

**SOUTH BURLINGTON PLANNING COMMISSION
MEETING MINUTES
25 AUGUST 2020**

The South Burlington Planning Commission held a regular meeting on Tuesday, 25 August 2020, at 7:00 p.m., via remote electronic participation.

MEMBERS PRESENT: J. Louisos, Chair; B. Gagnon, M. Ostby, M. Mittag, D. Macdonald, P. Engels

ALSO PRESENT: P. Conner, Director of Planning and Zoning; S. Dooley, L. Ravin, F. Von Turkovich, A. Chalnack, A. & C. Long, J. Nick, L. Kingsbury, D. Long, K. Ryder

1. Agenda: Additions, deletions or changes in order of agenda items:

No changes were made to the agenda.

2. Open to the public for items not related to the Agenda:

No issues were raised.

3. Planning Commissioner announcements and staff report:

Mr. Conner said things are very busy in the office due in part to lots of refinancing and to noise issues connected with the building of a street in the SEQ, and noted that the Council is looking into noise issues; this issue may get to the Planning Commission in the next few months.

4. Work Session on Land Development Regulation Overhaul:

- a. Presentation and discussion of Subdivision, Master Plan, and PUD Standards**
- b. Review and discussion of key questions**
- c. Staff update on Habitat Block map and analysis; Commissioner questions**

Mr. Conner noted the repackaging of materials to make things clearer. Things will all be pulled together in the next few meetings.

Mr. Conner then presented a power point focusing on subdivisions, master plans, PUDs, environment protection standards, site plan standards and related amendments.

PUDs are not intended to solve every problem. They address large neighborhoods and some infill neighborhoods and can complement zoning standards. Other tools include subdivision regulations, zoning district standards and Form Based Codes.

Mr. Conner showed overhead photos of city neighborhoods such as Mayfair Park, the Orchards and Prouty Parkway which do meet all the standards. He also showed the Village at Dorset Park which has some small blocks and one very large block (which would have had a mid-block connection were it to be approved today). He also showed the Dorset Street/Barrett Street neighborhood and noted the San Remo block where a street is planned to break up the long block. Mr. Conner also noted some commercial examples such as Larkin Terrace and the corner of Shelburne Rd. and Farrell Street as well

as Taft Corners in Williston which also meet block standards. The concept is that a standard block size can fit all types of development. Mr. Conner noted that once roads are set, there are there forever; the question is what can take place decades from now.

Regarding density, Mr. Conner showed how different arrangements can work in the same block area. The idea here is that the numeric density is secondary to the scale of the building on the site. He showed some examples from Oregon and said the question is how to get different housing types into a block. To demonstrate this, Mr. Conner showed a side-by-side duplex, stacked duplex, townhouses, a South Village triplex, a 4-plex that will look like a single-family home, and the Kirby Cottages (Mr. Conner noted that the Kirby Cottages have all been purchased by a South Burlington Company for housing for employees).

Mr. Mittag asked how you deal with traffic with 60+units on a block. Mr. Conner said South Burlington is not planning anything on that scale, probably about half of that. There can also be incentives so people are not always in cars, and there can be some non-residential components so every trip is not a vehicle trip.

Mr. Von Turkovich asked whether building types are exclusive or just a way to get a discussion started. Mr. Conner said they are just a sampling. There is a full list available. Mr. Von Turkovich said he liked the block sizing.

Ms. Louisos asked if housing types would be considered at the subdivision level. Mr. Conner said there is nothing to preclude that, but it is a leap to do so.

Ms. Ostby asked if there are examples of where this has happened. Mr. Conner said Minneapolis did it recently and cities in the Pacific Northwest have been doing it for some time.

Mr. Conner then outlined the 4 types of PUDs being considered:

- a. Traditional Neighborhood
- b. Neighborhood Commercial
- c. Conservation
- d. Infill/Redevelopment

He added that the Commission may look at a “Campus” PUD later, but that in order to complete the principal part of this project in the nearer term, that this piece had been put as a lower priority.

Each of the PUDs is proposed as a “floating zone” on an overlay zone as defined under the current LDRs, generally affiliated with an underlying district. Each PUD type will have a minimum trigger for applicability, and more than one PUD type may be permitted within a parcel as long as the minimums are met.

The Resource Protection Standards in Articles 10 and 12 would apply to PUDs. In all PUDs except the Conservation PUD, hazards and Level 1 resource areas would be set aside as undevelopable and would

be excluded from the buildable area calculation. In Level 2, resource areas, would be included in the buildable area to determine density. Resource protection standards would still apply.

In the Conservation PUD, 70% of natural resources must be set aside (how that is calculated would be up to the Planning Commission). It would be the Commission's option to base requirements on a full parcel and to exclude Level 1 and both Level 1 and Hazards. Level 2 resources may include land not otherwise regulated in Article 12, such as agricultural soils or farms. An applicant could build on 30% of non-hazard land which may include some Level 2 resources, if these resources exceed 70% of the remaining property. Mr. Conner noted that all of these numbers and calculations are up to the Commission

Mr. Conner then showed a chart of Residential Development Density Options. He showed 4 different ways to calculate maximum density. The remaining question for the Commission to consider is whether to go with a "land-based" density option or a "building type-based" option. The land-based option would, for example, could be 4 units per acre minus hazards, etc. The building-based option would construct density based on building types and their allocated land area. A maximum number of different types of homes would be established. In the latter case, a bonus would become more of an allowed housing type or possibly a different housing type.

Mr. Conner showed a chart describing various building types (e.g., detached house carriage house, duplex, multiplex, etc.). He also showed a chart of Building Form Based Density (buildings per acre on residential land after Level 1 and Hazards are removed).

Mr. Macdonald said it looks as though the building-based option allows more density. Mr. Conner said that you could draw the density numbers wherever you want. But if you went with, say, just doubling the minimum to be the maximum using the other method – the land-based method – you would wind up with fewer dwelling units per acre total in those areas and/or an odd mish-mash of building types in those areas if you allowed multi-plexes. So it does allow for more [density], but it is very context sensitive. The DRB would have guidance to consider such things as transit routes, adjacent neighborhoods, etc.).

Mr. Conner said both approaches could work for infill types of development and in a Conservation PUD (you can get the same amount of density you would get before deducting the 70%). While both forms would work, the message would be simpler with a "land-based" approach, especially for a Conservation subdivision.

Ostby asked if given the density issues being discussed, whether the current LDR stating that SEQ gross density of 1.2 units per acre is clear in its intent. Is it meant to be a maximum density average across the SEQ, as a goal? Or is it meant to be a maximum density per development? Further that if the changes being considered during Interim Zoning (enhancing PUDs and increasing natural resource protection) would impact the ability to meet a 1.2 unit per acre gross density, or if this calculation needs to be reconsidered by the PC.

Mr. Conner gave examples of how a Conservation PUD, or a TND, would work, and how the application of TDRs could make a difference. In the SEQ, staff's working draft states that without TDRs, there would be a minimum density set in whatever area you wanted to build. You would get density on the buildable part of the property. The remainder of the land would be for conservation or reserved for future use if you chose not to bring in TDRs.

Mr. Mittag asked what would happen if a person had a large parcel and wanted to set aside 90% and build homes on 4 or 5 large lots. Mr. Conner said the person could go with a straight subdivision. The Commission wouldn't have to put in a minimum density. He also noted that there are areas where the city may want a minimum amount development. He added that the Conservation PUD could also be designed without a minimum density in some areas.

Mr. Engels said he heard that there are only 700 acres left for development in the city. Mr. Conner said that is probably close in terms of land not incumbered. It does not include land that could be used for redevelopment and infill. Mr. Engels suggested focusing on those 700 acres. He said what he is hearing sound close to Form Based Code, and he felt that was worthwhile to explore. It is a simple system while the other is more complex, especially when you're looking at only 700 acres. Mr. Conner noted that PUDs and Form Based Code are not all that dramatically different from each other.

Mr. Gagnon noted that even with Form Based Code, certain building types and street types are defined, and that is what a PUD is doing....like a Form Based Code without the T-zones. Mr. Conner felt that was accurate. He felt there was nothing to preclude the city from over time moving away from PUDs once there are specific neighborhoods designed and laid out through the City's detailed work in those areas.

Mr. Mittag felt commercial and industrial zones might be appropriate places for Form Based Code.

Mr. Conner said he didn't expect anything to be settled at this meeting. At the next meeting, all this will be put together with the conservation pieces.

Mr. Chalnack asked about having a large parcel with a lot of resources to conserve, but a person wants to sell off a few parcels along the road. Mr. Conner said that is a policy decision. The first PUD draft did have a minimum density, but that is not set in stone. Mr. Chalnack asked whether a landowner could choose a Conservation PUD. Mr. Conner said in most of the country, that would be established. The proposal for the Planning Commission is that in all residential and lower density areas it would be an option for an owner.

Noah Hyman, another member of the public, said he wants to building houses for his 4 kids and create a "family compound." He asked if what is proposed would inhibit his ability to do that and whether he would have to create a minimum density. He also felt that what he heard tonight devalues TDRs.

Mr. Conner said it is an objective of the TDR Committee to retain the TDR value. TDRs could go outside PUD areas (e.g., Shelburne Road, Williston Rd) where residential density could be increased.

Ms. Dooley said she would like to hear the community's perspective on this, particularly with relevance to affordability and what kind of community people want.

Mr. Conner said that relates to the "missing middle," and that is why the proposal is looking at different ways to consider density and create a variety of housing. He stressed that this is not a "silver bullet." Ms. Dooley said it is important to make that link explicit. She felt it is important to have a goal of inclusion so that people of one income level aren't living in one part of the community and those of another level in another part of the community. Ms. Ostby said she felt inclusionary zoning needs to be city-wide.

Mr. Macdonald asked whether the 700 developable acres are identifiable. He felt if the Commission could see them, they could consider what should go there. Mr. Conner said "absolutely." The conversation could be tied to the map of available parcels.

Ms. Ostby said she would offer a remote listening session to community members and help develop a map so people can form questions for the Commission.

Ms. Louisos noted an offer from a community group to speak with the Commission regarding housing. They made a presentation to the City Council. Mr. Gagnon felt that would be good as some residents follow the Commission and not the Council, and the report does supplement what the Commission has been talking about.

Ms. Louisos said she would work with Mr. Conner about the timing for that presentation.

5. Minutes of 27 November 2018, 17 December 2019, 2 February, 11 February and 11 August 2020:

Mr. Gagnon moved to approve all of the above Minutes as written. Mr. Mittag seconded. Motion passed unanimously.

6. Other Business:

Ms. Ostby said she would like to know how people affected by the 2 different development types feel about them. Mr. Conner said the biggest difference is that with "parcel-based", unless you go with a really high number, you don't get a mixture of housing types and there are gaps which preclude walkable neighborhoods.

Members agreed to hold the next meeting on Wednesday following Labor Day as the City Council will be meeting on the Tuesday.

As there was no further business to come before the Commission, the meeting was adjourned by common consent at 9:05 p.m.

Minutes Approved by the Planning Commission September 22, 2020