The Commonwealth of Massachusetts

PRESENTED BY:

Steven C. Owens and John J. Lawn, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act authorizing the city of Watertown to adopt an affordable housing linkage fee.

PETITION OF:

<table>
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<th>NAME</th>
<th>DISTRICT/ADDRESS</th>
<th>DATE ADDED</th>
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<tbody>
<tr>
<td>Steven C. Owens</td>
<td>29th Middlesex</td>
<td>6/30/2022</td>
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<tr>
<td>John J. Lawn, Jr.</td>
<td>10th Middlesex</td>
<td>6/30/2022</td>
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<tr>
<td>William N. Brownsberger</td>
<td>Second Suffolk and Middlesex</td>
<td>7/1/2022</td>
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The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act authorizing the city of Watertown to adopt an affordable housing linkage fee.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The general court finds that:

(a) the city of Watertown is undergoing a period of substantial growth in large-scale commercial development, and this growth is attracting an increasing number of workers and residents to the city;

(b) this growth is further increasing the demand for affordable housing for low, moderate and middle income households;

(c) the city, recognizing the need for affordable housing, enacted an inclusionary zoning ordinance, adopted the Community Preservation Act, and recently authorized the formation of a municipal affordable housing trust;

(d) even with use of these important tools, more resources are needed to mitigate the increased affordable housing demand caused by new large-scale commercial development;
(e) the city of Watertown has, through an outside economic study, documented the nexus
between commercial development and affordable housing demand, projected the cost of meeting
this additional demand, and analyzed linkage fees that would be proportionate to the impact of
such development; and

(f) the purpose of this act is to assist the city in meeting the increased demands with
respect to administration and planning, and ensure that commercial developers are assessed a fair
share of the impacts of such future development, by authorizing fees that will be dedicated to
affordable housing production.

SECTION 2.

(a) The city of Watertown may, by ordinance, require the payment of an affordable
housing linkage fee for any non-residential development, including the commercial portion of a
mixed-use project and excluding any development for governmental uses, that (1) requires
zoning relief, including without limitation, a special permit, special permit with site plan review,
or site plan approval; and (2) contains a single use or combination of uses exceeding a square
foot threshold to be determined from time to time by the Watertown city council. For purposes of
this act, development shall include the construction, enlarging, expansion, substantial
rehabilitation, or change of use of non-residential property.

(b) The ordinance shall specify the dollar amount of the linkage fee, which initially shall
not exceed $18 per square foot and may be adjusted over time based upon changes in the
Consumer Price Index-All Urban Consumers (CPI-U) compiled by U.S. Bureau of Labor
Statistics. The ordinance shall specify an initial square foot threshold of 30,000 square feet. The
level of any linkage fee and the square foot threshold shall be reviewed at least every 5 years and
reset as required based upon recommendation of the city manager and approval of the city council.

(c) The city may create a distinct and separate revolving fund account into which affordable housing linkage fees shall be paid, and no such fee shall be paid to the city's general treasury or used as general revenues pursuant to section 53 of chapter 44 of the General Laws.

The funds in this revolving fund account shall be administered and expended by the trustees of a municipal affordable housing trust fund established by the city council pursuant to section 55C of chapter 44 of the General Laws.

SECTION 3. This act shall take effect upon its passage