

Burlington Planning Commission

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
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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, July 24, 2018, 6:30 P.M.
Conference Room 12, City Hall, 149 Church Street
AGENDA

Note: times given are
approximate unless
otherwise noted.

I. **Agenda**

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

III. **Report of the Chair**

IV. **Report of the Director**

V. **Proposed CDO Amendment: Density Calculations** (10 min)

The Planning Commission will consider a proposed amendment to the *Burlington CDO*, which updates and clarifies the method for calculation of residential and non-residential density. Documents related to this item are included in the agenda packet on pages 3-5.

Staff Recommendation: Staff recommends the Commission reapprove the Municipal Bylaw Amendment and forward the amendment for consideration by Council.

VI. **Proposed CDO Amendment: Additional Residential Units in RL** (5 min)

The Planning Commission will consider a proposed amendment to the *Burlington CDO* to eliminate a provision that allows for the addition of one residential unit to a structure already containing two or more units in the Residential Low Density Zone. Documents related to this item are included in the agenda packet on pages 6-9.

Staff Recommendation: The Commission should approve the Municipal Bylaw Amendment Report and warn a public hearing.

VII. **Proposed CDO Amendment: Parking Amendments** (15 min)

The Planning Commission will consider a proposed amendment to the *Burlington CDO* to address required parking for art studios, daycares and preschools; to permit tandem parking for all dwelling units; and to permit parking within frontyard setbacks within driveways. Documents related to this item are included in the agenda packet on pages 10-14.

Staff Recommendation: The Commission should approve the Municipal Bylaw Amendment Report and warn a public hearing.

VIII. **Proposed CDO Amendment: Sign Ordinance** (15 min)

The Planning Commission will continue a discussion of a proposed amendment to Article 7 sign regulations. Information related to this item will be provided at the meeting. Documents related to this item are included in the agenda packet on page 15.

Staff Recommendation: The Commission should approve the Municipal Bylaw Amendment Report and warn a public hearing.

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IX. 2019 Update to planBTV (30 min)

The Planning Commission will receive a presentation on how the policies from the current Municipal Development Plan will be translated into the theme framework for the updated planBTV.

Staff Recommendation: No action is required. The Commission is invited to share comments and feedback to support the development of content for the plan update.

X. Committee Reports

- a. Executive Committee
- b. Ordinance Committee
- c. Long Range Planning Committee

XI. Commissioner Items

- a. The next regular meeting will be on Tuesday, August 14, 2018 at 6:30pm.

XII. Minutes & Communications

The Commission will review and approve the minutes of the July 10, 2018 meeting, enclosed on pages 16-18 of the agenda packet and accept communications on pages 19-20 of the agenda packet.

XIII. Adjourn

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Burlington Planning Commission Report Municipal Bylaw Amendment ZA-18-04 Density Calculations

DRAFT

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 proposed amendment is to provide additional detail regarding the method for calculating permitted residential density on a lot, to incorporate language into this calculation that is consistent with Article 13 Definitions, and to update the methodology for calculating non-residential density.

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

The portion of this proposed amendment regarding the method for calculating residential density does not have an impact on the allowable density of residential lots, and therefore has no impact on the goals and policies regarding safe and affordable housing.

The portion of the proposed amendment regarding the method for calculating non-residential density furthers the plan's policies regarding the availability of safe and affordable housing, specifically by removing language which considers hallways, stairwells and other supporting areas of residential buildings towards the residential density limit. This calculation effectively limits the permissible number of dwelling units for multi-family residences. Eliminating this provision is consistent with the plan's housing action to "support the creation of new rental and owner-occupied housing units on every parcel of land zoned for residential development at the number of units allowed by zoning".

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

The proposed amendment corrects the methodology outlined in the *Comprehensive Development Ordinance* such that lots may be developed, and the densities more accurately calculated, at the densities permitted within various zoning districts.

Implementation of specific proposals for planned community facilities:

The proposed amendment has no impact on planned community facilities.

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Shaleigh Draper, Zoning Clerk



TO: Planning Commission
FROM: Scott Gustin
DATE: July 14, 2018
RE: Density and Intensity of Development Calculations

Following prior review by the Ordinance Committee and the Planning Commission, the Ordinance Committee wrapped up review of the pending amendment to Sec. 5.2.7 at its April 5, 2018 meeting. The Committee confirmed the existing rounding provision will remain and may be clarified by way of zoning administrative interpretation. The Committee also elected to leave the density calculation formula as written but requested clarification of the math and also recommended that the language in Sec. 5.2.7 be revamped to refer to defined CDO terms such as “lots” rather than the undefined term “development site.”

A change to subsection 2 has also been recommended. Subsection 2 simply limits development intensity of nonresidential building uses. Presently, it is aimed at two things: 1) nonresidential uses and 2) nonresidential space in residential buildings. The former provision sees occasional use and serves its intended purpose to limit nonresidential building intensity. The latter provision is unnecessary. It has the effect of limiting space for common areas such as hallways and stairwells in multi-family residential buildings. Little is gained by way of this provision, and it serves to effectively reduce the permissible number of dwelling units per acre for multi-family residences. Deletion is recommended.

Deleted language is ~~crossed out~~ and new language is underlined in red.

Sec. 5.2.7 Density and Intensity of Development Calculations

(a) Dwelling Units per Acre:

In accordance with the district-specific provisions of Article 4, the calculation of ~~development intensity~~ density shall be measured as follows in such cases where the ~~intensity of development~~ density is measured on a dwelling unit per acre basis:

1. Density Calculation: The total number of dwelling units provided on a ~~development site~~ lot or lots, or portion of the ~~site~~ lot(s) where split by a zoning district boundary, shall be divided by the ~~gross site area~~ net site area of the lot(s) expressed in acres calculated to the nearest fractional tenth (i.e. to a single decimal point). The net area of the lot(s) shall account for buildable area where applicable (see Sec. 5.2.4). In calculating the number of ~~residential~~ dwelling units permitted, fractional units of less than five-tenths (0.5) shall be rounded down to the nearest whole number and fractional units of five-tenths (0.5) or greater shall be rounded up to the nearest whole number. Any rounding of fractional units shall be limited to a single final calculation ~~for any development~~.
2. Density Equivalent, Nonresidential Uses: For purposes of density calculations, each one thousand, five hundred (1,500) square feet of nonresidential gross floor area ~~not~~

~~contained within a dwelling unit or within common hallways, stairwells and elevator shafts serving said dwelling units shall be counted as one dwelling unit.~~

(b) Floor Area Ratio:

As written.

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Burlington Planning Commission Report Municipal Bylaw Amendment ZA-19-XX Additional Residential Unit in RL **DRAFT**

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 proposed amendment is to remove Sec.4.4.5 (d) 5, A, Additional Unit to Multifamily.

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 does not have an impact on the goals and policies related to the availability of safe and affordable housing. The vast majority of residential properties within the city will not be impacted by this change, and it will have little impact on residential growth in the city.

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

The proposed amendment does not have an impact on the proposed future land uses and densities of the municipal development plan. The elimination of this provision will not impact the ability for properties within RL zones to be developed at the base density permitted within the *Burlington CDO*.

Implementation of specific proposals for planned community facilities:

The proposed amendment has no impact on planned community facilities.

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Shaleigh Draper, Zoning Clerk



TO: Planning Commission
FROM: Scott Gustin
DATE: July 24, 2018
RE: Residential Density: Additional Unit to Multifamily

At their May 17, 2018 meeting, the Ordinance Committee considered a request to delete Sec. 4.4.5 (d) 5, A, *Additional Unit to Multifamily*, of the CDO. This section is a longstanding provision in the city's zoning code dating back at least to the 1994 Zoning Ordinance. The provision enables the addition of 1 more dwelling unit to existing multi-family properties in the Residential – Low Density (RL) Zone. The provision has been used on occasion, but no tally of the total number of times it has been used is available. To obtain approval of an additional dwelling unit, all other zoning standards such as lot coverage, setbacks, and density must be met. According to an analysis of RL properties with duplexes, triplexes, and 4-plexes of compliant lot size:

- Up to 29 duplexes could become triplexes
- Up to 3 triplexes could become 4-plexes
- Up to 2 4-plexes could become 5-plexes

These numbers are based on density and lot size only. They do not account for things like parking feasibility, lot coverage, or setbacks. The attached maps depict properties in the RL zones with potential for 1 additional unit per Sec. 4.4.5 (d) 5. The properties are depicted on the basis of density and lot size only. The properties are not clustered in any particular area. They are fairly disperse though the RL zones. Given the limited potential for use of this provision, retention or deletion of Sec. 4.4.5 (d) 5 will have little effect on residential growth in the city. The Ordinance Committee voted to recommend deletion of the provision.

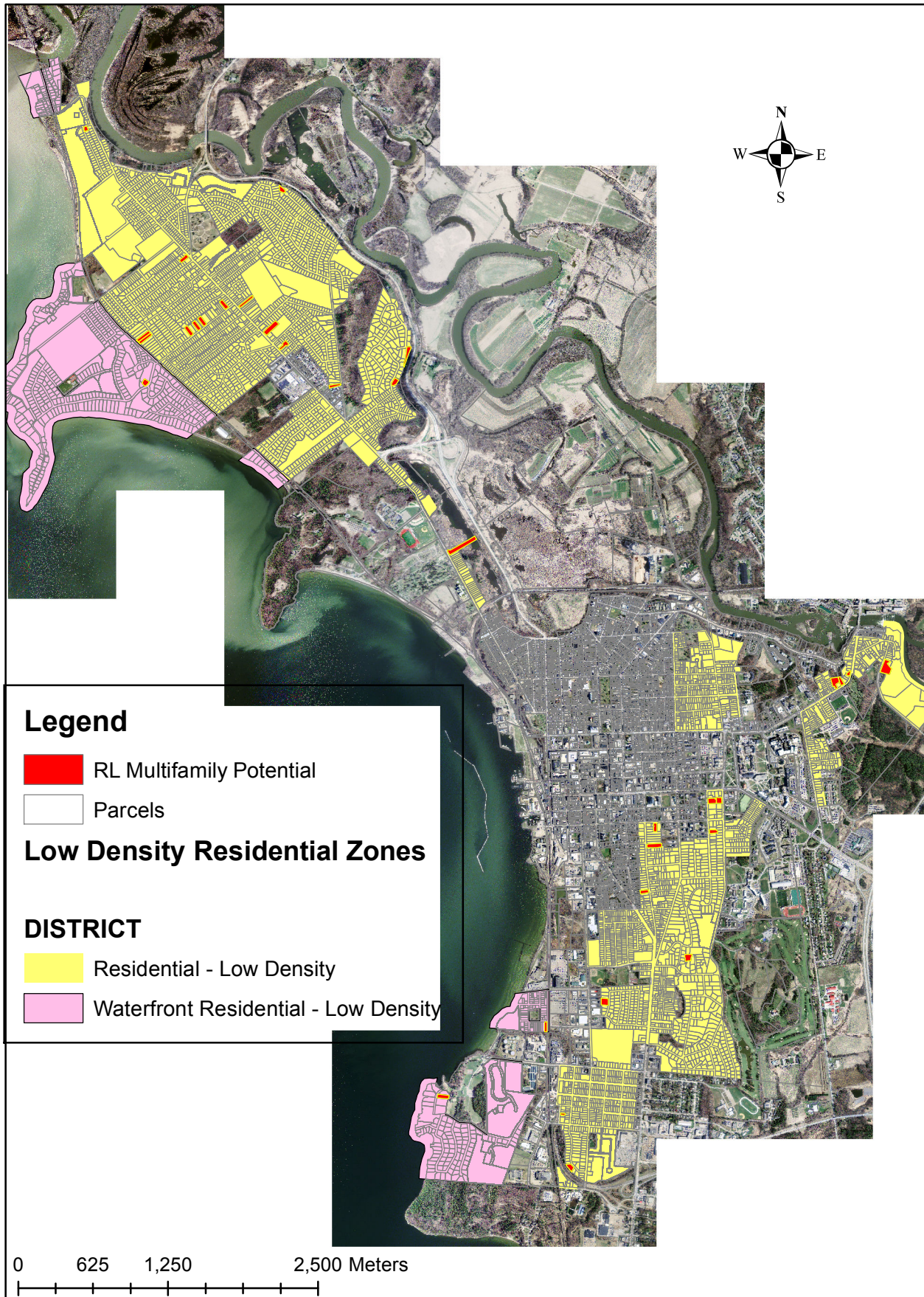
Existing language is below.

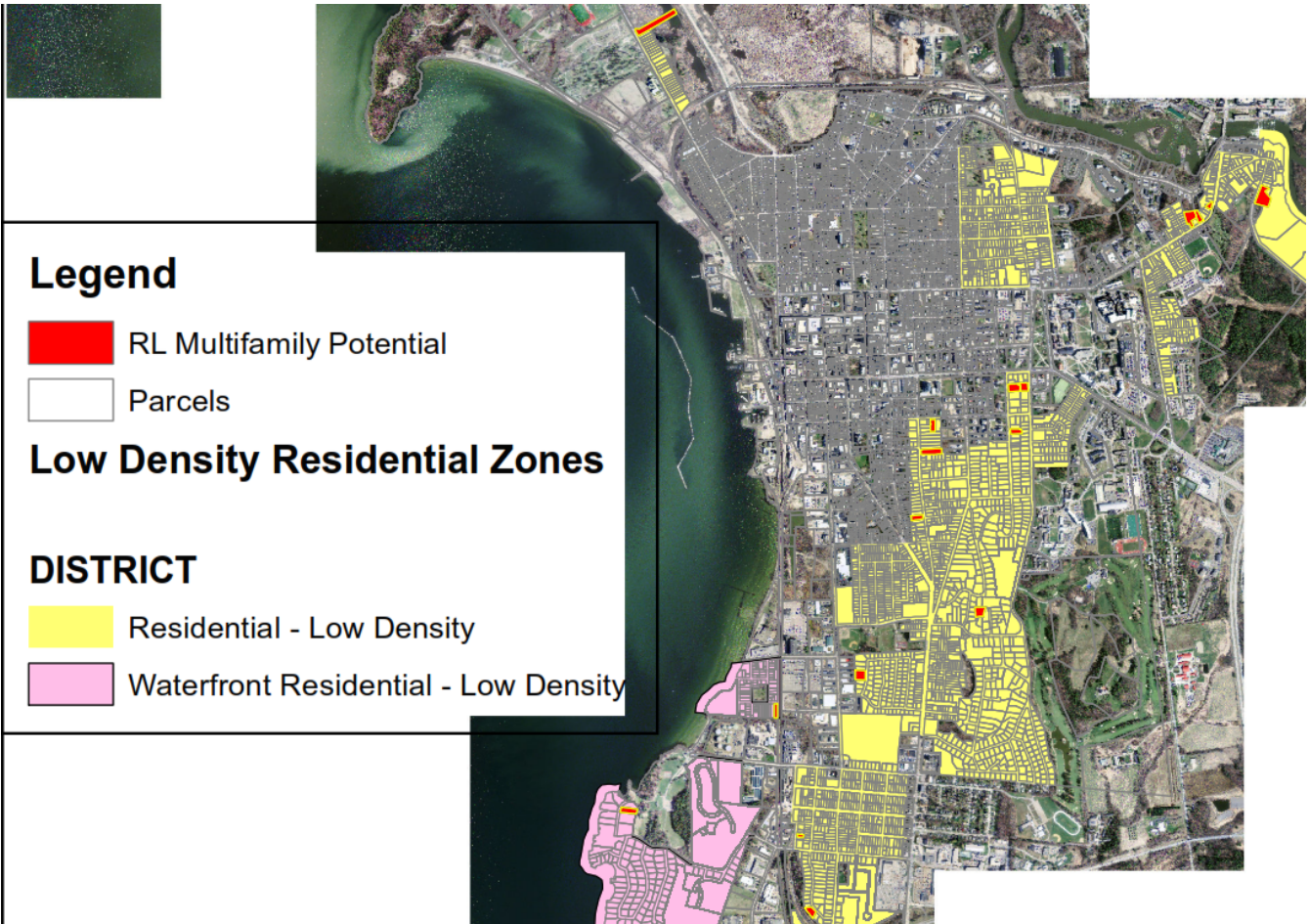
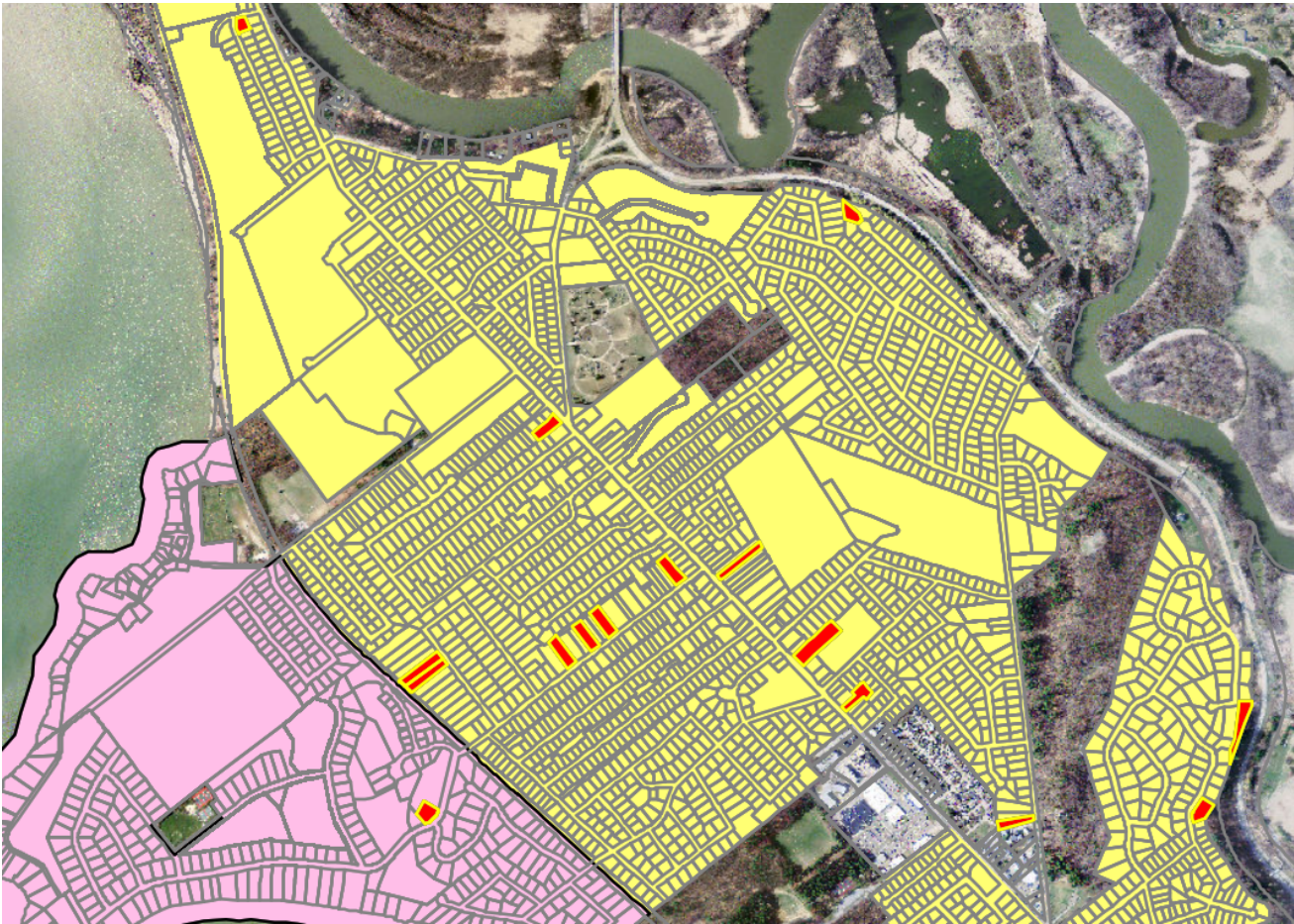
5. **Residential Density**

A. *Additional Unit to Multi-Family.*

One additional unit may be added to structures located in the RL district which legally contained two or more units as of January 1, 2007, if approved in advance as a conditional use, by the DRB.

Low Density Residential - Multifamily Potential





Legend

-  RL Multifamily Potential
-  Parcels

Low Density Residential Zones

DISTRICT

-  Residential - Low Density
-  Waterfront Residential - Low Density

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Burlington Planning Commission Report Municipal Bylaw Amendment ZA-19-XX Parking Amendments **DRAFT**

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 proposed amendment is to update Table 8.1.8-1 to include "Art Gallery/Studio" consistent with Appendix A and Article 13 within the *Burlington CDO*; to update Table 8.1.8-1 to include parking requirements for small daycares and preschools that are consistent with the requirements for large daycares; to modify Sec. 8.1.14 to allow tandem parking for all dwelling units and to clarify its arrangement when used on multi-family sites; and to modify section 8.1.12 to allow parking within a front yard setback when the parking is within a driveway when there is room for at least one parking space beyond the setback.

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

Accommodating required parking on is one of the most frequent limitations to providing housing at the allowable densities articulated in the *Burlington CDO*. The proposed changes to tandem and front yard parking provides greater opportunity for accommodating the required parking on site, enabling residential development to more closely align with the Municipal Development Plan's housing action to "support the creation of new rental and owner-occupied housing units on every parcel of land zoned for residential development at the number of units allowed by zoning".

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

The proposed amendment does not have an impact on the proposed future land uses of the Municipal Development Plan. The proposed changes to tandem and front yard parking provides greater opportunity for accommodating the required parking on site, enabling residential unit development that more closely relates to the residential densities permitted in the *Burlington CDO*.

Implementation of specific proposals for planned community facilities:

The proposed amendment has no impact on planned community facilities.

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Shaleigh Draper Zoning Clerk



TO: Planning Commission
FROM: Scott Gustin
DATE: July 24, 2018
RE: Parking Amendments

At their June 7, 2018 meeting, the Ordinance Committee considered the following three zoning amendments related to parking standards. The Committee recommended forwarding the amendments along to the full Planning Commission with recommendation for approval.

1. Table 8.1.8-1, Minimum Off-Street Parking Requirements:

Table 8.1.8-1, *Minimum Off-Street Parking Requirements*, specifies minimum parking standards for all uses included in *Appendix A – Use Table – All Zoning Districts* in the CDO. Appendix A identifies “Art Gallery/Studio” as a use as does Article 13: *Definitions*; however, Table 8.1.8-1 refers only to “Art Gallery.” The proposed amendment is very simple. It changes “Art Gallery” in Table 8.1.8-1 to “Art Gallery/Studio.”

Table 8.1.8-1 Minimum Off-Street Parking Requirements			
	Neighborhood Districts	Shared Use Districts	Downtown Districts
Art Gallery/ <u>Studio</u>	3.3	2.5	1

During review of the zoning amendment establishing preschools as a separate use, the City Council Ordinance Committee noted the significant difference in parking requirements for small versus large daycares and preschools. The Committee specifically requested that the standards be reviewed and made consistent. The proposed amendment below applies the same parking standard to small and large daycares and preschools. As the number of employees and children increases, the parking requirement increases proportionately. The amendment goes a step further and specifies only drop-off spaces for the per-5 children requirement to reflect typical parking demands associated with daycare and preschool uses.

Table 8.1.8-1 Minimum Off-Street Parking Requirements			
	Neighborhood Districts	Shared Use Districts	Downtown Districts
Daycare – Large (Over 20 children) (per two (2) employees)	1 plus 1 <u>drop-off</u> per 5 children	1 plus 1 <u>drop-off</u> per 5 children	2 drop-off

Daycare – Small (20 children or less) (per two (2) employees)	1 <u>plus 1 drop-off per 5 children</u>	1 <u>plus 1 drop-off per 5 children</u>	1 <u>2 drop-off</u>
Preschool – Large (Over 20 children) (per two (2) employees)	1 plus 1 <u>drop-off</u> per 5 children	1 plus 1 <u>drop-off</u> per 5 children	1 plus 1 per 5 children <u>2 drop-off</u>
Preschool – Small (20 children or less) (per two (2) employees)	1 <u>plus 1 drop-off per 5 children</u>	1 <u>plus 1 drop-off per 5 children</u>	1 <u>2 drop-off</u>

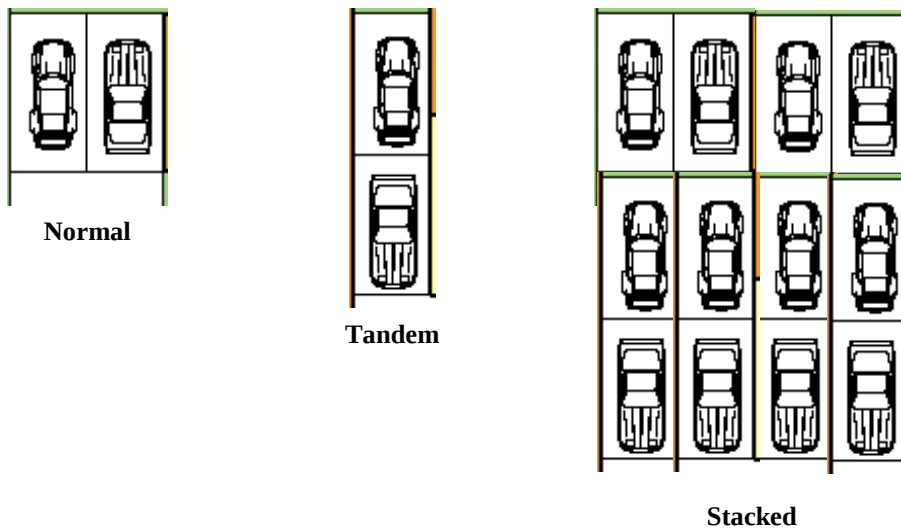
2. Sec. 8.1.14, Stacked and Tandem Parking Restrictions:

Sec. 8.1.14 specifies allowances for stacked and tandem parking arrangements. Criterion (a) addresses stacked parking and criterion (b) addresses tandem parking. Tandem parking is paired spaces, one behind the other (i.e. two in a row). Presently, tandem parking is allowed only for single detached dwelling units, accessory apartments, duplexes, and employee-only parking. Total onsite tandem spaces are limited to 4 spaces. The proposed amendment would enable tandem parking per dwelling unit for all residential uses. The limit of 4 tandem spaces would also be eliminated.

Sec. 8.1.14 Stacked and Tandem Parking Restrictions

Except as otherwise provided below, all parking facilities shall be designed so that each motor vehicle may proceed to and from the parking space provided for it without the moving of any other motor vehicle.

- (a) Stacked or valet parking may be allowed if an attendant is present to move vehicles. If stacked parking is used for required parking spaces, a written guarantee must be filed with the City ensuring that an attendant will always be present when the lot is in operation. The requirements for minimum or maximum spaces continue to apply for stacked parking.
- (b) Tandem Parking may be allowed for ~~single family detached dwelling units, accessory apartments, duplex dwelling units,~~ all dwelling units (whether attached or detached). Each dwelling unit may have a pair of tandem parking spaces, but any pair of tandem parking spaces shall not serve more than one dwelling unit. and Tandem parking may also be allowed for dedicated employee-only parking signed as such. ~~In no case shall more than 4 parking spaces (2 pairs) in total be provided in tandem on any one lot.~~



3. Sec. 8.1.12 (c) Front Yard Parking Restricted:

Sec. 8.1.12 (c) *Front Yard Parking Restricted* is intended to limit parking spaces within the front yard setback in all residential zones. The same language dates to the 1994 Zoning Ordinance. This provision has consistently been administered to prevent parking spaces within the front yard except for instances wherein the driveway or driveway and garage are long enough to contain at least one parking space outside of the front yard setback. In such instances, parking within the front yard setback is allowed because the driveway or driveway and garage are long enough to access at least one space outside of the front yard setback (i.e. “access drive”). More recently, the Development Review Board has ruled that all parking may be located within the front yard in residential zones so long as the driveway is 18’ wide or less. The DRB found that the administration of Sec. 8.1.12 (c) does not match how it is actually written.

The Ordinance Committee considered two options: 1) Rewrite Sec. 8.1.12 (c) to more explicitly state its intention to prevent parking within the front yard in residential zones or 2) simply delete the provision. The Committee elected to revise the section to more clearly state its intended effect.

Sec. 8.1.12 Limitations, Location, Use of Facilities

(a) Off-Site parking facilities:

As written.

(b) Downtown Street Level Setback:

As written.

(c) Front Yard Parking Restricted:

Required parking in all residential zoning districts shall not be located in a required front yard setback area abutting a public street, except alleys. This prohibition extends from the edge of the public right-of-way into the required front yard setback for the entire width of the property with the following exception: of Parking spaces may be located within the front

yard setback only within a single access-drive~~way~~ no more than eighteen feet (18') or less in width that is of sufficient length to contain at least one compliant parking space beyond the front yard setback or that accesses a garage or carport located beyond the front yard setback.

The provisions of this subsection shall not be applicable during such times as when the winter parking ban pursuant to Section 20-56 of the Code of Ordinances is in effect.

Where parking is provided outside the front yard setback, but either partially or entirely between the principle structure and the street, such parking shall be screened to the extent practicable from view from the public street.

(d) Shared Parking in Neighborhood Parking Districts:

As written.

(e) Single Story Structures in Shared Use Districts:

As written.

(f) Joint Use of Facilities:

As written.

(g) Availability of Facilities:

As written.

(h) Compact Car Parking:

As written.

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Burlington Planning Commission Report Municipal Bylaw Amendment ZA-19-XX Article 7 Sign Ordinance **DRAFT**

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 proposed amendment is a comprehensive update to the city's sign regulations in an effort to create a more prescriptive and objective series of sign types by which to regulate the dimensions, number, size, location, lighting, and general design of each type, and thereby assure content neutrality.

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 has no impact on the goals and policies in the Municipal Development Plan regarding the availability of safe and affordable housing.

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

The proposed amendment has no impact on the proposed future land uses and densities of the Municipal Development Plan.

Implementation of specific proposals for planned community facilities:

The proposed amendment has no impact on planned community facilities.

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Burlington Planning Commission

Tuesday, July 10, 2018, 6:30 P.M.

Conference Room 12, City Hall, 149 Church Street

Draft Minutes

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

I. Agenda

Call to Order	Time: 6:36 pm
Agenda	Approved As Is

II. Public Forum

Name	Comment	Commission Action?
Barbara Hedrick	Suggests modifying zoning ordinances to disallow division of single family homes to duplexes and multi-units.	

III. Report of the Chair

A Montroll	Welcome back to 4 reappointed members for another term.
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IV. Report of the Director

M Tuttle (Comprehensive Planner)	- S Draper began on 7/2 as Planning & Zoning Clerk - Mayor of Zittau, Germany visited last week to learn about planning & zoning regulations
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V. Annual Organizational Meeting

Position	Member(s)	Motion	Second	Action
Chair	A Montroll	Y Bradley		Approved Unanimously
Vice Chair	B Baker	J Wallace-Brodeur		Approved Unanimously
Exec. Committee At Large	Y Bradley	B Baker		Approved Unanimously
Clerk	S Draper	Y Bradley		Approved Unanimously

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Long Range Committee	E Lee H Roen J Wallace-Brodeur E Kujawa (CB) DRB Member TBD	A Montroll		Approved Unanimously
Ordinance Committee	A Montroll B Baker A Friend DRB Member TBD DAB Member TBD	Y Bradley		Approved Unanimously

VI. FY 2018 Annual Report to Council

Action: Approve report and forward to City Council		
Motion by: Y Bradley	Second by: J Wallace Brodeur	Vote: Approved Unanimously
Type: Discussion	Presented by: M Tuttle	
Discussion/Notes: A Montroll points out the large amount of work done in the past year, and thanks everyone for their time and hard work.		

VII. Proposed CDO Amendment: Groceries in E-LM

Action: Approve Municipal Bylaw Amendment report and warn for public hearing		
Motion by: Y Bradley	Second by: E Lee	Vote: Approved Unanimously
Type: Discussion	Presented by: M Tuttle	
Discussion/Notes: • Originated from request from City Market to expand the allowable size of groceries in the ELM to 35,000 sq.ft.; continue to be a Conditional Use. • A Hope notes City Market not expanding their footprint, but using space they have already built but cannot occupy.		

VIII. 2019 update to planBTV

Action: No Action Required		
Motion by:	Second by:	Vote:
Type: Presentation & Discussion	Presented by: M Tuttle	
Discussion/Notes:		
Presented outline for updated Comprehensive Plan and shared draft themes and geographic areas.		
Commissioner comments:		
"Sustainability" too generic and overused; find a different way to describe. - Land use framework good, but Preserve and Maintain sound similar. - Consider adding the lake as a distinctive element in the plan. - Add an element about more representation of diverse communities; often those involved in the decision making process lacks in diversity. Plan should emphasize inclusivity, involvement from a wider range of backgrounds and how diversity is one of city's characteristics. - Talk about city's youth in demographics, but also its character. This also poses a challenge/tension with needing housing/jobs to support population.		

- Management of utilities is more a dynamic theme; connectivity of utilities should discuss communications/internet/etc.
- Frame the plan as a work in progress, always improving, evolving in approach.
- Icons need work to be more representative/inclusive.

IX. Committee Reports

Executive	• Received an update on permits issued, revenues, expenses, for P&Z FY18. • Discussed a list of topics that will be coming up for future agendas.
Ordinance	Forthcoming recommendations: • Remove vestigial provision to add an additional unit to duplex in RL • Items clarifying tandem parking, access drives • Density Calculations
Long Range	• H Roen requested regular monthly meeting during planBTV update
Other	

X. Commissioner Items

Next Meeting	July 24, 2018 @ 6:30pm in Conference Room 12, City Hall
	E Lee shared info about tax law changes that establish opportunity zones. M Tuttle will ask CEDO if information has been made available.

XI. Minutes & Communications

Action: Approve Minutes		
Motion by: Y Bradley	Second by: H Roen	Vote: Approved Unanimously
Changes to Minutes: N/A		
Communications Filed: N/A		

XII. Adjourn

Adjournment	Time: 7:51pm	
Motion: H Roen	Second: E Lee	Vote: Approved Unanimously

July 10, 2018

Elizabeth Kohler
Tel: (802) 864-8382
ekohler@drm.com

To: Parties Entitled to Notice Pursuant to 30 V.S.A. § 248a(e) and Procedures Order
Re: AT&T Mobility: Modification to an Existing Wireless Communications Facility
43 Elmwood Street, Burlington, Vermont 05401
AT&T Site Name: Burlington (McKenzie House, VT6441)
60-DAY ADVANCE NOTICE

Dear Recipient:

New Cingular Wireless PCS, LLC d/b/a AT&T Mobility (“AT&T”) proposes to modify an existing telecommunications facility located at 43 Elmwood Street, Burlington, Vermont (the “Facility” or “Project”). The telecommunications facility is on the rooftop of a building known as the McKenzie House, on property owned by McKenzie House Associates (the “Property” or “Site”). Downs Rachlin Martin PLLC (“DRM”) represents AT&T in connection with the Project.

Pursuant to 30 V.S.A. § 248a, this letter is intended to provide 60 days advance notice that AT&T intends to submit a petition to the Vermont Public Utility Commission (“PUC”) for approval to modify the existing Facility at the Site. The Project supports AT&T’s deployment of FirstNet, the nationwide, interoperable network for first responders featuring uninterrupted data / voice access during emergencies. More information concerning FirstNet and its implementation in Vermont is available through the Vermont Department of Public Safety webpage: <http://psbc.vermont.gov/>.

Exhibit A to this notice is a statement that itemizes the rights and opportunities available to municipal representatives and planning officials pursuant to §§ 248a(c)(2), (e)(2), (m), (n), (o), and (p). This notice is being filed electronically with the PUC via its ePUC system to distribute to the Vermont Agency of Natural Resources, the Vermont Department of Public Service, the Vermont Division for Historic Preservation, and the Vermont Agency of Transportation (collectively, “Advance Notice Parties”).

AT&T’s petition will be filed pursuant to the PUC’s “Fifth Amended Order implementing standards and procedures for issuance of a certificate of public good for communications facilities pursuant to 30 V.S.A. § 248a,” dated September 14, 2017 (the “Procedures Order”). The Procedures Order, as well as more information concerning review of communications projects under 30 V.S.A. § 248a, is available at the PUC’s office in Montpelier and on its website: <http://puc.vermont.gov/>.

I. Project Description

The existing Facility consists of nine (9) antennas mounted to an exterior of the building within stealth enclosures and equipment cabinets and various appurtenances located on a rooftop steel platform.

The proposed Facility will consist of the following components:

- A. Replace one (1) existing panel antenna located within a stealth enclosure with one (1) new panel antenna within the same stealth enclosure, and relocate the existing panel antenna to the existing rooftop steel platform. The relocated panel antenna measures approximately 96” x 11.8”.

- B. Install two (2) new panel antennas, each measuring approximately 96" x 21", to the rooftop steel platform.
- C. Install nine (9) new remote radio head units ("RRUs"), six (6) of which will be mounted on the rooftop steel platform and three (3) of which will be mounted behind the existing rooftop parapet.
- D. Install one (1) surge arrestor to be mounted on the rooftop steel platform.
- E. Installation of ancillary improvements, appurtenances, cabling and hardware necessary for the operation of the Facility.

Each feature of the Facility is described and depicted in more detail on the Site Plan attached as Exhibit B. The height and width of the facility will not be increased. The Project will not create any permanent earth disturbance and will involve no tree clearing of any kind. In short, the Facility will not appear substantially different from the facility that exists at the Site today.

The Project will promote the general good of the state, consistent with 30 V.S.A. § 202c(b), and is compatible with municipal and regional plans, insofar as the Project will improve AT&T's wireless service and capacity in Burlington, while making available the FirstNet network to Chittenden County's first responders. The Project constitutes an eligible facilities request for purposes of federal law.

II. Opportunity to Comment; Contact for More Information

As a recipient of this notice, you or your organization will be notified when the petition is filed with the PUC, which will be at least 60 days from the date the PUC accepts this notice. During the 60-day period, should you have any questions relating to the Project, please direct all inquiries and/or comments to Angie Bruce, at (603) 952-8468, or email to Angie.Bruce@SAI-Comm.com. I can be reached at the telephone number and/or email provided in the letterhead above.

Once AT&T's petition has been accepted for filing by with the PUC, any interested person may submit comments and seek to intervene in the proceeding within 30 days of the receipt of the notification that the petition has been filed. Thank you in advance for your attention to this important project.

Sincerely,



Elizabeth Kohler

Enclosures

cc: Service List

Angie Bruce, Kellie A. Dunn (via electronic mail)

McKenzie House Associates, Attn: Evan Langfeld (US Mail)



draft for dynamic theme

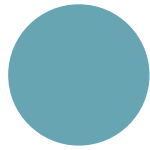
planBTV:

Burlington's Comprehensive Plan

Presentation to: Planning Commission

July 24, 2018

Key to this Presentation



= policy statements



= action items

These symbols represent:



Relationship to an EXISTING element



A policy or action that is new, or has a new focus

And, these symbols identify how each action will be cross-referenced to a specific topic:



LAND USE (LU)



ENERGY (E)



HOUSING (H)



FACILITIES &
SERVICES (CFS)



EDUCATION (K-12)



TRANSPORTATION (T)



NATURAL
ENVIRONMENT (NAT)



BUILT
ENVIRONMENT (BE)



ECONOMIC
DEVELOPMENT (ED)



HISTORIC
PRESERVATION (HP)

Our Plan for BTV

Themes for Policies & Actions

Burlington is...

DYNAMIC



Burlington is a small community that is a major growth center in Chittenden County and Vermont. It is also though a leader, addressing its current needs and embracing the future by utilizing innovative solutions that adhere to principles of environmental, economic, and social sustainability

DISTINCTIVE



Burlington has a rich architectural legacy, set within an exceptional natural setting, which together provide the foundation for its vital economy, human-scale environment, and high quality of life. It will remain the core of a regional population, economic and cultural center, and will grow in a way that allows it to meet its current and future needs without compromising these celebrated characteristics

INCLUSIVE



Burlington will grow in a way that is equitable for both its current and future residents. The city welcomes and embraces residents of diverse social, demographic, and economic backgrounds and of all abilities. It is accessible, affordable, provides meaningful jobs for all skill levels, and robust opportunities for participation in decision-making. In particular, Burlington is part of a region that, together, shares in the responsibility of providing a diverse housing stock and a healthy job market.

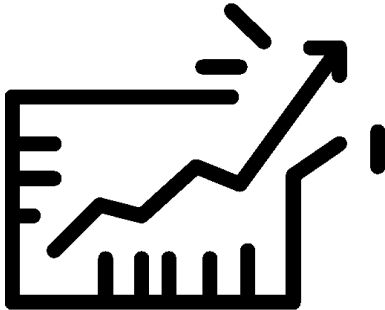
CONNECTED



Burlington is an open and welcoming community that evolves through the careful coordination of land use and development. This well-planned growth preserves, enhances, and fosters integrity within and among the city's physical, social and environmental systems.

Our Plan for BTV:

Burlington as a Dynamic City



Burlington is a small community that is a major growth center in Chittenden County and Vermont. It will continue to evolve, addressing its current needs and embracing the future by utilizing innovative solutions that are environmentally, economically, and socially sound.

What is the Dynamic theme all about?

Being a regional nucleus and growth center in county

Meeting the basic needs of residents in a way that is environmentally, socially, and economically sound

Diverse economic, housing, and transportation options

Evolving in response to new and chronic challenges, rather than being static at a point in time

Management of public utilities and services (particularly capacity to support land use patterns)

Adaptation and Resiliency to Climate Change

Economic Vitality

Being a leader of/center for innovation and problem solving

Becoming a Net Zero Community

As a dynamic city, Burlington will...

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Economic Vitality

Being a leader of/center for innovation and problem solving

Management of public utilities and services (particularly capacity to support land use patterns)

1

Promote land use, development, housing, transportation and economic development policies and public improvements that support Burlington's role as a Regional Growth Center in Chittenden County. Specifically, target sustainable development activities into core areas of the city, including along major corridors, in downtown and neighborhood mixed use areas, and in enterprise districts.

This policy statement is based on these existing policies:

LU 5

Strengthen the City Center District (CCD) with higher density, mixed-use development as part of the regional core while ensuring that it serves the needs of city residents, particularly those in adjacent neighborhoods

H 1

Encourage a healthier regional balance of affordable housing in each community, proximate to jobs and affording mobility and choice to low income residents

ED 1

Nurture sustainable development to provide for the city and its residents over the long term

ED 5

Invest in the necessary public improvements, particularly transportation, to strengthen the Downtown, both as a Regional Growth Center and as a city neighborhood

ED 6

Work with neighboring communities, regional agencies, and state government to promote land use and development policies that support Burlington's role as the Regional Growth Center

ED 6

Support sustainable development activities in targeted areas of the City, including the Enterprise Community, Neighborhood Activity Centers, the Pine Street Corridor, and the Downtown Waterfront.

2019 update to

planBTV:
Burlington's Comprehensive Plan

1

Promote land use, development, housing, transportation and economic development policies and public improvements that support Burlington's role as a Regional Growth Center in Chittenden County. Specifically, target sustainable development activities into core areas of the city, including along major corridors, in downtown and neighborhood mixed use areas, and in enterprise districts.

Supporting ACTION ITEMS:

RELATED TOPIC (s)

RELATIONSHIP TO 2014 MDP:

1.1

Advocate for and proactively support the development of additional housing at all income levels consistent with the regional Building Homes Together goal of 3,500 new housing units in Chittenden County by 2022. To meet this goal: consider regional land use approaches, reducing regulatory barriers and disincentives to new housing production, and utilizing underdeveloped and undeveloped properties in neighborhood mixed use and residential zoning districts.

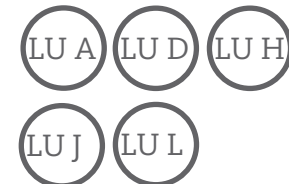


Adapted from
Housing Action
Plan/ CCRPC



1.2

Examine opportunities for allowing higher density, mixed use development, that is designed to support alternative transportation, along portions of the City's major corridors and transit routes, including Pine Street, Shelburne Road, North Avenue, Main Street, Colchester Avenue, and Riverside Avenue.



1.3

Evaluate neighborhood mixed use areas to better understand the capacity of these areas to accommodate additional development. *In some parts of the city, this may include a neighborhood master plan similar to planBTV: Downtown and Waterfront, while in others, it may simply evaluate the physical capacity of a group of properties for infill or redevelopment.*



1

Promote land use, development, housing, transportation and economic development policies and public improvements that support Burlington's role as a Regional Growth Center in Chittenden County. Specifically, target sustainable development activities into core areas of the city, including along major corridors, in downtown and neighborhood mixed use areas, and in enterprise districts.

Supporting ACTION ITEMS:

RELATED TOPIC (s)

RELATIONSHIP TO 2014 MDP:

- | | | | | | |
|-------|---|---|---|----------|---|
| 1.5 | Evaluate the redevelopment potential, through sale or public-private partnership, of city-owned lands for mixed-use development to include housing. Priority sites include the Elmwood Avenue Parking Lot and the city-owned parking lot at Main Street and Winooski Avenue. |    |  | Based on |  |
| <hr/> | | | | | |
| 1.6 | Consider land use policy changes that would encourage the development of additional student housing and educational facilities and amenities on the higher-education institutions' campuses, particularly at the UVM Trinity Campus. |    |  | Based on |  |
| <hr/> | | | | | |
| 1.7 | Prepare a comprehensive economic development strategy for the city. This strategy should identify Burlington's economic advantages relative to the region; what industries and businesses should be targeted in core areas of the city; strategies for recruitment, retention, and expansion of businesses; and workforce development priorities. |  |  | Based on |   |
| <hr/> | | | | | |
| 1.8 | Continue to cleanup and redevelop brownfields, particularly in the South End and on the waterfront, to improve the environment, increase the tax base, create and retain jobs, and curb sprawl. The 2016 Brownfields Area Wide Plan identifies next steps for remediation and redevelopment of a number of brownfield sites in the South End. |    |  | | |

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Adaptation and Resiliency to Climate Change

Economic Vitality

Being a leader of/center for innovation and problem solving

Management of public utilities and services (particularly capacity to support land use patterns)

2

Encourage a wide range of land uses and housing and non-residential development models that respond to and benefit from the different and evolving needs of households, new technologies, and changing environmental and economic factors.

This policy statement is based on these existing policies:

BE 5

Encourage new land uses and housing designs that serve changing demographics and benefit from new technologies where appropriate

H 7

Encourage a wide range of housing options to meet different and changing needs of households with children, the elderly, people with disabilities, and moderate- and low-income households

ED 3

Promote and support locally owned and controlled small businesses including home occupations appropriate to the character of the neighborhood

BE 11

Ensure building design and public amenities take into account Burlington's northern climate

2019 update to

planBTV:
Burlington's Comprehensive Plan

2

Encourage a wide range of land uses and housing and non-residential development models that respond to and benefit from the different and evolving needs of households, new technologies, and changing environmental and economic factors.

Supporting ACTION ITEMS:

RELATED TOPIC (s)

RELATIONSHIP TO 2014 MDP:

2.1 Examine the feasibility of public bonding for affordable housing preservation or for housing construction where appropriate, and work with housing advocates, agencies, and state and federal legislators to create new funding sources to support the creation of affordable housing.	 	 
2.2 Consider land use policy changes regarding short-term rentals that strike a balance between the homeowner benefits and preservation of long-term housing for Burlington residents.	 	
2.3 Consider land use policy changes and/or programs that encourage the development of accessory dwelling units in low and medium density residential areas as a way to provide additional housing in existing neighborhoods, offset homeownership costs, and enable older adults to age in place.	  	 Statutory requirement & based on Housing Action Plan
2.4 Continue to utilize stormwater best management practices and innovative techniques within new development, redevelopment, and parking.	  	 

2

Encourage a wide range of land uses and housing and non-residential development models that respond to and benefit from the different and evolving needs of households, new technologies, and changing environmental and economic factors.

Supporting ACTION ITEMS:

RELATED TOPIC (s)

RELATIONSHIP TO 2014 MDP:

2.5

Change zoning requirements regarding parking to "un-bundle" parking from housing development, including impact fee or payment-in-lieu options, elimination of minimum parking requirements in core areas of the city, or basing parking count on number of bedrooms.



Based on 2011
Transportation Plan
& Housing Action
Plan

2.6

Continue to monitor on-street, structured parking, and curb-size loading zone utilization city-wide, and assess what impact changes in rates of car ownership and alternative transportation usage, autonomous vehicle technology, and delivery methods and frequency have on this utilization.



2.7

Develop an ordinance regarding green and high performing buildings that takes into account Burlington's climate and environmental priorities, that can be implemented by building owners and developers and can be reasonably monitored and enforced by the city.



Based on



2.8

Ensure that zoning and building codes accommodate the evolving needs of commercial and industrial work spaces as these industries adapt to changing markets, product availability, production techniques, and sales and distribution methods.



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Management of public utilities and services (particularly capacity to support land use patterns)

3

Coordinate land use and development with the availability and capacity of public services, facilities, and utilities to ensure a high level of service and mitigate hazards.

This policy statement is based on these existing policies:

CFS 1

Make the most effective and efficient use of existing services, buildings, utilities, and facilities before adding new capacity or initiating new construction

CFS 2

Coordinate land use and development with the availability and capacity of public services, facilities, and utilities in order to ensure a high level of service

2019 update to

planBTV:
Burlington's Comprehensive Plan



Coordinate land use and development with the availability and capacity of public services, facilities, and utilities to ensure a high level of service and mitigate hazards.

<u>Supporting ACTION ITEMS:</u>	<u>RELATED TOPIC (s)</u>	<u>RELATIONSHIP TO 2014 MDP:</u>
3.1 Implement policy, operational and capital improvements that will help the city become more resilient to natural, technological and societal hazards and mitigate the impact of these hazards.	   	
3.2 Maintain grid reliability while working to leverage the electric grid to displace fossil fuel in the thermal and ground transportation sectors, as outlined in BED Tier 3 plan and BED Integrated Resource Plan	  	
3.3 Make use of existing buildings, facilities, and services before adding new capacity.	 	
3.4 Evaluate the zoning for public school sites in comparison to necessary capital improvements and projected needs of the district, and identify zoning changes necessary to enable existing schools and district properties to be renovated or redeveloped to meet future needs.	 	
3.5 Estimate future school enrollments based on a combination of population, land use, and housing projections, and better estimate the potential impacts on school facilities as a result of new developments during the Technical Review Committee.	  	 

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4

Pursue projects and policies that will strengthen its built, natural, and social environments in order to be more adaptable to and resilient against the effects of

This policy statement is based on these existing policies:

NEW

This policy was developed for the 2019 update with the goal of explicitly outlining an effort to reduce contributions to and adapt to the effects of climate change.

4

Pursue projects and policies that will strengthen its built, natural, and social environments in order to be more adaptable to and resilient against the effects of climate change.

<u>Supporting ACTION ITEMS:</u>	<u>RELATED TOPIC (s)</u>	<u>RELATIONSHIP TO 2014 MDP:</u>
4.1 Develop a comprehensive education/outreach program to increase public awareness about the effects of global climate change on public health, the economy and the environment	  	
4.2 Ensure building design and public amenities take into account Burlington's northern climate, and anticipated environmental hazards.	 	 Built Env. and Natural Env. Policy Statements
4.3 Consider modifications or additions to the BED Integrated Resource Plan to include energy resource proximity to Burlington and land requirements as metrics for inclusion in the next plan.	  	
4.4 Establish a Sustainable Development Business Program, that builds upon the current efforts of BED within the commercial and industrial sectors, to provide information, education and resources to the business community regarding making their business practices and processes more environmentally friendly, energy efficient, and sustainable.	  	Based on  
4.5 Continue to enforce and refine Natural Resource Overlay zones to protect flood and fluvial erosion hazard areas and mitigate risks to life, property, and public infrastructure.		 Statutory Requirement

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5

Make tangible efforts to reduce greenhouse gas emissions and become a Net Zero Energy community.

This policy statement is based on these existing policies:

E 1

Optimize overall energy efficiency, reduce energy requirements, and minimize the need for new energy resources on a city-wide basis

E 2

Continue to aggressively pursue the transition to renewable sources, co-generation, and district heating

E 4

Reduce transportation energy use by lessening reliance on drive-alone car trips, using more fuel-efficient vehicles, promoting increased transit use, and decreasing vehicle miles traveled

2019 update to

planBTV:
Burlington's Comprehensive Plan

5

Make tangible efforts to reduce greenhouse gas emissions and become a Net Zero Energy community.

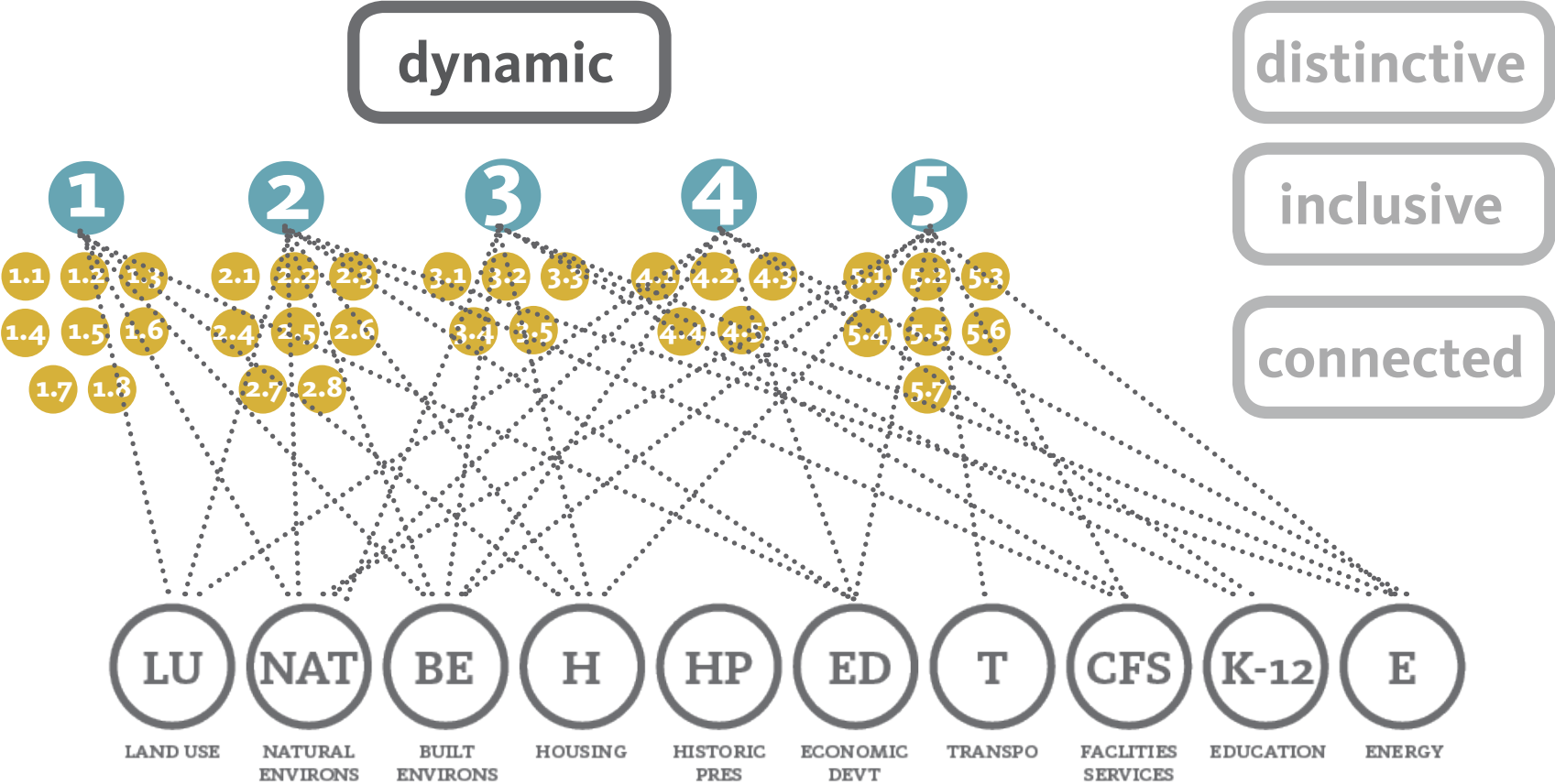
<u>Supporting ACTION ITEMS:</u>	<u>RELATED TOPIC (s)</u>	<u>RELATIONSHIP TO 2014 MDP:</u>
5.1 Develop a roadmap and public process to consider how to transition Burlington to a net zero energy city in the electric, thermal and ground transportation sectors.	   	
5.2 Continue to participate in and support the Burlington 2030 District mission to reduce buildings' energy and water consumption and transportation emissions by 50% by 2030.	   	
5.3 Regularly update the energy benchmarks for city buildings, to inform energy efficiency retrofits.	 	Based on 
5.4 Continue BED work on improving energy efficiency in the commercial and industrial sectors as the largest consumers.	 	

5

Make tangible efforts to reduce greenhouse gas emissions and become a Net Zero Energy community.

<u>Supporting ACTION ITEMS:</u>	<u>RELATED TOPIC (s)</u>	<u>RELATIONSHIP TO 2014 MDP:</u>
5.5 Work with the City on permit reform that makes solar energy permitting more efficient and work to disseminate permit information to stakeholders and the public.	 	
5.6 Continue work on feasibility to implement biomass-led district energy system to displace fossil fuel emissions in the heating sector.	   	
5.7 Pursue reductions in CO2 emissions in the transportation sector, leveraging what has been accomplished through selection of renewable electric resources to help city pursue its Net Zero as a community goal. In particular, expand incentives for electric vehicles, buses, and bikes to include charging infrastructure at home and at work; attractive rates for electric vehicle charging in off-peak times; and solicit for innovative ways to continue to advance this goal.	 	

Reorganizing BTV



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, July 24, 2018, 6:30 P.M.

Conference Room 12, City Hall, 149 Church Street

Minutes

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

I. Agenda

Call to Order	Time: 6:35 pm
Agenda	Approved As Is; B Baker chaired

II. Public Forum

Name	Comment	Commission Action?
No members of public spoke		

III. Report of the Chair

B Baker	• No report
---------	-------------

IV. Report of the Director

D White	• Planning & Zoning office has been focused on ordinance amendments, the master plan, permit reform, and exploring ideas and data on new organizational structures • Working on bigger picture parking amendments in the downtown area
---------	--

V. Proposed CDO Amendment: Density Calculations

Action: Reapprove the Municipal Bylaw Amendment and forward to City Council		
Motion by: E Lee	Second by: A Friend	Vote: Approved Unanimously
Type: Discussion	Presented by: S Gustin	
Discussion/Notes: S Gustin explains the basis of the amendment was an attempt to eliminate wording about rounding, but now is a number of clarifications on the method for calculating density.		

This agenda is available in alternative media forms for people with disabilities. Individuals with disabilities who require assistance or special arrangements to participate in programs and activities of the Dept. of Planning & Zoning are encouraged to contact the Dept. at least 72 hours in advance so that proper accommodations can be arranged. For information, call 865-7188 (865-7144 TTY). Written comments may be directed to the Planning Commission at 149 Church Street, Burlington, VT 05401.

VI. Proposed CDO Amendment: Additional Residential Units in RL

Action: Approve Municipal Bylaw Amendment Report and warn for public hearing		
Motion by: Y Bradley	Second by: E Lee	Vote: Approved Unanimously
Type: Discussion	Presented by: S Gustin	
Discussion/Notes: S Gustin explained this was a long-lasting provision that has been requested to be removed. Analysis shows there are few properties that would qualify based on solely density and lot size, so keeping or deleting the provision will not make a significant impact on the number of housing units city-wide. Staff and Ordinance Committee recommends to delete the provision for clarity and transparency. The Commission agreed that the provision does not support the objective of having a clear and predictable ordinance.		

VII. Proposed CDO Amendment: Parking Amendments

Action: Approve the Municipal Bylaw Amendment Report and warn for public hearing		
Motion by: H Roen	Second by: A Friend	Vote: Approved Unanimously
Type: Discussion	Presented by: S Gustin	
Discussion/Notes: Four amendments to the parking standards including the addition of terminology of “Art Gallery/Studio” to update Table 8.1.8-1, to update Table 8.1.8-1 to include parking requirements for small daycares and preschools that are consistent with the requirements for large daycares; to modify Sec. 8.1.14 to allow tandem parking for all dwelling units and to clarify its arrangement when used on multi-family sites; and to modify section 8.1.12 to allow parking within a front yard setback when the parking is within a driveway when there is room for at least one parking space beyond the setback. • A concern was expressed about front yard parking. S Gustin clarified the amendment is not allowing anything new, just clarifying what is already allowed to ensure driveways must access at least one parking space beyond the setback.		

VIII. Proposed CDO Amendment: Sign Ordinance

Action: Commission requested additional information from staff for further discussion		
Motion by:	Second by:	Vote:
Type: Presentation & Discussion		Presented by: D White
Discussion/Notes:		
Goal is for the sign ordinance to be more content neutral, with objective standards for sign types, and to be consistent, clear, and predictable. • Wrestling with how to regulate murals. One option is to categorize by “non-commercial” and “commercial” and exempt murals that do not contain any commercial language/message. If it does contain a commercial message/language, then strictly prohibit them. Another option is to regulate and allow all murals and create a sign type for murals that describes what is allowed. • Commission suggests considering a third option: no regulation for murals that do not contain commercial messages/language, and if it does then to create a set of standards to regulate murals with commercial messages/language • Questions were raised including, what should be considered a commercial message? How specific should that be? Text or images? Do we regulate text? Do we regulate the size, height, amount of text that is allowed on the mural? How much of the mural can be dedicated to the commercial message? Should we regulate something that people are paying to create? • Commission requested information on these questions for further discussion, including examples of other city’s ordinances and regulations on murals.		

IX. 2019 Update to planBTV

Action: Item deferred to a future meeting due to loss of quorum.		
Motion by:	Second by:	Vote:
Type: Presentation & Discussion		Presented by: M Tuttle
Discussion/Notes: N/A		

X. Committee Reports

Executive	No Report
Ordinance	No Report
Long Range	Will discuss next steps for South End Plan in August.
Other	

XI. Commissioner Items

Next Meeting	August 14, 2018 @ 6:30pm in Conference Room 12, City Hall
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XII. Minutes & Communications

Action: Approved Minutes & placed communications on file		
Motion by: A Friend	Second by: E Lee	Vote: Approved Unanimously
Changes to Minutes: N/A		
Communications Filed: Advanced Notice of 43 Elmwood Street Certificate of Public Good		

XIII. Adjourn

Adjournment	Time: 8:09 pm	
Motion: A Friend	Second: E Lee	Vote: Approved Unanimously



Signed: August 17, 2018

Bruce Baker, Vice-Chair



Shaleigh Draper, Planning and Zoning Clerk