

Burlington Planning Commission

Monday, March 10, 2025, 3:00 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. Proposed CDO Amendment ZA-25-03: SEID Stormwater Standards

Subject	4.1. Ask questions and provide feedback on the draft amendment.
Meeting	March 10, 2025 - Planning Commission - Ordinance Committee Agenda - Monday, March 10, 2025, 3:00 PM, Burlington Planning Commission
Category	4. Proposed CDO Amendment ZA-25-03: SEID Stormwater Standards
Department	Planning
Type	
Recommended Action	

5. Commissioner Items

6. Adjournment

CITY OF BURLINGTON

In the Year Two Thousand Twenty-Four

An Ordinance in Relation to

CDO—SEID Stormwater Standards
ZA-25-03

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: _____

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

Sec. 4.5.6 South End Innovation District Overlay

(a) Purpose:

The South End Innovation District Overlay (SEID) is intended to provide for a dense, vibrant and dynamic mixed-use district. The overlay is unique in its allowance for residential uses in an in that it limits the most intensive manufacturing and industrial uses allowed elsewhere in the district. The overlay permits arts, employment, and other non-residential uses intrinsic to an amenity-rich, convenient urban neighborhood.

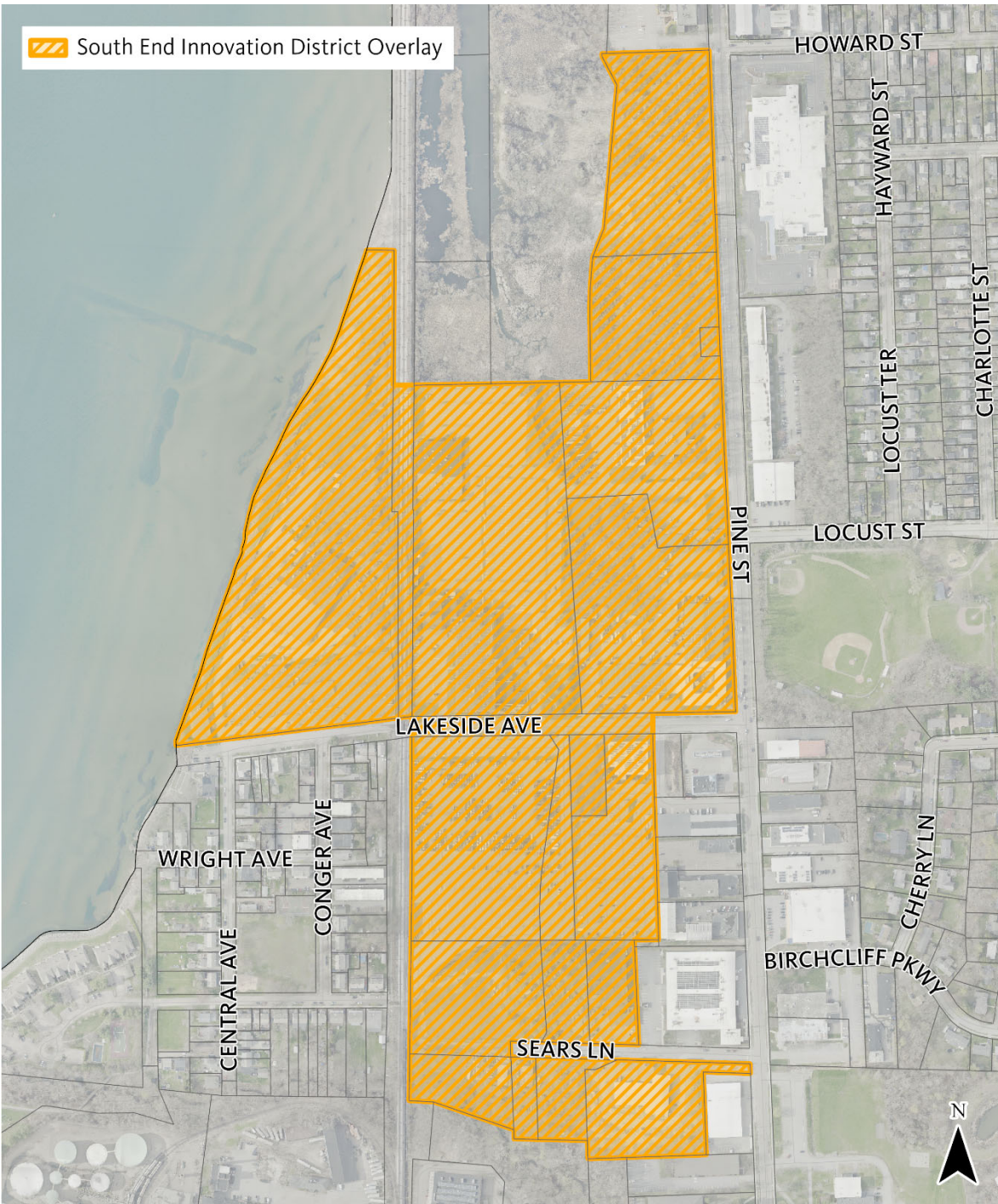
Development is intended to be dense and highly sustainable. Lot coverage standards permit significant development but ~~require~~ a high degree of permeable surfaces achieved through green stormwater infrastructure is encouraged. Buildings should range in height from one to eight stories, and should be constructed of materials and in manners that limit embodied carbon and achieve the highest possible energy performance permitted by the Vermont Building Code. Sites should incorporate ample public and private open spaces and include extensive networks of accessible paths that are free of cars. Streets should be constructed in a manner that allocates the majority of their space to pedestrians and cyclists. Buildings should be oriented to the public realm – streets, paths and open spaces, in a manner that creates a safe and inviting district. Site and building design should support public and ecological health to the highest possible degree.

Parking should be hidden behind structures, including perimeter buildings or screening devices. Where possible, parking structures should be located along the most heavily trafficked roads to encourage residents, employees and visitors who arrive by car to park at the district's edge and travel on foot, by bike, or other mode of transportation that is compatible with Burlington's climate objectives. Special consideration should be given to the design and construction of parking structures to allow for their renovation to other uses in coming decades as Burlington evolves from car dependence.

(b) Areas Covered:

The South End Innovation District includes those portions of the E-LM Zoning District as delineated on Map 4.5.6-1.

Map 4.5.6-1 SEID Overlay



Map 4.5.6-1 South End Innovation District (E-SEID) Overlay
Overlay District Effective 08/23/23 (ZA-23-01)

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(c) District Specific Regulations

Table 4.5.6-1: SEID Dimensional Standards & Density

Block Perimeter ¹	Max. Intensity (floor area ratio ^{2,3})	Max Building Size per Floorplate ^{4,5}	Max. Lot Coverage & Pervious Surface Required ⁶	Minimum Building Setbacks ⁷			Max. Height ⁸
				Front	Side	Rear	
1,600' max	2.5 FAR	Floors 1-6: 15,000 sq. ft. Floors 7-8: 10,000 sq. ft. <i>Except as permitted by Sec. 4.5.6 (c) 1</i>	80% max impervious 25% min of pervious area must utilize GSI	0' min 20' max ⁵	0' min 20' max ⁵	0' min 20' max ⁶	85'

1. Blocks may be enclosed by any combination of streets within public Rights-of-Way or Public Paths. Where a property abuts a railroad or area identified as Wetland, Conservation or Natural Area on Map 4.5.3-1 Natural Resource Protection Overlay District, such boundaries may serve as enclosing block boundaries.
2. Floor area ratio is described in Sec 5.2.7.
3. Bonuses for additional FAR for inclusionary housing projects are described in Sec. 9.1.12.
4. Maximum square footage applies to each floorplate.
5. One parking structure per lot established as of January 1, 2023 may exceed the 15,000 sq. ft. floorplate maximum standard according to the following:
 - a. When the structure contains a transit use, the maximum floorplate is 60,500 sq. ft., or
 - b. When the structure does not contain a transit use, the maximum floor plate is 30,000 sq. ft.
- ~~6. At least 25% of the pervious area on a lot must include one or more of the following Green Stormwater Management (GSI) techniques: constructed wetland, suspended pavement planted with shade trees, or pervious pavement. No more than 50% of the required GSI area may utilize pervious pavement.~~
- ~~7.6.~~ Setbacks are measured from the property line; however, buildings must be at least 15' from the curb or edge of a public Right of Way if no curb exists.
- ~~8.7.~~ Maximum building height in the E-SEID shall be further limited by Map 4.5.6-2: SEID Specific Height Area Map.

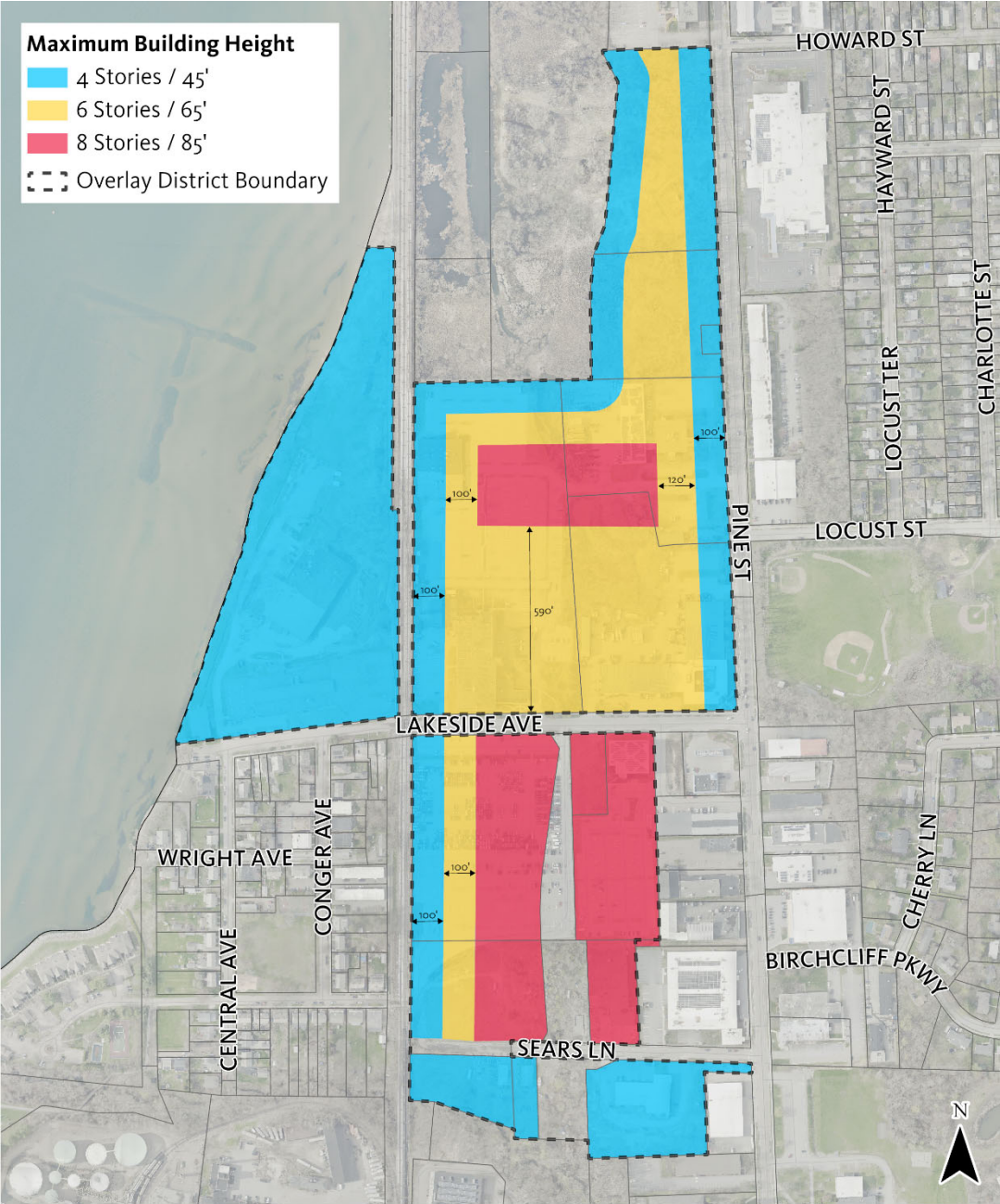
1. Dimensional Standards & Density

Within the SEID the standards set forth in *Table 4.5.6-1* shall apply to new development and redevelopment, except:

Floors 7-8 may increase maximum size to 15,000 sq.ft. per floorplate for buildings constructed of Mass Timber consistent with currently adopted Building Code as contained under Chapter 8 of the City Code of Ordinances.

The maximum lot coverage may be increased by 10%, to a maximum of 90%, if the site is certified as Gold or Platinum under the SITES system, as administered by Green Business Certification, Inc. (GBCI), ~~or if all of the pervious area on the lot is constructed from one or more of the following Green Stormwater Management (GSI) techniques: constructed wetland, suspended pavement planted with one shade tree per 250 square feet of area, or pervious pavement. No more than 50% of the GSI area may utilize pervious pavement.~~

Map 4.5.6-2 SEID Specific Height Area Map



Map 4.5.6-2 SEID Specific Height Area Map

Overlay District Effective 08/23/23 (ZA-23-01)

Map 4.5.6-2 SEID Specific Height Area Map

Table 4.5.6-2: Frontage and Activation Standards

Frontage Type	Min lot frontage occupied by buildings ^{1,2}	Percent of ground floor building frontage containing non-residential uses ¹	Ground floor entries required
Primary	80% min	80% min	Every 60' min
Secondary	70% min	20% min or 500 sq. ft. whichever is greater	

1) Measured linearly.

2) A courtyard on a building façade adjacent to a street or Public Path, with minimum dimensions 12 feet minimum and 35 feet maximum, shall be counted in the calculation of frontage to satisfy this requirement.

2. Frontage and Ground Floor Activation Standards

A. Lot Frontage Occupied by Buildings: Buildings shall be placed on a lot such that they frame Streets and Public Paths. The percentage of a lot's frontage that must be occupied by a building(s) located between the minimum and maximum setback is determined by Table 4.5.8-2.

- i. Primary and Secondary frontages must be identified by the property owner. Each Block must contain at least one Primary frontage.
- ii. A lot's frontage buildout may be reduced by up to 10 percent upon the determination of the Zoning Administrative Officers that the relief is necessary to access to the rear of the lot as a result of lot width or building placement constraints.

B. Building Frontage Occupied by Non-Residential Uses: Buildings fronting on Streets of Public Paths must contain a minimum amount of non-residential uses on the ground floor as determined by Table 4.5.8-2.

- i. Building corners, when located at the intersection of two Streets or Public Paths, must include non-residential uses.
- ii. The depth of a building's ground floor non-residential uses shall be at least an average of 15 feet, measured orthogonally from the building facade.
- iii. For all Streets and Public Paths, Primary and Secondary frontages must be identified by the property owner.
- iv. The minimum non-residential frontage requirements may be reduced to 35% for Primary Frontages and 0% for Secondary Frontages using one of two, but not a combination thereof, of the alternative compliance methods described below:

Alternative 1: The required percentage of ground floor non-residential uses may be reduced in 15% increments for each Primary frontage and 7% increments for each secondary frontage for each of the following methods:

- a. At least 30% of non-residential use ground floor area is maintained as affordable for at least 30 years, as defined and administered by the Community and Economic Development Office (CEDO).
- b. A building is placed adjacent to one or more publicly accessible open spaces on the

same lot. Such open spaces must be at least 4,000 sq. ft. in area and no portion of the open space may have a dimension less than 10 feet. Qualifying open spaces may be located in a courtyard on the building's frontage, to the side, or in front of the building for which a reduction in ground floor non-residential use is being sought.

- c. A building containing residential uses includes an allocation of at least 10% three-bedroom units and 15% percent two-bedroom units.

Alternative 2: A detached, one- or two-story permanent structure containing non-residential uses that is constructed within or adjacent to the public realm, including Rights-of-Way, or open space on the same lot may be provided in lieu of required ground floor non-residential uses on a one-to-one basis as determined by the square footage of the detached structure.

- V. In buildings with 16 or fewer units, the non-residential ground floor use is not required to be in the building as long as an equal amount of non-residential square footage is provided in another building on the same lot.

- C. Ground Floor Entries: At least one ground floor public entry, not including service doors, is required each 60' linear feet of each building façade fronting on a Street, Public Path or open space on the same lot.

3. Parking

- A. No more than 25 total spaces or 15% of the Lot's area, whichever is greater, may be permitted in Surface Parking Lots on any one lot. For the purposes of this standard, Surface Parking Lot area shall include area of all stalls and drive aisles. The total number of off-street parking spaces provided shall not be more than as allowed in Table 8.1.9-1. On Primary Frontages, Parking is not permitted between a building and the Street or Public Path. In such Parking Lots, priority parking spaces shall be made available, as described in Sec. 8.1.16 (c) c.4 – Parking Management.

B. Structured Parking

- i. All above ground Parking Structures shall be located behind a Perimeter Building, or screened so that cars and internal structure lighting are not visible from adjacent streets or properties. Screening can be provided by architectural structure or vegetative trellis.
- ii. Parking Structure ingress/egress shall be consolidated into one façade opening and shall not exceed 24 feet in width or shall be separated into no more than two openings per façade, with a combined width of no more than 28 feet. Each façade opening shall not exceed 16 feet clear height.
- iii. At least one pedestrian route shall lead directly to a Street or Public Path. When portions of a Building containing parking front on more than one street, multiple pedestrian routes to the Frontage are strongly encouraged.

4. Uses

Within the SEID, only the following uses shall be permitted.

Table 4.5.6-3 Uses Permitted & Limited within the SEID

Permitted Uses:	
Residential ¹	
Assisted Living	
Attached Dwellings - Multi-Family	
Co-Housing	
Convalescent/Nursing Home	
Emergency Shelter	
Group Home	
Dormitory	
Non-Residential	
Adult Day Care	Office - General
Agricultural Use	Office – Medical/Dental
Amusement Arcade	Office - Technical
Animal Boarding/Kennel Shelter	Open Air Markets
Animal Grooming	Park
Animal Hospital/Veterinarian's Office	Parking Garage ³
Appliance Sales/Service	Parking Lot ³
Art Gallery/Studio	Performing Arts Center
Bakery	Performing Arts Studio
Bank/Credit Union	Pet Store
Bar/Tavern	Pharmacy
Beauty/Barber Shop	Photo Studio
Bicycle Sales/Repair	Photography Lab
Billiard Parlor	Place of Worship
Bowling Alley	Police Station - Local
Cafe	Post Office - Local
Cinema	Printing Plant
Community Center	Printing Shop
Community Garden	Public Transit Terminal
Convenience Store	Public Works Yard/Garage
Crisis Counseling Center	Radio & TV Studio
Daycare	Recording Studio
Dry Cleaning Service	Recreational Facility - Indoor
Film Studio	Recreational Facility - Outdoor
Fire Station	Research & Development Facility
Food & Beverage Processing	Research Lab
Garden Supply Store	Restaurant

Permitted Uses:	
General Merchandise/Retail - Small < 4,000 sqft	Restaurant – Take Out
Grocery Store ≤ 10,000 sf	Salon/Spa
Health Club	School – Post-Secondary and CC
Health Studio	School - Preschool
Laundromat	School - Primary
Library	School - Secondary
Manufacturing - Light	School – Trade, or Professional
Mental Health Crisis Center	Tailor Shop
Museum – Small ≤ 10,000 sf	

1. Residential uses are permitted only in new buildings, or in additions to existing buildings, built after January 1, 2023.
2. Parking Structure and Parking Lot uses are regulated by Sec. 4.5.6(c) 3 Parking and Table 4.5.6-1 SEID Dimensional Standards & Density.

Planning/KS/Ordinances 2025/ZA-25-03 SEID Stormwater Standards
CDO Sections
10/4/2024

TO: Burlington City Council
FROM: Charles Dillard, AICP, Principal Planner
Sarah Morgan, Planner
DATE: March 10, 2024
RE: Proposed ZA-25-03 SEID Stormwater Standards

1. Overview & Background

In July 2023, Burlington adopted the South End Innovation District overlay (SEID), a district intended to provide for a dense, vibrant and highly sustainable mixed-use district. Among the sustainability goals of the SEID is a focus on innovative stormwater management. To support that goal, the overlay's standards include requirements for significant amounts of green stormwater infrastructure (GSI), including requirements for specific GSI practices. In the months following the adoption of SEID, several development proposals have been contemplated that have raised concerns among the City's Water Resources staff that the SEID GSI standards may not be feasible due to contaminated soil and high water table conditions. The three prescribed GSI practices are constructed wetlands, suspended pavement systems for shade trees, and pervious pavement. Given the constraints identified by Water Resources staff, the Office of City Planning proposes to address this issue in two phases:

1. This amendment proposes to eliminate the SEID GSI standards to facilitate development in the district in the near term.
2. Through an interdepartmental collaboration, and with consultant assistance as needed, the City should create a set of standards for ecological design in development projects. Such standards would address innovative, appropriate and feasible stormwater management strategies, in addition to strategies that address habitat, native and/or appropriate plant selection, building and site energy performance, and other topics as identified.

It is important to stress that the removal of the SEID GSI standards does not absolve development in the district from managing or proposing alternative stormwater management practices. Chapter 26 of the Burlington Code of Ordinances establishes standards for wastewater, stormwater and pollution control. This ordinance "establishes minimum stormwater management requirements and erosion controls to protect and safeguard the general health, safety, and welfare of the public, Lake Champlain, and its tributaries. Regarding alternative practices, Chapter 26, "encourages Green Infrastructure, Best Management Practices, Low Impact Design or other innovative practices that in the opinion of the Department of Public Works satisfies the requirement of (the Stormwater Management division of Article 3). Article 3 of Chapter 26, which addresses stormwater and erosion controls, is attached for reference.

Further, the intent statement of the SEID will continue to state that innovative green stormwater management practices are encouraged.

Proposed Amendment: ZA-24-04

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement

This amendment eliminates the GSI requirements in Table 4.5.6-1: SEID Dimensional Standards & Density, as well as the lot coverage bonus offered in exchange for very substantial provision of GSI practices. The lot coverage bonus remains in place when a site is certified as Gold or Platinum under the SITES system, as administered by Green Business Certification, Inc. (GBCI). Reflecting the

elimination of these standards, the amendment also revises the SEID purpose statement to encourage, rather than require, a high degree of permeable surface achieved through GSI practices.

Proposed Amendments

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

1. Amends Sec. 4.5.6(a) Purpose to state that GSI practices are encouraged, rather than required, in the SEID;
2. Amends Table 4.5.6-1 SEID Dimensional Standards & Density to strike the requirement that a minimum of 25% of a lot's pervious area must utilize GSI and deletes Footnote 6, which stipulates that GSI provided on lots be in the form of constructed wetlands, suspended pavement systems for shade trees, and pervious pavement;
3. Amends Sec. 4.5.6 (c) 1 – Dimensional Standards & Density to remove the GSI provisions that relative to the lot coverage bonus offered in this Section.

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, and amended through the 2021 Housing Action Plan which directed the city to explore the inclusion of housing. Specifically, in removing constraints related to Green Stormwater Infrastructure feasibility, the amendment facilitates residential and non-residential development in the SEID.

Impact on Safe & Affordable Housing

The amendment eliminates an unintended barrier to developing housing in the SEID, thereby creating opportunities to expand housing options and produce affordable housing through the City's Inclusionary Zoning and the State's Priority Housing Project standards.

Planned Community Facilities

This amendment, in removing constraints to developing large surface parking lots and contaminated sites in the SEID, will support public and ecological health. Specifically, in replacing largely impervious surfaces with development sites that will be much more pervious, the amendment will help reduce surface runoff of stormwater into adjacent waterbodies, including Lake Champlain.

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 10/01/24	Presentation to & discussion by Commission 10/8/2024	PC Ordinance Comm. 3/10/2025	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
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