

**SOUTH BURLINGTON PLANNING COMMISSION
MEETING MINUTES
13 OCTOBER 2020**

The South Burlington Planning Commission held a regular meeting on Tuesday, 13 October 2020, at 7:00 p.m., via Go to Meeting remote technology.

MEMBERS PRESENT: J. Louisos, Chair; B. Gagnon, T. Riehle, M. Ostby, D. MacDonald, P. Engels

ALSO PRESENT: P. Conner, Director of Planning and Zoning; J. Weith, K. Wright, C. Trombly, L. Kingsbury, D. Long, D. Long, C. & A. Long, S. Dooley

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:

Mr. Trombly, the new Chair of the Affordable Housing Committee, asked the Commission to look for opportunities to convert land to usable housing supply. Ms. Louisos noted that the Commission is looking at changing some land use in some areas.

3. Planning Commissioner announcements and staff report:

Ms. Ostby noted seeing articles regarding energy as a part of smart planning and hoped the new PUD requirements take energy into consideration.

Mr. Conner two bills passed by the Legislature and approved by the Governor. The first (S-237) relates to affordable housing and requires the owner of the property to live on the property but not necessarily in the main unit. It also allows 30% of the property or 900 sq. ft., whichever is larger, to be converted to an additional dwelling unit. Bill S-54 relates to cannabis and has new provisions. Mr. Conner said he will get together with the City Attorney and let the Commission know the specifics.

4. Proposed Amendments to Land Development Regulations: review proposed amendments and consider and possibly approve Planning Commission Report and Warning of Public Hearing on same:

- a. **LDR-17-13A: Allow for increase in maximum building and lot coverage on properties with land in the Urban Design Overlay District via installation of an on-site civic space**
- b. **LDR-17-13B: Allow for increase in maximum lot coverage on properties with land in the Urban Design Overlay District via use of Transferable Development Rights from designated Sending Areas**
- c. **LDR-19-06: Modify Table of Open Space Types (Appendix F) and Applicability in the City Center Form Based Code District**
- d. **LDR-20-18A: Eliminate requirement for submission of paper copies of applications under the Land Development Regulations**

Mr. Gagnon moved to warn a public hearing for 10 November 2020 for changes to the Land Development Regulations and the accept the staff report that supports these changes. Mr. Riehle seconded.

Ms. Ostby asked how much land is involved in a TDR. Mr. Conner said a TDR would be 10,000 sq. ft. of lot coverage, about 0.83 acres. He noted that the City Attorney felt it best to approximate the amount of lot coverage which is why it is being suggested that TDRs be purchased in increments of not less than 2500 sq. ft. Mr. Conner stressed that the only thing being increased is lot coverage.

In the vote that followed, the motion passed 6-0.

5. Work Session on and Development Regulations Amendments:

a. Continue review of Forested Habitat Block applicability and related possible zoning district amendments:

Mr. Conner showed a map of forested habitat blocks and indicated staff's recommendations for each of them as follows:

1. South Point to South Village: In general, staff recommends that forest block areas be contained in an NRP. The recommendation here is to extend the NRP west to the north/south roadway, and to remove the applicability of forested blocks west of the roadway.
2. South Village: Staff recommends aligning the forested block to the approved development plan.

Ms. Ostby asked if there is any value to removing the "finger." Mr. Conner said this is what is approved for South Village. What is approved for conservation is already approved. Mr. Gagnon asked if a developer could come back in the future to change the plan. Mr. Conner said that is possible, but this would codify areas approved for development as the only such areas. Members agreed this is the best way for future protection.

3. Dorset Farms: Staff recommends changing the edge of the NRP at the north end of the map to add the forested area to the NRP. The house site on the southern parcel, or any other areas outside the forested blocks, could be redesignated for balance.

Ms. Ostby wanted to be sure there is a connector within these parcels that is protected. Mr. Riehle felt this is a significant corridor.

4. Hidden Meadow/Cobblestone: Staff recommends the highlighted area be added to the NRP.
5. Highland Terrace: Staff recommends adding an area to the NRP but removing the "fingers" from the NRP.

Mr. Macdonald asked if there has been any interest in doing infill on those lots. Mr. Conner said several, and the first Interim Zoning application was for one of those lots. Mr. Gagnon noted the area really isn't developable as it has steep slopes. Members agreed to leave it as forest block.

6. Technology Park: Staff recommends leaving the forested blocks as is.
7. East and South of the Airport: Staff recommends leaving the large forested area as is and considering removing the small one. Mr. Conner noted that at a recent Airport Master Plan meeting, they identified most of that area as wetland, and it is likely to stay the way it is.
8. I-189 and I-89 Corridors: Mr. Conner noted these are not within the city's jurisdiction. One option being looked at in the current I-89 study is redoing the interchange. Mr. Conner said he will talk with RPC and the City Attorney about this area so as not to cut off potential solutions.
9. Mayfair Park/High School Woods: Ms. Louisos noted the city is looking at some stormwater improvements there. Staff recommends retaining the forested areas as they are in Mayfair Park. For the High School, retain the forested areas as mapped.

Ms. Ostby suggested adding some wildlife crossing signs.

10. North of Patchen Road: Staff recommends retaining the forest block. Mr. Conner noted the VELCO right-of-way is not treed because of the power lines. There are also 25% slopes or huge floodplains.
11. Centennial Woods: Ms. Louisos noted there are a lot of ravines and slopes. Staff recommends no changes to the forested block as mapped except as previously decided by the Commission. Residential zoned parcels would be eligible for a Conservation subdivision. Mr. Conner noted the former dog park is now zoned I-Ag. The property owner could apply to be a Conservation PUD. They would have to conserve at least 70% of the land including any hazards.

Ms. Dooley noted that years ago UVM talked about developing that area as part of their Master Plan. Mr. Conner said staff has encouraged UVM to share their plans with the city. A number of properties are designated as "unplanned." Ms. Kingsbury said UVM has talked about coming to the Planning Commission for a larger discussion. There are areas designated for future development, including the former dog park area. They are now beginning to update their Master Plan.

Mr. Conner said staff recommends not doing PUD types for UVM properties at this time.

12. Red Rocks Lakeshore (North): Staff recommends continuing to regulate Red Rocks under the city's Natural Areas Management Plan. At Lakeshore, staff recommends removing the "tongue" that extends into a portion of the land and to consider a requirement that the

PUD adhere to the Official City Map. Mr. Conner noted this is a very valuable property. A significant portion of it is not to be built on, and staff is concerned with the potential for “a taking.” The area is marginal, and trees south of it are not a forest block.

Ms. Ostby wasn't sure she would leave Red Rocks to that plan. She felt the Commission should supplement the plan.

13. Lakeshore South: Mr. Conner noted this area requires future examination of habitat function and future planned roadways. Ms. Louisos noted the railroad track which can work as a habitat corridor. The recommendation is to leave the habitat block as it is.
14. Bartlett Brook: Staff recommends leaving the majority of the habitat block but removing a small area near Shelburne Road as it is otherwise a developable area within the transit overlay district. All setbacks would still apply.
15. Allen Road: Staff recommends retaining the habitat block as mapped and adding connecting pieces.
16. Eastwoods/Swift Street Are: Mr. Conner said staff is leaning toward having parcels with large amounts of forest blocks utilizing a Conservation PUD tool in order to retain the owner's value of the land. He added that the City Council could discuss non-regulatory tools with the owners.

Ms. Ostby suggested allowing higher density in the buildable areas, even more than the underlying zoning. Mr. Riehle agreed. Members questioned the Edlund property, and Mr. Conner explained what can be built there. It is currently zoning Inst-Ag. Ms. Ostby asked if UVM would have to follow the city's designation of 'forest block' for the Edlund property. Mr. Conner said staff is trying to find that out as there are specific rules for educational facilities. Mr. MacDonald noted it is the second most critical habitat block, and if the city was in a position to buy it they should. Mr. Conner reminded the Commission that the owner's economic value of the property also needs to be retained. Mr. Gagnon asked if they could broaden the building types in a Conservation PUD for non-residential buildings. Mr. Conner said the uses would be those allowed in the underlying zoning. That would include a dormitory. Mr. MacDonald asked where the zoning would fit here. Mr. Conner said if the Commission doesn't want to change the zoning, they could apply a TND type of PUD or a Conservation PUD.

Ms. Ostby spoke to the need to give all property owners a chance to discuss any changes the Commission is proposing.

17. Meadowood: Staff recommends retaining the forest blocks as drawn and adding a connector.
18. Wheeler/Hill Farm: Staff recommends pulling back the mapped forested areas to form a better demarcation. In the Nature Park, there is a piece the city is looking at for more active uses.

19. Meadowland: Staff recommends retaining the forested habitat block except for the removal of the square into Meadowland Business Park.
20. Cheesefactory Road/Dorset Street: Staff suggests the Commission consider the purposes and applicability of the NRT district as a whole and consider assigning areas as either Conservation, NRT or NR. Mr. Conner said he believed there is some recent wetland mapping that would dictate the location for any development. Members agreed to keep it as it is.

Ms. Ostby felt that after Interim Zoning they should make it a priority to welcome landowners' feedback for requests regarding their land. Mr. Rirhle noted they would still have a lot on their plate at that time. Ms. Louisos said they won't just ignore people and suggested a possible subcommittee.

6. Other Business:

- a. **Burlington Planning Commission public hearing on Comprehensive Development Ordinance Amendments, Tuesday, 13 October, 6:45 p.m. via Zoom**
- b. **Williston Planning Commission public hearing on Unified Development Bylaw amendments, Tuesday 20 October, 7 p.m., via Zoom**

Mr. Conner said Burlington will be codifying some temporary things (e.g., ability to do tents). Williston will be considering reduced parking standards.

Mr. Conner noted the City Council will meet the day after the Commission's next meeting and will be considering extending interim zoning. He suggested the Commission provide a status report. He also suggested a second meeting in the week of 27 October to consider the language for subdivision and to finalize natural resources work.

7. Meeting Minutes of 22 September 2020:

Mr. Gagnon moved to approve the Minutes of 22 September as written. Mr. MacDonald seconded. Motion passed 6-0.

As there was no further business to come before the Commission, the meeting was adjourned by common consent at 9:12 p.m.

Minutes approved by the Planning Commission November 10, 2020