

Ordinance Committee
Wednesday, May 7, 2025
Bushor Conference Room Conference Room
or Remote via Zoom. Burlington, Vermont
DRAFT MINUTES

Members Present: Councilor Bergman (Chair), Councilor Barlow, Councilor Carpenter, Councilor Kane

Staff Present: Kim Sturtevant (Assistant City Attorney), Charles Dillard (Director of Planning), Sarah Morgan (City Planner)

Public Present: Sharon Bushor, Todd Deluca, Kirsten Merriman Shapiro

Meeting called to order at 12:30 PM.

1. Adopt the Agenda
1.01 Adopt the Agenda

Motion to Adopt Agenda.

Motion by Councilor Barlow, Seconded by Councilor Carpenter.

Final Resolution: Motion Passes

Yes: Unanimous

2. Adopt Draft Minutes
2.1 Adopt Draft Minutes from March 18.

Motion to accept and place the the draft minutes from March 18 on file.

Motion by Councilor Barlow, Seconded by Councilor Carpenter.

Final Resolution: Motion Passes

Yes: Unanimous

3. Public Forum

Sharon Bushor: I do not oppose anything in the ordinance regarding row houses. I like pocket neighborhoods as well, but including parking structures in the common space is not great and parking structures should be placed off to the side. I think the ordinance should reference the fact that Chapter 26 still applies.

4. Comprehensive Development Ordinance: ZA-25-02 Neighborhood Code – Additional Housing Development Options

Charles Dillard and Sarah Morgan presented a presentation on the proposed amendments. The presentation is available in the agenda packet on CivicClerk.

Kirsten Merriman Shapiro (Champlain Housing Trust) said that CHT has already created a plan to create apartments using the amendments to CDO that would provide supportive housing for those with disabilities. She said that while CHT would be the landlord, a separate healthcare provider would provide care. She continued that the building currently is not accessible for people with disabilities and so changes had to be requested to the CDO to accommodate those needs.

Councilor Carpenter asked how and why historic inns became part of this proposed change. Sarah Morgan said that the Planning Commission decided on the categories to include in the proposed amendment.

Councilor Carpenter also asked about the inclusion of emergency shelters. Charles Dillard said that state statute allows municipal regulation of size, location, set backs, and other criteria to the extent they do not interfere with the intended function. He continued that the state legislation is still up in the air and there could be changes.

Councilor Barlow said he would be interested in amending the proposed change to include approval of emergency shelter pending additional information on state policy.

Charles Dillard said that the proposed amendment could be changed to exempt the stated residential special uses excluding emergency shelters from maximum principal and secondary structure footprint standards as stated in line 72, table 4.4.5.2 footnote 6.

Motion to refer the proposed amendment regarding convalescent housing/assisted living to City Council with recommendation to warn a public hearing and for second reading.

Motion by Councilor Carpenter, Seconded by Councilor Barlow

Final Resolution: Motion Passes

Yes: Unanimous

Councilor Carpenter said that in the past nursing homes or other community houses have been created and then later left without funding and so the providers were no longer there. Kirsten Merriman Shapiro (CHT) said that the draft MOU between CHT and the provider is for an initial five year term. She continued that if the provider fell through in the future and another could not be found, the housing would remain for those individuals.

Councilor Carpenter asked how the City would address a building that was built for assisted living and no longer did so, despite having the larger footprint allowed under the proposed ordinance. Attorney Sturtevant said that the building would need a change of use which could result in the structure having a nonconformity.

Sarah Morgan presented the proposed changes to the Neighborhood Code. Relevant documents are available in the agenda packet on CivicClerk.

Councilor Carpenter asked if the changes to the definition of ADU for the City would affect individuals looking to apply for grants to help finance the building of ADUs on their property.

Charles Dillard said that the City could and should create a guide to help guide residents that want to build an ADU and inform them of any eligibility for outside grants or financing.

Presentation and amendment discussion to be continued at the next meeting.

5. Any Other Committee Business

No other committee business.

6. Adjournment

The next Ordinance Committee meeting is scheduled for May 9 at 2:00 PM.

The meeting was adjourned at 2:31 PM.