



Offered by City Councilor Lydia Edwards
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CITY OF BOSTON IN CITY COUNCIL

ORDER FOR A HEARING REGARDING THE STATE OF AFFORDABLE HOUSING AS TO BOSTON'S INCLUSIONARY DEVELOPMENT POLICY

- WHEREAS:** The City of Boston's Inclusionary Development Policy (IDP) was created in 2000 to promote the production of affordable housing in Boston and set requirements for large and medium scale developers to create or preserve affordable housing in any new development with 10 or more units that requires zoning relief; *and*
- WHEREAS:** The IDP continues to be a critical tool for creating and funding income-restricted housing; *and*
- WHEREAS:** Unaffordable housing costs, housing instability and displacement cause substantial harm to individuals, families and neighborhoods, including disruption in social connections, education and employment, adverse physical and mental health effects, neighborhood instability and diminished quality of life for impacted city residents and neighborhoods; *and*
- WHEREAS:** The shortage of affordable housing for low and moderate income residents of the city disproportionately harms members of classes protected by federal and state fair housing laws, especially households of color, including linguistic minorities, households with elderly or disabled members, households with children, especially female-headed family households with children, and voucher holders, who are disproportionately likely to have low or moderate incomes; *and*
- WHEREAS:** In 2015, the Walsh administration issued an executive order that revised and updated the IDP and allowed for the policy to be updated on a tri-annual basis; *and*
- WHEREAS:** In 2019, the Walsh administration and Boston City Council passed a home rule petition that allows for including affordability requirements in the zoning code, and that also allows for strengthening linkage requirements. The home rule petition was passed by State legislators and signed by the Governor in January 2020; *and*
- WHEREAS:** Since the 2015 executive order, the City of Boston has experienced an exponential increase in development, with over 15.8 million square feet of new

construction approved by the Boston Planning and Development Agency (BPDA) in 2020 alone; *and*

WHEREAS: The City sets affordability standards using the Area Median Income (AMI) metric, which is based on incomes of households not just in Boston but in many wealthier cities surrounding Boston. 100% AMI is \$119,000 for a household of 4 and \$83,300 for an individual, much higher than Boston median incomes. The City can choose to set affordability standards that are in the reach of Boston residents, but the IDP requires units at 70-100% AMI, unaffordable to many Boston households; *and*

WHEREAS: BPDA data from 2019, before the COVID-19 and economic crises, show that 27% of Boston households make less than 30% AMI (\$35,700 for a household of 4) and 44% of Boston households make less than 60% AMI (\$71,400 for a household of 4); *and*

WHEREAS: Many developers purposely build less than 10 units of housing in order to avoid affordable housing requirements. Cities like Boulder, Colorado require developers to build affordable housing or contribute to a fund even when they build 1 unit; *and*

WHEREAS: The current IDP requires income-restricted units to remain affordable for 30-50 years, rather than requiring permanent affordability; *and*

WHEREAS: Cities across the United States have adopted inclusionary housing requirements higher than 13% and reaching lower income levels than 70% AMI. Many developers in Boston have agreed, sometimes following pressure from community groups and the City, to include higher percentages of affordable housing. Some developments including in Jamaica Plain and Roxbury have included greater than 20% affordability and have included units at 30-50% AMI, not just 70% AMI; *and*

WHEREAS: The City's Housing Plan, "Housing A Changing City: Boston 2030" estimates that half the new population growth from 2010-2030 will be households making less than \$50,000 a year, that 21,000 non-senior households making less than \$25,000 will not be able to afford housing in 2030; and another 17,200 non-senior households making \$25,000-\$50,000 will not be able to afford housing; *and*

WHEREAS: The need for family-size housing is great and IDP units do not address this need equitably. 66% of underhoused and rent-burdened households making 30-60% AMI have 2 or more people, but 63% of IDP units built through 2019 were studios and 1 bedrooms; *and*

WHEREAS: Income inequality, the lack of affordable housing, and displacement are manifestations of systemic racism and sexism. Households of color have significantly less income than white households, and households headed by women disproportionately face economic hardship and displacement. Based on pre-pandemic research from City Life/Vida Urbana and the Massachusetts Institute of Technology, "Eviction filings in market-rate rental housing are disproportionately occurring in Boston's communities of color" and predominantly Black communities, with 70% of market-rate eviction filings occurring in communities whose residents are predominantly people of color (respectively Black); *and*

WHEREAS: BHA data from August 2019 before the COVID-19 and economic crises showed that 18,080 households were on the Section 8 waiting list and 40,895 households were on the public waiting list. These waitlists demonstrate that currently there is insufficient public and non-profit housing to meet the need of low- and moderate-income Boston residents and that private developments must contribute toward meeting this need; *and*

WHEREAS: The ongoing, intertwined impacts of the COVID-19 pandemic, resulting economic crisis, and institutional racism, have only exacerbated existing racial, economic, and gender inequities, specifically in the areas of housing and health.

WHEREAS: This growing shortage of affordable housing, threatening to exclude or otherwise severely harm low and moderate income residents, negatively impacts all residents of said city by frustrating the city's efforts to maintain and increase the diversity of its populace throughout the city and in neighborhoods facing displacement, maintain its status as a world-class, welcoming city, and affirmatively further fair housing, all of which are necessary for the public health, safety and general welfare; **NOW, THEREFORE BE IT**

ORDERED: That the appropriate Committee of the Boston City Council holds a hearing to discuss the Inclusionary Development Policy (IDP) in the City of Boston, inclusionary zoning, and methods to strengthen the current executive order to ensure that the policy and future zoning regulations require a substantially larger percentage of units, defines affordability to produce units that are truly affordable for the households of Boston, requires family-size units that meet community needs, extends affordability requirements to make them permanent, and sets thresholds that require affordable housing from smaller developments. Representatives from the Boston Planning and Development Agency (BPDA), Department of Neighborhood Development (DND), Office of Fair Housing and Equity (OFHE), affordable housing organizations, community groups, and other interested parties shall be invited to testify.

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