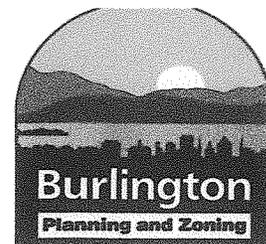


Burlington Planning Commission

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Andrew Saba
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Harris Roen
Andy Montroll
Jennifer Wallace-Brodeur
Vacant, Youth Member*



Burlington Planning Commission Minutes

Tuesday, July 23, 2013 - 6:30 pm

Present: Y. Bradley, L. Buffinton, B. Baker, A. Montroll, E. Lee

Absent: H. Roen, J. Wallace-Brodeur

Staff: S. Thibault, D. White, E. Tillotson

I. Agenda

Y. Bradley: Suggests that reports are short, with the Commission's indulgence he will move items around.

II. Public Forum

Y. Bradley – Opened the public forum at 6:35 pm.

J. Van Dreische: He is here to hear the public parking discussion but can provide an update on Local Motion work on Compact Mixed-Use Development. He has recently sent an email updating the working group and will forward the same email to the Commission. It contains an update on progress delineating the four major items that are being addressed.

- Decreasing the need for and cost of parking
- On the Record Review in mixed zoning districts
- Form Based Code
- Historic buildings standards

On the parking and form based code, they have been speaking with Nate Wildfire, CEDO and the group at large to explore parking options. Nate will also continue to help with bike parking.

He is here to be updated on residential parking standards, and the broader related issues.

He is very happy to report that Local Motion has signed a contract with the Partnership for Healthy Communities for another year in an effort to support healthy activities, biking, etc. He is excited to be continuing ahead with all of these pieces and thanks the Planning Staff for being so helpful.

Y. Bradley: He closed the public forum at 6:41pm.

III. Report of the Chair

The Chair presented the following report:

- The Chair and Vice-Chair have homework to do for the City Council to prepare the Annual Report.
- As soon as they can schedule it, the Chair and Vice Chair, and any of the Commission who are interested, would like to work on the annual evaluation for the Director.

As approved by the Burlington Planning Commission on August 13, 2013.

IV. Report of the Director

The Director presented the following report:

- The Director and Comprehensive Planner are plugging away at the pieces of FBC (form based code). There have been in discussions with the consultants weekly for the last three months. The second draft is anticipated at the end of this month. The Director is eager to fine tune the conversation around the broad discussion of the draft, examining the bigger ideas, giving information and getting feedback from all entities and sharing information with the public.
- There are a number of zoning amendments on the horizon as well as several more requests for zoning changes.
- The Department would still like to make the distribution of Planning Commission packets digital vs paper which would reduce our paper use. Would the Commissioners speak to S. Thibault about their preferences please?
- The Director will be on vacation at the time of the next meeting.

V. Public Hearing ZA-13-03 – Residential Parking Requirements

D. White: This conversation was begun previously; it accomplishes two things:

- It includes high density zoning in the shared parking district
- It calculates parking requirements based on bedrooms not units. Two bedrooms will be considered the baseline. This amendment targets large units with lots of bedrooms as an incentive to create smaller units.

L. Buffinton: Has this amendment had a previous public hearing?

D. White: Yes, back in the winter some time, but the Public Works Commission asked the Commission to be involved in this conversation. The Downtown zone did have changes to parking lessening requirements.

E. Lee: She lives in the high density area and the parking problems are severe. The parking crisis has already happened in her neighborhood. The available parking spaces are already maxed out. The students are the white elephant in the room. The house next to hers has ten parking spaces, sometimes sixteen cars. This problem needs a more comprehensive look; more leniencies will make it worse.

D. White: The proposed amendment doesn't fix the existing problem but does prevent it from getting worse.

B. Baker: The market incentive to built one and two bedroom units needs to be supported.

D. White: Front yard parking is not allowed by the Department of Public Works or the zoning ordinance.

E. Lee: Front yard parking is unsightly, it creates curb destruction, rainwater runoff and other problems.

D. White: South Burlington has enacted a sign ordinance outside of zoning for signage. Perhaps there is an opportunity to deal with parking enforcement outside of zoning. The Police Department does not have the resources to enforce front yard parking at night although Bill Ward, Director of Code Enforcement, is great with monitoring. The ordinance should be enforced; perhaps Mark Porter can shed some light on this situation.

Y. Bradley: Parking in the "student ghetto" is an awful problem but a separate problem.

D. White: The reduction in mandatory parking spaces for smaller units is a reflection of the statistics of car ownership.

J. van Dreische: One thing as a resource is the city web site, specifically Code Enforcement and their "see click fix" program.

As approved by the Burlington Planning Commission on August 13, 2013.

D. White: This leads to the clean hands issue, and compliance with the zoning ordinance. He would suggest that this be sent back to Ordinance Committee. This could be rewritten for September and in the meantime, have the attorney's office included in the process.

On a motion by L. Buffinton, seconded by B. Baker, the Commission unanimously sent ZA-13-03 back to the Ordinance Committee.

VI. Residential Parking Program

John King, twenty-eight year employee at the Police Department and responsible for administering the residential parking program speaks. The program was first put into place in the 90s to control the high demand for parking.

Last fall, a review of program was started and at that time there was no limit on the number of passes issued per street. Last summer parking on Fletcher Place was an issue, so the question was asked "how many cars could legally park there?" Fifteen to seventeen cars legally. Their report has 68 vehicle passes issued for that street. Colchester Avenue, which has little parking, affects resident parking from Latham Court to North Prospect Street with permits to park on side streets creating a problem for the residents. The Department has worked with the City Attorney for better controls. The Planning Commission packet has a draft copy of the new ordinances for parking which will create a limit on resident passes of four passes per living unit. Presently there are unlimited passes. Residents sell or give permits to others which is a problem. The new proposal will not void parking tickets which are now increased to a \$75 fine. The Department is taking photos for documentation as well as requiring notarization of signatures on parking leases.

Mark Porter, Public Works Commission: They are trying to reduce the demand for parking permits by formalizing the application process to join the lottery for parking spaces on streets. The maximum passes per dwelling unit will be four. Guest passes and regular resident passes expire at the same calendar date.

L. Buffinton: If there are 3500 parking permits now. It seems as if four passes per unit is still too high.

M. Porter: In some single family residences there can be two parents and two teenagers with cars.

J. King: In one instance, in September 2011, three tickets were issued for illegal residential parking within 30 days. He contacted the party and explained several approaches to voiding the ticket. No action was taken by student or parent and on May 12, \$9000 was paid in parking tickets.

J. Van Dreische: It is curious that the intent is clear to protect residents from non residents. It seems like protecting residents from each other. Are two different types of resident parking districts needed?

J. King: The City Attorney had informed them that they can have any number of passes but residents and students must be treated equally.

S. Thibault: Has the Department examined how other communities deal with this?

J. King: Yes, they have reviewed with the Attorney's Office, six to eight communities.

S. Thibault: The time of day residential parking could be taken into consideration. Most residents return around 5-6 pm.

J. King: There is a large choice of time of day and days of week to consider.

S. Thibault: You mentioned that for Fletcher Place DPW staff went and counted the amount of space available to determine the capacity. Have you consider doing this everywhere and basing the parking permits on the capacity available on each street.

J. King: That approach has been considered.

M. Porter: The departments don't have the capacity to create that database. A more important question is which streets get residential parking and which exclude. What is the policy for who gets parking?

As approved by the Burlington Planning Commission on August 13, 2013.

J. King: Chief Scully cannot have residential parking on Staniford and, Sharon Bushor on East Avenue can.

A. Montroll: Where do you apply residential parking?

M. Porter: Joel with DPW says the policy is to provide availability.

A. Montroll: The policy allows some streets to have residential parking when it doesn't seem appropriate.

M. Porter: At present there is no limit to passes. The current ordinance does not allow waiving of fines. Charging for passes in the future is a possibility. He is actually trying to limit the number of passes available.

L. Buffinton: On street parking is a traffic calming measure, some residents don't park in their own drive. Zoning could provide some information and provide help for the program.

E. Lee: She would second that cap on street capacity.

D. White: The DPW has some resources to prepare a study of residential parking. Where is that in the process?

M. Porter: It takes a long time to get to perfection. Now limiting the number of passes in an effort to get relief to the neighborhoods.

D. White: What are the management policies of program?

B. Baker: Take note of S. Thibault comment not to discount Planning & Zoning Department's ability to help. UVM sometimes provides interns. The Development Review Board needs to be involved in the review.

S. Thibault: What is the projected timeframe for the new ordinance?

M. Porter: By the end of the year.

J. King: We have already met with Ward one and Ward 6 NPAs.

M. Porter: And we are meeting with the DPW.

VII. Proposed Zoning Amendments

Residential Side/Rear Yard Setback Encroachments

D. White: This amendment addresses vertical expansion of setbacks. The City Council had modified the version which the Planning Commission forwarded to them, but they now wish the Planning Commission to modify and propose this amendment once more.

L. Buffinton: Under 1 there is a missing word, should add the word "structures". It is important to include the message to the DAB and DRB that an addition in setbacks is a concern for neighboring properties especially concerning water runoff and snow slides damage.

Y. Bradley: Subsection 2 describing no undue effect would cover that.

B. Baker: This might be better addressed in an interpretative memo.

A. Montroll: Who does this?

D. White: The Development Review Board.

B. Baker: Suggests that the City Council receive a copy of the design review standards so they are familiar with the language.

L. Buffinton: Or a more specific example? Perhaps some previous DRB decisions for illustration.

A. Montroll: He would allow flexibility, but subjective to judgment about if it works.

As approved by the Burlington Planning Commission on August 13, 2013.

E. Lee: She is still concerned that this amendment encourages properties to be torn down and neglected.

D. White: That should not happen since it is addressed in the ordinance.

On a motion by A. Montroll, seconded by Y. Bradley, the Commission unanimously warned a public hearing for September 10, 2013.

RCO-Recreation/Greenspace Lot Coverage

D. White: The Department has been in conversation with Parks Director, Jesse Bridges. The Parks Department wants the coverage to be lower. The Parks Commission can decide the final numbers of coverage. At the last meeting the conversation was that coverage would be up to 25 % in all parks except City Hall, Waterfront, and Perkins Pier parks.

L. Buffinton: Weren't we going to be provided the current coverage figures?

D. White: Coverage will be generated during the Parks master plan process.

L. Buffinton: Would suggest that the Commission table this amendment until numbers are available since it is a huge change in coverage from 5% to 25%.

D. White: It is a huge change but the existing requirement of 5% is wildly unrealistic.

A. Montroll: Does this zoning district comprise entirely city owned property?

D. White: No, not entirely.

A. Montroll: It seems as if we are making rules for ourselves, is this necessary?

L. Buffinton: Would still like to see coverage numbers.

Y Bradley: Suggests that a Parks representative be here so that the Planning Commission can understand the process.

A. Montroll: Would it be possible to attach the use tables so the Planning Commission and City Council can understand more fully. Are setbacks applicable to larger parks?

B. Baker: This is a case of overlapping jurisdiction, but the Parks Department knows more than the Planning Commission, suggest giving them flexibility.

On a motion by A Montroll, seconded by L Buffinton, the Commission unanimously warned a public hearing for September 10, 2013, inviting someone from Parks to come and speak to the PC about coverage and setbacks needs.

VIII. Committee Reports

Executive Committee – Has not met.

Long Range Planning Committee – Has not met.

Ordinance Committee – Has not met.

IX. Commissioner Items

E. Lee: Has had contact with business owners on College Street who are concerned with the ugly flower boxes, often empty, previously occupied by trees, along the street. The business owners would like to garden those spots. Permission from the Department of Public Works would be required since they are in the public right of way.

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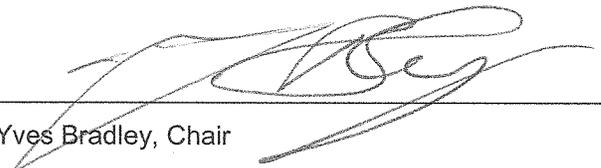
CRDC meeting is planned for the center City to address student issues and student housing in the city center.

X. Minutes/Communications

On a motion by L. Buffinton, seconded by B. Baker, the Commission unanimously approved the minutes of July 9, 2013, with corrections, and accepted the communications and placed them on file.

XII. Adjourn

On a motion by B. Baker, seconded by L. Buffinton, the Commission unanimously adjourned the meeting at 8:40 pm.



Yves Bradley, Chair

9.10.13
Date



Elsie Tillotson, recording secretary

As approved by the Burlington Planning Commission on August 13, 2013.