

# Burlington Planning Commission

149 Church Street  
Burlington, VT 05401  
Telephone: (802) 865-7188  
(802) 865-7195 (FAX)  
(802) 865-7144 (TTY)

[www.burlingtonvt.gov/pz](http://www.burlingtonvt.gov/pz)

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

## Burlington Planning Commission

Wednesday, October 28, 2020, 6:45 P.M.

Remote Meeting via Zoom

### Minutes

Members Present	A Montroll, A Friend, B Baker, H Roen, E Lee, Y Bradley, J Wallace-Brodeur, C Mason, J Hanson, Z Hightower
Staff Present:	D White, M Tuttle, S Gustin
Attendance:	Cheri Campbell, Joe Speidel, William Gonyaw, Emily Nottonson, Amy Magyar, Eric Hanley, Lucas Jensen, Abbot Stark, Julia Marks, Deb Ward Lyons, Erhard Mahnke, Sharon Bushor, Amanda, Paul, Loranger, Dan Goossen, Rolf Danielson

#### **I. Agenda**

Call to Order	Time: 6:49pm
Agenda	No Changes

#### **II. Public Forum**

Name	Comment
No Comments	

#### **III. Proposed CDO Amendment: Short Term Rentals**

Action: N/A		
Motion: N/A	Second: N/A	Vote: Approved Unanimously
Staff updated the committee on changes to the proposal and answered questions from prior meetings. Slides are posted at: <a href="https://www.burlingtonvt.gov/CityPlan/PC/Agendas">https://www.burlingtonvt.gov/CityPlan/PC/Agendas</a>		
Committee Discussion:		
<ul style="list-style-type: none"><li>- Could discontinuance for non-conforming STRS be 6-months instead of a year?</li><li>- Some committee members suggested that the ordinance should start by being more restrictive to see how many units will be impacted in the city.</li><li>- A commissioner asked what policy interest is served by allowing non-owner-occupied properties to host STRs, and noted that each unit that is an STR used to be long-term housing.</li><li>- A commissioner expressed concern that renters are not part of the discussion, and taking more housing off-line is a risk at a time when city has prioritized importance of addressing housing.</li><li>- Committee wanted more information about whether a nightly fee would require a charter change and what rate would be permitted, more information about the housing replacement fee is calculated, and difference between a one-time fee vs. an ongoing tax.</li><li>- A commissioner questioned whether to allow Scenario 6 (all units in a building are STRs) and whether the goal is to raise money or deter conversion to STRs.</li><li>- Committee requested more information about the number of new housing units in Burlington (historic and expected), vacancy rate trend, and changes to tax rates over time.</li></ul>		

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**IV. STR Public Forum**

Name	Comment
D Ward Lyons	Request to allow off-site host for STRs, and to consider single-units when host lives nearby as a duplex or ADU. STR has been easier to manage and better impact on neighborhood than previous long-term situations. Want to confirm City RMT rate. STR is not the solution to the City's housing crisis.
A Magyar	Additional RMT is applicable to all STRs, vs. replacement fee wouldn't apply to many of the scenarios. Consider offering conditional use for whole unit non-owner occupied STRs, maybe with a limit to very small number in the City.
E Hanley	Would like to clarify how the proposal applies to a two-unit property in regards to whether the host lives on the property or not.
A Stark	Have lived in Burlington since 2000, always had a housing crisis. STR does not have that much of an impact, compared to other factors. STR has been necessary to make property ownership and maintenance possible, and maintain below-market rents for tenants. Request to allow 2 STRs in a 4 unit property to promote mixed-income neighborhoods. There are STR benefits to hosts and community.
E Mahnke	Concerned about scenarios 5a/5b/6 impact on affordable housing, and taking rental housing off the long-term market. Housing crisis is a protracted problem, for Burlington and state, and this will make it worse. Concerned about tenants as hosts. Housing replacement fee ranges don't actually get close to the cost to create/subsidize. Concerned with allowing STRs on non-owner occupied property.
S Bushor	Don't think the city has a good handle on how many STRs are out there, concerned about enforcement. How are 2 <sup>nd</sup> homeowners considered in this proposal? Some hosts are doing good things for long-term tenants but not guaranteed. How do we control STRs if you can't revoke zoning permits? Would prefer timeline to discontinue be 6 months instead of a year.
J Marks	Vacancy rate in Burlington has been the same for last decade, data doesn't support that STRs are cause of problem nor would stringent regulation be the solution. With rate of housing growth and same vacancy rate, maybe housing situation has improved. STR is not making a ton of money, hard for STR hosts to see the city want to take more revenue.
L Jensen	STR is not about making more money, but other benefits to city and keeping other rental unit at lower rate. Discussion feels like a step back to months ago. Can documented preservation of affordable housing be used to afford opportunity to create an STR? Request to treat two-unit properties like 3+ unit properties with regard to allowing host off-site.
Amanda	Have purchased and reinvested in a 3-unit property in Burlington which are now long-term rental housing. Have a garage with a bedroom using as an STR but don't live on the site, so it has not taken anything away from long-term housing. Concerned about how VT residents can afford a living, and STR is part of that.
Paul	Working with hosts who are not commercial operations, they are Vermonters doing the best they can for their property and make ends meet. COVID is impacting people's income and ability to afford property. Don't think fear about large amounts of housing being converted will be reality. Reconsider allowing single-unit STR without the host on site.
W Gonyaw	Allow more housing development in residential areas and housing strategies such as UVM housing more students. Housing shortage has been going on for decades, STRs don't contribute significantly. Allow STRs for properties without host on site; why is it ok for multi-units but not others? Tax instead of housing replacement is a

	good idea, will housing replacement be refunded if STR goes away. Use STR to support low-income tenant and keep up property.
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**V. Commissioner Items**

Action: N/A		
Motion: NA	Second: NA	Vote: NA
<ul style="list-style-type: none"><li>- Next meeting is November 10, 2020 at 6:30pm</li><li>- E Lee invited other Commissioners to join a discussion of the JIPMP with CATMA</li><li>- H Roen requested to hear more about expectations for post-COVID changes to parking demand for institutions in the JIPMP</li></ul>		

**VI. Minutes & Communications**

Action: Approved the minutes and accepted the communications		
Motion by: A Friend	Second: H Roen	Vote: Approved Unanimously
<ul style="list-style-type: none"><li>• Minutes Approved: October 13, 2020</li><li>• Communications filed enclosed in agenda packet, and additional communications posted:<ul style="list-style-type: none"><li>• Letter from D. Lyons</li><li>• Four Communications regarding Certificates of Public Good for AT&amp;T wireless antenna installations in downtown.</li></ul></li></ul>		

**VII. Adjourn**

Adjournment	Time: 8:33 pm	
Motion: H Roen	Second: J Wallace-Brodeur	Vote: Approved Unanimously



Signed: November 11, 2020

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Andy Montroll, Chair

Respectfully submitted by:



Meagan Tuttle, Comprehensive Planner