



#3 200102

CITY OF SOMERVILLE, MASSACHUSETTS
BOARD OF ALDERMEN

Docket # 200102

Public Communication
Public Ordinance

Regular Meeting, October 8, 2015
Item ID 12711

SUMMARY: 11 registered voters proposing a Zoning Ordinance for Inclusionary Housing, with a petition from 511 citizens supporting an inclusionary zoning ordinance amendment and a revised application process.

COMPLETE TEXT:

See attachment.

RESULT: REFERRED FOR RECOMMENDATION

FOLLOWUP: Land Use Committee

Also referred to the Planning Board.

REFERRED FOR RECOMMENDATION BY THE BOARD OF ALDERMEN OF THE CITY OF SOMERVILLE, MA, AT A REGULAR MEETING ON THE 8th DAY OF OCTOBER, 2015.

ATTEST:

John J. Long, City Clerk

Proposed Legislation to Strengthen Somerville's Inclusionary Zoning Requirements

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THE SOMERVILLE ZONING ORDINANCE IS HEREBY AMENDED, AS FOLLOWS, TO ENHANCE THE INCLUSIONARY ZONING PROVISIONS:

CITY CLERK'S OFFICE
SOMERVILLE, MA

WHEREAS, development pressure in Somerville is jeopardizing the affordability of our City's housing stock; causing displacement; threatening the socioeconomic and demographic diversity that is so essential to our City's character; jeopardizing the ability of Somerville families to continue their children's educations in the Somerville Public School system; and making it increasingly unaffordable to live, work, play, and raise a family in the City we call home;

AND WHEREAS permits for new housing development continue to be approved and are subject only to the existing and outdated inclusionary zoning requirements, while the City develops a new zoning code which will likely include higher inclusionary requirements;

AND WHEREAS any such new zoning will not be enacted until sometime after mid-2016, causing Somerville to lose out on dozens and perhaps hundreds of new inclusionary units that would have been developed under the anticipated higher requirements;

AND WHEREAS we anticipate that certain other changes, such as expanded income tiers, will be made to the inclusionary housing provisions in the full zoning overhaul, and we will support such changes, but we believe that the following changes are urgent;

NOW THEREFORE, be it adopted by the Board of Aldermen, in session assembled, that the below listed sections of the Somerville Zoning Ordinance are hereby amended to provide for an immediately effective increase in the inclusionary zoning rate and implementation of the accompanying provisions.

1. Article 13: Inclusionary Housing is hereby amended in the **first paragraph of Section 13.2, *Applicability*** as follows (additions are **bolded and underlined** and deletions are ~~crossed out~~):

The provisions of this Article shall apply to all residential developments seeking special permits with site plan review to develop ~~eight (8)~~ **six (6)** or more dwelling units, whether new construction, substantial rehabilitation, Planned Unit Development, residential conversion, or adaptive reuse. Developments shall not be segmented or phased in a manner to avoid compliance with these provisions. No provisions of this Article shall substitute for any other provisions of this Ordinance.

2. Article 13: Inclusionary Housing is hereby amended in **Subsection 1 "Rental" of Section 13.3.3, *Affordability*** as follows (additions are **bolded and underlined** and deletions are ~~crossed out~~):

13.3.3. *Affordability*. Housing affordability under this Article means:

I. ***Rental***: Payment of housing and related costs for rental units shall be set at the following levels:

- (a) in the case of low-income households, rental costs (including utility costs for heat, electricity, **water, and hot-water, and including access to all amenities that are typically offered to a tenant in the building, such as parking, access to an onsite gymnasium, and other such amenities.**) shall be set at a level not to exceed the then current "LOW HOME" RENTS published by HUD for its Home Investment Partnership Program at 24 CFR 92 as they may be amended from time to time. These rents are set by HUD to be affordable to households with incomes up to fifty (50) percent of area median income.
- (b) in the case of low moderate-income households, rental costs (including utility costs for heat, electricity, **water, and hot water, and including access to all amenities that are typically offered to a tenant in the building, such as parking, gymnasium, etc.**) shall be set at a level not to exceed the then current "HIGH HOME" RENTS published by HUD for its Home Investment Partnership Program at 24 CFR 92 as they may be amended from time to time. These rents are set by HUD to be affordable to households with up to eighty (80) percent of area median income.

9. The Office of Strategic Planning and Community Development (OSPCD) is herein authorized and directed to develop a citywide application process and waiting list for all units of inclusionary housing. OSPCD is herein further authorized and directed to develop a preference system whereby priority points are assigned to households that:

- Are Somerville residents; and
- Would be income eligible for inclusionary units of rental housing; and
- Have been displaced from Somerville within the twelve months prior to the date of application for an inclusionary unit, or have been displaced subsequent to their application for an inclusionary unit; or are at imminent risk of such displacement, and their actual displacement or risk of displacement is for reasons beyond their control, including, but not limited to, no fault evictions, and evictions for non-payment of rent where shelter expenses (i.e. rent plus utilities) exceed 50% of household income.

Development of these and other guidelines for assigning priority above and beyond date of application shall be accomplished with guidance from the Affordable Housing Trust, in consultation with the Housing and Community Development Committee of the Board of Aldermen, and pursuant to a public hearing.

The following citizens of Somerville hereby petition the Board of Aldermen to consider this proposed legislation:

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CITY CLERK'S OFFICE
SOMERVILLE

Printed Name	Signature	Somerville Street Address
✓ <i>[Signature]</i>	<i>[Signature]</i>	116 Cro St
✓ Frederic Berman	Frederic Berman	25 Cherry St 02144
✓ John Cater	John Cater	82 Mount Vernon ST #1
✓ <i>[Signature]</i>	<i>[Signature]</i>	2 Bigelow St 02143
✓ <i>[Signature]</i>	David Gibbs	9 Linden Place
✓ Daniel LeBlanc	Daniel LeBlanc	92 Glen Street
✓ Irene Lew	<i>[Signature]</i>	98 Hudson Street Somerville
✓ Ben Echevarria	<i>[Signature]</i>	7 Gilman Terr.
✓ Kristen Lucas	Kristen Lucas	17 B Everett St
✓ Helen Corrigan	Helen Corrigan	76 Irving St
✓ Laurie Goldman	<i>[Signature]</i>	24 Warren Ave #2

11/1



CITY OF SOMERVILLE, MASSACHUSETTS
EXECUTIVE OFFICE OF COMMUNICATIONS
JOSEPH A. CURTATONE
MAYOR

October 8, 2015

John J. Long
City Clerk
Somerville City Hall
93 Highland Avenue
Somerville, Ma 02143

Dear Mr. Long:

We hereby certify that from the one (1) page of the petition given to us by your office contains the names of eleven (11) registered Somerville voters designated as such by a red check mark to the left of the name. The breakdown is as follows:

Sheet #1: 11 (eleven) voters

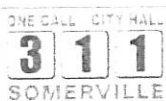
Anthony Alibonchi

[Signature]

Louise A. McCarthy

Michael P. Salerno

BOARD OF ELECTION COMMISSIONERS



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