

**ROAD MAP:
HOW TO DEVELOP AND ADOPT AN INCLUSIONARY ZONING ORDINANCE
IN YOUR COMMUNITY**

PHASE I: GETTING ORGANIZED

1. **Identify a Sponsor.** Identify a working group that will act as a sponsor to shepherd the ordinance through the local review and adoption process, whether a vote at Town Meeting or approval by City Council. The working group can be composed of an existing board or commission, or a diverse group of interested individuals including local officials, board and commission members, the public, the business community, and the expertise of regional planning commission, local housing associations, affordable housing property owners, local and community land trusts.
2. **Develop A Plan.** The working group would be responsible for creating a work plan and timetable for developing the ordinance, and a plan to implement the ordinance. Deadlines for Public Hearings and Town Meeting are set by State statutes and it is important to be aware of the public notification requirements.

PHASE II: DEVELOPING THE ORDINANCE

1. **First Step: Identify Potential Areas Best Suited for Affordable Housing.** Utilize the mapping skills of your Regional Planning Commission and others; generate a map displaying the areas within your community that would be best suited for affordable housing. These can include established village centers, infill development, brownfields redevelopment, mixed-use development, or new conservation subdivisions. Some considerations for possible zones/locations include mass transit availability, livable/walkable areas, and proximity to municipal services such as schools, health services, and city water/sewer.
2. **Second Step: Decide on the Resources to Regulate.** Local governments in NH may utilize RSA 674:21 I(k) which gives municipalities the power to establish Innovative Land Use Controls, one of which is Inclusionary Zoning, defined in Section IV(a) as “a voluntary incentive or benefit to a property owner to produce housing units which are affordable to low and moderate income populations.” In making this decision, work with the committee to determine what technique would be best to integrate an inclusionary zoning ordinance into your existing zoning.
3. **Third Step: Establish the Incentives.** Once you have made the decisions regarding your regulatory approach and the potential sites, begin to consider the incentives the municipality can offer developers to create affordable housing. These may include density bonuses, smaller lot sizes, zoning exemptions/waivers, expedited permits/application, public and private partnerships, mixed-use projects, waived to reduced fees, exemption from phasing, and financial assistance.
4. **Master Plan.** Review the Master Plan for consistency with the goals of adopting an inclusionary zoning ordinance, particularly if your community does not have a Population, Demographics, or Housing chapter. This may also include incorporating the relevant census data by the US Census Bureau or Office of Energy and Planning.
5. **Technical References.** To assist with developing an ordinance and providing background and reference information for public outreach, there are many and various sources of information

including the DES Innovative Land Use Guide Model Ordinances “Innovative Zoning” Chapter (online at <http://www.des.nh.gov/REPP/index.asp?go=ilupth>).

PHASE III: GETTING THE WORD OUT

1. **Public and Landowner Outreach.** Engage the public and the business community to raise awareness of the importance of inclusionary zoning and to gain input on local issues of importance and concern. The “take home message” is that inclusionary zoning provides public benefits:
 - Economic – helps businesses attract and retain a vital workforce
 - Quality of life – affordable housing costs, community, and recreation
 - Retain the long-term affordability—link rental cost or the initial price and future sale price to a percentage of the area median income, as established annually by the U.S. Department of Housing and Urban Development
 - Fairness to all—municipalities, developer, buyer, and renter all benefit
 - No decrease in local tax revenue—recommended incentives are not tax breaks
 - Integrates well with existing regulations—affordable housing fits well with preservation of open space, village character, infill and mixed-use development, brownfields redevelopment, adaptive reuse, etc.
 - Driven by market forces—the housing market establishes the cost of homes, on which the median level of affordability is based
2. **Engage Local Stakeholders.**
 - Work cooperatively with local officials and departments, boards and commissions, and landowners to gain support of developing the ordinance.
 - Arrange informational meetings and/or work sessions to discuss the purpose and goals of the ordinance and provide an opportunity for review and comment on the ordinance.
 - Provide instruction on how the ordinance will be implemented, who will have implementation authority, and how the approval process works and what groups are involved in this process (i.e. review and comment by other boards, commissions, local officials or DPW, Fire, Police, Building Inspector, Health Officer, etc.). Instruction may be provided through the Regional Planning Commission, NH Local Government Center, your County Conservation District Office, a consultant or other qualified professional.
3. **Demonstration.** Identify locally owned properties or private properties where successful inclusionary zoning occurs. First-hand observation is a powerful educational tool as “a picture is worth a thousand words.”

PHASE IV: IMPLEMENTING THE ORDINANCE

1. **Education.** Provide periodic workshops or other public forums to educate local officials and future applicants about the ordinance. This audience would include property owners, consultants, the business community, realtors and developers. An information packet might be developed for distribution to property owners and civic groups.
2. **Process.** Develop clear and concise administrative procedures, which may include information about incentives and procedures that can assist developers create affordable housing options.
3. **Comparison with other towns.** It may be helpful to develop a one to two page fact sheet describing the benefits of inclusionary zoning.