

Burlington Planning Commission

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

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

PUBLIC HEARING NOTICE

***Burlington Comprehensive Development Ordinance* ZA-20-06 Bowling Alley in ELM**

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). Per Act 92, Secs. 5 and 6, the public hearing will take place during the Planning Commission meeting on **Tuesday, June 9, 2020 beginning at 6:45pm. You may access the hearing/meeting as follows:**

To join from a Computer, please click this URL to join, and enter the password if prompted:
<https://us02web.zoom.us/j/81630318990?pwd=QmVsVmFZY0ZTMpXWVx3TkpHOEZOZz09>
Password: 088815

To join by phone, dial this number and enter the Webinar ID and password when prompted:
Number: +1 301 715 8592 Webinar ID: 816 3031 8990 Password: 088815

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

Statement of purpose:

This proposed amendment to the *Burlington CDO* is to allow bowling alleys as a permitted use in the Enterprise Light Manufacturing zoning district.

Geographic areas affected:

The proposed amendment is applicable to the following areas in the City of Burlington: all properties zoned Enterprise Light Manufacturing.

List of section headings affected:

The proposed amendment modifies *Appendix A- Use Table*.

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 exterior door of City Hall, 149 Church Street, Burlington or on the department's website at <https://www.burlingtonvt.gov/DPI/CDO/Proposed-Amendments-Before-the-Planning-Commission>

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Special Meeting of the Burlington Planning Commission

Tuesday, June 9, 2020, 6:30 P.M.

Remote Meeting via Zoom

To Join the Meeting on a Computer

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Number: +1 301 715 8592 Meeting ID: 816 3031 8990 Password: 088815

AGENDA

I. Agenda

II. Public Forum- Time Certain 6:35 p.m.

Please see attached details for how to participate in the public form for this meeting.

III. Chair's Report

IV. Director's Report

V. Public Hearing: CDO Amendment ZA-20-06 Bowling Alley in ELM (Time Certain 6:45pm)

The Planning Commission will hold a public hearing on a proposed amendment to the *Burlington Comprehensive Development Ordinance* to allow bowling alleys in the Enterprise Light Manufacturing district. Information related to this item are enclosed in the agenda packet on page 3.

Staff Recommendation: Approve the Municipal Bylaw Amendment Report and refer the amendment to Council with recommendation.

VI. Proposed CDO Amendment: Convalescent Home Lot Coverage & Parking

The Planning Commission will review a requested amendment to the *Burlington Comprehensive Development Ordinance* to increase the parking and lot coverage limits for convalescent homes. Information related to this item are enclosed in the agenda packet on page 7.

Staff Recommendation: Discuss available options, and if consensus is reached on an approach, approve the Municipal Bylaw Amendment Report and warn for public hearing.

VII. Proposed CDO Amendment: Front Yard Parking

The Planning Commission will review a proposed amendment to the *Burlington Comprehensive Development Ordinance* regarding standards for front yard parking. Information related to this item are enclosed in the agenda packet on page 33.

Staff Recommendation: Discuss available options, and if consensus is reached on an approach, approve the Municipal Bylaw Amendment Report and warn for public hearing.

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

VIII. Commissioner Items

- a. Upcoming Meetings *These meetings are anticipated to be conducted remotely until further notice*
 - i. Tuesday, June 23, 2020 at 6:30pm
 - ii. Tuesday, July 14, 2020 at 6:30pm

IX. Minutes & Communications

- a. The minutes of the May 19, 2020 meeting are enclosed in the agenda packet on page 36.
- b. Communications are enclosed in the agenda packet beginning on page 38.

X. Adjourn

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

Statement of purpose:

This proposed amendment to the *Burlington CDO* is to allow bowling alleys as a permitted use in the Enterprise Light Manufacturing zoning district.

Geographic areas affected:

The proposed amendment is applicable to the following areas in the City of Burlington: all properties zoned Enterprise Light Manufacturing.

List of section headings affected:

The proposed amendment modifies *Appendix A- Use Table*.

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 exterior door of City Hall, 149 Church Street, Burlington or on the department's website at <https://www.burlingtonvt.gov/DPI/CDO/Proposed-Amendments-Before-the-Planning-Commission>

TO: Burlington Planning Commission
FROM: Meagan Tuttle, Comprehensive Planner, City Planning
DATE: May 15, 2020
RE: Proposed CDO Amendment: ZA-20-06 Bowling Alley in ELM

Overview & Background

In November 2019, the Planning Commission received a request from Redstone to allow Bowling Alleys as a permitted use in the Enterprise Light-Manufacturing district. Redstone is leasing a portion of the 405 Pine Street building on behalf of Burlington City Arts, who recently purchased the building.

At its meeting on February 20, 2020, the Planning Commission Ordinance Committee discussed this request. Staff advised that the Committee consider weigh two options, and make a recommendation on which approach they felt was most appropriate for considering this request:

- Amend Appendix A- Use Table to simply permit Bowling Alley's in the Enterprise Light Manufacturing district
- Consider an approach similar to ZA-19-07A, in which Bowling Alleys would be permitted in the district only through their co-location with and support of arts uses.

The Committee recognized that this request is yet another in a series of requests that have been considered by the Commission relating to the concern that the ELM standards are outdated and do not fit the evolving nature of the South End. While the Commission and Planning staff have frequently discussed the need for a comprehensive analysis and revision to the ELM district's standards, the Committee felt that this request should be considered in a timely way, and recommended the simple change to allow Bowling Alley's as a permitted use in ELM. The Planning Commission agreed, and approved this amendment for a public hearing on March 10.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement & Amendment Summary

The proposed of the proposed amendment is to allow bowling alleys as a permitted use in the Enterprise Light Manufacturing zoning district.

Proposed Amendments

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

- Amend Appendix A- Use Table to allow Bowling Alleys as a permitted use
See attached excerpt of Appendix A.

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).

Impact on Safe & Affordable Housing

The proposed amendments has no impact on the provision of safe and affordable housing.

Compatibility with Proposed Future Land Use & Density

The proposed amendments will have no impact on the intensity or density of future land uses. The change is compatible with existing nearby commercial uses, and enables a commercial use to co-locate in a building purchased and utilized by an arts organization in order to support the viability of the arts uses.

Planned Community Facilities

This amendment is not expected to have an 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: Property owner request, recommendation by PC OC	Planning Commission Discussion 3/10/2020	Approved for Public Hearing 3/10/2020	Public Hearing 6/9/2020	Approve & forward to Council
				Continue discussion
City Council Process				
First Read & Referral to Ordinance Cmte	Ordinance Committee discussion	Ordinance Cmte recommends to Council [as is / with changes]	Second Read & Public Hearing	Approval & Adoption
				Rejected

Excerpt of Appendix A-Use Table – Proposed CDO Amendment ZA-20-06

	Urban Reserve	Recreation, Conservation & Open Space			Institutional	Residential			Downtown Mixed Use ⁱ	Neighborhood Mixed Use				Enterprise	
USES	UR	RCO - A	RCO - RG	RCO - C	I	RL/W	RM/W	RH	DW-PT ¹⁶	NMU	NAC	NAC-RC	NAC-CR	E-AE	E-LM
RESIDENTIAL USES	UR	RCO - A ¹	RCO - RG	RCO - C	I	RL/W	RM/W	RH	DW-PT ¹⁶	NMU	NAC	NAC-RC	NAC-CR	E-AE	E-LM
***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
RESIDENTIAL SPECIAL USES	UR	RCO – A	RCO - RG	RCO - C	I	RL/W	RM/W	RH	DW-PT ¹⁶	NMU	NAC	NAC-RC	NAC-CR	E-AE	E-LM
***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
NON-RESIDENTIAL USES	UR ²¹	RCO - A	RCO - RG	RCO - C	I	RL/W	RM	RH	DW-PT ¹⁶	NMU	NAC	NAC-RC	NAC-CR	E-AE	E-LM
***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Bowling Alley	N	N	N	N	N	N	N	N	N	CU	Y	Y	Y	N	N Y

Footnotes 1.-32. As written.

ⁱ For permitted and conditional uses within the Downtown and Waterfront Form Districts, refer to Article 14.

Legend:	
Y	Permitted Use in this district
CU	Conditional Use in this district
N	Use not permitted in this district
Abbreviation	Zoning District
RCO – A	RCO - Agriculture
RCO – RG	RCO – Recreation/Greenspace
RCO – C	RCO - Conservation
I	Institutional
RL/W	Residential Low Density, Waterfront Residential Low Density
RM/W	Residential Medium Density, Waterfront Residential Medium Density
RH	Residential High Density
DW-PT	Downtown Waterfront-Public Trust
NMU	Neighborhood Mixed Use
NAC	Neighborhood Activity Center
NAC-RC	NAC – Riverside Corridor
NAC-CR	NAC – Cambrian Rise
E-AE	Enterprise – Agricultural Processing and Energy
E-LM	Enterprise – Light Manufacturing



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

www.burlingtonvt.gov/plan

TO: Planning Commission
FROM: Scott Gustin, Principal Planner, Department of Permitting & Inspections
DATE: June 9, 2020
RE: Convalescent Home Lot Coverage & Parking

Overview & Background

At their September 10, 2019 meeting, the Planning Commission considered a zoning amendment request from Birchwood Terrace nursing facility. The zoning amendment request contained two parts:

- Adjust the maximum permissible lot coverage to 44% (same as the IZ allowance).
- Adjust the minimum parking requirement to 1 parking space per 2 patient beds.

The requested lot coverage amendment is simple and was supported by the Planning Commission. Within the RL zone (wherein the facility is located), 35% is the typical lot coverage limit. Developments containing inclusionary housing units benefit from a higher permissible lot coverage of 44%. The Senior Housing bonus of Sec. 4.4.5 (d) 7 A, which Birchwood Terrace qualifies for, affords a 40% permissible lot coverage limit. The amendment would simply make the lot coverage associated with the senior housing bonus the same as that associated with inclusionary zoning (44%).

The requested parking amendment was the subject of debate. Presently, the CDO requires 1 parking space per 4 beds for convalescent (nursing) homes in all parking districts. Birchwood is seeking to double that minimum requirement to 1 space per 2 patient beds. By comparison, hospitals require 2 parking spaces per patient bed in all parking districts. The Birchwood facility contains 144 beds (but is permitted for 160 beds) and is seeking a total of 96 parking spaces. The Planning Commission requested that staff look at four potential alternatives:

- Remove the 125% upper parking limit for convalescent homes.
- Eliminate the minimum parking requirement for convalescent homes (therefore no maximum).
- Adjust the minimum parking requirement for convalescent homes per Birchwood's request or per the hospital standard.
- Do nothing.

Note that lot coverage, even amended as requested, limits the amount of parking that can be provided onsite to 93 spaces.

Sec. 8.1.9, *Maximum Parking Spaces*, limits onsite surface parking to 125% of the minimum parking requirement. There are several exemptions to this standard predicated on the type of parking (i.e. structured, public, carpool, and alternative fuel vehicle) but none related to use. Picking a single use and exempting it from this standard runs counter to equal application of the law for all development in the city and is not good land use policy. Doing so also begs the question: Why not others?

Eliminating the minimum parking requirement for convalescent homes could arguably have the effect of eliminating the 125% maximum parking limitation. However, doing so plainly disregards the well-documented need for onsite parking at such facilities.

Amending the present 1 space to 4 beds minimum parking requirement for convalescent homes to 1 space per 2 beds as requested by Birchwood would result in a minimum requirement of 72 spaces for 144 beds (and a maximum of 90 spaces) or 80 spaces for 160 beds (and a maximum of 100

spaces). The rationale for the requested change is well documented in Birchwood's September 10 submission to the Planning Commission. Importantly, the change in minimum parking requirement to 1 space per 2 beds would not result in a parking nonconformity. A change to the hospital standard of at least 2 spaces per bed would result in a parking nonconformity. There is simply no feasible way to provide 288 or more parking spaces on Birchwood's property.

Leaving the present parking standard of 1 space per 4 beds unchanged could still allow Birchwood to achieve nearly all of its desired parking. Under an amended lot coverage maximum of 44%, Birchwood could apply again to the Development Review Board for a maximum parking waiver. Birchwood has already obtained a maximum parking waiver from the DRB for 75 spaces, limited only by lot coverage. An increase in permissible lot coverage would enable Birchwood to seek another maximum parking waiver for additional parking within the revised lot coverage limit. While possible, the maximum parking waiver involves a discretionary process by the Development Review Board.

Of the four possible alternatives, adjusting the onsite parking minimum requirement to 1 space per 2 beds is the best. The need is well supported by the documentation provided to the Planning Commission on September 10, whereas the rationale for the present standard of 1 space per 4 beds is unknown. This change would retain parking conformity and would avoid the need for a discretionary waiver process before the DRB.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement

The purpose of this proposed amendment is to better reflect the actual parking needs of convalescent homes in Burlington. The proposed amendment is twofold. In the residential zones, it will change the allowable lot coverage associated with the senior housing bonus to be identical to the allowable lot coverage associated with inclusionary housing. The amendment will also change the minimum parking requirement for convalescent homes of 1 space per 4 beds in all parking districts to 1 space per 2 beds in all parking districts.

Proposed Amendments

To achieve the purpose identified above, the proposed amendment affects Table 4.4.5-5, *Senior Housing Bonus*, and Table 8.1.8-1, *Minimum Off-Street Parking Requirements*.

Sec. 4.4.5, Residential Districts,

(d) District Specific Regulations,

7, Residential Development Bonuses,

A. Senior Housing Bonus

Residential development in excess of the density, lot coverage and building height limits specified in Tables 4.4.5-2 and 4.4.5-3 may be permitted by the DRB for senior housing provided the following conditions are met:

- (i) No less than twenty-five (25) per cent of the total number of units shall be reserved for low-moderate income households as defined by state or federal guidelines, including no less than ten (10) per cent reserved for low-income households. (Projects taking advantage of this bonus are exempt from the Inclusionary Zoning requirements of Article 9, Part 1.);
- (ii) The proposal shall be subject to the design review provisions of Art. 6;
- (iii) A maximum of an additional 10-feet of building height may be permitted in the RH District; and,

(iv) Lot coverage and residential densities shall not exceed the following:

Table 4.4.5-5: Senior Housing Bonus

District	Maximum Coverage	Maximum Density
RL / RL-W	40 <u>44</u> %	20 du / ac
RM	50 <u>48</u> %	40 du / ac
RM-W	60 <u>72</u> %	40 du / ac
RH	80 <u>92</u> %	80 du / ac

Sec. 8.1.8. Minimum Off-Street Parking Requirements

(a) – (c) As written.

Table 8.1.8-1 Minimum Off-Street Parking Requirements			
	Neighborhood Districts	Shared Use Districts	Downtown Districts
RESIDENTIAL USES¹ As written.	Per Dwelling Unit except as noted		
RESIDENTIAL USES - SPECIAL	Per Dwelling Unit except as noted		
Assisted Living	0.5	0.5	0.4
Bed and Breakfast (per room, in addition to single-family residence)	1	0.75	0.5
Boarding House (per two (2) beds)	1	0.75	0.5
Community House	1	0.75	0.5
Convalescent Home (per four (4) <u>two (2)</u> beds)	1	1	1
Dormitory (per two (2) beds)	1	1	1
Emergency Shelter	0	0	0
Group Home (per two (2) beds)	1	1	1
Historic Inn (per room, in addition to single-family residence)	1	0.75	0.5
Sorority & Fraternity (per two (2) beds)	1	1	1
NON-RESIDENTIAL USES As written.	Per 1,000 square feet of gross floor area (gfa) except as noted		

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).

Compatibility with Proposed Future Land Use & Density

This amendment has no impact on proposed future land use. It impacts density only insofar as it increases allowable lot coverage for senior housing facilities to be consistent with that allowed for developments containing inclusionary housing.

Impact on Safe & Affordable Housing

Convalescent homes provide a place to live for some of our most elderly and frail residents. This amendment is intended to better address the parking needs of such facilities – in large part to accommodate the staff necessary to care for, and support, residents in convalescent homes. As such, the amendment will contribute to the functionality of such homes in our community.

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, based on discussion with the Planning Commission	Presentation to & discussion by Commission 9/10/19, 6/9/20	Approve for Public Hearing	Public Hearing	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

MEMORANDUM

To: Burlington Planning Commission

From: Birchwood Prop, LLC (“Birchwood”)

Date: July 16, 2019

Re: Convalescent Homes/Parking and Lot Coverage Requirements

Introduction:

This summary memorandum (“Memo”) is designed to explore some of the challenges convalescent homes face under the current Comprehensive Development Ordinance (“CDO”) in serving often vulnerable communities on their existing footprints. While this Memo addresses Birchwood Terrace’s (“Birchwood”) situation specifically, the challenges that Birchwood faces are not unique, and where possible, this Memo brings in data related to other facilities to show how the proposed changes to the CDO go beyond this one facility and would have beneficial impact City-wide.

Birchwood’s Objective:

Birchwood has explored several possible options for expanding the parking at Birchwood, a skilled nursing facility/convalescent home, located at 43 Starr Farm Road, in Burlington’s New North End.

Birchwood’s History and Parking Issues:

Birchwood was built in 1965 on a six acre lot at 43 Starr Farm Road and was permitted by the City for 160 beds.¹ Birchwood currently operates 144 beds. Parking at Birchwood was not a major issue until roughly 2016. At that time, the parking situation dramatically changed as a result of the City’s decision to shut off Starr Farm Road to on-street parking (given its proximity to the adjacent school). At the time, Birchwood only had 45 parking spots under its approved parking plan. The loss of on-street parking led to Birchwood’s staff and visitors parking on the grass, which led to neighborhood complaints. Staff also parked on Grey Meadow Drive, an adjacent side street, which the neighborhood opposed as it had a substantial impact on this residential street (particularly during off-cycle shift changes).

Based on the unapproved parking on the lot, the City issued a notice of violation (#334328) on May 25, 2017, which required Birchwood to fix a variety of zoning violations and to obtain an approved site plan for the facility which addressed the parking issues (the “NOV”). Over the course of the following year, Birchwood explored various options, with close City collaboration,

¹ Grey Meadow Drive is part of the lot but is a City right-of-way. When this roadway is removed, the working lot size is 5.76 acres, which is the acreage utilized in calculating lot coverage for this Memo.

ranging from off-site parking to construction of a parking garage to address the parking needs at Birchwood.

On January 8, 2019, the Development Review Board (“DRB”) approved the site plan submitted by Birchwood to bring the site into compliance and issued a Certificate of Appropriateness (Permit No. 19-0468CA). The appeal period for this permit expired on February 7, 2019. The DRB-approved site plan increased the number of approved parking spots from roughly 45 spots to 75 spots. This expansion, while helpful, did not fully address Birchwood’s parking needs as indicated by its operations staff’s observations and from the independent parking study commissioned from Resource Systems Group, Inc. (“RSG”) (attached as **Exhibit A**). Birchwood was clear about this fact before the DRB, but recognized the limitations under the current CDO and crafted its proposal to come into compliance under existing zoning as required by the NOV.

Birchwood is now progressing to Phase II of its plan to address its long-term parking needs by proposing strategic amendments to the CDO to allow for greater parking and lot coverage for both its staff and patients/residents. A more complete timeline of this process is attached as **Exhibit B**.

Convalescent Home Parking and Lot Coverage Needs:

Convalescent homes are a conditional use in most districts of the City and are required to have at least one parking spot per four beds at these facilities. The lot coverage and parking requirements that apply to these facilities do not take into account the need for parking that current staffing and safety requirements require. A summary of some of the staffing requirements and visitation needs for Birchwood is attached as **Exhibit C**.

As this memorandum will indicate, a comparison of convalescent homes in the community indicates that the CDO does not accurately provide the level parking and lot coverage that these valuable community resources require. These facilities provide necessary services to the community, by providing continuing support and care to a variety of vulnerable individuals with long-term or acute rehabilitation needs. Given the rigorous regulatory staffing requirements imposed under federal and state law, additional flexibility is needed to support these institutions and to ensure that can fulfill their mission and intended role.

Increasingly, the lines between what a convalescent home offers versus other medical-related uses is blurring, which requires close attention from a zoning perspective to ensure that the evolving needs for these facilities are met, while treating these facilities appropriately in comparison to other similarly situated land uses. To address and to provide the level of parking needs that these unique facilities face, two separate but interrelated issues have to be addressed under the CDO: (1) parking; and (2) lot coverage.

1. Parking:

Under CDO Article 8, the parking table currently requires one parking spot per four beds for convalescent homes. As applied to Birchwood (160 beds), this equates to 40 parking spots. Under the formula for calculating maximum parking allotments, section 8.1.9, (which allows an owner to have a maximum parking and to go 25% above the minimum parking requirement without obtaining a waiver from the DRB), 50 parking spots is the maximum that could be constructed without obtaining a maximum parking waiver from the DRB. See CDO section 8.1.09. There is no maximum parking waiver cap and the DRB has the discretion to evaluate these requests on a case-by-case basis.

The DRB, on January 8, 2019, approved with conditions, the expansion of Birchwood's parking to 75 parking spots. 75 parking spots was the most that the DRB could approve given existing lot coverage constraints. At the 75 spot level, Birchwood's parking spot/bed ratio is at .46875%.

The RGS Parking Study, commissioned by Birchwood, showed a parking need of 96 spots. This would result in a new parking/bed ratio of .600%.

For comparison purposes, for other similar convalescent homes in the area, the parking/bed ratio is higher. At Starr Farm Nursing Center (98 Starr Farm Road) the ration is .660% (99 parking spots for 150 beds). Parking at Green Mountain Nursing (Fort Ethan Allen, in Colchester) is .932% (68 spots for 73 beds). The fact that these comparable facilities have substantially higher parking spot/bed ratios than Birchwood is not surprising, and demonstrates the need for redefining the ratio that applies to these facilities collectively, such as a one parking spot per two bed ratio. For reference purposes, other similar facilities, such as group homes, sorority and fraternities (same), hospital (same), currently require one parking spot per two beds, which, in turn, influences how much parking they can have at maximum levels without needing to obtain DRB approval.

Recommendation:

It would our recommendation to increase the minimum parking for convalescent homes to one spot per two beds to align with similarly intensive uses in light of the changing staff levels and that convalescent homes now provide and require. In short, the one to four bed ratio is inadequate to accommodate the needs of these facilities, and should be adjusted upwards to signal this (and to prevent a facility from providing less parking than would be required to meet these needs).

Application to Birchwood:

Under the one spot per two bed ratio, this would require Birchwood to provide a minimum of 80 parking spots. Applying the 25% adjustment from the minimum requirement for maximum parking without needing to first obtain a DRB parking waiver, Birchwood would be able to

construct 100 spots. These 100 spots would align well with the recommendations from the RSG Parking Study, which show a demonstrated parking need for 96 spots at the facility, and would approximate the levels of parking already in place at the other two similar convalescent homes evaluated in the RSG Parking Study.

2. Lot Coverage

Lot coverage also needs to be considered in addition to the parking requirements.

In its zoning district (RL), Birchwood is limited to 35% lot coverage. Birchwood is able to qualify for additional 5% lot coverage as it meets the requirements for the senior housing bonus under CDO section 4.4.5-5, for total maximum lot coverage of 40%. At 40% lot coverage, Birchwood is limited to its current 75 parking spots.

While we have not evaluated lot coverage limitations applicable to other convalescent homes, and Starr Farm Nursing Center is certainly on a much larger lot, it is likely that new facilities, in predominately urban settings would also face lot coverage challenges – given the level of parking and structural requirements associated with these facilities in their day-to-day operation.

Recommendation:

It would be our recommendation to increase the senior housing bonus to 44% in the residential-low category to align with what is permitted in the inclusionary housing bonus under 9.1.12 in RL/RL-W, provided that stormwater impacts are mitigated on site (as is already required). This lot coverage level is already contemplated in comparable settings for inclusionary housing. Providing this additional lot coverage would be valuable in assisting these sites with their development and operation, and would still be subject to DRB review and approval. This review will ensure that community impact is adequately considered as well as appropriately mitigated. It would also signal that senior housing is, in many ways, affordable or inclusionary housing and is providing a beneficial service to this community.

Application to Birchwood:

If the 44% lot coverage applied to Birchwood, if approved by the DRB, Birchwood would be able to construct 93 parking spots on site – which would effectively cover their parking needs on site.

Conclusion:

In sum, the CDO should be amended to address the parking and lot coverage needs of convalescent homes as a use type. In this memorandum, we recommend two targeted recommendations: (1) adjusting the minimum parking requirements to one parking spot per two beds for convalescent homes; and (2) aligning the senior housing and inclusionary bonus lot coverage waivers to provide more lot coverage for these uses. Birchwood's experience over the

past two years shows the profound need for these adjustments, which while obviously beneficial to its own operations, should have benefits to these facilities generally as well as the community in hopefully encouraging and fostering convalescent homes as valued community resources and assets.



MEMO

TO: Alicia Dimario, Executive Director, Birchwood Terrace
CC: Jess Phelps, Dinse P.C.
FROM: Mark Smith, PE
DATE: November 15, 2018 (rev. Feb 1, 2019)
SUBJECT: Starr Farm Road Facility Parking

RSG has performed an analysis of parking needs for the Birchwood Terrace¹ nursing facility on Starr Farm Road in Burlington, VT. This memo includes the following sections:

1. Problem statement
2. Relevant parameters for improvement, including city ordinance restrictions
3. Background information for the facility
4. Current parking management efforts
5. Parking supply and need survey results
6. Comparison to two similar nearby facilities
7. Study findings
8. Parking management recommendations (plan)

1.0 PROBLEM STATEMENT

Birchwood Terrace currently has parking needs that significantly exceed the capacity of their on-site parking area(s). A substantial contributing factor to this condition is a recent restriction to on-street parking along Starr Farm Road, forcing all parking on-site.

2.0 PROJECT PARAMETERS

To provide more parking spaces, the City of Burlington zoning regulations require a parking study, per Comprehensive Development Ordinance (CDO) Sec. 8.1.9 Maximum Parking Spaces – Item 5:

- A. The applicant requesting the waiver shall also provide a peak demand parking study for two similar uses in the area; and,
- 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;

¹ A.k.a. Kindred Transitional Care & Rehabilitation Birchwood Terrace



- (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.

The Burlington CDO² calls for 1 parking space for 4 beds (Convalescent Homes), with a 125% maximum. Thus, for Birchwood the maximum parking allowed is 50 spaces, assuming the current permit allowance for 160 beds.

3.0 BACKGROUND

Birchwood Terrace is a 144-bed³ Skilled Nursing Facility (SNF) that provides short term and long-term care to the Greater Burlington area's most frail seniors, with as many as 104 residents calling Birchwood their permanent home. As a SNF, we are governed by both the state and federal government, which requires that we provide services that meet each individual's care needs. This includes, but is not limited to, 24-hour nursing care and services, access to a physician 24 hours/day, medication management, 3 meals/day, physical therapy, occupational therapy, speech therapy, respiratory therapy, daily activities, Social Services, laundry and housekeeping services, facility maintenance, laboratory services, x-ray services, transportation, banking, etc. There are also mandated staffing requirements to ensure the facility provides adequate staffing based on the residents' needs.

The Facility employs or contracts 168 employees and is a 24/hour a day business. Staff includes:

- Nursing⁴/medical – (3) 8-hours shifts, 7 days a week
 - LNA/CLA – 6:00 am to 2:30 pm, 2:00 pm to 10:30pm, and 10pm to 6:30 am
 - LPN/RN – 6:45 am to 3:15 pm, 2:45 pm to 11:15pm, and 10:45pm to 7:15 am
 - Physicians – hours vary
- Maintenance – Monday through Friday 7:30 am to 4:30 pm, and as needed
- Administration – Monday through Friday from 7:30 am to 6:00 pm
- Therapy – PT, OT, ST, RT⁵ - 7 days a week from 7:00 am to 5:00 pm
- Culinary/Dietary – 7 days a week, from 5:00 am to 7:30 pm
- Laundry/Housekeeping – 7 days a week, from 5:00 am to 6:00 pm

Visitors/Vendors

The facility welcomes family, friends, guests and vendors at any time. Peak visiting hours are from 10:00 am to 1:00 pm and again from 4:00 pm to 7:00 pm. It is not uncommon for there to be 20-25 visitors here at peak times.

² Section 8.1.8

³ The facility is permitted for 160 beds, however only 144 beds are available at this time.

⁴ Licensed/Certified Nursing Assistant, Licensed Practical Nurse/Registered Nurse

⁵ Physical, occupational, speech or respiratory

Student Nursing

The facility also partners with the local colleges to provide educational and practical training for their Nursing Programs. Both the University of Vermont and Vermont Technical College utilize Birchwood as their clinical site for practicum work. Class sizes range from 8 students to 30 students, with 1 to 4 clinical instructors to oversee their work.

4.0 BIRCHWOOD PARKING MANAGEMENT

On-Street Parking

Parking along Starr Farm Road or North Avenue is currently not allowed.

Shared Parking

Shared parking takes advantage of 2 adjacent parking lots where the associated land use is complementary to each. Typically, these are applicable in large mixed land use developments where residential uses (peaking in the nighttime hours) complement commercial uses, which peak in the daytime.

Birchwood is situated in a largely residential area with no neighboring businesses or institutions with complementary parking needs. Flynn Elementary School is located across Starr Farm Road to the north, with their own parking restrictions. Birchwood has worked with School Administration to limit/cease use of Birchwood's parking lot for school drop-offs and pick-ups.

Off-Site Parking

Birchwood has pursued several off-site parking options within the last year, including:

- Leddy Park
- North Avenue Alliance Church
- St. Mark's Church
- Price Chopper, Colchester
- Elks Lodge

Parking was either not available at these locations, or the number of spaces available was far less than the facility's current additional needs.

Parking Demand Management

- Birchwood encourages travel by other transportation modes for all employees, however, many visitors and nursing students do not have the luxury of time required to ride transit for a short duration visit.
- Sidewalks currently exist on Starr Farm Rd. leading from the facility to North Avenue.
- Transit is readily available throughout the day via the North Avenue GMT line, with north and southbound stops at Starr Farm Rd.
- Bike parking is available on-site, however peak parking demand still occurs in winter months, when biking is impractical.
- Currently 33 employees utilize alternate means of transportation to get to work.

Other Considerations

Signage has been recently upgraded on-site to indicate where parking is allowed and how each lot is used.

Employee vehicle placards are implemented to ensure only authorized vehicles use designated parking areas.

Ideally, all parking should be within close proximity of the facility, minimizing travel time, thus optimizing staff's ability to get to work, which directly impacts patient care.

Parking should have adequate lighting for employee and vehicle safety, as well as the ability to be maintained in the winter time.

5.0 BIRCHWOOD FACILITY PARKING

Existing Site Parking Supply

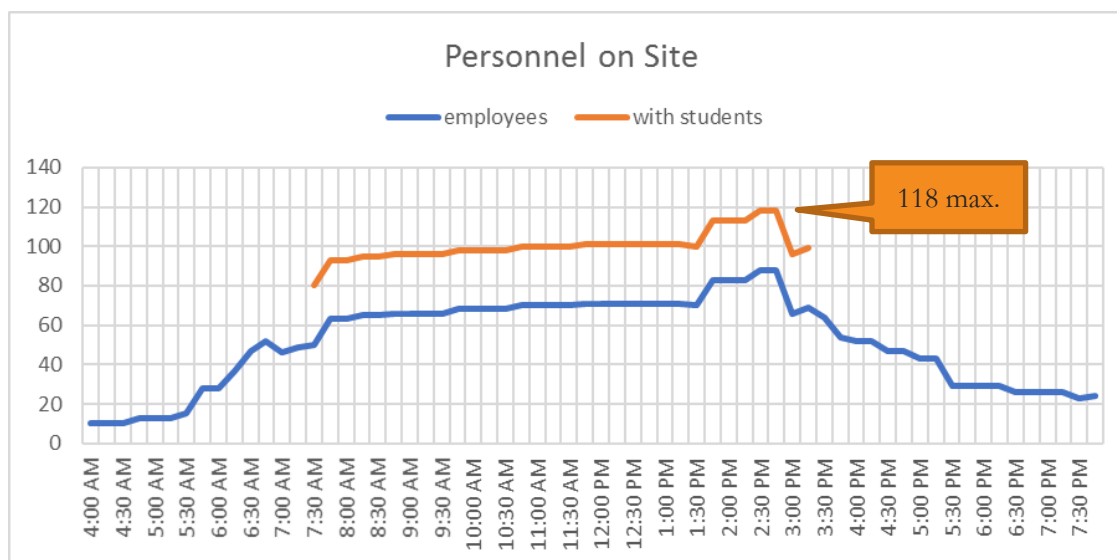
The existing facility has 5 general parking areas (see site plan):

- The maintenance area on the SW end, which serves company vehicle parking only (# of spaces unknown/undesigned)
- The SW visitor lot (9 spaces)
- The NW visitor lot (11 Spaces)
- The NE Employee Lot (17 spaces)
- The SE Employee Lot (17 spaces)

Total parking is 54 spaces + the maintenance lot capacity

Parking Need

RSG polled facility management for the number of employees and the hours (shifts) for each group. Detailed personnel shift data by time of day is attached. Plotting this data shows a theoretical maximum need, with and without the visiting student population, as shown in Figure 1. There are an estimated maximum of 118 personnel on-site, not including visitors.

FIGURE 1. MAXIMUM PARKING NEED BASED ON PERSONNEL

RSG staff observed parking activity on 10/5, 10/10, 10/24 and 10/26. Observations include:

- Employee parking was full and overflowed into grass areas by as many as 24 vehicles (72 vehicles vs. 48 available spaces).
- Visitor parking was 50-80% full (10-16 of 20 spaces occupied), however peak visitor hours are known to occur later than the times of observations.
- There were 3-4 vehicles in the maintenance area (no actual designated spaces).

Comparing the maximum observed parking vs. maximum personnel on-site data illustrates that significant TDM⁶ measures, such as car-pooling and use of alternate modes, are already in place.

Parking Ratios – Supply vs. Need

The current parking supply is 54 designated spaces. [space/permitted bed ratio = 54/160 or **0.338**]

Based on site observations, the current parking need is determined as follows:

- 72+ employee (personnel)
- 20 visitor
- 4 maintenance area

Total need is at least 96 spaces. [space/bed ratio = 96/160, or **0.600**]

⁶ Transportation Demand Management

6.0 OTHER EXAMPLE FACILITIES

Starr Farm Nursing Center, Starr Farm Road, Burlington:

- Recent aerial photos show 99 parking spaces for this 150-bed facility⁷
- The resulting parking space/bed ratio = 99 / 150, or **0.660**

Green Mountain Nursing, Fort Ethan Allen, Colchester:

- Recent aerial photos show 68 parking spaces for this 73-bed facility
- The resulting parking space/bed ratio = 68 / 73, or **0.932**

7.0 SUMMARY OF FINDINGS

Our findings include:

1. Birchwood Terrace provides a comprehensive care service that entails a wide variety of services and subsequent staffing needs.
2. Birchwood's operation has aspects that demand more parking (e.g. visiting nurses) than typical convalescent nursing facilities, as implied by the City CDO.
3. Staffing hours are well staggered to maximize parking efficiency (e.g. shift changes are staggered to minimizing space needs).
4. The current site is well situated to take advantage of the use of alternate transportation modes and estimated staff participation in use of alternate modes well exceeds current norms (33/168=20%)⁸
5. Comparing theoretical employee demand to observed maximum parking indicates excellent TDM measures are already taking place.
6. On-site employee parking needs regularly exceed supply, as observed, by at least 24 spaces.
7. Other typical facilities (see examples) supply more parking (i.e. ratio of spaces per patient bed) than Birchwood.
8. A waiver is justified on the maximum spaces allowed by the CDO for 96 spaces (vs. 50 allowed).

⁷ Facility capacity was determined from website information.

⁸ VTrans TDM guidelines suggest 5-10% is typical

8.0 PARKING MANAGEMENT PLAN

With daily on-site personnel and nursing students peaking at 118 persons, plus visitors and vendors/contractors, the CDO restriction to 50 parking spaces⁹ is clearly not appropriate or applicable.

Even with a waiver on the restriction of the maximum parking spaces, site constraints may limit parking to less than the suggested 96 spaces, thus parking management is essential.

To minimize the necessary parking demand, Birchwood Terrace can take the following measures:

1. Optimize the site layout for the number of parking spaces, loading, and site circulation.
2. Ensure continued easy access to the existing bus stops on North Avenue (i.e. via sidewalk), some 450 feet away.
3. Provide on-site bicycle parking, including secure parking for overnight storage and during inclement weather.
4. Continue to encourage the use of alternate modes by employees by:
 - a. Providing incentives such as health insurance credits, bus pass credits, or other rewards.
 - b. Providing a flexible workspace, allowing staggered shifts, telecommuting where possible.
 - c. Exploring rideshare options such as carpooling/vanpooling.
 - d. Offering a guaranteed ride home program.
5. Create sensible rules for on-site parking that ensure opportunities for shared use between users is maximized.
6. Optimize shift staggering so that the availability of spaces is optimized.
7. Consider obtaining a 1-year membership in the Chittenden Area Transportation Management Association (CATMA). CATMA provides a range of services that assist an organization to better understand and manage their transportation demands. As a member of CATMA, Birchwood Terrace will have access to their knowledge base and programs. In addition, CATMA may be able to assist with the following programs:
 - a. Securing off-site parking;
 - b. Coordinating shuttles to and from the site, if needed;
 - c. Guaranteed ride home program;
 - d. Implementing a Bulk Transit Pass program for employees; and
 - e. Providing regional expertise on parking management strategies.

⁹ Maximum 1 space per 4 beds plus 25% (i.e. 160/4*1.25)

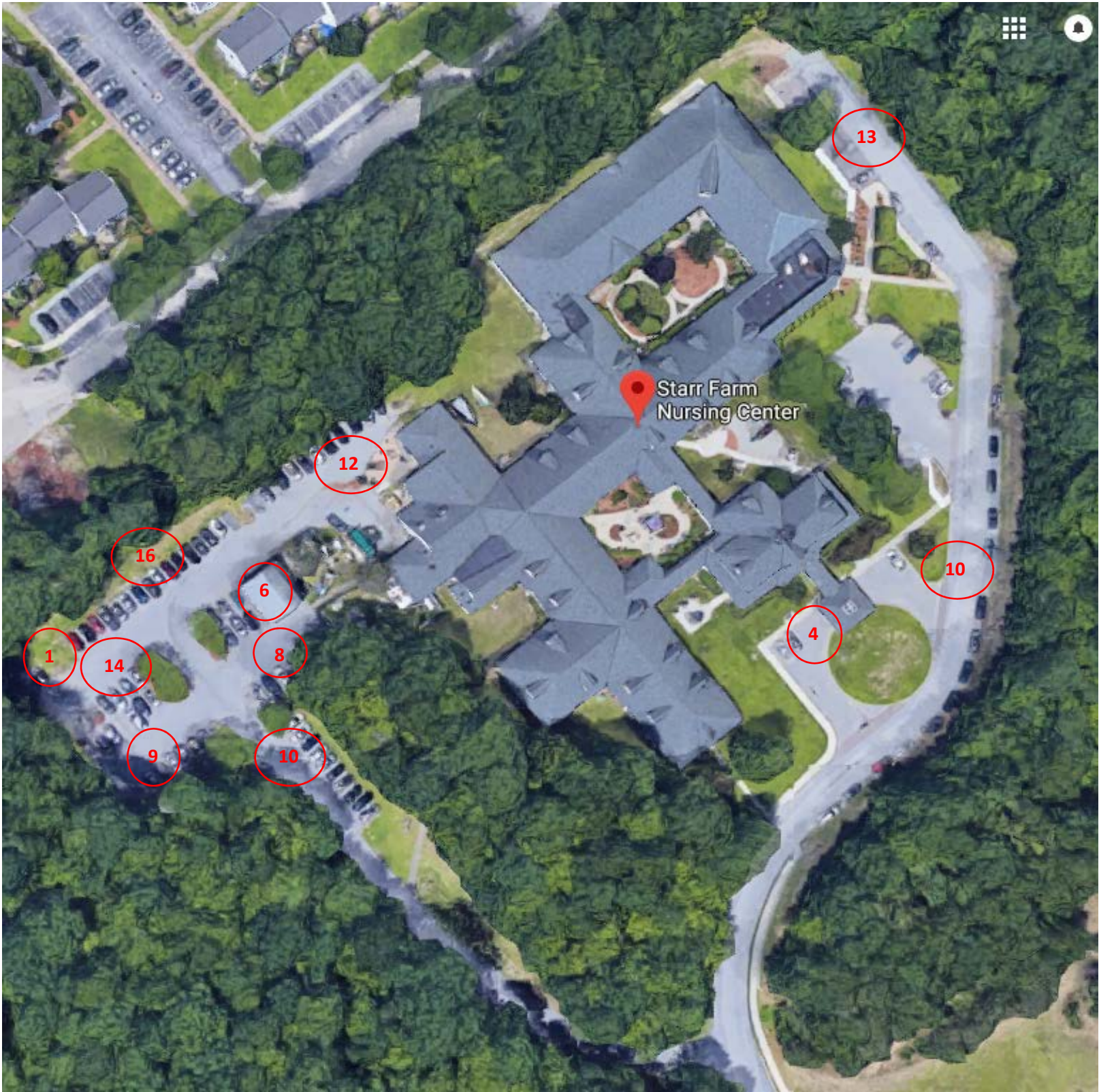
END OF MEMO

Attachments:

1. Birchwood Terrace site map
2. Starr Farm site map
3. Green MT Nursing site map
4. Birchwood personnel on-site by time-of-day data







13
16
4
12
6
4
10
9
14
1
10
99



[illegible]

EXHIBIT B -

Timeline of Events

- Parking Ban went into effect on Starr Farm Rd. surrounding the Flynn Elementary School in 2016, bringing all vehicles associated with the facility (and some from school) on site
- Received notice of violation in May 2017
- We had received an email from the Public Works Dept indicating it was ok to park on grass secondary to being in Ward 4, which was incorrect.
- In attempts to comply with the Notice of Violation, the below measures were taken:
 - Striped existing lots to maximize parking
 - Enhance signage indicating Facility Only parking, and delineation of guest/staff parking
 - Ordered parking placards for EE's to distinguish EE's from visitors
 - Initiated internal parking study over a 2-week period of time indicating the need for 100 spaces.
 - Explored off-site parking options which were not able to accommodate or meet our needs secondary not enough available spaces, not adequate lighting, safety issues/concerns for staff on 3 shifts:
 - N. Ave Alliance Church parking lot
 - St. Marks Church
 - Leddy Park
 - Price Chopper Parking lot and adjacent lot
 - Explored hiring Security to ensure only Birchwood staff/guests were parking on property (GMCS and Safe and Sound Security) – which neither were capable of doing secondary to staffing
- Employed Civil Engineering Group to do a complete and accurate site study/plan to capture current conditions/lot coverage.
- Met with Billy Burns, Traffic Control Officer, to verify appropriate street parking options
- Initiated Street Parking in October 2017 in surrounding neighborhoods (Grey Meadows, Starr Farm Rd., which was not well received by the neighbors, prompting many calls to Dave Hartnett, Kurt Wright, and Mayor Weinberg.
- City and the facility entered into an agreement to allow all parking to remain on-site while working towards an adequate solution.
- Proposed allowing facility to be considered “senior housing”, allowing for additional lot coverage in August 2018.
- RSG completed an external parking study in October 2018 indicating the need for 96 spaces.
- Proposed exceeding maximum parking allowance to the DRB in January 2019, with approval (phase 1) for work completion by August 1, 2019.

- Continued work with CEA and Landscape designer to enhance parking and screening we plan for phase 2.

Exhibit C – Staffing Requirements

1. Summary of Federal and State Requirements

Birchwood Terrace is a 144-skilled Nursing Facility (SNF) that provides care and services to its communities consisting of sick, frail and elderly residents. Overall, the facility consists of a 50-bed secured Memory Care Unit, a 54-bed Long-term Care Unit, and a 40-bed Rehabilitation Unit.

Skilled Nursing Facilities are regulated by CMS (Centers for Medicare and Medicaid Services), the Vermont Department of Aging and Independent Services, the Division of Licensing and Protection, and the Division of Fire Safety. Annual Surveys are conducted to ensure the facility is compliant with all local, State and Federal requirements in relation to resident care and services, building and environmental regulations.

Both Vermont State and Federal Guidelines mandate SNF's provide minimum staffing requirements. The Vermont Licensing and Operating Rules for Nursing Homes states that "The facility must have sufficient nursing staff to provide nursing and related services to attain or maintain the highest practical physical, mental and psychosocial well-being of each resident, as determined by resident assessments and individual plans of care or as specified by the licensing agency."

- (a) Sufficient staff. The facility must provide services by sufficient numbers of each of the following types of personnel on a 24-hour basis to provide nursing care to all residents in accordance with resident care plans:
- (d) Staffing Levels. The facility shall maintain staffing levels adequate to meet resident's needs.
 - 1. No fewer than 3 hours of direct care per resident per day, on a weekly average including nursing care, personal care and restorative nursing care, but not including administration or supervision of staff; and of the three hours of direct care, no fewer than 2 hours per resident per day must be assigned to provide standard LNA care (such as personal care, assistance with ambulation, feeding, etc.) performed by LNA's or equivalent staff and including meal preparation, physical therapy or the activity program.

Per CMS guidelines:

““The facility must have sufficient nursing staff to provide nursing and related services to attain or maintain the highest practical physical, mental and psychosocial well-being of each resident, as determined by resident assessments and individual plans of care and considering the number, acuity and diagnoses of the facility's resident population in accordance with the facility assessment.”

In addition to Nursing Services, the facility is required to provide Food and Nutrition Services (3 meals and snacks) equipped to manage specialized diets, a Dietician, Specialized Rehabilitative Services (PT/OT/ST), Activities, Social Services, Mental Health Services, Behavioral Health Services, Physician Services, Pharmacy Services, Laboratory Services, Laundry Services,

Housekeeping Services, Facility Maintenance, Administration, and Business Office (management of resident funds.)

In addition, CMS states “The resident has the right to receive visitors of this or her choosing, at the time of his or her choosing, subject to the resident’s right to deny visitation when applicable, and in a manner that does not impose of the right s of another resident.” It further clarifies, “The facility must provide immediate access to a resident by immediate family and other relatives of the resident, subject to the resident’s right to deny or withdraw consent.” And the “The facility must provide immediate access to a resident by others who are visiting with the consent of the resident.”

2. Typical Staffing/Visitor Numbers (broken down per shift/per day)

To meet these requirements for a full census, the typical numbers of individuals on site (in addition to residents) is as follows:

LNA/CAN:	10p – 6:30am – 6 aids 6am – 2:30pm – 13 aids 2pm – 10:30pm – 13 aids
LPN/RN:	10:45pm – 7:15am – 4 nurses 6:45am – 3:15pm – 10 nurses 2:45pm – 11:15pm – 7 nurses
Nursing Admin:	7:30am – 4pm – 3 nurses 8am – 4:30pm – 2 nurses
Administration:	8am – 5pm – 7 staff 9am – 2pm – 1 staff 10am – 6pm – 1 staff
Maintenance:	5am – 3pm – 1 7am – 4:30pm – 1 8am – 4pm – 1
Activities:	7:30am – 4:30pm – 1 8:30am – 6pm – 2 10am – 4pm – 1 11am – 7pm - 1
Dining Services:	5am – 2pm – 1 5:45am – 2:30pm – 2 6:30a – 3:30pm – 2 8am – 5pm – 2 11am – 7:30pm – 1

	3:30pm – 7:30pm – 3
Therapy:	6:30am – 2:30pm – 2 7am – 3:00pm – 4 8am – 5pm – 3
Laundry/Housekeeping :	5am – 1pm – 1 6:30am – 2:30pm – 5 8am – 5pm – 1 12pm – 7pm – 1
MD:	8am – 5pm – 2
Students:	7:45am – 3:00pm – 30 students (2 days/week)
Visitors :	7am – 7pm (average 10 – 20 visitors)



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

www.burlingtonvt.gov/plan

TO: Planning Commission
FROM: Scott Gustin, Principal Planner, Department of Permitting & Inspections
DATE: June 9, 2020
RE: Front Yard Parking

Overview & Background

This amendment seeks to clarify standards as to front yard parking in residential zones. Several iterations preceed this current proposal.

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

The latest iteration of this amendment attempts to address the consistent concerns over the potential for parking between a residential structure and the street, even when not actually within a front yard setback. The proposed language steers driveways and related parking spaces to the side or rear of principal residential structures and incorporates graphics for reference. No part of the present or proposed language enables parking on green space. The Planning Commission Ordinance Committee discussed this latest version at their March 5, 2020 meeting and referred it to the full Planning Commission for consideration.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement

The proposed amendment revises the language of Sec.8.1.12 (c) *Front Yard Parking Restricted* to more clearly limit parking within the front yard setback in residential zones, and it incorporates dimensional standards for residential driveways that presently apply only in design review areas.

Proposed Amendments

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

[Begin text amendment]

Sec. 8.1.12 Limitations, Location, Use of Facilities

(a) Off-Site parking facilities:

As written.

(b) Downtown Street Level Setback:

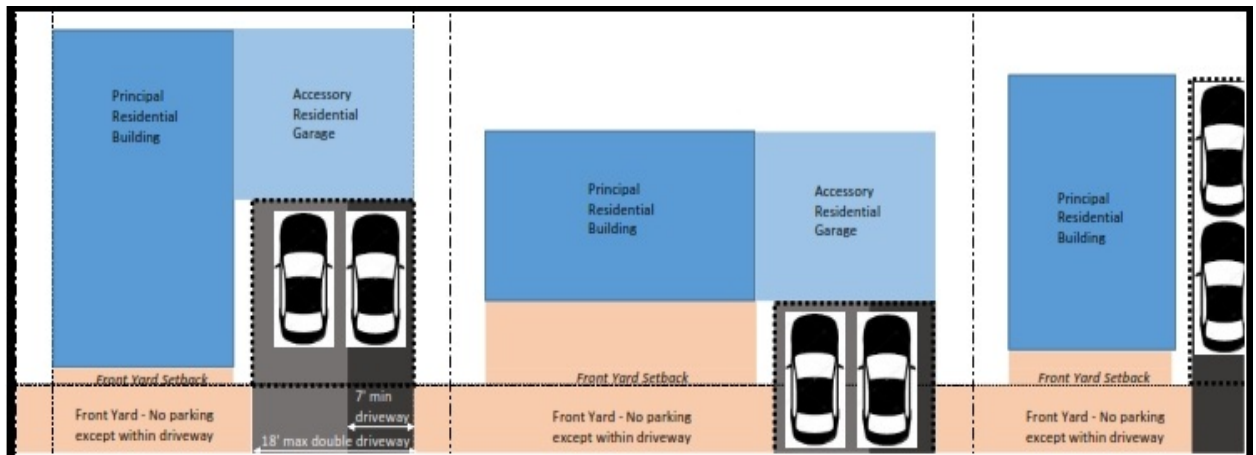
As written.

(c) Front Yard Parking Restricted and Residential Driveways:

~~Required~~ Parking spaces in all residential zoning districts shall ~~not~~ be located to the side or rear of the principal residential structure. Parking spaces shall not be located within a front yard setback except within a driveway and located to the side or rear of the principal residential structure. ~~in a required front yard setback area abutting a public street, except alleys. This prohibition extends from the edge of the public right-of-way into the required front yard setback for the entire width of the property with the exception of a single access drive no more than eighteen feet (18') or less in width.~~

Notwithstanding the above paragraph, parking spaces may be located within a driveway in front of garages that have been converted to habitable space.

Figure 8.1.12-1 (Illustrative purposes only)



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

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

Residential driveways shall be a minimum of 7 feet in width or consist of two 1.5' driveway strips made of pavement or pervious pavement. The maximum width for single or shared access driveways shall be 18' except where a physical barrier taller than 6" (other than a structural column) exists along one side of the parking stall. In such cases, the maximum width may be increased by 1'. Where such a physical barrier exists along both sides of the parking stall, the minimum width may be increased by 2'. In a residential district, driveways and parking areas shall be set back a minimum of 5' from side and rear property lines. Driveways that have a slope of 5% or greater (towards the right of way) shall be made of a solid surface including conventional pavement, pavers or pervious pavement. [This language is relocated from Sec. 6.2.2 (i), *Vehicular Access*, with some revision.]

(d) Shared Parking in Neighborhood Parking Districts:

As written.

(e) Single Story Structures in Shared Use Districts:

As written.

(f) Joint Use of Facilities:

As written.

(g) Availability of Facilities:

As written.

(h) Compact Car Parking:

As written.

[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).

Compatibility with Proposed Future Land Use & Density

The proposed amendment does not have an impact on the proposed future land uses of the Municipal Development Plan. It serves only to guide parking configurations in residential zones.

Impact on Safe & Affordable Housing

The proposed amendment has no impact on planned community facilities.

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, based on Planning Commission Ordinance Cmte.	Presentation to & discussion by Commission 6/9/20	Approve for Public Hearing	Public Hearing	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

Burlington Planning Commission

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

Burlington Planning Commission

Tuesday, May 19, 2020, 6:30 P.M.

Remote Meeting

Draft Minutes

Members Present	Commission: A Montroll, H Roen, J Wallace-Brodeur, A Friend, B Baker, E Lee
Staff Present:	M Tuttle, D White

I. Agenda

Call to Order	Time: 6:32pm
Agenda	No changes

II. Public Forum

Name	Comment
A Magyar	Attending to listen to the plan for future meetings, specifically work on Short Term Rentals.

III. Chair's Report

A Montroll	Welcome back to the Planning Commission and to first virtual meeting, hope everyone is well.
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IV. Director's Report

D White	Provided during item V.
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V. Update on Department Work & Planning Commission Schedule

No Action		
Motion by:	Second by:	Vote:
Type: Update	Presented by: D White	
D White shared that he and M Tuttle have been working from home since March 13 as the core of the City’s Analytics Team to research and provide information to Mayor and Emergency Operations Center on the pandemic and recovery strategies. Anticipate staff will continue to work remotely, with some portion of time to the Analytics Team, and Commission meetings will take place virtually for the foreseeable future. City currently assessing its FY21 budget; unsure current status of funding for planned projects, but not able to request new staff per Commission’s March direction. Regarding Housing Summit work, ZA-20-04 Minimum Parking was referred by Joint Committee on March 10, and is awaiting first read at Council—potentially late June/early July. Council has new Ordinance Committee, and will need to coordinate with Committee Chair to determine what capacity is to work on Short Term Rentals.		

VI. Commissioner Items

Action: N/A		
Motion: NA	Second: NA	Vote: NA
- H Roen thanked staff and all City team for work they've done to respond to pandemic.		

VII. Minutes & Communications

Action: Approved the minutes and accepted the communications		
Motion by: E Lee	Second: A Friend	Vote: Approved Unanimously
Minutes Approved: March 10, 2020 Joint Planning Commission & City Council Meeting		
Communications Filed:		
- Communications Enclosed in packet		

VIII. Executive Session

Action: Convene an executive session at 7:00pm to discuss a personnel matter, with only Commissioners attending		
Motion by: E Lee	Second: H Roen	Vote: Approved Unanimously
Action: Adjourn executive session at 7:19pm		
Motion by: J Wallace Brodeur	Second: H Roen	Vote: Approved Unanimously
Action: Recommend to Mayor the reappointment of D White as Planning Director		
Motion by: A Friend	Second: H Roen	Vote: Approved Unanimously

IX. Adjourn

Adjournment	Time: 7:21 pm	
Motion: J Wallace Brodeur	Second: H Roen	Vote: Approved Unanimously

Memorandum

To: The City of Burlington Planning Director
The City of South Burlington Planning Director
The Town of Colchester Planning Director
The Chittenden County Regional Planning Commission
The Vermont Department of Housing and Community Development

From: Eric Vorwald, AICP, Planning and Zoning Manager

RE: **Proposed Interim Zoning Bylaw as part of the City of Winooski's Unified Land Use and Development Regulations – Zoning Boundary Correction**

Date: May 27, 2020

Enclosed with this memo, please find a proposed interim zoning bylaw as part of the City of Winooski's Unified Land Use and Development Regulations. The proposed interim zoning bylaw relates specifically to:

- Section 2.1: Zoning Map
- Section 2.3: Applicability

The City of Winooski's Council will hold a public hearing on Monday, June 15, 2020 at 6:15pm to take public comments on the proposed interim zoning bylaw. This hearing will be held remotely and can be accessed at zoom.us/j/411567807 using the **Password: 000285**; or by telephone at **253.215.8782** using **Meeting ID: 411 567 807**. A copy of the public hearing notice is also included with this memo.

This information is being provided as a courtesy consistent with notification to municipalities. Any comments should be submitted in writing to me by the close of business on Friday, June 12, 2020. Any questions can also be directed to me.



**CITY OF WINOOSKI
INTERIM AMENDMENT TO
THE UNIFIED LAND USE & DEVELOPMENT REGULATIONS
TO CLARIFY THE BOUNDARIES OF THE DOWNTOWN CORE ZONING DISTRICT**

Winooski City Council
Introduced: May 18, 2020
Public Hearing: June 15, 2020

Whereas, the City of Winooski Unified Land Use & Development Regulations (the "Regulations") contain inconsistent references to the easterly boundary of the "Downtown Core" zoning district as depicted on the Official Zoning Map and the "Building Height and Location Map" incorporated into Appendix C of the Regulations; and

Whereas, it is the intent of the City to provide greater certainty of the boundary in order to permit development of the Downtown Core consistent with the previously adopted Master Plan for the Winooski Falls Riverfront Downtown Project, which extended the Downtown Core to the limits of the wetlands to the east, and is referenced as the so-called "Green Space Boundary" as depicted on the Building Height and Location Map incorporated into Appendix C;

Now Therefore, the City Council hereby amends the Regulations as follows:

1. The official zoning map, "City of Winooski Zoning Map" as adopted under Section 2.1 of the Regulations is hereby amended to extend the easterly boundary of the Downtown Core district to the most recent delineation of the wetlands to the east.
2. Article II Zoning Districts, Section 2.3 Applicability is amended to add:
 - E. "Any inconsistency in the delineation of the easterly boundary of the Downtown Core district shown on the Official Zoning Map or the boundary shown on the Building Height and Location Map" incorporated into Appendix C of the Regulations shall be interpreted to follow the most recent delineated boundary of the wetlands as approved by the State of Vermont. "

Kristine Lott, Mayor

Councilor

Councilor

Councilor

Councilor

Attest



PUBLIC HEARING NOTICE
INTERIM ZONING BYLAW AS PART OF THE CITY OF WINOOSKI
UNIFIED LAND USE AND DEVELOPMENT REGULATIONS
FOR ZONING BOUNDARY CORRECTION IN THE
DOWNTOWN CORE ZONING DISTRICT

In accordance with 24 V.S.A. §4415 and §4444, the Winooski City Council will hold a public hearing on **Monday, June 15, 2020** beginning at **6:15 p.m.** This hearing will be held remotely and can be accessed at zoom.us/j/411567807 using the **Password: 000285**; or by telephone at **253.215.8782** using **Meeting ID: 411 567 807**. The purpose of this hearing is to consider the following:

Interim Zoning as part of the Unified Land Use and Development Regulations

- Section 2.1: Zoning Map
- Section 2.3: Applicability

Statement of Purpose: The purpose of this interim zoning bylaw is as follows:

Section 2.1 – Correct inconsistencies between the Official Zoning Map for the City of Winooski (Map 1 of Article X), the Building Height and Location Map included in the Downtown Core Zoning District Regulations (Appendix C), and the text included in Appendix C, Section 11.600 which describes the boundaries of the Downtown Core Zoning District.

Section 2.3 – Provides new language to support the Zoning Administrator's ability to interpret the specific location of the zoning district boundary for the easterly side of the Downtown Core Zoning District.

Geographic Area Affected: The proposed interim zoning bylaw will apply only to the easterly boundary of the Downtown Core Zoning District.

Section Headings Impacted:

Section 2.1 – Amends the description of the zoning map to correct inconsistencies between maps related to the easterly boundary of the Downtown Core Zoning District.

Section 2.3 – Adds a new subsection "E" to clarify the easterly boundary of the Downtown Core Zoning District to be coincident with the most current delineation of the wetland boundary (identified as the "Green Space Boundary") as recognized by the State of Vermont.

The **full text** of the interim zoning bylaw is available at the Winooski City Hall, 27 West Allen Street, during normal business hours or by contacting Eric Vorwald, AICP, City of Winooski Planning & Zoning Manager by calling 802.655.6410 or evorwald@winooski.vt.gov.



**STATE OF VERMONT
AGENCY OF NATURAL RESOURCES
OFFICE OF PLANNING**

RE: University of Vermont and State	)	DISTRICT ENVIRONMENTAL
Agricultural College	)	COMMISSION #4
	)	
	)	APPLICATION #4C1043-1
	)	
	)	May 29, 2020

ENTRY OF APPEARANCE

Please enter the appearance of the Agency of Natural Resources (“Agency”), State of Vermont, by and through its staff, Kevin Anderson, in the above-captioned matter.

COMMENTS

Criterion 1(B): Waste Disposal

Condition 4 of the proposed land use permit refers to three Agency stormwater discharge permits. A fourth Agency stormwater discharge permit, 3627-INDS.9, was issued for the project on February 4, 2020 (attached). It applies to the proposed 69-space expansion to the Jeffords East parking lot. The Agency recommends condition 4 incorporate 3627-INDS.9.

Respectfully submitted,
State of Vermont
Agency of Natural Resources

By:

Kevin Anderson
Regulatory Policy Analyst
ANR Office of Planning
(802) 798-2087

E-Notification CERTIFICATE OF SERVICE FILE #4C1043-1

I hereby certify that I, Kevin Anderson, Regulatory Policy Analyst for the Agency of Natural Resources Office of Planning, sent a copy of the foregoing **Agency Comments and Entry of Appearance**, dated May 29, 2020, regarding File #4C1043-1 by U.S. mail, postage prepaid, to the individuals without email addresses and by electronic mail to those with email addresses as indicated:

District #4 Environmental Commission
111 West Street
Essex Junction, VT 05452
NRB.Act250Essex@vermont.gov
Rachel.Lomonaco@vermont.gov

University of Vermont and State Agricultural
College
UVM Planning, Design and Construction
16 Colchester Avenue
Burlington, VT 05405
lani.ravin@uvm.edu
lisa.kigsbury@uvm.edu

Amy Bovee, Ass't City Clerk
Chair, City Council/Chair, Planning
Commission
City of Burlington
149 Church Street
Burlington, VT 05401
abovee@burlingtonvt.gov

Chittenden Co. Regional Planning Commission
c/o Charlie Baker, Exec. Dir.
Regina Mahony, Planning Program Manager
110 West Canal Street, Suite 202
Winooski, VT 05404
permitting@ccrpcvt.org

Barry Murphy/Vt. Dept. of Public Service
112 State Street, Drawer 20
Montpelier, VT 05620-2601
barry.murphy@vermont.gov
psd.vtdps@vermont.gov

Craig Keller/Jeff Ramsey/Christopher Clow
VTrans Policy, Planning & Research Bureau
Barre City Place
219 N. Main Street
Barre, VT 05641
aot.act250@vermont.gov

Vt. Agency of Agriculture, Food & Markets
116 State Street, Drawer 20
Montpelier, VT 05620-2901
AGR.Act250@vermont.gov

Division for Historic Preservation
National Life Building, Drawer 20
Montpelier, VT 05620
scott.dillon@vermont.gov
james.duggan@vermont.gov
accd.projectreview@vermont.gov

Kevin Anderson, Regulatory Policy Analyst
Office of Planning

STATE OF VERMONT
AGENCY OF NATURAL RESOURCES
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

STORMWATER DISCHARGE PERMIT

STORMWATER RUNOFF TO WATERS OF THE STATE

In compliance with provisions of 10 V.S.A. §1264, the Stormwater Permitting Rule, and in accordance with "Terms and Conditions" hereinafter specified,

University of Vermont
16 Colchester Avenue
Burlington, VT 05405

Impervious Area: 1.04 acres

the permittee is hereby granted permission to discharge stormwater runoff from Jeffords East Lower Parking Lot located at 63 Carrigan Drive in Burlington, Vermont to an Unnamed tributary to Centennial Brook. This individual permit is required due to the impairment of the receiving water.

1. Expiration Date: This permit, unless revoked, modified or suspended, shall be valid until the designated expiration date notwithstanding any intervening change in water quality, effluent, or treatment standards, or classification of the receiving waters including groundwater. However, any such changed standard or classification, and any applicable requirement in a total maximum daily load (TMDL) for, shall be applied in determining whether or not to renew this permit, and in determining the conditions of a renewed permit.
2. Revocation: 10 V.S.A. §1267 provides as follows:
The Secretary may, after notice and opportunity for a public hearing, revoke, modify or suspend this permit if it is found that the permittee submitted false or inaccurate information in its application or has violated any requirement, restrictions, or condition of this permit, or if there is any change in any condition that requires either a temporary or permanent reduction or elimination of the permitted discharge. The Secretary shall impose conditions as the Secretary deems necessary for regulating the discharges of a permittee whose permit has been revoked, modified or suspended. Revocation shall be effective upon actual notice thereof to the permittee.
3. Operating Fees: This discharge is subject to operating fees under 3 V.S.A. §2822. The permittee shall submit the operating fees to the Agency in accordance with procedures provided by the Secretary.
4. Recording in Land Records: The permittee shall record a one-page town recording form for this discharge permit in the local land records within thirty (30) days of issuance of this permit on the form provided by the Secretary, per §22-901 of the Stormwater Permitting Rule. A copy of this form is available on the Stormwater Management Program website. The permittee shall provide a copy of the recording to the Stormwater Management Program within fourteen (14) days of the permittee's receipt of the copy of the recording from the local land records. Permits for public linear transportation projects shall be exempt from this requirement, provided the permit is retained by the permittee in the official project file.
5. Transfer of Permit: This permit is not transferable without prior written approval of the Secretary. Provided all applicable fees under 3 V.S.A. §2822 have been paid, a permittee may submit a notice of transfer to the Stormwater Management Program. The notice shall be submitted at least five (5) days prior to the proposed date of transfer. The notice shall state that the prospective permittee has adequate funding to comply with this permit. The permittee shall provide a copy of this permit to the new owner or tenant and inform him of the responsibility to make application for a permit which shall be issued in his name. Any failure to do so shall be considered a violation of this permit.

6. Right of Entry: The permittee shall allow the Secretary, or his or her authorized representatives, at reasonable times, upon presentation of credentials, to enter upon and inspect the permitted premises, and the stormwater collection, treatment and control system; and to sample any discharge to determine compliance with this permit; and to have access to and inspect and copy any records required to be kept pursuant to this permit.
7. Receiving Waters: Unnamed tributary to Centennial Brook
8. Manner of Discharge:
S/N 001: Stormwater runoff from a new and existing parking lot, a sidewalk, and utility pad via sheet flow to vegetation in accordance with the Simple Disconnection treatment practice and by overland flow and a closed piping system to the East Campus Stormwater Treatment Facility, a wet extended detention pond with a pre-treatment sediment forebay, discharging via controlled outlet structure to an Unnamed tributary of Centennial Brook.
9. Wastes Permitted: Stormwater runoff from the above-named areas of the project herein after treatment as specified in the manner of discharge.
10. Volumes Permitted and Frequency of Discharge: Such volumes and frequency as required by the discharge specified in the Manner of Discharge above.
11. Approved Project Design: This project shall be constructed and operated in accordance with the following site plans and details prepared by Krebs & Lansing Consulting Engineers, Inc. By reference, the following plans are made a part of this permit:

 Sheet C1.0, "Jeffords East Lower Lot, Overall Site Plan," dated 11/01/2019;
 Sheet C1.1, "Jeffords East Lower Lot, Site Plan," dated 11/01/2019;
 Sheet C1.2, "Jeffords East Lower Lot, Landscaping and Post Construction Soil Restoration Plan," dated 11/01/2019;
 Sheet C1.3, "Jeffords East Lower Lot, Post Construction Stormwater Maintenance Plan," dated 11/01/2019;
 Sheet C-1.4, "Sidewalk & Electrical Capacitor, Site Plan," dated 11/01/2019;
 Sheet C-5.0, "Jeffords East Lower Lot, Civil Details," dated 11/01/2019;
 Sheet C-5.2, "Jeffords East Lower Lot, Civil Details," dated 11/01/2019;
 Sheet C-6.0, "Jeffords East Lower Lot, Post Development Stormwater Plan," dated 11/01/2019;
 Sheet C-6.1, "Jeffords East Lower Lot, Pre-Development Stormwater Plan," dated 11/01/2019;
 Sheet WS-EC-1, "Overall East Campus Watershed Plan," dated 09/28/2015, last revised 11/01/2019;
 Sheet WS-EC-2, "East Campus Watershed Plan," dated 09/28/2015, last revised 07/19/2018;
 Sheet WS-EC-3, "East Campus Watershed Plan," dated 09/28/2015, last revised 11/01/2019;
 Sheet WS-EC-4, "East Campus Watershed Plan," dated 09/28/2015, last revised 11/01/2019;
 and all supporting information.
12. Inspection and Maintenance Reporting Requirements:
 - a. The stormwater collection, treatment and control system shall be maintained in good operating condition at all times and **shall be inspected annually and cleaned as necessary to maintain design specifications. The inspections shall be conducted between the conclusion of spring snow melt and June 15th of each year.**
 - b. Any sediment removed from the stormwater collection, treatment and control system shall be disposed of properly in accordance with state and federal statutes and regulations.
 - c. **By July 15 of each year the permittee shall submit an annual inspection report to the Secretary; or by July 30 of each year if performed by a utility or municipality pursuant to a duly adopted stormwater management ordinance. Annual Inspection Reports shall be submitted electronically to the DEC – Watershed Management Division, Stormwater Program at:**

- i. Unless previously submitted by the permittee(s) under a previously issued authorization or discharge permit, the first report submitted after construction completion shall also be submitted with a Designer's Initial Statement of Compliance that the project was built in compliance with the Approved Project Design outlined above at <https://anronline.vermont.gov>.
13. Secretary's Determination: The Secretary has determined that this project meets the requirements of the Agency's 2017 Stormwater Management Manual. The Secretary has determined that the proposed discharge will not reduce the quality of the receiving waters below the classification established for them.
14. Personnel and Training Requirements: Such personnel and training as necessary to fulfill the requirements of the Inspection and Maintenance Reporting above.
15. Monitoring and Reporting Requirement: No monitoring required; reporting requirement as specified in the Inspection and Maintenance Reporting above.
16. Other Requirements:
 - a. Treated stormwater runoff is the only waste authorized for disposal under the terms and conditions of this permit. The discharge of any hazardous materials or hazardous waste into the stormwater management system is prohibited.
 - b. The issuance of this permit does not relieve the permittee from the responsibility to obtain any other local, state or federal permits required by law.
17. Compliance with Anti-degradation and Water Quality Standards: The Secretary has determined that the permitted discharges satisfy Vermont's Anti-degradation Policy provided in Section 1-03 of the Vermont Water Quality Standards and the Department of Environmental Conservation's Interim Anti-degradation Implementation Procedure because the applicant has demonstrated how the proposed development will implement practices and offset projects as necessary to ensure water quality is maintained in receiving waters. In particular, the applicant has demonstrated how the proposed development will implement appropriate best management practices (BMPs) designed in accordance with the requirements of the Vermont Stormwater Management Manual and as necessary offset projects in accordance with Chapter 22: Stormwater Permitting Rule. These BMPs and offset projects where necessary will manage and mitigate the proposed stormwater discharge from the project such that no lowering of water quality is expected to occur in the receiving waters.
18. Right to Appeal:

(A) Pursuant to 10 V.S.A. Chapter 220, any appeal of this permit, except for appeal of a renewable energy plant as described in (B), must be filed with the clerk of the Environmental Division of the Superior Court within 30 days of the date of the decision. The notice of appeal must specify the parties taking the appeal and the statutory provision under which each party claims party status; must designate the act or decision appealed from; must name the Environmental Division; and must be signed by the appellant or the appellant's attorney. In addition, the appeal must give the address or location and description of the property, project, or facility with which the appeal is concerned and the name of the applicant or any permit involved in the appeal. The appellant must also serve a copy of the notice of appeal in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings. For further information, see the Vermont Rules for Environmental Court Proceedings.

(B) If this permit relates to a renewable energy plant for which a certificate of public good is required under 30 V.S.A. § 248, any appeal of this decision must be filed with the Vermont Public Utility Commission pursuant to 10 V.S.A. § 8506. This section does not apply to a facility that is subject to 10 V.S.A. § 1004 (dams before the Federal Energy Regulatory Commission), 10 V.S.A. § 1006 (certification of hydroelectric projects), or 10 V.S.A. Chapter 43 (dams). Any appeal under this section must be filed with the clerk of the Public Utility Commission within 30 days of the date of this decision; the appellant must file with the clerk an original and six copies of its appeal. The appellant shall provide notice of the filing of an appeal in accordance with 10 V.S.A. § 8504(c)(2) and shall also serve a copy of the notice of appeal on the Vermont Public Service Department. For further information, see the Rules and General Orders of the Public Utility Commission.

19. Effective Date and Expiration Date of this Authorization: This authorization to discharge shall become effective on February 4, 2020 and shall expire on February 3, 2025.

Dated this 4th day of February, 2020

Emily Boedecker, Commissioner
Department of Environmental Conservation



By: _____
Padraic Monks, Program Manager
Stormwater Management Program



VERMONT DEPARTMENT OF
ENVIRONMENTAL CONSERVATION
WATERSHED
MANAGEMENT DIVISION
STORMWATER PROGRAM

**Town Recording of Permit Issued
FOR STORMWATER DISCHARGE PERMIT BY
THE VERMONT DEPARTMENT OF
ENVIRONMENTAL CONSERVATION**

Notice is hereby given that the Vermont Department of Environmental Conservation gives authorization to discharge pursuant to a general stormwater discharge permit that has been issued to Permittee(s) named herein for the discharge of stormwater runoff for the property identified below from impervious surfaces (e.g. roadways, rooftops, parking lots, walkways) pursuant to 10 V.S.A. 1264. The authorization requires treatment and control of stormwater runoff, long-term maintenance of the treatment and control structures and payment of yearly operational fees.

University of Vermont

Permittee(s): _____
3627-INDS.9

Permit/Authorization Number: _____
63 Carrigan Drive, Burlington

911 Address of Property: _____

Name of association (if applicable): _____
(condominium, subdivision or planned community)

Printed Name of Permittee or Authorized Representative: _____

Signature of Permittee or Authorized Representative: _____ Date: _____

FOR TOWN CLERK USE ONLY:

Recorded under Book: _____ Page: _____

Date Recorded with Town: _____ Signature / Stamp: _____

Recording information for Municipal Clerks - please index this document listing the State of Vermont, Department of Environmental Conservation as "Grantee," and listing the above-named Permittee(s) as "Grantor(s)." Additionally, if this notice lists the name of a condominium, subdivision or planned community association, please list the named association as an additional "Grantor."

Please upload this completed form to ANR Online by visiting the following link <https://anronline.vermont.gov>

Burlington Planning Commission

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7144 (TTY)

www.burlingtonvt.gov/pz

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

Burlington Planning Commission

Tuesday, June 9, 2020, 6:30 P.M.

Remote Meeting

Minutes

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

I. Agenda

Call to Order	Time: 6:36pm
Agenda	No changes

II. Public Forum

Name	Comment
	No comments.

III. Chair's Report

A Montroll	Thanked Commission for participating in online format.
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IV. Director's Report

D White	Staff continues with COVID-19 Analytics Team, starting to re-engage with other projects and zoning amendments. Frustration that we are not going to have a lot of time this coming year to tackle big topics, but hoping to reconvene Joint Committee on STRs, and hoping later this month to bring parking to Council.
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V. Public Hearing: CDO Amendment ZA-20-06 Bowling Alley in ELM

Approve Municipal Bylaw Amendment Report and refer amendment with recommendation to Council		
Motion by: A Friend	Second by: E Lee	Vote: Approved Unanimously
Type: Public Hearing & Action	Presented by: M Tuttle	
M Tuttle explained that the Commission's Ordinance Committee recommended allowing Bowling Alleys in the Enterprise Light Manufacturing District with no additional restrictions or conditions. Chair opened and closed the public hearing at 6:45pm, with no comment submitted.		

VI. Proposed CDO Amendment Convalescent Home Lot Coverage & Parking

Approve Municipal Bylaw Amendment Report and warn for public hearing		
Motion by: J Wallace-Brodeur	Second by: A Friend	Vote: Approved Unanimously
Type: Discussion & Action	Presented by: S Gustin	
S Gustin explained that amendment changes parking requirement from 1 per 4 beds to 1 per 2 beds, and allows senior housing bonuses consistent with inclusionary housing bonus based on request from fall from Birchwood Nursing Home.		

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.

Tuesday, June 9, 2020

Alecia DiMario, Birchwood, and Jim Langan expressed appreciation for the recommendations and believe that it will meet the facility's need for skilled nursing staff.

Commissioners indicated support for the amendment, particularly as it supports staffing needs of an essential business and impacts a limited number of facilities in the city. However, Commissioners expressed concern that increasing parking does not feel like the right strategy in light of residential parking limit on Starr Farm Rd that does not seem warranted.

VII. Proposed CDO Amendment Front Yard Parking

Approve Municipal Bylaw Amendment Report and warn for public hearing

Motion by: A Friend

Second by: H Roen

Vote: Approved Unanimously

Type: Discussion & Action

Presented by: S Gustin

S Gustin explained that this amendment, recommended by the Commission's Ordinance Committee, expressly includes language to steer parking to the side or rear of a residence unless accessing a garage and allows for a wider driveway where there are physical barriers present.

Commissioner Lee shared concerns and questions about driveways close to the property line and physical barriers around driveways. S Gustin and D White noted standards in the CDO that address these concerns. It was noted that in new language introduced regarding additional driveway width in Sec. 8.1.12 (c), the word "minimum" needs to be changed to "maximum".

VIII. Commissioner Items

Action: N/A

Motion: NA

Second: NA

Vote: NA

- Upcoming meetings in June and July anticipated to be on Zoom
- Commissioner Lee requested looking at lighting standards, particularly to incorporate elements for Dark Skies compliance. Executive Committee will discuss when to take this up at its next meeting.

IX. Minutes & Communications

Action: Approved the minutes and accepted the communications

Motion by: A Friend

Second: E Lee

Vote: Approved Unanimously

Minutes Approved: May 19, 2020 Planning Commission Meeting

Communications Filed:

- Communications Enclosed in packet

X. Adjourn

Adjournment

Time: 7:25 pm

Motion: J Wallace-Brodeur

Second: H Roen

Vote: Approved Unanimously



Andy Montroll, Chair

Signed: June 24, 2020

Respectfully submitted by:



Meagan Tuttle, Comprehensive Planner