

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
Michael Gaughan
Emily Lee
Brynne Martin

Regular Meeting Burlington Planning Commission

Tuesday, April 12, 2022, 6:30 P.M.

Remote & Virtual Meeting via Zoom

In-Person Option Available:

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

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. Proposed CDO Amendment ZA-22-07: Maximum Parking & TDM

The Commission will review and discuss proposed amendment to the *Comprehensive Development Ordinance* regarding standards for parking maximums, transportation demand management (TDM) procedures, and technical amendments to CDO to remove reference to parking requirements. Materials related to this item are included on page 7 of the agenda packet.

Staff Recommendation: Discuss City Council Ordinance Committee changes on proposed ordinance, approve Municipal Bylaw Amendment Report, and warn a Public Hearing.

VI. Proposed CDO Amendment: Interim Emergency Shelters

The Commission will continue a discussion of proposed amendment to the *Comprehensive Development Ordinance* regarding standards for Emergency Shelters in the city. Materials related to this item are included in the on page 37 of the agenda packet.

Staff Recommendation: Ask questions and provide feedback on the draft amendment. If the Commission is satisfied with amendments, it may approve the Municipal Bylaw Amendment Report and warn a Public Hearing.

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VII. Commissioner Items

- a. Upcoming Meetings will be hybrid/online unless otherwise noted – April 26, at 6:30 pm
- b. Committee Reports- Ordinance Committee

VIII. Minutes & Communications

- a. The minutes of the March 22 meeting are enclosed in the agenda packet on page 4
- b. Communications – any communications, if received, will be posted online before the meeting

IX. Adjourn

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Burlington Planning Commission Agenda

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City of Burlington, VT
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Burlington, VT 05401
Phone: (802) 865-7144

www.burlingtonvt.gov/plan

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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Burlington Planning Commission

Tuesday, March 22, 2022, 6:30 P.M.

Remote Meeting via Zoom

Draft Minutes

Members Present	A Montroll, A Friend, E Lee, Y Bradley, B Martin, B Baker, M Gaughan
Staff Present	M Tuttle, S Dunn, B Pine
Public Attendance	

I. Agenda

Call to Order	Time: 6:33pm
Agenda	No change

II. Public Forum

Name(s)	Comment
K Devine	Know there is a housing crisis in the city, but BBA is concerned about the proposal to put shelter pods in Burlington. Concerned about experience related to proposed changes to emergency shelters. Should either provide this level of expedited approval for all housing types, or none.
S Bushor	For temporary structures that become permanent, no requirement that it is again inspected.
M Lang	Regarding BHS, concerned about buildings that are up to 80 ft high on the property line. In an Institutional Zone for overlays, institutions had to give back to the neighborhood a buffer zone. Caution that this is a major zoning change, need to go slowly.
J Nick	CSM Commission is concerned about the location of Elmwood Ave location for shelter pods due to bad behaviors that could end up on the marketplace. planBTV says that concentration of social services can become unmanageable if not coordinated. Need to have a dialogue before approving any project.
E Langfeldt	Concerned about pods next door to 43 Elmwood and impacts on the residents that are in the building. Permitting process brings neighbors to the table to make better projects. Need housing of all type, but not at expense of process.

III. Chair's Report

A Montroll	No report.
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IV. Director's Report

M Tuttle	Introduce C Dillard as Principal Planner. Shared that City Council sustained Mayor's veto of new short term rental ordinance and referred proposed changes to parking and TDM to PC for public hearing.
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Burlington Planning Commission Minutes

Tuesday, March 22, 2022

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V. Proposed CDO Amendment: Interim Emergency Shelters

Motion by:	Second by:	Vote: N/A
Type: Discussion	Presented by: S Dunn, M Tuttle	
M Tuttle noted two key questions from last discussion were how neighbors could be engaged in permits for temporary shelters if they can be approved administratively, and what the standards for operating a shelter would be. M Tuttle shared that the draft was updated to require a pre-application neighborhood meeting for temporary shelters, and conditional use process maintained for permanent facilities.		
Commissioner discussion: • Some Commissioners felt that there was a need for more clear standards to protect the public and consequences if they are not met, and some wondered about a shorter time limit for what is temporary. • The question was raised on why there seems to be more requirements for establishment of temporary shelter rather than a permanent shelter. Staff noted that today emergency shelters are considered "conditional use" with a public hearing, but not required to meet pre-application neighborhood meeting. The proposal would not require a temporary shelter permit to be voted on by DRB. If the project is rejected administratively it can be appealed to the DRB. If rejected by the DRB, the appeal process goes outside the City to the Environmental Court. • A question was raised whether the project was outside the definition of "temporary" since the timeline is up to 3 years. It was noted that the proposal is that a permit will need to be reviewed every year for up to 3 years. Beyond that, the project will need a permanent facility permit. • Regarding some concerns about the need to make other forms of housing easier to create, staff noted a number of changes the Planning Commission has made to zoning requirements in Downtown core, which cumulatively led 77 Pine Street to obtain a permit in 3 weeks. • A Commissioner was concerned that maintaining DRB review without clear standards will result in neighborhoods arguing that a temporary shelter does not fit into the character of the neighborhood. • Other commissioners felt that criteria/standards for the City and the DRB to evaluate these plans would be helpful in understanding what is supposed to happen and not happen at this site, and some what annual reviews should consider. M Tuttle noted that an Operations and Maintenance Plan will still need to be approved by the City (CEDO). S Dunn added that the Special Assistant to End Homelessness position has been filled in CEDO and that person will start soon. That position will determine the requirements of the Operations Plan, and City Council recommended quarterly updates on how the Shelter community is doing. • S Dunn explained that the project does not necessarily require a zoning amendment and will be seeking a zoning permit. M Tuttle noted that this is not about the city circumventing rules or changing zoning for a specific project, but rather asking the question about whether conditional use is an appropriate regulatory process for temporary, emergency housing solutions for the most vulnerable. B Pine raised the point that government entities serving public good/public policy should be reviewed differently than a private developer trying to circumvent zoning requirements. • A question was raised whether this policy should be considered, and why the city isn't focusing more on a permanent shelter and housing opportunities. M Tuttle addressed that the City is trying to address the housing crisis at many levels, both permanent affordable housing and more flexible immediately deployable housing options like this one. • The Commission asked for more information, particularly the operating standards, from S Dunn and M Tuttle for further review.		

VI. Commissioner Items

- Next meetings are April 12 and 26 at 6:30pm

Burlington Planning Commission Minutes
Tuesday, March 22, 2022

VII. Minutes and Communications

Action: Approve the minutes and accept the communications		
Motion by: A Friend	Second by: E Lee	Approved Unanimously
Minutes Approved: March 8, 2022		
Communications Accepted: in the agenda packet and posted at https://www.burlingtonvt.gov/CityPlan/PC/Agendas		

VIII. Adjourn

Adjournment	Time: 8:03pm	
Motion: M Gaughan	Second: E Lee	Vote: Approved Unanimously

DRAFT



City of Burlington, VT
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TO: Burlington Planning Commission
FROM: Meagan Tuttle, AICP, Director
CC: Scott Gustin, AICP, Zoning Division Manager, DPI
Charles Dillard, AICP, Principal Planner
DATE: April 6, 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
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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	Approve for Public Hearing 4/12/22	Public Hearing	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.

Page 2

Resolution Relating to

Comprehensive Development Ordinance, Minimum and Maximum
Parking Requirements and Transportation Demand Management

(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).

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Resolution Relating to

Comprehensive Development Ordinance, Minimum and Maximum
Parking Requirements and Transportation Demand Management**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

Page 4

Resolution Relating to

Comprehensive Development Ordinance, Minimum and Maximum
Parking Requirements and Transportation Demand Management

(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)

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Resolution Relating to

Comprehensive Development Ordinance, Minimum and Maximum
Parking Requirements and Transportation Demand Management

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,~~

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~~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

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Table 8.1.8-1 Minimum Off-Street Parking Requirements			
	Neighborhood Districts	Shared-Use Districts	<u>Multimodal Mixed-Use</u> Districts
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
Appliance & Furniture Sales/Service	2.5	1	0

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Comprehensive Development Ordinance, Minimum and Maximum
Parking Requirements and Transportation Demand Management**Table 8.1.8-1 Minimum Off-Street Parking Requirements**

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

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

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

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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	<u>Multimodal Mixed-Use</u> 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

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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>

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>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>

<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>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

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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 facilitiesShared 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

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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.

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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:

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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.

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~~(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.

576 **Sec. 8.3.5 Review and Approval of Applications for Future Development**

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

579 (a) In reviewing any application for development from a post-secondary educational or medical institution
580 within the Institutional district, the DRB shall find that the proposal is included and addressed consistent
581 with an approved Institutional Parking Plan and that the proposal is consistent with the approved Plan.

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

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591 *JH/Resolutions 2021/Comprehensive Development Ordinance, Minimum and Maximum Parking*
592 *Requirements and Transportation Demand Management*
593 *9/7/2021 Referred to PC by CC 3/21/2022, with staff amendments 4/6/2022*
594
595



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: April 6, 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 three aspects of this proposed amendment: requirements for neighborhood notice, operational standards for interim facilities, and mechanisms for temporary permit issuance. The highlighted sections enclosed have been modified to address these points, and additional information will be provided during the meeting.

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 the City Planning department or 711 if you are hearing or speech impaired.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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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

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.~~

Commented [MT1]: This is captured in 5.4.13. does not need to be duplicated in the definition.

Sec. 5.4.13 Emergency Shelters

Emergency shelters shall be subject to the following:

Table 5.4.13 Emergency Shelter Standards		
Standard	Interim Facilities	Permanent Facilities
Location	Permitted Use in all zoning districts except UR, DW-PT, RCO-C and RCO-A. Must be property owned or controlled by the City of	Conditional Use in districts which permit housing uses generally (See Appendix A)

Commented [MT2]: This new table seeks to make a distinction between interim/temporary shelters and permanent shelter facilities. The standards that are in the "Permanent Facilities" captures and makes no changes to the standards for Emergency Shelters currently included in *Sec.5.4.13*. Only the standards in the "Interim Facilities" column are new.

	<u>Burlington, or on private property with an operating agreement with the City of Burlington for an interim shelter.</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>	
Use	May be the primary use of a property, or it may be accessory to another primary use on a property.	
Site Standards	• Minimum site area of 5,000 sq.ft. • Screening shall be installed along all site boundaries, including those fronting on a public street • Exempt from Article 8 standards	• All dimensional standards for the underlying zoning per requirements of Article 4 shall be applicable • Design review standards of Article 6 as applicable
Density	• Limited to fifty (50) guests	• 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. • Within neighborhood mixed use zones, limited to fifty (50) beds • Within FD5 and FD6, no density limit
Notice	Shall be required to hold a Pre-application Neighborhood Meeting per Sec.3.2.1 (d)	As required per Conditional Use review
Occupancy	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.	
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)	

Commented [MT3]: CEDO is verifying with funding and regulatory partners as to an alternative agency that can approve this operations plan. Will discuss during the 4/12 meeting.

(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

Commented [MT4]: While the ordinance contains thresholds under which zoning permits are not required at all (i.e. 10 or 30 days) – for “temporary” uses, structures, or signs, etc.—this section is modeled after how permits are issued within the Urban Reserve district. This provides specific standards regarding duration of a permit and its expiration, similar to permits issued in the UR.

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

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	Approve for Public Hearing	Public Hearing	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

Proposed ZA-22-06: Appendix A-Use Table

	Urban Reserve	Recreation, Conservation & Open Space			Institutional	Residential			Downtown Mixed Use ⁱ	Neighborhood Mixed Use				Enterprise	
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
Emergency Shelter ³¹	N	N	N ³¹	N	N ³¹	CU ³¹	CU ³¹	CU ³¹	N	CU ³¹	CU ³¹	CU ³¹	CU ³¹	N ³¹	N ³¹

1. Residential uses are not permitted except only as an accessory use to an agricultural use.
2. Duplexes may be constructed on lots which meet the minimum lot size specified in Table 4.4.5-1.
3. Duplexes shall only be allowed as a result of a conversion of an existing single family home. New duplexes are prohibited.
4. No more than 5 rooms permitted to be let in any district where bed and breakfast is a conditional use. No more than 3 rooms permitted to be let in the RL district.
5. An existing fraternity, sorority, or other institutional use may be converted to dormitory use subject to conditional use approval by the DRB.
6. Must be owner-occupied.
7. Must be located on a major street.
8. Daycare centers and preschools in the RCO zones shall only be allowed when a small museum is the principal use.
9. Automobile sales not permitted other than as a separate principal use subject to obtaining a separate zoning permit.
10. Exterior storage and display not permitted.
11. All repairs must be contained within an enclosed structure.
12. No fuel pumps shall be allowed other than as a separate principal use subject to obtaining a separate zoning permit.
13. Permitted hours of operation 5:30 a.m. to 11:00 p.m.
14. Such uses not to exceed ten thousand (10,000) square feet per establishment.
15. Excludes storage of uncured hides, explosives, and oil and gas products.
16. See Sec.4.4.1(d) 2 for more explicit language regarding permitted and conditional uses in the Downtown Waterfront – Public Trust District.
17. Allowed only as an accessory use.
18. A permitted use in the Shelburne Rd Plaza and Ethan Allen Shopping Center.
19. [Reserved].
20. Accepted agricultural and silvicultural practices, including the construction of farm structures, as those practices are defined by the secretary of agriculture, food and markets or the commissioner of forests, parks and recreation, respectively, under 10 VSA §1021(f) and 1259(f) and 6 VSA §4810 are exempt from regulation under local zoning.
21. See Sec. 4.4.7 (c) for specific allowances and restrictions regarding uses in the Urban Reserve District.
22. See Sec. 4.4.5 (d) 6 for specific allowances and restrictions regarding Neighborhood Commercial Uses in Residential districts.
23. Allowed only on properties with frontage on Pine Street.
24. Such uses shall not exceed 4,000 square feet in size.
25. Dormitories are only allowed on properties contiguous to a school existing as of January 1, 2010.
26. The mixed uses shall be limited to those that are either permitted, conditional, or pre-existing nonconforming in the zoning district.
27. This use is permitted or conditionally permitted on lots south of Home Avenue only when one or more Industrial or Art Production use(s) exists on the lot, and when the combined gross floor area of all uses with this footnote does not exceed 49% of the Gross floor Area on the lot.
28. Grocery Stores up to but not to exceed 35,000 square feet may be permitted subject to conditional use approval by the DRB in that portion of the Enterprise-Light Manufacturing District between Flynn and Home Avenue.
29. Must be fully enclosed within a building.
30. New single detached dwellings are not permitted. However, a pre-existing single detached dwelling may be reverted to a single family use regardless of its present use if the building was originally designed and constructed for that purpose.
31. Emergency Shelter- Interim Facility permitted subject to Interim Facility standards in Sec. 5.4.13. For districts in which Emergency Shelter is permitted subject to conditional use, Emergency Shelter- Permanent Facility is subject to approval by the DRB according to See special use standards of Sec. 5.4.13, Emergency Shelters.
32. Performing Arts Centers in the ELM zone shall be limited to properties with frontage on Pine Street up to 5,000 square feet in size, and to properties with frontage on Industrial Parkway up to 15,000 square feet in size. Performing Arts Centers may contain accessory space for preparation and serving food and beverages, including alcohol, provided this accessory space comprises less than 50% of the entire establishment.

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

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

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

Tuesday, April 12, 2022, 6:30 P.M.

Remote Meeting via Zoom

Minutes

Members Present	A Montroll, A Friend, E Lee, Y Bradley, B Baker, M Gaughan
Staff Present	M Tuttle, C. Dillard, B Pine, S. Gustin
Public Attendance	E Farrell, S Bushor, K Devine, M Lang, T Doyle

I. Agenda

Call to Order	Time: 6:33pm
Agenda	No change

II. Public Forum

Name(s)	Comment
M Lang	Rezoning of BHS; concerned that an institutional zone is not appropriate because it is a department of the City. Offered a suggestion of a mixed-use zone.
S Bushor	Shared concern of parking ordinance, the DRB will receive it. C Mason had asked that the language be changed from DRB will "receive" it to DRB will "adopt" or "approve."
K Devine	Executive Director of Burlington Business Association. Concerned about an administrative amendment for shelter pod community. Other cities that have implemented these communities show extensive paperwork. Portland OR had two-year process. Asking for Commission to consider requiring similar length and style of paperwork, including input from other organizations/individuals/departments, as part of the administrative amendment.

III. Chair's Report

A Montroll	No report.
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IV. Director's Report

M Tuttle	New City Council meeting last night. Reintroduction of short-term rental. Proposed a recent version of zoning and minimum housing ordinance amendments. Asked for that to be referred to CC ordinance committee. Anticipating that BHS zoning discussion will come back to Planning Commission in May. Design team has proposed 5 plans to the School Board and will weigh in later this month. City Council has requested to approve municipal bylaw amendment report and warn public hearing. The Interim Emergency Shelter Pod amendment was not specifically mentioned in the Housing Action Plan, but was a cross-departmental effort to ensure the success of the shelter pod community.
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	Welcoming a new planner, Sarah Morgan, in May. Previous experience in environmental justice. M Tuttle will be out of the office April 27-May 6 for the National Planning Conference Enterprise Zoning update- C Dillard is exploring whether South End zoning can accommodate housing.
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V. Proposed CDO Amendment ZA-22-07: Maximum Parking & TDM

Motion by: M Gaughan	Second by: E Lee	Vote: 6-0
Type: Discussion	Presented by: M Tuttle, C Dillard, S. Gustin	
Commissioner discussion:		
• Took recommended changes on how TDM is integrated to the City Council Ordinance Committee in March. Accepted most of the changes, but disagreed on a few points: remove parking exemptions within the form districts, felt that it was counter to the purpose of setting max limits on parking, defer expansion of TDM requirements into other parking districts, not comfortable but recommended a two-tier structure of TDM requirements. Expanding requirement to meet all of the aspects of TDM to any development over 10 units. Offer a lower threshold for projects between 5-9 units where they are only required to unbundle parking. Asked for a greater weight to be given to Joint Institutional Parking Plan—a plan must be approved by the DRB and lack of a plan will be considered a zoning violation. • Found additional places in our Ordinance that address parking. Articles 4 and 5 contain language that could be deleted. Replacing “requirements” with “standards.” 5.3.6 Non-conforming lots. Put in place to prohibit expansion of buildings that don’t have required minimum parking. • S Gustin recommended removing the last two sentences of 5.3.6 • M Gaughan asked whether City Council Ordinance Committee recommended that parking maximums be placed back into the Institutional Parking Plan. • They recommended that projects that could be considered for parking exemption have a plan. • When holding the public hearing, the Commission is asked to make technical corrections and weigh in with input for City Council to consider. • B Baker asked whether moving forward will affect existing permits. • M Tuttle and S Gustin will coordinate to inform projects of this proposed change.		

VI. Proposed CDO Amendment: Interim Emergency Shelters

Motion by:	Second by:	Vote: N/A
Type: Discussion	Presented by: M Tuttle, B Pine	
Commissioner discussion: • M Tuttle provided a background on Mayor Weinberger’s Housing Action Plan. • Provide 80 new homes to accommodate Burlington’s homeless population • City Council has already embraced \$3 million investment from ARPA for ending homelessness, plus \$1-2 million for permanently affordable housing • Fully fund the Housing Trust Fund, about \$550k per year • Staff time and salary for Special Assistant to End Homelessness—Sarah Russell started at CEDO on April 11. • Strengthen Coordinated Entry System. Keeps track of individuals and provides services, support, and resources for stable housing. • Invest in 30 shelter pods • A zoning amendment is not required to move forward with Elmwood Ave location, but could be important in setting up other emergency locations in the future. Current zoning standards may not be nimble enough.		

- The City's goal is to create permanent affordable housing, but there may be future needs to increase sheltered beds in a quick manner.
- The zoning amendment could help with other types of projects that need to switch use or be built for a specific purpose but for a temporary timeframe, like utilizing motels for shelter or for natural/human-induced disasters.
- Currently, emergency shelters are allowed in residential areas as a conditional use, in neighborhood mixed use districts as a conditional use, and in downtown form districts as a permitted use.
- Proposed amendment expands to also include enterprise and RCO-RG zones.
- Currently, emergency shelters receive permits in perpetuity.
- Proposed amendment structures so that permit is valid for 1 year and can be renewed twice in 1 year increments. To exist permanently, the site must seek a new permit. The site also must be returned to pre-permit condition.
- Modeled partly after the Urban Reserve zone. Permits are temporary until the community decides what to do.
- Currently, emergency shelters require 24/7 onsite management with a staff to resident ratio of 1:25 and adhere to the city-wide general conditional use standards, many of which don't necessarily apply to an emergency shelter
- Proposed amendment keeps onsite management ratio the same but also requires submission of an approved operations plan.
- CEDO has been in conversation with State of Vermont's Office of Economic Opportunity—if they provide funding every step of the process and operations plan will be reviewed by them. Continuum of Care, regional entity that oversees federal funding on homelessness, can be another avenue for independent reviews of operation plans.
- Proposed amendment offers appeal opportunity, 15 day appeal period heard by the DRB.
- B Baker asked whether proposed interim emergency shelter could exist on property other than city-owned. M Tuttle responded yes, but it would need to be under an operational agreement with the City.
- A Friend suggested that at a neighborhood public meeting it should be made clear that the City has accompanying plans for permanent affordable housing and that shelter communities are only for temporary, emergency use and not a long-term solution.
- CEDO has met with several constituents and stakeholders for feedback. It was decided internally with the City that asking for feedback or neighborhood votes on the shelter pod community was not a good idea.
- A Commissioner asked how many shelters are needed. B Pine responded that this community is planned for 30 pods. Not intended to be the beginning of multiple shelters across the City.
- Shelter pods are not intended for families—rather individuals or couples.
- A Commissioner raised the concern that low-barrier shelters are not successful.
- Operational management that is appropriately funded and staffed will be in place before residents are placed.
- B Pine offered that a six-month review with residents, neighbors, and nearby business owners would be a good idea.
- A Commissioner raised the question of how success will be measured for these sites.
- A Commissioner asked why the Interim period is 3 years, rather than 1 year.
- M Tuttle responded that there are some zones where a 1-year period would not offer a path forward for permanent zoning.
- A Commissioner raised the concern that offering an easier process for Interim shelters will reduce the pressure to build permanent affordable housing.
- Many of the questions from potential partners surrounding shelter pod operational management are around funding and staff.
- M Tuttle raised the concern that the zoning level may be too broad to offer clear minimum standards on certain criteria as that may be site-specific.

Tuesday, April 12, 2022

- A Commissioner proposed that CEDO come back with more concrete plans on accountability and review.
- A Commissioner asked whether there is precedence in the Zoning Ordinance that could be up for expiration. M Tuttle responded that there is a precedence for allowing sites in Zoning to sunset—most recently in the concept of short-term rentals.
- A Montroll offered that some projects could have an automatic call-back time where they need to be presented for review to City Council in 1- or 2-year periods.
- A Commissioner asked whether parks could be removed from possible Interim shelters sites. M Tuttle responded that yes it could.

VII. Commissioner Items

- Next meeting is April 26 at 6:30pm
- Bill Truex, a primary architect of Church Street Marketplace, recently passed away.

VIII. Minutes and Communications

Action: Approve the minutes and accept the communications

Motion by: A Friend	Second by: B. Baker	Approved Unanimously
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Minutes Approved: March 22, 2022

Communications Accepted: in the agenda packet and posted at
<https://www.burlingtonvt.gov/CityPlan/PC/Agendas>

IX. Adjourn

Adjournment	Time: 8:03pm
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Motion: Y Bradley	Second: M Gaughan	Vote: Approved Unanimously
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