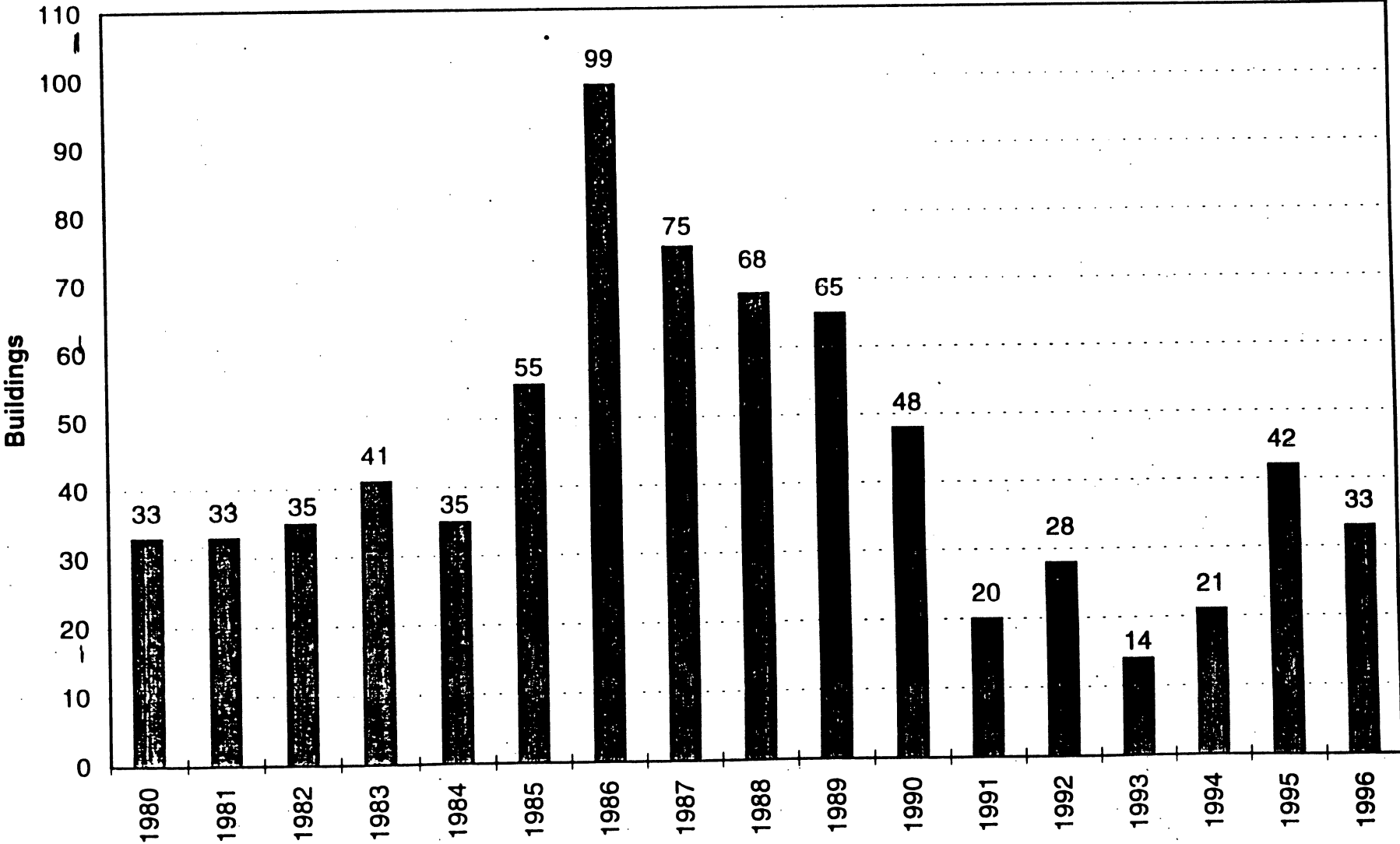
City of Cambridge: 1980 - 1996 Newly Constructed Condominium Buildings



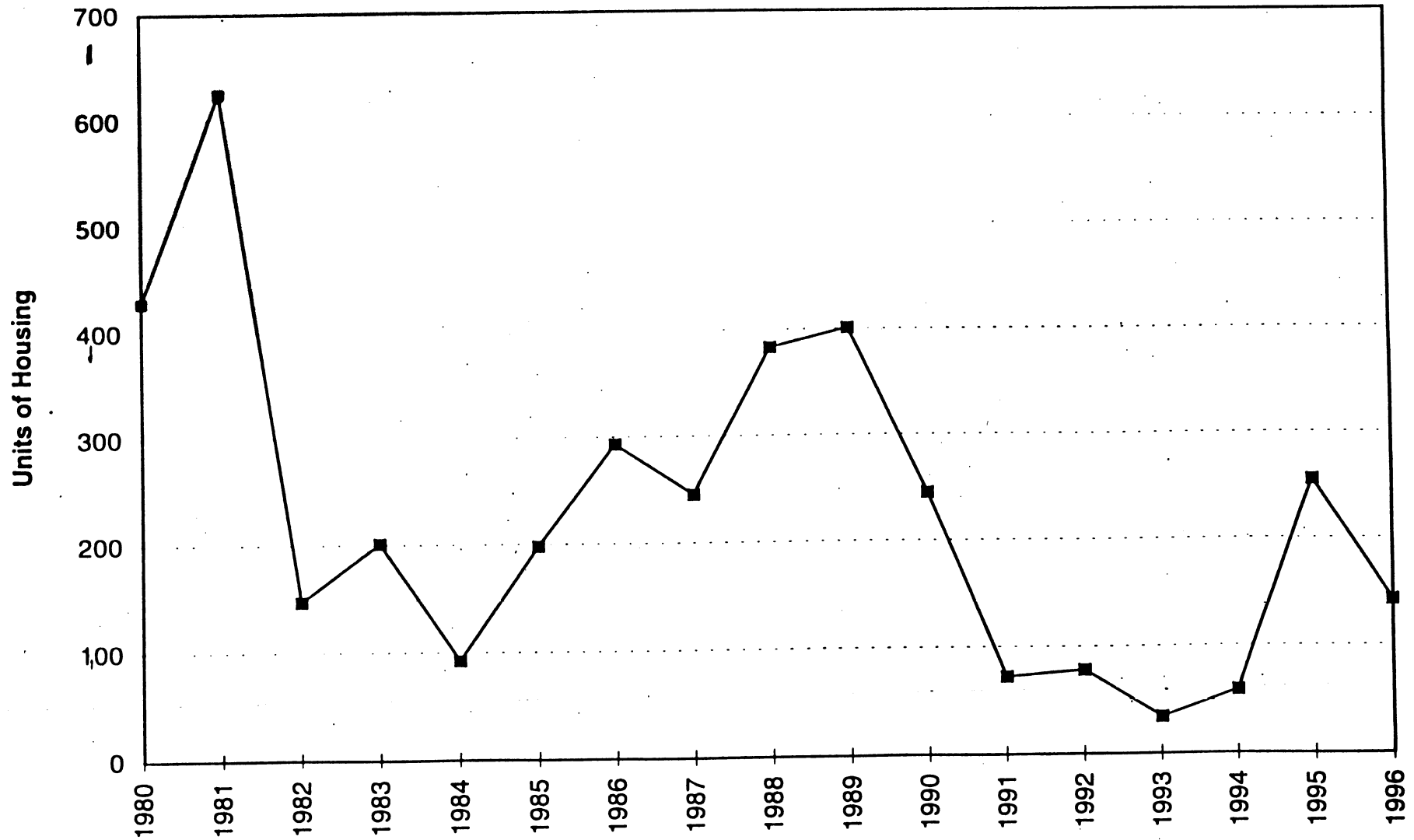
City of Cambridge: 1980 - 1996 Newly Constructed Condominium Units



City of Cambridge: 1980 - 1996 Residential Buildings Converted to Condominiums



City of Cambridge: 1980 -1996 Residential Units Converted to Condominiums



City of Cambridge: 1993 - 1997 Typical Housing Rents

Estimated Average Rents by Apt. Size

Source	Date	1 BR Unit	2 BR Unit	3 BR Unit	Average of All Units
CDD Rent Survey ³	1993	\$650	\$950	\$1,150	NA
CDD Rent Survey ³	1/96	\$913	\$1,163	\$1,405	NA
CDD Rent Survey ³	3/97	\$950	\$1,133	\$1,483	NA
CDD Rent Survey ³	7/97	\$1,000	\$1,200	\$1,500	NA
Harvard Housing Office ⁴	1995 - 96	\$927	\$1,298	\$1,544	NA
Rental Housing Assn. ⁵	1996	NA	NA	NA	\$933
Rental Housing Assn. ⁵	1997	NA	NA	NA	\$1,025

Sources: Harvard University Housing Office, 1996; Cambridge Community Development Dept., 1996, 1997; Rental Housing Association, 1996.

1. To the best of our knowledge, no organization undertakes a systematic ongoing survey of market level housing rents in the City of Cambridge.
2. Due to the differing manner in which each data provider developed its information, conclusions based on comparisons between figures drawn from two or more sources should be made with caution.
3. These figures are based upon the results of informal Cambridge Community Development Department surveys, where several realtors were called and the figures quoted for typical rents were averaged together to develop the numbers stated above. Realtors quoted separate figures quoted for each apartment size. Figures are not averaged together, as we have no basis on which to weight them to reflect the share of either the housing market or the housing stock.
4. These figures represent an average of all listings gathered from the Harvard Housing Office during the period 11/1/95 through 10/31/96. See the comment above about averaging rents.
5. The average rents quoted by the RHA are for all units owned by RHA members and located in the 02138, 01239 and 02140 area codes. Unlike other sources, the RHA does not break out rents by apartment size.



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

SUSAN B. SCHLESINGER
*Assistant City Manager for
Community Development*

BETH RUBENSTEIN
*Deputy Director for
Community Development*

MEMORANDUM

TO: Robert W. Healy, City Manager

FROM: Susan Schlesinger, Assistant City Manager for Community Development

DATE: February 17, 1998

RE: Cambridge Inclusionary Housing Study

I am forwarding to you a study that was prepared for the City by the Cambridge firm of Stockard & Engler & Brigham, LLC. This study provides background information and analysis related to the proposed inclusionary zoning policy that the Board is reviewing. The study concludes with findings that the creation of new market-rate housing in the City is increasing the need for affordable housing. This additional affordable housing is required to meet the City's stated policy of preserving economic diversity amongst its population.

This study provides a step by step approach that analyzes the impacts of new market-rate housing development on the City's economic diversity policy. According to this study, new market-rate development is producing no housing that is affordable to low and moderate income households with incomes below 80% of the Boston area median income. The majority of this new market-rate housing is occupied by households moving to Cambridge from other jurisdictions. A smaller percentage of new occupants are moving into new units from other Cambridge locations. The housing market dynamics triggered by the creation of new market-rate units are not resulting in the availability of existing housing units affordable to low and moderate income households, based on this analysis.

It concludes with findings that, in order to meet the policy goal of preserving the City's economic diversity, developers of market-rate housing should provide affordable housing proportionate to the need created by such new housing. Based on the study's findings, the amount of affordable housing needed is 1.5 units for every 10 units, or 15% of new market-rate housing development.

This study supports the proposed inclusionary zoning policy that requires developers of market-rate housing to provide affordable housing units in new residential developments up to the 15% level.

Enclosure

City Hall Annex
57 Inman Street
Cambridge, MA 02139
Voice: 617 349-4600
Fax: 617 349-4669
TTY: 617 349-4621



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

SUSAN B. SCHLESINGER
Assistant City Manager for
Community Development

ELIZABETH EPSTEIN
Deputy Director for
Community Development

MEMORANDUM

TO: Robert W. Healy, City Manager

FROM: Susan Schlesinger, ^{SB}Assistant City Manager for Community Development

DATE: June 18, 1997

RE: Recommendations on a New Inclusionary Zoning Ordinance

We are forwarding to you a copy of a report, "Recommendations Concerning a New Inclusionary Zoning Ordinance." This report provides recommendations to the City on establishing a policy to require the inclusion of affordable housing units in market-rate residential developments. The report has been prepared by Peter Werwath & Associates, under contract to the Community Development Department. A summary of the recommendations is found below.

City staff have worked over the past few months to analyze existing inclusionary zoning provisions, and to develop a new citywide policy that would increase the production of affordable housing in the City. Although the City has several districts with inclusionary zoning provisions, most have not succeeded in generating the production of any affordable housing units. We have taken the lessons from these existing provisions, and applied them in this report.

The recommendations include the following:

1. Any new ordinance should be mandatory, apply citywide and replace most of the existing inclusionary provisions of the City that now apply to residential uses in certain districts.
2. The ordinance should not alter the existing provisions linking new commercial and retail developments to affordable housing contributions (so-called linkage or incentive zoning provisions).
3. Mandatory provisions should apply to all new residential developments with 10 or more units. In addition, the ordinance should provide incentives for voluntary compliance by developers of smaller projects.

4. The resulting affordable units should be targeted to low- and moderate income residents — with the average unit being affordable to a household with an income equal to 65% of the area median.
5. Using affordability formulas that are included in this report, the resulting affordable sale prices would average \$100,000 in 1997 dollars. Affordable rents would average \$777 per month plus utilities.
6. The required percentage of affordable units can be determined only after a rationale study (which is beyond the scope of this report) is completed. The rationale study is an economic analysis that provides the financial and legal justification for establishing an affordable housing requirement in market-rate residential developments. To model the effects of the proposed ordinance, we have presumed a 10 percent requirement, which is typical of many inclusionary ordinances.
7. Developers who comply with affordability provisions should be eligible for incentives in the form of additional allowable density, which should be granted by right. The additional allowable density should be approximately twice the percentage requirement for affordable units, e.g. a 20 percent bonus if 10 percent of the units are to be affordable. For smaller projects subject only to voluntary compliance, bonuses could be made possible (but not guaranteed) through a special permit process.
8. If the City deems an affected development as unsuitable for affordable housing, the City should allow the developer to build affordable units off-site or make an in-lieu payment.

We intend to commence immediately with the rationale study. This study will provide the basis for recommending the exact percentage of the affordable requirement in the policy.

We look forward to working together with you and the City Council to moving forward on drafting a new inclusionary zoning ordinance.

Attachment

**RECOMMENDATIONS CONCERNING A
NEW INCLUSIONARY ZONING ORDINANCE**

A REPORT TO THE CITY OF CAMBRIDGE

**By Peter Werwath and Associates
Damariscotta, Maine**

June 17, 1997

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Other Desirable Affordable Housing Provisions	12
Developer Incentives	15
Administrative Implications	18
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APPENDIX A: Affordability Calculations	21

EXECUTIVE SUMMARY

This report describes recommended approaches and options for the City of Cambridge to adopt broader inclusionary zoning provisions, with the intent of providing: (1) more affordable housing to low- and moderate-income Cambridge residents and (2) more economic integration of new housing built in the city.

The City's Community Development Department asked the authors of this report to make recommendations on the structure of a new inclusionary zoning ordinance that would be broader in scope and more effective than the inclusionary provisions presently in force in Cambridge. These are the key recommendations:

- Any new ordinance should be mandatory, apply citywide and replace most of the existing inclusionary provisions of the City that now apply to residential uses in certain districts.
- The ordinance should not alter the existing provisions linking new commercial and retail developments to affordable housing contributions.
- Mandatory provisions should apply to all new residential developments with 10 or more units. In addition, the ordinance should provide incentives for voluntary compliance by developers of smaller projects.
- The resulting affordable units should be targeted to low- and moderate income residents--with the average unit being affordable to a household with an income equal to 65% of the area median.
- Using affordability formulas that are included in this report, the resulting affordable sale prices would average \$100,000 in 1997 dollars. Affordable rents would average \$777 per month plus utilities.
- The required percentage of affordable units can be determined only after a rationale study (which is beyond the scope of this study) is completed. To model the effects of the proposed ordinance, we have presumed a 10 percent requirement, which is typical of many inclusionary ordinances.
- Developers who comply with affordability provisions should be eligible for a density bonus, which should be granted by right. The bonus should be approximately twice the percentage requirement for affordable units, e.g. a 20 percent bonus if 10 percent of the units are to be affordable. For smaller projects subject only to voluntary compliance, bonuses could be made possible (but not guaranteed) through a special permit process.
- If the City deems an affected development unsuitable for affordable housing, the City should allow the developer to build affordable units off-site or make an in-lieu payment.

METHODOLOGY

To form these recommendations, the consultants relied on their professional knowledge and experience, as well as review and analysis of the following documents and information:

- The City's zoning ordinance.
- The City's Consolidated Plan.
- Descriptions of inclusionary zoning programs that are active in other cities in Massachusetts and other states.
- A recent City report describing the pipeline of residential development projects in Cambridge.
- Internal City memoranda concerning existing inclusionary requirements and issues of concern in developing a new ordinance.

In two meetings, the consultants discussed the possible ramifications of a new inclusionary ordinance with City officials who are members of the Inclusionary Zoning Working Group: Susan Schlesinger, Assistant City Manager for Community Development; Roger Herzog, Housing Director; Les Barber, Director of Planning and Land Use; and Elizabeth Sternberg, Housing Project Planner.

Florrie Darwin, a member of the Planning Board and the Affordable Housing Trust, and Barbara Shaw from Just-A-Start Corporation also participated in the discussions. In addition, confidential interviews were conducted with two housing developers based in Cambridge who have produced, or have considered producing, affordable housing in conjunction with market-rate residential developments.

Peter Werwath performed the research and analysis and is the author of this report. Prior to the report being completed, Jerold Kayden, Esq. (as part of this study) advised both Mr. Werwath and City staff about the constitutionality and other legal ramifications of the proposed inclusionary provisions.

RECOMMENDED FRAMEWORK OF A NEW ORDINANCE

The following recommendations are made regarding the basic framework of the proposed inclusionary zoning ordinance.

- **There should be a combination of mandatory and voluntary provisions.**

For larger projects (with 10 or more units), mandatory provisions will be most effective in generating more affordable housing construction. For projects with fewer than 10 units, the ordinance should provide incentives for voluntary compliance.

- **For larger projects, density bonuses should be available as a matter of right, not subject to a special permit.**

To make the provisions efficient and effective for both the City and developers, the proposed density bonus incentive should be a matter of right when mandatory affordable housing provisions apply and are met.

- **A "rationale" study is needed.**

Prior to enacting any new inclusionary provisions, it is essential that the City conduct a rationale study that: (1) shows how market-rate housing development creates a need for affordable housing, (2) quantifies the need, and (3) ties that number to the inclusionary obligations.

Existing Inclusionary Provisions

In analyzing the effectiveness of inclusionary provisions, we were asked to limit our study to ordinances affecting residential construction. This leaves aside the City's affordable housing provisions in Article 11.200 of the zoning ordinances, since they apply only to non-residential construction. Henceforth, to simplify the discussion, requirements for non-residential development will be referred to as "linkage" provisions, while those affecting residential construction will be called "inclusionary" provisions.

Presently, inclusionary provisions are in force for five zoning districts: Residence C, Special District 9, Special District 10, the Cambridgeport Revitalization Development District and the North Point special district. The provisions--and their results--vary considerably from district to district, as follows.

Residence C - Compliance is voluntary and is subject to a special permit from the Board of Zoning Appeal. A density bonus of 25 percent is allowed if half of the resulting bonus units are made affordable (effectively requiring affordability in 10 percent of the total units). No affordable units have been built as a direct result of these provisions.

Special Districts 9 and 10 - Compliance is voluntary and is subject to a special permit. The allowed number of units can be increased by 125 percent, while the minimum floor area ratio (FAR) is increased from 63 percent to 108 percent, depending upon the number of affordable units built. Limitations on building heights and setbacks can be relaxed. Of the total number of units

built, at least 16.5 percent must be affordable. No affordable units have been built as a direct result of these provisions.

Cambridgeport Revitalization Development District - Compliance is essentially mandatory if property owners wish to build non-residential structures. To achieve a full non-residential build-out, a total of 400 residential units must be built, of which 150 must be affordable. A total of 100 units must be occupied by households with incomes at or below 80 percent of the area median income, and 50 by households with incomes at or below 110 percent of median income. Of the 150 required affordable units, 114 have been built in two projects: Kennedy Biscuit Lofts and Auburn Court.

North Point Residence, Office and Business District - Compliance is voluntary and subject to a special permit. The allowed FARs can be increased as much as 250 percent, and building height limitations can be waived entirely, but a minimum of 7.5 percent of the dwelling units must be affordable. To date, a total of 33 affordable units are under construction in the Museum Towers development.

The Need for a New Ordinance

In analyzing these existing inclusionary provisions, it is clear that they have been effective in only two circumstances: (1) where they are quasi-mandatory (Cambridgeport) and (2) where the density bonus is exceptionally generous (North Point). After discussing these results with City staff and several developers, the following conclusions were drawn about the weaknesses of the current provisions:

- Most voluntary provisions with density bonuses are not working.
- The need for special permits discourages participation, since it leads to an unpredictable and time-consuming public approval process.
- In other respects, the ordinance provisions (particularly for districts C, 9 and 10) are too complex and leave too many requirements subject to negotiation.
- Limitation to certain districts reduces the potential output of affordable housing.
- All of the resulting affordable housing has been built in projects ranging in size from 77 units to 435 units—suggesting that existing incentives have not been attractive or feasible for developers of smaller projects.

Thus, we propose new provisions that: (1) are mandatory, (2) do not require special permits (in most cases), (3) apply citywide, (4) are simpler and (5) allow for special treatment of smaller developments. The details are spelled out in the remainder of this report.

APPLICABILITY

The following recommendations are made regarding the applicability of the proposed inclusionary zoning ordinance.

- **In general, mandatory inclusionary provisions should apply to any residential development with 10 or more new or substantially rehabilitated dwelling units.**

Special residential uses such as dormitories and group homes would not be affected.

- **In general, the provisions should apply citywide.**

The provisions should generally apply to all zones in which residential development could be approved by the City, including non-residential zones in which a change of use might occur. However, the recommended 10-unit threshold will likely make the provisions more effective outside of existing, low-density residential neighborhoods, where most developments tend to have fewer than 10 units.

- **The ordinance should clearly spell out its effective date.**

We recommend that the ordinance be made effective as of the date of enactment by the City Council. The ordinance should grandfather any residential developments for which an application has already been made, as of the effective date of the ordinance, for any form of City development approval.

Existing Linkage Provisions Should Be Unaffected

The study did not address the creation of any new linkage requirements. The City already requires commercial developers to support affordable housing through linkage provisions. One could argue that inclusionary requirements for both commercial and residential developments could be combined in one ordinance. However, that approach would not be practical. The basis for--and the mechanics of--the proposed requirements for residential developments would differ substantially from the linkage requirements already in place.

Basis of "Threshold" Recommendations

The recommended threshold of 10 newly-created dwelling units for mandatory compliance is based on three factors: (1) the desirability of removing the burdens of compliance on developers of smaller projects, (2) precedents in other communities with inclusionary zoning ordinances and (3) the fact that the density bonuses proposed herein have diminishing benefits for projects with fewer than 10 units.

The proposed threshold has two precedents in Massachusetts. Brookline's and Newton's mandatory inclusionary ordinances set the same threshold of 10 dwelling units (either new construction or reuse). In contrast, Cambridge's existing inclusionary provisions require no thresholds because compliance is only voluntary.

Still, a considerable amount of residential development in Cambridge occurs in small-scale

projects that are appropriate for inclusion of affordable housing. As an inducement to this occurring in at least some cases, we propose that density bonuses be made available to developers of projects with fewer than 10 units who voluntarily agree to comply with the ordinance. (However, as we will explain later, this may not be an effective incentive for very small projects.)

What about existing dwelling units in an affected development that are untouched or undergoing only moderate rehabilitation? We propose that these dwelling units not be counted toward the threshold—only units that are new or substantially rehabilitated. Naturally, this provision will require that the ordinance define substantial rehabilitation.

Citywide Impact

The main impetus for the City's investigation of new inclusionary provisions is the desire to generate more construction of affordable housing. One effective way to accomplish this is to make the provisions apply throughout the city (with the exception of certain districts noted below). Although citywide provisions may have little or no impact in some zoning districts and neighborhoods, that is no reason to exempt the occasional projects in those areas that would be subject to mandatory inclusionary provisions.

Exceptions for Two Special Districts

Nonetheless, special provisions should still apply to the Cambridgeport and North Point special districts. Existing inclusionary provisions for the Cambridgeport special district should be left untouched, while provisions for the North Point district might be modified somewhat.

The Cambridgeport district is a unique situation where inclusionary provisions have worked and the affordable housing requirements are well on their way to being fulfilled. In the North Point district, generous density bonuses (more generous than we propose citywide) have worked, and there is no obvious reason to remove them. However, in other respects, provisions for the North Point district should conform to the new, standardized citywide requirements.

Grandfather Clause

It is recommended that the City grandfather any proposed developments which have formally applied for any type of development approval from the City prior to the effective date of the ordinance. However, this should not prevent a developer from voluntarily re-submitting a proposal to comply with the new ordinance and receive a density bonus.

AFFORDABILITY REQUIREMENTS

The following recommendations are made regarding the requirements for the affordable units built in compliance with the ordinance.

- **The beneficiaries of affordable units**

All beneficiaries should be households with incomes at or below 100 percent of the area median income (the prevailing standard for low- and moderate-income households). Further, the average beneficiary should be a household with an income at 65 percent of the area median income.

- **Types of tenure (i.e. rental and ownership)**

The tenure of affordable units should mirror the project as a whole. For example, affordable units should be sold, not rented, where a majority of units will be offered for sale.

- **Required number of bedrooms and bathrooms**

Typically, affordable rental units should have two bedrooms and one bath, while affordable for-sale units should have three bedrooms and one and a half bathrooms ("prototype sizes"). In a project with two or more affordable units, staff should have the discretion to negotiate for a reasonable mix of bedroom/bathroom sizes, the average of which approximates the prototype sizes.

- **Pricing formulas**

Pricing formulas in Appendix A were used to establish prototype rents and sale prices affordable to a household with an income equal to 65 percent of the area median. In projects with two or more affordable units, staff should have the discretion to negotiate a mix of higher and lower rents or sale prices, the average of which approximates the prototype prices.

This income standard translates to these currently affordable prices:

3-bedroom for-sale unit	\$100,000
2-bedroom rental unit (without utilities)	\$777/mo.

- **Residency preference for buyers/renters**

Affordable units should be marketed with a preference for households that have resided in Cambridge for at least a year.

Existing Income Standards Used by the City

Regarding the incomes of beneficiaries, our recommendations vary somewhat from the City's existing inclusionary provisions for residential developments. For example, the existing

provisions for Special Districts 9 and 10 target households with incomes ranging from "very low" (below 50 percent of median income) to "low" (50 to 80 percent of median income), to "moderate" (80 to 100 percent of median income). In order for developers to receive density bonuses, they must deliver units in each price category--first, the lowest-priced unit, then two middle priced units, then the highest-priced unit, and then rotating back through that order.

Prototype Unit Sizes and Prices

We believe it is simpler, more flexible and more predictable for the City to establish prototype sizes (by number of bedrooms) and prototype prices in only two categories--rental and for-sale housing. This allows developers to make more reliable financial projections. Staff should have the discretion to negotiate with developers to skew prices and bedroom sizes of the affordable units over and under the prototype numbers.

Without this skewing, affordable units would serve too narrow a range of household incomes and family sizes. However, to cast in stone a formulaic mix of prices and unit types is not deemed advisable. Reportedly, developers have found it difficult to comply with the formulas of the existing ordinance, in part, because of their complexity. Besides, some projects will lend themselves better than others to offering a broader range of prices and unit types.

Basis of Proposed Income Standards

We believe that a 65 percent standard follows the intent of the existing ordinances. Moreover, it is a reasonable compromise between: (1) the income profile of Cambridge residents who most need affordable housing and (2) the financial impact of this standard on developers.

It goes without saying that the lower the income standard, the lower the required rents and sale prices must be and the larger the financial impact on developers. On the other hand, the City's own Consolidated Plan asserts that renter households with incomes below 50 percent of median income face the highest housing cost burdens--with 65 percent of this group paying more than 30 percent of their incomes for rent.

Preference for City Residents

In keeping with current policies of the City regarding assisted housing, we recommend giving Cambridge residents a preference for buying or renting the affordable units.

QUALITY STANDARDS

The following recommendations are made regarding the quality of the affordable dwelling units to be provided.

- **Minimum square footage**

To ensure livability, affordable units should have the following minimum square footages of living space:

	For-Sale Units	Rental Units
1-Bedroom	750	650
2-Bedroom	950	800
3-Bedroom	1,100	950
4-Bedroom	1,250	1,000

- **Finishes and amenities**

The City should impose minimum standards to assure durability, energy efficiency and water conservation. In addition, exteriors of affordable units should closely resemble the exteriors of other units in a project, and residents of affordable units should have the full use of all amenities in the common spaces.

Problems with Existing Requirements

Our recommendations are somewhat less stringent than the existing inclusionary requirements. For example, the rules for Special District 9 and 10 are as follows:

Existing requirements:

One-bedroom units are not allowed	
Minimum size of two-bedroom units:	1,100 square feet
Minimum size of three-bedroom units:	1,250 square feet
Minimum size of four bedroom units:	1,350 square feet

We believe there are three problems with the existing floor area requirements. First of all, they do not reflect the fact that rental units tend to be smaller than for-sale units. Second, it is possible to design livable units that are smaller. Third, the cost of any unnecessary square footage adds extra cost burdens for developers, who will face a substantial cost impact in any case.

Recommended Space and Quality Standards

We have suggested a standard for minimum square footages that closely tracks the requirements of the federal Rural Housing Service. To the best of our knowledge, these are the only remaining federal standards that address the issue of minimum, livable floor space. Tens of thousands of decent dwellings have been built to those standards.

Our recommendations on finishes and amenities closely track the City's existing inclusionary provisions.

OTHER DESIRABLE AFFORDABLE HOUSING PROVISIONS

In order to make a new inclusionary zoning ordinance as effective and efficient as possible, these other provisions are recommended.

- **Substitution of off-site housing or in-lieu payments**

For projects subject to inclusionary provisions, the ordinance should allow developers to build units off-site or make an in-lieu cash or in-kind contribution if the City determines that the site or the proposed project is unsuitable for applying some or all of the provisions of the ordinance.

- **Nature and duration of long-term affordability controls**

Affordable rent levels should be maintained for 50 years in accordance with current practices of the City. Likewise, with for-sale units, the City should replicate its current system of deed restrictions controlling resale prices.

- **Non-permitted uses of capital subsidies**

Developers should not be permitted to use subsidized capital financing, to the extent that this allows them to externalize the costs of compliance with the proposed ordinance.

- **Treatment of projects with a substantial number of subsidized, affordable units**

Projects with a substantial percentage of affordable units subsidized through local, state, federal or philanthropic sources should be considered as automatically complying with the affordability requirements. The exact percentage should be determined after a rationale study is concluded.

Alternative Means of Compliance

In most cases, affordable housing requirements should be met by construction of affordable units on-site, rather than providing units off-site or making a financial contribution. This approach has two benefits: (1) it will ensure more economic integration of low- and moderate-income families, and (2) it will spare the City of the difficulties of converting cash to affordable units.

Nonetheless, strict adherence to this principal could have adverse results in some cases. For example, in some luxury condominium projects, low-income buyers could spend most of their housing budget on condominium fees, reducing or eliminating their ability to pay any debt service. In addition, some sites might be distant from public transportation, shopping areas and services, making them less suitable for low-income families.

Thus, we recommend that the City develop criteria by which the City would determine if and when alternative means of compliance are appropriate. City staff (not a developer) should determine when these criteria apply and whether an in-lieu payment or off-site housing should be substituted.

Determining the In-Lieu Payment Amount

The essential purpose of the in-lieu payment is to provide the City with funds to build—or cause to be built—affordable housing that is of equal value to the affordable units that otherwise would have been built on site.

Thus, the formulation of an in-lieu payment amount should be based upon three numbers:

1. The added land value that accrues to the project as a result of the density bonus.
2. The average cost to subsidize an affordable housing unit in Cambridge, apart from "inclusionary" units.
3. The amount of internal subsidy that would have been required to produce an affordable unit in the subject project.

The first number should be the "ceiling." In other words, the City should take back from the developer no more value than the density bonus has created.

The second number should be the "floor"—the payment should be no lower than this. Currently, City staff calculates the average capital subsidy for an affordable housing unit in Cambridge at approximately \$80,000. The ordinance should require staff to annual revise this floor amount based on current costs.

This third number—what the internal subsidy would have been—could guide the City in fixing an in-lieu payment amount where the developer disputes the City's estimate of land value added by the density bonus. For the City to calculate this amount, the developer would be required to disclose (in confidence) detailed financial projections for the project.

Long-Term Affordability

Regarding long-term affordability of the housing provided, the City appears to have well-established systems for both rental and for-sale housing. These should be referenced in any proposed ordinance.

Use of Capital Subsidies

The use of capital subsidies to produce the required affordable units is a thorny issue, and one that is not often addressed in the inclusionary zoning programs of other cities. The issue, in a nutshell, is whether the costs of providing affordable units should always be internalized within a project, or whether they can be externalized through the use of subsidies (keeping in mind that taxpayers provide the vast majority of housing subsidies).

In short, there is little point to having an inclusionary zoning ordinance if this use of subsidies is not prohibited. The ordinance will likely produce 30 or 40 affordable units a year, at best. The housing subsidies available in Cambridge each year are finite, and have shrunk drastically over the years.

So, unless developers are prohibited from using subsidies to externalize their costs, a likely scenario is that the available subsidies will simply gravitate toward "inclusionary" projects and thus result in a decrease in "non-inclusionary" affordable housing projects. This would negate the public benefits of the ordinance.

There should be one caveat to this prohibition of external subsidies. Nothing should prevent a developer from using outside subsidies to make rents or sale prices lower than required by the new ordinance or to provide more than the required number of units.

Compliance Standards for Subsidized Housing Projects

Beyond that, the City should not discourage the use of housing subsidies in any residential development. Therefore, we propose that projects with a substantial amount of subsidized, affordable housing—with, for example, two times the percentage required in the ordinance—be considered as complying automatically with the affordability requirements of the ordinance. Thus, such projects would qualify for the proposed density bonus without having to meet the exacting affordability requirements of the ordinance. This will simplify the plan submission, review and approval processes.

If provisions such as these are approved, subsidized housing could be built and considered in compliance with the ordinance even if the rents or sale prices were somewhat higher than those required by the ordinance, or if the square footage or other construction requirements were not quite met. But as a trade-off, such developments would provide a more ample amount of below-market-rate housing.

DEVELOPER INCENTIVES

The following recommendations are made regarding proposed incentives for developers.

- **The ordinance should provide for a percentage density bonus that is twice the percentage of required affordable housing.**

For example, if the developers of a 10-unit project were required to build one affordable unit (a 10% requirement), the allowed number of dwelling units and the maximum floor area ratio (FAR) should be increased by 20 percent, allowing 12 units to be built without reducing the average square footage per unit.

- **Design review by staff only to expedite approvals**

Even though density bonuses have been proposed as automatic--without the more stringent review process that comes with a special permit process--projects with density bonuses should be subject to design review by the City. However, as an additional incentive to developers, design review of inclusionary projects should occur only at the staff level, thus expediting the approval process, unless a special permit or variance were required for other reasons.

The Need for Density Bonuses

Without a doubt, any new inclusionary affordable housing ordinance will be ineffective without a density bonus. Virtually every inclusionary program in the United States contains a density bonus and in some cases other incentives to offset the cost of providing affordable housing.

The economic impact of inclusionary provisions is a complex issue. But, simply put, the purpose of most such provisions is to produce housing units at below-market prices. If the affordable housing units produced are of good quality, in most cases this requires developers to offer the affordable units at a discount to their market value. Obviously, this discount will reduce, or could even eliminate, profits unless there is some offsetting benefit to developers. Thus, density bonuses and sometimes other incentives are provided to offset those negative financial impacts.

In the narrative above, we noted that the average capital subsidy cost of an affordable housing unit in Cambridge is presently \$80,000. "Subsidy cost" and "discount to market value" are very similar concepts. Both are measures of the gap between what housing costs to develop and what low-income people can afford. Thus, one can reasonably assume that developers' negative financial impact of producing one affordable unit is at least \$80,000. (We say, "at least," because most affordable housing in Cambridge is built on the lower-cost residential land.)

However, this negative impact can be canceled out by the positive economic impact of a density bonus. In simplistic terms, a bonus allows a developer to build x-percent of additional dwelling units. In real estate markets such as Cambridge with high market demand, each additional bonus unit creates an additional value in the land--which to a developer is almost equivalent to "found money."

Economic Impact of Proposed Density Bonus

On typical sites in Cambridge, we estimate that this added value of a bonus unit will be something on the order of \$40,000 to \$80,000 (depending upon the site location) and will average about \$50,000.

Based on this estimate, it seems appropriate to provide--where affordable housing is mandatory--two "bonus units" for each required unit of affordable housing. The value of two bonus units should create a "credit" of at least \$80,000. In comparison, the "debit" for producing one affordable unit will also equal a minimum of \$80,000.

If the cost of producing an affordable unit exceeds \$80,000 in some projects (as it undoubtedly will), this will be mostly due to the projects being built on higher-cost land. However, the added value of the density bonus will increase as land value increases. Thus, the bonus formula we propose should, in most cases, offset the cost of providing the affordable unit.

To summarize:

Minimum "debit" from providing affordable unit	\$80,000
Minimum "credit" from receiving two bonus units	\$80,000
Net financial impact in this scenario	\$0

Mitigations Needed for Smaller Projects

Unfortunately, this equation will not hold true with projects that are substantially smaller than 10 units. For example, envision a developer of a five-unit project that wants to build one affordable unit. Under the scenario just described, the project would qualify for only one bonus unit, since 20 percent of five is one. In this case, we would assume that the "credit" from the density bonus would probably be far less than the "debit" of providing one affordable unit.

Nonetheless, we stand by our proposal that density bonuses be capped at approximately twice the required percentage of affordable housing, for two reasons. First, higher density bonuses would amount to an unnecessarily generous incentive for most projects. Second, since the provisions are proposed to be citywide, making substantially higher density bonuses available to smaller projects would in some cases be certain to create adverse effects, particularly in traditionally residential neighborhoods.

But the City could find other ways to mitigate these potential problems with small projects. One way is to make its standards for rental rates or sale prices less stringent in these cases. For example, if only one bonus unit could be provided for an affordable unit (instead of two), the City could raise its standard for an affordable sale price from \$100,000 to \$140,000--lessening the developer's "debit" for providing affordable housing. The social benefits would be less, but still of value.

Relationship of Bonuses to Required Minimum Lot Areas

As a practical matter, the City would not actually allow "bonus units"--instead, it would reduce what the City ordinances call the "minimum lot area per dwelling unit." For example, if a 20 percent bonus were intended, the City would reduce this minimum lot area by 16.68 percent. This is illustrated by the following example:

C-1 District requirements (example):

Typical lot size:	12,000 square feet
Current minimum lot area per dwelling unit:	1,200 square feet
Current maximum number of dwelling units:	10
Reduce minimum lot area by 16.68 percent, to:	1,000 square feet
Resulting maximum number of dwelling units:	12

Issues with FARs

The allowed number of dwelling units on a site are limited by the City ordinances in two major ways: (1) the minimum lot area per dwelling unit (as just described) and (2) the maximum floor area ratios (FARs), which limit the maximum floor area that can be built per square foot of land. Naturally, both the minimum lot area and FAR vary considerably from one zoning district to another.

In some districts in Cambridge, the FAR can be a much more limiting factor than the minimum lot size. Therefore, to be effective, any new ordinance should also provide a bonus on the FAR ratio. We recommend that the size of this bonus be equivalent to the "unit bonus." For example, if the unit bonus is 20 percent, the FAR ratio should be 20 percent higher than the base FAR in order to allow construction of units of the same size.

ADMINISTRATIVE IMPLICATIONS

Proposed Administration by Community Development Department

Because the City presently administers inclusionary provisions in special districts, the administrative implications of the proposed new ordinance are well known and need little discussion.

The City's Community Development Department presently takes the responsibility for negotiating, monitoring and enforcing the existing provisions. The role of the Building Inspection Department is simply to ensure that development proposals have met the requirements before permits are issued. These roles seem appropriate and should be the model for any new ordinance.

Expected Annual Output from Proposed Ordinance

To determine both the benefits of the proposed new ordinance and its administrative implications, it is necessary to make a projection of annual market-rate residential construction starts to which the mandatory provisions would apply. To do so, we reviewed Cambridge's development pipeline, leaving out projects with fewer than 10 units and without substantial numbers of subsidized housing units.

We found that only three projects meeting these criteria started construction last year. The projects contained a total of 678 units. If the proposed ordinance had been in effect during that year, with a 10 percent affordability requirement, 67 affordable units would have been obligated. As it was, 33 affordable units were actually obligated in the North Point district.

This volume of residential construction is much larger than the levels experienced in any other recent year, and it is impossible to predict if this pace will be sustained. Thus, a conservative estimate of the annual output of a new inclusionary ordinance would be more on the order of 30 to 40 affordable units. Obviously, this number will be affected by the percentage of affordable units that is selected by the City based on a rationale study.

Implications of By-Right Bonuses

The recommendation of "by-right" density bonuses, except in the case of projects with fewer than ten units, has major administrative and political implications for the City.

In the preceding section on developer incentives, we have already stated our case for by-right bonuses. In sum, we feel automatic bonuses would be a very positive incentive for developers to participate in providing affordable housing, whether that is done on a mandatory or voluntary basis. It will hasten their approval time and, thus, reduce the costs of development. It also removes uncertainties regarding special conditions that might be imposed on the development and further increase costs.

Such a system would give City staff--presumably with the Community Development Department in the lead--the complete responsibility for performing design review and site plan review.

However, as desirable as this approach is from the standpoint of efficiency, it is likely to generate opposition from some citizens and perhaps elected officials who are concerned about higher-density development and want a voice in the approval process. That participation would occur only if the bonuses were granted through special permits.

The City, then, must make a hard choice between: (1) by-right bonuses and the benefits of expedited approvals and (2) requiring special permits and, thus, providing for citizen and Planning Board participation in granting the proposed bonuses. We strongly recommend the first option.

NEXT STEPS

If the findings and recommendations of this report are generally acceptable to the City, we suggest the following as next steps.

- The City should conduct a study that quantifies the economic relationship between new residential development in Cambridge and the need for additional affordable housing units.
- The study should specifically describe need for affordable housing—expressed as a fractional number of affordable housing units—generated by construction of new market-rate units. The number will likely fall in the range of .10 to .20 (based on our experience in other communities).
- Then, an ordinance can be developed with a percentage requirement of affordable housing which should not exceed that number, but could be lower.
- Only after the percentage requirement for affordable housing is determined should the City arrive at a percentage density bonus—along the lines laid out in this report.
- Based on an assessment of political and administrative considerations, the City should decide whether the proposed density bonus should be granted by right or through a special permit process.
- With these key variables determined and approval (in concept) by the City Council, City staff should then proceed to draft an ordinance for the Council's review and approval.

APPENDIX A: AFFORDABILITY CALCULATIONS

PROTOTYPE 3-BEDROOM FOR-SALE UNIT

Following are steps in calculating the sale price of a three-bedroom home that is affordable to a prototype household with an income equal to 65 percent of the area median.

Presumed average household size for 3-bedroom home: 4 persons

Area median income for 4 persons (from HUD): \$59,600

Income level to be served: 65% of area median

Multiply 65% (.65) times \$59,600. The result is: \$38,750

Determine income per month (\$38,750 divided by 12): \$3,228

Presumed percentage of income affordable for a mortgage payment, including principal, interest, taxes and insurance: 28%

Presumed percentage of income affordable for principal and interest only, with 6% allowed for taxes, insurance and condominium fees: 22%

Multiply 22% (.22) times \$3,228 to determine affordable monthly loan payment: \$710

Determine affordable rate and term of loan: 8.25%, 30 years

Determine affordable loan amount (from tables or calculator): \$94,712

Affordable loan amount (\$94,712) divided by 0.95 (assumes a 5 percent down payment) and round to nearest thousand. Equals affordable purchase price: \$100,000

PROTOTYPE 2-BEDROOM RENTAL UNIT

Following are steps in calculating the monthly rent of a two-bedroom unit that is affordable to a prototype household with an income equal to 65 percent of the area median.

Presumed average household size for two-bedroom rental unit: 3 persons

Area median income for 3 persons (from HUD): \$53,600

Target income level: 65% of area median

Multiply 65% (.65) times \$53,600. The result is: \$34,850

Determine income per month (\$34,850 divided by 12): \$2,904

Presumed percentage of income affordable for rent and utilities: 30%

Multiply 30% (.30) times \$2,904 to determine affordable monthly payment: \$871

Determine an average-case utility allowance for a 2-bedroom unit: \$94

Subtract \$94 from \$871. Result equals affordable rent: \$777



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

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HOUSING RENT INFORMATION

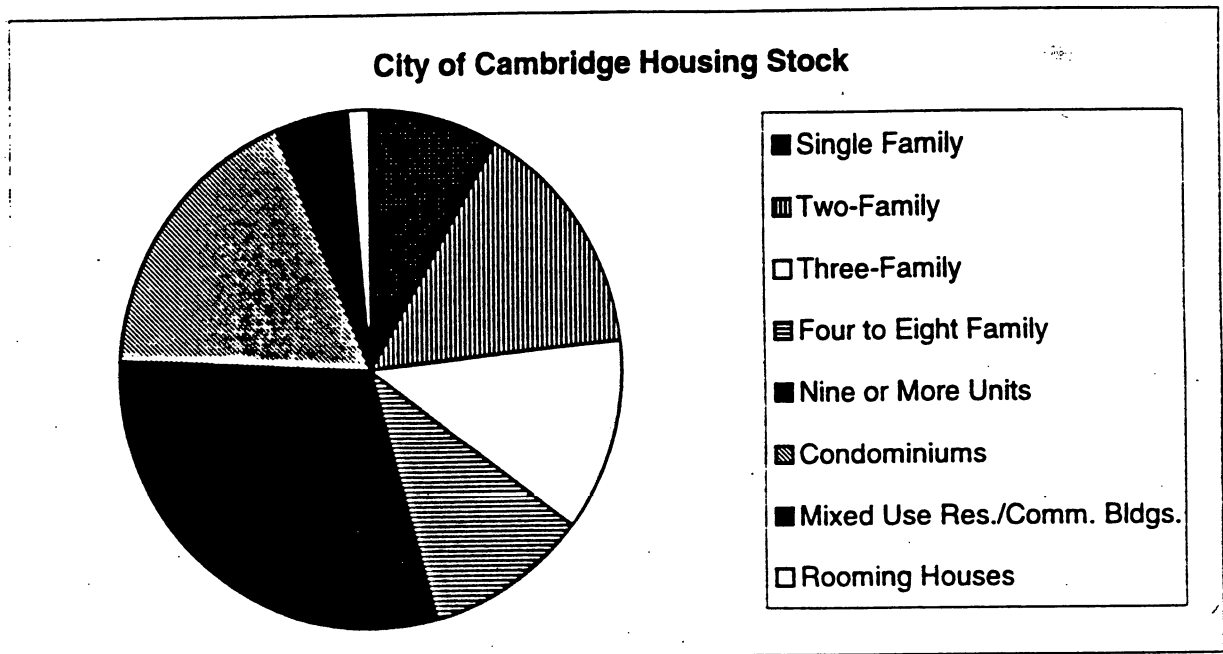
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To obtain more housing information about the City of Cambridge, or if you have questions regarding this document, contact Clifford Cook, Planning Data Manager, Cambridge Community Development Department, by phone at 617/349-4656 or by email at cook@ci.cambridge.ma.us. For information on Cambridge housing programs call 617/349-HOME. The Community Development Department TTY number is 617/349-4621.

1996 Cambridge Housing Stock Overview

Type of Housing	Number of Bldgs. ¹	Number of Units ¹	% of Units
Single Family	3,525	3,525	8.4%
Two-Family	3,171	6,342	15.1%
Three-Family	1,655	4,965	11.8%
Four to Eight Family	806	4,432	10.5%
Nine or More Units	304	12,650	30.1%
Condominiums	935	7,562	18.0%
Mixed Use Res./Comm. Bldgs.	355	2,032	4.8%
Rooming Houses	49	565	1.3%
Total	10,800	42,073	100.0%

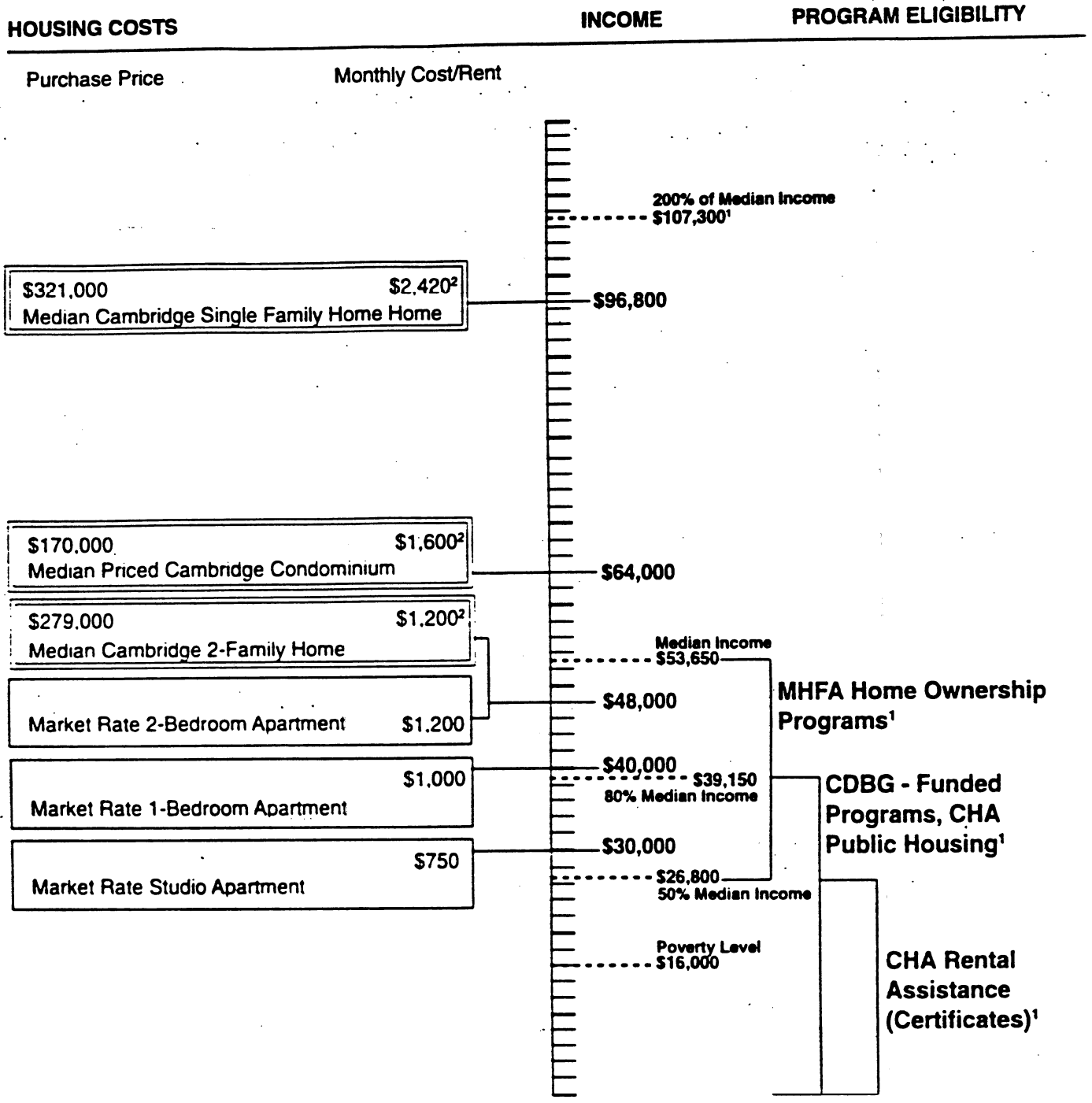


Type of Units	Number of Units ¹	% of Units
Owner Occupied - Market Rate	11,234	26.7%
Owner Occupied - Subsidized	266	0.6%
Rental - Market Rate	24,630	58.5%
Rental - Subsidized	5,943	14.1%
Total	42,073	100.0%

1. Above data is as of January 1, 1996. During January 1997 the City Manager reported to the City Council that 6,465 units of subsidized housing existed in Cambridge at the time, or 15.47% of the housing stock. The latter percentage figure reflects a comparison to the 1990 U. S. Census housing stock count of 41,979 units.

Source: Cambridge Revaluation Office, 1996.
 Cambridge Community Development Dept., 1997.

1997 Cambridge Housing Affordability Comparison



Purchase
 Rental

¹ 3 Person Household
² Assumes 10% down payment and 8% interest rate

Derivation of Housing Sales Information

1. The objective of the proceeding tables and charts is to indicate the median sales price for a Cambridge residence, where the purchase occurs at a rate typical of the open market at the time. Note the use of median prices, rather than mean, or average, prices. Exactly 50% of sales occurred above the median price and 50% below.
2. To develop open market median prices, certain sales were excluded from this analysis. All sales under \$10,000 were excluded. All non-arms length transactions under \$50,000 were excluded. Many non-arms length transactions over \$50,000 were also excluded. Non-arms length transactions are those where the buyer and seller have a pre-existing relationship, such as a sale between members of the same family, or where the transaction does not reflect typical market costs, such as during a foreclosure sale.
3. A common source of housing price information in the Boston area is the publication Banker and Tradesman. The median sale figures used in this document differ from those reported by Banker and Tradesman. That publication bases median prices upon all sales between \$50,000 and \$1,000,000, some of which are excluded here.
4. Median sales prices from years prior to 1993 and reported here might have been developed using different methodologies, making comparisons suspect under some circumstances. However, the exclusion of most non-arms length sales appears to have been a consistent practice throughout all prior analyses.
5. All of the housing sales information provided here is derived from data provided by the Cambridge Assessor's office.

October 21, 1997

**1996 Cambridge Housing Sales:
Number of Sales & Median Housing Prices by Neighborhood**

	Single Family		Two Family		Three Family		1-3 Family		Condominium	
	Sales	Median Price	Sales	Median Price	Sales	Median Price	Sales	Median Price	Sales	Median Price
Area 1	12	\$133,375	7	\$190,000	3	\$200,000	22	\$148,500	64	\$241,250
Area 3	10	\$164,125	4	\$215,725	7	\$205,000	21	\$184,000	7	\$180,000
Area 4	5	\$133,000	8	\$179,500	6	\$235,000	19	\$184,000	7	\$132,000
Area 5	12	\$246,000	5	\$258,000	8	\$215,000	25	\$225,000	23	\$147,000
Area 6	12	\$408,000	7	\$430,000	1	\$300,000	20	\$425,000	167	\$160,000
Area 7	10	\$198,225	3	\$182,800	3	\$235,000	16	\$202,725	32	\$182,500
Area 8	12	\$466,500	2	\$347,500	3	\$435,000	17	\$450,000	16	\$167,000
Area 9	29	\$515,000	13	\$362,500	2	\$365,563	44	\$388,750	209	\$153,000
Area 10	44	\$499,000	19	\$378,000	3	\$339,000	66	\$425,000	64	\$256,500
Area 11	22	\$169,250	13	\$196,333	9	\$280,000	44	\$199,542	55	\$146,000
Area 12	2	\$204,500	1	\$269,000	0	NA	3	\$225,000	0	NA
Area 13	5	\$225,000	5	\$240,000	2	\$219,000	12	\$232,500	12	\$196,000
Citywide	175	\$321,000	87	\$279,000	47	\$248,000	309	\$284,000	656	\$170,500

October 21, 1997

**1995 Cambridge Housing Sales:
Number of Sales & Median Housing Prices by Neighborhood**

	Single Family		Two Family		Three Family		1-3 Family		Condominium	
	Sales	Median Price	Sales	Median Price	Sales	Median Price	Sales	Median Price	Sales	Median Price
Area 1	6	\$101,750	4	\$125,500	8	\$196,250	18	\$169,500	72	\$225,500
Area 3	15	\$157,000	6	\$159,750	5	\$193,000	26	\$163,250	6	\$113,830
Area 4	8	\$127,950	4	\$165,000	7	\$173,000	19	\$162,000	18	\$90,250
Area 5	8	\$169,500	9	\$278,000	8	\$266,500	25	\$243,875	41	\$198,000
Area 6	14	\$263,900	5	\$232,000	2	\$315,250	21	\$262,800	159	\$135,000
Area 7	8	\$224,500	4	\$306,250	1	\$277,500	13	\$277,500	33	\$182,000
Area 8	14	\$500,000	7	\$362,000	0	NA	21	\$435,000	29	\$177,000
Area 9	29	\$360,000	14	\$372,500	1	\$310,000	44	\$358,000	124	\$147,250
Area 10	29	\$537,500	13	\$340,000	1	\$415,000	43	\$415,000	75	\$192,500
Area 11	21	\$244,850	16	\$222,500	8	\$248,500	46	\$241,000	37	\$146,000
Area 12	1	\$212,500	1	\$225,000	0	NA	2	\$218,750	0	NA
Area 13	8	\$188,750	1	\$250,000	1	\$296,500	10	\$205,000	3	\$206,000
Citywide	161	\$275,250	84	\$283,000	42	\$226,500	288	\$260,250	597	\$159,000

October 21, 1997

**1994 Cambridge Housing Sales:
Number of Sales & Median Prices by Neighborhood**

	Single Family		Two Family		Three Family		1-3 Family		Condominium	
	Sales	Median Price	Sales	Median Price	Sales	Median Price	Sales	Median Price	Sales	Median Price
Area 1	14	\$162,000	4	\$157,000	1	\$136,500	19	\$162,000	42	\$274,000
Area 3	11	\$155,000	4	\$157,000	5	\$193,000	20	\$158,750	4	\$115,000
Area 4	7	\$160,000	4	\$166,750	7	\$178,000	18	\$168,500	7	\$158,500
Area 5	6	\$225,850	12	\$243,000	7	\$212,000	25	\$213,000	31	\$158,000
Area 6	13	\$320,000	9	\$227,500	6	\$377,500	28	\$316,000	100	\$150,250
Area 7	6	\$175,000	7	\$187,500	2	\$192,000	15	\$187,000	24	\$156,500
Area 8	9	\$370,000	2	\$340,000	1	\$300,000	12	\$354,000	11	\$173,400
Area 9	33	\$430,000	9	\$236,000	3	\$580,000	45	\$380,000	60	\$169,000
Area 10	35	\$570,000	23	\$405,000	0	NA	58	\$470,000	60	\$175,000
Area 11	18	\$178,500	23	\$215,000	11	\$223,800	52	\$215,000	30	\$167,500
Area 12	3	\$280,000	0	NA	0	NA	3	\$280,000	0	NA
Area 13	5	\$230,000	3	\$270,000	1	\$285,000	9	\$270,000	9	\$155,000
Citywide	160	\$305,000	100	\$235,000	44	\$214,000	304	\$246,250	378	\$169,000

October 21, 1997

**1993 Cambridge Housing Sales:
Number of Sales & Median Prices by Neighborhood**

	Single Family		Two Family		Three Family		1-3 Family		Condominium	
	Sales	Median Price	Sales	Median Price	Sales	Median Price	Sales	Median Price	Sales	Median Price
Area 1	5	\$90,000	4	\$150,500	2	\$155,000	11	\$125,000	45	\$255,000
Area 3	4	\$149,000	0	NA	2	\$141,000	6	\$149,000	1	\$86,500
Area 4	2	\$168,000	3	\$83,000	1	\$234,000	6	\$158,500	4	\$125,250
Area 5	11	\$210,500	12	\$237,500	2	\$270,000	25	\$240,000	33	\$139,000
Area 6	17	\$257,700	10	\$332,500	5	\$285,000	32	\$296,250	92	\$134,500
Area 7	4	\$127,250	8	\$155,000	0	NA	12	\$143,250	20	\$173,650
Area 8	6	\$346,100	2	\$632,500	1	\$835,000	9	\$360,000	16	\$157,000
Area 9	20	\$411,365	8	\$321,600	2	\$415,000	30	\$338,250	77	\$154,250
Area 10	25	\$487,000	21	\$360,000	2	\$262,000	48	\$441,250	43	\$186,000
Area 11	22	\$156,250	11	NA	5	\$225,000	38	\$212,500	25	\$155,000
Area 12	2	\$215,000	1	\$60,000	0	NA	3	\$190,000	0	NA
Area 13	2	\$219,475	6	\$199,850	0	NA	8	\$199,850	9	\$223,500
Citywide	120	\$277,000	86	\$242,000	22	\$236,000	228	\$255,000	365	\$160,000

October 12, 1997

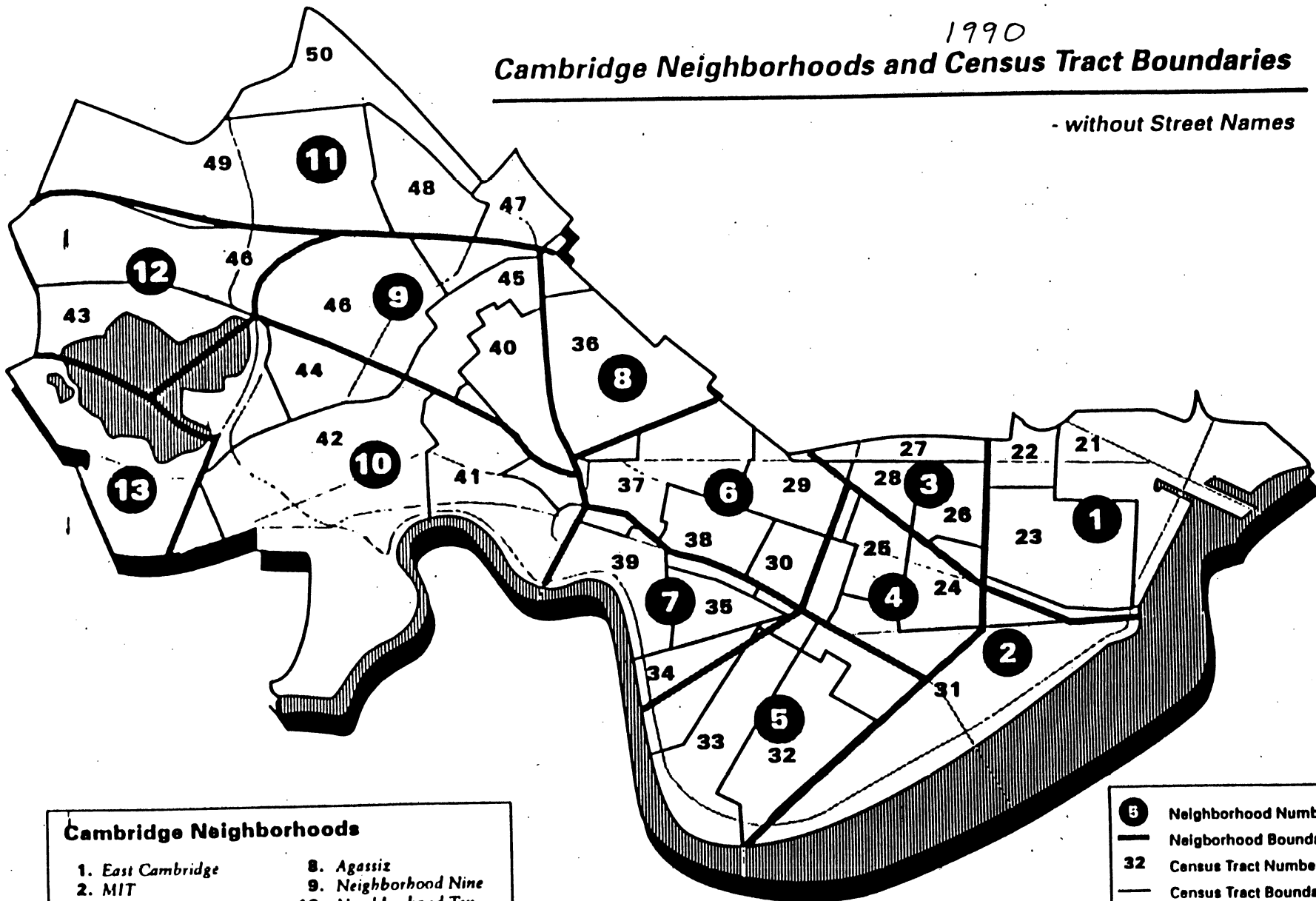
Cambridge Housing Prices: 1993 - 1996 Percent Change in Cambridge Median Housing Prices

	Single Family	Two Family	Three Family	All 1 - 3 Family	Condominiums
Area 1	48.2%	26.2%	29.0%	18.8%	-5.4%
Area 3	10.2%	NA	45.4%	23.5%	108.1%
Area 4	-20.8%	116.3%	0.4%	16.1%	5.4%
Area 5	16.9%	8.6%	-20.4%	-6.3%	5.8%
Area 6	58.3%	29.3%	5.3%	43.5%	19.0%
Area 7	55.8%	17.9%	NA	41.5%	5.1%
Area 8	34.8%	-45.1%	-47.9%	25.0%	6.4%
Area 9	25.2%	12.7%	-11.9%	14.9%	-0.8%
Area 10	2.5%	5.0%	29.4%	-3.7%	37.9%
Area 11	8.3%	NA	24.4%	-6.1%	-5.8%
Area 12	-4.9%	348.3%	NA	18.4%	NA
Area 13	2.5%	20.1%	NA	16.3%	-12.3%
Citywide	15.9%	15.3%	5.1%	11.4%	6.6%

1990

Cambridge Neighborhoods and Census Tract Boundaries

- without Street Names

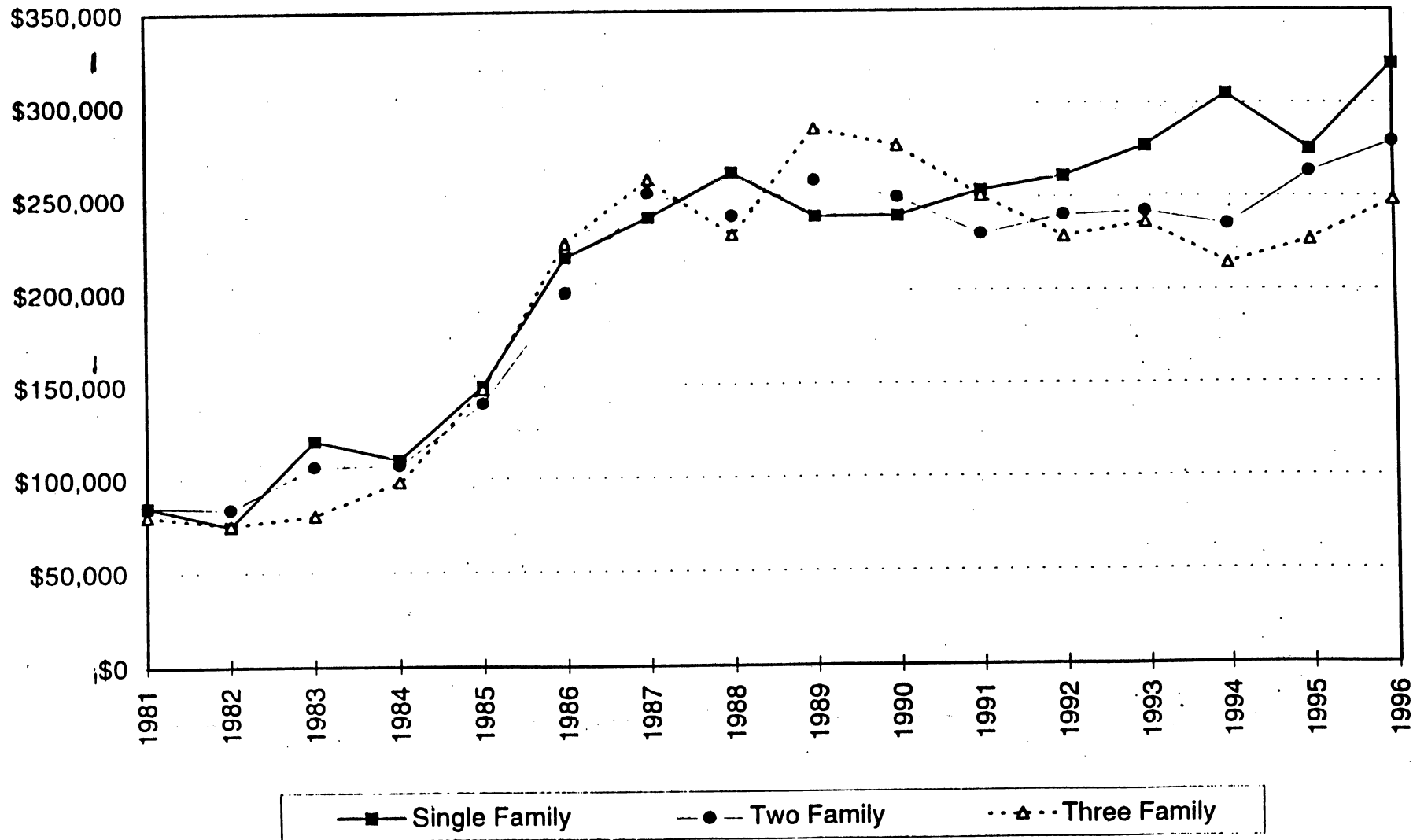


- Cambridge Neighborhoods**
- | | |
|--------------------------|-------------------------|
| 1. East Cambridge | 8. Agassiz |
| 2. MIT | 9. Neighborhood Nine |
| 3. Wellington Harrington | 10. Neighborhood Ten |
| 4. Neighborhood Four | 11. North Cambridge |
| 5. Cambridgeport | 12. Cambridge Highlands |
| 6. Mid-Cambridge | 13. Strawberry Hill |
| 7. Riverside | |

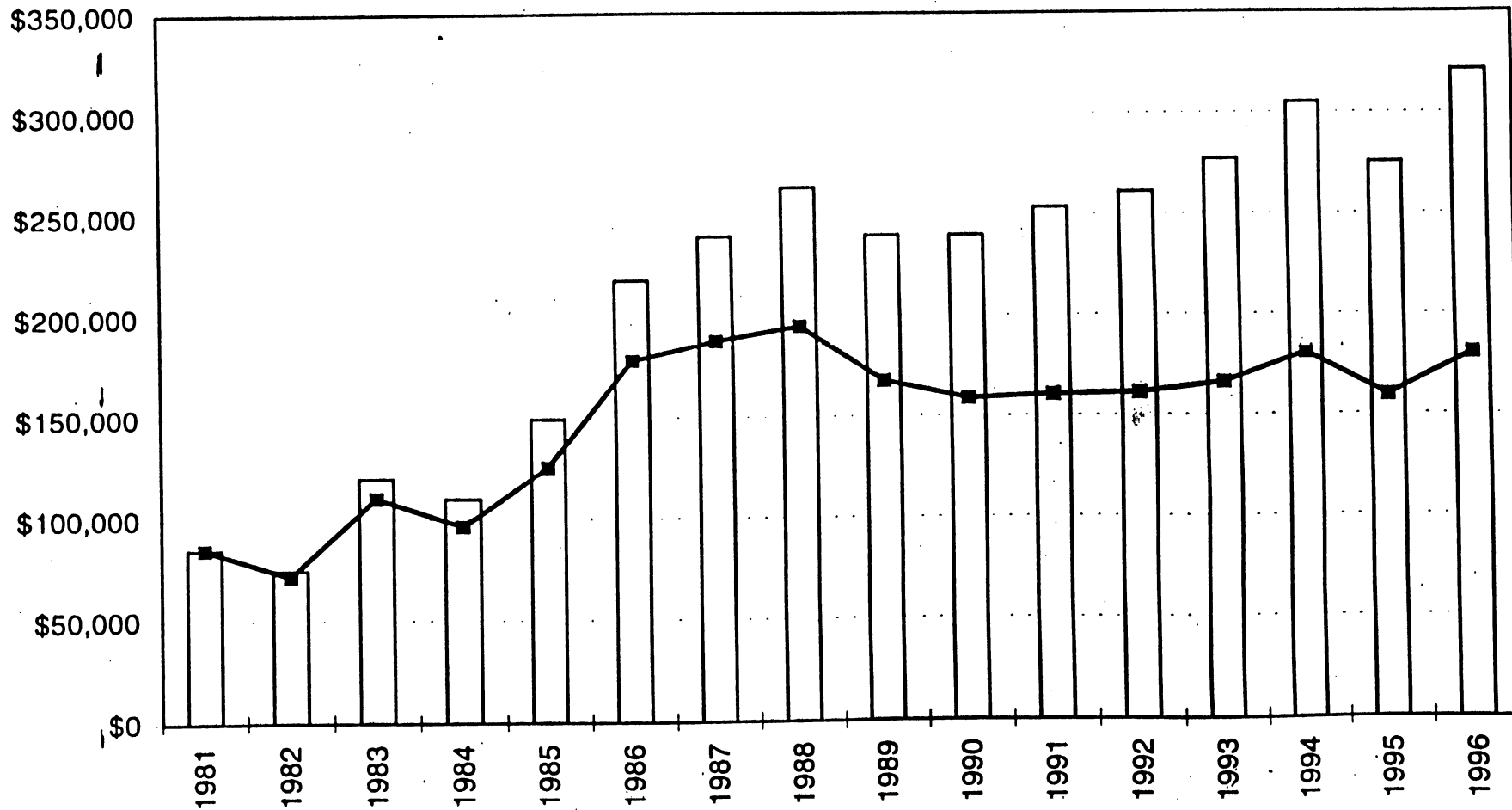
5 Neighborhood Numbers
 — Neighborhood Boundaries
 32 Census Tract Numbers
 — Census Tract Boundaries
 - - - Major City Streets

Community Development Department
December 1995

City of Cambridge: 1981 - 1996 Single, Two & Three Family Building Median Sales Prices

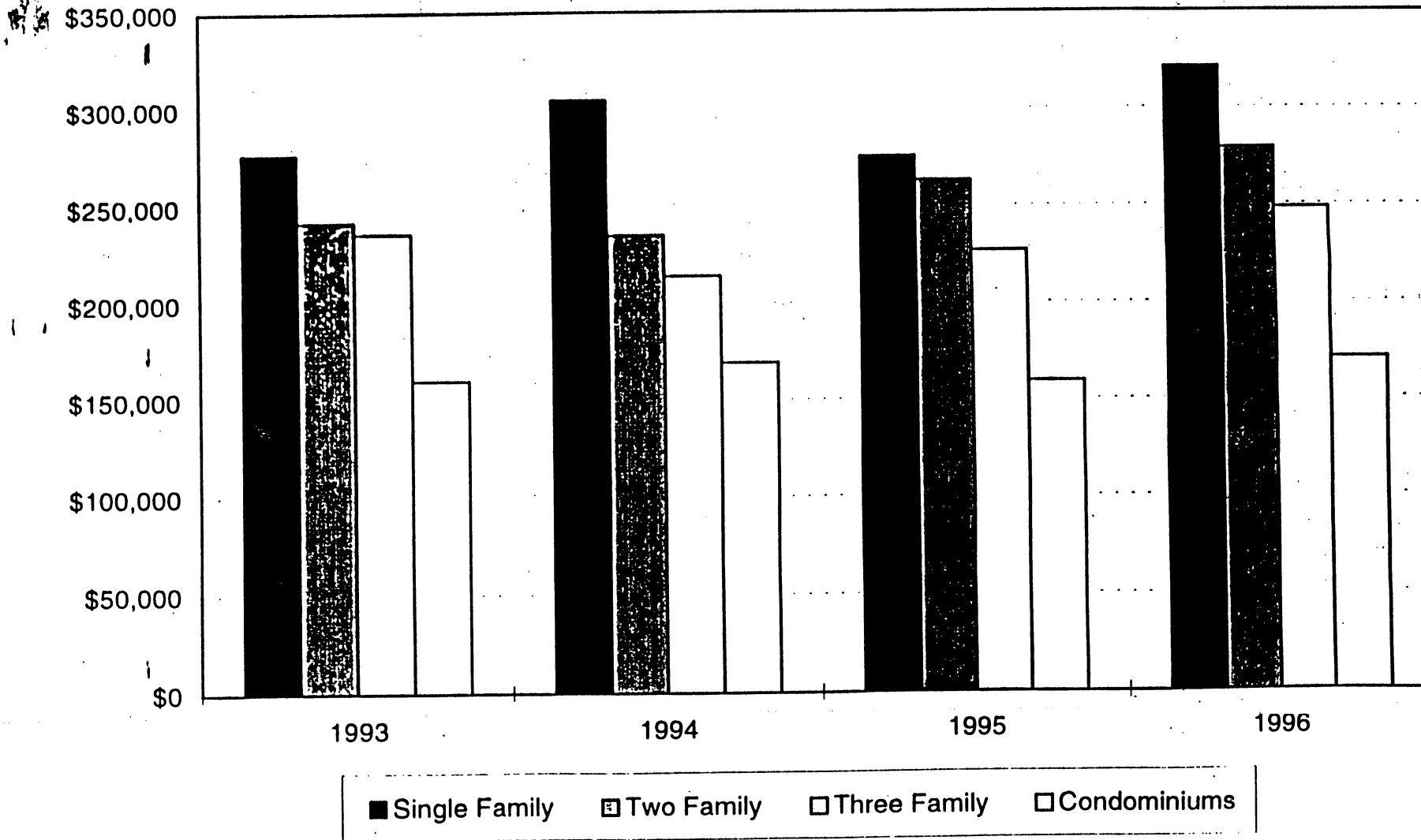


City of Cambridge: 1981 - 1996 One-to-Three Family Building Inflation Adjusted Median Sales Prices

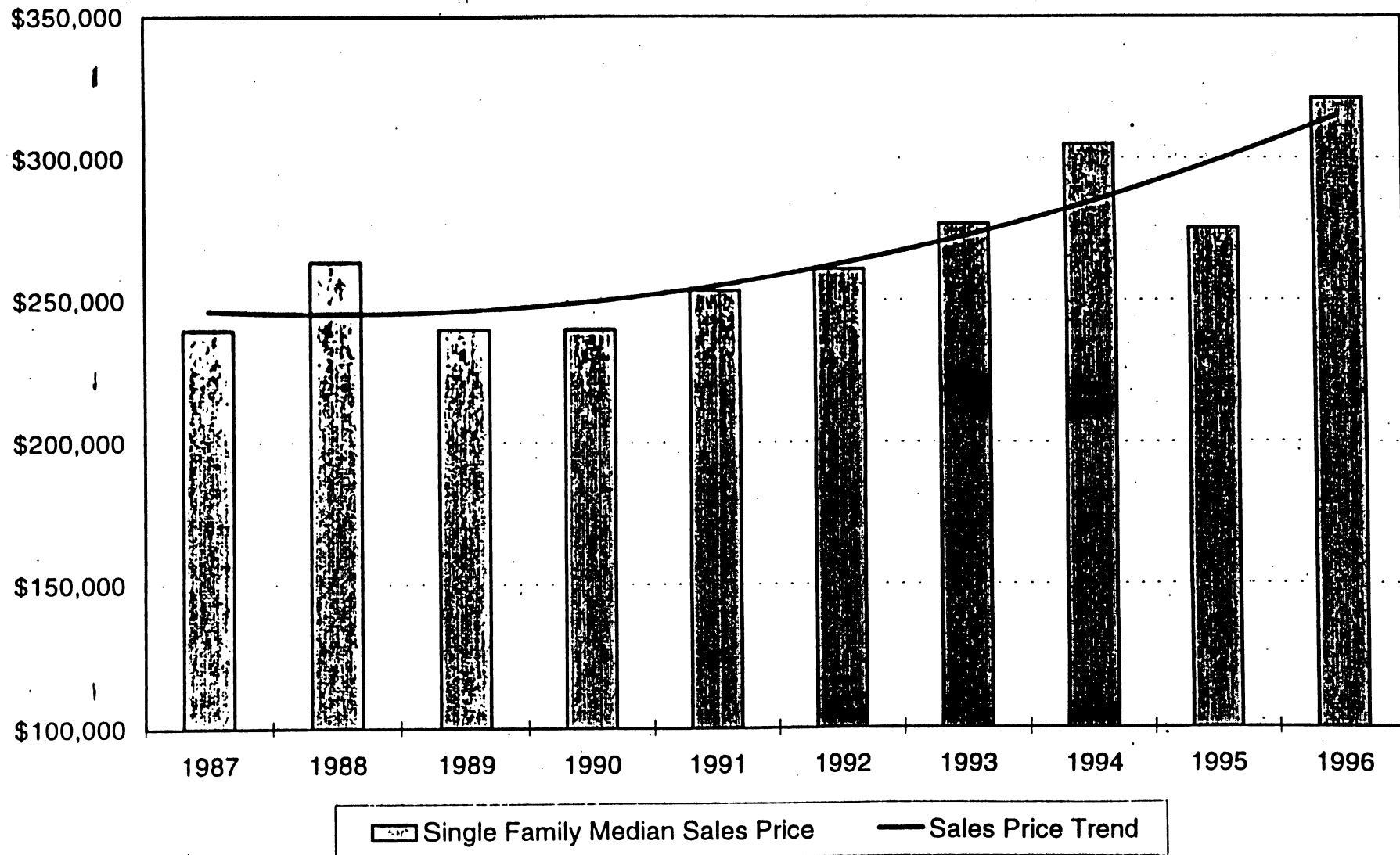


Real Dollars Inflation Adjusted Dollars, Based on Consumer Price Index (CPI) for All Urban Consumers

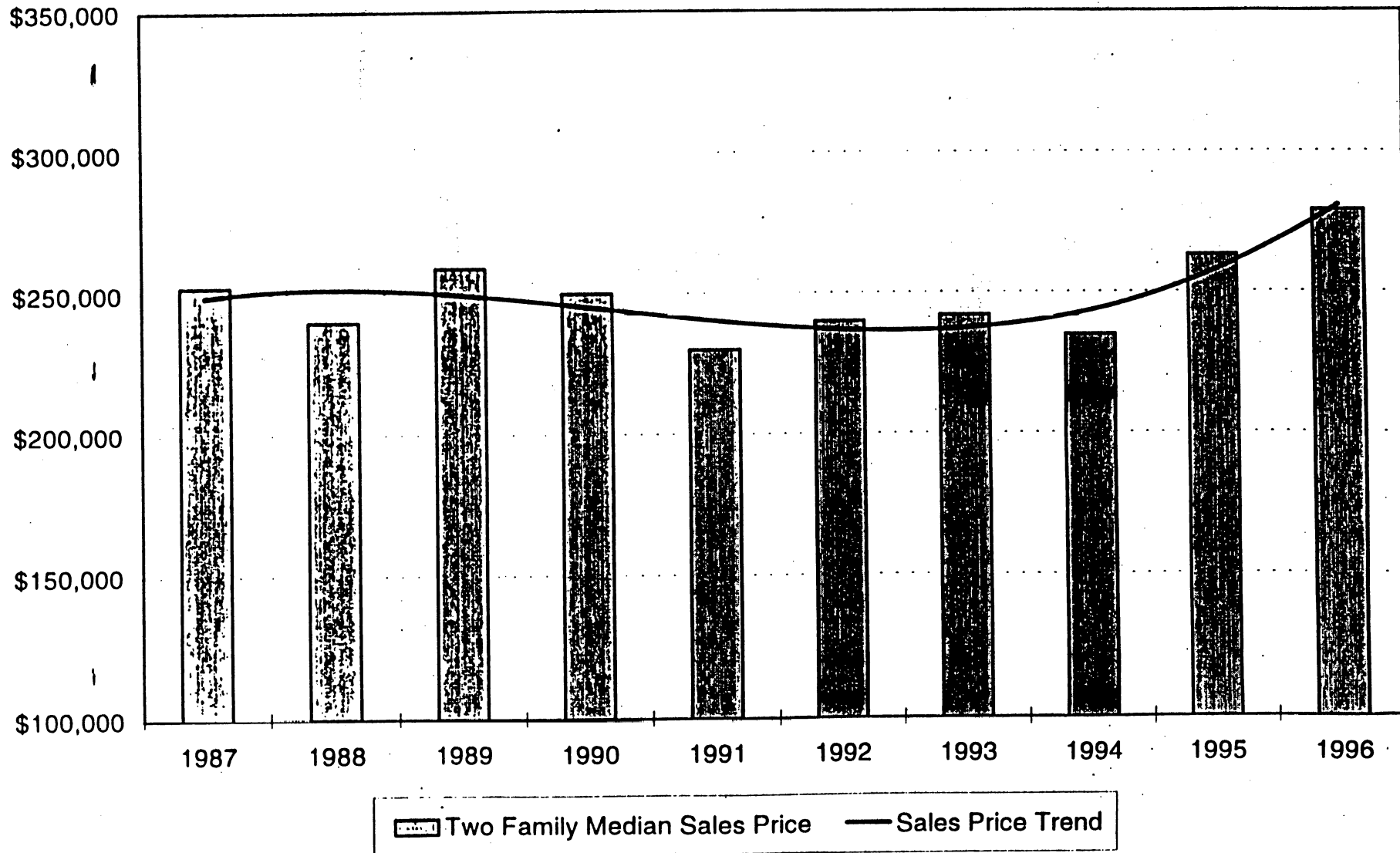
City of Cambridge: Comparison of 1993 - 1996 Single Family, Two Family, Three Family & Condominium Median Sales Prices



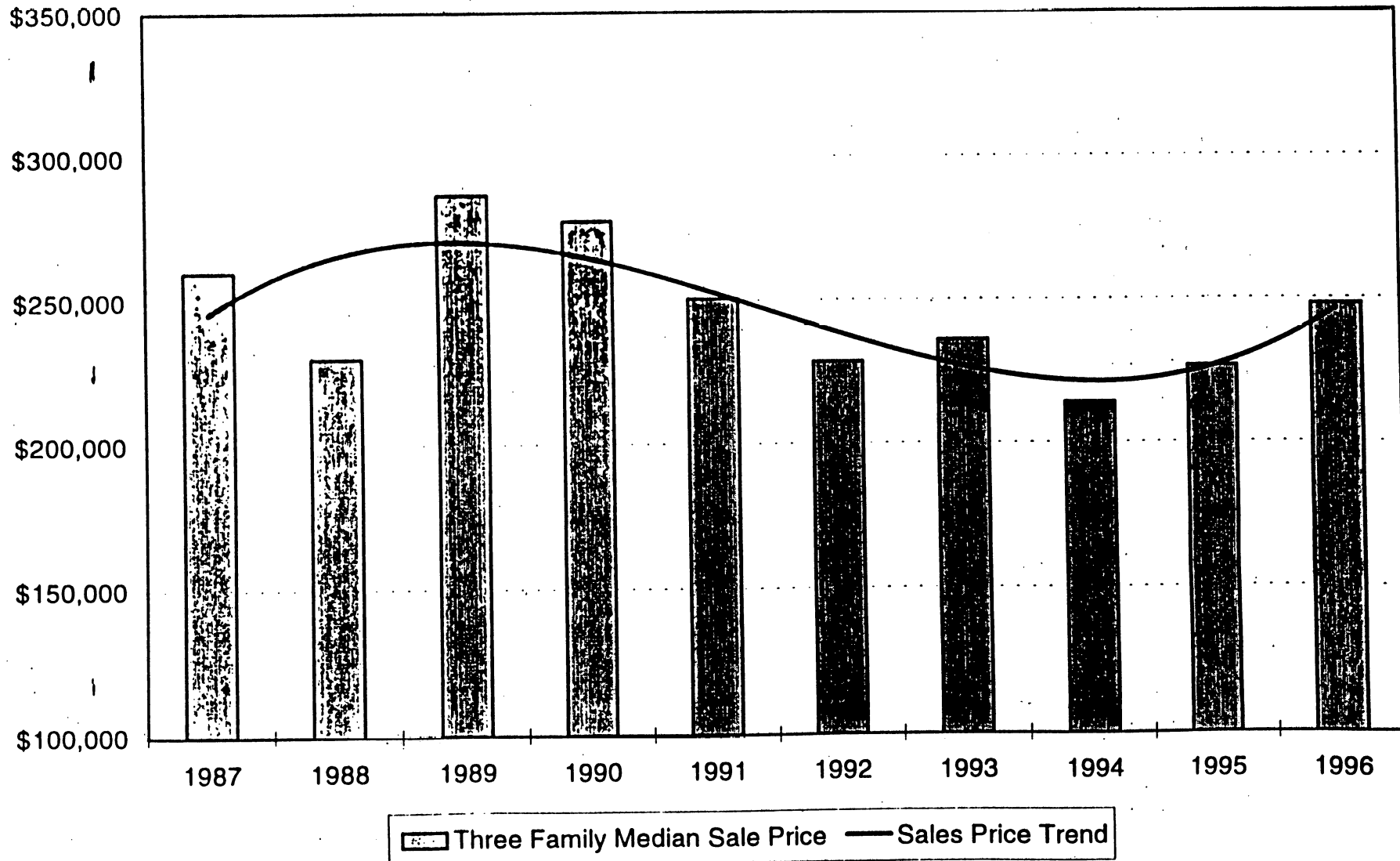
City of Cambridge: 1987 - 1996 Single Family Building Median Sales Price Trend



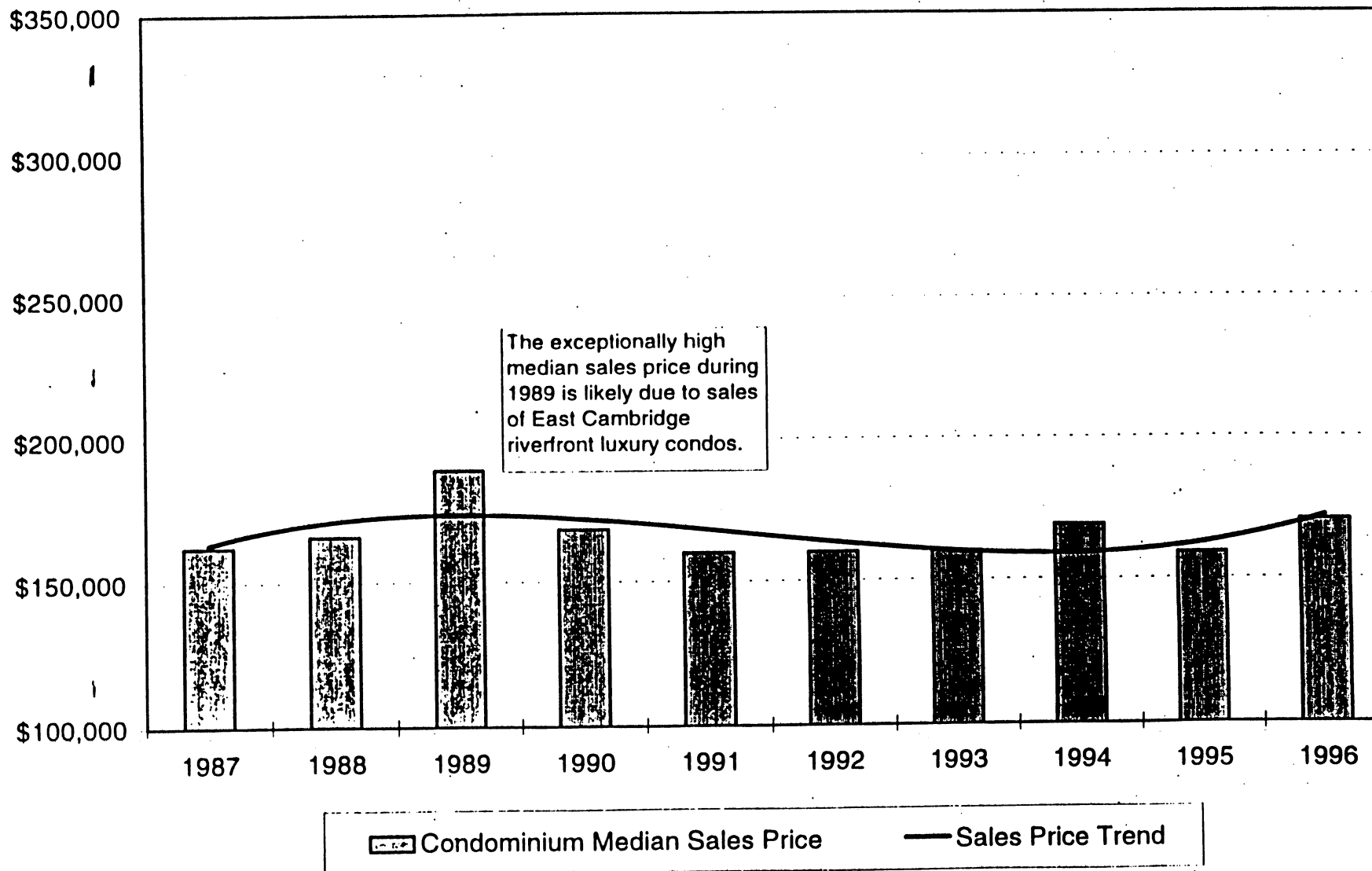
City of Cambridge: 1987 - 1996 Two Family Building Median Sales Price Trend



City of Cambridge: 1987 - 1996 Three Family Building Median Sales Price Trend



City of Cambridge: 1987 - 1996 Condominium Median Sales Price Trend



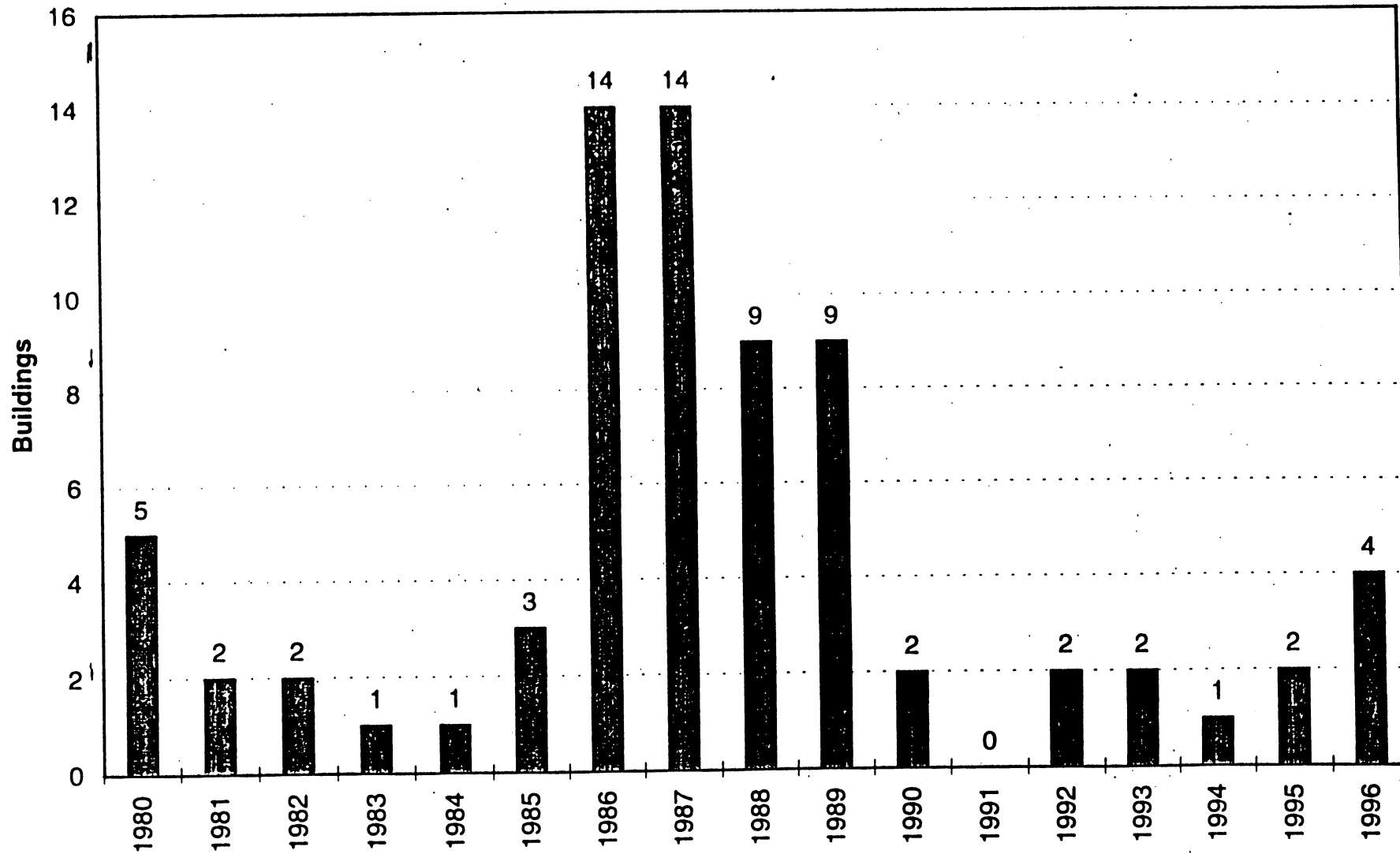
Derivation of Cambridge Condominium Conversion Information

1. Information on the construction and conversion of condominium buildings is derived from data provided by the Cambridge Assessor's office.
2. The Assessor's office does not record buildings constructed for sales as condominiums. Instead, the Assessor records both the year of construction and the date of filing of the condominium master deed. Since filing of the master deed need not occur upon completion of construction, all instances where the dates of construction and filing differ by three or fewer years are presumed to represent cases of new construction, not condominium conversion.
3. The Assessor's office continually updates and corrects its records. Therefore, the reported number of buildings converted or constructed in a given year may experience minor fluctuations over time.

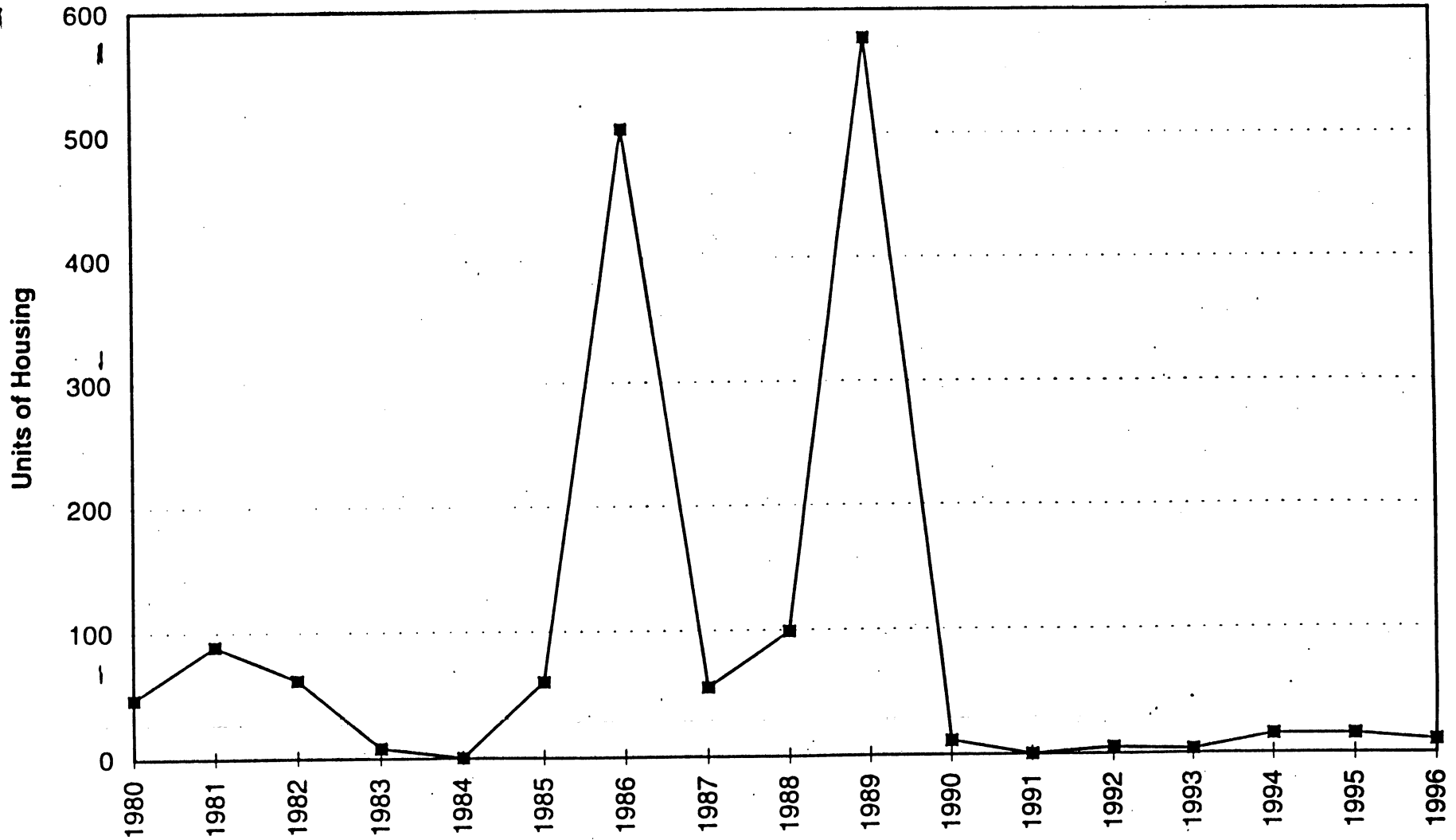
**City of Cambridge:
1970 - 1996 Condominium Construction & Conversion**

Year	New Buildings	New Units	Converted Buildings	Converted Units
1970	3	63	0	0
1971	0	0	3	58
1972	2	50	3	83
1973	1	16	7	81
1974	0	0	8	193
1975	3	19	4	28
1976	0	0	5	93
1977	0	0	21	482
1978	4	121	21	276
1979	0	0	39	619
1980	5	47	33	428
1981	2	89	33	625
1982	2	62	35	147
1983	1	8	41	201
1984	1	0	35	92
1985	3	60	55	198
1986	14	504	99	293
1987	14	55	75	245
1988	9	99	68	383
1989	9	577	65	401
1990	2	11	48	245
1991	0	0	20	72
1992	2	5	28	78
1993	2	3	14	34
1994	1	15	21	59
1995	2	15	42	255
1996	4	10	33	142
Total	86	1829	856	5811

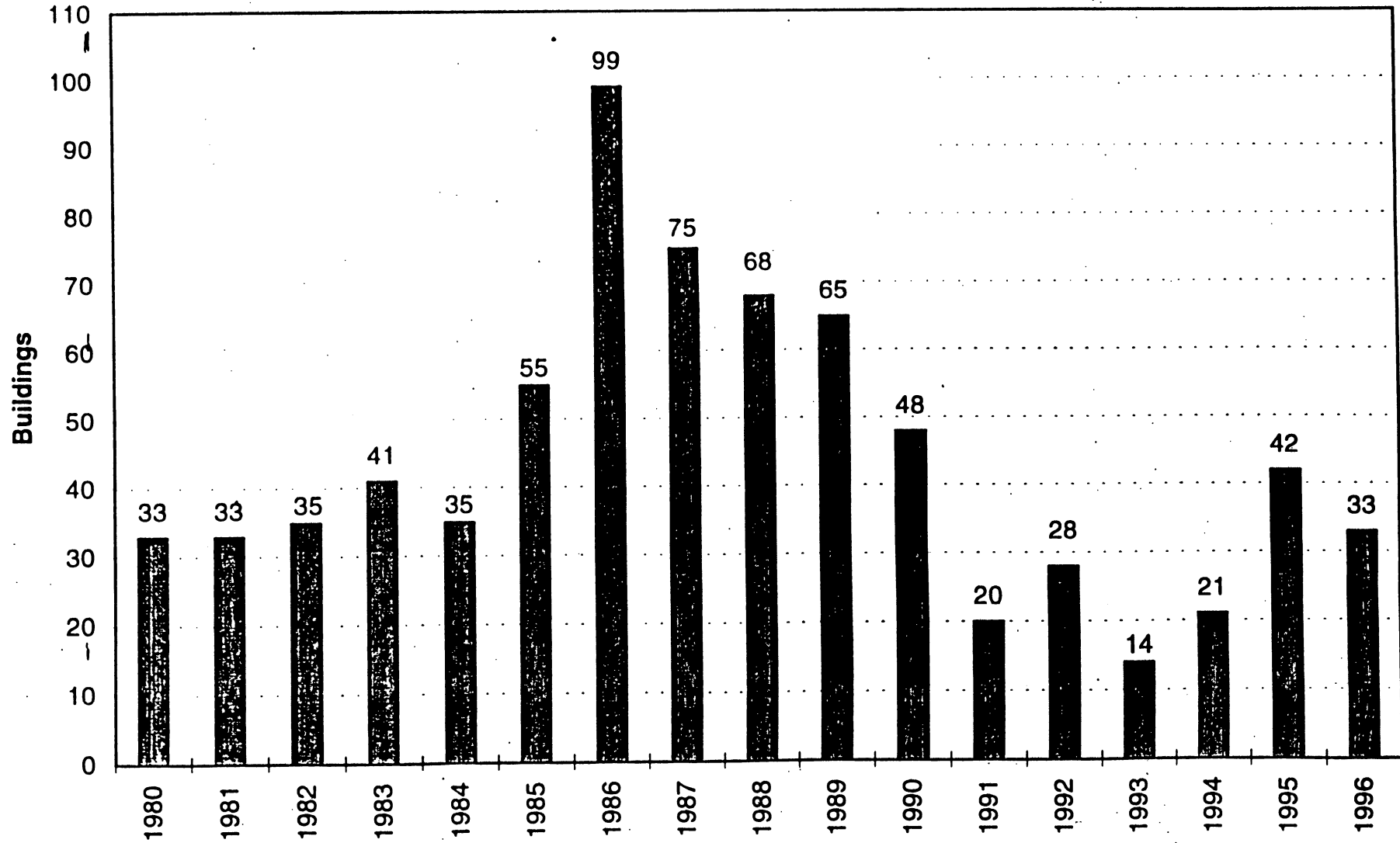
City of Cambridge: 1980 - 1996 Newly Constructed Condominium Buildings



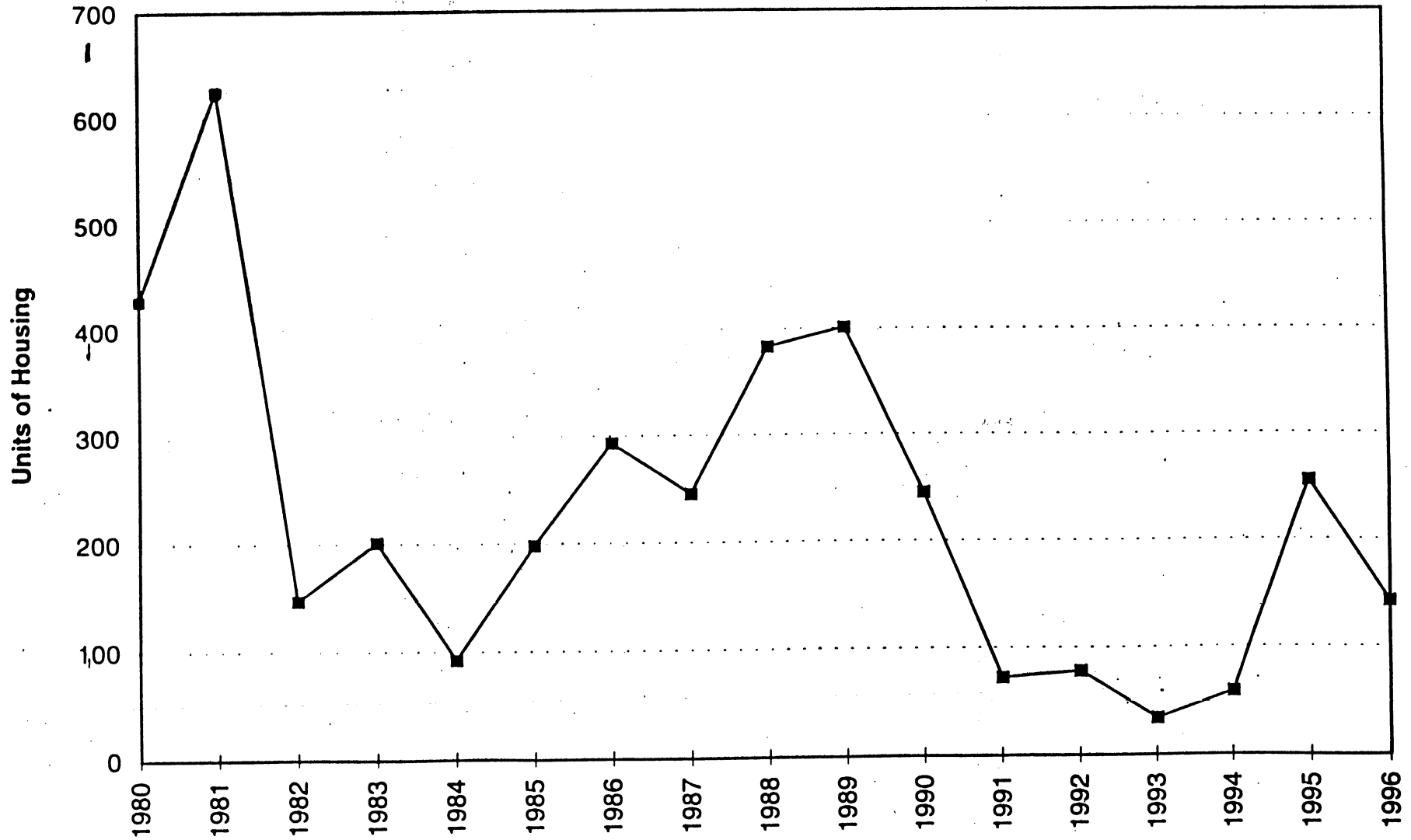
City of Cambridge: 1980 - 1996 Newly Constructed Condominium Units



City of Cambridge: 1980 - 1996 Residential Buildings Converted to Condominiums



City of Cambridge: 1980 -1996 Residential Units Converted to Condominiums



City of Cambridge: 1993 - 1997 Typical Housing Rents

Estimated Average Rents by Apt. Size

Source	Date	1 BR Unit	2 BR Unit	3 BR Unit	Average of All Units
CDD Rent Survey ³	1993	\$650	\$950	\$1,150	NA
CDD Rent Survey ³	1/96	\$913	\$1,163	\$1,405	NA
CDD Rent Survey ³	3/97	\$950	\$1,133	\$1,483	NA
CDD Rent Survey ³	7/97	\$1,000	\$1,200	\$1,500	NA
Harvard Housing Office ⁴	1995 - 96	\$927	\$1,298	\$1,544	NA
Rental Housing Assn. ⁵	1996	NA	NA	NA	\$933
Rental Housing Assn. ⁵	1997	NA	NA	NA	\$1,025

Sources: Harvard University Housing Office, 1996; Cambridge Community Development Dept., 1996, 1997; Rental Housing Association, 1996.

1. To the best of our knowledge, no organization undertakes a systematic ongoing survey of market level housing rents in the City of Cambridge.
2. Due to the differing manner in which each data provider developed its information, conclusions based on comparisons between figures drawn from two or more sources should be made with caution.
3. These figures are based upon the results of informal Cambridge Community Development Department surveys, where several realtors were called and the figures quoted for typical rents were averaged together to develop the numbers stated above. Realtors quoted separate figures quoted for each apartment size. Figures are not averaged together, as we have no basis on which to weight them to reflect the share of either the housing market or the housing stock.
4. These figures represent an average of all listings gathered from the Harvard Housing Office during the period 11/1/95 through 10/31/96. See the comment above about averaging rents.
5. The average rents quoted by the RHA are for all units owned by RHA members and located in the 02138, 01239 and 02140 area codes. Unlike other sources, the RHA does not break out rents by apartment size.

City of Cambridge

The Ordinance Committee held a public hearing on December 11, 1997, beginning at 6:30 p.m. in the Sullivan Chamber for the purpose of considering a proposal for a new citywide inclusionary zoning ordinance.

Present at the hearing were Councillor Francis H. Duehay, Chair of the Committee, Vice Mayor Kathleen L. Born, Councillor Henrietta Davis, Councillor Kenneth E. Reeves, Councillor Michael A. Sullivan, Councillor Katherine Triantafillou, and City Clerk D. Margaret Drury. Also present were Susan Schlesinger, Assistant City Manager for Community Development; Nancy Glowa, First Assistant City Solicitor; Lester Barber, Director of Land Use and Zoning, Community Development Department.

Councillor Duehay convened the hearing and explained the purpose and procedure of the hearing. He invited staff of the Community Development Department to explain the proposal.

Susan Schlesinger stated that the inclusionary zoning proposal grows out of a process begun with the City Council at the time of the end of rent control two and a half years ago. The city has had inclusionary zoning in some districts such as North Point and part of Cambridgeport. The goals are to increase the supply of housing units with long term affordability, to add an effective tool to the city's affordable housing, to provide affordable housing throughout the city and to utilize the private sector in producing affordable housing.

Ms. Schlesinger stated that the proposal is mandatory because voluntary inclusionary zoning has not worked, not in Cambridge and not in this country in general. She noted the importance of acting quickly. She then introduced Roger Herzog, Director of Housing, Community Development Department.

Mr. Herzog distributed written information on the proposal, which summarized his presentation. Attachment A. The proposal is very different from the existing provisions. It is mandatory. Developers must provide 10-15% of units on the site as long term affordable housing. There is a one-for-one density bonus allowed as-of-right for each affordable unit. This increases the allowable floor area ratio (FAR) and the number of units allowed on the site. It would apply city-wide except for University Park where there are already more stringent affordable housing requirements in place.

Mr. Herzog noted that the proposal defines low/moderate income as up to 80% of median income, with a target for 65% of median income. Where it is not possible to provide units on the site, there could be a cash payment in lieu of units, with a Planning Board approval.

Mr. Herzog noted that inclusionary zoning is used effectively in hundreds of jurisdictions throughout the country, including local communities like Lexington and Newton.

Vice Mayor Born asked what 65% of median income is and why it was chosen, as it is very low. Ms. Schlesinger noted that this is an average target, there is a real need for a realistic window that does not limit possible occupants to an unworkably small pool.

Vice Mayor Born asked what would happen for a thirty unit building if there were a 10% requirement. Ms. Schlesinger said that there would be a requirement for three additional affordable units plus a bonus of three additional market units, so it would be a thirty-six unit building. This would be mandatory.

Vice Mayor Born asked what happens in the case of condominiums. Ms. Schlesinger said that they could be rental units or affordable condominiums. The affordable units must mirror units in the rest of the development.

Ms. Schlesinger added that the hardship provision is narrowly drafted to limit its use.

Vice Mayor Born asked what recently constructed residential projects would have been subject to this provision, had it been enacted earlier. Mr. Herzog listed the projects set forth in Attachment B.

Vice Mayor Born stated that, by her conclusion, it would have resulted in about forty-five affordable housing units. Ms. Schlesinger agreed.

Councillor Reeves asked who is the petitioner. Ms. Schlesinger stated that the Community Development Department developed the proposal.

Councillor Reeves asked whether the Community Development Department staff talked to private developers who provide affordable housing.

Mr. Herzog stated that the Community Development Department utilized a consultant who contacted several local developers who provided a great deal of feedback which the staff tried to incorporate into the proposal. Mr. Herzog stated that in addition, he has had discussions with private developers and will continue to do so.

Councillor Reeves asked how developers can find out about their opportunity for input. Ms. Schlesinger said that the Community Development Department will be happy to continue to have additional meetings, and that she would welcome the Council's assistance in encouraging these meetings.

Councillor Sullivan stated his concern that affordable housing be citywide and noted that there is no definition of hardship.

Mr. Herzog stated that there is no provision for offsite units. Councillor Sullivan reiterated his concern that there is no definition of hardship. Ms. Schlesinger and Mr. Herzog agreed that a better definition is necessary.

Councillor Sullivan requested an explanation of subsection b on page 4 of the proposed amendment. Mr. Herzog explained that this section relates to incentive linkage zoning for commercial developments; it is included because it will be in the chapter, but no changes are being proposed to the existing incentive zoning provisions.

Councillor Sullivan expressed support for the requirement that the affordable units be identical to the market-rate units. He thanked the Community Development Department staff for all the work on the proposal.

Councillor Duehay asked why there is a need for a hardship provision. Mr. Herzog stated that there may be particular projects where financial or physical requirements make the additional or the affordable units impossible, for example, very high condominium fees or physical constraints of site. Councillor Duehay recommended specifying exactly what situations could qualify for a hardship exemption.

Councillor Duehay asked how much development this proposal would have been affected in the past two years. Mr. Herzog said that there have been 477 total units in developments of ten units or more in the last two years. Councillor Duehay requested that this list be made part of the report of this hearing.

Councillor Reeves stated that he has observed a different quality in some affordable units in the past, for example, some affordable units in the Kennedy Biscuit Building has basement bedrooms and poor views. He asked how the new ordinance will prevent this. Ms. Schlesinger noted the specific provisions of Sec. 11.204(a).

Councillor Reeves recommended including additional language specifying factors such as location and views to signal more strongly to developers the need for equal quality in all respects including aesthetics and attractiveness. He then urged the Community Development Department to put more thought into including in discussions private developers who might want to be involved in discussions.

Councillor Duehay then invited public testimony in support of the proposal.

Philip Dowds, 48 Banks Street, stated his support for the concept. He stated that he agrees with Councillor Reeves's concern about more specific language to strengthen and clarify the requirement for equal quality for the affordable units. Mr. Dowds noted that he agrees with Councillor Sullivan's concern about a disparate impact on Residence C, C-1 and C-2 zoning districts. Buildings of more than ten units are excluded from Residence A and B zones and housing does not compete well in commercial zoning, so the amendment will really only affect Residence C, C-1 and C-2 zones. Mr. Dowds added that there should be clarification as to whether inclusionary zoning does or does not apply to university affiliate housing. In addition, the City Council should consider coordination of enactment of this provision with lowering zoning density overall. He ended by emphasizing that basically he is strongly supportive of the proposal.

William Cavellini, 9 Speridakis Terrace, submitted a letter from the Cambridge Eviction Free Zone and the Campaign to Save 2000 Cambridge Homes, with suggested amendments. (Attachment C) Mr. Cavellini noted that the City, the Cambridge Housing Authority and the non-profit housing developers have all responded to the housing crisis engendered by the end of rent control. The private housing and development sector has done nothing to try to alleviate the housing crisis; rather it has been an obstacle.

Mr. Cavellini stated that the hardship provision is problematic. Perhaps the proper approach is to leave it to the variance process. He stated that it is important to get the ordinance in place soon rather than to spend too much time on the quality specifics language, but there should be a provision for comparable materials and construction for the market rate and affordable units.

Susan Lindsay Mello, 324 Franklin Street, 324 and 340 Tenants Association, Vice Chair, member of Laity and Clergy for Affordable Housing, and the Eviction Free Zone, stated that while this proposal does not go far enough, the Community Development Department has worked hard to find a workable compromise that can be put in place. She commended Susan Schlesinger and Roger Herzog for their outreach efforts. She noted that unlike the transfer tax, this proposal is within the authority of the City Council. She urged that the City Council move on this matter to make it a reality.

Bill Marcotte, 19 Agassiz Street, stated that the real estate boom in Cambridge jump-started the collapse of affordable housing in Cambridge. The city needs long term solutions and this is one. It should be passed as soon as possible.

Washington Taylor, 7 R.C. Kelley Street, spoke in support of inclusionary zoning. He urged starting with seven unit developments rather than ten unit projects. All units, affordable or not, must be built uniformly as to materials and all aspects. He noted that the Homes development is willing to provide 15% of affordable units without a density bonus; and he urged quick action.

David Hoicka, 10 Lopez Street, spoke in support of affordable housing. Over the last several years there has been a tremendous amount of development with enormous profits. This is a good proposal to start with, but it can go further. He suggested changes to the incentive zoning provisions. With regard to the inclusionary zoning, he stated that 15% is too low; and suggested 25%. He stated that the FAR incentive is too great. He also suggested "rounding up" at 50%.

Barbara Sty, 25 Irving Terrace, stated that 10% is too low as a requirement for affordable units. Cambridge presently is a very lucrative market for developers.

Councillor Duehay then invited public testimony in opposition to the proposal.

Robert LaTremouille, 875 Massachusetts Avenue, stated that the petition cannot be acted upon without re-submission. He noted that crucial paragraphs have left out essential numbers, and said that on Page 4 Section 11.207.2 there is a blank, and on Page 5, paragraph (i) also has a blank.

Mr. LaTremouille stated that this is basically a proposal for HUD housing. Cambridge is a very dense city. This is a 30% city upzoning that will result in a game of "musical chairs" for Section 8 housing in the Boston area.

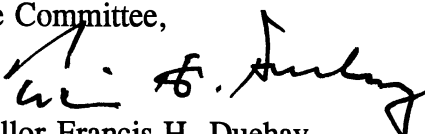
Guy Asaph, 5 Deer Haven Road, Lincoln, with a work address of 2 Brattle Square, stated that he is a developer. The inclusionary bonus of adding extra units would not assist his present developments because he is already building at less density than the zoning allows. He noted the issue of additional parking spaces that would be required. If the proposal is supposedly "as of right" but requires these extra parking spaces, with the same open space and height requirements, it does not work. It is also a mistake to focus on projects of ten units or more. There are many opportunities to provide affordable housing in smaller projects.

Councillor Duehay requested that Ms. Schlesinger and Nancy Glowa look into the issue raised with regard to any need to re-advertise. He will hold the matter in committee until next Thursday. He also requested that language be drafted to respond to Councillor Sullivan's concerns about the hardship provision.

Councillor Duehay stated that this hearing will be recessed until Thursday, December 18, 1997 at 6:00 p.m.

The hearing was recessed at 8:27 p.m.

For the Committee,


Councillor Francis H. Duehay
Chair

committee
 include in report re:
 backyard infill moratorium if possible

78A Ellery Street
 Cambridge, MA 02138

December 11, 1997

KeBon

Councilor Kathy Borné
 City Council
 Cambridge, Massachusetts

Dear Councilor Borné:

We are sorry that we can not attend your meeting today on infill development in Cambridge backyards because we have a prior commitment. We are intensely interested in the topic and hope we will be able to attend future meetings.

As you suggested, we are writing a brief history of the unhappy recent experience in our neighborhood. We can supply copies of all the correspondence should that be helpful, but we thought a chronology is probably more than enough for now.

In brief, last year the absentee owner of a rooming house next to us began rehabilitating the interior of the building to create larger rental apartments. As part of the renovation he illegally and without proper permits chopped down all but one tree in the large backyard, paved the backyard from lot line to lot line, and began to allow as many as seven cars per night to park there. Since then we have been trying to get him to bring his parking lot in compliance with the zoning law by either buffering it with landscaping or stopping cars from parking there. Although the Inspectional Services Department has issued him several orders to bring the parking lot into compliance with code, every time he responds by promising to comply and then not doing anything. He clearly has no intention of complying and Inspectional Services seems unable to enforce the law despite the fact that he does not have all of his certificates of occupancy.

A brief chronology follows:

Early summer 1996:

Owner begins to chop down all the trees in the backyard. When neighbors protest to him he tells them he has all the permits to do so. Neighbors call an official of Community Development Department who comes over to look at what is happening. It is not clear that the official understands that the owner intends to convert the backyard into a parking lot, but he tells the neighbors that there is no law to stop a property owner from chopping all his trees. Owner agrees to spare one tree that will not be in the way of his parking.

Late summer 1996:

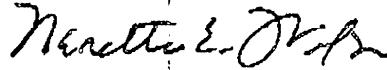
Moreover, he has rented all the units in his building without the proper certificates of occupancy. The left half of the building was fully rented last summer and the right half appears fully rented now. We think he just plans to ignore Mr. Sanganayagam and the neighbors until we give up.

Again, our personal experience has made us very interested in the problem of illegal backyard parking and development and we would be happy to support your efforts to control it.

Sincerely,



Jose A. Gomez-Ibanez



Nanette E. Wilson

XC: Mr. Sanganayagam

Ranjit Singanayagam
Assistant Commissioner
Inspectional Services Department
City of Cambridge
831 Massachusetts Avenue
Cambridge, MA 02139

By regular and registered mail

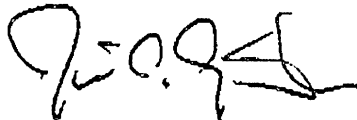
Re: Illegal parking lot in the rear of 84-86 Ellery Street

Dear Mr. Singanayagam:

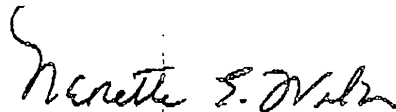
Thank you for your letter of December 3, 1997. We are sorry to inform you that Mr. LaFauci has ignored your orders to stop parking in the backyard until he brings his lot up to code. There have been at least four cars parked in the lot every night since we got your letter and no permanent barriers have been erected.

What is the next step to enforce the zoning code?

Sincerely,



Jose A. Gomez-Ibanez



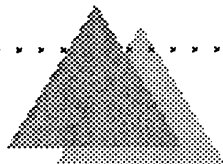
Nanette E. Wilson

XC: Councilor Borne



Summary of Inclusionary Zoning Proposal

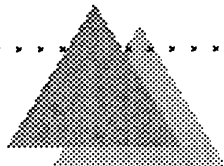
- ◆ Mandatory requirement for new residential development
- ◆ Applies to projects of 10 or more units
- ◆ Requires the inclusion of 10-15% affordable units
- ◆ Provides density bonus to financially support affordability
- ◆ Citywide requirement
- ◆ Targets affordable units to incomes of 65% of median, or to households with Section 8 rent subsidy
- ◆ Allows alternate means of compliance in hardship cases





Goals of Inclusionary Zoning

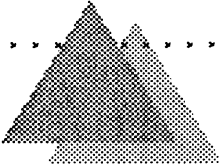
- ◆ Increase supply of housing units with long term affordability
- ◆ Add effective tool to City's affordable housing program
- ◆ Create mixed-income residential projects
- ◆ Provide affordable housing opportunities throughout city neighborhoods
- ◆ Utilize private sector in producing affordable housing





Density Bonus Mechanism

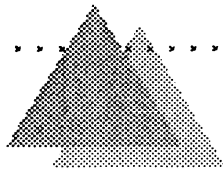
	<u>10% Requirement</u>	<u>15% Requirement</u>
As of Right	10 Units	10 Units
Affordable Units	1 Unit	2 Units
Density Bonus	2 Units	4 Units
Total Units	12 Units	14 Units





Inclusionary Zoning in Other Communities

- ◆ Used effectively in hundreds of jurisdictions throughout the country
- ◆ Works in jurisdictions with a strong real estate market
- ◆ Voluntary provisions are much less effective than mandatory
- ◆ Most inclusionary requirements are in the range of 10% -20%
- ◆ The threshold that triggers the inclusionary requirement ranges from 5-10 units
- ◆ Incentives to Developers: Most communities allow density bonuses; some also grant Fee Waivers, Streamlined Permitting, Other Regulatory Relief





CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

RECEIVED BY
OFFICE OF CITY CLERK

B

SUSAN B. SCHLESINGER
Assistant City Manager for
Community Development

MEMORANDUM

97 DEC 16 PM 2:39

CAMBRIDGE MA.

BETH RUBENSTEIN
Deputy Director for
Community Development

To: Roger Herzog

From: John Woods

Date: December 16, 1997

Re: Potential Inclusionary Zoning Projects

Below is a list of current new residential development projects of 10 or more units. These projects would have been subject to the proposed Inclusionary Zoning Ordinance.

PERMITTED

SITE	# OF UNITS	ZONING DISTRICT
Worthington Place (Binney St)	186	Industry B-1
Lechmere Residence	104	Special District-1
Richdale Ave (Co-Housing)	43	Industry A-1
Eliot Square	12	Business B
1-15 Davenport St	17	Residence B/Business C
1008 Mass Ave	65	Business B-1/Residence C-1
87 Hancock St	26	Office 3
11 Blackstone St	11	Residence C-3
Portland Stone (Pemberton St)	20	Residence B
Total	484	

PROPOSED

SITE	# OF UNITS	ZONING DISTRICT
109 Central Square	71	Business B
Harvey St. Co-Housing	32	Industry A-1
Bent Street	11	Industry A-1
Total	114	

City Hall Annex
57 Inman Street
Cambridge, MA 02139
Voice: 617 349-4600
Fax: 617 349-4669
TTY: 617 349-4621

C

CAMBRIDGE EVICTION FREE ZONE

LA ZONA LIBRE DE DESALOJO ZONA LIVRE DE DESPEJOS ZON LIB/KOMITE KREYOL

CAMPAIGN TO SAVE **2000** CAMBRIDGE HOMES

Campaña para Salvar 2000 Hogares

Kanpay pou Sove 2000 Kay

11 Inman St., Cambridge MA 02139 (617) 868-2900

December 11, 1997

Members of the Ordinance Committee
of the Cambridge City Council

Dear Council member,

We are writing this cover letter on behalf of the Campaign to Save 2000 Homes and the Cambridge Eviction Free Zone. Both organizations would like to go on record supporting the City's inclusionary zoning proposal with amendments listed on the attached page.

The Campaign voted to support the proposal and the amendments at its meetings December 2 and December 9. The EFZ voted to support them at its Steering Committee meeting December 4.

As councilors are aware, the need for affordable housing continues to be desperate. Many of our neighbors still trying to stay in their homes face displacement without the creation of additional affordable housing. This is true even of Sec. 8 certificate holders who find it very difficult to find rents low enough for that program to cover. These facts make passage of the inclusionary zoning proposal important as *one part* of ongoing affordable housing efforts. We urge its speedy passage.

We would like to offer several amendments to the proposal, which are outlined on the attached page. In addition to these amendments, the EFZ would like to restate its established position in favor of permanently affordable housing outside of the market. Wherever possible, the EFZ believes it important to create deed-restricted housing under non-profit, public, or tenant limited equity ownership.

Thank you for your consideration of our views.

Sincerely,

Members of the Campaign and
the EFZ Steering Committee

**PROPOSED AMENDMENTS TO CITY'S INCLUSIONARY ZONING PROPOSAL
December, 1997**

- 1. Increase the percentage of affordable units for larger developments**
 - 25 to 49 units, plus 5%**
 - 50 to 99 units, plus 10%**
 - 100 and over units, plus 15%**

- 2. If government subsidies exist, require that the developer use them to double the percentage of affordable units included in the development**
 - that means, if a developer is building over 100 units and they are required to build 25-30% affordable units (under proposed amendment #1); then, under this amendment, they would be required to build another 25-30% affordable units, if the subsidies are available---for a total of 50-60% affordable.**

- 3. Among the affordable units there must be, at a minimum, an even distribution of units affordable to very low, low, and moderate income people**

- 4. The developer should be required to make full use of Section 8 programs for the affordable units**

- 5. The affordable units must be comparable in materials and construction to the market rate units**

A report from Councillor Francis H. Duehay,
Chair of the Ordinance Committee, for a
meeting held on December 19, 1997 for the
purpose of considering a proposal for a
new citywide inclusionary zoning ordinance.

In City Council December 22, 1997

*Report Accepted
Placed on File
on motion of
Councillor Sullivan*

City of Cambridge

Unfinished Business
11

MASSACHUSETTS

In City Council 3/2, 1998

Inclusimany Zmng - Ordain as Amended

YEA	NAY	ABSENT	PRESENT	
✓				Ms. Kathleen L. Born
✓				Ms. Henrietta Davis
✓				V. Mayor Anthony Galluccio
✓				Mr. Kenneth E. Reeves
✓				Ms. Sheila T. Russell
	✓			Mr. Michael A. Sullivan
	✓			Mr. Timothy J. Toomey, Jr.
✓				Ms. Katherine Triantafillou
✓				Mayor Francis H. Duehay

7 2 0 0

AG m sup w/9
R # 09

ORDINANCE #1197

Final Publication Number 2765. First Publication in the Chronicle on February 12, 1998.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Eight

AN ORDINANCE

In Amendment to the "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

Amend the text of the Zoning Ordinance of the City of Cambridge by doing the following:

A. Delete the existing Section 11.200 - Incentive Zoning Provisions in its entirety and substitute therefore the following:

11.200 Incentive Zoning and Inclusionary Housing Provisions

Purposes. The purposes of this Section 11.200 are to promote the public health, safety and welfare by encouraging the expansion and upgrading of the City's housing stock while accommodating the expansion of housing and commercial opportunities in the City; to provide for a full range of housing choices throughout the city for households of all incomes, ages and sizes in order to meet the City's goal of preserving diversity; to mitigate the impacts of commercial and residential development on the availability and cost of housing and especially housing affordable to low and moderate income households; to increase the production of affordable housing units to meet existing and anticipated housing and employment needs within the City; to provide a mechanism by which commercial and residential development can contribute in a direct way to increasing the supply of affordable housing in exchange for a greater density or intensity of development than that otherwise permitted as a matter of right; and to establish standards and guidelines for the use of such contributions from the application of incentive zoning and inclusionary housing provisions.

11.201 Definitions.

Affordable Housing Trust shall mean the entity established by Chapter 42 of the Acts of 1991.

Affordable Unit shall mean any dwelling unit for which the rent (including utilities) does not exceed thirty (30) percent of the income of the renting household or for which the mortgage payment (including insurance, utilities and real estate taxes) does not exceed thirty (30) percent of the income of the purchasing household or other standards as may be established pursuant to any city, state or federal housing program designed to assist low and moderate income households.

Converted Dwelling Unit shall mean a dwelling unit that has been converted from a non-housing use to a housing use in connection with the construction of an Inclusionary Project.

Developer shall mean any individual, corporation, business trust, estate trust, partnership or association, or any other entity or combination thereof.

Eligible Household shall mean any household whose total income does not exceed eighty (80) percent of the median income of households in the Boston Standard Metropolitan Statistical Area adjusted for family size, or such other equivalent income standard as may be determined by the Board of Trustees of the Affordable Housing Trust Fund.

Median Income shall mean the income set forth in or calculated from regulations promulgated by the United States Department of Housing and Urban Development.

pursuant to Section 8 of the Housing Act of 1937, as amended by the Housing and Community Development Act of 1974 or such other equivalent income standard as determined by the Board of Trustees of the Affordable Housing Trust Fund.

Mixed Use Development shall mean a development that contains a combination of residential development and any other use.

Project, Incentive, shall mean that portion of projects containing uses listed in Sections 4.33c, 4.34, 4.35, 4.36, and 4.56 d 1 subject to the provisions of the special permits listed in Section 11.202.1.

Project, Inclusionary, shall mean any residential or mixed use development containing or creating ten or more new or converted dwelling units, including phased projects; or where fewer than ten new or converted dwelling units are created including phased projects, a residential development containing 10,000 square feet or more of gross floor area, in which case each 1,000 square feet shall be considered a dwelling unit.

Project, Phased, shall mean any residential or mixed use development or developments at one site or two or more adjoining sites in common ownership or under common control within a period of five years from the first date of application for any special or building permit for construction on the lot or lots, or for the twelve months immediately preceding the date of application for any special or building permit, where a total of no less than ten new or converted units are built.

Project, Voluntary Inclusionary, shall mean any residential or mixed use development containing less than ten new or converted dwelling units, including phased projects where the developer chooses to comply with the provisions of Section 11.203.2.

Residential Development shall mean single, two family and multi-family homes, townhouse development, elderly oriented congregate housing and lodging and rooming house dwellings as set forth in Section 4.31 a-h, and i(3).

11.202 Applicability.

11.202.1 **Applicability of Incentive Zoning Provisions.** Where a developer chooses to seek to obtain a special permit pursuant to the sections listed below, which special permit authorizes an increase in the permissible density or intensity of a particular use in the proposed development, the developer shall be subject to the applicable provisions of this Section 11.200 et al. Increases in density or intensity of use shall include an increase in gross floor area or height, a reduction or waiver of parking requirements, or a change in dimensional requirements or the addition of uses that result in an increase in density or intensity of use.

Section 6.35	Reduction in required parking for nonresidential development
Section 11.108	Divergence from dimensional requirements, North Massachusetts Avenue Overlay District
Section 11.54.2(2)	Additional height, Harvard Square Overlay District
Section 11.54.4(2)	Waiver of parking and loading requirements, Harvard Square Overlay District
Section 11.54.5(b)	Exemption from yard requirements, Harvard Square Overlay District
Section 11.63.5	Parkway Overlay District

Section 11.63.7	Divergence from dimensional requirements, Parkway Overlay District
Section 11.304.2(b), (c)	Additional height, Central Square Overlay District
Section 11.304.4	Waiver of setback requirements, Central Square Overlay District
Section 11.304.6	Waiver of parking requirements, Central Square Overlay District
Section 17.13.1(b)	Additional FAR, Special District I
Section 17.17	Transfer of Development Rights, Special District I
Article 13.00	PUD Districts, all permits.

11.202.2 Applicability of Inclusionary Housing Provisions. The provisions of this Section 11.200 shall apply to any Inclusionary Project and may be applied to any Voluntary Inclusionary Project. These provisions shall apply with respect to developments in all zoning districts of the city except those governed by the provisions of Article 15.000.

11.203 Requirements

11.203.1 Requirements for Incentive Zoning Contributions. A developer of an Incentive Project shall either make a Housing Contribution in accordance with this Section 11.203.1 (a) or shall create or cause to be created housing, in accordance with this Section 11.203.1 (b).

(a) Housing Contribution. For any project that is in whole or in part an Incentive Project, and that is, in total, less than thirty thousand (30,000) square feet of gross floor area, no contribution shall be required.

For any project of thirty thousand (30,000) square feet of gross floor area or more, the developer shall contribute three dollars (\$3.00) for every square foot of gross floor area over two thousand five hundred (2500) square feet of that portion of the project authorized by the Special Permit that is an Incentive Project.

Before the Superintendent of Buildings issues the first occupancy permit for the Incentive Project the developer of the Incentive Project shall deliver the Housing Contribution to the then Managing Trustee of the Affordable Housing Trust or its designee.

The amount of the Housing Contribution shall be subject to review and recalculation three (3) years after the effective date of this provision and every three (3) years thereafter by the Cambridge City Council based on a consideration of current economic trends including but not limited to development activity, commercial rents per square foot, employment growth, and housing trends measured in terms of, but not limited to, vacancy rates, production statistics, and prices for dwelling units. The Board of Trustees for the Affordable Housing Trust may adjust the amount annually based on CPI or a similar standard to reflect changes in inflation rates

(b) Housing Creation Option The Developer of an Incentive Project required to make a Housing Contribution in Subsection 11 203.1 (a) above may create or cause to be created affordable units for occupancy exclusively by eligible households, or may donate land to be used exclusively for the development of affordable units. These units or land donation, must be of equivalent benefit toward addressing the City's affordable housing need as the housing contribution otherwise required

When this option is chosen a Developer shall obtain a report from the Board of Trustees of the Affordable Housing Trust, which report shall accompany the special permit

application and shall advise the special permit granting authority as to whether the proposed Housing Creation conforms to the intent and purposes of this Section 11.200 et al. The report shall also recommend such conditions, if any, as the Trustees may find appropriate to the issuance of the special permit to assure full compliance with the intent of this Section 11.200.

The special permit granting authority shall give due consideration to the report of the Board of Trustees in granting any special permit subject to this Section 11.200 et al., and, in its discretion may approve the developers use of the Housing Creation Option.

11.203.2 Requirements for Inclusionary Housing .

(a) Any Inclusionary Project shall provide 15 percent of the total number of dwelling units up to the maximum allowed as of right as Affordable Units.

range of 10% to 15%, depending on findings made and conclusions drawn by the City Council.) Where the application of that formula results in a fractional dwelling unit, a fraction of one half of a dwelling unit or more shall be considered as one Affordable Unit. Each Affordable Unit shall meet the standards established in Section 11.204.

(b) To facilitate the objectives of this Section 11.200, modifications to the dimensional requirements in any zoning district, as set forth in Section 5.30, shall be permitted as of right for an Inclusionary Project, as set forth below:

(i) The FAR normally permitted in the applicable zoning district for residential uses shall be increased by **thirty (30) percent** for Affordable Units as set forth in Section 11.203.2 (a) above, and at least fifty percent of the additional FAR should be allocated for the Affordable Units. In a Mixed Use Development, the increased FAR permitted in this paragraph (i) may be applied to the entire lot; however, any gross floor area arising from such increased FAR shall be occupied only by residential uses, exclusive of any hotel or motel use.

(ii) The minimum lot area per dwelling unit normally required in the applicable zoning district shall be reduced by that amount necessary to permit up to two additional units on the lot for each one Affordable Unit required in Section 11.203.2 (a) above. The additional units on a lot permitted by this paragraph (ii) shall not be considered in determining the threshold by which a special permit is required in Section 4.26 - Multifamily Special Permit Applicability and Section 11.10 - Townhouse Development of the Zoning Ordinance.

(c) For any Inclusionary Project that includes a total number of dwelling units that exceeds the maximum allowed as of right, the number of affordable units shall be no less than 15 percent of the total number of dwelling units in the project; however, the number of additional units permitted under Section 11.203.2 (b) (ii) above shall not be further increased.

(d) For any Voluntary Inclusionary Project that proposes to provide one Affordable Unit, the provisions of Section 11.203 2 (b) (i) and (ii) may be applied after the issuance of a special permit from the Planning Board In issuing a special permit the Planning Board shall find that the additional dwelling units or gross floor area permitted will not create a development significantly different in scale, density, or placement on the lot than can be

found on adjacent lots or in the surrounding neighborhood; or if the development is significantly more dense, larger in scale or closer to the lot lines than can be found on adjacent lots, the Board shall find that the size or shape of the lot, the characteristics of development on abutting lots, and the nature of the design proposed on the subject lot mitigate any negative impact that such additional development may impose. In making its findings the Planning Board shall consider the other kinds of dimensional relief that the development may require and the extent to which such relief varies from the requirements of the zoning district.

(e) Affordable Units required by this Section 11.203.2 shall be provided on-site. However, approval for alternate means of compliance may be granted by the Planning Board in certain exceptional circumstances. In granting such approval, the Planning Board must find that the property owner has demonstrated that building the required affordable units on-site would create a significant hardship. A significant hardship shall be defined as being of such significance that the property can not physically accommodate the required affordable units and/or related requirements, such as height, setbacks, or parking. To have such a request considered, the burden of proof shall be on the property owner, who must make full disclosure to the Planning Board of all relevant information. Any request for alternate means of compliance shall be reviewed by the Affordable Housing Trust, which shall then forward its recommendation on the request to the Planning Board. The Affordable Housing Trust's recommendation shall be based upon whether the alternate means of compliance shall be of comparable value to the affordable unit that would have otherwise been provided in a comparable Inclusionary Project. The Planning Board's approval of the request shall be based upon the Affordable Housing Trust's recommendations, and the demonstration of hardship made by the property owner. The Planning Board may, in its sole discretion, use other information to determine the validity of the property owner's request. Approval of alternate means of compliance shall be only for payment of a sum equivalent to the value of the provision of an on-site Affordable Unit, which payment shall be made to the Affordable Housing Trust.

11.204 Standards for Construction and Occupancy of Affordable Units.

The following standards are intended to provide guidance to the special permit granting authority in instances where the Housing Creation Option is chosen to meet the requirements of this Section 11.200, to the Board of Trustees of the Trust in making any report it may make to the special permit granting authority or in authorizing the expenditure of any Housing Contribution funds, and to the Developer of any Inclusionary Project or Voluntary Inclusionary Project. In granting any special permit the special permit granting authority may allow for deviations from, or further define, these standards consistent with the purpose of this Section 11.200.

- (a) Affordable Units in an Incentive Project shall be generally comparable in size and materials to dwelling units in the neighborhood or in the project in which it is located.
- (b) To ensure livability, Affordable Units in an Inclusionary Project shall be generally comparable in size and materials to the other units in the overall project and consistent with local needs for affordable housing as approved by the Trust.

For Inclusionary Projects, or Incentive Projects where appropriate exteriors of affordable units shall closely resemble the exteriors of other units in a project, and shall be reasonably distributed throughout the project.

(c) The Affordable Units shall, to a reasonable extent, serve eligible households of diverse incomes, including very low income, and diverse sizes throughout the city.

(d) The Affordable Units shall be subject to deed restrictions providing that they shall:

- (1) be occupied by eligible households.
- (2) be conveyed subject to restrictions, which to the extent legally possible shall guarantee the permanent availability of the Affordable Units to eligible households. Such restrictions shall include but not be limited to limited equity deed restrictions. In general, to meet this requirement, affordable rent levels shall be maintained for a minimum of 50 years from the date of initial occupancy in accordance with current practices of the City. With for-sale units, the City's current system of deed restrictions controlling resale prices shall be observed.
- (3) to the extent possible, give preference to eligible households who are Cambridge residents.
- (4) be rented or sold to Eligible Households, using marketing and selection guidelines customarily employed by the Community Development Department in selecting tenant and homeowner households under other City, state or federal housing assistance programs.

(e) The rental or ownership of affordable units shall mirror the project as a whole. For example, affordable units should be sold, not rented, where a majority of units will be offered for sale.

(f) The affordable units shall be affordable to households having a target income of 65% of the area median income, or if the household has access to a rent subsidy, a lower income. The Trust shall have the discretion to approve a mix of higher and lower rents or sale prices, the average of which approximates an affordable price for a household at the target income level.

(g) The intent of the Inclusionary Housing provisions is that the Affordable Units required hereunder not use public funds to create; these provisions however, are not intended to discourage the use of public funds to generate a greater number of affordable units than are otherwise required.

11.205 Affordable Housing Trust.

Pursuant to the provisions of Chapter 42 of the Acts of 1991, an Affordable Housing Trust Fund was established. To facilitate the implementation of the provision of this Section 11.200, the Affordable Housing Trust Fund receives funds generated by this Section 11.200 and specifically Section 11.203.1(a), as well as other funds generated from other sources.

11.205.1 Uses of the Affordable Housing Trust. The Trust property may be made available for, but shall not be limited to, the following uses.

- (1) Creation of Affordable Units. To encourage the development of Affordable Units through a variety of means, including, but not limited

to, the provision of favorable financing terms or direct write down of costs for either nonprofit or for profit developers or to subsidize the purchase of sites, existing structures, or affordable units within a larger development.

- (2) **Multifamily Rehabilitation Programs.** To finance the substantial rehabilitation of deteriorated properties in a manner that preserves the affordability of units through interest rate subsidies, loan guarantees or write down of project costs. Multifamily housing owned by nonprofit entities that ensure maximum long-term affordability shall receive priority funding consideration.
- (3) **Limited Equity Cooperative or Condominium Conversion.** For acquisition and rehabilitation of potential cooperatives or condominiums through low interest blanket loans, share loans or direct cost write down.

11.205.2 Administration of the Affordable Housing Trust and its Activities. The Trust property may be made available to fund reasonable administrative expenses necessary to support Trust activities, including but not limited to consulting services such as legal, appraising or engineering, as well as other project related expenses. The Community Development Department shall provide the Board of Trustees with technical and administrative assistance.

11.205.3 Board of Trustees of Affordable Housing Trust. The City Manager shall appoint and chair a nine (9) member Board of Trustees of the Affordable Housing Trust. The Board of Trustees shall be composed of representatives from different sectors of the community with housing policy, and may include members of City Boards and agencies, nonprofit housing organizations and community representatives. The trustees, with concurrence of the City Manager, shall establish regulations for the operations of the Trust and Board of Trustees, and procedures for the implementation of this Subsection 11.205.

- (1) The Board of Trustees shall manage and administer the Affordable Housing Trust Fund including the disbursement of all funds, units and land conveyed to the City of Cambridge.
- (2) The Board of Trustees shall review and approve or disapprove proposals submitted for use of the Housing Trust Fund. The Board shall develop policies and standards appropriate to and consistent with the Incentive Zoning and Inclusionary Housing provisions, section 11.200.
- (3) The Board shall explore the feasibility of and assist in the establishment of new programs designed to meet Cambridge affordable housing needs. These programs may include a city wide Land Bank program and Home Mortgage Pool.
- (4) The Board of Trustees shall provide assistance and necessary reports where appropriate to any special permit granting authority authorized

to issue a special permit for any development making use of funds from the Affordable Housing Trust or subject to any provisions under this Section 11.200.

11.206 Enforcement

The Community Development Department shall certify in writing to the Superintendent of Buildings that all conditions of this Section 11.200, including any conditions that may be established by the special permit granting authority in issuing a special permit under this Section 11.200, have been met before issuance of the first building permit for any Incentive Project, Inclusionary Project, or Voluntary Inclusionary Project. Before the issuance of the first Certificate of Occupancy for such development the Trust shall certify in writing to the Superintendent of Buildings that all documents have been filed and actions taken that are necessary to fulfill the conditions of this Section 11.200 and any special permit authorized herein.

B. In Section 5.31 - Residential Districts, Paragraph 2 - Footnotes, Footnote (i), delete the existing text in its entirety and substitute therefore the following:

(i) The dimensional requirements of the Residence C-1 district as detailed in this Section 5.31 shall apply in the Residence C district for structures in existence as of December 1, 1986 under the following limitations and conditions:

- (1) Any increase in floor area or numbers of units on a lot, provided all construction occurs within the limits of the existing structure; or
- (2) For the reconstruction without limit as to cost (notwithstanding any contrary provisions of Section 8.23) of a non conforming structure destroyed or damaged by fire or other catastrophe provided the structure as restored shall not be greater in lot coverage or volume, or shall not extend further into required yards, than the original structure; all other provisions of Section 8.23, however, shall continue to apply.

C. In Section 13.70 - Planned Unit Development in the North Point Residence, Office and Business District do the following:

1. In Section 13.74.3 - Incentive for Residential Development, delete in its entirety Paragraph (3).
2. Delete Section 13.78.3 - Inclusionary Housing Requirements in its entirety.

D. In Article 17.000 - Special Business, Office and Industrial Districts do the following:

1. In Section 17.90 - Special District 9, delete existing Subsections 17.94, 17.95, and 17.96 in their entirety and substitute therefore the following:
 - a. 17.94 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 9.

- b. Renumber existing Subsections 17.97, 17.98 and 17.99 as new Subsections 17.95, 17.96, and 17.97.
2. In Section 17.100 - Special District 10, delete existing Subsections 17.104, 17.105, and 17.106 in their entirety and substitute therefore the following:
 - a. 17.104 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 10.
 - b. Renumber existing Subsections 17.107, 17.108, and 17.109 as new Subsections 17.105, 17.106, and 17.107.
 3. In Section 17.83.1 - Maximum FAR, delete existing language such that the section reads as follows:

The FAR applicable on any lot in the district shall not exceed 1.25 for all uses except that it may be increased to 1.75 for permitted dormitory uses and to 1.75 by special permit from the Planning Board for permitted residential uses.

E. In Article 6.000, Parking regulations, do the following:

1. In Section 6.35 - Reduction in Required Parking, add new language such that it reads as follows:

Any required amount of parking may be reduced upon issuance of a special permit from the Board of Zoning Appeal. However, handicapped parking required by Subsection 6.34, bicycle parking required by Subsection 6.37, and commercial vehicle parking required by sub-Subsection 6.31.5 shall not be reduced. A special permit shall be granted only if the Board determines and cites evidence in its decision, that the lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood or that such lesser amount of parking will provide positive environmental or other benefits to users of the lot and the neighborhood, **including specifically, among other benefits, assisting in the provision of affordable housing units.** In making such a determination the Board shall consider whether or not less off street parking is reasonable in the light of the following:

2. Delete the word "and" at the end of the sentence in Section 6.35.4.
3. Add a semi-colon and the word "and" to the end of Section 6.35.5.
4. Add a new Section 6.35.6 to read as follows:

The provision of required parking for developments containing affordable housing units, and especially for developments employing the increased FAR and dwelling unit density provisions of Section 11.200, will increase the cost of the development, will require variance relief from other zoning requirements applicable to the development because of limitations of space

on the lot, or will significantly diminish the environmental quality for all residents of the development.

F. In Section 11.304.3, do the following:

Add a new sentence to Section 11.304.3c so that it reads as follows:

c. Special Permit for Additional FAR for Affordable Housing

The maximum FAR on any lot in an Office 3 District may be increased to 3.75 upon issuance of a special permit from the Planning Board provided a minimum of twenty (20) percent of the total gross floor area authorized is devoted to affordable housing as defined in Section 11.201. The affordable housing shall conform to the standards of Section 11.204, except that lodging housing or single room occupancy facilities shall be specifically permitted. The additional FAR bonus permitted in Section 11.203.2, however, shall not apply to developments employing this Section 11.304.3c.

In City Council March 2, 1998.

Passed to be ordained as amended by a yea and nay vote:-

Yeas 7; Nays 2; Absent 0.

ATTEST:-



D. Margaret Drury
City Clerk

NOTE: Pursuant to the provisions of General Laws, chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

PETITION OF Citywide Inclusionary

Petition filed with the City Clerk October 27, 1997

(all hearings to be completed 65 days from In City Council date)

4 days Oct.
30 days Nov.
31 days Dec.

65 days = December 31, 1997
In City Council October 27, 1997

Referred to the Planning Board for report October 27, 1997

Planning Board Hearing December 16, 1997

(CITY COUNCIL must act within 90 days of the ORDINANCE COMMITTEE hearing which would be March 11, 1998.)

20 days Dec
31 days Jan
28 days Feb
11 days March

90 days = March 11, 1998
City Council hearing published Chronicle on Nov. 6, 1997
and Nov. 13, 1997

Hearing before the Ordinance Committee December 11, 1997

Reported to the City Council February 9, 1998

Passed to a second reading on February 9, 1998

published in Chronicle on February 12, 1998
February 23, 1998

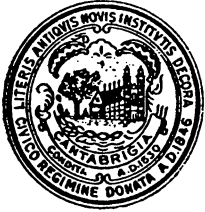
Planning Board report received on ~~February 23, 1998~~

Ready for ordination on February 23, 1998

Passed to be ordained on As Amended 3/2/98

published in Chronicle on 3/5/98

COMPLETION DATE March 11, 1998



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Eight

AN ORDINANCE

In Amendment to the "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

Amend the text of the Zoning Ordinance of the City of Cambridge by doing the following:

A. Delete the existing Section 11.200 - Incentive Zoning Provisions in its entirety and substitute therefore the following:

11.200 Incentive Zoning and Inclusionary Housing Provisions

Purposes. The purposes of this Section 11.200 are to promote the public health, safety and welfare by encouraging the expansion and upgrading of the City's housing stock while accommodating the expansion of housing and commercial opportunities in the City; to provide for a full range of housing choices throughout the city for households of all incomes, ages and sizes in order to meet the City's goal of preserving diversity; to mitigate the impacts of commercial and residential development on the availability and cost of housing and especially housing affordable to low and moderate income households; to increase the production of affordable housing units to meet existing and anticipated housing and employment needs within the City; to provide a mechanism by which commercial and residential development can contribute in a direct way to increasing the supply of affordable housing in exchange for a greater density or intensity of development than that otherwise permitted as a matter of right; and to establish standards and guidelines for the use of such contributions from the application of incentive zoning and inclusionary housing provisions.

11.201 Definitions.

Affordable Housing Trust shall mean the entity established by Chapter 42 of the Acts of 1991.

Affordable Unit shall mean any dwelling unit for which the rent (including utilities) does not exceed thirty (30) percent of the income of the renting household or for which the mortgage payment (including insurance, utilities and real estate taxes) does not exceed thirty (30) percent of the income of the purchasing household or other standards as may be established pursuant to any city, state or federal housing program designed to assist low and moderate income households.

Converted Dwelling Unit shall mean a dwelling unit that has been converted from a non-housing use to a housing use in connection with the construction of an Inclusionary Project.

Developer shall mean any individual, corporation, business trust, estate trust, partnership or association, or any other entity or combination thereof.

Eligible Household shall mean any household whose total income does not exceed eighty (80) percent of the median income of households in the Boston Standard Metropolitan Statistical Area adjusted for family size, or such other equivalent income standard as may be determined by the Board of Trustees of the Affordable Housing Trust Fund.

Median Income shall mean the income set forth in or calculated from regulations promulgated by the United States Department of Housing and Urban Development,

pursuant to Section 8 of the Housing Act of 1937, as amended by the Housing and Community Development Act of 1974 or such other equivalent income standard as determined by the Board of Trustees of the Affordable Housing Trust Fund.

Mixed Use Development shall mean a development that contains a combination of residential development and any other use.

Project, Incentive, shall mean that portion of projects containing uses listed in Sections 4.33c, 4.34, 4.35, 4.36, and 4.56 d 1 subject to the provisions of the special permits listed in Section 11.202.1.

Project, Inclusionary, shall mean any residential or mixed use development containing or creating ten or more new or converted dwelling units, including phased projects; or where fewer than ten new or converted dwelling units are created including phased projects, a residential development containing 10,000 square feet or more of gross floor area, in which case each 1,000 square feet shall be considered a dwelling unit.

Project, Phased, shall mean any residential or mixed use development or developments at one site or two or more adjoining sites in common ownership or under common control within a period of five years from the first date of application for any special or building permit for construction on the lot or lots, or for the twelve months immediately preceding the date of application for any special or building permit, where a total of no less than ten new or converted units are built.

Project, Voluntary Inclusionary, shall mean any residential or mixed use development containing less than ten new or converted dwelling units, including phased projects where the developer chooses to comply with the provisions of Section 11.203.2.

Residential Development shall mean single, two family and multi-family homes, townhouse development, elderly oriented congregate housing and lodging and rooming house dwellings as set forth in Section 4.31 a-h, and i(3).

11.202 Applicability.

11.202.1 **Applicability of Incentive Zoning Provisions.** Where a developer chooses to seek to obtain a special permit pursuant to the sections listed below, which special permit authorizes an increase in the permissible density or intensity of a particular use in the proposed development, the developer shall be subject to the applicable provisions of this Section 11.200 et al. Increases in density or intensity of use shall include an increase in gross floor area or height, a reduction or waiver of parking requirements, or a change in dimensional requirements or the addition of uses that result in an increase in density or intensity of use.

Section 6.35	Reduction in required parking for nonresidential development
Section 11.108	Divergence from dimensional requirements, North Massachusetts Avenue Overlay District
Section 11.54.2(2)	Additional height, Harvard Square Overlay District
Section 11.54.4(2)	Waiver of parking and loading requirements, Harvard Square Overlay District
Section 11.54.5(b)	Exemption from yard requirements, Harvard Square Overlay District
Section 11.63.5	Parkway Overlay District

Section 11.63.7	Divergence from dimensional requirements, Parkway Overlay District
Section 11.304.2(b), (c)	Additional height, Central Square Overlay District
Section 11.304.4	Waiver of setback requirements, Central Square Overlay District
Section 11.304.6	Waiver of parking requirements, Central Square Overlay District
Section 17.13.1(b)	Additional FAR, Special District I
Section 17.17	Transfer of Development Rights, Special District I
Article 13.00	PUD Districts, all permits.

11.202.2 Applicability of Inclusionary Housing Provisions. The provisions of this Section 11.200 shall apply to any Inclusionary Project and may be applied to any Voluntary Inclusionary Project. These provisions shall apply with respect to developments in all zoning districts of the city except those governed by the provisions of Article 15.000.

11.203 Requirements

11.203.1 Requirements for Incentive Zoning Contributions. A developer of an Incentive Project shall either make a Housing Contribution in accordance with this Section 11.203.1 (a) or shall create or cause to be created housing, in accordance with this Section 11.203.1 (b).

(a) **Housing Contribution.** For any project that is in whole or in part an Incentive Project, and that is, in total, less than thirty thousand (30,000) square feet of gross floor area, no contribution shall be required.

For any project of thirty thousand (30,000) square feet of gross floor area or more, the developer shall contribute three dollars (\$3.00) for every square foot of gross floor area over two thousand five hundred (2500) square feet of that portion of the project authorized by the Special Permit that is an Incentive Project.

Before the Superintendent of Buildings issues the first occupancy permit for the Incentive Project the developer of the Incentive Project shall deliver the Housing Contribution to the then Managing Trustee of the Affordable Housing Trust or its designee.

The amount of the Housing Contribution shall be subject to review and recalculation three (3) years after the effective date of this provision and every three (3) years thereafter by the Cambridge City Council based on a consideration of current economic trends including but not limited to development activity, commercial rents per square foot, employment growth, and housing trends measured in terms of, but not limited to, vacancy rates, production statistics, and prices for dwelling units. The Board of Trustees for the Affordable Housing Trust may adjust the amount annually based on CPI or a similar standard to reflect changes in inflation rates

(b) **Housing Creation Option** The Developer of an Incentive Project required to make a Housing Contribution in Subsection 11 203.1 (a) above may create or cause to be created affordable units for occupancy exclusively by eligible households, or may donate land to be used exclusively for the development of affordable units. These units or land donation, must be of equivalent benefit toward addressing the City's affordable housing need as the housing contribution otherwise required

When this option is chosen a Developer shall obtain a report from the Board of Trustees of the Affordable Housing Trust, which report shall accompany the special permit

application and shall advise the special permit granting authority as to whether the proposed Housing Creation conforms to the intent and purposes of this Section 11.200 et al. The report shall also recommend such conditions, if any, as the Trustees may find appropriate to the issuance of the special permit to assure full compliance with the intent of this Section 11.200.

The special permit granting authority shall give due consideration to the report of the Board of Trustees in granting any special permit subject to this Section 11.200 et al., and, in its discretion may approve the developers use of the Housing Creation Option.

11.203.2 Requirements for Inclusionary Housing .

(a) Any Inclusionary Project shall provide 15 percent of the total number of dwelling units up to the maximum allowed as of right as Affordable Units.

range of 10% to 15%, depending on findings made and conclusions drawn by the City Council.) Where the application of that formula results in a fractional dwelling unit, a fraction of one half of a dwelling unit or more shall be considered as one Affordable Unit. Each Affordable Unit shall meet the standards established in Section 11.204.

(b) To facilitate the objectives of this Section 11.200, modifications to the dimensional requirements in any zoning district, as set forth in Section 5.30, shall be permitted as of right for an Inclusionary Project, as set forth below:

(i) The FAR normally permitted in the applicable zoning district for residential uses shall be increased by **thirty (30) percent** for Affordable Units as set forth in Section 11.203.2 (a) above, and at least fifty percent of the additional FAR should be allocated for the Affordable Units. In a Mixed Use Development, the increased FAR permitted in this paragraph (i) may be applied to the entire lot; however, any gross floor area arising from such increased FAR shall be occupied only by residential uses, exclusive of any hotel or motel use.

(ii) The minimum lot area per dwelling unit normally required in the applicable zoning district shall be reduced by that amount necessary to permit up to two additional units on the lot for each one Affordable Unit required in Section 11.203.2 (a) above. The additional units on a lot permitted by this paragraph (ii) shall not be considered in determining the threshold by which a special permit is required in Section 4.26 - Multifamily Special Permit Applicability and Section 11.10 - Townhouse Development of the Zoning Ordinance.

(c) For any Inclusionary Project that includes a total number of dwelling units that exceeds the maximum allowed as of right, the number of affordable units shall be no less than 15 percent of the total number of dwelling units in the project; however, the number of additional units permitted under Section 11.203.2 (b) (ii) above shall not be further increased.

(d) For any Voluntary Inclusionary Project that proposes to provide one Affordable Unit, the provisions of Section 11.203 2 (b) (i) and (ii) may be applied after the issuance of a special permit from the Planning Board. In issuing a special permit the Planning Board shall find that the additional dwelling units or gross floor area permitted will not create a development significantly different in scale, density, or placement on the lot than can be

found on adjacent lots or in the surrounding neighborhood; or if the development is significantly more dense, larger in scale or closer to the lot lines than can be found on adjacent lots, the Board shall find that the size or shape of the lot, the characteristics of development on abutting lots, and the nature of the design proposed on the subject lot mitigate any negative impact that such additional development may impose. In making its findings the Planning Board shall consider the other kinds of dimensional relief that the development may require and the extent to which such relief varies from the requirements of the zoning district.

(e) Affordable Units required by this Section 11.203.2 shall be provided on-site. However, approval for alternate means of compliance may be granted by the Planning Board in certain exceptional circumstances. In granting such approval, the Planning Board must find that the property owner has demonstrated that building the required affordable units on-site would create a significant hardship. A significant hardship shall be defined as being of such significance that the property can not physically accommodate the required affordable units and/or related requirements, such as height, setbacks, or parking. To have such a request considered, the burden of proof shall be on the property owner, who must make full disclosure to the Planning Board of all relevant information. Any request for alternate means of compliance shall be reviewed by the Affordable Housing Trust, which shall then forward its recommendation on the request to the Planning Board. The Affordable Housing Trust's recommendation shall be based upon whether the alternate means of compliance shall be of comparable value to the affordable unit that would have otherwise been provided in a comparable Inclusionary Project. The Planning Board's approval of the request shall be based upon the Affordable Housing Trust's recommendations, and the demonstration of hardship made by the property owner. The Planning Board may, in its sole discretion, use other information to determine the validity of the property owner's request. Approval of alternate means of compliance shall be only for payment of a sum equivalent to the value of the provision of an on-site Affordable Unit, which payment shall be made to the Affordable Housing Trust.

11.204 Standards for Construction and Occupancy of Affordable Units.

The following standards are intended to provide guidance to the special permit granting authority in instances where the Housing Creation Option is chosen to meet the requirements of this Section 11.200, to the Board of Trustees of the Trust in making any report it may make to the special permit granting authority or in authorizing the expenditure of any Housing Contribution funds, and to the Developer of any Inclusionary Project or Voluntary Inclusionary Project. In granting any special permit the special permit granting authority may allow for deviations from, or further define, these standards consistent with the purpose of this Section 11.200.

- (a) Affordable Units in an Incentive Project shall be generally comparable in size and materials to dwelling units in the neighborhood or in the project in which it is located.
- (b) To ensure livability, Affordable Units in an Inclusionary Project shall be generally comparable in size and materials to the other units in the overall project and consistent with local needs for affordable housing as approved by the Trust.

For Inclusionary Projects, or Incentive Projects where appropriate exteriors of affordable units shall closely resemble the exteriors of other units in a project, and shall be reasonably distributed throughout the project.

(c) The Affordable Units shall, to a reasonable extent, serve eligible households of diverse incomes, including very low income, and diverse sizes throughout the city.

(d) The Affordable Units shall be subject to deed restrictions providing that they shall:

(1) be occupied by eligible households.

(2) be conveyed subject to restrictions, which to the extent legally possible shall guarantee the permanent availability of the Affordable Units to eligible households. Such restrictions shall include but not be limited to limited equity deed restrictions. In general, to meet this requirement, affordable rent levels shall be maintained for a minimum of 50 years from the date of initial occupancy in accordance with current practices of the City. With for-sale units, the City's current system of deed restrictions controlling resale prices shall be observed.

(3) to the extent possible, give preference to eligible households who are Cambridge residents.

(4) be rented or sold to Eligible Households, using marketing and selection guidelines customarily employed by the Community Development Department in selecting tenant and homeowner households under other City, state or federal housing assistance programs.

(e) The rental or ownership of affordable units shall mirror the project as a whole. For example, affordable units should be sold, not rented, where a majority of units will be offered for sale.

(f) The affordable units shall be affordable to households having a target income of 65% of the area median income, or if the household has access to a rent subsidy, a lower income. The Trust shall have the discretion to approve a mix of higher and lower rents or sale prices, the average of which approximates an affordable price for a household at the target income level.

(g) The intent of the Inclusionary Housing provisions is that the Affordable Units required hereunder not use public funds to create; these provisions however, are not intended to discourage the use of public funds to generate a greater number of affordable units than are otherwise required.

11.205 Affordable Housing Trust.

Pursuant to the provisions of Chapter 42 of the Acts of 1991, an Affordable Housing Trust Fund was established. To facilitate the implementation of the provision of this Section 11.200, the Affordable Housing Trust Fund receives funds generated by this Section 11.200 and specifically Section 11.203.1(a), as well as other funds generated from other sources.

11.205.1 Uses of the Affordable Housing Trust. The Trust property may be made available for, but shall not be limited to, the following uses.

(1) Creation of Affordable Units. To encourage the development of Affordable Units through a variety of means, including, but not limited

to, the provision of favorable financing terms or direct write down of costs for either nonprofit or for profit developers or to subsidize the purchase of sites, existing structures, or affordable units within a larger development.

- (2) **Multifamily Rehabilitation Programs.** To finance the substantial rehabilitation of deteriorated properties in a manner that preserves the affordability of units through interest rate subsidies, loan guarantees or write down of project costs. Multifamily housing owned by nonprofit entities that ensure maximum long-term affordability shall receive priority funding consideration.
- (3) **Limited Equity Cooperative or Condominium Conversion.** For acquisition and rehabilitation of potential cooperatives or condominiums through low interest blanket loans, share loans or direct cost write down.

11.205.2 Administration of the Affordable Housing Trust and its Activities. The Trust property may be made available to fund reasonable administrative expenses necessary to support Trust activities, including but not limited to consulting services such as legal, appraising or engineering, as well as other project related expenses. The Community Development Department shall provide the Board of Trustees with technical and administrative assistance.

11.205.3 Board of Trustees of Affordable Housing Trust. The City Manager shall appoint and chair a nine (9) member Board of Trustees of the Affordable Housing Trust. The Board of Trustees shall be composed of representatives from different sectors of the community with housing policy, and may include members of City Boards and agencies, nonprofit housing organizations and community representatives. The trustees, with concurrence of the City Manager, shall establish regulations for the operations of the Trust and Board of Trustees, and procedures for the implementation of this Subsection 11.205.

- (1) The Board of Trustees shall manage and administer the Affordable Housing Trust Fund including the disbursement of all funds, units and land conveyed to the City of Cambridge.
- (2) The Board of Trustees shall review and approve or disapprove proposals submitted for use of the Housing Trust Fund. The Board shall develop policies and standards appropriate to and consistent with the Incentive Zoning and Inclusionary Housing provisions, section 11.200.
- (3) The Board shall explore the feasibility of and assist in the establishment of new programs designed to meet Cambridge affordable housing needs. These programs may include a city wide Land Bank program and Home Mortgage Pool.
- (4) The Board of Trustees shall provide assistance and necessary reports where appropriate to any special permit granting authority authorized

to issue a special permit for any development making use of funds from the Affordable Housing Trust or subject to any provisions under this Section 11.200.

11.206 Enforcement

The Community Development Department shall certify in writing to the Superintendent of Buildings that all conditions of this Section 11.200, including any conditions that may be established by the special permit granting authority in issuing a special permit under this Section 11.200, have been met before issuance of the first building permit for any Incentive Project, Inclusionary Project, or Voluntary Inclusionary Project. Before the issuance of the first Certificate of Occupancy for such development the Trust shall certify in writing to the Superintendent of Buildings that all documents have been filed and actions taken that are necessary to fulfill the conditions of this Section 11.200 and any special permit authorized herein.

B. In Section 5.31 - Residential Districts, Paragraph 2 - Footnotes, Footnote (i), delete the existing text in its entirety and substitute therefore the following:

(i) The dimensional requirements of the Residence C-1 district as detailed in this Section 5.31 shall apply in the Residence C district for structures in existence as of December 1, 1986 under the following limitations and conditions:

- (1) Any increase in floor area or numbers of units on a lot, provided all construction occurs within the limits of the existing structure; or
- (2) For the reconstruction without limit as to cost (notwithstanding any contrary provisions of Section 8.23) of a non conforming structure destroyed or damaged by fire or other catastrophe provided the structure as restored shall not be greater in lot coverage or volume, or shall not extend further into required yards, than the original structure; all other provisions of Section 8.23, however, shall continue to apply.

C. In Section 13.70 - Planned Unit Development in the North Point Residence, Office and Business District do the following:

1. In Section 13.74.3 - Incentive for Residential Development, delete in its entirety Paragraph (3).
2. Delete Section 13.78.3 - Inclusionary Housing Requirements in its entirety.

D. In Article 17.000 - Special Business, Office and Industrial Districts do the following:

1. In Section 17.90 - Special District 9, delete existing Subsections 17.94, 17.95, and 17.96 in their entirety and substitute therefore the following:
 - a. 17.94 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 9.

- b. Renumber existing Subsections 17.97, 17.98 and 17.99 as new Subsections 17.95, 17.96, and 17.97.
2. In Section 17.100 - Special District 10, delete existing Subsections 17.104, 17.105, and 17.106 in their entirety and substitute therefore the following:
 - a. 17.104 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 10.
 - b. Renumber existing Subsections 17.107, 17.108, and 17.109 as new Subsections 17.105, 17.106, and 17.107.
 3. In Section 17.83.1 - Maximum FAR, delete existing language such that the section reads as follows:

The FAR applicable on any lot in the district shall not exceed 1.25 for all uses except that it may be increased to 1.75 for permitted dormitory uses and to 1.75 by special permit from the Planning Board for permitted residential uses.

E. In Article 6.000, Parking regulations, do the following:

1. In Section 6.35 - Reduction in Required Parking, add new language such that it reads as follows:

Any required amount of parking may be reduced upon issuance of a special permit from the Board of Zoning Appeal. However, handicapped parking required by Subsection 6.34, bicycle parking required by Subsection 6.37, and commercial vehicle parking required by sub-Subsection 6.31.5 shall not be reduced. A special permit shall be granted only if the Board determines and cites evidence in its decision, that the lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood or that such lesser amount of parking will provide positive environmental or other benefits to users of the lot and the neighborhood, **including specifically, among other benefits, assisting in the provision of affordable housing units.** In making such a determination the Board shall consider whether or not less off street parking is reasonable in the light of the following:
2. Delete the word "and" at the end of the sentence in Section 6.35.4.
3. Add a semi-colon and the word "and" to the end of Section 6.35.5.
4. Add a new Section 6.35.6 to read as follows:

The provision of required parking for developments containing affordable housing units, and especially for developments employing the increased FAR and dwelling unit density provisions of Section 11.200, will increase the cost of the development, will require variance relief from other zoning requirements applicable to the development because of limitations of space

on the lot, or will significantly diminish the environmental quality for all residents of the development.

F. In Section 11.304.3, do the following:

Add a new sentence to Section 11.304.3c so that it reads as follows:

c. Special Permit for Additional FAR for Affordable Housing

The maximum FAR on any lot in an Office 3 District may be increased to 3.75 upon issuance of a special permit from the Planning Board provided a minimum of twenty (20) percent of the total gross floor area authorized is devoted to affordable housing as defined in Section 11.201. The affordable housing shall conform to the standards of Section 11.204, except that lodging housing or single room occupancy facilities shall be specifically permitted. The additional FAR bonus permitted in Section 11.203.2, however, shall not apply to developments employing this Section 11.304.3c.

In City Council March 2, 1998.

Passed to be ordained as amended by a yea and nay vote:-

Yeas 7; Nays 2; Absent 0.

ATTEST:-

D. Margaret Drury
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Eight

AN ORDINANCE

In Amendment to the "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

Amend the text of the Zoning Ordinance of the City of Cambridge by doing the following:

A. Delete the existing Section 11.200 - Incentive Zoning Provisions in its entirety and substitute therefore the following:

11.200 Incentive Zoning and Inclusionary Housing Provisions

Purposes. The purposes of this Section 11.200 are to promote the public health, safety and welfare by encouraging the expansion and upgrading of the City's housing stock while accommodating the expansion of housing and commercial opportunities in the City; to provide for a full range of housing choices throughout the city for households of all incomes, ages and sizes in order to meet the City's goal of preserving diversity; to mitigate the impacts of commercial and residential development on the availability and cost of housing and especially housing affordable to low and moderate income households; to increase the production of affordable housing units to meet existing and anticipated housing and employment needs within the City; to provide a mechanism by which commercial and residential development can contribute in a direct way to increasing the supply of affordable housing in exchange for a greater density or intensity of development than that otherwise permitted as a matter of right; and to establish standards and guidelines for the use of such contributions from the application of incentive zoning and inclusionary housing provisions.

11.201 Definitions.

Affordable Housing Trust shall mean the entity established by Chapter 42 of the Acts of 1991.

Affordable Unit shall mean any dwelling unit for which the rent (including utilities) does not exceed thirty (30) percent of the income of the renting household or for which the mortgage payment (including insurance, utilities and real estate taxes) does not exceed thirty (30) percent of the income of the purchasing household or other standards as may be established pursuant to any city, state or federal housing program designed to assist low and moderate income households.

Converted Dwelling Unit shall mean a dwelling unit that has been converted from a non-housing use to a housing use in connection with the construction of an Inclusionary Project.

Developer shall mean any individual, corporation, business trust, estate trust, partnership or association, or any other entity or combination thereof.

Eligible Household shall mean any household whose total income does not exceed eighty (80) percent of the median income of households in the Boston Standard Metropolitan Statistical Area adjusted for family size, or such other equivalent income standard as may be determined by the Board of Trustees of the Affordable Housing Trust Fund.

Median Income shall mean the income set forth in or calculated from regulations promulgated by the United States Department of Housing and Urban Development.

pursuant to Section 8 of the Housing Act of 1937, as amended by the Housing and Community Development Act of 1974 or such other equivalent income standard as determined by the Board of Trustees of the Affordable Housing Trust Fund.

Mixed Use Development shall mean a development that contains a combination of residential development and any other use.

Project, Incentive, shall mean that portion of projects containing uses listed in Sections 4.33c, 4.34, 4.35, 4.36, and 4.56 d 1 subject to the provisions of the special permits listed in Section 11.202.1.

Project, Inclusionary, shall mean any residential or mixed use development containing or creating ten or more new or converted dwelling units, including phased projects; or where fewer than ten new or converted dwelling units are created including phased projects, a residential development containing 10,000 square feet or more of gross floor area, in which case each 1,000 square feet shall be considered a dwelling unit.

Project, Phased, shall mean any residential or mixed use development or developments at one site or two or more adjoining sites in common ownership or under common control within a period of five years from the first date of application for any special or building permit for construction on the lot or lots, or for the twelve months immediately preceding the date of application for any special or building permit, where a total of no less than ten new or converted units are built.

Project, Voluntary Inclusionary, shall mean any residential or mixed use development containing less than ten new or converted dwelling units, including phased projects where the developer chooses to comply with the provisions of Section 11.203.2.

Residential Development shall mean single, two family and multi-family homes, townhouse development, elderly oriented congregate housing and lodging and rooming house dwellings as set forth in Section 4.31 a-h, and i(3).

11.202 Applicability.

11.202.1 Applicability of Incentive Zoning Provisions. Where a developer chooses to seek to obtain a special permit pursuant to the sections listed below, which special permit authorizes an increase in the permissible density or intensity of a particular use in the proposed development, the developer shall be subject to the applicable provisions of this Section 11.200 et al. Increases in density or intensity of use shall include an increase in gross floor area or height, a reduction or waiver of parking requirements, or a change in dimensional requirements or the addition of uses that result in an increase in density or intensity of use.

Section 6.35	Reduction in required parking for nonresidential development
Section 11.108	Divergence from dimensional requirements, North Massachusetts Avenue Overlay District
Section 11.54.2(2)	Additional height, Harvard Square Overlay District
Section 11.54.4(2)	Waiver of parking and loading requirements, Harvard Square Overlay District
Section 11.54.5(b)	Exemption from yard requirements, Harvard Square Overlay District
Section 11.63.5	Parkway Overlay District

Section 11.63.7	Divergence from dimensional requirements, Parkway Overlay District
Section 11.304.2(b), (c)	Additional height, Central Square Overlay District
Section 11.304.4	Waiver of setback requirements, Central Square Overlay District
Section 11.304.6	Waiver of parking requirements, Central Square Overlay District
Section 17.13.1(b)	Additional FAR, Special District I
Section 17.17	Transfer of Development Rights, Special District I
Article 13.00	PUD Districts, all permits.

11.202.2 Applicability of Inclusionary Housing Provisions. The provisions of this Section 11.200 shall apply to any Inclusionary Project and may be applied to any Voluntary Inclusionary Project. These provisions shall apply with respect to developments in all zoning districts of the city except those governed by the provisions of Article 15.000.

11.203 Requirements

11.203.1 Requirements for Incentive Zoning Contributions. A developer of an Incentive Project shall either make a Housing Contribution in accordance with this Section 11.203.1 (a) or shall create or cause to be created housing, in accordance with this Section 11.203.1 (b).

(a) **Housing Contribution.** For any project that is in whole or in part an Incentive Project, and that is, in total, less than thirty thousand (30,000) square feet of gross floor area, no contribution shall be required.

For any project of thirty thousand (30,000) square feet of gross floor area or more, the developer shall contribute three dollars (\$3.00) for every square foot of gross floor area over two thousand five hundred (2500) square feet of that portion of the project authorized by the Special Permit that is an Incentive Project.

Before the Superintendent of Buildings issues the first occupancy permit for the Incentive Project the developer of the Incentive Project shall deliver the Housing Contribution to the then Managing Trustee of the Affordable Housing Trust or its designee.

The amount of the Housing Contribution shall be subject to review and recalculation three (3) years after the effective date of this provision and every three (3) years thereafter by the Cambridge City Council based on a consideration of current economic trends including but not limited to development activity, commercial rents per square foot, employment growth, and housing trends measured in terms of, but not limited to, vacancy rates, production statistics, and prices for dwelling units. The Board of Trustees for the Affordable Housing Trust may adjust the amount annually based on CPI or a similar standard to reflect changes in inflation rates

(b) **Housing Creation Option** The Developer of an Incentive Project required to make a Housing Contribution in Subsection 11 203.1 (a) above may create or cause to be created affordable units for occupancy exclusively by eligible households, or may donate land to be used exclusively for the development of affordable units. These units or land donation, must be of equivalent benefit toward addressing the City's affordable housing need as the housing contribution otherwise required

When this option is chosen a Developer shall obtain a report from the Board of Trustees of the Affordable Housing Trust, which report shall accompany the special permit

application and shall advise the special permit granting authority as to whether the proposed Housing Creation conforms to the intent and purposes of this Section 11.200 et al. The report shall also recommend such conditions, if any, as the Trustees may find appropriate to the issuance of the special permit to assure full compliance with the intent of this Section 11.200.

The special permit granting authority shall give due consideration to the report of the Board of Trustees in granting any special permit subject to this Section 11.200 et al., and, in its discretion may approve the developers use of the Housing Creation Option.

11.203.2 Requirements for Inclusionary Housing

(a) Any Inclusionary Project shall provide 15 percent of the total number of dwelling units up to the maximum allowed as of right as Affordable Units.

range of 10% to 15%, depending on findings made and conclusions drawn by the City Council.) Where the application of that formula results in a fractional dwelling unit, a fraction of one half of a dwelling unit or more shall be considered as one Affordable Unit. Each Affordable Unit shall meet the standards established in Section 11.204.

(b) To facilitate the objectives of this Section 11.200, modifications to the dimensional requirements in any zoning district, as set forth in Section 5.30, shall be permitted as of right for an Inclusionary Project, as set forth below:

(i) The FAR normally permitted in the applicable zoning district for residential uses shall be increased by ~~thirty (30) percent~~ for Affordable Units as set forth in Section 11.203.2 (a) above, and at least fifty percent of the additional FAR should be allocated for the Affordable Units. In a Mixed Use Development, the increased FAR permitted in this paragraph (i) may be applied to the entire lot; however, any gross floor area arising from such increased FAR shall be occupied only by residential uses, exclusive of any hotel or motel use.

(ii) The minimum lot area per dwelling unit normally required in the applicable zoning district shall be reduced by that amount necessary to permit up to two additional units on the lot for each one Affordable Unit required in Section 11.203.2 (a) above. The additional units on a lot permitted by this paragraph (ii) shall not be considered in determining the threshold by which a special permit is required in Section 4.26 - Multifamily Special Permit Applicability and Section 11.10 - Townhouse Development of the Zoning Ordinance.

(c) For any Inclusionary Project that includes a total number of dwelling units that exceeds the maximum allowed as of right, the number of affordable units shall be no less than 15 percent of the total number of dwelling units in the project; however, the number of additional units permitted under Section 11.203.2 (b) (ii) above shall not be further increased.

(d) For any Voluntary Inclusionary Project that proposes to provide one Affordable Unit, the provisions of Section 11.203 2 (b) (i) and (ii) may be applied after the issuance of a special permit from the Planning Board In issuing a special permit the Planning Board shall find that the additional dwelling units or gross floor area permitted will not create a development significantly different in scale, density, or placement on the lot than can be

found on adjacent lots or in the surrounding neighborhood; or if the development is significantly more dense, larger in scale or closer to the lot lines than can be found on adjacent lots, the Board shall find that the size or shape of the lot, the characteristics of development on abutting lots, and the nature of the design proposed on the subject lot mitigate any negative impact that such additional development may impose. In making its findings the Planning Board shall consider the other kinds of dimensional relief that the development may require and the extent to which such relief varies from the requirements of the zoning district.

(e) Affordable Units required by this Section 11.203.2 shall be provided on-site. However, approval for alternate means of compliance may be granted by the Planning Board in certain exceptional circumstances. In granting such approval, the Planning Board must find that the property owner has demonstrated that building the required affordable units on-site would create a significant hardship. A significant hardship shall be defined as being of such significance that the property can not physically accommodate the required affordable units and/or related requirements, such as height, setbacks, or parking. To have such a request considered, the burden of proof shall be on the property owner, who must make full disclosure to the Planning Board of all relevant information. Any request for alternate means of compliance shall be reviewed by the Affordable Housing Trust, which shall then forward its recommendation on the request to the Planning Board. The Affordable Housing Trust's recommendation shall be based upon whether the alternate means of compliance shall be of comparable value to the affordable unit that would have otherwise been provided in a comparable Inclusionary Project. The Planning Board's approval of the request shall be based upon the Affordable Housing Trust's recommendations, and the demonstration of hardship made by the property owner. The Planning Board may, in its sole discretion, use other information to determine the validity of the property owner's request. Approval of alternate means of compliance shall be only for payment of a sum equivalent to the value of the provision of an on-site Affordable Unit, which payment shall be made to the Affordable Housing Trust.

11.204 Standards for Construction and Occupancy of Affordable Units.

The following standards are intended to provide guidance to the special permit granting authority in instances where the Housing Creation Option is chosen to meet the requirements of this Section 11.200, to the Board of Trustees of the Trust in making any report it may make to the special permit granting authority or in authorizing the expenditure of any Housing Contribution funds, and to the Developer of any Inclusionary Project or Voluntary Inclusionary Project. In granting any special permit the special permit granting authority may allow for deviations from, or further define, these standards consistent with the purpose of this Section 11.200.

- (a) Affordable Units in an Incentive Project shall be generally comparable in size and materials to dwelling units in the neighborhood or in the project in which it is located.
- (b) To ensure livability, Affordable Units in an Inclusionary Project shall be generally comparable in size and materials to the other units in the overall project and consistent with local needs for affordable housing as approved by the Trust.

For Inclusionary Projects, or Incentive Projects where appropriate exteriors of affordable units shall closely resemble the exteriors of other units in a project, and shall be reasonably distributed throughout the project.

(c) The Affordable Units shall, to a reasonable extent, serve eligible households of diverse incomes, including very low income, and diverse sizes throughout the city.

(d) The Affordable Units shall be subject to deed restrictions providing that they shall:

(1) be occupied by eligible households.

(2) be conveyed subject to restrictions, which to the extent legally possible shall guarantee the permanent availability of the Affordable Units to eligible households. Such restrictions shall include but not be limited to limited equity deed restrictions. In general, to meet this requirement, affordable rent levels shall be maintained for a minimum of 50 years from the date of initial occupancy in accordance with current practices of the City. With for-sale units, the City's current system of deed restrictions controlling resale prices shall be observed.

(3) to the extent possible, give preference to eligible households who are Cambridge residents.

(4) be rented or sold to Eligible Households, using marketing and selection guidelines customarily employed by the Community Development Department in selecting tenant and homeowner households under other City, state or federal housing assistance programs.

(e) The rental or ownership of affordable units shall mirror the project as a whole. For example, affordable units should be sold, not rented, where a majority of units will be offered for sale.

(f) The affordable units shall be affordable to households having a target income of 65% of the area median income, or if the household has access to a rent subsidy, a lower income. The Trust shall have the discretion to approve a mix of higher and lower rents or sale prices, the average of which approximates an affordable price for a household at the target income level.

(g) The intent of the Inclusionary Housing provisions is that the Affordable Units required hereunder not use public funds to create; these provisions however, are not intended to discourage the use of public funds to generate a greater number of affordable units than are otherwise required.

11.205 Affordable Housing Trust.

Pursuant to the provisions of Chapter 42 of the Acts of 1991, an Affordable Housing Trust Fund was established. To facilitate the implementation of the provision of this Section 11.200, the Affordable Housing Trust Fund receives funds generated by this Section 11.200 and specifically Section 11.203.1(a), as well as other funds generated from other sources.

11.205.1 Uses of the Affordable Housing Trust. The Trust property may be made available for, but shall not be limited to, the following uses.

(1) Creation of Affordable Units. To encourage the development of Affordable Units through a variety of means, including, but not limited

to, the provision of favorable financing terms or direct write down of costs for either nonprofit or for profit developers or to subsidize the purchase of sites, existing structures, or affordable units within a larger development.

- (2) Multifamily Rehabilitation Programs. To finance the substantial rehabilitation of deteriorated properties in a manner that preserves the affordability of units through interest rate subsidies, loan guarantees or write down of project costs. Multifamily housing owned by nonprofit entities that ensure maximum long-term affordability shall receive priority funding consideration.
- (3) Limited Equity Cooperative or Condominium Conversion. For acquisition and rehabilitation of potential cooperatives or condominiums through low interest blanket loans, share loans or direct cost write down.

11.205.2 Administration of the Affordable Housing Trust and its Activities. The Trust property may be made available to fund reasonable administrative expenses necessary to support Trust activities, including but not limited to consulting services such as legal, appraising or engineering, as well as other project related expenses. The Community Development Department shall provide the Board of Trustees with technical and administrative assistance.

11.205.3 Board of Trustees of Affordable Housing Trust. The City Manager shall appoint and chair a nine (9) member Board of Trustees of the Affordable Housing Trust. The Board of Trustees shall be composed of representatives from different sectors of the community with housing policy, and may include members of City Boards and agencies, nonprofit housing organizations and community representatives. The trustees, with concurrence of the City Manager, shall establish regulations for the operations of the Trust and Board of Trustees, and procedures for the implementation of this Subsection 11.205.

- (1) The Board of Trustees shall manage and administer the Affordable Housing Trust Fund including the disbursement of all funds, units and land conveyed to the City of Cambridge.
- (2) The Board of Trustees shall review and approve or disapprove proposals submitted for use of the Housing Trust Fund. The Board shall develop policies and standards appropriate to and consistent with the Incentive Zoning and Inclusionary Housing provisions, section 11.200.
- (3) The Board shall explore the feasibility of and assist in the establishment of new programs designed to meet Cambridge affordable housing needs. These programs may include a city wide Land Bank program and Home Mortgage Pool.
- (4) The Board of Trustees shall provide assistance and necessary reports where appropriate to any special permit granting authority authorized

to issue a special permit for any development making use of funds from the Affordable Housing Trust or subject to any provisions under this Section 11.200.

11.206 Enforcement

The Community Development Department shall certify in writing to the Superintendent of Buildings that all conditions of this Section 11.200, including any conditions that may be established by the special permit granting authority in issuing a special permit under this Section 11.200, have been met before issuance of the first building permit for any Incentive Project, Inclusionary Project, or Voluntary Inclusionary Project. Before the issuance of the first Certificate of Occupancy for such development the Trust shall certify in writing to the Superintendent of Buildings that all documents have been filed and actions taken that are necessary to fulfill the conditions of this Section 11.200 and any special permit authorized herein.

B. In Section 5.31 - Residential Districts, Paragraph 2 - Footnotes, Footnote (i), delete the existing text in its entirety and substitute therefore the following:

(i) The dimensional requirements of the Residence C-1 district as detailed in this Section 5.31 shall apply in the Residence C district for structures in existence as of December 1, 1986 under the following limitations and conditions:

- (1) Any increase in floor area or numbers of units on a lot, provided all construction occurs within the limits of the existing structure; or
- (2) For the reconstruction without limit as to cost (notwithstanding any contrary provisions of Section 8.23) of a non conforming structure destroyed or damaged by fire or other catastrophe provided the structure as restored shall not be greater in lot coverage or volume, or shall not extend further into required yards, than the original structure; all other provisions of Section 8.23, however, shall continue to apply.

C. In Section 13.70 - Planned Unit Development in the North Point Residence, Office and Business District do the following:

1. In Section 13.74.3 - Incentive for Residential Development, delete in its entirety Paragraph (3).
2. Delete Section 13.78.3 - Inclusionary Housing Requirements in its entirety.

D. In Article 17.000 - Special Business, Office and Industrial Districts do the following:

1. In Section 17.90 - Special District 9, delete existing Subsections 17.94, 17.95, and 17.96 in their entirety and substitute therefore the following:
 - a. 17.94 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 9.

- b. Renumber existing Subsections 17.97, 17.98 and 17.99 as new Subsections 17.95, 17.96, and 17.97.
2. In Section 17.100 - Special District 10, delete existing Subsections 17.104, 17.105, and 17.106 in their entirety and substitute therefore the following:
 - a. 17.104 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 10.
 - b. Renumber existing Subsections 17.107, 17.108, and 17.109 as new Subsections 17.105, 17.106, and 17.107.
 3. In Section 17.83.1 - Maximum FAR, delete existing language such that the section reads as follows:

The FAR applicable on any lot in the district shall not exceed 1.25 for all uses except that it may be increased to 1.75 for permitted dormitory uses and to 1.75 by special permit from the Planning Board for permitted residential uses.

E. In Article 6.000, Parking regulations, do the following:

1. In Section 6.35 - Reduction in Required Parking, add new language such that it reads as follows:

Any required amount of parking may be reduced upon issuance of a special permit from the Board of Zoning Appeal. However, handicapped parking required by Subsection 6.34, bicycle parking required by Subsection 6.37, and commercial vehicle parking required by sub-Subsection 6.31.5 shall not be reduced. A special permit shall be granted only if the Board determines and cites evidence in its decision, that the lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood or that such lesser amount of parking will provide positive environmental or other benefits to users of the lot and the neighborhood, **including specifically, among other benefits, assisting in the provision of affordable housing units.** In making such a determination the Board shall consider whether or not less off street parking is reasonable in the light of the following:
2. Delete the word "and" at the end of the sentence in Section 6.35.4.
3. Add a semi-colon and the word "and" to the end of Section 6.35.5.
4. Add a new Section 6.35.6 to read as follows:

The provision of required parking for developments containing affordable housing units, and especially for developments employing the increased FAR and dwelling unit density provisions of Section 11.200, will increase the cost of the development, will require variance relief from other zoning requirements applicable to the development because of limitations of space

on the lot, or will significantly diminish the environmental quality for all residents of the development.

F. In Section 11.304.3, do the following:

Add a new sentence to Section 11.304.3c so that it reads as follows:

c. Special Permit for Additional FAR for Affordable Housing

The maximum FAR on any lot in an Office 3 District may be increased to 3.75 upon issuance of a special permit from the Planning Board provided a minimum of twenty (20) percent of the total gross floor area authorized is devoted to affordable housing as defined in Section 11.201. The affordable housing shall conform to the standards of Section 11.204, except that lodging housing or single room occupancy facilities shall be specifically permitted. The additional FAR bonus permitted in Section 11.203.2, however, shall not apply to developments employing this Section 11.304.3c.

In City Council March 2, 1998.

Passed to be ordained as amended by a yea and nay vote:-

Yeas 7; Nays 2; Absent 0.

ATTEST:-

D. Margaret Drury
City Clerk

Unfinished bus # 11

Submitted at
room 3/2/98

Members of the
Park View Co-operative
24-26 Corporal McTernan St.
Cambridge MA 02139

March 2, 1998

To the Mayor and members of the Cambridge City Council:

As members and owners of a limited equity housing co-operative in Cambridge, we are deeply concerned about the loss of genuinely affordable housing for others in the city. We urge the Council to vote in favor of the inclusionary zoning proposal setting aside 15% of the units in new developments for affordable housing. Although we would like to see even more affordable new units, we believe that this measure is a step in the right direction.

Elisabeth Morrison
Patricia Kameyama
Lisa Case
Zak D.

Members of the
Park View Co-operative
24-26 Corporal McTernan St.
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March 2, 1998

To the Mayor and members of the Cambridge City Council:

As members and owners of a limited equity housing co-operative in Cambridge, we are deeply concerned about the loss of genuinely affordable housing for others in the city. We urge the Council to vote in favor of the inclusionary zoning proposal setting aside 15% of the units in new developments for affordable housing. Although we would like to see even more affordable new units, we believe that this measure is a step in the right direction.

Louise Dunlap (LOUISE DUNLAP)

Judith Morse (JUDITH MORSE)

Steven Wineman (STEVEN WINEMAN)

Gretchen Hardina (GRETCHEN HARDINA)

Homeowners for Housing Justice

11 Inman Street, Cambridge, MA 02139

2 March 1998

Honorable Mayor Frank Duehay
Honorable City Councilors

We are homeowners in Cambridge who stand strongly behind our community and its diverse ethnic and economic base. We have supported the initiatives taken by the Council to strive to preserve and develop housing for the moderate and low income of our city.

At this time we strongly urge passage of the Inclusionary Zoning by-law you will vote on March 2.

Additionally we believe the 15% proportion should be voted in. The Stockard and Engler and Brigham report on Inclusionary Zoning provides clear evidence of the need for the proportion of affordable housing to be at the 15% level. These points stand out: "...the City has a policy of preserving the economic diversity of its population which requires a stock of housing affordable to low and moderate income households. The existing stock of such affordable housing now comprised 15% of the City's total housing stock.."; "...market rate housing increases the portion of such housing relative to the overall stock...and reduces the proportion of affordable housing.."; "...occupancy of newly constructed market rate housing by middle and upper income households is not generating vacancies in existing units at prices affordable to low and moderate income households, thereby not mitigating the impact of newly constructed market rate housing..."

We applaud your efforts to help us preserve the community we live in and love. Thank you for voting for this zoning change at the 15% level.

We are, for *Homeowners for Housing Justice*,

(see 3 attached sheets for Cambridge Homeowner signatories 91 homeowners)

We are 91 Cambridge resident homeowners, *Homeowners for Housing Justice*, signatories to our letter of 2 March 1998 to the Mayor and Cambridge City Council. Attachment page 1 of 3

Harriet H. Ahouse
4 Newport Road
Cambridge

Charles Ash
285 Harvard St.
Cambridge

Margaret Barrett
169 Erie St.
Cambridge

Larry Blum
149 Prospect St.
Cambridge

Mark Breneman
Anne Haycox
160 Chestnut St.
Cambridge, MA 02139

Janet Burns
57 Frost St.
Cambridge

Annie Butler
Philip Pitha
32 Andrew St.
Cambridge

Jim Campen
Phyllis Ewen
17 Keliy Rd.
Cambridge

Mary Caulfield
6 Crawford St.
Cambridge, MA

Carolyn Chauncy
Richard Thal
36 RC Kelley St.
Cambridge, MA 02138

Nia Lane Chester
60 Fenno St.
Cambridge MA 02138

Thomas Chittick
31 Washburn Ave.
Cambridge

Charlotte Cleveland
7 Russell St.
Cambridge, MA

Linda Dittmar
31 Brewster St.
Cambridge

Catherine Dooley
360 Washington St.
Cambridge, MA 02139

Norah Dooley
Robert Fairchild
358 Washington St.
Cambridge

Louise Dunlap
24 #5 McTernan Pl.
Cambridge

Brenda & Monroe Engel
167 Pemberton St.
Cambridge, MA 02140

Stephanie Engel
Arthur Goldhammer
167 Pemberton St.
Cambridge, MA 02140

Jean Entine
259 Upland Rd.
Cambridge

Bud Evans
160 Chestnut St.
Cambridge

Carol A. Farley
650 Huron Ave.
Cambridge

David Fichter
Debra Wise
20 Worcester St.
Cambridge

Susan Freireich
59 Chestnut St.
Cambridge

Katherine French
Tim Hamilton
160 Chestnut St.
Cambridge

Kathy Hoag
26 McTernan St.
Cambridge, MA 02139

Ken & Mary Holmes
35 Walden St.
Cambridge

We are 91 Cambridge resident homeowners, *Homeowners for Housing Justice*, signatories to our letter of 2 March 1998 to the Mayor and Cambridge City Council. Attachment page 2 of 3

Ruth Hubbard
21 Lakeview Ave.
Cambridge, MA 02138

Julie Ingelfinger
3 Gray Gardens West
Cambridge, MA 02138

Noel Jette
149 Prospect St.
Cambridge

Michael Kanter
Elizabeth Stagl
34 Clay St.
Cambridge

Sylvia Saveedra Keber
Tony Keber
4 Cornelius Way
Cambridge

Karl Klapper
Jennifer Riley
92 Henry St.
MA, 02139

Douglas Koch
Maureen Power
11 Holmes
Cambridge

Sarah Land
26 #4 McTernan Pl.
Cambridge

Steve Landau
24 Tremont St.
Cambridge

Ilene Lerner
4 Ivy St.
Cambridge

Eileen MacLennan
83 Pleasant St.
Cambridge

Debra McManus
Dan Geer
180 Chestnut St.
Cambridge

Judith Morse
24 #3 Mc Ternan Pl.
Cambridge

Janet & Jeff Murray
115 Pearl St.
Cambridge

Nancy & Hubert
Murray
204 Erie St.
Cambridge

Jeff Petrucelly
Pat Cantor
17 Kenwood St.
Cambridge

George Pillsbury
Mary Tiseo
40 Eustis St.
Cambridge

Beth Rimanoczy
20 Whitney St.
Cambridge

John & Kathy Roberts
321 Huron Ave.
Cambridge

Neil Rohr
Patty Hnatiuk
106 Berkshire St.
Cambridge

Nancy Ryan
Barry Phillips
4 Ashburton Pl.
Cambridge

Honey & Steve Schnapp
34 Clay St.
Cambridge, MA 02140

Anne Shumway
57 Fenno St.
Cambridge

Craig Slatin
Ruth Brownstein
15 Field St.
Cambridge

Judy Smith
149 Pleasant St.
Cambridge

Judy Somberg
Larry Rosenberg
48 Antrim St.
Cambridge

Margaret Studier
14 Allen St.
Cambridge

We are 91 Cambridge resident homeowners, *Homeowners for Housing Justice*, signatories to our letter of 2 March 1998 to the Mayor and Cambridge City Council. Attachment page 3 of 3

Barbara Taggart
2 Cottage St.
Cambridge

Linda Tate
160 Chestnut St.
Cambridge

Washington Taylor
7 R.C. Kelley St.
Cambridge

Donna Turley
8 Cleveland St.
Cambridge, MA 02138

Larry Weinstein
25 Sherman St.
Cambridge

Steve Wineman
24 #1 McTernan Pl.
Cambridge

Shelli & Henry Wortis
106 Berkshire St.
Cambridge

Carol Yourman
David Grosser
362 Washington St.
Cambridge, MA

Alan Zaslavsky
149 Prospect St.
Cambridge

Herb Ziegler
2 Hancock Pl.
Cambridge

Unfinished B2 #11

Submitted at
Room 3/2/98

OAKTREE DEVELOPMENT

129 Mt. Auburn Street, Cambridge, MA 02138
hone 617 491-9100 Fax 617 491-9100

March 2, 1998

The Cambridge City Council
City Hall
Cambridge, MA 02130

Dear Mayor Duehay and Members of City Council

Attached is a letter sent last week to Susan Schlesinger regarding the issue of a double threshold triggering the Inclusionary Zoning amendment. These thresholds are 10 units or 10,000 square feet. The size threshold limits units to an average of roughly 1000 square feet each, too small for townhouses. For projects near the thresholds, Developers will be encouraged to develop small, one bedroom flats, or to reduce their unit count, often not financially feasible.

By increasing the threshold allowance to 12,000 square feet, 9 reasonably sized townhouses can be developed at an average size of about 1300 square feet. This is a small but feasible size for a three bedroom unit. I'm assuming townhouse development should be encouraged as it is more consistent with neighborhood scale, and supports family home ownership.

I hope you can support this change in the proposed ordinance prior to its approval.

Thanks for your consideration,



Arthur A. Klipfel IV

OAKTREE DEVELOPMENT

11-A Mount Auburn Street, Cambridge, MA 02138
Phone 617-491-9100 Fax 617-354-1476

February 26, 1998

Susan Schlesinger
Assistant City Manager for Community Development
57 Inman Street
Cambridge, MA 02139

Dear Susan,

Early this week, after last Monday's council meeting, it was called to my attention that the proposed Inclusionary Housing proposal has a size threshold as well as a unit threshold. We have supported the basic inclusionary concept that for projects in excess of 10 units, some affordable units be included. We can understand the reason for adding a size criteria; otherwise developers will be tempted build larger and larger units.

However, in most projects of less than 10 units, the units will be townhouses rather than small flats. Townhouses seem a appropriate form of development on small sites; they tend to fit with the neighborhood fabric and provide a housing option for family occupancy and home ownership. But with the size limit in the proposed ordinance set at 10,000 Gross Square Feet, the average size of townhouse units will be restricted to about 1000 Square Feet each. This is much too small to allow three bedrooms and two baths, a minimum townhouse configuration.

Increasing the size limit to 12,000 Gross Square Feet would solve this problem, permitting the average size to increase to roughly 1300 Square Feet, still very small but at least realistic, and a number that will not distort the intent of the ordinance by discouraging townhouse development.

Thanks for your consideration.

Sincerely yours,



Arthur A. Klipfel III

**Revised Text as Recommended by the Planning Board
2/17/98**

Amend the text of the Zoning Ordinance of the City of Cambridge by doing the following:

A. Delete the existing Section 11.200 - Incentive Zoning Provisions in its entirety and substitute therefore the following:

11.200 Incentive Zoning and Inclusionary Housing Provisions

Purposes. The purposes of this Section 11.200 are to promote the public health, safety and welfare by encouraging the expansion and upgrading of the City's housing stock while accommodating the expansion of housing and commercial opportunities in the City; to provide for a full range of housing choices throughout the city for households of all incomes, ages and sizes in order to meet the City's goal of preserving diversity; to mitigate the impacts of commercial and residential development on the availability and cost of housing and especially housing affordable to low and moderate income households; to increase the production of affordable housing units to meet existing and anticipated housing and employment needs within the City; to provide a mechanism by which commercial and residential development can contribute in a direct way to increasing the supply of affordable housing in exchange for a greater density or intensity of development than that otherwise permitted as a matter of right; and to establish standards and guidelines for the use of such contributions from the application of incentive zoning and inclusionary housing provisions.

11.201 Definitions.

Affordable Housing Trust shall mean the entity established by Chapter 42 of the Acts of 1991.

Affordable Unit shall mean any dwelling unit for which the rent (including utilities) does not exceed thirty (30) percent of the income of the renting household or for which the mortgage payment (including insurance, utilities and real estate taxes) does not exceed thirty (30) percent of the income of the purchasing household or other standards as may be established pursuant to any city, state or federal housing program designed to assist low and moderate income households.

Converted Dwelling Unit shall mean a dwelling unit that has been converted from a non-housing use to a housing use in connection with the construction of an Inclusionary Project.

Developer shall mean any individual, corporation, business trust, estate trust, partnership or association, or any other entity or combination thereof.

Eligible Household shall mean any household whose total income does not exceed eighty (80) percent of the median income of households in the Boston Standard Metropolitan Statistical Area adjusted for family size, or such other equivalent income standard as may be determined by the Board of Trustees of the Affordable Housing Trust Fund.

Median Income shall mean the income set forth in or calculated from regulations promulgated by the United States Department of Housing and Urban Development, pursuant to Section 8 of the Housing Act of 1937, as amended by the Housing and Community Development Act of 1974 or such other equivalent income standard as determined by the Board of Trustees of the Affordable Housing Trust Fund.

Mixed Use Development shall mean a development that contains a combination of residential development and any other use.

Project, Incentive, shall mean that portion of projects containing uses listed in Sections 4.33c, 4.34, 4.35, 4.36, and 4.56 d 1 subject to the provisions of the special permits listed in Section 11.202.1.

Project, Inclusionary, shall mean any residential or mixed use development containing or creating ten or more new or converted dwelling units, including phased projects; or **where fewer than ten new or converted dwelling units are created including phased projects, a residential development containing 10,000 square feet or more of gross floor area, in which case each 1,000 square feet shall be considered a dwelling unit.**

Project, Phased, shall mean any residential or mixed use development or developments at one site or two or more adjoining sites in common ownership or under common control **within** a period of five years from the first date of application for any special or building permit for construction on the lot or lots, or for the twelve months immediately preceding the date of application for any special or building permit, where a total of no less than ten new or converted units are built.

Project, Voluntary Inclusionary, shall mean any residential or mixed use development containing less than ten new or converted dwelling units, including phased projects where the developer chooses to comply with the provisions of Section 11.203.2.

Residential Development shall mean single, two family and multi-family homes, townhouse development, elderly oriented congregate housing and lodging and rooming house dwellings as set forth in Section 4.31 a-h, and i(3).

11.202 Applicability.

11.202.1 Applicability of Incentive Zoning Provisions. Where a developer chooses to seek to obtain a special permit pursuant to the sections listed below, which special permit authorizes an increase in the permissible density or intensity of a particular use in the proposed development, the developer shall be subject to the applicable provisions of this Section 11.200 et al. Increases in density or intensity of use shall include an increase in gross floor area or height, a reduction or waiver of parking requirements, or a change in dimensional requirements or the addition of uses that result in an increase in density or intensity of use.

Section 6.35	Reduction in required parking for nonresidential development
Section 11.108	Divergence from dimensional requirements, North Massachusetts Avenue Overlay District
Section 11.54.2(2)	Additional height, Harvard Square Overlay District
Section 11.54.4(2)	Waiver of parking and loading requirements, Harvard Square Overlay District
Section 11.54.5(b)	Exemption from yard requirements, Harvard Square Overlay District

Section 11.63.5	Parkway Overlay District
Section 11.63.7	Divergence from dimensional requirements, Parkway Overlay District
Section 11.304.2(b), (c)	Additional height, Central Square Overlay District
Section 11.304.4	Waiver of setback requirements, Central Square Overlay District
Section 11.304.6	Waiver of parking requirements, Central Square Overlay District
Section 17.13.1(b)	Additional FAR, Special District I
Section 17.17	Transfer of Development Rights, Special District I
Article 13.00	PUD Districts, all permits.

11.202.2 Applicability of Inclusionary Housing Provisions. The provisions of this Section 11.200 shall apply to any Inclusionary Project and may be applied to any Voluntary Inclusionary Project. These provisions shall apply with respect to developments in all zoning districts of the city except those governed by the provisions of Article 15.000.

11.203 Requirements

11.203.1 Requirements for Incentive Zoning Contributions. A developer of an Incentive Project shall either make a Housing Contribution in accordance with this Section 11.203.1 (a) or shall create or cause to be created housing, in accordance with this Section 11.203.1 (b).

(a) Housing Contribution. For any project that is in whole or in part an Incentive Project, and that is, in total, less than thirty thousand (30,000) square feet of gross floor area, no contribution shall be required.

For any project of thirty thousand (30,000) square feet of gross floor area or more, the developer shall contribute three dollars (\$3.00) for every square foot of gross floor area over two thousand five hundred (2500) square feet of that portion of the project authorized by the Special Permit that is an Incentive Project.

Before the Superintendent of Buildings issues the first occupancy permit for the Incentive Project the developer of the Incentive Project shall deliver the Housing Contribution to the then Managing Trustee of the Affordable Housing Trust or its designee.

The amount of the Housing Contribution shall be subject to review and recalculation three (3) years after the effective date of this provision and every three (3) years thereafter by the Cambridge City Council based on a consideration of current economic trends including but not limited to development activity, commercial rents per square foot, employment growth, and housing trends measured in terms of, but not limited to, vacancy rates, production statistics, and prices for dwelling units. The Board of Trustees for the Affordable Housing Trust may adjust the amount annually based on CPI or a similar standard to reflect changes in inflation rates.

(b) Housing Creation Option. The Developer of an Incentive Project required to make a Housing Contribution in Subsection 11.203.1 (a) above may create or cause to be created affordable units for occupancy exclusively by eligible households, or may donate land to be used exclusively for the development of affordable units. These units or land donation, must be of equivalent benefit toward addressing the City's affordable housing need as the housing contribution otherwise required.

When this option is chosen a Developer shall obtain a report from the Board of Trustees of the Affordable Housing Trust, which report shall accompany the special permit application and shall advise the special permit granting authority as to whether the proposed Housing Creation conforms to the intent and purposes of this Section 11.200 et al. The report shall also recommend such conditions, if any, as the Trustees may find appropriate to the issuance of the special permit to assure full compliance with the intent of this Section 11.200.

The special permit granting authority shall give due consideration to the report of the Board of Trustees in granting any special permit subject to this Section 11.200 et al., and, in its discretion may approve the developers use of the Housing Creation Option.

11.203.2 Requirements for Inclusionary Housing .

(a) Any Inclusionary Project shall provide ___ percent of the total number of dwelling units up to the maximum allowed as of right as Affordable Units. [The Community Development Department recommends the amount of Affordable Units provided to be in a range of 10% to 15%, depending on findings made and conclusions drawn by the City Council.] Where the application of that formula results in a fractional dwelling unit, a fraction of one half of a dwelling unit or more shall be considered as one Affordable Unit. Each Affordable Unit shall meet the standards established in Section 11.204.

(b) To facilitate the objectives of this Section 11.200, modifications to the dimensional requirements in any zoning district, as set forth in Section 5.30, shall be permitted as of right for an Inclusionary Project, as set forth below:

(i) The FAR normally permitted in the applicable zoning district **for residential uses** shall be increased by [twice the percentage requirement] for Affordable Units as set forth in Section 11.203.2 (a) above, and at least fifty percent of the additional FAR should be allocated for the Affordable Units. In a Mixed Use Development, the increased FAR permitted in this paragraph (i) may be applied to the entire lot; however, any gross floor area arising from such increased FAR shall be occupied only by residential uses, exclusive of any hotel or motel use.

(ii) The minimum lot area per dwelling unit normally required in the applicable zoning district shall be reduced by that amount necessary to permit up to two additional units on the lot for each one Affordable Unit required in Section 11.203.2 (a) above. The additional units on a lot permitted by this paragraph (ii) shall not be considered in determining the threshold by which a special permit is required in Section 4.26 - Multifamily Special Permit Applicability and Section 11.10 - Townhouse Development of the Zoning Ordinance.

(c) For any Inclusionary Project that includes a total number of dwelling units that exceeds the maximum allowed as of right, the number of affordable units shall be no less than ___ percent of the total number of dwelling units in the project; however, the number of additional units permitted under Section 11.203.2 (b) (ii) above shall not be further increased.

(d) For any Voluntary Inclusionary Project that proposes to provide one Affordable Unit, the provisions of Section 11.203.2 (b) (i) and (ii) may be applied after the issuance of a special permit from the Planning Board. In issuing a special permit the Planning Board

shall find that the additional dwelling units or gross floor area permitted will not create a development significantly different in scale, density, or placement on the lot than can be found on adjacent lots or in the surrounding neighborhood; or if the development is significantly more dense, larger in scale or closer to the lot lines than can be found on adjacent lots, the Board shall find that the size or shape of the lot, the characteristics of development on abutting lots, and the nature of the design proposed on the subject lot mitigate any negative impact that such additional development may impose. ~~and that such impact is compensated for in part by the provision of affordable housing.~~ In making its findings the Planning Board shall consider the other kinds of dimensional relief that the development may require and the extent to which such relief varies from the requirements of the zoning district.

(e) Affordable Units required by this Section 11.203.2 shall be provided on-site. However, approval for alternate means of compliance may be granted by the Planning Board in certain exceptional circumstances. In granting such approval, the Planning Board must find that the property owner has demonstrated that building the required affordable units on-site would create a significant hardship. A significant hardship shall be defined as being follows: the hardship is of such significance that the property can not physically accommodate the required affordable units and/or related requirements, such as height, setbacks, or parking or that constructing the required affordable units on site would create an extreme financial hardship. To have such a request considered, the burden of proof shall be on the property owner, who must make full disclosure to the Planning Board of all relevant information. Any request for alternate means of compliance shall be reviewed by the Affordable Housing Trust, which shall then forward its recommendation on the request to the Planning Board. The Affordable Housing Trust's recommendation shall be based upon whether the alternate means of compliance shall be of comparable value to the affordable unit that would have otherwise been provided in a comparable Inclusionary Project. The Planning Board's approval of the request shall be based upon the Affordable Housing Trust's recommendations, and the demonstration of hardship made by the property owner. The Planning Board may, in its sole discretion, use other information to determine the validity of the property owner's request. Approval of alternate means of compliance shall be only for payment of a sum equivalent to the value of the provision of an on-site Affordable Unit at that site, which payment shall be made to the Affordable Housing Trust.

11.204 Standards for Construction and Occupancy of Affordable Units.

The following standards are intended to provide guidance to the special permit granting authority in instances where the Housing Creation Option is chosen to meet the requirements of this Section 11.200, to the Board of Trustees of the Trust in making any report it may make to the special permit granting authority or in authorizing the expenditure of any Housing Contribution funds, and to the Developer of any Inclusionary Project or Voluntary Inclusionary Project. In granting any special permit the special permit granting authority may allow for deviations from, or further define, these standards consistent with the purpose of this Section 11.200.

(a) Affordable Units in an Incentive Project shall be generally comparable in size and materials to dwelling units in the neighborhood or in the project where the units are to be

~~in which it is located for an Incentive Project, but shall generally meet the minimum square footage standards established in this Paragraph (a). Units for an Incentive Project or an Inclusionary Project shall generally be designed and intended for families with children. Where the Affordable Units are for elderly, handicapped, or other special needs households, the alternate unit sizes may apply.~~

(b) To ensure livability, Affordable Units in an Inclusionary Project shall be generally comparable in size and materials and amenities to the other units in the overall project and consistent with local needs for affordable housing as approved by the Trust shall have the following minimum square footage of living space:

<u>Unit Size</u>	<u>For Sale Units</u>	<u>Rental Units</u>
<u>1 Bedroom</u>	<u>750 sf</u>	<u>650 sf</u>
<u>2 Bedroom</u>	<u>950 sf</u>	<u>800 sf</u>
<u>3 Bedroom</u>	<u>1,100 sf</u>	<u>950 sf</u>
<u>4 Bedroom</u>	<u>1,250 sf</u>	<u>1,000 sf</u>

~~The Trust shall establish minimum standards via regulations to assure durability, energy efficiency, and water conservation.~~

~~For Inclusionary Projects, or Incentive Projects where appropriate the Trust shall develop regulations to ensure that exteriors of affordable units shall closely resemble the exteriors of other units in a project, and residents of affordable units should have full use of all amenities in the common spaces. shall be reasonably distributed throughout the project.~~

(c) The Affordable Units shall, to a reasonable extent, serve eligible households of diverse incomes, including very low income, and diverse sizes throughout the city.

(d) The Affordable Units shall be subject to deed restrictions providing that they shall:

- (1) be occupied by eligible households.
- (2) be conveyed subject to restrictions, which to the extent legally possible shall guarantee the permanent availability of the Affordable Units to eligible households. Such restrictions shall include but not be limited to limited equity deed restrictions. In general, to meet this requirement, affordable rent levels shall be maintained for a minimum of 50 years from the date of initial occupancy in accordance with current practices of the City. With for-sale units, the City's current system of deed restrictions controlling resale prices shall be observed.
- (3) ~~not be financed by the Developer with the use of subsidized capital financing to meet the requirements of this Section 11.200, to the extent that this would allow the Developer to externalize the costs of compliance with this Section 11.200.~~
- (3) to the extent possible, give preference to eligible households who are Cambridge residents.
- (4) be rented or sold to Eligible Households, using marketing and selection guidelines customarily employed by the Community Development Department in selecting tenant and homeowner households under other City, state or federal housing assistance programs.

- (e) The rental or ownership of affordable units shall mirror the project as a whole. For example, affordable units should be sold, not rented, where a majority of units will be offered for sale.
- (f) The affordable units ~~in general~~ shall be affordable to households having a target income of 65% of the area median income, or if the household has access to a rent subsidy, a lower income. ~~or qualify for subsidy to pay~~ The Trust shall have the discretion to approve a mix of higher and lower rents or sale prices, the average of which approximates an affordable price for a household at the target income level.
- (g) The intent of the Inclusionary Housing provisions is that the Affordable Units required hereunder not use public funds to create; these provisions however, are not intended to discourage the use of public funds to generate a greater number of affordable units ~~than are not intended to discourage the use of public funds to generate a greater number of affordable units~~

11.205 *Affordable Housing Trust.*

Pursuant to the provisions of Chapter 42 of the Acts of 1991, an Affordable Housing Trust Fund was established. To facilitate the implementation of the provision of this Section 11.200, the Affordable Housing Trust Fund receives funds generated by this Section 11.200 and specifically Section 11.203.1(a), as well as other funds generated from other sources.

11.205.1 Uses of the Affordable Housing Trust. The Trust property may be made available for, but shall not be limited to, the following uses.

- (1) Creation of Affordable Units. To encourage the development of Affordable Units through a variety of means, including, but not limited to, the provision of favorable financing terms or direct write down of costs for either nonprofit or for profit developers or to subsidize the purchase of sites, existing structures, or affordable units within a larger development.
- (2) Multifamily Rehabilitation Programs. To finance the substantial rehabilitation of deteriorated properties in a manner that preserves the affordability of units through interest rate subsidies, loan guarantees or write down of project costs. Multifamily housing owned by nonprofit entities that ensure maximum long-term affordability shall receive priority funding consideration.
- (3) Limited Equity Cooperative or Condominium Conversion. For acquisition and rehabilitation of potential cooperatives or condominiums through low interest blanket loans, share loans or direct cost write down.

11.205.2 Administration of the Affordable Housing Trust and its Activities. The Trust property may be made available to fund reasonable administrative expenses necessary to support Trust activities, including but not limited to consulting services such as legal, appraising or engineering, as well as other project related expenses. The

Community Development Department shall provide the Board of Trustees with technical and administrative assistance.

11.205.3 Board of Trustees of Affordable Housing Trust. The City Manager shall appoint and chair a nine (9) member Board of Trustees of the Affordable Housing Trust. The Board of Trustees shall be composed of representatives from different sectors of the community with housing policy, and may include members of City Boards and agencies, nonprofit housing organizations and community representatives. The trustees, with concurrence of the City Manager, shall establish regulations for the operations of the Trust and Board of Trustees, and procedures for the implementation of this Subsection 11.205.

- (1) The Board of Trustees shall manage and administer the Affordable Housing Trust Fund including the disbursement of all funds, units and land conveyed to the City of Cambridge.
- (2) The Board of Trustees shall review and approve or disapprove proposals submitted for use of the Housing Trust Fund. The Board shall develop policies and standards appropriate to and consistent with the Incentive Zoning and Inclusionary Housing provisions, section 11.200.
- (3) The Board shall explore the feasibility of and assist in the establishment of new programs designed to meet Cambridge affordable housing needs. These programs may include a city wide Land Bank program and Home Mortgage Pool.
- (4) The Board of Trustees shall provide assistance and necessary reports where appropriate to any special permit granting authority authorized to issue a special permit for any development making use of funds from the Affordable Housing Trust or subject to any provisions under this Section 11.200.

11.206 *Enforcement*

The Community Development Department shall certify in writing to the Superintendent of Buildings that all conditions of this Section 11.200, including any conditions that may be established by the special permit granting authority in issuing a special permit under this Section 11.200, have been met before issuance of the first building permit for any Incentive Project, Inclusionary Project, or Voluntary Inclusionary Project. Before the issuance of the first Certificate of Occupancy for such development the Trust shall certify in writing to the Superintendent of Buildings that all documents have been filed and actions taken that are necessary to fulfill the conditions of this Section 11.200 and any special permit authorized herein.

B. In Section 5.31 - Residential Districts, Paragraph 2 - Footnotes, Footnote (i), delete the existing text in its entirety and substitute therefore the following:

(i) The dimensional requirements of the Residence C-1 district as detailed in this Section 5.31 shall apply in the Residence C district for structures in existence as of December 1, 1986 under the following limitations and conditions:

- (1) Any increase in floor area or numbers of units on a lot, provided all construction occurs within the limits of the existing structure; or
- (2) For the reconstruction without limit as to cost (notwithstanding any contrary provisions of Section 8.23) of a non conforming structure destroyed or damaged by fire or other catastrophe provided the structure as restored shall not be greater in lot coverage or volume, or shall not extend further into required yards, than the original structure; all other provisions of Section 8.23, however, shall continue to apply.

C. In Section 13.70 - Planned Unit Development in the North Point Residence, Office and Business District do the following:

1. In Section 13.74.3 - Incentive for Residential Development, delete in its entirety Paragraph (3).
2. Delete Section 13.78.3 - Inclusionary Housing Requirements in its entirety.

D. In Article 17.000 - Special Business, Office and Industrial Districts do the following:

1. In Section 17.90 - Special District 9, delete existing Subsections 17.94, 17.95, and 17.96 in their entirety and substitute therefore the following:
 - a. 17.94 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 9.
 - b. Renumber existing Subsections 17.97, 17.98 and 17.99 as new Subsections 17.95, 17.96, and 17.97.
2. In Section 17.100 - Special District 10, delete existing Subsections 17.104, 17.105, and 17.106 in their entirety and substitute therefore the following:
 - a. 17.104 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 10.
 - b. Renumber existing Subsections 17.107, 17.108, and 17.109 as new Subsections 17.105, 17.106, and 17.107.
3. In Section 17.83.1 - Maximum FAR, delete existing language such that the section reads as follows:

The FAR applicable on any lot in the district shall not exceed 1.25 for all uses except that it may be increased to 1.75 for permitted dormitory uses and to 1.75 by special permit from the Planning Board for permitted residential uses. ~~subject to the affordability requirements of Section 11.304 (a), 11.305, and 11.306 from~~

~~the base as or right FAR of 1.25. (editorial note: references should be to Sections 17.94, 17.95, and 17.96)~~

E. In Article 6.000, Parking regulations, do the following:

1. In Section 6.35 - Reduction in Required Parking, add new language such that it reads as follows:

Any required amount of parking may be reduced upon issuance of a special permit from the Board of Zoning Appeal. However, handicapped parking required by Subsection 6.34, bicycle parking required by Subsection 6.37, and commercial vehicle parking required by sub-Subsection 6.31.5 shall not be reduced. A special permit shall be granted only if the Board determines and cites evidence in its decision, that the lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood or that such lesser amount of parking will provide positive environmental or other benefits to users of the lot and the neighborhood, **including specifically, among other benefits, assisting in the provision of affordable housing units.** In making such a determination the Board shall consider whether or not less off street parking is reasonable in the light of the following:

2. Delete the word "and" at the end of the sentence in Section 6.35.4.
3. Add a semi-colon and the word "and" to the end of Section 6.35.5.
4. Add a new Section 6.35.6 to read as follows:

The provision of required parking for developments containing affordable housing units, and especially for developments employing the increased FAR and dwelling unit density provisions of Section 11.200, will increase the cost of the development, will require variance relief from other zoning requirements applicable to the development because of limitations of space on the lot, or will significantly diminish the environmental quality for all residents of the development.

F. In Section 11.304.3, do the following:

Add a new sentence to Section 11.304.3c so that it reads as follows:

- c. Special Permit for Additional FAR for Affordable Housing

The maximum FAR on any lot in an Office 3 District may be increased to 3.75 upon issuance of a special permit from the Planning Board provided a minimum of twenty (20) percent of the total gross floor area authorized is devoted to

affordable housing as defined in Section 11.201. The affordable housing shall conform to the standards of Section 11.204, except that lodging housing or single room occupancy facilities shall be specifically permitted. The additional FAR bonus permitted in Section 11.203.2, however, shall not apply to developments employing this Section 11.304.3c.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Eight

*Published
Version*

AN ORDINANCE

In Amendment to the "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

Amend the text of the Zoning Ordinances of the City of Cambridge by deleting the existing Section 11.200 - Incentive Zoning Provisions in its entirety and substituting in place thereof Section 11.200 entitled "Incentive Zoning and Inclusionary Housing Provisions".

Also by amending Section 11.203.2 entitled "Requirements for Inclusionary Housing" in the first sentence of section (a) to read as follows:

(a) Any Inclusionary Project shall provide fifteen (15) percent of the total number of dwelling units up to the maximum allowed as of right as Affordable Units.

Delete in section (a) of Section 11.203.2 the second sentence.

In subsection (b) (i) The first sentence shall read as follows:

(i) The FAR normally permitted in the applicable zoning district for residential uses shall be increased by thirty (30) percent for Affordable Units as set forth in Section 11.203.2 (a) above, and at least fifty percent of the additional FAR should be allocated for the Affordable Units.

Amend the first sentence in subsection (c) of 11.203.2 to read as follows:

(c) For any Inclusionary Project that includes a total number of dwelling units that exceeds the maximum allowed as of right, the number of affordable units shall be no less than fifteen (15) percent of the total number of dwelling units in the project; however, the number of additional units permitted under Section 11.203.2 (b)(ii) above shall not be further increased.

Also to amend the following sections:

B. In Section 5.31 - Residential Districts, Paragraph 2 - Footnotes, Footnote (i), delete the existing text in its entirety and substitute therefore the following:

(i) The dimensional requirements of the Residence C-1 district as detailed in this Section 5.31 shall apply in the Residence C district for structures in existence as of December 1, 1986 under the following limitations and conditions:

(1) Any increase in floor area or numbers of units on a lot, provided all construction occurs within the limits of the existing structure; or

(2) For the reconstruction without limit as to cost (notwithstanding any contrary provisions of Section 8.23) of a non conforming structure destroyed or damaged by fire or other catastrophe provided the structure as restored shall not be greater in lot coverage or volume, or shall not extend further into required yards, than the original structure; all other provisions of Section 8.23, however, shall continue to apply.

C. In Section 13.70 - Planned Unit Development in the North Point Residence, Office and Business District do the following:

1. In Section 13.74.3 - Incentive for Residential Development, delete in its entirety Paragraph (3).

2. Delete Section 13.78.3 - Inclusionary Housing Requirements in its entirety.

D. In Article 17.000 - Special Business, Office and Industrial Districts do the following:

1. In Section 17.90 - Special District 9, delete existing Subsections 17.94, 17.95, and 17.96 in their entirety and substitute therefore the following:

a. 17.94 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 9.

- b. Renumber existing Subsections 17.97, 17.98 and 17.99 as new Subsections 17.95, 17.96, and 17.97.
2. In Section 17.100 - Special District 10, delete existing Subsections 17.104, 17.105, and 17.106 in their entirety and substitute therefore the following:
- a. 17.104 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 10.
 - b. Renumber existing Subsections 17.107, 17.108, and 17.109 as new Subsections 17.105, 17.106, and 17.107.
3. In Section 17.83.1 - Maximum FAR, delete existing language such that the section reads as follows:
- The FAR applicable on any lot in the district shall not exceed 1.25 for all uses except that it may be increased to 1.75 for permitted dormitory uses and to 1.75 by special permit from the Planning Board for permitted residential uses.

E. In Article 6.000, Parking regulations, do the following:

1. In Section 6.35 - Reduction in Required Parking, add new language such that it reads as follows:

Any required amount of parking may be reduced upon issuance of a special permit from the Board of Zoning Appeal. However, handicapped parking required by Subsection 6.34, bicycle parking required by Subsection 6.37, and commercial vehicle parking required by sub-Subsection 6.31.5 shall not be reduced. A special permit shall be granted only if the Board determines and cites evidence in its decision, that the lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood or that such lesser amount of parking will provide positive environmental or other benefits to users of the lot and the neighborhood, **including specifically, among other benefits, assisting in the provision of affordable housing units.** In making such a determination the Board shall consider whether or not less off street parking is reasonable in the light of the following:
2. Delete the word "and" at the end of the sentence in Section 6.35.4.
3. Add a semi-colon and the word "and" to the end of Section 6.35.5.
4. Add a new Section 6.35.6 to read as follows:

The provision of required parking for developments containing affordable housing units, and especially for developments employing the increased FAR and dwelling unit density provisions of Section 11.200, will increase the cost of the development, will require variance relief from other zoning requirements applicable to the development because of limitations of space

on the lot, or will significantly diminish the environmental quality for all residents of the development.

F. In Section 11.304.3, do the following:

Add a new sentence to Section 11.304.3c so that it reads as follows:

c. Special Permit for Additional FAR for Affordable Housing

The maximum FAR on any lot in an Office 3 District may be increased to 3.75 upon issuance of a special permit from the Planning Board provided a minimum of twenty (20) percent of the total gross floor area authorized is devoted to affordable housing as defined in Section 11.201. The affordable housing shall conform to the standards of Section 11.204, except that lodging housing or single room occupancy facilities shall be specifically permitted. **The additional FAR bonus permitted in Section 11.203.2, however, shall not apply to developments employing this Section 11.304.3c.**

In City Council March 2, 1998.

Passed to be ordained as amended by a yeas and nays vote:-

Yeas 7; Nays 2; Absent 0.

ATTEST:-

D. Margaret Drury
City Clerk

NOTE: Pursuant to the provisions of General Laws, chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Eight

AN ORDINANCE

In Amendment to the "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

Amend the text of the Zoning Ordinances of the City of Cambridge by deleting the existing Section 11.200 - Incentive Zoning Provisions in its entirety and substituting in place thereof Section 11.200 entitled "Incentive Zoning and Inclusionary Housing Provisions".

Also by amending Section 11.203.2 entitled "Requirements for Inclusionary Housing" in the first sentence of section (a) to read as follows:

(a) Any Inclusionary Project shall provide fifteen (15) percent of the total number of dwelling units up to the maximum allowed as of right as Affordable Units.

Delete in section (a) of Section 11.203.2 the second sentence.

In subsection (b) (i) The first sentence shall read as follows:

(i) The FAR normally permitted in the applicable zoning district for residential uses shall be increased by thirty (30) percent for Affordable Units as set forth in Section 11.203.2 (a) above, and at least fifty percent of the additional FAR should be allocated for the Affordable Units.

Amend the first sentence in subsection (c) of 11.203.2 to read as follows:

(c) For any Inclusionary Project that includes a total number of dwelling units that exceeds the maximum allowed as of right, the number of affordable units shall be no less than fifteen (15) percent of the total number of dwelling units in the project; however, the number of additional units permitted under Section 11.203.2 (b)(ii) above shall not be further increased.

Also to amend the following sections:

B. In Section 5.31 - Residential Districts, Paragraph 2 - Footnotes, Footnote (i), delete the existing text in its entirety and substitute therefore the following:

(i) The dimensional requirements of the Residence C-1 district as detailed in this Section 5.31 shall apply in the Residence C district for structures in existence as of December 1, 1986 under the following limitations and conditions:

(1) Any increase in floor area or numbers of units on a lot, provided all construction occurs within the limits of the existing structure; or

(2) For the reconstruction without limit as to cost (notwithstanding any contrary provisions of Section 8.23) of a non conforming structure destroyed or damaged by fire or other catastrophe provided the structure as restored shall not be greater in lot coverage or volume, or shall not extend further into required yards, than the original structure; all other provisions of Section 8.23, however, shall continue to apply.

C. In Section 13.70 - Planned Unit Development in the North Point Residence, Office and Business District do the following:

1. In Section 13.74.3 - Incentive for Residential Development, delete in its entirety Paragraph (3).

2. Delete Section 13.78.3 - Inclusionary Housing Requirements in its entirety.

D. In Article 17.000 - Special Business, Office and Industrial Districts do the following:

1. In Section 17.90 - Special District 9, delete existing Subsections 17.94, 17.95, and 17.96 in their entirety and substitute therefore the following:

a. 17.94 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 9.

- b. Renumber existing Subsections 17.97, 17.98 and 17.99 as new Subsections 17.95, 17.96, and 17.97.
2. In Section 17.100 - Special District 10, delete existing Subsections 17.104, 17.105, and 17.106 in their entirety and substitute therefore the following:
- a. 17.104 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 10.
 - b. Renumber existing Subsections 17.107, 17.108, and 17.109 as new Subsections 17.105, 17.106, and 17.107.
3. In Section 17.83.1 - Maximum FAR, delete existing language such that the section reads as follows:
- The FAR applicable on any lot in the district shall not exceed 1.25 for all uses except that it may be increased to 1.75 for permitted dormitory uses and to 1.75 by special permit from the Planning Board for permitted residential uses.

E. In Article 6.000, Parking regulations, do the following:

1. In Section 6.35 - Reduction in Required Parking, add new language such that it reads as follows:

Any required amount of parking may be reduced upon issuance of a special permit from the Board of Zoning Appeal. However, handicapped parking required by Subsection 6.34, bicycle parking required by Subsection 6.37, and commercial vehicle parking required by sub-Subsection 6.31.5 shall not be reduced. A special permit shall be granted only if the Board determines and cites evidence in its decision, that the lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood or that such lesser amount of parking will provide positive environmental or other benefits to users of the lot and the neighborhood, **including specifically, among other benefits, assisting in the provision of affordable housing units.** In making such a determination the Board shall consider whether or not less off street parking is reasonable in the light of the following:
2. Delete the word "and" at the end of the sentence in Section 6.35.4.
3. Add a semi-colon and the word "and" to the end of Section 6.35.5.
4. Add a new Section 6.35.6 to read as follows:

The provision of required parking for developments containing affordable housing units, and especially for developments employing the increased FAR and dwelling unit density provisions of Section 11.200, will increase the cost of the development, will require variance relief from other zoning requirements applicable to the development because of limitations of space

on the lot, or will significantly diminish the environmental quality for all residents of the development.

F. In Section 11.304.3, do the following:

Add a new sentence to Section 11.304.3c so that it reads as follows:

c. Special Permit for Additional FAR for Affordable Housing

The maximum FAR on any lot in an Office 3 District may be increased to 3.75 upon issuance of a special permit from the Planning Board provided a minimum of twenty (20) percent of the total gross floor area authorized is devoted to affordable housing as defined in Section 11.201. The affordable housing shall conform to the standards of Section 11.204, except that lodging housing or single room occupancy facilities shall be specifically permitted. The additional FAR bonus permitted in Section 11.203.2, however, shall not apply to developments employing this Section 11.304.3c.

In City Council March 2, 1998.

Passed to be ordained as amended by a yeas and nays vote:-

Yeas 7; Nays 2; Absent 0.

ATTEST:-

D. Margaret Drury
City Clerk

NOTE: Pursuant to the provisions of General Laws, chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Eight

AN ORDINANCE

In Amendment to the "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

Amend the text of the Zoning Ordinances of the City of Cambridge by deleting the existing Section 11.200 - Incentive Zoning Provisions in its entirety and substituting in place thereof Section 11.200 entitled "Incentive Zoning and Inclusionary Housing Provisions".

Also by amending Section 11.203.2 entitled "Requirements for Inclusionary Housing" in the first sentence of section (a) to read as follows:

(a) Any Inclusionary Project shall provide fifteen (15) percent of the total number of dwelling units up to the maximum allowed as of right as Affordable Units.

Delete in section (a) of Section 11.203.2 the second sentence.

In subsection (b) (i) The first sentence shall read as follows:

(i) The FAR normally permitted in the applicable zoning district for residential uses shall be increased by thirty (30) percent for Affordable Units as set forth in Section 11.203.2 (a) above, and at least fifty percent of the additional FAR should be allocated for the Affordable Units.

Amend the first sentence in subsection (c) of 11.203.2 to read as follows:

(c) For any Inclusionary Project that includes a total number of dwelling units that exceeds the maximum allowed as of right, the number of affordable units shall be no less than fifteen (15) percent of the total number of dwelling units in the project; however, the number of additional units permitted under Section 11.203.2 (b)(ii) above shall not be further increased.

Also to amend the following sections:

B. In Section 5.31 - Residential Districts, Paragraph 2 - Footnotes, Footnote (i), delete the existing text in its entirety and substitute therefore the following:

(i) The dimensional requirements of the Residence C-1 district as detailed in this Section 5.31 shall apply in the Residence C district for structures in existence as of December 1, 1986 under the following limitations and conditions:

(1) Any increase in floor area or numbers of units on a lot, provided all construction occurs within the limits of the existing structure; or

(2) For the reconstruction without limit as to cost (notwithstanding any contrary provisions of Section 8.23) of a non conforming structure destroyed or damaged by fire or other catastrophe provided the structure as restored shall not be greater in lot coverage or volume, or shall not extend further into required yards, than the original structure; all other provisions of Section 8.23, however, shall continue to apply.

C. In Section 13.70 - Planned Unit Development in the North Point Residence, Office and Business District do the following:

1. In Section 13.74.3 - Incentive for Residential Development, delete in its entirety Paragraph (3).

2. Delete Section 13.78.3 - Inclusionary Housing Requirements in its entirety.

D. In Article 17.000 - Special Business, Office and Industrial Districts do the following:

1. In Section 17.90 - Special District 9, delete existing Subsections 17.94, 17.95, and 17.96 in their entirety and substitute therefore the following:

a. 17.94 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 9.

- b. Renumber existing Subsections 17.97, 17.98 and 17.99 as new Subsections 17.95, 17.96, and 17.97.
2. In Section 17.100 - Special District 10, delete existing Subsections 17.104, 17.105, and 17.106 in their entirety and substitute therefore the following:
- a. 17.104 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 10.
 - b. Renumber existing Subsections 17.107, 17.108, and 17.109 as new Subsections 17.105, 17.106, and 17.107.
3. In Section 17.83.1 - Maximum FAR, delete existing language such that the section reads as follows:
- The FAR applicable on any lot in the district shall not exceed 1.25 for all uses except that it may be increased to 1.75 for permitted dormitory uses and to 1.75 by special permit from the Planning Board for permitted residential uses.

E. In Article 6.000, Parking regulations, do the following:

1. In Section 6.35 - Reduction in Required Parking, add new language such that it reads as follows:

Any required amount of parking may be reduced upon issuance of a special permit from the Board of Zoning Appeal. However, handicapped parking required by Subsection 6.34, bicycle parking required by Subsection 6.37, and commercial vehicle parking required by sub-Subsection 6.31.5 shall not be reduced. A special permit shall be granted only if the Board determines and cites evidence in its decision, that the lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood or that such lesser amount of parking will provide positive environmental or other benefits to users of the lot and the neighborhood, **including specifically, among other benefits, assisting in the provision of affordable housing units.** In making such a determination the Board shall consider whether or not less off street parking is reasonable in the light of the following:
2. Delete the word "and" at the end of the sentence in Section 6.35.4.
3. Add a semi-colon and the word "and" to the end of Section 6.35.5.
4. Add a new Section 6.35.6 to read as follows:

The provision of required parking for developments containing affordable housing units, and especially for developments employing the increased FAR and dwelling unit density provisions of Section 11.200, will increase the cost of the development, will require variance relief from other zoning requirements applicable to the development because of limitations of space

on the lot, or will significantly diminish the environmental quality for all residents of the development.

F. In Section 11.304.3, do the following:

Add a new sentence to Section 11.304.3c so that it reads as follows:

c. Special Permit for Additional FAR for Affordable Housing

The maximum FAR on any lot in an Office 3 District may be increased to 3.75 upon issuance of a special permit from the Planning Board provided a minimum of twenty (20) percent of the total gross floor area authorized is devoted to affordable housing as defined in Section 11.201. The affordable housing shall conform to the standards of Section 11.204, except that lodging housing or single room occupancy facilities shall be specifically permitted. **The additional FAR bonus permitted in Section 11.203.2, however, shall not apply to developments employing this Section 11.304.3c.**

In City Council March 2, 1998.

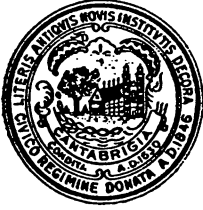
Passed to be ordained as amended by a yeas and nays vote:-

Yeas 7; Nays 2; Absent 0.

ATTEST:-

D. Margaret Drury
City Clerk

NOTE: Pursuant to the provisions of General Laws, chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Eight

AN ORDINANCE

In Amendment to the "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

Amend the text of the Zoning Ordinances of the City of Cambridge by deleting the existing Section 11.200 - Incentive Zoning Provisions in its entirety and substituting in place thereof Section 11.200 entitled "Incentive Zoning and Inclusionary Housing Provisions".

Also by amending Section 11.203.2 entitled "Requirements for Inclusionary Housing" in the first sentence of section (a) to read as follows:

(a) Any Inclusionary Project shall provide fifteen (15) percent of the total number of dwelling units up to the maximum allowed as of right as Affordable Units.

Delete in section (a) of Section 11.203.2 the second sentence.

In subsection (b) (i) The first sentence shall read as follows:

(i) The FAR normally permitted in the applicable zoning district for residential uses shall be increased by thirty (30) percent for Affordable Units as set forth in Section 11.203.2 (a) above, and at least fifty percent of the additional FAR should be allocated for the Affordable Units.

Amend the first sentence in subsection (c) of 11.203.2 to read as follows:

(c) For any Inclusionary Project that includes a total number of dwelling units that exceeds the maximum allowed as of right, the number of affordable units shall be no less than fifteen (15) percent of the total number of dwelling units in the project; however, the number of additional units permitted under Section 11.203.2 (b)(ii) above shall not be further increased.

Also to amend the following sections:

B. In Section 5.31 - Residential Districts, Paragraph 2 - Footnotes, Footnote (i), delete the existing text in its entirety and substitute therefore the following:

(i) The dimensional requirements of the Residence C-1 district as detailed in this Section 5.31 shall apply in the Residence C district for structures in existence as of December 1, 1986 under the following limitations and conditions:

(1) Any increase in floor area or numbers of units on a lot, provided all construction occurs within the limits of the existing structure; or

(2) For the reconstruction without limit as to cost (notwithstanding any contrary provisions of Section 8.23) of a non conforming structure destroyed or damaged by fire or other catastrophe provided the structure as restored shall not be greater in lot coverage or volume, or shall not extend further into required yards, than the original structure; all other provisions of Section 8.23, however, shall continue to apply.

C. In Section 13.70 - Planned Unit Development in the North Point Residence, Office and Business District do the following:

1. In Section 13.74.3 - Incentive for Residential Development, delete in its entirety Paragraph (3).

2. Delete Section 13.78.3 - Inclusionary Housing Requirements in its entirety.

D. In Article 17.000 - Special Business, Office and Industrial Districts do the following:

1. In Section 17.90 - Special District 9, delete existing Subsections 17.94, 17.95, and 17.96 in their entirety and substitute therefore the following:

a. 17.94 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 9.

- b. Renumber existing Subsections 17.97, 17.98 and 17.99 as new Subsections 17.95, 17.96, and 17.97.
2. In Section 17.100 - Special District 10, delete existing Subsections 17.104, 17.105, and 17.106 in their entirety and substitute therefore the following:
- a. 17.104 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 10.
 - b. Renumber existing Subsections 17.107, 17.108, and 17.109 as new Subsections 17.105, 17.106, and 17.107.
3. In Section 17.83.1 - Maximum FAR, delete existing language such that the section reads as follows:
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on the lot, or will significantly diminish the environmental quality for all residents of the development.

F. In Section 11.304.3, do the following:

Add a new sentence to Section 11.304.3c so that it reads as follows:

c. Special Permit for Additional FAR for Affordable Housing

The maximum FAR on any lot in an Office 3 District may be increased to 3.75 upon issuance of a special permit from the Planning Board provided a minimum of twenty (20) percent of the total gross floor area authorized is devoted to affordable housing as defined in Section 11.201. The affordable housing shall conform to the standards of Section 11.204, except that lodging housing or single room occupancy facilities shall be specifically permitted. The additional FAR bonus permitted in Section 11.203.2, however, shall not apply to developments employing this Section 11.304.3c.

In City Council March 2, 1998.

Passed to be ordained as amended by a yea and nay vote:-

Yeas 7; Nays 2; Absent 0.

ATTEST:-

D. Margaret Drury
City Clerk

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City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Eight

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In Amendment to the "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

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Also by amending Section 11.203.2 entitled "Requirements for Inclusionary Housing" in the first sentence of section (a) to read as follows:

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Delete in section (a) of Section 11.203.2 the second sentence.

In subsection (b) (i) The first sentence shall read as follows:

(i) The FAR normally permitted in the applicable zoning district for residential uses shall be increased by thirty (30) percent for Affordable Units as set forth in Section 11.203.2 (a) above, and at least fifty percent of the additional FAR should be allocated for the Affordable Units.

Amend the first sentence in subsection (c) of 11.203.2 to read as follows:

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on the lot, or will significantly diminish the environmental quality for all residents of the development.

F. In Section 11.304.3, do the following:

Add a new sentence to Section 11.304.3c so that it reads as follows:

c. Special Permit for Additional FAR for Affordable Housing

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In City Council March 2, 1998.

Passed to be ordained as amended by a yeas and nays vote:-

Yeas 7; Nays 2; Absent 0.

ATTEST:-

D. Margaret Drury
City Clerk

NOTE: Pursuant to the provisions of General Laws, chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

City of Cambridge

MASSACHUSETTS

Unfinished Business In City Council 3/2, 1998

11

AG Insert 15% to 11.203.2(a) + (c)

YEA	NAY	ABSENT	PRESENT	
✓				Ms. Kathleen L. Born
✓				Ms. Henrietta Davis
✓				V. Mayor Anthony Galluccio
✓				Mr. Kenneth E. Reeves
	✓			Ms. Sheila T. Russell
			✓	Mr. Michael A. Sullivan
	✓			Mr. Timothy J. Toomey, Jr.
✓				Ms. Katherine Triantafillou
✓				Mayor Francis H. Duehay

6 2 0 1



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

February 17, 1998

To the Honorable, the City Council:

Subject: City Council Petition to require the provision of affordable housing units in residential developments of ten or more units, Section 11.200.

Recommendation The Planning Board recommends adoption of the petition with modifications to the text made in response to comments heard during the public hearing process. The changes do not alter the substance of the proposal but rather clarify the meaning and intent of various provisions of the ordinance. The Planning Board does not make a specific recommendation with regard to the percentage of affordable housing to be required (either ten or fifteen percent is allowed in the petition). Two copies of the recommended revised Ordinance text are attached. The first shows the additions and deletions that have been made. The second copy shows the final text as it is recommended by the Planning Board. Also attached is an explanation of the changes that have been made to the original petition text.

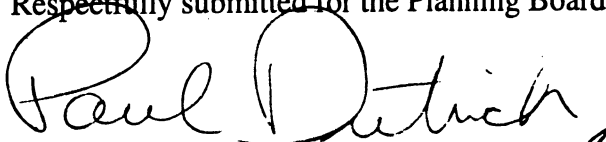
Discussion

The Planning Board makes its recommendation based on years of experience with the review of housing projects in the city which, for lack a city wide requirement, have not been obligated to provide any units of housing at below market cost. A number of affordable housing provisions exist currently in the Ordinance but they are generally voluntary in nature and have not been successful in securing new affordable units. The limited provisions currently in the Ordinance that do require affordable housing as part of a proposed development, as in the North Point planned unit development, have been successful in generating new affordable units. Those provisions are very limited in their geographic distribution, however, and have no impact on the large numbers of housing units constructed elsewhere in the city. The recommended ordinance will be universally and fairly applied to all housing construction anywhere in the city where ten or more dwelling units are proposed.

Analysis by the Community Development Department of the existing state of the housing environment in Cambridge, including, among other work, the Inclusionary Housing Study prepared for the Department by the firm of Stockard & Engler & Brigham, clearly confirm the growing disparity between the cost of new housing and the ability of the

diverse population of the city to pay for such housing. The recommended ordinance is one important element, in an array of tools the city does employ, that can increase the stock of housing with long term affordability restrictions, integrate lower income households into market-rate housing developments, provide affordable housing opportunities throughout all of the City's neighborhoods, and utilize the financial strength of the private sector in producing affordable housing. The city's policy objective of making decent housing available in the community to a wide range of households and individuals is an important one, one the Planning Board supports, and one that is advanced in part by this amendment to the Zoning Ordinance.

Respectfully submitted for the Planning Board,


Paul Dietrich, Chairman

Summary of Changes Recommended by the Planning Board

1. Section 11.203.2 (a), (b), (c):

These paragraphs have been revised to clarify the method for determining the number of required affordable units, and the associated increase in allowable density. Key points include:

- In paragraph (b)(1), language was added to clarify that at least 50% of the FAR bonus must be allocated to the Affordable Units and that the density bonus in a mixed use development is only for residential uses.
- The affordability percentage is applied to the number of proposed units up to a maximum allowed as of right. For project proposals with fewer units than the maximum allowable, the percentage is applied to the actual number proposal.
- In paragraph (b) (ii), language was added to clarify that the additional units allowed pursuant to these provisions shall not trigger multifamily and townhouse special permit requirements if the project was not otherwise subject to these requirements.
- Paragraph (c) was added to clarify that proposed projects that exceed the maximum allowable number of units (and thus require additional relief) shall only receive the by right density bonus based on the maximum allowable number.

2. Section 11.203.2 (e)

The definition of significant hardship was added to clarify that physical site constraints, such as height, setbacks, or parking, would be grounds for the granting approval for an alternate means of compliance (a cash payment to the Affordable Housing Trust).

3. Section 11.204

Revisions were made in response to comments about confusion over which construction and occupancy standards apply for affordable units in both Incentive and Inclusionary projects.

- The former paragraph (a) was broken into two paragraphs (a) and (b). Paragraph (a) applies to affordable units created through Incentive Projects (non-residential) pursuant to the Housing Creation Option in Section 11.203.1 (b). Provisions calling for the units serving particular types of households were deleted.
- Paragraph (b) applies to affordable units in an Inclusionary Project. The minimum square footage requirements were deleted, and language regarding general comparability to other units in the project and consistent with local needs was added.

- The issue of where the affordable housing units are located within an Inclusionary Project is addressed by adding language that such units shall be reasonably distributed throughout the project.
- Comments were received regarding the use of public funds to subsidize the affordable units. Subparagraph (d) (3) was deleted and new paragraph (g) added to clarify the intentions of the policy.

4. Parking Relief

Affordable housing was added to the list of criteria that may justify a reduction in parking requirements pursuant to a special permit granted by the BZA (Section 6.35).

5. Other Sections of the Ordinance

Changes are made to other sections of the ordinance that now provide for inclusionary housing, in order to bring these sections into conformance with this recommended city-wide Inclusionary housing ordinance.

Additional Relevant Documents

1. Cambridge Inclusionary Housing Study - List of Attachments
2. List of Affordable Housing Developments
3. New Development Survey
4. City of Cambridge Housing Market Information
5. Memorandum - Cambridge Inclusionary Housing Study
6. Cambridge Inclusionary Housing Study
7. City Home
8. Summary of Inclusionary Ordinances
9. Memorandum - Potential Inclusionary Zoning Projects
10. Inclusionary Zoning Unit Analysis

**Revised Text as Recommended by the Planning Board
2/17/98**

Amend the text of the Zoning Ordinance of the City of Cambridge by doing the following:

A. Delete the existing Section 11.200 - Incentive Zoning Provisions in its entirety and substitute therefore the following:

11.200 Incentive Zoning and Inclusionary Housing Provisions

Purposes. The purposes of this Section 11.200 are to promote the public health, safety and welfare by encouraging the expansion and upgrading of the City's housing stock while accommodating the expansion of housing and commercial opportunities in the City; to provide for a full range of housing choices throughout the city for households of all incomes, ages and sizes in order to meet the City's goal of preserving diversity; to mitigate the impacts of commercial and residential development on the availability and cost of housing and especially housing affordable to low and moderate income households; to increase the production of affordable housing units to meet existing and anticipated housing and employment needs within the City; to provide a mechanism by which commercial and residential development can contribute in a direct way to increasing the supply of affordable housing in exchange for a greater density or intensity of development than that otherwise permitted as a matter of right; and to establish standards and guidelines for the use of such contributions from the application of incentive zoning and inclusionary housing provisions.

11.201 Definitions.

Affordable Housing Trust shall mean the entity established by Chapter 42 of the Acts of 1991.

Affordable Unit shall mean any dwelling unit for which the rent (including utilities) does not exceed thirty (30) percent of the income of the renting household or for which the mortgage payment (including insurance, utilities and real estate taxes) does not exceed thirty (30) percent of the income of the purchasing household or other standards as may be established pursuant to any city, state or federal housing program designed to assist low and moderate income households.

Converted Dwelling Unit shall mean a dwelling unit that has been converted from a non-housing use to a housing use in connection with the construction of an Inclusionary Project.

Developer shall mean any individual, corporation, business trust, estate trust, partnership or association, or any other entity or combination thereof.

Eligible Household shall mean any household whose total income does not exceed eighty (80) percent of the median income of households in the Boston Standard Metropolitan Statistical Area adjusted for family size, or such other equivalent income standard as may be determined by the Board of Trustees of the Affordable Housing Trust Fund.

Median Income shall mean the income set forth in or calculated from regulations promulgated by the United States Department of Housing and Urban Development.

Text Showing Additions and Deletions

Section 11.63.7	Divergence from dimensional requirements, Parkway Overlay District
Section 11.304.2(b), (c)	Additional height, Central Square Overlay District
Section 11.304.4	Waiver of setback requirements, Central Square Overlay District
Section 11.304.6	Waiver of parking requirements, Central Square Overlay District
Section 17.13.1(b)	Additional FAR, Special District I
Section 17.17	Transfer of Development Rights, Special District I
Article 13.00	PUD Districts, all permits.

11.202.2 Applicability of Inclusionary Housing Provisions. The provisions of this Section 11.200 shall apply to any Inclusionary Project and may be applied to any Voluntary Inclusionary Project. These provisions shall apply with respect to developments in all zoning districts of the city except those governed by the provisions of Article 15.000.

11.203 Requirements

11.203.1 Requirements for Incentive Zoning Contributions. A developer of an Incentive Project shall either make a Housing Contribution in accordance with this Section 11.203.1 (a) or shall create or cause to be created housing, in accordance with this Section 11.203.1 (b).

(a) Housing Contribution. For any project that is in whole or in part an Incentive Project, and that is, in total, less than thirty thousand (30,000) square feet of gross floor area, no contribution shall be required.

For any project of thirty thousand (30,000) square feet of gross floor area or more, the developer shall contribute **three dollars (\$3.00)** for every square foot of gross floor area over **two thousand five hundred (2500)** square feet of that portion of the project authorized by the Special Permit that is an Incentive Project.

Before the Superintendent of Buildings issues the first occupancy permit for the Incentive Project the developer of the Incentive Project shall deliver the Housing Contribution to the then Managing Trustee of the Affordable Housing Trust or its designee.

The amount of the Housing Contribution shall be subject to review and recalculation three (3) years after the effective date of this provision and every three (3) years thereafter by the Cambridge City Council based on a consideration of current economic trends including but not limited to development activity, commercial rents per square foot, employment growth, and housing trends measured in terms of, but not limited to, vacancy rates, production statistics, and prices for dwelling units. The Board of Trustees for the Affordable Housing Trust may adjust the amount annually based on CPI or a similar standard to reflect changes in inflation rates

(b) Housing Creation Option The Developer of an Incentive Project required to make a Housing Contribution in Subsection 11.203.1 (a) above may create or cause to be created affordable units for occupancy exclusively by eligible households, or may donate land to be used exclusively for the development of affordable units. These units or land donation, must be of equivalent benefit toward addressing the City's affordable housing need as the housing contribution otherwise required

When this option is chosen a Developer shall obtain a report from the Board of Trustees of the Affordable Housing Trust, which report shall accompany the special permit

pursuant to Section 8 of the Housing Act of 1937, as amended by the Housing and Community Development Act of 1974 or such other equivalent income standard as determined by the Board of Trustees of the Affordable Housing Trust Fund.

Mixed Use Development shall mean a development that contains a combination of residential development and any other use.

Project, Incentive, shall mean that portion of projects containing uses listed in Sections 4.33c, 4.34, 4.35, 4.36, and 4.56 d 1 subject to the provisions of the special permits listed in Section 11.202.1.

Project, Inclusionary, shall mean any residential or mixed use development containing or creating ten or more new or converted dwelling units, including phased projects; or **where fewer than ten new or converted dwelling units are created including phased projects, a residential development containing 10,000 square feet or more of gross floor area, in which case each 1,000 square feet shall be considered a dwelling unit.**

Project, Phased, shall mean any residential or mixed use development or developments at one site or two or more adjoining sites in common ownership or under common control **within** a period of five years from the first date of application for any special or building permit for construction on the lot or lots, or for the twelve months immediately preceding the date of application for any special or building permit, where a total of no less than ten new or converted units are built.

Project, Voluntary Inclusionary, shall mean any residential or mixed use development containing less than ten new or converted dwelling units, including phased projects where the developer chooses to comply with the provisions of Section 11.203.2.

Residential Development shall mean single, two family and multi-family homes, townhouse development, elderly oriented congregate housing and lodging and rooming house dwellings as set forth in Section 4.31 a-h, and i(3).

11.202 Applicability.

11.202.1 Applicability of Incentive Zoning Provisions. Where a developer chooses to seek to obtain a special permit pursuant to the sections listed below, which special permit authorizes an increase in the permissible density or intensity of a particular use in the proposed development, the developer shall be subject to the applicable provisions of this Section 11.200 et al. Increases in density or intensity of use shall include an increase in gross floor area or height, a reduction or waiver of parking requirements, or a change in dimensional requirements or the addition of uses that result in an increase in density or intensity of use.

Section 6.35	Reduction in required parking for nonresidential development
Section 11.108	Divergence from dimensional requirements, North Massachusetts Avenue Overlay District
Section 11.54.2(2)	Additional height, Harvard Square Overlay District
Section 11.54.4(2)	Waiver of parking and loading requirements, Harvard Square Overlay District
Section 11.54.5(b) District	Exemption from yard requirements, Harvard Square Overlay District
Section 11.63.5	Parkway Overlay District

found on adjacent lots or in the surrounding neighborhood; or if the development is significantly more dense, larger in scale or closer to the lot lines than can be found on adjacent lots, the Board shall find that the size or shape of the lot, the characteristics of development on abutting lots, and the nature of the design proposed on the subject lot mitigate any negative impact that such additional development may impose. ~~and that such impact is compensated for in part by the provision of affordable housing.~~ In making its findings the Planning Board shall consider the other kinds of dimensional relief that the development may require and the extent to which such relief varies from the requirements of the zoning district.

(e) Affordable Units required by this Section 11.203.2 shall be provided on-site. However, approval for alternate means of compliance may be granted by the Planning Board in certain exceptional circumstances. In granting such approval, the Planning Board must find that the property owner has demonstrated that building the required affordable units on-site would create a significant hardship. A significant hardship shall be defined as being follows: the hardship is of such significance that the property can not physically accommodate the required affordable units and/or related requirements, such as height, setbacks, or parking or that constructing the required affordable units on site would create an extreme financial hardship. To have such a request considered, the burden of proof shall be on the property owner, who must make full disclosure to the Planning Board of all relevant information. Any request for alternate means of compliance shall be reviewed by the Affordable Housing Trust, which shall then forward its recommendation on the request to the Planning Board. The Affordable Housing Trust's recommendation shall be based upon whether the alternate means of compliance shall be of comparable value to the affordable unit that would have otherwise been provided in a comparable Inclusionary Project. The Planning Board's approval of the request shall be based upon the Affordable Housing Trust's recommendations, and the demonstration of hardship made by the property owner. The Planning Board may, in its sole discretion, use other information to determine the validity of the property owner's request. Approval of alternate means of compliance shall be only for payment of a sum equivalent to the value of the provision of an on-site Affordable Unit at that site, which payment shall be made to the Affordable Housing Trust.

11.204 Standards for Construction and Occupancy of Affordable Units.

The following standards are intended to provide guidance to the special permit granting authority in instances where the Housing Creation Option is chosen to meet the requirements of this Section 11.200, to the Board of Trustees of the Trust in making any report it may make to the special permit granting authority or in authorizing the expenditure of any Housing Contribution funds, and to the Developer of any Inclusionary Project or Voluntary Inclusionary Project. In granting any special permit the special permit granting authority may allow for deviations from, or further define, these standards consistent with the purpose of this Section 11.200.

(a) Affordable Units in an Incentive Project shall be generally comparable in size and materials to dwelling units in the neighborhood or in the project where the units are to be in which it is located for an Incentive Project, but shall generally meet the minimum square footage standards established in this Paragraph (a). ~~Units for an Incentive Project~~

application and shall advise the special permit granting authority as to whether the proposed Housing Creation conforms to the intent and purposes of this Section 11.200 et al. The report shall also recommend such conditions, if any, as the Trustees may find appropriate to the issuance of the special permit to assure full compliance with the intent of this Section 11.200.

The special permit granting authority shall give due consideration to the report of the Board of Trustees in granting any special permit subject to this Section 11.200 et al., and, in its discretion may approve the developers use of the Housing Creation Option.

11.203.2 Requirements for Inclusionary Housing .

(a) Any Inclusionary Project shall provide ___ percent of the total number of dwelling units up to the maximum allowed as of right as Affordable Units. [The Community Development Department recommends the amount of Affordable Units provided to be in a range of 10% to 15%, depending on findings made and conclusions drawn by the City Council.) Where the application of that formula results in a fractional dwelling unit, a fraction of one half of a dwelling unit or more shall be considered as one Affordable Unit. Each Affordable Unit shall meet the standards established in Section 11.204.

(b) To facilitate the objectives of this Section 11.200, modifications to the dimensional requirements in any zoning district, as set forth in Section 5.30, shall be permitted as of right for an Inclusionary Project, as set forth below:

(i) The FAR normally permitted in the applicable zoning district **for residential uses** shall be increased by [twice the percentage requirement] for Affordable Units as set forth in Section 11.203.2 (a) above, and at least fifty percent of the additional FAR should be allocated for the Affordable Units. In a Mixed Use Development, the increased FAR permitted in this paragraph (i) may be applied to the entire lot, however, any gross floor area arising from such increased FAR shall be occupied only by residential uses, exclusive of any hotel or motel use.

(ii) The minimum lot area per dwelling unit normally required in the applicable zoning district shall be reduced by that amount necessary to permit up to two additional units on the lot for each one Affordable Unit required in Section 11.203.2 (a) above. The additional units on a lot permitted by this paragraph (ii) shall not be considered in determining the threshold by which a special permit is required in Section 4.26 - Multifamily Special Permit Applicability and Section 11.10 - Townhouse Development of the Zoning Ordinance.

(c) For any Inclusionary Project that includes a total number of dwelling units that exceeds the maximum allowed as of right, the number of affordable units shall be no less than ___ percent of the total number of dwelling units in the project; however, the number of additional units permitted under Section 11.203.2 (b) (ii) above shall not be further increased.

(d) For any Voluntary Inclusionary Project that proposes to provide one Affordable Unit, the provisions of Section 11.203.2 (b) (i) and (ii) may be applied after the issuance of a special permit from the Planning Board. In issuing a special permit the Planning Board shall find that the additional dwelling units or gross floor area permitted will not create a development significantly different in scale, density, or placement on the lot than can be

~~or an Inclusionary Project shall generally be designed and intended for families with children. Where the Affordable Units are for elderly, handicapped, or other special needs households, the alternate unit sizes may apply.~~

(b) To ensure livability, Affordable Units in an Inclusionary Project shall be generally comparable in size and materials and amenities to the other units in the overall project and consistent with local needs for affordable housing as approved by the Trust ~~shall have the following minimum square footage of living space:~~

Unit Size	For Sale Units	Rental Units
1 Bedroom	750 sf	650 sf
2 Bedroom	950 sf	800 sf
3 Bedroom	1,100 sf	950 sf
4 Bedroom	1,250 sf	1,000 sf

~~The Trust shall establish minimum standards via regulations to assure durability, energy efficiency, and water conservation.~~

For Inclusionary Projects, or Incentive Projects where appropriate ~~the Trust shall develop regulations to ensure that exteriors of affordable units shall closely resemble the exteriors of other units in a project, and residents of affordable units should have full use of all amenities in the common spaces.~~ shall be reasonably distributed throughout the project.

(c) The Affordable Units shall, to a reasonable extent, serve eligible households of diverse incomes, including very low income, and diverse sizes throughout the city.

(d) The Affordable Units shall be subject to deed restrictions providing that they shall:

- (1) be occupied by eligible households.
- (2) be conveyed subject to restrictions, which to the extent legally possible shall guarantee the permanent availability of the Affordable Units to eligible households. Such restrictions shall include but not be limited to limited equity deed restrictions. In general, to meet this requirement, affordable rent levels shall be maintained for a minimum of 50 years from the date of initial occupancy in accordance with current practices of the City. With for-sale units, the City's current system of deed restrictions controlling resale prices shall be observed.
- (3) ~~not be financed by the Developer with the use of subsidized capital financing to meet the requirements of this Section 11.200, to the extent that this would allow the Developer to externalize the costs of compliance with this Section 11.200.~~
- (3) to the extent possible, give preference to eligible households who are Cambridge residents.
- (4) be rented or sold to Eligible Households, using marketing and selection guidelines customarily employed by the Community Development Department in selecting tenant and homeowner households under other City, state or federal housing assistance programs.

(e) The rental or ownership of affordable units shall mirror the project as a whole. For example, affordable units should be sold, not rented, where a majority of units will be offered for sale.

- (f) The affordable units ~~in general~~ shall be affordable to households having a target income of 65% of the area median income, or if the household has access to a rent subsidy, a lower income. ~~or qualify for subsidy to pay~~ The Trust shall have the discretion to approve a mix of higher and lower rents or sale prices, the average of which approximates an affordable price for a household at the target income level.
- (g) The intent of the Inclusionary Housing provisions is that the Affordable Units required hereunder not use public funds to create; these provisions however, are not intended to discourage the use of public funds to generate a greater number of affordable units than are otherwise required. ~~than are not intended to discourage the use of public funds to generate a greater number of affordable units~~

11.205 *Affordable Housing Trust.*

Pursuant to the provisions of Chapter 42 of the Acts of 1991, an Affordable Housing Trust Fund was established. To facilitate the implementation of the provision of this Section 11.200, the Affordable Housing Trust Fund receives funds generated by this Section 11.200 and specifically Section 11.203.1(a), as well as other funds generated from other sources.

11.205.1 Uses of the Affordable Housing Trust. The Trust property may be made available for, but shall not be limited to, the following uses.

- (1) Creation of Affordable Units. To encourage the development of Affordable Units through a variety of means, including, but not limited to, the provision of favorable financing terms or direct write down of costs for either nonprofit or for profit developers or to subsidize the purchase of sites, existing structures, or affordable units within a larger development.
- (2) Multifamily Rehabilitation Programs. To finance the substantial rehabilitation of deteriorated properties in a manner that preserves the affordability of units through interest rate subsidies, loan guarantees or write down of project costs. Multifamily housing owned by nonprofit entities that ensure maximum long-term affordability shall receive priority funding consideration.
- (3) Limited Equity Cooperative or Condominium Conversion. For acquisition and rehabilitation of potential cooperatives or condominiums through low interest blanket loans, share loans or direct cost write down.

11.205.2 Administration of the Affordable Housing Trust and its Activities. The Trust property may be made available to fund reasonable administrative expenses necessary to support Trust activities, including but not limited to consulting services such as legal, appraising or engineering, as well as other project related expenses. The Community Development Department shall provide the Board of Trustees with technical and administrative assistance.

11.205.3 Board of Trustees of Affordable Housing Trust. The City Manager shall appoint and chair a nine (9) member Board of Trustees of the Affordable Housing Trust. The Board of Trustees shall be composed of representatives from different sectors of the community with housing policy, and may include members of City Boards and agencies, nonprofit housing organizations and community representatives. The trustees, with concurrence of the City Manager, shall establish regulations for the operations of the Trust and Board of Trustees, and procedures for the implementation of this Subsection 11.205.

- (1) The Board of Trustees shall manage and administer the Affordable Housing Trust Fund including the disbursement of all funds, units and land conveyed to the City of Cambridge.
- (2) The Board of Trustees shall review and approve or disapprove proposals submitted for use of the Housing Trust Fund. The Board shall develop policies and standards appropriate to and consistent with the Incentive Zoning and Inclusionary Housing provisions, section 11.200.
- (3) The Board shall explore the feasibility of and assist in the establishment of new programs designed to meet Cambridge affordable housing needs. These programs may include a city wide Land Bank program and Home Mortgage Pool.
- (4) The Board of Trustees shall provide assistance and necessary reports where appropriate to any special permit granting authority authorized to issue a special permit for any development making use of funds from the Affordable Housing Trust or subject to any provisions under this Section 11.200.

11.206 *Enforcement*

The Community Development Department shall certify in writing to the Superintendent of Buildings that all conditions of this Section 11.200, including any conditions that may be established by the special permit granting authority in issuing a special permit under this Section 11.200, have been met before issuance of the first building permit for any Incentive Project, Inclusionary Project, or Voluntary Inclusionary Project. Before the issuance of the first Certificate of Occupancy for such development the Trust shall certify in writing to the Superintendent of Buildings that all documents have been filed and actions taken that are necessary to fulfill the conditions of this Section 11.200 and any special permit authorized herein.

B. In Section 5.31 - Residential Districts, Paragraph 2 - Footnotes, Footnote (i), delete the existing text in its entirety and substitute therefore the following:

(i) The dimensional requirements of the Residence C-1 district as detailed in this Section 5.31 shall apply in the Residence C district for structures in existence as of December 1, 1986 under the following limitations and conditions:

- (1) Any increase in floor area or numbers of units on a lot, provided all construction occurs within the limits of the existing structure; or
- (2) For the reconstruction without limit as to cost (notwithstanding any contrary provisions of Section 8.23) of a non conforming structure destroyed or damaged by fire or other catastrophe provided the structure as restored shall not be greater in lot coverage or volume, or shall not extend further into required yards, than the original structure; all other provisions of Section 8.23, however, shall continue to apply.

C. In Section 13.70 - Planned Unit Development in the North Point Residence, Office and Business District do the following:

1. In Section 13.74.3 - Incentive for Residential Development, delete in its entirety Paragraph (3).
2. Delete Section 13.78.3 - Inclusionary Housing Requirements in its entirety.

D. In Article 17.000 - Special Business, Office and Industrial Districts do the following:

1. In Section 17.90 - Special District 9, delete existing Subsections 17.94, 17.95, and 17.96 in their entirety and substitute therefore the following:
 - a. 17.94 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 9.
 - b. Renumber existing Subsections 17.97, 17.98 and 17.99 as new Subsections 17.95, 17.96, and 17.97.
2. In Section 17.100 - Special District 10, delete existing Subsections 17.104, 17.105, and 17.106 in their entirety and substitute therefore the following:
 - a. 17.104 - Dimensional Requirements. The dimensional requirements of the Residence C district as set forth in Section 5.31 shall apply in the Special District 10.
 - b. Renumber existing Subsections 17.107, 17.108, and 17.109 as new Subsections 17.105, 17.106, and 17.107.
3. In Section 17.83 1 - Maximum FAR, delete existing language such that the section reads as follows

The FAR applicable on any lot in the district shall not exceed 1.25 for all uses except that it may be increased to 1.75 for permitted dormitory uses and to 1.75 by special permit from the Planning Board for permitted residential uses. ~~subject to the affordability requirements of Section 11.304 (a), 11.305, and 11.306 from the base as of right FAR of 1.25. (editorial note: references should be to Sections 17.94, 17.95, and 17.96)~~

E. In Article 6.000, Parking regulations, do the following:

1. In Section 6.35 - Reduction in Required Parking, add new language such that it reads as follows:

Any required amount of parking may be reduced upon issuance of a special permit from the Board of Zoning Appeal. However, handicapped parking required by Subsection 6.34, bicycle parking required by Subsection 6.37, and commercial vehicle parking required by sub-Subsection 6.31.5 shall not be reduced. A special permit shall be granted only if the Board determines and cites evidence in its decision, that the lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood or that such lesser amount of parking will provide positive environmental or other benefits to users of the lot and the neighborhood, **including specifically, among other benefits, assisting in the provision of affordable housing units.** In making such a determination the Board shall consider whether or not less off street parking is reasonable in the light of the following:

2. Delete the word "and" at the end of the sentence in Section 6.35.4.
3. Add a semi-colon and the word "and" to the end of Section 6.35.5.
4. Add a new Section 6.35.6 to read as follows:

The provision of required parking for developments containing affordable housing units, and especially for developments employing the increased FAR and dwelling unit density provisions of Section 11.200, will increase the cost of the development, will require variance relief from other zoning requirements applicable to the development because of limitations of space on the lot, or will significantly diminish the environmental quality for all residents of the development.

F. In Section 11.304.3, do the following:

Add a new sentence to Section 11.304.3c so that it reads as follows:

c. **Special Permit for Additional FAR for Affordable Housing**

The maximum FAR on any lot in an Office 3 District may be increased to 3.75 upon issuance of a special permit from the Planning Board provided a minimum of twenty (20) percent of the total gross floor area authorized is devoted to affordable housing as defined in Section 11.201. The affordable housing shall conform to the standards of Section 11.204, except that lodging housing or single room occupancy facilities shall be specifically permitted. The additional FAR bonus permitted in Section 11.203.2, however, shall not apply to developments employing this Section 11.304.3c.

CAMBRIDGE INCLUSIONARY HOUSING STUDY

LIST OF ATTACHMENTS

1. List of Affordable Housing Development, CDD, 12/97
2. New Development Survey, CDD, 12/97
3. Impacts of the Termination of Rent Control, Atlantic Marketing Research, 1/98 (transmitted earlier)
4. Housing Market Information, CDD, 10/97



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

SUSAN B. SCHLESINGER
*Assistant City Manager for
 Community Development*

BETH RUBENSTEIN
*Deputy Director for
 Community Development*

TO: Susan B. Schlesinger, Assistant City Manager for Community Development
FROM: Roger Herzog, Housing Director *RH*
DATE: January 12, 1998
RE: List of Affordable Housing Developments

Please find attached a comprehensive list of affordable housing developments subject to long term restrictions in the City of Cambridge. The list of developments includes rental properties, both CHA-owned and privately owned, homeownership projects, and special needs projects. A summary of affordable housing developments is as follows:

<u>Type of Affordable Housing Development</u>	<u>Number of Low/Mod Units</u>
Rental	
CHA	2,709
Other Affordable Rental	2,644
Homeownership	329**
Special Needs	339
Multifamily Rehab	471
	=====
TOTAL	6,492

** includes limited equity units only

Attachment

City Hall Annex
 57 Inman Street
 Cambridge, MA 02139
 Voice: 617 349-4600
 Fax: 617 349-4669
 TTY: 617 349-4621

**City of Cambridge
Projects**

12/31/97

Name	Address	Year Developed	Low/Mod # Units	Program
Rental Projects:				
<i>Affordable Rental</i>				
Cast I	55-57 Columbia St.	1971	42	236 & Rental Sub.
Putnam Square	1 Putnam Square/2 Mt. Auburn	1971	94	10c Leasing/MHFA
Cast II	51-53 Columbia St.	1972	9	236 & Rental Sub.
Norstin Apts.	Norfolk/Bishop Allen Dr.	1972	32	MHFA
Inman Square Apts.	1233 Cambridge St.	1972	116	236/MHFA-HUD
Close Building	243 Broadway	1977	61	Nonprofit Owned Rental
Linwood Court	Corner of Broadway & Columbia	1977	45	Nonprofit Owned Rental
61-67 BROOKLINE	61-67 Brookline	1986	6	Nonprofit Rental
Chapman Arms	4 University Rd.	1986	50	MHFA-Harvard
Church Corner	10 Magazine St.	1987	28	HODAG, MHFA
WARE STREET	18-20 Ware St.	1988	56	CDBG/Nonprofit Rental
Kennedy Biscuit Lofts	129 Franklin St.	1990	64	MHFA
37 HOWARD	37 Howard St.	1990	3	Trust/Nonprofit Rental
ROBERTS ROAD	15 Roberts Road	1990	1	Trust/Nonprofit Rental
PORTLAND/MARCELLA	6-8 Marcella St./391-393 Portland St.	1991	9	Trust/Nonprofit Rental
St. Patricks	Berkshire & York Sts.	1992	32	Trust/Nonprofit Rental
WHITTEMORE AVENUE	123-127 Whittemore Ave.	1992	2	Nonprofit Rental
901 MASS. AVE.	901 Massachusetts Ave.	1993	9	CDBG/Nonprofit Rental
160 RICHDALE	160 Richdale Ave	1993	7	Trust/Nonprofit Rental
SCIARAPPA	54-56 Sciarappa St	1993	6	HOME/Nonprofit Rental
Allston Street	151-157 Allston St	1994	6	Trust/Nonprofit Rental
Swartz Properties	6 Cambridgeport Properties	1995	41	Trust/HOME/Nonprofit Rental
Auburn Court	Brookline and Pacific Streets	1996	46	Trust/Nonprofit Rental
Prospect	317 Prospect	1996	6	HOME/DHCD
HARVARD HOUSING	Scattered Sites	1997	100	Trust/Nonprofit Rental
WEBSTER-BRISTOL	Webster & Bristol	1997	9	Trust/DHCD
Subtotal			880	

Name	Address	Year Developed	Low/Mod # Units	Program
CHA Rental				
Newtowne Court	131 Washington Street	1938	268	CHA/Fed. Family Housing
Washington Elms	131 Washington St.	1942	175	CHA/Fed. Family Housing
Woodrow Wilson Court	81 Magazine St.	1949	69	CHA/State Family Housing
Lincoln Way	159 Walden St.	1950	60	CHA/State Family Housing
Roosevelt Towers	Willow & Cambridge Sts.	1950	199	CHA/State/Federal Family Housing
Jefferson Pk. & Ext.	1 Jackson Pl.	1950	284*	CHA/Fed. & State Family Housing
Jackson Gardens	265 Harvard St.	1952	46	CHA/State Family Housing
Putnam Gardens	64 Magee St.	1954	122	CHA/Fed. Family Housing
Corcoran Park	100 Thingvalla Ave.	1958	152	CHA/Fed. Family Housing
John F. Kennedy Apts.	55 Essex St.	1963	83	CHA/Fed. Elderly Housing
Harry S. Truman Apts.	25 Eighth St.	1970	67	CHA/Fed. Elderly Housing
Robert C. Weaver Apts.	81 Clifton St.	1973	20	CHA/Fed. Elderly Housing
Daniel F. Burns Apts.	30-50 Churchill Ave	1973	198	CHA/Fed. Elderly Housing
Lyndon B. Johnson	150 Erie St	1973	180	CHA/Fed. Elderly Housing
VALENTINE ST.	19 Valentine St	1974	6	CHA/Fed. Family Housing
JACKSON ST.	121 Jackson St	1974	10	CHA/Fed. Family Housing
Millers River Apts.	15 Lambert St	1974	303	CHA/Fed. Elderly Housing
FAIRMONT VILLAGE	6-8 Fairmont St.	1974	10	CHA/Fed. Family Housing
116 Norfolk St.	116 Norfolk St	1975	37	CHA/State Elderly Housing Congregate
Frank J. Manning Apts.	237 Franklin St	1976	199	CHA/State Elderly Housing
Willow Street Homes	42-58 Willow St	1976	15	CHA/State Family Housing
MASS. AVE.	2353 Mass Ave	1981	4	CHA/Condos
River-Howard Homes	8 Mildred Hamilton Pl	1981	32	CHA/Fed. Family Housing
WARE ST.	14 Ware St	1981	1	CHA/Condos
Linnaean St.	45 Linnaean St	1981	24	CHA/State Elderly Housing
CONCORD AVE.	41 Concord Ave	1982	1	CHA/Condos
HAMPSHIRE ST.	244 Hampshire St	1983	1	CHA/Condos
AMORY ST.	87 Amory St	1983	1	CHA/Condos
Putnam School Apts.	86 Otis St	1983	33	CHA/State Elderly Housing
Leonard J. Russell Apts.	2050 Mass Ave	1984	51	CHA/State Elderly Housing
HANCOCK ST.	88 Hancock St	1988	2	CHA/Condos
TROWBRIDGE ST.	118 Trowbridge St.	1988	2	CHA/Condos

Name	Address	Year Developed	Low/Mod # Units	Program
INMAN ST. APTS.	15 Inman St.	1988	4	CHA/State Family Housing
Cambridgeport Commons	20 Chestnut St.	1989	10	CHA
HINGHAM ST.	12-18 Hingham St.	1990	4	CHA/State Family Housing
St. Paul's Residence	34 Mt. Auburn St.	1993	21	CHA/State Family and Elderly Units
226 Norfolk St.	222 Norfolk St.	1994	3	CHA/Fed. Family Housing
Garfield St.	1715 Mass. Ave.	1997	8	CHA/Fed. Family Housing
Pleasant St.	120 Pleasant St.	1994-5	2	CHA/Fed. Family Housing
Centre St.	4 Centre St.	1996	1	CHA/Fed. Family Housing
Roberts Rd.	15 Roberts Rd.	1997	1	CHA/Fed. Family Housing

Subtotal

2709

Expiring Use

Rindge Towers I	360-364 Rindge Ave.	1970	506	221-03-2361
Briston Arms	247 Garden St.	1971	105	236/MHFA
929 Mass. Ave.	929 Mass. Ave.	1972	56	236/MHFA-HUD
808 Memorial Drive	808-812 Memorial Drive	1973	212	236/MHFA,CHA
Cambridge Court	411 Franklin St.	1973	123	236/MHFA-HUD
Rindge Towers II	402 Rindge Ave	1973	274	221-03-2361
Huron Towers	700 Huron Avenue	1974	248	221-03-HUD-236
Walden Square	104 Sherman St	1974	240	Section 236/HUD

Subtotal

1764

Homeownership

120-120 1/2 PLEASANT ST.	120-120 1/2 Pleasant St	1974	6	CHA/Homeownership
12 Prince St.	12 Prince St	1974	12	CHA/Homeownership
35-47 Lopez St.	35-47 Lopez St	1974	12	CHA/Homeownership
Harwell Homes	Cambridge & Columbia Sts	1981	56	JAS/Homeownership-MHFA, 236
LINDEN PARK HOMES	Cardinal Medeiros	1981	22	JAS/Homeownership
109-111 HAMPSHIRE	109-111 Hampshire	1981	1	HRI/Homeownership
12-14 MARION	12-14 Marion	1983	2	JAS/Homeownership
57-59 PORTER	57-59 Porter	1984	2	JAS/Homeownership
PARKVIEW COOP	24-26 Cpl. McTernan	1985	12	CDBG/Limited Equity Coop
FOGERTY BUILDING	184-188 Harvard St	1986	17	CDBG/Limited Equity Coop

Name	Address	Year Developed	Low/Mod # Units	Program
WEST ARMS	280 Western Ave.	1987	6	CDBG/Limited Equity Coop
Norfolk Coop	375-381 Norfolk St.	1988	6	CDBG/Limited Equity Coop
SPRING STREET CONDOS	17-27 Thorndike St.	1988	7	JAS Homeownership
Western Ave Condos	3 separate bldgs. on Western Ave.	1988	6	CDBG/Homeownership
10 LAUREL	10 Laurel St.	1988	6	CDBG/Limited Equity Coop
160 CHESTNUT ST.	160 Chestnut St.	1989	6	Rental Rehab/Equity Coop
Hayes Magee	32-44 Hayes St.	1989	6	CDBG/Homeownership
125 Portland St.	125 Portland St.	1989	8	HRI/Homeownership
1-11 HARDWICK	1-11 Hardwick	1989	3	JAS/Homeownership
November Collective	226 Chestnut St.	1990	5	CDBG/Limited Equity Coop
Music and Arts	218 Chestnut St.	1990	5	CDBG/Limited Equity Coop
230 Pearl	230 Pearl St.	1990	3	Trust/Homeownership
FAYERWEATHER	95 Fayerweather St.	1991	3	CDBG/Homeownership
COLUMBIA TOWNHOUSES	65-67 Columbia St.	1991	6	Trust/Homeownership
Cambridgeport Commons	20 Chestnut Street	1989	10	RCCC/Homeownership
HOWARD LOFTS	Corner of Putnam & Pleasant	1994	4	HOME/Homeownership
Cherry St.	142 Cherry Street	1994	2	Homeownership
136-142 BERKSHIRE	136-142 Berkshire	1994	2	JAS/Homeownership
SEVENTH	22-26 Seventh St	1994	3	HOME/Homeownership
CLARENDON	14 Clarendon Ave	1994	2	Homeownership
BLOUIN	Corner of Hampshire & Columbia	1995	16	Trust/Homeownership
FULKERSON	17-19 Fulkerson	1995	2	HOME/Homeownership
NORFOLK	354 Norfolk	1995	1	HOME/Homeownership
HAMPSHIRE	96-98 Hampshire St	1995	6	HOME/Homeownership
BROOKLINE ST.	101 Brookline.	1995	1	HOME/Homeownerhsip
ELM ST.	29 Elm St	1995	1	HOME/Homeownership
CCBI	Scattered Sites	1996	16	HOME/DHCP
JEFFERSON ST.	5-7 Jefferson	1996	4	HOME/DHCP
BOLTON ST.	73 Bolton	1997	7	HOME/DHCP
SEVENTH ST.	21-23 Seventh	1996	3	HOME/DHCP
HURLEY ST.	243 Hurley		1	
Condo Buyer Initiative	Scattered	1997	30	
Subtotal			329	

Name	Address	Year Developed	Low/Mod # Units	Program
Special Needs				
WOODBIDGE	11 Woodbridge	1989	6	CHA/CASCAP
71 HAMMOND	71 Hammond St.	1991	8	CHA/CASCAP
Aberdeen House	100 Aberdeen	1988	8	CHA/CASCAP
30 Pearl	30 Pearl St.	1991	10	Trust/Special Needs
PUTNAM PLACE	260-264 Putnam Ave.	1991	12	Trust/Special Needs
YWCA	7 Temple St.	1991	109	Trust/Special Needs
Magazine House	77 Magazine St.	1992	10	Trust/Special Needs
GREEN ST.	205-207 Green St.	1993	11	Trust/Special Needs
St. Paul's Residence	34 Mt. Auburn St.	1993	19	CHA/State Elderly/McKinney
Pine Street-Hildebrand	109-111 Pine Street	1994	5	Trust/Special Needs
YMCA	820 Massachusetts Ave.	1994	129	HOME Trust/Special Needs
Chilton	65-67 Chilton St.	1994	5	Trust/Special Needs
RUAH	18 Russell St.	1994	7	Trust/Special Needs
Subtotal			339	
Multi-family Rehab Units		1985-1997	471	
GRAND TOTAL			6492	



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

SUSAN B. SCHLESINGER
*Assistant City Manager for
Community Development*

BETH RUBENSTEIN
*Deputy Director for
Community Development*

NEW DEVELOPMENT SURVEY
December, 1997

The Cambridge Community Development Department (CDD) conducted a survey of newly developed market-rate residential projects in the City in December, 1997. The purpose of the survey was to determine the pricing of both new rental and homeownership units.

CDD staff spoke with the owners or developers of sixteen new residential projects consisting of approximately 830 units of housing. This included nine rental developments with 735 units and seven ownership projects with 95 units.

The results of the survey are as follows:

<u>Tenure</u>	<u>Average Prices</u>		
	<u>1-BR</u>	<u>2-BR</u>	<u>3-BR</u>
Rental (monthly rents)	1,358	1,897	2,662
Ownership (sales prices)	175,670	199,000	383,000

A list of the projects and the projected pricing is found on the attached pages.

City Hall Annex
57 Inman Street
Cambridge, MA 02139
Voice: 617 349-4600
Fax: 617 349-4669
TTY: 617 349-4621

NEW DEVELOPMENT SURVEY

Project Name	Total units	Occupancy	1 Bedroom	2 Bedroom	3 Bedroom
RENTAL					
134-136 Pleasant St.	4	occ now			
138-142 Pleasant St	3	occ now		2400	3000-3700
3 Blackstone St	4	occ now		1900	3000
Auburn Court	31	occ now	1225-1275	1400-1475	1600-1750
Worthington Place (prelim rents)	186	Aug-98	900-1100	1300-1600	1900
Museum Towers	435	Aug-98	1600	2000	
Lechmere Residences	104	Sep-98	1200-1600	2000	
1008 Massachusetts Ave		Dec-98	1540	2090	
River St.	3	1998			2400
Huron Tower		mktg. now			
Average Rents for New Units			1,358	1,897	2,662

NEW DEVELOPMENT SURVEY

Project Name	Total units	Occupancy	1 Bedroom	2 Bedroom	3 Bedroom
Home Ownership					
29 Elm St.	4	occ. now	187- 221,000		
Cherry St	3	occ now		221,000	
Richdale Co-Housing (price varies dep on unit type)	40+	Feb-98	117,000	175,500	198-324,000
One Winthrop Sq	12	under dev			340,000 - 780,000
Sherman St	10	all sold		200,000	
Russell St	6	all sold	206,000		329,000
Average Sale Prices for New Units			175,670	199,000	383,000

City of Cambridge

The Ordinance Committee resumed its recessed public hearing of December 11, 1997 on December 18, 1997, beginning at 7:57 p.m. in the Sullivan Chamber for the purpose of continuing discussion on the proposal for an amendment to the Zoning Ordinance to provide for citywide inclusionary zoning.

Present at the hearing were Councillor Francis H. Duehay, Chair of the Committee, Councillor Kenneth E. Reeves, and City Clerk D. Margaret Drury. Also present were Roger Herzog, Housing Director, Community Development Department, and Nancy Glowa, First Assistant City Solicitor.

Councillor Duehay convened the hearing and explained the purpose. He reviewed the issues held over at the last meeting for further discussion: whether the legal notice of the proposed inclusionary zoning was sufficient as a matter of law, whether developers had had enough input and participation in formation of the proposal, and whether the provision in Section 11.203.2(d) for hardship exemptions to the requirement that affordable units be provided on-site could be more specific. He invited staff to respond to these issues.

Attorney Glowa stated that pursuant to the request of the Committee at the December 11, 1997 meeting, she did additional legal research on this matter and she is confident that the legal advertisement, which stated the number of affordable units required for a project as a range of 10% - 15%, within which a particular percentage would be set by the City Council as part of its consideration of the proposal, comports with the requirement of Massachusetts General Laws Chapter 40A.

Mr. Herzog added that the 10% to 15% range, which appears in Section 11.203.2(a), is based on a study undertaken by the City to determine the actual impact on the need for affordable housing directly caused by the development of new market-rate housing.

Councillor Duehay asked whether the proposed ordinance as advertised contained any other provisions left open for the City Council to set during its consideration of the proposal.

Ms. Glowa answered in the affirmative. She stated that Section 11.201.(b) provides that for increase of the FAR in the applicable zoning district equal to twice the percentage requirement for affordable units established in Section 11.203.2(a) (the percentage of between 10% and 15% which the Council must establish). This percentage must be based on the City Council's findings and conclusions as to the actual impact on the need for affordable housing directly caused by new development of market-rate housing.

Mr. Herzog then described plans for additional outreach to developers. He submitted a copy of a letter sent to developers and a list of developers who have done work on projects of ten or more units in Cambridge.

Councillor Reeves stated that he would like to encourage growth among the group that is active in creating affordable housing and suggested including developers of small projects as well.

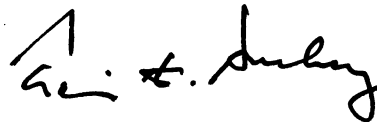
Councillor Duehay suggested putting a notice in the paper.

Councillor Duehay then moved to the issue of the definition of hardship. Mr. Herzog stated that these issues were also raised at the December 16, 1997 Planning Board public hearing. Community Development Department staff will be presenting information and alternatives for the Planning Board and the Planning Board will include a recommendation regarding this issue in their report. Two alternatives are 1) leaving out the hardship provision; and 2) creating a more specific delineation of the circumstances that would justify allowing the developer an alternative to providing the affordable units on-site.

Councillor Duehay raised the issue of whether the Ordinance Committee should make a recommendation on this matter or refer the matter to the full City Council without recommendation. It was agreed without objection that the Committee will recommend adoption with a requirement that inclusionary projects provide fifteen percent affordable units subject to the City Council finding that 15% represents the percentage amount which is justified in terms of the actual impact on the need for affordable housing directly caused by the development of new market-rate housing.

The hearing was adjourned at 8:15 p.m.

For the Committee,

A handwritten signature in black ink, appearing to read "Francis H. Duehay". The signature is written in a cursive style with a large initial "F".

Councillor Francis H. Duehay
Chair

Committee Report #1

0-1

A report from Councillor Francis H. Duehay, Chair of the Ordinance Committee, for its resumed meeting of December 11, 1997 held on December 18, 1997 for the purpose of continuing discussion on the proposal for an amendment to the Zoning Ordinance to provide for citywide inclusionary zoning.

In City Council February 9, 1998

Report Accepted,
Passed to a
Second Reading.
Published in
Chronicle
February 12, 1998.