

Burlington Planning Commission

Tuesday, February 25, 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-25-06: PlanBTV Downtown Code Parking Setbacks

Subject	5.1. Discussion related to proposed CDO Amendment ZA-25-06: PlanBTV Downtown Code Parking Setbacks
Meeting	February 25, 2025 - Planning Commission Agenda - Tuesday, February 25, 2025, 6:30 PM, Burlington Planning Commission
Category	5. Proposed CDO Amendment ZA-25-06: PlanBTV Downtown Code Parking Setbacks
Department	Planning
Type	
Recommended Action	

6. Commissioner Items

7. Adopt Minutes

8. Communications

9. Adjournment

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-25-06 PlanBTV Downtown Code Parking Setbacks

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 14, Sec. 14.6.7(f) thereof to read as follows:

Article 14: PlanBTV Downtown Code

Sec. 14.6.7 Parking and Circulation

(a-e) *As Written*

(f) **Parking Lots and Parking Areas**

- i. All parked vehicles, vehicle headlights, and interior lighting shall be screened from view from the street and ~~adjacent properties~~Civic Spaces by a Building or a landscaped area as follows:
 - a. A minimum 10-foot wide landscaped area, or a 36-inch high wall within a minimum 5-foot wide landscaped area, with a continuous row of trees and/or shrubs must be provided between the street and ~~the parking lot~~within the First or Second Lot Layer, or at the perimeter of the parking in the case of the adjacency to a Civic Space.
 - b. Plantings must be a minimum of 18-inches in height when planted and must reach a minimum size of 36 inches in height within 3-years of planting.
 - c. Breaks for pedestrian and vehicle access are allowed.
- ii. All Parking Lots and Parking Areas shall be setback a minimum of 5-feet from any side or rear property line ~~that abuts any lot in a residential district or Civic Space.~~
- iii. Openings shall be combined for ingress/egress and shall not exceed 24-feet in width at the Frontage. Only one such opening per street Frontage may be permitted. Openings may be separated for ingress/egress where they access different Frontages.

* Material stricken out deleted.

** Material underlined added.

TO: Burlington City Council
FROM: Charles Dillard, AICP, Director, Office of City Planning
Sarah Morgan, AICP, Planner
DATE: February 11, 2025
RE: Proposed ZA-25-06 Downtown Form

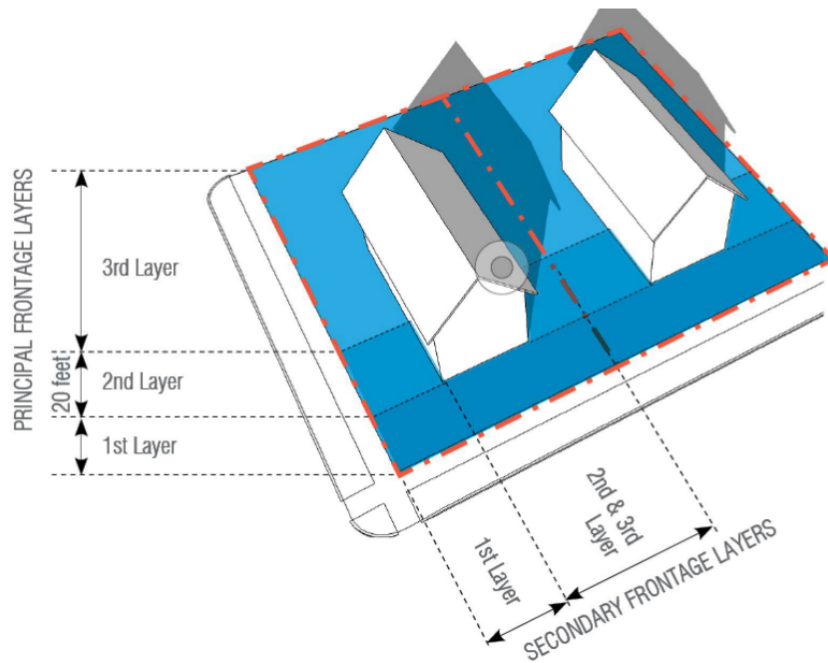
1. Overview & Background

The PlanBTV Downtown Code, Article 14 of the CDO (or, the Form Code), establishes parking and circulation standards that are intended to balance parking needs with the form-based code's objective of facilitating a walkable downtown. The Form Code's standards regulate all facets of parking, including driveways, loading, structures, parking lots and parking areas. Of those final two, the Form Code differentiates between a Parking Lot, defined as "an off-street, ground level, open area within a Lot for parking vehicles as an independent commercial Principal Use." A Parking Area is defined as, "an off-street, ground-level open area within a Lot for parking vehicles as an Accessory Use incidental to a Principal Use of the Lot." The Form Code makes clear that Parking Lot and Parking Area are not synonymous.

For both Parking Lots and Parking Areas, the Form Code establishes standards aimed at mediating the relationship of Parking Lots and Areas and adjacent properties and the street. Regarding the former, the Form Code currently requires a minimum 10-foot wide landscaped area or a five foot landscaped area accompanied by a 36-inch wall, all with a continuous row of trees and/or shrubs between the street and the parking. The Form Code also requires a minimum five foot setback between any Parking Lot or Parking Area and the side and rear property lines. Both standards are critical to maintaining a safe, comfortable and pleasant pedestrian experience. However, the standards have consequences for portions of the lot that are at a significant distance from the street, even in places that would have little impact on the pedestrian experience. In particular, setback standards within the Third Lot Layer have proven challenging for property owners seeking to provide parking for building users. The Form Code's Lot Layer definitions are described in the excerpt below:

Lot Layers. Lots are composed of three Lot Layers as shown in [Illustration 14.6.3-A \(Lot Layers\)](#).

- i. First Lot Layer: that portion of a Lot between the Frontage Line and the Façade of a Principal Building.
- ii. Second Lot Layer: that portion of a Lot extending 20 feet back from and parallel to the Façade of a Principal Building.
- iii. Third Lot Layer: that portion of a Lot bounded by (a) the Second Lot Layer and (b) the Rear Lot Line.



Given these challenges, this amendment seeks to provide some flexibility while retaining the overall mission of the Form Code to promote a highly walkable and attractive Downtown.

Proposed Amendment: ZA-24-06

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement

This amendment amends parking setback standards in Article 14 that provide needed flexibility to owners and operators of constrained Downtown properties. These limited amendments will improve the feasibility of managing Downtown properties while respecting the Form Code's and Downtown Plan's vision of a walkable Downtown.

1. Amendment to Article 14: PlanBTV Downtown Code

- Amends Sec. 14.6.7.i Parking and Circulation in the following ways:
 - Clarifies that parked vehicles, vehicle headlights and interior lighting shall be screened from view from the street and Civic Spaces and removes this protection from adjacent properties. In reality, screening all vehicles, headlights and interior lighting from structures from adjacent properties is not practical.
 - Amends 14.6.7.f.i.a to only require a landscaped buffer or combination buffer and wall in the First and Second Lot Layers of a property. Importantly, the amendment retains the buffer protection to all portions of a lot adjacent to a Civic Space.

- o Amends 14.6.7.f.ii to require the established five foot setback at side and rear property lines only when abutting adjacent properties in a Residential district or a Civic Space.

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

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 amendment provides some needed flexibility and balance between the vision of a walkable downtown with remaining imperatives to accommodate cars and parking. Providing for reasonable modifications to parking setback will make use of constrained Downtown sites more feasible.

Impact on Safe & Affordable Housing

The amendment has no impact on Safe & Affordable Housing

Planned Community Facilities

This amendment has no direct impact on planned community facilities, aside from potentially facilitating some facilities parking needs in the Downtown area.

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 2/7/25	Presentation to & discussion by Commission: 2/11/25		Approve for Public Hearing:	Public Hearing	Approved & forwarded to Council:
City Council Process					
First Read & Referral to Ordinance Cmte	Referred back to Planning Commission:	Ordinance Cmte discussion	Ordinance Cmte recommend	Second Read & Public Hearing	Council Approval & Adoption

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 February 11, 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
☒ Peter Procaccio, Sr. Public Works Engineer
☒ Sarah Bermingham, Grants Associate

Public Attendance: Kate McCarthy, Taylor Newton, David White, Kirsten Merriam Shapiro, Daniel Goltzman, Tyler Cote, Sharon Bushor

1. Agenda

Call to Order: 6:30pm

Changes to Agenda: Due to time constraints, Commissioners voted to remove Item 9 from the agenda with the intent to discuss during its meeting on February 25th.

2. Chair's Report (A. Montroll)

3. Director's Report (C. Dillard)

Charles reports that Sarah has been reclassified as Senior Planner during Council's 2/10 meeting. Department is moving forward with interviews for the vacant principal planner job.

Also during its 2/10 meeting, City Council discussed the zoning amendments related to the Champlain College bed cap and the Performing Arts Centers in the ELM District. The PAC amendment was referred to the Ordinance Committee to discuss parking concerns.

4. Public Forum

<u>Name(s)</u>	<u>Comment</u>
Sharon Bushor:	See recording for comments.
Daniel Goltzman	See recording for comments.
Tyler Cote	See recording for comments.

5. Downtown Transportation Fund Grant Application

Action: Vote to approve the grant application as presented.

Motion by: E. Mahnke

Seconded by: A. Friend

Vote: Unanimous

Discussion Notes: [See recording for full discussion.](#)

6. Act 181 – Presentation and Discussion with CCRPC Staff

Action: No action, Commissioners were encouraged to ask questions, provide feedback, and participate in a conversation about Act 181 with CCRPC staff.

Discussion Notes: [See recording for full discussion.](#)

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

Action: Motion to combine ZA-25-02 and ZA-25-07 and warn them both for public hearing with the memo, with the changes discussed in the meeting.

Motion by: E. Mahnke

Seconded by: A. Friend

Vote: Unanimous

Discussion Notes [See recording for full discussion.](#)

8. Proposed CDO Amendment ZA-25-07: Neighborhood Code Part 2A-2

Action: See action under Item 7

Motion by: N/A

Seconded by: N/A

Vote: Unanimous

Discussion Notes: [See recording for full discussion.](#)

9. Proposed CDO Amendment ZA-25-06: PlanBTV Downtown Code Parking Setbacks

Action: Commissioners voted to remove Item 9 from the agenda with the intent to discuss during its meeting on February 25th.

10. Commissioner Items

11. Adopt Minutes + Accept Communications

Action: Approve minutes and accept communications.

Motion by: A. Friend

Seconded by: R. Nick

Vote: Unanimous

Notes or Corrections: N/A

12. Adjournment

Action: Motion to Adjourn

Time of Adjournment: 8:50

Motion by: E. Mahnke

Seconded by: A. Friend

Vote: Unanimous