

Burlington Planning Commission

Tuesday, March 11, 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. VACCD Municipal Planning Grant

6. Public Hearing for Proposed CDO Amendment ZA-25-02: Neighborhood Code - Additional Housing Development Options

Subject	6.1. Approve the Municipal Bylaw Amendment Report, make changes and refer amendment to Council with recommendation.
Meeting	March 11, 2025 - Planning Commission Agenda - Tuesday, March 11, 2025, 6:30 PM, Burlington Planning Commission
Category	6. Public Hearing for Proposed CDO Amendment ZA-25-02: Neighborhood Code - Additional Housing Development Options
Department	Planning
Type	
Recommended Action	

7. Commissioner Items

8. Adopt Minutes & Communications

Subject	8.1. Review and approve 2/25/25 meeting minutes
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Meeting	March 11, 2025 - Planning Commission Agenda - Tuesday, March 11, 2025, 6:30 PM, Burlington Planning Commission
Category	8. Adopt Minutes & Communications
Department	Planning
Type	

9. Adjournment

TO: Burlington Planning Commission
FROM: Charles Dillard, AICP, Director, Office of City Planning
Sarah Morgan, AICP, Planner
DATE: February 11, 2025
RE: Proposed ZA-25-02 Neighborhood Code – Additional Housing Development Options

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 additional housing development opportunities, including Planned Unit Development, Pocket Neighborhood, and Rowhouse standards. Additionally, the amendment includes the portions of ZA-24-04 that were not adopted by City Council in October, 2024 but retained for discussion at the Ordinance Committee. Those proposed amendments were returned to the Planning Commission and have since been incorporated into this amendment.

Following Planning Commission's decision to warn this amendment for a public hearing, staff worked internally to review the changes and ensure continuity across the CDO. Recommended changes can be seen highlighted in yellow in the attached document titled "ZA-25-02_Staff Recommendations".

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

Pocket Neighborhoods, often referred to as Cottage Courts, are made up of small-scale homes that are typically 1 to 2 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 from the shared common area and have entrances oriented towards the shared space. The size of the Common Area can vary depending on the site, but Staff recommends this space be a minimum of 400 ft² per dwelling and have dimensions of at least 20 feet in width or length. Additionally, the proposed Common Area standards dictate 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 already 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 up to 12 structures. Due to the smaller scale of structures, this housing type can be built on a lot as small as 4,000 ft². Pocket Neighborhoods can have a maximum of 2 Dwelling Units per structure with a maximum building footprint of 1,000ft².

Common Building: Though not required, a common building in a Pocket Neighborhood may be established to be a community building, detached from any homes. Acknowledging the small size of the dwellings in Pocket Neighborhoods, 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.

Staff recommends reviewing the two Fit Tests of Cottage Courts in Burlington created by Opticos Design during the Neighborhood Code process, [which are available online](#).

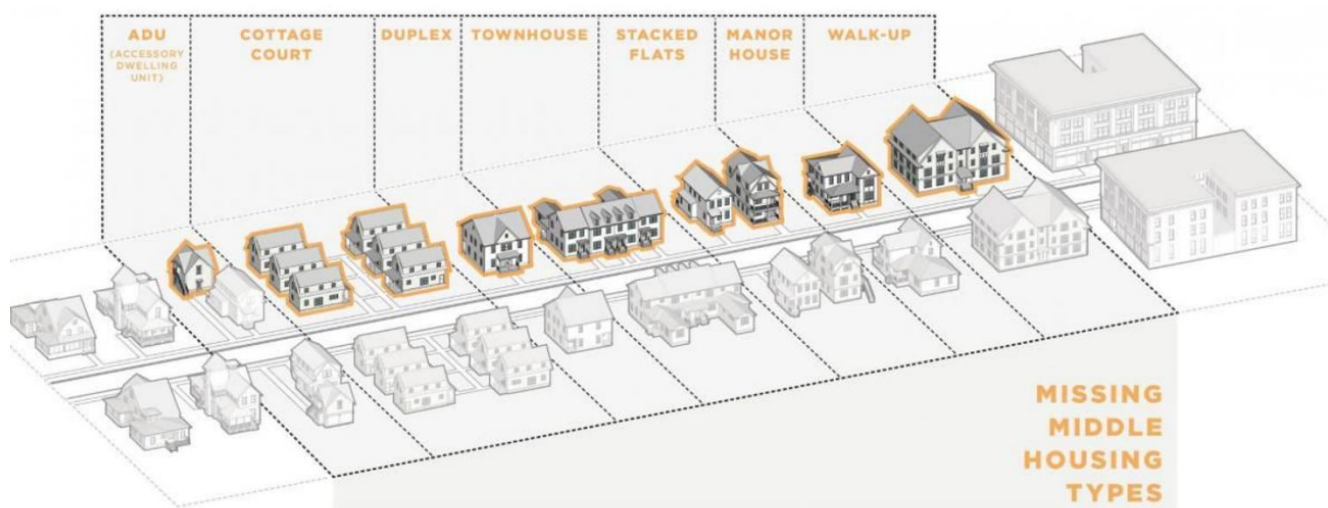
4. Planned Unit Developments

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 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 following images.



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. Proposed Amendment: ZA-24-04

a. Amendment Type

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

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

c. Proposed Amendments

1. Amendment to *Article 3 – Applications, Permits, and Project Reviews*:

- Amends Sec. 3.3.3 (a) 5 by adding "the creation of an Additional Unit on lot or with in Owner Occupied Single Detached Dwelling as described in Sec. 4.4.5 (d) 4. D." to developments exempt from Impact Fees. The purpose of this change is to explicitly state that the creation of one additional unit on a lot with an Owner Occupied Single Detached Dwellings is exempt from Impact Fees, which is relevant to changes made in Sec. 4.4.5 4. (d) 4. that clarifies the relationship between secondary residential structures allowed in residential districts and citywide provisions for Accessory Dwelling Units (ADUs).
- Deletes Sec. 4.5.1 Design Review Overlay District and moves *Map 4.5.1-1 Design Review Overlay to become Map 3.4.2-1*. By starting with the map of where Design Review is applicable, it presumes that all of the project types listed under 3.4.2 (b) 2. are subject to Design Review within the overlay district. Section 3.4.2 (b) 2 is retained to provide clarity that projects within this list will still be subject to design review despite being outside of the Design Review Overlay District.
- Corrects *Map 4.5.1-1 Design Review Overlay* (which will be re-named as *Map 3.4.2-1*) to resolve any gaps between current Design Review Overlay District and the changes in district boundaries made in ZA-24-02 by including areas that were previously re-zoned from RL to RM or RC as part of the Design Review Overlay District.
- Amends Sec. 3.4.2 (b) to explicitly state that "Single detached dwellings and duplex dwellings within an RL district not otherwise subject to any of the above provisions." By excluding the requirement that duplexes in RL districts are subject to Design Review aims to facilitate the development of this housing type in the RL District.

2. Amends *Article 4 – Zoning Districts and Maps*:

- Amends Sec. 4.4.5(d) 1: *Additional Residential Development Permitted* by creating new standards for Pocket Neighborhoods under the reserved sub-section 4.4.5(d) 1 A.
- Creates Sec. 4.4.5(d) 5: *Residential Development Bonuses* and moves standards formerly found in Sec. 4.4.5(d) 1.B into this newly created section, re-formatting sub-sections.
- Amends Sec. 4.4.5(d) 1.B to create new standards for Rowhouses
- Updates density & intensity standards that apply to projects utilizing Residential Development Bonuses to be consistent with standards used in Tables 4.4.5-1 & 4.4.5-2 and Article 11
- Creates new standards for an Additional Unit on lot or with in Owner Occupied Single Detached Dwelling (Sec. 4.4.5 (d) 4. D.). The purpose of this section is to streamline the ordinance in an effort to make understanding ADU requirements less complex for the general user. This standard aims to enable a situation where, if someone adds an additional unit in an owner-occupied unit or if they build a single-unit secondary structure meeting these requirements, they can benefit from incentives including the admin review and the waiver of impact fees.
- Creates an exception to Maximum Building Footprint Limits under Sec. 4.4.5 (d) 2.D, confirming that existing structures in excess of the building footprint limits in *Table 4.4.5-2* shall not be considered non-conforming and cross-references provisions in *Articles 5* and *11* that would allow for their reuse and/or expansion. This correction aligns with the District's purpose of allowing neighborhood-serving commercial uses.

- Collapses ADU requirements from Article 3 into Section 4.4.5 under the incentive for an Additional Unit on lot or with in Owner Occupied Single Detached Dwelling (Sec. 4.4.5 (d) 4. D.) in an effort to clarify the relationship between secondary structures and ADUs, as described above.
3. **Amends Article 5 – Citywide General Standards:**
 - Removes the exception to lot cover related to Accessory Dwelling Units (Sec. 5.2.3 (b) 10.), which was taken into consideration when modestly increasing lot cover standards in ZA-24-02.
 4. **Amends Article 6 – Development Review Standards:**
 - Amends Sec. 6.2.2 (h) Building Location to allow rowhouses to be developed perpendicularly to public streets and Sec. 6.2.2 (l) Parking and Circulation to account for the need to screen parking areas
 5. **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, 2/11/25	Approve for Public Hearing 2/11/25	Public Hearing 3/11/25	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

In the Year Two Thousand Twenty-Five

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: _____

An Ordinance in Relation to

ZA-25-02: Neighborhood Code - Additional Housing
Development Options

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

1 That Appendix A-Burlington Comprehensive Development Ordinance of the Code of Ordinances of the City of
2 Burlington be and hereby amends Sec. 3.3.3(a) Impact Fee Exceptions and Waivers; Sec. 3.4.2(b) Design Review
3 Applicability; moves Map 4.5.1-1 Design Review Overlay District to Sec. 3.4.2(b) as amended and renumbers Map
4 3.4.2; amends Article 4, Sec. 4.4.5(d) by: modifying Tables 4.4.5-1 Lot Size, Frontage, Setback, and Lot Coverage
5 Standards in Residential Districts and Table 4.4.5-2 Principal & Secondary Structures Massing and Placement
6 Standards in Residential Districts; replaces the previously Reserved Sec. 4.4.5 (d) 1 A. with Pocket Neighborhoods;
7 modifies the formerly reserved Table 4.4.5-3 to establish Pocket Neighborhood Standards; creates and moves Sec.
8 4.4.5 (d) 1 B. Residential Development Bonuses to a new section, Sec. 4.4.5 (d) 5.; creates Sec. 4.4.5 (d) 2 B.
9 Rowhouses and re-numbers subsequent tables within the subsection; amends the newly-moved Sec. 4.4.5 (d) 5.
10 Residential Development Bonuses by modifying Sec. 4.4.5 (d) 5. A., Sec. 4.4.5 (d) 5. B., Sec. 4.4.5 (d) 5. C., and,
11 deleting Table 4.4.5-5 Residential Conversion Bonus, and renumbering and reformatting subsections and tables;
12 creates Sec. 4.4.5-2 (d) 2. D. Exceptions to Maximum Building Footprint Limit; creates Sec. 4.4.5 (d) 4. D. Additional
13 Unit; deletes Sec. 4.5.1 Design Review Overlay District and reserves section; modifies Sec. 5.2.2 Required Frontage or
14 Access; deletes Sec. 5.2.3 (b) 10 under Exceptions to Lot Coverage.; deletes Sec. 5.4.5 Accessory Dwelling Units;
15 modifies Sec. 6.2.2 (h) Building Location and Orientation and Sec 6.2.2 (l) Parking and Circulation; modifies Sec.
16 11.1.3 General Requirements & Applicability by deleting table 11.1.3-1 Planned Unit Development Project Size
17 Standards; creates Sec. 11.1.4 Residential District Planned Unit Developments; creating Table 11.1.4-1 Planned Unit
18 Development Project Size Standards; creating Table 11.1.4-2 Planned Unit Development Standards; renumbers Secs.
19 11.1.5-7; and modifies Article 13 by creating a definition for Pocket Neighborhoods and Rowhouses; thereof to read as
20 follows:

Article 3: Applications, Permits, and Project Reviews

PART 3: IMPACT FEES

Sec. 3.3.3 Exemptions and Waivers

(a) Exemptions:

The following types of development are exempt from this Part:

1. – 4. *As Written*

5. The creation of an Additional Unit on lot or within Owner Occupied Single Detached Dwelling as described in Sec. 4.4.5 (d) 4. D.

Article 3: Applications, Permits, and Project Reviews

PART 4: SITE PLAN AND DESIGN REVIEW

Sec. 3.4.2 Applicability

(a) *As Written*

(b) Design Review:

No structure may be erected, reconstructed, substantially altered, restored, moved, or demolished or any site improvement or modification made without approval subject to the provisions of this part and the review criteria described in Art 6 Design Review shall be required for the approval of all development subject to the provisions of this ordinance for within the following geographic areas or for all development subject to the following provisions:

1. For any projects located within the geographic areas as delineated as applicable on Map 3.4.2-1. within the Overlay District as defined in Article 4, Sec. 4.5.1, and any of the following:

1-2. For any projects within geographic areas delineated as not applicable on Map 3.4.2-1 but that are subject to the following provisions:

a. Any development subject to the provisions of Article 3, Part 5 – Conditional Use and Major Impact Review;

b. Any development subject to the provisions of Article 5, Part 3 – Non-Conformities;

c. Any development subject to the provisions of Article 5, Part 4 – Special Use Regulations;

d. Any development subject to the provisions of Sec. 7.1.6 Non-Conforming Signs and Article 7, Part 3 Sign Plans;

e. Any development subject to the provisions of Article 10 – Subdivision;

f. Any development subject to the provisions of Article 11 – Planned Development; and,

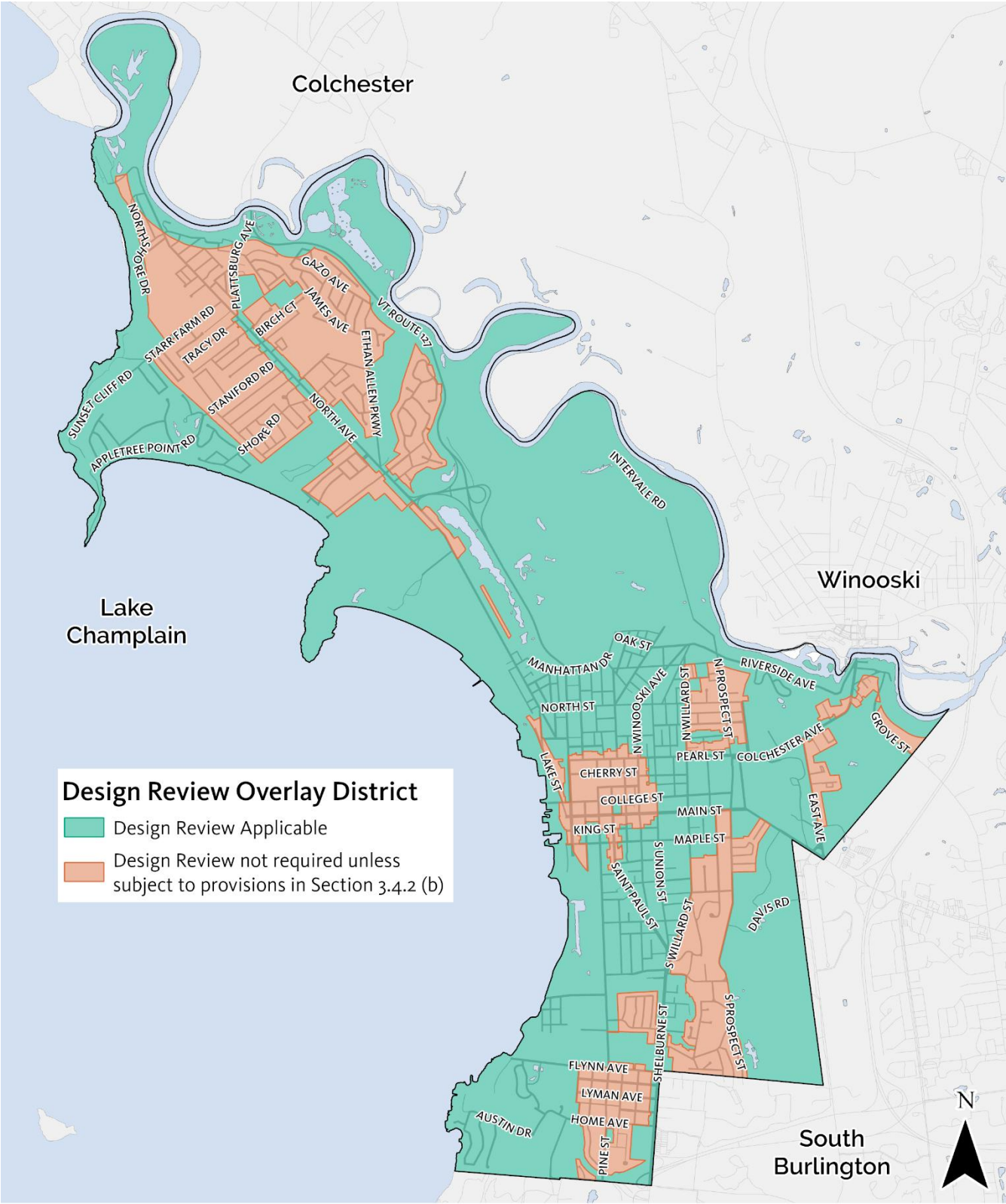
g. A project within an RL District where a building contains 3 or more units or proposes more than one building on a lot subject to Sec. 4.4.5.

h. Any development made subject to the provisions of this Part by direct reference not otherwise noted here.

Design Review shall not be required for:

1. Single detached dwellings and duplex dwellings within an RL district not otherwise subject to any of the above provisions.

1-2. All applications subject to the planBTV: Downtown Code under Art. 14, which shall be exempt from review under this section, and the development review principles and standards contained in Article 6– Development Review Standards, and instead shall be subject to the requirements of Article 14.



Burlington Comprehensive Development Ordinance
Districts effective Jan. 30, 2008 with amendments effective 06-02-2021 (ZA-21-03)

Article 4: Zoning Maps and Districts**PART 4: BASE ZONING DISTRICT REGULATIONS****Sec. 4.4.5 Residential Districts****(a)** *As Written***(b)** **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 4.4.5-1 Lot Size, Frontage, Setback, and Lot Coverage Standards in Residential Districts

District	Min. Lot Frontage ^{2,3,4,5} (linear feet)	Setbacks ^{1,6,7,8,9}			Lot Coverage ^{1,10}
		Front	Side	Rear	
Residential Low (RL)	30'	Min: Avg. of front setback 2 adjacent lots on both sides +/- 5 feet Max required: 25 ft	Min: 10% of lot width or avg. of side setback of 2 adjacent lots on both sides Max required: 20 ft	20 ft.	45%
Residential Medium (RM)				15 ft.	55%
Residential High (RH)	N/A	80%			
Residential Corridor (RC)	N/A	Min required: 5 ft Max permitted: 20 ft			80%

- Details regarding the measurement of and exceptions to coverage and setback standards are found in Art 5.
- The DRB may reduce the frontage requirements for lots fronting on cul-de-sacs, multiple streets, or corner lots to more closely reflect an existing neighborhood pattern.
- Exceptions to frontage requirements for flag lots and small lot subdivisions are found in Sec. 5.2.2
- For lots in RL or RM with more than two primary buildings, the minimum lot frontage shall be 45'.
- Average setback for front and side setbacks are calculated based on 4 adjacent lots, two on each side within the same block and on lots with the same frontage requirements. For the purposes of determining the required front setback only, among the comparative sample of four neighboring properties, one may be removed from the averaging calculation.
- Where there are fewer than 2 adjacent lots on both sides within the same block having the same street frontage, the average side yard setback shall be calculated from the fewer number of lots. Where there are no adjacent lots, the side setback shall be 10% of the lot width. Refer to Sec. 5.2.5 for additional details.
- A 75 ft setback shall be required from the ordinary high water mark of Lake Champlain and the Winooski River. Additional setbacks from the lakeshore and other water features may be applicable per the requirements of Sec 4.5.3 Riparian and Littoral Conservation Overlay Zone.
- For properties in the RL and RM zones with frontage along Lake Champlain or the Winooski River, the front yard setback shall not be required to exceed 50 feet.
- An additional ten per cent (10%) lot coverage may be permitted for accessory residential features per (d) 2C below.
- Reserved

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Table 4.4.5-2 Principal & Secondary Structures Massing and Placement Standards in Residential Districts

District	Max Height & Stories ^{1,3}	Max Dwelling Units per Structure ^{2,3}	Max. Principal Structure Footprint ^{3,6,7}	Max. Secondary Structure Footprint ^{3,6,7}	Max Building Elevation before providing offset ⁴	Min. Distance between Structures on same lot
Residential Low (RL)	35’ 3 stories	4	1,800 sq.ft.	1,100 sq.ft.	50’	15’
Residential Medium (RM)	35’ 3 stories	4	1,800 sq.ft.	1,100 sq.ft.		
Residential High (RH)	50’ 4 stories	N/A	N/A	N/A		
Residential Corridor (RC)			3,600 sq.ft.	N/A		
1. Details regarding the measurement of and exceptions to height limits are found in Art 5. 2. Minimum dwelling unit size is 350 sq.ft. 3. Within RL and RM zones, lots may have up to one (1) Principal and one (1) Secondary structure per lot, except as may otherwise be allowed by Table 4.4.5-3 or Article 11. Where an existing Principal Structure contains only an owner-occupied Single detached dwelling, and proposes to add one additional unit within the Principal Structure or in a Secondary Structure, see additional provisions in Sec. 4.4.5 (d) 4. D. 4. Required on all building Elevations. Minimum offset is 5 ft measured perpendicular to the building Elevation in excess of 50 linear feet. 5. Except as otherwise may be permitted in Article 11, PUD, a Secondary Structure shall be placed behind the Principal Structure. 6. Maximum Principal and Secondary Structure Footprint Standards shall not apply to Residential – Special Uses. 5.7. The conversion to a Residential Use of an existing structure exceeding this standard as of January 1, 2025 shall be allowed.						

(c) **Permitted and Conditional Uses:***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 sq. ft.

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

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

d) Building Separation: Within a pocket neighborhood, buildings shall be separated 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

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

(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) If on-site parking is provided, the parking area shall be consolidated to minimize the number of parking areas, except as otherwise provided for in Article 6, Sec. 6.2.2(1).

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 Residential Development Bonuses

The following exceptions to maximum allowable residential standards in Tables 4.4.5-1 and 4.4.5-2 may be approved in any combination subject to the maximum limits set forth in Table 4.4.5-6 at the discretion of the DRB. Any bonuses that are given pursuant to this ordinance now or in the future shall be regarded as an exception to the limits otherwise applicable.

(i) Housing for Older Persons and Individuals with Disabilities Bonus

Residential development in excess of the limits set forth in Tables 4.4.5-1 and 4.4.5-2 may be permitted by the DRB for senior housing provided the following conditions are met:

a) No less than twenty-five (25) percent of the total number of units shall be reserved for low/moderate income households as defined by state or federal guidelines, including no less than ten (10) percent reserved for low-income households. (Projects taking advantage of this bonus are exempt from the Inclusionary Zoning requirements of Article 9, Part 1.);

b) The proposal shall be subject to the design review provisions of Art. 6;

c) A maximum of an additional 10 feet of building height may be permitted in the RH District; and,

d) Lot coverage and residential densities shall not exceed the following:

Table 4.4.5-4 Housing for Older Persons and Individuals with Disabilities Bonus

<u>District</u>	<u>Maximum Coverage</u>	<u>Maximum Density</u>
<u>RL</u>	<u>44%</u>	<u>20 du/ae</u>
<u>RM</u>	<u>48%</u>	<u>40 du/ae</u>
<u>RH</u>	<u>92%</u>	<u>80 du/ae</u>

(ii) Residential Conversion Bonus

Development in excess of the limits set forth in Tables 4.4.5-1 and 4.4.5-2 may be permitted by the DRB subject to conditional use review for the conversion of an existing non-conforming nonresidential principal use to a conforming residential use subject to all of the following conditions:

a) Lot coverage and residential densities shall not exceed the following:

~~Table 4.4.5-5 Residential Conversion Bonus~~

District	Maximum Coverage	Maximum Density
RL	50% (62% with inclusionary allowance)	8 du/ac (8.75 with inclusionary allowance)
RM	60% (72% with inclusionary allowance)	30 du/ac (37.5 with inclusionary allowance)
RH	80% (92% with inclusionary allowance)	60 du/ac (69 with inclusionary allowance)

~~(iii) Limitations on Residential Development Bonuses~~

~~For projects where the conditions of more than one applicable bonus listed above and under Sec.5.4.8 (e) are met, the applicant may use the most permissive exemption to the underlying lot coverage or residential intensities applicable.~~

~~In no case shall any development bonuses and allowances granted, either individually or in combination, enable a building to exceed the maximum density, lot coverage and building height permitted in any district as defined below:~~

~~Table 4.4.5-6 Maximum Intensity, Lot Coverage and Building Heights with Bonuses~~

District	Maximum Density*	Maximum Height	Maximum Lot Coverage*
RH	80 du/ac	45 feet	92%
RM	40 du/ac	35 feet	72%
RL	20 du/ac	35 feet	62%

~~* or 125% of the pre-application gross floor area or coverage of the qualifying principal building as may be applicable per Table 5.4.8-1 Historic Building Rehabilitation Bonus~~

A Rowhouse is a principal structure containing one or two units that is attached in a row of no fewer than two (2) rowhouses.

(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

<u>District</u>	<u>Lot Coverage</u>		<u>Setback</u>				<u>Min. Lot Frontage (Individual Fee Simple Lot within Project)</u>
			<u>Project Periphery</u>			<u>Party Wall Boundary (Lot or Structure)</u>	
	<u>Project¹</u>	<u>Lot²</u>	<u>Rear</u>	<u>Side</u>	<u>Front³</u>	<u>Side</u>	
<u>Residential Low (RL)</u>	55%	65%	20 ft.	<u>Min: 10% of lot width or avg. of side setback of two adjacent lots on both sides, whichever is less</u> <u>Max Required: 20 ft</u>	<u>Avg. of front setback 2 adjacent lots on both sides +/- 5 feet</u> <u>Max Required: 20 ft</u>	<u>0 ft.</u>	<u>16 ft</u>
<u>Residential Medium (RM)</u>	65%	65%	<u>15 ft.</u>				
<u>Residential High (RH)</u>	80%	80%					
<u>Residential Corridor (RC)</u>	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.
- 4.3. In Rowhouse Projects constructed perpendicularly to the street, the Front Project Periphery Setback shall apply to the foremost Rowhouse in relation to the street.

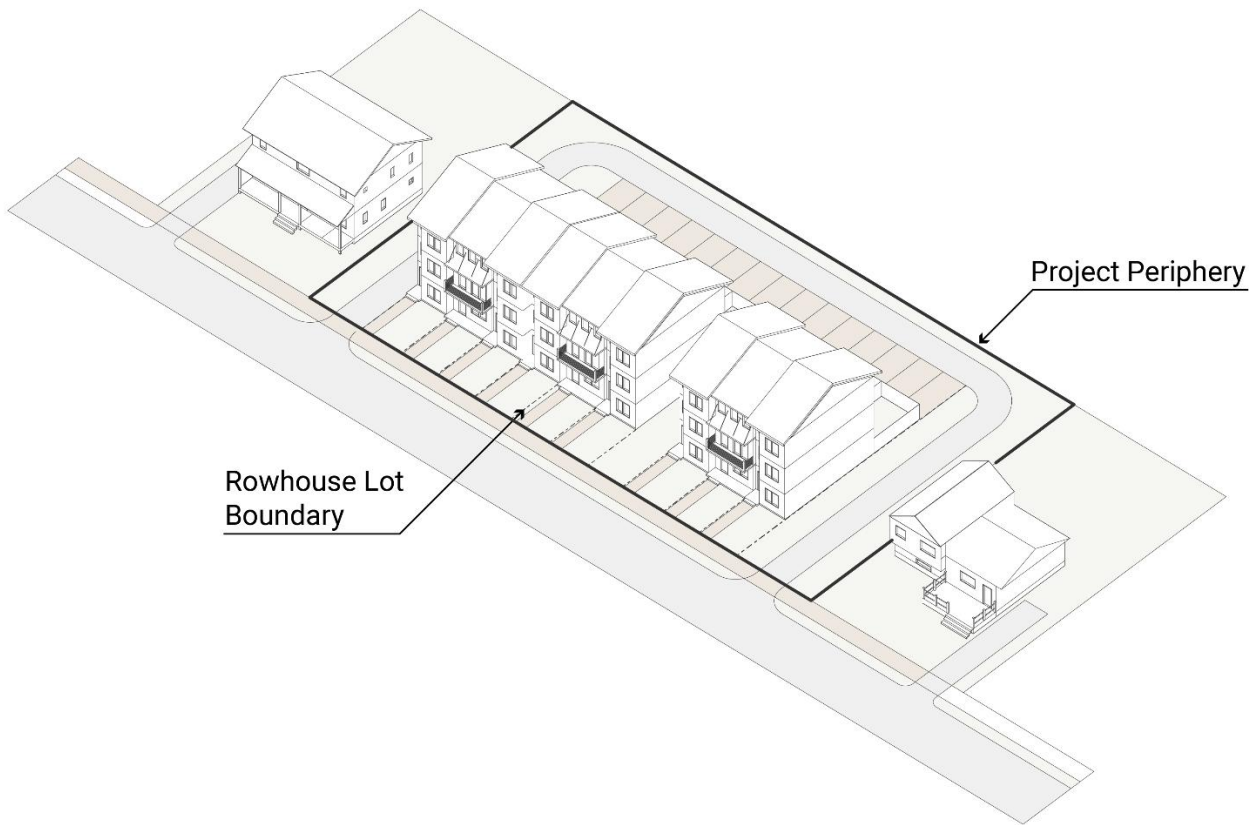


Table 4.4.5-5 Rowhouse Principal & Secondary Structure Massing & Intensity Standards

<u>Max. Dwelling Units per Structure¹</u>	<u>Max. Height & Stories</u>	<u>Sequencing</u>			<u>Max. Building Footprint</u>	
		<u>Max. Rowhouses in Uninterrupted Sequence</u>	<u>Min. Bldg Separation Between Uninterrupted Sequences</u>		<u>Rowhouse Unit</u>	<u>Secondary Structure</u>
			<u>Side</u>	<u>Rear</u>		
<u>1</u>	<u>40'</u> <u>3 stories</u>	<u>10</u>	<u>10 ft.</u>	<u>20 ft</u>	<u>900 sq. ft.</u>	<u>600 sq. ft.</u>

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

2. Exceptions to Dimensional Standards**A. through C – As Written****D. Exceptions to Maximum Building Footprint Limit**

(i) Existing structures legally existing as of January 1, 2024 in excess of the building footprint limits in Table 4.4.5-2 shall not be considered non-conforming. Such buildings shall only be allowed to be converted, adaptively reused, or enlarged, including for the purpose of adding additional units, within the limits this part or as otherwise permitted in Sec. 5.4.8 or Article 11.

~~(ii)~~ (ii) Single-family homes legally existing as of January 1, 2024 in excess of the building footprint limits in Table 4.4.5-2 may be expanded to 125% of the pre-existing footprint, as long as no additional units are added.

3. Exception for Neighborhood Commercial Uses**As Written****4. Miscellaneous Standards****A. through C – As Written****D. Additional Unit on lot or within Owner Occupied Single Detached Dwelling**

Where an existing Principal Structure in any Residential Zoning District contains only an owner-occupied Single Detached Dwelling, and an applicant proposes to add a single additional dwelling unit within the Principal Structure or within a detached Secondary Structure on the same lot as the owner-occupied home, the application shall be subject to administrative review and approval according to Sec.3.2.7 (a) 13, and exempt from paying impact fees, according to Sec. 3.3.3., except where otherwise required.

5. Residential Development Bonuses

The following exceptions to maximum allowable residential standards in Tables 4.4.5-1 and 4.4.5-2 may be approved in any combination subject to the maximum limits set forth in Table 4.4.5-6 at the discretion of the DRB. Any bonuses that are given pursuant to this ordinance now or in the future shall be regarded as an exception to the limits otherwise applicable.

A. Housing for Older Persons and Individuals with Disabilities Bonus

Residential development in excess of the limits set forth in Tables 4.4.5-1 and 4.4.5-2 may be permitted by the DRB for projects including exclusively housing for Older Persons (as defined by the federal Fair Housing Act), housing for Individuals with Disabilities (as defined by the federal Americans with Disabilities Act), or a mixture exclusively thereof -provided the following conditions are met:

- (i) No less than twenty-five (25) per cent of the total number of units shall be reserved for low-moderate income households as defined by state or federal guidelines, including no less than ten (10) percent reserved for low-income households. (Projects taking advantage of this bonus are exempt from the Inclusionary Zoning requirements of Article 9, Part 1.);
- (ii) The proposal shall be subject to the design review provisions of Art. 6;
- ~~(iii) A maximum of an additional 10 feet of building height may be permitted in the RH District; and,~~
- ~~(iv)~~ (iii) Lot coverage, height, and development intensity shall not exceed the following. The maximum dwelling units per building in Table 4.4.5-2 may be waived subject to the DRB approval under Article 11. and residential densities shall not exceed the following:

Table 4.4.5-6: Housing for Older Persons and Individuals with Disabilities Bonus

District	Maximum <u>Lot Coverage</u>	Maximum <u>Development Intensity Density</u>	<u>Maximum Height</u>
RL	44 55%	20 du/ae 1.5 FAR	4 stories, 50 ft
RM	48 65%	40 du/ae 1.75 FAR	
RH	92 90%	80 du/ae 2.0 FAR	5 <u>stories, 62 ft.</u>

B. Residential Conversion Bonus

Development in excess of the limits set forth in Tables 4.4.5-1 and 4.4.5-2 may be permitted by the DRB subject to conditional use review for the conversion of an existing non-conforming nonresidential principal use to a conforming residential use subject to all of the following conditions:

~~a) Any applicable lot coverage, height, FAR, and units per building limits may be modified by the DRB up to a limit of 100% of the pre-application coverage, height and GFA condition. Lot coverage and residential densities shall not exceed the following:~~

~~Table 4.4.5-5: Residential Conversion Bonus~~

District	Maximum Coverage	Maximum Density
RL	50% (62% with inclusionary allowance)	8 du/ae (8.75 with inclusionary allowance)
RM	60% (72% with inclusionary allowance)	30 du/ae (37.5 with inclusionary allowance)
RH	80% (92% with inclusionary allowance)	60 du/ae (69 with inclusionary allowance)

C. Limitations on Residential Development Bonuses:

For projects where the conditions of more than one applicable bonus listed above and under Sec.5.4.8 (e) are met, and where any applicable development allowances per Article 9 are utilized, the applicant may use the most permissive exemption to the underlying lot coverage or residential intensities applicable.

In no case shall any development bonuses and allowances granted, either individually or in combination, enable a building to exceed the maximum densitydevelopment intensity, lot coverage, and building height permitted in any district as defined below:

Table 4.4.5-75: Maximum Intensity, Lot Coverage and Building Heights with Bonuses

District	Maximum <u>DensityFAR*</u>	Maximum Height	Maximum Lot Coverage*
RH	80 du/ae 2.0 FAR	45 62-feet	92 90%
RM	40 du/ae 1.75 FAR	35 50-feet	72 65%
RL	20 du/ae 1.5 FAR	35 50-feet	62 55%

*- or 125% of the pre-application gross floor area or coverage of the qualifying principal building as may be applicable per Table 5.4.8-1 Historic Building Rehabilitation Bonus

(e) Effective Date.

The amendments to this Section 4.4.5 that allow for a secondary structure within RL and RM zones, except as may otherwise be allowed by Article 11, are effective November 1, 2024.

Article 4: Zoning Maps and Districts**PART 5: OVERLAY ZONING DISTRICT REGULATIONS****Sec. 4.5.1 Reserved Design Review Overlay District****(a) Purpose:**

~~The Design Review Overlay District (DR) is intended to provide detailed individual review of certain uses and structures in those areas of the city which contain structures of historical, architectural, or cultural merit, and where the community has a particular interest in the design of future development in order to address specific land development objectives.~~

(b) Areas Covered:

~~The geographic¹ areas subject to the Design Review Overlay shall be as delineated on Map 4.5.1—1: Design Review Overlay, that include the following:~~

(1) The following zoning districts:

~~A. The Downtown Waterfront—Public Trust district and all Neighborhood Mixed Use, Enterprise, Institutional, Urban Reserve, and Recreation, Conservation and Open Space districts; and,~~

~~B. Portions of the Residential Districts as identified in Map 4.5.1—1 and described below.~~

(2) The following areas within Residential Districts:

~~A. All properties west of the Burlington Bike Path north of College Street;~~

~~B. All properties west of the Vermont Railway line south of Lakeside Ave;~~

~~C. All properties within 500' of Lake Champlain or the Winooski River;~~

~~D. All properties with frontage on Brooks Avenue;~~

~~E. All properties within the area bounded by Maple, South Willard, Howard and South Union streets;~~

~~F. All properties with frontage on the west side of South Union St. between Main and Howard streets;~~

~~G. All properties with frontage on the north side of Howard St. between South Union and St. Paul streets;~~

(3) The following uses, buildings, and properties within Residential Districts:

~~A. All nonresidential uses, residential uses with home occupations, or other conditional uses, having frontage on the following major streets:~~

~~(i) Shelburne Street, from its point of beginning southerly to its intersection with Home Avenue;~~

~~(ii) South Union Street, from its intersection with Howard Street southerly to its terminus at Shelburne Street;~~

~~(iii) St. Paul Street, from its intersection with Howard Street southerly to its terminus at Shelburne Street;~~

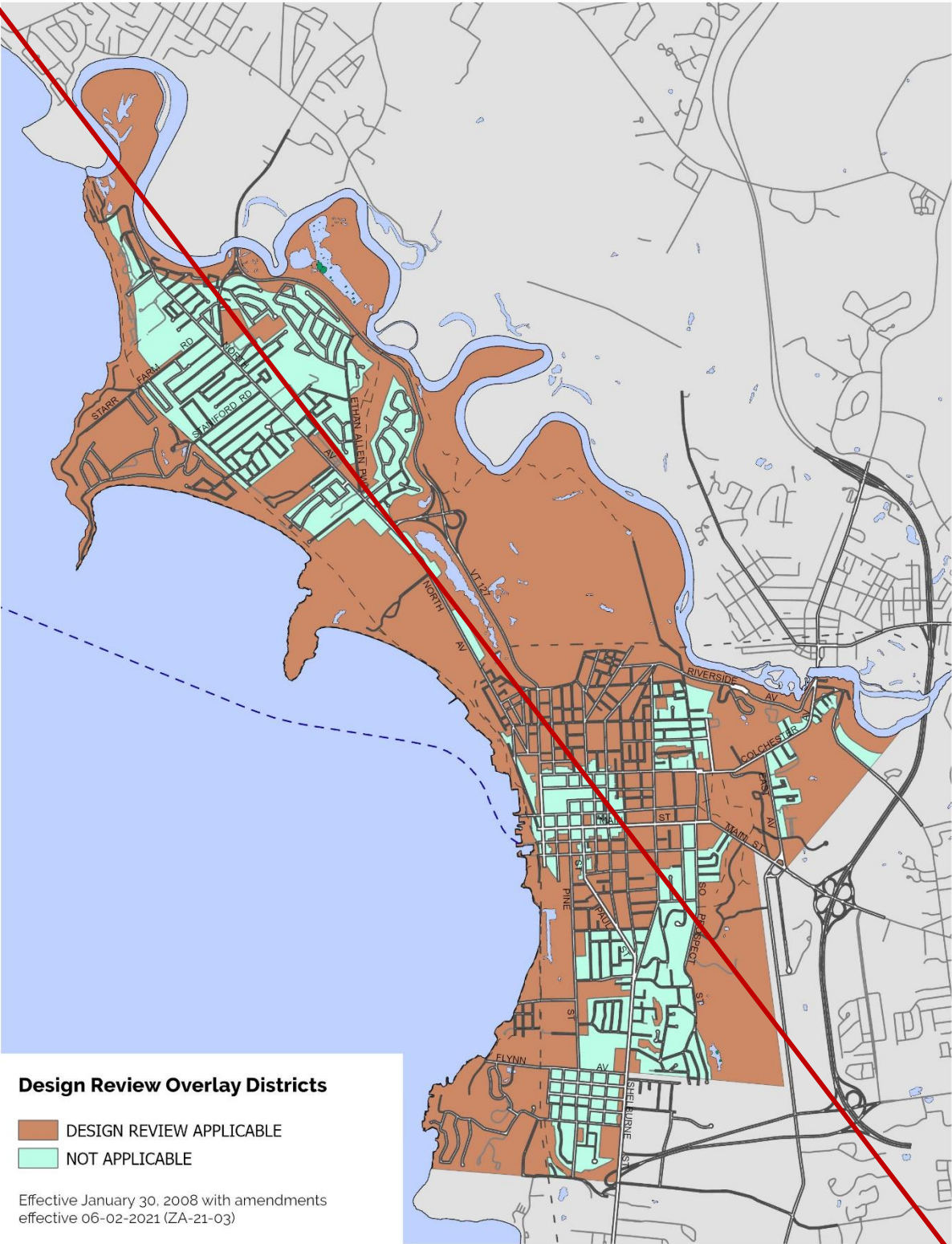
~~(iv) Colchester Avenue, from its intersection with East Avenue northeasterly to its intersection with Barrett Street; and~~

~~(v) North Avenue, from its intersection with Convent Square northerly to its intersection with Plattsburg Avenue.~~

(c) District Specific Regulations: Design Review Overlay District:

~~Within this overlay district, no structure may be erected, reconstructed, substantially altered, restored, moved, or demolished or any site improvement or modification made without approval subject to the provisions of Article 3, Part 4 pertaining to Design Review and the review criteria described in Art 6.~~

¹ This Section only defines the geographic areas of the city that are subject to Design Review. Other types of development are also subject to Design Review pursuant to the requirements of Article 3, Part 4.



Map 4.5.1 1: Design Review Overlay

293

294 **Article 5 Citywide General Regulations**295 **PART 2: DIMENSIONAL REQUIREMENTS**296 **Sec. 5.2.2 Required Frontage or Access**

297 No subdivision of land may be permitted on lots that do not have frontage on a public road, access easement or public
298 waters.

299 For lots that have access on both a public road and public waters, only the access on a public road shall be considered
300 for the frontage required under this ordinance.

301 For lots of record existing as of April 26, 1973, subdivision may be permitted with approval of the DRB, if access to
302 such road or public waters exists by a permanent easement or right-of-way of at least twenty-five (25) feet in width.

303 **Sec. 5.2.2 Lot Coverage Requirements**

304 Where a maximum lot coverage is specified pursuant to the requirements of Article 4, no building or part of a building
305 or impervious surface or other form of coverage shall exceed such maximum allowable except as specifically
306 authorized by this ordinance.

307 **(a) Calculating Lot Coverage:**

308 *As Written*

309 **(b) Exceptions to Lot Coverage:**

310 In all districts, the following shall not be counted as lot coverage:

311 1. through 9. – *As Written*

312 10. ~~For lot area occupied by an ADU, the DRB may approve up to 650 sq. ft. additional lot coverage over existing~~
313 ~~lot coverage, even if present or proposed lot coverage exceeds the standard lot coverage limits. To grant such an~~
314 ~~exemption, the DRB must find that the existing lot coverage has been lawfully created, and that the proposed~~
315 ~~location, site design, and improvements will enable on-site management of the first one inch of stormwater~~
316 ~~runoff from the lot area of the ADU exceeding the applicable lot coverage limit, and will not have undue adverse~~
317 ~~impact on public rights of way based on the review of the DPW Stormwater Program Manager.~~

318 **Article 5: Citywide General Regulations**319 **PART 4: SPECIAL USE REGULATIONS**320 **Sec. 5.4.5 Accessory Dwelling Units**321 **(a) Accessory Units, General Standards/Permitted Uses:**

322 ~~Where there is a principal structure on a lot which exists as an owner-occupied single family residence, one~~
323 ~~accessory dwelling unit, that is located within or appurtenant to such single family dwelling, shall be allowed as a~~
324 ~~permitted use if the provisions of this subsection are met. An accessory dwelling unit means a dwelling unit that is~~
325 ~~clearly subordinate to the principal dwelling, and has facilities and provisions for independent living, including~~
326 ~~sleeping, food preparation, and sanitation. An accessory unit shall not be counted as a dwelling unit for the~~
327 ~~purposes of density calculation. Additionally, there must be compliance with all the following:~~

328 ~~1. The property has sufficient wastewater capacity as certified by the Department of Public Works; and~~

329 ~~2. The unit does not consist of more than 900 sq.ft., or 30 percent (30%) of the Gross Floor Area of the principal~~
330 ~~home, whichever is greater; and~~

331 ~~3. Applicable setback and coverage requirements are met, except as provided for in Sec. 5.2.3 (b) 10; and~~

~~4. A deed or instrument for the property shall be entered into the land records by the owner containing a reference to the permit granting the accessory unit prior to the issuance of the certificate of occupancy for the unit. Such reference shall identify the permit number and note that the property is subject to the permit and its terms and conditions including owner occupancy. No certificate of occupancy shall be issued for the unit unless the owner has recorded such a notice.~~

(b) Discontinuance of Accessory Units:

~~Approval of an accessory dwelling unit is contingent upon owner occupancy of either the principal or accessory dwelling unit as a primary residence. For purposes of this section, owner occupancy means that, after the creation of the accessory unit all individuals listed on the deed for the property must reside in the principal unit or in the accessory unit. If neither the principal unit nor the accessory unit is owner occupied as a primary residence, the approval for the accessory dwelling unit is void and the kitchen of the accessory dwelling unit must be removed within 90 days with the entirety of the property being occupied as a single unit. When an accessory unit that is the result of additional square footage and/or a new accessory structure is proposed to be removed, revised floor plans and a revised site plan shall be required to be submitted for review and approval.~~

~~Furthermore, where additional square footage is added to a single family home for purposes of creating an accessory unit and the accessory unit is at any point discontinued, none of the additional square footage shall be eligible for the purposes of increasing the number of unrelated adults that may be allowed to inhabit the property.~~

Article 6: Development Review Standards

PART 2: SITE PLAN DESIGN STANDARDS

Sec. 6.2.2 Review Standards

(a) - (g) – As Written

(h) Building Location and Orientation

The introduction of new buildings and additions shall be consistent with the intent of the district. New buildings and additions should be aligned with the front façade of neighboring buildings to reinforce the existing “street-edge,” or where necessary, located in such a way that complements existing natural features and landscapes. Buildings placed in mixed-use areas where high volumes of pedestrian traffic are desired should seek to provide sufficient space (optimally 12-15 feet) between the curblin and the building face to facilitate the flow of pedestrian traffic. In such areas, architectural recesses and articulations at the street-level are particularly important, and can be used as an alternative to a complete building setback in order to maintain the existing street wall.

Principal buildings shall have their main entrance facing and clearly identifiable from the public street except as allowed in Sec. 5.2.2 and Sec. 11.1.4. The development of corner lots shall be subject to review by the city engineer regarding the adequacy of sight distances along the approaches to the intersection. To the extent practicable, development of corner lots in non-residential areas should try to place the building mass near the intersection and parallel to the street to help anchor the corner and take advantage of the high visibility location.

In residential areas, accessory buildings shall be located in such a way so as to be secondary and subordinate in scale and design to the principal structure. A parking structure – either attached or detached – shall be setback from the longest street-facing wall of the principal structure and be deferential yet consistent in character and design. Where a garage is not oriented towards the street (i.e. the garage doors face the rear or side yard), the street-facing garage wall shall have windows or doors or other features that break-up the mass into smaller elements, and be blended with the character of the residential portion of the structure.

Where a garage is attached to a principal single-family or duplex residential structure and oriented to the street (i.e. the garage doors face the street) the following standards shall apply:

1. *As Written*

(i) - (p) – 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.** – As Written**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 acres¹

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

Sec. 11.1.4 ~~Modification of Regulations~~ Residential District Planned Unit Developments**(a) Dimensional Standards**

~~Unless otherwise stated, Planned Unit Development standards are required to follow the underlying district dimensional standards in table 4.4.5-1~~

- ~~1. A Planned Unit Development with Project Size of less than 0.5 acres and consisting of a Pocket Neighborhood or Rowhouse project, shall be allowed, subject to underlying standards in Sec. 4.4.5(d)1.~~
- ~~1.2. A Planned Unit Development with Project Size of 0.5 acres or more shall be allowed, subject to the standards established below in Table 11.1.4-1 and Table 11.1.4-2.~~

Table 11.1.4 -1 Residential District 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	N/A	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, RH, 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 11.1.4-2 Residential District Planned Unit Development Setback Standards

<u>District</u>	<u>Setback</u>				
	<u>Project Periphery</u>			<u>Front Internal ROW³ Or Access Easement</u>	<u>Rowhouse Party Wall Boundary (Lot or Building)</u>
	<u>Rear¹</u>	<u>Front²</u>	<u>Side</u>		
<u>RL</u>	<u>20 ft.</u>	<u>Avg. of front setback 2 adjacent lots on both sides +/- 5 feet</u> <u>Max Required: 20'</u>	<u>Min: 10% of lot width or avg. of side setback of two adjacent lots on both sides, whichever is less</u> <u>Max Required: 20' 0 ft.</u>	<u>0' Min</u> <u>20' Max</u>	<u>0 ft.</u>
<u>RM</u>	<u>15 ft.</u>				
<u>RH</u>					
<u>RC</u>		<u>Min Required: 5'</u> <u>Max Required: 20'</u>			

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.

- Sec. 11.1.4-5 Modification of Regulations
As Written
- Sec. 11.1.5-6 Approval Requirements
As Written
- Sec. 11.1.6-7 Non-Residential Facilities
As Written

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 or two units that is attached in a row of no fewer than two (2) rowhouses.

* 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

In the Year Two Thousand Twenty-Five

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: _____

An Ordinance in Relation to

ZA-25-02: Neighborhood Code - Additional Housing
Development Options

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

1 That Appendix A-Burlington Comprehensive Development Ordinance of the Code of Ordinances of the City of
2 Burlington be and hereby amends Sec. 3.3.3(a) Impact Fee Exceptions and Waivers; Sec. 3.4.2(b) Design Review
3 Applicability; moves Map 4.5.1-1 Design Review Overlay District to Sec. 3.4.2(b) as amended and renumbers Map
4 3.4.2; amends Article 4, Sec. 4.4.5(d) by: modifying Tables 4.4.5-1 Lot Size, Frontage, Setback, and Lot Coverage
5 Standards in Residential Districts and Table 4.4.5-2 Principal & Secondary Structures Massing and Placement
6 Standards in Residential Districts; replaces the previously Reserved Sec. 4.4.5 (d) 1 A. with Pocket Neighborhoods;
7 modifies the formerly reserved Table 4.4.5-3 to establish Pocket Neighborhood Standards; creates and moves Sec.
8 4.4.5 (d) 1 B. Residential Development Bonuses to a new section, Sec. 4.4.5 (d) 5.; creates Sec. 4.4.5 (d) 2 B.
9 Rowhouses and re-numbers subsequent tables within the subsection; amends the newly-moved Sec. 4.4.5 (d) 5.
10 Residential Development Bonuses by modifying Sec. 4.4.5 (d) 5. A., Sec. 4.4.5 (d) 5. B., Sec. 4.4.5 (d) 5. C., and,
11 deleting Table 4.4.5-5 Residential Conversion Bonus, and renumbering and reformatting subsections and tables;
12 creates Sec. 4.4.5-2 (d) 2. D. Exceptions to Maximum Building Footprint Limit; creates Sec. 4.4.5 (d) 4. D. Additional
13 Unit; deletes Sec. 4.5.1 Design Review Overlay District and reserves section; modifies Sec. 5.2.2 Required Frontage or
14 Access; deletes Sec. 5.2.3 (b) 10 under Exceptions to Lot Coverage.; deletes Sec. 5.4.5 Accessory Dwelling Units;
15 modifies Sec. 6.2.2 (h) Building Location and Orientation and Sec 6.2.2 (l) Parking and Circulation; modifies Sec.
16 11.1.3 General Requirements & Applicability by modifying Table 11.1.3-1 Planned Unit Development Project Size
17 Standards; creates Sec. 11.1.5 Residential District Planned Unit Developments; creating Table 11.1.5-1 Planned Unit
18 Development Project Size Standards; creating Table 11.1.5-2 Planned Unit Development Standards; renumbers Secs.
19 11.1.6-7; and modifies Article 13 by creating a definition for Pocket Neighborhoods and Rowhouses; thereof to read as
20 follows:

Article 3: Applications, Permits, and Project Reviews

PART 3: IMPACT FEES

Sec. 3.3.3 Exemptions and Waivers

(a) Exemptions:

The following types of development are exempt from this Part:

1. – 4. *As Written*

5. The creation of an Additional Unit on lot or within Owner Occupied Single Detached Dwelling as described in Sec. 4.4.5 (d) 4. D.

Article 3: Applications, Permits, and Project Reviews

PART 4: SITE PLAN AND DESIGN REVIEW

Sec. 3.4.2 Applicability

(a) *As Written*

(b) Design Review:

No structure may be erected, reconstructed, substantially altered, restored, moved, or demolished or any site improvement or modification made without approval subject to the provisions of this part and the review criteria described in Art 6 Design Review shall be required for the approval of all development subject to the provisions of this ordinance for within the following geographic areas or for all development subject to the following provisions:

1. For any projects located within the geographic areas as delineated as applicable on Map 3.4.2-1. within the Overlay District as defined in Article 4, Sec. 4.5.1, and any of the following:

1-2. For any projects within geographic areas delineated as not applicable on Map 3.4.2-1 but that are subject to the following provisions:

a. Any development subject to the provisions of Article 3, Part 5 – Conditional Use and Major Impact Review;

b. Any development subject to the provisions of Article 5, Part 3 – Non-Conformities;

c. Any development subject to the provisions of Article 5, Part 4 – Special Use Regulations;

d. Any development subject to the provisions of Sec. 7.1.6 Non-Conforming Signs and Article 7, Part 3 Sign Plans;

e. Any development subject to the provisions of Article 10 – Subdivision;

f. Any development subject to the provisions of Article 11 – Planned Development; and,

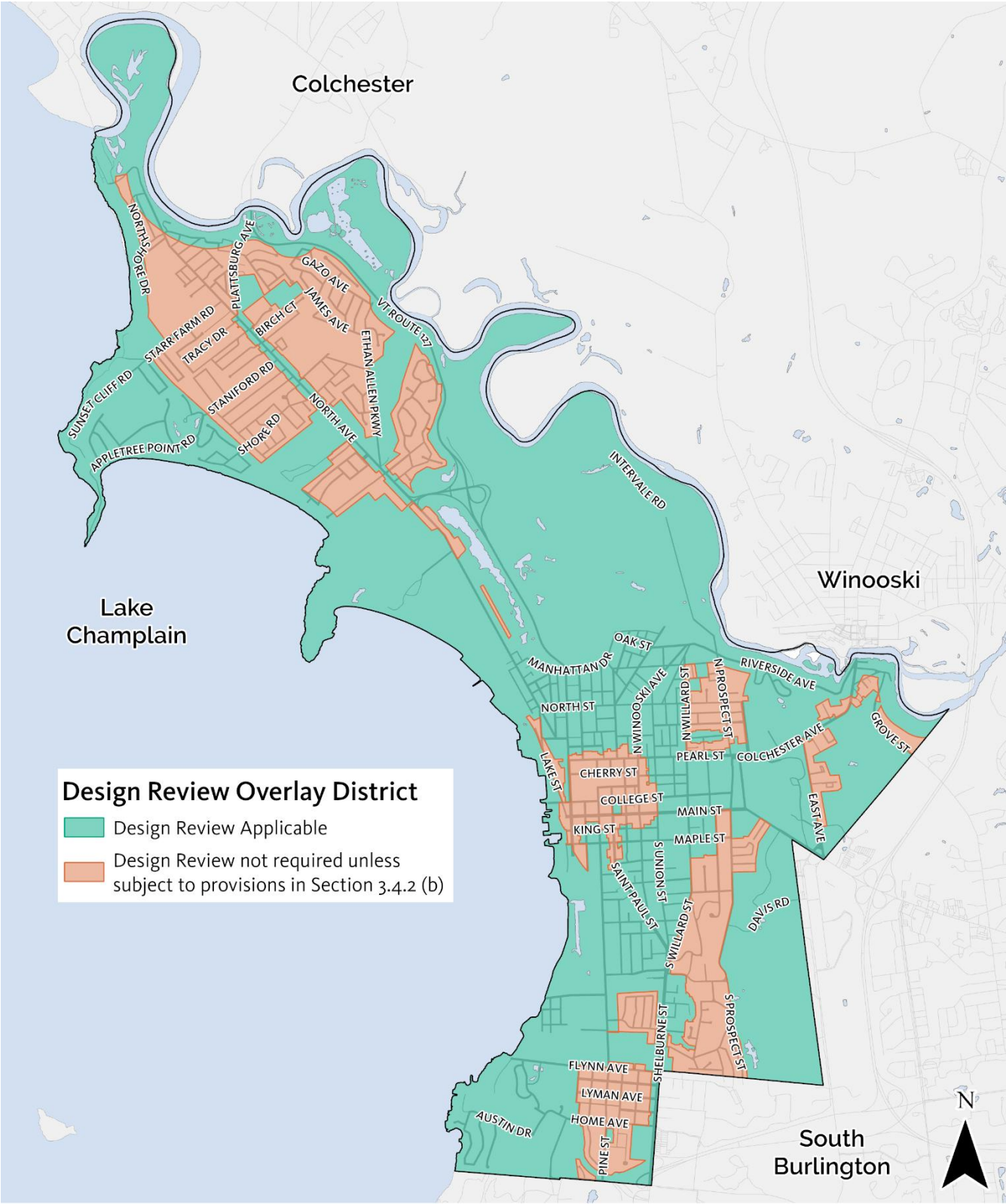
g. A project within an RL District where a building contains 3 or more units or proposes more than one building on a lot subject to Sec. 4.4.5.

h. Any development made subject to the provisions of this Part by direct reference not otherwise noted here.

Design Review shall not be required for:

1. Single detached dwellings and duplex dwellings within an RL district not otherwise subject to any of the above provisions.

1-2. All applications subject to the planBTV: Downtown Code under Art. 14, which shall be exempt from review under this section, and the development review principles and standards contained in Article 6– Development Review Standards, and instead shall be subject to the requirements of Article 14.



Map 3.4.2-1 Design Review Overlay District

*Burlington Comprehensive Development Ordinance
Districts effective Jan. 30, 2008 with amendments effective 06-02-2021 (ZA-21-03)*

Article 4: Zoning Maps and Districts

PART 4: BASE ZONING DISTRICT REGULATIONS

Sec. 4.4.5 Residential Districts

(a) *As Written*

(b) **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 4.4.5-1 Lot Size, Frontage, Setback, and Lot Coverage Standards in Residential Districts

District	Min. Lot Frontage ^{2,3,4,5} (linear feet)	Setbacks ^{1,6,7,8,9}			Lot Coverage ^{1,10}
		Front	Side	Rear	
Residential Low (RL)	30'	Min: Avg. of front setback 2 adjacent lots on both sides +/- 5 feet Max required: 25 ft	Min: 10% of lot width or avg. of side setback of 2 adjacent lots on both sides Max required: 20 ft	20 ft.	45%
Residential Medium (RM)				15 ft.	55%
Residential High (RH)	N/A				80%
Residential Corridor (RC)	N/A	Min required: 5 ft Max permitted: 20 ft			80%

- Details regarding the measurement of and exceptions to coverage and setback standards are found in Art 5.
- The DRB may reduce the frontage requirements for lots fronting on cul-de-sacs, multiple streets, or corner lots to more closely reflect an existing neighborhood pattern.
- Exceptions to frontage requirements for flag lots and small lot subdivisions are found in Sec. 5.2.2
- For lots in RL or RM with more than two primary buildings, the minimum lot frontage shall be 45'.
- Average setback for front and side setbacks are calculated based on 4 adjacent lots, two on each side within the same block and on lots with the same frontage requirements. For the purposes of determining the required front setback only, among the comparative sample of four neighboring properties, one may be removed from the averaging calculation.
- Where there are fewer than 2 adjacent lots on both sides within the same block having the same street frontage, the average side yard setback shall be calculated from the fewer number of lots. Where there are no adjacent lots, the side setback shall be 10% of the lot width. Refer to Sec. 5.2.5 for additional details.
- A 75 ft setback shall be required from the ordinary high water mark of Lake Champlain and the Winooski River. Additional setbacks from the lakeshore and other water features may be applicable per the requirements of Sec 4.5.3 Riparian and Littoral Conservation Overlay Zone.
- For properties in the RL and RM zones with frontage along Lake Champlain or the Winooski River, the front yard setback shall not be required to exceed 50 feet.
- An additional ten per cent (10%) lot coverage may be permitted for accessory residential features per (d) 2C below.
- Reserved

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Table 4.4.5-2 Principal & Secondary Structures Massing and Placement Standards in Residential Districts

District	Max Height & Stories ^{1,3}	Max Dwelling Units per Structure ^{2,3}	Max. Principal Structure Footprint ^{3,6,7}	Max. Secondary Structure Footprint ^{3,6,7}	Max Building Elevation before providing offset ⁴	Min. Distance between Structures on same lot
Residential Low (RL)	35' 3 stories	4	1,800 sq.ft.	1,100 sq.ft.	50'	15'
Residential Medium (RM)	35' 3 stories	4	1,800 sq.ft.	1,100 sq.ft.		
Residential High (RH)	50' 4 stories	N/A	N/A	N/A		
Residential Corridor (RC)			3,600 sq.ft.	N/A		
1. Details regarding the measurement of and exceptions to height limits are found in Art 5. 2. Minimum dwelling unit size is 350 sq.ft. 3. Within RL and RM zones, lots may have up to one (1) Principal and one (1) Secondary structure per lot, except as may otherwise be allowed by Table 4.4.5-3 or Article 11. Where an existing Principal Structure contains only an owner-occupied Single detached dwelling, and proposes to add one additional unit within the Principal Structure or in a Secondary Structure, see additional provisions in Sec. 4.4.5 (d) 4. D. 4. Required on all building Elevations. Minimum offset is 5 ft measured perpendicular to the building Elevation in excess of 50 linear feet. 5. Except as otherwise may be permitted in Article 11, PUD, a Secondary Structure shall be placed behind the Principal Structure. 6. Maximum Principal and Secondary Structure Footprint Standards shall not apply to Neighborhood Commercial Uses or the following Residential – Special Uses: Assisted Living, Community House, Convalescent/Nursing Home, Emergency Shelter, Historic Inn. 5.7. The conversion to a Residential Use of an existing structure exceeding this standard as of January 1, 2025 shall be allowed.						

(c) **Permitted and Conditional Uses:***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 sq. ft.

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

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

d) Building Separation: Within a pocket neighborhood, buildings shall be separated 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

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

(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) If on-site parking is provided, the parking area shall be consolidated to minimize the number of parking areas, except as otherwise provided for in Article 6, Sec. 6.2.2(1).

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 Residential Development Bonuses

The following exceptions to maximum allowable residential standards in Tables 4.4.5-1 and 4.4.5-2 may be approved in any combination subject to the maximum limits set forth in Table 4.4.5-6 at the discretion of the DRB. Any bonuses that are given pursuant to this ordinance now or in the future shall be regarded as an exception to the limits otherwise applicable.

(i) Housing for Older Persons and Individuals with Disabilities Bonus

Residential development in excess of the limits set forth in Tables 4.4.5-1 and 4.4.5-2 may be permitted by the DRB for senior housing provided the following conditions are met:

a) No less than twenty five (25) percent of the total number of units shall be reserved for low/moderate income households as defined by state or federal guidelines, including no less than ten (10) percent reserved for low income households. (Projects taking advantage of this bonus are exempt from the Inclusionary Zoning requirements of Article 9, Part 1.);

b) The proposal shall be subject to the design review provisions of Art. 6;

c) A maximum of an additional 10 feet of building height may be permitted in the RH District; and,

d) Lot coverage and residential densities shall not exceed the following:

Table 4.4.5-4 Housing for Older Persons and Individuals with Disabilities Bonus

<u>District</u>	<u>Maximum Coverage</u>	<u>Maximum Density</u>
<u>RL</u>	<u>44%</u>	<u>20 du/ae</u>
<u>RM</u>	<u>48%</u>	<u>40 du/ae</u>
<u>RH</u>	<u>92%</u>	<u>80 du/ae</u>

(ii) Residential Conversion Bonus

Development in excess of the limits set forth in Tables 4.4.5-1 and 4.4.5-2 may be permitted by the DRB subject to conditional use review for the conversion of an existing non-conforming nonresidential principal use to a conforming residential use subject to all of the following conditions:

a) Lot coverage and residential densities shall not exceed the following:

— **Table 4.4.5-5 Residential Conversion Bonus**

District	Maximum Coverage	Maximum Density
RL	50% (62% with inclusionary allowance)	8 du/ac (8.75 with inclusionary allowance)
RM	60% (72% with inclusionary allowance)	30 du/ac (37.5 with inclusionary allowance)
RH	80% (92% with inclusionary allowance)	60 du/ac (69 with inclusionary allowance)

(iii) Limitations on Residential Development Bonuses

For projects where the conditions of more than one applicable bonus listed above and under Sec.5.4.8 (c) are met, the applicant may use the most permissive exemption to the underlying lot coverage or residential intensities applicable.

In no case shall any development bonuses and allowances granted, either individually or in combination, enable a building to exceed the maximum density, lot coverage and building height permitted in any district as defined below:

Table 4.4.5-6 Maximum Intensity, Lot Coverage and Building Heights with Bonuses

District	Maximum Density*	Maximum Height	Maximum Lot Coverage*
RH	80 du/ac	45 feet	92%
RM	40 du/ac	35 feet	72%
RL	20 du/ac	35 feet	62%

* or 125% of the pre-application gross floor area or coverage of the qualifying principal building as may be applicable per Table 5.4.8-1 Historic Building Rehabilitation Bonus

A Rowhouse is a principal structure containing one or two units that is attached in a row of no fewer than two (2) rowhouses.

(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 Width (Individual Fee Simple Lot within Project)
			Project Periphery			Party Wall Boundary (Lot or Structure)	
	Project ¹	Lot ²	Rear	Side	Front ³	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.
3. In Rowhouse Projects constructed perpendicularly to the street, the Front Project Periphery Setback shall apply to the foremost Rowhouse in relation to the street.

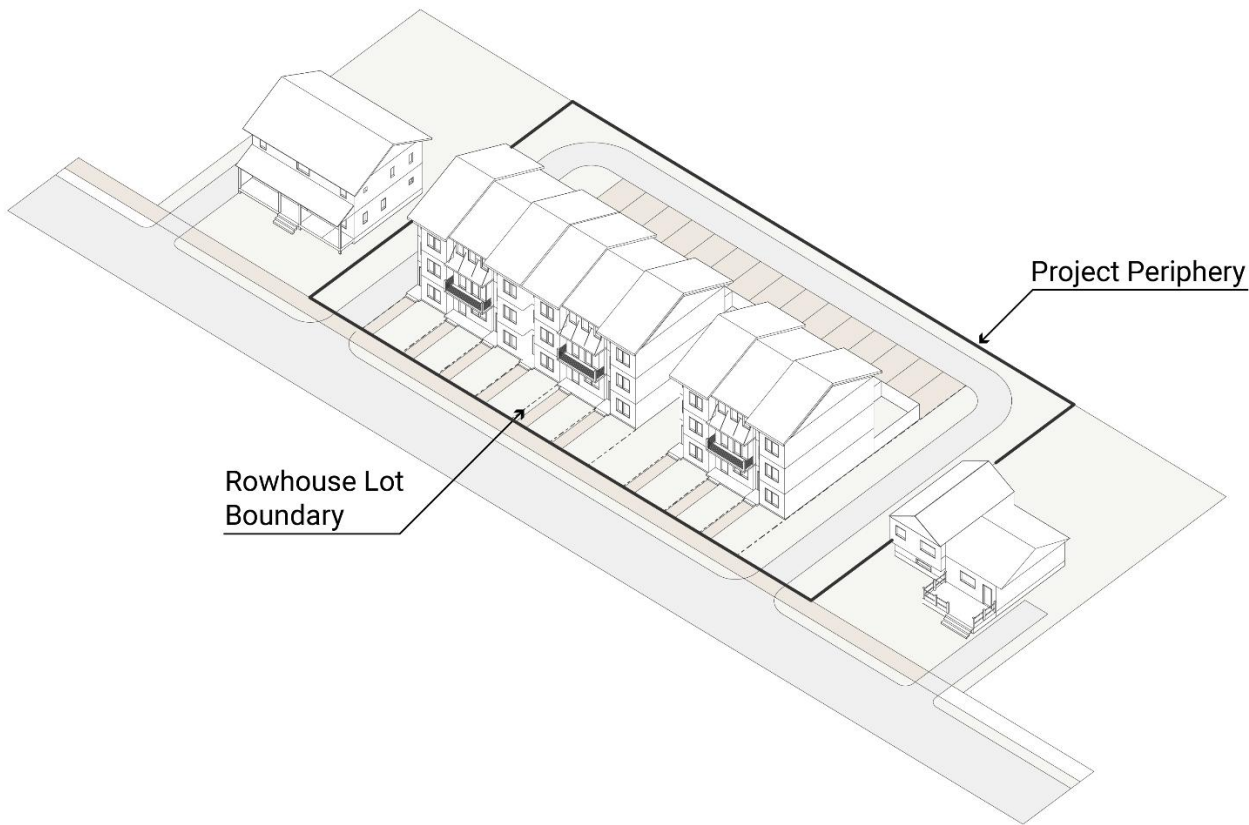


Table 4.4.5-5 Rowhouse Principal & Secondary Structure Massing & Intensity Standards

<u>Max. Dwelling Units per Structure¹</u>	<u>Max. Height & Stories</u>	<u>Sequencing</u>			<u>Max. Building Footprint</u>	
		<u>Max. Rowhouses in Uninterrupted Sequence</u>	<u>Min. Bldg Separation Between Uninterrupted Sequences</u>		<u>Rowhouse Unit</u>	<u>Secondary Structure</u>
			<u>Side</u>	<u>Rear</u>		
<u>1</u>	<u>40'</u> <u>3 stories</u>	<u>10</u>	<u>10 ft.</u>	<u>20 ft</u>	<u>900 sq. ft.</u>	<u>600 sq. ft.</u>

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

2. Exceptions to Dimensional StandardsA. *through C – As Written***D. Exceptions to Maximum Building Footprint Limit**

(i) Except as provided for in (ii) below, existing structures legally existing as of January 1, 2024 in excess of the building footprint limits in Table 4.4.5-2 shall not be considered non-conforming. Such buildings shall only be allowed to be converted, adaptively reused, or enlarged, including for the purpose of adding additional units, within the limits this part or as otherwise permitted in Sec. 5.4.8 or Article 11.

(ii) Single-family homes legally existing as of January 1, 2024 in excess of the building footprint limits in Table 4.4.5-2 may be expanded to 125% of the pre-existing footprint, as long as no additional units are added.

3. Exception for Neighborhood Commercial Uses*As Written***4. Miscellaneous Standards**A. *through C – As Written***D. Additional Unit on lot or within Owner Occupied Single Detached Dwelling**

Where an existing Principal Structure in any Residential Zoning District contains only an owner-occupied Single Detached Dwelling, and an applicant proposes to add a single additional dwelling unit within the Principal Structure or within a detached Secondary Structure on the same lot as the owner-occupied home, the application shall be subject to administrative review and approval according to Sec.3.2.7 (a) 13, and exempt from paying impact fees, according to Sec. 3.3.3., except where otherwise required.

5. Residential Development Bonuses

The following exceptions to maximum allowable residential standards in Tables 4.4.5-1 and 4.4.5-2 may be approved in any combination subject to the maximum limits set forth in Table 4.4.5-6 at the discretion of the DRB. Any bonuses that are given pursuant to this ordinance now or in the future shall be regarded as an exception to the limits otherwise applicable.

A. Housing for Older Persons and Individuals with Disabilities Bonus

Residential development in excess of the limits set forth in Tables 4.4.5-1 and 4.4.5-2 may be permitted by the DRB for projects including exclusively housing for Older Persons (as defined by the federal Fair Housing Act), housing for Individuals with Disabilities (as defined by the federal Americans with Disabilities Act), or a mixture exclusively thereof -provided the following conditions are met:

- (i) No less than twenty-five (25) per cent of the total number of units shall be reserved for low-moderate income households as defined by state or federal guidelines, including no less than ten (10) percent reserved for low-income households. (Projects taking advantage of this bonus are exempt from the Inclusionary Zoning requirements of Article 9, Part 1.);
- (ii) The proposal shall be subject to the design review provisions of Art. 6;
- ~~(iii) A maximum of an additional 10 feet of building height may be permitted in the RH District; and,~~
- ~~(iv)~~(iii) Lot coverage, height, and development intensity shall not exceed the following. The maximum dwelling units per building in Table 4.4.5-2 may be waived subject to the DRB approval under Article 11. and residential densities shall not exceed the following:

Table 4.4.5-6: Housing for Older Persons and Individuals with Disabilities Bonus

District	Maximum <u>Lot Coverage</u>	Maximum <u>Development Intensity Density</u>	<u>Maximum Height</u>
RL	44 <u>55</u> %	20 du/ae <u>1.5 FAR</u>	<u>4 stories, 50 ft</u>
RM	48 <u>65</u> %	40 du/ae <u>1.75 FAR</u>	
RH	92 <u>90</u> %	80 du/ae <u>2.0 FAR</u>	<u>5 stories, 62 ft.</u>

B. Residential Conversion Bonus

Development in excess of the limits set forth in Tables 4.4.5-1 and 4.4.5-2 may be permitted by the DRB subject to conditional use review for the conversion of an existing non-conforming nonresidential principal use to a conforming residential use subject to all of the following conditions:

~~a)- Any applicable lot coverage, height, FAR, and units per building limits may be modified by the DRB up to a limit of 100% of the pre-application coverage, height and GFA condition. Lot coverage and residential densities shall not exceed the following:~~

~~**Table 4.4.5-5: Residential Conversion Bonus**~~

District	Maximum Coverage	Maximum Density
RL	50% (62% with inclusionary allowance)	8 du/ae (8.75 with inclusionary allowance)
RM	60% (72% with inclusionary allowance)	30 du/ae (37.5 with inclusionary allowance)
RH	80% (92% with inclusionary allowance)	60 du/ae (69 with inclusionary allowance)

C. Limitations on Residential Development Bonuses:

For projects where the conditions of more than one applicable bonus listed above and under Sec.5.4.8 (e) are met, and where any applicable development allowances per Article 9 are utilized, the applicant may use the most permissive exemption to the underlying lot coverage or residential intensities applicable.

In no case shall any development bonuses and allowances granted, either individually or in combination, enable a building to exceed the maximum densitydevelopment intensity, lot coverage, and building height permitted in any district as defined below:

Table 4.4.5-75: Maximum Intensity, Lot Coverage and Building Heights with Bonuses

District	Maximum <u>DensityFAR*</u>	Maximum Height	Maximum Lot Coverage*
RH	80 du/ae <u>2.0 FAR</u>	45 <u>62</u> -feet	92 <u>90</u> %
RM	40 du/ae <u>1.75 FAR</u>	35 <u>50</u> -feet	72 <u>65</u> %
RL	20 du/ae <u>1.5 FAR</u>	35 <u>50</u> -feet	62 <u>55</u> %

*- or 125% of the pre-application gross floor area or coverage of the qualifying principal building as may be applicable per Table 5.4.8-1 Historic Building Rehabilitation Bonus

(e) Effective Date.

The amendments to this Section 4.4.5 that allow for a secondary structure within RL and RM zones, except as may otherwise be allowed by Article 11, are effective November 1, 2024.

Article 4: Zoning Maps and Districts**PART 5: OVERLAY ZONING DISTRICT REGULATIONS****Sec. 4.5.1 Reserved Design Review Overlay District****(a) Purpose:**

~~The Design Review Overlay District (DR) is intended to provide detailed individual review of certain uses and structures in those areas of the city which contain structures of historical, architectural, or cultural merit, and where the community has a particular interest in the design of future development in order to address specific land development objectives.~~

(b) Areas Covered:

~~The geographic¹ areas subject to the Design Review Overlay shall be as delineated on Map 4.5.1—1: Design Review Overlay, that include the following:~~

~~(1) The following zoning districts:~~

~~A. The Downtown Waterfront—Public Trust district and all Neighborhood Mixed Use, Enterprise, Institutional, Urban Reserve, and Recreation, Conservation and Open Space districts; and,~~

~~B. Portions of the Residential Districts as identified in Map 4.5.1—1 and described below.~~

~~(2) The following areas within Residential Districts:~~

~~A. All properties west of the Burlington Bike Path north of College Street;~~

~~B. All properties west of the Vermont Railway line south of Lakeside Ave;~~

~~C. All properties within 500' of Lake Champlain or the Winooski River;~~

~~D. All properties with frontage on Brooks Avenue;~~

~~E. All properties within the area bounded by Maple, South Willard, Howard and South Union streets;~~

~~F. All properties with frontage on the west side of South Union St. between Main and Howard streets;~~

~~G. All properties with frontage on the north side of Howard St. between South Union and St. Paul streets;~~

~~(3) The following uses, buildings, and properties within Residential Districts:~~

~~A. All nonresidential uses, residential uses with home occupations, or other conditional uses, having frontage on the following major streets:~~

~~(i) Shelburne Street, from its point of beginning southerly to its intersection with Home Avenue;~~

~~(ii) South Union Street, from its intersection with Howard Street southerly to its terminus at Shelburne Street;~~

~~(iii) St. Paul Street, from its intersection with Howard Street southerly to its terminus at Shelburne Street;~~

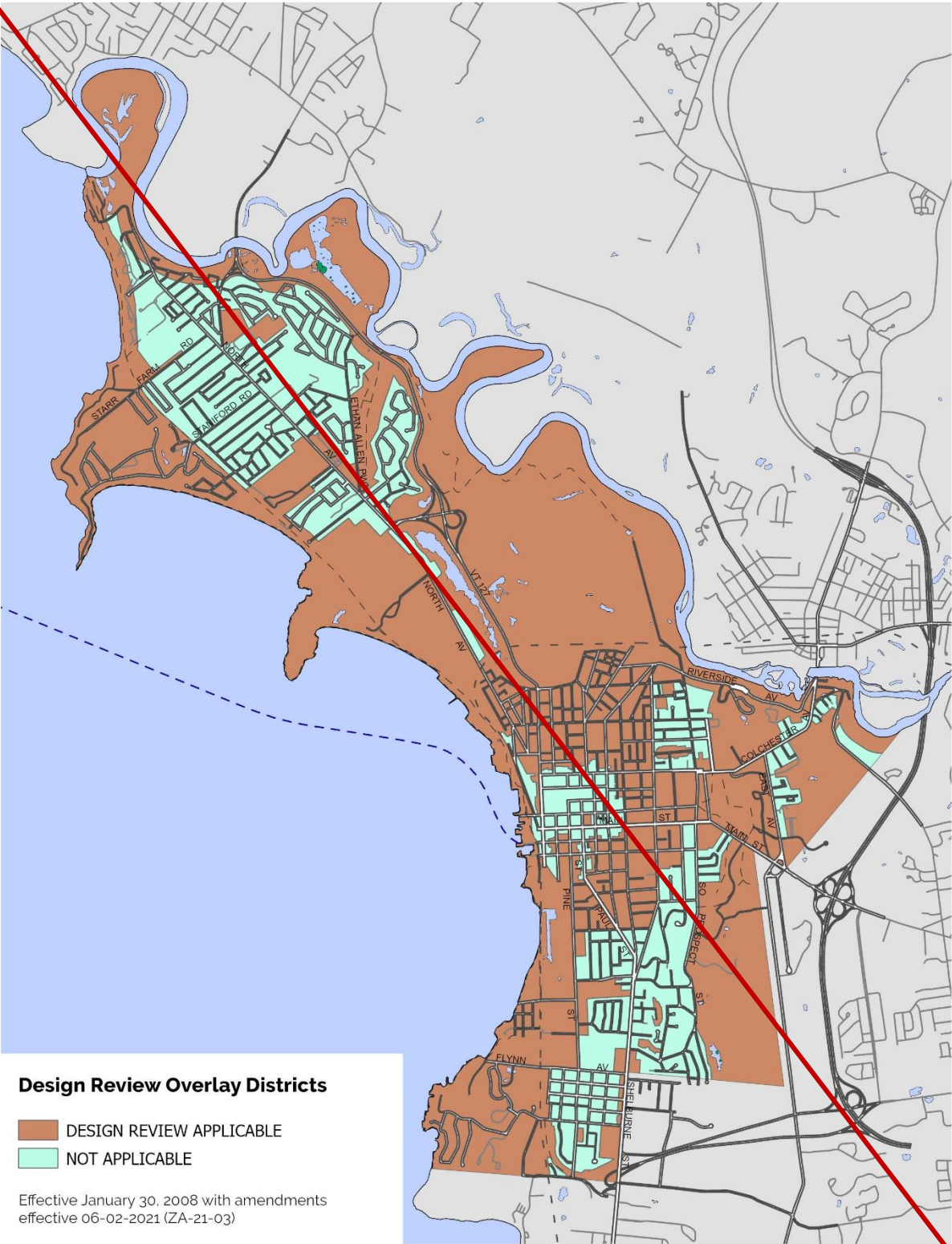
~~(iv) Colchester Avenue, from its intersection with East Avenue northeasterly to its intersection with Barrett Street; and~~

~~(v) North Avenue, from its intersection with Convent Square northerly to its intersection with Plattsburg Avenue.~~

(c) District Specific Regulations: Design Review Overlay District:

~~Within this overlay district, no structure may be erected, reconstructed, substantially altered, restored, moved, or demolished or any site improvement or modification made without approval subject to the provisions of Article 3, Part 4 pertaining to Design Review and the review criteria described in Art 6.~~

¹ This Section only defines the geographic areas of the city that are subject to Design Review. Other types of development are also subject to Design Review pursuant to the requirements of Article 3, Part 4.



Map 4.5.1 1: Design Review Overlay

Article 5 Citywide General Regulations**PART 2: DIMENSIONAL REQUIREMENTS****Sec. 5.2.2 Required Frontage or Access**

No subdivision of land may be permitted on lots that do not have frontage on a public road, ~~access easement~~ or public waters.

For lots that have access on both a public road and public waters, only the access on a public road shall be considered for the frontage required under this ordinance. ~~or, for rowhouses only, access to such road or public waters by a permanent easement of at least twenty-five (25) feet in width."~~

~~For lots of record existing as of April 26, 1973, subdivision may be permitted with approval of the DRB, if access to such road or public waters exists by a permanent easement or right of way of at least twenty-five (25) feet in width.~~

Sec. 5.2.3 Lot Coverage Requirements

Where a maximum lot coverage is specified pursuant to the requirements of Article 4, no building or part of a building or impervious surface or other form of coverage shall exceed such maximum allowable except as specifically authorized by this ordinance.

(a) Calculating Lot Coverage:

As Written

(b) Exceptions to Lot Coverage:

In all districts, the following shall not be counted as lot coverage:

1. through 9. – *As Written*

10. ~~For lot area occupied by an ADU, the DRB may approve up to 650 sq. ft. additional lot coverage over existing lot coverage, even if present or proposed lot coverage exceeds the standard lot coverage limits. To grant such an exemption, the DRB must find that the existing lot coverage has been lawfully created, and that the proposed location, site design, and improvements will enable on-site management of the first one inch of stormwater runoff from the lot area of the ADU exceeding the applicable lot coverage limit, and will not have undue adverse impact on public rights of way based on the review of the DPW Stormwater Program Manager.~~

Article 5: Citywide General Regulations**PART 4: SPECIAL USE REGULATIONS****Sec. 5.4.5 Accessory Dwelling Units****(a) Accessory Units, General Standards/Permitted Uses:**

~~Where there is a principal structure on a lot which exists as an owner-occupied single-family residence, one accessory dwelling unit, that is located within or appurtenant to such single-family dwelling, shall be allowed as a permitted use if the provisions of this subsection are met. An accessory dwelling unit means a dwelling unit that is clearly subordinate to the principal dwelling, and has facilities and provisions for independent living, including sleeping, food preparation, and sanitation. An accessory unit shall not be counted as a dwelling unit for the purposes of density calculation. Additionally, there must be compliance with all the following:~~

- ~~1. The property has sufficient wastewater capacity as certified by the Department of Public Works; and~~
- ~~2. The unit does not consist of more than 900 sq.ft., or 30 percent (30%) of the Gross Floor Area of the principal home, whichever is greater; and~~
- ~~3. Applicable setback and coverage requirements are met, except as provided for in Sec. 5.2.3 (b) 10; and~~

~~4. A deed or instrument for the property shall be entered into the land records by the owner containing a reference to the permit granting the accessory unit prior to the issuance of the certificate of occupancy for the unit. Such reference shall identify the permit number and note that the property is subject to the permit and its terms and conditions including owner occupancy. No certificate of occupancy shall be issued for the unit unless the owner has recorded such a notice.~~

(b) Discontinuance of Accessory Units:

~~Approval of an accessory dwelling unit is contingent upon owner occupancy of either the principal or accessory dwelling unit as a primary residence. For purposes of this section, owner occupancy means that, after the creation of the accessory unit all individuals listed on the deed for the property must reside in the principal unit or in the accessory unit. If neither the principal unit nor the accessory unit is owner-occupied as a primary residence, the approval for the accessory dwelling unit is void and the kitchen of the accessory dwelling unit must be removed within 90 days with the entirety of the property being occupied as a single unit. When an accessory unit that is the result of additional square footage and/or a new accessory structure is proposed to be removed, revised floor plans and a revised site plan shall be required to be submitted for review and approval.~~

~~Furthermore, where additional square footage is added to a single family home for purposes of creating an accessory unit and the accessory unit is at any point discontinued, none of the additional square footage shall be eligible for the purposes of increasing the number of unrelated adults that may be allowed to inhabit the property.~~

Article 6: Development Review Standards

PART 2: SITE PLAN DESIGN STANDARDS

Sec. 6.2.2 Review Standards

(a) - (g) – As Written

(h) Building Location and Orientation

The introduction of new buildings and additions shall be consistent with the intent of the district. New buildings and additions should be aligned with the front façade of neighboring buildings to reinforce the existing “street-edge,” or where necessary, located in such a way that complements existing natural features and landscapes. Buildings placed in mixed-use areas where high volumes of pedestrian traffic are desired should seek to provide sufficient space (optimally 12-15 feet) between the curblin and the building face to facilitate the flow of pedestrian traffic. In such areas, architectural recesses and articulations at the street-level are particularly important, and can be used as an alternative to a complete building setback in order to maintain the existing street wall.

Principal buildings shall have their main entrance facing and clearly identifiable from the public street except as allowed in Sec. 5.2.2 and Sec. 11.1.5. The development of corner lots shall be subject to review by the city engineer regarding the adequacy of sight distances along the approaches to the intersection. To the extent practicable, development of corner lots in non-residential areas should try to place the building mass near the intersection and parallel to the street to help anchor the corner and take advantage of the high visibility location.

In residential areas, accessory buildings shall be located in such a way so as to be secondary and subordinate in scale and design to the principal structure. A parking structure – either attached or detached – shall be setback from the longest street-facing wall of the principal structure and be deferential yet consistent in character and design. Where a garage is not oriented towards the street (i.e. the garage doors face the rear or side yard), the street-facing garage wall shall have windows or doors or other features that break-up the mass into smaller elements, and be blended with the character of the residential portion of the structure.

Where a garage is attached to a principal single-family or duplex residential structure and oriented to the street (i.e. the garage doors face the street) the following standards shall apply:

1. *As Written*

(i) - (p) – 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. – As Written

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
Downtown Waterfront – Public Trust District and Neighborhood Mixed Use, Institutional, E-LM	No minimum project size.
RH, RL, RM, RC	See 11.1.5-2 for additional standards for PUD project sizes in the Residential districts.
RCO-R/G	See 4.4.6 (c) for additional standards for PUD project sizes in the RCO-R/G Districts.

Sec. 11.1.4 Modification of Regulations

As Written

Sec. 11.1.5 ~~Modification of Regulations~~ Residential District Planned Unit Developments

(a) Dimensional Standards

Unless otherwise stated, Planned Unit Development standards are required to follow the underlying district dimensional standards ~~in table 4.4.5-1~~

1. A Planned Unit Development with Project Size of less than 0.5 acres and consisting of a Pocket Neighborhood or Rowhouse project, shall be allowed, subject to underlying standards in Sec. 4.4.5(d)1.
- 1-2. A Planned Unit Development with Project Size of 0.5 acres or more shall be allowed, subject to the standards established below in Table 11.1.5 -1 and Table 11.1.5-2.

Table 11.1.5 -1 Residential District Planned Unit Development Intensity Standards

<u>District</u>	<u>Project Size</u>	<u>Max. Building Footprint^{1, 2}</u>	<u>Max. Dwelling Units Per Structure³</u>	<u>Max. FAR</u>	<u>Max. Bldg. Height</u>
<u>RL</u>	<u>0.5 – 2.99 Acres</u>	<u>5,000 sq. ft.</u>	<u>12</u>	<u>0.75</u>	
	<u>3+ Acres</u>	<u>15,000 sq. ft.</u>	<u>Bldg. footprint of 5,000 sq. ft or less: 12 units</u> <u>Bldg. footprint greater than 5,000 sq. ft.: N/A</u>		
<u>RM</u>	<u>0.5 – 2.99 Acres</u>	<u>5,000 sq. ft.</u>	<u>12</u>	<u>1.0</u>	<u>3 Stories</u> <u>35 ft.</u>
	<u>3+ Acres</u>	<u>15,000 sq. ft.</u>	<u>Bldg. footprint of 5,000 sq. ft or less: 12 units</u> <u>Bldg. footprint greater than 5,000 sq. ft.: N/A</u>		
<u>RH</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>1.0</u>	<u>4 Stories</u> <u>50 ft.</u>
<u>RC</u>	<u>Less than 0.5 Acres</u>	<u>3,600 sq. ft.</u>	<u>N/A</u>	<u>1.0</u>	<u>4 Stories</u> <u>50 ft.</u>
	<u>0.5 – 2.99 Acres</u>	<u>5,000 sq. ft.</u>			
	<u>3+ Acres</u>	<u>15,000 sq. ft.</u>			

1. For projects within RL, RM, RH, 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 11.1.5-2 Residential District Planned Unit Development Setback Standards

<u>District</u>	<u>Setback</u>				<u>Front Internal ROW³ Or Access Easement</u>	<u>Rowhouse Party Wall Boundary (Lot or Building)</u>
	<u>Project Periphery</u>			<u>Side</u>		
	<u>Rear¹</u>	<u>Front²</u>				
<u>RL</u>	<u>20 ft.</u>	<u>Avg. of front setback 2 adjacent lots on both sides +/- 5 feet</u> <u>Max Required: 20'</u>	<u>Min: 10% of lot width or avg. of side setback of two adjacent lots on both sides, whichever is less</u> <u>Max Required: 20' 0 ft.</u>	<u>0' Min</u> <u>20' Max</u>	<u>0 ft.</u>	
<u>RM</u>	<u>15 ft.</u>					
<u>RH</u>						
<u>RC</u>		<u>Min Required: 5'</u> <u>Max Required: 20'</u>				

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.

- Sec. 11.1.5-6 Approval Requirements
- As Written
- Sec. 11.1.6-7 Non-Residential Facilities
- As Written

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 or two units that is attached in a row of no fewer than two (2) rowhouses.

* Material stricken out deleted.

** Material underlined added.

Ordinances 2024/ZA-24-04 Neighborhood Code 2-A

DRAFT v1.0 07/23/24

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 25, 2025, 6:30 P.M.

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

Draft Minutes

Commissioners Present:

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

City Staff Present:

- ☒ Charles Dillard, Director
☐ Sarah Morgan, Planner

Public Attendance: Sharon Bushor, David White, Tyler Cote

1. Agenda

Call to Order: 6:30pm

Changes to Agenda: N/A

2. Public Forum

<u>Name(s)</u>	<u>Comment</u>
Tyler Cote	Had a chance to review the proposed amendments and feels this is a good solution.
Sharon Bushor:	The DRB hears frequent comments from neighbors regarding the necessity of screening headlights from abutting properties that shine into their residential units. Points out that quality of life of residential properties abutting parking will also be impacted by headlights, not just civic spaces. Wondered if anyone had consulted a landscaper who could provide narrow vegetation. Would add residential properties to lines 8 and 12 along with Civic Centers. States that quality of life used to be a priority in Burlington and hopes it is not lost.

3. Chair's Report

4. Director's Report

C. Dillard:

(1) Last week the City Council adopted the memorandum of understanding with UVM Medical Center regarding their growth plan and associated changes to the City's zoning that are contemplated in the MOU.

(2) In that same meeting the council approved the amendments to the pre-development agreement governing the South End Coordinated Redevelopment in the SEID between the City, Champlain College, and Ride Your Bike. The work continues and staff is working with consultants over the next few months to submit a framework for a PUD within the next few months. After that, Ride Your Bike will be moving fairly quickly on plans for the first phase of development.

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 Human Resources Department at (802) 540-2505.

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

Action: Warned for a Public Hearing with the memo and proposed changes to the amendment made during the meeting.

Motion by: A. Friend

Seconded by: R. Nick

Vote: Unanimous

Notes or Corrections: Joined by David White. Changes to the amendment made by Planning Commission include adding adjacency to residential uses to Sec. 14.6.7 i. (a).

6. Commissioner Items

E. Malone: Requests that, with Inclusionary Zoning amendments on the horizon, staff circulates some articles with different perspectives related to current trends of IZ or alternatives that are working well the weekend before the discussion.

C. Dillard: There are absolutely different perspectives we can share. Recommends UCLA's Lewis Center's [Housing Voice podcast](#) with Shane Phillips, who write The Affordable City.

7. Adopt Minutes + Accept Communications

Action: Approve minutes and accept communications.

Motion by: R. Nick

Seconded by: A. Friend

Vote: Unanimous

Notes or Corrections: N/A

8. Adjournment

Action: Motion to Adjourn

Time of Adjournment: 7 pm

Motion by: R. Nick

Seconded by: A. Friend

Vote: Unanimous