



Wednesday, March 5, 2025, 7:00 PM, Public Works Front Conference Room at 645 Pine OR REMOTELY via ZOOM

When: Mar 5, 2025 07:00 PM Eastern Time (US and Canada)

Topic: Ordinance Committee Public Hearing on Pine St. Performing Arts Center

Join from PC, Mac, iPad, or Android:

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1. Agenda

1.1. Motion to amend/adopt agenda

2. Pine Street Performing Arts Center Public Forum

Subject	2.1. Public Comment
Meeting	March 5, 2025 - Ordinance Committee Meeting - Wednesday, March 5, 2025, 7:00 PM, Public Works Front Conference Room at 645 Pine OR REMOTELY via ZOOM
Category	2. Pine Street Performing Arts Center Public Forum
Department	Council and Board

Type

3. Adjournment

Subject

3.1. Motion to adjourn

Meeting

March 5, 2025 - Ordinance Committee Meeting - Wednesday, March 5, 2025, 7:00 PM,
Public Works Front Conference Room at 645 Pine OR REMOTELY via ZOOM

Category

3. Adjournment

Department

Council and Board

Type

Recommended Action

CITY OF BURLINGTON

ORDINANCE _____

Sponsors: 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-Five

An Ordinance in Relation to

CDO—Performing Art Centers in the E-LM District
ZA-25-04

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

That Appendix A, Comprehensive Development Ordinance, of the Code of Ordinances of the City of Burlington be and hereby is amended by modify Appendix A Use Table—All Zoning Districts, Footnote 32, thereof to read as follows:

Appendix A Use Table – All Zoning Districts

****For changes See attached Appendix A*

* Material stricken out deleted.

** Material underlined added.

Planning/KS/Ordinances 2025/ZA-25-04 Performing Arts Centers in the E-LM District
CDO Appendix A
2/11/2025

Appendix A-Use Table – All Zoning Districts

	Urban Reserve	Recreation, Conservation & Open Space			Institutional	Residential				Downtown Mixed Use ⁱ	Downtown Form Districts (See Article 14)	Neighborhood Mixed Use				Enterprise	
USES	UR	RCO - A	RCO - RG	RCO - C	I	RL	RM	RH	RC	DW-PT ¹⁶	Downtown FDs	NMU	NAC	NAC-R	NAC-CR	E-AE	E-LM ³⁴
RESIDENTIAL USES	UR	RCO - A ¹	RCO - RG	RCO - C	I	RL	RM	RH	RC	DW-PT ¹⁶	Downtown FDs	NMU	NAC	NAC-R	NAC-CR	E-AE	E-LM
***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
RESIDENTIAL SPECIAL USES	UR	RCO – A	RCO - RG	RCO - C	I	RL	RM	RH	RC	DW-PT ¹⁶	Downtown FDs	NMU	NAC	NAC-R	NAC-CR	E-AE	E-LM
***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
NON-RESIDENTIAL USES	UR ²¹	RCO - A	RCO - RG	RCO - C	I	RL	RM	RH	RC	DW-PT ¹⁶	Downtown FDs	NMU	NAC	NAC-R	NAC-CR	E-AE	E-LM
***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Performing Arts Center	N	N	N	N	Y	N	N	N	N	(See Sec.4.4.1(d) 1)		CU	Y	N	CU	N	CU ^{27,32}
***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***

1. -31. As written.
32. Performing Arts Centers (PACs) in the E-LM zone shall be limited to properties with frontage on Pine St. or Queen City Park Road. PACs with frontage on Queen City Park Road are limited to no more than 15,000 sf. Performing Arts Centers may contain accessory space for preparation and serving food and beverages, including alcohol, provided this accessory space comprises less than 50% of the entire establishment.~~Performing Arts Centers in the ELM zone shall be limited to properties with frontage on Pine Street up to 5,000 square feet in size, and to properties with frontage on Industrial Parkway up to 15,000 square feet in size. Performing Arts Centers may contain accessory space for preparation and serving food and beverages, including alcohol, provided this accessory space comprises less than 50% of the entire establishment.~~
33.- 34. As written.

ⁱ For permitted and conditional uses within the Downtown and Waterfront Form Districts, refer to Article 14.

Legend:	
Y	Permitted Use in this district
CU	Conditional Use in this district
N	Use not permitted in this district
Abbreviation	Zoning District
RCO – A	RCO - Agriculture
RCO – RG	RCO – Recreation/Greenspace
RCO – C	RCO - Conservation
I	Institutional
RL	Residential Low Intensity
RM	Residential Medium Intensity
RH	Residential High Intensity
RC	Residential Corridors
DW-PT	Downtown Waterfront-Public Trust
NMU	Neighborhood Mixed Use
NAC	Neighborhood Activity Center
NAC-RC	NAC – Riverside Corridor
NAC-CR	NAC – Cambrian Rise
E-AE	Enterprise – Agricultural Processing and Energy
E-LM	Enterprise – Light Manufacturing

ZA-25-04 Performing Arts Centers in the E-LM District

0 0.13 0.25 0.5 Miles



Parcels in the E-LM District with frontage on Pine Street

Pine Street

Pine Street

Flynn Avenue

Shelburne Road

Home Avenue

Queen City Park Road

Parcels in the E-LM District with frontage on Queen City Park Road

TO: Burlington City Council Ordinance Committee
FROM: Charles Dillard, AICP, Planning Director
DATE: February 28, 2025
RE: Proposed ZA-25-04 Performing Arts Centers in the E-LM District

Overview & Background

As affirmed in the 2019 *planBTV: South End*, this district is a hub for creative social, cultural and economic activities. Indeed, the Plan's very first "Key Action to Preserve and Enhance the South End" is a call to reinforce an arts hub in the South End. To that end, the City of Burlington has created and maintained an arts-forward zoning framework, along with cultural and economic development initiatives and investments. One such initiative was a 2015 zoning amendment, adopted during the *planBTV: South End* planning process, to allow Performing Arts Centers (PACs) as a use in the South End's Enterprise-Light Manufacturing zoning district for the first time. As stated at the time, allowing PACs in the E-LM supports and enhances the South End's vibrant arts community. The 2015 zoning amendment includes the following standards, established as a conditional use footnote in Appendix A – Use Table:

- Allows PACs only on properties with frontage on Pine Street or Industrial Parkway (now Queen City Park Road);
- Limits PACs on parcels with Pine St. frontage to no more than 5,000 square feet, and on parcels with frontage on Queen City Park Road to no more than 15,000 square feet; and,
- Establishes that no more than 50 percent of any PAC can be devoted to accessory space for the sale and serving of food and beverages, including alcohol.

The size limitation for PACs on the Pine St. corridor were aimed at "preserving and acknowledging the existing built environment within the E-LM zone," according to the amendment's accompanying memo.

To date, just one Performing Arts Center, Arts Riot, exists in the E-LM. However, following its failed attempt to relocate to Queen City Park Road, the South Burlington-based music venue Higher Ground has expressed interest in relocating to the Pine St. corridor, a move that can only be facilitated through the amending of the aforementioned standards for PACs in the E-LM. Specifically, Higher Ground, and any similar Performing Arts Center that operates as a music venue for touring musical acts, requires a total square footage greater than what is allowed in the E-LM today. As such this amendment proposes to delete the square footage limit for PACs, only on properties with frontage on Pine Street, entirely. No other changes to the current standards are proposed.

In addition to the manifest way in which PACs support and are consistent with the South End's arts character, PACs are also critical components of the arts-based economy in Burlington. A 2019 study produced by an economic development organization in Chicago and referenced in communications to the US Congress by the National Independent Venue Association estimates that every \$1 spent on a ticket at a local music venue produces \$12 in economic activity in the form of restaurant and retail purchases and hotel stays.

Proposed Amendment: ZA-25-04

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement

This amendment eliminates the limit on square footage for Performing Arts Centers in the E-LM district in order to facilitate the establishment of larger PACs in this arts-based district.

Proposed Amendments

The following amendments to the Burlington Comprehensive Development Ordinance are included in this proposal:

1. Amends Footnote 32 in Appendix A – Use Table, to remove the square footage limit for Performing Arts Centers on properties with frontage on Pine Street in the E-LM district.
2. Replaces in the same Footnote 32 a reference to "Industrial Parkway" with the street's new name, "Queen City Park Road."

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 will help implement a key land use policy adopted in 2019 with planBTV: South End as well as the *planBTV* Comprehensive Plan. With respect to the South End Plan, this amendment reinforces the South End as an arts hub, a key plan objective. The Comprehensive Plan calls for the fostering and maintenance of existing neighborhood characters, and identifies the South End E-LM as a district where growth is encouraged. Thus, in a similar fashion, this amendment is consistent with the Comprehensive Plan's future land use map.

Impact on Safe & Affordable Housing

The amendment has no significant impact on the provision of safe and affordable housing. Housing is not an allowed use in the E-LM (outside of the South End Innovation District overlay).

Planned Community Facilities

This amendment supports and complements a recently constructed and evolving Burlington City Arts facility at 405 Pine Street. The amendment, through facilitating a PAC on the Pine St. corridor, promotes a prosperous arts community and presents opportunities for partnerships between the City and successful arts-based Burlington businesses.

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 11/24/24	Presentation to & discussion by Commission 12/3/24	Approve for Public Hearing 12/3/2024	Public Hearing 1/14/2025	Approved & forwarded to Council 1/14/2025
City Council Process				
First Read & Referral to Ordinance Comm. 2/3/2025	Ordinance Comm. discussion 3/5/2025	Ordinance Comm. recommend	Second Read & Public Hearing	Council Approval & Adoption