



COMMUNITY & ECONOMIC DEVELOPMENT OFFICE

149 CHURCH STREET • ROOM 32 • CITY HALL • BURLINGTON, VT 05401

(802) 865-7144 • (802) 865-7024 (FAX)

www.burlingtonvt.gov/cedo

March 22, 2017

To: Community Development & Neighborhood Revitalization Committee
From: Noelle MacKay, CEDO Director; Gillian Nanton, Assistant Director, SHED; Todd Rawlings, Housing Program Manager
Cc: Mayor's Office
Re: **Next Steps for Inclusionary Zoning Review**

This memo outlines the next steps following the release of the evaluation report and presentation by czb, the Consulting Group on January 31st, 2017. The evaluation represents the first detailed review of the City's 26-year-old Inclusionary Zoning (IZ) policy, one of the recommendations contained in the 2016 Housing Action Plan.

CEDO updated the City's existing dedicated IZ [webpage](#) on February 7, 2017 and sent a Front Porch Forum post to gather public comment and feedback. CEDO will be taking comments until we begin to assemble a Working Group in April, 2017 to help assist in prioritizing the recommendations in the report. CEDO is also moving forward with one of the recommendations immediately – developing a monitoring system for applicable projects to ensure compliance with the IZ ordinance. Below is the outline for next steps for both the monitoring system and Working Group.

Monitoring System:

Per the IZ ordinance 9.1.21 Administration: The Housing Trust Fund and its Manager shall monitor activity under this article and shall provide a report no less than every year to the city council, setting forth its findings, conclusions, and recommendations for changes that will render the program more effective. The report described above shall be presented to the city council at a legally warned public hearing." As noted in the report, 'units managed or otherwise controlled by the not-for-profit agencies (approximately 46 percent of all inclusionary units) are routinely monitored by those agencies' but that 'a sufficient long-term monitoring system has never truly developed' for the remainder of the units.

Given this identification of an inadequate system for monitoring IZ units following the initial lease up, Mayor Weinberger directed CEDO staff to immediately create and implement a system to monitor applicable projects. For the January 31st, 2017 CDNR meeting, CEDO provided a [memo](#) and [IZ Monitoring Policies and Procedures](#) that outlines the action steps staff have taken to begin implementing this new monitoring system.

The memo and the IZ Monitoring Policies and Procedures are once again provided as a framework for the March CDNR committee meeting. We will provide a short presentation and then answer any questions and gather comments and suggestions.

Working Group:

CEDO proposes to form of a Working Group of subject-matter experts to take information from the report, as well as any public comments on the report, to review and make recommendations to the Administration and City Council.

The recommended composition of the nine-member IZ Working Group is as follows, along with suggestions for individuals and/or organizations for consideration:

- 1 City Council Members (suggested a member of the CDNR Committee)
- Representative from Planning Commission
- 2 For-Profit Developers
 - Suggestions: Erik Hoekstra, Eric Farrell, or David White
- 2 Not-for-Profit Developers
 - Suggestions: Champlain Housing Trust, Cathedral Square, Committee on Temporary Shelter.
- Affordable Housing Advocate
 - Suggestion John Davis
- CEDO: (Gillian Nanton or Noelle MacKay)
- Planning & Zoning (David White)

CEDO will provide staffing support for the proposed IZWG.

Specifically, the suggested purpose and goals of the IZ Working Group is to:

- Review the IZ report, specifically Part 3: Choices & Recommendations and prioritize the issues and recommendations from the report, taking public input into account, and deciding on next steps.
- Outline for each of the recommendations, listed under 1) Status quo plus; 2) Fully functional inclusionary zoning and 3) Moving the needle; the pros and cons, financial feasibility, suggested timeline, lead as supporting partners, and other implementation factors.
- Identify any data/information gaps.
- Make a recommendation to the Administration and City Council on any proposed changes to the IZ

Given the current workload of staff, we suggest first meeting would be in September 2017 and with monthly meetings, we estimate recommendations coming the Working Group by April 1, 2018.