

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, March 22, 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/81747832608>

To Join the Meeting on a Phone

Number: +1 312 626 6799 Meeting ID: 817 4783 2608

AGENDA

I. Agenda

II. Public Forum See details on pg 2 of packet for participating remotely.

III. Chair's Report

IV. Director's Report

V. 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 will be posted online before the meeting.

Staff Recommendation: Ask questions and provide feedback on the draft amendment.

VI. Commissioner Items

- a. Upcoming Meetings will be hybrid/online unless otherwise noted – April 12 and 26 at 6:30pm
- b. Committee Reports

VII. Minutes & Communications

- a. The minutes of the March 8 meeting are enclosed in the agenda packet on page 3
- b. Communications are enclosed in the agenda packet on page 6

VIII. Adjourn

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

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City of Burlington, VT
149 Church Street, 3rd Floor
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 8, 2022, 6:30 P.M.

Remote Meeting via Zoom**Draft Minutes**

Members Present	A Montroll, A Friend, E Lee, Y Bradley
Staff Present	M Tuttle, S Gustin, K Sturtevant, S Dunn
Public Attendance	J Weith, S Bushor, C Hilliard

I. Agenda

Call to Order	Time: 6:34pm
Agenda	Staff will not be seeking PC approval for a public hearing on item V or VI, just discussion.

II. Public Forum

Name(s)	Comment
S Bushor	Like the flexibility of the BHS amendment. Regarding interim shelters, excited about proposed shelter pods, but administrative permits can catch the public off guard creating animosity. Should be a required public notification to prevent backlash and build support for what is proposed.

III. Chair's Report

A Montroll	No report.
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IV. Director's Report

M Tuttle	Council Ordinance Committee meetings on 3/2 and 3/10 to discuss the Council's proposed parking amendment and Commission's comments. Mayor notified Council that he is considering vetoing Ch.18 amendments regarding Short Term Rentals; likely on Council's 3/21 agenda. 3/14 is start for new Principal Planner.
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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	
S Dunn provided background on the 2021 Housing Action Plan initiative to utilize shelter pods to support emergency housing during an acute period of increased demand, and present a request for consideration of a zoning amendment to facilitate an interim shelter. M Tuttle noted precedence of tiered structure from other communities for low barrier shelters; the proposed zoning amendment establishes two categories for emergency shelter: temporary or interim facility and permanent.		
Commissioner discussion:		

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- Who will be managing these shelter pods in the city and what does an operations agreement mean? CEDO is working to assemble a team of agencies that will be involved in helping manage this, and temporary shelters can only be placed on land owned by the City or with an organization in contract with the City.
- Proposal includes language stipulating requirement for on-site management and approved operations plan from CEDO annually; a pre-application neighborhood meeting for an opportunity of public engagement and an appeal period are applicable
- A Commissioner was concerned about using the administrative zoning process as a tool for CEDO to circumvent the traditional zoning process which can be lengthy. S Dunn responded that the rapid nature of this zoning request is in response to the Mayor's initiative to end homelessness and recognizing that conditional use approval for temporary structures is not appropriate.
- A Commissioner noted that shelters by nature have the potential to not be a good neighbor, but homelessness is happening and need to address it. If there are opportunities for neighbors to wade into the details of a permit, certain neighborhoods will refuse to house people. If there is a discretionary permit, there needs to be very clear process for what the DRB can review.
- Commissioners had an interest in standards to help mitigate nuisances to give people some assurances about having this nearby. Staff noted zoning may not be the appropriate place for operational standards.
- A Commissioner raised the point that since temporary shelters have strong potential to disrupt neighborhoods, the neighborhood needs to know about the process and have the ability to weigh in/ask questions/be reassured. Need more than just a zoning permit notice.
- Staff noted that managed shelters are different from informal camping; other cities that use these types of temporary shelters, at least 50% of the people using the shelter end up in permanent housing within 9 months.

VI. Proposed CDO Amendment: Burlington High School Zoning

Motion by:	Second by:	Vote: N/A
Type: Discussion	Presented by: M Tuttle	
M Tuttle presented an overview of a proposed zoning amendment that is responsive to the request from the Burlington School District to consider rezoning the Burlington High School Campus on Institute Road. One challenge indicated was the amount of slope in the topography.		
Commissioner discussion: • A question was asked about the current lot coverage and it was indicated that it is about 35%, whereas the proposed zoning amendment covers 60% • Site is isolated, not a lot of other buildings around it to compare height limits to. Unless the height on North Ave is towering, not concerned. Seems idea is to set it back from the avenue • The building is still in the conceptual phase with 3-4 concepts being presented to the School Board in the next month or so. • Standards for the school overlay all seem fine • If the uses in the overlay aren't school based, do we want them? If it is not for the school/within the school/run by the school, we could consider other uses later in another amendment. If they are part of the high school, then they should be permitted.		

VII. Commissioner Items

- Next meetings are March 22 and April 12, 6:30pm
- Ordinance Committee: Met 3/3; discussed how to allow public art within the standards for the downtown form districts.

Burlington Planning Commission Minutes*Tuesday, March 8, 2022*

p. 3

VIII. Minutes and Communications

Action: Approve the minutes and accept the communications		
Motion by: A Friend	Second by: E Lee	Approved Unanimously
Minutes Approved: February 23, 2022		
Communications Accepted: in the agenda packet posted at https://www.burlingtonvt.gov/CityPlan/PC/Agendas		

IX. Adjourn

Adjournment	Time: 7:51pm	
Motion: E Lee	Second: A Friend	Vote: Approved Unanimously

DRAFT

Meagan Tuttle

From: yb@vtcommercial.com
Sent: Tuesday, March 15, 2022 1:21 PM
To: Meagan Tuttle
Subject: FW: Plan BTV DT - social services

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

Hi Meagan-

Can you make sure this is in the packet for the next meeting?

Please see below.

Hope all is well!

Yves

Yves E. Bradley

VT COMMERCIAL

208 Flynn Avenue, Studio 2i

Burlington, VT 05401

Office: 802-864-2000, ext. 5

Cell: 802-363-5696

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<https://www.sec.state.vt.us/media/711739/Mandatory-Consumer-Disclosure-for-a-Designated-Agency-Brokerage-Firm-9-24-2015.pdf>

From: Jeff Nick <jeff@jeffnick.com>
Sent: Monday, March 14, 2022 6:50 PM
To: Yves Bradley (yb@vtcommercial.com) <yb@vtcommercial.com>
Subject: Plan BTV DT - social services

Yves,

Good evening. I wanted to make you aware of the language in Plan BTV (pages 52 and 53) which addresses the high concentration of social services within our downtown core and how this can create situations which can become unmanageable. It also points out that it is not the best environment for those facing substance abuse problems. Couple this reality with the fact that we have a terrible and growing retail theft problem, a depleted police force, and a political environment that is not willing to enforce our existing quality of life ordinances and you realize that placing a 35 unit "Pod Shelter community" on a ½ acre of pavement one block from the Church Street Marketplace is a terrible idea.

Hopefully, the planning commission will fully vet this proposal at your meeting next week. Having this language in the city's plan should help offer guidance on this issue.

Good luck.

Jeff Nick
Church Street Marketplace Commission, Chair
29 Church Street
Burlington, VT 05401
802-876-6923
jeff@jeffnick.com

See pg 52-53

https://www.burlingtonvt.gov/sites/default/files/PZ/planBTV/Downtown_Plan/planBTV_MasterPlan_APPROVED_061013_LowRes.pdf

have such a problem, but that doesn't diminish the importance of addressing these real concerns and perceptions. Transportation solutions are explained in the section called "Getting Around Town," but the short version is that the City needs to provide more housing and transportation choices that are appealing to a wide range of people, individuals, and families, so each can choose what works best for them at any given time. Creating more downtown housing was found to be the most effective strategy to reduce traffic congestion. People who have the opportunity to live and work downtown can do so without the need to commute and possibly even live car-free. For commuters, choices must be available for convenient public transit and safe bike lanes, further reducing congestion and parking demand. Riding the bus just one day a week provides a 20% reduction in individual contribution to traffic congestion, parking demand, and air pollution. For the majority who must use a vehicle, maintaining and expanding the city's urban street grid, improving wayfinding, and providing convenient parking on the periphery

of the downtown will help to maintain a safe and high quality pedestrian environment within the heart of the downtown and waterfront, which in turn supports business activity.

A Place for Everyone!

Downtown is always going to attract a diverse mix of people who collectively contribute to the City's unique social dynamic. Burlington's downtown and waterfront must always be places where everyone is welcome. These important public spaces should feel safe and welcoming, day and night, with the expectation that everyone will behave in a way that builds a strong community. The physical environment influences behavior, and thinking carefully about how we design Burlington's urban places is critically important to making our downtown a safer and more secure place for residents, employees, visitors, and businesses. Crime Prevention Through Environmental Design (CPTED) encourages changes in the physical design of our buildings, streets, sidewalks, and parks to minimize

opportunities for crime. Individual strategies can include increased security lighting, locking gates, landscape design that discourages intrusion, and scheduling activities in certain areas to attract more people. CPTED practices can result in a dramatic reduction in crime, improved business climate, and increased pedestrian activity and awareness. In the end it's all about comfort – making people feel welcomed and comfortable, while in turn making those not behaving responsibly to feel more exposed and vulnerable.

For others, especially those dealing with substance abuse and mental illness, it's not so simple. Our social service organizations are key downtown stakeholders who make Herculean efforts every day to address a wide range of social issues. The City's Street Outreach Program is a national model for helping to manage the needs of many who have nowhere to turn and need a helping hand. Because we are a regional center, our social services are used by those living in and beyond our community. Burlington has the highest concentration and

number of social service agencies in the state, with 32 non-profit and government organizations delivering services at 65 different locations, 32 of which are in the Downtown. However, such high concentrations of social service providers can become easily unmanageable if all stakeholders are not working together, keeping an eye on some of the larger interactions and their implications. For example, the downtown is arguably not the best environment for people recovering from alcohol and drug addiction. The presence of active drug dealing and the highest concentration of drinking establishments in the state create serious challenges for those in recovery.

Of particular concern is the risk to our most vulnerable and challenged citizens who increasingly face victimization. Again, it's about the environment and how it influences behavior — positively or negatively. Efforts to locate or expand social services need to consider the therapeutic quality and benefits of the location where services are provided and, for many, this means places that are more removed from the challenges and temptations of the urban core, while remaining in a convenient location.



Facilitate infill, allow for a more diverse range of unit and building types, and simplify the public approvals process by creating a form-based zoning code for the downtown and waterfront area.



Expand the Business Improvement District (BID) to provide enhanced community services and management across the entire downtown and waterfront area.



Explore creation of a Downtown Development Revolving Fund to help finance capital investments, programs, and services.



Develop greater economic development capacity within City government in order to expand efforts throughout the community funded through a variety of federal, state, and local sources, including consideration of a 1% dedicated tax.



Develop a unified process and consistent standards to manage and encourage a distribution of street vendors and performers throughout the downtown and waterfront.



Department of Planning & Zoning



CEDO
Church Street Marketplace



CEDO
Church Street Marketplace



Mayor's Office
CEDO



Church Street Marketplace
Clerk Treasurer Office
Parks & Recreation Department

City of Winooski

Vermont's Opportunity City

27 West Allen Street
Winooski, Vermont 05404
802 655 6410
winooski.vt.gov

Memorandum

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

From: Eric Vorwald, AICP
Planning and Zoning Manager

RE: **Report on Proposed Amendments to the City's Unified Land Use and Development Regulations including Section 2.4, Section 4.12, Section 5.14, and Article IX**

DATE: March 15, 2022

Enclosed with this memo, please find proposed amendments to the City of Winooski's Unified Land Use and Development Regulations. The amendments relate specifically to:

- Section 2.4 – Land Use Table
- Section 4.12 – Parking, Loading, and Service Areas
- Section 5.14 – Incentives for Priority Housing
- Article IX – Definitions

The City of Winooski's Planning Commission will hold a public hearing on Thursday, April 14, 2022 beginning at 6:30pm to take public comments on the proposed amendments. This hearing will be held by electronic means only using Zoom Webinar. Use <https://us06web.zoom.us/j/81245377221> to join by computer or **646.558.8656** to join by telephone (toll charges may apply). If prompted, the webinar ID for this meeting is **812 4537 7221**. The hearing notice is also included with this memo for reference.

Please ensure this information is provided to the chair of your Planning Commission. Comments related to these amendments should be submitted in writing to me by the close of business on Monday, April 11, 2022.



PUBLIC HEARING NOTICE
AMENDMENTS TO THE CITY OF WINOOSKI
UNIFIED LAND USE AND DEVELOPMENT REGULATIONS

In accordance with 24 V.S.A §4441 and §4444, the City of Winooski's Planning Commission will hold a public hearing on **Thursday, April 14, 2022** beginning at **6:30 p.m.** This hearing will be held by electronic means only using Zoom Webinar. Use <https://us06web.zoom.us/j/81245377221> to join by computer or **646.558.8656** to join by telephone (toll charges may apply). If prompted, the webinar ID for this meeting is **812 4537 7221**.

Amendments to the Unified Land Use and Development Regulations

- Section 2.4 – Land Use Table
- Section 4.12 – Parking, Loading, and Service Areas
- Section 5.14 – Incentives for Priority Housing
- Article IX – Definitions

Statement of Purpose: The purpose of these amendments are as follows:

Section 2.4 – Updates to the use table to permit multi-unit dwellings in the residential zoning districts under specific circumstances.

Section 4.12 – Amends the minimum parking requirements for non-residential zoning districts.

Section 5.14 – Establishes a new section related to priority housing projects.

Article IX – Adds a new definition for priority housing

Geographic Area Affected: The proposed amendments will apply to the entire City including all zoning districts.

Section Headings Impacted: The following specific updates are included with these amendments:

Section 2.4 – Includes two footnotes and associated references for two-unit dwellings and multi-unit dwellings in the Residential A, Residential B, and Residential C Zoning Districts as part of Planned Unit Developments.

Section 4.12 – Removes the requirement for an additional .5 parking spaces for dwelling units with three or more bedrooms when developed in a non-residential zoning district.



Section 5.14 – Adds a new section to Article V to provide incentives for priority housing as identified by the City of Winooski. This includes developing multi-unit buildings in the residential zoning districts, reduced parking requirements for specific dwelling units, and density bonuses for specific dwelling units. This section also provides standards for affordable dwelling units to be eligible for the incentives.

Article IX – Adds a new definition for priority housing.

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



City of Winooski

Vermont's Opportunity City

27 West Allen Street
Winooski, Vermont 05404
802 655 6410
winooski.vt.gov

Memorandum

TO: Planning Commission

FROM: Eric Vorwald, AICP
Planning & Zoning Manager

RE: **Report on Proposed Amendments to the City's Unified Land Use and Development Regulations including Section 2.4, Section 4.12, Section 5.14, and Article IX**

DATE: April 14, 2022

This memo provides information related to proposed amendments to the City of Winooski's Unified Land Use and Development Regulations as discussed by the Planning Commission at their regular meeting on March 10, 2022. These amendments specifically impact the following parts:

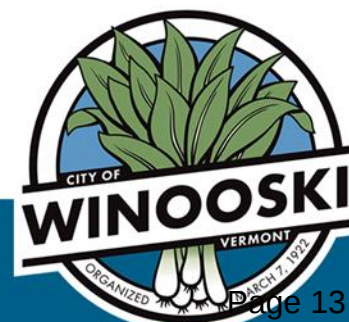
- Section 2.4 – Land Use Table
- Section 4.12 – Parking, Loading, and Service Areas
- Section 5.14 – Incentives for Priority Housing
- Article IX – Definitions

Background

Since the last comprehensive update to the City's Unified Land Use and Development Regulations (ULUDR) in 2016, the Planning Commission has been reviewing the document and proposing amendments. The amendments currently under consideration help improve and clarify the interpretation of the regulations, while also recommending amendments to better align with City priorities. This latest set of amendments seeks to incorporate incentives for priority housing in the City. This has been identified as dwelling units that are affordable, and dwelling units that have three or more bedrooms per unit.

Purpose of Amendments

These amendments are being proposed to provide additional development options in specific circumstances, and to update and incorporate specific changes related to priority housing. The changes related to priority housing are being included as incentives and not mandates. Other amendments are being included to support the new section for priority housing as identify by the City.



Proposed Amendments

Included with this memorandum are the proposed amendments to various sections of the Unified Land Use and Development Regulations. Proposed additional text is shown in red and underlined. Text that appears with a ~~strikeout~~ is proposed to be deleted. If specific sections are not included, no changes are being proposed to those regulations.

Consistency with the Winooski Master Plan

The following information is provided to address the requirements of 24 V.S.A. §4441 regarding consistency of the proposed amendments to the City of Winooski Master Plan, adopted March 2019. Specifically, statute requires municipalities to consider three parts when reviewing proposals for new or amended bylaws. These considerations include:

1. *Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.*

The City updated their Master Plan in 2019. The master plan includes multiple components that discuss the development of safe, affordable housing. The Master Plan also strives to establish housing options to allow families or family units to grow and expand within the City. The proposed amendments seek to specifically incentivize both affordable dwelling units and dwellings with three or more bedrooms; and directly support the goals and policies outlined in the City's Master Plan.

2. *Is compatible with the proposed future land uses and densities of the municipal plan.*

The proposed amendments include incentives for priority housing. These amendments maintain future land uses and densities as outlined in the City's Master Plan including the Future Land Use Map. While the changes would allow for multi-unit dwellings in the residential zoning districts, the density would only be marginally increased through the establishment of affordable dwellings and dwellings with three or more bedrooms; both of which are identified as priority housing in the City.

3. *Carries out, as applicable, any specific proposals for any planned community facilities.*

No specific proposals for community facilities are planned that would be impacted by the proposed amendments. Specifically, the proposed amendments are included as incentives. These amendments will not conflict with any future planned community facilities. Developments that may be established due to these incentives will support existing community facilities.



ARTICLE II - ZONING DISTRICTS

* * * * *

SECTION 2.4 - LAND USE TABLE

LAND USE	Residential A	Residential B	Residential C	Central Business District	General Commercial	Downtown Core	Gateway Urban General & Storefront ³		Gateway Townhouse Small Apartment/ Detached Residential ³	Industrial	Public
	R-A ¹	R-B ¹	R-C ²	C-1	C-2	DC				I	P
RESIDENTIAL USES											
Single Unit Dwelling	P	P	P				See Part 4 of the Form-Based Code		See Part 4 of the Form-Based Code		
Accessory Dwelling Unit ⁴	P	P	P								
Two Unit Dwelling (attached)	See Note 9	P	P		CU						
Detached Cottage	CU	CU	CU								
Multi-Unit Dwelling (3+ units) ⁵	See Note 10	See Note 10	See Note 10	P	CU	P					
Assisted Living & Residential Care Homes				P	CU	P	P	P			
Bed-and-Breakfast (B&B)		CU	CU	P	CU	P	P	P			
Family Child Care Home	P	P	P	P	P	P	P	P			
Group Home ⁶	P/CU	P/CU	P/CU	P/CU	P/CU	P/CU	P/CU	P/CU			
Home Occupation	P	P	P	P	P	P	P	P			
COMMERCIAL USES											
Adult Establishment										CU	
Alcohol Manufacturing Facility				CU	CU	CU	P			P	
Animal Care & Boarding										P	
Bar				CU		P	P				
Brew Pub				CU	CU	P	P			CU	
Industry				CU	P					P	
Laboratory				CU						P	
Lodging Establishment				P	CU	P	P				
Office				P	P	P	P			CU	
Personal Service Establishment				P	P	P	P				
Retail Sales				P	P	P	P			CU	
Retail Sales, Neighborhood Commercial		CU	CU					P			
Recreation & Entertainment, Commercial				P	CU	P	P			CU	
Restaurant				P	P	P	P				
Restaurant, Café	CU	CU	CU					P		CU	
Restaurant with Drive-thru							P				
Vehicle Repair & Sales				CU			P			P	

LAND USE	Residential A	Residential B	Residential C	Central Business District	General Commercial	Downtown Core	Gateway Urban General & Storefront ³		Gateway Townhouse Small Apartment/ Detached Residential ³	Industrial	Public
	R- A ¹	R- B ¹	R- C ²	C-1	C-2	DC				I	P
CIVIC & PUBLIC USES											
Association, Fraternal Organization, Social Club				P	CU	P	P			P	
Crematorium							P			P	
Cultural Facility				P	CU	P	P				P
Daycare Facility	CU	CU	CU	P	P	P	P	P	P	P	P
Education Facility	CU	CU	CU	P	P	P	P	P	P	P	P
Funeral Home				P	P	P	P				
Healthcare Facility				P	CU	P	P				
Recreation & Entertainment, Non-Commercial	P	P	P	P	CU	P	P	P	P	CU	P
Religious Facility	P	P	P	P	P	P	P	P	P	P	
OTHER											
Accessory Structure ⁷	P	P	P	P	P	P	P	P	P	P	P
Supporting Use ⁸	CU	CU	CU	P	P	P	P		CU	CU	CU

Notes:

- Maximum dwelling units per lot in R-A and R-B shall be 2 total dwelling units no matter how it is configured in the allowable use types as listed above (i.e. Two Unit Dwelling in R-B only, Single Unit Dwelling and Accessory Dwelling, or Single Unit Dwelling and Detached Cottage).
- Maximum dwelling units per lot in R-C shall be 3 total dwelling units no matter how it is configured (i.e. Two Unit Dwelling and a Detached Cottage, or Single Unit Dwelling and Accessory Dwelling and Detached Cottage).
- Some of the FBC permitted uses are subject to specific Development and Performance Standards in [Section 804](#) of the code in Appendix B.
- One accessory dwelling consistent with [Section 5.1](#) is permitted per lot.
- Maximum density for Multi-Unit housing in C1 is 60 units/acre.
- If a group home locates within 1,000' of another group home it shall be subject to Conditional Use review and approval.
- One accessory structure not to exceed 100 square feet per lot is exempt under [Section 6.13](#), otherwise all applicable dimensional standards in [Section 2.5](#) shall apply.
- Supporting Use shall be limited to "uses" such as administrative offices or services that relate to the "primary" use of the site/parcel and shall be operated (solely) by the property owner or owner representative for the purpose of providing services to the site. Supporting Uses may be incorporated into an existing structure or in a standalone structure provided the dimensional requirements of [Section 2.5](#) are met.
- [Two-unit dwellings are permitted in the R-A Zoning District if proposed as part of a Planned Unit Development consistent with the standards of Section 5.14 and Section 6.3. Otherwise, two-unit dwellings are not permitted in the R-A Zoning District.](#)
- [Multi-unit dwellings are permitted in the R-A, R-B, and R-C Zoning Districts if proposed as part of a Planned Unit Development consistent with the standards of Section 5.14 and Section 6.3. Otherwise, multi-unit dwellings are not permitted in these districts.](#)

ARTICLE IV - GENERAL USE REGULATIONS

* * * * *

SECTION 4.12 - PARKING, LOADING AND SERVICE AREAS

A. **Intent.** These parking standards are intended to:

1. Enable people to conveniently park and access a variety of commercial, residential, and civic enterprises in pedestrian friendly environments by encouraging shared parking.
2. Reduce fragmented, uncoordinated, inefficient, reserved single-purpose parking.
3. Avoid adverse parking impacts on neighborhoods adjacent to redevelopment areas.
4. Maximize on-street parking where available.

B. **Applicability.** These parking requirements shall apply only to uses and buildings newly constructed, changed, extended, or restored and shall not apply to those uses and buildings lawfully repaired or improved where no increase in gross floor area or change of use is made. The regulations in this section shall apply to all Zoning Districts except the Downtown Core District; and only **Section 4.12.C** shall apply to the Gateway Districts.

C. **Minimum Reserved Parking Requirements.**

1. The quantity of parking spaces to be provided in each development proposal shall be determined based on the following requirements. When calculating the spaces required, a decimal shall be rounded up to the nearest whole number.

Uses	Base Parking Requirements
Residential in R-A, R-B and R-C districts	2.0 space/dwelling unit, except 1.0 space/accessory unit
Residential – in all other districts	1.0 space/dwelling unit + 0.50 space/3 bedroom or larger dwelling unit + 1 space for every 4 units (calculated at increments of 4)
Commercial (retail, restaurant, etc.)	3.0 spaces/1,000 sq. ft. of gross floor area
Hotel/B&B	1.0 space/room
Theater	0.25 spaces/seat
Industrial	3.0 spaces/1,000 sq. ft. of gross floor area
Office	4.0 spaces/1,000 sq. ft. of gross floor area

ARTICLE V – SPECIFIC USE STANDARDS

* * * * *

SECTION 5.14 – INCENTIVES FOR PRIORITY HOUSING

- A. **Intent.** The intent of these regulations is to provide incentives for the development of dwelling units that meet specific criteria as identified by the City to provide a mix of housing options for current and future residents. The standards outlined herein are optional and not required to be included in any application for land development.
- B. **Applicability.** These incentives will apply to any dwelling units as identified under **Section 5.14.D** regardless of the zoning district.
- C. **Definitions.** For the purposes of this section, the following terms shall apply:
1. **Affordable Housing** – Affordable Housing shall mean housing that is owned or rented by inhabitants whose gross annual household income is not more than 100% of the HUD Area Median Family Income (HAMFI) for the Burlington-South Burlington Metropolitan Statistical Area (MSA) as defined by the U.S. Department of Housing and Urban Development and the total cost of the housing, including principal, interest, taxes, insurance, and condominium association fees, if owned housing; or the total cost of housing, including rent, utilities, and condominium association fees, if rental housing, is not more than 30% of the gross annual income.
 2. **HUD Area Median Family Income (HAMFI)**¹ – HAMFI is the median family income calculated by HUD for each jurisdiction, in order to determine Fair Market Rents (FMRs) and income limits for HUD programs. HAMFI will not necessarily be the same as other calculations of median incomes (such as a simple Census number), due to a series of adjustments that are made.²
- D. **Qualifications.** To qualify for the incentives identified herein, dwelling units shall meet all the applicable standards listed below for Affordable Housing, Bedroom Count, or both.
1. **Affordable Housing.** Where housing affordability is included as part of the identified incentive, the affordable dwelling units meet the following requirements:
 - a. Dwelling units shall be perpetually affordable to identified households as identified in **Section 5.14.D.1** for a minimum of 20 years regardless if they are offered for sale or rent.
 - b. The applicant shall contract with a housing authority, housing trust or other affordable housing provider managing dwelling units in Chittenden County to ensure income eligibility is maintained for tenants of the qualifying units.
 - c. The applicant or owner of the project shall annually submit to the City verification of affordability and income qualification for the units. This provision shall be waived if the management of the qualifying units, including leasing, is contracted to, or supervised by, a provider as identified under **Section 5.14.D.1.b**.
 - d. If the owner of a proposed project is an affordable housing provider as outlined in **Section 5.14.D.1.b**, the requirements of **Section 5.14.D.1.c** shall be waived provided ownership in the project is maintained for the duration of affordability as described in **Section 5.14.D.1.a**.

¹ HAMFI definition taken from https://www.huduser.gov/portal/datasets/cp/CHAS/bg_chas.html

² Methodology on HAMFI adjustments at <https://www.huduser.gov/portal/datasets/il/il18/Medians-Methodology-FY18r.pdf>

e. Documentation indicating compliance with **Section 5.14.D.1.c** shall be submitted to the City with the application for development. This shall include but not be limited to:

- i. A list of units including the number of bedrooms and the rents to be charged per unit or unit type and corresponding median income levels associated with the unit size or type.; or expected mortgage payment with any condominium association fees, and utilities.
- ii. The name, address, and primary contact of the housing authority, housing trust, or affordable housing provider as outlined in **Section 5.14.D.1.b** if different from the applicant or owner of the project.
- iii. Draft documents, to be recorded in the City's Land Records, designating the dwellings as affordable for the duration identified in **Section 5.14.D.1.a**.
- iii. Other information as necessary to ensure the standards of **Section 5.14.D.1** have been met.

2. **Bedroom Count.** Where bedroom count is included as part of the identified incentive, the dwelling units shall have a minimum of three bedrooms per unit.

- a. The applicant shall provide architectural plans prepared by a qualified design professional or similar entity in a clearly legible format.
- b. Submissions shall include a level of detail sufficient to ensure the existence of no less than three bedrooms of a size consistent with the minimum housing standards as outlined in Chapter 9 of the City's Municipal Code or other applicable regulations are included in each unit.

3. Applicants are encouraged, but not required, to utilize both the affordability and bedroom count components of these incentives.

E. **Calculation of Housing Affordability.** For the purposes of determining affordability, the following shall apply:

- 1. Household size will be established using the formula set by the U.S. Department of Housing and Urban Development based on the number of bedrooms in a dwelling unit.
- 2. The household size determined by the number of bedrooms and the actual household size do not need to be the same.

F. **Incentives.** The following incentives may be utilized for projects that propose qualifying dwelling units as described in **Section 5.14.D**.

1. **Planned Unit Developments.** Planned Unit Developments, as outlined in **Section 6.3**, are eligible for the following incentives.

- a. Projects proposed in the Residential A (R-A), Residential B (R-B), or Residential C (R-C) Zoning Districts that include dwelling units with three or more bedrooms per unit or affordable units as outlined in **Section 5.14.D** may configure these dwellings in multi-unit buildings based on the following.
 - i. Projects in the R-A or R-B Zoning Districts may configure buildings with up to four units per building.
 - ii. Projects in the R-C Zoning District may configure buildings with up to six units per building.
- b. A minimum of 50% of the dwelling units included in any individual building shall meet at least one of the qualifications as outlined in **Section 5.14.D**.

- c. All other standards and requirements for Planned Unit Developments, as outlined in Section 6.3 shall still apply.
- 2. **Minimum Parking.** Qualifying dwelling units in the Gateway, Central Business District, General Commercial, or Downtown Core Zoning Districts that meet both of the standards included in Section 5.14.D shall be eligible for exemptions or reductions to the minimum parking standards outlined in Section 4.12 as follows:
 - a. Up to 20%, but no more than four qualifying dwelling units included in a development will be exempt from the minimum parking standards of Section 4.12.
 - b. Qualifying dwelling units shall not be excluded from having access to parking on-site.
- 3. **Density.** Qualifying dwelling units in the Residential A, Residential B, or Residential C Zoning Districts that are proposed as part of a Planned Unit Development that meet both of the standards included in Section 5.14.D may be eligible for additional density as follows:
 - a. Projects located in the Residential A Zoning District shall be eligible for .5 additional dwelling units per lot included in the project.
 - b. Projects located in the Residential B Zoning District shall be eligible for .75 additional dwelling unit per lot located in the project.
 - c. Projects located in the Residential C Zoning District shall be eligible for 1.0 additional dwelling unit per lot located in the project.
 - d. Units included under this provision will be rounded up to the nearest whole unit.
 - e. Dimensional Standards outlined in Section 2.5 shall still apply.

* * * * *

ARTICLE IX – DEFINITIONS

Priority Housing: For the purposes of these regulations, priority housing shall mean dwelling units that have been identified by the City of Winooski that are desired for development due to their size, bedroom count, configuration, or similar elements. The desired housing may change from time-to-time based on the policies and priorities of the City Council which may necessitate amendments to these regulations.



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: March 17, 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.

The proposed amendment corresponds to a several of the initiatives included in the action plan, and comes at the request of the Community & Economic Development Office. 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 spring of this year. 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.

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. 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 in the very near term. 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 services for guests.

While a zoning amendment was not initially included in the action plan for this initiative, CEDO's work to implement this concept has identified a number of limitations to the existing Emergency Shelter standards. This amendment is modeled from 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.

At the March 8 meeting, the Commission discussed two aspects of this proposed amendment: requirement for neighborhood notice and operational standards for interim facilities. CEDO continues to work to identify details for the location and management of such a shelter site, including the standards for service provision and operation as noted in the proposed amendment below. More information will be shared at the upcoming meeting. The following proposal has been modified to address neighborhood communications.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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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.

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 5 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 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 Burlington, or on private property with an operating agreement with the City of Burlington for an interim shelter.	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.

	Permitted for up to one year, may be renewed annually. Duration beyond 3 years must meet requirements of a permanent facility.	
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, CEDO must approve an operations plan	

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:

- All dimensional standards for the underlying zoning per the requirements of Art. 4 shall be applicable;
- 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;
- 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;
- 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 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, a 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 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 a proposed shelter pod community identified as an emergency shelter solution in the Mayor's 2021 Housing Plan.

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	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 ³⁴	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.



MEMORANDUM

TO: City of Burlington Planning Commission Chair
Town of Shelburne Planning Commission Chair
Town of Colchester Planning Commission Chair
Town of Williston Planning Commission Chair
City of Winooski Planning Commission Chair
Town of Essex Planning Commission Chair
Village of Essex Junction Planning Commission Chair
Charlie Baker, Chittenden County Regional Planning Commission
VT Department of Housing and Community Development

FROM: Paul Conner, Director of Planning & Zoning

SUBJECT: Proposed Official Map Amendments; Public Hearing

DATE: March 17, 2022

Enclosed please find proposed amendments to the City of South Burlington's Official Map, as well as a report from the Planning Commission, as required under Chapter 117. **The Planning Commission will hold a public hearing on these amendments on Tuesday, April 12, 2022 at 7:00 pm in person and via Zoom.**

Participation options:

- In Person: City Hall Auditorium, 180 Market Street
- Interactive Online: <https://zoom.us/j/98114256459>
- Telephone: (929) 205 6099, Meeting ID: 981 1425 6459

The proposed amendments are posted on the City's website, www.sbvt.gov, and are shown below.

Feedback on the draft amendments is welcome, either at the hearing, or in writing in advance of the hearing date. Should you have any questions, feel free contact the Department of Planning & Zoning.

Chittering

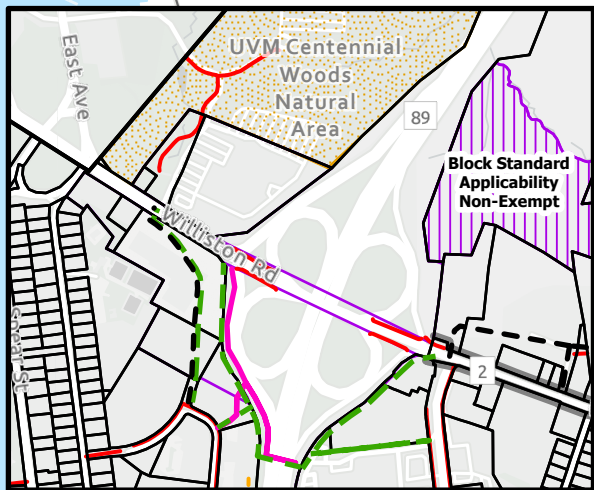
City of South Burlington Official Map (Citywide)

Proposed Amendment March 18, 2022

Legend

- Commuter Rail Station
- Planned Street Right of Way
- Proposed Road
- New/Changed Road Network
- Common Open Land
- Golf Course
- Institutional & Agricultural Lands
- Proposed Park & Open Space
- Existing Park and Open Space
- Tax Parcel Boundary-2021
- Form Based Code Area (346 acres)
- Municipal Boundary
- Recreation Paths**
 - Easement
 - Existing Trail
 - Existing Recreation Path
 - Planned Rec Path or Trail
 - New or new location of rec path
 - Rec path to be moved

0 0.25 0.5 1 Miles



The following notations are hereby incorporated into the Official Map:

1. Blue circle #1 refers to the proposed realignment and reconstruction of Airport Parkway to facilitate circulation between Lime Kiln Road and the Airport.
2. Blue circle #2 refers to provision of a northbound on-ramp at Exit 13.
3. Blue circle #3 refers to creation of an appropriate internal roadway network for development of the O'Brien farm property and provision of between five and ten acres of public parkland within the property or an immediately adjacent area.
4. Blue circle #4 refers to development of Exit 12B at Hinesburg Road and a dead-end at Old Farm Road.
5. Blue circle #5, along with blue circle #4, refers to the development of an appropriate roadway network to service Exit 12B and facilitate connections to Williston Road, Kennedy Drive and Kimball Avenue.

6. Blue circle #6 refers to development of an internal roadway network linking Queen City Park Road with Fayette Drive through the Martin's Foods and Southland properties.
7. Blue circle #7 refers to development of an appropriate roadway system between Hinesburg Road and Dorset Street through the Marceau and Chittenden properties.
8. Blue circle #8 refers to acquisition of right-of-way and completion of a reconfigured intersection at Spear Street and Swift Street.
9. Blue circle #9 refers to proposed recreation paths within 20' planned City rights of way.

Map Prepared by: M.Needle, CCRPC, using ArcGIS Pro





**PROPOSED AMENDMENTS to the SOUTH BURLINGTON
OFFICIAL MAP**

Public Hearing Tuesday, April 12, 2022 at 7:00 pm

PLEASE TAKE NOTICE that the Planning Commission will hold a public hearing on Tuesday, April 12, 2022 at 7:00 PM to consider amendments to the Official Map. The amendments are proposed in the vicinity of I-89 Exit 14 / Williston Road. The hearing will be held in person and remotely via Zoom. Participation options:

Interactive Online: <https://zoom.us/j/98114256459>

Telephone (audio only): (929) 205 6099, Meeting ID: 981 1425 6459

In Person: City Hall Auditorium, 180 Market Street

The purpose of the hearing is to consider the following:

- A. OM-22-01: Add bike/pedestrian connections between planned I-89 bike/pedestrian bridge and Dorset Street, Williston Road, and Quarry Hill Road

Copies of the proposed amendment are available for inspection at the Department of Planning & Zoning, City Hall, 180 Market Street, and on the city website at www.sbvt.gov.

Jessica Louisos, Planning Commission Chair

March 18, 2022



**South Burlington Planning Commission
Proposed Official Map
Amendment & Adoption Report
Planning Commission Public Hearing April 12, 2022, 7:00 PM**

In accordance with 24 V.S.A. §4441, the South Burlington Planning Commission has prepared the following report regarding the proposed amendments and adoption of the City's Official Map.

Outline of the Proposed Overall Amendments

The South Burlington Planning Commission will hold a public hearing on Tuesday, April 12th at 7:00 pm, in person and via electronic platform, to consider the following amendments to the South Burlington Official Map:

- A. OM-22-01: Add bike/pedestrian connections between planned I-89 bike/pedestrian bridge and Dorset Street, Williston Road, and Quarry Hill Road

Brief Description and Findings Concerning the Proposed Amendments

The proposed amendments have been considered by the Planning Commission for their consistency with the text, goals, and objectives of the City of South Burlington's Comprehensive Plan, adopted February 1, 2016. For each of the amendments, the Commission has addressed the following as enumerated under 24 VSA 4441(c):

"...The report shall provide a brief explanation of the proposed bylaw, amendment, or repeal and shall include a statement of purpose as required for notice under section 4444 of this title, and shall include findings regarding how the proposal:

- (1) *Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.*
- (2) *Is compatible with the proposed future land uses and densities of the municipal plan.*
- (3) *Carries out, as applicable, any specific proposals for any planned community facilities."*

A. OM-22-01: Add bike/pedestrian connections between planned I-89 bike/pedestrian bridge and Dorset Street, Williston Road, and Quarry Hill Road

Brief explanation of the proposed amendment:

On the east side of I-89, this amendment would establish a connection from the planned bicycle/pedestrian bridge across I-89, south of Exit 14, to Dorset Street and to Williston Road.

On the west side of I-89, this amendment would relocate the planned recreation path south of Exit 14, from within the I-89 right-of-way to adjacent private property. A 20' recreation path easement has previously been provided by the involved landowners for portions of this area. In addition, the planned street connection from Quarry Hill Road to Williston Road is clarified to include a planned recreation path as a continuation of the path along Quarry Hill Road and the adjacent stub road.

(1) Conforms with or furthers the goals and policies contained in the municipal plan, including the effect of the proposal on the availability of safe and affordable housing.

The 2016 Comprehensive Plan includes several goals and policies that relate to transportation infrastructure in this area:

Maps & Analysis

Map 10, Planned Infrastructure Improvements, and Map 6, Planned Rec Lanes and Paths, shows a planned bicycle and pedestrian bridge crossing I-89 south of Exit 14. The project purpose is described as “To provide safe and efficient connectivity for walkers and cyclists between the City Center area and housing, University of Vermont, and City of Burlington on the west side of the Interstate” (p. 2-68).

The proposed improvements are also directly and indirectly supported by several objectives and strategies within the 2016 Comprehensive Plan:

Comprehensive Plan Goals:

- Develop a safe and efficient transportation system that supports pedestrian, bicycle, and transit options while accommodating the automobile;
- Promote conservation of identified important natural areas, open spaces, aquatic resources, air quality, arable land and other agricultural resources, historic sites and structures, and recreational assets;

Comprehensive Plan Objectives:

- Objective 18. Connect neighborhoods with one another via road segments and with commercial areas for local, slow speed circulation.
- Objective 20. Reduce the percentage of trips taken by single-occupancy vehicles in the City.
- Objective 47. Promote interconnectivity and integration of public facilities including schools and school facilities open to the public with surrounding neighborhoods, to include safe routes for children and neighborhood residents to walk and bicycle to school, a public library, recreation services, and other city services.

Comprehensive Plan Strategies:

- Strategy 45. Develop and build a city-wide sidewalk and recreation path plan that identifies and prioritizes gaps, to link various neighborhood and community focal points.
- Strategy 103. Regularly update the City's Official Map to include the most up-to-date plans for streets, parks, recreation paths, other civic spaces and utility infrastructure, including public paths, greenways and civic spaces planned for public acquisition and development within the City Center. Pursue public acquisition of mapped facilities through public dedication, and as available funding allows.
- Strategy 105. Develop an efficient, convenient and attractive transportation and parking plan to serve the center area and fund and maintain public parking facilities and walking, biking, and transit amenities.

(2) Is compatible with the proposed future land uses and densities of the municipal plan.

The proposed facility will support the development of infrastructure to serve a compact, mixed use, higher density City Center area.

(3) Carries out, as applicable, any specific proposals for any planned community facilities.

The proposed facility will support the City's plans to construct a bicycle/pedestrian bridge over I-89 that would serve and connect neighborhoods and mixed use areas to the east and west of the Interstate in the vicinity of Exit 14..

Burlington Planning Commission

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www.burlingtonvt.gov/pz

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

Burlington Planning Commission

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

Remote Meeting via Zoom

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

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.		

Tuesday, March 22, 2022

VI. Commissioner Items

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| <ul style="list-style-type: none"> Next meetings are April 12 and 26 at 6:30pm |
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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



Signed: April 12, 2022

 Andy Montroll, Chair

Respectfully submitted by:



 Bridget O'Keefe, Community Engagement Office Coordinator