

**To the Honorable, the City Council:**

The undersigned hereby petition the City Council of the City of Cambridge to amend the Zoning Ordinance of the City of Cambridge by restating the Inclusionary Housing Provisions to preclude misinterpretations that have apparently become common. The restatement neither changes the intent nor the true content of the current language of the Ordinance but will increase the number of Affordable Units provided by developments to the actual amount currently required.

For example, Special Permit application Number 258 for the Cambridge Lumber redevelopment lists:

Total Dwelling Units	29
Base Units	23
Inclusionary Units	3

Hidden in the above calculation are three (3) "Bonus Units" allocated to the developer to arrive at the total number of units in the project. Unfortunately, the actual current language of the Ordinance has neither "Bonus Units" nor "Base Units", which is used, in this example, to yield 10.3% of the units as Affordable. The correct calculation is simply 15% of the total number of units, which means that four (4) Affordable Units should be provided.

Note that the current language is overly complex. For instance, Inclusionary Projects are separated into two classes represented by Sections 11.203.2 (a) and (c). The second, "(c)", simply applies to projects that already have a unit count already greater than that allowed (perhaps by a Variance) before considering Affordable Units. Section "(a)" applies to all other projects.

Optionally, under Density Reduction, the actual numbers in the restated Inclusionary Housing Provisions can be changed to produce virtually the identical amount of Affordable Units, 10%, that are produced by the current interpretation of the current language while retaining the developer's "one for one" compensation, which was clearly intended by the actual current language. This reduces impact to the neighborhoods in which the affected projects are located while maintaining the number of Affordable Units developed.

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OFFICE OF THE CITY CLERK  
CITY OF CAMBRIDGE, MASSACHUSETTS

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

**1. In Section 11.203.2 (a) change:**

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.

to:

Any Inclusionary Project shall provide 15% percent of the total number of dwelling units as Affordable Units. Section 11.203.2(b)(ii) calculations shall not apply to any Inclusionary Project until the Inclusionary Project has utilized the number of dwelling units up to the maximum allowed as of right with as of right being calculated without the application of 11.203.2(b)(ii).

**2. In Section 11.203.2 (b) change:**

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:

to:

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

**3. In Section 11.203.2 (b)(i) Change "should" to "shall".**

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.

**4. In Section 11.203.2 (b)(ii) Add the sentence:**

The intent is that at least one of the two additional units allowed be an Affordable Unit.

5. In Section 11.203.2 (c) change:

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.**

to:

For any Inclusionary Project that includes a total number of dwelling units that exceeds the maximum allowed as of right **before applying 11.203.2(b)(ii)**, the number of affordable units shall be no less than 15% percent of the total number of dwelling units in the project **and Section 11.203.2 (b) shall not apply.**

6. DENSITY REDUCTION

In Section 11.203.2(a) and (c) change **"15%" to "10%"**

In Section 11.203.2(b) change **"30%" to "20%"**

In Section 11.203.2(a) change:

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.

to:

Where the application of that formula results in a fractional dwelling unit, **that fraction of a dwelling unit** shall be considered as one Affordable Unit.

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