

**CITY OF ESSEX JUNCTION
PLANNING COMMISSION
PUBLIC HEARING
MINUTES OF MEETING
APRIL 6, 2023
APPROVED MAY 4, 2023**

MEMBERS PRESENT: Phil Batalion, Chair; Patrick Scheld, Vice Chair; Diane Clemens; Scott McCormick; Elijah Massey.

ADMINISTRATION: Chris Yuen, Community Development Director.

OTHERS PRESENT: None.

1. CALL TO ORDER

Phil Batalion called the meeting to order at 6:32 PM.

2. AGENDA ADDITIONS/CHANGES

None.

3. PUBLIC TO BE HEARD

a. Comments from Public on Items Not on Agenda

None.

4. MINUTES

a. March 9, 2023

MOTION by PATRICK SCHELD, SECOND by ELIJAH MASSEY, to approve the minutes of March 9, 2023 as drafted. VOTING: unanimous (5-0); motion carries.

5. BUSINESS ITEMS

a. Potential Impacts of S.100

The Planning Commission discussed the S.100 Omnibus Housing Bill that is currently being considered by the legislature at the State level. Community Development Director Yuen noted that the zoning bylaws most likely to be impacted include those around minimum parking requirements, multi-unit dwellings in areas where single-family units are allowed, and Accessory Dwelling Unit (ADU) review, though the bill will not be finalized until the end of the legislative session in mid-May. He said that once a bill is passed, the City is well-positioned to implement changes quickly, given that there are Land Development Code (LDC) updates that are scheduled for City Council consideration in the next several months.

Commissioner Clemens spoke about the designated downtown areas and that the proposed legislation doesn't do much to incentivize them. She pointed out that having enhanced designation has in the past provided perks for municipalities and development, in terms of priority development and exemption rights. Community Development Director Yuen noted that with these changes, all housing would be exempt from Act 250 requirements, which would in turn mean that the City would lose some leverage in determining priority housing types for development.

b. Land Development Code Updates

Community Development Director Yuen began by noting that there is a one-year statutory deadline between when the Planning Commission submits LDC updates to the City Council and when the Council must approve them, and that that deadline is quickly approaching. He said that the proposed schedule for public hearings and adoptions will include public engagement (a survey and informational packets) and a City Council meeting on May 10 to review the summary of LDC changes and endorse amendments including changes related to S.100. He said that after that, they anticipate warning the LDC updates for public hearings on June 14 and July 26, with a chance in between to discuss any additional revisions on June 28. He said that the Council will need to adopt the LDC changes on July 26 (to meet the August 4 deadline).

Commissioner McCormick asked for further details on the public engagement component of the LDC updates. Community Development Director Yuen replied that staff are developing a survey, which they will advertise through press releases and social media platforms, such as Front Porch Forum, and that the City will field the survey to the public and development groups. Commissioner McCormick emphasized that it's important to ensure that the public understand municipal activity and regulations, especially those that are drivers of budgetary impacts. Commissioner Batalion also suggested leveraging the City's communication team to put together a communication plan (if they have not already done so). Commissioner Clemens and Commissioner Massey made suggestions about communicating to residents through mailers and flyers and other non-electronic means. Community Development Director Yuen said that he and the City's communications staff will discuss this suggestion and explore hard-copy communication materials. Commissioners reviewed public engagement and communication around the LDC to date (including public hearings and posting on the City's website). They also had a more general discussion about communication strategies and improving public engagement around policy decisions.

MOTION by DIANE CLEMENS, SECOND by PATRICK SCHELD, to endorse the recommendations of staff for the Land Development Code updates to be added to the current LDC updates that the Planning Commission has already put before the Council. VOTING: unanimous (5-0); motion carries.

c. Inclusionary Zoning

- **Priority Housing in Neighborhood Development Area**
- **Transit Oriented Development study**

Community Development Director Yuen recalled that the Housing Commission came to the Planning Commission's previous meeting to speak about inclusionary zoning and that the Planning Commission had a robust discussion at that time. He noted that there were concerns from the Planning Commission that inclusionary zoning could reduce the appeal of Essex Junction for development by making it more expensive. He said that the City could make inclusionary zoning more appealing through incentives, such as through the benefits of a Neighborhood Development Area (NDA) designation. He said that currently, Act 250 exemptions are applied to priority housing designation through NDAs (though S.100 could change this). He said that the Transit Oriented Development study through the Chittenden County Regional Planning Commission (CCRPC) could also help show potential impacts of increasing density along transit corridors in different ways (such as increasing building height or modifying setbacks).

Community Development Director Yuen asked for Planning Commission feedback on whether to explore expanding the NDA. He noted that if the City were to turn its Village Center into a Downtown District, it would extend the radius of that NDA. Commissioner Scheld replied that expanding the NDA in terms of

developable land around the current NDA and trying to encourage more affordable housing in this designation would make sense to him. Commissioners discussed a number of possibilities for what could even be built in the area that would become part of the NDA.

MOTION by PATRICK SCHELD, SECOND by SCOTT McCORMICK, to recommend that City staff explore the potential of expanding the Neighborhood Development Area. VOTING: unanimous (5-0); motion carries.

d. Rental Registry & Inspection Program Next Steps

Community Development Director Yuen said that he had originally planned to have John Audy from Winooski present tonight about Winooski's rental registry experience but that he had a conflict and will come to the next month's Planning Commission meeting. He said that at the next meeting they will also hear final presentations from the group of University of Vermont students who have been researching this topic. Commissioner Batalion said that he recently had to submit information to Burlington's rental registry, and he would be happy to share information about his experience with Burlington's rental registry program at the next Planning Commission meeting. Commissioner McCormick spoke further about learnings from Barre about their rental registry, noting feedback around the administrative burden to set up a registry in terms of staffing and software and that they have found enforcement to be extremely challenging.

6. **READING FILE** – None.

7. **MEMBER UPDATES** – The next meeting will be on May 4, 2023.

8. **STAFF UPDATES** – None.

9. **ADJOURNMENT**

MOTION by SCOTT McCORMICK, SECOND by PATRICK SCHELD, to adjourn the meeting. VOTING: unanimous (5-0); motion carries.

The meeting was adjourned at 8:14 P.M.

RScty: AACoonrad