

Burlington Planning Commission

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Andy Montroll, Chair
Bruce Baker, Vice-Chair
Yves Bradley
Alexander Friend
Emily Lee
Harris Roen
Jennifer Wallace-Brodeur

Burlington Joint Planning Commission with City Council Ordinance Committee Wednesday, February 19, 2020, 6:30 P.M. Conference Room 12, City Hall, Burlington Minutes

Members Present	Commission: A Montroll, Y Bradley, H Roen, E Lee, J Wallace-Brodeur, A Friend Council: C Mason, S Bushor, A Roof
Staff Present: M Tuttle, S Gustin, K Sturtevant	

I. Agenda

Call to Order	Time: 6:32pm
Agenda	No change.

II. Proposed CDO Amendment: Short Term Rentals

No Action		
Motion by:	Second by:	Vote:
Type: Work Session	Presented by: S Gustin, M Tuttle	
The Commission reviewed discussed the details of the proposed short-term rental regulatory framework compared to a number of common scenarios. Presentation materials can be found online at: https://www.burlingtonvt.gov/CityPlan/PC/Agendas .		
Committee Comments:		
<ul style="list-style-type: none">Regarding "Scenario 1" (using one's own home as an STR), Commissioners question why this would be considered a Conditional Use, and why an additional parking space is necessary. Majority of Committee felt that this is no different than the owner living in the home. Committee supports requiring rental registration, but some questioned the need for a zoning permit.Regarding "Scenario 6" (conversion of an entire apartment building to STRs), Commissioners question why this would be considered a "hotel" and staff explained that the definitions of lodging vs STRs could be clarified. Commission supported not allowing this scenario in residential areas, and thought that Housing Replacement should apply if buildings are converting long-term rentals.Regarding "Scenario 5" (an STR within a multi-unit building):<ul style="list-style-type: none">Commissioners discussed Housing Replacement at length, and concluded that it does not make sense in this scenario as it disincentivizes people from converting units back to long-term housing, is too onerous at the 3-unit threshold, and is too blunt a tool to support affordable housing. Committee supported exploring an alternative that assesses a tax/fee based on how often the STR use occurs, and perhaps applies to all STR scenarios equally.		

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- Committee had mixed opinions on whether or not the host should live on the site in this scenario, and suggested that there may be a need for Scenario #7 that recognizes off-site host.
- A Commissioner questioned whether this should apply to condominiums, where there are multiple owners on the property vs just one in a rental apartment building.
- A Commissioner suggested that perhaps there is a way to encourage STRs in a building to support lower rent for long-term rentals, by waiving fees or some other approach, using Lead Program as an example.
- Committee felt that this should be a Permitted Use in all zones, and clarify that this does not require an additional parking space to what the unit already requires.

III. Public Forum

Name	Comment
J Sharpe	Suggest Committee increase the limit on the number of STRs permitted in buildings of a certain size. If a tenant renting their own unit within a multi-unit building, is it Scenario 1 or 5?
J Shenton	Live in a condo development of duplexes- is there an extra parking space required if renting just one room?
G Kruesi	Why is there a parking requirement for condos? Can parking be based on occupancy rather than number of bedrooms?
A Stark	STRs are labor intensive, and hosts won't do it forever. Ensure that affordable housing fees don't preclude these units from returning to long-term housing.
L Jensen	Consider a cap on overall number of STRs in Burlington, number of STRs under common ownership, or number of each scenario the city is comfortable with. Subletting is mostly prohibited, so unlikely tenants will be hosts. How much money has the city collected from Housing Replacement and what is it used for?
D Geesen	Support idea of an alternative to housing replacement such as a per night fee. Unsure how own STR fits into the Scenarios- one room of a three bedroom apartment within a three unit building.
A Magyar	Regarding neighborhood character, hosts of STRs have much greater flexibility to set and enforce rules, and screen renters than long-term housing. "Superhosts" in particular have high standards.
D Lyons	Appreciate the idea to transition to an alternative housing replacement fee. Question the city's efforts around affordable housing—what is an "affordable" 1-bedroom apartment in Burlington?
K Cassella	Believe the housing crisis is not about availability, but rather affordability. Support the discussion about an alternative to housing replacement.
J Marks	Support the question about what the number of units in a building trigger scenario 5- consider raising the number, or increasing the number of STRs allowed in a building (i.e. 2 STRs in a 3 unit). Encourage a Scenario 7 that distinguishes when a host does not live on site, and encourage considering instead a cap on the nights rented.

IV. Proposed CDO Amendment ZA-20-04 Minimum Parking

No Action		
Motion by:	Second by:	Vote: N/A
Type: Presentation, Discussion	Presented by: M Tuttle	

M Tuttle shared updates on how the proposed amendment had been modified from the February 11 public hearing, and an analysis of the "CarShare VT" alternative Transportation Demand Management proposal. Slides posted online here: <https://www.burlingtonvt.gov/CityPlan/PC/Agendas>.

Committee Comments:

- Committee agrees that RH zone is in need of an update, but do not support adding all of RH into the Multi Modal Mixed Use District.
- Several Commissioners questioned how CarShare proposal would apply to commercial tenants. Concerns were raised about the forced relationship between a building owner and the employees of the commercial tenants. G Bergman offered a new proposal from CarShare to address this challenge.
- A Commissioner asked whether there should be more detail about what eligible expenses a tenant could be reimbursed for in the subsidy, and requirements for how it is administered.
- A Commissioner was unsure about how the alternative impacts the incentive to not build parking, and has less of a relationship to transit.

V. Commissioner Items

Action: N/A		
Motion: NA	Second: NA	Vote: NA
<ul style="list-style-type: none"> - Joint Committee will continue working on items at March 10 meeting. Will explore scheduling an additional meeting before March 10. - M Tuttle shared that the ADU Amendment was adopted by Council on Feb 18 - M Tuttle updated that PC Ordinance Cmte meeting was rescheduled to Feb 20 		

VI. Minutes & Communications

Action: Approved the minutes and accepted the communications		
Motion by : J Wallace-Brodeur	Second: A Friend	Vote: Approved Unanimously
Minutes Approved: Joint Committee Meeting on February 11, 2020		
Communications Filed:		
<ul style="list-style-type: none"> - Written communications enclosed in packet, and submitted in advance of meeting (posted online) 		

VII. Adjourn

Adjournment		Time: 9:02pm
Motion: E Lee	Second: J Wallace Brodeur	Vote: Approved Unanimously



Signed: March 12, 2020

Andy Montroll, Chair

Respectfully submitted by:



Meagan Tuttle, Comprehensive Planner