

Montgomery Planning Commission Meeting Minutes

Regular Meeting

Public Safety Building

August 13, 2024, 6:00pm

Present: Peter Locher, Joe Sherman, Patrick Calecas, Kim Morrill , Narissa Furtado-Cordeiro

Guests: Emily Kloffft (Northwest Regional Planning)

Meeting called to order at: 6:03.

1. Additions/deletions to agenda.

1.1. None

2. Approval of the July 9, 2024 meeting minutes.

2.1. Patrick motion to approve the minutes as written, 2nd by Joe (3-0-0)

3. Short term rental (STR) definition review.

3.1. Review the Stowe and S. Burlington ordinances for comment and consideration (See appendix A)

3.1.1. Both used basic definition based on timeframe. Rentals for less than 30 days duration, no more than 14 times a year.

3.1.2. Short Term Rental definition excludes home occupied.

3.1.3. Stowe – excludes commercial lodging establishments including B&B in their short term rental definition.

3.1.4. Emily – advising to use state’s definition of lodging units to distinguish from short term rentals - Three or more lodging units and/or serving food.

3.1.5. Wastewater permit might help regulate camps/tents etc. as a definition.

3.1.6. Which path is best for regulation, Ordinance or Bylaw?

3.1.6.1. Ordinance would apply to only new short term rentals, by-laws would cover old and new.

3.1.6.2. Bylaw can’t be used to regulate on an annual basis, must use ordinance to regulate Short Term Rentals year over year.

- 3.1.6.3. If using ordinance – enforcement is still an issue. S. Burlington does civil penalties plus revoking registration for a year after subsequent offenses. Fine of \$500 max.
- 3.1.6.4. Can use civil penalties to enforce both bylaw and ordinance.
- 3.1.6.5. If you have a conditional use permit but change regulation in an ordinance, which applies? Emily to research answer.
- 3.1.6.6. Process for drafting Ordinance: usually approval by selectboard with warning and hearing period.
- 3.1.6.7. Process for Drafting Bylaw: Planning commission holds warned meeting and hearing period of 30 days, followed by selectboard approval and hearing period of 15 days (Emily to double check ordinance and bylaw process)
- 3.1.7. Peter to draft short term rental definition and send to Emily ahead of meeting with DRB on September 10th.
- 3.1.8. Patrick to look at drafting outline for ordinance ahead of meeting with DRB on September 10th.
- 4. Plan for a joint meeting with the DRB at Sept 10th meeting to advance/finalize a workable definition for STR**
 - 4.1. Meet with DRB and discuss short term rental and ordinance proposal. Can still draft bylaw supporting the ordinance but the ordinance is the best way to regulate.
- 5. Planning for public outreach event in September, 2024.**
 - 5.1. Moving outreach event to October 8th to allow for DRB meeting in September.
 - 5.2. Emily provided slides with overview and meeting goals (See Appendix B)
 - 5.2.1. Preference to show current zoning of village I and II and reasoning for exercise before showing constraints maps in the PP presentation. Emily to make edits.
 - 5.2.2. Project timeline/schedule change:
 - 5.2.2.1. October: community outreach
 - 5.2.2.2. January (25'): zoning recommendations
 - 5.2.2.3. February - July (25'): drafting zoning regulations
 - 5.2.2.4. September (25'): planning commission hearing
 - 5.2.2.5. November (25'): selectboard hearing.

5.3. Application to state designation program can help with exemptions from Act 250 within ¼ mile buffer of village center.

5.4. Side note – Montgomery needs subdivision regulation – would allow building up to 50 units with local zoning permit only vs. going through Act 250. State requiring both zoning and subdivision for towns. The process of dividing a lot needs a permit, 10 or more lots is when Act 250 now kicks in. Benefit of having subdivision regulation now is it would reduce state regulation and make it easier to build in village.

5.5. Emily to email the neighborhood designation guide to Planning Commission for review.

5.6. Important to understand plans with wastewater system ahead of public outreach exercise. Wastewater system not required but heavily encouraged for neighborhood designation. Emily to email selectboard for updates.

5.7. Mapping exercise, using big version of development constraints map to see where public supports expansion.

5.8. Should short term rentals be limited to certain zoning districts? (not listed in current discussion questions).

6. Public comment.

6.1. None

7. Other business.

7.1. Joe - Flooding resistance meeting in 1 week? Hosted by River basin association. Emily to look into this.

7.2. Ellen Fox's review.

8. September agenda items.

8.1. Definition, Ordinance and bylaw joint meeting with DRB.

Meeting adjourned at 7:39.

Notes submitted by Narissa Furtado-Cordeiro – Planning Commission Secretary.

Appendix A

2024-365 LF 1722 283

SOUTH BURLINGTON RESIDENTIAL RENTAL REGISTRY ORDINANCE

ADOPTED FEBRUARY 20, 2024

Filed for Record in
SOUTH BURLINGTON, VT
HOLLY REES, CITY CLERK
02/23/2024 08:00:00 AM
Pg. 18 Vol. 1722 Page 282 - 295

Residential Rental Registry Ordinance



Adopted: February 20, 2024

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The Council of the City of South Burlington hereby Ordains:

1. Purpose and Authority.

This Ordinance is enacted to promote the public health, safety and welfare of the City under the authority granted to it by 24 V.S.A. §2291 and Sections 103-104 of the South Burlington City Charter. Due to an ongoing increase in the number of rental dwelling units in the City of South Burlington, continued and projected population growth in the City, the aging of some of the City's housing stock, and the existing and potential future conversion of permanent housing into short-term accommodations, the Council hereby finds that the regulation of rental dwelling units is necessary to maintain and protect the public health, safety and welfare of the City and its residents. This Ordinance is intended to provide a process:

- through which dwelling units used for rental housing must be registered with the City of South Burlington for use as long-term or short-term rentals;
- to disclose the ownership of such rental properties;
- to regulate the renting of dwelling units within the City;
- to make owners and persons responsible for the maintenance of property more accessible and accountable with respect to the premises;
- to ensure that housing units remain available for rent to those who reside or seek to reside within the City;
- to ensure that the City is not unduly impacted by the operation of short-term rentals; and
- to ensure that owners and tenants of rental dwelling units comply with all building, health and fire safety codes and ordinances adopted by the City of South Burlington.

This Ordinance shall constitute a civil ordinance within the meaning of 24 V.S.A. Chapter 59.

2. Definitions.

The following words, terms and phrases, when used in this Ordinance, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning:

Existing Short Term Rental shall mean a Short Term Rental Unit that is neither Owner Occupied nor Tenant Occupied and was established and utilized as a Short Term Rental, continuously maintained under the same ownership, prior to the effective date of this Ordinance and such use has not been discontinued for six or more consecutive months.

Long Term Rental shall mean the letting of a Rental Unit in whole or in part to the same tenant for thirty (30) or more consecutive days.

Multi-Unit shall mean a single, detached building in common ownership interest containing more than one (1) residential or commercial unit.

Owner-Occupied shall mean a Rental Unit owned and occupied by the registrant as his or her primary residence. An accessory dwelling unit as defined in the City's Land Development Regulations, is considered a separate dwelling unit from an owner-occupied primary residence for purposes of short-term rental registration and regulation.

Owner shall mean each individual person or entity including, without limitation, all partners, officers, or trustees of any real estate trust; all members or managers of a limited liability company; and all officers and directors of a corporation; that is the record owner of a building or property.

Primary Residence shall mean the dwelling in which a person resides as their legal residence for more than one half of a year and registers as his or her address for tax and government identification purposes.

Registrant shall mean the owner of a Rental Unit, or a tenant, with permission from the owner, seeking to register a Rental Unit.

Rental Unit is any residential structure, furnished house, condominium, or other dwelling room or self-contained dwelling unit, or portion thereof, that is rented or available for rent to any individual or individuals for any length of time. Any portion of a dwelling unit or accessory dwelling unit that is rented or available to be rented to an individual or individuals who are not the owner or owners shall be considered a Rental Unit. The following are not to be considered Rental Units for the purpose of this Ordinance:

- As defined by the City's Land Development Regulations: motels, hotels/inns, bed and breakfasts, group homes, dormitories, continuum of care facilities, skilled nursing facilities, extended stay hotels, schools, and hospitals;
- As defined by 24 V.S.A. §4412(11): accessory on-farm businesses;
- As defined by 24 V.S.A. §4303(40): Emergency shelters;
- A homeshare or roommate situation in an owner-occupied Primary Residence rented to the same tenant or tenants each for thirty (30) or more consecutive days and consisting of no more than one or two rooms in the Primary Residence in which the tenant or tenants have access to the same shared living and kitchen space as the primary resident owner and other occupants of the unit; or
- Other facilities that, in the sole discretion of the City Building Inspector, share similar characteristics with those listed in the three bullets above.

Short Term Rental is a Rental Unit rented to the transient, traveling, or vacationing public for a period of fewer than 30 consecutive days and for more than 14 days per calendar year.

Tenant-Occupied shall mean a Rental Unit in which the registrant is not the record owner of the Rental Unit, but lawfully occupies the Rental Unit as his or her primary residence.

3. Registration Required.

(a) Registration of Rental Units.

- 1) All Rental Units must be registered in accordance with this Ordinance by April 1st of each year; Rental Units entering the rental housing market must be registered and pay the appropriate fee prior to their listing as an available Rental Unit or prior to their first occupancy, whichever is earlier. Registration must be renewed annually, on or before April 1st, including updating all changes in previously submitted registration information.
- 2) If a Rental Unit is rented as both a Short Term and Long Term rental, it must be separately registered for each type of rental.
- 3) Each owner, manager, and person/entity otherwise responsible for the Rental Unit, such as a property manager, shall be obligated under this Ordinance. Any new owner, manager, or responsible person/entity must apply to register within thirty (30) days of purchase of the Rental Unit or transfer of management or responsibility. New owners or tenants applying to register an existing Short Term Rental Unit are considered new applicants and shall be subject to all limitations and regulations in effect at the time of the application.
- 4) A Rental Unit shall not be considered registered unless and until the registrant has submitted a complete application together with all information and fees required by this Ordinance, to the satisfaction of the City's Building Inspector, or designee.
- 5) As a condition of registration, all owners and/or registrants must allow onsite inspections by the City of their property including, without limitation, all Rental Units. Inspections will be performed in accordance with the Inspection Cycle adopted by Resolution of the City Council. All units of a multi-unit building owned by the same property owner are subject to inspection, including an owner-occupied unit that is not a Rental Unit, if one or more units in the building are Rental Units. Likewise, all areas of an owner-occupied dwelling are subject to inspection if any portion of the owner-occupied dwelling is a Rental Unit. The purpose of this inspection is to ensure compliance with all building and fire safety codes, ordinances, and regulations adopted by the City of South Burlington and safety of the Rental Unit.

(b) Information/Documentation Required. Rental Unit registration must be completed on forms supplied by the City's Building Inspector or their designee and must provide, at a minimum, the following information:

- 1) The address of the property;
- 2) The number of dwelling units at that address;
- 3) The number of Rental Units at that address;
- 4) The number of sleeping rooms in each Rental Unit;

- 5) The number of parking spaces that are dedicated for the Rental Units at the property;
 - 6) The name, address, phone number, and email address of the property owner, and if the owner is a corporation, the registered corporate agent and the president of the corporation and their name and address, and if the owner is a partnership, the registered partnership agent, and the names and addresses of the general partners;
 - 7) The name, address, phone number, and email address of:
 - a. Any local (within Chittenden County) managing agent. All owners or Registrants who do not live within Chittenden County are required to designate a managing agent located in Chittenden County who is empowered to represent the owner or registrant in matters concerning compliance with this chapter;
 - b. An emergency contact for this property. All properties must have an emergency contact within Chittenden County;
- (c) Additional Information required for Short Term Rentals. To Register a Short Term Rental, the requirements of this subsection must also be met. A Short Term Rental shall not be considered registered unless and until all the registration requirements of this Ordinance have been met to the satisfaction of the City's Building Inspector, or designee, and a Short Term Rental registration number has been issued.
- 1) A Short Term Rental Registrant must provide at a minimum the following information and any other information requested to the City's Building Inspector or their designee:
 - a. A Short Term Rental application.
 - b. The number of whole unit or partial unit Short Term Rentals within the building, or in the case of multiple buildings on a parcel of land, on the entire lot.
 - c. Whether the Rental Unit is Owner-Occupied, Tenant-Occupied, an accessory dwelling unit, or an Existing Short Term Rental, and:
 - i. For Short Term Rental Units that are Owner Occupied or an accessory dwelling unit, the owner must provide a primary residence affidavit, on forms provided by the City. The owner must also produce for review one of the following demonstrating residency at the owner-occupied unit or at the primary residence to the accessory dwelling unit:
 1. Valid driver's license or other state-issued identification;
 2. Valid motor vehicle registration;
 3. Proof of homestead exemption pursuant to 32 V.S.A. §5410; or

4. Other documentation proving primary residence to the satisfaction of the City's Building Inspector.
- ii. For Short Term Rental Units that are Tenant-Occupied, the tenant must provide their name, address, phone number, email address, a primary residence affidavit, and a statement of permission by his/her landlord, both affidavits on forms supplied by the City. The tenant must also produce for review one of the following demonstrating residency at the Tenant-Occupied unit:
 1. Valid driver's license or other state-issued identification;
 2. Valid motor vehicle registration; or
 3. Other documentation proving primary residence to the satisfaction of the City's Building Inspector.
- iii. For Existing Short Term Rental Units, in addition to all other requirements for Short Term Rentals, the Registrant must also provide:
 1. Documentation establishing to the satisfaction of the City's Building Inspector that the Rental Unit was established and utilized as a Short Term Rental prior to the effective date of this Ordinance;
 2. Registrant and owner's name, addresses, phone number, and email address;
 3. An Existing Short Term Rental affidavit on a form supplied by the City identifying the owner of the Rental Unit and swearing that the Existing Short Term Rental Unit was established and utilized as a Short Term Rental Unit as of the effective date of this Ordinance and without discontinuance of use as a Short Term Rental Unit for a period greater than six months; and
 4. Property Deed or other similar documentation establishing the identity of the current owner of the Rental Unit; and
 5. Documentation establishing to the satisfaction of the City's Building Inspector that the Rental Unit did not cease to be utilized as a Short Term Rental Unit for a period of time greater than six consecutive months.
- d. Proof of liability insurance required. At the time of registration, the Registrant must provide a certificate of insurance that expressly acknowledges that the property may be used for Short Term Rental business activity and evidencing (a) property insurance and (b) general liability insurance appropriate to cover the rental use in the aggregate of not less than \$1 million or proof that the Registrant conducts rental transactions through a hosting platform that provides equal or greater coverage. Any such hosting platform-

- provided insurance carrier shall defend and indemnify the Registrant, as additional named insured, and any user in the building for any bodily injury and property damage arising from the rental. Once registered, the Registrant shall maintain the required insurances, or such greater amount as otherwise required by law, throughout the term of the registration.
- c. Proof of Vermont tax account for rooms & meals and/or sale tax purposes or proof that the Registrant conducts rental transactions through a hosting platform that pays all applicable rooms & meals and/or sale taxes on behalf of the Registrant.
- 2) Upon request by the City, at any time, all registrants and/or agents of Short Term Rental Units must provide the City with their registration information, rental history, and upcoming reservation information. Failure of Short Term Rental Unit owners, tenants, and/or their representatives to adequately respond to inquiries by the City within 10 business days from the date of the request shall be considered a violation under this Ordinance.
- (d) No registration under this Ordinance shall be transferrable or assignable.

4. Registration Fees.

- (a) Annual Registration Fee. Upon initial registration and by April 1st of each year, registrants shall pay the City a registration fee for each Rental Unit, in the amounts adopted by Resolution of the City Council. A Rental Unit shall not be considered registered unless and until this fee is paid in full.
- (b) Failure to renew a registration of a Rental Unit by April 1 shall result in the forfeiture of the right to renew the registration of that Rental Unit, and any subsequent application for the same Rental Unit shall be treated as a new application for registration.

5. Requirements of Short Term Rental Units.

- (a) Occupancy Limit. Overnight Short Term Rental guest occupancy in each Rental Unit will be limited to two (2) guests per bedroom or sleeping area plus no more than two (additional) guests.
- (b) Short Term rentals shall adhere to all City of South Burlington regulations and ordinances related to parking.
- (c) No individual or entity may register a Short Term Rental unless it is owner-occupied, tenant-occupied with permission of the owner, or an accessory dwelling unit.
- (d) An Existing Short Term Rental Unit that is not owner-occupied, tenant-occupied with permission of the owner, or an accessory dwelling unit is exempt from the

requirements of Section 5(c), above, and may be registered as a Short Term Rental provided:

- i. Ownership of the Existing Short Term Rental Unit does not change. Once ownership of the Existing Short Term Rental is sold or transferred from the owner of the unit at the time the effective date of this Ordinance to a different entity or individual(s), the Rental Unit shall no longer be allowed to register as a Short Term Rental unless all other Short Term Rental Unit requirements of this Ordinance are met; and
 - ii. The Existing Short Term Rental Unit is established and utilized as a Short Term Rental prior to and upon the effective date of this Ordinance; and
 - iii. An Existing Short Term Rental shall not cease to be utilized as a Short Term Rental for a period of time greater than six consecutive months. If use of an Existing Short Term Rental Unit as a Short Term Rental is discontinued for six months or more, the Rental Unit shall no longer be allowed to register as a Short Term Rental unless all other Short Term Rental Unit requirements of this Ordinance are met.
 - iv. Sunset. Existing Short Term Rentals that meet the requirements of this Ordinance may continue to operate and be registered as a Short Term Rental until March 31, 2028. On April 1, 2028, the exception allowing for the operation and registration of Existing Short Term Rentals shall expire and from that point forward, all Existing Short Term Rentals must satisfy all of the requirements of Short Term Rental Units set forth in this Ordinance, including but not limited to Section 5(c), above.
- (e) Registrants shall comply with all applicable State laws and regulations regarding Short Term Rentals.
- (f) Short Term Rentals must be serviced and cleaned before each new guest arrives and guests must be provided with soap, clean linen, and sanitized utensils.
- (g) Registrants shall provide guests written documentation with the following information:
- 1) The name, phone number, and email of the Registrant and, if not the Registrant individually, an emergency contact within Chittenden County who is available at all times during a guest's rental.
 - 2) Contact information for the City Fire Marshal.
 - 3) Written instructions on the location and use of fire extinguishers
 - 4) Written instructions on emergency shut-off of heating systems and fuel burning appliances
 - 5) A diagram identifying emergency egress routes
 - 6) A copy of South Burlington's Public Nuisance Ordinance.
- (h) No pets are permitted in any Short Term Rental unless guests provide proof of valid rabies vaccine and hosts provide information on the City's leash and pick-up/disposal of pet waste requirements and the presence of ticks in Vermont.
- (i) Display of Short Term Rental Registration Number Required. Once registration is approved by the City, each Short Term Rental shall be given a registration number,

which must be displayed in plain sight in the Rental Unit and in any and all advertisements for the Rental Unit.

- (j) Short-Term Rental guests shall not sublease, sublicense or assign all or any portion of the Short-Term Rental to another person during the rental period.
- (k) Parties, conferences, family reunions, weddings, fundraisers or similar gatherings that are reasonably foreseeable to involve an assemblage of vehicles or a greater number of persons than the maximum allowable number of short-term guests for the Rental Unit are prohibited to be conducted by Short-Term Rental guests during a Short-Term Rental.

6. Violations.

Violations of this article include, but are not limited to:

- (a) Any person, business entity, or other organization failing to timely register or renew the registration of a Rental Unit, including providing all required information and paying the required registration fee;
- (b) Any person, business entity, or other organization failing to timely file any required update to the registration;
- (c) Any person, business entity, or other organization failing to acquire and/or display the required Short Term Rental registration number;
- (d) Any person, business entity, or other organization providing false information with respect to registration.
- (e) Any person, business entity, or other organization renting any Rental Unit that is not registered under this article, advertising for rent such Rental Unit without registration, or permitting the occupancy of such premises without registration;
- (f) Failure of Short Term Rental Unit owners, tenants, and/or their representatives to adequately respond to inquiries by the City pursuant to Section 3(c)(3) within 10 business days from the date of the inquiry;
- (g) Failure to maintain a Rental Unit in compliance with all building, health and fire safety codes and ordinances adopted by the City of South Burlington.
- (h) Failure to allow an inspection of a Rental Unit by the City.
- (i) Failure to conspicuously display within each Short Term Rental Unit the current and valid name, address and phone number of the Short Term Rental operator (whether the owner, tenant, on-site manager, or property manager) and the City Fire Marshal.
- (j) Any sublease or sublicense of a Short Term Rental by a guest to another person during the rental period.
- (k) Any signs or other outside indications, other than on-site parking, that a property is used or occupied as a Short Term Rental.
- (l) Noise or unreasonably loud activities at a Short Term Rental, whether inside or outside, that violate the City's Public Nuisance Ordinance.
- (m) Failure to abide by any other specific requirement of this Ordinance.

7. Enforcement.

Any person who violates a provision of this civil ordinance shall be subject to:

- (a) Suspension or revocation of the Short Term Rental Unit registration for the violating Rental Unit. A Short Term Rental Unit that has had its registration either suspended or revoked may also be prohibited from renewing or registering the Rental Unit for a period of up to 12 months following the current registration expiration date.

AND

- (b) A civil penalty of up to \$800 per day for each day that such violation continues. Each day the violation continues shall constitute a separate offense. The Building Inspector, City Fire Marshal, South Burlington Police Officers, South Burlington Zoning Administrator, and the South Burlington City Manager shall all be designated and authorized to act as Issuing Municipal Officials to issue and pursue before the Judicial Bureau, or other court having jurisdiction, a municipal complaint.

8. Civil Penalty; Waiver Fees.

- (a) Civil Penalty. An Issuing Municipal Official is authorized to recover civil penalties in the following amounts for each violation:

- (1) Operating a Rental Unit Without Authorization or Registration Number: \$800
- (2) All Other Violations:

First Offense:	\$400
Second Offense:	\$600
Third Offense:	\$800
Fourth and Subsequent Offenses:	\$800 plus automatic revocation for twelve (12) months before a new Long Term or Short Term Rental Registration Application may be submitted.

- (b) Waiver Fee. An Issuing Municipal Official is authorized to recover waiver fees, in lieu of a civil penalty, in the following amount, for any person who declines to contest a municipal complaint and pays the waiver fee:

- (1) Operating a Rental Unit without authorization or registration number: \$500
- (2) All Other Violations:

First Offense:	\$100
Second Offense:	\$250
Third Offense:	\$500

Fourth and Subsequent Offenses: \$700 plus automatic revocation for twelve (12) months before a new Long Term or Short Term Rental Registration Application may be submitted.

- (c) Offenses shall be counted on a twelve (12) month basis beginning April 1 and ending March 31 of each year. An Issuing Municipal Officer shall have authority to issue a written warning, without recovering a waiver fee, for any First Offense violation other than Operating a Rental Unit Without Authorization of Registration Number. In such instance, the written warning shall be counted as a First Offense for calculating annual offenses.

9. Other Relief.

In addition to the enforcement procedures available under Chapter 59 of Title 24, the City is authorized to commence a civil action in the Civil Division of the Vermont Superior Court to obtain injunctive and other appropriate relief, to request revocation or suspension of any Long Term or Short Term Rental authorization or registration number on behalf of the City, or to pursue any other remedy authorized by law.

10. Severability.

If any provision of this ordinance is deemed by a court of competent jurisdiction to be unconstitutional, invalid or unenforceable, that provision shall be severed from the ordinance and the remaining provisions that can be given effect without the severed provision shall continue in effect.

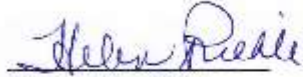
11. Effective Date.

In accordance with South Burlington City Charter Section 108, this Ordinance shall take effect upon passage. However, in order to allow time for residents and property owners to become familiar with the requirements of this Ordinance, the prohibitions on certain types of short-term rentals, and the penalties for violations of this Ordinance, compliance with the requirements of this Ordinance shall not be mandatory until April 1, 2024. Notwithstanding the foregoing, the date of passage shall be the effective date for determining whether an Existing Short Term Rental Unit has been established.

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Adopted at South Burlington, Vermont this 20th day of February, 2024.

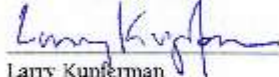
SOUTH BURLINGTON CITY COUNCIL



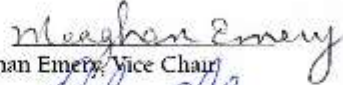
Helen Riehle, Chair



Tim Barritt, Clerk



Larry Kupferman



Meaghan Emery, Vice Chair



Andrew Chalnick

Received and recorded this 22 day of February, 2024.



Holly Rees, City Clerk

1. Overview of Project
2. Discussion of Development Constraints
 - Mapping Exercise
3. Discussion of Short-Term Rental Regulations (put this before?- want to manage time and attention fairly between the two topics)

Project Overview



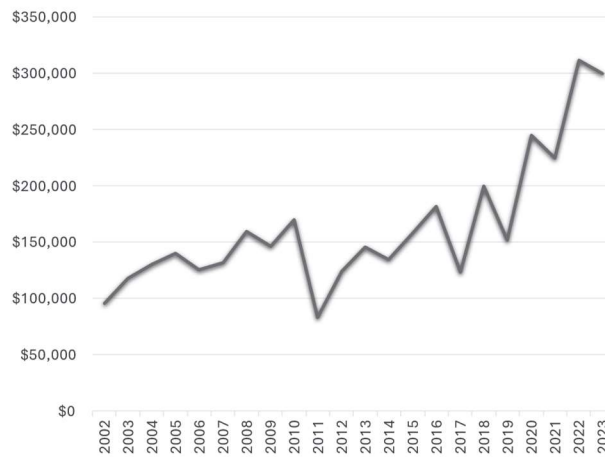
Main Goals

- *Address the need for housing in Montgomery by*
 - Look for areas to expand village zoning to allow denser residential growth
 - Consider zoning regulations for short-term rentals (ordinance?)
 - Possible application to state designation program for a Neighborhood Development Area designation

Montgomery's Housing Needs

- Median home sale price has more than doubled in the last 10 years (2013-2023)
- 43% of homeowners and 88% of renters are cost-burdened

Median House Price Over Time



Permit Tracking Info

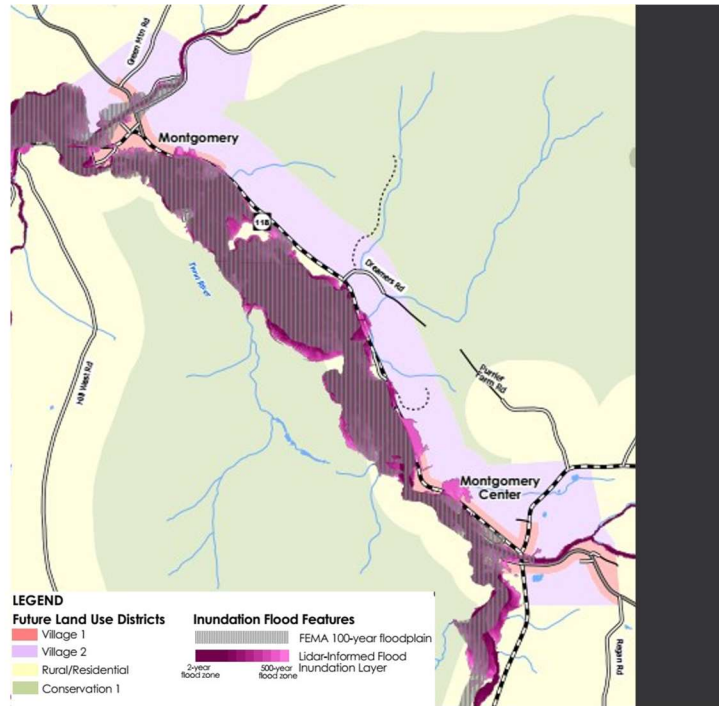
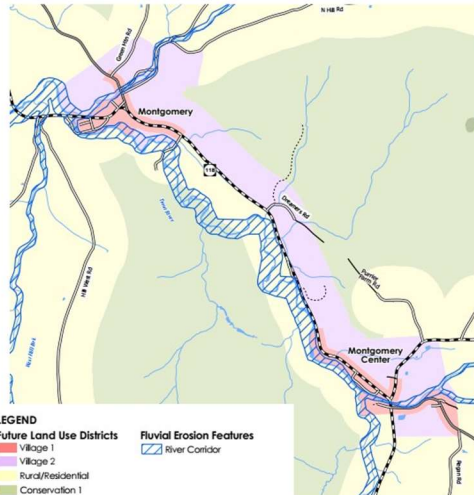
Will have by Sept, mapping of locations of housing permits from 2020 -2023

Project Schedule



Development Constraints Analysis

Flooding Risk



Development Constraints Considered

Flooding Risk (Inundation & River Corridor)

Animal Species (Vernal Ponds, Rare, Threatened and Endangered Species)

Habitat Connectivity (Highest Priority Connectivity Blocks, Riparian Connectivity)

Protected Lands

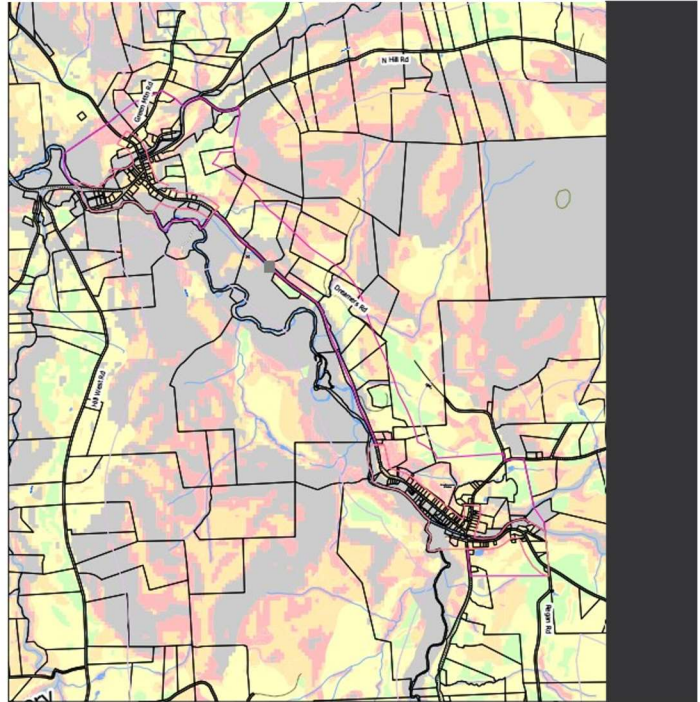
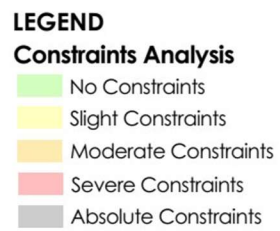
Wellhead Protection Areas

Prime Agricultural Soils

Marginally and Not Suited Septic Soils

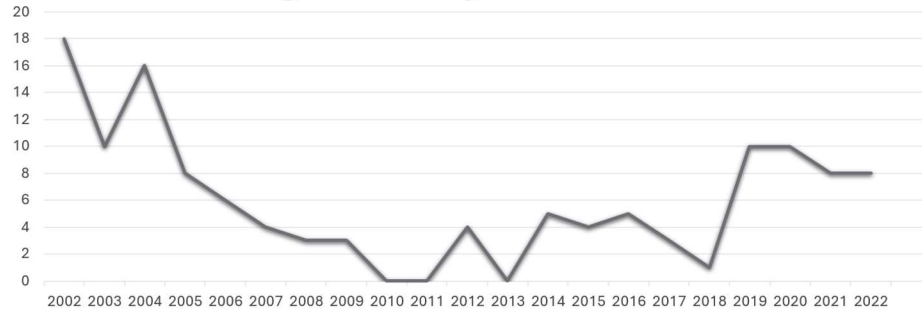
Steep Slopes

Constraints Map



Mapping Exercise

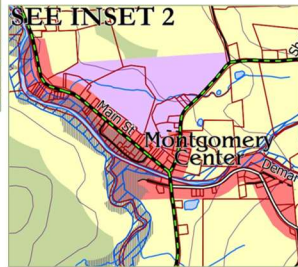
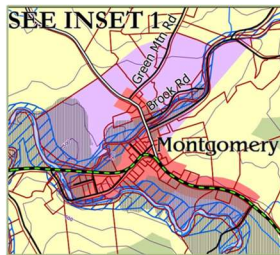
Building Permits by Unit 2002-2022



Building Permits

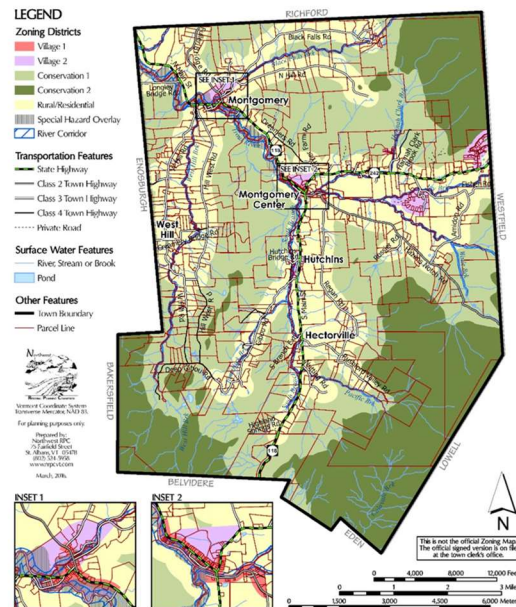
Average in last 5 years = 7.4 units per year

Current Village Zoning



- Zoning Districts**
- Village 1
 - Village 2
 - Conservation 1
 - Conservation 2
 - Rural/Residential
 - Special Hazard Overlay
 - River Corridor

ZONING MAP TOWN OF MONTGOMERY



Current Village Zoning

The Districts are intended to further growth and economic development in keeping with Montgomery's traditional village character. Consistent with the historic development pattern, development is allowed at higher densities and intensities in the village areas. Historic buildings are a significant contributor to village character and are encouraged to be preserved and adapted for re-use. New development should be consistent in siting and scale with the surrounding historic structures in the villages. Enhancing the pedestrian friendly streetscape is a high priority in the village areas.

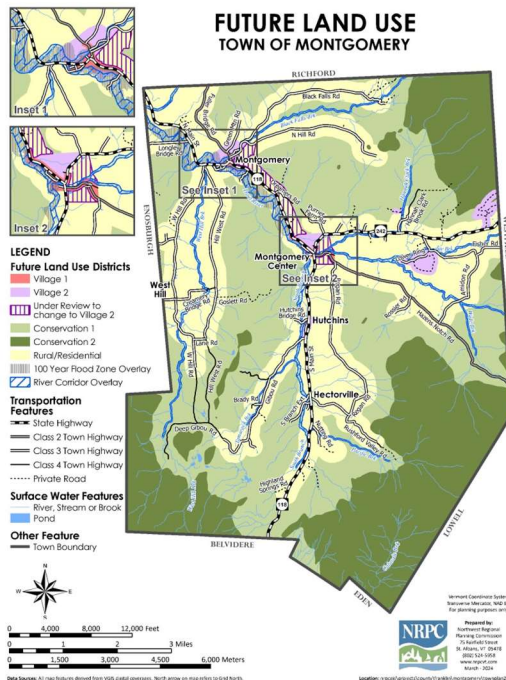
Village 1

- Residential, commercial and public uses
- 10,000 square foot minimum lot size
- Up to 4 units permitted

Village 2

- Primarily residential uses
- 10,000 square foot minimum lot size
- Up to 4 units permitted

Town Plan Proposed Addition to Village 2 District





Mapping Exercise

- Work together in 3 groups to allocate new development in Montgomery.
- Each group has a poster map of the Town, with the development constraints, parcel lines and sizes noted.
- Each group has small wooden pieces to serve as housing units.
 - Small size – Single unit house
 - Large size – 2-4 unit house
 - Stack to make stories, combine to make more units
 - Mark with markers - businesses, roads etc.

Short-Term Rentals

Summary of Town Plan Discussion

- There are varying accounts of numbers of short -term rentals in Town, difficult to get an exact estimate without a registry
 - Could add data from AirDNA here is interested
 - The number of homesteaded properties has not decreased, but data is not available on the impact of short-term rentals on long-term rentals
- Goal 2: Preserve the existing housing stock by encouraging a balance between long-term housing and short -term rentals
 - Implementation: Examine ordinances and zoning regulations that regulate short term rentals

Discussion Questions

- What, in your opinion, are the positive and/or negative impacts of short-term rentals?
- Ask about ordinance or limit discussion to zoning ?
- Should the number of short -term rentals in Town be limited or not (ordinance question)?
- Should short-term rentals be limited to certain areas of Town or be allowed everywhere?
- Are there any specific negative impacts that could be regulated?

Thanks for
Attending!

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