



## Legislation Details (With Text)

**File #:** 470-18      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Tabled to a Future Date  
**File created:** 11/13/2018      **In control:** Planning Board  
**On agenda:** 11/13/2018      **Final action:**  
**Title:** Be it hereby ordained by the Malden City Council that Chapter 12 of the Revised Ordinances of 1991 as amended; be and the same are hereby further amended by adding a new Section 700.15 as follows: Section 700.15 Development Impact Mitigation.  
**Sponsors:** Ryan O'Malley, Craig Spadafora  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. CCP 470-2018 PBR

Date	Ver.	Action By	Action	Result
4/30/2019	1	Rules & Ordinance Committee	tabled	Pass
4/16/2019	1	Rules & Ordinance Committee	tabled	Pass
4/9/2019	1	Rules & Ordinance Committee	tabled	
4/2/2019	1	Rules & Ordinance Committee	tabled	Pass
12/11/2018	1	City Council	referred	Pass
12/4/2018	1	Rules & Ordinance Committee	recommended favorably as amended	Pass
11/13/2018	1	City Council	referred	Pass

Be it hereby ordained by the Malden City Council that Chapter 12 of the Revised Ordinances of 1991 as amended; be and the same are hereby further amended by adding a new Section 700.15 as follows: Section 700.15 Development Impact Mitigation.

.1 To address impacts on the school system and other public facilities and infrastructure systems that will result from new residential development, including but not limited to new construction, addition of a new unit, increase in square footage of an existing unit, and conversion of an existing building or structure but not including remodeling of an existing unit, any project containing more than two (2) residential dwelling units in a building that is assessed as a rental property under the State Land Use Code for Property Valuation, Categories 104, 105, 111 or 112, shall contribute to mitigate the impact of the development as follows: .1 Upon receipt of a building permit for any residential unit in the project, the applicant shall make a contribution to the City of Malden Expendable Trust Fund in the amount of \$2,000 per unit for every unit in the project.

.2 In recognition of the increased open space and recreation demands that will result from new residential development, including but not limited to new construction, the addition of a new unit, increase in square footage of an existing unit, and conversion of an existing building or structure but not including remodeling of an existing unit, any project containing more than two (2) residential dwelling units: .1 Upon receipt of a building permit for any residential unit in the project, the applicant

shall make a contribution to the City of Malden Open Space Fund in the amount of \$1,000 per dwelling unit for every unit in the project. .2 The Open Space Fund contribution per dwelling unit shall be decreased by five percent (5%) for each one percent (1%) by which the open space on the lot exceeds the minimum requirement under this ordinance.

.3 To address impacts on public facilities and infrastructure systems that will result from new residential development, including but not limited to new construction, addition of a new unit, increase in square footage of an existing unit, and conversion of an existing building or structure but not including remodeling of an existing unit, any project containing more than two (2) residential dwelling units, the owner of the property shall contribute to mitigate the impact of the project as follows: .1 Prior to issuance of an occupancy permit for any unit in the project, the owner shall install, repair or replace sidewalks, driveways and perform necessary incidental work adjacent to the property to the satisfaction of the DPW Director; .2 In the event the sidewalks and driveways are in satisfactory condition, as determined by the DPW Director, the owner of the property shall contribute to the Community Improvement Fund of the ward in which the property is located an amount equivalent to the cost of replacing the sidewalks, driveways and incidental work. .3 The estimated cost shall be determined by the DPW Director in accordance with engineering cost estimates done for the City of Malden in preparation for replacement of sidewalks pursuant to MGL Chapter 90.