

Burlington Planning Commission

149 Church Street
Burlington, VT 05401

www.burlingtonvt.gov/cityplanning

Andy Montroll, Chair
Michael Gaughan, Vice Chair
Alexander Friend
Erhard Mahnke
Erin Malone
Ryan Nick
Julia Randall

Burlington Planning Commission & City Council Ordinance Committee Collaborative Working Group on Inclusionary Zoning

Tuesday, August 11, 2026, 6:00 P.M.

Hybrid Meeting via Zoom and in City Hall's Bushor Conference Room

Draft Minutes

Planning Commissioners Present:

- ☒ Andy Montroll, Chair
- ☒ Michael Gaughan
- ☐ Alexander Friend
- ☒ Erhard Mahnke
- ☒ Erin Malone
- ☐ Julia Randall
- ☒ Ryan Nick

**City Council Ordinance Committee
Members Present:**

- ☒ Councilor Gene Bergman, Chair
- ☐ Councilor Mark Barlow
- ☒ Councilor Sarah Carpenter

City Staff Present:

- ☒ Charles Dillard, Director, City Planning
- ☒ Kara Alnasrawi, Director, CEDO
- ☐ Kimberlee Sturtevant, Assistant City Attorney
- ☒ Scott Gustin, Zoning Division Manager, DPI
- ☒ Sarah Morgan, Principal Planner, City Planning
- ☒ Nancy Stetson, Senior Policy & Data Analyst, DFA
- ☒ Maggie Callaghan, Housing Program Manager, CEDO

Invited IZ Panelists: Eric Farrell, Michael Monte, Brenda Torpy, John Davis, Samantha Dunn

Public Attendance: Sharon Bushor, Fawnya Wilson, Jane

1. Agenda

Call to Order: 6:00pm

Changes to Agenda: None

2. Public Forum for items unrelated to ZA-27-01 Inclusionary Zoning**3. Adopt Minutes & Accept Communications**

Planning Commission Action: Adopt minutes, accept communications.

Motion by: E. Malone

Seconded by: R. Nick

Vote: Unanimous

4. Director's Report

C. Dillard reported shared that the regular Planning Commission meeting scheduled for September 8th will be rescheduled for September 15th. Staff is working to get a meeting specifically about PlanBTV 2050 set with other relevant boards and commissions.

5. Staff presentation on Mayor's Housing Strategy

City staff presented a comprehensive approach that includes updating inclusionary zoning standards, revitalizing the Housing Trust Fund, activating the neighborhood code, and strengthening the public sector's role in housing development through strategic use of public land

6. Review of IZ Collaborative Working Group Progress & Proposals 3, 4, and 5

The group reviewed progress on Inclusionary Zoning (IZ) proposals, confirming that Proposal 1 was compromised at 13 units and Proposal 2 moved toward a uniform approach with 15% affordable units at or below 65% AML. Staff indicated that they would use the next month and a half to work on full amendment language before the next meeting on September 22nd.

7. Discussion related to Proposed Amendment ZA-27-01 with IZ Experts

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The panelists and working group members discussed thresholds for on-site vs. off-site affordable housing requirements and the role of nonprofit housing agencies have in ensuring compliance and affordability. Panelists discussed challenges with market-based housing development not naturally filtering down to affordable units, the importance of permanent affordability through portability of inclusionary units, and the need for stewardship to monitor and enforce affordability covenants. The conversation also addressed questions about unit size requirements and geographic exclusions for off-site affordability payments, with consideration given to whether scale or geography should determine where in-lieu-of-production and off-site options are allowed.

Samantha Dunn: Supported allowing off-site development of inclusionary units but raised concerns about potential resident displacement and suggested considering tiered payment-in-lieu amounts based on unit size.

Michael Monte: Highlighted the importance of using designated housing agencies rather than private developers for affordable housing construction, citing better compliance and long-term affordability guarantees.

Brenda Torpy: supported including affordable housing in all new development to maintain mixed-income neighborhoods, particularly in valuable areas like the waterfront and South End.

E. Farrell indicated that \$80,000 as a PIL fee seems right, but doesn't know the exact right number.

As it related to city-owned land, Michael asked about using City owned land as an off-site option for affordable housing development. Eric noted that idea could work similarly to providing money for property purchase, with the City leveraging its infrastructure.

John Davis: Provided historical context by referencing a 1986 city report that included 25 recommendations for affordable housing, emphasizing the importance of integrating inclusionary zoning with condo conversion and Housing Trust Fund ordinance. Emphasized 3 goals of 1990 IZ ordinance: inclusivity, longevity, and stewardship.

Proposal 3: Allow Off-Site Anywhere

Working group members discussed whether affordable housing units should be required to be built on-site versus off-site, with some expressing concerns about restricting off-site development while others favored ensuring on-site development for larger projects. The discussion also covered the potential use of CHIP funding for infrastructure and the importance of including both rental and homeownership options in affordable housing developments. The group agreed that off-site should be allowed anywhere, but at some point, there should be a tie to project size that requires the units to be in the neighborhood.

Michael Monte requested to reserve a discussion point around dedicated nonprofit housing developers and the designated housing agency being the developer of choice. Ties to the stewardship point made by John. CHT is frequently asked to take over affordable housing from private developers.

Erhard Mahnke: Would like to see added "or by one of the City's dedicated housing nonprofits in partnership". Would like to add golf course in as somewhere that couldn't do off-site and then define a larger development. There seemed to be general interest in 100-units being considered a "large" development.

Sarah Carpenter: We might need to do some review of the City's dedicated nonprofits.

Michael Gaughan: Wanted to flag the acquisition of units as tricky. Doesn't agree with Erhard's proposal about designated non-profits.

Andy Montroll: Agrees that the addition of the dedicated nonprofit partnership becomes an artificial barrier.

In response to Michael and Andy's comments about the designated housing agencies, Erhard asked why we had them embedded in our ordinance to begin with. Brought John and Michael Monte's points about stewardship up, and noted that some for-profit developers maintain their IZ units just fine, but others don't. Went on to emphasize that the city has struggles with code enforcement, and wants to make sure that IZ units are maintained in the best way.

Gene followed up on Erhard's point saying that the point on designated housing agencies needs more work from staff. Hears that designation is an important aspect of it, but for-profits (like Jonathan Rose Company) has a large portfolio across the country and they do good work.

Erin Malone noted that the City may instead want to consider strengthening the monitoring side of IZ as it relates to the stewardship question.

Sarah Carpenter agreed with Erin and suggested further discussion about ways to bring the state housing agencies into the conversation.

Proposal 4: Allow Payment-In-Lieu Anywhere

Michael Gaughan: Expressed that he doesn't feel the need to call out specific parcels where Off-site and PIL wouldn't be allowed. Agrees that 100 units or more should be required to build IZ, not allow off-site or PIL.

Sarah Carpenter: Supports allowing PIL anywhere (except waterfront and South End). Agrees that there should be the "large project" threshold instead of based on parcel. Maybe unit number should be guiding principle instead of an area.

Gene Bergman: Related to the threshold of "Large" projects, doesn't think that 100 units could cover a property as large as the golf course.

Michael Monte suggested that 100 to be considered as "large" might be too high, and asked that we consider a smaller number.

Proposal 5: Reconfigure Payment-In-Lieu Calculation

C Dillard: Clarification on this proposal in response to questions from Andy Montroll – it is to remove the fee amount from the ordinance but include the formula for annually recalibrating. The Council wouldn't have to do work every year to figure out what the formula would be, since that will already be in the CDO. The baseline is being set at \$80,000 for FY27, and then in FY28, council would need to vote on update this new number. Staff will come back next time with example formulas.

Gene Bergman: Makes the most sense to set the formula in the ordinance and have it be administrative, and have it be implemented. People forget that they have to do things, and this will likely happen at the time the budget has to be done. Have a baseline, come to an ordinance that is fair, and in the ordinance say that on an annual basis it is adjusted effective July 1st/new fiscal year.

Michael Gaughan: Really liked Samantha's idea on calculating based on NOI (net operating income). Has also worked with using replacement value or some portion of replacement value.

Erhard Mahnke: Asked about what formula was used to come to \$80,000, and supports establishing some sort of annual recalibration. Emphasized the need to consider inflation index that is regionalized and takes into account construction and other related costs. Brought up the desire to require PIL for projects that are not subject to IZ.

Michael Monte: Highlighted that payment of the payment in lieu needs to be done in a way that's affordable. Upfront payment of PIL could have caused damage and difficulty for prior developers and projects. Suggested coming up with a way for allowing that payment to occur over a short period of time. Would still allow trust fund to grow, but the developer could borrow less money up front. Some working group members agreed to this suggestion of a timed PIL.

Eric Farrell proposed using HUD's income data for objective standards

8. Public Forum related to ZA-27-01

Sharon Bushor: Raised concerns about allowing off-site units, specifically around neighborhood diversity. Suggested that larger projects be considered 50 – 75 units as a threshold of mandating On-site and not allowing PIL.

9. Commissioner Items

Michael Gaughan brought up the need to review bike lane design standards following the recent cycling incident on Pine Street.

10. Adjournment (8:57pm)