

1 PROPOSED AMENDMENT TO H.823
2 REVISION TO 24 V.S.A. § 4414(7) RE: INCLUSIONARY ZONING
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4 Prepared by Charles Storrow, KSE Partners, LLP on behalf of the City of Burlington
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7 **Sec. XX.** 24 V.S.A. § 4414(7) is amended to read:

8 § 4414. Zoning; permissible types of regulations

9 Any of the following types of regulations may be adopted by a municipality in its bylaws in
10 conformance with the plan and for the purposes established in section 4302 of this title.

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12 (7) Inclusionary zoning. In order to provide for affordable housing, bylaws may require that a certain
13 percentage of housing units in a proposed multi-unit residential structure, subdivision or planned unit
14 development meets defined affordability standards, which may include lower income limits than
15 contained in the definition of "affordable housing" in subdivision 4303(1) of this title and may contain
16 different affordability percentages than contained in the definition of "affordable housing development"
17 in subdivision 4303(2) of this title. These provisions, at a minimum, shall comply with all the following:

18 (A) Be in conformance with specific policies of the housing element of the municipal plan.

19 (B) Be determined from an analysis of the need for affordable rental and sale housing units in
20 the community.

21 (C) Include development incentives that contribute to the economic feasibility of providing
22 affordable housing units, such as density bonuses, reductions or waivers of minimum lot, dimensional or
23 parking requirements, reductions or waivers of applicable fees, or reductions or waivers of required
24 public or nonpublic improvements.

25 (D) Require, through conditions of approval, that once affordable housing is built, its
26 availability will be maintained through measures that establish income qualifications for renters or
27 purchasers, promote affirmative marketing, and regulate the price, rent, and resale price of affordable
28 units for a time period specified in the bylaws.