

# Burlington Planning Commission

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Bruce Baker, Vice-Chair  
Andrew Saba  
Lee Buffinton  
Harris Roen  
Andy Montroll  
Jennifer Wallace-Brodeur  
Vacant, Youth Member*



## Burlington Planning Commission Minutes

Tuesday, October 28, 2014 - 6:35 pm

**PC Present:** L. Buffinton, H. Roen, J. Wallace-Brodeur, Y. Bradley, A. Montroll, B. Baker, E. Lee

**Absent:** Y. Bradley

**Staff:** D. White, S. Thibault, E. Tillotson

### I. Agenda

Added Report of the Director as item 2.5.

### II. Public Forum

Brian Lowe is here from the Mayor's Office just to listen.

#### II.5 Report of the Director

- Welcome to Youth Member Holly Ransom.
- Zoning Clerk Nic Anderson is leaving for a position as Sustainable Transportation Coordinator for Champlain College. This is a good opportunity for him, the Planning & Zoning Office is in state of mourning.
- Last night the City Council held a special public meeting to address permit reform at which there were about ten different speakers. People are interested in streamlining the process. Staff will provide an update of changes made during the last several years.
- The urban Agriculture amendment was approved by the Commission a while back. It had been on hold for more information from the State Board of Health. The City Council meets this week Thursday at 5:30pm to discuss how zoning and humane treatment dovetail.
- Next week Thursday, a number of the City Staff are taking a field trip to Portland Maine to learn about some of their best practices.

Update from the Comprehensive Planner, Sandrine Thibault

- A small size flyer on parking in the downtown, just made available today is distributed to all Commission members present. It details the location of the new electronic meters and other changes as of November 1<sup>st</sup>. The parking studies for downtown and residential parking are under way and there is a meeting November 19 to hear public feedback.
- PlanBTV South End is moving ahead full speed. She and the Director are extremely busy having just received the market analysis to review, and anticipate another study report on transportation, stormwater, brownfields and land use in mid-November. The Consultants for the second phase of the South End Project, Goody Clancy from Boston, were in town a couple of weeks ago during which time they met with staff, some stakeholders, SEABA, the Ward 5 NPA, and other interested parties. There is a meeting this Friday morning, at The South End Kitchen, with the focus on the artist community to forge collaboration for community involvement and engagement in the planning process.
- November 21<sup>st</sup> and 22<sup>nd</sup>, there will be a south end crawl which will take place in many different locations, involving businesses and artist studios, to encourage in depth engagement of the

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public for this project and to gather input about possible avenues to narrow the modes of approach to the study. There will be much more to come.

D. White: There are some misconceptions that the City is already making a plan which is unfounded and the Commission and Department need to dispel this feeling. Planning hasn't started yet. Framing of right questions and gathering input, how to proceed, and the focus of the outcome are all on going conversations.

### **III. Proposed Zoning Amendment**

Subdivision and Conditional use Review Changes

D. White: There are three parts to this zoning amendment. Since the beginning of the discussion in February, the constant theme has been how we simplify the process.

The Zoning Ordinance has evolved significantly over last couple of decades and as a result the process has become more robust. Taken together this is an attempt to delete redundancy and duplication of effort. At this point the permitting process for these types of permits is time consuming and sometimes the review criteria have no relevancy to the ordinance. Consequently there are three proposals:

1. Disconnect conditional use review from projects that don't require review.
2. Revise to focus more clearly on conditional use that may need more examination.
3. Clarify the scope of conditions that can be imposed.

Inclusionary housing, replacement housing, the institutional parking plan, subdivisions and PUDs are all not conditional uses.

A. Montroll: These would all still be reviewed if needed, just not as conditional use.

D. White: Yes, there would be some minor changes since the standards have been rewritten. Major impact is a separate subject which will be discussed separately at a later time. The review process is far reaching with a cumulative impact which is incredibly difficult to get your arms around.

A. Montroll: Has the DRB, in the past, used this in any meaningful way?

D. White: No not that I know of. The last item in this section pertains to functional family and relocating it here is where it belongs.

E. Lee: It seems unenforceable.

D. White: It will depend on how it is structured; the language will force the floor plan of the unit, not new language. Specifically deals with issues re: article 9, inclusionary housing. Article 9 has had all references to inclusionary housing removed. Particular to inclusionary housing, the city has had inclusionary regulations since the early 90s. Probably about 2005, the Vermont legislature changed the statute, and at that point, it was only enabled in case of subdivisions and PUDs. Planning and Zoning was forced to have major and minor PUDs as a consequence.

L. Buffinton: Under inclusionary requirements, gross floor area requirements seem too large, requirements should be lowered.

D. White: At letter A, PUD major and minor is removed. The regulations addressing accessory buildings have been around since before 01.01.2007. These regulations need to be relocated to the residential accessory section. The PUD ordinance allows application of coverage and setback requirements. PUD regulation is a powerful tool in development, setbacks and density lot coverage.

J. Wallace-Brodeur: This is the first time this has all made sense to me. It is a great improvement in restructuring and she fully supports this.

D. White: The amendment can now be scheduled for a public hearing.

A. Montroll: When will the complete version be available?

D. White: It will be available at the next meeting.

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H. Roen: On page 3, the first section, renewable energy resources are removed. Is this addressed somewhere else in ordinance?

D. White: It is still included as much as it can be and is addressed in another section of the ordinance area to encourage and support this concept.

**IV. Downtown Form-Based Code Review Process Discussion**

D. White: The City Council has approved a resolution a couple of weeks ago with 10 sponsors to show consensus on the intent of the FBC. There are two choices, those being to create something entirely new, or reinforce the existing pattern and take care of infill. South Burlington is doing something completely new. Burlington is reinforcing what we have and creating infill. The Planning Commission and the City Council are working together toward this common goal. The proposal to create a joint committee was endorsed by City Council with a request that three Councilors and three Commissioners work together and come back to the Commission and the City Council by the first of April. Y. Bradley has asked A. Montroll, J. Wallace-Brodeur, and E. Lee to serve on the joint committee and they have agreed.

S. Thibault: These will be public meetings so anyone can attend and the anticipation is that there will be at least two meetings a month.

D. White: We are very close to having another draft back from TPUDC. The plan is to start testing this draft immediately to see how it works.

**V. Committee Reports**

Ordinance Committee – meets next Thursday.

LRPC – will be scheduled soon to discuss planBTV South End.

**VI. Commissioner Items**

None

**VII. Minutes/Communications**

**On a motion by A. Montroll, seconded by J. Wallace-Brodeur, the Commission unanimously approved minutes from September 23 (as amended) and October 14, 2014.**

**VIII. Adjourn**

**On a motion by L. Buffinton, seconded by E. Lee, the Commission unanimously adjourned at 7:44 pm.**



Y. Bradley, Chair

November 17, 2014

Date



E Tillotson, recording secretary

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