



# Community Benefits Agreement

## Overview

July 27, 2017

**MJD**  
MANAGEMENT  
GROUP

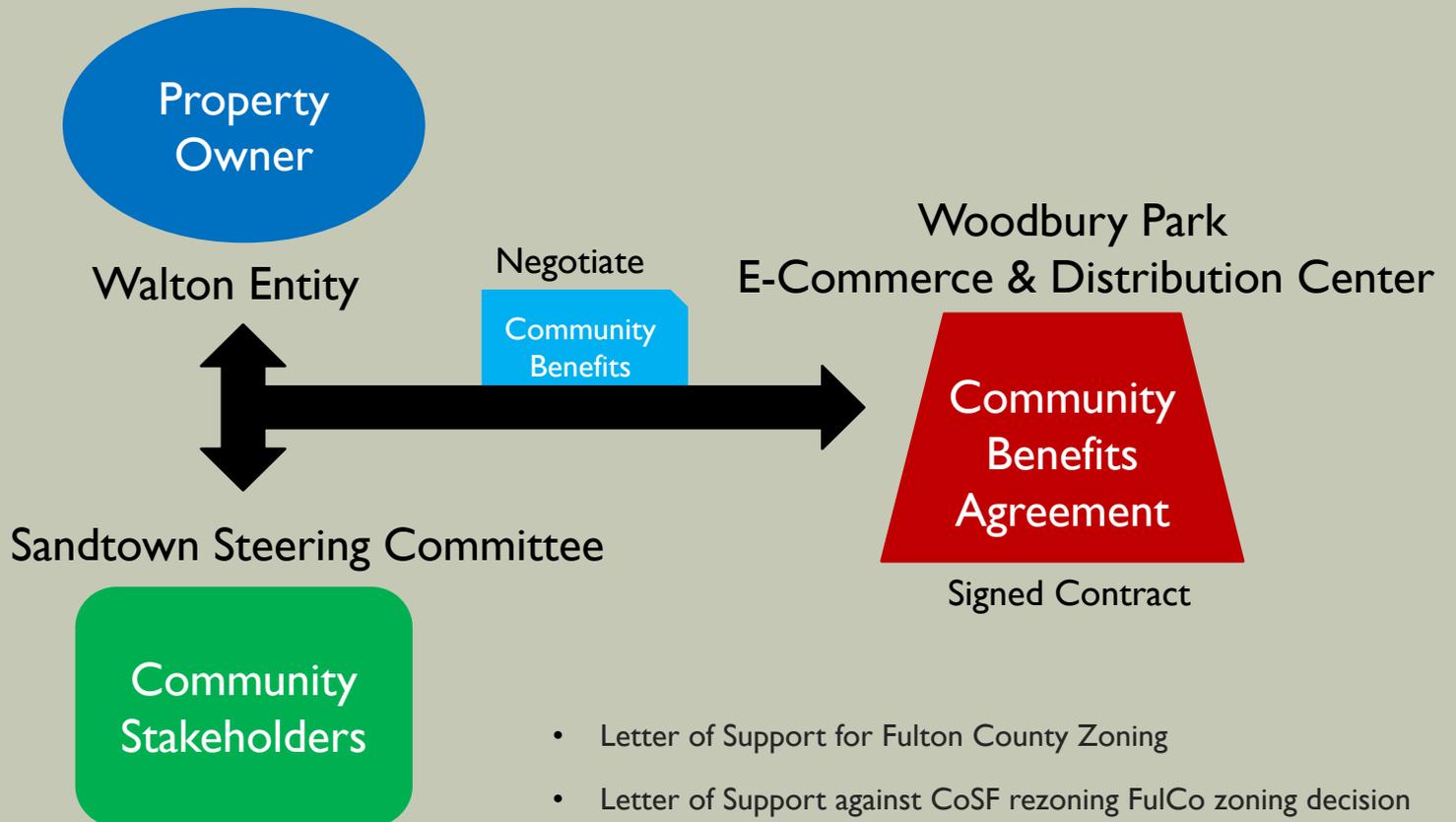
# AGENDA

- What is a Community Benefits Agreement (CBA)?
- What are Community Benefits?
- CBA Process
- CBA Timeline
- What are the Community Benefits?
- How are They Implemented?

# WHAT IS A CBA?

- The result of a negotiation process between a developer or a property owner with organized representatives of specific communities, in which the developer or property owner agrees to shape the development in a certain way or to provide specific community benefits.
- In exchange, the community group promises to support all phases of proposed project before government bodies that provide the necessary permits or subsidies through letters of support.
- It is both a process to work towards these mutually beneficial objectives, and a legally binding contract mechanism to enforce both sides' promises.

# CBA PROCESS



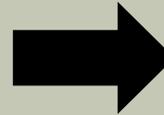
# CBA PROCESS

Property  
Owner

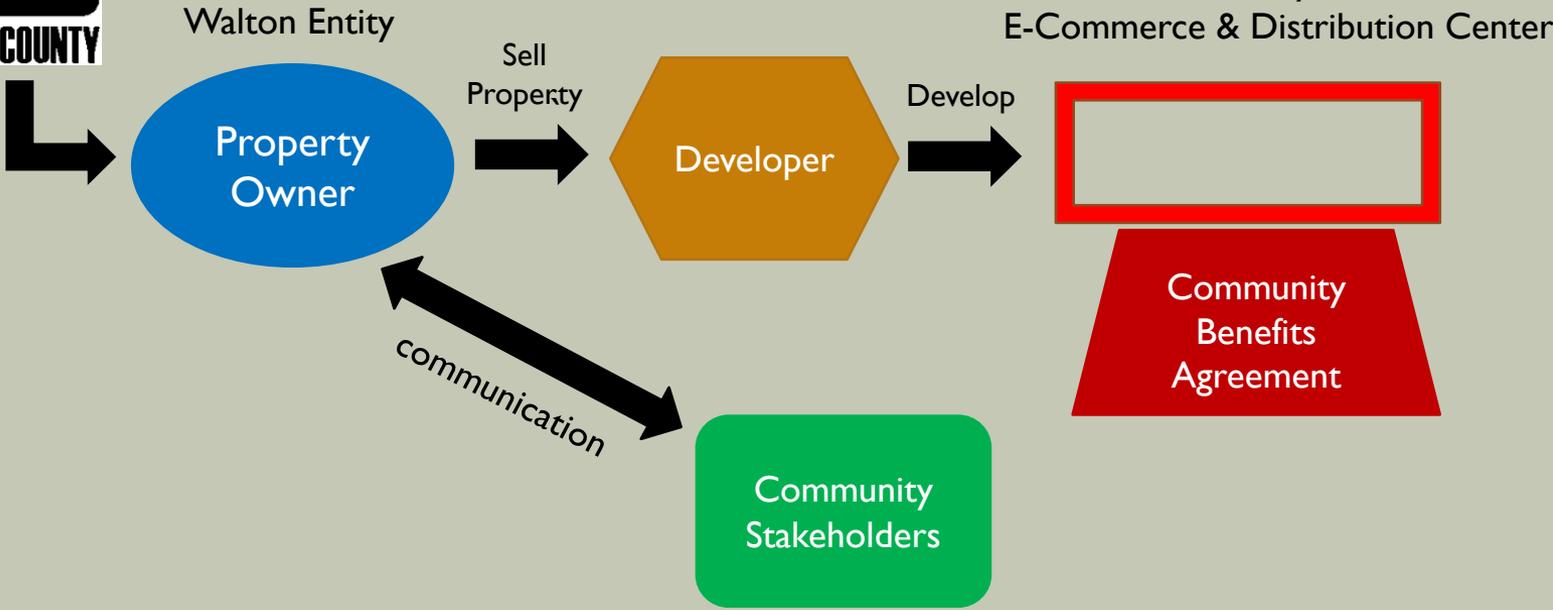
Community  
Benefits  
Agreement

Community  
Stakeholders

Zoning  
Petitions



# CBA PROCESS



# CBA TIMELINE

Zoning  
Approval



Sell  
Property



Begin  
Development



End  
Development



Community Benefits



Time

# WHAT ARE COMMUNITY BENEFITS?

- Some benefits are built into the project approval
  - Requiring tree buffers
  - Adding sidewalks
  - Providing additional lighting
- Other benefits will be completely separate from the project
  - Donating land for a park
  - Paying for the installation of a traffic signal
- The contents of a CBA will depend upon the community's needs, the size and type of proposed project
- Benefits like a financial donation or a donation of land are escrowed to provide for enforceability and tied to when benefits are realized by the escrow agents
- Land donations can be made without any conditions or maintenance requirements

## WHY A CBA?

- Inlusiveness – Negotiation process provides a mechanism to ensure community concerns are heard and addressed.
- Enforceability – Ensure the promises regarding community benefits are legally enforceable.
- Transparency – Help the public, community groups, government officials, and the news media monitor a project's outcome.
- Coalition Building – Negotiation process encourages new alliances amongst community groups that may care about different issues or have different constituencies.
- Efficiency – Facilitate a cooperative relationship and foster developments that are better tailored to community needs.

# HOW ARE THEY IMPLEMENTED?

- It depends on the benefits provided
  - Some may require ongoing implementation by several entities
  - Some could be fulfilled before developments opens
  - Some are fulfilled after development opens
- Benefits of payments are usually placed in escrow account with distribution tied to benefit realization
- Protection language against future changes by a subsequent jurisdiction reversing on changing conditions from previous jurisdiction after approval
- Many community benefits require ongoing communication between parties over time

# QUESTIONS