ESSENTIAL INFORMATION

December 2018

Local Inclusionary Zoning Laws

Prepared by the Cook County Department of Public Health

SUMMARY

This map identifies variation in local-level ordinances that establish the requirements and parameters for developers to create affordable housing as of December 1, 2018.

ABOUT INCLUSIONARY ZONING LAWS & THE DATA

Inclusionary zoning laws are a mechanism to provide affordable housing by requiring or incentivizing developers to set aside a certain portion of new developments for affordable housing. Developers are sometimes able to meet the requirement by building units off-site or paying into an affordable housing fund. Incentives for developers include expedited permitting, density bonuses, or zoning variances. Inclusionary zoning laws are designed to provide more affordable rental and/or owner-occupied housing for low to moderate-income individuals and families. These laws use the private development market to create housing for low-income individuals and families. The laws govern when and how affordable housing requirements can be met, including whether alternatives to the set-aside are allowed, and which individuals are eligible for or given priority to the affordable housing when it is created.

This map, and the data used to create it, presents municipal-level inclusionary zoning policies in 10 cities across the country: Boulder, CO; Burlington, VT; Cambridge, MA; Evanston, IL; Irvine, CA; Highland Park, IL; Lake Forest, IL; San Diego, CA; Santa Fe, NM; and Stamford, CT.

The map includes key characteristics of these laws, such as whether the inclusionary policy is mandatory; whether off-site units or a fee-in-lieu can be used as an alternative to creating affordable housing units within a new development; the types of development to which the policy applies’ incentives for developers, requirements and preferences for who lives in the affordable housing; and whether the affordable housing that is provided within a development can have different unit sizes.

According to Health Affairs, there are more than 1,300 inclusionary zoning programs in the United States. This dataset is a small sample of municipal-level inclusionary zoning ordinances across the country.

NAVIGATING THE DATA

There are two ways to navigate the data by clicking the Filter tab or the Explore tab — for each option, the data can be visualized in a map and table format or in jurisdiction profiles.

Filter

The dataset homepage will default to the Filter tab. Here, users may answer a series of questions to learn more about the characteristics of the laws. Answering more than one
question will show all the jurisdictions that meet the combined criteria. Criteria selected will be listed above the questions, and can be removed by clicking the white X or by clicking “Reset” above the questions.

**Explore**

Users can access Explore by clicking the Explore tab in the bar above the questions. Using Explore, users will see the answers to one question across all jurisdictions.

The primary questions in this dataset are:

1. Does the municipality have an inclusionary zoning policy?
2. When was the policy adopted?
3. Is the policy mandatory for developers?
4. What is the required set-aside?
5. Are alternatives to the set-aside allowed?
6. What is the development size threshold?
7. What types of new development fall under the policy?
8. What is the income target for rental units?
9. What is the income target for owned units?
10. What type of developer incentives are offered?
11. What is the period of affordability for rental units?
12. What is the period of affordability for owner-occupied units?
13. Are there any preferences given for who can live in the affordable housing units?
14. Is a different ratio of affordable unit sizes allowed?

**DISPLAYING THE RESULTS**

There are two display modes once criteria have been selected by using either the Filter or Explore tab — **Map** display mode and **Profiles** display mode.

**Map Display**

LawAtlas.org dataset homepages default to the map display mode. When querying the data using the Filter tab, all jurisdictions that meet the criteria selected will display in one tone of yellow. Those jurisdictions that do not meet the criteria selected will be colored gray. When querying the data using the Explore tab, the map will illuminate with colors from yellow to red that are associated with the various answer choices (the color-coding is defined by the key to the left of the map).

Below the map, a table will appear. Using the Filter or Explore tab to navigate the questions will change the display:

- Using the Filter tab, you can select an unlimited number of criteria and the applicable jurisdictions that meet the combined criteria will be displayed in the table below.
- Using the Explore tab, you can isolate a single criterion and the applicable jurisdictions will appear in the table below.

**Profiles Display**

The Profiles display presents the results of the criteria selected in a text-based format for each applicable jurisdiction. Using the Filter tab, jurisdictions that meet the criteria selected will display. Using the Explore tab, jurisdictions that meet the criterion selected will display. If no criteria are selected, the full profiles for each state will appear under both Filter and Explore.
Profile Legend
Within each Profile box, above the questions and answers, there are additional options and information useful in exploring the law:

<table>
<thead>
<tr>
<th>$$$</th>
<th>Toggle Legal Text – Selecting this option will show all the legal text used to answer questions for this jurisdiction.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Toggle Full Place Profile – Selecting this option will show all questions and answers for this jurisdiction, regardless of what was selected using the Filter or Explore tabs.</td>
</tr>
<tr>
<td>🔽</td>
<td>Toggle Size – Selecting this option will make the profile larger, but will not change the information displayed.</td>
</tr>
</tbody>
</table>

Map and Profile Legend
There are a few symbols to be aware of in both Map and Profiles display modes:

| § | Section Symbol – Clicking this symbol will open a window that displays excerpts from the law that correspond to the question and answer. |
| 🚨 | Caution Note – Clicking on this symbol will open a small window that displays text that describes important caveats about the question and answer. |

DATASET RESOURCES
Each dataset homepage includes the following resources available for download:

- **Data**: The Data file exports in CSV format and may contain two tabs. The “Statistical Data” tab contains the legal variables coded in the dataset, displayed as values defined in the accompanying Codebook. The “Summary Data” tab contains the legal variables coded in the dataset in text form, as well as the accompanying citations and any caution notes that may be included. Note: if there is only one tab available for download it will be the “Statistical Data” as described above.

- **Codebook**: The Codebook defines all of the coded variables in the dataset. The Codebook lists the question, question type, variable name, variable value and variable label. The Codebook should be used in conjunction with the Statistical Data extract.

- **Research Protocol**: The Research Protocol is a comprehensive document that outlines the entire methodology of the project, including the scope, inclusion and exclusion criteria, data collection methods, definitions, coding scheme decisions, as well as the quality control process.
• Summary Report: The Summary Report provides a snapshot of important findings from the dataset.

ADDITIONAL INFORMATION

• This dataset covers only a small portion of municipal zoning policies. For additional information, you can read the Health Affairs policy brief on inclusionary zoning at https://www.healthaffairs.org/do/10.1377/hpb20180313.668759/full/.

This collection of laws does not provide legal advice nor does it address enforcement of laws, administrative policies, case law, or any other sources of law. Should you have a specific question about these laws in your state, please contact an attorney in your jurisdiction.