



## Legislation Details (With Text)

<b>File #:</b>	335-16	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>		Tabled to a Future Date	
<b>File created:</b>	7/7/2016	<b>In control:</b>		Rules & Ordinance Committee	
<b>On agenda:</b>	7/21/2016	<b>Final action:</b>			
<b>Title:</b>	Be it ordained that Chapter 12 of the Revised Ordinances of 1991 be amended relative to Inclusionary Zoning				
<b>Sponsors:</b>	Ryan O'Malley, Deborah DeMaria				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>					

Date	Ver.	Action By	Action	Result
9/27/2016	1	Rules & Ordinance Committee		
7/21/2016	1	City Council	referred	Pass

Be it ordained that Chapter 12 of the Revised Ordinances of 1991 be amended relative to Inclusionary Zoning

Be it hereby Ordained by the Malden City Council that the Revised Ordinances of 1991 as amended be hereby further amended as follows:

-by adding a new Section 700.15 to Chapter 12 Zoning as follows:

### **700.15 Inclusionary Housing**

**700.15.1 Purpose:** The purpose of this ordinance is to promote the health, safety and welfare of the inhabitants of the City of Malden by:

- encouraging housing opportunities for people of mixed income levels;
- increasing the supply of housing that is available and affordable to low- and moderate-income people, with an emphasis on the type of housing currently most needed in the City - housing for households with children and for low-income households;
- ensuring that such housing is affordable over the long term; and
- preventing the displacement of low-to-moderate income Malden residents; and
- maintaining an economically integrated community; and
- mitigating the impacts of market-rate housing on the supply and cost of low- and moderate-income housing in that the creation of new market-rate housing:
  - decreases the available supply of future developable land in the City of Malden;
  - creates upward pressure on the pricing of all housing in the City of Malden;
  - exclusive of the creation of low- and moderate-income housing, impedes the goal of maintaining an economically integrated community."

This ordinance provides incentive for the voluntary development of housing affordable to low- and moderate-income households within applicable residential projects that are larger in terms of total number of dwelling units and/or density than that normally permissible by right. Developers may request approval of such development through the special permit with site

plan review process set forth in Section 800.3.2 and in accordance with the provisions of this ordinance. The Planning Board shall have sole authority to review and approve such requests under the provisions of Section 800.3.2 and Section 700.15 herein.

It is intended that affordable housing units provided under the terms herein be located on-site within the proposed housing development. Off-site location or other in-lieu means of compliance with this ordinance may be approved by the Planning Board only in strict accordance with the provisions of this Article authorizing such alternative means.

**700.15.2 Applicability.** The provisions of this ordinance shall apply to all residential developments to develop five (5) 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 ordinance shall substitute for any other provisions of this ordinance.

Nothing contained in this ordinance shall be construed to apply to the use of land or structures for religious or educational purposes if doing so would violate the applicable provisions of M.G.L. Chapter 40A, Section 3.

**700.15.3 General Requirements.**

**700.15.3.1 Implementation Plan.** Those developers seeking special permits with site plan review for projects subject to compliance with this ordinance shall submit a full, written proposal of the methods to be used in providing affordable dwelling units that conform with all requirements herein. At the time of application for a special permit with site plan review for inclusionary housing, the applicant shall submit, for Planning Board review and approval, an implementation plan in accordance with the Rules and Regulations established under Section 700.15.7.1, and shall include, at minimum:

- a) the methods of disposition of the affordable housing units,
- b) provisions for the selection of buyers or tenants of the affordable units,
- c) plans for income verification of tenants and/or buyers,
- d) plans for management of units, particularly with respect to maintenance and insurance of long-term affordability,
- e) financial information or analysis necessary to satisfy the provisions of this ordinance, particularly Sections 700.15.3.3, 700.15.3.5 and 700.15.4.2,
- f) a relocation plan for tenants affected by substantial rehabilitation projects,
- g) and any additional information the Applicant desires to present that demonstrates compliance with other provisions of this ordinance.

The Planning Board may request additional information as an aid in its review, and may reject any application not providing the minimum implementation plan elements noted above.

**700.15.3.2 Household Income.** Inclusionary dwelling units which will be available for rental shall be affordable to low- and moderate-income households as defined below, adjusted to applicable household size:

- a) Tier 1 households, defined herein as earning income up to forty percent (40%) of the Boston Standard Metropolitan Statistical Area (SMSA) median family income (MFI) published annually by the U.S. Department of Housing and Urban Development; and
- b) Tier 2 households, defined herein as earning income of more than forty percent (40%) and up to seventy percent (70%) of the Boston SMSA median family income (MFI) published annually by the U.S. Department of Housing and Urban Development; and
- c) Tier 3 households, defined herein as earning income of more than seventy percent (70%) and up to one hundred percent (100%) of the Boston SMSA median family income (MFI) published annually by the U.S. Department of Housing and Urban Development.

Inclusionary dwelling units which will be available for purchase shall be affordable to low-moderate- and moderate-income households as defined below, adjusted to applicable household size:

- a) Low-moderate-income households, defined herein as earning up to eighty percent (80%) of the Boston Standard Metropolitan Statistical Area (SMSA) median household income; and
- b) Moderate-income households, defined herein as earning income over eighty percent (80%) and up to one hundred and ten percent (110%) of the Boston SMSA median household income.

The Housing Authority may adopt other Federal or State income guidelines, such as those of the U.S. Department of Housing and Urban Development adjusted to applicable household size, but only after consideration of any comments offered by the Planning Board, Planning Services, and Redevelopment Authority on the appropriateness of any such alternative method. The Housing Authority shall conduct a public hearing in accordance with its Rules and Regulations to receive comment prior to adopting another standard. In adopting any such separate standard(s), the Housing Authority shall cause such standard(s) to be published in a format available to the public, and shall utilize such standard consistently among all similar projects it reviews.

**700.15.3.3 Affordability.** Housing affordability under this ordinance means:

I. Rental: Payment of housing and related costs for rental units in each of the tiers defined in Section 700.15.3.2 shall be set at the following levels:

- rental costs (including utility costs for heat, electricity, water and hot-water and including access to 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 thirty percent (30%) of the maximum income allowed for units meeting the requirements for said tier.

II. Homeownership: The maximum sale price for an inclusionary unit shall be set at a level that allows a household up to one hundred ten percent (110%) of Boston area median family income (MFI) to pay no more than twenty-eight percent (28%) of household income for housing costs. The maximum sales price shall be calculated as follows:

- Determine the maximum household size for an inclusionary unit based on one (1) person per bedroom (one (1) person in the case of a studio).
- Determine the maximum monthly income (MMI) for such household size, using income figures published annually by the U.S. Department of Housing and Urban Development (HUD) for households at eighty percent (80%) and one hundred ten percent (110%) of Boston area median income.
- Multiply MMI by twenty-eight percent (28%).
- Subtract the estimated cost of Private Mortgage Insurance (PMI), Real Estate Taxes (RET), Condominium Fees (CF), Homeowners Insurance (HI) if not included in the CF, and required parking fees (PF), if any, if not included in the CF, to arrive at a maximum monthly mortgage payment (MMP).
- Calculate a maximum mortgage loan (MML) based on the MMP, assuming a 30-year term and at the then current conventional interest rate.
- Multiple the MML by 1.03 to arrive at a Maximum Sales Price (MSP) based on a ninety-seven percent (97%) MML.

It is understood that these guidelines are to supersede those calculations currently set-forth in Section 700.15.3.3 until such time as they are again amended or revised.

The Housing Authority may adopt other Federal or State affordability guidelines, such as those of the U.S. Department of Housing and Urban Development adjusted to applicable household size, but only after consideration of any comments offered by the Planning Board,

Planning Services, and Redevelopment Authority on the appropriateness of any such alternative method. The Housing Authority shall conduct a public hearing in accordance with its Rules and Regulations to receive comment prior to adopting another standard. In adopting any such separate standard(s), the Housing Authority shall cause such standard(s) to be published in a format available to the public, and shall utilize such standard consistently among all similar projects it reviews.

**700.15.3.4 Quantity and Distribution of Units.** Developers shall provide a minimum of twenty (20%) of the total units in the subject development as affordable housing units. Of the inclusionary units developed for rental purposes, not less than forty percent (40%) shall serve Tier 1 households, as defined in Section 700.15.3.2, and not less than forty (40%) shall serve Tier 2 households, as defined in Section 700.15.3.2. Of the inclusionary zoning units developed for home ownership, not less than fifty percent (50%) of said affordable units shall serve the lower income range households and the balance of affordable housing units shall serve the higher income range households (as defined in Section 700.15.3.2). Nothing in this ordinance shall preclude a developer from providing more affordable units than the minimum twenty percent (20%). In determining the total number of affordable units required, calculation of a fractional unit of 0.5 or more shall be regarded as a whole unit. When less than a fractional unit of 0.5 is required, the developer may satisfy his/her obligation by means of the alternative methods of compliance specified in Section 700.15.4.

In general, affordable units provided under terms of this ordinance shall be provided on-site in the subject residential development. The affordable housing units shall be intermixed with the market rate units, dispersed throughout the building(s) on the development site, and shall be comparable to market-rate units in every respect, including location, quality and character, room size, and external appearance. The bedroom distribution in the affordable units should be consistent with the purposes of this ordinance and should include two- (2) and three- (3) bedroom units.

Construction of off-site units or other alternative methods of compliance with the normal requirement for construction of on-site affordable units is strongly discouraged, and shall be an exception to the City's policy and intention to require construction of affordable units on the same site as the proposed market rate development. The Planning Board may authorize or require that affordable housing units be provided off-site, or that an alternative method of compliance be used, consistent with Section 700.15.4 of this ordinance.

**700.15.3.5 Disposition and Right of First Refusal/Option to Purchase.** Affordable housing units may be either for sale or for rent, consistent with the method of disposition of market-rate units. Developers may propose any method(s) of disposition of affordable units consistent with the intent and specific standards of this ordinance, but the Planning Board alone shall have the authority to approve any proposals and may require specific methods of disposition related to its findings under special permit with site plan review.

The Housing Authority or its designee (the Redevelopment Authority, or other entity) reserve the right of first refusal or option to purchase all "affordable" for-sale units at the point of original sale or any subsequent resale. This also applies to any subsequent sale of a rental property or units in a rental property.

A. Rental Units: Developers may rent affordable units to eligible low- and/or moderate-income tenants consistent with the provisions of Sections 700.15.3.2, 700.15.3.3 and 700.15.3.4 of this ordinance. Priority shall be given to selection of tenants from the Malden Housing Authority (MHA) waiting lists; however, in the case of a substantial rehabilitation, current resident tenants meeting appropriate income qualifications of Section 700.15.3.2 shall be given priority.

Developers may also lease units to the Housing Authority or its designee (the Redevelopment

Authority, or other entity) for residential use. The lease rate shall not exceed thirty percent (30%) of the resident(s)' income, unless the unit is rented under a state or Federal rent subsidy program, in which case the maximum rent shall be that maximum allowable rent under the applicable program.

B. For-Sale Units: The Planning Board may require developers to sell inclusionary affordable units to the Malden Housing Authority (MHA) or its designee at a price per unit equivalent to that price affordable to a household with an income of eighty-five percent (85%) of the Boston SMSA median income. The Housing Authority/designee may resell the units to low/moderate- or moderate-income households at a price which shall not exceed the maximum sales price calculated in accordance with Section 700.15.3.3-II. Alternatively, the Housing Authority/designee may rent the units to low-income households, consistent with Sections 700.15.3.2 and 700.15.3.3.

If the Housing Authority or designee does not exercise its right of first refusal/option to purchase inclusionary units, the developer/owner shall submit a plan of disposition for Planning Board approval, and such plan shall ensure that the required percentage of low-income affordable units will be maintained in the development and made available for sale to low moderate and moderate-income households as defined in this ordinance.

**700.15.3.6 Long-term Affordability.** Units required by and provided under the provisions of this ordinance shall remain affordable to the designated income group in perpetuity, or for as long as legally permissible. Sales prices, resale prices, initial rents, and rent increases for the affordable units shall be restricted by legally permissible instruments such as, but not limited to, deed covenants or restrictions, contractual agreements, or land trust arrangements to ensure long-term affordability and compliance with this ordinance.

The Housing Authority, or its designee (Redevelopment Authority or other entity), shall require that buyers or lessees of affordable units meet income and other certification requirements initially and then upon any subsequent resale or renewal of lease terms (at least annually), with income based on the provisions of Section 700.15.3.2. The Housing Authority or its designee may require a developer or property owner renting directly to low- and low-moderate-income tenants to submit an annual statement and documentation as to the rental income derived from the affordable housing units. In the longer term, a developer or owner shall be responsible for reporting compliance to the enforcement entity (-ies) established per Section 700.15.7.1 of this ordinance. The Housing Authority shall administer these provisions through Rules and Regulations established under Section 700.15.7.1 herein.

**700.15.3.7 Tenancy Preservation.** Units created for rental purposes under the provisions of this ordinance shall be subject to the provisions of 24 C.F.R. § 966 Subpart B (Code of Federal Regulations, Title 24 - Housing and Urban Development, Part 966 - Public Housing Lease and Grievance Procedure, Subpart B - Grievance Procedures and Requirements).

#### **700.15.4 Alternative Methods of Compliance.**

**700.15.4.1 Establishment and Finding of Need.** Though it is intended that affordable units be included on-site in a subject development, the Planning Board may authorize or require that the provisions of this ordinance be met through an alternative method(s) of compliance in cases where there is establishment of a need(s) including, but not limited to:

- a) a finding that provision of on-site units is not in the best interest of the City and low/moderate-income households in particular, or
- b) a finding that provision of off-site units or some other method of compliance is desirable and in keeping with the intent of this ordinance and with the plans, goals and objectives of the City.
- c) those projects where the number of affordable units to be provided is calculated to include a fractional number not rounding up to the next whole number (see Section

700.15.3.4), in which case a cash payment shall be made for the fractional unit in accordance with Section 700.15.4.2. As an example, a fifty (52) unit project would require 10.4 units (20% of 50), and the last 0.4 unit would require the appropriate cash payment described in Section 700.15.4.2.

In making its finding, the Planning Board shall consider such factors as location, accessibility to schools, and other services, whether off-site units would provide more appropriate family housing than on-site units would, availability of parking, proximity to public transportation, availability of usable open space, etc.

**700.15.4.2 Compliance Alternative Methods:** The Planning Board may approve compliance through one or more of the methods below or through a combination of these methods and provision of on-site units. In all cases utilizing said alternative methods, the Planning Board shall find that any proposed alternative method of compliance is advantageous to the City in creating or preserving affordable housing and does not result in undue geographic concentration of affordable units.

Affordable units provided through the alternative methods below shall comply in all respects other than on-site location with the requirements of this ordinance.

1) Off-site location. Affordable units may be located on an alternative site(s) in Malden suitable for housing use, preferably in the same neighborhood as the on-site development. Affordable off-site units may be located in an existing structure, provided that their construction constitutes a net increase in the number of affordable dwelling units contained in the structure. The number of off-site units shall be, at minimum, equal to that number of units otherwise required to be provided on-site. Off-site units shall be compatible in all respects with the market rate units built on-site, including quality and character, construction value, and site amenities (yards, parking, laundry facilities, etc.); however, inclusionary units should generally be designed to house three- (3) person or larger households, even if the market rate units are designed primarily to house one- and two- person households. Any units provided in an off-site development should also be compatible with the off-site neighborhood, in terms of design, to the degree practical.

2) Cash payment. Developers may make a cash payment to the Affordable Housing Trust Fund. Cash payments shall be used only for purposes of providing affordable housing for low- and moderate-income persons as defined by and pursuant to this ordinance, with payment determined by the Planning Board using the method below as a guideline.

3) Conveyance of land and/or buildings. Developers may donate to the Housing Authority or its designee (Redevelopment Authority or other entity) land and/or buildings suitable for housing use, preferably in the same neighborhood as the on-site development. Developers shall document fee simple title ownership of said land and/or buildings at the time of application for a special permit with site plan review for inclusionary housing development. Such land and/or buildings shall have a current appraised fair market value no less than that value determined in accordance with the method below. Donations of land and/or buildings shall be conveyed to the Housing Authority or its designee and shall be used only for purposes of providing housing affordable to low and moderate income persons as defined by and pursuant to this ordinance.

4) Calculating Dollar Value. For alternative methods (2) and (3) above, the following shall serve as guidelines for determining dollar value of any cash payment or donation of land/buildings:

- a) Cash payment (or equivalent value in land/buildings) in lieu of providing less than 0.5 affordable units (see Section 700.15.4.1.(c)) shall be based on the formula below.
- b) Cash payment (or equivalent value in land/buildings) in lieu of providing 0.5 or more

affordable units shall be based on the formula below multiplied by two (2).

c) Formula:

"A" multiplied by ("B" minus "C")

where, "A" equals the number of affordable units not constructed, in lieu of a cash payment and/or donation of land/buildings.

"B" equals the median market sales price for comparable unit types over the preceding four quarters. This data shall be available to the public through a published source identified in the Planning Board Rules and Regulations.

"C" equals the purchase price affordable to a moderate-income household with an income of sixty-five percent (65%) of the Boston area SMSA median income, consistent with the provisions of Section 700.15.3.3.

The above is meant to serve as a guideline. The Housing Authority may approve use of another accepted method of valuation, but only after consideration of any comments offered by the Planning Board, Planning Services, and the Redevelopment Authority on the appropriateness of any such alternative method.

#### **700.15.5 Incentives for Provision of Additional Affordable Housing Units.**

Developers providing more than twenty percent (20%) of the total units in the development as affordable units may apply for an additional density bonus under the terms of this ordinance, and in accordance with the special permit with site plan review provisions of Section 800.3.2. Bonuses may be awarded on the basis of a two-to-one ratio of market rate units to affordable housing units. For every additional affordable unit provided beyond the twenty percent (20%) required, two (2) additional market rate units may be authorized. The additional affordable units provided shall be offered at the rate of not less than fifty percent (50%) affordable to lowest income range households and the remainder affordable to the next lowest income range households, as stipulated in Section 700.15.3.4. Any bonus may be awarded only by the Planning Board, and shall not exceed twenty percent (20%) of the number of units normally permissible under the lot area per dwelling unit requirements of Section 400 and Section 300.5 of this zoning ordinance. In determining any density bonus, the Planning Board shall consider relevant facts and make findings as to the following:

- a) that the affordable units provide housing to households with children;
- b) that the affordable units provide rental units;
- c) that analysis of the financial feasibility of the project demonstrates that award of bonus market-rate unit(s) will in part finance the affordable unit(s) such that there need not be full reliance on public subsidies to support rent payments for the affordable unit(s), regardless of whether such subsidies are available;
- d) that the proposed development site plan is designed in its site location, proportions, orientation, materials, landscaping and other features as to provide a stable and desirable character, complimentary and integral with the site's natural features and neighborhood context;
- e) that such development is generally consistent with the purposes of the Malden Zoning Ordinance, and the density increase or relaxation of zoning standards has no material detrimental effect on the character of the neighborhood; and
- f) that the proposed development is consistent with relevant municipal plans and objectives.

#### **700.15.6 Procedures.**

**700.15.6.1 General.** All developments subject to the provisions of this ordinance require special permit with site plan review. Applicants shall submit applications in accordance with the procedures for special permit with site plan review specified in Section 800.3.2 of this ordinance. In reviewing applications under this ordinance, the Planning Board may require modifications,

conditions and safeguards, including documentation regarding permanent affordability and funding commitments, reasonably related to the requirements of this ordinance.

The Applicant(s) are strongly encouraged to meet with the City Planner or his/her designee and the Housing Authority's Housing Director or designee at least three (3) weeks prior to formal submission of an application, to help determine applicable informational requirements and discuss project compliance in a preliminary sense. At the time of such meeting, the applicant is encouraged to submit plans showing the number and size of the affordable units, their proposed sale prices and/or rent levels, method(s) of financing and/or subsidy, proposed mechanisms to ensure long-term affordability, proposals for alternative methods of compliance (if applicable), and such other information as the City Planner, his/her designee, or the Housing Authority may request as pertinent to the Planning Board's review of the merits of the application.

**700.15.6.2 Fast-Tracking of Permit Process.** Development proposals providing affordable housing units in the following amounts shall qualify for fast-tracking of the permit process:

- a) Projects including more than twenty (20%) affordable housing units, provided that all affordable units (excluding a fractional unit of less than 0.5) are on-site with the market rate development and provided the developer is not seeking an additional density bonus under the provisions of **Section 700.15.5**
- b) Projects including twenty percent (20%) or more low-income affordable units as set forth in this ordinance, provided that all such units (excluding a fractional unit of less than 0.5) are on-site with the market rate development.
- c) Projects including twenty-five percent (25%) or more affordable housing units, provided that a minimum of twelve and a half percent (12.5%) of the total project units shall serve low-income households as defined in this ordinance.
- d) Projects including thirty percent (30%) or more affordable housing units.

Fast-tracking of projects begins when the first application for special permit with site plan review is submitted. The applicant must identify the project as qualifying for and request fast-tracking at the point of this application. No project shall be allowed to request fast-tracking after the review process has begun, unless the review process begins again with a new application for the project.

Fast-tracked projects shall be subject to every legal requirement for notices and hearings, but every effort shall be made to expedite public review. The project shall be scheduled for appropriate review on the first available agenda (of the appropriate Board) after the application date which allows for proper notifications to occur. The Planning Board shall adopt additional measures to streamline and expedite review of a fast-track project within its Rules and Regulations.

**700.15.6.3 Fee Waiver.** In cases where a project includes twenty-five percent (25%) or more affordable housing units and where a minimum of twelve and a half percent (12.5%) of the total project units are provided for low-income households, various permit and hearing fees may be waived at twice the percentage of affordable housing provided (e.g. at twenty-five percent (25%) affordable, fifty percent (50%) fees waived) for projects which include up to twenty-nine percent (29%) affordable units. For projects which include thirty percent (30%) or more affordable units, one hundred percent (100%) of fees may be waived. The Planning Board shall establish guidelines for administration and applicability to various fees in its adopted Rules and Regulations.

#### **700.15.7 Implementation, Compliance and Enforcement.**

**700.15.7.1 Rules and Regulations.** The Planning Board shall promulgate Rules and Regulations necessary to implement the requirements of this ordinance, including designation of an appropriate entity (Housing Authority, Redevelopment Authority or other entity/entities) to



enforce such Rules and Regulations.

**700.15.7.2 General Compliance and Enforcement.** All deed covenants, contractual agreements, and other documents necessary to ensure compliance with this ordinance shall be submitted to and approved by the Planning Board or its designee (Housing Authority, Redevelopment Authority or other entity). Such documents shall be executed prior to and as a condition of the issuance of any occupancy permit.

No certificate of occupancy shall be issued for any market-rate units in a development subject to the requirements of this ordinance until:

- a) all of the required affordable units have obtained a certificate of occupancy, or bonding or other equivalent security arrangements have been made satisfactory to the Housing Authority to ensure the provision of such units;
- b) any required cash payment has been made to the Affordable Housing Trust Fund or, in the alternative, the Housing Authority has approved a definitive schedule for payment(s); and/or
- c) any land required to be donated to the Housing Authority or its designee has been conveyed in fee simple title, or contracted for conveyance in fee simple, or in a manner acceptable to the Housing Authority and the City Solicitor.

Any violation of this ordinance either prior to or following the issuance of a Certificate of Occupancy is subject to the maximum fine per day set forth in Section 800.2.8 and the other penalties contained in Section 800.2 of this ordinance. Violations of this ordinance following issuance of a Certificate of Occupancy imposed as the result of proceedings brought under Section 800.2 of this ordinance must be imposed at the maximum level set in Section 800.2.8. Fines imposed as a result of proceedings brought under Section 800.2 of this ordinance must be paid to the Affordable Housing Trust Fund to be used for affordable housing purposes.

**700.15.8 Needs Assessment Review.**

The Planning Board, in cooperation with the Housing Authority, Redevelopment Authority, and relevant agencies, shall undertake an economic and housing market needs assessment not less than every fifth calendar year from the date of enactment of this ordinance. The purposes of said assessment shall be to assess the performance of the provisions herein in terms of resultant affordable housing units, to assess any need for improved rules and regulations regarding implementation, and to ascertain the need for revision of any provisions of this ordinance relative to the provision of affordable housing units in the City. Provisions subject to review shall include, at minimum: revisions to applicability requirements of this ordinance, revisions to percentage requirements of affordable units in inclusionary housing developments, revisions to income and affordability guidelines, and revisions to methodologies for monetary payments or other in lieu of means of compliance with provision of on-site units.

Upon completing its assessment, the Planning Board shall recommend to the City Council any amendments to this ordinance deemed necessary to improve the means of providing affordable housing in the City. The Planning Board shall also recommend to the Housing Authority any improvements deemed necessary in the Housing Authority's Rules and Regulations pertaining to this ordinance.

-by adding a new Section 4.24.2 as follows:

**Section 4.24.2 To Establish an Affordable Housing Fund; Investment and Expenditure from Fund; Etc.**

The Treasurer shall establish and act as custodian of a separate account to be known as the Affordable Housing Trust Fund, and shall deposit into said fund all of the following:

- .1 funds collected by the city for affordable housing (such as those collected according to Chapter 12 Section 700.15);
- .2 funds received from the Commonwealth or any other source for purposes of affordable housing;
- .3 funds allocated from city revenues for affordable housing, if any;

The Treasurer shall invest Affordable Housing funds in the manner permitted by state law and shall credit any income from said investment to the Affordable Housing Trust Fund.

Expenditure or revenues shall be made, upon order of the City Council and Mayor, to implement the recommendations of the Housing Authority.