

Date: 2/7/2024

From: [Cathyann LaRose](#)

To: Sen. Kesha Ram Hinsdale, Sen. Alison Clarkson, Sen. Ann Cummings, Sen. Wendy Harrison, Sen. Randy Brock

**Subject: Comments and considerations related to the Be Home Bill, DR 24-0067, Draft 6.1**

Dear Senators,

I have been a professional planner in Vermont for the past 20 years and I have been following along with interest your work on the BE Home bill, among others. I applaud the goals and initiatives- the Committee clearly has a genuine interest in ensuring every Vermonter has access to safe housing, while also advancing economic successes and the preservation of important resources. I wholeheartedly support these goals as well, informed by work in the planning field and in my own life experiences. I was raised in a very low-income family who was fortunate to secure subsidized housing and food assistance. My life would be very different if not for the legislators of decades ago who made that possible.

As I do in my work with planning commissions and other rule-making bodies, I encourage you to ensure that the tool you are using meets the problem you wish to solve. In reading the draft, I believe that there are a few places where the tools used will not provide for the relief you seek, and will instead create adverse consequences. I hope my insight from years of planning and zoning administration will be helpful to you as continue to work on this draft.

- **Parking.** It is likely that the goal is to reduce additional impervious surfaces and reduce stormwater impacts. That is an admirable goal and we should pursue this. Regulating the size of parking spaces to the 8'x16' is not the proper solution. I believe the Governor's own vehicle would not fit within this space. Developers will overcompensate for this by planning for a greater number of spaces. Patrons will park their vehicles in a way to consume multiple spaces. The per vehicle space dedicated to parking could become 512 sq feet (4 parking spaces under the proposed legislation) rather than the 162 sq ft. which is typical now and which accommodates most vehicles. Vehicles which do try their best to stay within lines will instead flow over into access aisles, creating significant issues for circulation and emergency access. I strongly urge you to remove this language. If you wish to reduce parking lot sizes and wasted impervious surfaces, I encourage you to explore 'right-sizing' the required number of spaces or providing for more flexibility in parking reduction rather than micromanaging the paint within.
- **Lot coverage maximums.** I too wish to see compact urban areas. However, the use of a 50% required minimum in all areas served by water and sewer doesn't acknowledge the breadth of where these areas actually are. They are not all designated downtowns. They are not all urban. There are better tools for promoting compact development. There are better tools for creating and

preserving usable green spaces. Many Vermont planners would be happy to assist in this work.

- Duplex provisions (Sec 19, D). I applaud any goals related to infill housing and diversity of housing types. One can easily see the benefits of converting an existing single unit dwelling to a duplex unit or to stop elitist regulations which do not allow housing types beyond single-unit. However, I wonder if thought has been given to the extrapolation of this to large scale developments? As written in the legislation, a land developer can work through the permit process for a 40 lot development. The DRB will carefully consider traffic, required green space, parking, access, emergency services, road, water and sewer infrastructure, and more, all of which are informed by number of people and cars. The applicant will leave the DRB with their 40 lots and then they can build 80 units of housing whereby the impacts of that intensity were never vetted and the infrastructure is not safe, adequate, or appropriate. Is that the intention? How will this work within Act 250? If a development creates 9 lots and does not need review but those lots then become 18 units? This allowance is not limited to areas with water and sewer infrastructure, but essentially increases all density by a factor of 100% immediately, provided they build duplex units and not the more cost-efficient triplex or small multi-unit structures.
- Permanently affordable housing provisions on land owned by religious non-profits. I wish to stay as positive as possible in my review of the totality of this legislation, but I find myself surprised and disappointed at the level of religious favoritism shown in this provision. I have worked successfully with many admirable non-profit housing providers. I fail to see how their religious affiliations have any impact on their ability to provide for affordable housing. Please, I urge you to rework this section to remove any benefits provided solely on the basis of religious affiliation.

These are my comments as a professional planner with 20 years of experience in Vermont municipalities with a range of issues, opportunities, densities, and access to public infrastructure (City of South Burlington 2005-2020, and now, Town of Colchester). These comments are not made on behalf of my employer and are not meant to reflect the views of the municipality.

Thank you in advance for your consideration of my comments related to the draft.

Cathyann