

# The City of Boston



## EXECUTIVE ORDER OF MAYOR MICHELLE WU

### An Order Relative to Speeding the Production of Affordable Housing

*WHEREAS:* Boston is facing a housing crisis, and Boston residents are struggling to afford market-rate housing prices and rents;

*WHEREAS:* Half of all renters and 28 percent of homeowners are considered “cost-burdened,” paying more than 30 percent of their income on housing costs;

*WHEREAS:* To meet Boston’s housing needs, the City must support a dramatic increase in the supply of affordable housing;

*WHEREAS:* The average time from the initial filing of a Letter of Intent for an Affordable Housing Development with the Boston Planning and Development Agency and approval by all agencies, including the Zoning Board of Appeal, is currently 337 days;

*WHEREAS:* The average time from filing until approval of nearly one year creates additional cost and delay in the creation of affordable housing;

*WHEREAS:* If Boston is to meet its housing needs, the City must make the Affordable Housing Development review process as predictable, efficient and streamlined as possible.

#### *THEREFORE:*

I, Michelle Wu, Mayor of Boston, order, notwithstanding any other provisions of law, that all City agencies involved in the review of Affordable Housing Developments where at least 60 percent of the units are income-restricted to no more than 100 percent of Area Median Income take the following actions to decrease the time it takes to review and approve Affordable Housing Developments. The goal of this multi-agency effort is to reduce by 50 percent the average number of days that the review and approval process of these developments require.

#### **Article 1: Prioritize affordable housing in the development review processes.**

Within 90 days, all relevant agencies of the City of Boston will adopt policies and procedures that prioritize the review of Affordable Housing Development projects and create an optimal critical path for all reviews, including expected timelines for each step in this review process. Agencies involved in reviews and associated approvals include, but are not limited to, the

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following:

- Boston Planning and Development Agency: Article 80 review
- Mayor's Office of Housing: design review
- Boston Civic Design Commission: design review
- Boston Zoning Commission: approval of Planned Development Areas
- Inspectional Service Department: Zoning Board of Appeal, zoning variances
- Boston Landmarks Commission: demolition approvals & design approval within Landmark Districts
- Boston Parks Commission: approval of all buildings and structures within 100 feet of a public park or parkway
- Public Improvement Commission- approval of all recorded public and private rights-of-way
- Boston Transportation Department- approval of Transportation Access Plan Agreement

Other agencies that consult to the BPDA through the Article 80 process include the Boston Fire Department, Boston Water and Sewer Commission, Mayor's Office of Arts and Culture, Boston Commission for Persons with Disabilities and the Boston Fair Housing Commission.

To ensure that new policies and procedures are impactful, City of Boston agencies will evaluate existing review requirements to identify those that can be done concurrently and those that are duplicative of one another and potentially unnecessary. For example, all existing Affordable Housing Developments subject to both Mayor's Office of Housing and BPDA design review will be reviewed by one consolidated design team.

To expedite approvals of Affordable Housing Developments, the relevant agencies, boards, and commissions shall immediately give such developments priority status on any and all meeting schedules, including, but not limited to the Board of the BPDA, the Zoning Board of Appeal, the Boston Civic Design Commission, the Boston Landmarks Commission, and the Public Improvement Commission.

## **Article 2: Create a critical path for Article 80 development review and approval.**

Within 120 days, the BPDA shall recommend changes to Article 80 of the Boston Zoning Code which would establish an alternative path for the review of Affordable Housing Developments. The new process should include a community process and thorough agency review, but also establish clear and accelerated timelines and reduce all review duplication.

If there has already been an extensive community process associated with the disposition of City or BPDA owned land being developed into affordable housing, all subsequent review processes should not duplicate earlier efforts.

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**Article 3: Study and address zoning challenges to affordable housing development.**

Within 120 days, the BPDA shall issue a report on potential Boston Zoning Code changes that would incentivize the creation of affordable housing while minimizing the need for variances or other permitting burdens for these projects.

**Article 4: Create a system to track affordable housing reviews and approvals,**

Within 90 days, the City of Boston will implement an inter-agency information system managed by the Mayor's Office of Housing that will identify, track and manage Affordable Housing Developments through the review and approval process. The information and data collected will allow the City of Boston to determine if the process changes outlined in Articles 1 and 2 that have been implemented have reduced by half the time required to review and approve Affordable Housing Developments.

**Article 5: Establish a governance structure for implementation of this Order.**

Within 90 days, the City of Boston will form an Affordable Housing Development Review Advisory Committee to evaluate the actions being taken to prioritize and lessen the time associated with the development review and permitting of Affordable Housing Developments. This committee will have representatives from City agencies that are critical to the review process and external organizations that are knowledgeable of the review and permitting process. This committee will meet no less than every quarter (three months) to review the process data and make recommendations on necessary revisions.

Michelle Wu  
Mayor of Boston

Dated: 10/6/22