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MEMORANDUM

TO: Jane Knodell, City Council President
Burlington City Councilors
Mayor Miro Weinberger

FROM: Scott Gustin, Principal Planner

DATE: Thursday, April 28, 2016

RE: Proposed zoning amendment: **ZA-16-10; Parking Waivers & Management Plans**

You will please find attached a proposed amendment to the Burlington Comprehensive Development Ordinance for your consideration and adoption as recommended by the Burlington Planning Commission on April 26, 2016.

The amendment is intended to allow greater flexibility for parking waivers for non-residential uses. This amendment was initiated with the Greater Burlington YMCA.

The amendment revises the 50% limit for parking waivers under Sec. 8.1.15 of the CDO. Presently, the limit is 50% for almost all situations. Adaptive reuse of historic buildings and ground-floor retail uses may receive up to 100% parking waiver. As proposed, the waiver limit for non-residential uses would be increased to 90%. No changes to the parking management plan standards required for a parking waiver are proposed. An applicant must demonstrate to the satisfaction of the Development Review Board that actual parking demand will be a certain percentage of the standard parking requirement, whether it's 80%, 50%, or 20%.

This amendment would be broadly applicable but is being spurred by the YMCA's relocation to 298 College Street. The present site at 266 College Street is within the downtown transition zone and the concurrent downtown parking district. The existing facility is about 50,000 sf with 20 parking spaces (8 onsite and 12 offsite). The parking standard is 1 parking space per 1,000 sf (50 spaces total). While very close to its existing location, the new site is located in the high density residential zone and the related neighborhood parking district. The parking requirement jumps to 3 spaces per 1,000 sf. The proposed 100,000+ sf facility would require some 300 parking spaces. Actual and anticipated parking demand is nowhere near that number.

The amendment as proposed could provide a parking solution for the YMCA but also for other non-residential projects that can demonstrate parking demand of less than 50%. It steers away from additional complexity and case-specific provisions in the CDO and affords greater opportunity for businesses to provide parking in line with actual parking demands.

Thank you for your consideration.

Burlington Comprehensive Development Ordinance
Proposed ZA-16-10 – Parking Waivers & Parking Management Plans

As approved by the Planning Commission – 26 April 2016

Purpose: The purpose of this amendment is to allow greater flexibility for parking waivers for non-residential uses

Proposed CDO language is below. New language is underlined red and deleted language is ~~crossed-out~~.

ARTICLE 8: PARKING

PART 1: GENERAL REQUIREMENTS

Sec. 8.1.1 – 8.1.14 as written.

Sec. 8.1.15 Waivers from Parking Requirements/ Parking Management Plans

The total number of parking spaces required pursuant to this Article may be reduced to the extent that the applicant can demonstrate that the proposed development can be adequately served by a more efficient approach that more effectively satisfies the intent of this Article and the goals of the municipal development plan to reduce dependence on the single-passenger automobile.

Any waiver granted for a residential use shall not exceed fifty percent (50%) of the required number of parking spaces except for the adaptive reuse of a historic building pursuant to Sec. 5.4.8 which may be waived by as much as one hundred percent (100%). Any waiver granted for a non-residential use may be ~~and ground floor retail uses in any Mixed Use district which may be waived by as much as one hundred~~ ninety percent (90%) except that a waiver for ground floor retail uses in any Mixed Use district may be as much as one hundred percent (100%). Waivers shall only be granted by the DRB, or by the administrative officer pursuant to the provisions of Sec. 3.2.7 (a)7.

In order to be considered for a waiver, the applicant shall submit a Parking Management Plan that specifies why the parking requirements of Sec. 8.1.8 are not applicable or appropriate for the proposed development, and proposes an alternative that more effectively meets the intent of this Article. A Parking Management Plan shall include, but not be limited to:

- (a) A calculation of the parking spaces required pursuant to Table 8.1.8-1.
- (b) A narrative that outlines how the proposed parking management plan addresses the specific needs of the proposed development, and more effectively satisfies the intent of this Article and the goals of the Municipal Development Plan.
- (c) An analysis of the anticipated parking demand for the proposed development. Such an analysis shall include, but is not limited to:
 1. Information specifying the proposed number of employees, customers, visitors, clients, shifts, and deliveries;
 2. Anticipated parking demand by time of day and/or demand by use;

3. Anticipated parking utilizing shared spaces or dual use based on a shared parking analysis utilizing current industry publications;
 4. Availability and frequency of public transit service within a distance of 800-feet.
 5. A reduction in vehicle ownership in connection with housing occupancy, ownership, or type; and,
 6. Any other information established by the administrative officer as may be necessary to understand the current and project parking demand.
- (d) Such a plan shall identify strategies that the applicant will use to reduce or manage the demand for parking into the future which may include but are not limited to:
1. A telecommuting program;
 2. Participation in a Transportation Management Association including methods to increase the use of mass transit, car pool, van pool, or non-auto modes of travel;
 3. Implementation of a car-share program;
 4. Development or use of a system using offsite parking and/or shuttles; and,
 5. Implementation of public transit subscriptions for employees.

Prior to any approval by the DRB pursuant to this section, the means by which the parking management plan will be guaranteed and enforceable over the long term, such as a contract, easement, or other means, and whether the city should be a party to the management contract or easement, shall be made acceptable to the city attorney.

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Burlington Planning Commission Report Municipal Bylaw Amendment

ZA-16-10 – Waivers from Parking Requirements/Parking Management Plans

This report is submitted in accordance with the provisions of 24 V.S.A. §4441(c).

Explanation of the proposed bylaw, amendment, or repeal and statement of purpose:

The purpose of this amendment is to permit the Development Review Board to consider requests for increased parking waivers for projects which can successfully demonstrate that location, uses/design and plan for parking management reduce the demand for required parking and that such a reduction in required parking will not negatively impact the community and/or neighboring properties. The proposed amendment allows the Development Review Board (DRB) to approve up to a 90% waiver of required parking for non-residential uses in all zoning districts within the City, except for the adaptive reuse of historic buildings pursuant to Sec.5.4.8 and for retail uses in mixed use zoning districts. In both of these exceptions, the CDO currently permits the DRB to approve up to a 100% waiver of required parking. No changes have been made to the requirements for providing parking management plans.

Conformity with and furtherance of the goals and policies contained in the municipal development plan, including the availability of safe and affordable housing:

The proposed amendment is consistent with the vision of the Municipal Development Plan to ensure that the City's neighborhoods are sustainable, and served by amenities meeting the immediate needs of surrounding residents without the need for single-occupant vehicles. Furthermore, the amendment is consistent with the the Plan's vision of an integrated system of transportation options to assist in the reduction of neighborhood through traffic and to support transportation and parking demand management initiatives. The proposed amendment does not limit the ability to provide safe and affordable housing within the community.

Compatibility with the proposed future land uses and densities of the municipal development plan:

Providing the DRB with a mechanism to reduce the required parking will help to ensure the feasibility of mixed-use projects which meet the Plan's vision, and which are developed in such a way that is consistent with the Plan's land use goals. In particular, the proposed amendment provides the City with a tool to realize its land use policy to "encourage mixed-use development patterns, at a variety of urban densities, which limit the demand for parking and unnecessary automobile trips, and support public transportation."

Implementation of specific proposals for planned community facilities:

This proposed amendment is consistent with a host of plans and policies the City has adopted or is currently considering regarding the location and availability of parking resources. These plans discuss more efficient use of existing parking resources as well as parking and transportation demand management strategies for public and private parking resources, at both on- and off-street locations.