

Burlington Planning Commission

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Andy Montroll, Chair
Bruce Baker, Vice-Chair
Yves Bradley
Alexander Friend
Michael Gaughan
Emily Lee
Brynne Martin

Burlington Planning Commission

Tuesday, April 12, 2022, 6:30 P.M.

Remote Meeting via Zoom

Minutes

Members Present	A Montroll, A Friend, E Lee, Y Bradley, B Baker, M Gaughan
Staff Present	M Tuttle, C. Dillard, B Pine, S. Gustin
Public Attendance	E Farrell, S Bushor, K Devine, M Lang, T Doyle

I. Agenda

Call to Order	Time: 6:33pm
Agenda	No change

II. Public Forum

Name(s)	Comment
M Lang	Rezoning of BHS; concerned that an institutional zone is not appropriate because it is a department of the City. Offered a suggestion of a mixed-use zone.
S Bushor	Shared concern of parking ordinance, the DRB will receive it. C Mason had asked that the language be changed from DRB will "receive" it to DRB will "adopt" or "approve."
K Devine	Executive Director of Burlington Business Association. Concerned about an administrative amendment for shelter pod community. Other cities that have implemented these communities show extensive paperwork. Portland OR had two-year process. Asking for Commission to consider requiring similar length and style of paperwork, including input from other organizations/individuals/departments, as part of the administrative amendment.

III. Chair's Report

A Montroll	No report.
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IV. Director's Report

M Tuttle	<p>New City Council meeting last night. Reintroduction of short-term rental. Proposed a recent version of zoning and minimum housing ordinance amendments. Asked for that to be referred to CC ordinance committee.</p> <p>Anticipating that BHS zoning discussion will come back to Planning Commission in May. Design team has proposed 5 plans to the School Board and will weigh in later this month.</p> <p>City Council has requested to approve municipal bylaw amendment report and warn public hearing.</p> <p>The Interim Emergency Shelter Pod amendment was not specifically mentioned in the Housing Action Plan, but was a cross-departmental effort to ensure the success of the shelter pod community.</p>
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	Welcoming a new planner, Sarah Morgan, in May. Previous experience in environmental justice. M Tuttle will be out of the office April 27-May 6 for the National Planning Conference Enterprise Zoning update- C Dillard is exploring whether South End zoning can accommodate housing.
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V. Proposed CDO Amendment ZA-22-07: Maximum Parking & TDM

Motion by: M Gaughan	Second by: E Lee	Vote: 6-0
Type: Discussion	Presented by: M Tuttle, C Dillard, S. Gustin	
Commissioner discussion: <ul style="list-style-type: none"> • Took recommended changes on how TDM is integrated to the City Council Ordinance Committee in March. Accepted most of the changes, but disagreed on a few points: remove parking exemptions within the form districts, felt that it was counter to the purpose of setting max limits on parking, defer expansion of TDM requirements into other parking districts, not comfortable but recommended a two-tier structure of TDM requirements. Expanding requirement to meet all of the aspects of TDM to any development over 10 units. Offer a lower threshold for projects between 5-9 units where they are only required to unbundle parking. Asked for a greater weight to be given to Joint Institutional Parking Plan—a plan must be approved by the DRB and lack of a plan will be considered a zoning violation. • Found additional places in our Ordinance that address parking. Articles 4 and 5 contain language that could be deleted. Replacing "requirements" with "standards." 5.3.6 Non-conforming lots. Put in place to prohibit expansion of buildings that don't have required minimum parking. • S Gustin recommended removing the last two sentences of 5.3.6 • M Gaughan asked whether City Council Ordinance Committee recommended that parking maximums be placed back into the Institutional Parking Plan. • They recommended that projects that could be considered for parking exemption have a plan. • When holding the public hearing, the Commission is asked to make technical corrections and weigh in with input for City Council to consider. • B Baker asked whether moving forward will affect existing permits. • M Tuttle and S Gustin will coordinate to inform projects of this proposed change. 		

VI. Proposed CDO Amendment: Interim Emergency Shelters

Motion by:	Second by:	Vote: N/A
Type: Discussion	Presented by: M Tuttle, B Pine	
Commissioner discussion: <ul style="list-style-type: none"> • M Tuttle provided a background on Mayor Weinberger's Housing Action Plan. • Provide 80 new homes to accommodate Burlington's homeless population • City Council has already embraced \$3 million investment from ARPA for ending homelessness, plus \$1-2 million for permanently affordable housing • Fully fund the Housing Trust Fund, about \$550k per year • Staff time and salary for Special Assistant to End Homelessness—Sarah Russell started at CEDO on April 11. • Strengthen Coordinated Entry System. Keeps track of individuals and provides services, support, and resources for stable housing. • Invest in 30 shelter pods • A zoning amendment is not required to move forward with Elmwood Ave location, but could be important in setting up other emergency locations in the future. Current zoning standards may not be nimble enough. 		

- The City's goal is to create permanent affordable housing, but there may be future needs to increase sheltered beds in a quick manner.
- The zoning amendment could help with other types of projects that need to switch use or be built for a specific purpose but for a temporary timeframe, like utilizing motels for shelter or for natural/human-induced disasters.
- Currently, emergency shelters are allowed in residential areas as a conditional use, in neighborhood mixed use districts as a conditional use, and in downtown form districts as a permitted use.
- Proposed amendment expands to also include enterprise and RCO-RG zones.
- Currently, emergency shelters receive permits in perpetuity.
- Proposed amendment structures so that permit is valid for 1 year and can be renewed twice in 1 year increments. To exist permanently, the site must seek a new permit. The site also must be returned to pre-permit condition.
- Modeled partly after the Urban Reserve zone. Permits are temporary until the community decides what to do.
- Currently, emergency shelters require 24/7 onsite management with a staff to resident ratio of 1:25 and adhere to the city-wide general conditional use standards, many of which don't necessarily apply to an emergency shelter
- Proposed amendment keeps onsite management ratio the same but also requires submission of an approved operations plan.
- CEDO has been in conversation with State of Vermont's Office of Economic Opportunity—if they provide funding every step of the process and operations plan will be reviewed by them. Continuum of Care, regional entity that oversees federal funding on homelessness, can be another avenue for independent reviews of operation plans.
- Proposed amendment offers appeal opportunity, 15 day appeal period heard by the DRB.
- B Baker asked whether proposed interim emergency shelter could exist on property other than city-owned. M Tuttle responded yes, but it would need to be under an operational agreement with the City.
- A Friend suggested that at a neighborhood public meeting it should be made clear that the City has accompanying plans for permanent affordable housing and that shelter communities are only for temporary, emergency use and not a long-term solution.
- CEDO has met with several constituents and stakeholders for feedback. It was decided internally with the City that asking for feedback or neighborhood votes on the shelter pod community was not a good idea.
- A Commissioner asked how many shelters are needed. B Pine responded that this community is planned for 30 pods. Not intended to be the beginning of multiple shelters across the City.
- Shelter pods are not intended for families—rather individuals or couples.
- A Commissioner raised the concern that low-barrier shelters are not successful.
- Operational management that is appropriately funded and staffed will be in place before residents are placed.
- B Pine offered that a six-month review with residents, neighbors, and nearby business owners would be a good idea.
- A Commissioner raised the question of how success will be measured for these sites.
- A Commissioner asked why the Interim period is 3 years, rather than 1 year.
- M Tuttle responded that there are some zones where a 1-year period would not offer a path forward for permanent zoning.
- A Commissioner raised the concern that offering an easier process for Interim shelters will reduce the pressure to build permanent affordable housing.
- Many of the questions from potential partners surrounding shelter pod operational management are around funding and staff.
- M Tuttle raised the concern that the zoning level may be too broad to offer clear minimum standards on certain criteria as that may be site-specific.

- A Commissioner proposed that CEDO come back with more concrete plans on accountability and review.
- A Commissioner asked whether there is precedence in the Zoning Ordinance that could be up for expiration. M Tuttle responded that there is a precedence for allowing sites in Zoning to sunset—most recently in the concept of short-term rentals.
- A Montroll offered that some projects could have an automatic call-back time where they need to be presented for review to City Council in 1- or 2-year periods.
- A Commissioner asked whether parks could be removed from possible Interim shelters sites. M Tuttle responded that yes it could.

VII. Commissioner Items

- Next meeting is April 26 at 6:30pm
- Bill Truex, a primary architect of Church Street Marketplace, recently passed away.

VIII. Minutes and Communications

Action: Approve the minutes and accept the communications		
Motion by: A Friend	Second by: B. Baker	Approved Unanimously
Minutes Approved: March 22, 2022		
Communications Accepted: in the agenda packet and posted at https://www.burlingtonvt.gov/CityPlan/PC/Agendas		

IX. Adjourn

Adjournment		Time: 8:03pm
Motion: Y Bradley	Second: M Gaughan	Vote: Approved Unanimously