

OFFERED BY COUNCILORS LIZ BREADON, JULIA MEJIA, RUTHZEE LOUIJEUNE,
COLETTA, DURKAN, PEPÉN, SANTANA, WEBER, AND WORRELL



CITY OF BOSTON IN CITY COUNCIL

RESOLUTION CALLING FOR FURTHER MEASURES TO SUPPLEMENT INCLUSIONARY ZONING AND ADVANCE AFFORDABLE HOUSING IN THE CITY OF BOSTON

- WHEREAS*, The Zoning Code of the City of Boston was amended in November 2023 to insert Article 79, incorporating transformative inclusionary zoning requirements to increase the availability of affordable housing, encourage the development of larger units, and provide more deeply affordable housing options; *and*
- WHEREAS*, The adoption of Article 79, authorized by Chapter 365 of the Acts of 2020 amending the Boston Zoning Enabling Act found in Chapter 665 of the Acts of 1956, followed a petition for a zoning text amendment adopted by the Boston Planning and Development Agency (BPDA) Board in July 2023 and accepted by the Boston City Council in September 2023 as Docket 1293; *and*
- WHEREAS*, Effective October 1, 2024, the amendment codifies inclusionary development into zoning, lowering the threshold for projects required to include affordable housing from ten to seven units and increasing the portion required to be income-restricted from 13% of units to 17% of units or project square footage; *and*
- WHEREAS*, Small Projects (below 50,000 square feet) developing on-site rental units will be required to provide 17% of units or square footage at an average of 60% of the Area Median Income, while Large Projects (above 50,000 SF) developing on-site rental units will be required to provide 18% of units or square footage (15% at an average of 50% of AMI, plus 3% voucher set aside) or 20% of units or square footage (17% at an average of 60% of AMI, plus 3% voucher set aside); *and*
- WHEREAS*, Small Projects developing on-site homeownership units will be required to provide 17% of units or square footage at an average of 90% of AMI, while Large Projects developing on-site homeownership units will be required to provide 20% of units or square footage at an average of 90% of AMI; *and*
- WHEREAS*, To effectively address the affordable housing crisis, further measures beyond the adopted minimum requirements must be pursued, and developer commitments to affirmatively further fair housing must be thoroughly tracked and enforced; *and*

- WHEREAS*, Displacement disproportionately impacts Boston’s communities of color, including in Chinatown, Dorchester, East Boston, Hyde Park, Mattapan, and Roxbury, where residents are in need of affordability beyond 20% of units; *and*
- WHEREAS*, New life science, commercial, and institutional development in neighborhoods such as Allston-Brighton, Dorchester, Fenway, and Roxbury increase demand for affordable housing to mitigate the displacement of working-class and elderly residents, including renters of color, to reverse historic exclusion in housing; *and*
- WHEREAS*, Fifty percent of the AMI in Boston for 2023, determined by the U.S. Department of Housing and Urban Development, is \$51,950 for a single-person household and \$74,200 for a four-person household, and about half of Boston’s rental households of color make less than \$31,000 to \$37,000, about 30% of AMI; *and*
- WHEREAS*, The City of Boston Voucher Program makes income-restricted housing affordable to low-income and extremely low-income renters by providing project-based vouchers tied to a particular development, ensuring tenants pay no more than 30% of their income and at no cost to developers or impacts to project feasibility; *and*
- WHEREAS*, Analysis of Boston’s Inclusionary Development Policy by RKG Associates observed that “Creating a strategy that increases requirements over a set period can add a level of predictability for both developers and property owners and allow the market to absorb and plan for future changes along the way”; *and*
- WHEREAS*, Strengthening affordability requirements over time helps capture future increases in land value so that the community, residents, property owners, and developers can all benefit, and stronger requirements will help deter the resale of properties for large profits after initial project approval; *NOW, THEREFORE BE IT*
- RESOLVED*: That the Boston City Council expresses its intention to build upon the inaugurally adopted inclusionary zoning requirements by calling on the Mayor, Council members, and Boston residents to collectively advocate for and encourage developers to pursue the City of Boston Voucher Program to make housing units truly affordable for residents at lower AMI levels; *AND BE IT FURTHER*
- RESOLVED*: That the Boston City Council expresses its intention to seek periodic review of inclusionary zoning requirements beginning no later than the year 2026, using data on housing affordability, demand, and construction costs to inform feasible and effective timelines to phase in future increases beyond 20% of affordability.

Filed on: March 4, 2024