

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

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

Burlington Planning Commission

Tuesday, June 28, 2022, 6:30 P.M.

Remote Meeting via Zoom and Sharon Bushor Conference Room

Draft Minutes

Members Present	A Montroll, B. Baker, A Friend, M Gaughan, B. Martin, Y. Bradley
Staff Present	M. Tuttle, C. Dillard, S. Morgan
Public Attendance	B. Headrick, K. Pillsbury, L. Kingsbury, S. Bushor

I. Agenda

Call to Order	Time: 6:35pm
Agenda	PC will consider a new Agenda Item – ZA-22-08 - Short Term Rentals to provide update on City Council action and to warn a Public Hearing. PC will also defer discussion on Trinity Campus to the next meeting.

II. Public Forum

Name(s)	Comment
J. Mahoney	J. Mahoney spoke about Trinity Campus and supports allowing City Planning staff to create zoning and height standards but expresses lack of confidence in UVM. He spoke of juniors and seniors preferring to live off campus and increasing enrollment. He wishes for the City to hold UVM accountable.
B. Headrick	B. Headrick spoke about the proposed UVM Trinity Campus amendment and her concern with changes to Institutional zoning. She expressed her opposition to the proposed amendment and asked the Planning Commission to re-consider until UVM provides a Master Plan.
S. Bushor	S. Bushor thanked Planning staff for coordinating the meeting on Trinity Campus. She also asked if the questions asked during the public meeting would be re-asked to allow those who could not access the online survey instrument another chance to provide input. She suggested a joint meeting with the Planning Commission and City Council to discuss UVM housing. She also spoke in reference to the emergency shelter pods and expresses disagreement with the administrative approval for such housing.
S. Thibault	S. Thibault spoke in reference to the memo related to ZA-22-07 and spoke to the JIP. Asked the Commission to reconsider the parking minimums as it could affect other areas of the city.
K. Pillsbury	K. Pillsbury spoke as a resident of Ward 8 letting the Commission know that the Trinity Campus Rezoning will affect his neighborhood.
L. Kingsbury	L. Kingsbury thanked the Planning staff for facilitating the June 23 public meeting and to the Commission. She spoke to the memo that S. Thibault sent and that UVM agrees with the points made in that memo.

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III. Chair's Report

A. Montroll	No report.
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IV. Director's Report

M. Tuttle	<p>M. Tuttle requested that Sharon and Barbara resubmit any written correspondence previously sent to Planning Commission to staff in the Office of City Planning. She congratulated Alex Friend for his reappointment and thanked Brynn Martin for her service during the last year. Ms. Martin's replacement would join the Commission in August, potentially.</p> <p>The Office of City Planning budget was approved by City Council and more details were provided on what projects are the Planning team will be working over the next year. The Regional Planning Commission will also provide some additional funding.</p> <p>Meagan also reminded the Planning Commission of the 6/29 public meeting on the South End Innovation District at Generator and provided information on the Trinity Campus public meeting. Copies of the presentation slides and the Zoom recording can be found on the Planning website.</p>
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V. Proposed CDO Amendment: ZA-22-08 Short Term Rental

Action: Approve ZA-22-08 and warn a public hearing		
Motion by: A Friend	Second by: M. Gaughan	Vote: 5-0
Type: Motion to Pass	Presented by: M. Tuttle	
<p>Introduction:</p> <ul style="list-style-type: none"> M. Tuttle presented an update on the proposed amendment and summarized the CC action from its 6/27 meeting. Components of the resolution (1. amending the definitions and 2. adding short terms rentals as a "special residential use" to Appendix A) have expired since the Planning Commission sent them to City Council over one year ago. City Council is now referring these components back to the Planning Commission so that it may approve the warning of a public hearing for the amendment. <p>Commissioner discussion:</p> <ul style="list-style-type: none"> A. Montroll described the amendment and summarized Planning Commission's past treatment of this propose amendment. He summarized that the Commission felt the best place to house short-term rental regulation was within the City code as it allows the regulation to be more dynamic and flexible. A. Montroll asked for a summary of the new rules established for short-term rentals. 		

VI. Proposed ZA-22-07 Maximum Parking & TDM

Action: Approve ZA-22-07 and refer to City Council with the recommendation to adopt the resolution.		
Motion by: M. Gaughan	Second by: A. Friend	Vote: 5-0
Type: Move to Council and adopt report	Presented by: M Tuttle	
<p>Introduction:</p> <ul style="list-style-type: none"> M. Tuttle discussed a memo from CATMA that proposed changes to the amendment. The memo requests that certain applications do not require an amendment, particularly for site work that include a minimum number of parking spaces, additions or removals, up to 10 spaces. M Tuttle stated that her and her staff discussed this item and found it was slightly out of scope for a parking management plan. M. Tuttle described the memo summarizing the Commission's recommended further changes to the proposed amendment. 		

Commissioner discussion:

- M. Gaughan asked if staff knows of any instances of small work for which 10 or fewer parking spaces would be impacted. S. Gustin stated that the institutions frequently come in for small infrastructural works that typically do fit within the JIPMP. L. Kingsbury (UVM) provided an example of a landscape project that added three spaces.
- A. Friend and A. Montroll expressed support for the memo.
- M. Gaughan expressed his concern that in the implementation period, the aggregate cost of housing would increase. He stated support for an implementation period that would preclude a landlord from charging extra for parking, considering that parking and rent would be decoupled. M. Tuttle stated that there could be language added stating such decoupling must only be enacted as described in a lease agreement signed by all parties and at the beginning of a lease term. The parking cost decoupling would only apply to newer developments.

VI. Public Hearing: Proposed ZA-22-06 Transitional Shelter

Action: Continue discussion to consider alternative approaches that align with some of the principles outlined by the Planning Commission.

Motion by: n/a

Second by: n/a

Vote: n/a

Type: n/a

Presented by: M Tuttle

Introduction:

M. Tuttle presented the proposed amendment and discussed the permit length and reporting standards as proposed. She summarized the changes included in the most recent proposed amendment, such as transitioning the emergency shelter permit to a permanent structure permit. She discussed a previous suggestion where the timeframe for these transitional shelters is seasonal, i.e. emergency housing in the winter. The proposed amendment also provisions that an advisory committee be created for each transitional shelter. This committee would bring together community members in that neighborhood to have a say in the creation of the shelter.

Commission Discussion:

- M. Gaughan spoke summarizing his previously stated thoughts, including that there is already a process in place for temporary shelter permits. He does not support the institutionalization of temporary housing for homeless individuals, but supports permanent affordable housing efforts. He stated that he prefers a seasonality aspect and clauses allowing disaster-related emergency housing needs.
- A. Montroll spoke in support of long-term planning for housing transition and aspects of the "housing crisis." He differentiated a planning-focused "crisis" from a housing emergency. He offered the COVID-19 pandemic as an example of a housing emergency. He spoke in support of identifying places in the city where emergency housing should be located in such events. But stated that he does not believe the proposed amendment sufficiently addresses the crisis of housing. M. Tuttle offered that some of this covered in the Hazard Mitigation plan handed at the Regional Planning Commission level, yet the process CEDO went through for the Elmwood Ave permit revealed some gaps in the regional and municipal plans. She also spoke to the fact that a permit expires after a period of time if no construction has occurred, making it difficult to reserve areas of the city for emergency shelter use.
- A. Montroll asked if emergency shelters could be permitted on a short-term basis in identified areas considered appropriate for such use. M. Tuttle suggested an overlay approach but stated that this could be less transparent to the public than desired. A. Montroll responded by stating that the current administrative process only allows limited public involvement.
- A. Friend expressed that the three-year term in the current plan is too long to be considered temporary, but was favorable of some of the suggestions brought forward.

- A. Montroll proposed emergency housing sites that would be approved by DRB
- B. Martin suggests that a crisis is simply an emergency that has been ignored. She asked what will be considered an emergency and what is the timeframe for an emergency to be over. She referenced that getting back on one's feet after experiencing homelessness could take a long time, longer than the Winter months.
- M. Gaughan asks for research on emergency measures and how they are administered in other cities, regardless of the nature of the emergency.
- A. Friend says that there will still need to be a CDO amendment to identify districts where this use is permitted.
- A. Montroll would like to narrowly identify sites that could go through a quicker review process; the process as proposed is concerning to him.
- M. Gaughan suggests a site selection process and that some thought should go into what the criteria should be for emergency shelter sites.
- The Commission discussed what points are essential in a new proposal. M. Gaughan offered that creation of temporary shelter should be tied to seasonality, FEMA declaration of a disaster, or a Governor's State of Emergency. A. Friend thought seasonality would be too long since Vermont has long winters, yet tying it to a FEMA or Governor declaration would be too restrictive.
- M. Tuttle will work with staff to draft a new proposal with the suggestions given by the Commissioners.

VII. Minutes and Communications

Action: Approve the minutes and accept the communications		
Motion by: A. Friend	Second by: B. Martin	Approved Unanimously
Minutes Approved: June 14		
Communications Accepted: in the agenda packet and posted at https://www.burlingtonvt.gov/CityPlan/PC/Agendas		

VIII. Adjourn

Adjournment	Time: 8:20pm
Motion: B. Martin	Second: A. Friend
Vote: Approved Unanimously	