

## **CITY MANAGER'S AGENDA**

1. A communication transmitted from Louis A. DePasquale, City Manager, relative to an update on COVID-19.
2. Transmitting Communication from Louis A. DePasquale, City Manager, relative to the appropriation of 24,000 received from Audible, an Amazon Company, to the Grant Fund Human Service Programs Other Ordinary Maintenance account which will help fund the City's restaurant meals to shelters program.
3. Transmitting Communication from Louis A. DePasquale, City Manager, relative to the appropriation of a grant from the Cambridge Health Alliance, through the National Foundation for the Centers for Disease Control and Prevention Inc. (CDC Foundation), in the amount of \$185,000 to the Grant Fund Finance Department Other Ordinary Maintenance account that will be used to support costs associated with the War Memorial Temporary Shelter.
4. Transmitting Communication from Louis A. DePasquale, City Manager, relative to the transfer of \$65,000 from the General Fund Employee Benefits (Insurance) Salary and Wages account to the General Fund Public Works Travel and Training (Judgment and Damages) account to cover medical bills and settlements anticipated through the end of FY20 for personnel injured in the course of their job.
5. Transmitting Communication from Louis A. DePasquale, City Manager, relative to the appropriation of a grant from the Massachusetts Department of Environmental Protection (DEP) Massachusetts Electric Vehicle Incentive Program (MassEVIP) in the amount of \$25,000 to the Grant Fund Public Works Other Ordinary Maintenance account to be applied toward payment of five Nissan Leaf electric vehicle leasing fees.
6. Transmitting Communication from Louis A. DePasquale, City Manager, relative to the transfer of \$276,600 in the General Fund between School Department statutory accounts as follows: \$276,600 from the School Department Salaries and Wages account to the School Department Travel and Training account (\$276,600) to cover costs associated with all CPS educators participation in six hours of district-wide training focused on social emotional and trauma sensitive supports for educators and students, and on school-based reflection and planning.
7. A communication transmitted from Louis A. DePasquale, City Manager, relative to efforts to respond to the restaurant community's need to expand outdoor dining services in response to Governor Baker's announcement that restaurants will be permitted to provide outdoor dining services at the commencement of Phase II of the Commonwealth's Reopening Plan; and to request that the City Council vote to temporarily authorize me or my designee to issue all permits for temporary street obstructions, including Sidewalk Business Use Permits to

restaurants that seek to operate outdoor dining on the sidewalk from this date until Nov 30, 2020 without prior City Council authorization, as explained below.

Agenda Item Number 7 June 8, 2020

ORDERED: That from June 8, 2020 to Nov 30, 2020, due to the significant adverse impacts the COVID-19 pandemic has had upon local businesses including restaurants and consistent with Governor Baker's June 1, 2020 Order Clarifying the Progression of the Commonwealth's Phased Workplace Re-Opening Plan and Authorizing Certain Re-Opening Preparations at Phase II Workplaces (the "Order"), which temporarily waives some of the time-consuming procedural requirements for restaurants that are licensed to sell alcoholic beverages for on-premises consumption that are applying to operate outdoor dining services, the requirement that the Alcoholic Beverage Control Commission approve such requests, and zoning requirements that may prohibit outdoor dining services, all applications for temporary street obstructions are hereby referred to the City Manager with authorization to act.

## **ON THE TABLE**

1. That the City Manager is requested to direct the City Solicitor, Community Development, Public Works, Inspectional Services and any other related departments to review the proposed amendments regarding the prohibition of Natural Gas Infrastructure in New Buildings. [TABLED ON JAN 27, 2020]
2. That the "2020 Cycling Safety Ordinance" be forwarded to the Ordinance Committee for discussion and recommendation. [TABLED ON MAR 23, 2020]
3. An application was received from Duncan MacArthur, requesting permission for a curb cut at the premises numbered 56 Creighton Street; said petition has received approval from Inspectional Services, Traffic, Parking and Transportation, Historical Commission and Public Works. No response has been received from the neighborhood association. [TABLED BY IN COUNCIL JUNE 1, 2020]

## **UNFINISHED BUSINESS**

4. A communication transmitted from Louis A. DePasquale, City Manager, relative to Awaiting Report Item Number 18-108, regarding a report on offering early voting in City Council and School Committee Elections. [PENDING RESPONSE FROM LEGISLATURE]
5. Transmitting Communication from Louis A. DePasquale, City Manager, requesting the appropriation and authorization to borrow \$6,500,000 to provide funds for the design and construction of various water pollution abatement projects, including but not limited to Sewer Capital Repairs Program and climate change preparedness efforts. [ON OR AFTER JUNE 15, 2020 THE QUESTION COMES ON ADOPTION]

6. Transmitting Communication from Louis A. DePasquale, City Manager, requesting the appropriation and authorization to borrow \$1,800,000 to provide funds for various Schools for repairs to electrical service, roof replacement, chiller replacement, floor replacement and replacement of bi-directional amplifier and antenna in various school buildings. [ON OR AFTER JUNE 15, 2020 THE QUESTION COMES ON ADOPTION]
7. Transmitting Communication from Louis A. DePasquale, City Manager, requesting the appropriation and authorization to borrow \$5,000,000 to provide funds for the reconstruction of various City streets and sidewalks. [ON OR AFTER JUNE 15, 2020 THE QUESTION COMES ON ADOPTION]
8. Transmitting Communication from Louis A. DePasquale, City Manager, requesting the appropriation and authorization to borrow \$16,000,000 to provide funds for the Municipal Facilities Improvement Plan which will support improvements at the Department of Public works Complex including the Ryan Garage, Lafayette Square Firehouse structural repair, and other municipal buildings. [ON OR AFTER JUNE 15, 2020 THE QUESTION COMES ON ADOPTION]
9. Transmitting Communication from Louis A. DePasquale, City Manager, requesting the appropriation and authorization to borrow \$9,000,000 to provide funds for the construction of improvements of the Lexington Avenue and River Street Firehouses. [ON OR AFTER JUNE 15, 2020 THE QUESTION COMES ON ADOPTION]
10. Transmitting Communication from Louis A. DePasquale, City Manager, requesting the appropriation and authorization to borrow \$237,000,000 to provide funds for the design and construction of the Tobin Montessori and Vassal Lane Upper School. [ON OR AFTER JUNE 15, 2020 THE QUESTION COMES ON ADOPTION]

#### **APPLICATIONS AND PETITIONS**

1. An application was received from Central Square Business Improvement District requesting permission for 60 temporary banners along Massachusetts Avenue from Hancock Street through Albany Street welcoming back business's into Central Square with Project Neighbor, Hello Again campaign from mid-June 2020 through September 2020.

#### **COMMUNICATIONS**

1. A communication was received from John Pitkin, regarding better communication for local response to Covid-19.
2. A communication was received from Caroline Shannon, regarding a Petition to Enable Social Distancing on Cambridge Streets.

#### **RESOLUTIONS**

1. Thanking Audible for Meals Donation. Vice Mayor Mallon

2. That the City Council formally go on recording in expressing its deepest condolences to the family and friends of Martin Foster for their loss. Councillor Simmons
3. That the City Council go on record extending its deepest sympathy to the family of Patricia Renna at this time of such personal loss. Councillor Toomey
4. That the City Council go on record extending its deepest sympathy to the family of Mary Aufiero at this time of such personal loss. Councillor Toomey
5. That the City Council go on record extending its deepest sympathy to the family of Mary Ann Weissbach. Councillor Toomey
6. That the City Council go on record extending its deepest sympathy to the family of Joseph Lencki Jr. at this time of such personal loss. Councillor Toomey
7. That the City Council go on record go on record extending its deepest sympathy for the family of Umberto Roland Farinato at this time of such personal loss. Councillor Toomey
8. Resolution on the death of Larry Pefine. Councillor Toomey

#### **ORDERS**

1. That the Cambridge City Council schedule a hearing to discuss the possible use of body cameras by the Cambridge Police Department. Councillor McGovern, Mayor Siddiqui, Vice Mayor Mallon, Councillor Simmons
2. That the Executive Assistant to the City Council confer with the Dedication Committee to consider the request from Peter Watchorn for an appropriate dedication at the corner of Watson Street and Salem Street in honor of the late Greg Miller. Councillor Simmons
3. 100% Affordable Housing Overlay Zoning Petition 2020. Councillor McGovern, Councillor Simmons, Councillor Sobrinho-Wheeler, Councillor Toomey
4. That the City Manager be and is hereby requested to determine the feasibility of extending funding for the homeless meals program through September 2020. Councillor McGovern, Vice Mayor Mallon, Councillor Sobrinho-Wheeler
5. That the City Council renews its observance of Loving Day on June 12, 2020 and encourages all Cambridge residents to embrace the diversity of families and recognize the importance of this day. Mayor Siddiqui, Councillor Simmons, Councillor McGovern, Councillor Sobrinho-Wheeler
6. That the flags half-staff will serve as a reminder that every life lost to COVID-19 was a loved community member, and those lives were lost too soon due to this deadly virus. Mayor Siddiqui, Vice Mayor Mallon, Councillor Toomey, Councillor Carlone

7. That the City Manager be and is hereby requested to report back to the Council on how some, or all, of the \$4.1 million dollar increase in the Police Department budget between FY20 and FY21 may be redirected towards measures that promote public health and safety in other departments. Councillor Sobrinho-Wheeler, Councillor Zondervan
8. That the Cambridge City Council declare racism as a public health crisis. Mayor Siddiqui, Councillor Simmons, Councillor Zondervan, Vice Mayor Mallon

## **COMMUNICATIONS AND REPORTS FROM CITY OFFICERS**

1. A communication was received from Mayor Siddiqui, transmitting information from the School Committee's Special Meeting and Regular Meeting.
2. A communication was received from Councillor Zondervan, regarding Funding our Community, Transforming our Policing.

## **HEARING SCHEDULE**

### **Thurs, June 4**

2:00pm Community Benefits Advisory Committee will meet to advance its purpose act on the Guiding Principles for Community Benefits Funding set forth in the Community Needs Assessment. (Televised, Zoom)

### **Mon, June 8**

5:30pm City Council Meeting (Sullivan Chamber, virtual)

### **Mon, June 15**

5:30pm City Council Meeting - Budget Adoption (Sullivan Chamber, virtual)

### **Mon, June 22**

5:30pm City Council Meeting (Sullivan Chamber, virtual)

### **Mon, June 29**

5:30pm City Council Meeting (Sullivan Chamber, virtual)

### **Mon, July 27**

5:30pm Special City Council Meeting (Sullivan Chamber)

## **TEXT OF ORDERS**

O-1 June 8, 2020

COUNCILLOR MCGOVERN

MAYOR SIDDIQUI

VICE MAYOR MALLON

COUNCILLOR SIMMONS

WHEREAS: The nation is grappling with how to improve police interactions with residents, and how to create a police department that is equitable and accountable to the community; and

WHEREAS: The City of Cambridge has a vested interest in ensuring the safety of both residents and police officers, and embedding opportunities for transparency to facilitate this work; and

WHEREAS: Having police officers wear body cameras is one way of increasing transparency in local policing. While the research results are mixed about whether the technology decreases police use of force, it is at least a means of oversight and accountability of individual behavior and overall policing; therefore be it

ORDERED: That the Cambridge City Council schedule a hearing to discuss the possible use of body cameras by the Cambridge Police Department.

O-2 June 8, 2020

COUNCILLOR SIMMONS

ORDERED: That the Executive Assistant to the City Council confer with the Dedication Committee to consider the request from Peter Watchorn for an appropriate dedication at the corner of Watson Street and Salem Street in honor of the late Greg Miller; and be it further

ORDERED: That the City Clerk be and hereby is requested to forward this order to the Dedication Committee for their review and approval.

O-3 June 8, 2020

COUNCILLOR MCGOVERN

COUNCILLOR SIMMONS

COUNCILLOR SOBRINHO-WHEELER

COUNCILLOR TOOMEY

ORDERED: That the attached proposed zoning ordinance establishing an Affordable Housing Overlay be submitted by the City Council, and that it be referred to the Committee on Ordinances and the Planning Board for public hearings, as provided in Chapter 40A, Section 5 of the Massachusetts General Laws, to wit:

ORDERED: That the Cambridge City Council amend Section 2.000, DEFINITIONS, of the Zoning Ordinance of the City of Cambridge amended to insert the following definitions alphabetically:

**Affordable Housing Overlay (AHO).** A set of modified development standards set forth in Section 11.207.3 of this Zoning Ordinance intended to allow incremental increases in density, limited increases in height, and relaxation of certain other zoning limitations for residential developments in which all units are made permanently affordable to households earning up to 100% of area median income.

**Affordable Housing Overlay (AHO) Dwelling Unit.** A dwelling unit within an AHO Project for which occupancy is restricted to an AHO Eligible Household and whose rent or initial sale price is established by the provisions of Section 11.207.3 of this Zoning Ordinance.

**Affordable Housing Overlay (AHO) Eligible Household.** A household whose gross household income does not exceed the amounts set forth in Section 11.207.3 of this Zoning Ordinance.

**Affordable Housing Overlay (AHO) Project.** The construction of a new building or buildings and/or the modification of an existing building or buildings resulting in single-family, two-family, townhouse, or multifamily dwellings within which each dwelling unit is an AHO Dwelling Unit subject to the standards and restrictions set forth in Section 11.207 of this Zoning Ordinance.

**Grade.** The mean finished ground elevation of a lot measured either around the entire perimeter of the building or along any existing wall facing a public street, which ground elevation is maintained naturally without any structural support.

**Ground Story or Ground Floor.** The lowest Story Above Grade within a building. Story. That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above.

**Story Above Grade.** A Story whose highest point is more than 4 feet above the Grade.

**Story Below Grade.** Any Story that is lower than the Ground Story of a building.

ORDERED: That the Cambridge City Council amend of the Zoning Ordinance of the City of Cambridge, by inserting a new section 11.207, **AFFORDABLE HOUSING OVERLAY**, to read as follows:

#### 11.207.1 Purpose and Intent

The purpose of this Section is to promote the public good by supporting the development of housing that is affordable to households earning up to 100% of area median income. The intent of this Section is to allow incremental increases in density, limited increases in height, and relaxation of certain other zoning limitations for residential developments in which all units are made permanently affordable to households earning up to 100% of area median income (referred to as “AHO Projects,” as defined in Article 2.000 of this Zoning Ordinance); to incentivize the reuse of existing buildings in order to create AHO Projects that are more compatible with established neighborhood character; to promote the city’s urban design objectives in Section 19.30 of this Zoning Ordinance while enabling AHO Projects to be permitted as-of-right, subject to non-binding advisory design consultation procedures that follow all design objectives set forth within this Zoning Ordinance and the results of the design review process shall be provided to the Cambridge Affordable Housing Trust; and to apply such standards throughout the City, to promote city planning goals of achieving greater socioeconomic diversity and a more equitable distribution of affordable housing citywide.

#### 11.207.2 Applicability

- (a) The provisions set forth in this Section shall apply to AHO Projects, as defined in Article 2.000 of this Zoning Ordinance, in all zoning districts except Open Space Districts.
- (b) An AHO Project shall be permitted as-of-right if it meets all of the standards set forth in this Affordable Housing Overlay in place of the requirements otherwise applicable in the zoning district. Any development not meeting all of the standards set forth in this Affordable Housing Overlay shall be subject to the requirements otherwise applicable in the zoning district, including any requirements for special permits.

#### 11.207.3 Standards for Eligibility, Rent, and Initial Sale Price for AHO Dwelling Units

- (a) All dwelling units in an AHO Project shall comply with the standards for AHO Dwelling Units as set forth in this Section.
- (b) For all AHO Dwelling Units:
  - (i) AHO Dwelling Units shall be rented or sold only to AHO Eligible Households, with preference given to Cambridge residents, and former Cambridge residents who experienced a no-fault eviction in Cambridge in the last twelve (12) months, in accordance with standards and procedures related to selection, asset limits, and marketing established by the Community Development Department (CDD) and applicable state funding requirements.
  - (ii) AHO Dwelling Units shall be created and conveyed subject to recorded covenants approved by CDD guaranteeing the permanent availability of the AHO Dwelling Units for AHO Eligible Households.
- (c) For rental AHO Dwelling Units:
  - (i) The gross household income of an AHO Eligible Household upon initial occupancy shall be no more than one-hundred percent (100%) of AMI.

- (ii) At least eighty percent (80%) of AHO Dwelling Units within the project shall be occupied by AHO Eligible Households whose gross household income upon initial occupancy is no more than eighty percent (80%) of AMI.
  - (iii) Rent, including utilities and any other fees routinely charged to tenants and approved by CDD, shall not exceed thirty percent (30%) of the gross household income of the AHO Eligible Household occupying the AHO Dwelling Unit or other similar standard pursuant to an applicable housing subsidy program which has been approved by CDD.
  - (iv) After initial occupancy, the gross household income of an AHO Eligible Household shall be verified annually, or on such other basis required by an applicable housing subsidy program which has been approved by CDD, to determine continued eligibility and rent, in accordance with policies, standards, and procedures established by CDD.
  - (v) An AHO Eligible Household may continue to rent an AHO Dwelling Unit after initial occupancy even if the AHO Eligible Household’s gross household income exceeds the eligibility limits set forth above, but may not exceed one hundred twenty percent (120%) of AMI for more than one year after that Eligible Household’s gross household income has been verified to exceed such percentage, unless otherwise restricted pursuant to an applicable housing subsidy program which has been approved by CDD.
  - (vi) Notwithstanding the requirements set forth in (i) through (v) above, an owner may voluntarily choose to charge a lower rent than as provided herein for AHO Dwelling Units.
- (d) For owner-occupied AHO Dwelling Units:
  - (i) The gross household income of an AHO Eligible Household upon initial occupancy shall be no more than one-hundred percent (100%) of AMI.
  - (ii) At least fifty percent (50%) of AHO Dwelling Units shall be sold to AHO Eligible Households whose gross household income upon initial occupancy is no more than eighty percent (80%) of AMI.
  - (iii) The initial sale price of an AHO Dwelling Unit shall be approved by CDD and shall be determined to ensure that the monthly housing payment (which shall include debt service at prevailing mortgage loan interest rates, utilities, condominium or related fees, insurance, real estate taxes, and parking fees, if any) shall not exceed thirty percent (30%) of the monthly income of:
    - 1) A household earning ninety percent (90%) of AMI, in the case of an AHO Dwelling Unit to be sold to an AHO Eligible Household whose income upon initial occupancy is no more than one-hundred percent (100%) of AMI; or
    - 2) A household earning seventy percent (70%) of AMI, in the case of an AHO Dwelling Unit to be sold to an AHO Eligible Household whose income upon initial occupancy is no more than eighty percent (80%) of AMI
- (e) An AHO Project meeting the standards set forth herein as approved by CDD shall not be required to comply with the Inclusionary Housing Requirements set forth in 11.203 of this Zoning Ordinance.



#### 11.207.4 Use

- (a) In all zoning districts, an AHO Project may contain single-family, two-family, townhouse, or multifamily dwellings as-of-right. Townhouse and Multifamily Special Permit procedures shall not apply.
- (b) An AHO Project may contain active non-residential uses on the ground floor as they may be permitted as-of-right in the base zoning district or the overlay district(s) that are applicable to a lot, which for the purpose of this Section shall be limited to Institutional Uses listed in Section 4.33, Office Uses listed in Section 4.34 Paragraphs a. through e., and Retail and Consumer Service uses listed in Section 4.35 that provide services to the general public.

#### 11.207.5 Development Standards

##### 11.207.5.1 General Provisions

- (a) For the purposes of this Section, the phrase “District Development Standards” shall refer to the development standards of the base zoning district as they may be modified by the development standards of all overlay districts (with the exception of this Affordable Housing Overlay) that are applicable to a lot.
- (b) District Dimensional Standards shall include the most permissive standards allowable on a lot, whether such standards are permitted as-of-right or allowable by special permit. A District Dimensional Standard that is allowable by special permit shall include any nondiscretionary requirements or limitations that would otherwise apply.
- (c) An AHO Project that conforms to the following development standards shall not be subject to other limitations that may be set forth in Article 5.000 or other Sections of this Zoning Ordinance, except as otherwise stated in this Section.

##### 11.207.5.2 Dimensional Standards for AHO Projects

###### 11.207.5.2.1 Building Height and Stories Above Grade.

For an AHO Project, the standards set forth below shall apply in place of any building height limitations set forth in the District Development Standards.

- (a) Where the District Dimensional Standards set forth a maximum residential building height of forty (40) feet or less, an AHO Project shall contain no more than four (4) Stories Above Grade and shall have a maximum height of forty-five (45) feet, as measured from existing Grade. For AHO Projects containing active non-residential uses on the ground floor, the maximum height may be increased to fifty (50) feet but the number of Stories Above Grade shall not exceed four (4) stories.
- (b) Where the District Dimensional Standards set forth a maximum residential building height of more than forty (40) feet but not more than fifty (50) feet, an AHO Project shall contain no more than six (6) Stories Above Grade and shall have a maximum height of sixty-five (65) feet, as measured from existing Grade, except as further limited below. For AHO Projects containing active non-residential uses on the ground floor, the maximum height may be increased to seventy (70) feet but the number of Stories Above Grade shall not exceed six (6) stories.
- (i) Except where the AHO Project abuts a nonresidential use, portions of an AHO Project that are within thirty-five (35) feet of a district whose District Dimensional Standards allow a maximum residential building height of forty (40) feet or

less shall be limited by the provisions of Paragraph (a) above, except that if the AHO project parcel extends into that District, then the height limitation shall only extend thirty five (35) feet from the property line.

- (c) Where the District Dimensional Standards set forth a maximum residential building height of more than fifty (50) feet, an AHO Project shall contain no more than seven (7) Stories Above Grade and shall have a maximum height of eighty (80) feet, as measured from existing Grade, except as further limited below.
- (i) Except where the AHO Project abuts a nonresidential use, portions of an AHO Project that are within thirty-five (35) feet of a district whose District Dimensional Standards allow a maximum residential building height of forty (40) feet or less shall be reduced to a minimum of five (5) Stories Above Grade or a maximum height of sixty (60) feet, as measured from existing Grade, except that if the AHO project parcel extends into that District, then the height limitation shall only extend thirty five (35) feet from the property line.
- (d) The Height Exceptions set forth in Section 5.23 of this Zoning Ordinance shall apply when determining the building height of an AHO Project.

##### 11.207.5.2.2 Residential Density

- (a) Where the District Dimensional Standards establish a maximum floor area ratio (FAR) of less than 1.00, an AHO Project shall not exceed an FAR of 2.00. Otherwise, there shall be no maximum FAR for an AHO Project.
- (b) There shall be no minimum lot area per dwelling unit for an AHO Project.

##### 11.207.5.2.3 Yard Setbacks

- (a) For the purpose of this Section, the applicable District Dimensional Standards shall not include yard setback requirements based on a formula calculation as provided in Section 5.24.4 of the Zoning Ordinance, but shall include non-derived minimum yard setback requirements set forth in Article 5.000 or other Sections of this Zoning Ordinance.
- (b) Front Yards. An AHO Project shall have a minimum front yard setback of 15 feet, except where the District Dimensional Standards establish a less restrictive requirement or where the average of the front yard setbacks of the four (4) nearest pre-existing principal buildings that contain at least two Stories Above Grade and directly front the same side of the street as the AHO Project, or may be reduced to a minimum of ten (10) feet in the case of an AHO Project on a corner lot. Where the District Dimensional Standards set forth different requirements for residential and non-residential uses, the non-residential front yard setback requirement shall apply to the entire AHO Project if the Ground Story contains a non-residential use as set forth in Section 11.207.4 Paragraph (b) above; otherwise, the residential front yard setback shall apply.
- (c) Side Yards. An AHO Project shall have a minimum side yard setback of seven and one-half (7.5) feet, or may be reduced to the minimum side yard setback set forth in the District Dimensional Standards for residential uses that is not derived by formula if it is less restrictive.
- (d) Rear Yards. An AHO Project shall have a minimum rear yard setback of twenty (20) feet, or may be reduced to the minimum rear yard setback set forth in the District Dimensional Standards

for residential uses that is not derived by formula if it is less restrictive.

- (e) Projecting eaves, chimneys, bay windows, balconies, open fire escapes and like projections which do not project more than three and one-half (3.5) feet from the principal exterior wall plane, and unenclosed steps, unroofed porches and the like which do not project more than ten (10) feet beyond the line of the foundation wall and which are not over four (4) feet above Grade, may extend beyond the minimum yard setback.
- (f) Bicycle parking spaces, whether short-term or long-term, and appurtenant structures such as coverings, sheds, or storage lockers may be located within a required yard setback but no closer than seven and one-half (7.5) feet to an existing principal residential structure on an abutting lot.

#### 11.207.5.2.4 Open Space

- (a) Except where the District Dimensional Standards establish a less restrictive requirement or as otherwise provided below, the minimum percentage of open space to lot area for an AHO Project shall be thirty percent (30%). However, the minimum percentage of open space to lot area may be reduced to no less than fifteen percent (15%) if the AHO Project includes the preservation and protection of an existing building included on the State Register of Historic Places.
- (b) The required open space shall be considered Private Open Space but shall be subject to the limitations set forth below and shall not be subject to the dimensional and other limitations set forth in Section 5.22 of this Zoning Ordinance. Private Open Space shall exclude parking and driveways for automobiles.
- (c) All of the required open space that is located at grade shall meet the definition of Permeable Open Space as set forth in this Zoning Ordinance.
- (d) The required open space shall be located at Grade or on porches and decks that are no higher than the floor elevation of the lowest Story Above Grade, except that up to twenty five percent (25%) of the required open space may be located at higher levels, such as balconies and decks, only if it is accessible to all occupants of the building.
- (e) For the purpose of this Affordable Housing Overlay, area used for covered or uncovered bicycle parking spaces that are not contained within a building shall be considered Private Open Space.

#### 11.207.5.3 Standards for Existing Buildings

A building that is in existence as of the effective date of this Ordinance and does not conform to the standards set forth in Section 11.207.5.2 above may be altered, reconstructed, extended, relocated, and/or enlarged for use as an AHO Project as-of-right in accordance with the standards set forth below. Except as otherwise stated, the required dimensional characteristics of the building and site shall be those existing at the time of the conversion to an AHO Project if they do not conform to the standards of Section 11.207.5.2. The following modifications shall be permitted as-of-right, notwithstanding the limitations set forth in Article 8.000 of this Zoning Ordinance:

- (a) Construction occurring entirely within an existing structure, including the addition of Gross Floor Area within the interior of the existing building envelope that may violate or further violate FAR limitations set forth in Section 11.207.5.2, and including

any increase to the number of dwelling units within the existing building, provided that the resulting number of Stories Above Grade is not more than the greater of the existing number of Stories Above Grade or the existing height of the building divided by 10 feet.

- (b) The relocation, enlargement, or addition of windows, doors, skylights, or similar openings to the exterior of a building.
- (c) The addition of insulation to the exterior of an existing exterior wall to improve energy efficiency, provided that the resulting exterior plane of the wall shall either conform to the yard setback standards set forth in Section 11.207.5.2 above or shall not intrude more than eight (8) inches further into the existing yard setback and provided that the lot shall either conform to the open space standards set forth in Section 11.207.5.2 or shall not decrease the existing open space by more than 5% or 100 square feet, whichever is greater.
- (d) The installation of exterior features necessary for the existing structure to be adapted to meet accessibility standards for persons with disabilities, including but not limited to walkways, ramps, lifts, or elevators, which may violate or further violate of the dimensional requirements set forth in Section 11.207.5.2.
- (e) The repair, reconstruction, or replacement of any preexisting nonconforming portions of a building including but not limited to porches, decks, balconies, bay windows and building additions, provided that the repair, reconstruction or replacement does not exceed the original in footprint, volume, or area.
- (f) Any other alterations, additions, extensions, or enlargements to the existing building that are not further in violation of the dimensional requirements set forth in Section 11.207.5.2 above.

#### 11.207.6 Parking and Bicycle Parking

The limitations set forth in Article 6.000 of this Zoning Ordinance shall be modified as set forth below for an AHO Project.

##### 11.207.6.1 Required Off-Street Accessory Parking

- (a) There shall be no required minimum number of off-street parking spaces for an AHO Project except to the extent necessary to conform to other applicable laws, codes, or regulations.
- (b) An AHO Project of greater than 20 units, for which no off-street parking is provided shall provide or have access to either on-street or off-street facilities that can accommodate passenger pick-up and drop-off by motor vehicles and short-term loading by moving vans or small delivery trucks. The Cambridge Traffic, Parking, and Transportation Department shall certify to the Superintendent of Buildings that the AHO Project is designed to reasonably accommodate such activity without causing significant hazard or congestion. The Cambridge Director of Traffic, Parking, and Transportation shall have the authority to promulgate regulations for the implementation of the provisions of this Paragraph.

##### 11.207.6.2 Accessory Parking Provided Off-Site

- (a) Off-street parking facilities may be shared by multiple AHO Projects, provided that the requirements of this Section are met by all AHO Dwelling Units served by the facility and the facility is within 1,000 feet of all AHO Projects that it serves.
- (b) Off-street parking facilities for an AHO Project may be located within existing parking facilities located within 1,000 feet of the AHO Project and in a district where parking is permitted as a

principal use or where the facility is a pre-existing nonconforming principal use parking facility, provided that the owner of the AHO Project shall provide evidence of fee ownership, a long-term lease agreement or renewable short-term lease agreement, recorded covenant, or comparable legal instrument to guarantee, to the reasonable satisfaction of the Superintendent of Buildings, that such facilities will be available to residents of the AHO Project.

#### 11.207.6.3 Modifications to Design and Layout Standards for Off-Street Parking

- (a) Notwithstanding Section 6.43.2, parking spaces may be arranged in tandem without requiring a special permit, provided that no more than two cars may be parked within any tandem parking space.
- (b) Notwithstanding Section 6.43.6, owners of adjacent properties may establish common driveways under mutual easements without requiring a special permit.
- (c) Notwithstanding Paragraph 6.44.1(a), on-grade open parking spaces may be located within ten (10) feet but not less than five (5) feet from the Ground Story of a building on the same lot or seven and one-half (7.5) feet from the Ground Story of a building on an adjacent lot without requiring a special permit, provided that such parking spaces are screened from buildings on abutting lots by a fence or other dense year-round visual screen.
- (d) Notwithstanding Paragraph 6.44.1(b), on-grade open parking spaces and driveways may be located within five (5) feet of a side or rear property line without requiring a special permit, provided that screening is provided in the form of a fence or other dense year-round visual screen at the property line, unless such screening is waived by mutual written agreement of the owner of the lot and the owner of the abutting lot.

#### 11.207.6.4 Modifications to Bicycle Parking Standards

- (a) Notwithstanding Section 6.104, long-term or short-term bicycle parking spaces may be located anywhere on the lot for an AHO Project or on an adjacent lot in common ownership or under common control.
- (b) Notwithstanding Section 6.107.5, up to 20 long-term bicycle parking spaces may be designed to meet the requirements for Short-Term Bicycle Parking Spaces, so long as they are covered from above to be protected from precipitation.
- (c) The requirement for short-term bicycle parking shall be waived where only four or fewer short-term bicycle parking spaces would otherwise be required.
- (d) The number of required bicycle parking spaces shall be reduced by half, up to a maximum reduction of 28 spaces, where a standard-size (19-dock) Public Bicycle Sharing Station is provided on the lot or by the developer of the AHO Project on a site within 500 feet of the lot, with the written approval of the City if located on a public street or other City property, or otherwise by legally enforceable mutual agreement with the owner of the land on which the station is located as approved by the Community Development Department. If additional Public Bicycle Sharing Station docks are provided, the number of required bicycle parking spaces may be further reduced at a rate of 0.5 bicycle parking space per additional Public Bicycle

Sharing Station dock, up to a maximum reduction of half of the required number of spaces.

- (e) For AHO Dwelling Units created within an existing building, bicycle parking spaces meeting the standards of this Zoning Ordinance shall not be required but are encouraged to be provided to the extent practical given the limitations of the existing structure. Bicycle parking spaces shall be provided, as required by this Zoning Ordinance, for dwelling units in an AHO Project that are constructed fully outside the envelope of the existing structure.

#### 11.207.6.5 Transportation Demand Management

An AHO Project not providing off-street parking at a ratio of 0.4 space per dwelling unit or more shall provide, in writing, to the Community Development Department a Transportation Demand Management program containing the following measures, at a minimum:

- (a) Offering either a free annual membership in a Public Bicycle Sharing Service, at the highest available tier where applicable, or a 50% discounted MBTA combined subway and bus pass for six months or pass of equivalent value, to up to two individuals in each household upon initial occupancy of a unit.
- (b) Providing transit information in the form of transit maps and schedules to each household upon initial occupancy of a unit, or providing information and a real-time transit service screen in a convenient common area of the building such as an entryway or lobby.

#### 11.207.7 Building and Site Design Standards for New Development

##### 11.207.7.1 General Provisions

- (a) Except where otherwise stated, the Project Review requirements set forth in Article 19.000 of this Zoning Ordinance and any design standards set forth in Section 19.50 or elsewhere in the Zoning Ordinance shall be superseded by the following standards for an AHO Project.
- (b) The following design standards shall apply to new construction and to additions to existing structures. Except as otherwise provided, an existing building that is altered or moved to accommodate an AHO Project shall not be subject to the following standards, provided that such alterations do not create a condition that is in greater nonconformance with such standards than the existing condition.

##### 11.207.7.2 Site Design and Arrangement

- (a) The area directly between the front lot line and the principal wall plane of the building nearest to the front lot line shall consist of any combination of landscaped area, hardscaped area accessible to pedestrians and bicyclists, and usable spaces such as uncovered porches, patios, or balconies. Parking shall not be located within such area, except for driveway access which shall be limited to a total of thirty (30) feet of width for any individual driveway for each one hundred (100) feet of lot frontage.
- (b) Pedestrian entrances to buildings shall be visible from the street, except where the building itself is not visible from the street due to its location. All pedestrian entrances shall be accessible by way of access routes that are separated from motor vehicle access drives.
- (c) A building footprint exceeding two hundred and fifty (250) feet in length, measured parallel to the street, contains a massing

recess extending back at least fifteen (15) feet in depth measured from and perpendicular to the front lot line and at least fifteen (15) feet in width measured parallel to the front lot line so that the maximum length of unbroken façade is one hundred fifty (150) feet.

#### 11.207.7.3 Building Façades

- (a) At least twenty percent (20%) of the area of building façades facing a public street or public open space shall consist of clear glass windows. For buildings located in a Business A (BA), Business A-2 (BA-2), Business B (BB) or Business C (BC) zoning district, this figure shall be increased to thirty percent (30%) for non-residential portions of the building, if any.
- (b) Building façades shall incorporate architectural elements that project or recess by at least two feet from the adjacent section of the façade. Such projecting or recessed elements shall occur on an average interval of 40 linear horizontal feet or less for portions of the façade directly facing a public street, and on an average interval of 80 linear horizontal feet or less for other portions of the façade. Such projecting or recessed elements shall not be required on the lowest Story Above Grade or on the highest Story Above Grade, and shall not be required on the highest two Stories Above Grade of a building containing at least six Stories Above Grade. The intent is to incorporate elements such as bays, balconies, cornices, shading devices, or similar architectural elements that promote visual interest and residential character, and to allow variation at the ground floor and on upper floors where a different architectural treatment may be preferable.

#### 11.207.7.4 Ground Stories and Stories Below Grade

- (a) The elevation at floor level of the Ground Story shall be at the mean Grade of the abutting public sidewalk, or above such mean Grade by not more than four feet. Active non-residential uses at the Ground Story shall be accessible directly from the sidewalk without requiring use of stairs or a lift. The requirements of this paragraph shall not apply if it is determined by the City Engineer that a higher Ground Story elevation is necessary for the purpose of flood protection.
- (b) Where structured parking is provided within the Ground Story of a building, the portion of the building immediately behind the front wall plane shall consist of residential units, common areas, or other populated portions of the building in order to screen the provided parking over at least seventy-five percent (75%) of the length of the façade measured parallel to the street and excluding portions of the façade used for driveway access. On a corner lot, the requirements of this Paragraph shall only apply along one street.
- (c) The façade of a Ground Story facing a public street shall consist of expanses no longer than twenty-five (25) feet in length, measured parallel to the street, which contain no transparent windows or pedestrian entryways.
- (d) If the Ground Story is designed to accommodate active non-residential uses, the following additional standards shall apply:
  - (i) the height of the Ground Story for that portion of the building containing active non-residential uses shall be at least fifteen (15) feet;
  - (ii) the depth of the space designed for active nonresidential uses shall be at least thirty-five (35) feet on average measured from

the portion of the façade that is nearest to the front lot line in a direction perpendicular to the street, and measured to at least one street in instances where the space abuts two or more streets; and

- (iii) that portion of the Ground Story façade containing active non-residential uses shall consist of at least thirty percent (30%) transparent glass windows or, if the use is a retail or consumer service establishment, at least thirty percent (30%) transparent glass windows, across the combined façade on both streets in the case of a corner lot.
- (e) Ground Stories on sites that are located in a Business base zoning district may include retail or consumer establishments as well as social service facilities supporting the mission of the owner of the AHO Project.
- (f) Private living spaces within dwelling units, including bedrooms, kitchens, and bathrooms, may only be contained within Stories Above Grade. Stories Below Grade may only contain portions of dwelling units providing entries, exits, or mechanical equipment, or common facilities for residents of the building, such as lobbies, recreation rooms, laundry, storage, parking, bicycle parking, or mechanical equipment

#### 11.207.7.5 Mechanical Equipment, Refuse Storage, and Loading Areas

- (a) All mechanical equipment, refuse storage, or loading areas serving the building or its occupants that are (1) carried above the roof, (2) located at the exterior building wall or (3) located outside the building, shall meet the requirements listed below. Mechanical equipment includes, but is not limited to, ventilation equipment including exhaust fans and ducts, air conditioning equipment, elevator bulkheads, heat exchangers, transformers and any other equipment that, when in operation, potentially creates a noise detectable off the lot. The equipment and other facilities: (a) Shall not be located within any required setback. This Paragraph (a) shall not apply to electrical equipment whose location is mandated by a recognized public utility, provided that project plans submitted for review by the City identify a preferred location for such equipment.
- (b) When on the ground, shall be permanently screened from view from adjacent public streets that are within 100 feet of the building, or from the view from abutting property in separate ownership at the property line. The screening shall consist of a dense year-round screen equal or greater in height at the time of installation than the equipment or facilities to be screened, or a fence of equal or greater height that is comparable in quality to the materials used on the principal facades of the building, with no more than twenty-five (25) percent of the face of the fence open with adjacent planting.
- (c) When carried above the roof, shall be set back from the principal wall plane by a dimension equal to at least the height of the equipment and permanently screened from view, from the ground, from adjacent public streets and any abutting residentially used lot or lots in a residential zoning district. The screening shall be at least seventy-five percent (75%) opaque and uniformly distributed across the screening surface, or opaque to the maximum extent permissible if other applicable laws, codes, or regulations mandate greater openness.
- (d) Shall meet all city, state and federal noise regulations, as applicable, as certified by a professional acoustical engineer if



the Department of Inspectional Services deems such certification necessary.

- (e) That handle trash and other waste, shall be contained within the building or screened as required in this Section until properly disposed of.

#### 11.207.7.6 Environmental Design Standards

- (a) This Section shall not waive the Green Building Requirements set forth in Section 22.20 of this Zoning Ordinance that may otherwise apply to an AHO Project.
- (b) Where the provisions of the Flood Plain Overlay District apply to an AHO Project, the performance standards set forth in Section 20.70 of this Zoning Ordinance shall apply; however, a special permit shall not be required.
- (c) An AHO Project shall be subject to other applicable laws, regulations, codes, and ordinances pertaining to environmental standards.
- (d) New outdoor light fixtures installed in an AHO Project shall be fully shielded and directed to prevent light trespass onto adjacent residential lots.

#### 11.207.8 Advisory Design Consultation Procedure

Prior to application for a building permit, the developer of an AHO Project shall comply with the following procedure, which is intended to provide an opportunity for non-binding community and staff input into the design of the project.

- (a) The intent of this non-binding review process is to advance the City's desired outcomes for the form and character of AHO Projects. To promote the City's goal of creating more affordable housing units, AHO Projects are permitted to have a greater height, scale, and density than other developments permitted by the zoning for a given district. This procedure is intended to promote design outcomes that are compatible with the existing neighborhood context or with the City's future planning objectives for the area.
- (b) The City's Design Guidelines for 100% Affordable Housing Overlay, along with other design objectives and guidelines established for the part of the city in which the AHO Project is located, are intended to inform the design of AHO Projects and to guide the Planning Board's consultation and report as set forth below. It is intended that designers of AHO Projects, City staff, the Planning Board, and the general public will be open to creative variations from any detailed provisions set forth in such objectives and guidelines as long as the core values expressed are being served.
- (c) At least two community meetings shall be scheduled at a time and location that is convenient to residents in proximity to the project site. The Community Development Department (CDD) shall be notified of the time and location of such meetings, and shall give notification to abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred feet of the property line of the lot on which the AHO Project is proposed and to any individual or organization who each year files with CDD a written request for such notification, or to any other individual or organization CDD may wish to notify.
- (i) The purpose of the first community meeting shall be for the developer to share the site and street context analysis with neighborhood residents and other interested parties prior to

building design, and receive feedback from community members.

- (ii) The purpose of the subsequent community meeting(s) shall be to present preliminary project designs, answer questions from neighboring residents and other interested members of the public, and receive feedback on the design. The date(s), time(s), location(s), attendance, materials presented, and comments received at such meeting(s) shall be documented and provided to CDD.
- (d) Following one or more such community meeting(s), the developer shall prepare the following materials for review by the Planning Board. CDD shall review to certify that the submitted written and graphic materials provide the required information in sufficient detail. All drawings shall be drawn to scale, shall include a graphic scale and north arrow for orientation, and shall provide labeled distances and dimensions for significant building and site features.
  - (i) A context map indicating the location of the project and surrounding land uses, including transportation facilities.
  - (ii) A context analysis, discussed with CDD staff, including existing front yard setbacks, architectural character, and unique features that inform and influence the design of the AHO Project.
  - (iii) An existing conditions site plan depicting the boundaries of the lot, the locations of buildings, open space features, parking areas, trees, and other major site features on the lot and abutting lots, and the conditions of abutting streets.
  - (iv) A proposed conditions site plan depicting the same information above as modified to depict the proposed conditions, including new buildings (identifying building entrances and uses on the ground floor and possible building roof deck) and major anticipated changes in site features.
  - (v) A design statement on how the proposed project attempts to reinforce existing street/context qualities and mitigates the planned project's greater massing, height, density, &c.
  - (vi) Floor plans of all proposed new buildings and existing buildings to remain on the lot.
  - (vii) Elevations and cross-section drawings of all proposed new buildings and existing buildings to remain on the lot, depicting the distances to lot lines and the heights of surrounding buildings, and labeling the proposed materials on each façade elevation.
  - (viii) A landscape plan depicting and labeling all hardscape, permeable, and vegetated areas proposed for the site along with other structures or appurtenances on the site.
  - (ix) Plans of parking and bicycle parking facilities, as required by Section 6.50 of this Zoning Ordinance.
  - (x) Materials palettes cataloguing and depicting with photographs the proposed façade and landscape materials.
  - (xi) Existing conditions photographs from various vantage points on the public sidewalk, including photos of the site and of the surrounding urban context.
  - (xii) Proposed conditions perspective renderings from a variety of vantage points on the public sidewalk, including locations adjacent to the site as well as longer views if proposed buildings will be visible from a distance.

- (xiii) A dimensional form, in a format provided by CDD, along with any supplemental materials, summarizing the general characteristics of the project and demonstrating compliance with applicable zoning requirements.
  - (xiv) A brief project narrative describing the project and the design approach, and indicating how the project has been designed in relation to the citywide urban design objectives set forth in Section 19.30 of the Zoning Ordinance, any design guidelines that have been established for the area, and the Design Guidelines for the 100% Affordable Housing Overlay.
  - (xv) Viewshed analysis and shadow studies that show the impact on neighboring properties with existing Solar Energy Systems.
  - (xvi) An initial development budget that shows anticipated funding sources and uses including developer fee and overhead.
- (e) Within 65 days of receipt of a complete set of materials by CDD, the Planning Board shall schedule a design consultation as a general business matter at a public meeting and shall give notification to abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred feet of the property line of the lot on which the AHO Project is proposed and to any individual or organization who each year files with CDD a written request for such notification, or to any other individual or organization CDD may wish to notify. The materials shall be made available to the public in advance, and the Planning Board may receive written comments prior to the meeting from City staff, abutters, and members of the public.
- (f) At the scheduled design consultation, the Planning Board shall hear a presentation of the proposal from the developer and oral comments from the public. The Board may ask questions or seek additional information from the developer or from City staff.
- (g) The Planning Board shall evaluate the proposal for general compliance with the requirements of this Section, for consistency with City development guidelines prepared for the proposal area and the Design Guidelines for the 100% Affordable Housing Overlay, for appropriateness in terms of other planned or programmed public or private development activities in the vicinity, and for consistency with the Citywide Urban Design Objectives set forth in Section 19.30. The Board may also suggest specific project adjustments and alterations to further the purposes of this Ordinance. The Board shall communicate its findings in a written report provided to the developer and to CDD within 20 days of the design consultation.
- (h) The developer may then make revisions to the design, in consultation with CDD staff, and shall submit a revised set of documents along with a narrative summary of the Planning Board's comments and changes made in response to those comments.
- (i) The Planning Board shall review and discuss the revised documents at a second design consultation meeting, which shall proceed in accordance with Paragraphs (c) and (d) above. Following the second design consultation, the Planning Board may submit a revised report and either the revised report or if there are no revisions the initial report shall become the final report (the "Final Report"). Any additional design consultations to review further revisions may occur only at the discretion and

on the request of the developer or the Cambridge Affordable Housing Trust.

- (j) The Final Report from the Planning Board shall be provided to the Superintendent of Buildings to certify compliance with the procedures set forth herein.

#### 11.207.9 Implementation of Affordable Housing Overlay

- (a) The City Manager shall have the authority to promulgate regulations for the implementation of the provisions of this Section 11.207. There shall be a sixty-day review period, including a public meeting, to receive public comments on draft regulations before final promulgation.
- (b) The Community Development Department may develop standards, design guidelines, and procedures appropriate to and consistent with the provisions of this Sections 11.207 and the above regulations.

#### 11.207.10 Enforcement of Affordable Housing Overlay

The Community Development Department shall certify in writing to the Superintendent of Buildings that all applicable provisions of this Section have been met before issuance of any building permit for any AHO Project, and shall further certify in writing to the Superintendent of Buildings that all documents have been filed and all actions taken necessary to fulfill the requirements of this Section before the issuance of any certificate of occupancy for any such project.

#### 11.207.11 Review of Affordable Housing Overlay

- (a) Annual Report. CDD shall provide an annual status report to the City Council, beginning eighteen (18) months after ordination and continuing every year thereafter. The report shall contain the following information: 6.1.a Packet Pg. 301 Attachment: 2020 AHO Zoning Petition Refile (POR 2020 #41 : 100% Affordable Housing Overlay Zoning Petition 2020)
  - (i) List of sites considered for affordable housing development under the Affordable Housing Overlay, to the extent known by CDD, including site location, actions taken to initiate an AHO Project, and site status;
  - (ii) Description of each AHO Project underway or completed, including site location, number of units, unit types (number of bedrooms), tenure, and project status; and
  - (iii) Number of residents served by AHO Projects.
- (b) Five-Year Progress Review. Five (5) years after ordination, CDD shall provide to the City Council, Planning Board and the Affordable Housing Trust, for its review, a report that assesses the effectiveness of the Affordable Housing Overlay in increasing the number of affordable housing units in the city, distributing affordable housing across City neighborhoods, and serving the housing needs of residents. The report shall also assess the effectiveness of the Advisory Design Consultation Procedure in gathering meaningful input from community members and the Planning Board and shaping AHO Projects to be consistent with the stated Design Objectives. The report shall evaluate the success of the Affordable Housing Overlay in balancing the goal of increasing affordable housing with other City planning considerations such as urban form, neighborhood character, environment, and mobility. The report shall discuss citywide outcomes as well as site-specific outcomes.

O-4 June 8, 2020

COUNCILLOR MCGOVERN

VICE MAYOR MALLON

COUNCILLOR SOBRINHO-WHEELER

WHEREAS: Due to COVID-19, many programs and opportunities for unhoused individuals in Cambridge to obtain free food have been limited; and

WHEREAS: The City of Cambridge has been funding a partnership with local restaurants to supply dinner seven (7) nights per week to local meals programs during the COVID-19 pandemic; and

WHEREAS: This funding is scheduled to expire at the end of June 2020; therefore be it

ORDERED: That the City Manager be and is hereby requested to determine the feasibility of extending funding for the homeless meals program through September 2020; and

ORDERED: That the City Manager report back to the City Council on this matter no later than the regular meeting on June 15th, 2020.

O-5 June 8, 2020

MAYOR SIDDIQUI

COUNCILLOR SIMMONS

COUNCILLOR MCGOVERN

COUNCILLOR SOBRINHO-WHEELER

WHEREAS: Mildred Jean (Jeter) Loving and Richard Perry Loving, from the state of Virginia, married for love in 1958, but traveled to Washington D.C. to get married because it was illegal for an interracial couple to marry in Virginia; and

WHEREAS: The Lovings returned to Virginia to be near their families, but soon after their return, the police raided their home in the middle of the night and arrested the couple; they avoided going to jail by agreeing to a suspended sentence on the condition that they permanently move out of the state; and

WHEREAS: The couple returned to Washington D.C., where life was difficult for them because of social isolation and financial problems, though they were saddened and frustrated by their inability to travel together to visit their home and families in Virginia; and

WHEREAS: The Lovings fought the law that prohibited them to live as a legally married couple in their state by taking their case all the way to the United States Supreme Court; and

WHEREAS: On June 12, 1967, in a landmark civil rights decision, the Supreme Court struck down the Virginia Interracial Marriage Ban Law and similar laws in 15 other states because it violated the 14th amendment, and the Lovings could now return to their home without fear of persecution; and

WHEREAS: The courage of the Lovings is an inspiration to us all and a true example of perseverance and persistence in the face of great struggle; and

WHEREAS: In 2018, the Council unanimously passed a resolution declaring "June 12 to be Loving Day in Cambridge in the years that follow with the goal of making this day an opportunity to recognize, accept, and applaud all kinds of families;" now therefore be it

RESOLVED: That the City Council renews its observance of Loving Day on June 12, 2020 and encourages all Cambridge residents to embrace the diversity of families and recognize the importance of this day.

O-6 June 8, 2020

MAYOR SIDDIQUI

VICE MAYOR MALLON

COUNCILLOR TOOMEY

COUNCILLOR CARLONE

WHEREAS: On March 10th, Governor Baker declared a state of emergency due to the COVID-19 outbreak; and

WHEREAS: The City of Cambridge has taken measures to mitigate the impact of this highly contagious virus, such as mandatory face coverings and social distancing guidelines; and

WHEREAS: Despite the City of Cambridge's efforts to alleviate the transmission of COVID-19, so many families and residents have been impacted by COVID-19, and we mourn for those who have been impacted; and

WHEREAS: As of June 3, 2020, over 1,000 Cambridge residents have tested positive for COVID19 and 94 residents have died from COVID-19; and

WHEREAS: The COVID-19 global pandemic has killed over 100,000 people in the United States, with over 1.8 million confirmed cases of COVID-19; and

WHEREAS: The individuals who died from this virus were family, friends, healthcare workers, grocery store clerks, and first responders, and many were housed in nursing home facilities;

WHEREAS: Social distancing guidelines prevents us from gathering together to celebrate, honor and properly say goodbye to those lives lost; and

WHEREAS: Lowering the flags to half-staff serves to symbolize our collective grief; therefore be it

RESOLVED: That the flags half-staff will serve as a reminder that every life lost to COVID-19 was a loved community member, and those lives were lost too soon due to this deadly virus; and be it further

ORDERED: The City Manager is hereby requested to find the appropriate City staff to position the flags in front of City Hall and City/school buildings at half-staff for the remainder of June to honor the lives lost due to COVID-19.

O-7 June 8, 2020

COUNCILLOR SOBRINHO-WHEELER

COUNCILLOR ZONDERVAN

WHEREAS: In response to the police killings of George Floyd in Minneapolis on May 25 and Breonna Taylor in Louisville on March 13—as well as the deaths of numerous other Black Americans murdered in the name of law enforcement—a wave of massive and sustained protests has erupted nationwide; and

WHEREAS: The same communities of color leading these protests have been the hardest hit by COVID-19 and the ensuing economic recession; in Cambridge, Black residents are testing positive [at a rate three times higher than white residents](#); and

WHEREAS: On May 30, reflecting some demands many Black movement leaders have begun to coalesce around, Black Lives Matter launched a new combined campaign to #DefundThePolice and #InvestInCommunities [hit hardest by the coronavirus pandemic](#); and

WHEREAS: On June 1, the City Council unanimously passed POR 2020 #126iii, describing horrifying instances of police violence across the country, condemning police brutality wholesale, and affirming its solidarity with people of color who have suffered under unjust criminal justice systems; and

WHEREAS: Because of COVID-19, the City is anticipating less revenue for FY21 than originally anticipated and is expecting to

delay the hiring of new positions, including in the Human Services and Community Development Departments; and  
WHEREAS: Commitment to anti-racism in Cambridge requires material policy changes away from using policing as a response to our city's problems and toward addressing the human services issues of poverty, healthcare and education that are the underlying causes of those problems; now therefore be it  
ORDERED: That the City Manager be and is hereby requested to report back to the Council on how some, or all, of the \$4.1 million dollar increase in the Police Department budget between FY20 and FY21 may be redirected towards measures that promote public health and safety in other departments; and  
ORDERED: That the City Manager report back to the Council in time for the June 15 City Council meeting at which the Council will vote on whether to adopt the proposed FY21 budget.  
RESOLVED: That the City Council go on record stating its intention to support a proposed FY21 budget only if it includes a significant reallocation of funds towards measures that promote public health and safety other than policing.

O-8 June 8, 2020

MAYOR SIDDIQUI

COUNCILLOR SIMMONS

COUNCILLOR ZONDERVAN

VICE MAYOR MALLON

WHEREAS: The United States has a long history of racism against the Black community. Through Jim Crow laws, redlining and slavery, racism is woven into the very fabric of American history over the past 400 years; and

WHEREAS: To this day, racism causes disproportionately high rates of [homelessness](#), [incarceration](#), [poor education](#) and [health outcomes](#), and [economic hardship](#) for Black people; and

WHEREAS: Last year, more than 1,000 people were killed by police in the United States, and Black people were disproportionately among those killed. Black people accounted for [24% of those killed](#), despite making up only about 13% of the population; and

WHEREAS: The current COVID-19 pandemic also shows Black people have been disproportionately affected, with the latest data showing that Black individuals have died from the disease at [almost three times the rate of white people](#), and Black people have tested positive at almost three times the rate of white people in Cambridge specifically, further showing racial disparities and inequities; and

WHEREAS: The CDC defines public health as the science of protecting and improving the health of people and their communities; and

WHEREAS: The U.S. Office of Disease Prevention has recognized that discrimination has a negative impact on health in a community; and

WHEREAS: The Boston Public Health Commission states that racism impacts social determinants of health, including social capital, education, transportation, employment, food access, health behaviors, socioeconomic status, environmental exposure, access to health services, housing, and public safety; and

WHEREAS: On March 2, 2020, the City Council passed a policy order that asked for a "Racial Equity Impact Statement" to be included on all relevant agenda items; and

WHEREAS: On April 13, 2020, the City Council passed a policy order to convene an advisory committee to review the impact of the pandemic on local communities of color, to propose ways to better disseminate information, relief, and resources to these communities,

to begin collecting data on the neighborhoods that have been hardest hit in an effort to reduce infection rates and improve recovery rates; and

WHEREAS: Acknowledging racism as a public health crisis pushes us as a City to address instances of structural racism that permeate within our schools, health care, housing, criminal justice and workforce, and it also pushes us to reform any systems that perpetuate racism and tackle disparities that have led to poorer health outcomes for Black residents in Cambridge; now therefore be it

ORDERED: That the Cambridge City Council declare racism as a public health crisis; be it further

ORDERED: That the City Manager be and hereby is requested to direct the Cambridge Public Health Department to declare racism as a public health crisis; and

ORDERED: That the City Clerk be and hereby is requested to forward a suitably engrossed copy of this resolution to Black Lives Matter Cambridge Chapter, NAACP Cambridge Branch, and the Cambridge African American Heritage Alliance on behalf of the entire City Council.