

Burlington Planning Commission

Tuesday, December 10, 2024, 6:30 PM

Remote & Virtual Meeting via Zoom

In person option available:

Bushor Conference Room (Room 102), 1st Floor of City Hall, 149 Church St.

To Join the Meeting on a Computer

Link: <https://zoom.us/j/97941883790?pwd=bGZBNzNyV1liL3p5NkhIL2dqUFIzdz09>

Passcode: 658929

To Join the Meeting on a Phone

Number: +1 646 931 3860 US Meeting ID: 979 4188 3790

1. Agenda

2. Chair's Report

3. Director's Report

4. Public Forum

5. Proposed CDO Amendment ZA-25-02: Neighborhood Code Part 2B

Subject	5.1. Ask questions and provide feedback on the draft amendment.
Meeting	December 10, 2024 - Planning Commission Agenda - Tuesday, December 10, 2024, 6:30 PM, Burlington Planning Commission
Category	5. Proposed CDO Amendment ZA-25-02: Neighborhood Code Part 2B
Department	Planning
Type	
Recommended Action	

6. Commissioner Items

7. Adopt Minutes

Subject	7.1. Review and approve the 12/3/24 Meeting Minutes
Meeting	December 10, 2024 - Planning Commission Agenda - Tuesday, December 10, 2024, 6:30 PM, Burlington Planning Commission
Category	7. Adopt Minutes

Department

Planning

Type

8. Communications

8.1. Review and accept communications.

9. Adjournment

TO: Burlington City Council
FROM: Charles Dillard, AICP, Principal Planner
Sarah Morgan, AICP Candidate, Planner
DATE: November 29, 2024
RE: Proposed ZA-25-02 Neighborhood Code Part 2B

1. Overview & Background

The City Council adopted ZA-24-02 (Neighborhood Code) at its March 25, 2024 meeting. This amendment creates a new framework for the city's residential zoning districts that enables a range of housing types, including single-family, ADUs, duplex through four-unit developments, and townhouses and small multi-unit buildings. These amendments enable greater flexibility for existing homes as well as a range of housing options within neighborhoods, create new zoning standards along transportation corridors identified in *planBTV*, and comply with Act 47 of 2023 of the VT Legislature.

During its discussion of the proposed Neighborhood Code amendments in fall and winter 2023, the Joint Neighborhood Code Committee bifurcated the Code to facilitate discussion of the Code's core concepts while reserving later discussion for subsequent packages of amendments. Part One, those amendments adopted in March, addresses substantive changes to Article 4 and Appendix A, as well as other sections. Those changes evolved the residential zoning district standards, allowable uses, and district boundaries. A subsequent amendment, ZA-24-04, addresses the first series of additional amendments to incorporate the Neighborhood Code into other sections of the CDO, as well as to address technical corrections from ZA-24-02.

This amendment, ZA-25-02, addresses Planned Unit Development, Pocket Neighborhood, and Rowhouse standards.

2. Rowhouses

Rowhouses, also known as townhouses, are a housing option commonly referred to as a missing middle type. Rowhouses are a historic development pattern in Burlington and across the United States, particularly in historic districts, though they are a common housing type in communities experiencing infill redevelopment. Rowhouses are characterized by their narrow footprint and arrangement in sequences, or rows, of attached units. Rowhouses are separated from one another by a party wall, and are frequently located on their own fee simple parcel. A sequence of two rowhouses is also known as a "fee simple duplex," in which each duplex unit occupies its own parcel. Rowhouses that are not on their own individual fee simple parcels are multifamily buildings in a condominium legal arrangement. Rowhouse developments may or may not share common spaces, though ideally a project creating multiple rowhouses will include common access routes, including alleys and consolidated driveways to limit the number of curb cuts.

Rowhouses are a desirable housing typology, the facilitation of which is consistent with the underlying objective of the Neighborhood Code.

3. Pocket Neighborhoods

During its October 22, 2024 meeting, the Planning Commission decided to include Cottage Court standards in the forthcoming amendment addressing Planned Unit Developments. To be more inclusive about the style and aesthetic of homes, Staff recommends referring to these housing types as Pocket Neighborhoods.

Pocket Neighborhoods are made up of small-scale homes that are typically 1 to 1.5 stories tall and oriented around a common area. They are designed to foster interaction and community between neighbors while still maintaining personal privacy. Key themes of Pocket Neighborhoods and related recommendations from Staff are discussed below:

Shared Common Area: This is a central, shared area intended to replace the function of an individual yard. Homes in the Pocket Neighborhoods are recommended to be within a comfortable walking distance (60 feet) from the shared common area and have entrances oriented towards the shared space. The size of the Common Area can vary depending on the site, but Staff recommends this space be a minimum of 400 ft² per dwelling and have dimensions of at least 20 feet in width or length.

Following the discussion on 11/12/24, Staff has added Common Area standards dictating that (1) Common Areas shall not include areas of steep slopes greater than 15% and (2) require for a minimum of 75% of Common Area to be Usable Open Space, as defined in Article 13 of the CDO as: *"Any lot area(s) or portion thereof, which enhance utility and amenity by providing space for active or passive recreation including improvements such as: recreational facilities, walkways, plazas, tennis courts, bikeways, boardwalks, recreational piers, sitting walls, fountains, lawns, gardens, unprogrammed landscaped areas and works of art. Usable open space shall not include parking or drives."*

Size of Pocket Neighborhoods: Best practices for Pocket Neighborhoods call for between 3 to 12 structures. Due to the smaller scale of structures, this housing type can be built on a lot as small as 4,000 ft². Additionally, detached dwellings must be at least 10 feet from one another.

Following the discussion on 11/12/24, Staff has provided clarification that Pocket Neighborhoods can have a maximum of 2 Dwelling Units per structure, a maximum of 12 Dwelling Units per Site, and has increase the Maximum Building Footprint to 1,000ft².

Access and Parking: Off-street parking in Pocket Neighborhoods is typically located away from the cluster of homes. However, following the discussion on 11/12/24, Parking Requirements have been updated by Staff to indicate that:

- Parking shall be consolidated to minimize the number of parking areas, and shall be located on the pocket neighborhood development property.
- Single- and two-car garages and carports may be attached to individual residential structures, provided such garages are oriented towards the rear of the structure.

Common Building: A common building in a Pocket Neighborhood is intended to be a community building, detached from any homes. Acknowledging the small size of the dwellings in Cottage Courts, a Common Building can offer shared facilities like laundry or other accessory uses. Staff recommends that a Common Building be allowed in the Common Area but may not take up more than 25% of the required open space.

Following the discussion on 11/12/24, Staff has clarified in the Proposed Amendment that Common Buildings are not required in Pocket Neighborhoods, and that off-street parking can be located within a Common Building.

As the Planning Commission continues its discussion on Pocket Neighborhoods, Staff recommends reviewing the two Fit Tests of Cottage Courts in Burlington created by Opticos Design during the Neighborhood Code process. These can be found on Civic Clerk.

Staff also recognizes that Commissioners are interested in a more in-depth conversation about the opportunities for fee-simple home ownership in Pocket Neighborhoods, and aim to discuss this topic further at a future meeting.

4. Planned Unit Developments

This amendment will modify, at minimum, the following Planned Unit Development standards:

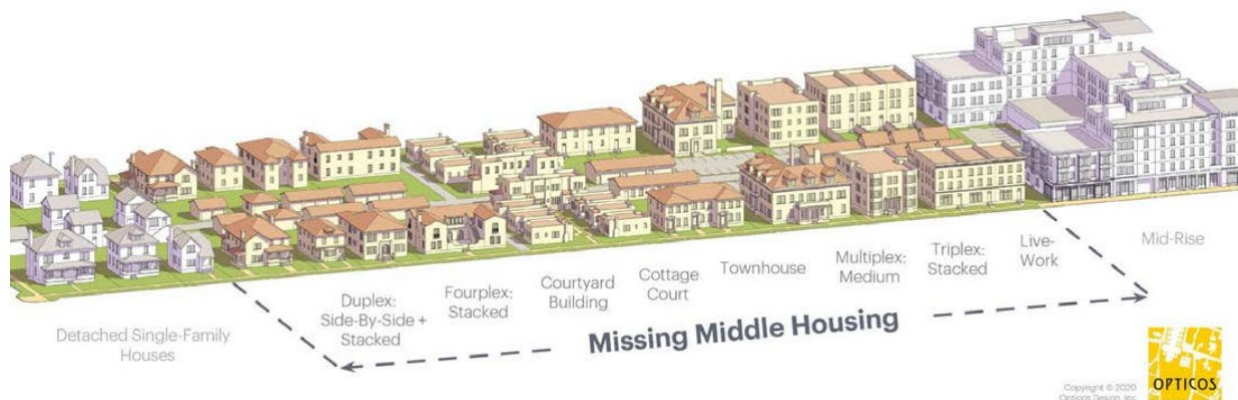
- Thresholds for lot/project size in the Residential districts;

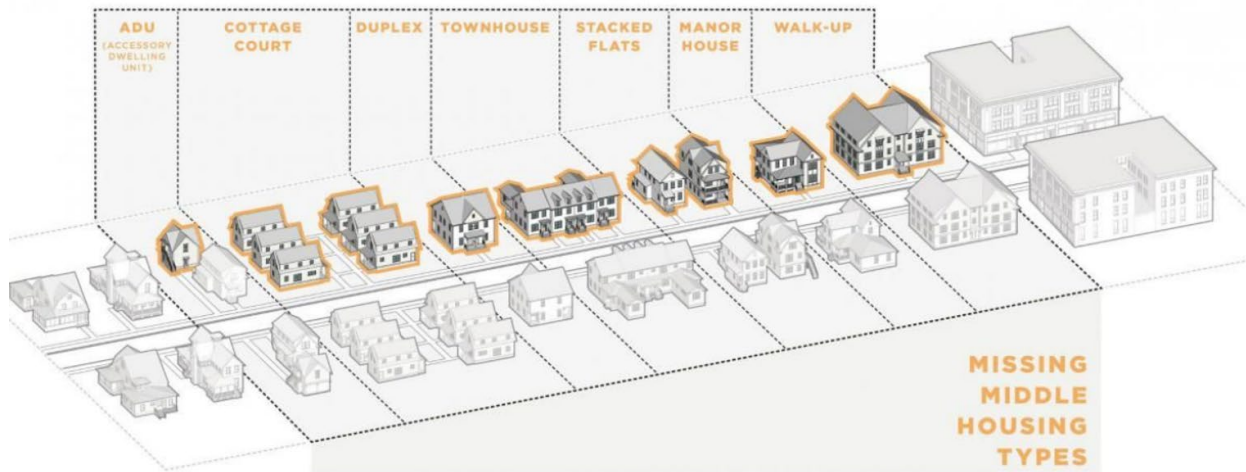
- Development intensity (FAR);
- Permitted Uses;
- Setbacks; and,
- Other topics as identified

During its spring/summer 2024 discussions of ZA-24-04 Neighborhood Code 2A, the Planning Commission discussed an initial staff proposal for PUDs. Ultimately, staff recommended to remove PUD standards from the amendment at its public hearing, due to the complexity of this development type and its lack of direct connection to the topic of Secondary Structures, the latter of which City Council directed the Commission to review once again prior to the October 1 effective date for those Secondary Structures.

During its PUD discussions, the Commission focused on two topics primarily: FAR and maximum Building Footprint. Regarding FAR, the Commission expressed interest in understanding the housing output of various FAR standards, and also heard support from some in the community for FAR standards higher than those proposed by staff. After reviewing the initial FAR standards once again, staff recommends similar or slightly increased FAR standards of 0.75 in the RL district and 1.0 in the RM and RC districts (there are no specific PUD standards proposed for the RH district).

With respect to building footprint, the initial proposal recommended allowing buildings up to 10,000 or 15,000 square feet in PUDs of 1 to 3 acres and 3+ acres, respectively. In hindsight, staff suggests these proposed maximums are too large on PUD sites less than three acres. Generally, changes to the PUD standards within the frame of the Neighborhood Code should seek primarily to employ those building typologies facilitated in the district's base standards, with exceptions for large projects (3+ acres). In other words, Neighborhood Code-related PUDs should seek to facilitate "missing middle" scale housing typologies, typically ranging in size from two to 16 units, such as those identified in the two images below.





Source: Union Studio

Staff recommends allowing larger format buildings with footprints up to 15,000 square feet only in PUD projects of three or more acres. A previous recommendation that PUDs should only be allowed to contain one such large format building has been deleted from the current proposal. Any consideration for allowing even larger buildings should be made outside of the Neighborhood Code project, particularly through area planning processes like the upcoming *planBTV: New North End*.

The recommendation to reduce the maximum allowable building footprint acknowledges the Neighborhood Code's call to create new "neighborhood-scale" housing citywide. That said, the recommendation to facilitate buildings up to 5,000 square feet in PUDs between 0.5 and 3 acres is made also to address specific segments of the housing market, namely the significant need to create infill homes with multiple bedrooms and those that can facilitate "aging-in-place." Large format buildings with footprints greater than 5,000 square feet, especially those with footprints of 8,000 square feet or more, are invariably double-loaded corridor structures in which studio and one-bedroom apartments predominate. Smaller footprint buildings up to 5,000 square feet in footprint lend themselves much more readily to units with two, three, or more bedrooms. Ground floor units in these buildings can also be accessible "flats" with multiple bedrooms, which do allow for Burlington's older populations and individuals with disabilities to remain in the city's neighborhoods. Furthermore, these smaller format buildings tend to have units with multiple aspects, allowing for cross-ventilation and improved indoor air quality and energy performance compared to single-aspect units in double-loaded corridor structures.

5. **10/22 Revisions**

In light of the above policy recommendations and recent Planning Commission discussions, staff has revised the proposed Table 11.1.3-2 – Neighborhood Code Planned Unit Development Standards, which is attached in the accompanying ordinance. A description and rationale for each proposed standard is provided below:

- **Project Size:** staff recommends reducing from three to two the number of Project Size tiers. Those tiers are 1.) 0.5 acres to 2.99 acres, and 2.) 3+ acres.
 - **Rationale:** reducing the number of tiers creates more flexibility and draws a clearer distinction between small/moderate PUDs and large PUDs of three or more acres.
- **Maximum Building Footprint:** staff recommends limiting building footprints to 5,000 square feet or less in PUDs below three acres, and 15,000 square feet in PUDs of three or more acres.
 - **Rationale:** The 5,000 square foot limit facilitates missing middle scale building types that are consistent with the overall Neighborhood Cod approach, as well as supportive of the policy goals outlined above regarding units with multiple

bedrooms. Larger PUDs can support building footprints up to 15,000 square feet and remain consistent with the Neighborhood Code, but only in the careful implementation of other standards such as Floor Area Ratio, maximum height, and setback, all of which are intended to provide for these buildings while limiting the extent to which they proliferate in neighborhoods and have adverse impacts on neighborhood character.

- Maximum Dwelling Units Per Structure: staff recommends limiting buildings with footprints less than or equal to 5,000 square feet to 12 units (16 if the PUD is designated a Priority Housing Project). There is no limit proposed in buildings with footprints greater than 5,000 square feet
 - Rationale: These maximums encourage unit diversity, including multi-bedroom homes for families and other household types. For example, a typical 5,000 square foot, three story building with four units on each floor produces 12 1,125 square foot units, each typically with windows on multiple sides. The lack of a maximum unit count in the larger building types allows for the largest PUDs to have flexibility to include building types that typically include a greater number of one-bedroom homes.
- Maximum Floor Area Ratio: staff recommends a maximum FAR of 0.75 in the RL district and 1.0 in the RM and RC districts.
 - Rationale: These FAR standards typically allow for between 20 and 40 units per acre. Ultimately, a PUD's housing output is dependent on multiple factors, including parking, lot coverage, open space and other site conditions. It should be noted that a PUD that is designated a Priority Housing Project would be granted an additional 40% FAR, which increases the FAR standards in the RL to 1.05 and in the RM/RC districts to 1.4.
- Maximum Building Height: the proposed height standards are unchanged from the underlying standards adopted in Neighborhood Code Part 1
 - Rationale: Buildings in residentially-zoned PUDs should have heights consistent with their surroundings. However, given the housing supply and affordability benefits achieved in Priority Housing Projects, staff considers an additional floor of height in these projects to be of public benefit.
- Setback – Front Project Periphery: staff recommends retaining the underlying front setback standards as adopted in Neighborhood Code Part 1, with a slight reduction in the maximum required setback from 25 feet to 20 feet.
 - Rationale: Development patterns on the periphery of a PUD should correspond to surrounding context. The averaging method ensures consistent setbacks across a street's edge, while the maximum required distance of 20 feet ensures flexibility and walkable, accessible PUDs.
- Setback – Side/Rear Project Periphery: As with the front project periphery standard, this recommendation is consistent with the underlying approach adopted in Neighborhood Code Part 1
 - Rationale: This recommendation aims to make development in PUDs consistent with surrounding development patterns while establishing a maximum that does not unduly limit development potential.
- Setback – Front Internal Right-of-Way: staff recommends that buildings on internal, typically new, streets be placed within a range of zero to 20 feet from the edge of the ROW.
 - Rationale: PUDs should establish their own development pattern on new and internal streets. These flexible setbacks allow for a range of development types, including more compact, walkable forms, and more permeable and less dense forms.

6. Proposed Amendment: ZA-24-04

a. Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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b. Purpose Statement

This amendment augments Neighborhood Code Part 1 by establishing standards for Planned Unit Developments in the Residential zoning districts

c. Proposed Amendments

1. Amends Article 4 Zoning Districts and Maps:
 - Amends Sec. 4.4.5(d) 1A to create new standards for Pocket Neighborhoods
 - Amends Sec. 4.4.5(d) 1B to create new standards for Rowhouses
 - Reformats current Sec. 4.4.5(d) 1B Residential Development Bonus to be renamed Sec. 4.4.5(d) 2
 - Reformats current Sec. 4.4.5(d) 2 to be renamed Sec. 4.4.5(d) 3
2. Amends *Article 11 – Planned Development*:
 - Amends Table 11.1.3-1 to decrease the Minimum Project Size for PUDs in the RL and RCO-R/G districts and establishes a new Minimum Project Size in the RM district.
 - Creates a new Table 11.1.3-2 that establishes dimensional standards for PUDs in the RL, RM and RC districts.
- 3.

d. Relationship to *planBTV*

This following discussion of conformance with the goals and policies of planBTV is prepared in accordance with the provisions of 24 V.S.A. §4441(c).

Theme:	Dynamic	Distinctive	Inclusive	Connected
Land Use:	Conserve	Sustain	Grow	

e. Compatibility with Proposed Future Land Use & Density

The proposed amendment is consistent in many respects with the Land Use and Density-related policies of *planBTV*. Generally, the slow pace of housing construction and rising housing costs are noted as one of the biggest challenges facing Burlington. Since the Plan's adoption, these challenges have become more pronounced. The foundational policy response to this challenge is the Plan's call to "identify and address unintended or unnecessary barriers to creating new housing and commercial spaces within parts of the city that are suitable to accommodate additional development." To that end, these amendments are largely technical in nature and are intended to clarify for the public and staff the standards and processes regulating residential construction in Burlington's neighborhoods.

The "Sustain" theme intends to "anticipate small and incremental change that is consistent with existing development patterns, building scale and neighborhood character." Specific policy goals and objectives, and their nexus with the amendment, are provided below:

- A primary and foundational change proposed in the amendment is to provide additional clarity and specificity to the form-based approach established in Neighborhood Code Part 1. This change is supported by Objective 2.2.
- Objective 8.1 directs the community to "enable the development of additional housing at all income levels by reducing regulatory barriers and disincentives to development, and encouraging infill and redevelopment of underutilized sites."

f. Impact on Safe & Affordable Housing

The amendment addresses safe and affordable housing in the following ways:

- In creating additional opportunities in some areas for developments where five or more homes are constructed, the amendment will help produce more purpose-built affordable homes through the Article 9 Inclusionary Zoning standards.
- In removing barriers to housing construction for all developers, including affordable housing developers, the amendment significantly expands the areas where such developers may operate and provide homes at scale.
- In facilitating the creation of more homes throughout the city, the amendment should help to slow the growth in housing costs as they relate to an undersupply.
- In facilitating greater choice in the housing market, the amendment will create expanded opportunities for aging-in-place, homes for individuals with disabilities who may require on-site assistance, and other types of supportive housing.
- Confirms established zoning standards facilitating Accessory Dwelling Unit construction, which are consistent with Objective 9.1.

g. Planned Community Facilities

This amendment has no direct impact on planned community facilities, aside from facilitating growth within the city's neighborhoods and thereby expanding the population of individuals with proximate access to such facilities.

h. Process Overview

The following chart summarizes the current stage in the zoning amendment process, and identifies any recommended actions:

Planning Commission Process					
Draft Amendment prepared by: Staff 9/18/24	Presentation to & discussion by Commission 9/24/24	Approve for Public Hearing	Public Hearing	Approved & forwarded to Council	
City Council Process					
First Read & Referral to Ordinance Cmte	Ordinance Cmte discussion	Ordinance Cmte recommend	Second Read	Public Hearing	Council Approval & Adoption

CITY OF BURLINGTON

ORDINANCE _____

Sponsor: Office of City Planning,
Planning Commission

Public Hearing Dates: _____

First reading: _____

Referred to: _____

Rules suspended and placed in all
stages of passage: _____

Second reading: _____

Action: _____

Date: _____

Signed by Mayor: _____

Published: _____

Effective: _____

In the Year Two Thousand Twenty-Four

An Ordinance in Relation to

ZA-25-02 Neighborhood Code PUD + Pocket Neighborhood
Standards

It is hereby Ordained by the City Council of the City of Burlington as follows:

That Appendix A-Burlington Comprehensive Development Ordinance of the Code of Ordinances of the City of Burlington be and hereby amends Article 4, Sec. 4.4.5(d) 1 by creating Pocket Neighborhood Standards; Table 11.1.3-1 Planned Unit Development Project Size Standards and creates Table 11.1.3-2 Planned Unit Development Standards; and Article 13 by creating a definition for Pocket Neighborhoods; thereof to read as follows:

Article 4: Zoning Maps and Districts

Sec. 4.4.5 Residential Districts

(a-c) *As Written*

(d) District Specific Regulations

1. Additional Residential Development Permitted

In addition to any applicable development permitted according to Article 11 – Planned Unit Development, the following additional development types and intensities shall be allowed within the Residential Districts, subject to the following standards. Article 11: Planned Development

A. ~~Reserved~~ A. Reserved Pocket Neighborhoods

A Pocket Neighborhood is a group or cluster of small detached houses or two-unit attached houses that share a common area.

(i) Development Standards

Unless otherwise stated, Pocket Neighborhood standards are required to follow the underlying district dimensional standards in table 4.4.5-1

(ii) Building and Site Standards

a) Lot Size: Pocket Neighborhoods must have a Minimum Lot Size of 4,000 ft²

b) Principal Structure: Pocket Neighborhoods may have a Principal Structure adhering to the requirements listed in Table 4.4.5-2.

c) Pocket Neighborhood Dwelling Units must adhere to the standards in Table 4.4.5-3 below. However, Principal Structures are subject to the standards in Tables 4.4.5-1 and 4.4.5-2:

Table 4.4.5-3: Pocket Neighborhood Standards

<u>Max. Dwelling Units per Structure</u>	<u>Number of Dwelling Units per Site</u>	<u>Max. Building Footprint</u>	<u>Maximum Building Height</u>	<u>Minimum Setback from Common Area</u>
<u>2</u>	<u>Min: 3 Max: 12</u>	<u>1,000ft²</u>	<u>30'</u>	<u>3'</u>

d) Building Separation: Detached dwellings shall be separated by a minimum of 406 feet. Each pair of two-unit attached dwellings shall be separated from any other detached or attached dwelling by a minimum distance of 406 feet.

e) Building Orientation: Dwellings shall be oriented toward and within 60 feet walking distance of the Common Area. However, this standard shall not apply to a Principal Structure in existence at the time of application.

(iii) Common Area Requirements

a) Pocket Neighborhoods shall have a Common Area that is a minimum of 400 square feet per Dwelling made up of either a continuous open space or a series of interconnected open spaces

b) No portion of the Common Area may be less than 20 feet in width or length.

c) Parking areas and driveways do not qualify as a Common Area.

d) A minimum of 75% of a Common Area shall be Usable Open Space.

e) Common Areas shall not include areas of steep slopes greater than 15%.

(iv) Common Building Requirements

a) Common Buildings are intended to be utilized as a community building for the sole use of the Pocket Neighborhood Residents.

b) Common Buildings are not required in Pocket Neighborhoods.

c) May take up to 25% of the required common open space, but no greater than 1,500 square feet and shall not be attached to “cottages”.

d) Uses of the common building must be accessory to the Pocket Neighborhood.

(v) Parking Requirements for Pocket Neighborhoods

a) Driveway and parking areas shall meet the standards outlined in Article 8.

b) Parking shall be consolidated to minimize the number of parking areas, and shall be located on the pocket neighborhood development property.

c) Off-street parking can be located within a Common Building.

a)d) Single- and two-car garages and carports may be attached to individual residential structures, provided such garages are oriented toward the rear of the structure.

B. Rowhouses

A Rowhouse is a principal structure containing one unit that is attached in a row of no fewer than two (2) rowhouses in which each individual rowhouse is located within its own fee simple parcel.

(i) Development Standards

Unless otherwise stated, Rowhouse standards are required to follow the underlying district dimensional standards in table 4.4.5-1

(ii) Vehicular Access

Unless otherwise stated, vehicular access standards are required to follow Sec. 6.2.2(i). In Rowhouse developments, no more than one curb cut per two units shall be permitted.

(iii) Dimensional Standards

The intensity of development, dimensions of building lots, the heights of buildings and their setbacks from property boundary lines, and the limits on lot coverage shall be governed by the following standards:

Table 4.4.5-4 Rowhouse Lot and Site Standards

<u>District</u>	<u>Lot Coverage</u>		<u>Min. Lot Frontage (Individual Parcel within Project)</u>	<u>Setback</u>		
				<u>Project Periphery</u>		<u>Party Wall Lot Boundary</u>
	<u>Project</u>	<u>Lot</u>		<u>Front</u>	<u>Side/Rear</u>	<u>Side</u>
<u>Residential Low (RL)</u>	<u>55%</u>	<u>65%</u>	<u>16'</u>	<u>Avg. of front setback 2 adjacent lots on both sides +/- 5 feet</u> <u>Max Required: 20'</u>	<u>Min: 10% of lot width or avg. of side setback of two adjacent lots on both sides, whichever is less</u> <u>Max Required: 20'</u>	<u>0'</u>
<u>Residential Medium (RM)</u>	<u>65%</u>	<u>65%</u>				
<u>Residential High (RH)</u>	<u>80%</u>	<u>80%</u>				
<u>Residential Corridor RC</u>	<u>80%</u>	<u>80%</u>				

Table 4.4.5-5 Rowhouse Principal & Secondary Structure Massing & Intensity Standards

<u>Max. Dwelling Units per Structure</u>	<u>Max. Height & Stories</u>	<u>Max. Rowhouses in Uninterrupted Sequence</u>	<u>Max. Structure Footprint</u>	
			<u>Principal</u>	<u>Secondary</u>
<u>1</u>	<u>40'</u> <u>3 stories</u>	<u>10</u>	<u>900 sq. ft.</u>	<u>600 sq. ft.</u>

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Article 11: Planned Development

PART 1: PLANNED UNIT DEVELOPMENT

Sec. 11.1.1 Intent. – *As Written*

Sec. 11.1.2 Authority.

These regulations are enacted under the provisions of 24 V.S.A. Section 4417.

Sec. 11.1.3 General Requirements and Applicability

With the exception of development subject to the requirements of Art 14, any development involving multiple lots, tracts or parcels of land to be developed as a single entity, or seeking to place multiple structures and/or uses on a single lot where not otherwise permitted, may be permitted as a PUD subject to the provisions of this Article.

A planned unit development may be permitted subject to minimum project size as follows in the following districts:

Table 11.1.3-1 Planned Unit Development Project Size Standards

Districts	Minimum Project Size
RH, RM , Downtown Waterfront – Public Trust District and Neighborhood Mixed Use, Institutional, E-LM	No minimum project size.
RL, RCO-R/G, RM, RC	2-acres or more <u>0.5 acres¹</u>

1. See Table 11.1.3-2 for additional standards for PUD project sizes in the RL and RM districts.

84

Table 11.1.3-2 Neighborhood Code Planned Unit Development Standards

<u>District</u>	<u>Project Size</u>	<u>Max. Building Footprint</u> <u>1, 2, 7</u>	<u>Max. Dwelling Units Per Structure</u> <u>3</u>	<u>Max. FAR</u>	<u>Max. Bldg. Height</u>	<u>Setback</u>		
						<u>Project Periphery</u>		<u>Front Internal ROW⁴</u>
						<u>Front⁵</u>	<u>Side/Rear⁶</u>	
<u>RL</u>	<u>0.5 – 2.99 Acres</u>	<u>5,000 sq. ft.</u>	<u>12</u>	<u>0.75</u>	<u>3 Stories</u> <u>35'</u>	<u>Avg. of front setback 2 adjacent lots on both sides +/- 5 feet</u> <u>Max Required: 20'</u>	<u>Min: 10% of lot width or avg. of side setback of two adjacent lots on both sides, whichever is less</u> <u>Max Required: 20'</u>	<u>0' Min</u> <u>20' Max</u>
	<u>3+ Acres</u>	<u>15,000 sq. ft.</u>	<u>Bldg. footprint of 5,000 sq. ft or less: 12 units</u> <u>Bldg. footprint greater than 5,000 sq. ft.: N/A</u>					
<u>RM</u>	<u>0.5 – 2.99 Acres</u>	<u>5,000 sq. ft.</u>	<u>12</u>	<u>1.0</u>	<u>3 Stories</u> <u>35'</u>	<u>Avg. of front setback 2 adjacent lots on both sides +/- 5 feet</u> <u>Max Required: 20'</u>	<u>Min: 10% of lot width or avg. of side setback of two adjacent lots on both sides, whichever is less</u> <u>Max Required: 20'</u>	<u>0' Min</u> <u>20' Max</u>
	<u>3+ Acres</u>	<u>15,000 sq. ft.</u>	<u>Bldg. footprint of 5,000 sq. ft or less: 12 units</u> <u>Bldg. footprint greater than 5,000 sq. ft.: N/A</u>					
<u>RC</u>	<u>0.5 – 2.99 Acres</u>	<u>5,000 sq. ft.</u>	<u>N/A</u>	<u>1.0</u>	<u>4 Stories</u> <u>50'</u>	<u>Min Required: 5'</u> <u>Max Required: 20'</u>	<u>Min: 10% of lot width or avg. of side setback of two adjacent lots on both sides, whichever is less</u> <u>Max Required: 20'</u>	<u>0' Min</u> <u>20' Max</u>
	<u>3+ Acres</u>	<u>15,000 sq. ft.</u>						

85

1. For projects within RL, RM, and RC zones, the limit on the number of primary Principal and secondary structures is not applicable.

86

2. The DRB may grant an expansion beyond these maximum footprints for additions to existing buildings in excess of these footprint limits as of January 1, 2024.
3. A PUD designated a Priority Housing Project as per 10 V.S.A. § 6001 may increase the maximum dwelling units per structure with footprint of 5,000 square foot or less to 16 when the building has a height of four stories.
4. Front setbacks shall be measured from the edge of the Right-of-Way that is fully internal to the project, to which the building draws its frontage. Buildings must be at least 10' from the curb or edge of a public Right-of-Way if no curb exists, except where the ROW is a Public Path, in which case the building must be at least 5' from the edge of the Public Path.
5. Buildings fully contained in the RL and RM districts with a footprint greater than 5,000 sq. ft. must have a front project periphery setback of at least 50 feet. This footnote does not apply to any building that partially occupies any portion of a lot zoned RC.
6. Buildings with a footprint greater than 5,000 sq. ft. must be set back at least 50 feet from any adjacent parcel located in an RL or RM district.

The Development Review Board may exempt Planned Unit Developments existing as of January 1, 2024 from any standard in Table 11.1.3-2

Sec.11.1.4 Modification of Regulations.

With the approval of the DRB after a public hearing, the following modifications of the requirements of the underlying zoning may be altered within a planned unit development:

- minimum lot size, frontage, lot coverage, and setback requirements may be met as calculated across the entire project rather than on an individual lot-by-lot basis;
- required setbacks may apply only to the periphery of the project rather than on an individual lot-by-lot basis;
- more than one principal use and more than one principal structure may be permitted on a single lot;
- one or more residential uses not otherwise permitted may be permitted; and,
- buildings may be of varied types including single detached, attached, duplex or apartment construction.

Any proposed modifications of regulations shall be listed in a statement accompanying the application submission and such modifications shall be subject to the provisions of Sec. 11.1.5 and Sec. 11.1.6.

Article 13: Definitions

Pocket Neighborhood: a group or cluster of small detached houses or two-unit attached houses that share a common area.

Rowhouse: a principal structure containing one unit that is attached in a row of no fewer than two (2) rowhouses in which each individual rowhouse is located within its own fee simple parcel.

* Material stricken out deleted.

** Material underlined added.

135 DRAFT v1.0 07/23/24

Burlington Planning Commission

Tuesday December 3, 2024, 6:30 P.M.

Hybrid Meeting via Zoom and in City Hall's Bushor Conference Room

Draft Minutes

Commissioners Present:

- | | |
|--|---|
| ☒ Andy Montroll | ☒ Michael Gaughan |
| ☐ Erhard Mahnke | ☒ Erin Malone |
| ☒ Ryan Nick | ☒ Julia Randall |
| ☒ Alexander Friend | |

City Staff Present:

- | |
|---|
| ☒ Charles Dillard, Interim Director |
| ☒ Sarah Morgan, Planner |
| ☒ Scott Gustin, Zoning Division Manager |

Public Attendance: Sharon Bushor, Evan Gould, Julia Healy

1. Agenda

Call to Order: 6:30pm

Changes to Agenda: No Changes

2. Chair's Report (A. Montroll)

Congratulations to Charles Dillard, who has been named the new Director of Office of City Planning.

3. Director's Report (C. Dillard)

- New North End Visioning Workshop on 12/17, Sarah is organizing and trying to work across departments.
- Public Meeting for the Community Sailing Center on 12/16. Public meeting is to introduce their proposal and is required to do so as part of the Urban Reserve. They've been doing the NPA circuit. Amendment is expected for January.

4. Public Forum

<u>Name(s)</u>	<u>Comment</u>
Sharon Bushor:	See communication . Would like PC to look again at the number of tiers proposed for Planned Unit Developments. Staff had started off with three and then came back with two tiers. Still feels the three tier scenario was better suited for keeping development appropriate for neighborhoods. Was hoping for visualizations of parcels large enough for PUD sites (0.5 – 1 acre) and model out the three tier vs two tier approaches.
Evan Gould:	Was excited about higher ground potentially going into neighborhood and is sad it no longer will be at the originally proposed location. Supportive of adding flexibility and expanding the industrial road limitations to the rest of the ELM district. Might be a good flexible area so more performing arts centers could potentially find their way into the neighborhood. There are a few other locations on Flynn Ave and in the new SEID, or places on Lakeside. There are properties fronting Pine Street that are close to the

residential neighborhoods and wants to encourage exploring and adding additional areas for performing arts centers. Also notes that the 10ft minimum spacing between buildings, especially in cottage courts, might be too large and encourages PC to decrease that to five feet.

5. Proposed CDO Amendment ZA-25-04: Performing Arts Centers in the E-LM District

Action: Warned for a Public Hearing

Motion by: A. Friend

Seconded by: R. Nick

Vote: Unanimous

Discussion Notes:

- [See recording for full conversation.](#)

6. Proposed CDO Amendment ZA-25-05: Champlain College Bed Caps

Action: No Action

Motion by: M. Gaughan

Seconded by: E. Malone

Vote: Unanimous

Discussion Notes:

- [See recording for full conversation.](#)

7. Proposed CDO Amendment ZA-25-02: Neighborhood Code PUDs & Pocket Neighborhoods

Action: No Action, discussion to continue next week.

Motion by: N/A

Seconded by: N/A

Vote: N/A

Discussion Notes:

- [See recording for full conversation.](#)

8. Commissioner Items

Erin Malone Noticed that City Council was working to have blighted buildings near downtown taken care of. While doing the Turkey Trot, ran past Hungerford Terrace and Pearl Street, building was freshly painted and it looked awesome.

9. Adopt Minutes + Accept Communications

Action: Approve minutes and accept communications.

Motion by: R. Nick

Seconded by: E. Malone

Vote: Unanimous

Notes or Corrections: N/A

10. Adjournment

Action: Motion to Adjourn

Time of Adjournment: 7:46pm

Motion by: M. Gaughan

Seconded by: E. Malone

Vote: Unanimous