

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
Emily Lee
Harris Roen
Jennifer Wallace-Brodeur*

Burlington Planning Commission **Tuesday, September 24, 2019, 6:30 P.M.** **City Hall, Conference Room 12, 149 Church Street** **AGENDA**

I. Agenda

II. Public Forum- Time Certain 6:30 p.m.

III. Chair Report

IV. Director's Report

V. 2020 Meeting Schedule

The Planning Commission will approve its meeting schedule for 2020. Information related to this agenda item is included in the agenda packet on page 2.

Staff Recommendation: The Commission is recommended to approve the schedule as presented.

VI. Municipal Planning Grant Application

The Planning Commission will review a resolution regarding an application to the Vermont Municipal Planning Grant Program for the creation of an economic development strategy. Information related to this agenda item is included in the agenda packet on pages 3-4.

Staff Recommendation: The Commission is requested to approve the resolution supporting the city's application to the Municipal Planning Grant program.

VII. Housing Summit Policy Reforms

Staff will update the Commission on the September 4 Housing Summit and the anticipated recommendations that will be forwarded for the Commission's review in October.

Staff Recommendation: No action required.

VIII. Committee Reports

IX. Commissioner Items

- a. The Commission's regularly scheduled meetings are October 8 and 22 at 6:30pm in Conference Room 12. Please also save the date for two potential Special Meetings on October 9 and 15.

X. Minutes and Communications

- a. Minutes from the September 10, 2019 meeting enclosed on pages 5-7 of the agenda packet.

XI. Adjourn

The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact Human Resources Department at (802) 540-2505. Written comments on items may be directed to the Planning Commission at 149 Church Street, Burlington, VT 05401, or at mtuttle@burlingtonvt.gov

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PLANNING COMMISSION

January - December 2020
Regularly Scheduled Meetings

Date	Day	Time	Location
January 7, 2020	Tuesday	5PM	Joint Meeting/ Contois Auditorium
January 14, 2020	Tuesday	6:30 PM	Conference Room 12
January 28, 2020	Tuesday	6:30 PM	Conference Room 12
February 11, 2020	Tuesday	6:30 PM	Conference Room 12
February 19, 2020	Wednesday	6:30 PM	Conference Room 12
March 10, 2020	Tuesday	6:30 PM	Conference Room 12
March 24, 2020	Tuesday	6:30 PM	Conference Room 12
April 14, 2020	Tuesday	6:30 PM	Conference Room 12
May 12, 2020	Tuesday	6:30 PM	Conference Room 12
May 26, 2020	Tuesday	6:30 PM	Conference Room 12
June 9, 2020	Tuesday	6:30 PM	Conference Room 12
June 23, 2020	Tuesday	6:30 PM	Conference Room 12
July 14, 2020	Tuesday	6:30 PM	Conference Room 12
July 28, 2020	Tuesday	6:30 PM	Conference Room 12
August 11, 2020	Tuesday	6:30 PM	Conference Room 12
August 25, 2020	Tuesday	6:30 PM	Conference Room 12
September 8, 2020	Tuesday	6:30 PM	Conference Room 12
September 22, 2020	Tuesday	6:30 PM	Conference Room 12
October 13, 2020	Tuesday	6:30 PM	Conference Room 12
October 27, 2020	Tuesday	6:30 PM	Conference Room 12
November 10, 2020	Tuesday	6:30 PM	Conference Room 12
November 24, 2020	Tuesday	6:30 PM	Conference Room 12
December 8, 2020	Tuesday	6:30 PM	Conference Room 12



THE CITY
OF BURLINGTON
CITY PLANNING

City Hall, 3rd Floor
149 Church Street
Burlington, VT 05401

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Phone: (802) 865-7144

TO: Burlington Planning Commission
FROM: Meagan Tuttle, Principal Planner, City Planning
DATE: September 16, 2019
RE: Application for ACCD Municipal Planning Grant funds for creation of economic development strategy

The Office of City Planning and CEDO are seeking the Planning Commission's approval of the enclosed resolution supporting the City of Burlington's application to the Vermont Department of Housing & Community Development's FY20 [Municipal Planning Grant Program](#). The City's application is requesting funding for tasks related to the creation of an economic development strategy.

Creation of an economic development strategy was a priority project identified in both the CEDO and City Planning FY20 budget process. The departments have begun collaborating on the development of a scope for this project, and will continue this collaboration to guide the creation of this strategy. We anticipate that the bulk of the work will take place in the second half of FY20 through FY21.

The creation of an economic development strategy is a key implementation item emerging from the 2019 *planBTV: Comprehensive Plan* update and the *planBTV South End Master Plan*, as well as from CEDO's 2019 Strategic Plan. Such a strategy has been identified as a critical resource to direct the city's economic development efforts—to affirm core economic development principles and priorities, identify specific tools and initiatives necessary to achieve them, and guide the creation and/or expansion of a targeted and appropriately-resourced economic development program in CEDO.

City Council approved general fund expenditures in both departments' FY20 budgets for work on an economic development strategy. This funding was approved with the direction that the City use this funding to leverage grant sources that could be used for the creation of the strategy. The application for the MPG program is being submitted accordingly.

In particular, this funding is being requested to initiate the early stages of this work, including: updating key datasets from the *Jobs & People* report, transforming the report into an online dashboard to monitor and report on key metrics, and creating and implementing a community and stakeholder engagement plan to support the development of the strategy.

Thank you in advance for your consideration, and please contact me with any questions.

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A Resolution Relating to:

Application for FY20 Municipal Planning Grant for Economic Development Strategy

That WHEREAS, *planBTV: Comprehensive Plan*, *planBTV: South End Master Plan*, and the CEDO Strategic Plan call for the creation of a comprehensive economic development strategy for the City; and

WHEREAS, CEDO and the Office of City Planning's FY20 priorities include a collaboration to initiate the development of a city-wide economic development strategy; and

WHEREAS, City Council approved general fund expenditures in both departments' FY20 budgets to support this work, with direction from the Board of Finance to leverage this funding by seeking grant opportunities that can be utilized to support the development of this strategy; and

WHEREAS, the City of Burlington is applying for funding from the State of Vermont Municipal Planning Grant Program (MPG) as provided for in the FY20 Budget Act and may receive an award of funds under said provisions; and

WHEREAS, the City of Burlington is applying for funding from the MPG program to initiate work to create this strategy, including compiling data and stakeholder perspectives to inform the strategy and to update and create a new online dashboard for the Jobs & People report; and

WHEREAS, the Department of Housing and Community Development may offer a Grant Agreement to the City of Burlington for said funding; and

WHEREAS, the City of Burlington is maintaining its efforts to provide local funds for municipal and regional planning purposes; and

WHEREAS, the Office of City Planning may apply for additional grant funding from the MPG program or other programs in FY21, and/or request additional general fund support in the City's FY21 budget process to complete the economic development strategy; and

NOW, THEREFORE, BE IT RESOLVED, that the Burlington Planning Commission recommends applying for said Grant to support this project.

Signed:

Date:

Andrew Montroll, Chair, Burlington Planning Commission

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Burlington Planning Commission Tuesday, September 10, 2019, 6:30 P.M. Conference Room 12, City Hall, 149 Church Street Draft Minutes

Members Present	A Friend, E Lee, B Baker, J Wallace-Brodeur, A Montroll
Members Absent	H Roen, Y Bradley
Staff Present	D White, M Tuttle, S Gustin

I. Agenda

Call to Order	Time: 6:33pm
Agenda	No changes to the agenda

II. Public Forum

Name	Comment	Commission Action
S Bushor	Regarding ZA-20-02, will this wait until the Accessory Dwelling Unit proposal from the Housing Summit advances?	

III. Report of the Chair

A Montroll	No Report
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IV. Report of the Director

D White	- Housing Summit Pt 2 provided specific recommendations related to the policies overviewed in June - Council approved change to GIS position from Planning Dept to Department of Innovation and Technology, assigned E-911 coordinator to the Director of Permitting & Inspections, sent Council Ordinance committee an amendment related to street naming and numbering - Will bring a Municipal Planning Grant Application for an economic development strategy for approval at next meeting
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V. Proposed CDO Amendment: Lot Coverage & Parking for Convalescent Homes

Action: Refer to staff to prepare a proposal related to how to address parking for convalescent use		
Motion by:	Second by:	Vote: N/A
Type: Discussion, Action	Presented by: Jim Langan, Alicia Dimario & S Gustin	
Discussion/Notes: S Gustin noted that the request from Birchwood Terrace is to increase lot coverage allowance for senior housing/convalescent/nursing homes to make it equivalent to the lot coverage bonus afforded to inclusionary zoning requirements, as well as to increase the minimum parking requirements for this use. Staff recommendation is to approve the change to lot coverage, but		

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maintain the parking requirements. Staff believes that if the Commission approves the lot coverage change Birchwood would have a path through the DRB to pursue their parking needs. • J Langan & A Dimario note that the function and model of nursing facilities has changed, and needs of patients have increased. This has increased level of required staffing and other personnel to meet the level of care required. This request does not come from a major change to the number of parking spaces/employees needed by the facility, but to changes by DPW that restricted parking on Starr Farm Road, and to the inability to share/lease spaces in nearby parking lots. Noted that staff's recommendation would help Birchwood get close to their needs, but there are continuing concerns that the parking requirement for convalescent homes is not consistent with other uses in the ordinance that have similar staffing levels. Commissioner Comments: • Commission hesitant to increase the minimum parking requirements for this use, concerned about potential for unintended consequences to other facilities by raising the standard, and offered suggestions for alternative ways to address the facility's parking needs. • Commissioners noted that these facilities will continue to be important as our population ages. There was some concern about relying on a DRB waiver process to address these facilities parking needs, and a desire to ensure policy doesn't create a deterrent to their locating within the city. • Commission asked staff to bring forth recommendations to either increase or provide an alternative to the waiver process for parking requirements. It was noted that this may related to shared parking requirements in the ordinance.
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VI. Proposed ZA-19-09: Zoning Administrative Officer

Action: Approve municipal bylaw amendment report and forward amendment to Council without recommendation, and forward revised Commission comments memo		
Motion by: A Friend	Second by: J Wallace Brodeur	Vote: Approved Unanimously
Type: Discussion, Action	Presented by: M Tuttle	
Discussion/Notes: • M Tuttle discussed a draft memo prepared at the Commission’s request to reflect the Commission’s opinions regarding the separation of planning and zoning functions as part of the creation of the Department of Permitting and Inspections. • Commission directed staff to incorporate an additional statement about the loss of benefit of separation between Mayor’s office and the planning director in terms of politics, and the risk of a Mayoral appointment that doesn’t have appropriate planning qualifications. • Commissioners expressed importance of this memo to represent what the Commission would have said if given adequate opportunity to weigh in before it was put to the city-wide vote.		

VII. Approval of Green Globes Standard

No action		
Motion by:	Second by:	Vote: Approved Unanimously
Type: Discussion, Action	Presented by: D White	
Discussion/Notes: E Morrow, Burlington 2030 District: Feels it is obvious that Green Globes would be the 4th standard to incorporate in the ordinance. Notes that the three existing standards are completely different, but focused on energy performance to weigh programs against one another. Topic-by-topic almost all of the same components as LEED, but only 10% of Green Globes points come from energy, vs 20% under LEED, and these points are optional. Don't see what the problem is with the standards currently have in the ordinance.		

- D White noted that research has turned up different opinions about Green Globes and the energy performance issue, but most actually indicate that Green Globes has more of a focus on energy, and stress the importance of having options that bring more projects into a green building standard process.

Commissioner Comments:

- Some Commissioners were concerned about public comments suggesting that there is currently no oversight of energy performance even when an architect signs off compliance with RBES/CBES, or for after-the fact retrofits.
- Acknowledgement that Green Globes program has some merit, and that it could be a standard to bring more people into the green building process. However, due to concerns that energy performance not required, this could disincentivize participation in LEED.
- Questions were raised about whether the threshold for building size or zoning districts in which this standard applies should be revisited.
- Ultimately, due to lack of strong showing of support for this program, and lingering questions about the energy efficiency standards, the Commission chose not to take action on the request to approve the Green Globes standard.

VIII. Proposed ZA-20-02 Accessory Definitions

Action: Approve municipal bylaw amendment report and warn for public hearing

Motion by: A Friend

Second by: B Baker

Vote: Approved Unanimously

Type: Discussion, Action

Presented by: S Gustin

Discussion/Notes:

- S Gustin noted that this amendment is a clean-up of the use of the word "accessory" throughout the ordinance, correction of spelling errors, and to ensure consistency across Article 13 and Article 14 in terms of how principal and accessory uses and structures are defined. Accessory Dwelling Units are a Special Use and are not addressed by this amendment.

IX. Committee Reports

Executive	No Report
Ordinance	No Report
Long Range	No Report

X. Commissioner Items

Next Meeting	Next meeting is on Tuesday, September 24, 2019 at 6:30 pm in Conference Room 12
B Baker	• Supreme Court decision regarding the interpretation of the 15-year statute of limitations. Stressed that lawyers need predictability; this changes the permitting standards retroactively. Have this on an agenda for discussion in the future.

XI. Minutes and Communications

Action: Approved minutes and accepted the communications

Motion by: A Friend

Second by: B Baker

Vote: Approved unanimously

Minutes Filed: August 27, 2019

Communications Filed: Letter from Otter Creek Awnings Re: Sign Standards

XII. Adjourn

Adjournment		Time: 8:07	
Motion: E Lee	Second: A Friend		Vote: Approved unanimously

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Burlington Planning Commission Tuesday, September 24, 2019, 6:30 P.M. Conference Room 12, City Hall, 149 Church Street Minutes

Members Present	B Baker, H Roen, A Montroll, A Friend, E Lee
Members Absent	Y Bradley, J Wallace-Brodeur
Staff Present	D White, M Tuttle, S Durmick

I. Agenda

Call to Order	Time: 6:36
Agenda	No changes to the agenda

II. Public Forum

Name	Comment	Commission Action
	No Comments	

III. Report of the Chair

A Montroll	) None
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IV. Report of the Director

D White	) The City Council held first reading for the Zoning Administrative Officer ordinance, and the Council Ordinance Committee is expected to finish discussion of the Inclusionary Zoning amendments on 9/30
	) M Tuttle announced that on 9/26 there will be a community book discussion on <i>The Color of Law</i>
	) D White announced that Friday is the annual meeting of the Vermont Planners Association, for which M Tuttle will be elected president

V. 2020 Meeting Schedule

Action: Approve the 2020 meeting schedule as presented		
Motion by: E Lee	Second by: A Friend	Vote: Approved unanimously
Type: Action	Presented by: M Tuttle	
Discussion/Notes: M Tuttle noted that the schedule was created to avoid BSD breaks and other known conflicts		

VI. Municipal Planning Grant Application

Action: Approve the resolution supporting the city's application to the MPG program		
Motion by: E Lee	Second by: H Roen	Vote: Approved unanimously
Type: Action	Presented by: M Tuttle	
Discussion/Notes: (see next page)		

Tuesday, September 24, 2019

-) M Tuttle described that Planning and CEDO have been working together on a proposal for an economic development strategy for the City, and are applying to Vermont's Department of Housing & Community Development's Municipal Planning Grant Program to seek funding to support said strategy (including an update to the Jobs & People Report). The application requires a resolution of support from the Planning Commission. The city is applying for \$22,000, with the 10% match requirement in the department's FY20 budget.
-) M Tuttle noted that the economic development strategy will come before the Planning Commission when it is being developed, and ultimately will want to incorporate it into planBTV.

VII. Housing Summit Policy Reforms

Action: No Action Required		
Motion by: NA	Second by: NA	Vote: NA
Type: Discussion	Presented by: M Tuttle	
Discussion/Notes:		
) M Tuttle noted the purpose of this item was to follow up on three of the policy reforms which emerged from the 2019 Mayor’s Housing Summit (Short Term Rentals (STRs), Accessory Dwelling Units (ADUs), and Minimum Parking Requirements) which have zoning implications. It is anticipated that the Commission will discuss these amendments with the Council Ordinance Committee in a series of joint meetings in October.		
Commissioner Comments:		
) Commissioners spoke about the economic benefits of STRs in terms of potential sources of revenue for property owners, tax revenue for the city and state, for tourism access, and to more fully utilize existing housing stock (i.e. while students are on breaks), but also noted the challenge of ensuring that STRs benefit residents within the context of chronically low-vacancy rates and high rental rates. Commissioners noted there is a high demand & occupancy rate for STRs, but there must be a balance between STRs & long-term rental units.		
) Acknowledgement that a legal realm will need to be created which will encourage STR permitting and compliance, and that enforcement will be the largest factor in regulation. Because rental platforms themselves are not responsible for host compliance, tools such as HostCompliance and AirDNA will be used for data collection and to aid enforcement.		
) Questions were raised about the transition to these regulations– what will be the process for illegal rentals to become compliant?		
) Distinctions were made between the proposed parking requirements of ADUs and STRs within the policy reforms, and Councilor Bushor was concerned about ADU property owners not permitting their ADUs as STRs, and therefore not complying with parking requirement of STRs.		
) Regarding parking reform, a Commissioner reiterated that there is a need to look at how and where the ordinance permits shared parking resources.		

VIII. Committee Reports

Executive	No Report
Ordinance	No Report
Long Range	H Roen – Proposed that the Long Range Committee discuss the recently announced Net Zero Road Map in upcoming meetings. M Tuttle commented that the City Council recently passed additional climate resolutions, which will require the Planning Commission to address how its work is related to these goals in its annual report. Will be a topic for future meeting.

Tuesday, September 24, 2019

IX. Commissioner Items

Next Meeting	Next meeting is on Tuesday, October 8 th at 6:30 pm in Conference Room 12
	) H Roen – raised question about the vegetation management on Pine St. D White commented that it is private land and is being worked on under the watchful eye of the Department of Environmental Conservation) E Lee noted that St. Paul St. is being widened and added that she would like an equal weight of consideration for the pedestrian experience. B Baker raised concerns about lack of tracking the elimination of on-street parking due to these projects. A Montroll proposed that when Great Streets is complete, it be brought back to the Planning Commission for discussion. M Tuttle noted DPW will be invited to a future meeting.

X. Minutes and Communications

Action: Approve minutes and accepted the communications		
Motion by: A Friend	Second by: E Lee	Vote: Approved unanimously
Minutes Filed: August 27, 2019		

XI. Adjourn

Adjournment	Time: 7:40 pm	
Motion: E Lee	Second: H Roen	Vote: Approved unanimously



Signed: November 12, 2019

 Andy Montroll, Chair

Respectfully submitted by: S Durmick



 Sidney Durmick, Planning Commission Secretary