



**Town of Natick, Massachusetts**  
Department of Community and Economic Development  
13 East Central Street Natick, Massachusetts 01760

Telephone  
(508) 647-6450  
[www.natickma.org](http://www.natickma.org)

James Freas, AICP  
Director

## MEMORANDUM

**DATE:** January 6, 2021

**To:** Select Board

**FROM:** James Freas, Director, Community & Economic Development  
Ted Fields, Senior Planner, Community & Economic Development

**RE:** West Metro HOME Consortium – Analysis of Impediments to Fair Housing Choice, 2020

**Meeting:** January 13, 2021

**CC:** Natick Affordable Housing Trust

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As a member of the WestMetro HOME Consortium and recipient of federal grant funds in support of affordable housing development, the Town of Natick is required to complete an Analysis of Impediments to Fair Housing. This document reviews barriers to fair housing and proposes actions to address those barriers. Natick's Community and Economic Development Department has worked with the other consortium members to produce the attached document and is requesting the Select Board's review and approval.

### Analysis of Impediments to Fair Housing

The U.S. Department of Housing and Urban Development (HUD), which oversees the HOME Investment Partnership Program, requires all recipients of grant funds to complete an Analysis of Impediments (AI) to Fair Housing Choice every five years as part of their obligation to affirmatively further fair housing under the Fair Housing Act. According to HUD, An Analysis of Impediments is an assessment of a state or local government's bylaws, ordinances, statutes, and administrative policies and local conditions that affect the location, availability, and accessibility of housing.

*"Fair housing exists when people can find safe, suitable housing within their economic means wherever they choose to live, and they do not face discrimination based on their membership in a protected class."*

Last year, the West Metro HOME Consortium selected the Barrett Planning Group to develop the FY21 – FY25 Analysis of Impediments to Fair Housing Choice (AI report). The consultant and consortium staff presented the final draft of the report to the Newton Planning and Development Board during a Public Hearing and that Board voted to approve the report. The executive bodies in each of the Consortium's member communities must also formally approve the AI report by January 29, 2021 at 5:00 pm.

Consortium staff will then submit the AI report to HUD for approval in February of 2021. Consortium communities are expected to support implementation of the recommendations of the AI report's action plan in a timely manner.

### Summary

The AI report found that ongoing fair housing issues in the consortium are primarily driven by lack of diverse and affordable housing supply (and thus high housing costs) and continuing discriminatory real estate practices. The report goes into greater detail into the potential regulatory factors generating these fair housing issues and describes actions for consortium members to take to improve fair housing outcomes in the region.

*“High housing costs are as a major barrier and discrimination tool. The cost both of rental and for-sale housing is a significant fair housing concern throughout the Consortium. Most participants in the consultation process for this AI said that low-income residents have trouble finding safe, decent, and affordable housing, and that “affordable housing” is not affordable to people who most need it, especially extremely low-income households, homeless populations, and people relying on vouchers to close the gap on housing costs. Needs exist for moderate-income housing and the working-age population that earns too much for deed-restricted “affordable” housing and not enough to buy market-rate units.”*

The AI report outlines several factors that are inhibiting fair housing in the Consortium region, including residential zoning that favors single-family homes and discourages multi-family dwellings, weak requirements for including affordable housing in development projects, public processes that favor vocal and organized community groups opposed to change, particularly in residential neighborhoods, and bureaucratic impediments that inhibit affordable housing development. Overcoming these obstacles requires:

- Education about the necessity for fair housing;
- Increased social services for low income people;
- Restructured residential zoning that encourages more housing near transportation hubs, particularly for people with very low incomes and disabilities;
- Combination of zoning change with funding tools for affordable housing construction;
- Adoption of inclusionary zoning policies that require affordable housing be included in all developments;
- Advocacy for state legislation and regulatory change favorable to affordable housing development and removal of barriers for living in high-cost communities (credit check requirements, etc.);

To achieve these goals, the AI report recommends the Consortium and member communities do the following:

- “Each community in the Consortium will make a public commitment and develop and distribute information and educational resource/outreach materials to increase knowledge about fair housing.”
- “Identify and address discriminatory actions in the private real estate market.”
- “Increase the Consortium’s capacity to affirmatively further fair housing.”
- “Each community will adopt policies and practices to support safe, diverse, affordable, accessible, and integrated housing.”

### Natick’s Existing Affordable & Fair Housing Actions

Natick has been an active community in attempting to address issues of affordable housing and fair housing in the Town. Being a diverse and welcoming community has long been a core value of the Town and one well supported by the *Natick 2030+ Comprehensive Plan*. *Natick 2030+* calls for a number of regulatory changes to increase housing production with a greater diversity of housing choices and more affordable housing. Many of these recommended actions are already at work addressing issues and action items identified in the AI report. These include:

Inclusionary Zoning – Natick updated its inclusionary zoning provisions in 2018 to both expand the range of development projects to which the requirement to provide affordable units is applied and to increase the number of units that need to be included.

Housing Production Plan – CED staff and the Natick Affordable Housing Trust is in the process of writing a new Housing Production Plan for the Town, which staff will present to the Select Board in the future.

REMAP – The Town is one of six municipalities in greater Boston selected to participate in the new Racial Equity Municipal Action Plan program created by the Metropolitan Area Planning Council (MAPC) and the Boston Fed and working with the Government Alliance for Racial Equity (GARE). This yearlong process will conclude with an action plan that will make recommendations on housing issues.

Tenant Based Rental Assistance – The Natick Affordable Housing Trust, working with the Natick Service Council and using Town provided funding, has been running a successful Tenant Based Rental Assistance program since July 2020 that helps very low-income renters in Natick find a home and stay in it through down payment and rent assistance.

St Patrick’s School Site – For more than a year, the Select Board has been leading an effort to redevelop the St Patrick’s school site on East Central Street with a significant aspect of this project being the creation of new affordable housing units beyond what would generally be required for such a project.

### Background – WestMetro Home Consortium

Natick is a member of the WestMetro HOME Consortium, which allows the town access to federal HOME Investment Partnership funds for to help finance affordable housing projects. The Consortium was formed in 1991 by Brookline, Newton, Waltham and Watertown and has since grown to include Bedford, Concord, Framingham, Lexington, Needham, Sudbury, Wayland and Natick. The City of Newton administers the financial and regulatory tasks for the Consortium. The Community & Economic Development Department (CED) manages Natick's HOME funds with the guidance of the Natick Affordable Housing Trust (the Trust).