

Unlocking the Potential for Housing with Faith-Based Organizations in Massachusetts



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Project: Unlocking Potential for Housing with Faith-Based Organizations in Massachusetts

The Urban Action Lab, in Spring 2024, worked in partnership with The Planning Office of Urban Affairs, the Lynch Foundation, and the Lincoln Land Institute to develop a paper communicating the potential contribution of Faith-Based organizations to the housing deficit in Massachusetts. Students researched SB 4, the so-called Yes in God's BackYard (YIGBY) law passed in California, and similar laws, supportive legislation, and regulations developed in other jurisdictions.

The purpose of this effort is to:

1. Size the potential housing contribution of faith based organizations (FBO) in Massachusetts.
2. Highlight the process of the passage of the law in California and the potential benefits of a similar law in Massachusetts.
3. Provide examples of the evolution of the law from different jurisdictions.
4. Provide program recommendations to support faith-based organizations in Massachusetts.

The Joseph E. Corcoran Center for Real Estate and Urban Action

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Urban Action Lab

This semester-long class provides students with first-hand experience working on projects that advance affordable housing and access to opportunity. Students develop and pursue research projects in partnership with mission-driven organizations. Each project is completed in collaboration with a partner organization and is selected based on its potential for high-impact contribution. Project components include research, evaluation, interviewing, and writing. Students collaborate closely with partner agencies, the teaching team, and fellow students.

The Project: Unlocking the Potential for Housing with Faith-Based Organizations in Massachusetts

This project was undertaken by the 2024 Spring Class of the Urban Action Lab, composed of thirteen students representing six states, Washington, D.C., and three countries, with representatives of each class currently at Boston College.

The Lab was divided into three teams, and although the entire team contributed to site survey work, which is the basis for Part 1, the primary research and writing were conducted as follows:

- Part I:** Research and site survey work conducted by all class members.
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- Part V:** Analysis and recommendations writing and research by:
All students with support from Neil McCullagh.

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Executive Summary

This project provides valuable background to housing policy makers and advocates related to the mobilization of faith-based organizations (FBOs) to develop housing in the Commonwealth of Massachusetts. The report is broken into five parts, which are designed to inform policymakers and potential advocates on pathways to empower and incentivize faith-based organizations to build housing in a manner that is beneficial to the public and consistent with a faith mission for most traditions.

This undergraduate research team researched the evolution and adoption of SB 4, the so-called law **Yes in God's BackYard (YIGBY)** law, as well as the adoption, impact, and evolution of similar policies in other American states and cities. This overview is meant to be informative and instructive in advocating for similar policies in the Commonwealth of Massachusetts. **The following is a summary of the sections of our report.**

Part I - Summarizes the availability of faith-based owned land in Massachusetts and the possibility of conversion to housing. Provides the number of parcels, the number of sites, the square feet, and the potential number of housing units that could result from an intentional effort to advance faith based housing development.

Part II - Highlights the development of California Law SB 4, and examines case studies from the earliest adopters.

Part III - Chronicles the evolution of the faith-based zoning movement (YIGBY) by providing examples of its adaptation in different states.

Part IV - Provides case examples of efforts in American cities that led to adoption of regulation of policies in support of faith-based organizations.

Part V - Provides recommendations for programs that may contribute to the development of policies and programs to support development of housing on faith-based property in the Commonwealth of Massachusetts.

Each section of the report provides foundational information for advocates and policymakers. The final section provides priorities and strategies for the implementation of policies and legislation that will help faith-based communities to mobilize their assets in support of vital housing for all Commonwealth residents.

Part I: Faith-Based Organizations and the Opportunity for Massachusetts

The Boston College Urban Action Lab completed desktop site surveys of 7,190 identifiable parcels potentially owned by faith-based organizations in the Commonwealth of Massachusetts to determine which parcels are owned by faith-based organizations and each has potential for housing development. Students validated sites as faith-based organizations and eliminated potential “false positives.” This effort was undertaken to calculate the potential size of the opportunity presented by policies that will mobilize faith-based organizations to build housing.

Partners

The Boston College Urban Action Lab partnered with The Lynch Foundation and the Lincoln Land Institute - Center for Geospatial Solutions (CGS) to develop a survey tool that enabled students to conduct desktop reviews of all potential faith-based organizations within the database.

The **Center for Geospatial Solutions (CGS)** works with purpose-driven organizations to address the most pressing issues facing us today, such as housing affordability, water scarcity, and ecosystem conservation. With decades of cross-sector experience, CGS works across the full data-information chain, wrangling raw data on small and big scales into useful and actionable knowledge.

Developing the Database

CGS created a database of properties based on an extensive list of terms that searched the available municipal assessor's databases and returned records for potential parcels of land across the Commonwealth of Massachusetts. To develop the initial database of potential sites for review, search terms encompassed all possible faith-based ownerships. These terms were used across every parcel in Massachusetts and returned 7,190 potential parcels for evaluation. Starting with a comprehensive nationwide parcel layer from [Regrid](https://regrid.com/)¹, CGS developed a query to subset out parcels likely owned by faith-based organizations. **The query entails:**

1. Subsetting by state of interest (Massachusetts)
2. Selecting parcels identified as ‘6600’ – religious institutions, from Regrid’s land use classification
3. Using regular expressions, select parcels where the owner name contains at least one key term (see *round 1 key terms including Appendix A*) while not containing another set of key terms.
4. From selected parcels, examine parcels that contain an ‘&’ and remove parcels that do not contain a key term (see *round 2 key terms excluding below*).

Parcels were also selected by examining parcels intersecting with [Places of Worship point dataset](https://www.mass.gov/info-details/massgis-data-places-of-worship)² from MassGIS. Selected parcels were manually reviewed to remove extraneous parcels.

¹ <https://regrid.com/>

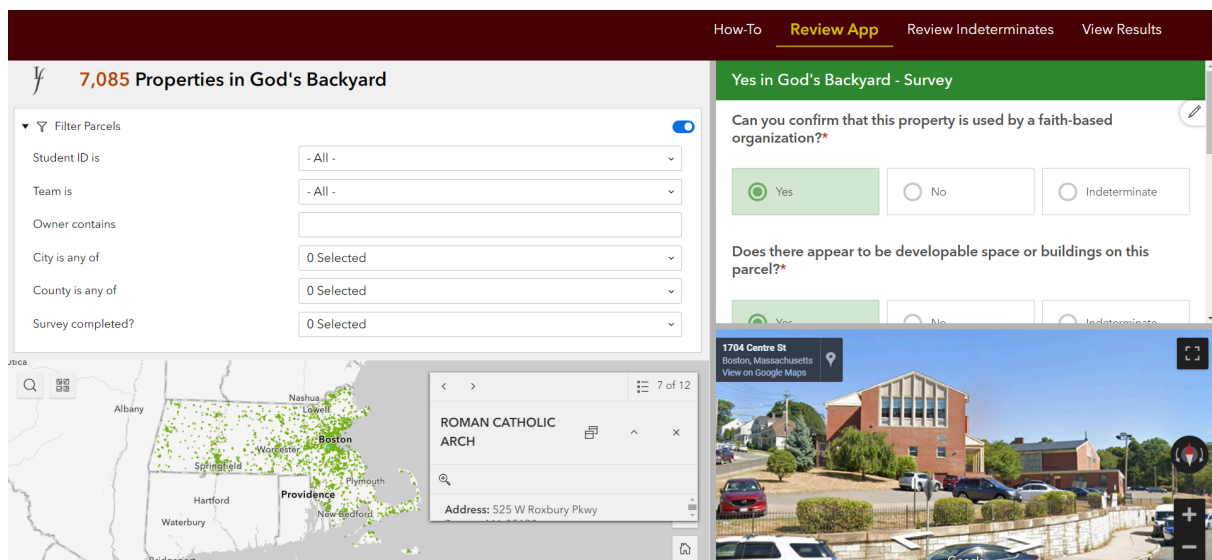
² <https://www.mass.gov/info-details/massgis-data-places-of-worship>

Web Application and Desktop Review

Each parcel was subject to a desktop survey to confirm they are faith-based properties and determine if they might have the potential to develop housing. For the student vetting component, after consulting with the Lynch Foundation and the Corcoran Center, a set of survey questions was added to this parcel dataset. Using Survey123 and Experience Builder, CGS developed an internal web application where students could review the developed parcel dataset to ascertain whether the parcels were owned by a faith-based organization and, if so, whether the parcel in question has any developable space or potential buildings that can be redeveloped.

Exhibit 1 provides a screenshot of the Web tool. **Appendix B** provides a screenshot of the four-question survey completed for each of the 7190 parcels.

Exhibit 1: Desktop Site Review Application



CGS augmented database reporting by adding key administrative boundaries with guidance from the Corcoran Center to strengthen the organization, sorting, and visualization of data.

Results

The student site survey process removed ~2000 parcels (false positives) from consideration and created a cleaner, more accurate view of sites that could support potential new housing development. Based on the student surveys, 5881 parcels are owned by faith-based organizations in Massachusetts. Upon further site review, 1973 parcels owned by faith-based organizations could support further housing development. These parcels across the state have **149,348,715 sq. ft. available for housing development. That equates to 3,429 acres of potential development space.**

Using conservative estimates of 15 units per acre and incorporating 10% of available space for setbacks within Boston City limits and 20% in all other jurisdictions, the study estimates that faith-based organizations could develop an additional 50,000 housing units. Assuming a more dense and still conservative 25 units per acre results in an estimated contribution of 80,000 housing units.

Exhibit 2: Potential for Housing on Faith-Based Property in Massachusetts

| | | | | Potential Housing on Faith-Based Properties | |
|---|-------|-------------|-------|---|-------------------------------|
| | | | | Low Estimate (15 units/acre) | High Estimate (25 units/acre) |
| Parcels Owned By Faith-Based Organizations - With Buildable Space | 5,881 | 469,094,621 | | | |
| Parcels Owned By FBO - With Buildable Space | 1,973 | 149,348,715 | 3,429 | 51,429 | 85,714 |
| Parcels Owned By FBO - With Buildable Space Within MBTA Community Act Area | 1,371 | 99,528,064 | 2,285 | 34,273 | 57,121 |
| Parcels Owned By FBO - With Buildable Space Within MBTA Community Act & LIHTC Qualified Census Tracts | 268 | 5,094,147 | 117 | 1,754 | 2,924 |

* Estimated by taking Total Parcel Area - Buildings - (Net Area* .10 (Boston) or .20 All other Municipalities

Exhibit 3: Developable Faith-Based Property in Largest Massachusetts Cities

| | All FBO Parcels | All FBO Total Square Feet | FBO Parcels Identified with Developable Space | FBO Parcels Identified with Developable Space Square Feet | FBO Parcels Identified with Developable Space Buildable Total Square Feet | FBO Parcels Identified with Developable Space Buildable Acres |
|--------------------|-----------------|---------------------------|---|---|---|---|
| Boston | 560 | 13,270,617 | 156 | 5,226,607 | 3,527,201 | 81 |
| Worcester | 193 | 20,095,906 | 55 | 5,983,867 | 4,286,300 | 98 |
| Springfield | 229 | 17,300,677 | 13 | 583,198 | 410,542 | 9 |
| Cambridge | 76 | 1,264,796 | 26 | 588,315 | 300,777 | 7 |
| Lowell | 113 | 2,591,019 | 39 | 734,738 | 427,273 | 10 |
| Brockton | 76 | 4,156,817 | 35 | 1,546,819 | 1,081,534 | 25 |
| Quincy | 62 | 2,704,376 | 39 | 2,175,128 | 1,558,319 | 36 |
| Lynn | 47 | 1,330,223 | 21 | 783,864 | 435,493 | 10 |
| Somerville | 49 | 947,610 | 30 | 607,685 | 321,877 | 7 |
| New Bedford | 120 | 8,583,774 | 31 | 1,051,545 | 610,196 | 14 |
| Fall River | 78 | 14,850,745 | 29 | 1,811,927 | 1,140,669 | 26 |
| Newton | 88 | 5,884,122 | 10 | 1,002,564 | 734,938 | 17 |
| Lawrence | 52 | 1,190,822 | 25 | 610,649 | 318,092 | 7 |

Part II: Evolution of SB 4 in California

In October 2023, California passed SB 4, the Affordable Housing on Faith and Higher Education Lands Act. The bill, colloquially known as Yes in God's BackYard (YIGBY), provides as-of-right zoning to faith-based institutions and non-profit colleges to build affordable multifamily housing on their land, streamlining the permitting process and making affordable housing development more feasible³. **Appendix C:** Affordable Housing on Faith and Higher Education Lands Act provides a copy of the legislation.

Defining & Summarizing the Bill

The idea for SB 4 originated with Monica Ball in San Diego⁴. Ball is a board member of UPLIFT San Diego, a nonprofit organization founded in 1987 that supports the community's most vulnerable members by offering free services to homeless and low-income residents⁵. Ball's work gave her a nuanced understanding of San Diego's housing crisis, leading her to formulate the concept of as-of-right zoning on faith-based land⁶. In addition to California's SB 4 bill, Maryland, Minnesota, New York, Oregon, Virginia, and Washington, and the cities of Atlanta, Pasadena, San Antonio, San Diego, and Seattle, among others, have initiated similar legislation or regulations. The policies in these states and cities, as well as in numerous other locations, will be explored later in this paper.

Timeline and Politicians

California Senator Scott Wiener authored this bill and had 16 supporting sponsors from the Senate and Assembly, all Democrats. They largely represent urban counties and have previous experience in authoring housing development bills. Many legislators also participate in housing, homelessness, or religion committees. Senator Wiener represents District 11, which encompasses all of San Francisco and part of San Mateo. A primary focus of his platform is working to make housing more affordable, believing that the building process needs to be more efficient and less costly due to restrictive zoning. See **Exhibit 4:** Summary Sponsors and Affiliations.

³<https://urbanland.uli.org/property-types/housing-affordable-and-workforce/affordable-housing-yigby-yes-in-gods-backyard-movement-seeks-to-counter-nimby-movement#:~:text=The%20YIGBY%20team%20describes%20itself,The%20movement%20is%20spreading%20nationwide>

⁴ nextcity.org/urbanist-news/new-housing-org-urges-san-diego-to-say-yes-in-gods-backyard

⁵ <https://www.justserve.org/upliftsandiego>

⁶<https://lakeinstitute.org/resource-library/story-shelf/sharing-property/outside-organization/yigby-yes-in-gods-backyard/>

Exhibit 4: Summary Sponsors and Affiliations of California SB4

| Politician ⁷ | Urban/ Rural/ Suburban ^{8 9 10 11 12} | Member of Housing Committees / Relevant Affiliation ¹³ |
|-----------------------------------|---|--|
| Senator Scott Wiener | Urban | Housing Committee - Chair |
| Assemblymember Tina McKinnor | Urban | Select Committee on Los Angeles County Homelessness |
| Assemblymember Buffy Wicks | Urban | Select Committee on Social Housing |
| Senator Nancy Skinner | Urban | Housing Committee - Chair |
| Senator Caroline Menjivar | Urban | |
| Senator Dave Cortese | Urban | Housing Committee |
| Assemblymember David Alvarez | Urban | |
| Assemblymember Marc Berman | Urban | |
| Senator Josh Becker | Urban | Jewish Caucus- Vice Chair |
| Senator Susan Eggman | Urban, Suburban | |
| Assemblymember Laura Friedman | Urban | Select Committee on Los Angeles County Homelessness, Jewish Caucus |
| Assemblymember Jesse Gabriel | Urban | Jewish Caucus |
| Senator Lena Gonzalez | Urban | |
| Assemblymember Ash Kalra | Urban | Housing and Community Development, Select Committee on Social Housing |
| Assemblymember Sharon Quirk-Silva | Urban, Suburban | Housing and Community Development, Select Committee on Orange County Homelessness and Mental Health Services - Chair |
| Assemblymember Chris Ward | Urban | Housing and Community Development - Chair Select Committee on Social Housing |
| Assemblymember Wendy Carrillo | Urban | |

⁷ <https://legiscan.com/CA/sponsors/SB4/2023>

⁸ <https://www.senate.ca.gov/senators>

⁹ <https://www.someka.net/blog/california-county-map/>

¹⁰ https://www.senate.ca.gov/sites/senate.ca.gov/files/publications/2023-24_senate_counties_represented_fz.pdf

¹¹ <https://gis.data.ca.gov/datasets/CDEGIS::senate-districts/explore?location=37.172099%2C-121.461697%2C7.72>

¹² https://wedrawthelines.ca.gov/wp-content/uploads/sites/64/2011/08/maps_assembly_20110815_all.pdf

¹³ <https://www.assembly.ca.gov/assemblymembers>

SB 4 was Wiener's third attempt at this bill following failed attempts in 2020 and 2022 due to conflicts with the State Building Trade Council's opposition, which argued that the bill would force union workers to build affordable housing¹⁴. The initial support for SB 4 began with the nonprofit organization Yes In God's Backyard (YIGBY), which has been trying to get the bill passed since 2017.

YIGBY worked with various organizations to assess the feasibility and build support for faith-based housing in California:

- *Turner Center for Innovation at UC Berkeley* – determined that 171,000 acres of land were eligible for affordable housing under SB 4
- *Andy Ballester, co-founder of GoFundMe* – sponsored YIGBY's initial outreach effort
- *Funds Together to End Homelessness* – provided financial support

Exhibit 5 provides a timeline of SB 4 passing in California and outlines the process of this third and successful attempt. Wiener believes churches are long-standing supporters of marginalized populations and Faith-Based housing allows churches to support their community, stating, "California has a deep housing shortage, and we need every available tool to create the housing we so desperately need."¹⁵

¹⁴ <https://www.sfchronicle.com/politics/article/YIGBY-churches-affordable-housing-17635568.php>

¹⁵ <https://nonprofithousing.org/press-release-sen-wiener-intros-yigby-housing-legislation-to-allow-religious-institutions-nonprofit-colleges-to-build-affordable-housing-on-their-land/>

Exhibit 5: Timeline of SB 4 Passing in California



The YIGBY Nonprofit

In conjunction with her efforts on the SB 4 bill, Monica Ball spearheaded the creation of the YIGBY nonprofit to mobilize and support faith-based organizations to respond to San Diego's housing crisis. In addition to working on the SB 4 bill, the YIGBY nonprofit aims to help faith-based organizations utilize their excess land to create affordable housing by guiding them through the legal and development process.

Sponsoring Organization

SB 4 was co-sponsored by five organizations and supported by over 100 community organizations and faith congregations¹⁶. Exhibit 6: Supporting Organizations above outlines the specific functions of these organizations. Of the co-sponsoring organizations, NPH and SCANPH are non-profit affordable housing advocacy organizations, JPAC represents California's Jewish population at the state capital, the Inner City Law Center offers pro bono legal services to low-income housing tenants, and the California Conference of Carpenters is a labor union. As co-sponsors, NPH, SCANPH, JPAC, and the Inner City Law Center wrote to Governor Newsom asking him to sign SB 4. **Appendix E** is a copy of this letter demonstrating the organizations' collaboration and advocacy to advance the YIGBY Legislation

Exhibit 6: Supporting Organizations



¹⁶ <https://lopc.org/wp-content/uploads/2023/03/Fact-Sheet-SB-4-Affordable-Housing-on-Faith-Lands-Act-464.pdf>

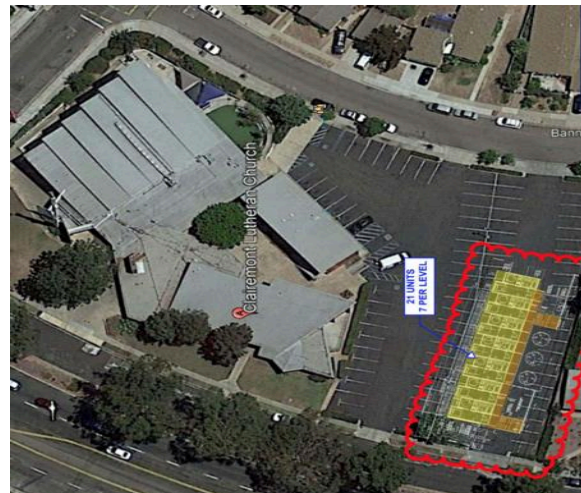
YIGBY Applied: Case Studies from San Diego Churches

San Diego, the center of the YIGBY movement, offers examples of successful projects implementing FBO-affordable housing. The city's lawmakers and non-profit organizations were key in advocating for legislative change. They also performed direct outreach years before the law was passed. As early as 2019, YIGBY engaged FBOs around San Diego County to gauge interest in developing affordable housing on their land. This early outreach was sponsored by Andy Ballester, co-founder of GoFundMe. This planning enabled construction to begin just days after the law went into action.¹⁷ This forward-thinking, multi-stakeholder approach has allowed a seamless transition from advocacy to programming supporting progressive legislation.

Two examples of the implementation follow: **1) San Diego's Clairemont Lutheran Church** exhibits how streamlining the zoning process can help churches utilize their developable land to create affordable housing, and **2) San Diego's Bethel AME Church** highlights the importance of church and nonprofit partnership to develop affordable housing on church property successfully.

San Diego's Clairemont Lutheran Church

San Diego's Clairemont Lutheran Church showcases how the SB 4 law is instrumental in helping churches bypass time-consuming rezoning processes to streamline the affordable housing development process. In 2019, Clairemont Lutheran Church struggled to build affordable housing on its parking lot due to parking requirements stating that the number of parking spots on the church's lot needed to match the linear amount of pews in the church's sanctuary. Frustrated, the church approached the City and YIGBY's advocacy group for guidance. Clairemont church, YIGBY, and the City of San Diego formed a partnership resulting in the reduction of parking requirements to create affordable housing on faith-based property¹⁸. "The parking requirement was outdated for churches," says Brian Schoenfisch, deputy director of the City of San Diego's Department of Development Services, Urban Division¹⁹. While Clairemont initially paused its development efforts to work on a different project, they are developing two three-story buildings to house



¹⁷ <https://www.axios.com/local/san-diego/2023/11/17/yigby-meaning-california-law-affordable-housing>

¹⁸ <https://www.planning.org/planning/2023/spring/transforming-empty-churches-into-affordable-housing-takes-more-than-a-leap-of-faith/>

¹⁹ <https://www.planning.org/planning/2023/spring/transforming-empty-churches-into-affordable-housing-takes-more-than-a-leap-of-faith/>

low-income community members. This development process would not have been possible without the help and guidance of YIGBY and the compliance of the City²⁰. In 2020, inspired by the zoning policy change that YIGBY and Clairemont Church spearheaded, the State of California followed suit. It passed legislation reducing or eliminating parking requirements for faith-based affordable housing developments²¹.

San Diego's Bethel AME Church

In San Diego, Bethel AME Church was the first congregation to collaborate with the YIGBY nonprofit to produce affordable housing on the church's excess land. Church Senior Pastor Vaughn III is particularly passionate about fighting homelessness for vulnerable black populations, stating, "We cannot effectively achieve racial justice without also addressing our city's lack of housing that is affordable²²." In 2020, Bethel AME and the YIGBY nonprofit officially partnered to make Bethel the "proof of concept project," showcasing the impact of the YIGBY movement²³. The most tangible ways the YIGBY organization has aided Bethel's development process have been through counseling the church and bridging the partnership between Bethel AME and financing partner Self-Help Federal Credit Union (SHFCU). Additionally, with the help of the YIGBY team, Vaughn III and congregants began conducting site tours of affordable housing and concluded that modular construction would be the fastest and most sustainable housing model²⁴.



The YIGBY team played an integral role in counseling the church. Construction is scheduled to be completed by the end of 2024²⁵. For Vaughn, offering quality homes to community members who need them is priceless. "The program can change the trajectory of a person's life," and his congregation could not be more thrilled about the potential impact^{26 27}.

²⁰<https://www.clairemontlc.org/building/>

²¹<https://www.planning.org/planning/2023/spring/transforming-empty-churches-into-affordable-housing-takes-more-than-a-leap-of-faith/>

²²<https://www.sdbj.com/real-estate/yigby-bethel-ame-team-up-for-affordable-housing/>

²³<https://catalystsd.org/news/yigby-initiative-partners-san-diegos-oldest-african-american-church-build-housing-seniors-and/>

²⁴<https://lakeinstitute.org/resource-library/story-shelf/sharing-property/outside-organization/yigby-yes-in-gods-backyard/>

²⁵<https://www.axios.com/local/san-diego/2023/11/17/yigby-meaning-california-law-affordable-housing>

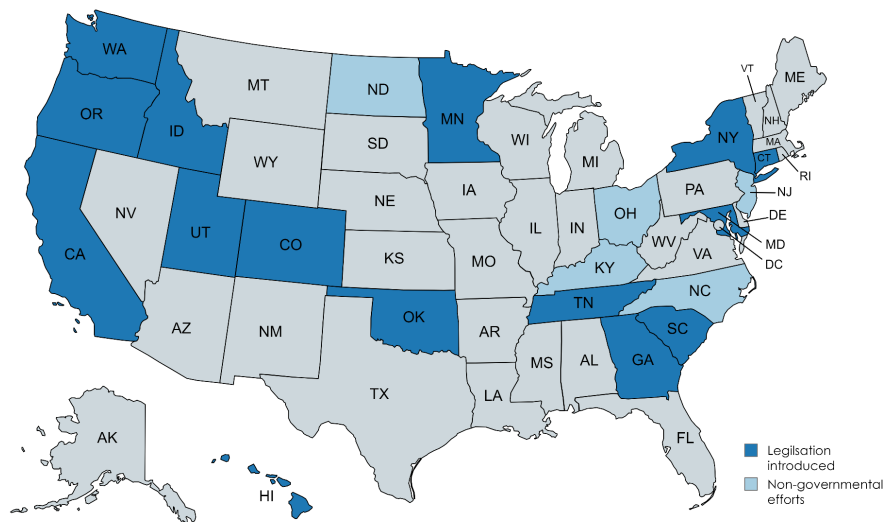
²⁶<https://lakeinstitute.org/resource-library/story-shelf/sharing-property/outside-organization/yigby-yes-in-gods-backyard/>

²⁷ <https://www.fastcompany.com/90970794/this-san-diego-church-is-building-its-own-affordable-housing>

Part III: Evolution of Policy in Other States

Following California's SB 4 law, over twenty states have either incorporated legislation allowing faith-based organizations to construct housing on their property as of right or have initiated non-governmental organization efforts to enable, incentivize, and support faith-based organizations in creating affordable housing.

Exhibit 7: Status of Faith-Based Organizations Housing Initiatives in the United States



Created with mapchart.net

Other states are building on California law, using legal pathways and non-profit advocacy to create new developments on faith-based organizations' property. Many states are working simultaneously to spread this initiative across the country. Typically, these initiatives start at a non-profit or city level, and then the city responds by expanding legal regulations or creating new bills in favor of YIGBY.

Reasons States Pursue Faith-Based Zoning Initiatives

Each state implementing faith-based zoning changes has done so to meet its unique needs. To showcase how states work with faith-based organizations to build affordable housing, New York, Virginia, Minnesota, Oregon, Washington, and Maryland were selected as examples. Their evolving policies provide insights that could guide Massachusetts in developing similar legislation and supportive initiatives.

Good for the State and Good for Faith-Based Organizations

States have not adopted new faith-based zoning changes solely to improve access to affordable housing; they have also recognized the benefits for faith-based organizations. In some instances, these new housing projects provide budget stabilization and income generation opportunities by creating new revenue streams from rents. Additionally, these projects align with the mission of many faith-based organizations. Beyond practical financial benefits, these housing projects help advance the mission of the faith-based organizations and engage their congregations.

Exhibit 6: Features of FBO Housing Initiatives in the U.S. States

| State | Feature | | | | | | | |
|------------|---------------------|----------|------------------|-------|---------------------------------|---------------------|--------------------------|----------------------|
| | Legislation Status? | | Size of Housing? | | Has Affordability Restrictions? | | | Space for Employees? |
| | Adopted | Proposed | Standard | Micro | No | Strictly Affordable | Moderate Income Included | |
| Minnesota | ✓ | | | ✓ | | ✓ | | ✓ |
| New York | | ✓ | ✓ | | | | ✓ | |
| Virginia | | ✓ | ✓ | | | | ✓ | |
| Oregon | ✓ | ✓ | ✓ | ✓ | | | ✓ | ✓ |
| Washington | ✓ | | ✓ | | | ✓ | | |
| Maryland | | ✓ | ✓ | | | | ✓ | |

States have developed policies and programs that are similar. These similarities highlight the advantages states seek and the potential for the law to be effectively adapted to the Commonwealth of Massachusetts.

New York

The state of New York is currently in the process of enacting the *Faith-Based Affordable Housing Act*, which would allow faith-based organizations to develop both mixed-income and 100% affordable residential housing on their properties.²⁸ For areas with populations of over 1 million residents, the act specifies that a minimum of 20% of all constructed units must be dedicated to households earning 80% of the area's median income.²⁹ Additionally, this act would also facilitate the construction process for faith-based organizations through pre-development grants and training programs.³⁰

CITYLIMITS

Amen to New Housing? Faith-Based Development Bill Looks to Secure Legislative Blessing

By Chris Janaro | March 5, 2024

While lawmakers continue to negotiate development incentives and tenant protections in Albany, supporters of the Faith-Based Affordable Housing Act are positioning the bill as one of the state's best shots at passing meaningful housing legislation this year.

"It's hard to put your guard up when it's the neighborhood church saying we want to build," sponsor Andrew Gounardes told City Limits.



The New York City mayor announced the city's plan to assist faith-based organizations and mission-based non-profit organizations to help build affordable housing developments as an extension of the state's vision for integrating faith-based organizations with affordable housing. The *City of Yes for Housing Opportunity* plan is a zoning proposal that will allow faith-based organizations to build residential housing to generate income and provide more housing supply for the city.³¹

Why New York?

The case of New York applies to potential legislation in Massachusetts, namely through its attention to having different standards for large/urban areas and rural ones. Given that Massachusetts also experiences significant differences between its rural and urban areas, New York's idea that these types of areas should not be treated the same to increase the impact of potential legislation is crucial.

New York's provision of pre-development grants and training programs could greatly improve the actual impacts of a potential act in Massachusetts. Recognizing and accounting for the fact that faith-based organizations may lack the necessary resources and experience to construct affordable housing can greatly improve the chances of faith-based organizations participating in a manner that is advantageous to the addition of affordable housing.

²⁸www.nyc.gov/office-of-the-mayor/news/219-24/mayor-adams-plan-help-faith-based-organizations-build-more-affordable-housing-nyc#/0.

²⁹www.nysenate.gov/sites/default/files/admin/structure/media/manage/filefile/a/2024-02/interfaith-affordable-housing-collaborative-partnership-for-faith-based-housing-and-community-development-_24.pdf

³⁰www.nysenate.gov/newsroom/in-the-news/2024/andrew-gounardes/senator-gounardes-talks-about-his-faith-based-affordable

³¹www.nyc.gov/office-of-the-mayor/news/219-24/mayor-adams-plan-help-faith-based-organizations-build-more-affordable-housing-nyc#/0

Virginia

The ***Faith in Housing for the Commonwealth Act*** is under review and would allow religious organizations to construct affordable housing on their land as of right. This legislation would place restrictions on the housing created under this bill, including:

1. Requiring that 20% of units be set aside for low-income households and an additional 5% for employees of the religious order;
2. Setting 5% of the units aside for employees of the religious organization;
3. Designating the development as dedicated to low-income households for a minimum of 99 years;
4. Requiring that a non-profit property manager manage the developments.

As an example of this legislation's potential impact, in January of 2024, a Richmond-based church congregation developed plans to build more than 200 units on its property to help combat the housing crisis in the area. Village of Faith Ministries wants to convert their 1.5-acre property into 192 apartments and 40 townhomes.

Why Virginia?

Virginia's example demonstrates elements that could prove key to creating thriving communities in newly created affordable developments. One such element is reserving units for low—and moderate-income residents, allowing for mixed-income communities, which have been shown to improve residents' access to opportunity, among other positive benefits.

Additionally, requiring developments to maintain their affordability for 99 years reduces the likelihood of a development converting to market rate within a few years of being constructed, which would go against the goal of promoting affordable housing in Massachusetts.

Minnesota

On January 1st, 2024, the State of Minnesota passed the ***Sacred Settlements Law***, which requires cities to allow faith-based organizations to construct micro-units of housing on their properties (an example created by the Christian Mosaic Community shown on the right), which can be no larger than 400 square feet,³² if they desire to do so. These units are forms of permanent housing that are allowed to provide water and electric utilities either directly in the micro-units themselves or within the principal building on the site. Individuals who are eligible to live in these settlements are limited to:



1. Individuals who are chronically homeless, meaning they have been without permanent safe housing for at least a year (or on four separate occasions within the last three years);
2. Individuals who earn less than 30% of the area's median income;
3. Volunteers who are defined as individuals who have not experienced homelessness and are approved by the faith-based organization to live in the settlement as their sole form of housing.

Why Minnesota?

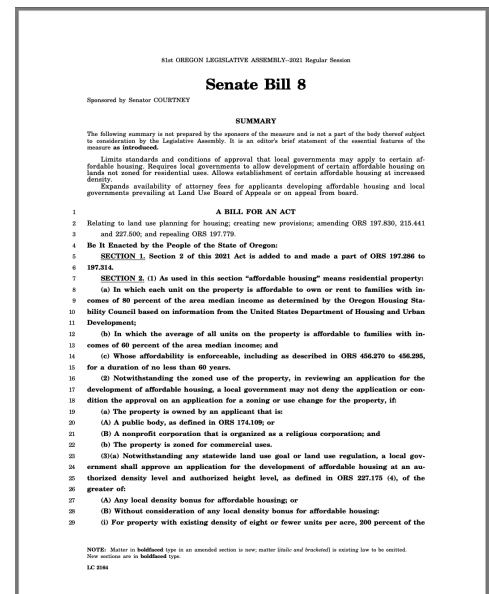
The case of Minnesota, though only somewhat applicable to urban parts of Massachusetts, could be valuable when considering how to facilitate affordable housing development on land owned by faith-based organizations in more rural parts of Massachusetts. Allowing the construction of micro-units could enable faith-based organizations that might not have abundant resources (namely available land or financial resources) to still participate in the provision of affordable housing to those in need of it (even though this would most likely not make up the majority of affordable units created).

Additionally, Minnesota's provision of residential housing for employees/volunteers of faith-based organizations could help Massachusetts improve the functioning of various faith-based organizations by reducing a number of barriers (such as high rents or commuting costs) that potentially prevent people from being involved with running/promoting faith-based organizations. As such, this change could improve the quality of faith-based organizations and help them prosper.

³² <https://www.lmc.org/news-publications/news/all/fonl-sacred-settlements/>

Oregon

The Bureau of Planning and Sustainability (BPS) of Oregon created the *Expanding Opportunities for Affordable Housing* project in April 2018.³³ The project aimed to identify faith and community-based organizations interested in developing affordable housing while providing financial support and design consultation. Additionally, it was funded through the Metro Planning and Community Development program through a regional construction excise tax. In the fall of 2020, analysis was completed on five nominated sites, 2 of which were deemed appropriate for the development of affordable housing (St. Philip the Deacon Site, Mississippi/Prescott Site). This initiative helped to push legislators to recognize the opportunities within the state to increase affordable housing.



Oregon Senate Bill 8

In 2021, Oregon Senate Bill 8 was passed, which required local governments to allow the development of certain kinds of affordable housing on lands not zoned for residential uses³⁴. The bill mandates that:

1. At least 50 percent of units must be affordable to households under 60% AMI
2. Designating the development as affordable housing for at least 60 years.

Why Oregon?

Oregon introduced the *Expanding Opportunities for Affordable Housing* project, and since this Bill has passed, more than 68 faith congregations in Oregon have started or started considering the development process. Through this program, Oregon has quantified the opportunity of affordable housing, making it easier for lawmakers to understand the potential of liberalizing faith-based zoning. Massachusetts can develop a similar project to identify possible faith-based organizations where affordable housing could be constructed, which would then encourage legislators to pass a bill allowing for the construction of affordable housing on religious properties.

³³ <https://www.portland.gov/bps/planning/ah-grant/about>

³⁴ [https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureDocument/SB0008/Introduced#:~:text=tial%20place%20of%20worship%20is,\(b\)%20Religion%20classes.](https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureDocument/SB0008/Introduced#:~:text=tial%20place%20of%20worship%20is,(b)%20Religion%20classes.)

Washington

In 2019, Washington state adopted the ***Substitute House Bill 1377***, which required cities to allow for additional density for any affordable housing project on property owned by a religious organization. The bill mandates that:

1. All housing created must be income-restricted.
2. Must be reserved for low-income households with incomes under 80 percent of the area median income.
3. Designating the development as exclusively affordable housing for at least 50 years.

On June 28th, 2021, a density bonus for affordable housing buildings in sites owned by religious institutions in Seattle was passed (CB 120081)#, further explained in the section *City Policies and Case Studies: Seattle*.

Longview Presbyterian Church

The ***Longview Presbyterian Church of Longview*** is one of the first faith-based organizations to build affordable housing on its property. It donated a 2-acre parking lot adjacent to the church to be used for 40 affordable housing units in a development called Sunrise Village ³⁵. The church partnered with the Housing Opportunities of Southwest Washington and received funding through US bank LIHTC equity, Washington State Housing Trust Fund, the city of Longview and anonymous donors. The project started to receive funding in 2020, and then in March of 2024, broke ground to begin construction, with the buildout estimated to be completed in 2025.

Why Washington State?

Washington state passed legislation for faith-based zoning through a bottom-up approach. In addition to the Longview Presbyterian church, other developments like Arbora Court and Compass Broadview were affordable housing developments constructed on church parking lots before the law was passed. Such case studies were used to support the decision for Washington State to allow for increased density in affordable housing built on religious properties, and a similar approach can be employed by Massachusetts. Massachusetts can utilize a bottom-up approach to implementing changes by evaluating ongoing projects/activism in Massachusetts and identifying pilot projects that would most benefit Massachusetts' unique situation.

³⁵ <https://www.presbyterianmission.org/story/washington-state-church-donates-land-for-affordable-housing/>

Maryland

In 2024, Governor Wes Moore proposed the *Housing Expansion and Affordability Act*, which aimed to incentivize housing on land owned by faith-based organizations by allowing a 30% increase in density. The act would reduce the number of hearings required to approve a housing project. The reduction would be provided if 50% of the housing units constructed remain affordable for 40 years.

In Montgomery County, a similar bill called the *Facilitating Affordable Inclusive Transformational Housing (FAITH)* is in development. This bill seeks to streamline the building of affordable housing on the land of houses of worship. One of the most notable features of the bill is that it requires projects to comply with the county's affordability guidelines by ensuring that between 30% to 50% be designated as affordable for a minimum of 30 years or through receiving a Low Income Housing Tax Credit from the state of Maryland³⁶.

Why Maryland?

Maryland demonstrates the need for state legislation to make the process of development as accessible as possible to faith-based organizations, given that they will likely lack many of the resources that are often required to navigate such complicated processes. Additionally, Maryland's variation of affordability minimums might enhance the provision of affordable housing in Massachusetts. By allowing these minimums to vary by area, Massachusetts could tailor solutions to specific local needs, thereby maximizing the positive impact of adopted legislation.

Summary

Many of these states are in the beginning stages of adopting legislation, as seen in the fact that many states are only proposing legislation. Most of the legislation concerns the provision of standard multi-family housing. However, some states have also included provisions for the construction of micro units and temporary housing more responsive to emergency housing needs. Some states also prioritize housing the employees of faith-based organizations in units that could be created and reserved for employees per the proposed legislation.

An important similarity between the discussed states is that they include affordability minimums for potential residents. Most states make new housing available to moderate-income earners, not strictly low-income earners. Overall, all of the proposals and acts discussed represent potential actions Massachusetts can take to increase the integration of faith-based organizations into providing affordable housing.

³⁶https://montgomerycountymd.granicus.com/Viewer.php?view_id=169&event_id=16004&meta_id=169470

Part IV: FBO Housing Efforts in American Cities

Across the United States, cities are responding to the movement to liberalize zoning for faith-based organizations in different ways. Cities have experimented with strategies, including legislation, city-run programs, and nonprofit partnerships. The following section focuses on faith-based zoning efforts in Seattle, San Antonio, Atlanta, and Phoenix. It provides short case examples of efforts made by cities and non-profits to support and advance housing development in partnership with faith-based organizations.

Exhibit 7: Legislative Status of FBO-Housing Initiatives in U.S. Cities

| City | FBO Projects Progress | NGOs/Advocacy groups involved | Requirements for Affordability | Legislation |
|-------------|-----------------------|--|--|---|
| San Diego | Yes | YIGBY, Catalyst of San Diego | 100% deed-restricted affordable housing for at least 55 years. 20% may be affordable for moderate incomes, and 5% can be used for institutional staff. | SB 4 (YIGBY) |
| Seattle | Yes | | The average income requirement is 80% of the area's median income | Council Bill 120081 ³⁷ : created a development bonus for affordable housing on religious organization land |
| Phoenix | No | Valley Interfaith Project | The allocation of a portion of use-by-right developments, with up to 50% designated for moderate-income households, 10% for the staff of the religious institution owning the land, and the remaining units (excluding those for property managers) for low-income households | Housing Bill 2815 - extensive requirements regarding affordability |
| San Antonio | Yes | Good Acres Project | None - no legislation | None |
| Atlanta | Yes | Enterprise Community Partners, in collaboration with the City of Atlanta | Faith-Based Development Initiative (FBDI) does not impose specific affordability requirements but requires each development to incorporate an affordability component. Enterprise's program recommends following HUD's Multifamily Tax Subsidy Income Limits as a guideline. For rental housing, 80% of AMI is suggested as the maximum allowable limit. ³⁸ | None |

³⁷<https://www.seattle.gov/opcd/ongoing-initiatives/affordable-housing-on-religious-organization-property#:~:text=In%202019%2C%20the%20Washington%20State,controlled%20by%20a%20religious%20organization.>

³⁸ https://www.investatlanta.com/assets/2023_all_limits-rents__P1ga7DV.pdf

City Policies and Case Studies:

Atlanta

Atlanta's efforts to develop affordable housing on land owned by faith-based institutions are promoted by Enterprise Community Partners' program and the city's Faith-Based Development Initiative technical assistance program. The former program primarily supports faith-based organizations at the beginning of their development journey, while the latter more aggressively aids in completing their plans.

Enterprise Community Partners has a program dedicated to pre-assessing properties to help faith-based organizations decide if development is right for them. The program includes a tool for assessing properties in the Faith-Based Development Guide. In the guide faith-based organizations complete a detailed questionnaire so Enterprise can return a customized lesson plan with necessary future steps.³⁹ Enterprise typically offers up to \$50,000 in grants to each house of worship, with \$10,000 dedicated to assessing the best type of housing for the community.⁴⁰

The city of Atlanta administers the technical assistance program under the Faith-Based Development Initiative. The program's primary goal is to support faith-based organizations with their development plans through workshops, networking, and funding. The program has hosted 24 workshops, all in houses of worship, to address the development process pitfalls, connect with developers, and promote housing diversity.⁴¹ The city's program recommends that faith-based organizations begin their journey by completing Enterprise's Faith-Based Development Guide to determine the best development plan for them. Then, faith-based organizations are eligible for funding up to \$25,000 from the city's \$500,000 pre-development grant program.⁴² This funding is meant to be stacked with financial support from Enterprise.

Why Atlanta?

Atlanta is highlighted as it provides a strong example of how non-profits and city-led programs run independently but support each other. This collaborative model demonstrates how each organization can complement efforts, leverage resources, and share funding.

³⁹ <https://fbdiguide.seinterminal.com/applications/57549d85-30cf-45d8-864a-9c82eb1fbcf3>

⁴⁰ <https://www.enterprisecommunity.org/community-highlights/equipping-11-houses-worship-faith-based-development-atlanta-and-south-florida>

⁴¹ <https://www.atlantaga.gov/government/departments/city-planning/housing/faith-based-development-initiative>

⁴² <https://www.atlantaga.gov/Home/Components/News/News/14862/1338#:~:text=The%20FBDI%20program%20was%20launched,more%20affordable%20housing%20across%20Atlanta.>

San Antonio

While San Antonio has no faith-based zoning legislation, the city has developed the ***Mission Oriented Development Program***, launched in 2020, to help faith-based institutions and non-profits access the resources they may need to develop their land. The director of Neighborhood and Housing Services in San Antonio described the program in an interview as being able to help connect mission-oriented institutions with architects, designers, consultants, and financing tools⁴³. The program aims to address the issue of the need for more technical expertise than most faith-based institutions have. If these institutions are provided technical assistance, they will be more open to developing housing. However, it is worth noting that the program's website clarifies that while the program will help connect mission-oriented organizations with financial tools, they do not provide funding directly. Additionally, the absence of specific legislation in San Antonio means there are no zoning exceptions for faith-based institutions outside areas where housing, including multi-family housing, is already permitted.



Why San Antonio?

San Antonio is highlighted because it provides a strong example of how a city can support faith-based zoning efforts without having legislation at the city or state level. Additionally, it shows an example of a city-run program that works effectively in collaboration with private partners to promote faith-based zoning efforts.

⁴³<https://www.ksat.com/news/local/2019/12/05/new-city-program-to-help-churches-nonprofits-seeking-to-develop-affordable-housing/>

Phoenix

Religious institutions and other community groups, such as the Valley Interfaith Project, have pushed for a state bill for faith-based zoning in the past few years. In early 2024, the proposed ***Housing Bill 2815, Yes in God's Backyard***, began going through the Arizona legislature. The program aims to work alongside other housing programs to solve the state's homelessness crisis. This proposed bill is gaining much support from policymakers and both political parties.



One significant aspect is the prohibition of local governments from requiring discretionary reviews for use-by-right developments. This provision speeds up development processes by bypassing certain zoning regulations that could delay projects. The policy also outlines density provisions for by-right developments, specifying the allowable number of units per acre and height limits for residential and non-residential buildings. It also restricts additional uses in single-family residential zones for use-by-right developments.⁴⁴ Another key feature is the allowance for commercial uses in developments outside single-family residential zones without a use or development permit. The policy allocates a portion of use-by-right developments, with up to 50% designated for moderate-income households, 10% for the staff of the religious institution owning the land, and the remaining units (excluding those for property managers) for low-income households. To ensure long-term affordability, religious institutions must record a deed restriction dedicating at least 40% of the development to low-income housing for 55 years.

Religious institutions can only utilize use-by-right development on land owned before 2023, excluding newly acquired properties⁴⁵. While yet to be approved, the faith-based zoning initiative has begun across Arizona, including a proposed development plan in Tempe that aims to build 65 more units on faith-based organizations' land. The comprehensive policy aims to expedite the development processes, promote affordability, and integrate housing with transportation infrastructure.

⁴⁴ <https://trackbill.com/bill/arizona-house-bill-2815-religious-institutions-use-by-right-development/2508110/>

⁴⁵ <https://trackbill.com/bill/arizona-house-bill-2815-religious-institutions-use-by-right-development/2508110/>

Grace Community Church is Arizona's first example of a faith-based zoning project to break ground. The project was created about a decade ago and contains 65 units of affordable housing on church land. The project is located in Tempe, just outside of Phoenix. It serves as a model for many congregations looking to develop affordable housing and participate in the faith-based organization housing initiative. Designed in partnership with Gorman and Company, a well-accredited affordable housing developer, the project has helped hundreds of residents in the last decade. The project was built on a two-acre

Church-owned thrift store and was replaced with 65 units of housing, a community center, and a job training center. To help convince Graces Church to participate in the project, Gorman and Co. promised to include a new thrift store inside the housing development.



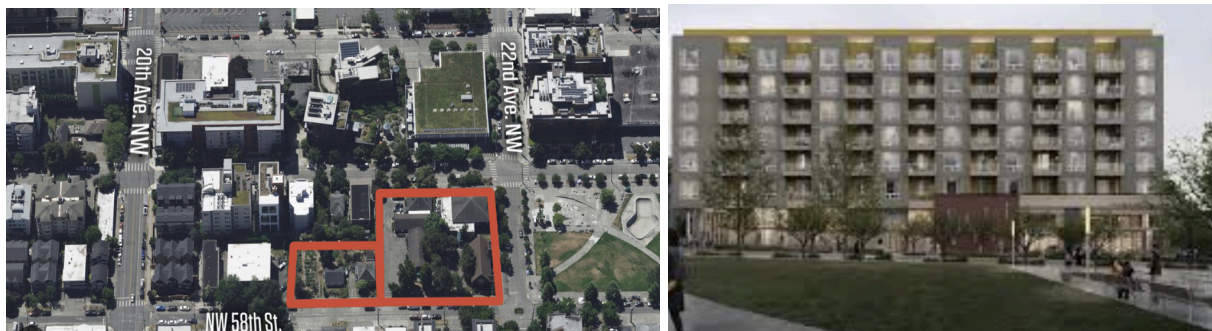
Why Phoenix?

As demonstrated by these projects and the authoring of the bill, Phoenix provides a strong example of how non-profits and faith-based organizations can contribute to housing in cities that lack legislation. Phoenix is proof that private organizations are key to the success of faith-based housing.

Seattle

Seattle's execution of *SHB 1377*⁴⁶ took the form of *Council Bill 120081*⁴⁷. This legislation created a development bonus for affordable housing on sites or properties owned by religious organizations. The bonus encouraged development as it allowed variances of greater density and higher buildings than the property originally zoned for. Specifically, it allowed for affordable projects on religious properties to rise one to six stories higher than the city's zoning rules.

*St. Luke's Episcopal Church*⁴⁸ is located in downtown Ballard. The church spans a full city block and occupies 55,000 square feet of land. The property also includes a large parking lot, a garden space, and a three-story building. The goal is to use this church land to build two eight-story buildings.



One of these buildings will become affordable housing for people making 30-60% of the area's median income. The other building will be mixed market rate and affordable workforce housing. In the mixed market-rate building, a space will be reserved for the congregation, ministries, and community members. This space will be used for church services on the weekends, but during the week, it will be used as affordable daycare for the building's residents. The land will continue to be owned by the church, with the developers leasing the land from the church for 99 years.

The planning of St. Luke's Episcopal has been a 10-year process, with construction breaking ground in April of 2024. The planning started before Washington State passed the Substitute Housing Bill in 2019. The eventual passing of this legislation allowed the church to work with Seattle to help them create and pass the density bonus, Council Bill 120081. Working with the city allowed the bill to be more effective for St. Luke's and all other affordable housing units built by other religious organizations.

⁴⁶<http://seattle.legistar.com/View.ashx?M=F&ID=9713737&GUID=19F3A26E-40D4-4619-8BC6-DB83BE8FEA74>

⁴⁷<https://www.seattle.gov/opcd/ongoing-initiatives/affordable-housing-on-religious-organization-property#:~:text=In%202019%2C%20the%20Washington%20State,controlled%20by%20a%20religious%20organization.>

⁴⁸https://www.kuow.org/stories/what-will-be-the-future-of-church-in-seattle?_gl=1*_aYls1b*_ga*MTc4ODMzNjEwNC4xNzEwOTEwNjU0*_ga_QX524G1WV7*MTcxMDkxMDY1NC4xLjEuMTcxMDkxMDY3MS4wLjAuMjA2MTY1MjY1OQ..

Why Seattle?

Seattle is a strong example of a state with faith-based zoning legislation that provides as-of-right zoning exceptions for faith-based institutions to build affordable housing. It is a good model for Massachusetts because it outlines how to successfully plan, develop, and build affordable housing on religious property.

Summary

Several similarities emerge across each city's initiatives. Firstly, collaborative efforts are essential for each program, with partnerships between local governments, non-profit organizations, developers, and faith-based institutions to provide technical assistance, funding support, and expertise necessary for successful development projects. Secondly, a focus on community engagement is present, with initiatives aiming to involve stakeholders from diverse backgrounds in the planning and implementation processes. Lastly, each program emphasizes long-term affordability, whether through legislation or incentives.

A significant difference between city programs is the mechanisms employed to facilitate affordable housing development. While Seattle and Phoenix have enacted legislative changes to streamline zoning regulations and offer development bonuses, Atlanta and San Antonio rely primarily on collaborative programs and technical assistance. The level of governmental involvement varies, with some cities providing direct financial incentives while others prioritize community-led initiatives and partnerships.

Exhibit 8: Features of Faith-Based Organizations Housing Initiatives in U.S. Cities

| | Feature | | | | | | | | |
|-------------|----------------------|----------|----|---------------------------------|----|-----------------|------|------------------------|------|
| | Legislation present? | | | Has affordability restrictions? | | Funding Origins | | Program implemented by | |
| City | Adopted | Proposed | No | Yes | No | Non-Profits | City | Non-Profits | City |
| Seattle | ✓ | | | ✓ | | | ✓ | | ✓ |
| Phoenix | | ✓ | | ✓ | | | ✓ | ✓ | |
| San Antonio | | | ✓ | | ✓ | ✓ | | | ✓ |
| Atlanta | | | ✓ | | ✓ | ✓ | ✓ | ✓ | ✓ |

Part V: Recommendations

Massachusetts can **create 51,435 to 85,714 affordable housing units using land owned by faith-based organizations**. To pursue this opportunity, it will take an intentional programmatic focus, which, following the California example, can be catalyzed by the development of an intentional advocacy and support organization. We recommend the creation and development of a dedicated program focused on the implementation of Housing on Faith-Based property: YIGBY MASS.

YIGBY MASS could advance faith based development by:

- Creating a strong foundation of support for faith-based zoning laws in Massachusetts. (Short -Term)
- Supporting and Communicating success stories to demonstrate the blueprint for legislation and programmatic support for faith-based housing development. (Medium Term)
- Support a law that liberalizes faith-based zoning laws and implements scalable incentives to promote using faith-based property for new housing. (Longer Term)

Short Term: Laying the Foundation of Faith-Based Housing Development in Massachusetts

- Develop an anchor institution that supports and advances housing development for faith-based organizations. (YIGBY MASS)
 - Develop partnerships with faith-based organizations early, specifically ones already interested or working on housing developments.
 - Develop faith-specific outreach that supports strategies tailored to each religious institution – and reach out to other religious non-profits.
 - Provide technical assistance to religious institutions for pre-development planning.
- Fund research on the need for faith-based zoning in Massachusetts and identify how much land is available to develop on properties owned by faith-based organizations
- Perform direct outreach to 50-100 eligible organizations to gauge interest and inform them about faith-based zoning.

Medium Term: Develop and steward proof of concept

- Financially support an initial outreach effort in order to inform churches about potential benefits and success stories for other churches
- Organize information sessions for congregation and community members to improve their cooperation and support throughout the process
- Provide low-interest loans or grants for churches to cover construction costs

- Implement community-organized and non-profit consultants to educate landowners on potential property uses

Long Term: Develop law that empowers faith-based organizations to support housing production

- Support lobbying for initiatives
- Identify suitable politicians, non-governmental organizations, and key stakeholders in Massachusetts that can help to get the YIGBY law passed, as well as potential opposition
- Continue research for legislation and policy recommendations in other states and cities, and explore historical issues of zoning in Massachusetts

Appendices

Appendix A: Search Terms and Data Sources

| |
|---|
| Round 1 – Key Terms that Must be Contained in the Owner Name |
| '% CHURCH %', '% CHURCH', '% DIOCESE', '% SYNAGOGUE', '% TEMPLE %', '% BAPTIST %', '% CHRIST %', '% CATHOLIC %', '% GOD %', '% PARISH %', '% LDS %', '% LUTHERAN %', '% ASSEMBLY %', '% METHODIST %', '% CONGREGATION %', '% BIBLE %', '% PENTECOSTAL %', '% SAINTS. %', '% CONGREGATION %', '% ORTHODOX %', '% APOSTOLIC %', '% MINISTRIES %', '% EVANGELICAL %', '% MISSIONARY %', '% SAINT %', '% EPISCOPAL %', '% DIOCESE %', '% HOLY TRINITY %', '% LATTER-DAY %', '% HOLY %', '% NAZARENE %', '% LADY OF %', '% CALVARY %', '% PRESBYTERIAN %', '% GOSPEL %', '% TEMPLE %', '% JEHOVAHS %', '% ISLAMIC %', '% SISTERS OF %', '% MOSQUE %', '% MASJID %', '% SYNAGOGUE %', '% HILLEL %', '% CHABAD %', '% SHALOM %', '% SHRINE %', '% BUDDHIST %', '% HINDU %', '% SATANIC %', '% CHRISTIAN SCIENCE %', '% AME %', '% ISLAM %', '% KRISHNA %', '% CH- %' |
| Round 1 – Key Terms that Must NOT be Contained in the Owner Name |
| '% UNIVERSITY OF %', '% COLLEGE OF %', '% MASONIC %' |
| Round 2 – If Owner Name contains ‘%&%’ – remove from parcel list if these key terms are NOT in the owner name |
| '%CHURCH%', '%DIOCESE%', '%CONGREGATION%', '%CATHOLIC%', '%PENTACOSTAL%', '%MINISTRIES%', '%BAPTIST%', '%METHODIST%', '%LUTHERAN%', '%UNITARIAN%', '%EPISCOPAL%', '%SISTERS OF%', '%Church%', '%ORTHODOX%', '% CHU %', '% CHU', '%CHU %', '% BIBLE & %' |

| Administrative Boundaries in Parcel Dataset | |
|--|---|
| Name | Source |
| Qualified Census Tracts (for the Low-Income Housing Tax Credit Program for 2024) | HUD GIS Data |
| Difficult Development Areas | HUD GIS Data |
| City of Boston Boundary | Boston Open Data Portal |
| Justice40 Initiative (disadvantaged census tracts) | Esri Demographics |
| MBTA Communities | Mass.gov MBTA Communities list joined to MassGIS Municipalities layer |
| Census Designated Urban Area | Census Bureau |
| Federal Qualified Opportunity Zone | Regrid, HUD Opportunity Zones |
| FEMA Flood Zone Subtype | Regrid, FEMA Flood Hazard Layer |
| Building Area Calculations | |
| Name | Source |
| Parcel square feet (psf) | Regrid |
| Building square feet (bsf) | Regrid |
| % Reduction (r) | Based on whether a parcel is in or outside of Boston city limits. Inside: 0.10 Outside: 0.20 |
| Calculated Buildable Area | $(psf - bsf) - ((psf - bsf)r)$ |

Appendix B: Questionnaire

Yes in God's Backyard - Survey

Can you confirm that this property is used by a faith-based organization?*

☒ Yes

☐ No

☐ Indeterminate

Does there appear to be developable space or buildings on this parcel?*

☒ Yes

☐ No

☐ Indeterminate

Does the site have buildings other than a building used for worship?*

☒ Yes

☐ No

☐ Indeterminate

Notes

Add any notes or comments here

Open spade to sides and behind

Reviewed*

Have you finished reviewing this parcel?

☒ Yes

☐ No

☐ In Progress

Submit

Appendix C: Affordable Housing on Faith & Higher Education Lands Act

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 65913.16 is added to the Government Code, to read:

65913.16. (a) This section shall be known, and may be cited, as the Affordable Housing on Faith and Higher Education Lands Act of 2023.

(b) For purposes of this section:

(1) “Applicant” means a qualified developer who submits an application for streamlined approval pursuant to this section.

(2) “Development proponent” means a developer that submits a housing development project application to a local government under the streamlined, ministerial review process pursuant to this chapter.

(3) “Health care expenditures” include contributions pursuant to Section 501(c) or (d) or 401(a) of the Internal Revenue Code and payments toward “medical care” as defined in Section 213(d)(1) of the Internal Revenue Code.

(4) “Heavy industrial use” means a use that is a source, other than a Title V source, as defined by Section 39053.5 of the Health and Safety Code, that is subject to permitting by a district, as defined in Section 39025 of the Health and Safety Code, pursuant to Division 26 (commencing with Section 39000) of the Health and Safety Code or the federal Clean Air Act (42 U.S.C. Sec. 7401 et seq.). A use where the only source permitted by a district is an emergency backup generator, and the source is in compliance with permitted emissions and operating limits, is not a heavy industrial use.

(5) “Housing development project” has the same meaning as defined in Section 65589.5.

(6) “Independent institution of higher education” has the same meaning as defined in Section 66010 of the Education Code.

(7) “Light industrial use” means a use that is not subject to permitting by a district, as defined in Section 39025 of the Health and Safety Code.

(8) “Local government” means a city, including a charter city, county, including a charter county, or city and county, including a charter city and county.

(9) “Qualified developer” means any of the following:

(A) A local public entity, as defined in Section 50079 of the Health and Safety Code.

(B) (i) A developer that is a nonprofit corporation, a limited partnership in which a managing general partner is a nonprofit corporation, or a limited liability company in which a managing member is a nonprofit corporation.

(ii) The developer, at the time of submission of an application for development pursuant to this section, owns property or manages housing units located on property that is exempt from taxation pursuant to the welfare exemption established in subdivision (a) of Section 214 of the Revenue and Taxation Code.

(C) A developer that contracts with a nonprofit corporation that has received a welfare exemption under Section 214.15 of the Revenue and Taxation Code for properties intended to be sold to low-income families with financing in the form of zero interest rate loans.

(D) A developer that the religious institution or independent institution of education, as defined in this section, has contracted with before to construct housing or other improvements to real property.

(10) “Religious institution” means an institution owned, controlled, and operated and maintained by a bona fide church, religious denomination, or religious organization composed of multid denominational members of the same well-recognized religion, lawfully operating as a nonprofit religious corporation pursuant to Part 4 (commencing with Section 9110), or as a corporation sole pursuant to Part 6 (commencing with Section 10000), of Division 2 of Title 1 of the Corporations Code.

(11) “Title V industrial use” means a use that is a Title V source, as defined in Section 39053.5 of the Health and Safety Code.

(12) “Use by right” means a development project that satisfies both of the following conditions:

(A) The development project does not require a conditional use permit, planned unit development permit, or other discretionary local government review.

(B) The development project is not a “project” for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code.

(c) Notwithstanding any inconsistent provision of a local government’s general plan, specific plan, zoning ordinance, or regulation, upon the request of an applicant, a housing development project shall be a use by right, if all of the following criteria are satisfied:

(1) The development is located on land owned on or before January 1, 2024, by an independent institution of higher education or a religious institution, including ownership through an affiliated or associated nonprofit public benefit corporation organized pursuant to the Nonprofit Corporation Law (Part 2 (commencing with Section 5110) of Division 2 of Title 1 of the Corporations Code).

(2) The development is located on a parcel that satisfies the requirements specified in subparagraphs (A) and (B) of paragraph (2) of subdivision (a) of Section 65913.4.

(3) The development is located on a parcel that satisfies the requirements specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4.

(4) The development is located on a parcel that satisfies the requirements specified in paragraph (7) of subdivision (a) of Section 65913.4.

(5) (A) The development is not adjoined to any site where more than one-third of the square footage on the site is dedicated to light industrial use. For purposes of this subdivision, parcels separated by only a street or highway shall be considered to be adjoined.

(B) For purposes of subparagraph (A), a property is “dedicated to light industrial use” if all of the following requirements are met:

(i) The square footage is currently being put to a light industrial use.

(ii) The most recently permitted use of the square footage is a light industrial use.

(iii) The latest version of the local government’s general plan, adopted before January 1, 2022, designates the property for light industrial use.

(6) The housing units on the development site are not located within 1,200 feet of a site that is either of the following:

(A) A site that is currently a heavy industrial use.

(B) A site where the most recent permitted use was a heavy industrial use.

(7) Except as provided in paragraph (8), the housing units on the development site are not located within 1,600 feet of a site that is either of the following:

(A) A site that is currently a Title V industrial use.

(B) A site where the most recent permitted use was a Title V industrial use.

(8) For a site where multifamily housing is not an existing permitted use, the housing units on the development site are not located within 3,200 feet of a facility that actively extracts or refines oil or natural gas.

(9) One hundred percent of the development project’s total units, exclusive of a manager’s unit or units, are for lower income households, as defined by Section 50079.5 of the Health and Safety Code, except that up to 20 percent of the total units in the development may be for moderate-income households, as defined in Section 50053 of the Health and Safety Code, and 5 percent of the units may be for staff of the independent institution of higher education or religious institution that owns the land. Units in the development shall be offered at affordable housing cost, as defined in Section 50052.5 of the Health and Safety Code, or at affordable rent, as set in an amount consistent with the rent limits established by the California Tax Credit Allocation Committee. The rent or sales price for a moderate-income unit shall be affordable and shall not exceed 30 percent of income for a moderate-income household or homebuyer for a unit of similar size and bedroom count in the same ZIP Code in the city, county, or city and county in which the housing development is located. The applicant shall provide the city, county, or city and county with evidence to establish that the units meet the requirements of this

paragraph. All units, exclusive of any manager unit or units, shall be subject to a recorded deed restriction as provided in this paragraph for at least the following periods of time:

(A) Fifty-five years for units that are rented unless a local ordinance or the terms of a federal, state, or local grant, tax credit, or other project financing requires, as a condition of the development of residential units, that the development include a certain percentage of units that are affordable to, and occupied by, low-income, lower income, very low income, or extremely low income households for a term that exceeds 55 years for rental housing units.

(B) Forty-five years for units that are owner-occupied or the first purchaser of each unit participates in an equity sharing agreement as described in subparagraph (C) of paragraph (2) of subdivision (c) of Section 65915.

(10) The development project complies with all objective development standards of the city or county that are not in conflict with this section.

(11) If the housing development project requires the demolition of existing residential dwelling units, or is located on a site where residential dwelling units have been demolished within the last five years, the applicant shall comply with subdivision (d) of Section 66300.

(12) The applicant certifies to the local government that either of the following is true for the housing development project, as applicable:

(A) The entirety of the development project is a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

(B) A development that contains more than 10 units and is not in its entirety a public work for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code and approved by a local government pursuant to Article 2 (commencing with Section 65912.110) of, or Article 3 (commencing with Section 65912.120) of, Chapter 4.1 shall be subject to all of the following:

(i) All construction workers employed in the execution of the development shall be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs provided by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.

(ii) The development proponent shall ensure that the prevailing wage requirement is included in all contracts for the performance of the work for those portions of the development that are not a public work.

(iii) All contractors and subcontractors for those portions of the development that are not a public work shall comply with both of the following:

(I) Pay to all construction workers employed in the execution of the work at least the general prevailing rate of per diem wages, except that apprentices registered in the programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate.

(II) Maintain and verify payroll records pursuant to Section 1776 of the Labor Code and make those records available for inspection and copying as provided in that section. This subclause does not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure. For purposes of this subclause, “project labor agreement” has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

(13) (A) The development proponent completes a Phase I environmental assessment, as defined in Section 25319.1 of the Health and Safety Code, and a Phase II environmental assessment, as defined in subdivision (o) of Section 25403 of the Health and Safety Code, if warranted.

(B) If a recognized environmental condition is found, the development proponent shall undertake a preliminary endangerment assessment, as defined in Section 25319.5 of the Health and Safety Code, prepared by an environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity.

(i) If a release of hazardous substance is found to exist on the site, the release shall be removed, or any significant effect of the release shall be mitigated to a level of insignificance in compliance with state and federal requirements.

(ii) If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with current state and federal requirements.

(14) If the development is within 500 feet of a freeway, regularly occupied areas of the building shall provide air filtration media for outside and return air that provide a minimum efficiency reporting value (MERV) of 13.

(15) For a vacant site, the site does not contain tribal cultural resources, as defined in Section 21074 of the Public Resources Code, that could be affected by the development that were found pursuant to a consultation as described in Section 21080.3.1 of the Public Resources Code, and the effects of which cannot be mitigated pursuant to the process described in Section 21080.3.2 of the Public Resources Code.

(d) (1) The obligation of the contractors and subcontractors to pay prevailing wages pursuant to this section may be enforced by any of the following:

(A) The Labor Commissioner, through the issuance of a civil wage and penalty assessment pursuant to Section 1741 of the Labor Code, that may be reviewed pursuant to Section 1742 of the Labor Code, within 18 months after the completion of the development.

(B) An underpaid worker through an administrative complaint or civil action.

(C) A joint labor-management committee through a civil action pursuant to Section 1771.2 of the Labor Code.

(2) If a civil wage and penalty assessment is issued pursuant to this section, the contractor, subcontractor, and surety on a bond or bonds issued to secure the payment of wages covered by the assessment shall be liable for liquidated damages pursuant to Section 1742.1 of the Labor Code.

(3) This subdivision does not apply if all contractors and subcontractors performing work on the development are subject to a project labor agreement that requires the payment of prevailing wages to all construction workers employed in the execution of the development and provides for enforcement of that obligation through an arbitration procedure. For purposes of this subdivision, “project labor agreement” has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

(e) Notwithstanding subdivision (c) of Section 1773.1 of the Labor Code, the requirement that employer payments not reduce the obligation to pay the hourly straight time or overtime wages found to be prevailing does not apply to those portions of a development that are not a public work if otherwise provided in a bona fide collective bargaining agreement covering the worker.

(f) The requirement of this section to pay at least the general prevailing rate of per diem wages does not preclude use of an alternative workweek schedule adopted pursuant to Section 511 or 514 of the Labor Code.

(g) In addition to the requirements of Section 65912.130, a development of 50 or more housing units approved by a local government pursuant to Article 2 (commencing with Section 65912.110) of, or Article 3 (commencing with Section 65912.120) of, Chapter 4.1 shall meet all of the following labor standards:

(1) The development proponent shall require in contracts with construction contractors and shall certify to the local government that each contractor of any tier who will employ construction craft employees or will let subcontracts for at least 1,000 hours shall satisfy the requirements in paragraphs (2) and (3). A construction contractor is deemed in compliance with paragraphs (2) and (3) if it is signatory to a valid collective bargaining agreement that requires use of registered apprentices and expenditures on health care for employees and dependents.

(2) A contractor with construction craft employees shall either participate in an apprenticeship program approved by the Division of Apprenticeship Standards pursuant to Section 3075 of the Labor Code, or request the dispatch of apprentices from a state-approved apprenticeship program under the terms and conditions set forth in Section 1777.5 of the Labor Code. A contractor without construction craft employees shall show a contractual obligation that its subcontractors comply with this subdivision.

(3) Each contractor with construction craft employees shall make health care expenditures for each employee in an amount per hour worked on the development equivalent to at least the hourly pro rata cost of a Covered California Platinum-level plan for two adults 40 years of age and two dependents 0 to 14 years of age for the Covered California rating area in which the development is located. A contractor without construction craft employees shall show a contractual obligation that its subcontractors comply with this paragraph. Qualifying expenditures shall be credited toward compliance with prevailing wage payment requirements set forth in Section 65912.130.

(4) (A) The development proponent shall provide to the local government, on a monthly basis while its construction contracts on the development are being performed, a report demonstrating compliance with paragraphs (2) and (3). The report shall be considered public records under the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1), and shall be open to public inspection.

(B) A development proponent that fails to provide the monthly report shall be subject to a civil penalty for each month for which the report has not been provided, in the amount of 10 percent of the dollar value of construction work performed by that contractor on the development in the month in question, up to a maximum of ten thousand dollars (\$10,000). Any contractor or subcontractor that fails to comply with paragraph (2) or (3) shall be subject to a civil penalty of two hundred dollars (\$200) per day for each worker employed in contravention of paragraph (2) or (3).

(C) Penalties may be assessed by the Labor Commissioner within 18 months of completion of the development using the procedures for issuance of civil wage and penalty assessments specified in Section 1741 of the Labor Code, and may be reviewed pursuant to Section 1742 of the Labor Code. Penalties shall be deposited in the State Public Works Enforcement Fund established pursuant to Section 1771.3 of the Labor Code.

(5) Each construction contractor shall maintain and verify payroll records pursuant to Section 1776 of the Labor Code. Each construction contractor shall submit payroll records directly to the Labor Commissioner at least monthly in a format prescribed by the Labor Commissioner in accordance with subparagraph (A) of paragraph (3) of subdivision (a) of Section 1771.4 of the Labor Code. The records shall include a statement of fringe benefits. Upon request by a joint labor-management cooperation committee established pursuant to the federal Labor Management Cooperation Act of 1978 (29 U.S.C. Sec. 175a), the records shall be provided pursuant to subdivision (e) of Section 1776 of the Labor Code.

(6) All construction contractors shall report any change in apprenticeship program participation or health care expenditures to the local government within 10 business days, and shall reflect those changes on the monthly report. The reports shall be considered public records pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000 of Title 1)) and shall be open to public inspection.

(7) A joint labor-management cooperation committee established pursuant to the federal Labor Management Cooperation Act of 1978 (29 U.S.C. Sec. 175a) shall have standing to sue a construction contractor for failure to make health care expenditures pursuant to paragraph (3) in accordance with Section 218.7 or 218.8 of the Labor Code.

(h) Notwithstanding any other provision of this section, a development project that is eligible for approval as a use by right pursuant to this section may include the following ancillary uses, provided that those uses are limited to the ground floor of the development:

(1) In a single-family residential zone, ancillary uses shall be limited to childcare centers and facilities operated by community-based organizations for the provision of recreational, social, or educational services for use by the residents of the development and members of the local community in which the development is located.

(2) In all other zones, the development may include commercial uses that are permitted without a conditional use permit or planned unit development permit.

(i) Notwithstanding any other provision of this section, a development project that is eligible for approval as a use by right pursuant to this section includes any religious institutional use, or any use that was previously existing and legally permitted by the city or county on the site, if all of the following criteria are met:

(1) The total square footage of nonresidential space on the site does not exceed the amount previously existing or permitted in a conditional use permit.

(2) The total parking requirement for nonresidential space on the site does not exceed the lesser of the amount existing or of the amount required by a conditional use permit.

(3) The new uses abide by the same operational conditions as contained in the previous conditional use permit.

(j) A housing development project that qualifies as a use by right pursuant to subdivision (b) shall be allowed the following density, as applicable:

(1) (A) If the development project is located in a zone that allows residential uses, including in single-family residential zones, the development project shall be allowed a density of the applicable density deemed appropriate to accommodate housing for lower income households identified in subparagraph (B) of paragraph (3) of subdivision (c) of Section 65583.2 and a height of one story above the maximum height otherwise applicable to the parcel.

(B) If the local government allows for greater residential density on that parcel, or greater residential density or building heights on an adjoining parcel, than permitted in subparagraph (A), the greater density or building height shall apply.

(C) A housing development project that is located in a zone that allows residential uses, including in single-family residential zones, shall be eligible for a density bonus, incentives, or concessions, or waivers or reductions of development standards and parking ratios, pursuant to Section 65915.

(2) (A) If the development project is located in a zone that does not allow residential uses, the development project shall be allowed a density of 40 units per acre and a height of one story above the maximum height otherwise applicable to the parcel.

(B) If the local government allows for greater residential density or building heights on that parcel, or an adjoining parcel, than permitted in subparagraph (A), the greater density or building height shall apply. A development project shall not use an incentive, waiver, or concession to increase the height of the development to greater than the height authorized under this subparagraph.

(C) Except as provided in subparagraph (B), a housing development project that is located in a zone that does not allow residential uses shall be eligible for a density bonus, incentives, or concessions, or waivers or reductions of development standards and parking ratios, pursuant to Section 65915.

(k) (1) Except as provided in paragraph (2), the proposed development shall provide off-street parking of up to one space per unit, unless a state law or local ordinance provides for a lower standard of parking, in which case the law or ordinance shall apply.

(2) A local government shall not impose a parking requirement if either of the following is true:

(A) The parcel is located within one-half mile walking distance of public transit, either a high-quality transit corridor or a major transit stop as defined in subdivision (b) of Section 21155 of the Public Resources Code.

(B) There is a car share vehicle located within one block of the parcel.

(l) (1) If the local government determines that the proposed development is in conflict with any of the objective planning standards specified in this section, it shall provide the development proponent written documentation of which standard or standards the development conflicts with, and an explanation for the reason or reasons the development conflicts with that standard or standards, within the following timeframes:

(A) Within 60 days of submittal of the development proposal to the local government if the development contains 150 or fewer housing units.

(B) Within 90 days of submittal of the development proposal to the local government if the development contains more than 150 housing units.

(2) If the local government fails to provide the required documentation pursuant to paragraph (1), the development shall be deemed to satisfy the required objective planning standards.

(3) For purposes of this section, a development is consistent with the objective planning standards if there is substantial evidence that would allow a reasonable person to conclude that the development is consistent with the objective planning standards.

(4) The determination of whether a proposed project submitted pursuant to this section is or is not in conflict with the objective planning standards is not a “project” as defined in Section 21065 of the Public Resources Code.

(5) Design review of the development may be conducted by the local government’s planning commission or any equivalent board or commission responsible for review and approval of development projects, or the city council or board of supervisors, as appropriate. That design review

shall be objective and be strictly focused on assessing compliance with criteria required for streamlined, ministerial review of projects, as well as any reasonable objective design standards published and adopted by ordinance or resolution by a local jurisdiction before submittal of the development to the local government, and shall be broadly applicable to developments within the jurisdiction. That design review shall be completed as follows and shall not in any way inhibit, chill, or preclude the ministerial approval provided by this section or its effect, as applicable:

(A) Within 90 days of submittal of the development proposal to the local government pursuant to this section if the development contains 150 or fewer housing units.

(B) Within 180 days of submittal of the development proposal to the local government pursuant to this section if the development contains more than 150 housing units.

(6) The local government shall ensure that the project satisfies the requirements specified in subdivision (d) of Section 66300, regardless of whether the development is within or not within an affected city or within or not within an affected county.

(7) If the development is consistent with all objective subdivision standards in the local subdivision ordinance, an application for a subdivision pursuant to the Subdivision Map Act (Division 2 (commencing with Section 66410)) shall be exempt from the requirements of the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(8) A local government's approval of a development pursuant to this section shall, notwithstanding any other law, be subject to the expiration timeframes specified in subdivision (f) of Section 65913.4.

(9) Any proposed modifications to a development project approved pursuant to this section shall be undertaken pursuant to subdivision (g) of Section 65913.4.

(10) A local government shall not adopt or impose any requirement, including, but not limited to, increased fees or inclusionary housing requirements, that applies to a project solely or partially on the basis that the project is eligible to receive streamlined, ministerial review pursuant to this section.

(11) A local government shall issue a subsequent permit required for a development approved under this section pursuant to paragraph (2) of subdivision (h) of Section 65913.4.

(12) A public improvement that is necessary to implement a development that is approved pursuant to this section shall be undertaken pursuant to paragraph (3) of subdivision (h) of Section 65913.4.

(m) This section shall not prevent a development from also qualifying as a housing development project entitled to the protections of Section 65589.5.

(n) The Legislature finds and declares that ensuring residential development at greater density on land owned by independent institutions of higher education and religious institutions is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this section applies to all cities, including charter cities.

(o) The provisions of paragraph (3) of subdivision (g) concerning health care expenditures are distinct and severable from the remaining provisions of this section. However, all other provisions of subdivision (g) are material and integral parts of this section and are not severable. If any provision of subdivision (g), exclusive of those included in paragraph (3), is held invalid, the entire section shall be invalid and shall not be given effect.

(p) This section shall remain in effect only until January 1, 2036, and as of that date is repealed.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

Appendix D: Supporting Organizations Expanded

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| Faith-Based and Religious Organizations (42) | <p>San Pedro United Methodist Church, Episcopal Diocese of Los Angeles, St. Mark's Episcopal Church, Jewish Long Beach, Jewish Center for Justice, Federation of Zoroastrian Associations of North America (FEZANA), Congregational Church of Belmont, Island United Community Church, Foster City, St. Francis Center of Redwood City, Congregation Beth Am, Woodside Road United Methodist Church, First Congregational Church of San Jose, St. James AME Zion, Bay District, California-Nevada Annual Conference of the United Methodist Church, Progressive Zionists of California, Jewish Federation of the Greater San Gabriel and Pomona Valley, Jewish Federation of the Sacramento Region, First Congregational Church of Berkeley, United Church of Christ, Claremont United Church of Christ, Coastside Jewish Community, Unitarian Universalist Fellowship of Redwood City, Unitarian Universalists of San Mateo, Congregational Church of San Mateo, First Congregational Church of Palo Alto, United Church of Christ, Peninsula Sinai Congregation, Leo Baeck Temple, California Catholic Conference, Multi-Faith Action Coalition, Catholic Charities San Francisco, Marin, San Mateo Counties, Faith in Action Bay Area, Faith in Action East Bay, Faith in the Valley, Lutheran Office of Public Policy – California, Bishop of the Episcopal Diocese of Los Angeles, Episcopal Impact Fund, Park Hill United Methodist Church, Burlingame United Methodist Church, Trinity Baptist Church of San Mateo, Messiah Lutheran Church, Redwood City, Sierra Foothills Unitarian Universalists, Inland Congregations United for Change, Lafayette Orinda Presbyterian Church, Parkside Community Church, Justice & Witness Ministry of Plymouth United Methodist Church of Christ, Presbyterian Church, Hillsdale United Methodist Church, Congregation Beth Jacob, Park Hill United Methodist Church, Mission Bay Community Church</p> |
| Nonprofit Housing Developers and Advocacy Groups (42) | <p>Housing Action Coalition, Many Mansions, Habitat for Humanity California, Abundant Housing Los Angeles, Peninsula Solidarity Cohort, Making Housing and Community Happens, East Bay Housing Organizations, PLACE Initiative, MidPen Housing Corporation, Firm Foundation Community Housing, Venice Community Housing Corporation, Jewish Family & Community Services East Bay, San Mateo County Economic Development Association (SAMCEDA), Destination: Home, Novin Development, The People Concern, Faith and Community Empowerment, San Gabriel Valley Consortium on Homelessness, Housing Opportunities Made Easier, LA Voice, California Housing Consortium, Generation Housing, PATH (People Assisting the Homeless), Los Angeles Family Housing, Santa Monica Forward, Merritt Community Capital Corporation, Union Station Homeless Services, Jewish Free Loan Association, Resources for Community Development, Eden United Church of Christ, California Home Builders Alliance, Downtown Women's Center, Community Corporation of Santa Monica, Linc Housing, Los Angeles Business Council, Mission Housing Development Corporation, Door of Hope, Wakeland Housing and Development Corporation, Our Future Los Angeles, Father Joe's Villages, The John Stewart Company, Enterprise Community Partners, Inc.</p> |
| Educational Institutions (1) | <p>Institute of the Sisters of Mercy of the Americas</p> |
| Labor Unions and Worker Associations (39) | <p>SEIU California, California School Employees Association, California State Council of Laborers, International Union of Operating Engineers, Cal-Nevada Conference, California Building Industry Association (CBIA), Climate Resolve, Council of Infill Builders, Carpenters Local 213, Carpenters Local 323, Carpenters Local 661, Carpenters Local 721, Carpenters Local 951, Carpenters Local 1607, Carpenters Local 152, Carpenters Local 714, Carpenters Local 619, Carpenters Local 562, Carpenters Local 805, Carpenters Local 405, Carpenters Local 217, Carpenters Local 35, Carpenters Local 46, Carpenters Local 701, Carpenters Local 1109, Carpenters Local 751, Carpenters Local 1599, Carpenters Local 1789, Carpenters Local 505, Carpenters Local 605, Carpenters Local 713, Carpenters Local 180, Carpenters Local 22, Millwrights Local 102, Industrial Carpenters Union Local 223, Pile Drivers Local 34, Drywall Lathers Local Union 9144, Drywall Lathers Union Local 9109, Drywall Lathers Union Local 9068, Drywall Lathers Union Local</p> |
| Public Sector (9) | <p>City of Emeryville, City of Berkeley, City and County of San Francisco, San Francisco Mayor London Breed, City of Los Angeles, City of Gilroy Councilmember Zach Hilton, City of Santa Clarita, City of Half Moon Bay, City of Santa Monica</p> |
| Community and Economic Development Organizations (86) | <p>Los Angeles Area Chamber of Commerce, Move LA, Greenbelt Alliance, BEST Techs Contracting, Con-Com-T, Inc., Passive House California, Sustainable Claremont, All-Electric California, East Bay Asian Local Development Corporation, East Bay Alliance for a Sustainable Economy, Valley Industry and Commerce Association (VICA), San Francisco Foundation, ET TA, Westside Coalition, Jewish Democratic Club of Silicon Valley, YIMBY Action, Grow the Richmond, Mountain View YIMBY, Napa-Solano for Everyone, Northern Neighbor, East Bay for Everyone, Peninsula for Everyone, Progress Noe Valley, San Francisco YIMBY, Santa Cruz YIMBY, Santa Rosa YIMBY, SLOCo YIMBY, South Bay YIMBY, South Side Forward, Eastside Housing for All, Urban Environmentalists, People for Housing Orange County, How to ADU, Community Coalition, Silicon Valley Community, Foundation, Community Economics, Inc., Long Beach Gray Panthers, Mercy Housing, Bay Area Community Health Advisory Council, Jewish Community Relations Council of the Sacramento Region, Los Angeles Forward, St. Joseph Center, Local Initiative Support Corporation Bay Area, Napa Valley Unitarian, Universalists Social Justice Committee, Walnut Creek, Friends Committee on Legislation of California, Govern for California, NoHo Home Alliance, Cupertino for All, 21st Century Alliance, California Apartment Association, PACT: People Acting in Community Together, Inc., Faith in the Valley, Hope Solutions, Presbytery of San Gabriel, Castro Valley Democratic Club, SV@Home Action Fund, Jewish Family Service of Los Angeles, YIMBY Democrats of San Diego County, Peninsula Temple Shalom, Peninsula Temple Beth El, Sycamores, Interfaith Solidarity Network, End Poverty in California (EPIC), Inland Congregations United for Change, True North, People Acting in Community Together (PACT), Santa Clara, Sacramento ACT, Santa Monica Democratic Club, San Diego Organizing Project, Culver City Democratic Club, Los Angeles Homeless Services Authority, The Unity Council, California Housing Partnership, California Association of Local Housing Finance Agencies, Wall and Ceiling Alliance (WACA), Painters and Allied Trades, District County 36, International Union of Painters and Allied Trades, District Council 16, Construction Employers' Association</p> |

Appendix E: Summary of Politicians Expanded

| Politician, Party, and Role in the Bill ⁴⁹ | Housing Development Authored Bills ^{50 51} | Representing an Urban or Rural Area ^{52 53 54 55 56} | Related Committee Membership and Religious Affiliation ⁵⁷ |
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| Senator Scott Wiener (D), Author, Primary Sponsor | Bills on housing fees, streamlining housing and permitting, urban revitalization, and nonprofit and FBO property. Bills include: SB937, SB951, SB1227, SB 4 , SB423, SB593, SB234, SB478, SB889 | Urban San Francisco, San Mateo | Housing Committee- Chair |
| Assemblymember Tina McKinnor (D), Joint | Bills on housing and homelessness. Bills include: AB1388, AJR9 | Urban Los Angeles | Select Committee on Los Angeles County Homelessness - Member Select Committee on Racism, Hate, and Xenophobia - Member Select Committee on the Status of Boys and Men of Color - Member |
| Assemblymember Buffy Wicks (D), Joint | Bills on homelessness and related funding. Bills include: AB1285, AB1319, | Urban Alameda, Contra Costa | Select Committee on Downtown Recovery - Member Select Committee on Permitting Reform - Chair Select Committee on Social |

⁴⁹ <https://legiscan.com/CA/sponsors/SB4/2023>

⁵⁰ <https://www.senate.ca.gov/senators>

⁵¹ <https://www.assembly.ca.gov/assemblymembers>

⁵² <https://www.senate.ca.gov/senators>

⁵³ <https://www.someka.net/blog/california-county-map/>

⁵⁴

https://www.senate.ca.gov/sites/senate.ca.gov/files/publications/2023-24_senate_counties_represented_fz.pdf

⁵⁵

<https://gis.data.ca.gov/datasets/CDEGIS::senate-districts/explore?location=37.172099%2C-121.461697%2C7.72>

⁵⁶ https://wedrawthelines.ca.gov/wp-content/uploads/sites/64/2011/08/maps_assembly_20110815_all.pdf

⁵⁷ <https://www.assembly.ca.gov/assemblymembers>

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|---|---|------------------------------------|---|
| | AB1657, AB1893 | | Housing - Member |
| Senator Nancy Skinner (D), Cosponsor | Bill on the creation of affordable housing Bill: SB439 | Urban Alameda, Contra Costa | Housing Committee- Chair |
| Senator Caroline Menjivar (D), Cosponsor | None relevant | Urban Los Angeles | None relevant |
| Senator Dave Cortese (D), Cosponsor | Bills on streamlining housing review, housing element reliability, tenant preferences, utilizing surplus land, and taxation. Bills include: SB406, SB405, SB649, SB780, SB791 | Urban Santa Clara | Housing Committee- Member End Poverty Caucus- Member |
| Assemblymember David Alvarez (D), Joint | Bills on affordable housing, taxation, planning and zoning, and community development. Bills include: AB1449, AB1492, AB1886, AB2430 , AB2717 | Urban San Diego | Select Committee on Community Reinvestment - Member Select Committee on Downtown Recovery - Member Select Committee on Permitting Reform - Member Select Committee on Reconnecting Communities - Chair |
| Assemblymember Marc Berman (D), Joint | Bill on multifamily housing. Bill: AB578 | Urban San Mateo, Santa Clara | None relevant |
| Senator Josh Becker (D), | Bills on funding, opportunity, financing, and local | Urban San Mateo, Santa Clara | Jewish Caucus- Vice Chair |

| | | | |
|--|---|---|--|
| | <p>planning.</p> <p>Bills include: SB341, SB634, SB948, SB1094</p> | | |
| Senator Susan Eggman (D), Cosponsor | None relevant | Urban, Suburban Sacramento, San Joaquin, Stanislaus | None relevant |
| Assemblymember Laura Friedman (D), Joint | <p>Bills on homeless housing, affordability, taxation, and transit.</p> <p>Bills include: AB1295, AB1377, AB 1868, AB2553</p> | Urban Los Angeles | <p>Select Committee on Los Angeles County Homelessness - Member Select Committee on Reconnecting Communities - Member</p> <p>Jewish Caucus- Member</p> |
| Assemblymember Jesse Gabriel (D), Joint | <p>Bills on funding, zoning, veteran's housing, multifamily homes, and taxing.</p> <p>Bills include: AB1053, AB1386, AB2728, AB2793, AB2835, AB3160, AB3174</p> | Urban Los Angeles, Ventura | <p>Select Committee on Racism, Hate, and Xenophobia - Member</p> <p>Jewish Caucus- Member</p> |
| Senator Lena Gonzalez (D), Cosponsor | None relevant | Urban Los Angeles | None relevant |
| Assemblymember Ash Kalra (D), Joint | <p>Bills on zoning and streamlining housing.</p> <p>Bills include: AB2926, AB3122</p> | Urban Santa Clara | <p>Housing and Community Development - Member Select Committee on Downtown Recovery - Member Select Committee on Permitting Reform - Member Select Committee on Poverty and Economic Inclusion - Member Select Committee on Social Housing - Member Select Committee on the Social</p> |

| | | | |
|--|---|--|---|
| | | | Determinants of Health - Member Select Committee on the Status of Boys and Men of Color - Member |
| Assemblymember Sharon Quirk-Silva (D), Joint | Bills on zoning, housing element, rent relief, and tax credit. Bills include: AB346, AB1353, AB1632, AB1789, AB2023, AB2772, AB2955 | Urban, Suburban Las Angeles, Orange | Housing and Community Development - Member Select Committee on Community Reinvestment - Member Select Committee on Orange County Homelessness and Mental Health Services - Chair |
| Assemblymember Chris Ward (D), Joint | Bills on streamlining, financing, taxing, and homelessness. AB68, AB84, AB515, AB2638, AB1635, AB2597, AB2893, AJR14 | Urban San Diego | Housing and Community Development - Chair Select Committee on Community Reinvestment - Member Select Committee on Permitting Reform - Member Select Committee on Social Housing - Member |
| Assemblymember Wendy Carrillo (D), Joint | Bills on affordable housing and rent. Bills include: AB1607 and AB2278 | Urban Los Angeles | None relevant |

Appendix F: SB 4 Fact Sheet



Senator Scott Wiener, 11th Senate District

Senate Bill 4 – Affordable Housing on Faith Lands Act

SUMMARY

Senate Bill 4 provides a streamlined process for religious organizations and nonprofit colleges to develop affordable housing on their property regardless of local zoning restrictions until 2036.

BACKGROUND

Faith-based organizations have a long history of partnering with nonprofit developers to build affordable housing. Often these religious organizations have excess land that they make available for affordable housing developments.

In addition to faith-based organizations, other non-traditional players with surplus land, such as nonprofit colleges, have also stepped up to provide affordable housing solutions for their students, faculty, and others in the community.

The Turner Center for Housing Innovation at UC Berkeley estimates that roughly 171,749 acres of land currently owned by religious institutions or nonprofit colleges has potential for development.

PROBLEM

Unfortunately, even with excess land, many of these faith-based organizations and non-profit colleges are located in areas that are not zoned to permit multifamily housing. Altering this zoning is often a tricky and lengthy process that costs money and can cause long delays in building the affordable homes Californians need. Further, the rezoning process opens up the affordable housing development to significant risk and unpredictability in the approval process as there are more avenues for lawsuit and appeal.

SOLUTION

Senate Bill 4 streamlines the process for faith-based institutions and non-profit colleges that want to build affordable projects for low-income families. SB 4 accomplishes this by first by allowing these developments regardless of local zoning, as well as providing by-right approval of projects so long as they are consistent with all objective standards of the jurisdiction and comply with listed environmental protections. This approval process ensures that the California Environmental Quality Act (CEQA) cannot be misused against these projects. CEQA is a critically important law for protecting the environment from projects such as refineries that pollute natural resources and jeopardize health, especially for historically marginalized and underserved populations. However, each step of the CEQA process is subject to appeals and lawsuits that can increase project costs and time. It's not unusual for it to take three to four years and millions of dollars to resolve a single lawsuit, while appeals regularly take six months to resolve.

Equally important, this Act will help our state's construction workforce rise and thrive. Construction workers will be protected by the requirement to pay prevailing wages on projects with over 10 units. On projects with at least 50 units, contractors must offer apprentices employment and pay for health care for construction workers and their dependents. This creates an economic base and new opportunities for construction workers and provides our state with the highly skilled workforce it needs to build our future.

The faith-based organization or nonprofit college must agree to maintain the affordability of these homes to households below 80 percent of the area median income for at least 55 years for rental housing and 45 years for homeownership opportunities. If a project is located in an area zoned for residential use, it must be allowed a density deemed appropriate for lower income households per housing element law. If located in a commercially zoned area, the project may be up to 40 units per acre, and a height of one story above the maximum height applicable to that parcel.

This legislation would make building affordable housing easier, faster, and less expensive for faith-based institutions and nonprofit colleges in a broad range of communities across California. Many of these institutions are already community anchors, and this will help them build stable, safe, affordable housing for local residents and families.

SUPPORT

- **Non-Profit Housing Association of Northern California (NPH) (Sponsor)**
- **Southern California Association of Non-Profit Housing (SCANPH) (Sponsor)**
- **Jewish Public Affairs Committee of California (JPAC) (Sponsor)**
- **California Conference of Carpenters (Sponsor)**
- **Inner City Law Center (Sponsor)**
- United Way of Greater Los Angeles
- SEIU California
- California School Employees Association
- California State Council of Laborers
- International Union of Operating Engineers, Cal-Nevada Conference
- Housing Action Coalition
- Many Mansions
- Habitat for Humanity California
- Abundant Housing Los Angeles
- Peninsula Solidarity Cohort

- Making Housing and Community Happens
- California Building Industry Association (CBIA)
- Los Angeles Area Chamber of Commerce
- California State Board of Equalization
- Move LA
- East Bay Housing Organizations
- Greenbelt Alliance
- PLACE Initiative
- Climate Resolve
- Council of Infill Builders
- BEST Techs Contracting
- Con-Com-T, Inc.
- Passive House California
- Sustainable Claremont
- All-Electric California
- East Bay Asian Local Development Corporation
- East Bay Alliance for a Sustainable Economy
- Valley Industry and Commerce Association (VICA)
- MidPen Housing Corporation
- Firm Foundation Community Housing
- San Pedro United Methodist Church
- San Francisco Foundation
- ETTA
- Westside Coalition
- Federation of Zoroastrian Associations of North America (FEZANA)
- Family Promise, San Gabriel Valley
- Jewish Democratic Club of Silicon Valley
- Jewish Center for Justice
- Jewish Long Beach
- JVS Southern California
- Fieldstead and Company, Inc.
- YIMBY Action
- Grow the Richmond
- Mountain View YIMBY
- Napa-Solano for Everyone
- Northern Neighbors
- East Bay for Everyone
- Peninsula for Everyone
- Progress Noe Valley
- San Francisco YIMBY
- Santa Cruz YIMBY
- Santa Rosa YIMBY
- SLOCo YIMBY

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- South Bay YIMBY
- South Side Forward
- Eastside Housing for All
- Urban Environmentalists
- People for Housing Orange County
- How to ADU
- Community Coalition
- California Housing Consortium
- Generation Housing
- PATH (People Assisting the Homeless)
- City of Emeryville
- City of Berkeley
- Muslim Public Affairs Council
- AARP
- California Catholic Conference
- Multi-Faith Action Coalition
- Oakland Peace Center
- St. Francis Center of Redwood City
- St. Mark's Episcopal Church
- San Francisco Bay Area Planning and Urban Research Association (SPUR)
- City and County of San Francisco
- San Francisco Mayor London Breed
- Bay Area Council
- California Community Builders
- Los Angeles Family Housing
- Santa Monica Forward
- Active San Gabriel Valley
- Merritt Community Capital Corporation
- Walnut Creek Homeless Task Force
- Union Station Homeless Services
- Jewish Free Loan Association
- City of Los Angeles
- IKAR
- HOPICS
- Episcopal Diocese of Los Angeles
- Faith Action for All
- Island United Community Church, Foster City
- Congregational Church of Belmont
- Housing Leadership Council of San Mateo County
- Ventura County Clergy and Laity United for Economic Justice
- One San Mateo
- Venice Community Housing Corporation
- Jewish Family & Community Services East Bay
- Skyline Community Church, United Church of Christ
- Congregational Church of San Mateo
- San Mateo County Economic Development Association (SAMCEDA)
- Congregation Beth Am
- Woodside Road United Methodist Church
- First Congregational Church of San Jose
- St. James AME Zion
- Bay District, California-Nevada Annual Conference of the United Methodist Church
- Progressive Zionists of California
- Jewish Federation of the Greater San Gabriel and Pomona Valley
- Jewish Federation of the Sacramento Region
- Build Casa
- Menlo Together
- AIDS Healthcare Foundation
- Hadassah Southern California
- South District of the California-Pacific Annual Conference of the United Methodist Church
- Multifaith Voices for Peace and Justice
- First Congregational Church of Berkeley, United Church of Christ
- Claremont United Church of Christ
- Coastside Jewish Community
- Buen Vecino
- City of Gilroy Councilmember Zach Hilton
- Institute of the Sisters of Mercy of the Americas
- Unitarian Universalist Fellowship of Redwood City
- Unitarian Universalists of San Mateo
- Congregational Church of San Mateo
- Destination: Home
- Novin Development
- First Congregational Church of Palo Alto, United Church of Christ
- The People Concern
- Faith and Community Empowerment
- San Gabriel Valley Consortium on Homelessness
- Jewish Federation of the Sacramento Region
- Housing Opportunities Made Easier
- LA Voice
- Peninsula Sinai Congregation
- California YIMBY

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- All Home
- Ascencia
- Silicon Valley Community Foundation
- Community Economics, Inc.
- Long Beach Gray Panthers
- Presbytery of the Pacific
- Mercy Housing
- Burlingame United Methodist Church
- Trinity Baptist Church of San Mateo
- Wakeland Housing and Development Corporation
- Our Future Los Angeles
- City of Santa Clarita
- Bay Area Community Health Advisory Council
- Jewish Community Relations Council of the Sacramento Region
- City of Half Moon Bay
- Father Joe's Villages
- The John Stewart Company
- Holos Communities
- Parkside Community Church
- Justice & Witness Ministry of Plymouth United Church of Christ
- Los Angeles Forward
- St. Joseph Center
- Stephen Wise Temple
- House Farm Workers!
- Local Initiative Support Corporation Bay Area
- Napa Valley Unitarian Universalists Social Justice Committee
- Walnut Creek Presbyterian Church
- Downtown Women's Center
- Hillsdale United Methodist Church
- Congregation Beth Jacob
- Resources for Community Development
- Eden United Church of Christ
- California Home Builders Alliance
- Park Hill United Methodist Church
- Friends Committee on Legislation of California
- Messiah Lutheran Church, Redwood City
- Govern for California
- NoHo Home Alliance
- Community Corporation of Santa Monica
- Cupertino for All
- 21st Century Alliance
- California Apartment Association
- PACT: People Acting in Community Together, Inc.
- Bishop of the Episcopal Diocese of Los Angeles
- Episcopal Impact Fund
- Faith in the Valley
- Mission Bay Community Church
- Hope Solutions
- Mission Housing Development Corporation
- Door of Hope
- Presbytery of San Gabriel
- Castro Valley Democratic Club
- Enterprise Community Partners, Inc.
- California Religious Action Center of Reform Judaism
- SV@Home Action Fund
- Jewish Family Service of Los Angeles
- Silicon Valley Community Foundation
- Los Angeles Business Council
- YIMBY Democrats of San Diego County
- Peninsula Temple Sholom
- Peninsula Temple Beth El
- Sycamores
- Sierra Foothills Unitarian Universalists
- City of Santa Monica
- Interfaith Solidarity Network
- Linc Housing
- End Poverty in California (EPIC)
- Catholic Charities San Francisco, Marin, San Mateo Counties
- California State Association of Counties
- Leo Baeck Temple
- Faith in Action Bay Area
- Faith in Action East Bay
- Faith in the Valley
- Inland Congregations United for Change
- True North
- People Acting in Community Together (PACT), Santa Clara
- Sacramento ACT
- Santa Monica Democratic Club
- San Diego Organizing Project
- Culver City Democratic Club
- Los Angeles Homeless Services Authority
- Lutheran Office of Public Policy – California
- The Unity Council
- California Housing Partnership

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- Lafayette Orinda Presbyterian Church
- California Association of Local Housing Finance Agencies
- Wall and Ceiling Alliance (WACA)
- Painters and Allied Trades, District County 36
- International Union of Painters and Allied Trades, District Council 16
- Construction Employers' Association
- Carpenters Local 213
- Carpenters Local 323
- Carpenters Local 661
- Carpenters Local 721
- Carpenters Local 951
- Carpenters Local 1607
- Carpenters Local 152
- Carpenters Local 714
- Carpenters Local 619
- Carpenters Local 562
- Carpenters Local 805
- Carpenters Local 951
- Carpenters Local 405
- Carpenters Local 217
- Carpenters Local 35
- Carpenters Local 46
- Carpenters Local 701
- Carpenters Local 1109
- Carpenters Local 751
- Carpenters Local 1599
- Carpenters Local 1789
- Carpenters Local 505
- Carpenters Local 605
- Carpenters Local 713
- Carpenters Local 180
- Carpenters Local 22
- Millwrights Local 102
- Industrial Carpenters Union Local 223
- Pile Drivers Local 34
- Drywall Lathers Local Union 9144
- Drywall Lathers Union Local 9109
- Drywall Lathers Union Local 9068
- Drywall Lathers Union Local 9083
- District Council of Plasterers and Cement Masons of Northern California
- Carpenters Women's Auxiliary 91
- Carpenters Women's Auxiliary 007
- Carpenters Women's Auxiliary 101
- Carpenters Women's Auxiliary 417
- Carpenters Women's Auxiliary 710
- Carpenters Women's Auxiliary 1904
- Carpenters Women's Auxiliary 001

FOR MORE INFORMATION

Tate Hanna, Policy Analyst

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Appendix G: Request for Signature



September 12, 2023

The Honorable Gavin Newsom
Governor, State of California
1021 O Street, Suite 9000
Sacramento, CA 95814

Re: Senate Bill 4 - Affordable Housing on Faith and Higher Education Lands Act - Request for Signature

Dear Governor Newsom,

The Non-Profit Housing Association of Northern California (NPH), the Southern California Association of Nonprofit Housing (SCANPH), the Jewish Public Affairs Committee of California (JPAC), and the Inner City Law Center write to request your signature on Senate Bill (SB) 4, the Affordable Housing on Faith Lands Act. This measure would make building affordable housing easier, faster, and cheaper on land owned by faith-based institutions and nonprofit colleges.

Across California, faith-based organizations and nonprofit colleges are seeking to partner with affordable housing developers to build critically needed affordable homes on their land. These faith-based organizations are long-standing community anchors and are driven by their values to support those most in need and help address our homelessness crisis.

Unfortunately, the land that these organizations own can often be locked into complicated and cost-prohibitive local zoning rules and regulations. These can range from standards that allow only a few units to be built on large parcels to others that limit any housing construction. The variety of red tape and obstacles make the development financially infeasible and discourage institutions from moving forward with projects that would benefit their low-income and unhoused neighbors.

Per a study by the UC Berkeley Turner Center, there are over 171,000 potentially developable acres statewide owned by faith institutions or nonprofit colleges, which is nearly five times the size of the city of Oakland. A significant share of that acreage is located in the state's "high" or "highest" resource opportunity areas, signaling an opportunity for building housing in neighborhoods with lower poverty rates and greater economic, educational, and environmental amenities. This land can play a key role in addressing our housing needs.

A 2022 report from the California Department of Housing and Community Development found that we need to build 1.2 million affordable homes over the next decade to meet our housing goals. Over the

last few years, California has added an average of 19,000 affordable units a year. At this pace we will not reach our state goals without increased streamlining for affordable housing production.

In response, SB 4 will streamline the building process and offer new tools for neighborhood leaders to build safe, stable, affordable homes for local residents and families. This bill will allow places of worship to build 100% affordable housing projects, creating a valuable option in the midst of the state's housing and homelessness crises.

Equally important, this Act will help our state's construction workforce rise and thrive. The bill will pull all construction workers up by providing them good-paying jobs with family medical benefits, while building our way out of this housing crisis. Construction workers will be protected by the requirement to pay prevailing wages. On projects with at least 50 units, contractors must offer apprentices employment and pay for health care for construction workers and their dependents. This creates an economic base and new opportunities for construction workers and provides our state with the highly skilled workforce it needs to build our future.

This is a common-sense opportunity for us to partner with trusted community leaders. The catastrophic homeless tragedies we see on the street every day call for urgent and bold action and signing this bill will continue your leadership in tackling California's most fundamental problem. We thank you for your leadership on these critical housing and homelessness issues and urge your signature of this bill.

Sincerely,



Abram Diaz
Policy Director
Non Profit Housing Association of
Northern California (NPH)



David Bocarsly
Executive Director
Jewish Public Affairs Committee of California
(JPAC)



Francisco Martinez
Policy Director
Southern California Association of NonProfit
Housing (SCANPH)



Mahdi Manji
Director of Public Policy
Inner City Law Center

Appendix H: Interviews

Politicians and Government Officials

Tate Hanna, SB 4 Policy Analyst for the Office of Senator Wiener

Contact Email: tate.hanna@sen.ca.gov

Contact Phone Number: 916-651-4011

Hanna explained how Senator Wiener's office gathered support for and responded to resistance against SB 4. At first, non-profit housing industry organizers spent years creating the bill before connecting with interested faith leaders. A natural coalition formed among faith leaders and politicians already advancing housing opportunities in California. Early supporters of the bill called upon their larger networks to broaden support of the bill. SB 4, however, was controversial and required politicians to negotiate with key opposing groups, such as realtors, the carpenters' union, and environmentalists. For instance, to appease the realtors, the bill limited any new construction to one story above its neighborhood's zoning requirements and mandated compliance with the code of the League of Cities. Similarly, SB 4 gained the support of the carpenters by including labor standards. Lastly, to meet the demands of environmentalists, SB 4 requires future environmental check-ups, and limits construction to plots where three-quarters of the sides are already developed land.

Wesley Myrick, Senior Policy Analyst, City of Atlanta Office of the Mayor

Contact Email: wmyrick@atlantaga.gov

Myrick described Atlanta's Enterprise Program and the city's Faith-Based Development Initiative, to support faith-based organizations. The Enterprise Program focuses on assessing the viability of development for faith-based organizations, while the city's program offers more aggressive technical assistance. Atlanta's Neighborhood Planning Units (NPUs) play a unique role in helping faith-based organizations undertake development initiatives. NPUs are grassroots, citizen-driven bodies that represent the interests of specific neighborhoods. In the context of faith-based development, NPUs serve as essential conduits for community engagement and input. NPUs play a vital role in the entitlement process, which involves obtaining the necessary approvals, permits, and zoning designations for a development project to proceed.

Myrick highlighted challenges the city faces when working with faith-based organizations, such as creating a shared vision, finding matches for churches, and ensuring all parties utilize the same terminology.

Daniel Murillo, Policy and Equitable Development Manager, Seattle Office of Housing

Contact Email: daniel.murillo@seattle.gov

Contact Phone Number: 206-684-0338

Murillo described his involvement in passing Council Bill 120081, which adapts Washington State's SB1377 to allow additional density for affordable housing on religiously owned properties. The legislation specifically permits faith-based organizations to construct an additional one to six stories above the zoning requirements for their neighborhoods. The bill is primarily funded by Seattle's Office of Housing, which acquires funding from the Seattle Housing Levy. Murillo explained that the City of Seattle received strong support from faith-based organizations and witnessed strong advocacy among community leaders. Still, the city was unable to permit the density they had envisioned. Murillo highlighted the success of Seattle's bottom-up approach, where faith-based organizations pushed the bill before it was passed, such as at Arbora Court and Compass Broadview. Murillo also advised that interested faith-based organizations reach out to established affordable housing developers to receive guidance on starting this process.

Krystin Ramirez, Redevelopment Officer at San Antonio's Neighborhood and Housing Services Department

Krystin.Ramirez@sanantonio.gov

The Mission Oriented Development Program is managed by San Antonio's Neighborhood and Housing Services Department. The program, not exclusively dedicated to affordable housing, oversees developments including community centers, park spaces, and hydroponic farming efforts. According to their redevelopment officer Krystin Ramirez, the program was initially allocated \$300,000 to help faith-based organizations move from phase 0 (envisioning) to phase 4 (providing technical assistance) of the development process, but much of this funding has been reallocated to rental assistance since the pandemic. The program is currently working to define the functions of the city and other partners in faith-based zoning projects to ensure smooth coordination.

Ms. Ramirez said that the most unexpected challenge the organization faces is the length of initial conversations with churches, which usually last a few years. In these discussions, Ramirez and her colleagues encourage churches to consider this housing as a new source of revenue that also benefits the community. They also highlight that the housing could increase church attendance. Another challenge is that churches require denominational approval, which can be difficult to obtain, and must secure property entitlements, conduct market feasibility studies, and perform brownfield analyses.

Ms. Ramirez recommended technical assistance partners and services that San Antonio's Neighborhood and Housing Services Department partners with that may be relevant in Boston.

- *Good Acres* – local to San Antonio, guides churches through the envisioning and decision making process and directs them to the next phase if they choose to build affordable housing

- *Grow America Seed Academy* – offers 25 selected applicants a week-long training in real estate fundamentals training, covering topics such as land use, entitlements, how to secure financing, market feasibility, etc
- *Good Futures Accelerator by Rooted Good* – from the Neighborhood Economics Conference which has lots of information and provides a step-by-step process for congregations to follow on their own
- *The Nonprofit Enterprise* – offers a faith-based development initiative intensive training course

San Antonio's Mission Oriented Development Program helps congregations look to local partners for funding, as the city itself doesn't provide any funding. However, the city does provide incentives for affordable housing development including, fee waivers for water and sewer systems connections, city permit fee waivers for brownfield studies funding, and bond funding in the future/tax credits. San Antonio also looks specifically for local developers or design firms with nonprofit arms that could help congregations design and build their projects. Ramirez noted that since the inception of the Mission Oriented Development Program the Emmanuel United Methodist Church in San Antonio is the first church to get to the development stage for affordable housing – other spaces are developing but not affordable housing. Ramirez said that the best way for San Antonio to use their resources was to create the process flow and be coordinators for developers and faith-based organizations.

Non-Profit Employees

Monica Ball, YIGBY Faith Community Outreach Lead

Contact email: monica@upliftsandiego.org

Contact phone number: (619)708-3512

As a real estate agent and the Board Secretary of Uplift San Diego, Ball spearheaded the SB 4 movement and now serves as the Faith Community Outreach Lead at YIGBY. In her words, she “ensure[s] that the churches are happy” and maintains smooth operations between parties (faith-based organizations, contractors, financing entities, non-profits, etc).

YIGBY has worked to pass SB 4 since 2017. Key stakeholders in this effort include

- *Turner Center for Innovation at UC Berkeley* – determined that 171,000 acres of land was eligible for affordable housing under SB 4
- *Andy Ballester, co-founder of GoFundMe* – sponsored YIGBY's initial outreach effort
- *Funds Together to End Homelessness* – financial support

YIGBY's outreach efforts were “very well received”, and 90 churches expressed interest.

These churches were sent a questionnaire to ensure the partnership would be compatible and provided resources and guidelines to begin the development process. Ball stated that “churches are feeling the responsibility to help and are really looking forward to having the revenue.” SB 4 provides churches the opportunity to maintain relevance and gain revenue, which Ball argues are the two main reasons they want to get involved. Ball mentioned that while

resistance to SB 4 exists among congregations and community members, opposition to the bill has been less than predicted because churches are so eager to get involved, and their excitement trickles down to the community. She stated that the largest obstacle YIGBY faces is that there are so many churches that want to get involved and their organization does not have the resources to help them all. Additionally, union requirements pose a difficulty and make their efforts much more expensive.

Evan Gerber, Director of Housing at YIGBY and Lead Project Consultant

Contact Email: evan@gerber-group.com

Contact Phone number: 619-573-8803

As the Director of Housing and Lead Project Consultant for YIGBY in San Diego, Gerber provides development expertise to the non-profit. He explained that the organization has not faced much neighborhood criticism, as NIMBYist opposition in San Deigo mostly arises when developments destroy forests and grasslands or are large eye sores that change neighborhood compositions. Most YIGBY projects are and will continue to be small, urban developments, making its advocacy relatively smooth. Additionally, opposition to housing construction is fairly rare in San Deigo.

Currently, YIGBY has met its policy agenda and is focusing its efforts towards creating two development models. The first is the “church as developer” model, where the church serves as the developer, fronting the costs and making design decisions. Alternatively, under the “ground-lease model,” the church leases its land to a private developer for 60 to 90 years., the developer independently develops the housing, and the church receives revenue from its ground lease. YIGBY opposes the joint-venture model, where the developer and church take joint liability over the development process, as this model is often over-complicated and results in long delays or conflicts.

Gerber further explained that YIGBY uses a “top 5” model, limiting themselves to working on five simultaneous projects. The non-profit is currently finishing its first “top 5,” and will soon seek financing for its next five projects. These projects will likely be similar to Bethel AME in San Diego. The “sweet spot” for these projects, he explains, is 25-50 units, as developments below 25 units have too high of a per-unit cost to qualify for tax deductions and government programs and developments above 50 units are logistically complicated and hard to finance.

Sami Mercile, Organizer, Valley Interfaith Project

Contact Email: vip@valleyinterfaithprojectaz.com

Contact Phone number: (602) 248-0607

The Valley Interfaith Project (VIP) is the leading organization in implementing a faith-based zoning law in Arizona. The organization recognized that the largest issue faced by the people they worked with was extremely high housing costs, so they brought clergy members and developers together to advance a faith-based zoning law. The potential bill created the opportunity for many families within the VIP network to gain access to significantly more affordable and better housing. The bill was first introduced to the State Congress in 2023 and has received extreme criticism from residents, preventing many faith-based organizations from publicly supporting the bill. This legislation has not yet been passed, but VIPs and their counterparts continue to gather support from politicians and clergy members. Mercile explained that many interested faith-based organizations in Arizona have expressed a desire to see a concrete example of one of these projects.

Some key concerns of interested faith-based organizations are a lack of expertise in real estate development, sources of financing, acquiring low-income housing tax credits, and hurting their relationships with their communities in bill-opposing neighborhoods. VIP tried to resolve their fears by connecting congregations with organizations like Vitalist, which provides technical support and project management to churches building housing. Additionally, congregations' board members often had differing opinions on constructing housing on their land. Acquiring low-income housing tax credits

To get a faith-based zoning law approved in Massachusetts, Mercile recommended that key stakeholders ensure that

1. Strong political support exists
2. Faith-based organizations are included in conversations from the start,
3. A diverse array of professions in terms of skill and identities are involved

JT Harechmak, Senior Policy Manager, Nonprofit Housing California

Contact email: jt@nonprofithousing.org

Harechmak helped draft and complete San Deigo's SB 4 and is currently working on AB 2728, a revision of SB 4. Reflecting upon the strengths and weaknesses of the SB 4 bill in California, Harechmak remarked he and his colleagues are working on adjustments to track the usage of YIGBY across California to identify the effective aspects of the bill and to determine necessary changes. He and his colleagues are also creating sample development agreements between faith-based organizations and nonprofit developers to provide churches as they consider utilizing SB 4.

He emphasized the need to provide churches with a comprehensive development process overview since oftentimes church stakeholders are unfamiliar with this topic. Harechmak also highlighted potential funding resources to mitigate construction costs available to interested, such as for-profit and nonprofit developers, private dollars, and national programs like LIHTC. Additionally, the city of San Diego offers specific incentives to churches looking to build affordable housing, such as the "No Place Like Home" program that funds the development of permanent supportive housing for people in need of mental health services and are experiencing or at risk of experiencing homelessness.

Finally, Harechmak offered advice for implementing a law like SB 4 in Massachusetts, stating that this project requires partnerships, where faith-based organizations provide land and information about the surrounding community and partners (such as developers) handle the technical development process. This way, both parties are working collaboratively, and the strengths and knowledge of both groups are being maximized.

Frank Martinez, Policy Director, Southern California Association of NonProfit Housing

Email: fmartinez@scanph.org

The Southern California Association of NonProfit Housing (SCANPH) was one of SB 4's co-sponsors. It is a trade organization that represents affordable housing developers in the region through advocacy, educational, and networking events. The organization has a policy team that advocates for legislation that makes it easier for its members to build affordable housing. The policy team also provides funding to accelerate the passing of these bills.

SCANPH hosts an annual legislative visioning session, and Martinez explained that the idea of idea SB 4 had been a key topic of discussion at these sessions for years. Recognizing that the organization's members would benefit from the bill, SCANPH co-sponsored the bill in 2020 and 2023. This process required the policy team to attend regular meetings with their counterparts at other co-sponsoring organizations and identify supporters who could testify in front of legislators.

Gabrielle Clowdus, Founder/CEO, Settled

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Clowdus from the non-profit organization Settled, which advocates for and supports faith-based organizations in constructing micro-units of housing on their property, believes that governmental agencies and non-profit organizations should empower faith-based organizations to construct micro-housing units. Governments can best do this by allowing faith-based organizations to construct micro-units on their property as-of-right. She suggests that governments do not have to provide funding programs to support faith-based organizations in constructing micro-units, since micro-units are affordable enough for most faith-based organizations to construct independently. Additionally, Clowdus claims that adopting state-wide legislation reduces the number of obstacles local governments can create. She also argues for allowing the construction of micro-units by stating that they reduce the ability of zoning laws, which often require structures to be of a minimum certain size, to create concentrations of poverty.

Nina Janopaul, President of the Board of Trustees, Virginia Diocesan Homes Inc.

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Virginia Legislation

Janopaul explained that YIGBY legislation drafted in Virginia was not ultimately passed, but was remanded for further review to the Virginia Housing Commission, which has 11 members and acts as a subcommittee of the state legislature. A member of the committee believes that the drafted legislation was weak and blunt, consisting of just ten lines that would allow affordable housing to be built on any parcel of land owned by a church for 5 or more years, and the housing remained affordable for 99 years. It also entitled any housing development to 40 acres of land, which could be too large in rural areas and too small in urban areas. Additionally, opposition arose among environmental groups concerned about deforestation, but, as a counterargument, affordable housing near public transit could help reduce carbon footprints. The primary organization advocating for this legislation was the Virginia Interfaith for Affordable Housing, which had taken on too many other projects. The bill's advocates did not conduct any data analysis, research, or studies on its impact and Virginia's existing zoning laws. It was noted that including rural counties in the proposed Virginia legislation could help its chances of passing. Now the board members plan to resubmit improved legislation in 2025 with relevant data. Janopaul is also researching what other states are doing to pass YIGBY laws to help strengthen the case for Virginia.

Maryland Legislation

The YIGBY legislation in Maryland was directly initiated by Governor Wes Moore, contrasting with similar legislation in California and other states, where advocacy groups took the lead in proposing the measures. The Maryland legislation refers to 501c3 nonprofits and extends to faith-based organizations. The legislation only guarantees 50% affordable housing for 40 years, rather than permanent affordability, and allows for 30% additional density rather than setting a minimum lot size of 40 acres. However, with Democrats controlling both the state legislature and the governor's office, the legislation also authorizes mobile homes in single-family neighborhoods. While California focuses on educational institutions and churches, Maryland aims to change zoning through amendments rather than complete rewrites, as zoning is traditionally managed at the local level. Like California, this Maryland legislation begins to push some zoning rights from municipalities to the state government level in order to protect YIGBY initiatives from potential NIMBY opposition.

Faith-Based Organization Employees

Britt Olson, Reverend Canon, St. Luke's Episcopal Church

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Building housing at Seattle's St. Luke's Episcopal Church has been a 10-year process. It started with interested congregation members forming a team to lead the process. This committee then approached the diocese for permission to build affordable housing on the Church's land. Next, the committee began acquiring information from organizations and community members

about their values and goals for this project, which lasted about a year. They interviewed staff, diocese leaders, guests, neighbors, the business community, and other stakeholders to develop a plan that aligned with their joint missions. The committee also held summit gatherings to understand how community members define the mission statement and values for the development.

The committee also developed a list of requirements for their affordable housing units, which was based on stakeholder input. They also researched similar development projects and based their designs on these examples. To ensure proper execution, the committee met with real estate professionals to gather advice, which led the Church to use a 99-year lease instead of selling land to a developer.

St. Luke's Episcopal Church partnered with Trinity Real Estate in New York to acquire grants that would cover pre-development costs, which can cost between \$500M and \$2MM. The Church also worked with city council members and Seattle's Office of Housing to obtain a density bonus to Washington's pre-existing YIGBY legislation. Their work culminated with the passing of legislation that allowed for faith-based organization-owned property to be rezoned for higher density.

The Church and real estate professionals then put out requests for proposals (RFPs) for affordable and mixed-income housing. They ultimately choose to construct separate affordable and market-rate housing buildings with non-profit developers. The Church then hired lawyers and attorneys to oversee the initial contracts and architects to design the buildings, ensuring that the Church would get 14,000 square feet on the ground floor of one of the buildings that they could use as a place for worship. The Church received \$16MM in financing from the city of Seattle and \$20MM from Washington State. Construction began in late April 2024 and is expected to be completed in a year.