Burlington City Council Ordinance Committee - Joint Meeting w/ Planning Commission *** In-Person and Remote*** - Bushor Conference Room (Room 102) 6:30 PM 11/23/2021

City Council Ordinance Committee with Planning Commission

Tuesday, November 23, 2021

Via Zoom and In Person at Bushor Conference Room, City Hall

DRAFT MINUTES

Members Present--

Ordinance Committee: Councilor Mason (Chair), Councilor Hanson, Councilor Hightower

Planning Commission: Andy Montroll, Alexander Friend, Brynne Martin, Michael Gagnon

Staff Present: Kim Sturtevant (Assistant City Attorney), Meagan Tuttle (Director, Office of Planning), Scott Gustin (Zoning Manager, DPI)

Others in Attendance: Gene Bergman, Sharon Bushor, Colin Hilliard, Jason S., Barbara Headrick

Meeting called to order at 6:30 PM.

1. **Agenda**

1.01 Motion to adopt/amend agenda

Motion to adopt agenda as written.

Motion by Councilor Hanson, Seconded by Councilor Hightower.

Final Resolution: Motion Passes

Yes: Councilor Mason, Councilor Hanson, Councilor Hightower

1. **Public Forum**

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2.01 Public Forum

Sharon Bushor: Concerned with the date of the meeting, two days before Thanksgiving, concern limit participation. Concern shortened public process and now timing concern for access of public to this item. Concern with breadth of application of the amendment. Concern obstacles being created that are not appropriate. Look at table and see if broad brush eliminate all is okay or should there be some that have minimum requirements. Also, what about people with disabilities, if no parking minimums and public transit how are we addressing that group of people. There is a lot of good in what is being proposed but look forward to what others say.

Gene Bergman: Believe holding another meeting would be good. Acknowledge expedited process, but need it. If have children and grandkids need to think about what we are doing and do whatever we can to reduce reliance on single occupancy vehicles. Good building infrastructure in City. Also, good to look at handicap accessibility but all on public streets, all will have ability to park their cars. If need more, than market will factor in. Hear it when Eric Farrell is building on Avenue because says need it. By and large mechanism already in place. Taking look at list is always appropriate, making a change is important to take care but very important to move forward.

Closed public forum at 6:44 PM.

1. **Minutes**

3.01 Approval of Minutes of 10/27/21

Motion to approve minutes by Councilor Hightower, seconded by Councilor Hanson.

Final Resolution: Motion Passes

Yes: Councilor Hanson, Councilor Mason, Councilor Hightower

1. **Committee Discussion/Possible Action**

1. 4.01 **B.C.O. – Elimination of Minimum Parking Requirements**

M. Tuttle gave an overview of the prior parking amendment and then gave an overview of the current amendment proposed by Councilor Hanson:

-Eliminates min. on-site parking requirements citywide, no change to existing parking districts

-Translates min. on-site parking requirements into maximum on-site parking allowances

-Creates new tiers to require Transportation Demand Management Program (TDM) in Shared Use and Neighborhood Parking districts

-Maintains the TDM Program requirements of the existing ordinance

At last meeting councilors requested update on implementation of prior parking amendment. S. Gustin gave update noting it had only been in place for 11 months so far, so hard to have full data to give overview. TDM threshold--4 projects approved; 2 pending. 2 mixed use, 4 entirely residential. 17 projects approved under threshold that would require TDM plans. 104 parking spaces would have been required under previous minimum parking standards.

M. Tuttle identified things to discuss from staff:

-Technical corrections for minimums to maximums, address "0" maximums and projects with Inclusionary Housing Units

-Consider how to address existing permits in Shared Use & Neighborhood Parking Districts

-Consider necessity of Shared Parking for Off-Site Use provisions

-Need to determine how this changes the Joint Institutional Parking Management Plan requirements

-Current TDM standards require ongoing administration; expansion of TDM requirements will require additional staff resources

-Consider splitting the question: maximum parking vs TDM requirements

· FY22 Budget for Office of City Planning includes a citywide TDM Strategy and an Impact Fee Study; these projects should inform future TDM requirements

M. Tuttle discussed process and timeline:

-Recommend outreach to include at least: posting on FPF; presentations to NPA's; update to participants in 2019-2020 parking amendment discussions

-Amendment likely to take at least 6 months until adoption by Council:

· Council Ordinance Committee outreach & deliberations

· Referral back to City Council for discussion/deliberation; if supported, must be referred to Planning Commission (per State Statute)

· Planning Commission holds Public Hearing and approve required Municipal Bylaw Amendment Report

· Council action to Warn Public Hearing

· Second Read, Public Hearing & Adoption

Councilor Mason indicated that he did not intend a line by line tonight, but wanted to open up to Planning Commission since process different to hear comments, suggestions.

Councilor Hanson commented that requiring parking is a backwards policy, actively make climate and housing worse. From his perspective, have been talking about change for years and need to move on it. Think need to move as fast as we can. A little disappointing on the larger projects, but for those fearful, helpful to see not stop building but does make them prioritize. Think one thing not hit that is really important is the unbundling. In terms of table, would ask staff if they could clean it up. Similarly with inclusionary, should do same as we did with 1st amendment. In terms of institutions, a lot of their development along major corridors—so not touched? M. Tuttle responded that they are not because of the exception for those in joint institutional plan. Councilor Hanson noted that he wanted to move as fast as possible, maybe one more meeting after this and then back to CC. Would like to keep moving.

Commissioner Friend approved of TDM provisions but don't see them within PC approval, more interested in housing part, any examples of other communities and effect? M. Tuttle responded that they need to pull some others. M. Tuttle noted cost, ability to translate parking land to land for housing, can pull more out.

Commissioner Gagnon noted this and TDM go hand in hand, not sure if see increase in housing so then a potential cost to TDM. Important to work hand in hand. Don't know what don't know. Support concept.

Commissioner Montroll indicated that he appreciated that it is a complex ordinance, somethings support, somethings not so sure of, haven't been able to work through it. One issue is the table, see fractions, what does it mean, make sure clear and not leave to interpretation. May carry over from way done before. Some max. based on factors that fluctuate over time. Ie. number of employees with Covid change; when does it become a violation—changes over time. Should just be a number. Not something based on something that can easily change. Ie. max number seats allowed based on zoning permit. Whatever it is should be numbers that are easily calculated. M. Tuttle responded that a lot of them are carry overs from prior ordinance. A lot of provisions have fractions and provisions to deal with rounding, but a really good point. Why parking standards are subjective, because things may change.

Councilor Hanson noted that the table was not new, building on prior numbers. Ask staff to come back with proposed table that fixes any quirks that it has while keeping with intent.

Commissioner Montroll noted that it seems calculation from prior legacy, but based on prior minimums, take out minimums than needs to be clear.

Commissioner Friend indicated that the devil is in the detail about fractional requirements. S. Gustin responded that there is a provision that speaks to rounding in ordinance.

Councilor Mason asked if looking should look at numbers. Councilor Hanson agreed. M. Tuttle responded that the point was fine and happy to address fractions.

M. Tuttle noted a question on existing projects and what to do. Process to allow existing to be able to share. Question what to do in shared use has pros and cons, if existing freed up then can use some area on lot. Major pro for area that doesn't have extra, concern elimination on-site in certain areas.

Commissioner Gagnon noted that it was an opportunity for more study with moving into neighbors have more externality, typically seen as a more negative externality because people driving around looking for spaces. May alleviate space, but at same time may have same demand. Think to get it right it would be helpful to have study, supportive of policy but want to get it right. Generally supportive of policy but a bigger externality than downtown. Begs for public study.

Councilor Mason questioned whether need to do a release.

S. Gustin mentioned a provision regarding occupancy of dwelling units where you can exceed four unrelated if more space and more parking, noting that if they do away with parking then do away with one criteria. Primary driver for preventing higher density is parking requirements. Big issue with higher density is parking creep.

Councilor Mason noted that if uncouple everything can see issue with moving into residential. On-street parking res. only in places that not need res. only. M. Tuttle agree issue, part of discussion is managing on street parking.

Commissioner Friend suggested a separate parking commission to deal with parking.

Commissioner Montroll responded that residential only parking was worked on by Planning Commission with Public Works Commission. Agree about res. parking. Shared use, make sure that spaces from businesses can be used at night by residents. Right to use, concept of shared parking is really important. Need to be careful how done.

Councilor Mason asked about Champlain's TDM, what does policy do? S. Gustin responded that right now ordinance allows and review. M. Tuttle added that it allows DRB to have tool to look at whole and projects within. Councilor Mason asked if remove minimum how go into negotiation. M. Tuttle responded that they are typically asking for waiver. JIPMP shows data on student institutional survey, demand-supply, just providing data about plan.

Commissioner Gagnon asked if we would still be able to make them do that. M. Tuttle responded that we would need to clarify that they have to participate. Believe will still have mechanism. Councilor Mason noted that he didn't think anyone would want to change getting that. Mechanism to measure offsite parking? M. Tuttle responded that they have created maps of offsite and regulations and look at where no regulations now. Councilor Mason asked about regulating in

residential areas. M. Tuttle replied that there may be some people finding spots, but vast majority of streets included. Champlain enforce offsite.

Councilor Hanson the whole concept is that the minimum don't make sense with institution as min. not used. Keep regulating institution as is, based on demand, not minimums. Don't understand how change no more than four. S. Gustin responded that in all residential require 2 spaces per unit, to exceed and in addition to min. then plus parking. If say take away min. then reduce. Councilor Hanson understand, can keep in place by just putting specific number in or change more than four but feel that take into another debate so should just change existing standard. S. Gustin replied that can keep carve out, but pointing out unintended consequences.

M. Tuttle noted that we will think of a couple more examples of issues that will need to address as parking touches almost everything. Commissioner Friend noted don't want to undermine no more than four rule. Councilor Mason, agree not want to touch no more than four.

Councilor Mason another topic give modified path for public engagement—any suggestion on how to engage?

Commissioner Gagnon that it is making it more difficult to have purpose.

B. Headrick mentioned that in the JIPMP if report parking surplus allow to support waiver, but now UVM reporting deficit, which is in cynic, then UVM have to meet minimum. If no minimum than an incentive to not have enough. Think there are better ways to improve housing. UVM has 7000 students off campus, if UVM put students on campus then existing housing could be improved and would not have to do parking change that has own problems. Think eliminating parking will have issues, put more cars in street, more pollution in street, more problems for those that commute by car. When have a family with kids won't do by bus or bike. Make quality of life difficult for some, and they will leave the city. Make harder for those that commute.

1. **Any Other Business**

Next meetings: TBD

1. **Adjournment**

The meeting was adjourned at 8:00 pm.