

Date: 2/6/2024

From: Juli Beth Hinds, AICP

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

**Subject: BE Home Bill - Considerations for Parking and Lot Coverage Standards**

Dear Senators,

I am writing to request your re-consideration of some of the proposed municipal zoning standards in the BE Home Bill, DR 24-0067, Draft 6.1.

By way of introduction, I have worked as a practicing land use planner in Vermont since 1995. I have worked as a consultant for 32 Vermont municipalities, several regional agencies, and the Vermont ANR; I served as Director of Planning and Zoning for the City of South Burlington (2001-2008) and Executive Director of the Mad River Valley Planning District (1997-2000); I was appointed by Gov. Dean to the study committee that recommended much of the form and structure of 24 VSA Chapter 117 that is in place today. For the past 13 years, I have worked nationally as a consultant to US EPA and the NOAA Sea Grant Program on “water-friendly” zoning and development standards, working with dozens of municipalities in 26 states to improve the ecological and housing friendliness of local regulations. I am a proud member of the Vermont Planners Association though I write in my own professional capacity, and not the organization’s.

I urge the Committee in the strongest possible terms to reconsider the following municipal zoning preemptions:

(1) The parking space dimensions of 8’ x 16’, Section 14, page 18. This is both ill-advised and potentially counter-productive. National best practices for parking lot design call for a standard space size of 9’ x 18’, with allowances for ‘compact’ spaces of 8 1/2 x 18 *where appropriate based on the associated land use and projected trip ends*. I have NEVER seen an 8x16 standard in a zoning code or in any recommended engineering or landscape architecture practice, in any state. 9x18 reflects both the standard size of vehicles and the need for snow storage. It prevents un-workable and potentially unsafe conditions. Guidance from Sea Grant, US EPA, and the Center for Watershed Protection is for 9x18 dimensions, with ‘compact’ spaces as an option.

(2) The tandem parking requirement, Section 14, page 17. Tandem parking can be an elegant and land-saving design approach, in very dense urban areas with high land costs and high transit penetration. However, in areas where vehicle use is expected to be frequent - which is the case in most of Vermont - the “logistics” of tandem parking can lead to street congestion or illegal vehicle parking and defeat the purpose of requiring off-street parking in the first place. It is not a solution that should be *required* to be allowed in Vermont. Moreover, tandem parking spaces generally are allowed where the tandem spaces serve a single dwelling unit, to ensure that parking logistics are under the control of a single household (i.e., no one is adversely affected by another

household's actions). At the bare minimum, if the Committee decides for some reason to mandate this provision, tandem parking should be limited to spaces serving a unique dwelling unit.

(3) The requirement that maximum lot coverage be no less than 50% in municipal water/sewer areas, with a 20% bonus for lots without frontage (Section 23, pages 24-25). I strongly urge the Committee to reconsider these limits, which are entirely arbitrary and not consistent with the design and development pattern in many of our existing villages and centers. There are many municipal water/sewer areas which, for good reason, are developed with much lower average lot coverages than an arbitrary 50%. For example, many of the well-developed and economically productive lots in the Irasville district in Waitsfield, which has water and sewer service, are well below 50% coverage. Determining the appropriate coverage limits for an area requires an understanding of lot sizes, the presence of environmental features such as wetlands, slope and topography, access, and other infrastructure such as stormwater management systems. An arbitrary minimum invites poor and overly-aggressive design. It also invites towns to find some other "back door" approach to limiting development intensity, or to forego water and sewer improvements altogether.

(4) The extension of protected use class status to facilities serving a "public function." Section 20, page 24. Exempting a very loosely defined class of land uses from all but the bare minimum of regulation undermines the purpose of the protected use class regulations. When the 2001-3 Chapter 117 committee worked with the State to draft the existing Chapter 117 provisions, the intent was to ensure that critical community functions - schools, correctional facilities, salt sheds, religious land uses - were able to be sited in the communities served. It was not intended to over-ride duly adopted local standards for, as examples, landscaping, screening, parking lot layout, or access. Without a definition of "public function," this provision is likely to create problems. Again, it may invite "back door" approaches to limiting use that undermine the intent of the legislation. To the extent there are specific land uses that warrant inclusion in this protected class, a definition must be developed.

Thank you very much in advance for your consideration of these important issues.

Sincerely,

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