

Chinatown: A Toolkit for Community Empowerment



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Chinatown residents face many obstacles to influencing the development of the Chinatown Gateway area. Because of social and economic factors, residents will need to adopt specific strategies to ensure they have a voice in Boston's development decision-making process. This report provides policy tools outlining such strategies that the community can use to ensure that their vision for growth and development of the Chinatown Gateway is incorporated into the planning process.

This report will examine the Roxbury neighborhood's successful enforcement of its community Master Plan. The Roxbury Master Plan possesses some important tools that Chinatown can utilize to enforce their own community Master Plan, and holds city agencies accountable to the needs of the neighborhood. From the Roxbury experience, this report recommends the value of unification and collaboration between various local entities, such as local governments and technical committees.

Unique ethnic communities such as Chinatown are a distinctive component in the modern urban American landscape. This report analyzes the potential for further economic development, including marketing the area as a tourist destination. San Francisco and New York's Chinatown districts have successfully done this via informational websites outlining the community's landmarks, shops, and restaurants. Boston's Chinatown should inherit this approach to help focus on attracting both fellow Bostonians and visitors alike.

Chinatown is a valuable ethnic ‘enclave’, which is defined by rapid population growth and a prominent small business sector. It is integral for Chinatown as a low-income community to utilize micro-credit financing to support its local entrepreneurs, most notably through small business loans. Micro-credit financing components such as credit building and education in finance can also be useful in building the economic clout the community needs.

The history of urban growth within the City is most obvious in the way development and construction has diminished Chinatown’s physical space. This report examines the use of Transfer of Development Rights (TDR’s) as a means to protect existing open space, as well as preserve Chinatown’s cultural and historical scale. Additionally, implementing Linkage Fee Reform can increase funds to develop new open space creation, community space and other public facilities. Furthermore, this report examines how Land Trusts not only support open space preservation, but maintain Chinatown’s existing property rights without the need for a large managerial body.

The Toolkit section of the report outlines these policies and strategies, and explains that they should be implemented with a multi-strategy approach. In a community where residents and neighborhood activists have limited resources, there are noted community and agency collaborations that are available to strengthen the community’s ability to increase its participation into the planning and development process.



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Introduction



Abstract

This report aims to identify policy recommendations for the Chinatown community to begin to reclaim its shrinking neighborhood. The report will begin by analyzing Roxbury's strategy for community planning and will apply relevant principles to Chinatown. Additionally, the report will recommend a number of tools and strategies including: increased marketing, land trusts, affordable housing preservation strategies, transfer of development rights, linkage fee reform, and micro-credit financing. Although many of these tools and strategies will be extremely difficult to implement, they are important to discuss as Chinatown is left with few options. These strategies, we advise, should be approached holistically, as many work in cooperation with others in providing a systemic solution to the many challenges faced by the Chinatown community.



Demographics

The Chinatown neighborhood, proximate to downtown Boston's financial and retail districts, is a small, working-class, densely compacted community. Boston's Chinatown, in fact was New England's first large scale Chinese community and continues to function as a center for Chinese Americans in the Greater Boston area. The neighborhood is largely immigrant, non-English speaking, and elderly — demographics that are often politically overlooked. Residents aged 65 and over make up 20.8% of Chinatown's population and 39% of its households.

For the last 50 years, Chinatown has experienced a decrease in both its population and its physical size. In comparison, Boston's Chinatown is not as extensive as Chinatowns in other major urban centers across the United States, such as in San Francisco, Los Angeles, and New York. Additionally, development policies of Boston's city government, driven by political and economic interests, have failed the community. Chinatown is overwhelmingly poor. A great majority of its population cannot afford to own a home. Only 13.6% of residential units in Chinatown are owner occupied, while 80.6% of units are occupied by renters. (Census 2000, Summary File 1)

The neighborhood lacks any significant open space, and is subject to extremely high and constant automobile traffic. This is due, in part, to the creation of the central artery in the 1950's and the City's urban renewal program of the 1960's. As a result, the neighborhood is fragmented and isolated and suffers from a deteriorating environmental quality. (Burge, 1994, 64)

Chinatown is also the most densely populated neighborhood in Boston, with over 111 residents per acre. (1990 Plan, 64) One fifth of the residential units in the neighborhood are characterized as overcrowded; on average, each bedroom in Chinatown is occupied by more than one inhabitant (1990 Plan, pp. 30-31). Though demand for housing is high, land is strictly delimited in the residential area, where the highways prevent expansion.



Demographics

Consequently, many of these recent immigrants live in other parts of Boston and its surrounding suburbs (Chung, 1995). As a small neighborhood of color with very few votes, Chinatown is not a likely candidate to receive more benefits than burdens from the local government.

Yet, at this point, there is a fragile optimism within the neighborhood, as it more energetically enters the arena of community planning. This effort, which first began with the Chinatown Community Plan in 1990, is now being continued through the work of the Chinese Progressive Association (CPA), the Chinatown Gateway Coalition (CGC), the Asian Community Development Corporation (ACDC), and a few neighborhood developers. Chinatown's population is of low socioeconomic status and its surrounding environment has compromised its physical boundaries. Due to urban renewal policies, the neighborhood has severely diminished in size, population, and amenities; yet it continues its role as a center for a now dispersed population (Liu, 36). It is through multiple contexts of a severe housing shortage, serious air pollution problems, chronic traffic congestion, a critical lack of open space, and the ever-present appetite of academic and medical institutions for land (Leong, 3) that one must view the plight of Boston's Chinatown neighborhood.



A Roxbury Case Study



A Comparison

“...The need for unity among Chinatown residents and the CNC, and creation of a committee with technical expertise in development and planning, is absolutely vital for the Chinatown community to make its presence known beyond the grassroots level.”

Past Chinatown political strategies have only been successful in creating temporary relief from unwanted development, but have accomplished their overall goal of increasing the amount of community participation in the long term planning of the neighborhood. The strategies that the Roxbury neighborhood incorporated in their master plan reflect their own struggles to involve the community in the planning process, paralleling many of the issues Chinatown faces. There are two themes that stand out between the two communities:

- The need to expand resident participation in the planning process of the community
- The marginalization of residents and why they are prevented from participating in this process

Both communities have different histories and neighborhood issues, but the tensions between community participation and Boston’s urban planning process are similar enough to warrant a comparison. Although both Chinatown and Roxbury have commonalities, their land use issues are important to note because they are so different. First, Chinatown has a lack of open space. Roxbury is geographically larger, with more residents to spark mobilization. Due to its size, Roxbury does not face the same level of competition with developers that Chinatown does because Roxbury has a great deal of land. It is more difficult for Chinatown to develop (or redevelop) certain parcels of land for the community’s benefit because existing businesses or developments complicate the process.



Roxbury

Roxbury, in contrast, has vacant lots and underutilized areas of land to bid on and develop for its community. The Roxbury Master Plan recognizes the neighborhood’s potential for developing “amounts of open space and underutilized land”. (Roxbury Master Plan, 3) In addition, the Roxbury Master Plan discusses how abandoned houses in the neighborhood could easily be used for market rate or Section 8 housing. It also touches on Roxbury’s “diverse and substantial housing stock”. Chinatown has no such luxury. Chinatown is smaller in scale and its land is so desired by developers and City agencies that community needs are often overlooked due to the City’s economic interests. With this in mind, the need for unity among Chinatown residents and the CNC, and creation of a committee with technical expertise in development and planning, is absolutely vital for the Chinatown community to make its presence known beyond the grass roots level.

Roxbury’s Master Plan

Roxbury’s development history may be different than Chinatown’s, but its invisibility in the planning process is similar to Chinatown’s. The hard lessons learned from how development in Roxbury sometimes benefits those living in different neighborhoods, and the city’s involvement in promoting this disparity, is reflected in the Roxbury Master Plan’s guiding principles, created in 1999. (RMP, 3)

The drafting of these principles was based on the commitment of the community to expanding participation in the planning process and ensuring that economic development opportunities benefit the neighborhood more than outside interests. (Jennings, 22) The master plan discusses the overlooked needs of the neighborhood and its residents at the expense of other neighborhoods, and reflects on the marginalization of the community in regards to the planning and development process. The master plan challenges City officials and the planning community to involve a community that has racial and economic obstacles to participation. (Ibid, 14)



Roxbury

Roxbury's Neighborhood Council

The Roxbury Neighborhood Council (RNC) plays a crucial political role for the neighborhood. The RNC was created in 1997 and was instrumental in working with the Boston Redevelopment Agency (BRA), directly engaging in conversations with the community to establish the boundaries of Roxbury and to create its Master Plan. The Master Plan's guiding principles and strategies to address specific economic development needs are enforced by this entity, which is a conduit to the BRA and other City officials.

The RNC is an elected body, a governance feature that has access to information on new developments; and although they have no veto power, they do have some influence over new developments. The ability to access information on encroaching developments in a limited time frame, and debate these projects within the community and within the principles of their master plan, is one of the many elemental problems facing communities of color. Although a neighborhood council is not always the most ideal forum, in a community that has limited access to the City and State's political power structure, it is a local entity that is accessible to most residents and has some power and influence in the planning process.

Oversight Committee

To oversee the development of land, the community established the Roxbury Strategic Master Plan Oversight Committee (RSMPOC). This committee is responsible for land-use development issues and programs that arise in the community, communicating with the neighborhood and the BRA to develop parcels of land within the guidelines of the master plan. (Ibid, 23) The RNC is influential in nominating its members, which is not typical in other Boston neighborhoods. The RSMPOC also works closely with the RNC and the BRA in these development efforts.



Chinatown

Chinatown's Neighborhood Council & The 2000 Masterplan

For Chinatown, the Chinatown Neighborhood Council (CNC) would be a crucial entity to disseminate complex information to its residents whose language and cultural barriers play a large role in limiting community participation in politics and urban planning. The residents have had some success mobilizing against unwanted large development, but this is a defensive strategy that may prove to be short term compared to the potential for significant participation in community planning. The CNC is an important stakeholder in this arena, and is also an entity that is recognized by the BRA and City officials as representing the Chinatown community.

The 2000 Chinatown Masterplan mentions the creation of a Technical Committee as one of several strategies and potential partners to address land use issues, and has the potential to address more than zoning provisions. (Chinatown Masterplan 2000, 41) The other strategies listed touch upon strengthening Chinatown's partnership with the BRA, increasing participation for community residents, redevelopment of vacant parcels, and other issues that are similar to the RSMPOC priorities. The difference in listed potential partners in the Chinatown Masterplan is obvious between the Oversight Committee and Technical Committee. (Ibid, 41) In comparison, the RSMPOC's most influential partner is the RNC. The CNC is not listed as a potential partner to the Technical Committee or is any part of the land use agenda in the Chinatown Masterplan. The CNC has not always had the Chinatown's residents and activists' interests at the forefront when dealing with the BRA or other major decisions on neighborhood development. To be most effective, though, the Technical Committee would need to work in conjunction with the CNC. The example of the RSMPOC and its unique working relationship with the BRA is a model for Chinatown to work toward.



Lessons for Chinatown

The potential for further dialogue with City agencies like the BRA already exists, but is dependent on Chinatown's ability to maximize the resources that give them direct access to City agencies and officials that influence urban planning. The CNC has been more effective to date in their dealings with planning entities, including the BRA, and with the assistance of a Technical Committee, would help residents keep Chinatown's land use issues at the forefront. There is also the potential for collaboration between Roxbury and Chinatown, two similar communities that could learn from each other's past dealings with unwanted development and the planning process. Chinatown would especially benefit from a further understanding of the RSMPOC.

Even with the various differences between the Roxbury and Chinatown communities, each has master plans that emphasize the need for further participation in planning and development. While the planning process might not be something that Chinatown residents have a great deal of control over, strengthening the relationships within their community needs to be made a priority. The strategies to reach these ends are complicated for both communities, but within their struggles, the need for unity and consensus among neighborhood governing bodies is critical to their success.

Overseeing the Implementation of Master Plan in the Disposition of Publicly Owned Parcels

- Proposing land use programs
- Recommend the order of parcel disposition
- Coordinating public comment and input
- Review drafts of RFPs
- Recommend changes to RFP
- Creating subcommittees to review individual parcels
- Coordinate with other existing neighborhood review committees
(Roxbury Master Plan, 1999)



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Goals

- Affordable Housing
- Economic Development
- Open Space
- Community Building

Tools

- Affordable Housing Strategy
- Micro-credit Financing
- Land Trusts
- TDRs
- Linkage Fee Reform
- Social Marketing



Affordable Housing

Goal: To prevent the gentrification process in the Chinatown community, which drives up rental and homeownership prices beyond what is truly “affordable” for its residents. We have identified the challenges that prevent the creation of sustainability. The recommended solutions incorporate more than the creation and preservation of affordable housing.



Challenges

- Reducing poverty
- Increasing homeownership
- Changing State legislation to favor comprehensive plans (or Master Plans) over individual property owner or developers’ rights
- Creating an offensive strategy of participation in the planning process, versus opposing parcel-by-parcel developments.

Tools (see appendix C)

- Low Income Housing Tax Credits (LIHTC)
- Housing Trust Funds
- Community Preservation Act



Affordable Housing

In an area like Chinatown, with extremely high rents and low vacancy rates, there are two affordable housing issues that are the greatest risks to current residents: the conversion of affordable rental units to market-rate, and major housing development projects that gentrify the neighborhood (AKA “condofication”). A more holistic approach is needed in implementing affordable housing preservation strategies in the neighborhood because the one strategy at a time, parcel-by-parcel focus, has so far been unsuccessful in maintaining affordable housing units within the Chinatown neighborhood. Additionally, even when affordable housing is created in the neighborhood, many Chinatown residents are still unable to remain in the community because affordability is often determined as falling below 80% of area median income (AMI) in the Boston Metropolitan Area. In 2005, 80% of AMI was \$66,150 for a family of four. (MassHousing) In 1999, median family income for Chinatown was \$20,508. (2000 Census, Summary File 3) As such, affordability as determined by the City does not coincide with the reality of the housing crisis. (See Appendix A)

In the past, the Chinatown community has fought for an increase of affordable housing. This strategy may not be the most useful for Chinatown as with the increase of affordable housing often comes the greater increase of market rate housing. Additionally, any affordable housing that has been added to the neighborhood has not been affordable for the

population in need. The Chinatown community needs to tackle the issue of affordable housing from another angle. While the community should still demand affordable housing for the neighborhood, it must also explore programs aimed at increasing the incomes of its residents so that they can be brought up to a level as to afford the “affordable” housing available to them. (This will be discussed in the micro-credit financing section of the report). Chinatown has a low percentage of property ownership (13.6%); raising this number, through an increase in community income, is ultimately the best strategy to preserving affordable housing and influencing development in one’s community.

There is also a larger issue in Massachusetts that undermines current efforts to prevent gentrification in communities like Chinatown. State legislation protects individual property owners’ vested rights over a community or municipality’s needs and requirements for development. Many of the examples in our document are taken from California because California has an enforceable regional comprehensive plan. State legislation dictates land use based on the consistency of developments with that plan. Although Massachusetts already has housing preservation initiatives in place to help maintain affordable housing in their neighborhoods, California has a few progressive housing preservation initiatives that are worth noting. Additionally, California examples will be used throughout this document.



Affordable Housing

Currently, there is no local or state legislation that would support inclusionary housing in Massachusetts because there is no enforceable comprehensive plan. Legislation would have to be introduced that would require a one-for-one replacement of any Section 8 or affordable housing units that are demolished or converted to market-rate housing. There is hope, as Chinatown’s 1990 Master Plan outlines an enforceable recommendation from the BRA:

Maximum efforts should be made to assure that any existing affordable housing units in Chinatown which are removed, are replaced on a one-for-one basis. If tenant relocation takes place, all expenses should be provided for and disruption and inconvenience minimized. This effort

may require community support of State and national legislation and local tenant advocacy organizations. (1990 Community Plan, 71-72)

It is not enough that the BRA stated in their own report that Chinatown must stabilize their existing housing stock for the low-income Asian and Chinese households in the community. The role of the BRA must also be to enforce the master plan, because even with legislation, Chinatown will be unable to enforce any inclusionary housing.

The unification of various local entities in the Chinatown community and a broader strategy of addressing State legislation that prevents creating sustainable communities is the main recommendation of the affordable housing section.

San Francisco: Housing Preservation Initiatives

The San Francisco Redevelopment Agency has such strict code enforcement principles that they must use incentives to compel property owners to cooperate with them in maintaining affordable housing. San Francisco purchases the land and uses a leasehold structure that ensures the property remains affordable for as long as the City requires. The City also guarantees lenders and owners of federal-assisted housing that it will pay the difference between affordable rents and market-rate if the federal government’s Section 8 subsidies fall short.

To date, San Francisco has successfully preserved a number of affordable SRO (single-resident occupancy) rental units from destruction or conversion to market-rate units by requiring developers and property owners to create or replace any affordable rental units removed from the market with an equal number of affordable units. Based on *San Remo Hotel v. the City of San Francisco*, there is legal support for this type of initiative in California. With the incentives the City provides, property owners have other options, like selling their properties to the City to be used as affordable housing, or maintaining lower rent prices with the subsidies available to them.



Open Space

Goal: The need for open space is well articulated in both the 1990 Chinatown Community Plan and the 2000 Chinatown Master Plan. We have identified a variety of options for open space construction and preservation.



Challenges

- Chinatown now exists on approximately one half the land that it once did.
- More than 85% of residential units in Chinatown are rental.
- By the mid-1970's, construction of the Tufts-New England Medical Center and the introduction of the Combat Zone limited access to Boston Common and the Public Garden.

Options

- Land Trusts
- Linkage Fee Reform
- Transfer of Development Rights (TDR)



Land Trusts

Highlights

- Protects land permanently
- Provides community with abutters’ rights
- Fosters cooperation with local government

Options for partnership include:

Trust for Public Land: Parks for People – New England

Over the past 30 years, Parks for People – New England has protected more than 600 acres of urban open space. This organization focuses on community engagement and offers a far-reaching network of support.

The Trust for Public Land
Parks for People – New England
33 Union St., 4th Floor
Boston, MA 02108
(617) 367-6200

South End/Lower Roxbury Open Space Land Trust

This organization specializes in urban parks and community gardens. It was incorporated in 1990 and owns six properties in Boston’s central planning district.

The South End/Lower Roxbury
Open Space Land Trust
PO Box 180923
32 Rutland Street
Boston, MA 02118
(617) 437-0999

Definition

A Land Trust is a non-profit corporation with 501-tax exemption status. It is responsible for some asset through land ownership or easements. Land Trusts acquire land through donation or bargain sale (purchased below fair market value) by offering tax incentives.

There are two types of Land Trusts:

Conservation Land Trusts

- Protects open space
- Conservation easements are most popular

Community Land Trusts.

- Protects affordable housing
- Retains an interest in land but sells structures to ensure affordability

Approach

Conservation Land Trusts can be time and energy consuming to operate. Partnering with an existing Land Trust is an efficient way of overcoming operational obstacles. The drawback to doing so is the forfeiture of direct property rights and the possibility that community interests could be sacrificed in favor of those of a larger organization. A combination of partnership with existing Conservation Land Trusts and the incorporation of a Community Land Trust specific to Chinatown could be the best solution for preserving rights in perpetuity.



Land Trusts

Partnering is recommended with regard to forming a Conservation Land Trust, but this is not so for a Community Land Trust. The latter is an organization that directly meets community needs and should include no other stakeholders in its membership aside from public representatives. To a limited extent, a Community Land Trust is a method by which Chinatown could move forward with its own affordable housing protection strategy that would effectively eliminate reliance on government institutions and their changing budgetary restrictions.

Due to the high cost of real estate in Chinatown, the purchase of property through bargain sale may not be possible. There are, however, other options. Through individual and institutional donations, land may be obtained without incurring substantial expenses. While it is extremely uncommon, the only non-profit corporation to acquire the power of eminent domain is the Dudley Street Neighborhood Initiative. (DSNI) It is unlikely that

a Chinatown Community Land Trust would obtain this same authority, as it was granted for the purpose of recapturing abandoned land within the community.

In the future, a Chinatown Community Land Trust with purchasing power could be a more tenable objective. Our recommendation of Linkage Fee Reform would provide a Development Impact Fee program and, therefore, the establishment of a funding stream. Once established, Community Land Trusts generate revenue through lease fees and rental income. (Jacobus and Cohen, 33)

Community Land Trusts are growing in popularity and exist to address the specific crisis of housing affordability as real estate prices are extremely prohibitive to low-income communities. There are many avenues by which Community Land Trusts obtain property – an initial lack of funding for bargain sale acquisition should by no means be seen as an immutable obstacle.

For more information:

Institute for Community Economics
57 School Street Springfield, MA 01105
(413) 746-8660 <http://www.iceclt.org>



Linkage Fee Reform

Highlights

- Increased funding for open space creation
- Increased funding for community space and other public facilities
- Possible short term decrease in development
- Exacted fees can only be used in the neighborhood from which they were exacted



Definition

Linkage fee reform entails the introduction of an exaction program (known as a development impact fee program) that would target any new or dramatically rehabilitated residential development. The new development impact fee program would exact a fixed, per unit, amount from each development to be used for the acquisition/development of open space, infrastructure improvements and public facilities.

Linkage fee reform may encounter the following challenges:

- Must be supported by the Mayor, City Council and BRA
- Opposition – possibly including: residential developers and Boston property owners
- Increased housing prices

Approach

Chinatown should lobby the BRA and City Council to implement linkage fee reform to include a per unit exaction for all new residential projects in order to pay for the acquisition/development of open space, infrastructure improvements, and/or public facilities. The City Comptroller and Auditor’s office will calculate a per unit fee based on the costs of developing/acquiring specific types of projects and lands for development. These new fees can not be used for maintenance or operation costs as property taxes would act as the major funding source for such expenses.



Linkage Fee Reform

Linkage fee reform is another avenue that the Chinese Progressive Association should explore to potentially assist Chinatown in controlling growth and density within the community. If reform is successful, a new fee structure could potentially slow development in the Chinatown neighborhood. Additionally, reform could result in the acquisition of funds to purchase/develop both open space, infrastructure, and public facilities for the community.

Municipal governments throughout the United States have implemented programs that are designed to exact fees from developers in order to pay for certain improvements and/or urban development projects. These initiatives are known as linkage, or impact fee, programs. Since 1986, the City of Boston has engaged in a linkage program aimed at promoting the development of affordable housing. The BRA requires that any developer who plans to build a large-scale commercial, retail, hotel, or institutional structure pay an exaction to construct affordable housing off site. Linkage fees are only exacted if the developer is seeking a zoning variance for their project. Linkage fees are currently \$7.18 per square foot with an additional \$1.44 per square foot allocated to a jobs payment.

While linkage fees do generate positive results for a number of cities, the program's general structure contains numerous drawbacks. Likewise, there are a number of problems associated with Boston's program. First, linkage fees are only exacted if the developer is seeking

a zoning variance for their project. Next, linkage fees are utilized throughout the entire city from which they were exacted, instead of being earmarked for the specific neighborhood from which they were generated. Lastly, linkage fees only apply to commercial space.

While linkage programs do generate money for necessary projects, they do not go far enough in exacting from developments. A number of cities that impose linkage fees also impose another type of fee structure called development impact fees (DIF's) – also known as urban impact fees, system development charges, or park impact fees. (For the purpose of this report, the fee structure will be referred to as DIF's).

DIF schedules were originally utilized as growth management tools. Cities and suburbs exacted high fees from developers with the hopes that such exactions would discourage sprawl development. More recently, cities began adopting DIF schedules for a different overall goal, to purchase open space/green space/park land, and to fund infrastructure improvements and fire and police facilities. Currently, there are over twelve cities that impose DIF's for such purposes. In fact, the Trust for Public Land's Center for City Park Excellence recently completed a six-month study analyzing the increase in public park acres in cities with DIF schedules. Cities with significant results include: Austin, Texas; Fort Worth, Texas; Portland, Oregon; and Long Beach, California. (Harnik, 2006)



Linkage Fee Reform

DIF's go further than linkage programs in that exacted funds can be used for a broader array of expenditures and are generally kept within the neighborhood from which they were exacted. San Diego, California is an example of a city with a progressive DIF schedule. In addition to San Diego's linkage program, the city also exacts DIF's from developers of residential projects. The amount of the DIF is based on the degree to which each type of development generates a demand for, or receives benefit from, the various existing public facilities. Each neighborhood has a different fee structure (usually a dollar amount per unit). Additionally, DIF's collected in a neighborhood are placed in an interest bearing account and then later used within the same neighborhood in which they were collected. For example, development in downtown San Diego generates the need for open space, fire and police stations, and general infrastructure improvements. Due to the fact that each new development overburdens pre-existing open space, fire and police facilities, and general infrastructure, these new developments are forced share the cost of developing adequate public facilities. Overall, the City of San Diego has exacted and invested over \$45 million in impact fees. (City of San Diego, 2006) Another city that imposes DIF's is San Jose, California. In fact, San Jose has generated \$47 million for neighborhood/community parks since 1989. (Harnk 2006)

DIF's can be an extremely useful and exciting tool for cities. Often times, cities cannot

afford to make necessary public facilities and infrastructure improvements and still offer a basic level of services for their residents. DIF's go above and beyond linkage fees and are a way to exact fees from residential developments in order to pay for such public facilities.

Harnik and Yaffe (2006) analyze whether or not DIF programs focusing on acquiring green space actually result in public acquisition of land. The study finds that overall DIF's do successfully result in land acquisition, but that many cities do not adequately track the progress of the respective program. A recent study by the Trust for Public Lands Center for City Park Excellence found that only 50% of the cities studied adequately tracked progress. Of the cities surveyed: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Los Angeles, California; Miami, Florida; and San Diego, California were unable to provide precise data regarding the generation of park land. Austin, Texas; Fort Worth, Texas; Long Beach, California; Portland, Oregon; San Antonio, Texas; and San Jose, California generated 1,572 acres of new parkland, but the Trust for Public land estimated that the six cities should have generated 2,594 acres. The cities that came closest to achieving their stated goals include: Austin, Texas at 77% of its goal; Fort Worth, Texas at 63% of its goal; and Portland, Oregon at 100% of its goal. Portland was able to reach 100% success by creative use of bonding authority.



Linkage Fee Reform

The study also discusses four issues that affect impact fee programs. These issues include: nexus, cost, development and acquisition, and exemptions. Creating parks through the use of DIF's is an inexact science. It is inexact because it is both a controversial policy, as it is opposed by developers and looked at suspiciously by many courts, and greatly regarded by planners and municipal officials. Due to impact fees contentious nature, these programs are often examined under strict scrutiny. While no one would argue against increased green space, it is the means to achieving the overall goal that are debated by developers and planners.

A vast amount of literature is available (see appendix D) that discusses the bearing that DIF's have on the municipalities that adopt these programs. Based on literature, it seems as if impact fees have minimal effect on new residential construction in center cities. In Chinatown, the implementation of DIF could potentially slow growth, but would more likely generate funds to be reinvested within the community. These funds could be used for the acquisition of parkland or open space as well as infrastructure improvements, affordable housing and/or schools. The Chinatown community should lobby both the City and the BRA for linkage fee reform in the form of DIF in order to force developers to pay for their respective development's impact on the community.



Transfer of Development Rights

Highlights

- Preservation of historic structures
- Preservation of open space
- Preservation of pedestrian scale
- Incentive for development
- Creation of affordable housing

A TDR program may encounter the following challenges:

- Must be supported by an adjudicative body (the BRA, in Chinatown's case)
- Can only be implemented if two communities or areas are involved
- Technically complicated and difficult to implement

Definition

A Transfer of Development Rights (TDR) program aims at protecting one area through the restriction of development, while assisting in the growth of another neighborhood by providing incentives in the form of development rights. The preservation area can sell development rights (rights allowed under zoning before restriction) to an area marked for increased development. A TDR program is best administered by an organization that acts as a bank, facilitating the purchase and sale of development rights.

Approach

Chinatown should lobby the City and the BRA for a TDR program in conjunction with a legally enforceable updated community plan. Chinatown can potentially benefit from a TDR program by either becoming designated as either a sending or a receiving zone.

As a designated sending zone:

- Protect community from overdevelopment
- Protect from the overissuance of variances

As a designated receiving zone:

- See the same large-scale development
- Require low and moderate income housing

In either scenario, Chinatown would potentially gain more control over development within the community.



Transfer of Development Rights (TDR)

A TDR program is an exciting tool that can be used to either assist in the preservation of Chinatown's cultural scale, or to promote the development of affordable housing in the neighborhood. In either case, Chinatown has the potential to benefit from the implementation of a TDR program in Boston. While Boston itself does not have an active TDR program, TDR's are allowable under Massachusetts' general law.

TDR programs, which gained popularity in the 1960's, are aimed at preserving both environmentally sensitive (or valuable) lands, as well as historic development areas. At the same time, they assist in the development of dense commercial and/or residential districts. A TDR program requires the cooperation of municipal zoning powers and the private market to achieve a planned vision for a community encouraging specific types of growth and development in different areas. TDR's allow for the designation of both preservation and development areas and can go as far as to encourage or mandate specific types of growth in development areas.

TDR programs define two types of areas—sending zones or receiving zones. The sending zone is located in the area that is to be preserved and the receiving zone is located in the area that is to be densely developed. Property owners in the sending zone can only sell their air rights to property owners in the receiving zone. Property owners in the receiving zone have the ability to add the transferred rights to the rights that were originally attached to the property,

creating greater development opportunities. A development right is defined as the difference between the existing use of a parcel and the parcel's potential use as permitted by zoning code. The development right is equal to the unused development potential of the land in question.

In order for a TDR program to be successful, both the sending and receiving zones must be identified in accordance with a comprehensive, master, or community plan. If a TDR program is not connected to a plan, then there is no rational basis for the designation of both the sending and receiving zones. These zones will be viewed as arbitrarily designated and there will be no legal link between the TDR program and the health, safety and welfare of the affected community. A TDR program that is not in accordance with a plan will leave itself open to legal attack.

Areas designated as preservation (sending) zones include both developed and undeveloped lands, while development zones include areas determined to be underdeveloped, or areas that have been identified for increased economic and community development. Preservation zones generally consist of historic or cultural structures, environmentally sensitive lands or undeveloped land. A municipality will often times establish a TDR program to maintain the character of the preservation zone by restricting excess development.



Transfer of Development Rights (TDR)

A TDR program will often restrict allowable development in a preservation zone, but will give the property owner the option to sell his/her unused development rights to a property owner seeking to develop his/her land beyond what is permissible under the current zoning. Downtown San Diego has an active TDR program aimed at creating open space. Owners of undeveloped property are given transferable rights for the purpose of protecting such land. Property owners are therefore able to preserve undeveloped land without losing out on development profits.

Areas designated as development (receiving) zones include lands that are either considered underdeveloped or slated to incur increased economic development. Cities often identify blighted urban cores as development zones in order to entice developers and increase the level of investment and economic development in these zones. Within the development zone, the municipality can encourage or mandate a specific type of growth, such as affordable housing, through the use of TDR. This type of specified development is possible because after a development right is purchased, the purchaser must be granted a special permit to develop using the additional rights. Special permits are adjudicative and can be issued with

attached exceptions and/or exactions. Municipalities can therefore use added density to require low and moderately affordable units in the development zone.

After the property owner in the sending zone sells his/her development rights, such owner is required to place a restriction, such as an easement, on the property. This restriction will ensure that the shift in development rights is permanent. The restriction runs with the land and not with the owner, meaning that even if the land is sold it is stripped from any future right to develop. Additionally, even if the parcel’s zoning is changed in the future, the parcel is still restricted from future development.

Due to the fact that the transaction must be timed perfectly, TDR programs operate most efficiently when facilitated by an organization acting as a TDR bank. A TDR bank purchases the development rights from the sending parcel and sells the purchased rights to a receiving parcel. If the TDR bank is set up through the city, or an agency such as the BRA, it then has the ability to issue a special permit to the receiving parcel, or an “as-of-right” to build at the density authorized under the newly acquired development right.

TDR programs achieve the goals of rezoning while negating the occurrence of



Transfer of Development Rights (TDR)

regulatory takings. In the past, two historic cases TDR programs have both legally attacked and have paved the way for TDR programs to flourish: Penn Central v. The City of New York; and Bernadine Suitum v. Tahoe Regional Planning Agency. TDR programs are legal and do not constitute regulatory takings because the land that has essentially been zoned down is still left with value. The value being the transferable development rights that can be sold for profit. TDR programs achieve the goal of rezoning, or in Chinatown's case upholding existing zoning, because owners in the sending zone can profit from the sale of their land's development value while at the same time restrict the future development of his/her parcel in accordance with a plan.

Chinatown should lobby the City and the BRA for a TDR program in conjunction with a legally enforceable updated community plan. Chinatown can potentially benefit for a TDR program by either becoming designated as either a sending or a receiving zone. As a designated sending zone, Chinatown would have the ability to protect its community from overdevelopment and the over issuance of zoning variances. Property owners, such as the MTA, would have the ability to make large

profits without destroying Chinatown's community oriented scale. In order for a TDR program to maximally benefit the community, the BRA would have to rezone Chinatown to allow much more density. This would not be overly difficult as the BRA often issues variances that allow buildings to be hundreds of feet taller than what is allowed under present zoning. After zoning is changed the BRA would have to restrict development within Chinatown, while at the same time allowing property owners to sell their newly created development rights.

A second option would be for Chinatown to become a receiving zone. As stated earlier, the BRA currently issues zoning variances on a regular basis, in effect making the small scale zoning code ineffective. By being designated a receiving zone, Chinatown would still see the same large-scale development as it has over the past 10 years. The difference would be that property owners wishing to develop in the area would be required to build low and moderate income housing in the neighborhood in order to develop with their newly purchased development rights. In either scenario, Chinatown would potentially gain more control over development within the community.



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Community Unification

Goal: In order to meet community goals, organizations and residents must reconcile priorities. Despite the strength of Chinatown’s cultural heritage, this unique resource remains largely invisible to the City of Boston. Strengthening this image will stimulate revenue for local businesses. Community supported initiatives to reduce poverty will remain essential to breaking through existing barriers.

Challenges

- Income disparity
- Economic decline of small business district
- Cultural competency of government and private entities



Tools

- Micro-credit financing
- Social marketing



Micro-credit Financing

Highlights

- Well-tested method of poverty reduction
- Increases social control through community building
- Credit-building through fair lending practices
- Educational programming in finance
- Works best in communities with a high-density population

A program in micro-credit financing will want to overcome the following challenges:

- The welfare program in the US puts an essential ceiling on upward mobility. In order to continue receiving welfare benefits, a recipient cannot possess savings greater than \$1,500.
- Rules involving subsidized housing can make it illegal to run a business out of one's home. This challenge could be overcome through partnering between community members.

Definition

Establishing a means of fair credit access to Chinatown residents is essential to the uplifting of low-income immigrants who aspire to more than subsistence living. Community empowerment must be achieved through property ownership or at least a controlling interest therein. This will not occur on the individual level until residents are able to take mortgages. Micro-credit financing is a method by which residents can reach this point in autonomous and productive enterprise, but by which they may also gain the preparation necessary for larger financial burdens such as home ownership and mortgages.

Approach

Micro-credit financing is the giving of small loans to businesses or individuals to support entrepreneurial activity. This type of lending emphasizes the need to close a credit gap between those with collateral or a credit history and those who are lacking such assets. It uses peer lending – individuals who take loans, but are required to network through weekly meetings with other customers from the community. These meetings make use of social encouragement to promote loan repayment. Micro-credit financing has been used around the world as well as in the U.S. for the purposes of poverty reduction through entrepreneurial activity.



Micro-credit Financing

Micro-credit programs function in a variety of ways. The most important aspect to micro-credit is the accompanying educational programming particular to finance that is integral to its success and to the success of customers. This is also a challenge, particularly for non-English speakers. However, through the cooperation of resources between Chinatown and these institutions, this challenge can be easily overcome.

In the United States, micro-credit lending institutions tend to focus on small businesses or individual entrepreneurs. A certain type of micro-credit (known as Grameen credit) may be more applicable because it focuses heavily on community networking as a source of encouraging loan repayment and it widens its client base to include those without already developed businesses or methods of repayment.

Worldwide, micro-credit financing has helped more than 100 million people to take action in lifting themselves out of poverty through the support of community-built banking institutions and educational services. This practice, known generally as the Grameen Movement, rests on the four principles of Grameen Bank:

discipline, unity, courage, hard work

as well as the following maxims:

- Prosperity we shall bring to our families.
- We shall not live in dilapidated houses.
- We shall keep our families small.
- We shall educate our children.
- We shall not inflict any injustice on anyone.
- For higher income we shall collectively undertake bigger investments.
- We shall always be ready to help each other.
(Taub, 1997)

Case Study Project Enterprise NYC

In 1997, Project Enterprise NYC was funded by two private individuals to strengthen low-income communities through making credit accessible to three of New York City's most distressed neighborhoods: Central Harlem; East New York, Brooklyn; and Bedford-Stuyvesant, Brooklyn. Project Enterprise partnered with The Grameen Foundation USA to receive funding and practical support. In 2004, Project Enterprise had reached more than 1,200 people with a repayment rate of 89%. (Grameen Foundation USA)



Micro-credit Financing

Recommendations for Action

The need for credit in Chinatown is not felt by business owners, but by residents who do not currently have a way of lifting themselves out of poverty. It is not enough to invest in children so that they may have more options for a brighter future. Immigrants and current residents have every right to those options, as well. Micro-credit is one way of making this possible, though it should not be thought of as a panacea for poverty reduction. Micro-credit lending works best in the context

of a patchwork of many policy tools that lead to empowerment and communication. (Taub, 1997)

While micro-lenders across the country have adapted this framework for giving loans, few options exist in Boston. The Federal Reserve Bank of Boston offers training workshops to micro-credit lenders, but those tend to focus on entrepreneurial activity that is more progressed than perhaps would be relevant fulfilling the needs of the Chinatown community.

CDFI

Work with the CDFI to create a community-owned micro-lending institution that could adapt to fit the specific needs of Chinatown residents.

CDFI
Bank Enterprise Award (BEA) Program
Native Initiatives
Margie Nilson, Program Manager
(202) 622-8917
601 Thirteenth Street, NW
Suite 200, South,
Washington, DC 20005

Grameen Financing

This option may appear to be daunting. In fact, operation is a commitment. Due to the small scale, however, of this type of enterprise – small community, small loans – it is quite feasible. We recommend that you contact the Grameen Foundation USA to understand thoroughly what options are available.

The Grameen Foundation USA
1029 Vermont Avenue, NW,
Suite 400
Washington, DC 20005-3517
Toll Free: 1-888-764-3872

Accion USA

This organization is the largest micro-credit group in the country and specializes in providing business loans to those in low-income communities. They do not follow the Grameen framework, but they do focus on educational programming and provide loans ranging from \$500 - \$25,000.

Erika Eurkus
56 Roland St.
Suite 300
Boston, MA 02129
(866) 245-0783
www.accionusa.org
info@accionusa.org



Marketing

- ### Highlights
- Marketing Chinatown as a cultural resource and destination will attract tourism
 - Websites for Chinatowns in San Francisco, New York City have been successful in marketing their communities
 - Heritage tourism, neighborhood preservation programs have helped market the Roxbury neighborhood



Definition

Boston’s Chinatown should be aggressively marketed to attract fellow Bostonians and visitors alike. Chinatown is a unique ethnic community that serves as a distinct component in every major city in America. Boston’s Chinatown reflects a rich cultural heritage, and possesses a thriving small business sector of shops and restaurants. Marketing Chinatown as a valuable ethnic ‘enclave’ can serve as an effective economic development strategy, as well as a source of local revenue.

Approach

Larger Chinatowns in San Francisco and New York City have successfully utilized websites to market their cultural heritage. Both websites feature restaurant reviews, popular shopping locations, a virtual tour of the community, and historical facts. These websites are advertised on local TV and radio, and have helped both these Chinatowns draw in millions of visitors per year.

Chinatown can also emulate ideas from the Roxbury neighborhood, which has been successful in marketing their community through heritage walking tours, and the establishment of a center for community archives and information.

Marketing

Boston's Chinatown is lacking much of the luster of other Chinatowns throughout the nation's most recognized cities. New York and San Francisco's Chinatowns are not only geographically larger and more physically cohesive, but they are marketed as true destinations. Whether it is city dwellers, suburbanites, or domestic or foreign travelers, New York and San Francisco's Chinatowns draw people in and create a unique experience. Many of New York's and San Francisco's attributes are present in Boston's Chinatown, but Boston's Chinatown is smaller and its community has not marketed the area as aggressively as possible.

Ethnic communities in the United States, such as Chinatown, have long been a distinctive component of the American urban landscape. Chinatowns are ethnic 'enclaves'—communities marked by rapid population growth through continued migration, and a noticeable small business sector of markets, restaurants and manufacturers. These enclaves not only serve as the main residential areas for ethnic populations, but are also identified as the prime locations for their businesses. Since the establishment of the first Asian American communities in the U.S., Asian American 'enclaves' have become a significant part of virtually every major city in America.

Boston's Chinatown is at a critical period in that it can continue down its path of combating gentrification while gaining very little, or the community can cohesively work together and market itself in such a way that it will no

longer be viewed as unimportant, but rather as a priceless cultural resource and destination. While there are a number of regulatory tools and strategies outlined in this paper to help prevent gentrification, Chinatown must also work extremely hard to alter outsider's perceptions. Chinatown can begin to change its image by building on marketing strategies that have been established for: both New York City's and San Francisco's Chinatowns; and Boston's Roxbury neighborhood.

Both New York City and San Francisco do a phenomenal job of marketing their cultural heritage to residents and visitors alike. New York's Chinatown markets itself through chinatown-online.com. On this site visitors can seek out restaurant reviews, shop for home furnishings, look for theater tickets, view photos of the area, embark on a virtual tour, read the news and even learn about optoelectronics. In both Chinatown communities, in San Francisco and New York, neighborhood preservation has been linked with heritage tourism as an economic development strategy and as a source of local revenue. (Lin, 7)

San Francisco's Chinatown also has an informative website, sanfranciscochinatown.com. This site has similar functions to New York's, but also allows the visitor to learn the history and culture of the area, and view a list of local events. Sanfranciscochinatown.com also offers both, an e-newsletter containing discounts to area businesses, and an online store. This site has been marketed on radio, the web and in newspapers and magazines.



Conclusion



Analysis

Many of the strategies outlined in this report can be used to address more than one issue. The following table further illustrates this.

	Affordable Housing	Open Space	Community Unification
Land Trusts	X	X	
TDR	X	X	
Linkage Fee Reform	X	X	
Micro-credit Financing	X		X
Social Marketing			X

As the Toolkit demonstrates, some recommended approaches are technically complex and time-consuming. To overcome this problem, we recommend partnering with other organizations like Roxbury to further understand some of the intricacies associated with planning. We have noted agencies or groups that are available to assist in implementing Land Trusts and a micro-finance program. The Chinatown community has many local resources at its disposal including local stakeholders.

Unification of the community is an important factor for its residents to consider before implementation of the recommended policies and programs. As with Roxbury, the creation of a technical committee in collaboration with a neighborhood council is crucial to the community’s participation in the city’s planning process. Without maximizing the resources in their own community, they are ultimately undermining their short-term success.



Analysis

The lack of homeownership and civic involvement by the Chinatown residents has resulted in their invisibility to Boston city agencies and legislators. All of the affordable housing recommendations outlined in this report are weak due to the fact that the State does not require planning agencies to enforce master or community plans. Until Massachusetts forces its cities and towns to adhere to master or community plans, the development/preservation of affordable housing is extremely difficult and fickle.

CPA has begun to work with ACE to find equitable solutions to environmental problems. We recommend that CPA continue along this path, keeping in mind that the creation of open space will directly contribute to this effort. Furthermore, issues pertaining to environmental justice directly connect to urban poverty and lack of property ownership within marginalized communities. We recommend that CPA continue to view environmental concerns through this lens.

The Toolkit recognizes four months of research by a team of Tufts University graduate students, outlining the best strategies for the Chinatown Gateway Coalition. To be most effective, these strategies should be implemented in conjunction with one another, and in collaboration with other agencies and various local entities.



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Appendices



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Development Inventory

Current Affordable Housing Development

Development Name	Low Income	Moderate Income	Market Rate	Studio	1 BR	2BR	3BR	4BR
Chauncy House	34		53	22	65			
ChinaGate Apts	15				10	5		
MassPike Towers	200				42	142	16	
Oak Terrace	60		28		14	32	33	
On Luck Housing	28			10	18			
Oxford Place	39				22	15	2	
Quincy Tower	161		1		161	1		
Tai Tung Village	209		6		51	106	39	19
Yee Realty	3	9		2	6	2	2	
Total	758		88	34	389	303	92	19
Total Units (Affordable and Market Rate) as of 2000	1,450							
Additional units 2000 - Oct. 2005 (Dev. inventory)	90							
Total Units	1,540							
% Affordable	49%							
Sources: MassHousing Housing List Winter 2006								
US Census 2000 Summary File 1								
New/Proposed Units	1,507							
Total	3,047							
Total Affordable (existing and proposed)	1,172							
% Affordable (existing and proposed)	38%							

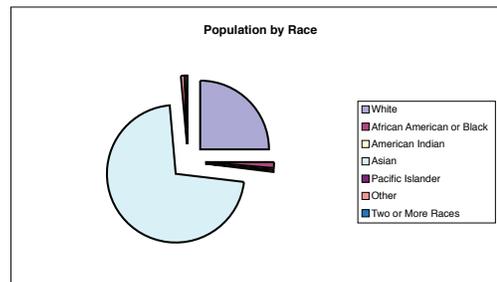
Recent or Proposed Developments

Development Name	Use
40-44 Harrison Avenue	Residential Rental/Ownership
111 Beach Street Condominiums	Retail/Residential Ownership
Research and Nutrition Complex	Institutional
Kensington Place	Retail/Office Residential/Rental
Liberty Place	Retail Residential/Rental
Lincoln Plaza	Retail/Office Residential/Ownership
Lowe's Boston Hotel	Retail/Hotel
Metropolitan	Retail/Office Residential Rental/Ownership Comm. Space
Parcel 24	Retail Comm. Space Residential Rental/Ownership
Total	Overall
	Affordable
	Market Rate



Demographic Tables

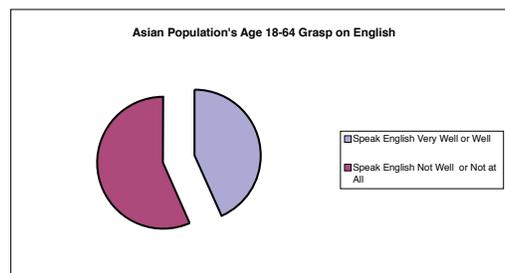
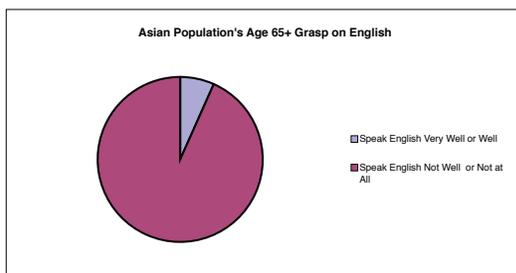
White	24.9%
African American or Black	1.6%
American Indian	0.5%
Asian	71.6%
Pacific Islander	0.1%
Other	0.7%
Two or More Races	0.6%



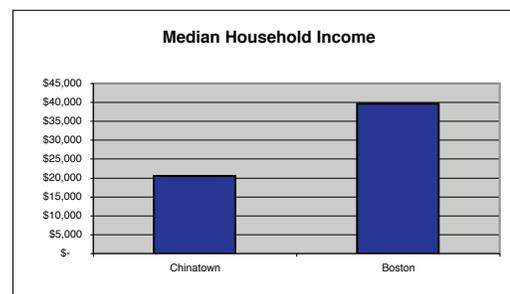
Speak English Very Well or Well
Speak English Not Well or Not at All

7% Speak English Very Well or Well
93% Speak English Not Well or Not at All

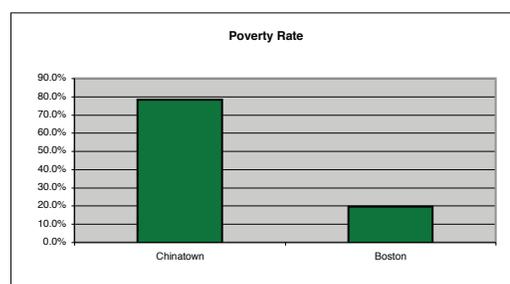
43%
57%



Chinatown	\$ 20,508
Boston	\$ 39,629



Chinatown	78.4%
Boston	19.5%



Source: Census 2000, Summary File 3



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Tracing History in Chinatown

1954: Federal initiatives in highway construction such as the Central Artery and the Massachusetts Turnpike through Chinatown overwhelms Chinatown's physical infrastructure.

1960's: Urban renewal through the Boston Redevelopment Authority (BRA) takes a 'seize-and-destroy' philosophy, conducting wholesale taking of homes by eminent domain in several neighborhoods. In Chinatown, it is estimated that over 700 residents were displaced by urban renewal (BRA, 7).

1965: The federal government concludes construction of the Massachusetts Turnpike Extension and the Central Artery/Southeast Expressway straight through the heart of Chinatown. These two projects demolished nearly 50 percent of Chinatown and neighboring South Cove, creating a traffic pipeline that fed directly from the Mass. Pike into downtown Boston (Stone, 1996).

1977: CPA is founded out of a series of community organizing campaigns; initial issues include Chinese parents' input into the Boston school desegregation process and organizing for community control over land development in Chinatown.

1990: The City of Boston's 1990 Chinatown Community Plan designates Parcel C for development of a community center by CPA and five other agencies.

1990: Chinatown's official poverty rate is 28% (Chinatown Coalition, 1994); the median family income for a three-person household is \$20,107 per year in 1989 (Liu, 26). Chinatown also has the lowest vacancy rate in Boston—3.2 percent. There were 1,431 units of housing for a population of about 5,000 (1990 Plan, 31).

1993: Tufts-NEMC makes an offer to the city of Boston to acquire Parcel C, a small plot of land in the heart of Chinatown. NEMC sought to purchase Parcel C for the purposes of building an eight-story, 455-car garage.

1990's: The Massachusetts Department of Environmental Protection's monitor for carbon monoxide at Essex Street in Chinatown shows several violations of limits set by the Environmental Protection Agency. These carbon monoxide levels were some of the highest in the city of Boston (Mass DPW, 4.11)

2000: The median family income is \$21,922 per year for a three-person household in 1999 (BRA, 2000).

2003: Tufts University's Jaharis Biomedical Center is situated in Chinatown. The Jaharis Center joins a long list of Tufts development projects, located in adjoining research buildings along Boston's Harrison Avenue.

PRESENT DAY: Commercial development projects such as Millennium Place Ritz-Carlton, Liberty Place and Kensington Place surround Chinatown's existing land.



Current Applicable Affordable Housing Tools

Housing Preservation Initiatives

To encourage the preservation of existing affordable housing in Chinatown, strategies must offset the rising costs of property maintenance. Property owners of affordable rental units have high fees associated with property upkeep and neglect, and need incentives to counteract their need to raise rents or convert affordable rental units to market-rate units. In a community like Chinatown with extremely low-income tenants, raising rents would price these residents out of the neighborhood.

In some cases, large-scale developers of luxury housing may have no interest in these resources, but providing information about such resources may encourage some property owners to incorporate them into their developments. The following strategies address the above issues by promoting the preservation of the

affordable housing stock, preventing “condofication” and stabilizing the community.

If property owners take any affordable units off market in Chinatown, this will displace residents out of the neighborhood. For many of these residents, displacement to any other neighborhood would be problematic due to the fact that they are extremely low-income and cannot afford to live anywhere else; and due to language and cultural barriers, there are no other neighborhoods in Boston where they could receive the services they need.

Low Income Housing Tax Credits (9%)

All Properties must demonstrate consistency with the state’s Principles of Sustainable Development: to redevelop first with preference to brownfields, historic structures, and rehabilitation of existing schools



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Current Applicable Affordable Housing Tools

and housing. Limited to the preservation of:

- Expiring use restricted properties
- “Opt-out” Section 8 properties
- “At-risk” or distressed properties

Housing Trust Funds

A Housing Trust functions as a Land Trust, but acts as a body by which low-income neighborhoods can direct affordable housing policy toward their own goals. Whereas a Land Trust is an excellent tool for limiting development, a Housing Trust is useful for encouraging and protecting affordable housing, especially SROs (single-resident occupancy)

apartments. Due to the state’s adoption of the Community Preservation Act, now have ability to levy increased property taxes or property surcharges to fund affordable housing projects.

The Community Preservation Act

Due to the state’s adoption of this Act in 2005, Massachusetts now allows municipalities to raise and earmark a portion of the local property tax levy to fund affordable housing, land and historic preservation, and public recreation. The state provides matching funds to participating communities. (National Housing Trust, 15)



Research Methods

CPA has requested our team identify and create a political action strategy for Chinatown by researching various policy tools and legislative reform that will help the neighborhood understand their priorities and achieve their land use goals. This will be achieved by assisting CPA and the Chinatown Gateway Coalition in conducting background research into potential options for policy tools, which would be directed through interviews with Tufts faculty members as well as members of CPA. In addition, it will also include collection of statistical data through demographic information of Chinatown (up to and since the 1990 Chinatown Community Plan); we will also provide a housing assessment (i.e. taking into account the number/types of housing units lost since the 1990 Plan, as well as the number/types of housing units built since the 1990 Plan).



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TUFTS UNIVERSITY

TO: Quincy Chang, Andrew Cohen, Erin Fried, Bobbie Peyton

This message is your official notification that your project

Chinese Progressive Association (CPA): A Political Strategy for Enforceable Community Planning

does not meet the definition of human subject research under the Code of Federal Regulations Title 45 Part 46.102(d); therefore is not subject to review by the Institutional Review Board.

Please be sure to print a copy of this notification for your files.

Helen A. Page

February 28, 2006

Date of Email Notification

IRB Administrator

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Office of the Vice Provost
20 Professors Row
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FAX 617-627-3673
Email: helen.page@tufts.edu
URL: <http://tufts.edu/central/research>.



Linkage Fee Reform – Literature Review

DIF's can be an extremely useful and exciting tool for cities. Oftentimes, cities can not afford to make necessary public facilities and infrastructure improvements and still offer a basic level of services for their residents. DIF's go above and beyond linkage fees and are a way to exact fees from residential developments in order to pay for such public facilities.

Burge and Ihlanfeldt (2006) analyze the effects that the implementation of, or increases in, impact fees have on three distinct areas: center city, inner suburbs, and outer suburbs. Impact fees shift a portion of the costs of new infrastructure from the average property owner, in the form of high property taxes, to the development community. Many argue that this shift ultimately burdens the new housing consumer as he/she, instead of the developer, is the bearer of the impact fee.

Burge and Ihlanfeldt examined nineteen Florida counties between 1996 and 2003 that contained center cities. Each of these counties experienced a shift in either water/sewer or non water/sewer impact fees. The study found that impact fees do not have much affect on multifamily project approval costs within the center city. The center city has less of an ability to exclude low income residents than do both the inner and outer suburbs because low income residents have greater political clout in the center city. The study's results suggest that a change in impact fees may alter the equilibrium housing stock by shifting the supply curve. As impact fees are introduced or increased, builders costs are directly affected. The introduction of, or increase in, water/sewer impact fees are found to reduce multi-family housing construction within central cities. Short run elasticities for water/sewer impact fees indicate that fees have negative effects on construction while long run elasticities have non-trivial effects on construction. Specifically, an increase in \$1 of water/sewer impact fees would decrease construction by \$1202 in the year following the impact fee adoption/increase. The results are not significant for non water/sewer impact fees.

Mayer and Somerville (2000) examine the relationship between land use regulation and residential construction. The study estimates a quarterly new housing supply function for forty-four US metropolitan areas from 1985-1996. Results in the study are built on work that shows new housing construction is modeled as a function of changes in housing prices and costs. Overall, approximately 60% of US localities impose some type of DIF.



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Linkage Fee Reform – Literature Review

The study finds that the implementation of impact fees has a much smaller effect on new construction activity than other regulations that are aimed at lengthening the development process. Impact fees increase the cost of construction. At any given time, a city with an impact fee program is smaller than a similar city without an impact fee program. In cities with impact fee programs, residents are more likely to renovate their unit than to move to a new unit. The study finds that impact fees increase the price of new units relative to existing units, which decreases the demand for new housing, in turn, decreasing construction. The study also finds an overall increase in development before the implementation of impact fees, as developers accelerate the application for permits before the imposition of new fees. The study cites Skidmore and Peddle's (1998) findings that the presence of impact fees is associated with a 25% reduction in building permits.

Cowley and Lawhon (2003) provide a literature review pertinent to the effects of impact fees on the price of housing and land. The paper examines the intended results of impact fees versus the actual results. Builders will pay less for land, which is not an option in the center city, take lower profits, or decrease the rate of development until the market shifts. Local or submarket demand is more elastic than demand in an entire city, meaning that housing price increases in one city are likely to shift demand to another similar city.

Nelson (1994) discusses myths associated with impact fees. The myths are that: impact fees are passed on to the homebuyer, and that impact fees are bad for low/moderate income projects. Nelson finds that impact fees are only passed on to the homebuyer in competitive markets and that impact fees are not bad for lower income households. In general a homebuilder will charge the maximum price that the market can bear, impact fee or not. Lastly, Brueckner (1997) finds that a city has an optimal point at which it is most efficient in producing infrastructure. When this point is exceeded as a result of population growth, the marginal cost of producing infrastructure may excessively burden the residents. The additional tax burden will decrease property values. Impact fees can combat this process by reducing the tax burden. When a city shifts from a high property tax scheme to impact fees in an unanticipated fashion, growth will temporarily stop.



Linkage Fee Reform – Literature Review

Harnik and Yaffe (2006) analyze whether or not DIF programs focusing on acquiring green space actually result in public acquisition of land. The study finds that overall DIF's do successfully result in land acquisition, but that many cities do not adequately track the progress of the respective program. A recent study by the Trust for Public Lands Center for City Park Excellence found that only 50% of the cities studied adequately tracked progress. Of the cities surveyed: Albuquerque, New Mexico; Atlanta, Georgia; Chicago, Illinois; Los Angeles, California; Miami, Florida; and San Diego, California were unable to provide precise data regarding the generation of park land. Austin, Texas; Fort Worth, Texas; Long Beach, California; Portland, Oregon; San Antonio, Texas; and San Jose, California generated 1,572 acres of new parkland, but the Trust for Public land estimated that the six cities should have generated 2,594 acres. The cities that came closest to achieving their stated goals include: Austin, Texas at 77% of its goal; Fort Worth, Texas at 63% of its goal; and Portland, Oregon at 100% of its goal. Portland was able to reach 100% success by creative use of bonding authority.

The study also discusses four issues that affect impact fee programs. These issues include: nexus, cost, development and acquisition, and exemptions. Creating parks through the use of DIF's is an inexact science. It is inexact because it is both a controversial policy, as it is opposed by developers and looked at suspiciously by many courts, and greatly regarded by planners and municipal officials. Due to impact fees contentious nature, these programs are often examined under strict scrutiny. While no one would argue against increased green space, it is the means to achieving the overall goal that are debated by developers and planners.

All of these articles discuss the bearing that DIF's have on the municipalities that adopt these programs. Based on these articles and studies it seems as if impact fees have minimal effect on new residential construction in center cities. In Chinatown, the implementation of DIF could potentially slow growth, but would more likely generate funds to be reinvested within the community. These funds could be used for the acquisition of parkland or open space as well as infrastructure improvements, affordable housing and/or schools. The Chinatown community should lobby both the city and the BRA for linkage fee reform in the form of DIF in order to force developers to pay for their respective development's impact on the community.



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1990 Plan: 1990 Chinatown Community Plan

2000 Plan: 2000 Chinatown Masterplan

Acronyms

ACDC: Asian Community Development Corporation

AMI: Area Median Income

BRA: Boston Redevelopment Authority

CDFI: Community Development Financial Institutions

CGC: Chinatown Gateway Coalition

CNC: Chinatown Neighborhood Council

CPA: Chinese Progressive Association

DIF: Development Impact Fee

LIHTC: Low Income Housing Tax Credit

MTA: Massachusetts Transit Authority

RMP: Roxbury Master Plan

RNC: Roxbury Neighborhood Council

RSMPOC: Roxbury Strategic Master Plan Oversight Committee

TDR: Transfer Development Rights

Bargain Sale: the purchase of land below market value

Easement: an interest in land held by a party other than the property owner that restricts development on a parcel



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