

## South Burlington Affordable Housing Committee

Date: October 22, 2021

To: Jessica Louis, Chair, Planning Commission

From: Chris Trombly, Chair, Affordable Housing Commission

CC: Planning Commission, Affordable Housing Committee, City Council, Jessie Baker, Paul Conner

RE: RESOLUTION REGARDING THE IMPACT OF THE PROPOSED LAND DEVELOPMENT REGULATIONS ON HOUSING AFFORDABILITY

**Committee Members** (all ten present at the October 18, 2021 meeting; nine voting and one abstention): Janet Bellavance; Leslie Black-Plumeau; Vince Bolduc; Sandy Dooley, Vice-Chair; Ariel Jensen-Vargas; Patrick O'Brien; Darrilyn Peters; Minelle Sarfo-Adu; John Simson; Chris Trombly, Chair.

The attached resolution constitutes the Affordable Housing Committee's comments on the proposed Land Development Regulations that are the subject of the Planning Commission's public hearing on October 26, 2021.

**Chair's Comments:** Seeking to make a measure of progress in addressing the affordable housing crisis requires a very large toolbox. We need to assemble lots of tools and put them all to work, even if a single tool, by itself, does not make a big dent in the problem.

One of these tools is inclusionary zoning regulations. We applaud and appreciate the Planning Commission's proposed expansion of the City's inclusionary zoning regulations to the entire City. A major feature of inclusionary zoning is that these housing units are perpetually affordable. Inclusionary zoning also promotes other important goals, such as equity and diversity.

Another tool is higher density development. Higher density typically allows developers to build housing at a lower per-unit cost. Thus, we applaud and appreciate the Planning Commission's incorporation of a minimum R4 (four units per acre) density requirement in the proposed rules for Traditional Neighborhood Development Planned Unit Developments and the developable area in a Conservation Planned Unit Development.

Another barrier to more affordably priced housing is the high cost of land. As drafters of our land development regulations, we ask that you remove the proposed rules that require Conservation Planned Unit Developments in most parts of the Southeast Quadrant (SEQ) for developments of four or more acres and the proposed significant addition to the acreage zoned SEQ-Natural Resource Protection. These proposed changes reduce the amount of land available for development, putting upward pressure on the price of the remaining land. Moreover, less developable land means fewer housing units will be built, thus, forcing more households to live beyond South Burlington, farther from their jobs, increasing their commuting time, and unnecessarily adding to the region's greenhouse gas emissions.

Thank you for your ongoing service to our community.

Attachment:  
SoBu-AHC-IZ-Resolution 10.18.21.pdf

1 **AFFORDABLE HOUSING COMMITTEE**  
2 **CITY OF SOUTH BURLINGTON**  
3

4 **RESOLUTION REGARDING THE IMPACT OF THE PROPOSED LAND**  
5 **DEVELOPMENT REGULATIONS ON HOUSING AFFORDABILITY**  
6

7 **Whereas**, the 2016 South Burlington Comprehensive Plan vision calls for the City to be  
8 affordable, with housing for people of all incomes, lifestyles, and stages of life;  
9

10 **Whereas**, compared to VT’s other core towns of Burlington and Winooski, South  
11 Burlington has the highest median household income (\$73,065) and homeownership rate (60%).  
12 In addition, it has the lowest number (639) and percentage (2.5%) of Black/African American  
13 residents. Though South Burlington’s population is 2.5 times greater than that of Winooski,  
14 Winooski’s population includes 730 Black /African American residents while South Burlington’s  
15 includes 639; (Sources: [Vermont Housing Data website](#) and Census 2020)  
16

17 **Whereas**, while the vacancy rate widely considered necessary for a healthy rental market  
18 is 5%, Chittenden County’s current rental vacancy rate is 0.9%, thus, resulting in significant  
19 upward pressure on rental costs (Source: [CCRPC Building Homes Together](#)) By all measures,  
20 the nation and the region are in the midst of a housing crisis for both renters and homebuyers as  
21 well as wealth inequality not seen in decades; (Source: [PEW Research Center](#))  
22

23 **Whereas**, the Grand List assessed value increased an average 29 percent for residential  
24 properties from 2006 to 2021;  
25

26 **Whereas**, the City of South Burlington is located within five miles of the State’s largest  
27 employers and effective climate change standards dictate that density should be highest near the  
28 core city of a region to lessen vehicular emissions between work and home;  
29

30 **Whereas**, infrastructure, such as water, sewer, and heating fuel, necessary for residential  
31 development at a lower cost is already in place in much of the City’s Southeast Quadrant ([Case](#)  
32 [for Housing](#) appendix);  
33

34 **Whereas**, cars and trucks account for the majority of Vermont’s greenhouse gas  
35 emissions — about 45%, according to the Vermont Department of Environmental Conservation;  
36 (Source: VT Dept. of Environmental Conservation, “[Vermont Greenhouse Gas Emissions](#)  
37 [Inventory 1990-2016](#)”)  
38

39 **Whereas**, households should spend no more than 45% of their income on combined  
40 housing and transportation costs; (Source: [Center for Neighborhood Technology](#))  
41

42 **Whereas**, experts have linked Franklin and Grand Isle counties’ population growth  
43 (about 4.5% over the past decade) to sprawl from Chittenden County — which grew 7.5% — as  
44 people opt for longer commutes in exchange for more affordable housing; (Census 2010 and  
45 Census 2020)

46           **Whereas**, the environmental protection standards proposed in Article 12 are based on  
47 professional scientific review and will increase the portion of South Burlington land removed  
48 from potential development from 41% to 50% across the entire City and from 63% to 67% in the  
49 Southeast Quadrant; and double the wetlands buffer from 50’ to 100’ in residential and  
50 municipal districts, they have gained this committee’s support;

51  
52           **Whereas**, the proposed regulations for SEQ Sub-Districts SEQ-NR, SEQ-NRT, and  
53 SEQ-NRN require that all applications involving four (4) or more acres of land be developed as a  
54 Conservation Planned Unit Development and this requirement does not apply elsewhere in the  
55 City;

56  
57           **Whereas**, in all other zoning districts in situations in which a Planned Unit Development  
58 is required, development as a Conservation Planned Unit Development is elective as long as at  
59 least 50 percent of the parcel area (less hazards) comprises level 1 resources as defined in Article  
60 12;

61  
62           **Whereas**, density less than three to four units per acre often results in suburban sprawl,  
63 developments with a density of four or more units per acre support healthy communities because  
64 these density levels support traditional neighborhood development with multiple housing types  
65 that provide opportunities to build affordable housing; (Source: [Vermont Planning](#)  
66 [Implementation Manual](#))

67  
68           **Whereas**, the “[Case for Housing Report](#),” prepared for the Affordable Housing  
69 Committee and shared with the City Council notes that most of the large lot parcels remaining in  
70 the city are already protected from further development by such means as zoning restrictions, 19  
71 City parks, City-acquired conservation parcels, natural hazards and other forms of protection and  
72 identified only 15 parcels in the City containing five or more acres and being suitable and zoned  
73 for residential development;

74  
75           **Whereas**, the proposed change to the City’s land development regulations to expand  
76 inclusionary zoning citywide merits strong support because it is a change that will produce a  
77 modest but significant increase in the supply of perpetually affordable housing when  
78 developments including 12 or more dwelling units are built;

79  
80           **Therefore**, consistent with its opposition to inequitable and exclusionary zoning  
81 regulations and support for zoning regulations that will give property owners throughout the City  
82 comparable options in developing land zoned for development and reduce existing and growing  
83 household income inequality among City neighborhoods, **be it resolved that** the Affordable  
84 Housing Committee requests the Planning Commission to modify the proposed regulations as  
85 follows:

- 86  
87           1. Allow owners of property located in the Southeast Quadrant the choice of Planned  
88 Unit Development options for developing their land that would apply if the same land  
89 were located outside the Southeast Quadrant.  
90  
91           2. Consider regulatory incentives for the use of the Traditional Neighborhood  
92 Development Planned Unit Development option in all situations in which four or  
93 more acres of the parcel to be developed are eligible for residential development.  
94

- 95 3. Allow the proportion of a Conservation Planned Unit Development that is to be  
 96 conserved to range from 50 percent to 70 percent to enable the property owner to take  
 97 full advantage of the density maximum permitted under the Conservation Planned  
 98 Unit Development regulations.  
 99
- 100 4. Remove the proposed change in zoning from Southeast Quadrant-Neighborhood  
 101 Residential and Southeast Quadrant-Neighborhood Residential Transition to Natural  
 102 Resource Protection for parcels south of Nowland Farm Road and west of Dorset  
 103 Street in the Southeast Quadrant because this proposed change is not supported by  
 104 scientific research and recommendation. In addition, by adding a significant number  
 105 of Transfer of Development Rights (TDR) to the TDR inventory, this proposed  
 106 change exacerbates the current situation in which few TDRs are being purchased.  
 107 This proposed change would also minimize development options for the owners of  
 108 these parcels when such restrictions are not being applied to owners of comparable  
 109 parcels in the Southeast Quadrant and elsewhere in the City.  
 110
- 111 5. Change the permanent conservation requirement in the Conservation Planned Unit  
 112 Development regulations to a requirement for a conservation easement that may be  
 113 modified at twenty-five-year intervals from the effective date of these regulations,  
 114 and only at the request of the property owner and with the approval of the  
 115 Development Review Board on the basis of land development regulations that specify  
 116 the criteria for termination or modification of such easement.  
 117

118 Approved on this 18 day of October, 2021.

119				
120	Chris Trombly, Chair	Yeah <u>/s/ Chris Trombly</u>	Nay	Abstain
121				
122	Sandy Dooley, Vice Chair	Yeah <u>/s/ Sandy Dooley</u>	Nay	Abstain
123				
124	Janet Bellavance	Yeah	Nay <u>/s/Janet Bellavance</u>	Abstain
125				
126	Leslie Black-Plumeau	Yeah <u>/s/ Leslie Black-Plumeau</u>	Nay	Abstain
127				
128	Vince Bolduc	Yeah <u>/s/ Vince Bolduc</u>	Nay	Abstain
129				
130	Ariel Jensen-Vargas	Yeah <u>/s/ Ariel Jensen-Vargas</u>	Nay	Abstain
131				
132	Patrick O'Brien	Yeah <u>/s/ Patrick O'Brien</u>	Nay	Abstain
133				
134	Darrilyn Peters	Yeah	Nay <u>/s/Darrilyn Peters</u>	Abstain
135				
136	Minelle Sarfo-Ado	Yeah	Nay	Abstain <u>/s/ Minelle Sarfo-Ado</u>
137				
138	John Simson	Yeah <u>/s/ John Simson</u>	Nay	Abstain
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