Burlington Planning Commission
149 Church Street
Burlington, VT 05401
www.burlingtonvt.gov/cityplanning

Andy Montroll, Chair
Michael Gaughan, Vice Chair
Alexander Friend
Erhard Mahnke
Erin Malone
Ryan Nick
Julia Randall

Burlington Planning Commission

Tuesday, January 28, 2025, 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. Public Forum

3. Chair's Report

4. Director's Report

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

Subject	**5.1. Ask questions and provide feedback on the draft amendment.**
Meeting	January 28, 2025 - Planning Commission Agenda - Tuesday, January 28, 2025, 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 1/14/25 minutes**
Meeting	January 28, 2025 - Planning Commission Agenda - Tuesday, January 28, 2025, 6:30 PM, Burlington Planning Commission
Category	7. Adopt Minutes

Department Planning

Type

8. Communications

8.1. Review and accept communications.

9. Adjournment

City of Burlington, VT
149 Church Street, 3rd Floor
Burlington, VT 05401
Phone: (802) 865-7194
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TO: Burlington City Council
FROM: Charles Dillard, AICP, Principal Planner
Sarah Morgan, AICP Candidate, Planner
DATE: January 24, 2025
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.

The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex, sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information. The City is also committed to providing proper access to services, facilities, and employment opportunities. For accessibility information or alternative formats, please contact the City Planning department or 711 if you are hearing or speech impaired.

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 ft^2 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 ft^2. 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 1,000ft^2.

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:

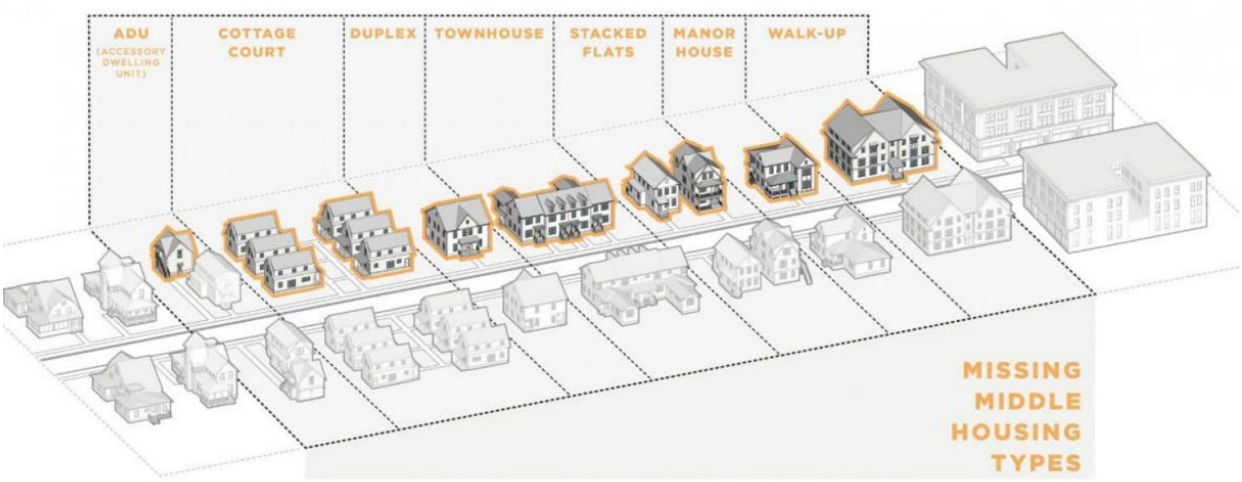
- Thresholds for lot/project size in the Residential districts;

- 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. Revisions

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.

1/14 Revisions

At its December 10 meeting, the Planning Commission provided feedback on draft Rowhouse and PUD standards, which inform the following revisions included in the draft amendment before the Commission on January 14th. Staff has included additional clarifying standards.

- Rowhouses – Sec. 4.4.5(d) 1 B has been amended in several ways, which are outlined below:
- Identification of Project and Lot: The Commission requested a diagram to be included in the amendment that clearly identifies and illustrates what a Project and Lot boundary is for the purposes of determining Lot coverage and Setback standards. That diagram has been added to the amendment.
- Lot Coverage – Project and Lot: The Commission requested footnotes clarifying what elements of a Project are included in determining "Project Lot Coverage" and what is included in the "Lot Lot Coverage." Those footnotes have been added.
    - Rationale: Lot coverage standards for Projects are proposed at 55% and 65%, respectively, for the RL and RM districts. Each represents a modest 10% lot coverage increase over the base Neighborhood Code lot coverage standards for individual lots, primarily to account for common paths and drives typically associated with these developments. In Rowhouse developments consisting of fee simple Lots, a separate lot coverage standard is needed and should be higher than the project lot coverage standard, in order to take into account their typically very small lot sizes.
- Setback – Project Periphery – Rear: The previous draft amendment did not include a standalone rear setback for Rowhouse Projects. The current draft includes a new column in Table 4.4.5-4 that establishes a rear setback relative to the Project Periphery.
    - Rationale: The rear setbacks of 15 ft for the RL district and 20 ft for the RM, RH and RC districts are proposed and are equivalent to underlying rear setback standards established in Neighborhood Code Part 1, which are located in Table 4.4.5-1.
- Setback – Party Wall Boundary: The previous draft amendment included a standard for "Party Wall Lot Boundary." The amendment has been revised to clarify that this setback (unchanged at 0 feet) applies both to Lot boundaries in the context of Rowhouse developments utilizing fee simple lots, as well as party wall structure boundaries in the context of Rowhouse developments that utilize a condominium ownership model.
    - Rationale: Both fee simple and condominium models are prevalent in Rowhouse development and standards should reflect this.
- Sequencing – Minimum Building Separation: The previous draft amendment proposed a maximum of 10 rowhouses in an uninterrupted sequence. That standard remains unchanged. However, the Commission requested an additional standard establishing a minimum distance between each uninterrupted sequence of rowhouses. This new draft proposes a separation distance of 10 feet.
    - Rationale: The building code allows for buildings to be separated by only ten feet. Given that rowhouses are allowed to be up to 40 feet in height, staff feels an additional five feet is necessary to provide adequate light, air, landscape design and pedestrian connectivity through rowhouse developments.
- PUD Setbacks: The new draft separates the setback standards from Table 11.1.3-2 for clarity purposes and establishes two new setback standards. The first is a separate rear Project Periphery setback that is equivalent to the underlying Neighborhood Code standards. However, the previously proposed footnote that establishes a min. 50 ft setback for buildings with footprints larger than 5,000 square feet remains. The second new standard is a repetition, for clarity purposes, of the Rowhouse Party Wall Boundary.
    - Rationale: Setbacks for PUD projects should be consistent with underlying Neighborhood Code standards. Other changes made in this Table are provided for the sake of clarity.

1/28 Revisions

At its January 14 meeting, the Planning Commission provided feedback on draft Rowhouse standards, which inform the following revisions included in the draft amendment before the Commission on January 28th. Staff has included additional clarifying standards.

- Rowhouse Vehicular Access: The previous draft refers to existing standards in Sec. 6.2.2(i); that reference remains unchanged. Additionally, the previous draft proposed a standard limiting Rowhouses to including no more than one curb cut per two Rowhouses. The new draft proposes three new standards. First, in Rowhouse developments consisting of only two attached Rowhouses, otherwise known as a fee-simple duplex, there shall be only one curb cut that serves both Rowhouses. Second, in Rowhouse developments of three or more Rowhouses, access shall only be provided by a rear alley with a minimum width of 15 feet. Third, and finally, garages oriented toward the street are prohibited in Rowhouse developments consisting of three or more Rowhouses.
    - Rationale: With respect to two-Rowhouse developments (fee simple duplexes), the standard should allow for curb cuts onto the street upon which the development draws its frontage. These developments typically do not have the width and/or depth to accommodate an alley. Further, a small alley serving a two-Rowhouse development will likely produce extraneous impervious surfaces. Regarding developments of three or more Rowhouses, the standards are proposed in order to ensure comfort and safety for all users of the road on which Rowhouses front.The limited width of Rowhouses is not conducive to individual curb cuts and driveways for each Rowhouse. Further, front-facing garages on Rowhouses would typically occupy more than half of a Rowhouse's frontage, which is inconsistent with aesthetic and urban design best practice. Rowhouse developments of three or more Rowhouses should be accessed by rear alleys serving individual or shared parking areas, either in the form of surface parking spaces or garages. Alleys limit curb cuts, improving roadway safety, and create a more pedestrian-friendly frontage to Rowhouse developments.

6. Proposed Amendment: ZA-24-04

a. Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment

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.

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, 11/12/24, 10/22/24, 12/10/24, 1/14/25, 1/28/25**	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) by: creating Sec. 4.4.5 (d) 1 Pocket Neighborhoods; creating Sec. 4.4.5 (d)2 Rowhouses; modifying sec. modifying Table 11.1.3-1 Planned Unit Development Project Size Standards; and creating 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~~ **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 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:

DRAFT

Table 4.4.5-3: Pocket Neighborhood Standards

Max. Dwelling Units per Structure	Number of Dwelling Units per Site	Max. Building Footprint	Maximum Building Height	Minimum Setback from Common Area
2	Min: 3 Max: 12	1,000ft^2	30’	3’

d) Building Separation: Detached dwellings shall be separated by a minimum of ~~10~~6 feet. Each pair of two-unit attached dwellings shall be separated from any other detached or attached dwelling by a minimum distance of ~~10~~6 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 Lot.

(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 a Rowhouse development consisting of only two Rowhouses, otherwise known as a duplex, access shall be provided by no more than one curb cut serving both dwelling units. A Rowhouse development consisting of three or more Rowhouses shall be accessed by a rear alley with a

minimum width of 15 feet. In a Rowhouse development consisting of three or more Rowhouses, a garage attached to a Rowhouse and oriented toward the street is prohibited.

(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

District	Lot Coverage		Setback				Min. Lot Frontage (Individual Fee Simple Lot within Project)
			Project Periphery			Party Wall Boundary (Lot or Structure)	
	Project[1]	Lot[2]	Rear	Side	Front	Side	
Residential Low (RL)	55%	65%	20 ft.	Min: 10% of lot width or avg. of side setback of two adjacent lots on both sides, whichever is less Max Required: 20 ft	Avg. of front setback 2 adjacent lots on both sides +/- 5 feet Max Required: 20 ft	0 ft.	16 ft
Residential Medium (RM)	65%	65%	15 ft.				
Residential High (RH)	80%	80%					
Residential Corridor RC	80%	80%					

1. In Projects developed with Fee Simple Rowhouse Lots, lot coverage is based on the sum area of all individual Rowhouse Lots and any common areas; in all other Projects, lot coverage is based on the Project Lot.
2. The maximum lot coverage allowed on each Fee Simple Rowhouse Lot within a Project consisting of multiple Rowhouses.

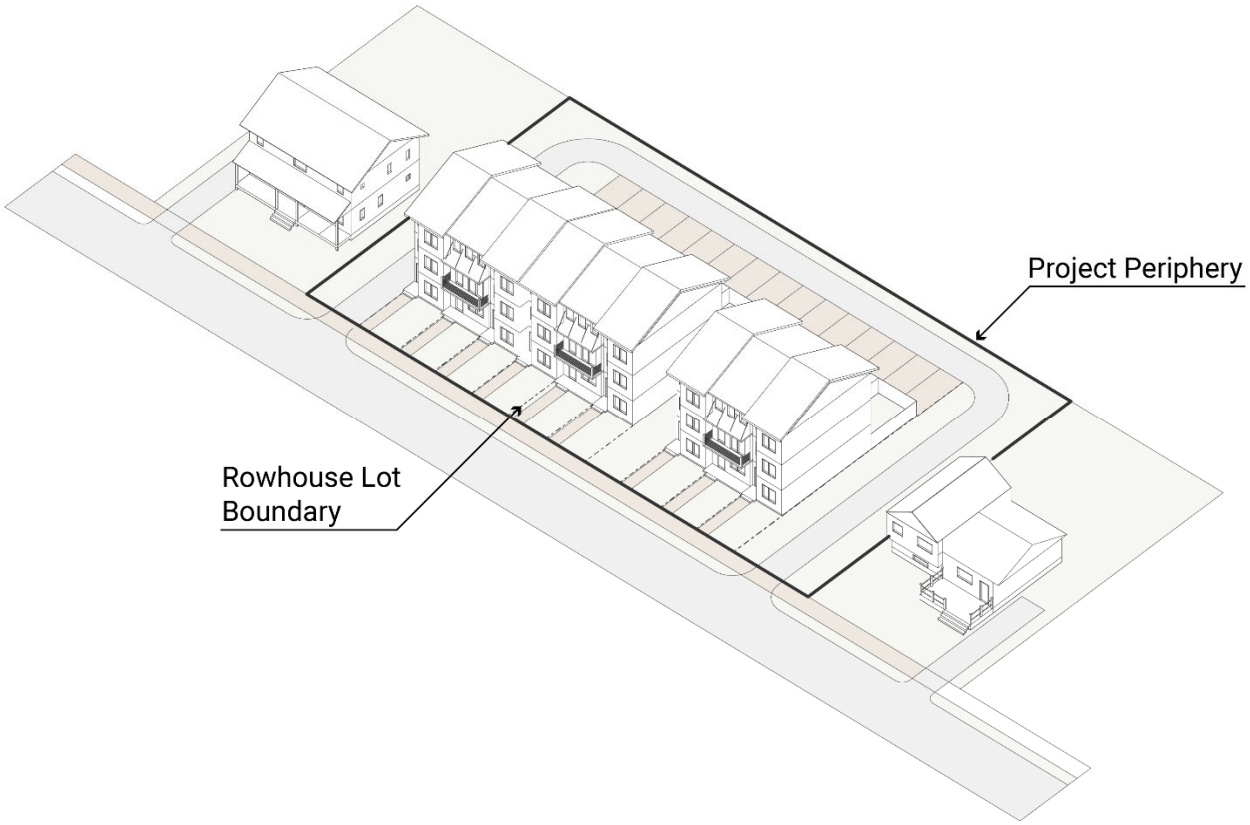


Table 4.4.5-5 Rowhouse Principal & Secondary Structure Massing & Intensity Standards

Max. Dwelling Units per Structure[1]	Max. Height & Stories	Sequencing		Max. Structure Footprint	
		Max. Rowhouses in Uninterrupted Sequence	Min. Bldg Separation Betweeen Uninterrupted Sequences	Principal	Secondary
1	40’ 3 stories	10	10 ft.	900 sq. ft.	600 sq. ft.

1. A Principal Rowhouse Structure may contain a second Dwelling Unit that is subordinate and accessory to the Structure’s main Dwelling Unit.

Article 6: Development Review Standards

Part 2: SITE PLAN DESIGN STANDARDS

Sec. 6.2.1 Applicability – *As Written*

Sec. 6.2.2 Review Standards

(a) - (k) – *As Written*

(l) Parking and Circulation

To the extent possible, parking should be placed at the side or rear of the lot and shall be screened from view from surrounding properties and adjacent public rights of ways. Any off-street parking occupying street level frontage in a Downtown Mixed Use District shall be setback from the edge of the front property line in order to provide space for active pedestrian-oriented uses. Where street-level parking is provided within an existing structure, the cars shall be screened from the sidewalk and the area shall be activated with landscaping, public art, or other design amenities. Parking areas of more than 20 spaces should be broken into smaller areas separated by landscaping.

Attempts to link adjacent parking lots or provide shared parking areas which can serve neighboring properties simultaneously shall be strongly encouraged.

Parking shall be laid out to provide ease in maneuvering of vehicles and so that vehicles do not have to back out onto city streets. Dimensions of spaces shall at a minimum meet the requirements as provided in Article 8. The perimeter of all parking areas shall be designed with anchored curb stops, landscaping, or other such physical barriers to prevent vehicles from encroaching into adjacent green spaces.

Surface parking and maneuvering areas should be shaded in an effort to reduce their effect on the local microclimate, air quality, and stormwater runoff with an objective of shading at least 30% of the parking lot. Shading should be distributed throughout the parking area to the greatest extent practical, including within the interior depending on the configuration. New or substantially improved parking areas with 15 or more parking spaces shall include a minimum of 1 shade tree per 5 parking spaces with a minimum caliper size of 2.5”-3” at planting. Up to a 30% waiver of the tree planting requirement may be granted by the development review board if it is found that the standard requirement would prove impractical given physical site constraints and required compliance with minimum parking requirements. All new shade trees shall be: of a species appropriate for such planting environments, expected to provide a mature canopy of no less than 25-feet in diameter, and selected from an approved list maintained by the city arborist. Existing trees retained within 25-feet of the perimeter of the parking area (including public street trees), and with a minimum caliper size greater than 3-inches, may be counted towards the new tree planting requirement.

All parking areas shall provide a physical separation between moving and parked vehicles and pedestrians in a manner that minimizes conflicts and gives pedestrians a safe and unobstructed route to building entrance(s) or a public sidewalk.

Where bicycle parking is provided, access shall be provided along vehicular driveways or separate paths, with clearly marked signs indicating the location of parking areas. Where bicycle parking is located proximate to a building entrance, all shared walkways shall be of sufficient width to separate bicycles and pedestrians, and be clearly marked to avoid conflicts. All bicycle parking areas shall link directly to a pedestrian route to a building entrance. All bicycle parking shall be in conformance with applicable design & construction details as provided by the dept. of public works.

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~~ 0.5 acres[1]

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

Table 11.1.3-2 Neighborhood Code Planned Unit Development Intensity Standards

District	Project Size	Max. Building Footprint[1, 2]	Max. Dwelling Units Per Structure[3]	Max. FAR	Max. Bldg. Height
RL	0.5 – 2.99 Acres	5,000 sq. ft.	12	0.75	3 Stories 35 ft.
	3+ Acres	15,000 sq. ft.	Bldg. footprint of 5,000 sq. ft or less: 12 units Bldg. footprint greater than 5,000 sq. ft.: N/A		
RM	0.5 – 2.99 Acres	5,000 sq. ft.	12	1.0	
	3+ Acres	15,000 sq. ft.	Bldg. footprint of 5,000 sq. ft or less: 12 units Bldg. footprint greater than 5,000 sq. ft.: N/A		
RH	0.5 – 2.99 3+ Acres	N/A	N/A	1.0	4 Stories 50 ft.
RC	0.5 – 2.99 Acres	5,000 sq. ft.	N/A	1.0	4 Stories 50 ft.
	3+ Acres	15,000 sq. ft.			

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

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.

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

Table 11.1.3-3 Neighborhood Code Planned Unit Development Setback Standards

<table>
<tr><th rowspan="3">District</th><th colspan="4">Setback</th></tr>
<tr><th colspan="3">Project Periphery</th><th rowspan="2">Front Internal ROW[3]</th><th rowspan="2">Rowhouse Party Wall Boundary (Lot or Building)</th></tr>
<tr><th>Rear[1]</th><th>Front[2]</th><th>Side</th></tr>
<tr><td>RL</td><td>20 ft.</td><td rowspan="3">Avg. of front setback 2 adjacent lots on both sides +/- 5 feet

Max Required: 20’</td><td rowspan="4">Min: 10% of lot width or avg. of side setback of two adjacent lots on both sides, whichever is less

Max Required: 20’
0 ft.</td><td rowspan="4">0’ Min
20’ Max</td><td rowspan="4">0 ft.</td></tr>
<tr><td>RM</td><td rowspan="3">15 ft.</td></tr>
<tr><td>RH</td></tr>
<tr><td>RC</td><td>Min Required: 5’
Max Required: 20’</td></tr>
</table>

1. Buildings with a footprint greater than 5,000 sq. ft. must be set back at least 50 feet from any adjacent Lot located in an RL or RM district.
2. 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.
3. 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.

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 Dwelling 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 Lot.

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* Material stricken out deleted.
** Material underlined added.

Ordinances 2024/ZA-24-04 Neighborhood Code 2-A
DRAFT v1.0 07/23/24

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 + Rowhouses

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) by: creating Sec. 4.4.5 (d) 1 Pocket Neighborhoods; creating Sec. 4.4.5 (d)2 Rowhouses; modifying sec. modifying Table 11.1.3-1 Planned Unit Development Project Size Standards; and creating 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~~ 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 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:

DRAFT

d) Building Separation: Single-unit detached, or two-unit attached dwellings shall be separated from any other structure by a minimum distance of 6 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.

Table 4.4.5-3: Pocket Neighborhood Standards

Max. Dwelling Units per Structure	Number of Dwelling Units per Site	Max. Building Footprint	Maximum Building Height	Minimum Setback from Common Area
2	Min: 3 Max: 12	1,000ft^2	30’	3’

(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) Surface 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.

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 Articles 6 and 8.

b) Parking shall be consolidated to minimize the number of parking areas, and shall be located on the pocket neighborhood development property, except otherwise provided for in Article 6, Sec. 6.2.2(l).

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

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 Lot.

(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 a Rowhouse development consisting of only two Rowhouses, access shall be provided by no more than one curb cut serving both dwelling units. A Rowhouse development consisting of three or more Rowhouses shall be accessed by a rear alley with a minimum width of 15 feet. In a Rowhouse development consisting of three or more Rowhouses, a garage attached to a Rowhouse and oriented toward the street is prohibited.

(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

District	Lot Coverage		Setback				Min. Lot Frontage (Individual Fee Simple Lot within Project)
			Project Periphery			Party Wall Boundary (Lot or Structure)	
			Rear	Side	Front	Side	
	Project[1]	Lot[2]					
Residential Low (RL)	55%	65%	20 ft.	Min: 10% of lot width or avg. of side setback of two adjacent lots on both sides, whichever is less Max Required: 20 ft	Avg. of front setback 2 adjacent lots on both sides +/- 5 feet Max Required: 20 ft	0 ft.	16 ft
Residential Medium (RM)	65%	65%	15 ft.				
Residential High (RH)	80%	80%					
Residential Corridor RC	80%	80%					

1. In Projects developed with Fee Simple Rowhouse Lots, lot coverage is based on the sum area of all individual Rowhouse Lots and any common areas; in all other Projects, lot coverage is based on the Project Lot.
2. The maximum lot coverage allowed on each Fee Simple Rowhouse Lot within a Project consisting of multiple Rowhouses.

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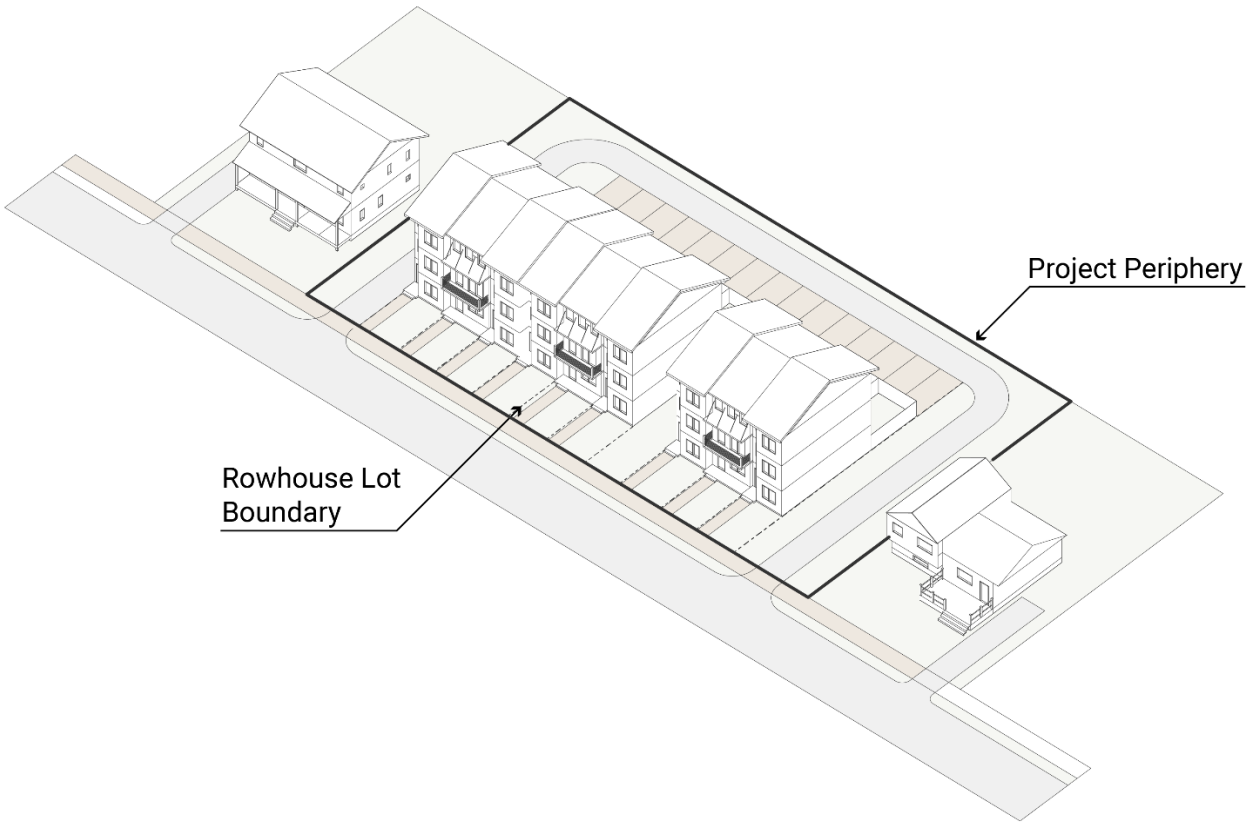

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79 **Table 4.4.5-5 Rowhouse Principal & Secondary Structure Massing & Intensity Standards**

Max. Dwelling Units per Structure[1]	Max. Height & Stories	Sequencing		Max. Building Footprint	
		Max. Rowhouses in Uninterrupted Sequence	Min. Bldg Separation Betweeen Uninterrupted Sequences	Rowhouse Unit	Secondary Structure
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80 1. A Principal Rowhouse Structure may contain a second Dwelling Unit that is subordinate and accessory to the Structure’s
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82

83

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Part 2: SITE PLAN DESIGN STANDARDS

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To the extent possible, parking should be placed at the side or rear of the lot and shall be screened from view from surrounding properties and adjacent public rights of ways. Any off-street parking occupying street level frontage in a Downtown Mixed Use District shall be setback from the edge of the front property line in order to provide space for active pedestrian-oriented uses. Where street-level parking is provided within an existing structure, the cars shall be screened from the sidewalk and the area shall be activated with landscaping, public art, or other design amenities. Parking areas of more than 20 spaces should be broken into smaller areas separated by landscaping.

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Article 11: Planned Development

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

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

Table 11.1.3-2 Neighborhood Code Planned Unit Development Intensity Standards

District	Project Size	Max. Building Footprint[1, 2]	Max. Dwelling Units Per Structure[3]	Max. FAR	Max. Bldg. Height
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	3+ Acres	15,000 sq. ft.	Bldg. footprint of 5,000 sq. ft or less: 12 units Bldg. footprint greater than 5,000 sq. ft.: N/A		
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The Development Review Board may exempt Planned Unit Developments existing as of January 1, 2024 from any standard in Table 11.1.3-2

Table 11.1.3-3 Neighborhood Code Planned Unit Development Setback Standards

District	Setback				
	Project Periphery			Front Internal ROW[3]	Rowhouse Party Wall Boundary (Lot or Building)
	Rear[1]	Front[2]	Side		
RL	20 ft.	Avg. of front setback 2 adjacent lots on both sides +/- 5 feet Max Required: 20’	Min: 10% of lot width or avg. of side setback of two adjacent lots on both sides, whichever is less Max Required: 20’ 0 ft.	0’ Min 20’ Max	0 ft.
RM	15 ft.				
RH					
RC		Min Required: 5’ Max Required: 20’			

1. Buildings with a footprint greater than 5,000 sq. ft. must be set back at least 50 feet from any adjacent Lot not within the PUD and located in an RL or RM district.
2. 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.
3. 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.

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** Material underlined added.

Burlington Planning Commission
149 Church Street
Burlington, VT 05401
www.burlingtonvt.gov/cityplanning

Andy Montroll, Chair
Michael Gaughan, Vice Chair
Erhard Mahnke
Ryan Nick
Alexander Friend
Erin Malone
Julia Randall

Burlington Planning Commission

Tuesday January 14, 2025, 6:30 P.M.
Hybrid Meeting via Zoom and in City Hall's Bushor Conference Room
Draft Minutes

Commissioners Present:

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

City Staff Present:

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

Public Attendance: Sharon Bushor, Nic Anderson

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1. **Agenda**
   Call to Order: 6:30pm
   Changes to Agenda: No Changes
2. **Chair's Report (A. Montroll)**
3. **Director's Report (C. Dillard)**
   - New North End Kickoff meeting is January 23rd at 6:30pm.
   - Staff is interviewing preservation plan consultants and will have a decision in the coming weeks.
   - What Works Cities visit went well, we should know in March.
4. **Public Forum**

Name(s)	Comment
Sharon Bushor:	Notes that she likes row house scenarios and how they orient to the street. When referring to Pocket Neighborhoods, she indicates that she likes the term cottage courts because a cottage is a small structure with a courtyard. Would like Commission to explore that the common area be left open for a sustainability component. *[Note: Staff later clarifies that the proposal requires 75% of the Common Area in Pocket Neighborhoods to be Usable Open Space].* Not supportive of two units allowed in each structure and that would move away from owner-occupancy. Related to PUDs, is not in favor of the two tier system and prefers 3 tiers. Complementary of Memos written by staff.

5. **Public Hearing for Proposed CDO Amendment ZA-25-04:** Performing Arts Centers in the E-LM District
   Action: Municipal Bylaw Amendment Report approved and amendment moved to City Council with the recommendation.
   Motion by: E. Mahnke **Seconded by:** R. Nick **Vote:** Unanimous
   Public Forum:
   - **Sharon Bushor:** States her background on City Council Ordinance Committee during past requests by Higher Ground to move. Took input during that time from counselors and

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residents on Pine Street that were hesitant to allow this use along Pine Street. Reached out to current city councilors in this area to get their perspectives. Is not concerned about the use and is more concerned of the size of the use and the impact it could have on those surrounding neighborhoods nestled behind the site. Was supportive of Higher Ground in the Burton Site, but isn't sure about having a PAC that size is appropriate and respects that the people who know the region best.

Discussion Notes:

- Performing Arts Center is a conditional use in ELM
- E. Mahnke: Thinks Pine Street is potentially a good site, but shares Sharon's concerns about the nearby neighbors. Is in a band and understands the importance of mitigating noise. Also wonders about parking impact on the site, specifically pointing out traffic from the Farmers Market as well as parking needs. Overall supportive but given the conditional use he would assume the DRB would look at these impacts.
    - C. Dillard: Good point about parking. In meetings, Higher Ground has acknowledged that parking is a challenge, but consider that many of the other uses along Pine Street nearby are daytime uses and they may be able to form agreements to share parking.
- E. Malone: Appreciates Sharon's comments about the neighbors, but feels it's the leaving at 2am that's disruptive and thinks pointing out the conditional use is a good point. Supports anything we can do with forward economic development to bring more people into town for positive experiences.

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

Action: Municipal Bylaw Amendment Report approved and amendment moved to City Council with the recommendation with the correction made at the table.

Motion by: E. Malone **Seconded by:** E. Mahnke **Vote:** Unanimous

Public Forum:

- **Sharon Bushor:** Applauds how Champlain College is able to grow in such a small space. Is speaking in support of the amendment, but notes issue of parking constraints. South Willard and Maple St. parking has become a challenge and knows this has historically been a problem. Her goal is to get more people to provide input on these types of topics earlier in the process.

Discussion Notes:

- A. Friend: Is this change sufficient to meet Champlain College's needs in the long term?
    - Nic Anderson: Yes, this elimination provides needed flexibility
- E. Malone notes that there is a need to get more students on campus
- A. Montroll clarifies that this amendment isn't about allowing encroachment, it helps prevent encroachment
- Nic Anderson: This is an opportunity to start divesting from buildings outside of core campus by increasing density within the campus instead. The Joint Intuitional Parking Management Plan, that is similar to a TDM plan, guides parking decisions and requirements.

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

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 discussion.

8. Commissioner Items

- Long Range Planning Committee met on January 2nd. Chair is A. Friend, and E. Malone was voted to become Vice Chair. Received presentation about current planning efforts underway or set to begin in the near future across Burlington, including the Comprehensive Plan, the Open Space Plan, the New North End plan, and the historic preservation plan. See slides here.

9. Adopt Minutes + Accept Communications

Action: Approve minutes and accept communications.

Motion by: E. Malone **Seconded by:** R. Nick **Vote:** Unanimous

Notes or Corrections: N/A

10. Adjournment

Action: Motion to Adjourn Time of Adjournment: 8:16pm

Motion by: E. Mahnke **Seconded by:** R. Nick **Vote: Unanimous**

Sarah Morgan

From: Sharon Bushor <sfbushor@gmail.com>
Sent: Monday, January 27, 2025 12:03 PM
To: Charles Dillard; Sarah Morgan; Scott Gustin; Andrew Montroll
Subject: Additional thoughts on Rowhouses, Cottage Courts and PUDs for 1/28 meeting

[WARNING]: This email was sent from someone outside of the City of Burlington.

Good morning, The information provided for the Planning Commissioners and public is well written and helpful. The chronology or evolution of the Ordinance also helps me to understand the draft included.
I read this in one sitting and compiled my thoughts on each housing type. I will try to reduce redundancy but will restate key opinions.

1. Cottage Courts (I love these!)

These are small structures that lend themselves to home ownership. If you now allow 2 units per structure, living space is compromised and I believe it tips the scale towards rental units. The ratio of owned to rented in Burlington is out of whack. I was hoping this would be one step towards owner occupied and balance.
Two car garages in the rear also seems out of scale with this type of housing. Also it appears to be contrary to the position of Burlington on multimodal transportation systems. (walk,, bike, car, carshare, bus passes TDM).
Agree that parking structures can be to the side BUT NOT IN A COMMON BUILDING LOCATED IN THE COMMON AREA. This space is for recreation, gardens etc. Cars and driveways compromise that area, make it less safe for pets and humans and also impact the air quality. PLEASE don't allow parking in this area. Thank you.

2. Rowhouses (another style I love)
Agree with almost every change proposed.
One comment... since these structures have little green space with most of it being in the front, please consider a no less than 15 foot Front yard setback. Why? Because many use that space for gardens , flowers, shrubs. It helps to soften the massing and provides owners or renters a way to individualize each structure. Lower College Street is a prime example. Thank you.

3. PUDS

I remain concerned about the elimination of 3 tiers. Reviewing this again, I would like to offer adjusting the size of the first tier.
Rather than .5 to 3 acres, I propose this first tier be 1 to 3 acres. Less than 1 acre is a small parcel and 5000sq ft structures do not fit into the existing pattern of development. With Neighborhood Code these parcel already can have 2 structures totally 8 units. Plus with the proposed Cottage Courts these parcels qualify for that type of housing. Please consider adjusting the acreage for the first tier.

Thank you for taking the time to read my comments.
Sorry I missed the kickoff of the NNE Zoning open house. I tried to do my part by informing friends living in this section of town to go listen, learn and share their thoughts.
Sharon Bushor
Ward 1 Resident
PLEASE SEND TO ALL PLANNING COMMISSIONERS and include in submitted comments. Thank you again.