



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

Date: November 1, 2011

Subject: Andrews, et al. Zoning Petition (Inclusionary Housing Changes)

Recommendation: The Planning Board **DOES NOT RECOMMEND** adoption of the zoning changes proposed in the petition.

To the Honorable, the City Council,

Upon consideration of the Andrews, et al. Zoning Petition, which proposes to make several changes to the text of the Inclusionary Housing provisions set forth in Section 11.203, the Planning Board recommends that the proposed changes not be adopted, and moreover that no change be made to the current Inclusionary Housing regulations.

According to information provided by the Community Development Department and members of the Cambridge Affordable Housing Trust (whose letter is attached), along with the Board's own experience reviewing projects subject to Inclusionary Housing, the current regulations have been consistently applied to many projects over the past decade and have resulted in nearly 400 new affordable housing units built or in construction. The current regulations are well understood by developers and have been successful in advancing the City's affordable housing goals. According to the attached letter, "It is one of the most successful and effective inclusionary housing programs in the country, and has been cited as a model for other communities considering inclusionary housing ordinances." Therefore the Board finds no compelling reason to make any change to the existing regulations.

Additionally, the current regulations were carefully crafted after extensive study to be consistent with the legal standards for providing compensation when there is a permanent physical invasion of property. The Board is concerned that any changes to the requirements or the way in which they are applied, even slight changes, may raise serious legal questions that would need to be thoroughly studied in the same manner as the current ordinance.

If the current Inclusionary Housing regulations are not well understood by the general public, as suggested by the Petitioners and others, then it would be preferable to provide a clearer explanation of how the regulations are applied for the public's benefit. However, the Board does not support changing the current zoning language for this purpose.

Respectfully submitted for the Planning Board,

Hugh Russell, Chair.

Cambridge Affordable Housing Trust

October 27, 2011

To the Honorable, the City Council
Members of the Planning Board
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Andrews, et al. Zoning Petition

As members of the Cambridge Affordable Housing Trust, we would like to comment on the petition to amend Cambridge's Inclusionary Zoning Ordinance currently being reviewed by the Planning Board and pending before the City Council. It is through the foresight and commitment of the City Council to provide affordable housing options for low and moderate-income residents, that the Inclusionary Zoning Ordinance was adopted in 1998. The Ordinance has been exceptionally successful, creating hundreds of affordable units throughout the City in mixed-income communities which have complemented the efforts of the Trust, and has become an essential element on the City's housing program.

The Andrews, et al. Petition proposes significant changes to the Inclusionary Zoning Ordinance. Most significantly, it proposes to reduce the inclusionary requirement so that 10% of units would be affordable, and to eliminate for most developments the density bonus which offsets the costs associated with producing the required affordable units. Where the Ordinance produces development in which affordable units comprise between 11.5% (after the application of the density bonus) and 15% of total units, the Andrews Petition will significantly reduce the number of affordable units created under the Ordinance, and will make one of the most successful City housing programs less effective.

The Inclusionary Zoning Ordinance has proven to be an essential tool in creating affordable housing units throughout the City. Since the Ordinance was adopted in 1998, 395 units have been completed or are now under construction. Most recently, another 56 units have been approved and will soon be underway. The Ordinance has produced a significant amount of much-needed housing and has become a primary source of new affordable units to serve City residents. Further, the Ordinance has been well-accepted by developers as it has been administered consistently and fairly by City staff. Given the success of the Ordinance and the critical role it plays in providing affordable housing for residents, we do not think it is advisable to amend it at this time.

Under the Ordinance, hundreds of Cambridge residents have found affordable homes. Development with inclusionary units range in size from 10 units to over 400 units, and provide variety and choice to tenants and homebuyers seeking affordable housing. The range of housing types is a direct reflection of the diversity of residential development in the City. The

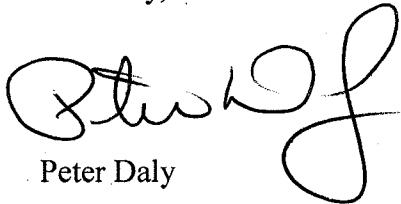
inclusionary housing stock includes units in large high rise buildings with a variety of amenities, loft spaces, co-housing communities, smaller apartment buildings, and new townhouse developments in established residential neighborhoods.

The housing developed under the Ordinance, does more than just create affordable units; it also enhances neighborhoods by creating diverse and mixed income communities. Units are located throughout the City – from West Cambridge to Kendall Square, often in neighborhoods where it is more difficult for non-profit sponsored housing to be created. Households living in inclusionary units come from a variety of economic circumstances and neighborhoods, and help ensure that new residential communities better reflect the diversity of the City.

Cambridge's inclusionary housing program has worked well for 13 years and has produced hundreds of affordable units without the need for public funds. It is one of the most successful and effective inclusionary housing programs in the country, and has been cited as a model for other communities considering inclusionary zoning ordinances. We see no reason to change the Ordinance now, and believe that the changes proposed in the Andrews, et al. Petition will be detrimental to the inclusionary program, and most significantly will result in fewer affordable opportunities for low and moderate-income Cambridge residents.

We greatly appreciate the ongoing commitment of the both the City Council and Planning Board to providing housing for low and moderate-income residents. Thank you for your consideration of these comments.

Sincerely,



Peter Daly



Florrie Darwin



Michael Haran

Susan Schlesinger



James Stockard

