

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
Michael Gaughan
Emily Lee
Brynne Martin

PUBLIC HEARING NOTICE

Burlington Comprehensive Development Ordinance Amendment

ZA-22-03: Steep Slopes

ZA-22-05: Burlington High School Zoning

ZA-22-06: Transitional Shelter

ZA-22-07: Maximum Parking & TDM

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 during the Planning Commission meeting on **Tuesday, June 14, 2022, with the hearing starting at Time Certain 6:45pm**. You may access the hearing/meeting as follows:

To join virtually from a Computer, please click this URL to join, and enter the Webinar ID if prompted:

Link: <https://us02web.zoom.us/j/85626575088> **Webinar ID:** 856 2657 5088

To join virtually by phone, dial this number and enter the Webinar ID when prompted:

Number: +1 312 626 6799 **Webinar ID:** 856 2657 5088

To join the meeting in person:

Sharon Bushor Room, Room 102, City Hall, 149 Church Street, Burlington, VT 05401

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

Statement of purpose:

The purpose of the proposed amendments are as follows:

- **ZA-22-03:** To identify areas within the city with 15% or steeper slopes and adjacent upslope lands and outline criteria for addressing slope stability and suitability for development
- **ZA-22-05:** To rezone the Burlington High School site on Institute Road to enable public schools as a permitted use in a new Burlington High School Campus Overlay Zone
- **ZA-22-06:** To enable for managed temporary shelters as a form of emergency shelter for people experiencing homelessness
- **ZA-22-07:** To replace minimum parking requirements with maximums, modify transportation demand management requirements, and revise certain use and situational parking standards

Geographic areas affected:

These amendments apply to the following areas of the city:

- **ZA-22-03:** All areas and zoning districts within the city.
- **ZA-22-05:** The Burlington High School property located at 52 Institute Road
- **ZA-22-06:** All areas and zoning districts within the city
- **ZA-22-07:** All areas and zoning districts within the city

ZA-21-07, 21-08, 21-09

List of section headings affected:

The proposed amendments modify the following sections of the *Burlington Comprehensive Development Ordinance*:

- **ZA-22-03:** Modifies Sec. 5.2.4; Creates Map 5.2.4.1 – Steep Slopes Overlay District
- **ZA-22-05:** Modifies Sec. 4.4.4-A; Sec. 4.4.4-C; Creates Sec. 4.5.2-B(6) – Burlington High School Campus; Creates Sec. 4.5.2-H – District Specific Regulations: Burlington High School Campus (BHS); Creates Map 4.5.2-8 ICC-BHS: Burlington High School Campus; Creates Sec. 4.5.2.H-4 and 4.5.2.H-5
- **ZA-22-06:** Modifies Sec. 5.4.13, Sec. 3.2.7, and Sec. 13.1.2
- **ZA-22-07:** Modifies Sec. 4.4.1-D, Sec. 4.4.5-D, Sec. 4.5.3-C, Sec. 4.5.6-C, Sec. 5.1.1-C, Sec. 5.1.1-D, Sec. 5.3.6-C, Sec. 5.4.12-A, Sec. 8.1.3, Sec. 8.1.3-A, Sec. 8.1.3-B, Sec. 8.1.3-C, Sec. 8.1.4, Sec. 8.1.5; Deletes Sec. 8.1.6, Sec. 8.1.7; Modifies Sec. 8.1.8; Deletes Table 8.1.8 - Minimum Off-Street Parking Requirements; Modifies Sec. 8.1.9; Modifies Table 8.1.9-1 – Maximum Off-Street Parking Requirements; Modifies Sec. 8.1.9-A, Sec. 8.1.12; Deletes Sec 8.1.15; Modifies Sec. 8.1.16-B; Sec. 8.1.16-C; Modifies Sec. 8.3.3, Sec. 8.3.4 and Sec. 8.3.5.

The full text of the *Burlington Comprehensive Development Ordinance* is available online at www.burlingtonvt.gov/DPI/CDO. The proposed amendment can be reviewed in hard copy posted on the first floor of City Hall, 149 Church Street, Burlington or online at <https://www.burlingtonvt.gov/DPI/CDO/Amendments>

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Regular Meeting Burlington Planning Commission

Tuesday, June 14, 2022, 6:30 P.M.

In-Person and Remote Meeting via Zoom

Bushor Conference Room (Room 102), 1st Floor of City Hall, 149 Church Street

To Join the Meeting on a Computer

Link: <https://us02web.zoom.us/j/85626575088>

To Join the Meeting on a Phone

Number: +1 312 626 6799 Meeting ID: 856 2657 5088

AGENDA

I. Agenda

II. Public Forum *See details on pg 3 of packet for participating remotely.*

III. Chair's Report

IV. Director's Report

V. Public Hearing: Proposed ZA-22-03 Steep Slopes

The Commission will hold a public hearing on a proposed amendment to the Burlington *Comprehensive Development Ordinance* regarding steep slopes and adjacent upslope lands and related development standards. Information related to this item is in the agenda packet on page 6.

Staff Recommendation: Approve the Municipal Bylaw Amendment report and warn a public hearing.

VI. Public Hearing: Proposed ZA-22-05 Burlington High School Zoning

The Commission will hold a public hearing on a proposed amendment to the Burlington Comprehensive Development Ordinance regarding zoning of the Burlington High School site on Institute Road. Information related to this item is in the agenda packet on page 11.

Staff Recommendation: Approve the Municipal Bylaw Amendment report and warn a public hearing.

VII. Public Hearing: Proposed ZA-22-06 Transitional Shelter

The Commission will hold a public hearing on a proposed amendment to the Burlington Comprehensive Development Ordinance regarding zoning standards for managed temporary shelters as a form of emergency shelter for people experiencing homelessness. Information related to this item is in the agenda packet on page 20.

Staff Recommendation: Approve the Municipal Bylaw Amendment report and warn a public hearing.

VIII. Public Hearing: Proposed ZA-22-07 Maximum Parking & TDM

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

The Commission will hold a public hearing on a proposed amendment to the Burlington Comprehensive Development Ordinance regarding the replacement of minimum parking requirements with maximums allowed, the modification of transportation demand management requirements and revisions to certain use and situational parking standards. Information related to this item is in the agenda packet on page 26.

IX. Commissioner Items

- a. Upcoming Meetings will be hybrid/online unless otherwise noted – June 28, at 6:30 pm
Committee Reports – none
- b. June 23 Trinity
- c. June 29th and July 7th SEID meetings

X. Minutes & Communications

- a. The minutes of the May 25 meeting are enclosed in the agenda packet on page 56.
- b. Communications are enclosed in the agenda packet on page 60.

XI. Adjourn

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Staff Recommendation: Approve the Municipal Bylaw Amendment report, make any changes and refer to Council with recommendation.

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The Commission will hold a public hearing on a proposed amendment to the Burlington *Comprehensive Development Ordinance* regarding zoning of the Burlington High School site on Institute Road. Information related to this item is in the agenda packet on page 11.

Staff Recommendation: Approve the Municipal Bylaw Amendment report, make any changes and refer to Council with recommendation.

VII. Public Hearing: Proposed ZA-22-06 Transitional Shelter

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Staff Recommendation: Approve the Municipal Bylaw Amendment report, make any changes and refer to Council with recommendation.

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Committee Reports – none
- b. June 23rd Trinity Campus Public Meeting
- c. June 29th and July 7th – South End Innovation District Public Meetings

X. Minutes & Communications

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Guidance for Participating in a Virtual Planning Commission Meeting

As social distancing measures to preserve public health and safety continue to be required to prevent the spread of COVID-19, or are recommended as a standard practice, the Office of City Planning will be supporting the Planning Commission to conduct their meetings online via Zoom. Here is information about how to join a virtual meeting, and what to expect while participating.

General Guidance for Public Participation

Please remember that in this digital meeting environment, meetings are open to the public and anyone may be watching or listening even if you cannot see them. Meetings will be recorded, and both the recording and chat content of the meeting will be maintained as a public record.

Please ensure your display photo and screen name are professional, such as using your first and last name. Please test your audio and video prior to the start of a meeting, and familiarize yourself with how to join a meeting by your chosen method. And finally, please be patient with us. Technology doesn't always work as planned, and we are all learning how to hold a successful virtual meeting!

How to Join a Virtual Meeting

Zoom allows participation via either computer or telephone. Each agenda for a meeting that will be conducted virtually will include details about how to join via either of these options, including a web address, phone number, Meeting ID, and password.

If you participate via computer, you have the option of seeing Commissioner videos and any presentation materials that may be shared. If you use either a standard phone or cell phone to call in, you will only hear the audio portion of the meeting. If you join via a smartphone, you may have the option to download the Zoom app, which will enable you to see and hear the meeting.

How to Participate in a Virtual Meeting

During meetings, only Planning Commission members and limited staff members will be viewed on video. Members of the public attending a meeting will be muted, except when invited to speak during public forum or a public hearing. Whether members of the public can speak at other times during the meeting is the discretion of the Chair.

If you want to speak during public forum, please take the following steps to assist us in making this process run as smoothly as possible:

- Email staff at mtuttle@burlingtonvt.gov by 5pm on the day before a meeting to indicate your interest in speaking. You do not need to provide your comments. Staff will enable your microphone as your name is called from a list of interested speakers.
- During a meeting, you can use the "Raise Hand" feature, or indicate in a chat message that you wish to speak during public forum. Staff will enable your microphone as your name is called.
- If you are interested in submitting your comments in writing instead of speaking during the meeting, you may do so by 5pm the day before a meeting, they will be forwarded to the Commissioners ahead of the meeting.

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TO: Planning Commission
FROM: Scott Gustin, Principal Planner & Zoning Division Manager
DATE: May 19, 2022
RE: Proposed ZA-22-03: Steep Slopes

Overview & Background

The *Comprehensive Development Ordinance* has long-standing provisions to address steep slopes and site topography in two sections: *Sec. 5.2.4* & *Sec. 6.2.2*. *Sec. 5.2.4* essentially deducts steep slopes from lot coverage and residential density calculations in the RCO, RL, and RM zoning districts. *Sec. 6.2.2 (a)* speaks to preserving steep slopes and other significant natural features on a site, and *Sec. 6.2.2. (b)* guides development towards working with existing topography rather than significantly altering it as part of any development proposal. There is nothing addressing slope stability or suitability for development.

A slope failure along Riverside Avenue in October 2019 and a number of prior slope failures have sparked interest among the Conservation Board and some members of the Burlington community to develop standards to assess stability and suitability for development of steep slopes. Note that [Chapter 18: Soils and Foundations](#) of the International Building Code contains standards specifying when geotechnical analysis of development site soils are needed and what is required as part of that analysis. Any new zoning standard should not duplicate or contradict those standards. There is opportunity with a zoning amendment to establish a clear, local threshold for requiring such analysis – where and under what conditions. There is no need to create new technical specifications for what is included in that analysis.

The proposed amendment seeks to establish an overlay zone that identifies large, contiguous areas of steep slopes and outlines criteria for applicants to address when building on or near these slopes.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement

The proposed amendment identifies areas within the city with 15% or steeper slopes and adjacent upslope lands and outlines criteria for addressing slope stability and suitability for development.

Proposed Amendment

Reflecting discussion by the Planning Commission Ordinance Committee, this requirement for geotechnical analysis is tied to permit conditions rather than made an upfront application requirement. Similar provision exists in the CDO for development within the Special Flood Hazard Area with a set of required permit conditions.

Proposed ordinance language is on the following page, and a map delineating areas of steep slope and upslope lands for which this standard will be applicable is attached.

[Begin text amendment]

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

Sec. 5.2.4 Buildable Area Calculation & Steep Slopes Overlay District

The intent of this section is to:

- To protect sensitive natural features;
- To prevent overdevelopment of properties that contain sensitive and unbuildable areas, ~~and~~
- To minimize the potential for erosion, slope failure, and contamination of surface waters caused by the adverse effects of development on steep slopes, and
- To ensure that new development fits within the existing scale and intensity of the surrounding neighborhood.

(a) Buildable Area Calculation

For any properties two (2) or more acres in size within any RCO, WRM, RM, WRL, or RL zoning district, the maximum building density or lot coverage shall be calculated using the buildable area only. Buildable area shall be deemed to include only those portions of a property that are not inundated at least six months per year by water including streams, ponds, lakes, wetlands and other bodies of water; and lands with a slope in excess of 30%.

The DRB may under conditional use criteria allow up to 50% of the maximum building density or lot coverage to be calculated on lands with a slope between 15-30% if the applicant can demonstrate that the additional density or lot coverage will be compatible within the existing scale and intensity of the surrounding neighborhood, and not have an undue negative impact on sensitive natural features.

(b) Steep Slopes Overlay District

This overlay district consists of all lands delineated in Map 5.2.4-1 – Steep Slopes Overlay District. This overlay district contains expanses of contiguous land with an average slope of 15% or greater over 50-foot intervals and adjacent lands within 50 feet of the top of slope.

[Map 5.2.4-1 – Steep Slopes Overlay District will be inserted here]

The boundaries shown on the Steep Slopes Overlay Map may be supplemented or modified by examination of one or more of the following sources by the Development Review Board whenever an application is submitted for review.

- Contour maps prepared from the most current orthophotography.
- On-site survey prepared by a registered professional engineer or surveyor.

The Zoning Administrative Officer or Development Review Board shall determine whether or not the Steep Slope Overlay District has been shown accurately on the application plans. The applicant may be required to revise the steep slope boundaries shown on the application plans.

The burden of proving the correct boundary shall be on the applicant, supported by engineering and/or surveying data or mapping.

1. District Specific Regulations

- A. The Steep Slope Overlay District shall be an overlay on all zoning districts. The regulations in the overlay are in addition to those regulations of the underlying zoning district.
- B. These regulations apply to applications within the Overlay District that include 400 square feet or more of earth disturbance.

- C. Finished slopes of all cuts and fills shall not exceed 30%, unless the applicant can demonstrate that steeper slopes can be stabilized and maintained adequately to the satisfaction of the ZAO or DRB in consultation with the City Engineer.
- D. Any fills placed on a steep slope shall be properly stabilized and, when necessary, supported by retaining walls or other appropriate measures as approved by the ZAO or DRB in consultation with the City Engineer.
- E. Finished grades shall be reasonably safe from slide, collapse, or similar failure as determined by the ZAO or DRB in consultation with the City Engineer.
- 2. Additional Application Requirements
 - A. A site plan prepared by a registered professional engineer or surveyor that accurately depicts the proposed development and related land disturbance relative to the Steep Slope Overlay District boundaries, with all pertinent information describing the proposal, and a topographical survey depicting existing and proposed contour lines at no greater than 2-foot intervals. The plan shall depict all proposed cut, fill, and grading.
 - B. A plan depicting the extent of proposed vegetation clearing.
- 3. Approval Condition
 - A. Prior to construction, the applicant shall provide a geotechnical analysis prepared and stamped by a professional geotechnical engineer that determines the suitability of the steep slope for development.

[End text amendment]

Relationship to planBTV

This following discussion of conformance with the goals and policies of planBTV 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 addresses a gap in present land use standards for steep slope areas. It does not alter density or lot coverage standards.

Impact on Safe & Affordable Housing

The proposed amendment will not have any direct impact on safe and affordable housing. It will contribute to safety of development within areas containing steep slopes.

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				
Draft Amendment prepared by: Staff, PC OC	Presentation to & discussion by Commission 2/23/22	Approved for Public Hearing 2/23/22	Public Hearing 6/14/22	Approved & forwarded to Council
				Continue discussion

City Council Process				
First Read & Referral to Ordinance Cmte	Ordinance Cmte discussion	Ordinance Cmte recommend as modified	Second Read & Public Hearing	CCOC Recommends Approval & Adoption
				Rejected



DRAFT Proposed Map 5.2.4-1 Steep Slopes Overlay



**City of
Burlington**

This map consists of all lands with an average slope of 15% or greater over 50ft intervals and adjacent lands within 50 feet at the top of the slope.

TO: Burlington Planning Commission
FROM: Meagan Tuttle, AICP, Director
DATE: May 19, 2022
RE: Proposed CDO Amendment ZA-22-05: Burlington High School Zoning

Overview & Background

For nearly 30 years, the site of Burlington High School (BHS) has operated as a non-conforming use, in a non-conforming building, on a non-conforming site. The campus on Institute Road is located in the RCO-RC zoning district, as it has been since the 1973 zoning rewrite. However, where previous zoning ordinances allowed public and semi-public buildings within the RCO districts, the 1994 zoning rewrite introduced a Use Table which identified schools as an unpermitted use in this district. Despite these limitations, the site's non-conforming status and some limitations on local zoning for schools in state statute have allowed the school to function and serve the community in this location.

Planning for the high school campus has been under way for [about a decade](#). BHS has been operating in an interim location downtown since March 2021. In late 2021, the BSD School Board selected the "Institute Road – North" site from a list of [potential redevelopment sites](#), and the District has indicated its intent to reopen a school at this site by 2025.

While Institute Road has been the site of the high school for 50 years, the District's preliminary site assessments and concept planning have indicated that the current non-conformities and statutory exemptions that the site enjoys will limit the development a modern high school and technical center going forward; solutions to resolve these conflicts are imperative. In 2022, the Burlington School Board selected a preferred concept for redevelopment at this site, which has helped inform further discussions about the limitations of the current zoning for the site. The proposed amendment seeks to recognize and embrace how the campus has served the community and enable it to evolve to meet the needs of the next generation of Burlington students. This is achieved by allowing the high school as a permitted use at this location and by establishing site-based standards for its development.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement

The purpose of this amendment is to rezone the Burlington High School site on Institute Road from RCO-RC to Institutional and to establish a Burlington High School Campus Overlay zone which allows public schools as a permitted use and identifies development provisions for the campus.

Proposed Amendments

The following amendments to the *Burlington Comprehensive Development Ordinance* are included in this proposal

- **Rezone the BHS Campus at 52 Institute Road from RCO-RC to Institutional and apply new overlay district "Burlington High School"**

Update maps 4.3.1-1 Base Zoning Districts, 4.4.6-1 Recreation Conservation Open Space Districts, 4.4.4-1 Institutional Districts, and 4.5.2-1 Institutional Core Campus Overlays to rezone the property that spans both sides of Institute Road. Establish the Burlington High School Overlay district for these properties.

- **Establish allowable uses and dimensional standards for development for the new "Burlington High School" overlay district**

Establish a new Sec. 4.5.2 (h) and new Map 4.5.2-8 for this site, which articulates site-specific standards for lot coverage, setbacks, building height, permitted and conditional uses, and other standards for development of the site that accommodate a modern high school facility and related functions and activities.

[Begin proposed text amendments]

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

Sec. 4.4.4 Institutional District

(a) Purpose:

The **Institutional District (I)** as illustrated in Map 4.4.4-1 allows for ~~an~~ increased development scale and intensity than would typically be found in the adjacent residential districts to support continued growth and flexibility of the city's major public and higher educational and health care institutions within their respective institutional missions. New development is intended to be sensitive the historic development pattern of the existing campuses as well as the surrounding residential neighborhoods.

This district is intended to support a broad range of related uses reflecting the resident institution's roles as either regional educational, health care, cultural and research centers or municipal educational facilities. Buildings should be designed with a high level of architectural detailing to provide visual interest and create enjoyable, human-scale spaces. Sensitive transitions between adjacent lower scale residential and open space areas and larger scale institutional development should be provided. Sites should be designed to be pedestrian friendly and encourage walking between buildings. Where parking is provided onsite, it is intended to be hidden behind, to the side, within, or underneath structures.

(b) Dimensional Standards and Density:

The density and intensity of development, dimensions of building lots, the heights of buildings and their setbacks from property boundary lines, and the limits on lot coverage shall be governed by the following standards:

Table 4.4.4 -1 Dimensional Standards and Density

Districts	Max. Intensity	Max. Lot Coverage ¹	Building Setbacks ¹ (feet)			Max. Height ¹ (feet)
			Front ²	Side ³	Rear ³	
Institutional	20 du/ac (24 du/acre with inclusionary req.)	40% (48%)	<u>Minimum:</u> 15-feet	10% of lot width	25% of lot depth	35'
				<u>Min:</u> 5-ft	<u>Min:</u> 20-feet	

		with inclusionary req.)		<u>Max required: 20-feet</u>	<u>Max required: 75-feet</u>	
--	--	-------------------------------	--	--------------------------------------	----------------------------------	--

- 1 –Measurement of and exceptions to coverage, setback and height standards are found in Art 5.
- 2 –The calculation of the front yard setback shall be a percentage of lot width and depth or as defined and described in Art 5.
- 3 – Maximum allowable lot coverage, setbacks and building height in portions of this district may be modified by the provisions of the Institutional Core Campus Overlays in Sec. 4.5.2 where applicable.

(c) Permitted and Conditional Uses:

The principal land uses that may be permitted, or conditionally permitted pursuant to the requirements of Article 3, within the Institutional district shall be as defined in Appendix A – Use Table and as modified by provisions of the Institutional Core Campus Overlays in Sec. 4.5.2 where applicable.

Sec. 4.5.2 Institutional Core Campus Overlay Districts

(a) Purpose *As written*

(b) Areas Covered.

The Institutional Core Campus Overlays as delineated on Map 4.5.2-1, and are further described as follows:

1 to 5: *as written*

6. Burlington High School Campus (BHS) is intended to provide for increased development scale and intensity than would typically be found in the adjoining and underlying districts to facilitate the long-term use of this site as the city's public high school, and a hub of educational and athletic uses and other district services. Buildings are designed with architectural detailing to provide visual interest and create an enjoyable human-scale experience, both within its internal circulation and in relation to the surrounding neighborhood, with the majority of parking to be located behind, to the side, within or underneath structures particularly with respect to frontage along North Avenue. Development should reflect the district's core educational values in both design and quality.

(c) – (g) As written

(h) District Specific Regulations: Burlington High School Campus (BHS)

1. Lot Coverage

Maximum lot coverage shall be applied to the aggregate of all lots located within the ICC-BHS District. Lot coverage shall not exceed 60%.

2. Setbacks

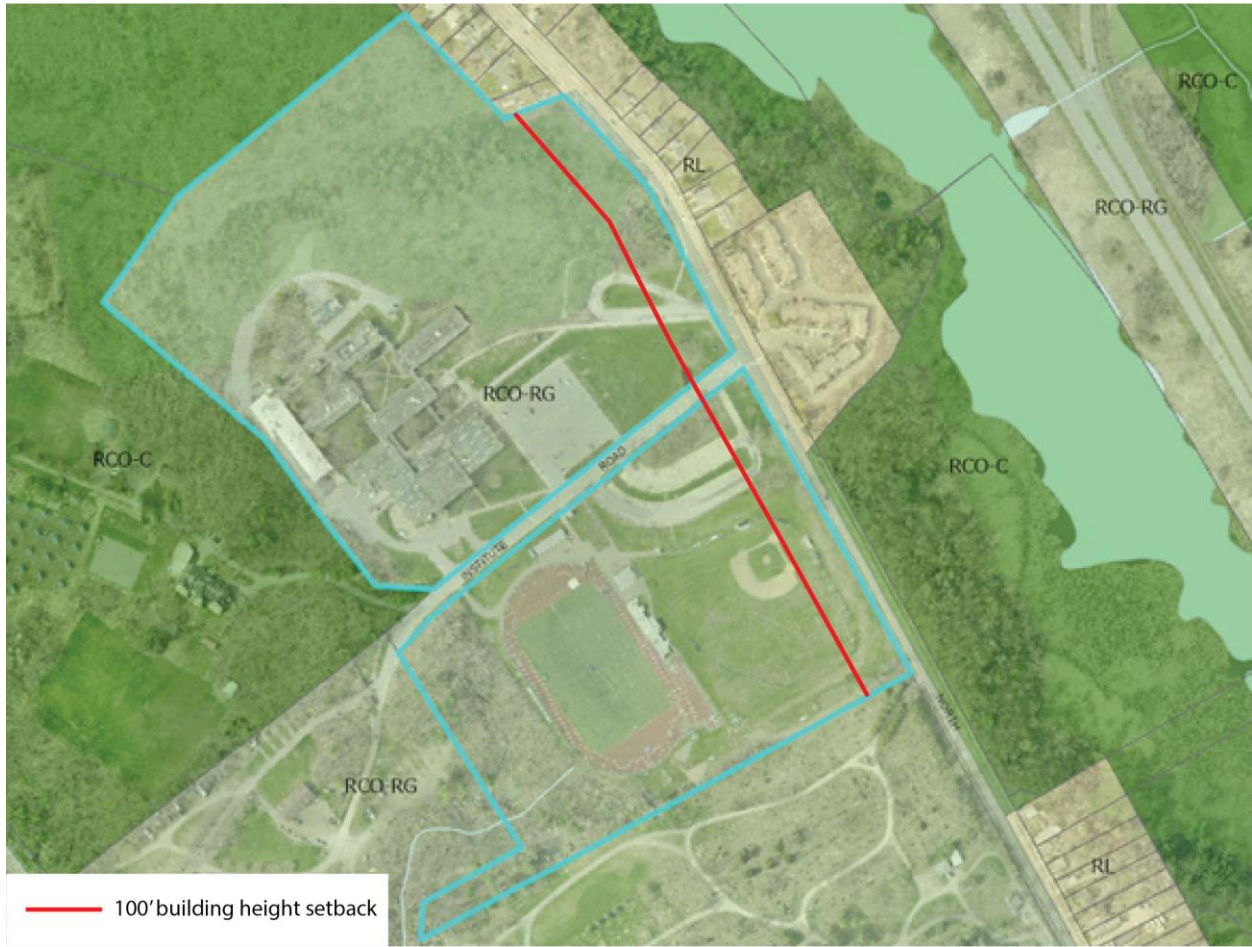
A minimum 20 ft. front yard setback shall be applicable along North Avenue, and a 20 ft. minimum front yard setback along Institute Road. A minimum side setback of 10 ft. and minimum rear setback of 20 ft. shall apply only along the perimeter of the ICC-BHS District.

3. Building Height

Building height shall be measured under the provisions of Art. 5. Building height Within the ICC-BHS shall not exceed:

- 60 ft. for buildings or portions of buildings within 100 ft. from the property line along North Avenue

- 80 ft. for buildings or portions of buildings more than 100 ft. from the property line along North Avenue



Map 4.5.2-8 ICC-BHS: Burlington High School Campus

4. Uses

Within the ICC-BHS district, School- Post-Secondary & Community College, School- Secondary, School-Primary, School-Preschool (see Sec. 5.4.1), and School- Trade or Professional are permitted. When part of the education program associated with a School use or when hosted within a School facility, the following uses are also permitted:

Permitted Uses:	
Automobile Body Shop	Museum Small
Automobile/Vehicle Repair	Museum Large
Café	Performing Arts Center
Community Center	Performing Arts Studio
Community Garden	Recreational Facility- Indoor
Conference Center	Recreational Facility- Outdoor
Composting	Recycling Center- Large
Daycare (See Sec. 5.4.1)	Recycling Center- Small
Health Club	Research and Development Facility
Library	Research Lab
	Park

5. Parking

For purposes of determining the maximum number of parking spaces as outlined in Section 8.1.9, the applicable Parking District shall be the district in which the majority of the building footprint resides.

[End proposed text amendments]

Relationship to planBTV

This following discussion of conformance with the goals and policies of planBTV 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 recognizes and embraces the scope and scale of the Burlington High School facilities on Institute Road, and will enable much needed redevelopment of a new high school on this site along with other associated and complimentary uses. This site is not only the home of the BHS campus since the 1960's, but also sits on North Avenue which is identified in *planBTV*, the City Municipal Development Plan, as a "Major Thoroughfare." North Avenue provides important connectivity between the city's New North End neighborhoods and the Downtown, and the plan identifies opportunities for transit-supportive, mixed-use development.

Impact on Safe & Affordable Housing

The proposed amendment has no impact on housing safety and affordability; there is no housing currently located on these properties and housing is not proposed within this overlay district.

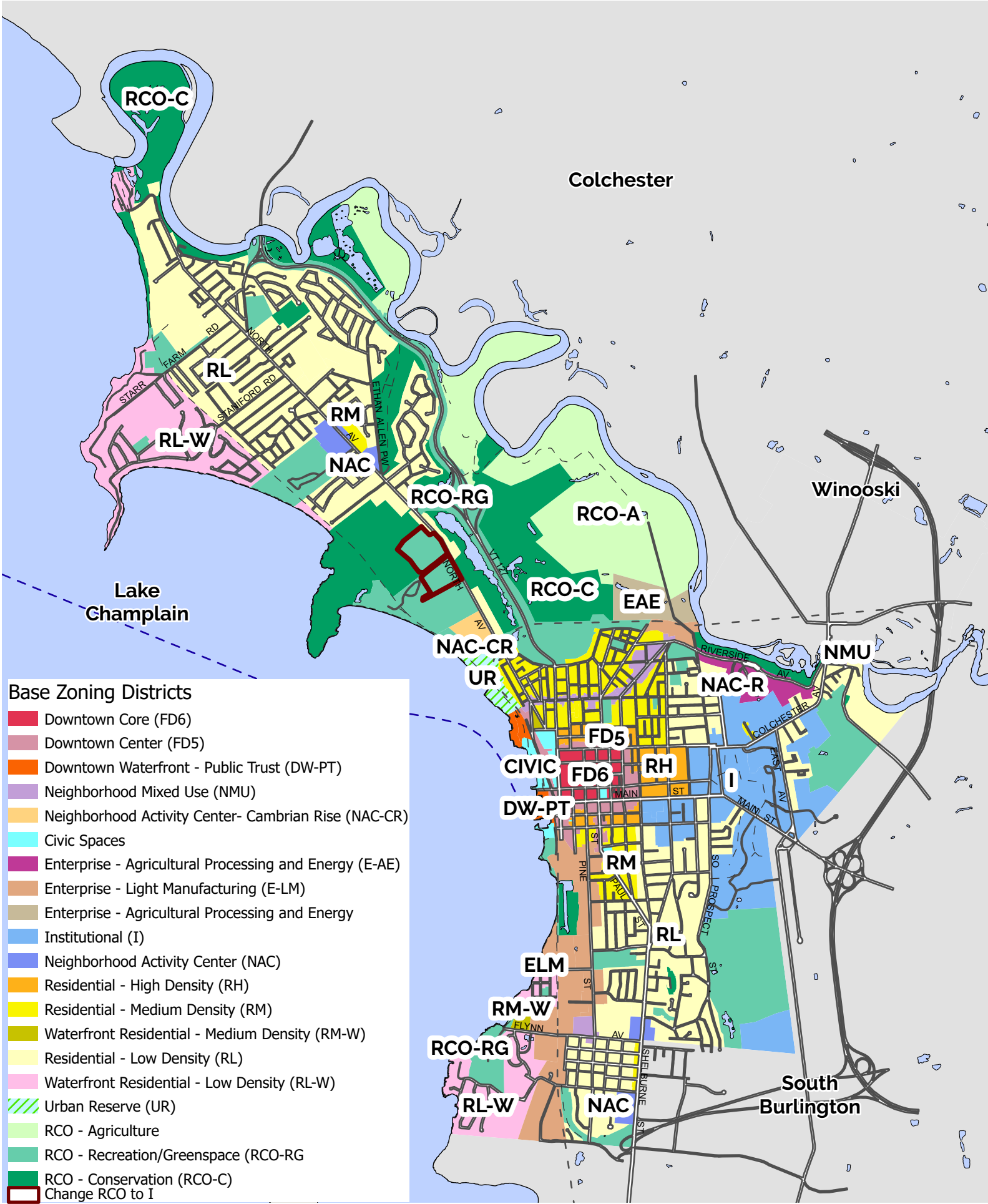
Planned Community Facilities

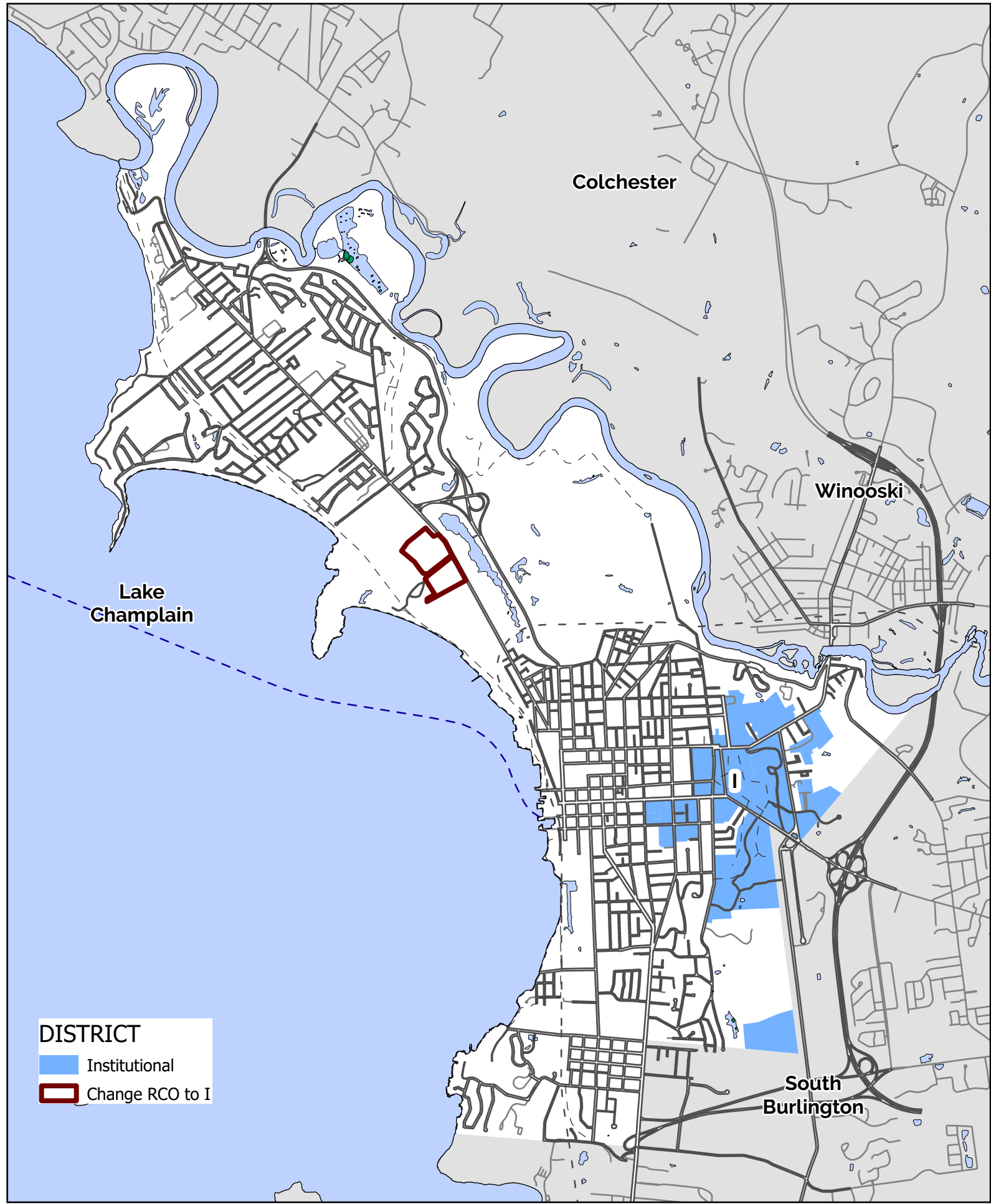
The proposed amendment has an important impact on the ability of the Burlington School District to be able to redevelop a new high school on the current BHS Campus. Burlington High School's campus on Institute Road is currently located in a RCO-RC zoning district, and the existing site contains many nonconformities which presents significant challenges to the reconfiguration of a school in this location. With the recent decision by the Burlington School Board to select the "Institute Road – North" site from a list of potential redevelopment sites, the need to resolve this zoning conflict is imperative.

Process Overview

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

Planning Commission Process				
Draft Amendment prepared by: Staff, with BSD input	Presentation to & discussion by Commission 3/8/22, 5/10/22	Approved for Public Hearing 5/10/22	Public Hearing 6/14/22	Approved & forwarded to Council
				Continue discussion
City Council Process				
First Read & Referral to Ordinance Cmte	Ordinance Cmte discussion	Ordinance Cmte recommendation	Second Read & Public Hearing	Approval & Adoption
				Rejected



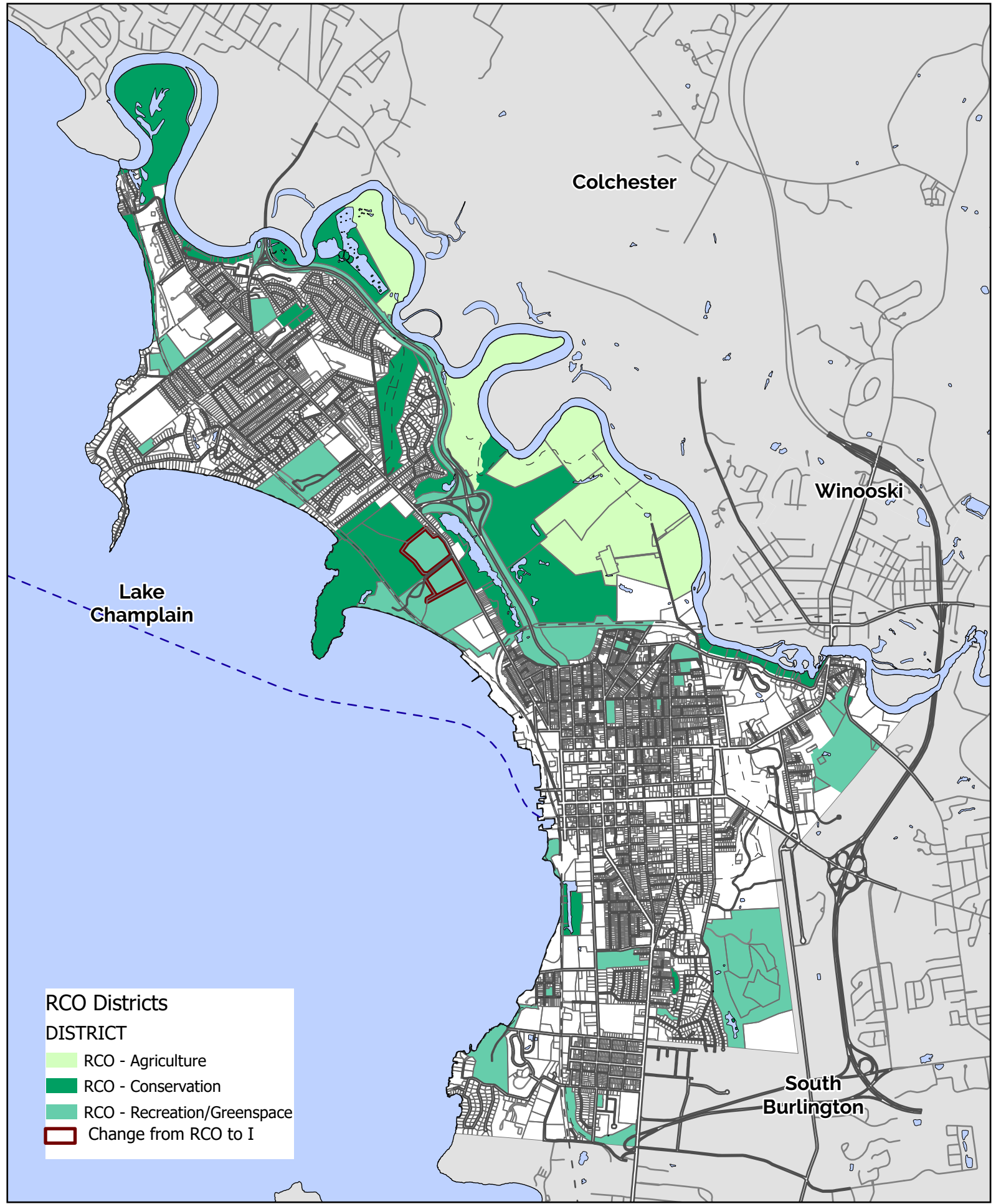


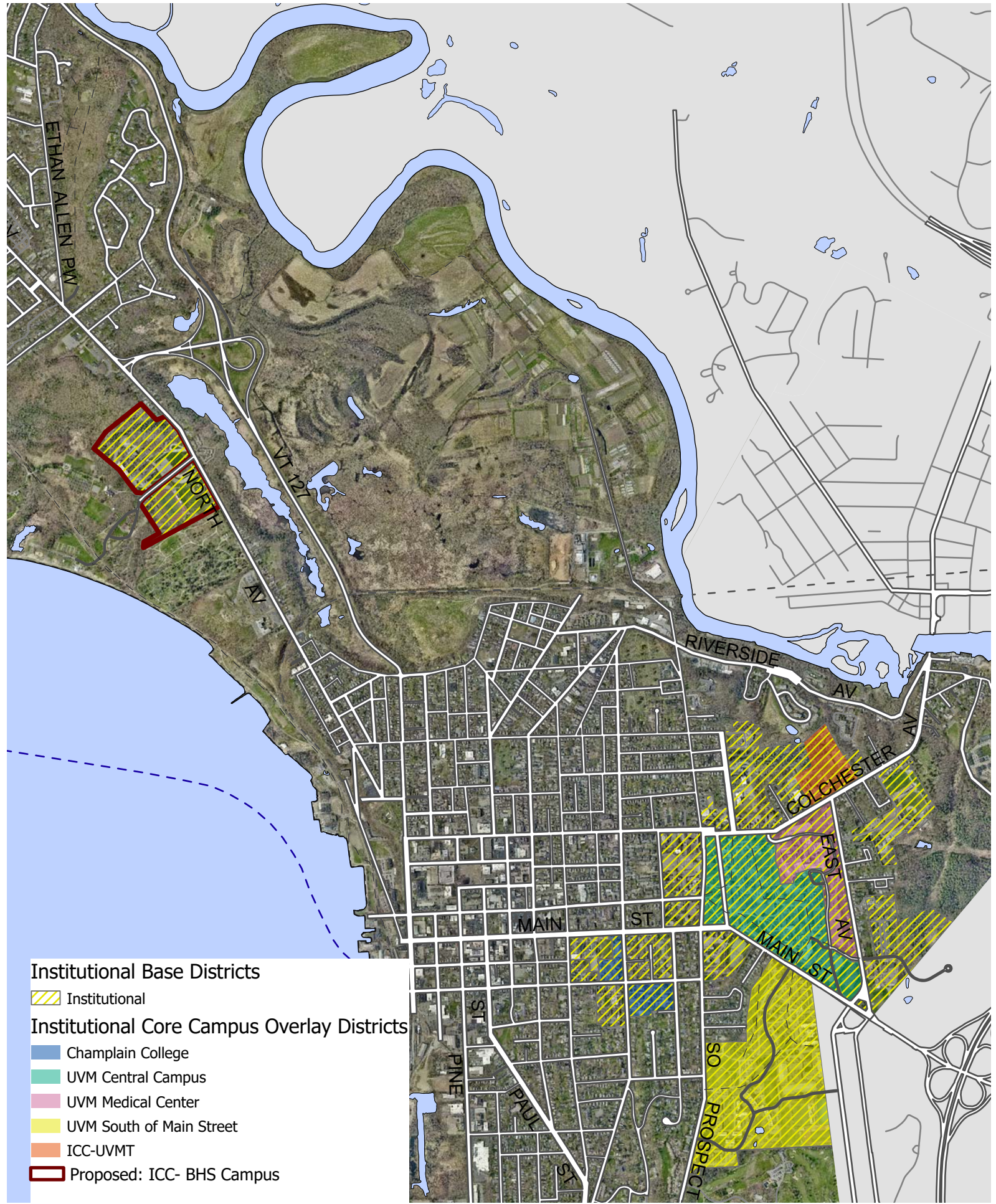
DISTRICT

 Institutional

 Change RCO to I







Institutional Core Campus Overlay Districts Map



City of Burlington, VT
149 Church Street, 3rd Floor
Burlington, VT 05401
Phone: (802) 865-7144

www.burlingtonvt.gov/plan

TO: Burlington Planning Commission
FROM: Meagan Tuttle, AICP, Director
DATE: May 19, 2022
RE: Proposed Amendment ZA-22-06 Transitional Shelter

Overview & Background

In the December 2021, Mayor Weinberger announced the "[10 Point Housing Action Plan](#)" to serve as a roadmap with two main goals: to double the rate of housing production within the city over the next 5 years and end chronic homelessness in Burlington. The action plan includes a number of financial investments, resources expansion, and zoning policy changes to achieve these goals. While the zoning amendments identified in the action plan did not include changes to emergency shelters, the Community & Economic Development Office's work to implement one of the key initiatives related to homelessness has identified a number of limitations to the city's existing Emergency Shelter standards.

As a result of the Covid-19 pandemic, there has been a significant increase in the number of people experiencing homelessness in Burlington. It is anticipated that there will be a further increase in the number of people without access to shelter when and if the state's general assistance emergency housing program restricts eligibility for and access to hotel rooms for people experiencing homelessness in the coming months. CEDO has identified a need to increase the City's low- and no-barrier shelter capacity, which is an important tool for filling gaps in the Coordinated Entry/Continuum of Care system. In order to address a small part of this need, the action plan includes an initiative to invest in approximately 30 shelter pods and related infrastructure to create a new low-barrier facility for 2022. More information about this initiative is available on [CEDO's website](#).

These pods are envisioned to be similar to [Seattle, WA Tiny House Villages](#), and [other models](#) that have been used successfully in other cities as a bridge to permanent housing, and as a cost- and time-effective way to provide shelter for the most vulnerable quickly. Unlike traditional emergency shelters, these models include a collection of temporary facilities to provide safe, durable shelter for a limited time. These facilities include individual shelters pods ranging from 60-120 sq.ft. with heat and electricity, but not plumbing, and space for sleeping and storing personal items; shared bathroom facilities in the form of either existing on-site facilities or portable or custom modules; and on-site services for property management and coordinated social services for guests.

This amendment seeks to incorporate provisions and a permitting process that corresponds with both the level of urgency and level of investment associated with a range of emergency shelter models that can be deployed in the city. The enclosed amendment is modeled from aspects of the [zoning policies](#) that enabled Seattle's Tiny House Villages, by establishing permitting and regulatory tiers for emergency shelters based on the permanence of the facilities and the duration of their operation. While this amendment originated from discussion about the rapid deployment of interim models of emergency shelter enabled in the city, its applicability is not limited to CEDO's current efforts to establish a shelter site at the city-owned Elmwood Avenue lot. Separately, CEDO continues to work to identify details for the location, management, and services provided for the proposed shelter site, including pursuing a zoning permit under existing standards for Emergency Shelters.

In previous discussions, the Commission has provided feedback on aspects of this proposed amendment: requirements for neighborhood notice, operational standards for interim facilities, mechanisms for temporary permit issuance, and districts where interim facilities would be permitted.

The proposed language enclosed has been modified to address these points. Additional Commission questions for further discussion at the public hearing will include:

- Is it possible to shorten the applicable timeframe for a temporary permit to one year maximum, with subsequent renewal meeting the permanent facility standards?
- Is it possible to sunset the applicable zoning regulations entirely, or to set a date certain for review to ensure that new interim facility standards are working as intended?

Proposed Amendment

Amendment Type

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

Purpose Statement

To amend the definition of and standards for Emergency Shelters to allow for managed temporary shelter facilities as an additional form of shelter for people experiencing homelessness.

Proposed Amendments

The following amendments to the *Burlington Comprehensive Development Ordinance* are included in this proposal:

1. Amend definition of Emergency Shelter to accommodate interim facilities

Updates the definition to include a broader range of potential facility types, and remove references to standards that are duplicative of Sec. 5.4.13.

2. Create two tiers for emergency facilities within Sec. 5.4.13 Emergency Shelter and specifies that interim shelter facilities are permitted in most districts

Establishes standards for Interim Facilities in Sec. 5.4.13, which are intended to be temporary shelter facilities operating with fewer regulatory standards, but for a maximum of 3 years with an annual renewal required. Maintains existing Emergency Shelter standards from Sec. 5.4.13 as standards for Permanent Facilities. Additionally, amends footnotes applicable to Emergency Shelters in Appendix A- Use Table to refer to interim facility provisions in Sec. 5.4.13.

3. Authorizes the administrative officer to review applications for Interim Facilities

As temporary facilities, limited to operation on City-owned property or in coordination with the City, and with fewer applicable standards to review, Interim Emergency Shelters are included in Sec. 3.2.7 (a), which authorizes the administrative officer to review and approve certain COA Level II applications.

*****Begin proposed amendments*****

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

Section 13.1.2 Definitions

Emergency Shelter: ~~Managed~~ overnight shelter structure, or an interim arrangement of temporary facilities including tents, modular "pods," vehicles, and the like, for sleeping and other-with supportive services ~~for homeless persons~~ that is limited to temporary occupancy, ~~typically 180 consecutive nights or less, by a homeless persons~~ experiencing homelessness. ~~Provide shelter only overnight.~~

Sec. 5.4.13 Emergency Shelters

Emergency shelters shall be subject to the following:

<u>Table 5.4.13 Emergency Shelter Standards</u>		
<u>Standard</u>	<u>Interim Facilities</u>	<u>Permanent Facilities</u>
<u>Location</u>	<u>Permitted Use in all zoning districts except UR, DW-PT, and RCO-A and RCO-C districts.</u> <u>Must be property owned or controlled by the City of Burlington, or on private property with an operating agreement with the City of Burlington for an interim shelter.</u> <u>Permitted in the RCO-RG district only where Campground facilities are present on the property.</u> <u>Permitted for up to one year, and may be renewed annually per 5.4.13 (a). Duration beyond 3 years must receive a new permit that complies with all requirements of a permanent facility.</u>	<u>Conditional Use in districts which permit housing uses generally (See Appendix A)</u>
<u>Use</u>	<u>May be the primary use of a property, or it may be accessory to another primary use on a property.</u>	
<u>Site Standards</u>	<u>• Minimum site area of 5,000 sq.ft.</u> <u>• Screening shall be installed along all site boundaries, including those fronting on a public street</u> <u>• Exempt from Article 8 standards</u>	<u>• All dimensional standards for the underlying zoning per requirements of Article 4 shall be applicable</u> <u>• Design review standards of Article 6 as applicable</u>
<u>Density</u>	<u>• Limited to fifty (50) guests</u>	<u>• Within residential zones, per the residential density limits of Article 4. For the purposes of density calculations, every four (4) beds shall count as one (1) dwelling unit.</u> <u>• Within neighborhood mixed use zones, limited to fifty (50) beds</u> <u>• Within FD5 and FD6, no density limit</u>
<u>Notice</u>	<u>Shall be required to hold a Pre-application Neighborhood Meeting per Sec.3.2.1 (d)</u>	<u>As required per Conditional Use review</u>
<u>Occupancy</u>	<u>Overnight stays by any individual are limited to 180 consecutive days. An extension of up to 60 days may be provided if no alternative housing is available.</u>	

Management	There shall be onsite management by qualified adults during all hours of operation with at least 1 management person for every 25 beds/persons.	
	Prior to application, AGENCY must approve an operations plan that addresses all criteria in Sec. 5.4.13 (b)	

(a) Any permit issued duration for an interim facility shall include a prescribed duration of not more than one year, after which the authority and all related permits shall expire. A permit reapplication for up to an additional year may be made prior to expiration, and may be approved upon a review pursuant to this section. No interim facility permit shall remain in effect for more than three (3) years total. A site containing an interim facility shall be restored to its prior use and/or condition upon expiration of the permit. An interim facility may continue beyond three years only upon application for and approval as a permanent facility.

(b) An operations plan for an interim facility must be submitted at the time of application or reapplication, and shall address all of the following:

1. Staffing
2. Support services provided
3. Guest's rights and responsibilities
4. Site and guest security
5. Public health procedures
6. Community relations, including a schedule for community check-in meetings between any permit reapplications, to discuss how the site is working and identify any possible changes to site management to address challenges and opportunities that arise.

~~site and design review standards in Art 6.~~

~~In addition to conditional use standards where applicable, proposals for all new emergency shelters shall comply with the following requirements:~~

- ~~(a) All dimensional standards for the underlying zoning per the requirements of Art. 4 shall be applicable;~~
- ~~(b) Density within the residential zones shall be per the residential density standards of Article 4. For the purposes of density calculation for emergency shelters, every four (4) beds shall count as one (1) dwelling unit;~~
- ~~(c) Density within the neighborhood mixed use zones shall be limited to fifty (50) beds, and there is no density limit in the downtown or downtown transition zones;~~
- ~~(d) Overnight stays by any individual are limited to 180 consecutive days. An extension of up to 60 days may be provided if no alternative housing is available;~~
- ~~(e) There shall be onsite management by qualified adults during all hours of operation with at least 1 management person for every 25 beds; and,~~
- ~~(f) An emergency shelter may be the primary use of a property, or it may be accessory to another primary use on a property.~~

Sec. 3.2.7 Administrative Review and Approval

Pursuant to the provisions of 24 V.S.A. Section 4464(c), this section provides for the administrative review and approval of new development and amendments to previously approved development

(a) Administrative Authority:

The administrative officer is hereby authorized to undertake the review and approval of those applicable applications subject to the planBTV: Downtown Code under Sec. 14.7.1 e) i and all of the following types of applications:

1. Basic;
2. Awning;
3. Fence;
4. Sign;
5. COA Level I; and,
6. Lot Line Adjustment.

In addition, the administrative officer is hereby authorized to undertake the review and approval of certain COA Level II applications subject to the following thresholds and conditions:

7. Granting of parking waivers for up to ten spaces in the NMU zones where there is a change of use from one non-residential use to another wholly within an existing building;
8. Waivers for residential parking in tandem situations where there is one space behind one other, usually in a driveway;
9. Additions to single family houses in a design control district located 200-feet or more from the lakeshore and that are 50% or less of the existing gross floor area of the principal structure;
10. Simple renovations in design control districts such as door and window changes, re-siding, re-roofing, enclosing porches, adding a shed or garage, and additions no greater than 500 square feet in size that otherwise comply with all applicable dimensional standards of Art. 4 and the development review criteria of Art. 6;
11. Compliance with conditions of approval as specified in a written decision of the DRB; and,
12. Minor amendments to development applications previously approved by the DRB where the proposed amendment otherwise qualifies for administrative review as a COA Level I application or under the planBTV: Downtown Code under Sec. 14.7.1 e) i and will not substantively alter any findings of fact or DRB decision and related conditions of approval.

~~12-13.~~ Emergency Shelters-Interim Facilities, where all provisions of Sec. 5.4.13 are met.

End proposed amendments

Relationship to planBTV

This following discussion of conformance with the goals and policies of planBTV 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

In some limited cases, the proposal enables interim emergency shelters where permanent shelters would otherwise not be permitted. This amendment is intended to provide for a flexible, rapidly deployed, and temporary solution to expanding available low- and no-barrier beds within the emergency shelter system to address acute shortages.

Impact on Safe & Affordable Housing

planBTV: Comprehensive Plan identifies the need to strengthen the city's approach to homelessness, including by providing more short-term and emergency housing opportunities, while also expanding access to permanent housing and wrap-around services. This proposal provides flexibility for interim shelters to be utilized when the community experiences acute demand for shelter that is beyond the capacity in other shelter facilities. While not a replacement for permanent affordable housing, these shelters may act as a bridge to other forms of housing.

Planned Community Facilities

This amendment facilitates the implementation of cost-effective and time-effective solutions to acute housing shortages on an as-needed basis. While current efforts to locate a shelter pod community as identified in the Mayor's 2021 Housing Plan is underway, this amendment is more likely to address future or alternative sites.

Process Overview

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

Planning Commission Process				
Draft Amendment prepared by: Staff, upon request of CEDO	Presentation to & discussion by Commission 3/8/22, 3/22/22, 4/12/22, 5/10/22	Approved for Public Hearing 5/10/22	Public Hearing 6/14/22	Approved & forwarded to Council
City Council Process				
First Read & Referral to Ordinance Cmte	Ordinance Cmte discussion	Ordinance Cmte recommend	Second Read & Public Hearing	Council Approval & Adoption



City of Burlington, VT
149 Church Street, 3rd Floor
Burlington, VT 05401
Phone: (802) 865-7144

www.burlingtonvt.gov/plan

TO: Burlington Planning Commission
FROM: Meagan Tuttle, AICP, Director
CC: Scott Gustin, AICP, Zoning Division Manager, DPI
Charles Dillard, AICP, Principal Planner
DATE: May 19, 2022
RE: Proposed Amendment ZA-22-07: Maximum Parking & TDM

Overview & Background

The proposed amendment was introduced by the City Council and referred to its Ordinance Committee in the fall of 2021. The amendment expands upon the recently adopted policy that eliminated minimum on-site parking requirements in some areas of the city; it establishes limits on the maximum number of on-site parking that can be provided for all uses citywide rather than requiring a minimum number of spaces be provided. Additionally, it expands the transportation demand management (TDM) requirements beyond the Multimodal Mixed Use parking district, creating two TDM tiers citywide based on the scale of development. The purpose of this proposed amendment is to change the way the City regulates parking in order to reduce the climate impacts of the transportation sector and to further reduce a common barrier to establishing new housing units.

At the Commission's request, this amendment was previously referred to and discussed by the Commission in three meetings earlier this year. The Council's Ordinance Committee accepted many, but not all, of the Commission's recommendations with respect to the change from minimum parking requirements to maximum parking limits. Additionally, it modified the related transportation demand management requirements as a result of Commission's feedback.

This item has now been referred by the City Council for the Commission to prepare the Municipal Bylaw Amendment Report and hold a public hearing on the proposed changes. Following the public hearing, state statute affords the Commission an opportunity to correct technical deficiencies in the amendment before referring it back to the City Council. To this end, staff has reviewed additional sections of the CDO for other references to minimum parking standards and has provided a number of additional technical corrections in the attached amendment. The Commission may also include a memo outlining any additional recommendations or comments it may have for the Council's consideration.

Proposed Amendment

Amendment Type

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

Purpose Statement

To replace minimum on-site parking requirements with maximum on-site parking limits and establish tiers for transportation demand management requirements citywide. This amendment also addresses a number of related standards that pertain to the provision and maintenance of parking for specific uses and situations.

Proposed Amendments

The following amendments to the *Burlington Comprehensive Development Ordinance* are included in the attached ordinance language:

1. Replaces minimum parking requirements with maximum parking limits

The amendment replaces minimum on-site parking requirements in *Article 8- Parking* with maximum on-site parking limits in all parking districts in the city. Additionally, the amendment modifies a number of related standards in *Article 4, Part 4- Base Zoning District Regulations*; *Article 4, Part 5- Overlay Zoning District Regulations*; and *Article 5- Citywide General Regulations* for the purpose of eliminating minimum on-site requirements and removing or modifying standards that are no longer applicable in the absence of minimum requirements.

2. Expands existing exemptions to maximum parking limits

In addition to maintaining a requirement for parking spaces to be provided when a dwelling unit is occupied by more than 4 unrelated occupants in residential districts, the amendment identifies particular uses and situations in which maximum parking limits are not applicable. These include certain automotive-based uses in which automobiles are a business' primary "goods"; for transit operations, public utility, and public safety facilities; and parking that is provided by higher education and medical institutions as per an approved Institutional Parking Management plan.

3. Expands TDM program applicability citywide, and creates two tiers for standards

The amendment expands requirements for a Transportation Demand Management (TDM) program beyond the Multimodal Mixed Use parking district. The proposal applies the standards for a TDM program to developments citywide that include the creation of 10 or more dwelling units, or 15,000 sq.ft. of new non-residential or mixed-use development. Additionally, a new TDM tier requires developments of five or more units to unbundle the cost of parking from leases and deeds.

4. Strengthens the applicability of and reporting on Institutional Parking Management Plans

The amendment modifies the review standards for parking management plans in *Article 8, Part 3- Institutional Parking Plans* as a result of a shift from minimum on-site parking requirements to maximum limits. Additionally, it specifies applicable data points that must be provided in a plan and annual performance reports, and establishes an approved, effective plan as a pre-requisite for granting permits for institutional projects covered by these plans.

Relationship to planBTV

This following discussion of conformance with the goals and policies of planBTV 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

planBTV intends generally to guide the city's development and evolution away from dependence on automobiles and toward land use and density patterns that support walking, bicycling and transit use. This amendment supports this overarching policy goal through eliminating requirements for parking, a land use that encourages reliance on cars and often precludes density levels that support active and transit mobility. Parking is generally considered a land-intensive and financially costly component of development. Removing parking requirement and implementing maximums will reduce costs toward development of plan-supported densities and will make development of sites, particularly for housing, more feasible citywide. With respect to the relationship between land use and the climate emergency, the amendment specifically addresses Policy 6.1, which directs the city to "develop a roadmap for identifying objectives and steps necessary to transition Burlington to a Net Zero Energy community in the electric, thermal, and ground transportation sectors." Finally, the amendment's proposed revisions to TDM requirements supports the Plan's goal to establish guidelines for TDM that can be a regional model and provide "greater predictability and consistency for new development."

Impact on Safe & Affordable Housing

Parking is a land-intensive and costly component of housing development that typically limits the number of homes that can be developed. This amendment, in proposing maximums paired with strengthened TDM practices, helps advance an overarching *planBTV* policy goal to promote housing development policies in keeping with the city's local character and its role as a regional growth center. Specifically, the amendment addresses a policy to "remove barriers and disincentives to development in pursuit of housing at all income levels." If approved, housing developers would be restricted from providing excessive parking while being provided with a more transparent TDM practice, resulting in more efficient and affordable housing development.

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				
Draft Amendment prepared by: City Council, with PC & staff input	Presentation to & discussion by Commission 12/14/21, 12/22/21, 1/11/22, 1/25/22, 2/8/22	Approved for Public Hearing 4/12/22	Public Hearing 6/14/22	Approved & forwarded to Council
City Council Process				
First Read & Referral to Ordinance Cmte 9/27/21	Ordinance Cmte discussion 10/20/21, 11/23/21, 12/22/21, 3/2/22, 3/10/22	Ordinance Cmte recommend 3/10/22	Second Read & Refer to PC 3/21/22 Public Hearing tbd	Council Approval & Adoption

Resolution Relating to

Comprehensive Development Ordinance, Minimum and
Maximum Parking Requirements and Transportation Demand
Management
ZA #22-07

RESOLUTION _____

Sponsor(s): Councilor Hanson

Introduced: _____

Referred to: _____

Action: _____

Date: _____

Signed by Mayor: _____

CITY OF BURLINGTON

In the year Two Thousand Twenty-one.....

Resolved by the City Council of the City of Burlington, as follows:

That Appendix A, Comprehensive Development Ordinance, of the Code of Ordinances of the City of Burlington, Article 4: Zoning Maps and Districts, Part 4: Base Zoning District Regulations, be and hereby is amended by amending Section 4.4.1 (d) 5 Development Bonuses/Additional Allowances, Section 4.4.5 (d) 4. C. Residential Occupancy Limits; Section 4.5.3 (c) 6 Parking Requirements, Section 4.5.6 (c) District Specific Regulations: Mouth of the River Overlay, Section 5.1.1 (c) Permitted Uses, Section 5.1.1 (d) Conditional Uses, Section 5.3.6 (c) Changes to a Nonconforming Lot, Section 5.3.8 Rebuilding After a Catastrophe, Section 5.4.12 (a) Mobile Home Parks, and Article 8: Parking, Part 1: General Requirements, be and hereby is amended by amending Sections 8.1.3, Parking Districts, Parking Districts, 8.1.6, Existing Structures: Exemption in Downtown District, 8.1.8, Minimum Off-Street Parking Requirements, Table 8.1.8-1 Maximum Off-Street Parking Requirements, 8.1.9, Maximum Parking Spaces, 8.1.12 Limitations, Location, Use of Facilities, 8.1.15 Waivers from Parking Requirements/Parking Management Plans, and adding Section 8.1.16 Transportation Demand Management; and Article 8: Parking, Part 3: Institutional Parking Plans be and hereby is amended by amending Section 8.3.3 Institutional Parking Management Plans thereto to read as follows:

Sec. 4.4.1 Downtown Mixed Use Districts

(a) – (c) As written.

(d) District Specific Regulations

1-4 As written

5. Development Bonuses/Additional Allowances

A Public Parking

(i) As written

(ii) 10-feet of additional building height and corresponding FAR may also be permitted, independent of subsection (i) above, where no less than 25 parking spaces or an additional ten percent (10%) above the minimum spaces required pursuant to Sec. 8.1.8, whichever is greater, are made available to the general public at all times

Sec. 4.4.5 Residential Districts

(a) – (c) As written.

(d) District Specific Regulations

1-3 As written.

4. Residential Density

A-B As written.

C. Residential Occupancy Limits

In all residential districts, the occupancy of any dwelling unit is limited to members of a family as defined in Article 13. Notwithstanding the following, the minimum square footage requirements shall be reduced by ten (10%) percent in situations where the residential premises are owner occupied.

Subject to Conditional Use approval by the DRB, a dwelling unit may be occupied by more than four (4) unrelated adults if it contains at least twenty-five hundred (2,500) square feet excluding its attic and basement pursuant to the following:

- (i) If in a RL district, the dwelling unit also contains at least an additional two hundred fifty (250) square feet and two (2) onsite parking spaces, plus one (1) additional parking space per adult occupant in excess of four (4); or,
- (ii) If in a RM district, the dwelling unit also contains at least an additional two hundred (200) square feet and two (2) onsite parking spaces, plus one (1) additional parking space per adult occupant in excess of four (4).
- (iii) If in a RH district, the dwelling unit also contains at least an additional 150 square feet and two (2) onsite parking spaces, plus and one (1) additional parking space per adult occupant in excess of four (4).

In considering a request relating to permitting a greater number of unrelated individuals residing in a dwelling unit within a residential zoning district, no conditional use permit may be granted unless all facilities within the dwelling unit, including bathroom and kitchen facilities are accessible to the occupants without passing through any bedroom. Each room proposed to be occupied as a bedroom must contain at least one hundred twenty (120) square feet.

5-6 As written.

Sec. 4.5.3 RH- Density Bonus Overlay District

(a)-(b) As written.

(c) District Specific Regulations: RH- Density Bonus Overlay

1-5 As written

6. Parking Standards Requirements

In addition to the parking standards requirements found in Article 8, the following shall also apply within this Overlay:

~~There shall be at least one parking space per residential unit (exceptions for senior and affordable housing, as outlined in Article 8, shall apply). There shall be an affirmative finding by the DRB that the proposed development provides adequate parking for its residents and non-residential uses. At least seventy-five (75%) of the parking spaces required after any waiver shall be provided onsite as structured parking spaces. Any structured parking shall be concealed by the structure or the building so that it is not visible from the street (the entrance and exit may be visible).~~

Sec 4.5.6 Mouth of the River Overlay District

(a)-(b) As written

(c) District Specific Regulations: Mouth of the River Overlay:

1. Uses

A. Exception for Non-Residential Marine and Recreational Uses

(i)-(viii) As written

(ix) To the extent that ~~additional~~ parking is provided ~~required~~, the parking standards for Shared-Use Districts shall apply pursuant to Article 8;

Sec. 5.1.1 Uses

(a)-(b) As written

(c) Permitted Uses

A permitted use is allowed as of right in any district under which it is denoted by the letter "Y" in Appendix -.Use Table. Permitted uses are subject to such requirements as may be further specified in this ordinance such as but not limited to dimensional and intensity limitations, performance and design standards, and parking ~~requirements~~ standards.

(d) Conditional Uses

A conditional use is listed in any district where denoted by the letters "CU" in Appendix A - Use Table. Such uses may be permitted by the DRB only after review under the conditional use provisions provided in Article 3, Part 5, such further restrictions as the DRB may establish and such additional requirements as may be established by this ordinance such as but not limited to dimensional and intensity limitations, performance and design standards, and parking ~~requirements~~ standards.

(e)-(i) As written

Sec. 5.3.6 Nonconforming Lots

(a)-(b) As written

(c) Changes to a Nonconforming Lot

No change shall be permitted to any nonconforming lot which would have the effect of increasing the density at which the property is being used, or increasing the structure located upon such lot, if the dimensional requirements and standards, ~~including parking~~, of the underlying zoning district are not met as a result thereof. Allowance of adaptive reuse and residential conversion bonuses shall be an exception to the foregoing standards. ~~A lot shall be considered nonconforming if there is not sufficient parking, as determined by the standards provided in Article 8.~~ In such cases where a parking waiver or waivers may be or have been legally granted, such a waiver shall be considered superseded by the standards provided in Article 8. not be considered to increase the degree of non-conformity.

Sec 5.3.8 Rebuilding After Catastrophe

(a)-(c) As written

(d) Noncompliance, in terms of dimensional regulations ~~or parking requirements~~, shall not be increased beyond what existed prior to the catastrophe and, where physically possible, shall come into compliance;

Sec 5.4.12 Mobile Home Parks

(a) Mobile Home Parks

1-5. As written

6. ~~One (1) on-site parking space shall be required per individual Mobile Home.~~

7-9. As written

Sec. 8.1.3 Parking Districts

The demand for parking is highly dependent on the context within which a given use or structure is located. Factors such as proximity to other related uses, availability of public transportation and alternative forms of and supports for transportation, the density of land uses, and the ability to share parking with nearby uses are all factors which influence the demand for individual and dedicated off-site parking. For the purposes of this Article, the following three (3) Parking Districts as illustrated in Map 8.1.3-1 are hereby created:

(a) Neighborhood Parking District:

This parking district ~~establishes the baseline of parking requirements throughout the city where~~ encompasses the primarily residential neighborhoods of the city where the demand for off-site parking is largely dependent on the needs and characteristics of and transportation resources available to an individual site or land use.

(b) Shared Use Parking District:

This parking district ~~reduces the requirements from the baseline standards recognizing~~ recognizes that opportunities exist to share parking demand between related nearby land uses, and that travel to and between these uses may not be strictly automobile dependent.

(c) Multimodal Mixed-Use Parking District:

This parking district recognizes that ~~eliminates the minimum on-site parking requirements of Sec. 8.1.8 recognizing~~ the opportunity for extensive sharing of parking demand between nearby mixed land uses makes travel to and between proximate land uses largely independent from an automobile; and that an array of non-vehicular transportation modes, public parking facilities, and frequent transit service greatly reduces the need for independent on-site parking for individual land uses.

This Parking District includes all properties in the following Zoning Districts:

- (a) Downtown Core (FD6)
- (b) Downtown Center (FD5)
- (c) Downtown Waterfront – Public Trust (DW-PT)
- (d) Neighborhood Activity Center (NAC)
- (e) Neighborhood Mixed Use (NMU)
- (f) NAC – Riverside (NAC-R)
- (g) NAC – Cambrian Rise (NAC-CR)

With the exception of those properties subject to Part 3 - Institutional Parking Management Plans, this Parking District also includes all properties with street frontage on the following major thoroughfares to a maximum depth of 200-ft.:

- (a) North Avenue from Battery Park to Plattsburg Avenue
- (b) Colchester Avenue
- (c) Pearl Street
- (d) North Winooski Avenue
- (e) Riverside Avenue from N. Winooski Ave to Colchester Ave
- (f) Battery Street
- (g) Main Street
- (h) College Street to South Williams Street
- (i) Pine Street
- (j) Saint Paul Street
- (k) Shelburne Street

~~With respect to permits issued with parking requirements in this Parking District prior to the effective date of the amendment to eliminate minimum onsite parking, an administrative permit amendment may be requested to remove the parking requirement based upon the change in regulation. This does not apply to permits containing public parking provided in exchange for an Article 4 Development Bonus (See Sec. 4.4.1(d)(5)(A)). For those permits, the public parking provided shall be maintained.~~

Map 8.1.3-1 Parking Districts As written.

Sec. 8.1.4 Existing Structures

Any structure or land use lawfully in existence prior to the adoption of this ordinance shall not be subject to the requirements of this Article as long as the kind or extent of use is not changed, and provided further that any parking facilities now serving such structures shall not in the future be ~~reduced below such requirements altered.~~

Within the Multimodal Mixed-Use Parking District, an administrative permit may be requested to remove the minimum off-street parking requirements associated with permits issued prior to December 16, 2020. This provision does not apply to permits containing public parking provided in exchange for an Article 4 Development Bonus (See Sec. 4.4.1 (d) (5) (A)). For those permits, the public parking provided shall be maintained. This provision does not apply within the Neighborhood or Shared Use Parking Districts.

Sec. 8.1.5 Existing Structures - Change or Expansion of Use

Whenever there is an alteration or conversion of a structure or a change or expansion of a use which does not involve complete redevelopment or substantial rehabilitation of the structures on a lot; increases affects the parking requirements

- the parking and TDM requirements of this Article shall apply only to the new use or net new area of the expanded use, and Standards total additional parking requirements for the alteration,

~~conversion, change, or expansion shall be provided in accordance with the requirements of this Article. A waiver may be requested pursuant to the provisions of Sec. 8.1.15.~~

- existing parking may exceed the maximum limits per Table 8.1.9-1 as a result of a change of use or change in the intensity of a use(s) on a lot, and
- changes to existing parking in Shared Use and Neighborhood Parking districts is not precluded by Sec. 8.1.4

Sec. 8.1.6 Affordable Housing and Historic Buildings Exemption (Reserved)

~~Regardless of location, the Minimum Off-Street Parking Requirements found under Sec. 8.1.8 below shall not apply to any of the following:~~

- ~~(a) The creation of permanently affordable inclusionary housing units satisfying the applicable provisions of Article 9 Part 1 – Inclusionary Housing (see Sec. 9.1.10 Income Eligibility and Sec. 9.1.11 Calculating Rents and Selling Prices);~~
- ~~(b) The adaptive reuse and/or substantial rehabilitation of a building listed on the State or National Register of Historic Places; and,~~
- ~~(c) The creation of an Accessory Dwelling Unit subject to the provisions of Sec. 5.4.5.~~

Sec. 8.1.7 Non-Conforming Residential Structure (Reserved)

~~Where additions or conversions to existing residential structures within a Neighborhood or Shared Use Parking District add living space but do not add dwelling units, and such sites do not currently meet the parking standards of Sec. 8.1.8, one (1) parking space shall be provided for each additional room. Single detached dwellings shall be exempt from this requirement.~~

Sec. 8.1.8 Minimum Off-Street Parking Requirements

Requirements for a minimum number of off-street parking spaces have been recognized as an impediment to building housing and other desired uses, inhibit the expansion of alternative transportation and transportation demand management, and act as an instrument to overbuild parking and incentivize single occupancy automobile use. Therefore, minimum off-street spaces are eliminated in all parking districts for all uses except for applications seeking to exceed occupancy of a dwelling unit by more than four (4) unrelated adults. Such applications are subject to the parking requirements of Sec. 4.4.5 (d), 4, C, Residential Occupancy Limits.

~~A minimum number of off-street parking spaces for all uses and structures shall be provided in accordance with Table 8.1.8-1 below.~~

- ~~(a) Where a use is not listed, the minimum parking requirements shall be determined by the administrative officer based upon a determination that the use is substantially equivalent in use, nature, and impact to a listed use.~~
- ~~(b) When the calculation yields a fractional number of required spaces, the number of spaces shall be rounded to the nearest whole number.~~
- ~~(c) The minimum off-street parking requirement for a development with inclusionary housing units provided on-site shall be reduced by the percentage of inclusionary units required by Article 9. (Example: A 100-unit residential development with a requirement of 15% inclusionary units shall provide minimum off-street parking based on 85 dwelling units.)~~

Table 8.1.8 Minimum Off-Street Parking Requirements

Table 8.1.8-1 Minimum Off-Street Parking Requirements			
	Neighborhood Districts	Shared-Use Districts	<u>Multimodal Mixed-Use Districts</u>
RESIDENTIAL USES¹	Per Dwelling Unit except as noted		
Multi-unit attached dwelling units, studio units or 1-bedroom dwelling unit.	2	1	0
Single-Family detached and Duplex	2	2	0
1. Adjusted for development with inclusionary housing units per Sec. 8.1.8(c).			
RESIDENTIAL USES – SPECIAL¹	Per Dwelling Unit except as noted		
Assisted Living	0.5	0.5	0
Bed and Breakfast (per room, in addition to single-family residence)	1	0.75	0
Boarding House (per two (2) beds)	1	0.75	0
Community House	1	0.75	0
Convalescent Home (per four (4) beds)	1	1	0
Dormitory (per two (2) beds)	1	1	0
Emergency Shelter	0	0	0
Group Home (per two (2) beds)	1	1	0
Historic Inn (per room, in addition to single-family residence)	1	0.75	0
Sorority & Fraternity (per two (2) beds)	1	1	0
NON-RESIDENTIAL USES	Per 1,000 square feet of gross floor area (gfa) except as noted		
Adult Day Care (per two (2) employees)	1	1	0
Agricultural Use	0	0	0
Amusement Arcade	2	1	0
Animal Boarding/Kennel/Shelter	2.5	1.5	0
Animal Grooming (per grooming station)	1	1	0
Animal Hospitals/Veterinarian Office	3	2	0

Table 8.1.8-1 Minimum Off-Street Parking Requirements			
	Neighborhood Districts	Shared-Use Districts	<u>Multimodal Mixed-Use</u> Districts
Appliance & Furniture Sales/Service	2.5	1	<u>0</u>
Aquarium	1.3	1	<u>0</u>
Art Gallery/ <u>Studio</u>	3.3	2.5	<u>0</u>
Auction Houses	3.3	2.5	<u>0</u>
Automobile & Marine Parts Sales	2.5	1.5	<u>0</u>
Automobile Body Shop	2 plus 1/bay	2 plus 1/bay	<u>0</u>
Automobile Repair/Service	2 plus 1/bay	2 plus 1/bay	<u>0</u>
Automobile Sales—New & Used	2	2	<u>0</u>
Bakery	2.5	2.5	<u>0</u>
Bank, Credit Union	2.5	2	<u>0</u>
Bar/Tavern	4	3	<u>0</u>
Beauty/Barber Shop (per station/chair)	1	1	<u>0</u>
Bicycle Sales/Repair	2.5	1	<u>0</u>
Billiard Parlor (per game table)	1	1	<u>0</u>
Boat Repair/Service	2	2	<u>0</u>
Boat Sales/Rental	2	2	<u>0</u>
Boat Storage	3	2	<u>0</u>
Bowling Alley (per lane)	3	2	<u>0</u>
Building Material Sales	3.3	2.5	<u>0</u>
Café (per four (4) seats)	1	<u>0</u>	<u>0</u>
Camp Ground (per camping space)	1	1	<u>0</u>
Car Wash (stacking spaces per wash bay)	4	4	<u>0</u>
Cemetery	<u>0</u>	<u>0</u>	<u>0</u>
Cinema (per four (4) seats)	1	1	<u>0</u>
Club, Membership	3.3	2.5	<u>0</u>
Community Center	3.3	2.5	<u>0</u>
Community Garden (per ten (10) plots)	1	1	<u>0</u>
Conference Center	3	2	<u>0</u>

Table 8.1.8-1 Minimum Off-Street Parking Requirements			
	Neighborhood Districts	Shared-Use Districts	Multimodal Mixed-Use Districts
Contractor Yard (per 1,000 gfa of office space)	2.5	2	0
Convenience Store	3	2	0
Convention Center	n/a	3	0
Courthouse	n/a	3.3	0
Crematory (per FTE employee)	1	1	0
Crisis Counseling Center	4	3	0
Daycare – Home (6 children or less)	<u>None (0)</u>	<u>None (0)</u>	0
Daycare – Large (Over 20 children) (per two (2) employees)	<u>1 plus 1 drop-off per 5 children</u>	<u>1 plus 1 drop-off per 5 children</u>	0
Daycare – Small (20 children or less) (per two (2) employees)	<u>1 plus 1 drop-off per 5 children</u>	<u>1 plus 1 drop-off per 5 children</u>	0
Dental Lab	2	1	0
Distribution Center (per 3,000 gfa)	1	0.75	0
Dry-Cleaning Plant	1.3	1	0
Dry-Cleaning Service	2.5	2	0
Film Studio	3.3	2.5	0
Fire Station (per apparatus)	2	2	0
Food & Beverage Processing	1.3, plus 3 per 1,000 gfa devoted to patron use	1, plus 2 per 1,000 gfa devoted to patron use	0
Fuel Service Station (per employee/shift)	1	1	0
Funeral Home (per four (4) seats)	1	1	0
Garden Supply Store (per 1,000 gfa of retail area.)	3	2	0
General Merchandise/Retail	3	2	0
Grocery Store	3	2	0

Table 8.1.8-1 Minimum Off-Street Parking Requirements			
	Neighborhood Districts	Shared-Use Districts	<u>Multimodal Mixed-Use</u> Districts
Hazardous Waste Collection/Disposal (per two (2) employees on the largest shift)	1	1	0
Health Club	3	2	0
Health Studio	2	1	0
Hospitals (per patient bed)	2	2	0
Hostel (per two (2) beds)	0.5	0.5	0
Hotel/Motel (per room)	1	0.75	0
Laundromats (per washing machine)	1	1	0
Library	1.3	1	0
Lumber Yard (per 1,000 gfa of retail area.)	3	2	0
Manufacturing-Light	1.3, plus 3 per 1,000 gfa devoted to patron use.	1.3, plus 2 per 1,000 gfa devoted to patron use.	0
Manufacturing	1.3, plus 3 per 1,000 gfa devoted to patron use.	1.3, plus 2 per 1,000 gfa devoted to patron use.	0
Marina (per berth)	0.5	0.5	0
Medical Lab	2	1	0
Museum	1.3	1	0
Office-General	2	2	0
Office-Medical, Dental	3	2	0
Office-Technical	2	2	0
Open Air Markets	0	0	0
Operations Center-Taxi (per three (3) employees)	1	1	0
Operations Center-Truck/Bus (per 3,000 gfa)	1	0.75	0

Table 8.1.8-1 Minimum Off-Street Parking Requirements			
	Neighborhood Districts	Shared-Use Districts	<u>Multimodal Mixed-Use</u> Districts
Park (per playing area)	5	0	0
Parking Garage—Private	0	0	0
Parking Lot—Private	0	0	0
Performing Arts Center (per four (4) seats)	1	1	0
Performing Arts Studio	1	0	0
Pet Store	2.5	1	0
Pharmacy	3	2	0
Photo Studio	2.5	1	0
Photography Lab	1	1	0
Police Station	2.5	2	0
Post Office	1.3	1	0
Post Office—Local	2	2	0
Printing Plant	1.3	1	0
Printing Shop	2	2	0
Public Transit Terminal	1 per 200 gfa of public waiting space	1 per 200 gfa of public waiting space	0
Public Works Yard/Garage	0	0	0
Radio & TV Studio	2	2	0
Rail Equip. Storage & Repair	0	0	0
Recording Studio	1.3	1	0
Recreational Facility—Indoor (per four (4) seats)	1	1	0
Recreational Facility—Outdoor (per playing field)	15	10	0
Recreational Facility—Outdoor Commercial	Larger of 1 per 4 seats or 15 per playing field	Larger of 1 per 4 seats or 10 per playing field	0

Table 8.1.8-1 Minimum Off-Street Parking Requirements			
	Neighborhood Districts	Shared-Use Districts	Multimodal Mixed-Use Districts
Recreational Vehicle Sales—New and Used	2	2	0
Recycling Center—Large above 2,000 gfa	0	0	0
Recycling Center—Small 2,000 gfa or less	0	0	0
Research Lab	2.5	2	0
Restaurant	4	3	0
Restaurant—Take-Out	4	3	0
Salon/Spa	4	4	0
School—Secondary (per Classroom)	7	5	0
School—Primary (per Classroom)	1.5	1.5	0
School—Preschool (per two (2) employees)	1 plus 1 drop-off per 5 children	1 plus 1 drop-off per 5 children	0
School—Trade/Professional	5	3	0
School, Post-Secondary	2	2	0
Solid Waste Facility—Incinerator, Landfill, Transfer Station	0	0	0
Tailor Shop	2	1	0
Vehicle Salvage	0	0	0
Warehouse	0.5	0.35	0
Warehouse—Self Storage Facility	1 per resident manager, plus 1 per 100 leasable storage spaces	1 per resident manager, plus 1 per 100 leasable storage spaces	0
Warehouse—Retail	3.3	2.5	0
Wholesale Sales	1.3	1	0
Worship, Place of (per four (4) seats)	1	1	0

Sec. 8.1.9 Maximum On-Site Parking Spaces

The total number of off-street parking spaces provided in any parking district shall not be more than as allowed ~~required~~ in Table 8.1.9-1 below:

- (a) Where a use is not listed, the maximum parking requirements shall be determined by the administrative officer based upon a determination that the use is substantially equivalent in use, nature, and impact to a listed use.
- (b) When the calculation yields a fractional number of maximum spaces, the number of spaces shall be rounded to the nearest whole.

Table 8.1.9-1 Maximum Off-Street Parking Requirements

Table 8.1.9-1 Maximum Off-Street Parking Requirements		
Neighborhood District	Shared-Use District	Multimodal Mixed-Use District
125% of the minimum number of spaces required for the Neighborhood Parking District for any given use as required in Table 8.1.8-1	100% of the minimum number of spaces required for the Neighborhood Parking District for any given use as required in Table 8.1.8-1	100% of the minimum number of spaces required for the Shared Parking District for any given use as required in Table 8.1.8-1

Table 8.1.9-1 Maximum Off-Street Parking Requirements

	<u>Neighborhood Districts</u>	<u>Shared Use Districts</u>	<u>Multimodal Mixed-Use Districts</u>
<u>RESIDENTIAL USES¹</u>	<u>Per Dwelling Unit except as noted</u>		
<u>Multi-unit attached dwelling units, studio units or 1-bedroom dwelling unit.</u>	<u>3</u>	<u>2</u>	<u>1</u>
<u>Single Family detached and Duplex</u>	<u>3</u>	<u>2</u>	<u>2</u>
1. <u>Adjusted for development with inclusionary housing units per Sec. 8.1.8(c).</u>			
<u>RESIDENTIAL USES - SPECIAL¹</u>	<u>Per Dwelling Unit except as noted</u>		
<u>Assisted Living</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Bed and Breakfast (per room, in addition to single-family residence)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Boarding House (per two (2) beds)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Community House</u>	<u>1</u>	<u>1</u>	<u>1</u>

<u>Table 8.1.9-1 Maximum Off-Street Parking Requirements</u>			
	<u>Neighborhood Districts</u>	<u>Shared Use Districts</u>	<u>Multimodal Mixed-Use Districts</u>
<u>Convalescent Home (per four (4) beds)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Dormitory (per two (2) beds)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Emergency Shelter</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Group Home (per two (2) beds)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Historic Inn (per room, in addition to single-family residence)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Sorority & Fraternity (per two (2) beds)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>NON-RESIDENTIAL USES</u>	<u>Per 1,000 square feet of gross floor area (gfa) except as noted</u>		
<u>Adult Day Care (per two (2) employees)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Agricultural Use</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Amusement Arcade</u>	<u>3</u>	<u>2</u>	<u>1</u>
<u>Animal Boarding/Kennel/Shelter</u>	<u>3</u>	<u>3</u>	<u>2</u>
<u>Animal Grooming (per grooming station)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Animal Hospitals/Veterinarian Office</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>Appliance & Furniture Sales/Service</u>	<u>3</u>	<u>3</u>	<u>1</u>
<u>Aquarium</u>	<u>2</u>	<u>1</u>	<u>1</u>
<u>Art Gallery/Studio</u>	<u>4</u>	<u>3</u>	<u>3</u>
<u>Auction Houses</u>	<u>4</u>	<u>3</u>	<u>3</u>
<u>Automobile & Marine Parts Sales</u>	<u>3</u>	<u>3</u>	<u>2</u>
<u>Automobile Body Shop</u>	<u>3 plus 1/bay</u>	<u>3-plus 1/bay</u>	<u>2 plus 1/bay</u>
<u>Automobile Repair/Service</u>	<u>3 plus 2/bay</u>	<u>3 plus 2/bay</u>	<u>2 plus 1/bay</u>
<u>Automobile Sales – New & Used (for public and employee parking only; unregistered for-sale vehicles exempt from limits)</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Bakery</u>	<u>3</u>	<u>3</u>	<u>3</u>
<u>Bank, Credit Union</u>	<u>3</u>	<u>3</u>	<u>2</u>
<u>Bar/Tavern</u>	<u>5</u>	<u>4</u>	<u>3</u>

Table 8.1.9-1 Maximum Off-Street Parking Requirements

	<u>Neighborhood Districts</u>	<u>Shared Use Districts</u>	<u>Multimodal Mixed-Use Districts</u>
<u>Beauty/Barber Shop (per station/chair)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Bicycle Sales/Repair</u>	<u>3</u>	<u>2</u>	<u>1</u>
<u>Billiard Parlor (per game table)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Boat Repair/Service</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Boat Sales/Rental</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Boat Storage</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>Bowling Alley (per lane)</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>Building Material Sales</u>	<u>4</u>	<u>3</u>	<u>3</u>
<u>Café (per four (4) seats)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Camp Ground (per camping space)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Car Wash (stacking spaces per wash bay)</u>	<u>5</u>	<u>4</u>	<u>4</u>
<u>Cemetery</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Cinema (per four (4) seats)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Club, Membership</u>	<u>4</u>	<u>3</u>	<u>3</u>
<u>Community Center</u>	<u>4</u>	<u>3</u>	<u>3</u>
<u>Community Garden (per ten (10) plots)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Conference Center</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>Contractor Yard (per 1,000 gfa of office space)</u>	<u>3</u>	<u>3</u>	<u>2</u>
<u>Convenience Store</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>Convention Center</u>	<u>n/a</u>	<u>n/a</u>	<u>3</u>
<u>Courthouse</u>	<u>n/a</u>	<u>n/a</u>	<u>3</u>
<u>Crematory (per FTE employee)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Crisis Counseling Center</u>	<u>5</u>	<u>4</u>	<u>3</u>
<u>Daycare - Home (6 children or less)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Daycare - Large (Over 20 children) (per two (2) employees)</u>	<u>1 plus 1 drop-off per 5 children</u>	<u>1 plus 1 drop-off per 5 children</u>	<u>1 plus 1 drop-off per 5 children</u>

Table 8.1.9-1 Maximum Off-Street Parking Requirements

	<u>Neighborhood Districts</u>	<u>Shared Use Districts</u>	<u>Multimodal Mixed-Use Districts</u>
<u>Daycare - Small (20 children or less) (per two (2) employees)</u>	<u>1 plus 1 drop-off per 5 children</u>	<u>1 plus 1 drop-off per 5 children</u>	<u>1 plus 1 drop-off per 5 children</u>
<u>Dental Lab</u>	<u>3</u>	<u>2</u>	<u>1</u>
<u>Distribution Center (per 3,000 gfa)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Dry Cleaning Plant</u>	<u>2</u>	<u>1</u>	<u>1</u>
<u>Dry Cleaning Service</u>	<u>3</u>	<u>3</u>	<u>2</u>
<u>Film Studio</u>	<u>4</u>	<u>3</u>	<u>3</u>
<u>Fire Station (per apparatus)</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
<u>Food & Beverage Processing</u>	<u>2, plus 4 per 1,000 gfa devoted to patron use</u>	<u>1, plus 3 per 1,000 gfa devoted to patron use</u>	<u>1, plus 2 per 1,000 gfa devoted to patron use</u>
<u>Fuel Service Station (per employee/shift)</u>	<u>3</u>	<u>3</u>	<u>2</u>
<u>Funeral Home (per four (4) seats)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Garden Supply Store (per 1,000 gfa of retail area.)</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>General Merchandise/Retail</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>Grocery Store</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>Hazardous Waste Collection/Disposal (per two (2) employees on the largest shift)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Health Club</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>Health Studio</u>	<u>3</u>	<u>2</u>	<u>1</u>
<u>Hospitals (per patient bed)</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Hostel (per two (2) beds)</u>	<u>0.6</u>	<u>0.5</u>	<u>0.5</u>
<u>Hotel/Motel (per room)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Laundromats (per washing machine)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Library</u>	<u>2</u>	<u>1</u>	<u>1</u>
<u>Lumber Yard (per 1,000 gfa of retail area.)</u>	<u>4</u>	<u>3</u>	<u>2</u>

Table 8.1.9-1 Maximum Off-Street Parking Requirements

	<u>Neighborhood Districts</u>	<u>Shared Use Districts</u>	<u>Multimodal Mixed-Use Districts</u>
<u>Manufacturing-Light</u>	<u>2, plus 4 per 1,000 gfa devoted to patron use.</u>	<u>1, plus 3 per 1,000 gfa devoted to patron use.</u>	<u>1, plus 2 per 1,000 gfa devoted to patron use.</u>
<u>Manufacturing</u>	<u>2, plus 4 per 1,000 gfa devoted to patron use.</u>	<u>1, plus 3 per 1,000 gfa devoted to patron use.</u>	<u>1, plus 2 per 1,000 gfa devoted to patron use.</u>
<u>Marina (per berth)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Medical Lab</u>	<u>3</u>	<u>2</u>	<u>1</u>
<u>Museum</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Office - General</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Office - Medical, Dental</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>Office – Technical</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Open Air Markets</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Operations Center - Taxi (per three (3) employees)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Operations Center - Truck/Bus (per 31,000 gfa) (registered transit vehicles exempt from limits)</u>	<u>1, plus 1 per 1 employee</u>	<u>1, plus 1 per 1 employee</u>	<u>1, plus 1 per 1 employee</u>
<u>Park (per playing area)</u>	<u>6</u>	<u>5</u>	<u>1</u>
<u>Parking Garage – Private</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>Parking Lot – Private</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
<u>Performing Arts Center (per four (4) seats)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Performing Arts Studio</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Pet Store</u>	<u>3</u>	<u>3</u>	<u>1</u>
<u>Pharmacy</u>	<u>4</u>	<u>3</u>	<u>2</u>
<u>Photo Studio</u>	<u>3</u>	<u>3</u>	<u>1</u>
<u>Photography Lab</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Police Station</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
<u>Post Office</u>	<u>2</u>	<u>1</u>	<u>1</u>

Table 8.1.9-1 Maximum Off-Street Parking Requirements

	<u>Neighborhood Districts</u>	<u>Shared Use Districts</u>	<u>Multimodal Mixed-Use Districts</u>
<u>Post Office - Local</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Printing Plant</u>	<u>2</u>	<u>1</u>	<u>1</u>
<u>Printing Shop</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Public Transit Terminal</u>	<u>1 per 200 gfa of public waiting space</u>	<u>1 per 200 gfa of public waiting space</u>	<u>1 per 200 gfa of public waiting space</u>
<u>Public Works Yard/Garage (for public and employee parking only; fleet parking exempt from limits)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Radio & TV Studio</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Rail Equip. Storage & Repair</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Recording Studio</u>	<u>2</u>	<u>1</u>	<u>1</u>
<u>Recreational Facility - Indoor (per four (4) seats)</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Recreational Facility - Outdoor (per playing field)</u>	<u>19</u>	<u>15</u>	<u>10</u>
<u>Recreational Facility - Outdoor Commercial</u>	<u>Larger of 1per 4 seats or 19 per playing field</u>	<u>Larger of 1 per 4 seats or 15 per playing field</u>	<u>Larger of 1 per 4 seats or 10 per playing field</u>
<u>Recreational Vehicle Sales – New and Used</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Recycling Center - Large above 2,000 gfa</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Recycling Center - Small 2,000 gfa or less</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Research Lab</u>	<u>3</u>	<u>3</u>	<u>2</u>
<u>Restaurant</u>	<u>5</u>	<u>4</u>	<u>3</u>
<u>Restaurant – Take-Out</u>	<u>5</u>	<u>4</u>	<u>3</u>
<u>Salon/Spa</u>	<u>5</u>	<u>4</u>	<u>4</u>
<u>School - Secondary (per Classroom)</u>	<u>9</u>	<u>7</u>	<u>5</u>

Table 8.1.9-1 Maximum Off-Street Parking Requirements

	<u>Neighborhood Districts</u>	<u>Shared Use Districts</u>	<u>Multimodal Mixed-Use Districts</u>
<u>School - Primary (per Classroom)</u>	<u>2</u>	<u>2</u>	<u>2</u>
<u>School – Preschool Large (per two (2) employees)</u>	<u>1 plus 1 drop-off per 5 children</u>	<u>1 plus 1 drop-off per 5 children</u>	<u>1 plus 1 drop-off per 5 children</u>
<u>School – Preschool Small (up to 20 children) (per two (2) employees)</u>	<u>1 plus 1 drop-off per 5 children</u>	<u>1 plus 1 drop-off per 5 children</u>	<u>1 plus 1 drop-off per 5 children</u>
<u>School - Trade/Professional</u>	<u>6</u>	<u>5</u>	<u>3</u>
<u>School, - Post-Secondary</u>	<u>3</u>	<u>2</u>	<u>2</u>
<u>Solid Waste Facility - Incinerator, Landfill, Transfer Station</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Tailor Shop</u>	<u>3</u>	<u>2</u>	<u>1</u>
<u>Vehicle Salvage</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>Warehouse</u>	<u>1</u>	<u>1</u>	<u>0</u>
<u>Warehouse - Self Storage Facility</u>	<u>1 per resident manager, plus 1 per 100 leasable storage spaces</u>	<u>1 per resident manager, plus 1 per 100 leasable storage spaces</u>	<u>1 per resident manager, plus 1 per 100 leasable storage spaces</u>
<u>Warehouse - Retail</u>	<u>4</u>	<u>3</u>	<u>3</u>
<u>Wholesale Sales</u>	<u>2</u>	<u>1</u>	<u>1</u>
<u>Worship, Place of (per four (4) seats)</u>	<u>1</u>	<u>1</u>	<u>1</u>

(a) **Exemptions:** The following shall not be included in the maximum number of allowable spaces required by this section:

1. **Public Parking:** Spaces provided and available for use by the public shall not be counted towards the maximum. Such spaces shall be available to the public at a minimum of nights and weekends, and be signed or marked accordingly;
2. **Carpool, Vanpool, and Car-Share Parking:** Spaces dedicated for vehicles participating in a carpool, vanpool, or car-share program shall not be counted towards the maximum. Such spaces shall be reserved for such use, and be signed or marked accordingly; and,
3. **Alternative Fueled Vehicle Parking:** Parking spaces dedicated for vehicles operating on primarily alternative fuels including but not limited to electric, natural gas, and hydrogen shall not be counted

towards the maximum. Such spaces shall be reserved for such use, and be signed and/or the space painted with the words "Alternative Fueled Vehicles Only."

4. ADA Accessible Parking: Parking spaces specifically designed, located and reserved by persons according to the standards in the Federal Americans with Disabilities Act (ADA) as administered by the Dept. of Public Works.

5. Institutional Parking: Parking spaces, provided by institutions, that have been approved as part of a plan per the standards of Article 8, Part 3: Institutional Parking Plans

46. Waiver of Maximum Parking Limitations. Parking in excess of the maximum parking limitation of this section, ~~or a request for one parking space where none would otherwise be permitted,~~ may be waived by the DRB pursuant to the ~~provisions of Sec 8.1.15 with the~~ following additional requirements:

A. The applicant requesting the waiver shall also provide:

- (i) a peak demand parking study for two similar uses in the area; and,
- (ii) a TDM Plan pursuant to the requirements of Sec. 8.1.16

B. The following additional review criteria shall be addressed regarding how:

- (i) The need for additional parking cannot reasonably be met through provision of on-street parking or shared parking with adjacent or nearby uses;
- (ii) The proposed development demonstrates that its design and intended uses will continue to support high levels of existing or planned transit and pedestrian activity; and,
- (iii) The site plan indicates where additional parking can be redeveloped to a more intensive transit supportive use in the future.

Secs. 8.1.10 – 8.1.11 As written.

Sec. 8.1.12 Limitations, Location, Use of Facilities

(a) ~~Off-Site parking facilities~~ Shared Parking for Off-Site Use:

~~Parking may be used by onsite or offsite users. Parking may not be the primary use of any property unless it is approved as such with a zoning permit where allowed. Except for single and two-family dwellings, required parking facilities may be located on another parcel of land. The off-site parking area shall be within the same zoning district as the use it serves or in a zoning district that allows parking lots or parking garages as Principal uses. Parking that serves any use located outside a residential zoning district shall not be located within a residential zoning district. Off-site parking facilities shall be as follows:~~

~~**1. Neighborhood Parking District:** No more than 50% of the total required offstreet parking from Table 8.1.8-1 shall be provided at a distance greater than 600 feet from the use it is intended to serve.~~

~~**2. Shared Use Parking District:** Any off-site parking shall be provided within 1,000 feet of the use it is intended to serve unless such parking is provided as part of a Parking Management Plan pursuant to Sec. 8.1.15 approved by the DRB.~~

~~**3.** The distance from the off-site parking to the associated use shall be measured in walking distance along a sidewalk or other pedestrian path separated from street traffic from the nearest parking space to the principle pedestrian entrance to the building housing the use. Such off-site parking shall not reduce the required parking for any other use utilizing the property on which it is located unless such shared~~

use is approved by the development review board per Sec. 8.1.15 (b). The right to use the off-site parking to meet the minimum parking requirements of Sec. 8.1.8 must be guaranteed for the duration of the use as evidenced by a deed, easement, lease, or similar written instrument as approved by the City Attorney and recorded in the Burlington land records.

(b) ~~(f)~~ As written.

(c) Shared Parking:

~~In the event that a mix of uses occupy a single structure or parcel of land located in a Neighborhood or Shared Use Parking District, the total requirement for off-street parking shall be the sum for all individual uses unless it can be shown that the peak parking demands are offset and spaces can be shared (for example: retail and residential, or theater and office uses) as evidenced by a shared parking analysis utilizing the most current edition of the Urban Land Institute's Shared Parking Report, the ITE's Shared Parking Guidelines, or other comparable and industry recognized publications.~~

(d) Single Story Structures in Shared Use Districts:

~~In the event that a single story structure is proposed to be located in a Shared Use District, the total requirements for off-street parking shall be calculated as for a Neighborhood Parking District. This provision does not apply to single story structures existing and occupied as of the effective date of this ordinance.~~

(e) Joint Use of Facilities:

~~The required parking for two (2) or more uses, structures, or parcels may be combined in a single parking facility if it can be shown by the applicant to the satisfaction of the DRB that the use of the joint facility does not materially overlap with other dedicated parking in such facility, and provided that the proposed use is evidenced by a deed, lease, contract, reciprocal easement, or similar written instrument establishing the joint use acceptable to the city attorney.~~

~~(f)~~ (c) As written.

Secs. 8.1.13 – 8.1.14 As written.

Sec. 8.1.15 Waivers from Parking Requirements/ Parking Management Plans (Reserved)

~~(a) Parking Waivers The total number of parking spaces required regulated pursuant to this Article may be modified to the extent that the applicant can demonstrate that the proposed development can be adequately served by a more efficient approach that more effectively satisfies the intent of this Article and the goals of the municipal development plan to reduce dependence on the single-passenger automobile.~~

~~Any waiver granted for a residential use shall not exceed fifty percent (50%) of the required number of parking spaces. Any waiver granted for a non-residential use may be as much as ninety percent (90%). Waivers shall only be granted by the DRB, or by the administrative officer pursuant to the provisions of Sec. 3.2.7 (a)7.~~

In order to be considered for a waiver, the applicant shall submit a Parking Management Plan that specifies why the parking requirements of Sec. 8.1.8 or Sec. 8.1.9 are not applicable or appropriate for the proposed development, and proposes an alternative that more effectively meets the intent of this Article. A Parking Management Plan shall include, but not be limited to:

(1) A calculation of the parking spaces required pursuant to Table 8.1.89-1, and Sec. 8.1.9 regarding parking maximums where applicable.

(2) A narrative that outlines how the proposed parking management plan addresses the specific needs of the proposed development, and more effectively satisfies the intent of this Article and the goals of the Municipal Development Plan.

(3) An analysis of the anticipated parking demand for the proposed development. Such an analysis shall include, but is not limited to:

- i. Information specifying the proposed number of employees, customers, visitors, clients, shifts, and deliveries;
- ii. Anticipated parking demand by time of day and/or demand by use;
- iii. Anticipated parking utilizing shared spaces or dual use based on a shared parking analysis utilizing current industry publications;
- iv. Availability and frequency of public transit service within a distance of 800 feet.
- v. A reduction in vehicle ownership in connection with housing occupancy, ownership, or type; and,
- vi. Any other information established by the administrative officer as may be necessary to understand the current and projected parking demand.

(4) Such a plan shall identify strategies that the applicant will use to reduce or manage the demand for parking into the future which may include but are not limited to:

- i. A telecommuting program;
- ii. Participation in a Transportation Management Association including methods to increase the use of mass transit, car pool, van pool, or non-auto modes of travel;
- iii. Implementation of a car share program;
- iv. Development or use of a system using offsite parking and/or shuttles; and,
- v. Implementation of public transit subscriptions for employees.

(5) An analysis and narrative pursuant to Sec. 8.1.9 regarding waivers of parking maximums where applicable. Prior to any approval by the DRB pursuant to this section, the means by which the parking management plan will be guaranteed and enforceable over the long term, such as a contract, easement, or other means, and whether the city should be a party to the management contract or easement, shall be made acceptable to the city attorney.

(b) Shared Parking for Off-Site Use

Onsite parking spaces may be made available for use by off-site users subject to review and approval of a Parking Management Plan by the DRB.

A Parking Management Plan for Shared Parking for Off-Site Use must include the following:

1. A calculation of the parking spaces required pursuant to Table 8.1.8-1 and a calculation of those parking spaces to be shared for off-site parking use.
2. Information specifying the actual onsite demand for required parking by day, time of day, and by use and also information specifying when and how much parking would be made available to off-site users.
3. A narrative that outlines how the proposed parking management plan will allow for shared use of required parking spaces with off-site users; how it will enable continued availability of required parking spaces pursuant to Table 8.1.8-1 while also affording off-site parking use of those spaces.

The Parking Management Plan must demonstrate to the satisfaction of the DRB that making spaces available to off-site users does not negatively affect their ability for onsite users to park due to either:

1. There being an excess of onsite spaces beyond that necessary to satisfy the requirements of Sec. 8.1.98; and/or,
 2. The spaces are to be made available during off-peak hours of the onsite and/or required users.
- Parking spaces being made available to off-site users may be made available:
- Either with or without a fee;
 - For transient use by the general public; and/or,
 - By lease, provided the term of any lease does not exceed one (1) year.

Prior to any approval by the DRB pursuant to this section, the means by which the parking management plan will be guaranteed and enforceable over the long term, such as a contract, easement, or other means, and whether the city should be a party to the management contract or easement, shall be made acceptable to the city attorney.

Sec. 8.1.16 Transportation Demand Management

(a) **Purpose:** This section requires the implementation of a Transportation Demand Management (TDM) Program for certain projects for the purpose of advancing the goals of the City's land use and transportation plans, and promoting public health, safety, welfare, and protection of the environment by:

- Reducing parking demand;
- Reducing car ownership;
- Reducing vehicle miles traveled (VMT) and congestion; and,
- Increasing transit use and non-motorized travel;

(b) **Applicability:**

(1) A Transportation Demand Management Program [meeting the requirements outlined in 8.1.16 \(c\)](#) shall be required for all projects [located in the Multimodal Mixed Use Parking District \(see Sec. 8.1.3\(c\)\)](#), and involving any one or more of the following:

Dwelling Units	Creation of ten (10) or more dwelling units
Non-residential or Mixed Use Development	A building footprint of eight thousand (8,000) s.f. or more; or, the creation of fifteen thousand (15,000) s.f. or more of gross floor area.

(2) Projects involving the creation of five (5) to nine (9) dwelling units shall be required to meet only the requirements in Sec. 8.1.16 (c) c. ii.

(c) **Transportation Demand Management (TDM) Program:** A TDM Program shall include each of the following elements at a minimum:

a. **Outreach and Education:**

i. Designation of a Transportation Coordinator who directly, or indirectly through membership in a Transportation Management Association, shall be responsible for each of the following:

1. Prepare and present informational and educational materials regarding available TDM strategies to all ~~tenants-residents~~ and employees;
2. Organize and host an annual meeting for all ~~tenants-residents~~ and employees to present and discuss available TDM strategies, and opportunities for increased use and participation;
3. Preparation and dissemination of an annual travel survey of all ~~tenants-residents~~ and employees; and,
4. Record-keeping and annual reporting to City of all TDM activities offered and rates of participation (including parking utilization if applicable).

b. **TDM Strategies:** In addition to compliance with the on-site Bicycle Parking requirements found in Article 8, Part 2, the following TDM strategies shall also be included at a minimum for a period of 10 years from receipt of a Certificate of Occupancy as follows:

- i. GMT Transit passes shall be provided to all ~~tenants-residents~~ and employees for free for the first year of occupancy or employment, and at a minimum discount of 50% for every year thereafter; and,
- ii. A car share membership shall be offered to all ~~tenants-residents~~ and employees for free for the first two years of occupancy or employment, and at a minimum discount of 50% for every year thereafter; or,
- iii. In lieu of i and ii above, maintain an ongoing and active membership in a Transportation Management Association (TMA) that offers equivalent TDM strategies or better.

c. **Parking Management:** Where on-site or off-site parking is also made available:

- i. Conduct parking utilization studies at least annually for a period of 10 years from receipt of a Certificate of Occupancy;
- ii. With the exception of permanently affordable housing units, the cost of parking shall be unbundled from all residential and nonresidential leases and deeds and made available at a market rate;
- iii. Where parking spaces are made available to off-site users, parking spaces may be made available by a renewable lease, provided the term of any lease does not exceed one (1) year; and,
- iv. Priority parking spaces - located in closest proximity to a primary building entrance and/or public street frontage - shall be made available for each of the following:
 1. Handicapped-ADA Accessible spaces;
 2. Bicycles, scooters, and motorcycles spaces;
 3. Car-share: where 1 space must be offered for every 20 residential units, not to exceed a total of 5 spaces, subject to an agreement with a car-share provider; and,
 4. Carpool and/or Vanpool vehicles: where more than 20 spaces are available for non-residential uses. In such cases, 5 spaces or 5% of the parking spaces on site, whichever is less, must be reserved for carpool/vanpool use before 9:00 AM on weekdays.

d. **TDM Agreement:** Each TDM Plan shall include a signed commitment to and acknowledgement of each of the following on a form provided by the Administrative Officer:

- i. Commitment to ongoing implementation of the TDM requirements as set forth above;
- ii. Acknowledgement that the project has no claim to the ongoing availability of nearby on-street public parking, and that, as is the case with other on-street public parking, the City retains the right to charge for or remove such on-street parking at any time;
- iii. Acknowledgement that failure to maintain transportation demand management as required above is a violation of this ordinance, and understanding that, pursuant to Sec. 2.7.8 of this ordinance, no zoning permit or certificate of occupancy may be granted until any such violation has been remedied; and,
- iv. Commitment to notify any subsequent owners and tenants in writing of their obligations under this section as part of any purchase and sale and/or lease agreements.

Review and Enforcement: The Administrative Officer shall be responsible for determining compliance with the TDM Program requirements as set forth above, and ongoing implementation shall be included as a condition of any discretionary or administrative permit required for development subject to the conditions of this Section.

Failure to maintain a TDM Program as required above shall be a violation of this ordinance, and pursuant to Sec. 2.7.8 of this ordinance no zoning permit or certificate of occupancy may be granted without a TDM Program in effect.

Guidelines regarding compliance with these TDM requirements shall be developed and provided to applicants by the Administrative Officer.

PART 3: INSTITUTIONAL PARKING PLANS

Sec. 8.3.1 Intent

As written.

Sec. 8.3.2 Applicability

As written.

Sec. 8.3.3 Institutional Parking Management Plans

~~In addition to the requirements of Sec. 8.1.15 above, A~~an Institutional Parking Management Plan shall include the following:

(a) A narrative that outlines how the proposed parking management plan addresses the specific needs of existing and anticipated development and effectively satisfies the intent of this Article and the goals of the Municipal Development Plan.

(a)(b) Information specifying the current and proposed anticipated numbers over the ensuing 5 year period for: number of students of all academic programs (full-time, part-time, commuter, on-campus,

off-campus, and continuing education), faculty and staff (full-time and part-time), patients and visitors being served by the institution ~~and anticipated over the ensuing five-year period.~~

~~(b)~~(c) An analysis of the anticipated parking demand by user group, time of day and/or demand by use and parking provided to meet that demand currently and anticipated over the ensuing five-year period;

~~(e)~~(d) Information specifying the number and composition of the institution's vehicle fleet, where these vehicles are regularly kept, and designated "service vehicle-only" parking;

~~(d)~~(e) ~~Programs, policies, or incentives~~ Strategies used to reduce or manage the demand for parking which may include but are not limited to:

1. Policies which restrict and/or prohibit the bringing of vehicles to the institution for various users or groups of users;

2. A telecommuting program;

2.3. Programs and employee and student subsidies to encourage the use of public transit, car-share, walking, and bicycling;

4. Implementation of a shuttle service system serving off-site parking;

3.5. Implementation of a parking permit system to allocate parking throughout the system; and,

~~(e)~~(f) Implementation of a monitoring, compliance and enforcement system to measure and ensure compliance with the plan.

Sec. 8.3.4 Review and Approval of Institutional Parking Management Plans

(a) Plan Approval

Such a plan shall require review and approval by the DRB, after consultation with the planning commission, and after a public hearing. In order to approve a proposed Institutional Parking Plan, the DRB shall find:

- a. the proposed Institutional Parking Plan adequately serves existing and proposed development and user groups by the institution(s);
- b. the proposed Institutional Parking Plan ~~more~~ effectively meets the intent of this Article and the goals of the municipal development plan ~~than would strict adherence to the underlying requirements of this Article.~~

Such a plan, if approved by the DRB, shall be applicable for a period not to exceed five (5) years, and may be amended as necessary pursuant to the requirements of this Part.

(b) Annual Reporting

The institution shall provide a report annually to the administrative officer regarding the implementation and performance of the approved plan and any significant changes in the size or makeup of user groups, parking supply, travel by mode for user groups, availability and utilization of parking management strategies, anticipated development activity, and any other conditions impacting supply and/or demand.

Failure to submit such annual report shall be a violation of this ordinance.

Sec. 8.3.5 Review and Approval of Applications for Future Development

Pursuant to Sec. 2.7.8 of this ordinance, no zoning permit or certificate of occupancy may be granted without an approved or amended plan.

- (a) In reviewing any application for development from a post-secondary educational or medical institution within the Institutional district, the DRB shall find that the proposal is included and addressed ~~consistent~~ with in an approved Institutional Parking Plan and that the proposal is consistent with the approved Plan.
- (b) Any development proposed by a post-secondary educational or medical institution within the Institutional ~~Campus~~ district that is ~~found not to be consistent~~ not included and addressed within in an approved Institutional Parking Plan shall only be approved pursuant to the underlying parking requirements of Parts 1 and 2 of this Article, and shall submit an amendment to an approved plan that addresses how the development is consistent with or modifies supply and demand calculations and applicable TDM strategies contained in the approved Plan. Such developments shall be reflected in subsequent annual reports submitted to the administrative officer, and future plan updates.

*JH/Resolutions 2021/Comprehensive Development Ordinance, Minimum and Maximum Parking
Requirements and Transportation Demand Management
9/7/2021 Referred to PC by CC 3/21/2022, with staff amendments 4/6/2022*

Burlington Planning Commission

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*Andy Montroll, Chair
Bruce Baker, Vice-Chair
Yves Bradley
Alexander Friend
Michael Gaughan
Emily Lee
Brynne Martin*

Burlington Planning Commission

Wednesday, May 25, 2022, 6:30 P.M.

Remote Meeting via Zoom

Draft Minutes

Members Present	A Montroll, A Friend, E Lee, M Gaughan, B. Martin,
Staff Present	M. Tuttle, C. Dillard, S Morgan
Public Attendance	S. Bushor, B Headrick

I. Agenda

Call to Order	Time: 6:33pm
Agenda	Add Agenda item 6.5, Reappointment of Planning Director, Meagan Tuttle

II. Public Forum

Name(s)	Comment
S. Bushor	Sent a detailed communication about Trinity Campus rezoning and hopes the Commissioners had a chance to review her concerns. Thanked B Martin for her time on the Planning Commission. Appreciated her perspective, participation, and saddened that her voice will not be included in the Commission.

III. Chair's Report

A Montroll	Also thanked B Martin for her time on the Planning Commission and expressed that she will be missed.
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IV. Director's Report

M Tuttle	Welcome to Sarah Morgan, the newest Planner, who started May 11. She will be moving to Burlington in mid-June. Her previous work in Ohio includes environmental justice and GIS. Charles Dillard, who is also new to the team, will be moving to Burlington in early June.
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V. Proposed CDO Amendment: Public Art

Motion by: E. Lee	Second by: A. Friend	Vote: 5-0
Type: Move to Public Hearing	Presented by: C Dillard and S Gustin	
Commissioner discussion:		

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

- A recent update to the form code removed regulating language of public art. A member of the public came forward with a concern and took it up with the Ordinance Committee, which then came up with some regulating language.
- The Ordinance Committee has proposed to exempt public art from requirements to get a zoning permit, but came up with 6 standards that public art should adhere to: shall meet public health and safety, shall not be insulting, shall ensure integrity of historic resources, shall not cause or increase non-conformity, shall not obstruct accessibility, shall conform to local and state laws.
- These regulations are intended to help facilitate public art since this is a big part of Burlington's culture.
- Changes also include a new definition that is purposefully broad and intends to cover all types of public art that might exist.
- A Commissioner asked what the governance is on accessibility. An example was provided of a sculpture blocking the middle of a walkway.
- A Commissioner asked whether City Council reviewed this and whether it is consistent with existing regulations.
- Speech is federally regulated and the City cannot pass laws that would limit people's free speech. A request was made to double check this item with the City Attorney's office.
- A Montroll asked who decides whether public art is insulting or not.
- Interpretation would happen more on a complaint basis since, in this proposal, public art does not need a permit request.
- A point was raised about art as a form of free speech on private property.
- A consensus was made that the Commission should be prepared to have answers regarding the language on insulting and free speech when this item is brought forward to a public hearing
- E Lee motioned to move this item forward to a public hearing
- M Gaughan asked for more clarity and review on "Part b" of the zoning amendment and the Commission agreed that changes can still be made after the public hearing.

VI. Proposed CDO Amendment: UVM Trinity Campus Overlay

Motion by: E. Lee	Second by: A. Friend	Vote: 5-0
Type: Move to Public Hearing	Presented by: M Tuttle	
Commissioner discussion:		
• M Tuttle provided a presentation on December Housing Action Plan and how it relates to the Trinity Campus Rezoning • PlanBTV Land Use Plan supports the facilitation of growth within Institutions and the Colchester Ave corridor • The Planning Department's goals for Trinity Campus Rezoning include: Greatest number of student beds; Mixed use of commercial amenities; Reorganize buildings and open spaces; Minimize parking on campus; Make Colchester Ave more accessible for walking and biking; and if new parking is created a plan should focus on structured parking. • UVM has additional goals, including: Build new undergrad residence halls and graduate apartments; Upgrade existing halls; and Enhance overall atmosphere. • Current Institutional Core Campus Overlays include varied standards for height, density, setbacks, lot coverage, etc. • Trinity Campus is between Ash Place and Fletcher Place and the overlay zone only applies to most central portion • The overlay zone was created in 2001 to support future neighborhood use. • Currently, the overlay zone includes the following standards: Building height of 35 ft or tallest existing structure of 55 ft max; Lot coverage density of 40%		

- Existing overlay zone has lower building height, limits uses, etc. and special setback rules than similar campus overlay zones.
- There is also a unique threshold on the permitting process. Institutional zones typically require a major impact review for development 40k square feet or more. The Trinity overlay zone only has a threshold of 15k square feet or more.
- M Tuttle shared some of the images UVM has provided to reimagine Trinity campus, including site plan and design images.
- Consider different height limit, different setback, and different lot coverage
- Two pending amendments also relate to the considerations for Trinity Campus: Steep slopes Overlay and Maximum parking/TDM.
- M Tuttle specifically asked the Planning Commission to consider the following: Should there be a density limit? Should there be a limited range of non-residential uses? Should the overlay zone major impact threshold remain at 15k square feet?
- Discussion:
- S Bushor- Previously, there was a plan to have a neighborhood activity center for mostly commercial use, wondering what happened with this plan? Appreciate the steep slope and the limited potential of the rear of the property. Agree with being more safe and conservative with setbacks and building setbacks, i.e. more breathing room. Would like to see the UVM Master Plan, especially in regards to parking.
- E Lee mentioned concerns she has heard from neighbors surrounding the net housing number and whether this proposed project will genuinely create student housing. The university is potentially not increasing net housing number because it will relieve "triples" in other dorms. Is there a mechanism to ensure a true increase in housing?
- The Planning Commission was previously involved in the joint process with City Council. There was discussion about institutions providing a housing benchmark for campus overlay zones, but ultimately an outside agreement was made with UVM and the City.
- L Kingsbury (UVM) noted that residential life currently does not house any grad students, so there would be a net increase there. The undergraduate housing will provide wiggle room to sustain fluctuations in enrollment. Enrollment in Northeast is going down
- A Commissioner asked whether there is potential for a development agreement between the Administration and UVM as neighbors on adjacent streets have complained about the lack of on-campus student housing.
- M Gaughan compared this proposed overlay zone with JIPMP whether there could be a plan that looks out every 5 years or so at changes in enrollment and employment to consider how to manage that growth. Is there a role in a campus master plan that is a complement to JIPMP?
- A Commissioner raised the point that UVM needs to do more to respond to the economic pressures of the City, especially considering the recent re-appraisal process with property tax increase.
- Joe (UVM) added that UVM appreciates the reappraisal process and pressure on housing in Burlington. Desire to share plans with neighbors and feels that the zoning amendment would help facilitate this.
- L Kingsbury (UVM) added that 2009 was an example of when plans were shared with neighborhoods. UVM has not updated master plan since 2006 and is in the process of updating it.
- A Commissioner suggested a "beds available versus students on campus" analysis could be regularly presented to some body.
- Two points were raised about the language in the proposed zoning amendment: Single detached dwellings not in the overlay but that language is included in the zoning amendment and there is no specific language about dining hall in conditional use, but perhaps should be more clear in the language

- There was some consensus that the City should allow additional permitted uses.
- M Gaughan offered that at some point there will be a more urban-looking feel to campus to accommodate the housing needs and the 25 foot setback helps address this.
- This particular overlay zone would establish a 25 foot setback from behind the sidewalk, not the street or greenbelt.
- The rendering from UVM shows distinguishable façades with broken up parts and different setbacks, which could help with the look and feel in regards to setbacks and building heights.
- A discussion was raised about the major impact study requirement and whether keeping the 15k square foot threshold decreases development.
- M Tuttle offered that from a staff perspective it is not good to lift a major impact study. Perhaps a Master Plan could help us understand these impacts.
- A Commissioner asked, what is our ability to regulate the zoning change based on a commitment from an outside actor (UVM)? This did not get adopted in 2009 with some references to legality.
- M Tuttle offered that agreements like this have historically been handled outside zoning ordinance.
- M Gaughan suggested that a major impact study could be replaced by an institutional housing management plan with a 5 year plan of students on campus.

VI.5 Re-appointment of Planning Director

Motion by: E. Lee	Second by: A. Friend	Vote: 5-0
Type: Submit to the Mayor, the re-appointment of Meagan Tuttle as Director of Planning	Presented by: n/a	
Commissioner discussion: • M Gaughan provided praise for M Tuttle’s leadership and previous experience working in a college town. • M Tuttle thanked the Commissioners for their support and collaboration.		

VII. Commissioner Items

• The next meeting is a Public Hearing on June 14 at 6:30pm.
--

VIII. Minutes and Communications

Action: Approve the minutes and accept the communications		
Motion by: A Friend	Second by: M. Gaughan	Approved Unanimously
Minutes Approved: May 10 • M Gaughan asked for two changes to the previous minutes: include the point raised about the 3 year length of time associated with the temporary emergency shelter and attribute the point about a focus on permanent affordable housing to him. Communications Accepted: in the agenda packet and posted at https://www.burlingtonvt.gov/CityPlan/PC/Agendas		

IX. Adjourn

Adjournment		Time: 8:20pm
Motion: E. Lee	Second: B. Martin	Vote: Approved Unanimously

From: vanacari <vanacari@mail.com>
Sent: Monday, May 23, 2022 9:06 AM
To: Meagan Tuttle <mtuttle@burlingtonvt.gov>
Subject: CEDO proposal

[You don't often get email from vanacari@mail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>.]

[WARNING]: This email was sent from someone outside of the City of Burlington.

Dear Ms. Tuttle,

Please add my email to the packet of information when the Planning Commission votes on CEDO director, Brian Pine's request to allow Zoning Board members to just "sign off" on requests to build emergency housing thus bypassing the DRB and the voices of the citizens of Burlington.

This is clearly being done at this point in time to hedge against the possibility that the DRB is going to deny the conditional use of the Elmwood Ave parking lot to be used to erect Pod Village when they reconvene on July 5th.

The Pod Village project has lacked transparency from the beginning and this is just another attempt to do an end run around the process which is currently in place.

If you do pass CEDO's plan, at the very least, I ask the Planning Commission to EXCLUDE the current Pod Village project from falling under CEDO's Emergency Shelter Plan.

Thank you,

Trudy K. Richmond

Burlington Planning Commission

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Emily Lee
Brynne Martin

Burlington Planning Commission

Tuesday, June 14, 2022, 6:30 P.M.

Remote Meeting via Zoom and Sharon Bushor Conference Room

Minutes

Members Present	A Montroll, B. Baker, A Friend, E Lee, M Gaughan, B. Martin, Y. Bradley
Staff Present	M. Tuttle, C. Dillard, S. Morgan
Public Attendance	D. Call, B. Kuhl, L. Hillman, S. Bushor, A. Twombly, K. Devine, B. Butani, J. Weith, T. Richmond, C. Seigal, J. Nick, E. Langfeld, C. Felker, L. Ravin, S. Tibault

I. Agenda

Call to Order	Time: 6:33pm
Agenda	PC will consider Agenda item VIII prior to item VII.

II. Public Forum

Name(s)	Comment
D. Call	Spoke in support of temporary shelters in the Downtown area as unhoused residents should have easy access to services. He lives across the street from the proposed Elmwood Ave location and is comfortable with unhoused people living on his street.
B. Kuhl	A Mckenzie House resident spoke in opposition of the Elmwood Ave location for a temporary shelter as many Mackenzie House residents are disabled. She is very concerned about cigarette smoke from the shelter pods.

III. Chair's Report

A. Montroll	No report.
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IV. Director's Report

M. Tuttle	There will be a virtual public meeting about the Rezoning of Trinity Campus on June 23 at 6pm. There will be an in person and virtual public meeting about the South End Innovation District.
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V. Public Hearing: Proposed ZA-22-03 Steep Slopes

Action: Approve ZA-22-03 and refer City Council with a recommendation to adopt the resolution.		
Motion by: B. Baker	Second by: A. Friend	Vote: 6-0
Type: Motion to Pass	Presented by: M. Tuttle	
Introduction: • This amendment identifies gaps in the provisions surrounding development on or near steep slopes. It identifies a 50-foot buffer between a proposed development and the top of the slope.		

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It also states that a geotechnical study is required on proposed developments on near steep slopes to determine the slope's stability.

The chair held a public hearing with the following public comments:

- B. Butani suggested that developer applicants may be able to circumvent the standards by finding an engineer who would attest to a site's safety from the risk of landslide.
- S. Bushor stated that she had hoped the proposed amendment would apply stricter standards.
- L. Hillman, from UVM, asked a question as to how the new overlay would impact existing buildings.

Commissioner discussion:

- Trinity Campus at UVM will largely not be affected by this Zoning Amendment as the proposed developments are outside the steep slopes area.
- This proposed Zoning Amendment is not applicable to existing buildings.
- The Engineer who performs the study must be certified in geotechnical studies. The proposed amendment includes standards that the geotechnical study must satisfy when submitting a permitting inspection. If there is reason to question the study, the City will hire an outside engineer to review the materials.
- E. Lee received clarification that the hired engineer stamps the drawing and is therefore liable for any hazards.

VI. Public Hearing: Proposed ZA-22-05 Burlington High School Zoning

Action: Approve ZA-22-05 and refer to City Council with the recommendation to adopt the resolution.

Motion by: M. Gaughan

Second by: A. Friend

Vote: 6-0

Type: Move to Council and adopt report

Presented by: M Tuttle

Introduction:

The amendment will rezone the property from Recreation and Green Space Conservation District to an Institutional District and creates an overlay district that identifies allowable uses and additional standards for development.

The chair held a public hearing with the following public comments:

- J. Weith spoke representing the applicant team attesting to the support of the Burlington School District.
- S. Bushor spoke in favor of the amendment, but questioned whether the setback was large enough. Also questioned the inclusion of recycling center and museum in the list of permitted uses.

Commissioner discussion:

- The 20 foot setback is larger than the current Recreation District setback of 15 feet. M. Tuttle provided Cambrian Rise as an example of a similar setback.
- A. Friend stated that he is not opposed to recycling and museum as permitted uses. He also asked a question as to how the city will measure the setback on North Avenue.
- The property boundary on North Ave is the back of the sidewalk for this high school.

VII. Public Hearing: Proposed ZA-22-06 Transitional Shelter

Action: Provide an opportunity for public comment but wait for Commissioner discussion until next meeting.

Motion by: n/a

Second by: n/a

Vote: n/a

Type: n/a

Presented by: M Tuttle

Introduction:

This amendment provides an additional tier for emergency shelter within the City limits, called "interim emergency facilities." These will be urgently deployed and time limited, with allowances for certain

Tuesday, June 14, 2022

locations, and under certain circumstances. A pre-application neighborhood meeting and a managing operator are needed as part of the application process.

The chair held a public hearing with the following public comments:

- T. Richmond, a McKenzie House resident, spoke in opposition to the Emergency Shelter proposal on Elmwood Avenue. She feels that the DRB should review these plans, rather than be administratively approved.
- S. Bushor spoke in favor of the move to create a more temporary arrangement, particularly a limit of 1 year. She asks who the "Agency" is as referenced in the amendment. She asks if the City will need to amend the operational plan as proposed by an individual. She asks if a design that is approved temporarily would need major revision in order to be made a permanent establishment.
- A. Twombly spoke that he feels the public was being excluded from this process and that there is not support in the community for this proposal.
- C. Seigal spoke to say that she is a neighbor in the Elmwood Avenue vicinity and has been told that this zoning amendment would not impact the proposal affect the Elmwood Avenue proposal. She would like clarification on how this zoning amendment affects the current public process and DRB process for the Elmwood Avenue location.
- M Tuttle clarified that the Elmwood Avenue proposal is in process with the DRB and that this proposed zoning amendment would apply to any future applications.
- J. Nick, Chair of the Church Street Marketplace, spoke in opposition to the proposed amendment and states that it poses a risk to the community and prime commercial districts. He says that planBTV states no new homeless services should be implemented Downtown and he encourages the Commission to review the municipal plan. He states that the Marketplace has not been advised of any new rules on residents' behavior. He suggests that the City should bring in experts to advise the city.
- K. Devine, Executive Director of the Burlington Business Association, stated that she has spoken to 75 business owners and that each one has no problem with the idea of an emergency pod shelter. She shared that other business owners are concerned that other areas of the housing crisis are not being addressed. She believes that there should be more than one community meeting prior to implementation. She asks a question regarding 13.1.2 – Other Supportive Services and whether supportive services, like the existing Community Resource Center, would be permitted in the event of pod shelters being implemented.
- E. Langfeldt, representing O'Brien Brothers, spoke in opposition to the proposed emergency shelter proposal at Elmwood Avenue. Regarding this proposed amendment, he opposes administrative approval for this kind of use.
- C. Felker spoke in opposition to the shelter pods and said that communications from CEDO have been disappointing. He states that no management facility has offered to manage the proposed Elmwood Avenue location and that agencies that could manage the facility are all understaffed. He states that he believes CEDO does not have a system in place to enforce its rules.

Commissioner Discussion:

- Will conclude at the next Planning Commission meeting.

VIII. Public Hearing: Proposed ZA-22-07 Maximum Parking & TDM

Action: Ask Planning Department staff to create a memo outlining the Planning Commission's comments and technical amendments and refer to City Council for review.

Motion by: n/a

Second by: n/a

Vote: n/a

Type: Move to Council and adopt report

Presented by: M Tuttle

Introduction:

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This amendment will replace minimum parking requirements with maximum parking limits, expand existing exemptions to maximum parking limits, expand transportation demand management (TDM) program requirements City-wide with two different tiers, strengthen the reporting of TDM.

Public Comment

- L. Hillman, representing UVM, stating that the university frequently performs projects that do not require parking. She asked if they will need to amend the JIP.
- L. Ravin, representing UVM, stated that the JIP is able to enforce itself. She stated that there are frequently yearly revisions that have to be made. She also stated that if the applicant has to amend the JIP every year or every 5 years, the university and City review staff will be overburdened. Lani stated that reducing a need for parking is difficult without improving transit service, which she feels is inadequate in serving the community and University. Lani discussed the impacts of the pandemic, particularly telework, on parking.
- Sandy, representing CATMA, spoke about annual reporting to the JIP and stated that annual content updates have been improved. Sandy requested clarification on what is required of an amendment. She restated a previous question about small projects that require a need for 1-5 new parking spaces and whether they will require an update to the JIP. She stated that the current JIP ends in January 2023 and she asked how this amendment will affect the timeline for the next JIP.

Commissioner Discussion:

- M. Tuttle stated that it would be reasonable to carve out small projects that have no net change in the number of parking spaces that would be required of the University and that such projects should have no impact to the regulating JIP.
- M. Gaughan clarified that the JIP is supposed to divorce the University campuses from minimum parking requirements.
- Y. Bradley stated that this amendment has not been properly vetted and states that the amendment will have a massive impact on the city and its partners.
- Institutions can bring forward an addendum if their plan is outside the standards of this amendment.
- M. Gaughan stated that he would like the TDM aspects of the amendment be separated from the maximum limit standards.
- M. Gaughan asked what the solution will be to deal with landlords finding backdoor ways to raise rents given that parking costs are to be separated from rental costs. He clarifies his point by stating that he is not concerned about new construction, but only existing developments with 1-10 units.
- M. Tuttle stated that the City does ask from TDM managers for information on how rental rates are being generated, but stated that the City does not have a mechanism to control the separate prices.
- E. Lee states that she believes rent will always be as high as much as the market will bear and that parsing out the parking will not raise rents. Rent control could be the only way to regulate both rent prices and parking prices.
- B. Baker agrees with E. Lee and says that absent a rent control regulation, rent will be as high as possible.
- A. Montroll asked Planning Department staff to draft a memo that will accompany the Commission's referral. The memo will include comments and technical amendments.

IX. Minutes and Communications

Action: Approve the minutes and accept the communications

Tuesday, June 14, 2022

Motion by: A. Friend	Second by: M. Gaughan	Approved Unanimously
Minutes Approved: May 25 Communications Accepted: in the agenda packet and posted at https://www.burlingtonvt.gov/CityPlan/PC/Agendas		

X. Adjourn

Adjournment	Time: 8:20pm	
Motion: B. Baker	Second: A. Friend	Vote: Approved Unanimously