



**Friday, February 6, 2026, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR
REMOTELY via ZOOM**

When: Feb 6, 2026 02:00 PM Eastern Time (US and Canada)
Topic: Ordinance Committee Meeting

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1. Agenda

1.1. Motion to amend/adopt agenda

2. Adopt Draft Minutes

Subject	2.1. Adopt Draft Minutes from 1/15
Meeting	February 6, 2026 - Ordinance Committee Meeting Agenda - Friday, February 6, 2026, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	2. Adopt Draft Minutes
Department	Council and Board
Type	

Recommended Action

3. Public Forum

Subject	3.1. Verbal Comments
Meeting	February 6, 2026 - Ordinance Committee Meeting Agenda - Friday, February 6, 2026, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	3. Public Forum
Department	Council and Board
Type	

4. CDO - Transportation Demand Management (TDM) as it relates to Inclusionary Zoning (IZ)

Subject	4.1. CDO - Transportation Demand Management (TDM) as it relates to Inclusionary Zoning (IZ)
Meeting	February 6, 2026 - Ordinance Committee Meeting Agenda - Friday, February 6, 2026, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	4. CDO - Transportation Demand Management (TDM) as it relates to Inclusionary Zoning (IZ)
Department	Council and Board
Type	
Recommended Action	

5. CDO - planBTV Downtown Code Fences; ZA-26-02

Subject	5.1. CDO - planBTV Downtown Code Fences; ZA-26-02
Meeting	February 6, 2026 - Ordinance Committee Meeting Agenda - Friday, February 6, 2026, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	5. CDO - planBTV Downtown Code Fences; ZA-26-02
Department	Council and Board
Type	
Recommended Action	

6. Fuel Purchase Ordinance Public Hearing

Subject	6.1. Fuel Purchase Ordinance Public Hearing
Meeting	February 6, 2026 - Ordinance Committee Meeting Agenda - Friday, February 6, 2026, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM
Category	6. Fuel Purchase Ordinance Public Hearing
Department	Council and Board
Type	

Recommended Action

7. Private Parking Lot Terms and Rates Ordinance Public Hearing

Subject **7.1. Private Parking Lot Terms and Rates Ordinance Public Hearing**

Meeting February 6, 2026 - Ordinance Committee Meeting Agenda - Friday, February 6, 2026, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM

Category 7. Private Parking Lot Terms and Rates Ordinance Public Hearing

Department Council and Board

Type

Recommended Action

8. Any Other Committee Business

Subject **8.1. Any Other Committee Business**

Meeting February 6, 2026 - Ordinance Committee Meeting Agenda - Friday, February 6, 2026, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM

Category 8. Any Other Committee Business

Department Council and Board

Type

Recommended Action

9. Adjournment

Subject **9.1. Motion to adjourn**

Meeting February 6, 2026 - Ordinance Committee Meeting Agenda - Friday, February 6, 2026, 2:00 PM, Bushor Conference Room 1st Floor, City Hall OR REMOTELY via ZOOM

Category 9. Adjournment

Department Council and Board

Type

Recommended Action

Ordinance Committee
Thursday, January 15, 2026
Bushor Conference Room Conference Room
or Remote via Zoom. Burlington, Vermont
DRAFT MINUTES

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

Staff Present: Kim Sturtevant (Assistant City Attorney), Bill Ward (Director of DPI),

Public Present: Sharon Bushor, Allie Schachter, Melo Grant, William Rison, Gabby Grzan, Ethan Kieffner, Nic Anderson, Floyd Campbell, Lawrence Saveall, Ben Robke, Isabelle Kriz, Alva Yanowitz, Jackson Stoeber, Marek Broderick, Alicia Estey

Meeting called to order at 4:31 PM.

1. Adopt the Agenda
1.1 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 December 18th.

Motion to Adopt the Draft Minutes from 12/18.

Motion by Councilor Barlow, Seconded by Councilor Carpenter.

Final Resolution: Motion Passes

Yes: Unanimous

3. University Exemption for Periodic Minimum Housing Inspection Ordinance Discussion
3.1 Dormitory Executive Session

Move that the Ordinance Committee find that premature general public knowledge of legal advice regarding Agenda Item 3 would clearly place the City at a substantial disadvantage.

Motion by Councilor Barlow, Seconded by Councilor Carpenter.

Final Resolution: Motion Passes

Yes: Unanimous

Based upon that finding, move that the Ordinance Committee go into executive session to receive confidential attorney-client communications for Agenda Item 3. 1 VSA §313(a)(1)(F).

Motion by Councilor Barlow, Seconded by Councilor Carpenter.

Final Resolution: Motion Passes

Yes: Unanimous

Motion to come out of Executive Session.

Motion by Councilor Barlow, Seconded by Councilor Carpenter

Final Resolution: Motion Passes

3.2 Presentation from Bill Ward (DPI)

Bill Ward (Director of DPI) shared a minimum housing checklist and discussed how it is used when inspecting units in the City and how it could be used when inspecting dormitories. This document is available in the agenda packet on CivicClerk.

Bill Ward recommended changing the ordinance regarding self-certification to simply state that “Self-certification shall be completed using a form provided by the Department of Permitting and Inspections.” He said that then DPI can adjust the form as needed to include more information if necessary. He added that the self-certification process would not negate the City’s ability to inspect after receiving a housing complaint.

Councilor Carpenter asked how quickly a tenant should receive a response from their landlord regarding a complaint. Bill Ward said it depends on the seriousness of the issue. He said that there should be open communication within a few days, but an emergency like the heat being out must be addressed immediately.

3.3 Presentation from UVM Administration

Wendy Koenig (UVM Director of Government Relations) and Alicia Estey (UVM VP for Finance and Administration) spoke on behalf of the University of Vermont. They said that UVM is already going to be updating their website to make it clear that students in dormitories can make complaints directly to the City. They also shared a letter about making changes to the information on the self-certification and about UVM’s own inspection process. This letter is available in the agenda packet on CivicClerk.

3.4 Presentation from UVM Student Union

Gabby Grzan and Ethan Kieffner spoke on behalf of the UVM Student Tenant Union. They said they were happy with the progress thus far, but the fundamental issues are still present in the older dorms. They said there is overcrowding and the buildings were not designed for so many residents. They also said that UVM’s own inspections have not been effective.

Councilor Barlow asked if the University’s attempts to make reporting easier and more accessible will improve the process. The students said that the available QR codes are an improvement, but that the PlanOn website itself is not intuitive and is difficult to use.

3.5 University Exemption for Periodic Minimum Housing Inspection Ordinance Discussion

4. Public Forum regarding University/College Minimum Housing Inspection

Alva Yanowitz: I am part of the UVM Student Tenant Union and have lived in three different dorm buildings at UVM. I am worried that the issues with the reporting software will overshadow the larger infrastructure issues with UVM's dorms. There are certain buildings that has consistent issues with pests, mold, or temperature and students should not be the ones to have to report on these every time.

Floyd Campbell: I am a first year UVM student. I am hoping for a more cooperative relationship between the UVM administration and the tenants union going forward.

5. Any Other Committee Business

The next Ordinance Committee meeting is scheduled for February 6th. The agenda will include Inclusionary Zoning, Total Demand Management, Fuel Purchase Notice, and Private Parking Lot ordinance discussions.

6. Adjournment

Motion to adjourn.

Motion by Councilor Barlow, Seconded by Councilor Carpenter

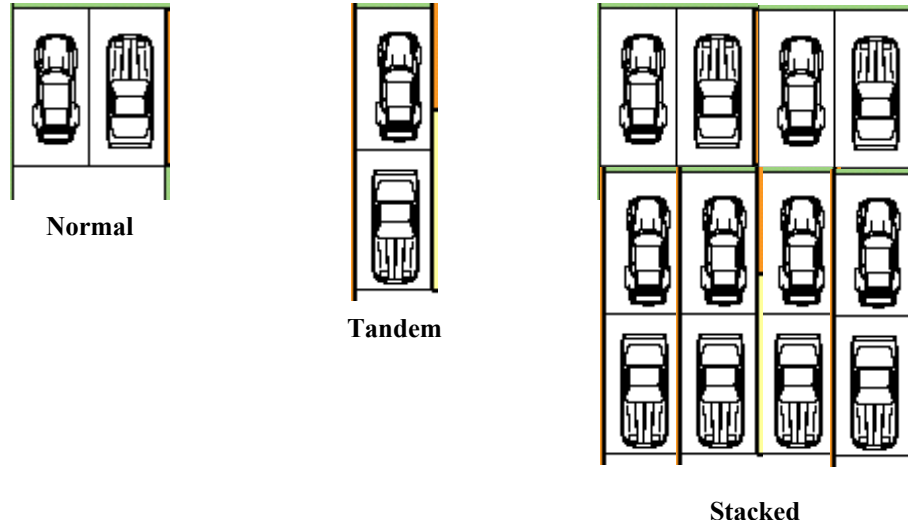
Final Resolution: Motion Passes

Yes: Unanimous

The meeting was adjourned at 6:37 PM.

any pair of tandem parking spaces shall not serve more than one dwelling unit . Tandem parking shall also be allowed for dedicated employee-only parking where signed as such.

- (c) Stacked parking shall be allowed for single-family detached dwelling units and Accessory Dwelling Units with no requirement for an attendant to be present.



Sec. 8.1.15 (Reserved)

Sec. 8.1.16 Transportation Demand Management

- (a) **Purpose:** This section requires the implementation of a Transportation Demand Management (TDM) Program for certain projects for the purpose of advancing the goals of the City’s land use and transportation plans, and promoting public health, safety, welfare, and protection of the environment by:

- Reducing parking demand;
- Reducing car ownership;
- Reducing vehicle miles traveled (VMT), single occupant vehicle usage and congestion; and,
- Increasing transit use and non-motorized travel;

- (b) **Applicability:**

- (1) A Transportation Demand Management Program shall be required for all projects in any Parking District involving any one or more of the following:

Project Type	Applicable Projects	Affordable Projects	Small Projects
	<ul style="list-style-type: none"> • Creation of 10 or more dwelling units • A non-residential or Mixed Use development with a building footprint of eight thousand (8,000) sq.ft. or more; or the creation of fifteen thousand (15,000) sq.ft. or more of gross floor area 	Projects involving one or more “Applicable Projects” and that also contain at least 75% of dwelling units meeting or exceeding the affordability criteria of Article 9, Inclusionary & Replacement Housing, or housing rented to tenants receiving federal or state rental assistance	Creation of five (5) to nine (9) dwelling units
Applicable TDM Sections	All provisions of Sec. 8.1.16 (c)	Sec. 8.1.16 (c) 1. and Sec. 8.1.16 (c) 4. only	Sec. 8.1.16 (c) 3. b. only

For projects that were issued permits with TDM requirements prior to January 31, 2023, an administrative permit amendment may be requested to align the permit with the TDM requirements set forth herein.

(c) Transportation Demand Management (TDM) Program: A TDM Program shall include each of the following elements at a minimum:

(1) Outreach and Education:

- a. Designation of a Transportation Coordinator who directly, or indirectly through membership in a Transportation Management Association, shall be responsible for each of the following:
 1. Prepare and always make available to all residents and employees informational and educational materials regarding available TDM strategies and opportunities for increased use and participation;
 2. Preparation and dissemination of an annual travel survey of all residents and employees; and,
 3. Record-keeping and reporting to City upon request of all TDM activities offered and rates of participation (including parking utilization if applicable).

(2) TDM Strategies: In addition to compliance with the on-site Bicycle Parking requirements found in Article 8, Part 2, each TDM Program must incorporate TDM strategies to minimize the amount of parking demand associated with the project. At a minimum, a TDM Program shall select no less than two (2) of the following TDM strategies, which shall be selected and filed with the Administrative Officer on an annual basis:

- a. Maintain an ongoing and active membership in a Transportation Management Association (TMA);
- b. Provide GMT Transit passes to all residents and employees at a minimum discount of 50%;
- c. Provide a free car share membership to all residents and employees;
- d. Provide a free bike share membership to all residents and employees;
- e. If not already provided through a TMA membership, provide residents and employees with a shuttle service, guaranteed ride home program, or ride to a nearby transit center.

(3) **Parking Management:** Where on-site or off-site parking is also made available:

- a. Conduct parking utilization studies at least annually for a period of 7 years from receipt of a Certificate of Occupancy;
- b. With the exception of permanently affordable housing units, the cost of parking shall be un-bundled from all residential and non-residential leases and deeds and made available at a market rate;
- c. Where parking spaces are made available to off-site users, parking spaces may be made available by a renewable lease, provided the term of any lease does not exceed one (1) year; and,
- d. Priority parking spaces: when on-site parking is provided, the following must be located in closest proximity to a primary building entrance and/or public street frontage:
 1. ADA Accessible spaces;
 2. Bicycles, scooters, and motorcycles spaces;
 3. Car-share: where 1 space must be offered for projects with 20 or more residential units, subject to an agreement with a car-share provider; and,
 4. Carpool and/or Vanpool vehicles: where more than 20 spaces are available for non-residential uses. In such cases, 5 spaces or 5% of the parking spaces on site, whichever is less, must be reserved for carpool/vanpool use before 9:00 AM on weekdays.

(4) **TDM Agreement:** Each TDM Plan shall include a signed commitment to and acknowledgement of each of the following on a form provided by the Administrative Officer:

- a. Commitment to ongoing implementation of the TDM requirements as set forth above;

- b. Acknowledgement that the project has no claim to the ongoing availability of nearby on-street public parking, and that, as is the case with other on-street public parking, the City retains the right to charge for, restrict or remove such on-street parking at any time;
- c. Acknowledgement that failure to maintain transportation demand management as required above is a violation of this ordinance, and understanding that, pursuant to Sec. 2.7.8 of this ordinance, no zoning permit or certificate of occupancy may be granted until any such violation has been remedied; and,
- d. Commitment to notify any subsequent owners and tenants in writing of their obligations under this section as part of any purchase and sale and/or lease agreements.

Review and Enforcement: The Administrative Officer shall be responsible for determining compliance with the TDM Program requirements as set forth above, and ongoing implementation shall be included as a condition of any discretionary or administrative permit required for development subject to the conditions of this Section.

Failure to maintain a TDM Program as required above shall be a violation of this ordinance, and pursuant to Sec. 2.7.8 of this ordinance no zoning permit or certificate of occupancy may be granted without a TDM Program in effect.

Guidelines regarding compliance with these TDM requirements shall be developed and provided to applicants by the Administrative Officer.

PART 2: BICYCLE PARKING

Sec. 8.2.1 Intent

It is the intent of this subpart to:

- (a) Ensure the provision of parking spaces that are designed for bicycles and to ensure that bicycle parking needs of new land uses and development are met, while ensuring bicycle parking spaces are designed and located in a consistent manner. Provide bicycle access to employment, commercial destinations, and other transportation alternatives;
- (b) Provide safe, convenient, and adequate bicycle parking facilities that:
 - 1. Meet the demands of the use of the property;
 - 2. Reduce hazards to pedestrians;
 - 3. Enhance the visual quality of the city;
 - 4. Reduce the adverse impacts associated with the bicycle parking, which includes bicycles parked on parking meters, signs, trees, etc; and,



To: Burlington Ordinance Committee

From: Cindy Reid, Cathedral Square
Michael Monte, Champlain Housing Trust
Jess Neubelt, Evernorth

CC: Kim Sturtevant, Assistant City Attorney

Re: **Request for minor revision to the Transportation Demand Management Ordinance**

Date: January 29, 2026

Champlain Housing Trust, Evernorth, and Cathedral Square are requesting a minor revision to the Transportation Demand Management ordinance (last amended in 2023) clarifying that affordable housing buildings need only comply with outreach and education as well as reporting to the City as requested, whether or not they are permitted as part of a PUD. To illustrate an example of this issue, we have recently been asked by the DRB to provide full TDM services to our residents for our properties at Cambrian Rise.

We believe a modification and clarification would be in keeping with the intent of the Ordinance amendment discussions we had with several of you in 2022-2023. This resulted in an exemption for buildings with a significant level of affordability (at least 75% of units that would meet the IZ ordinance definition of "affordable").

As we stated in 2022-2023, the full TDM Ordinance, if applied to affordable housing projects, would be cost prohibitive. At a time when we are experiencing significant increases in insurance, taxes and maintenance costs, and we are providing as many services (SASH®, housing retention, mental health) as we can to address the basic needs of our vulnerable populations, and to prevent evictions, we cannot afford more requirements layered onto our operations.

At Cambrian Rise, the larger CDO's definition of a project does not allow for the affordable housing partial exemption to apply to units that are within a PUD, even if they otherwise meet the criteria for the modified implementation requirements. **We are requesting a minor modification to the definition of affordable housing included within Table 8.1.16-1, to explicitly allow the "Affordable Projects" definition to include buildings within a PUD, including if they are serving as that PUD's IZ units.**

This modification would also ensure that the requirements are not being retroactively applied to buildings - such as CHT's Laurentide and Cathedral Square's Juniper Housing - that were constructed prior to the TDM ordinance's implementation.

This exemption is critical for us in both standalone buildings and buildings in PUDs. Our buildings feature lower levels of car ownership than their market-rate counterparts, and our staff spend enormous portions of their days navigating many layers of regulatory compliance. Waiving the costliest portions of TDM allows us to preserve our federally and locally restricted operating budgets for our key mission -- supporting our communities' highest needs residents — without adding cars to Burlington's taxed road system. In all cases, we would still maintain TDM plans that encompass the Outreach & Education portions of the ordinance.

Thanks for your time and consideration.

Attachment: Transportation Demand Management Memo to City Council 1.9.2023



To: Mayor Weinberger and Burlington City Council

From: Cindy Reid, Cathedral Square
Michael Monte, Champlain Housing Trust
Jonathan Farrell, COTS
Jess Neubelt, Evernorth

Re: Expansion of Transportation Demand Management Ordinance

Date: January 9, 2023

As representatives of the City's Designated Housing Agencies, we are writing to support the proposed amendment to the Transportation Demand Management (TDM) ordinance.

Specifically, we support that the amendment requires affordable housing projects (defined as projects with at least 75% affordable units as defined by IZ criteria or housing rented to residents who receive public subsidy), to comply with only Section 8.1.16 c. 1. (education and outreach for residents) and section 8.1.16 c 4 (reporting to the City upon request). We also support that previously permitted projects with existing TDM plans (e.g., COTS) will be able to seek an administrative amendment to their permit, aligning with the new TDM criteria. Finally, we believe that the shift from mandating TDM strategies to providing a menu of options will save renters and landlords money that could be better spent in more targeted, impactful ways.

We appreciate your hearing our concerns about the prior TDM iteration's potential impacts on affordable housing viability as well as your time spent working with us on this amendment. Our affordable housing communities meet many public goals, and it's critical that we maintain their viability in the process, while housing some of our most vulnerable community members. As developers and operators of affordable communities, we know that these changes will make a real difference in our ability to adequately finance and manage our buildings.

Thank you!

Burlington Development Review Board

645 Pine Street
Burlington, VT 05401
www.burlingtonvt.gov/DPI/DRB
Phone: (802) 865-7188

AJ LaRosa
Caitlin Halpert
Geoffrey Hand
Miles Waite
Leo Sprinzen
Sean McKenzie
Evan Gould
Marina Campbell (Alt.)



Burlington Development Review Board Findings of Fact Deliberative Hearing Tuesday, December 16, 2025

In RE: ZP-25-442; 351 North Avenue (Ward 4N, NAC-CR) (Tax Lot No. 038-1-001-002)

Owner/Applicant: 375 North Avenue, LLC / Ben Frye

Request: Proposed revision to the requirements of the Transportation Demand Management (TDM) plan for Cambrian Rise.

Members Present:

Caitlin Halpert
Leo Sprinzen
Evan Gould
Miles Waite
Sean McKenzie
Marina Campbell

Evidence Presented:

The Board examined the materials submitted in support of this request.

I. FINDINGS

Background Information:

The applicant is requesting approval to amend the Transportation Demand Management (TDM) plan for Cambrian Rise. This application was originally scheduled for DRB review on October 7, 2025. The applicant requested deferral and has since modified the application to partially drop the request to change the period of implementation of the TDM plan from 10 years to 7 years. Much of this request is to exempt the affordable housing within Cambrian Rise from most of the TDM standards.

Previous zoning actions for this property (Permitting addresses vary from 329, 351, 351-375 and 375 North Avenue):

- **Zoning Permit ZP-25-226:** As-Built changes to Building C, Sunset House
- **Zoning Permit ZPF-24-84:** Install black aluminum fencing
- **Zoning Permit ZP-24-450:** Reapplication for ZP-22-399
- **Zoning Permit ZP-24-360:** Modify Building H into two buildings
- **Zoning Permit ZP-24-256:** Construct recreation path and related site work (expired)

- **Zoning Permit ZP-24-226:** Install retaining walls
- **Zoning permit ZP-22-582:** Add temporary parking east of Liberty House.
- **Zoning permit ZP-22-399:** Dissolve lots 8, 9, & 10 into one lot.
- **Zoning permit ZP-22-363:** Install garage and person doors within a garage.
- **Zoning permit ZP-22-31:** Amend PUD to increase dwelling unit count from 770 to 950 with related site and building changes.
- **Zoning Permit ZP-21-235:** Re-apply for 18-0791CA.
- **Zoning Permit 20-0683CA:** Changes to proposed Building C, convert parking to residential space (no increase in units), decrease non-residential space by 3,000 sf. February 2020.
- **Zoning Permit 19-0021CA/MA:** Amendment to original project increasing the overall unit count to 770. Redesign of Building M, adding additional stories to buildings M, P, Q, & R. Add building volume to B & G. Minor changes to plaza dimensions. October 2018.
- **Zoning Permit 18-0721CA:** Relocation of proposed path on SW side of building to align with existing opening on west elevation and small path leading from main path to vicinity of electrical transformer; modified paths near entry until adjacent buildings are complete; temporary black coated chain link construction fence surrounding west and south boundaries of building landscaping; new low stone wall. March 2018.
- **Zoning Permit 18-0791CA;** Revisions to Buildings B & G, with additional floor added to Building B. No change to total units in project; revisions to design of buildings and proposed transportation hub; revision to road phasing plan. May 2018.
- **Zoning Permit 18-0028AP;** Appeal of administrative decision relative to Impact Fees for orphanage renovation (zoning permit 16-0007CA/MA). DRB upholds staff decision, August 2017.
- **Zoning Permit 17-1307CA;** temporary fence and path for temporary dog park for residents of 375 North Avenue. June 2017.
- **Zoning Permit 17-0853CA;** Request for amendment of ZP17-0623CA/MA; Condition of approval #13 limiting construction days and times and Condition #3 addressing 10-year performance bond for construction. May 2017.
- **Zoning Permit 17-0716CA;** Replace two small windows on north and south gable ends located at the west elevation of former Orphanage building with one larger window in each gable end at the west elevation. January 2017.
- **Zoning Permit 17-0623CA/MA;** Proposed development consisting of 11 buildings containing 739 residential units, approximately 45,000 sq. ft. of non-residential support/amenity space, approximately 40,000 sq. ft. of neighborhood commercial spaces and 1,092 parking spaces. March 2017.
- **Zoning Permit 17-0376CA;** install new windows within new openings on western building elevation. September 2016.

- **Zoning Permit 17-0252SP**; second sketch plan review of planned unit development with mixed commercial and residential uses, related buildings, and infrastructure. October 2016.
- **Zoning Permit 17-0010CA**; Revisions to west chapel elevation (amendment to zoning permit 16-0007CA / MA). Openings for windows restored or added. July 2016.
- **Zoning Permit 16-1487CA**; Change to top floor, add veranda on roof. Amendment to zoning permit 16-0007CA/MA. July 2016.
- **Zoning Permit 16-0622CA**; Request change of materials for existing slate roof to standing seam copper on the former St. Joseph's Orphanage. Former address 351 North Avenue. January 2016.
- **Zoning Permit 16-1183SP**; Sketch plan review of 700+ unit planned unit development with mixed commercial and residential uses, related buildings, and infrastructure.
- **Zoning Permit 16-0007CA/MA**; Approval to convert building into 63 apartments and related site improvements. Approved September 2015; amended February 2016. June 2016.
- **Zoning Permit 15-0702LL**; Lot line adjustment with 329 North Avenue. Approved December 2014. [Plat recorded 1/16/2015; Plat file 509C.]
- **Zoning Permit 14-1286CA**; Installation of CCTA bus shelter on Burlington College property. Approved June 2014.
- **Zoning Permit 12-0706SN**; replace existing non-conforming freestanding sign with new freestanding sign for Burlington College – Main Campus. Approved March, 2012.
- **Zoning Permit 12-0121CA**; Install rooftop air handler, five ac units, bike racks, and remove walls from garage. Approved August 11, 2011.
- **Zoning Permit 11-0282CU**; convert existing institutional office use and group home use to post-secondary school. No site or exterior building changes proposed. Approved November 2010.
- **Zoning Permit 09-526CA**; Demolish single car garage. Approved February 2009.
- Non-applicability of zoning permit requirements; continued use of existing group home. June 1998.
- **Zoning Permit 92-096 / COA 092-016**; Removal of existing wooden cross with installation of fiberglass statuary of St. Mary on top of Diocese building. Overall height to be 104' with exterior illumination to surround statue. Approved September 1991.
- Notice of selective landscape removal on west. No change in grade of site or drainage of runoff water. December 1991.
- **Zoning Permit 79-352**; install septic tank and seepage bed. July 1979.
- **Zoning Permit 77-03**; renovation of existing structure “St. Josephs Child Center” into office space and three apartments for Bishop and two priests. Approved January 1977.

- **Zoning Permit 77-628;** Convert St. Joseph’s Child Center into office building, three apartments and three guests’ rooms. Remove some windows and brick up openings. Install new windows. Erect 28’6” x 30’ addition and 32’ x 66’ addition. December 1976.

Article 8: Parking

Sec. 8.1.16, Transportation Demand Management

(b) Applicability

Zoning permit ZP-22-32 was a project-wide amendment that increased total dwelling unit count from 770 to 950 units. Significantly, it also included a project-wide maximum parking waiver that allowed the applicant to exceed the applicable parking maximum by 216 spaces. Both the increase in dwelling unit count (an increase of more than 10) and the maximum parking waiver triggered the requirement for a project-wide TDM plan. ZP-22-32 included a TDM for the entire project, inclusive of affordable and market rate housing.

The proposed TDM plan asserts that two of the completed buildings that contain affordable housing, Laurentide and Juniper House, are exempt from the TDM requirements because they predate adoption of the TDM standards in the Comprehensive Development Ordinance (CDO). The proposed TDM plan also asserts that part of so-called Building H, just beginning construction, will also be largely exempt due to its inclusion of affordable housing.

The current TDM standards in the CDO do exempt affordable housing projects from most TDM requirements. Just outreach and education and the TDM agreement are required. See Table 8.1.16-1 below.

Table 8.1.16-1 Transportation Demand Management Program Required			
Project Type	Applicable Projects	Affordable Projects	Small Projects
	<ul style="list-style-type: none"> • Creation of 10 or more dwelling units • A non-residential or Mixed Use development with a building footprint of eight thousand (8,000) sq.ft. or more; or the creation of fifteen thousand (15,000) sq.ft. or more of gross floor area 	Projects involving one or more “Applicable Projects” and that also contain at least 75% of dwelling units meeting or exceeding the affordability criteria of Article 9, Inclusionary & Replacement Housing, or housing rented to tenants receiving federal or state rental assistance	Creation of five (5) to nine (9) dwelling units
Applicable TDM Sections	All provisions of Sec. 8.1.16 (c)	Sec. 8.1.16 (c) 1. and Sec. 8.1.16 (c) 4. only	Sec. 8.1.16 (c) 3. b. only

Cambrian Rise was most recently approved as a 950 dwelling unit planned unit development (PUD), inclusive of required affordable housing. As noted above, the PUD also includes a project-wide maximum parking waiver predicated, in part, on implementation of an approved TDM plan. Laurentide, Juniper House, and Building H are included within the PUD, provide

much of its required affordable housing, and benefit from the maximum parking waiver. The affordable project exemption for TDM standards pertains to individual projects that include at least 75% affordable housing, such as the COTS project at 278 Main Street. The affordable housing components of Cambrian Rise are not stand-alone projects and do not qualify for any exemption from the TMD standards. **(Adverse finding)**

(c) Transportation Demand Management Program

The applicant has provided a revised transportation demand management plan for consideration.

a. Outreach and Education:

Cambrian Rise continues to be managed by Farrell Properties. As originally approved, this entity will serve as the Transportation Coordinator in collaboration with CATMA. In that role, Farrell Properties will coordinate with CATMA to prepare and disseminate materials as to TDM strategies and resources available to residents and employees. The Transportation Coordinator will also be responsible for record keeping and annual reporting to the city as required by this criterion.

The proposed TDM plan separates Champlain Housing Trust and Evernorth Vermont from the rest of Cambrian Rise, as the providers of the project's required affordable housing, and notes that they will establish and maintain their own relationship with CATMA. As noted above, the affordable housing with Cambrian Rise is part of the overall project and meets the project's inclusionary housing requirement. The TDM plan must be inclusive of the entire development.

The revised TDM plan notes that Farrell Properties' relationship with CATMA will last at least 10 years. This time span is consistent with the original TDM approved for the project. **(Adverse finding)**

b. TDM Strategies:

The currently approved TDM plan relies significantly on services provided by CATMA, a local transportation management association. The TDM plan includes the following strategies:

- Subsidized GMT passes and bike share membership.
- Locate one Carshare VT vehicle within the development and offer all residents a year of free membership. (Presently, there are two Carshare VT vehicles onsite, but there is no membership subsidy).
- A GMT bus stop is located within the development.
- Construction of pathway connections to the Burlington Greenway (bike path) and North Avenue (the Greenway connection has not been constructed).

As approved, these strategies are to be provided for a period of 10 years following issuance of a certificate of occupancy for the next project phase that is completed. This 10-year period started July 29, 2024.

The proposed TDM plan is similar to the original, and pledges to provide the 1 year of free carshare membership that was originally required but not provided. The

proposed TDM plan also articulates provision of parking spaces, EV chargers, and other items that may be needed by Carshare VT. A 3rd onsite Carshare VT vehicle is contemplated; however, comment from Carshare VT staff indicates a 3rd vehicle would not be possible without a revenue guarantee provided by the applicant. Bus pass subsidies are not noted in the proposed TDM plan but are required. As originally approved, provision of these TDM strategies must continue for at least 10 years. **(Affirmative finding if conditioned)**

c. Parking Management:

Proposed parking management is largely unchanged, except that a 7-year reporting period is requested versus the originally permitted 10-year reporting period. The current TDM standards allow for a 7-year period for annual parking utilization studies to assess the effectiveness of the TDM plan. The reporting period starts concurrently with the TDM strategy implementation period.

As required, the cost of parking is un-bundled from all residential leases and deeds, except for permanently affordable housing units. There is no dedicated commercial parking.

Priority parking spaces are provided. Motorcycle parking will be provided within the central garage. ADA and carshare parking spaces are noted on the project site plans. The maximum of 5 carshare spaces are proposed. Lacking any dedicated commercial parking, no carpool or vanpool spaces are required. **(Affirmative finding)**

d. TDM Agreement:

A new TDM agreement is referred to in the proposed plan, but is not actually provided. One can be provided in the event that the revised TDM plan is approved. **(Affirmative finding if conditioned)**

II. MINUTES

The meeting minutes will be distributed separately upon review and approval by the Development Review Board.

III. MOTION

Motion: Leo Sprinzen

I move that the Board **deny** the requested revisions to the requirements of the Transportation Demand Management (TDM) plan for Cambrian Rise, based on the adverse findings in Section I above.

Seconded: Evan Gould

Vote: 6-0-0, motion carried

Please note that an interested person may appeal a decision of the Development Review Board to the Vermont Superior Court Environmental Division. (Zoning Ordinance Article 17, Section 17.1.7, Appeals of Development Review Board Decisions: An interested person may appeal a decision of the Development Review Board to the Vermont Superior Court Environmental Division. The appeal shall be taken in such a manner as the supreme court may by rule provide for appeals from state agencies governed by Sections 801 through 816 of Title 3). The Court rules may require that such an appeal be commenced within Thirty (30) days of the Board's decision.



OFFICE OF THE CLERK/TREASURER

City of Burlington

City Hall, Room 20, 149 Church Street, Burlington, VT 05401

Voice (802) 865-7000

Fax (802) 865-7014

TTY (802) 865-7142

MEMORANDUM

TO: Ordinance Committee Members

FROM: Lori Olberg, Council and Licensing Coordinator

DATE: January 29, 2026

SUBJECT: 01/26/26 Ordinance: CDO—planBTV Downtown Code Fences ZA-26-02

Enclosed please find a copy of the ordinance (and memo) that was referred to your Committee for consideration. Please keep these as part of your records.

Thank you.

CITY OF BURLINGTON

ORDINANCE 5.9

Sponsor: Office of City Planning,
Planning Commission

Public Hearing Dates: _____

First reading: 01/26/20
Referred to: Ordinance Committee

Rules suspended and placed in all
stages of passage: _____

Second reading: _____

Action: _____

Date: _____

Signed by Mayor: _____

Published: _____

Effective: _____

In the Year Two Thousand Twenty-Six

An Ordinance in Relation to

CDO—planBTV Downtown Code Fences
ZA-26-02

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

1 That Appendix A, Comprehensive Development Ordinance of the Code of Ordinances of the City of Burlington be and
2 hereby is amended by amending Article 14, Sec. 14.6.8, Site and Landscape Standards, to increase the height of see-
3 through fences permitted in the First Lot Layer if enclosing an alleyway or a loading dock within an alleyway, as well
4 as allow for chain-link or welded wire fence to be used if enclosing alleyways or a loading dock within an alleyway;
5 thereof to read as follows:

6 ***

7 **Article 14 PlanBTV Downtown Code**

8 ***

9 **Section 6: Applicable in All Form Districts**

10 ***

11 **Section 14.6.8 – Site and Landscape Standards**

12 a) **Purpose and Applicability:** *As Written.*

13 b) **Site Standards**

14 i – iv. *As Written.*

15 v. **Fences and Free-standing Walls:**

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

21 B. Materials used for Fences and Free-standing Walls shall be limited to Brick and tile masonry;
22 Native or sintered stone; Wood – panels, clapboard or shingles; Cementitious siding, metal, and
23 woven or braided cable wire. Chain-link and welded-wire fencing shall not be used along any
24 Frontage Line with the exception of alleyways or loading docks located within an alleyway, the
25 temporary ~~20~~ enclosure of a construction site, or where required by the Building Official to protect
26 public safety. Barbed or razor wire shall not be used in any application. Alternate materials may be
27 approved by the Administrative Officer after seeking input from the Design Advisory Board.

28 Alternate materials must be considered equivalent or better than the materials listed above, and must
29 demonstrate successful, high quality local installations. Regionally-available materials are
30 preferred.

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

33
34 c) - d) *As written.*

35
36
37 * Material stricken out deleted.

38 ** Material underlined added.

39
40 Planning/KS/ Ordinances 2026/ZA-26-02 planBTV Downtown Code Fences
41 CDO Sections 14.6.8(b)(v) A and B

42
43 CC 1/22/26



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

TO: Burlington City Council
FROM: Sarah Morgan, AICP, Principal Planner
Charles Dillard, AICP, Director of City Planning
DATE: January 26, 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 report ongoing challenges related to substance use, hygiene, and safety, particularly in alleys, entryways, and service areas. 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.

During this amendment process, the Planning Commission has expanded the scope of their recommendation to address allowable materials for fences in the first lot layer.

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 1/13 Planning Commission Discussion

The Planning Commission completed its discussion of ZA-26-02: Downtown Fences during its January 13th public hearing. The Commissioners voted to recommend the amendment's approval, as warned. However, several commissioners expressed opposition to the amendment's allowing chain-link fencing materials along any Frontage Line, as stated in 14.6.8(b)v.B. Those commissioners would like the Council and its Ordinance Committee to continue exploring this topic and whether chain-link is an appropriate material in Burlington's Downtown.

Summary of 1/7 Planning Commission Ordinance Committee Discussion

The Planning Commission Ordinance Committee (PCOC) met on January 7th, as directed by the Planning Commission, to review the amendment as warned and make recommendations regarding fencing around recessed entries.

During this meeting, the Ordinance Committee expressed opposition to enclosures or gates in front of recessed entries, citing concerns related to building design and the pedestrian experience. The PCOC recommends removing all language related to recessed entries from the amendment and emphasized that it does not wish to pursue a future amendment addressing fencing for entryways downtown. However, the Committee expressed interest in exploring alternative approaches, such as public art and placemaking efforts, to better activate these spaces.

One point of clarification discussed during the meeting was that the height of rolling gates would be measured by the height of the fence itself, not by ground clearance.

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. 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 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.

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

* 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.

permitted along the frontage line of a property. Ultimately, Commissioners referred to the Planning Commission Ordinance Committee (PCOC) for further discussion.

3. 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, 1/7/26*	Approve for Public Hearing 12/9/25	Public Hearing 1/13/26	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

Resolution Relating to

**CONSUMER CHOICE AND DISCLOSURE FOR FUEL
PURCHASES MADE WITH DEBIT CARDS**

RESOLUTION 6.3

Sponsor(s): Councilors Litwin, Singh, Traverse

Introduced: 09/08/25

Referred to: _____

Action: adopted; amended version

Date: 09/08/25

Signed by Mayor: 09/09/25

CITY OF BURLINGTON

In the year Two Thousand Twenty-Five.....

Resolved by the City Council of the City of Burlington, as follows:

1 That WHEREAS, consumer protection regulations in the State of Vermont emphasize transparency in
2 commercial transactions to ensure that consumers have access to clear and accurate information regarding the
3 terms of their purchases; and

4 WHEREAS, many fueling stations implement a policy of holding funds beyond the actual purchase
5 price of fuel when customers use debit cards, which may temporarily limit access to funds for consumers and
6 cause financial inconvenience; and

7 WHEREAS, consumers may remain unaware of these holds and their potential impact on available
8 account balances, which may lead to unintended overdraft fees, declined transactions, or other financial
9 hardships; and

10 WHEREAS, requiring fueling stations to post clear and permanent signage disclosing their debit card
11 hold policies will enhance transparency, empower consumers to make informed decisions, and align with
12 Burlington’s commitment to consumer protection and fair business practices;

13 NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Burlington respectfully
14 requests the Ordinance Committee and City Attorney review whether or not to update our relevant ordinances
15 as follows:

- 16 1. All fueling stations operating within the City of Burlington that have debit card fund hold policies are
17 hereby required to post clear, conspicuous, and permanent signage on each individual fuel pump
18 disclosing the following information:
 - 19 a. The exact amount or possible maximum that may be held;
 - 20 b. The maximum duration for which such funds may be held;
 - 21 c. An option to go inside and prepay with PIN to avoid such holds if that is an option available to
22 the consumer;
- 23 2. Fueling stations may include additional language on their signage referring customers to their
24 individual banking institutions for further questions regarding specific bank policies;

* * * * *

DISTRIBUTION:

I hereby certify that this resolution has been sent to the following department(s) on

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.....
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ORIGINAL

RESOLUTION RELATING TO

Adopted by the City Council

....., 20.....

..... Clerk

Approved....., 20.....

..... Mayor

Vol. Page

* * * * *

Resolution Relating to CONSUMER CHOICE AND DISCLOSURE FOR FUEL PURCHASES
MADE WITH DEBIT CARDS

- 25 3. The City of Burlington shall empower the Department of Permitting and Inspections to respond to
26 consumer complaints if a fueling station does not comply with this policy and may establish and
27 enforce a reasonable fine and any inspection or administrative fees;
- 28 4. The City of Burlington shall empower the Department of Permitting and Inspections to revoke the
29 operator’s permit to operate and order the closure of a lot that fails to come into compliance repeatedly,
30 which will not be lifted until they demonstrate full compliance to the satisfaction of the Department of
31 Permitting and Inspections; and
- 32 5. Provide for a period of 90 days after the effective date of the ordinance for fueling stations to come
33 into compliance and further allow for a one-time courtesy warning to come into compliance for an
34 additional 60 days.

35

36

37

38

EL/Resolutions 2025/Consumer Choice and Disclosure for Fuel Purchases Made with Debit Cards
9/4/25

* * * * *

ORIGINAL

DISTRIBUTION:

I hereby certify that this resolution has been sent to the following department(s) on

RESOLUTION RELATING TO

Consumer Choice And Disclosure For Fuel Purchases Made With Debit Cards

.....

.....

Adopted by the City Council

September 8, 2025

[Signature] Clerk

Approved Sept 9, 2025

[Signature] Mayor

Attest:

Vol. Page

* * * * *

CITY OF BURLINGTON

ORDINANCE _____

Sponsor: _____
Public Hearing Dates: _____

In the Year Two Thousand Twenty-Six

First reading: _____

Referred to: _____

Rules suspended and placed in all

An Ordinance in Relation to

Stages of passage:

CONSUMER PROTECTION

BCO Chapter 21, Art. I

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

1 That Chapter 21, Offenses and Miscellaneous Provisions, of the Code of Ordinances of the City of
2 Burlington be and is hereby amended by amending Article I, In General, by adding Sec. 28-1, Consumer
3 Protection; thereof to read as follows:

4

5 **21-8 Reserved Consumer Protection**

6

7 **(a) PURPOSE**

8 The purpose of this Section is to complement the enforcement of federal statutes, state statutes, and decisions
9 governing unfair methods of competition, unfair or deceptive acts or practices, and anti-competitive practices
10 in order to protect the public and to encourage fair and honest competition.

11 **(b) DEFINITIONS**

12 Please see 9 V.S.A. §2451a.

13 **(c) CUSTOMER NOTICE**

14 **1) HOLDS ON PAYMENT AT POINT OF SALE**

15 A gas station or convenience store that accepts credit or debit cards for the retail sale of gasoline shall
16 not place, or allow a third party to place, a hold on any credit or debit card account in an amount
17 larger than the actual purchase amount for the gasoline without providing notice:

18 (A) in a clear manner and proximate to the point of payment prior to the 2 consumers purchase;
19 and

20 (B) before the customer’s purchase.

21 **2) PARKING RATES FOR PARKING GARAGES/LOTS**

22 All parking garages/lots shall clearly post at the entry of the parking garage/lot:

23 (A) whether the lot/garage is open to the public;

24 (B) the rates for the lot/garage;

25 (C) hours of operation;

26 (D) contact to call if there is an issue; and
27 (E) whether there is a charge for handicap parking.

28
29 * Material stricken out deleted.
30 ** Material underlined added.

31
32 ks/Ordinances 2026/Consumer Protection/BCO Ch. 21, Art. I
33 Sec. 21-8.
34 2/6/2026

Resolution Relating to

**CONSUMER CHOICE AND DISCLOSURE OF PARKING
TERMS & RATES IN PRIVATELY OWNED LOTS**

RESOLUTION 6.4

Sponsor(s): Councilors Litwin, Singh, Traverse

Introduced: 09/08/25

Referred to: _____

Action: adopted; amended version

Date: 09/08/25

Signed by Mayor: 09/09/25

CITY OF BURLINGTON

In the year Two Thousand Twenty-Five.....

Resolved by the City Council of the City of Burlington, as follows:

- 1 That WHEREAS, the Burlington City Council strives to uphold best practices in consumer choice and
- 2 disclosure in all aspects of commerce operating in the City of Burlington; and
- 3 WHEREAS, privately-operated parking lots have grown in recent years in the City of Burlington and
- 4 do not match City of Burlington parking rates; and
- 5 WHEREAS, the City of Burlington and City Council have received feedback from members of the
- 6 public and visitors of Burlington that differences between privately-operated parking lots and publicly-
- 7 operated parking lots are not clear to the [driving] consumer; and
- 8 WHEREAS, privately-owned parking lot operators may not be honoring Vermont’s free public
- 9 parking for those displaying handicapped parking permits; and
- 10 WHEREAS, hourly parking rates are not clearly and conspicuously posted on visible signage to the
- 11 driving public and consumers often do not see the rate until they have already parked and are standing at the
- 12 payment kiosk;
- 13 NOW, THEREFORE, BE IT RESOLVED that the Burlington City Council respectfully requests the
- 14 Ordinance Committee and City Attorney’s Office to review new ordinance language that accomplishes the
- 15 following and to draft any appropriate language to address the issues raised in Committee deliberations:
- 16 1. Requires privately-owned parking lot operators to include the words “privately-owned” to appear
- 17 on signage visible from the roadway;
- 18 2. Requires privately-owned parking lot operators to clearly and visibly disclose parking rates at the
- 19 roadway in a manner that would inform the consumer prior to entering and parking;
- 20 3. Requires privately-owned parking lot operators using dynamic or changing pricing models to
- 21 clearly and visibly disclose that and the maximum possible rate the consumer could pay at the
- 22 roadway in a manner that would inform the consumer prior to entering and parking;
- 23 4. Requires privately-owned parking lot operators to post clear and conspicuous signage that if they
- 24 intend to charge customers displaying handicapped parking permits to park that they must inform
- 25 drivers that they may park for free on the street or in City-owned lots; and

* * * * *

DISTRIBUTION:

I hereby certify that this resolution has been sent to the following department(s) on

.....
.....
.....

ORIGINAL

RESOLUTION RELATING TO

Adopted by the City Council

....., 20.....

..... Clerk

Approved....., 20.....

..... Mayor

Vol. Page

Attest:

* * * * *

- 26 5. Provide for a period of 90 days after the effective date of the ordinance for privately-owned
27 parking lot operators to come into compliance and further allow for a one-time courtesy warning to
28 come into compliance for an additional 60 days.

29

30

31

32

*EL/Resolutions 2025/Consumer Choice and Disclosure of Parking Terms & Rates in Privately Owned Lots
9/4/25*

* * * * *

ORIGINAL

DISTRIBUTION:

I hereby certify that this resolution has been sent to the following department(s) on

RESOLUTION RELATING TO

Consumer Choice And Disclosure Of Parking Terms & Rates In Privately Owned Lots

.....
.....

Adopted by the City Council

September 8 20 25

[Signature] Clerk

Approved..... Sept 9 20 25

[Signature] Mayor

Attest:

Vol. Page

* * * * *

CITY OF BURLINGTON

ORDINANCE _____

Sponsor: _____
Public Hearing Dates: _____

In the Year Two Thousand Twenty-Six

First reading: _____

Referred to: _____

Rules suspended and placed in all

An Ordinance in Relation to

Stages of passage:

CONSUMER PROTECTION

BCO Chapter 21, Art. I

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1 That Chapter 21, Offenses and Miscellaneous Provisions, of the Code of Ordinances of the City of
2 Burlington be and is hereby amended by amending Article I, In General, by adding Sec. 28-1, Consumer
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4
5 **21-8 Reserved Consumer Protection**

6
7 **(a) PURPOSE**

8 The purpose of this Section is to complement the enforcement of federal statutes, state statutes, and decisions
9 governing unfair methods of competition, unfair or deceptive acts or practices, and anti-competitive practices
10 in order to protect the public and to encourage fair and honest competition.

11 **(b) DEFINITIONS**

12 Please see 9 V.S.A. §2451a.

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24 (B) the rates for the lot/garage;

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26 (D) contact to call if there is an issue; and
27 (E) whether there is a charge for handicap parking.

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30 ** Material underlined added.

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32 ks/Ordinances 2026/Consumer Protection/BCO Ch. 21, Art. I
33 Sec. 21-8.
34 2/6/2026