

Burlington Planning Commission

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7144 (TTY)
www.burlingtonvt.gov/planning

Yves Bradley, Chair
Bruce Baker, Vice-Chair
Lee Buffinton
Emily Lee
Andy Montroll
Harris Roen
Jennifer Wallace-Brodeur
Vacant, Youth Member



Burlington Planning Commission

REGULAR MEETING

Tuesday, March 25, 2014 - 6:30 P.M.

Conference Room #12, Ground Floor, City Hall, 149 Church Street

AGENDA

Note: times given are approximate unless otherwise noted.

- I. Agenda
- II. Public Forum - Time Certain: 6:35 pm
The Public Forum is an opportunity for any member of the public to address the Commission on any relevant issue.
- III. Report of the Chair (5 min) – Yves Bradley, Chair
- IV. Report of the Director (5 min) – David E. White, Director
- V. Affirmatively Furthering Fair Housing Training (30 min)
The Commission will hear a presentation by Ted Wimpey, Director of Fair Housing Project at CVOEO.
- VI. Downtown Parking Amendment (20 min)
The Commission will discuss next steps to be taken on the downtown parking amendment.
- VII. Joint Institution Parking Management Plan (20 min)
The Commission will discuss the 2014-2019 update of the Joint Institution Parking Management Plan. (Copies of the plan available for review at the Planning & Zoning Department Office, City Hall, Ground Floor)
- VIII. Committee Reports (5 min)
- IX. Commissioner Items (5 min)
- X. Minutes/Communications (2 min)
The Commission will review minutes from the February 11 & March, 2014 meetings.
- XI. Adjourn (8:00 p .m.)

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Affirmatively Furthering Fair Housing (AFFH)

Presented by Ted Wimpey, Director, Fair Housing Project, CVOEO

What is AFFH?

Legal basis for HUD's AFFH rule – Federal Fair Housing Act (1968 and as amended) language regarding agency responsibility to undo segregation and increase inclusion in communities

Which entities must comply with HUD's AFFH rules?

I. "Entitlement" entities –

- **State of Vermont** (Department of Housing and Community Development. Receives CDBG and HOME funds directly from HUD – HOME funds allocated and administered by VT Housing and Conservation Board);
- **City of Burlington** – (Receives CDBG and HOME funds directly from HUD)
- **Public Housing Authorities** (receive funding directly from HUD)

II. Any organization that receives federal funds – ultimately originating from HUD (even if the funding is not specifically for housing related purposes)

In Vermont – except for Public Housing Authorities – HUD funds primarily flow as follows:

- a. **CDBG** funds: HUD → DHCD → Municipalities and ultimately, Non-profit or For-profit organizations for a variety of development purposes.
- b. **CDBG-DR, Disaster Recovery** funds: HUD → DHCD → Approved entities doing disaster recovery work.
- c. **HOME** funds: HUD → DHCD → VHCB → Non-Profit Development Agencies for specific projects
- d. **For Burlington** HOME and CDBG funds: HUD → City of Burlington → Development Agencies and Neighborhood Organizations

- Some ways to comply with the HUD AFFH rule.

Inclusionary Zoning

Density Bonuses (increase incentives)

PUDs (design to encourage affordable housing development)

Encourage Affirmative Marketing

Minimize/streamline development approval process within reason

Creative ideas?

- What about situations of noncompliance with HUD AFFH rule? ...

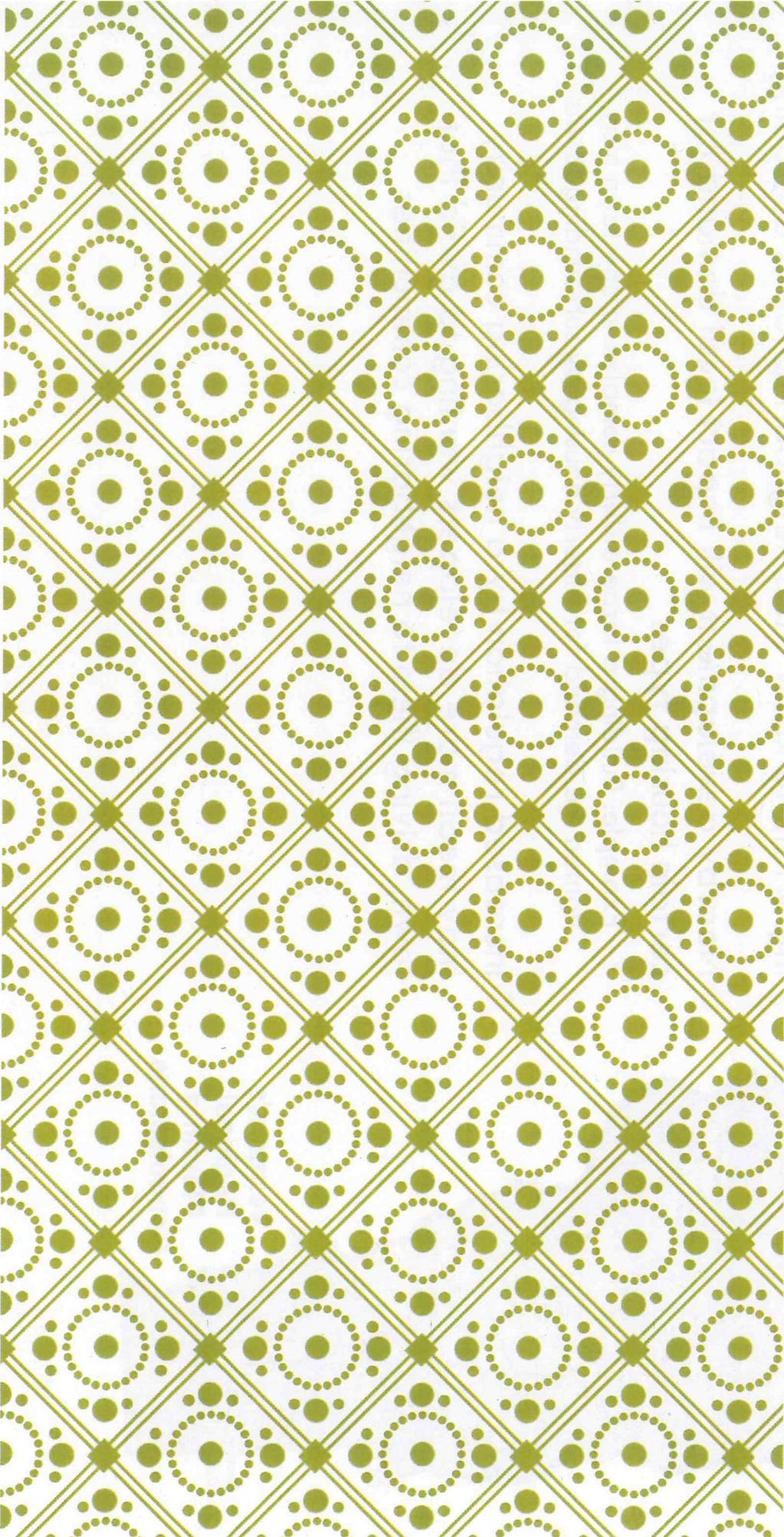
Don't do it...

Examples: Westchester County N.Y. (2009 and ongoing)

Dallas, TX (Recent HUD actions)

- **HUD's new proposed AFFH rule - what changes are in store:** (more detailed regarding compliance/noncompliance, clearer definition of obligations, more integration of Consolidated Plan with "Analysis of Impediments to Fair Housing Choice" – to be renamed "Assessment of Fair Housing (AFH)") This is a HUD work in progress.

- **A word about State of Vermont's 2012 fair housing law that prohibits discrimination in land use planning and permitting**

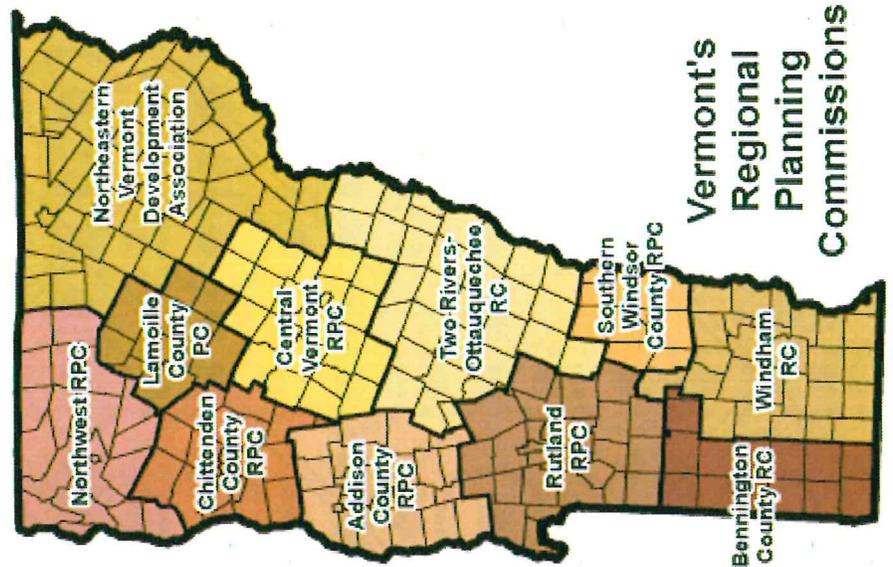


TOOLS TO ADDRESS LOCAL AFFORDABLE HOUSING NEEDS

Created by Maura Collins,
Vermont Housing Finance
Agency

PARTICIPATE IN BROADER PLANNING (VIA REGIONAL PLANNING COMMISSION)

- ❖ Important to know what neighboring towns are doing
- ❖ Nearby development will impact local demand for certain housing types
 - Example: Building a large elderly complex in one town may lighten the demand for elderly housing by surrounding towns
- ❖ Increased regulation by a neighboring community may mean more developers wanting to avoid that town, driving them to neighboring communities



HELP IDENTIFY IMPORTANT LAND WITHIN THE COMMUNITY

❖ Identify importance parcels of land:

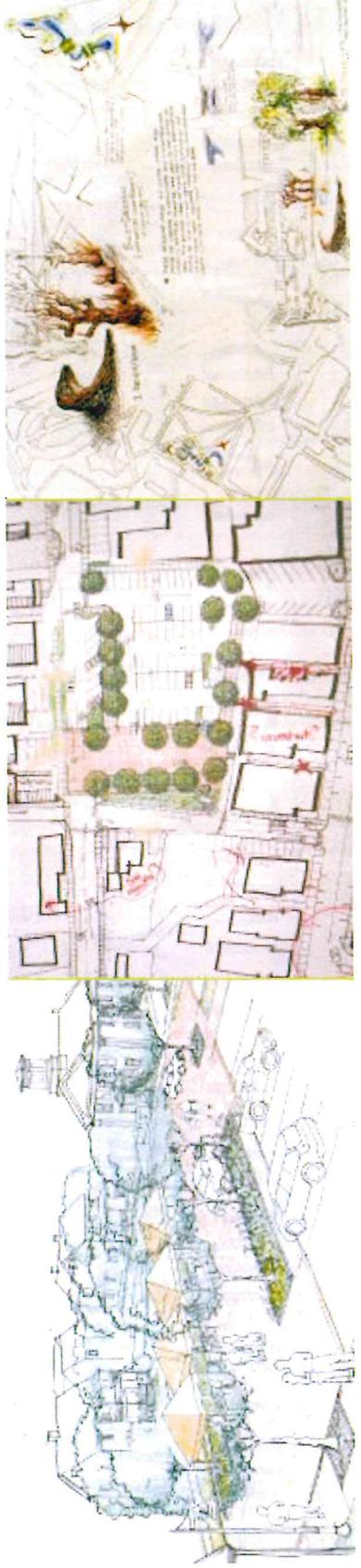
- High visibility
- Historic significance
- Key location
- Size
- Other

❖ Once identified, local planning staff/volunteers could welcome a dialogue with those property owners about their plans

- This doesn't always mean that these parcels should be slated for development, but maybe need to be protected, preserved, or potentially rehabilitated for new use

HELP THE COMMUNITY VISUALIZE DENSITY

- ❖ Thinking and envisioning in terms of units/acre or zoning districts is hard
- ❖ Help residents fully understand what's on the books
- ❖ Encourage photo submissions of good/bad design
- ❖ Consider charette activities, allowing the public to help guide future design
- ❖ Engage online tools like Lincoln Land Institute



Images: Vermont Design Institute

SUPPORT HOUSING THROUGHOUT THE DEVELOPMENT PROCESS

❖ Community opposition to housing can be a threat to needed development. To avoid this:

- Maintain good communication with the community
- Be as transparent as possible in deliberations
- Submit a letter of support for developers applying for public funding (if applicable)
- Attend a board meeting where public funds for housing are allocated

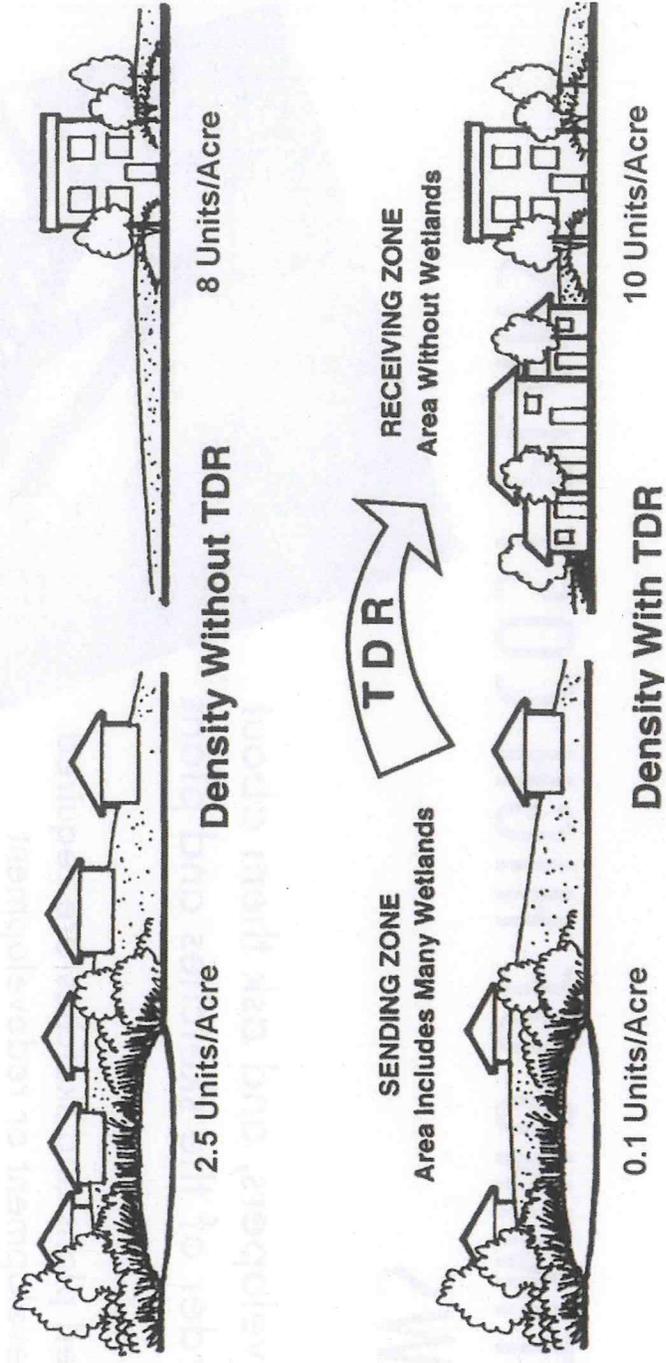
APPLY FOR VT COMMUNITY DEVELOPMENT PROGRAM FUNDING FOR DEVELOPERS

- ❖ The VCDP is available to municipalities for a wide range of activities, and housing is a priority for this funding.
- ❖ Developers of affordable housing need the municipality to apply on their behalf
- ❖ Being willing to apply, and supporting an application throughout the process is beneficial to local affordable housing stock

ENABLE THE TRANSFER OF DEVELOPMENT RIGHTS

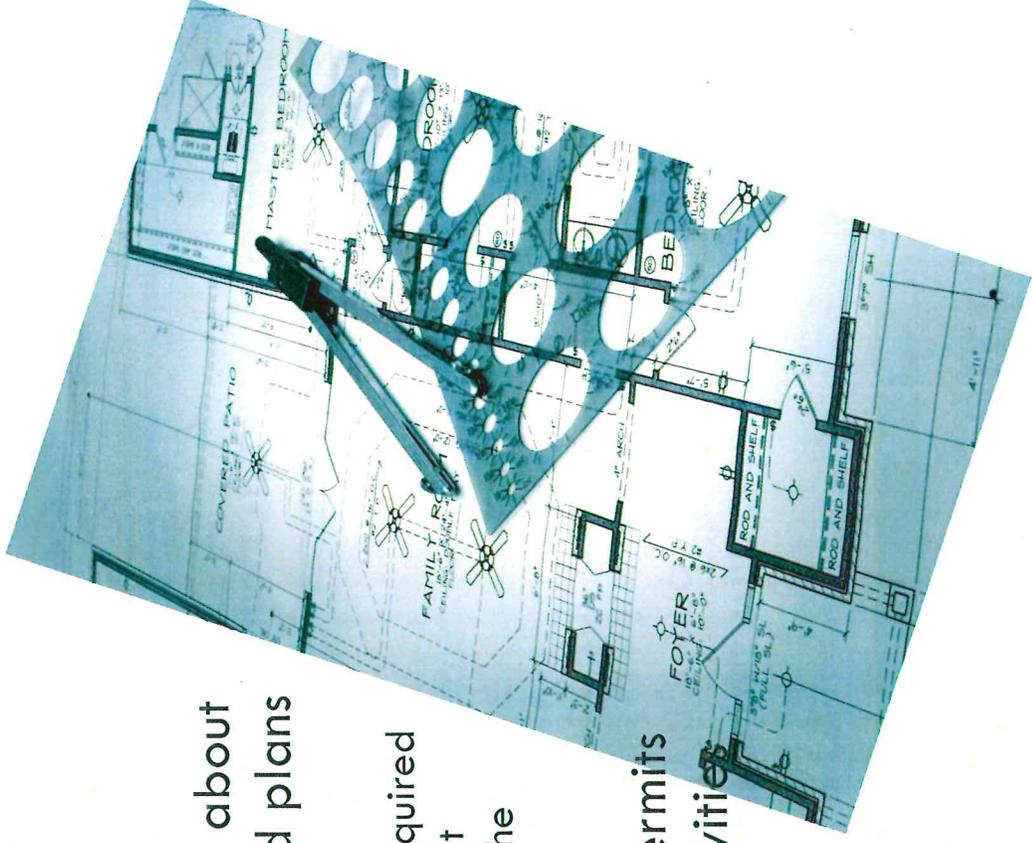
- ❖ While not often utilized, this is ideal for communities with clear areas planned for growth, and a strong desire to protect outlying land
- ❖ This tool is helpful when outlying land, not planned for growth, could risk the loss of value because of development limitations

❖ It allows that outlying land to sell its development rights to a developer planning a project in a village/town downtown



CONSIDER TIMING OF HIGH COST PLANS AND REVIEWS

- ❖ Invite in some developers, and ask them about the timing and order of the sketches and plans required locally
 - Sometimes detailed plans and sketches are required very early in a development or redevelopment project, raising the cost and therefore risk of the project
- ❖ Some towns go so far as to expedite permits and reviews for desired residential activities



PROMOTE ACCESSORY DWELLING UNITS (ADUS)

- ❖ Allow approvals to be made administratively, not through Planning Commission
- ❖ Look for funding to support construction/rehab like Brattleboro did
 - Volunteer-lead effort
- ❖ Use municipal funds to support program like Montpelier did
- ❖ Educate community about what it takes to be a landlord with VT Tenants' resources

**Adding
An Apartment
To Your House**

For Homeowners



**Accessory Dwelling Units
A GUIDE FOR HOME-
OWNERS**
(24 V.S.A. Section 4412 (E))

2013 Revised #2

CREATE AN ACTIVE HOUSING COMMISSION

- ❖ State allows for housing commissions
- ❖ Several examples across Vermont:
 - Montpelier Housing Task Force
 - South Burlington Affordable Housing Subcommittee
 - Hinesburg Affordable Housing Committee
- ❖ Dedicated to continual attention to the issue

Hinesburg Affordable Housing Committee's Goals:

- Work with Hinesburg appointed and elected officials, Hinesburg residents and landowners, and other Hinesburg organizations on ways to implement the Housing Goals and Objectives in the Town Plan.

(Taken from website February 2014)

ABIDE BY STATED DENSITY OR “AS OF RIGHT DEVELOPMENT”

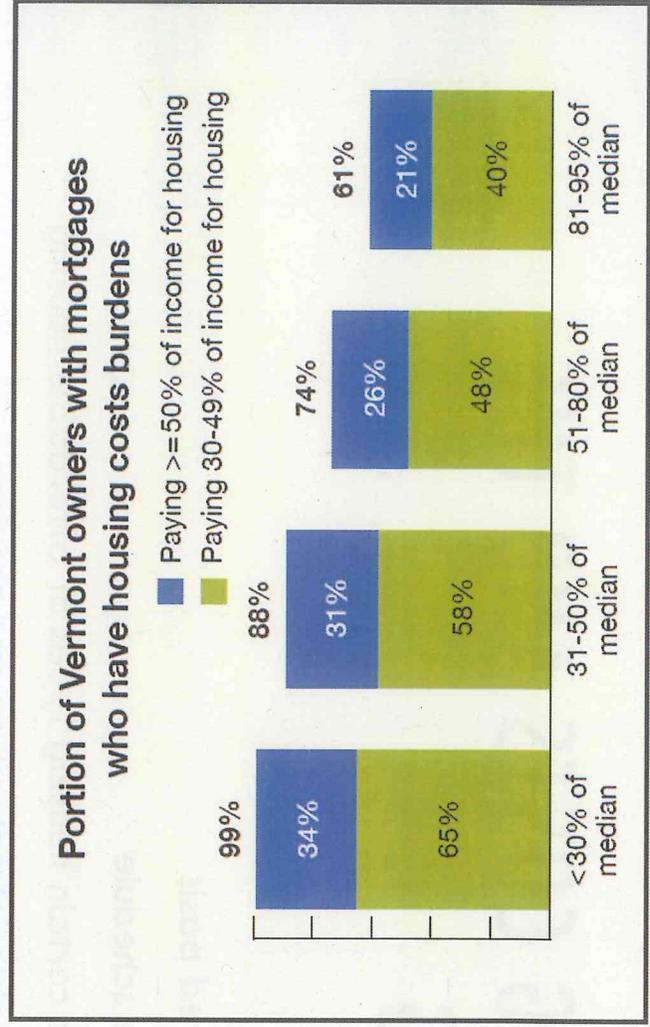
- ❖ Developers commonly understand that the stated density allowed for a parcel is rarely what is approved
 - Set back, lot coverage, and other requirements sometimes restrict density
- ❖ Offering density bonuses are only meaningful if a town is abiding by the allowed density in the first place
- ❖ Towns should encourage residential development as a permitted use (as opposed to conditional use) wherever possible

CREATE/EXPAND A DENSITY BONUS OR OFFER LOT COVERAGE OR HEIGHT BONUSES

- ❖ One of the most common tools to encourage particular housing types or affordable housing
- ❖ Bonuses can reduce the cost of housing by allowing more units on the same parcel
- ❖ Factors to consider:
 - Define affordable housing
 - Define applicable housing types (rent/own)
 - How to monitor housing created
 - Enforcement provisions

INCORPORATE TARGETS FOR AFFORDABLE AND MODERATE INCOME HOUSEHOLDS

- ❖ Sometimes used as a limiting factor to ensure growth aligns with infrastructure capacity
- ❖ Can clarify local priorities and send clear message to developers
- ❖ Needs strong political will to approve this policy
- ❖ Some drawbacks:
 - How “fair share” is calculated
 - What’s enforcement or follow through
 - When/how to update



LOOK AT PERMITTING COSTS AND THE IMPACT ON HOUSING

❖ Consider:

- Allowing fees to be paid on a deferred basis
- Adopting a proportionate impact fee schedule
- Allowing for reductions or waivers for certain housing types or affordable housing
- Adjusting impact fees based on available infrastructure and services

CONSIDER RESIDENTIAL PARKING FLEXIBILITY

- ❖ Parking is an expensive use of land because of how much space it takes up and its low value
- ❖ Some towns have waived requirements for mixed use properties when commercial and residential demand peaks at different times of day
- Burlington has proposed waiving most residential parking requirements allowing for the market to determine parking needs

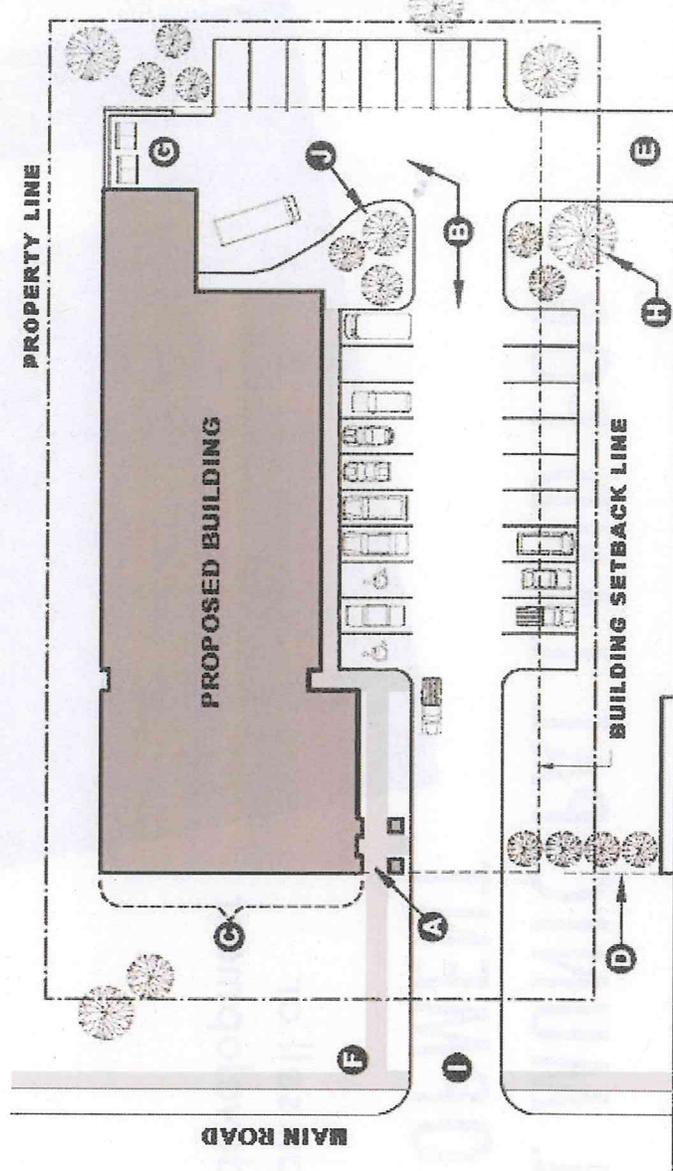


Image: VPIC Implementation Manual

DONATE OR SELL MUNICIPAL LAND FOR HOUSING DEVELOPMENT

❖ Municipalities (and others) can sell or donate land for residential development to lower the cost

❖ Examples:

- Waterfront housing in Burlington (photo)
- Johnson's local utility sold some land for housing
- Schools often sell/give properties for redevelopment
- Swanton's old town garage (in heart of village) could be made into housing

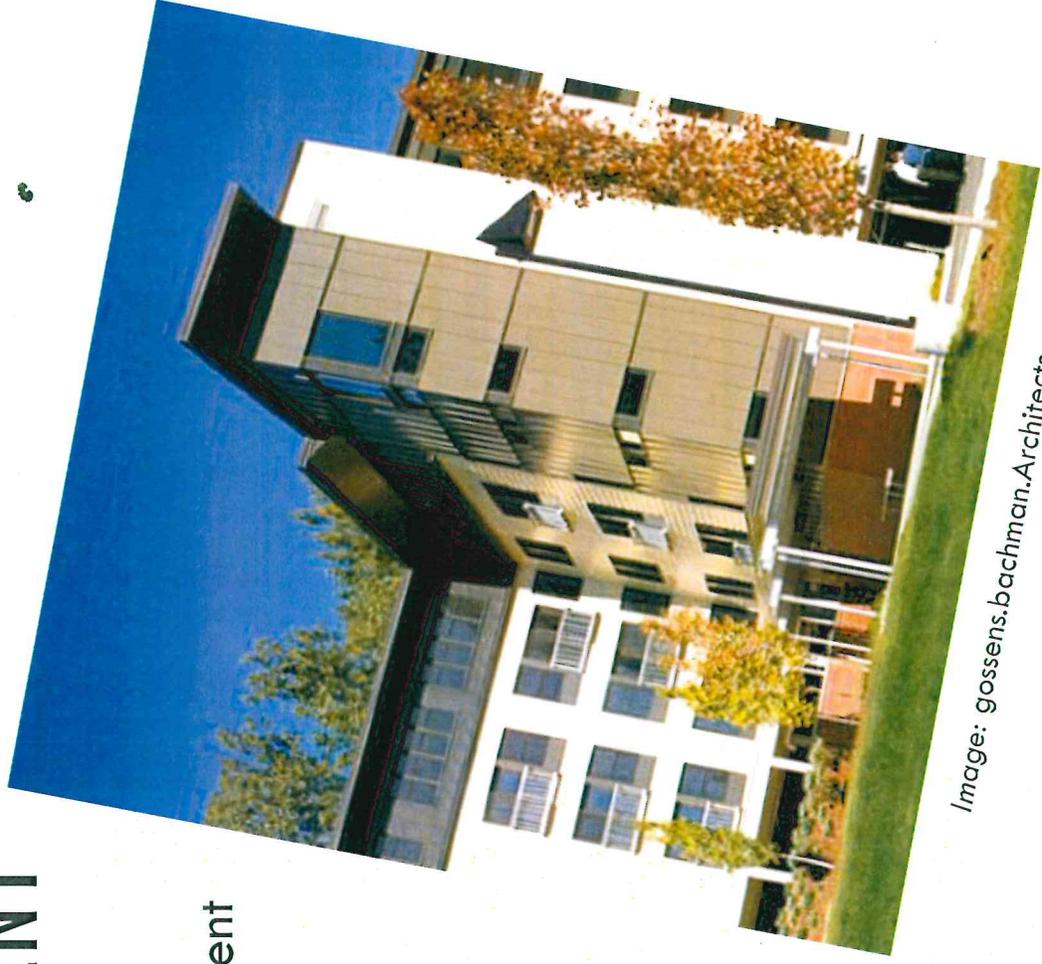


Image: gossens.bachman.Architects

HOUSING REPLACEMENT/RETENTION REQUIREMENTS

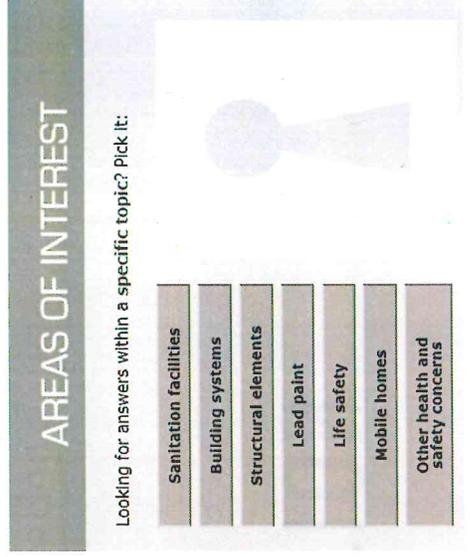
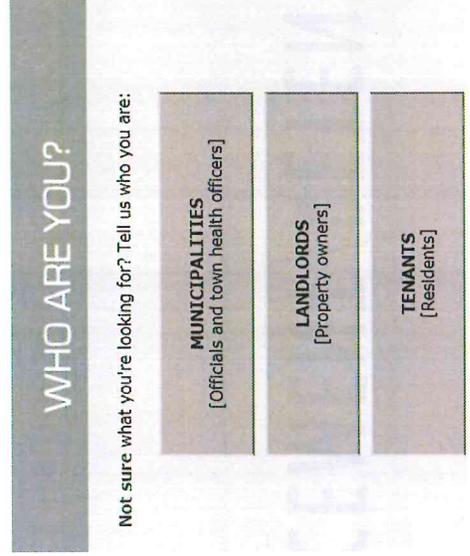
- ❖ For towns looking to protect its housing stock, it can require that housing be replaced when units are torn down
- ❖ Burlington has housing replacement requirements included in their Inclusionary Zoning ordinances (Part 2)

CREATE LOCAL RENTAL CODES, OR LOCAL ENFORCEMENT OF STATE CODES

❖ Vermont's myriad of rental housing codes are compiled on the [Vermont Rental Housing Codes](#) website, written to a municipality's perspective

❖ Some towns have created their own local codes and registries to raise the bar

❖ Other towns use the state's policies but have created local inspections or enforcements

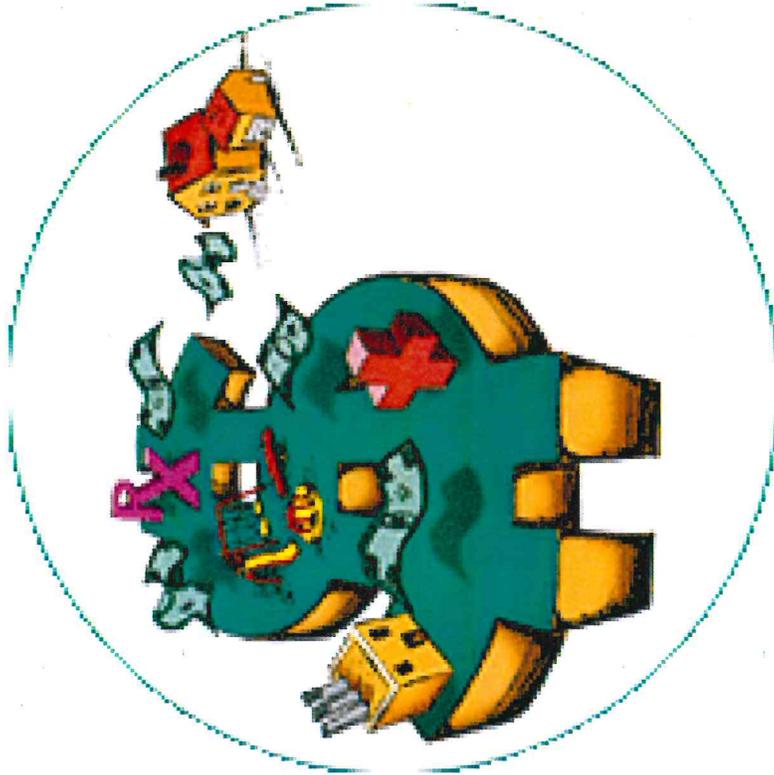


DESIGNATE AN AREA FOR GROWTH

- ❖ Village Centers...
- ❖ Growth Centers...
- ❖ Designated Downtowns...
- ❖ New Town Centers, and...
- ❖ Neighborhood Development Areas...
- ❖ are state-approved areas that trigger incentives for developers



REDUCE OR WAIVE IMPACT FEES



- ❖ While these can be a way for municipalities to raise revenue to support new development, they can also add to the cost of housing and prevent more housing development.
- ❖ Some communities will waive or reduce their fees for the housing types they want to encourage, or for affordable housing.

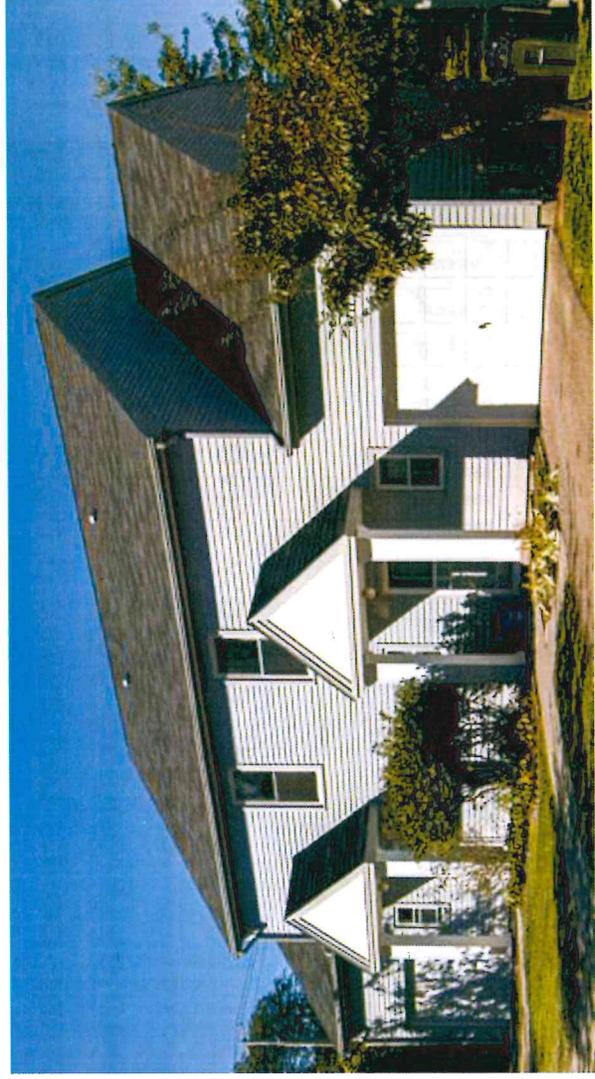
Image: Chatham Journal

ADOPT “ON THE RECORD” REVIEW

- ❖ “On the record” review saves time when proposing a new housing development because it takes testimony and findings from lower judicial bodies (Planning Commissions, Selectboards, courts) and does not re-argue the same points but instead builds on that knowledge
- ❖ About a dozen municipalities have adopted this model

PROMOTE AFFORDABLE HOMEOWNERSHIP THROUGH SHARED EQUITY MODEL

- ❖ Local community land trusts administer the shared equity program to create affordable homeownership opportunities
- ❖ Towns can match or provide some additional down-payment assistance for these perpetually affordable homes, making them more affordable



- ❖ Piggy-backing off existing programs can bring ongoing monitoring with little local staff involvement

ADOPT INCLUSIONARY ZONING (IZ)

- ❖ IZ requires a proportion of new housing to be affordable
- ❖ Burlington is the only Vermont city with IZ
 - Progressive model with a sliding scale of affordable units required based on price of market rate housing
- ❖ Takes considerable political will to pass

CREATE A HOUSING TRUST FUND

- ❖ Popular tool, nationally, because of flexibility of funding, and full municipal control
- ❖ Imagination is only limit to how to use funds. Can target any housing type, population, etc
- ❖ Three local housing trust funds:

- Charlotte (only for current property owners, max of \$30,000 for no more than 3 units)
- Montpelier (committee awards funds paid for by penny on property tax)
- Burlington (funded by IZ and housing replacement/retention payments)

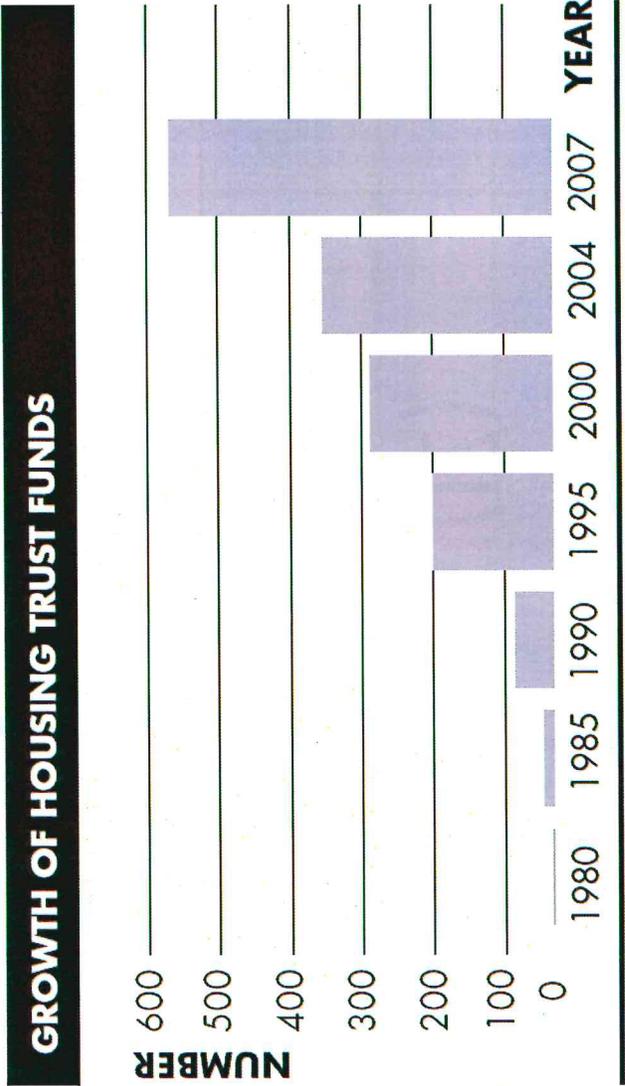
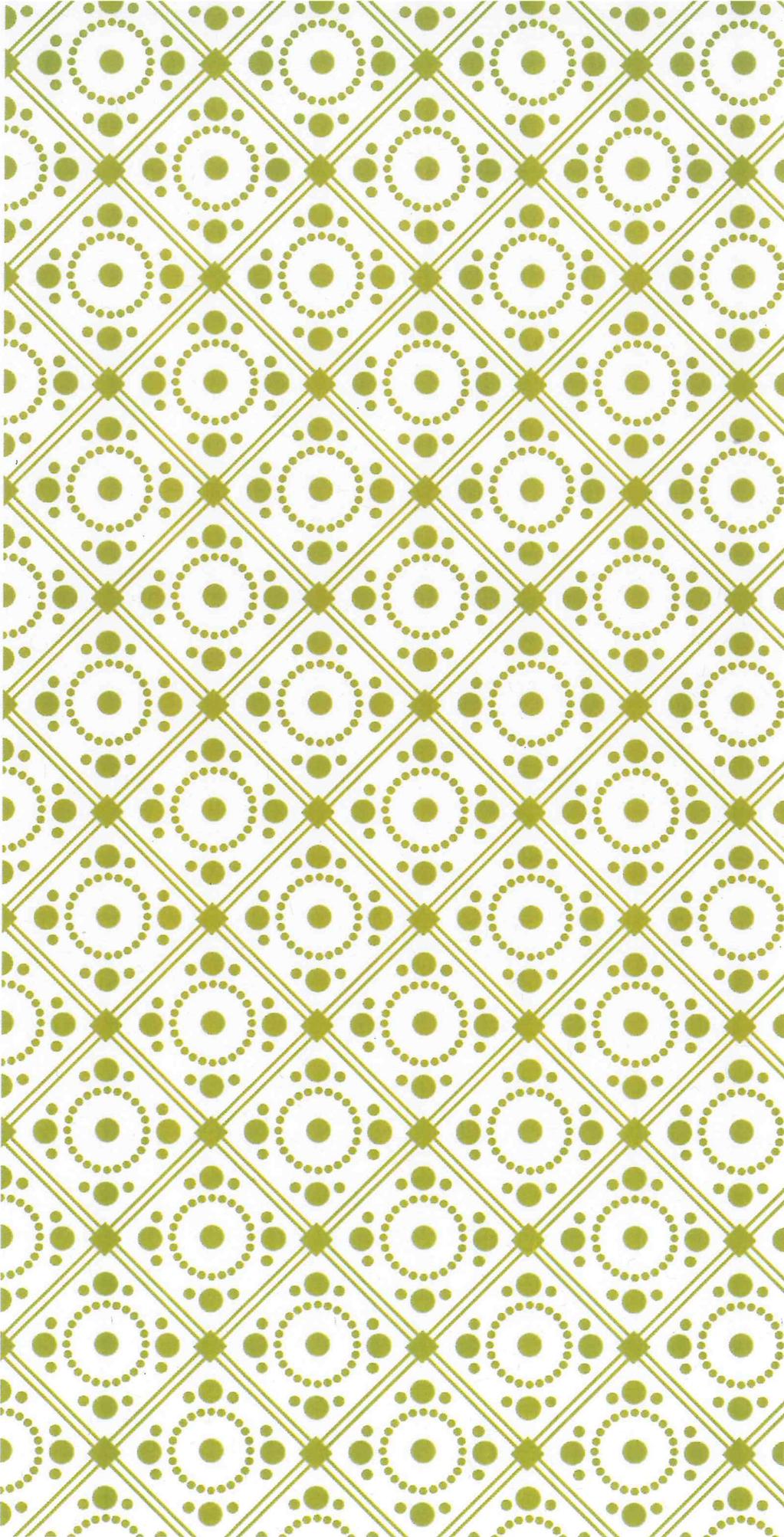


Image: Center for Community Changes' Housing Trust Fund Project



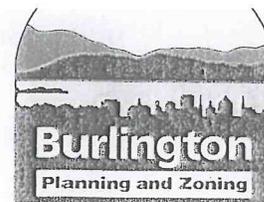
WWW.HOUSINGDATA.ORG

For more information...

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Burlington Planning Commission Minutes

Tuesday, February 11, 2014 - 6:30 pm

PC Present: B. Baker, Y. Bradley, A. Montroll, H. Roen, J. Wallace-Brodeur, L. Buffinton, E. Lee
Absent: L. Buffinton, E. Lee
Staff: D. White, S. Thibault

I. Agenda

None

II. Public Forum

No one present to speak.

III. Report of the Chair

The Chair presented the following report:

- He wrote a letter to City Council for the downtown parking amendment that will be on the agenda 2/18. He encourages other Commissioners to do the same or to talk with their councilors.
- He attended the ordinance committee meeting last week to hear the discussion on the Fletcher Place rezoning petition. There were many people there and B. Baker did a great job running the meeting and allowing everyone to voice their concerns.

IV. Report of the Director

The director presented the following report:

- To follow-up on the parking amendment in front of Council next week. Encourages everyone to attend and/or speak with their councilors in advance of the meeting. Staff and others are doing the same to make sure questions are being answered.
- Ward 1 NPA will talk about the two parking amendments tomorrow night. Staff will attend.

V. Proposed Amendments – Urban Agriculture

Lot Coverage exceptions in residential districts

D. White – exceptions for swimming pools, walkways and window wells.

B. Baker – recognition that many small lots are really restricted when 40% lot coverage is required. Exceptions give a bit more flexibility.

On a motion by J. Wallace-Brodeur seconded by A. Montroll, the Commission warned ZA-14-09 for public hearing on March 11, 2014.

As approved by the Burlington Planning Commission on.

Required frontage or access on small lots

D. White – Land development is too broad a term for this required frontage requirement on a public street. This requirement really is meant to deal with subdivision of land not development, which includes any type of development on a lot.

A. Montroll – Sometimes private roads are put in for access and those properties do not front on a public road. How does that work? Would this change preclude any development in subdivision where private roads are located? Burlington College property as an example, will they put in a private road to provide access and would that be allowed.

D. White – Yes, this would be allowed with an easement.

A. Montroll – If this is not an issue then ok.

On a motion by A. Montroll, seconded by J. Wallace-Brodeur, the Commission unanimously warned ZA-14-10 for a public hearing on March 11, 2014.

Major Impact Thresholds/Conditional Use Review Criteria/Planned Unit Development

D. White – The first four items on the list come together. Staff is trying to eliminate unnecessary and redundant steps are in the ordinance. Any projects including inclusionary housing have to go through conditional use review, even though it's not a conditional use. This overburdens the process. Planned unit development similarly have to go through the subdivision process even if they don't subdivide land, which takes twice the time and twice the cost. FAHC hospital with their large project a few years back did not divide land but had to pay those extra fees. SD Ireland has minimal if any subdivision of land but because they are proposing many buildings on one site, it triggers PUD and then the subdivision process as well.

H. Roen – Who will own the property if it's not being subdivided?

D. White – The units will be rentals and there is one owner. We are trying to make sure that projects relate to the criteria used for review. That brings us to Major Impact Review. Five housing units anywhere in the city trigger major impact review even though they don't trigger actual impact with respect to the criteria. The city is an urban environment and has robust infrastructure so there no impacts on water, transportation or other type infrastructure. The proposal is to separate three levels of thresholds to trigger major review.

B. Baker – What other areas of the ordinance will be impacted by this? Will inclusionary housing be impacted?

D. White – He walked the commission through the proposed changes.

H. Roen – It's great to make the review process easier. Why is the cumulative impact of projects removed from the major impact review?

D. White – Yes, we want to encourage developers to do more development in the city, not deter them.

H. Roen – Over time, the cumulative impact might happen though.

D. White – The zoning ordinance anticipates development will happen by regulating it. Act 250 doesn't have that and cumulative impact comes from there.

H. Roen – What triggers review by the conservation board?

D. White – Major impact projects or development that happens within any natural areas will trigger review by the conservation board.

On a motion by J. Wallace-Brodeur, seconded by H. Roen, the Commission sent the proposed changes to the ordinance committee for further review and discussion.

A. Montroll left the meeting.

As approved by the Burlington Planning Commission on February , 2014.

VI. Neighborhood Development Area Designation

D. White – This is a new state designation, sister to the designated downtown. The program provides development incentives that are available for developers in this area. There is also a higher threshold to trigger Act 250 review and some financial savings. The Council Community Development and Neighborhood Revitalization (CDNR) committee has been discussing and will send to full Council for review and action. The map in your packet shows the ½ mile walking distance from the downtown designation which is what the state hopes to include in the NDA area designation. For the purposes of this map we followed zoning district boundaries. A Resolution is being prepared to direct staff to prepare the application for designation y the state. Does the commission have any comments to forward to Council?

H. Roen – Are there any downside to this designation?

D. White – It will hopefully help us address student housing issues. This fits very well within the outlines of planBTV for the creation of housing in the neighborhoods around the downtown. We hope more benefits will be added in the future, like rehabilitation tax credits.

On a motion by H. Roen, seconded by J. Wallace-Brodeur, the Commission voted to endorse the city seeking the Neighborhood Development Area Designation.

VII. Committee Reports

The ordinance committee met about Fletcher Place last week. There was a huge turnout and a group of neighbors, along with UVM and city staff will get together to develop solutions and they will be back in April. Proposal was too broad as proposed.

VIII. Commissioners Items

B. Baker – There is a BHS student who is willing to come and film us as a project for school.

D. White – Would the videos be aired by CCTV.

Y. Bradley – Could we suggest the meetings that ought to be taped when we know something interesting is on the agenda?

IX. Minutes/Communications

On a motion by H. Roen, seconded by J. Wallace-Brodeur, the Commission unanimously approved the minutes for January 28, 2014 and accepted the communications and placed them on file.

X. Adjourn

On a motion by H. Roen, seconded by B. Baker, the Commission unanimously adjourned at 7:50pm.

Y. Bradley, Chair

Date

S. Thibault, recording secretary

As approved by the Burlington Planning Commission on February , 2014.

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Burlington Planning Commission Minutes

Tuesday, March 11, 2014 - 6:30 pm

PC Present: B. Baker, A. Montroll, H. Roen, J. Wallace-Brodeur L. Buffinton, E. Lee

Absent: Y Bradley

Staff: D. White, S. Thibault, S. Gustin, K. Sturtevant, E. Tillotson

I. Agenda

L. Buffinton: notes that there is a missing word in the reference to existing lots.

II. Public Forum

Nobody present to speak.

III. Mayor's Address to the Commission

The Mayor presented the following comments:

He just wanted to come and exercise his ex officio status to express appreciation to the Commission for all the work they invested in the downtown parking proposal. He will share the full context of the work of the Commission with City Council and more broadly in city. This is an exciting long term journey that the City has embarked upon and there is consensus in a vision for the City's character and vibrancy, the progress on the waterfront, all factors which build on a positive trend of living in downtowns. This process captures and builds on organic progress in the south end. This group (PC) had a huge part in the progress, the amendment was sponsored by every member of the City Council. The Commission is taking the lead in the process and he hopes the Commission feels that the City is really making progress with a great deal of consensus. The Mayor, to maintain consensus, supported the City Council's decision to table the parking amendment. This could be an opportunity, by taking a little more time, to look at some questions that were raised, examine minimum requirements, assess capital investment in transportation, and it is fair to ask about neighborhood impact. The Mayor still fully supports the policy (parking) and a large contingent on the City Council wants the proposal to come back to them. Yes, it is more work, and the task ahead, to request reexamination, is not a rejection but a request for integrating some policy decisions.

L. Buffinton: Thoughts about parking downtown? Do you see any grouping of minds from DPW, CEDO, other departments and Planning & Zoning?

Mayor Weinberger: DPW has already instituted some changes based on their ongoing research.

D. White: A lot of these parties are presently on the Downtown Parking Task Force, with all entities discussing funding management, off site impact mitigation, etc. All are working together to collaborate.

H. Roen: Thanks the Mayor for coming this being the first time in his terms that a Mayor has attended as an ex-officio member. There was a little sting from parking proposal not passing, but there are a lot of moving parts.

Mayor Weinberger: The City Council is open to the Planning Commission sending a piece of the proposal back to them which would allow release from present parking requirements.

As approved by the Burlington Planning Commission on.

A. Montroll: Could there be a pilot program to test the possibilities? It takes a few years to see what the impact is and the present capacity can be evaluated before conditions change substantially for effectiveness.

E. Lee: It becomes a political question, there has been much backlash from people in her neighborhood and she didn't have good answers for the questions that were asked. Since there are two parking studies in the works, it seems premature to act since presently we don't have answers. She supports removing the downtown parking requirement but feels a strong need to address the concerns of the voters.

IV. Downtown Parking Amendment

The Director presented the following information:

There are two pieces to this where the City Council indicated. Payment in lieu of parking spaces is one proposal. Asking Commission to look at parking and the mass transit capital fund has never worked; developers were unwilling to use the fund for variety of reasons. This should be reexamined now. However that is only a sliver of the cost of the whole transportation system. The bigger question is looking at a variety of funding mechanisms to provide short and long term capital improvements and maintenance.

First: The Mayor referred to an amendment to unencumber the existing parking requirements to cc. If we don't remove the parking requirements there is an equity issue of removing past requirements vs existing requirements.

K. Sturtevant: If this goes forward, there needs to be dialogue and findings, a rational basis for the decision. Another thing to think about is to consider if removing the requirement will initiate the need for another permit for another use. It is a question of making sure that the ordinance is clear.

J. Wallace-Brodeur: The first item, part of the package, to make consistent, and to facilitate larger element around parking seems to be important as part of the bigger picture. Is it worth our time to do this? Second, there is lots of information to unpack on this one, she understands the politics but doesn't understand the rationale for this. Adding a fee seems to counter act the original purpose. She is more interested in looking at how this works with the whole parking management in conjunction with the studies that all of the departments are currently undertaking, wants to create synergy with other processes.

D. White: That is ultimately where the answer lies. For the Downtown district, it is necessary to decide what tools are needed for effective policy. The change needs to be carefully constructed so that it is an incentive.

B. Baker: He always envisioned a fund for orphan parking around the City. There is a need to incentivize parking, and there are a lot of possibilities. Working with the Parking Management Task Force may be an appropriate opportunity and may be more effective.

E. Lee: She has heard from a lot from people that there are a lot of open spots, privately owned. If those spaces are built on spots, the parking possibilities will go away.

D. White: Parking spots would be shared if the developer chooses. There will need to be incentives to share which will reallocate where people park and provide more play in the system.

A. Montroll: Doesn't know the answers to many of these questions and won't know until policies are put into effect. There will still be new parking built downtown. He would suggest moving forward incrementally.

Mayor Weinberger: How would you envision experimenting with this?

A. Montroll: I think the first step is to understand how much development could happen in downtown if there were no new parking and second, what development we should expect. He would suggest setting

up a pilot program so results could be seen and effectiveness judged. In the long term we have to be careful, short term could be a little looser.

D. White: This could be organized with a sunset provision in the event that it doesn't work.

A. Montroll: The City has the capacity to accommodate this parking experiment. Fees could be included in a pilot program if needed.

E. Lee: Protection for outlying neighborhoods is necessary. Parking demand is huge in residential areas now and this needs to be addressed also, not just downtown.

D. White: Ultimately this is a question public purpose to require parking, does it affect other parties? On street it isn't much affected by use of the property.

E. Lee: Parking is tight, if neighborhoods have parking pressure it will result in less green space, etc.

A. Montroll: So the City Council is asking for something back?

D. White: Staff will look at the issues and provide recommendations to the Commission. The DPW, CEDO and P&Z departments are all working together on this.

B. Baker: Is there any engagement of the public and business community?

D. White: The Burlington Business Association is leading with downtown parking.

A. Montroll: We have to be able to address neighborhood parking issues as they are affected. This could be the answer to a comprehensive approach.

D. White: The Department of Public Works is conducting a study.

J. Wallace-Brodeur: We could have one more meeting and then pull the plug on this or come back with something to evaluate next meeting. Makes the motion to table the request and to respond to the City Council with an explanation of the reasons the PC doesn't see this as a standalone resolution but would consider it as a more comprehensive approach, seconded by L Buffinton.

D White: Staff will flush out this process and it can be discussed at the next meeting.

H. Roen: Believes that discussion at next meeting should be the course of action.

Mayor Weinberger: There is organic support for removing parking minimums, the consensus was broad, and there is disappointment that it did not go forward. It seems important that a goal is set to bring it back, maybe a year from now. Time is needed for consideration.

E. Lee: When are parking studies to be completed?

D. White: In about a year.

A. Montroll: The parking studies need to coordinate with each other. We don't have to have results to establish policy.

E. Lee: Could the study group provide preliminary results?

B. Baker: It should come from the Task Force with all of the components should be one overall group, and there may already be some consensus.

On a motion by J. Wallace-Brodeur, seconded by H. Roen, the Commission tabled the discussion until the March 25, 2014.

V. Public Hearings: ZA- 14-08 to ZA-14-11

ZA-14-08 – Urban Agriculture Standards

Scott Gustin, Senior Planner: The Urban Agriculture Task Force has examined this amendment previously and it is largely the same as at last presentation with a couple of corrections, which includes clarification of development in the flood area.

As approved by the Burlington Planning Commission on , 2014.

Michael Rooney and Susan Dorn comment on the size of hoop houses, the community garden space requirement and its practical application. Hoop houses successfully extend the growing season, a 200 sq ft hoop house is exempt but larger than that needs a permit.

M. Rooney: Do we want to encourage or discourage sustainable gardening? And how do you keep paperwork and fees from discouraging the public?

S. Dorn: Hoop houses are actually quite large.

M. Rooney: Setback requirements seem to be building setbacks, hoop houses are temporary structures. Smaller setbacks would grow more garden space.

L. Buffinton: A height of 7 or 8 feet makes sense. She is supportive. One other matter; section 4.4.5, residential districts, allows detached fireplaces, is this accurate? She understood that they were not allowed. Can there be clarification?

A. Montroll: Regarding play structures, anything in back yard, just placed on ground, makes no sense to include these in the coverage; he would like clarity on the language.

S. Gustin: He can plug in clarification.

A. Nihart, Burlington Food Council: addresses the size of hoop houses. Their original recommendation was 400 sq ft, but was to reduce to 200sq ft by the Task Force.

J. Hyman, VT Community Garden Network: The cold frame cap was defined at 6 feet for handicapped accessibility. Overall recommendations were a long time coming. Lot easier for people to raise own food, thanks all people who

A. Aropino, VT Food Council, Montpelier: Commends Burlington for facilitating the potential of the urban environment. Details are different for each city, he appreciates the thoughtful approach to zoning and is appreciative to have been part of the process.

On a motion by H. Roen, seconded by A. Montroll, the Commission unanimously approved ZA-14-08 and sent to City Council for adoption, as amended.

ZA-14-09 – Lot Coverage Exceptions

S. Gustin: This has been modified by adding a few items which are for clarification with the existing ordinance.

L. Buffinton: In reference to parking, she has seen patios designed for dual purposes but parking on patios is not allowed.

D. White: The rationale will allow patio, but not parking and a patio, no additional impervious surface.

L. Buffinton: If the patio were constructed of pervious material?

S. Gustin: The pervious pavement amendment went to the Conservation Board last night.

L. Buffinton: It would be good to tweak this to allow for the inclusion of pervious material.

E. Lee: It is the absolute opposite in her tight parking neighborhood. Does this mean that a swimming pool or walkway can go above 10%?

S. Gustin: It depends on what is on your site.

On a motion by A. Montroll, seconded by J. Wallace-Brodeur, the Commission approved ZA-14-09 and sent to City Council for adoption, as amended. E. Lee abstained.

ZA-14-10 – Existing Lots Required Frontage and Access

S. Gustin: This amendment is intended to prevent back yard subdivisions. VSA 24, section 117 can be construed to require DRB review which is not intended and now would not.

L. Buffinton: So this is just a clarification of language?

As approved by the Burlington Planning Commission on , 2014.

A. Montroll: Is development without public road frontage possible?

D. White: The third part of the amendment addresses this.

A. Montroll: Why is the date important?

S. Gustin: This is to address lots that were preexisting as of 1973.

On a motion by A. Montroll, seconded by E. Lee, the Commission unanimously approved ZA-14-10 and sent to City Council for adoption.

ZA-14-11 – Animal Boarding Use Allowance in NAC

S. Gustin: This is to allow this particular use with conditional approval of the DRB.

On a motion by L. Buffinton, seconded by J. Wallace-Brodeur, the Commission unanimously approved ZA-14-11 and sent to City Council for adoption.

VI. Joint Institution Parking Management Plan Presentation

Dave Keelty, FAHC, David Saladino, RSG, John Caulo, Champlain College and Sandy Thibault are present for a presentation on updates to the CATMA Plan.

D. White: The Planning Commission actually plays a role in the development of the plan, and this is the five year update purposed to manage parking in the City with these institutions in mind.

Discussion of the plan will be on the next agenda.

VII. Report of the Chair

None.

VIII. Report of the Director

D. White: Will be out with a medical issue next week, back in office on March 24th.

IX. Committee Reports

Long Range Planning Committee - H Roen: The LRPC hasn't met but parking might be good subject to add to the agenda.

Executive Committee

Ordinance Committee: Hasn't met but is scheduled for this Thursday.

X. Commissioner Items

H. Roen: He was at the hearing last night about the possible solar development in the north end. There is a PUD application for wetland determination, the City Council will look at stormwater issues. There will be more meetings and information but there was not full information available at the meeting. There were questions about the consultant statements and some public opposition. It is going to be up to the Planning Commission to decide if they want a hearing.

D. White: Now is the time to be commenting on application. Wetlands and stormwater are the issues.

XI. Minutes/Communications

On a motion by A. Montroll, seconded by J. Wallace-Brodeur, the Commission unanimously accepted the communications and placed them on file.

As approved by the Burlington Planning Commission on , 2014.

XII. Adjourn

On a motion by J. Wallace-Brodeur, seconded by L. Buffinton, the Commission unanimously adjourned at 9:26 pm.

B Baker, Vice Chair

Date

E Tillotson, recording secretary

DRAFT