

Offered by City Councilor Lydia Edwards



# CITY OF BOSTON IN CITY COUNCIL

## ORDER FOR A HEARING REGARDING LAND DISPOSITION AND STEWARDSHIP

*WHEREAS:* Public land is a public good whose protection and use or disposition should further a greater purpose, such as promoting open space, enhancing cultural activity, creating recreational opportunities or expanding and preserving affordable housing in perpetuity; and

*WHEREAS:* Many City of Boston agencies or quasi-governmental planning and development entities own, lease, and dispose of land to further a variety of purposes, including economic development, promotion of housing, creation of departmental revenue streams, and other uses; and

*WHEREAS:* Currently, the City of Boston lacks a uniform policy for land disposition that would further community-defined priorities, include affordable housing goals that match the community's needs and provide for the longest term of affordability, and offer the highest level of community resident ownership and control; and

*WHEREAS:* Certain departments in the the City of Boston have utilized requests for proposals to include community priorities and affordability goals on a case-by-case basis; and

*WHEREAS:* In Fiscal Year 2017, the Department of Neighborhood Development reported 186 land parcels and buildings sold or transferred for development or open space; and

*WHEREAS:* Some communities across the country have established uniform policies for disposing of public land or promoting affordable homeownership through the creation of public authorities, subject to community oversight, to "bank" land, and through directing affordable homeownership units toward community land trusts; and

*WHEREAS:* Although substantial efforts have been made to preserve affordable multi-family property, the City of Boston is losing certain affordable housing units due to expiring use restrictions; and

*WHEREAS:* Deed restrictions in Massachusetts, one important method of preserving affordable housing units, are time-limited and require active attention toward renewal of affordability restrictions; and

*WHEREAS:* Community Land Trusts are nonprofit, community-based organizations designed to

ensure community stewardship of land, capable of providing long-term affordability through a 99-year ground lease that is renewable by a community-driven board of directors; and

*WHEREAS:* In the land trust model, a nonprofit steward retains ownership of the land while homeowners or business operators own or lease the buildings above; and

*WHEREAS:* Community land trusts insulate community from foreclosure by providing Tools to rehabilitate and restore properties by and, as owner of land beneath housing, intervening with lenders in the event of mortgage debt; and

*WHEREAS:* Within the City of Boston, land trusts have proven to be an effective method of stewarding affordable and moderate-income housing; and

*WHEREAS:* Communities across the city have shown interest in the land trust model in recent years, but steep acquisition costs and the need for fast-acting financing have created barriers for the expansion of community land trusts; and

*WHEREAS:* The City of Boston may have additional tools at its disposal to optimize the stewardship of land or promote long-term affordability;

*THEREFORE BE IT ORDERED,*

That the appropriate committee of the Boston City Council hold a hearing on land disposition and stewardship and that the Department of Neighborhood Development, the Public Facilities Department, any other land-holding agencies or departments in the City of Boston, the Greater Boston Land Trust Network and any other interested parties shall be invited to attend.

Filed in City Council: May 23, 2018