

Burlington Planning Commission

149 Church Street
Burlington, VT 05401
www.burlingtonvt.gov / pz
Phone: (802) 865-7144

Andy Montroll, Chair
Bruce Baker, Vice Chair
Yves Bradley
Alex Friend
Emily Lee
Harris Roen
Jennifer Wallace-Brodeur

PUBLIC HEARING NOTICE

***Burlington Comprehensive Development Ordinance* ZA-20-01 Form District 5 Boundaries**

Pursuant to 24 V.S.A. §4441 and §4444, notice is hereby given of a public hearing by the Burlington Planning Commission to hear comments on the following proposed amendments to the City of Burlington's *Comprehensive Development Ordinance* (CDO). The public hearing will take place on **Tuesday, August 27, 2019 beginning at 6:45pm** in Conference Room 12, City Hall, 149 Church Street, Burlington, VT.

Pursuant to the requirements of 24 V.S.A. §4444(b):

Statement of purpose: This amendment is proposed to the Burlington CDO as follows:

The purpose of this proposed amendment is to modify the boundaries of Form District 5 to include additional properties located along the boundary of the current district. Properties considered for inclusion in the FD5 district were evaluated for their current use, future potential use, development intensity, and compatibility with adjacent properties. They have been recommended to be included in the FD5 in order to encourage the type and intensity of future infill or redevelopment consistent with adjacent properties, to enable greater flexibility for expansion or reuse of existing uses and structures, and / or reduce existing non-conformities.

Geographic areas affected: the proposed amendments are applicable to the following areas in the City of Burlington:

The proposed amendment applies to 19 parcels bordering on the current Form District 5 boundary immediately surrounding the downtown core.

List of section headings affected:

The proposed amendment modifies *Maps 4.3.1-1, 4.4.1-1, 4.4.5-1, 8.8.3-1, and Article 14 Maps 1, 2 and 3.*

The full text of the *Burlington Comprehensive Development Ordinance* and the proposed amendment is available for review at the Department of Planning and Zoning, City Hall, 149 Church Street, Burlington Monday through Friday 8:00 a.m. to 4:30 p.m. or on the department's website at [www.burlingtonvt.gov / pz](http://www.burlingtonvt.gov/pz).



THE CITY
OF BURLINGTON
City Planning

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

www.burlingtonvt.gov/planning
Phone: (802) 865-7144

TO: Burlington Planning Commission
FROM: Meagan Tuttle, Comprehensive Planner
DATE: August 1, 2019
RE: Proposed CDO Amendment ZA-20-01 Form District 5 Boundaries

Overview & Background

The Planning Commission and City Council Ordinance Committee previously considered this amendment as proposed ZA-18-08, which underwent a number of changes by the Council Ordinance Committee, before it expired on June 12, 2019. The Council Ordinance Committee has referred it back to the Planning Commission to warn a new public hearing and return it for adoption.

In 2017, the Form-Based Code Joint Committee completed its work on the development of *planBTV: Downtown Code*, which was adopted in November 2017. During its early discussions, requests and recommendations were made to the Joint Committee to consider properties to be added to the proposed Form District 5 (FD5) district. The Committee, however, chose to maintain the FD5 boundaries largely consistent with the previous Downtown Transition and Battery Street Transition zoning districts, and to defer any changes to the boundaries to subsequent amendments. ZA-20-01 is such an amendment, recommending the addition of a number of properties bordering on the FD5 boundary, currently zoned Residential High Density or Residential Medium Density, be added to the FD5 district. The timing of this amendment emerged from several property owners bordering the FD5 district requesting to be rezoned, including the property that houses Advanced Music at the southeast corner of Maple & S. Champlain Street.

The attached maps include revisions to the proposed FD5 boundary changes made by the City Council Ordinance Committee in June 2019. This Planning Commission considered amendment in spring of 2018, and referred it to the City Council following its public hearing in July 2018. Based on public input, the Council Ordinance Committee revised the proposed amendment in November 2018 and again in June 2019 before the amendment expired.

Proposed Amendments

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
----------------	----------------------	----------------------

Purpose Statement

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Proposed Changes

To achieve the goals identified above, the proposed amendment affects the following sections of the *Burlington Comprehensive Development Ordinance*:

- Amend Maps to reflect change in zoning of 19 properties on border of FD5

This affects maps depicting downtown and residential zoning districts (Maps 4.3.1-1, 4.4.1-1, 4.4.5-1 and Article 14, Map 1), related parking districts (Map 8.1.3-1), special height areas and shopfront requirements for the downtown form districts (Article 14, Maps 2 and 3). Applicable maps are attached this report.

Relationship to planBTV

This following discussion of conformance with the goals and policies of planBTV (Burlington's Municipal Development Plan) is prepared in accordance with the provisions of 24 V.S.A. §4441(c).

Theme	Dynamic	Distinctive	Inclusive	Connected
Land Use	Conserve	Sustain		Grow

Compatibility with Proposed Future Land Use & Density

The proposed amendment will provide greater flexibility on some properties for infill, and a more diverse range of building types for new development and redevelopment, including housing and mixed-use. This furthers the policies of *planBTV* related to land use and density, 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 and to retain its moderate scale and urban form in its most densely developed areas, while creating new opportunities for increased densities.

Impact on Safe & Affordable Housing

The proposed amendment can provide more flexibility for housing development in mixed-use structures as well as small and large multi-family structures, providing greater opportunities for the creation new, or more, housing within the transitional areas around the downtown core. Specifically, this furthers the policies of *planBTV* to encourage new land uses and housing designs that serve changing demographics and benefit from new technologies where appropriate, and to support the development of additional housing opportunities within the city, with concentrations of higher-density housing within neighborhood activity centers, the downtown, and institutional core campuses.

Planned Community Facilities

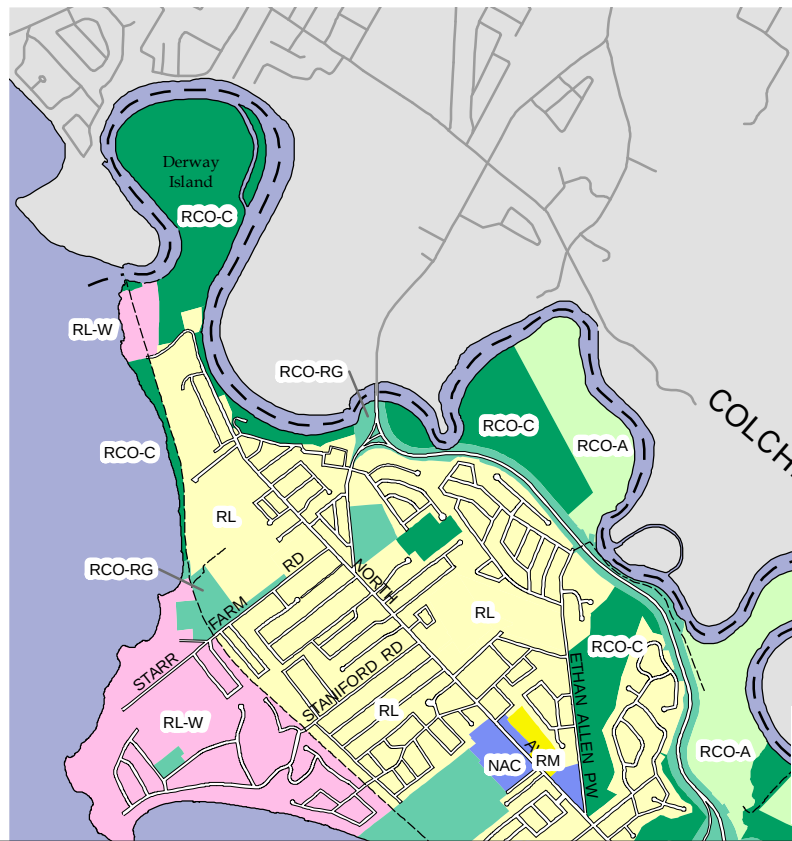
The proposed amendment has no impact on planned community facilities.

Process Overview

The following chart summarizes the current stage in the zoning amendment process, and identifies any recommended actions:

Planning Commission Process				
Proposed by: Staff, with amendments by Council Ord. Cmte	Presentation to & discussion by Commission July 23, 2019	Approved for Public Hearing July 23, 2019	Public Hearing August 27, 2019	Approve & forward to Council
				Continue discussion

City Council Process				
First Read & Referral to Ordinance Cmte	Ordinance Committee discussion	Ordinance Cmte recommends to Council [as is / with changes]	Second Read & Public Hearing	Approval & Adoption
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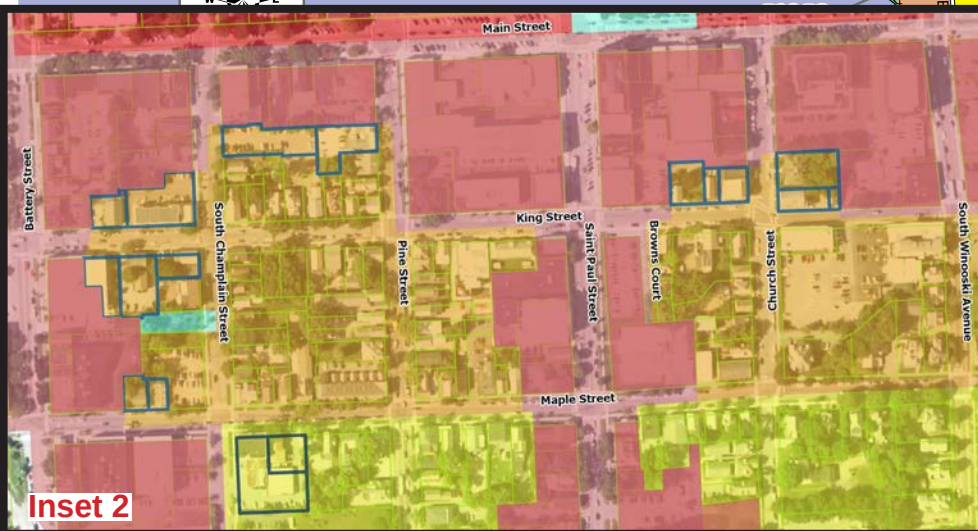
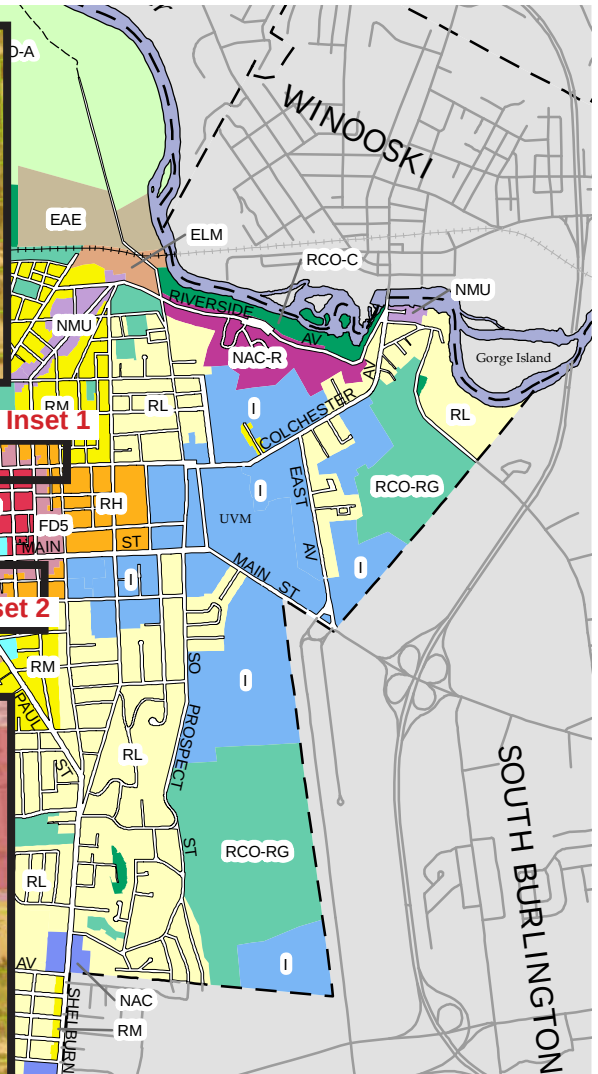


Base Zoning Districts:

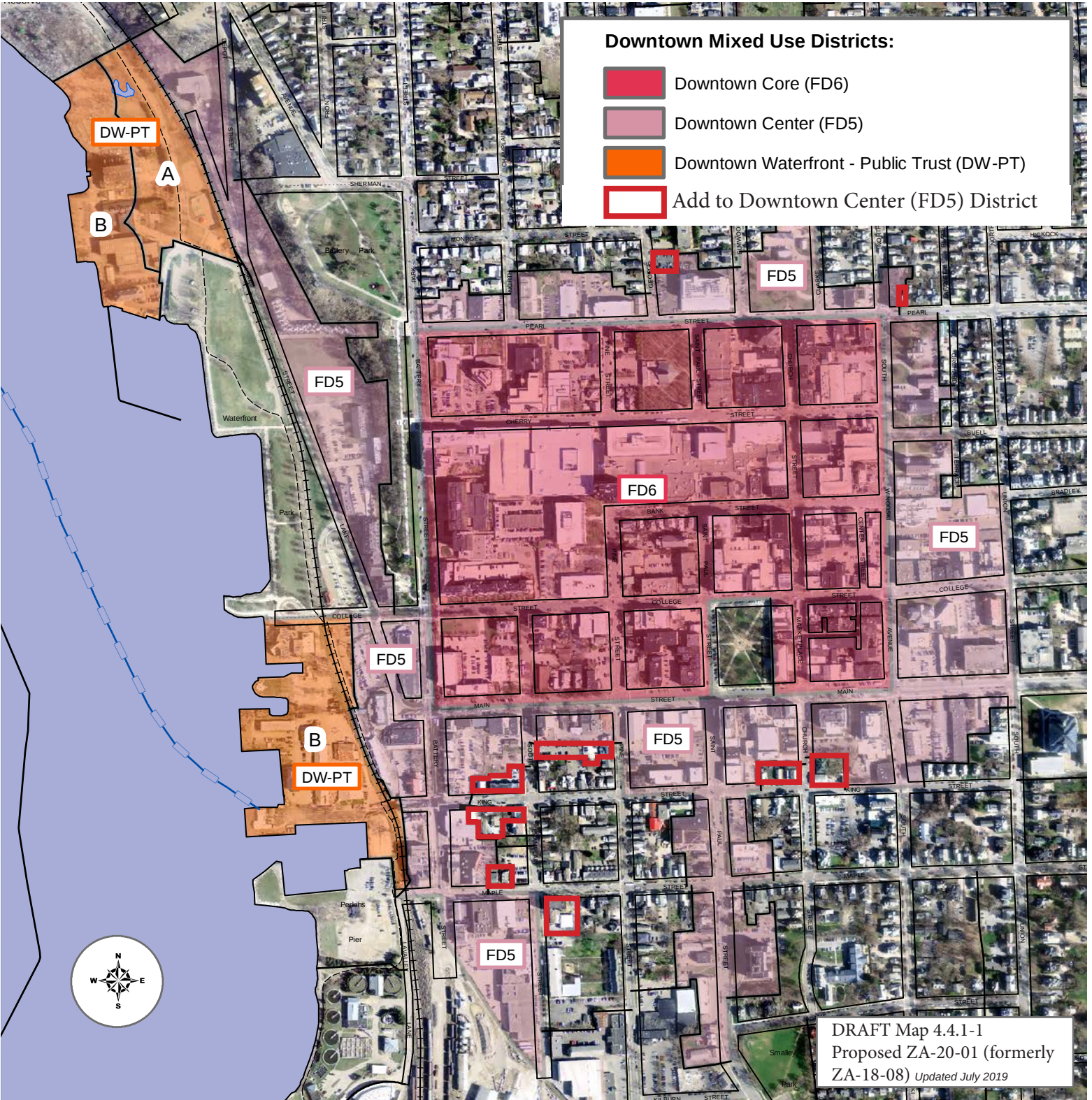
- Mixed Use**
 - Downtown Core (FD6)
 - Downtown Center (FD5)
 - Downtown Waterfront - Public Trust (DW-PT)
 - Neighborhood Mixed Use (NMU)
 - Neighborhood Activity Center (NAC)
 - Neighborhood Activity Center - Cambrian Rise (NAC-CR)
 - Neighborhood Activity Center - Riverside (NAC-R)
- Enterprise**
 - Enterprise - Agricultural and Energy (E-AE)
 - Enterprise - Light Manufacturing (E-LM)
- Institutional**
 - Institutional (I)
 - Civic Spaces
- Residential**
 - Residential - High Density (RH)
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- Urban Reserve**
 - Urban Reserve (UR)
- Recreation / Conservation**
 - RCO - Agriculture (RCO-A)
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 Change from (RH) to (FD5)

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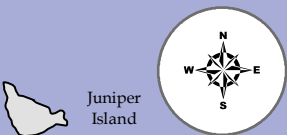
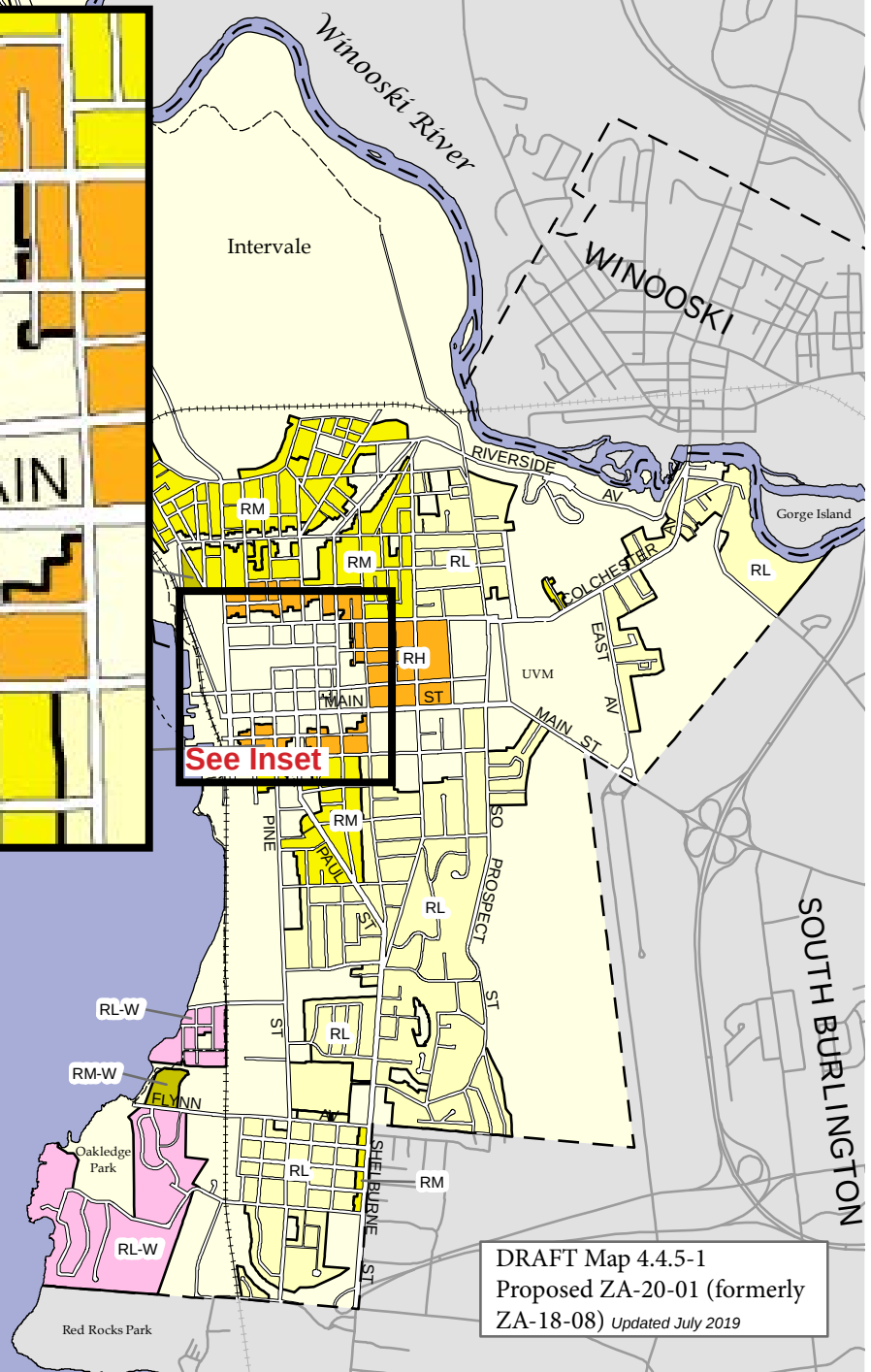
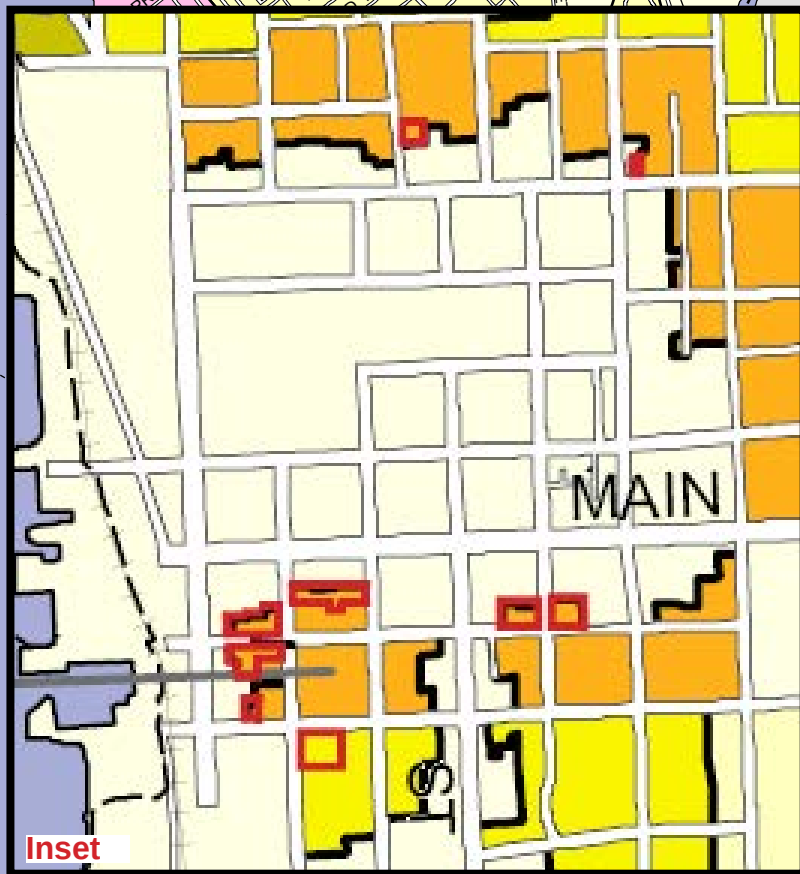


DRAFT Map 4.3.1-1
Proposed ZA-20-01 (formerly
ZA-18-08) Updated July 2019

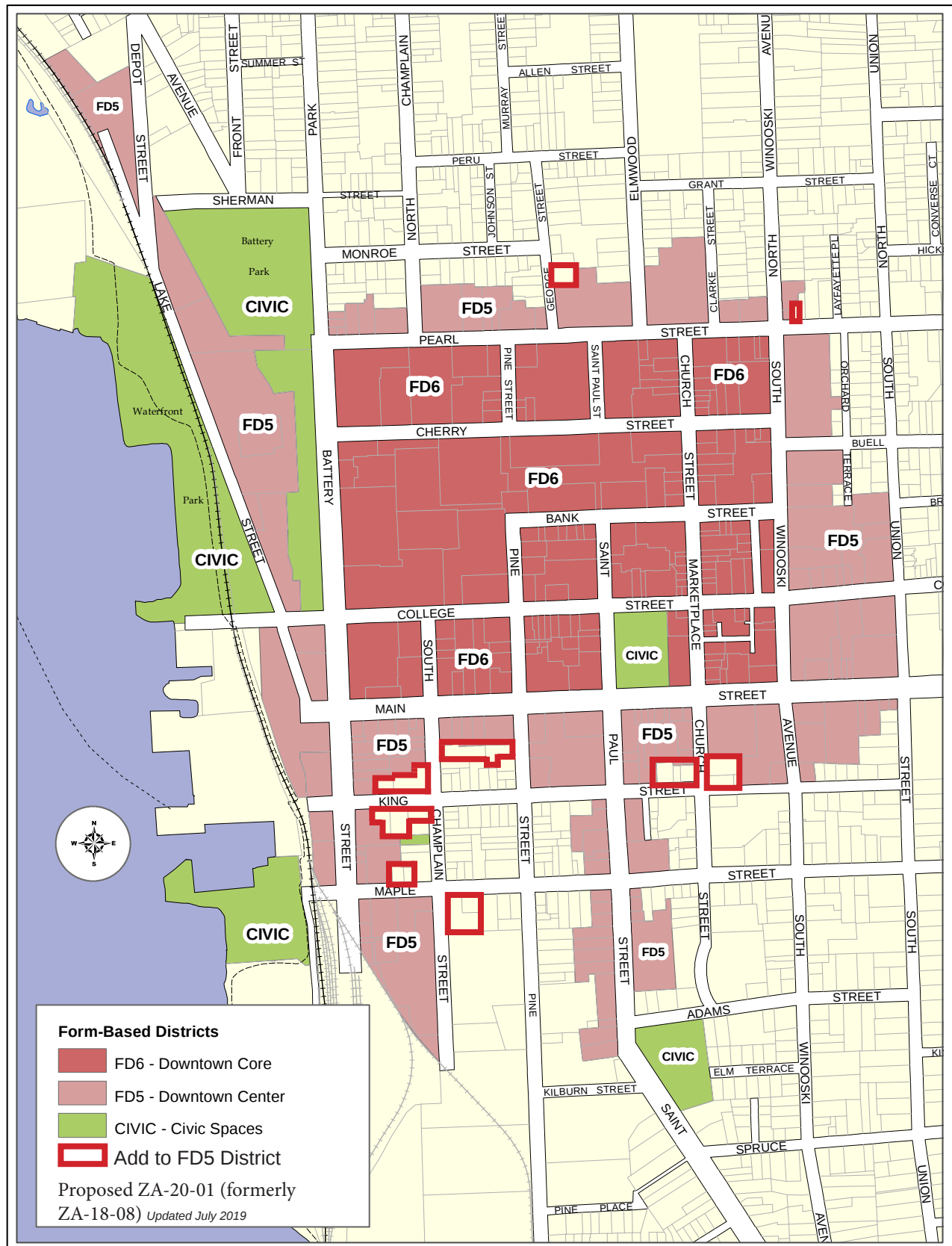


Residential Districts:

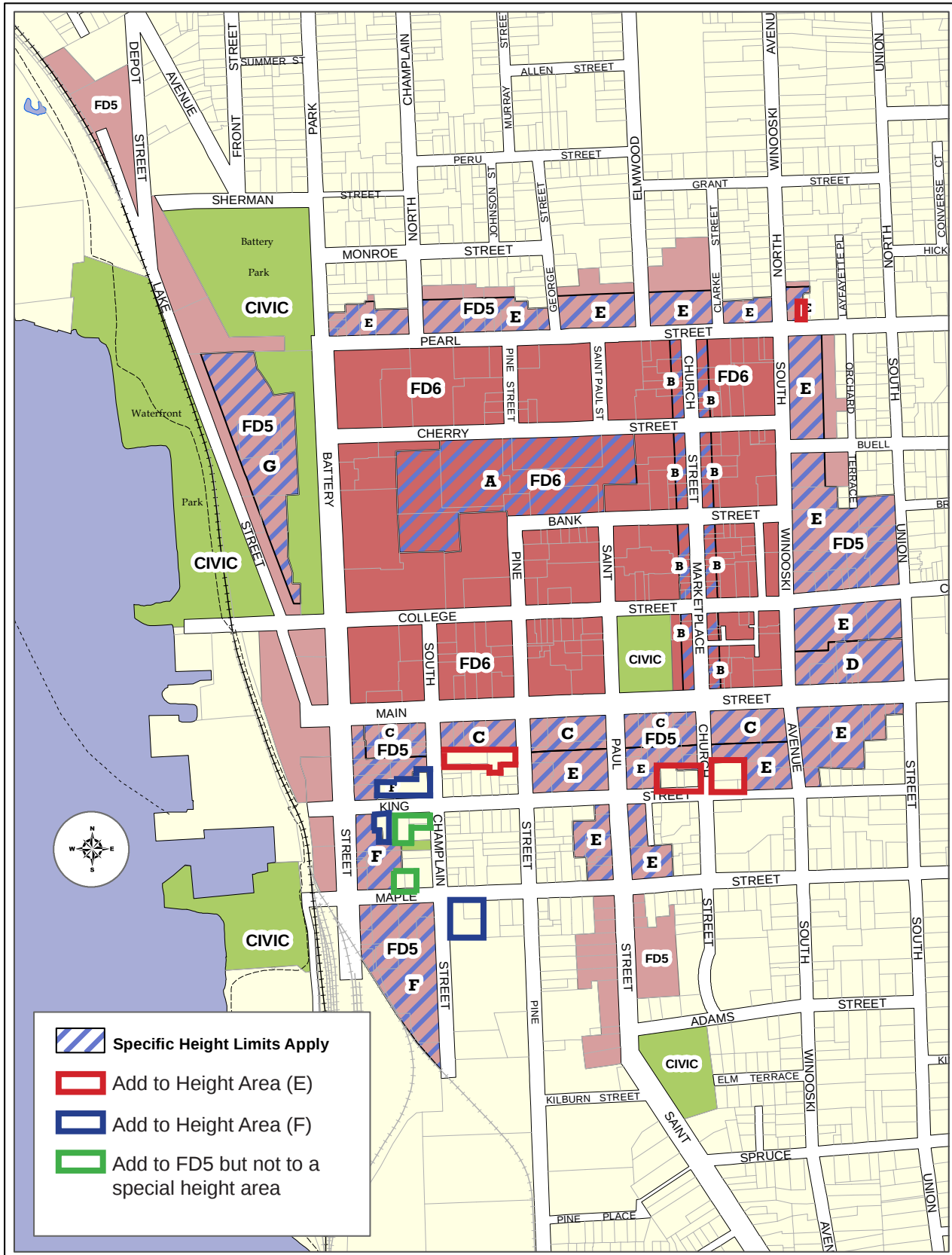
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- Remove from Residential Districts



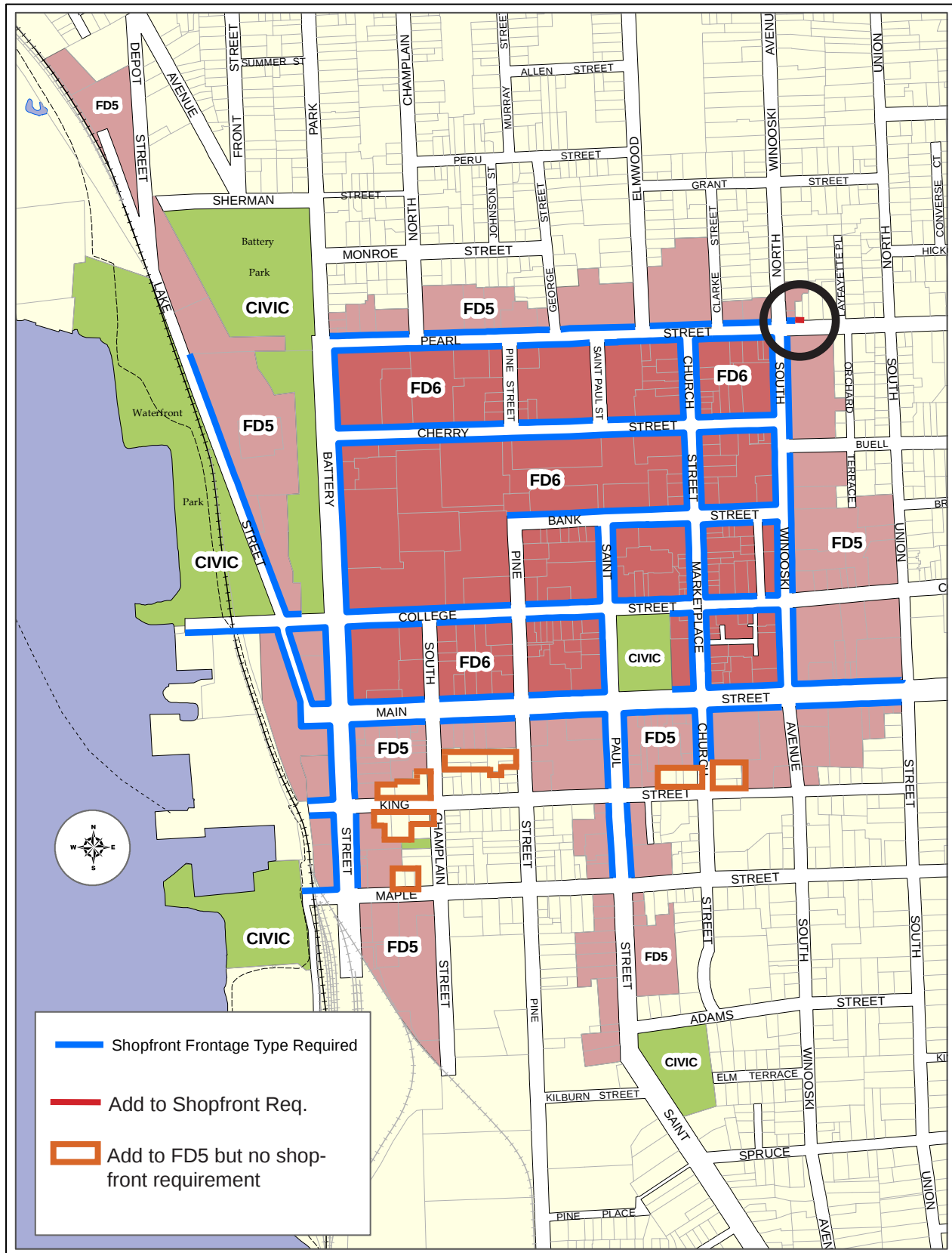
MAP 1 - REGULATING PLAN



MAP 2 - SPECIFIC HEIGHT AREAS



MAP 3 - SHOPFRONTS REQUIRED



DRAFT Map 3, Article 14
 Proposed ZA-20-01 (formerly
 ZA-18-08) Updated July 2019

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Burlington Planning Commission

Tuesday, August 27, 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. Public Hearing: ZA-20-01 Form District 5 Boundaries (Time Certain 6:45pm)

The Planning Commission will hold a public hearing on a proposed amendment to the boundaries of the Form District 5 zoning district. Information related to this item is included in the agenda packet on pages 2-11.

Staff Recommendation: Approve the municipal bylaw amendment report and forward to Council.

VI. Mayor's Housing Summit Update

The Mayor's Office and staff will provide an update to the Planning Commission regarding a number of housing-related policies that were discussed at the June 2019 Housing Summit. A follow up event to solicit feedback on the proposed policy reforms will take place on September 4, 2019. Additional details regarding the Housing Summit and the policy reform topics can be found at:

<https://www.burlingtonvt.gov/mayor/burlingtonhousingsummit2019>

Staff Recommendation: No action required. Commissioners are invited to ask questions and offer feedback. Commissioners are also invited to participate on September 4.

VII. Committee Reports

VIII. Commissioner Items

- a. Next meeting is September 10, 2019 at 6:30pm in Conference Room 12
- b. Dates for Special Meetings regarding Housing Summit Policy Reforms

IX. Minutes and Communications

- a. Minutes from the August 13, 2019 meeting are enclosed on pages 12-14 of the agenda packet.

X. Adjourn

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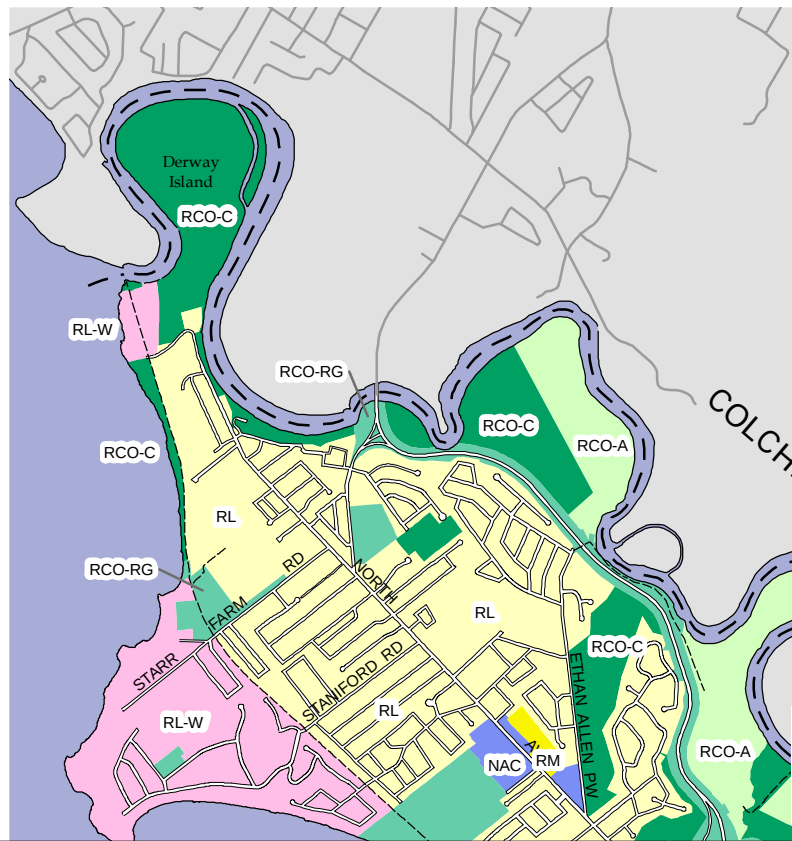
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Base Zoning Districts:

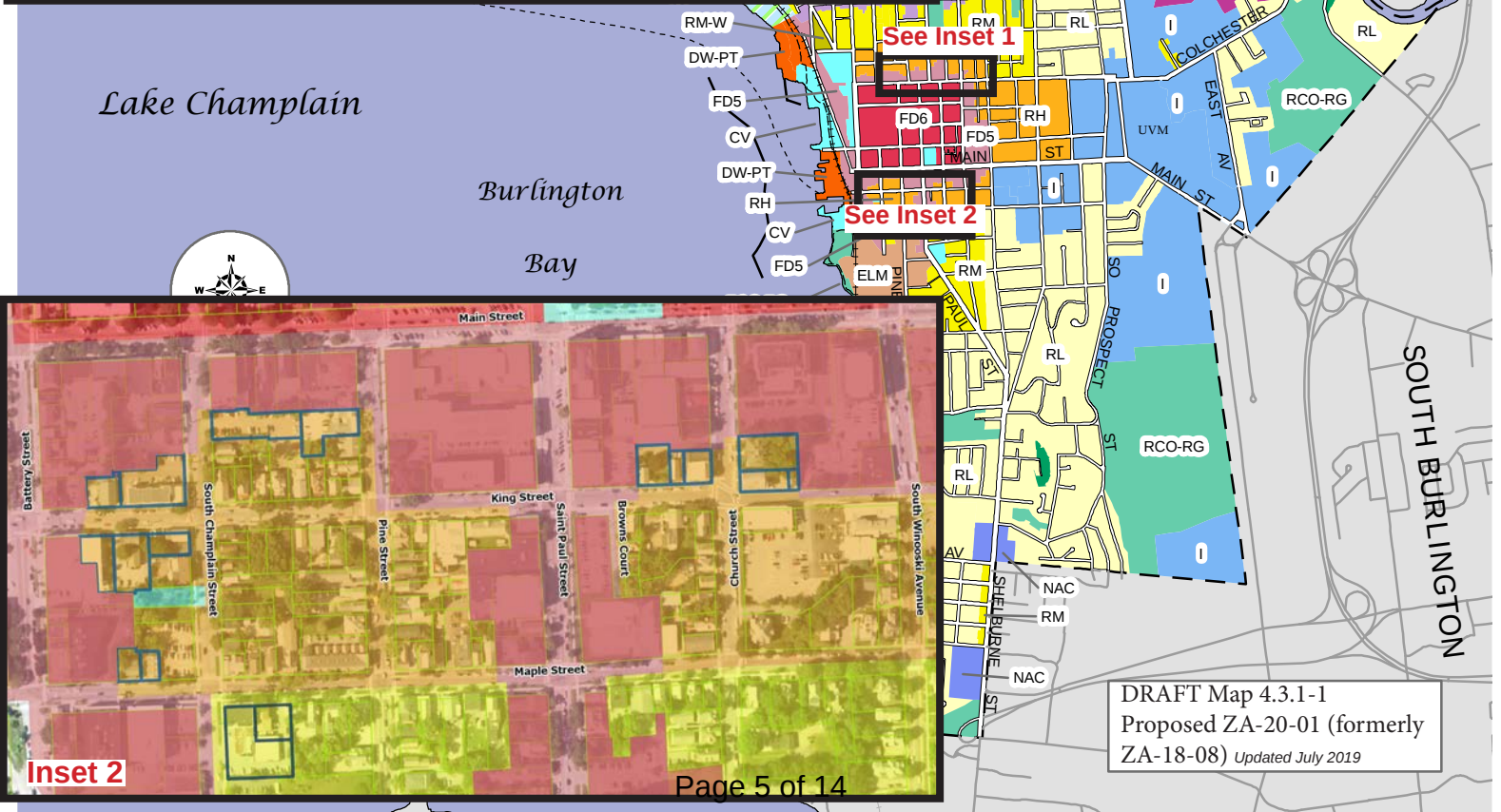
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	■ Downtown Center (FD5)
	■ Downtown Waterfront - Public Trust (DW-PT)
	■ Neighborhood Mixed Use (NMU)
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■ Change from (RH) to (FD5)

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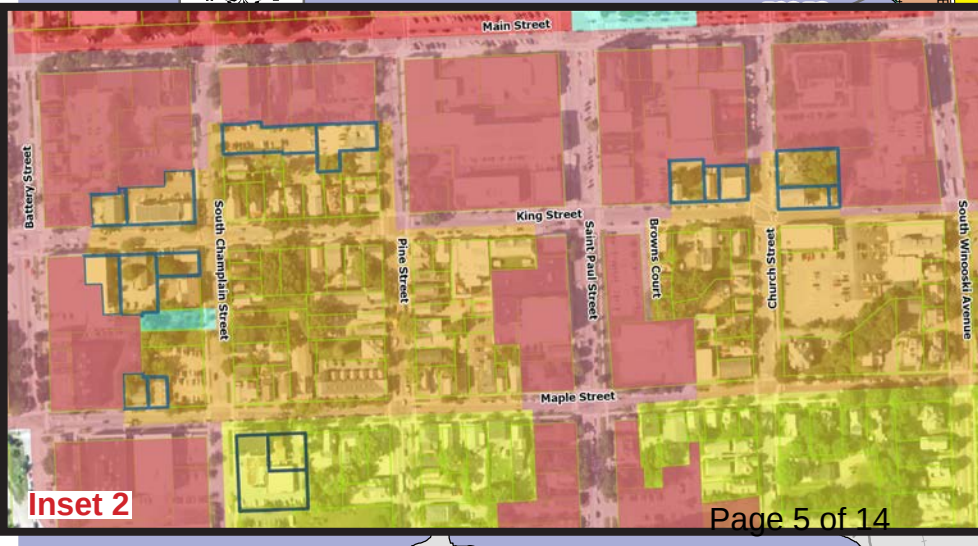


Inset 1



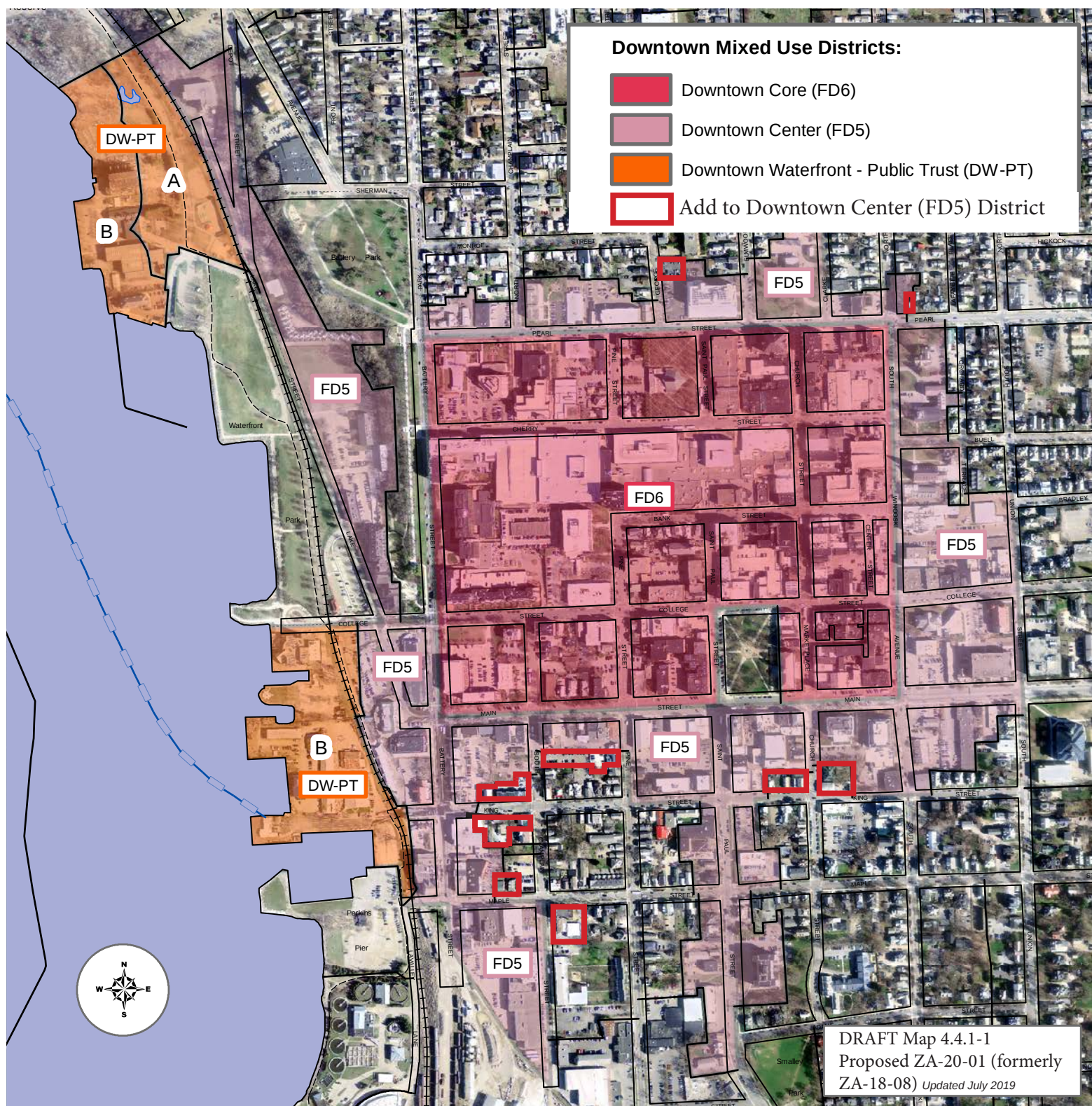
See Inset 1

See Inset 2



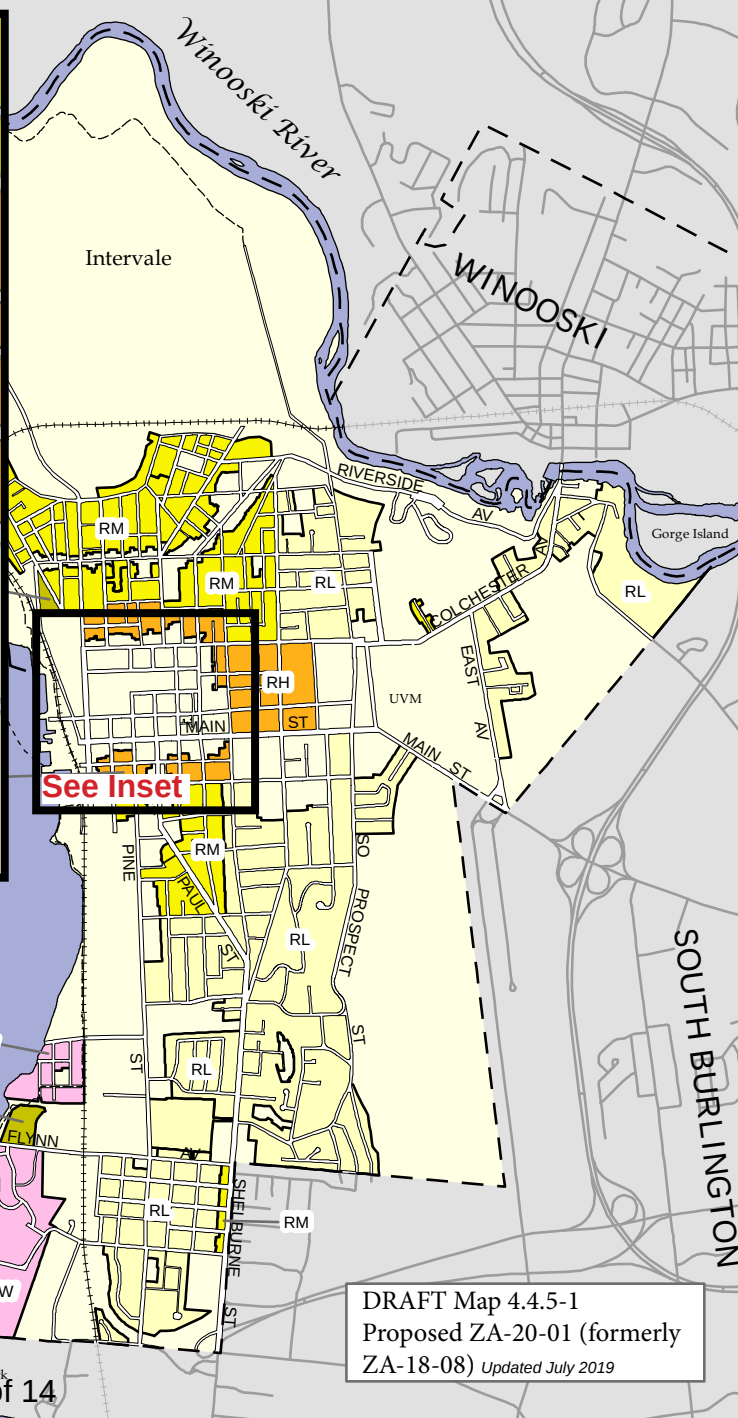
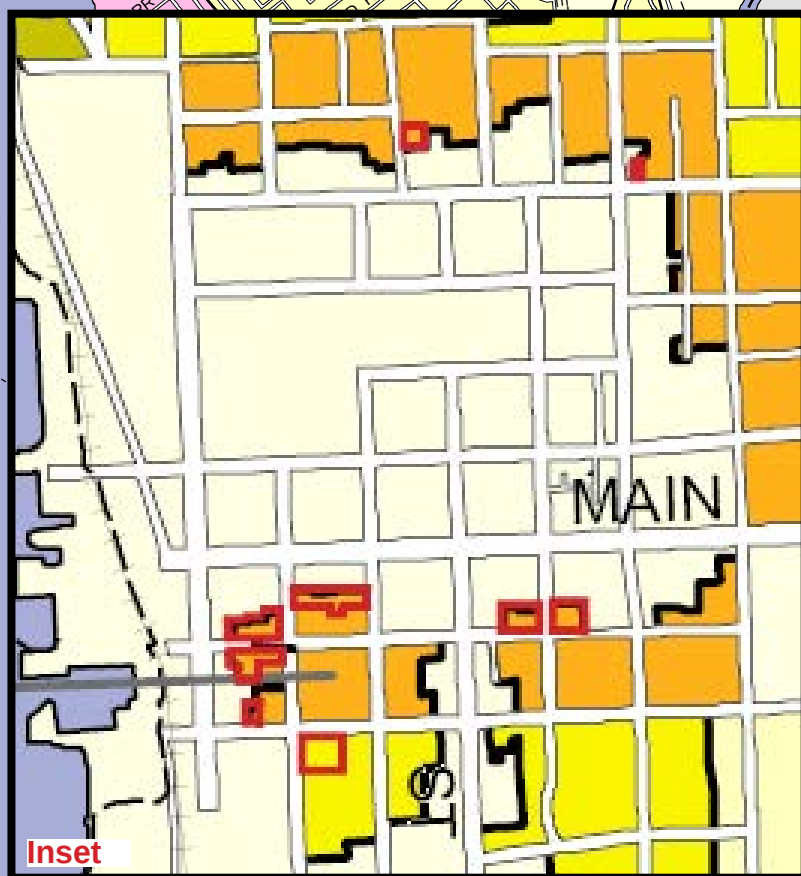
Inset 2

DRAFT Map 4.3.1-1
Proposed ZA-20-01 (formerly
ZA-18-08) Updated July 2019



Residential Districts:

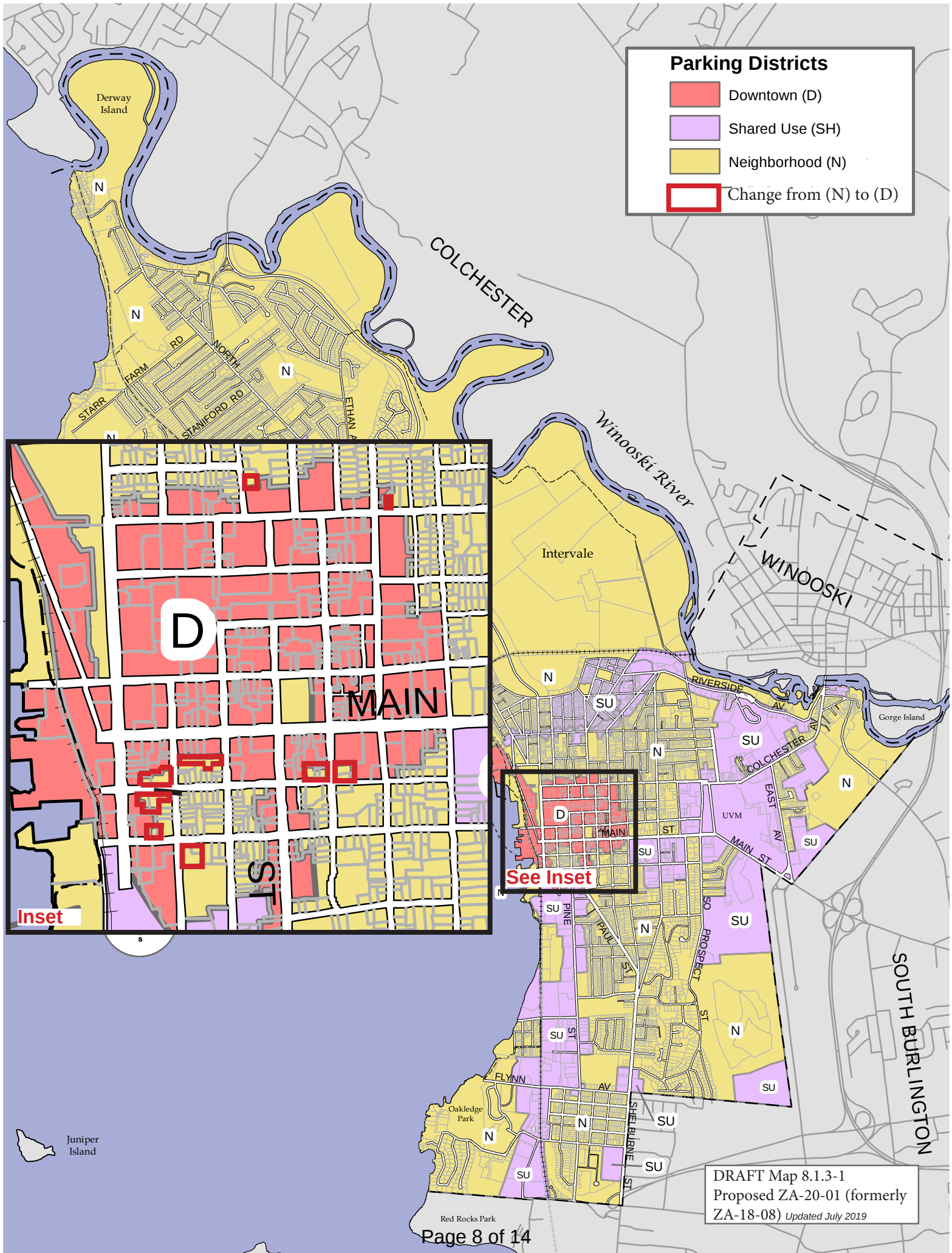
- Residential - High Density (RH)
- Residential - Medium Density (RM)
- Waterfront Residential - Medium Density (RM-W)
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- Remove from Residential Districts



DRAFT Map 4.4.5-1
Proposed ZA-20-01 (formerly
ZA-18-08) Updated July 2019

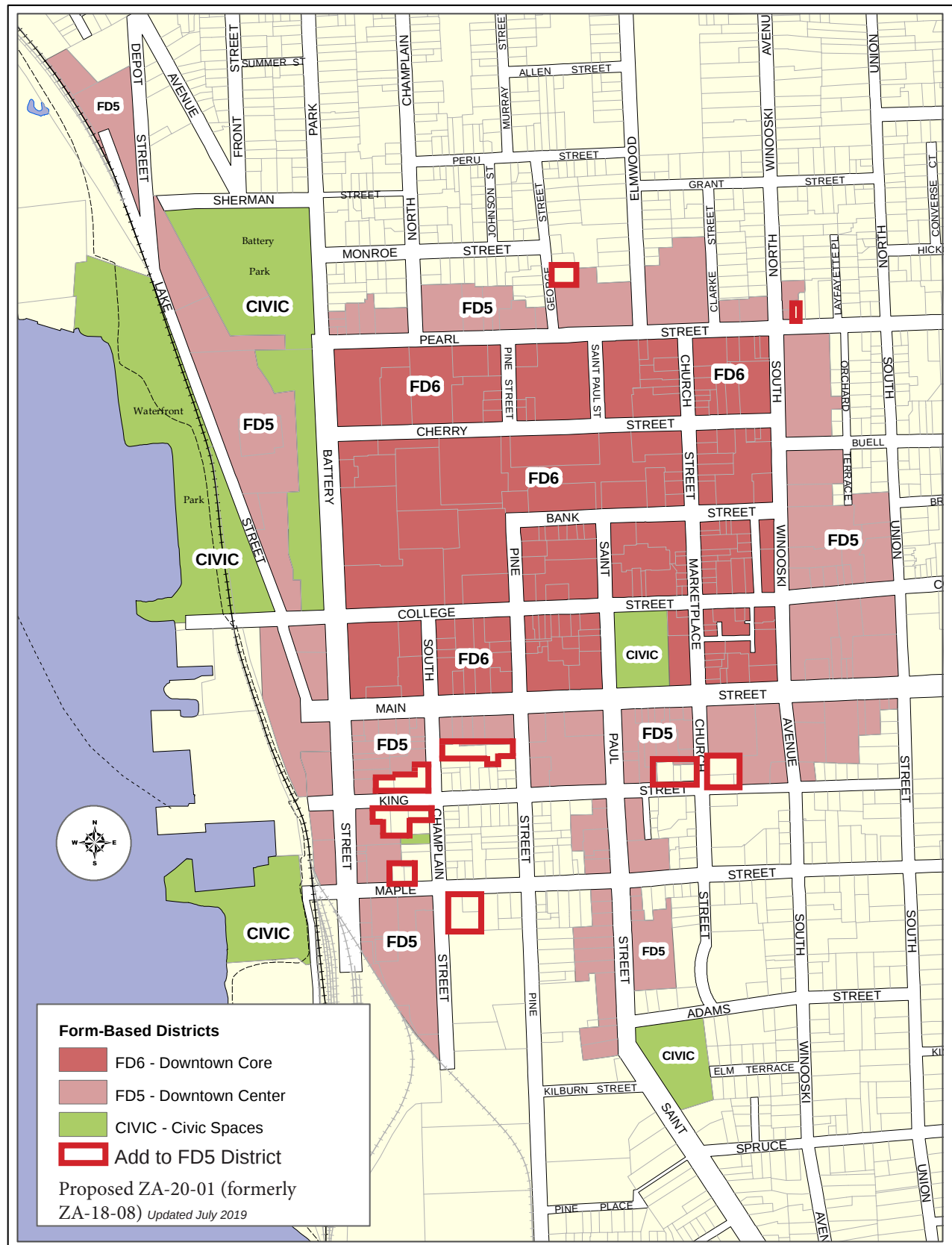
Parking Districts

- Downtown (D)
- Shared Use (SH)
- Neighborhood (N)
- Change from (N) to (D)



DRAFT Map 8.1.3-1
Proposed ZA-20-01 (formerly
ZA-18-08) Updated July 2019

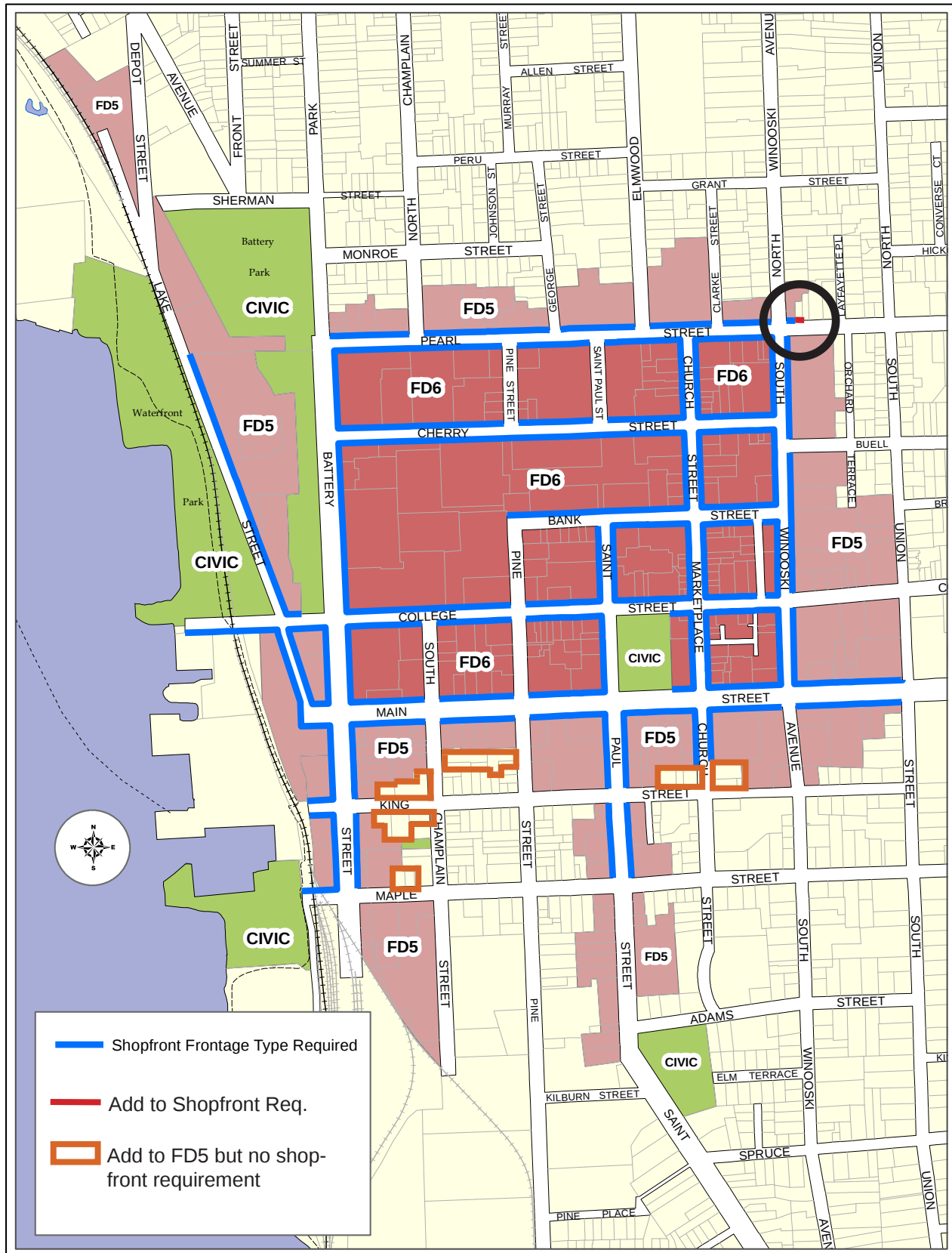
MAP 1 - REGULATING PLAN



MAP 2 - SPECIFIC HEIGHT AREAS



MAP 3 - SHOPFRONTS REQUIRED



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Burlington Planning Commission Tuesday, August 13th, 2019, 6:30 P.M. Conference Room 12, City Hall, 149 Church Street Draft Minutes

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

I. Agenda

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

II. Public Forum

Name(s)	Comment	Commission Action
Sharon Bushor	Concerned about front yard parking in ZA-19-03, encouraged Commission to require pervious pavers	
Bob Duncan	Requested consideration for flexibility beyond 18' limit on width of driveways in ZA-19-03; represented a client's site constraints which preclude 2 cars from fitting in an 18' drive	

III. Chair Report

A Montroll	No report
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IV. Director's Report

M Tuttle	- Council has taken up the proposed IZ amendments; plan to conclude discussion on this tonight to forward the rest of the Commission's recommendations - In upcoming meetings, Commission members will be receiving presentations in relation to the City's work on the Housing Summit policy reforms - Housing Summit Part 2 on September 4th, encourage Commissioner participation
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V. Ordinance Committee Appointment

Action: Matt Bushey appointed as DAB Representative to the Ordinance Committee		
Motion by: J Wallace-Brodeur	Second by: E Lee	Vote: Approved unanimously
Type: Action	Presented by:	

VI. Reapprove Municipal Bylaw Amendment Report: ZA-19-03

Action: Reapprove municipal bylaw amendment report and forward comments to Council		
Motion by: Y Bradley	Second by: A Friend	Vote: Approved unanimously

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Type: Discussion, Action	Presented by: S Gustin
Discussion & Notes: - S Gustin explained the evolution of the proposed ZA-19-03 regarding parking within the front yard setback, based on Council Ordinance Committee and public comments. Council has changed the ordinance, so Commission is asked to reapprove the report and offered opportunity to provide comments. Comments & Discussion: - Commissioners had questions about the origin of this amendment and in what parts of the City the 18' driveway standard currently applies. Staff confirmed that this originated from the DRB's assessment that the ordinance language and the interpretation didn't match, and that the 18' width standard presently applies to driveways in Design Controlled areas of the city. - A Commissioner was concerned that allowing parking within the front yard setback will allow parking in front of houses on some lots. Commissioners recommended that Council incorporate language to allow 18' wide drive, but preclude parking between the house and the street. - Commissioners discussed S Bushor concern about pervious pavement for driveways, and the driveway width and agreed to discuss these issues again in the future if the amendment comes back for additional revisions.	

VII. ZA-19-10 Inclusionary Zoning – Off-Campus Institutional Development

Action: Refer comments and proposed framework to Council for consideration within IZ reforms		
Motion by: E Lee	Second by: J Wallace-Brodeur	Vote: Approved unanimously
Type: Discussion, Action	Presented by: M Tuttle, S Gustin	
Discussion & Notes:		
M Tuttle reviewed how the previously discussed framework for Inclusionary Zoning for institutional projects could be incorporated into the draft Article 9 amendments previously referred to Council.		
Commissioner Comments:		
- Update the definition of "estimated off-campus housing cost" to clarify this must be the number the institution uses to make financial aid decisions - Consider using a percentage of beds, rather than 5 beds, as the threshold for defining "exclusive use" by students. - Update the applicability section to reflect that all off-campus institutional projects for the exclusive use of students are subject to these requirements. - Require as part of the annual compliance reporting that the institution or developer must certify that the project also still meets the definition of exclusive use by students. - S Bushor shared concerns that no representatives from UVM or Champlain were present. Staff assured Commissioners that institutions are aware of this proposed framework.		

VIII. Proposed Changes to Certificate of Occupancy Process

Action: None required		
Motion by: NA	Second by: NA	Vote: NA
Type: Discussion	Presented by: Bill Ward	
Discussion/Notes: B Ward presented proposed changes to the Certificate of Occupancy (CO) process for building and zoning permits contemplated by the new Department of Permitting and Inspections (DPI). The more automated process will be more efficient, takes out extra steps, and provides tracking and analysis options for data. It reduces hassles for customers and staff, and funnels requests through a more centralized electronic system. Main concern from staff is how applicants may react to paying the cost of the CO upfront as part of the application fees.		

Tuesday, August 13, 2019

- Commissioners overall were very supportive of these changes.
- A Commissioner noted that currently, many projects never actually close permits, so the department may see an increase in volume. B Ward responded that DPI is preparing for this.
- A Commissioner asked how a homeowner will know when the permit is closed. B Ward indicated that they will receive a CO in the mail or electronically, and be able to look the permit status up in the online system at any time.
- B Ward clarifies that this is primarily targeted at the regular fees anticipated by the average homeowner project. For larger, and multi-phase projects, the timing of payment for impact fees/development review fees is currently being reviewed.

IX. Committee Reports

Executive	No Report
Ordinance	No Report
Long Range	No Report

X. Commissioner Items

Next Meeting	Tuesday, August 27, 2019 @ 6:30 in Conference Room 12, City Hall
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XI. Minutes and Communications

Action: Accept the communications		
Motion by: Y Bradley	Second by: A Friend	Vote: Approved unanimously
Minutes Filed: July 23, 2019		
Communications Filed:		
• Letter from Bob Duncan of Duncan Wisniewski Architecture regarding driveway width expansion		

XII. Adjourn

Adjournment	Time: 8:04 pm	
Motion: Emily	Second: Alex	Vote: Approved Unanimously

Respectfully submitted by: S Durmick



BTV HOUSING SUMMIT

www.burlingtonvt.gov/mayor/burlingtonhousingsummit2019

Over the last seven years, the City and partners have tackled the housing crisis with a two-pronged strategy.



Laurentide Apartments at Cambrian Rise
Images via HP Cummings and Champlain Housing Trust



Ribbon cutting for the Bright Street Housing Cooperative.

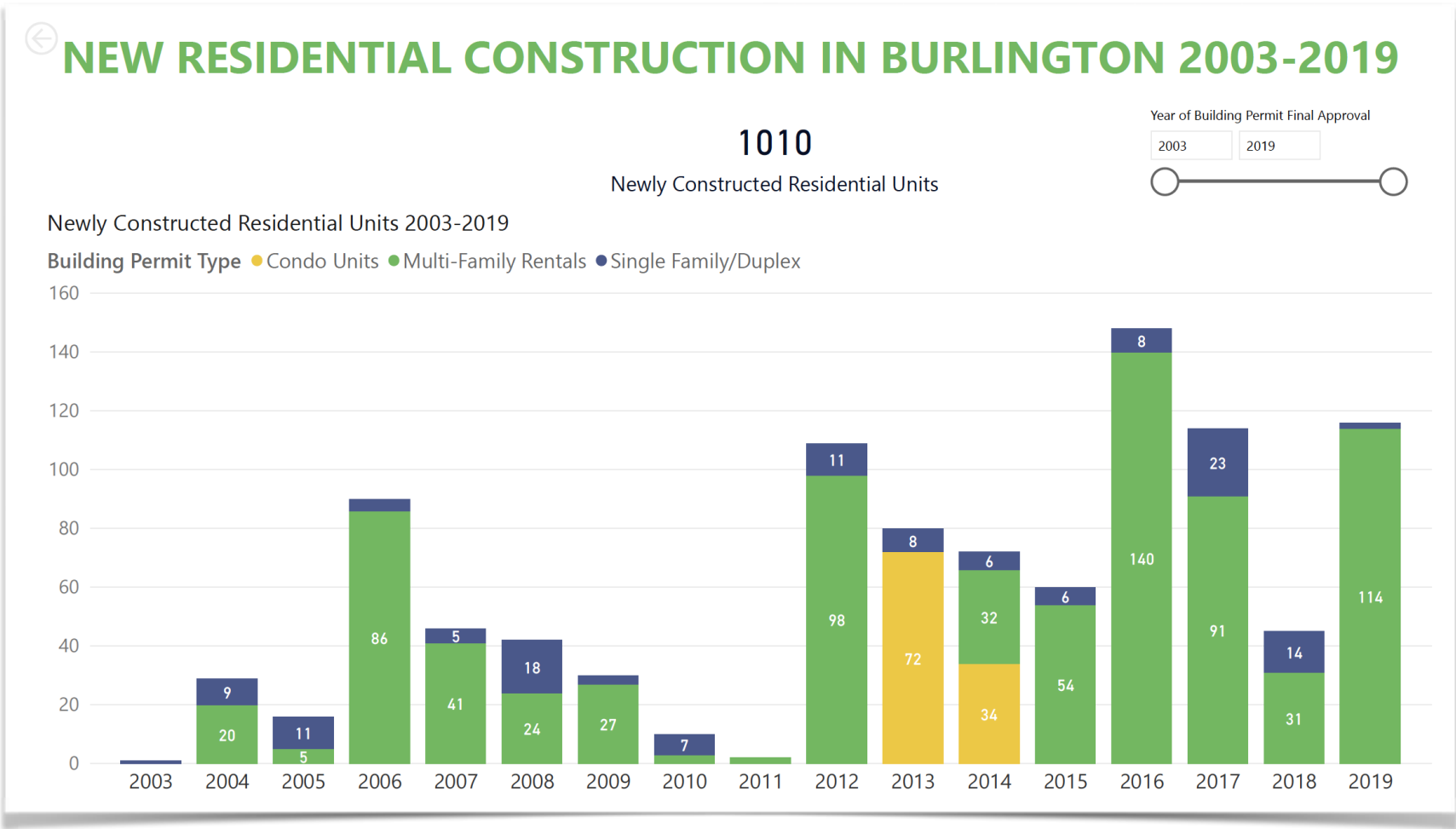


Laurentide 2 bedroom

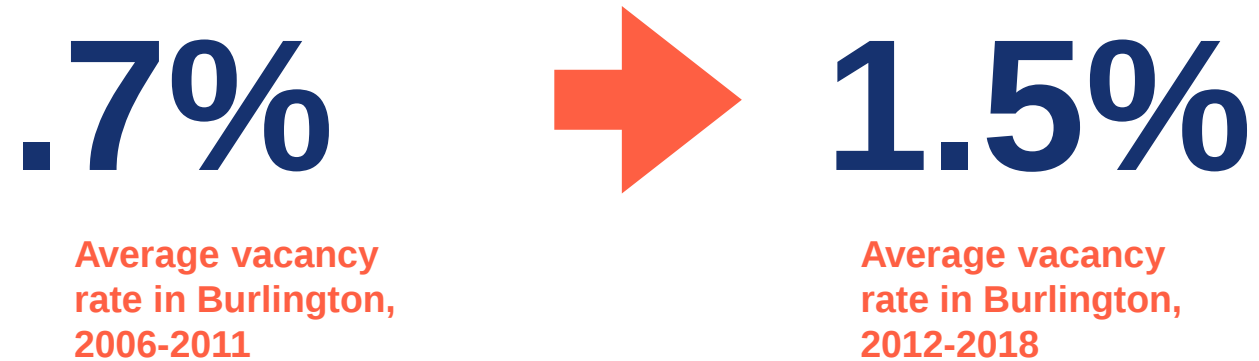
2015 Housing Action Plan

- Expand municipal resources to support new low- and moderate-income housing creation, assist those ineligible for subsidy
- Consider land use reforms to address regulatory barriers and disincentives to housing production
- Pursue strategies for housing college students, improving quality of life and housing cost in historic neighborhoods
- Identify new approaches to homelessness in our community
- Provide appropriate housing options for an aging population

We are starting to see results.



Vacancy rates in Burlington are going up...



"Apartment Market Vacancy Study for the City of Burlington," Allen, Brooks & Minor, February 2019

... and data suggest that rent increases are going down.

“

Rent inflation typically follows an inverse pattern with the vacancy rate, with the **highest rent increases coinciding with periods of low vacancy...**

Between 2015 and 2017, vacancy rates were persistently higher than the long-term average, **which limited landlords' ability to increase rents...**

If vacancy remains low for an extended period of time, rent growth will be likely. Conversely, **if new development results in an increased level of competition, it is likely that future rent inflation will continue to be minimal.**

Over the past four years, annual rent inflation has declined from 2.9% to 2.1%, while the annual change in CPI-U has increased from 0.1% to 2.5%. **This data suggests that landlords have been unable to increase rents in conjunction with rising operating expenses.**

”

- “Market Report,” Allen, Brooks & Minor, December 2018, p. 244

We have more to do.

Short-term: Complete reforms from the Housing Action Plan.

Medium-term: Work with partners and community members to identify slate of additional housing policy reforms.

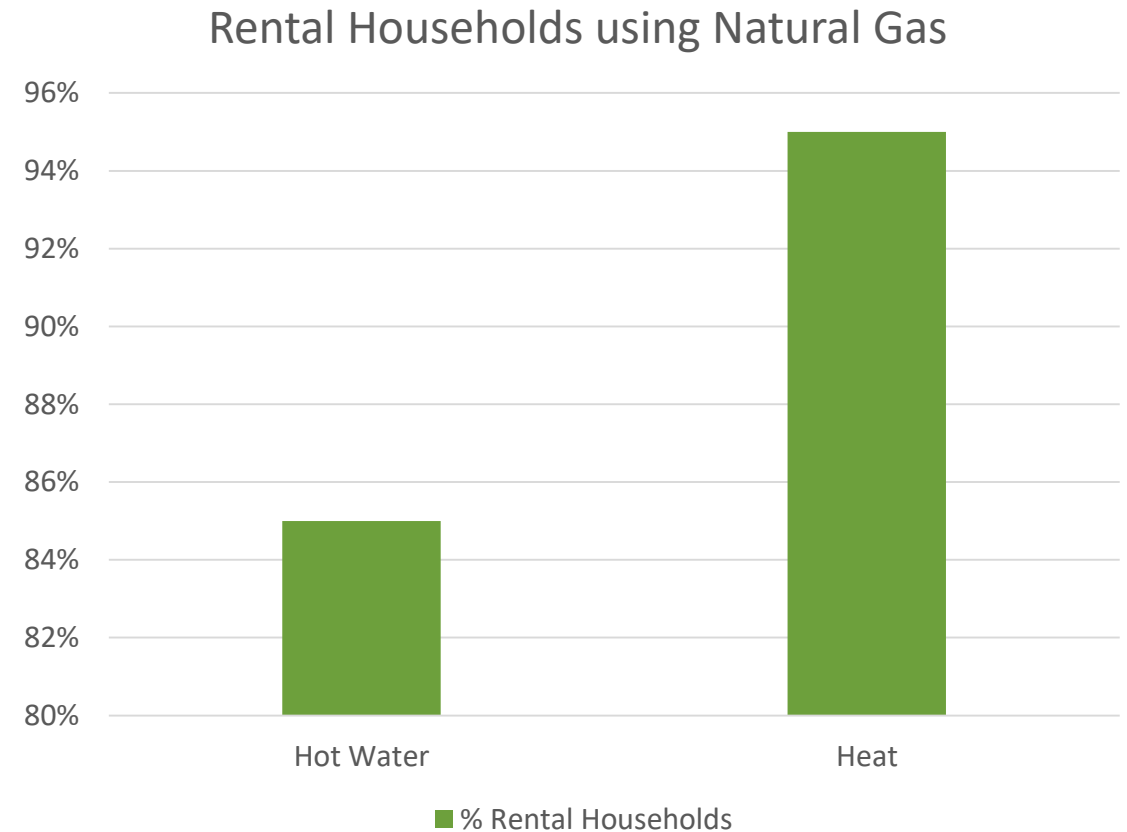
Long-term: Build a new consensus about housing in Burlington.

2019 Housing Summit Reforms

- Updating standards for energy efficiency in rental housing in order to support climate goals, protect renters from unreasonably high utility costs
- Make it easier to build Accessory Dwelling Units, offering flexibility for families to age in place, offset housing costs for owners, and create neighborhood-scale housing options in the city
- Implement regulations for short-term rentals to reduce impacts on long-term housing, while balancing benefits to hosts
- Reforming requirements for building new parking downtown and along key transportation corridors to reduce a major housing cost driver, give choices about car ownership
- Restoring and increasing the level of funding for the City's Housing Trust Fund

Energy Efficiency in Rental Housing

- Energy costs are an important, yet overlooked part of the overall housing affordability equation
- ~60% of Burlington Households are renters
- 60% of Renter-occupied households are cost-burdened (pay more than 30% of income)



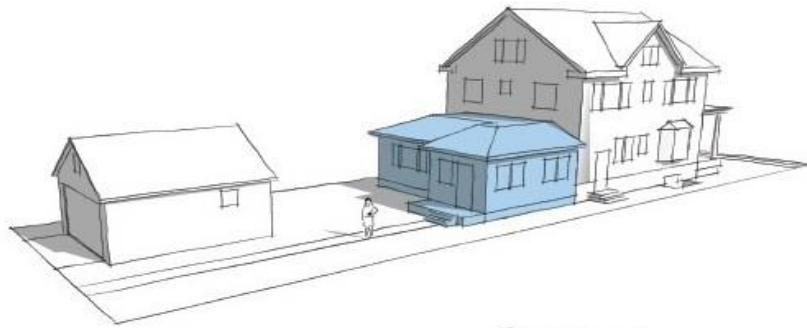
Energy Efficiency in Rental Housing

- Building owner required to make investment in efficiency measures, but tenant pays the utility bill = “split incentive” paradigm
 - Burlington’s “Time of Sale” Ordinance enacted to address this issue, requiring up to \$1,300 in weatherization improvements when unit sold
- Split Incentive paradigm affects 85% of rental units
 - Low vacancy rate leaves few choices when tenants faced with high energy costs
 - Most effective efficiency upgrades include weatherization (via air sealing and insulation) and/or upgrading heating appliances

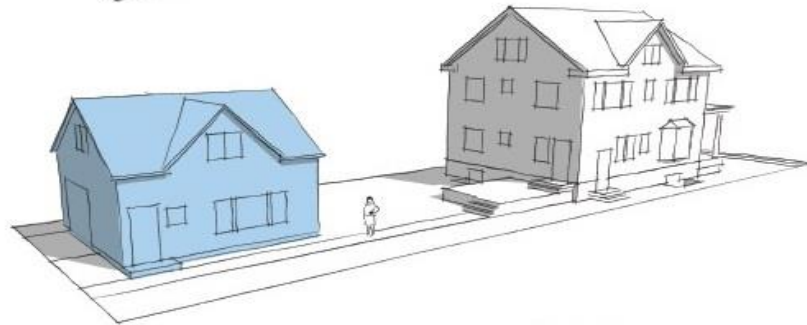
DRAFT Policy Reform Framework

- Phase out Time of Sale (limited applicability, enforcement challenges)
- Incorporate energy efficiency into existing minimum housing standards, expands habitability to consider affordability and health/comfort for energy
- Set a baseline for energy intensity (BTU's), and a list of efficiency improvements; buildings exceeding baseline intensity make improvements on the list as part of their minimum housing inspection

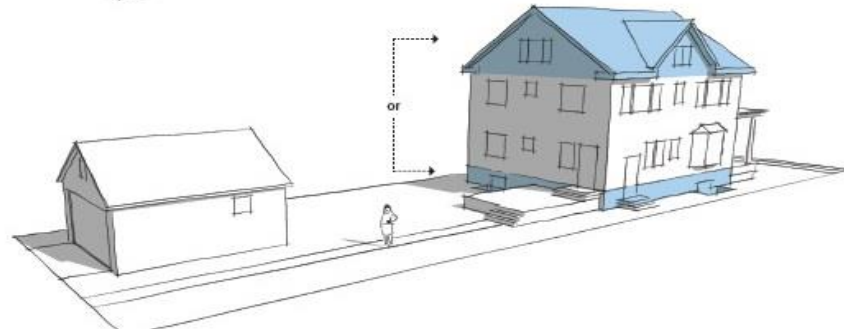
Accessory Dwelling Units



Attached

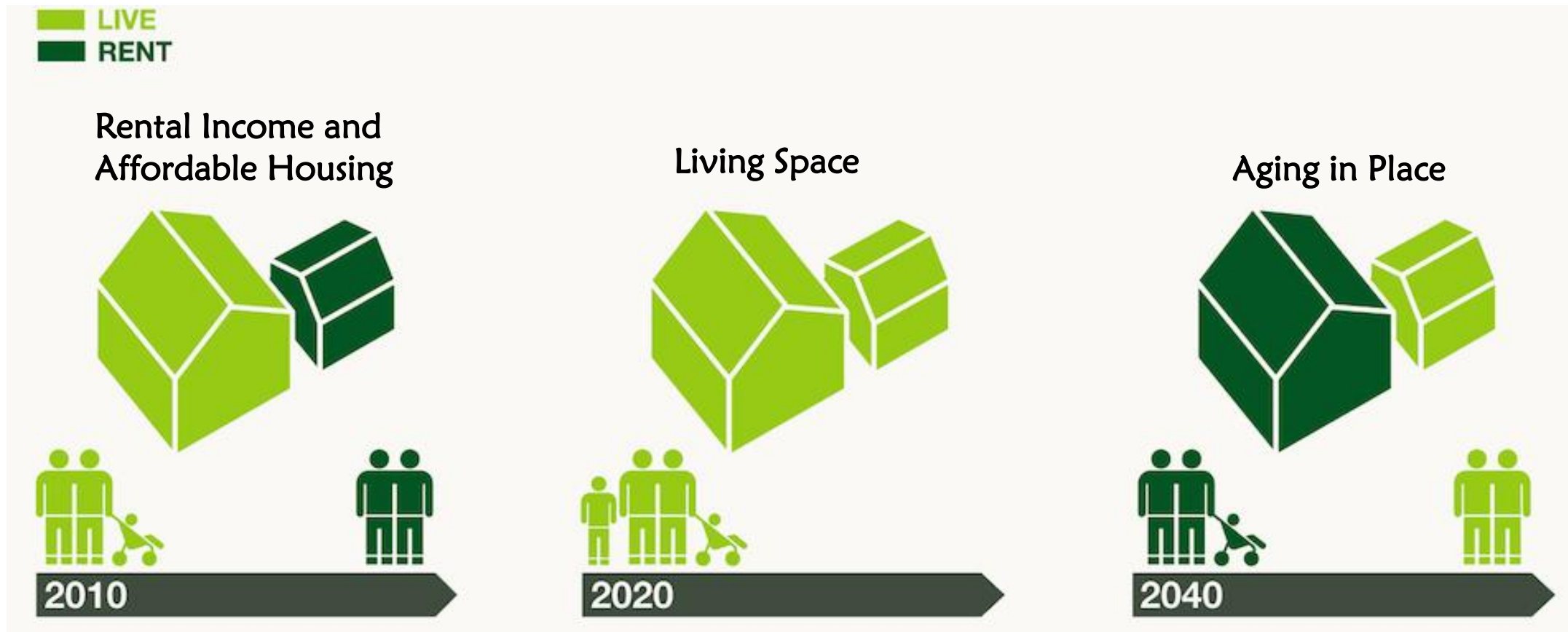


Detached



Internal Conversion

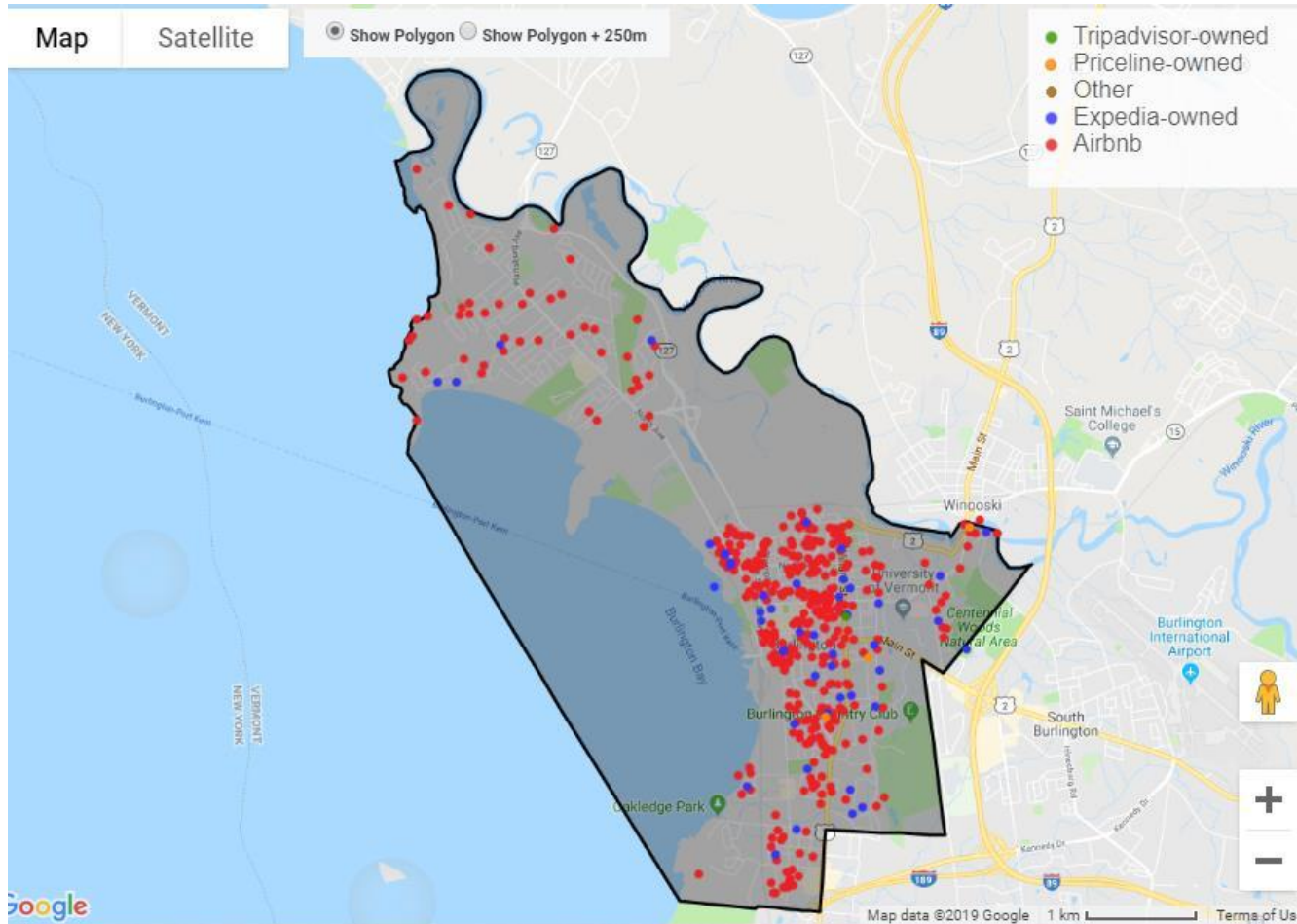
Accessory Dwelling Units



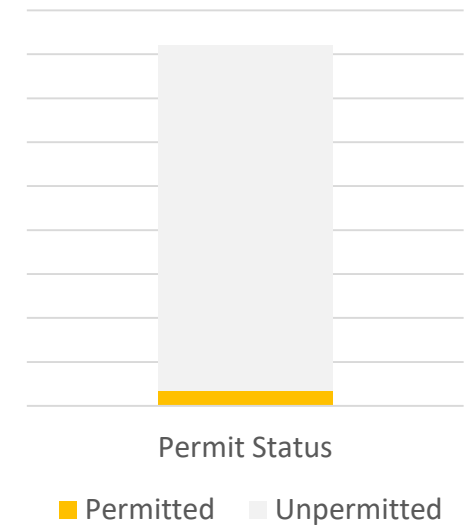
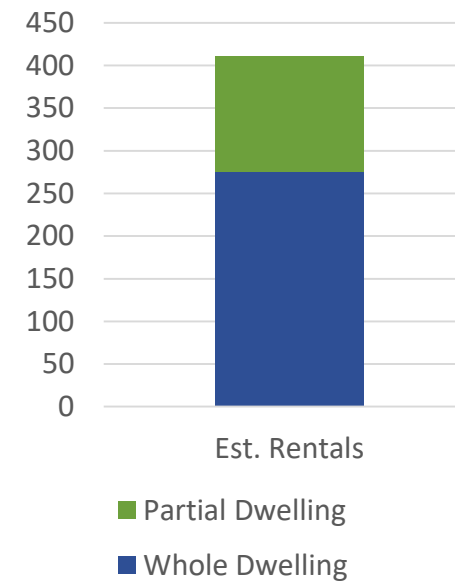
DRAFT Policy Reform Framework

- Streamline permitting: creating an ADU not a primary reason for a project to go to DRB; only if other requirements triggered
- Remove ADU from “Use Table”, permit accessory to any single-family (not just RL & RM zones)
- No parking space required for an ADU
- ADU size: 30% of gross area on a lot or 800 sq.ft., whichever is greater
- Create a framework for stormwater improvements/fees if ADU footprint exceeds lot coverage

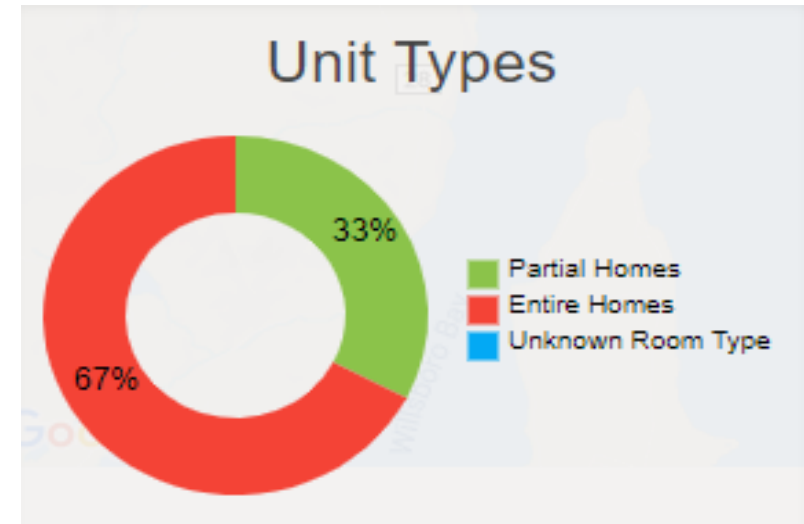
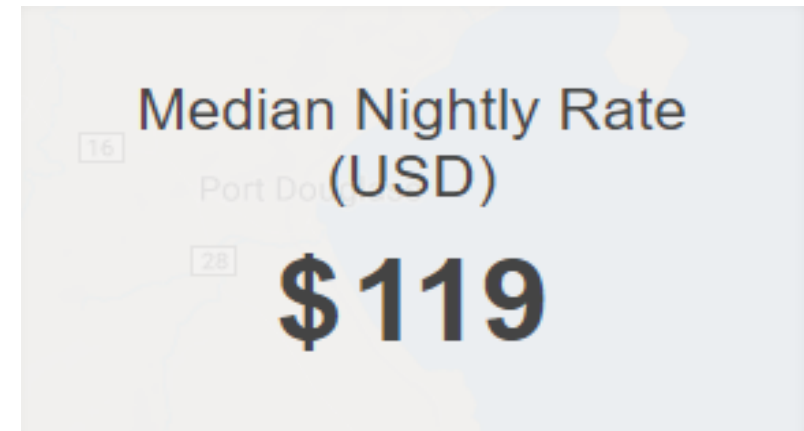
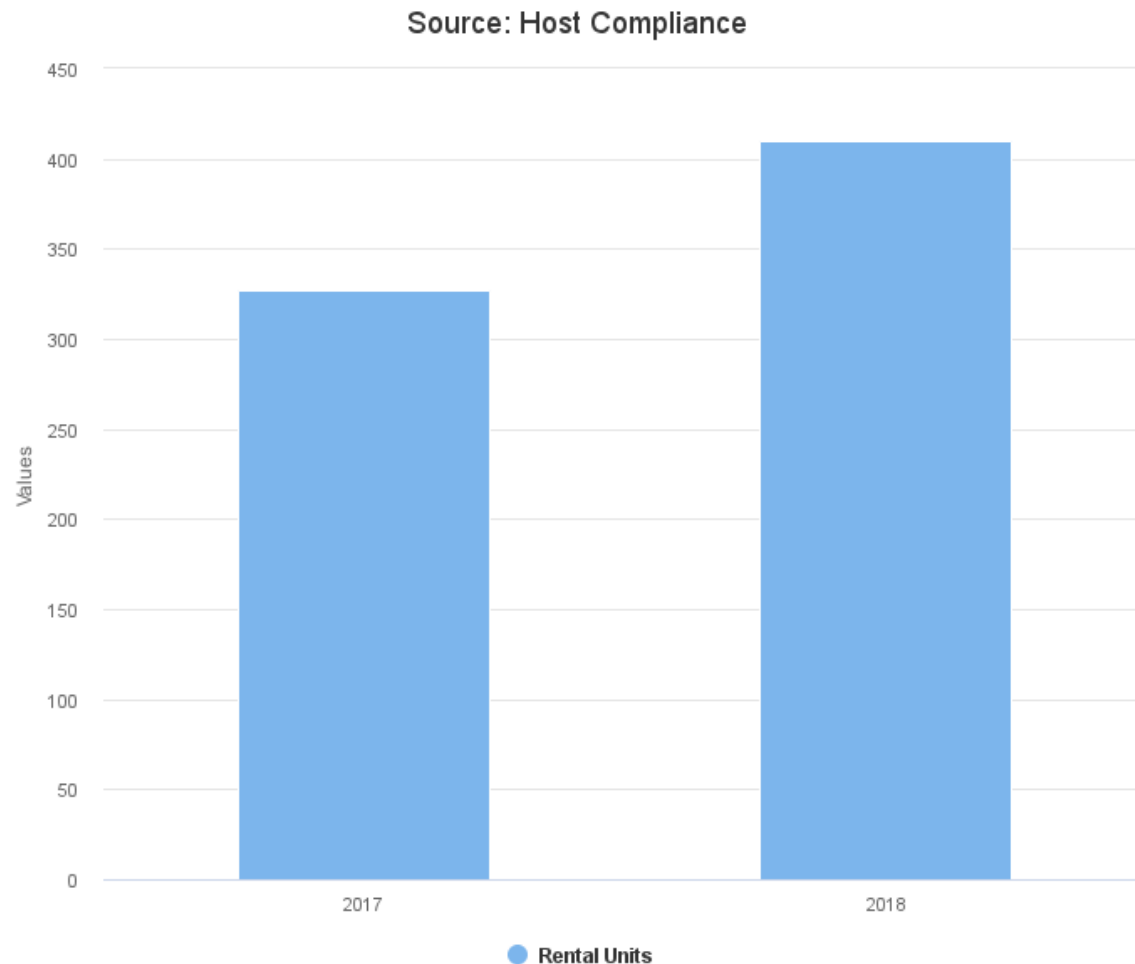
Short Term Rentals



Short-Term Rentals in Burlington 2019



Short Term Rentals



DRAFT Policy Reform Framework

Rooms within a dwelling unit vs. whole unit rentals:

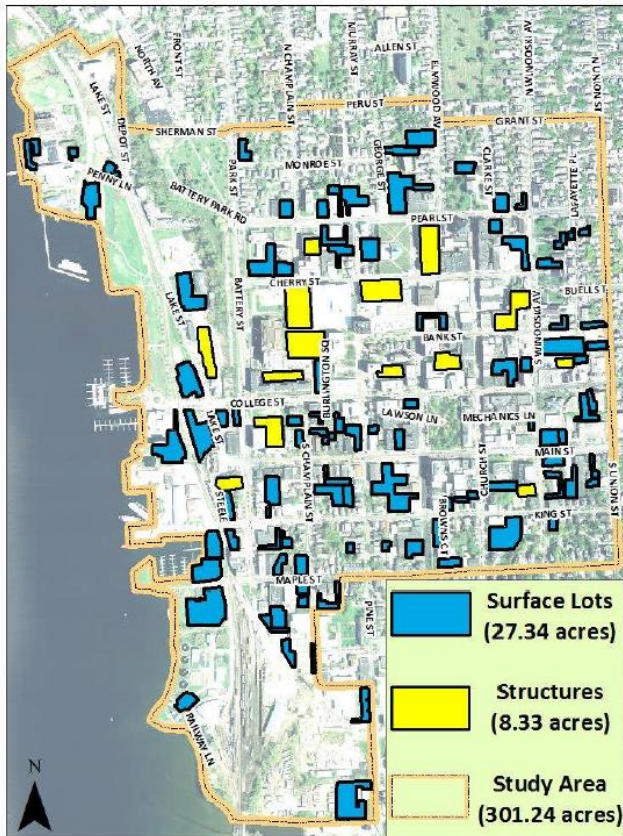
- For Rooms: Permitted use in most cases, by revising “bed & breakfast” definition to recognize this rental type, and applying B&B standards
- For Whole Units: Conditional Use (establish as a new special use type), limit number in a bldg based on total # of units in bldg, 1 parking space per rental city-wide

Other Regulatory Considerations:

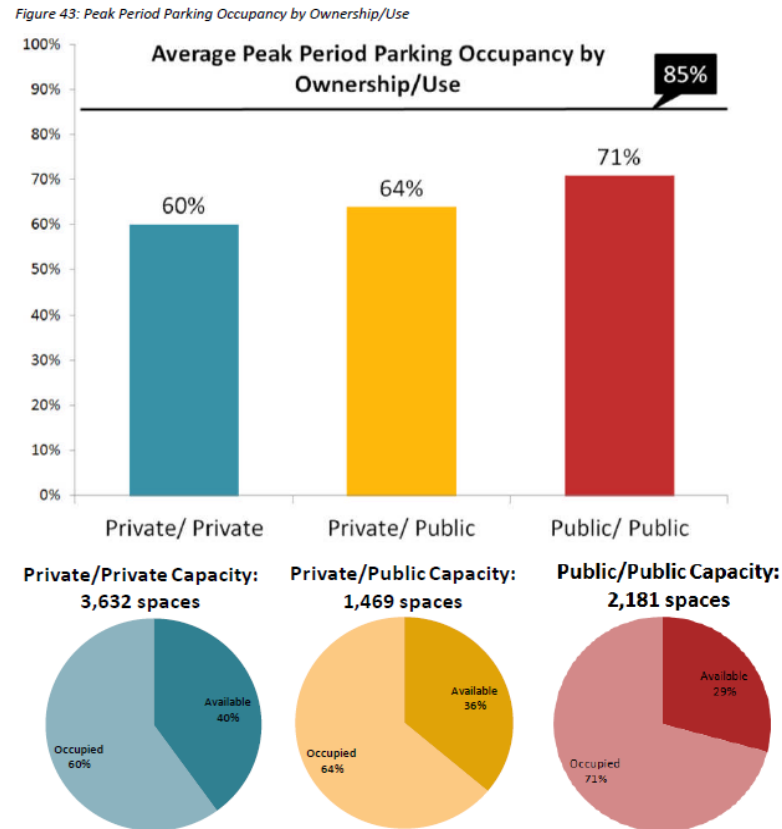
- Whole Unit rental are non-residential use, triggers housing replacement if converting an existing unit
- Consider allowing tenants as hosts, with owner/association permission
- All units required to register as a business (pay applicable taxes), and register as a rental * (apply minimum housing standards) **in most cases*

Minimum Parking Requirements

Parking occupies a lot of land.



Many spaces are unused.



It is expensive to build and maintain.

	Construction Cost (per space)	
	Above Ground	Below Ground
Boston	\$25,000	\$31,000
Nat. Ave	\$24,000	\$34,000

Minimum Parking Requirements

- 39% of BTV workers do not drive to work
- ~15% of all households citywide do not have a car:
 - 2,384 BTV Households
 - 20%+ of all renters city-wide
 - 25%+ of all households in 3 Census tracts



DRAFT Policy Reform Framework



- Eliminate minimum parking requirements: downtown, neighborhood activity centers, major thoroughfares
- And for permanently affordable housing, rehab of historic building, ADU's regardless of location
- Maintain current parking maximums
- Consider other tools to more efficiently use existing parking, ensure alternative forms of transportation are readily available

Burlington's Housing Trust Fund

- Critical funding for creation and preservation of affordable housing
- Dedicated tax of ½ penny on \$100 of assessed value
 - \$12.42/year to avg homeowner
 - Contributes \$200K/year

Since 1990:

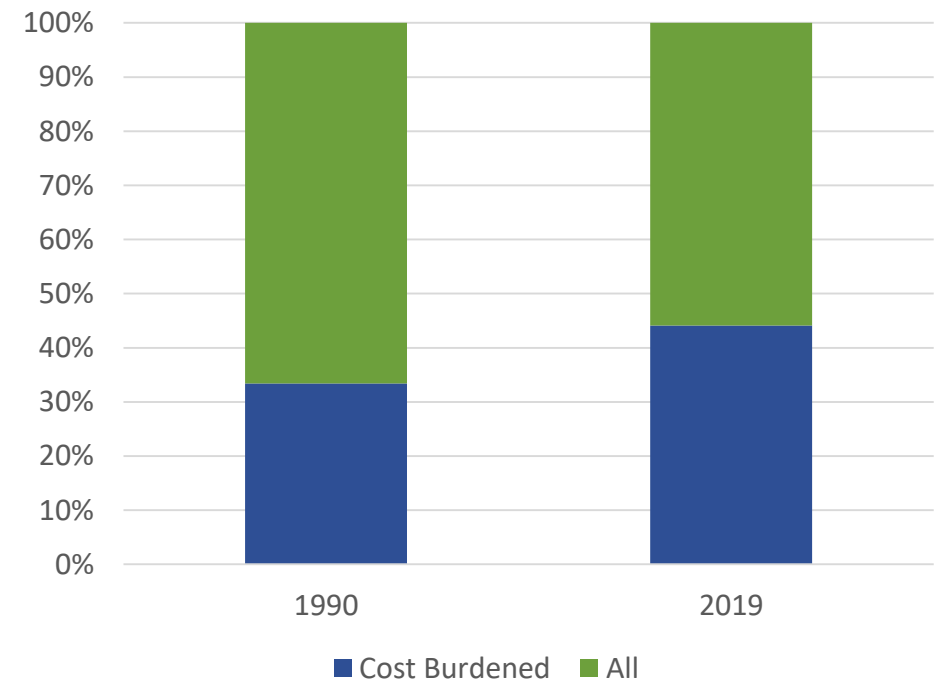
- 1,800+ affordable homes or beds created
- \$7.4M invested

Burlington's Housing Trust Fund

Base Contribution to Housing Trust Fund

Year	Dedicated Tax Allocation	Adjusted for inflation to 2019 Dollars
1990	\$187,829	\$367,248
2000	\$189,500	\$281,221
2010	\$190,000	\$222,668
2019	\$200,382	\$200,382

Low Income Households with Cost Burden



DRAFT Policy Reform Framework

- Restore Housing Trust Fund to 1 penny/\$100 assessed value (consistent with pre-2006 levels)
- Reconsider the limitation that the Fund be revenue-neutral if/when reappraisals occur
- Consider a charter change question on the ballot in March 2020



BTV HOUSING SUMMIT

Part 2: September 4, 2019 6-8pm, Contois Aud.

www.burlingtonvt.gov/mayor/burlingtonhousingsummit2019

Burlington Planning Commission

149 Church Street
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(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, August 27, 2019, 6:30 P.M. Conference Room 12, City Hall, 149 Church Street Minutes

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

I. Agenda

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

II. Public Forum

Name	Comment	Commission Action
	No Comments	

III. Report of the Chair

B Baker	No Report
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IV. Report of the Director

D White	- Planning Office working on branding, website, and social media presence - Coordinating on the 2nd Housing Summit, E911 requirements (coordinator appointment will be B Ward) and readdressing, working with CEDO on Economic Development Strategy - Tracking a number of zoning amendments 19-04 (trees & junkyards) approved by Council Monday, and Council Ordinance Committee will hear recommendations on Inclusionary Zoning for Institutional Housing off-campus this week
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V. Public Hearing: ZA-20-01 Form District 5 Boundaries

Action: Approved the municipal bylaw amendment report and forward to Council, with note that PC may revisit some properties in future amendments		
Motion by: E Lee	Second by: Y Bradley	Vote: Approved unanimously
Type: Public Hearing, Action		Presented by: M Tuttle
Discussion/Notes: M Tuttle explained that this is a reboot of an earlier recommended amendment which looked at the boundaries of Form District 5 around the downtown core. She further explained that this is coming back to the Planning Commission following Council Ordinance Committee changes. Because the amendment has reached its statutory expiration date, the Council request the Commission to hold a hearing and forward as modified by the Committee. She noted the		

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Tuesday, August 27, 2019

changes included removing properties along S. Champlain and King Streets from the Commission's original recommendation.

- Commissioners discussed the importance that this amendment turn properties which are currently non-conforming, particularly Advanced Music, into conforming properties by including them in the district.
- Commissioners discussed the differences between Residential Housing High Density Overlay and Form District 5 zoning – from a scale perspective they are fairly similar but RH does not have the same mixed-use capabilities that FD5 does.
- S Bushor requested a detailed list of parcels changing to FD5, and info comparing zoning district provisions for the City Council
- The Commission approved the amendment as modified by Council, but noted that they reserve the opportunity to revisit some parcels on lower Church Street (Burlington Telecom Bldg, Hood Plant) and potentially elsewhere around the FD5 boundaries in future amendments.

VI. Mayor's Housing Summit Update

Action: No Action Required. Commissioners are invited to participate on September 4 Housing Summit.		
Motion by: NA	Second by: NA	Vote: NA
Type: Presentation, Discussion		Presented by: J Redell, M Tuttle
Discussion/Notes:		
• J Redell noted that M Tuttle will present an overview of the Housing Summit policy proposals, and the proposed framework for reforms that will be presented to the community at the 2nd Housing Summit September 4th from 6 – 8 pm in Contois Auditorium. • M Tuttle noted purpose of presentation is to provide PC a recap of the first Housing Summit, and to provide an overview of zoning-related policies that the Commission will work on this fall. M Tuttle shared background on the importance of each issue relative to Burlington's housing needs, and the draft policy reform framework that the administration will present in September. [See presentation posted online.] • Energy Efficiency in Rental Housing: Proposal is to phase out Time of Sale Ordinance and incorporate weatherization improvement for rental homes where tenant pays utility bills into the minimum housing code. • Accessory Dwelling Units (ADUs): Proposal is to simplifying the permitting process, allow ADU's for all single-family homes, no parking space required, allow a max ADU size of 800 sq.ft. regardless of home size, and adjust lot coverage limits. ○ Commissioners discuss the size limits and agree they should be flexible to give homeowners the room to design based upon their needs. ○ Commissioners noted the importance of an ADU Guide to break process, and including Code & Enforcement in this process to craft something workable & certain ○ Commissioners asked if the City should set a numerical goal for ADU creation ○ S Bushor noted the obstacle of owners not having the financial means to build an ADU; would like the City to help identify funding resources for interested homeowners. • Short Term Rentals: Proposal sets standards for renting out a room vs an entire unit. Regulations are stricter for entire units perpetually being used as short-term rentals by establishing these as a new conditional use with some level of review of their impact, requiring the host to live on property, limiting the number of short term rentals on a property, and applying the housing replacement ordinance if they replace a long-term housing unit. ○ Commissioners discussed short term rentals meeting an economic need in the city (i.e. homeowners offsetting the cost of property taxes, flexible use of student housing that might sit empty in summer, and beds to support tourism). It was noted that the policy tries to balance the benefits of short term rentals and impacts to long-term housing.		

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 - Commissioners discussed short term rentals meeting an economic need in the city (i.e. homeowners offsetting the cost of property taxes, flexible use of student housing that might sit empty in summer, and beds to support tourism). It was noted that the policy tries to balance the benefits of short term rentals and impacts to long-term housing.

Tuesday, August 27, 2019

- Commissioners question why the City is not presently enforcing short-term rental compliance. It was discussed that there is not a clear policy to enforce; when rules are adopted, will transition into them before undertaking a massive enforcement effort.
- Minimum Parking Requirements: Proposal is to not require minimum parking standards in Downtown, Neighborhood Activity Centers & major thoroughfares, as well as for permanent affordable housing & the rehabilitation of historic properties; maintain the current maximum parking standards, explore retooling the traffic impact fee to be used for a wider variety of transportation investments (other than just intersection improvements). Not about doing away with parking, but no longer forcing developers to build a prescribed amount.
 - Commissioners would like to hear from and have more robust conversations with the organizations that provide the alternative forms of transportation and what strategies would help them.
 - Commissioners would like to see shared parking (i.e. day parking vs. night parking) and reduced parking requirements in other City zones are not included in the proposal. Other low to no cost measures could be found to make parking more efficient while increasing space for density in the City. Staff offered an example of revising the dimensional standards for parking spaces.
- Housing Trust Fund (HTF): Proposal is to re-establish the level of funding to a full penny of dedicated tax per \$100 of assessed value (via a Charter Change). This would be supplemented by other opportunities on the horizon to increase revenues into the fund from IZ changes and housing replacement for short-term rentals.
 - S Bushor believes that the proposal should be for 1.5 or 2 pennies to ensure it does not depend on Council action, and to raise public awareness of the HTF

VII. Committee Reports

Executive	No Report
Ordinance	No Report
Long Range	No Report

VIII. Commissioner Items

Next Meeting	Next meeting is on Tuesday, September 10, 2019 at 6:30 pm in Conference Room 12
Y Bradley	• Shared opinion that improvements to St. Paul Street is dangerous and impedes traffic. Feels too many changes in the City that discourage vehicles and make driving difficult. • J Redell noted that final details of project aren't complete, which should address some of the issues currently being experienced on the street. • S Bushor echoed concerns about turning radiuses and noted she is meeting with DPW to discuss the street design at the new Cambria Hotel.
H Roen	• Applauded the improvements to GMT schedules and routes
M Tuttle	• Save the date for Oct 9 and 15 for two potential special meetings regarding the Housing Summit reforms.

IX. Minutes and Communications

Action: Approved minutes and accepted the communications		
Motion by: H Roen	Second by: Y Bradley	Vote: Approved unanimously
Minutes Filed: August 13, 2019		

X. Adjourn

Adjournment	Time: 8:15	
Motion: J Wallace-Brodeur	Second: E Lee	Vote: Approved unanimously



Andy Montroll, Chair

Signed: September 10, 2019

Respectfully submitted by: S Durmick



Sidney Durmick, Planning Commission Secretary