

Burlington Planning Commission
149 Church Street
Burlington, VT 05401
www.burlingtonvt.gov/cityplanning

*Andy Montroll, Chair
Alexander Friend, Vice Chair
Michael Gaughan
Erhard Mahnke
Ryan Nick
Erin Malone
Julia Randall*

Burlington Planning Commission

Wednesday, January 7, 2026, 4:00 PM

Remote & Virtual Meeting via Zoom

In person option available:

Bushor Conference Room (Room 102), 1st Floor of City Hall, 149 Church St.

To Join the Meeting on a Computer

<https://zoom.us/j/91072079751?pwd=f6Uw0a5YcBOINAMNpDkd7V7A22aBs.1>

Passcode: 545483

To Join the Meeting on a Phone

Number: +1 646 931 3860 US

Meeting ID: 910 7207 9751

1. Agenda

2. Public Forum

3. Chair's Report

4. Discussion related to proposed CDO Amendment ZA-26-02: Downtown Fences

5. Commissioner Items

6. Adopt Minutes & Accept Communications

7. Adjournment



City of Burlington, VT
149 Church Street, 3rd Floor
Burlington, VT 05401
Phone: (802) 865-7194
www.burlingtonvt.gov/plan

TO: Burlington Planning Commission
FROM: Sarah Morgan, AICP, Principal Planner
Charles Dillard, AICP, Director of City Planning
DATE: January 5, 2026
RE: Proposed ZA-26-02 planBTV Downtown Code Fence Height

This memo is intended to provide an overview about the proposed changes included in ZA-26-02.

1. Overview & Background

Downtown business owners, their employees, and service providers are facing ongoing challenges related to substance use, hygiene, and safety, particularly in alleys, entryways, and service areas. Due to the rigidity of the planBTV Downtown Code, the Development Review Board has requested a zoning amendment that provides more allowance for taller fences in Burlington's downtown districts.

Currently, Article 14 of the Comprehensive Development Ordinance does not allow for Fences and Free-standing Walls to exceed 4 feet in height when placed in the First Lot Layer. The proposed amendment to Article 14 would create an administrative approval pathway for fences up to 6 feet in height, provided they are transparent.

2. Planning Commission and Committee Discussions

This section summarizes the discussions that have taken place following staff presentations to the Planning Commission and Planning Commission Ordinance Committee.

Summary of 12/9 Planning Commission Discussion

The Planning Commission met on December 9 to review the revised amendment as referred by the Planning Commission Ordinance Committee (PCOC). As requested by the PCOC, the Commission continued its discussion regarding the extent to which Article 14 should increase allowable fence height and expand permitted fence materials within the First Lot Layer.

As it relates to fence height and materials, the Planning Commission modified the proposed amendment to:

- Increase the allowable fence height from four feet to six feet only when the fence is used to enclose an alleyway or a loading dock located within an alleyway (*Sec. 14.6.8 (b) v. A*).
- Allow chain-link and welded wire fences along the frontage line when located within alleyways or used to enclose loading docks within alleyways (*Sec. 14.6.8 (b) v. B*).

Commissioners also discussed how this amendment relates to gates in front of vestibules* in the form code districts. While some commissioners were apprehensive about allowing six-foot chain-link or welded wire fences or gates in front of recessed business entryways, others acknowledged that such allowances may help address ongoing public health and safety challenges in these areas.

The Planning Commission warned the attached amendment for a public hearing at its January 13 meeting, with the understanding that the PCOC will meet prior to the hearing and provide recommended language addressing how the amendment should account for fencing associated with vestibules* in the downtown form-based code district.

* Upon review of the language warned for a public hearing by the Planning Commission, staff determined that references to "vestibules" were intended to mean "recessed entries" and will advise the PCOC to correct this terminology in future recommended language.

Summary of 11/24 Planning Commission Ordinance Committee Discussion

The PCOC met on November 24th to discuss this amendment and were in agreement that it should take a balanced approach. Committee members share the goal of supporting downtown businesses and also want to prevent this amendment from negatively impacting the City’s broader goal of maintaining a welcoming downtown.

During Public Forum, members of the downtown business community spoke in support of the amendment and also requested that the amendment be expanded to allow chain-link fences in certain cases. Committee members acknowledged the benefits of allowing chain-link fencing but expressed concerns about impacting the downtown experience if allowed within or along the First Lot Layer. Ultimately, the Committee agreed that chain-link fences should be permitted only when used to enclose alleyways or loading docks, and that those fences may be up to 6 feet in height.

Committee members did not reach consensus on whether 6-foot fences should be allowed elsewhere in the First Lot Layer, or whether the 4-foot limit should remain in place except in the case of enclosing alleyways or loading docks.

The Committee voted to refer the revised amendment back to the Planning Commission, with the condition that the staff memo reflect that there was and should be additional discussion among the Commission on whether the height increase from 4 to 6 feet should apply more broadly within the First Lot Layer or remain limited to alleyways and loading docks.

Summary of 10/14 Planning Commission Discussion

Staff presented ZA-26-02: Downtown Fences to the Planning Commission during its meeting on October 14th. The Commissioners discussed the complexities surrounding this amendment, including the desire to make sure that Burlington’s downtown remain welcoming while also providing more flexibility in the height and materials of fences. As originally presented to the Planning Commission, this amendment made no changes to requirements related to the material of fences, and while it would allow for taller fences, chain-link fences were still not permitted along the frontage line of a property. Ultimately, Commissioners referred to the Planning Commission Ordinance Committee (PCOC) for further discussion.

4. Proposed Amendment: ZA-26-02

a) Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
----------------	---------------	----------------------

b) Purpose Statement

The proposed change in ZA-26-02 aims to address challenges related to fence height in Downtown districts.

c) Proposed Amendment

1. Amendments to Article 14: PlanBTV Downtown Code Fences

- Amends Sec. 14.6.8 (b) v. A. Fences and Free-Standing Walls to create an administrative approval pathway allowing for fences to be up to 6 feet in height, as long as they are transparent.
- Amends Sec. 14.6.8 (b) v. B. to allow for chain-link and welded-wire fencing to be used in alleyways or loading docks.

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	

Compatibility with Proposed Future Land Use & Density

The proposed amendment aligns with the land use and density policies outlined in planBTV. Its purpose is to support both existing and future businesses in downtown as the city adapts to challenges related to public health and safety. This change reflects the intent of the "Dynamic" theme, which prioritizes purposeful and economically viable solutions that enable the city to meet current needs and address future challenges.

Impact on Safe & Affordable Housing

This amendment has no direct impact on safe and affordable housing.

Planned Community Facilities

This amendment has no direct impact on planned community 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 9/18/25	Presentation to & discussion by Commission: 10/14/25, 11/24/25*, 12/9/25	Approve for Public Hearing 12/9/25	Public Hearing	Approved & forwarded to Council	
City Council Process					
First Read & Referral to Ordinance Committee	Ordinance Committee discussion	Ordinance Committee recommend	Second Read	Public Hearing	Council Approval & Adoption

*Discussed by the Planning Commission Ordinance Committee

CITY OF BURLINGTON

ORDINANCE _____

Sponsor: Office of City Planning,
Planning Commission

Public Hearing Dates: _____

In the Year Two Thousand Twenty-Five

First reading: _____

Referred to: _____

An Ordinance in Relation to

Rules suspended and placed in all
stages of passage: _____

ZA-26-02 planBTV Downtown Code Fences

Second reading: _____

Action: _____

Date: _____

Signed by Mayor: _____

Published: _____

Effective: _____

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 Article 14, Sec. 14.6.8 to increase the height of see-through fences permitted in the
3 First Lot Layer if enclosing an alleyway or a loading dock within an alleyway, as well as allow for chain-link or
4 welded wire fence to be used if enclosing alleyways or a loading dock within an alleyway.

Article 14 PlanBTV Downtown Code

Section 6: Applicable in All Form Districts

Section 14.6.8 – Site and Landscape Standards

a) Purpose and Applicability – As Written

b) Site Standards

i – iv. As Written

v. Fences and Free-standing Walls:

A. Fences and Free-standing Walls placed within the First Lot Layer shall not exceed 4-feet in height, except for see-through fences which shall not exceed 6 feet in height and shall only be used to enclose an alleyway, loading dock located within an alleyway, and recessed entries. Linear feet of recessed entries shall not exceed 5 feet. Fences and Free-standing Walls placed within the Second or Third Lot Layer shall not exceed 8-feet in height unless a different height limit is specified under the applicable Form District or Frontage Type.

B. Materials used for Fences and Free-standing Walls shall be limited to Brick and tile masonry; Native or sintered stone; Wood – panels, clapboard or shingles; Cementitious siding, metal, and woven or braided cable wire. Chain-link and welded-wire fencing shall not be used along any Frontage Line with the exception of alleyways, or loading docks located within an alleyway, the temporary enclosure of a construction site, or where required by the Building Official to protect public safety. Barbed or razor wire shall not be used in any application. Alternate materials may be approved by the Administrative Officer after seeking input from the Design Advisory Board. Alternate materials must be considered equivalent or better than the materials listed above, and must demonstrate successful, high quality local installations. Regionally-available materials are preferred.

Commented [SM1]: Language originally warned by the Planning Commission referred to “vestibules”. Upon further review, staff determined that the correct term was “recessed entries”, but will clarify during the Public Hearing.

27 C. All fences and free-standing walls shall be installed so that a finished side faces outward towards the
28 adjacent property or public Frontage.

29 _____

30 * Material stricken out deleted.

31 ** Material underlined added.