

Ordinance Committee
Friday, March 6, 2026
Bushor Conference Room Conference Room
or Remote via Zoom. Burlington, Vermont
DRAFT MINUTES

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

Staff Present: Kim Sturtevant (Assistant City Attorney), Sarah Morgan (Planning), Scott Gustin (Zoning)

Public Present: Sharon Bushor, Ryan Nick, Jeff Nick, Andrew

Meeting called to order at 2:00 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 February 19, 2026

Motion to adopt the draft minutes as drafted.

Motion by Councilor Barlow, Seconded by Councilor Carpenter.

Final Resolution: Motion Passes

Yes: Unanimous

3. Public Forum

Sharon Bushor: I am here to speak on the TDM ordinance change. I was taught by affordable housing people that affordable housing should be integrated rather than differentiated from other housing. There really should be a mechanism for people in affordable housing to get bus passes.

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

Sarah Morgan (Planning) shared a presentation on this change. The presentation is available in the agenda packet on CivicClerk.

Motion to refer the ordinance as amended to both the Planning Commission and to the full City Council with a recommendation for adoption, and for the setting of a public hearing.

Motion by Councilor Barlow, Seconded by Councilor Carpenter.

Final Resolution: Motion Passes
Yes: Unanimous

5. CDO – ZA-26-02 PlanBTV Downtown Code Fences

Sarah Morgan (Planning) shared a presentation on this change. The presentation is available in the agenda packet on CivicClerk.

Jeff Nick: The alley we put our gate in is accessible to tractor trailers. We also don't own the adjacent building so we can't anchor a gate into that building.

Andrew: I am an ambassador for the business district. A lot of what I do is CPTED, crime prevention through environmental design. I see a lot of bad behavior downtown. Installing gates and fences forces the bad behavior into more public/visible areas. The neighboring building on Cherry is vacate and attracts graffiti and other issues.

Scott Gustin (Zoning Manager) said that Jeff Nick could have built a compliant fence and gate but did not do so. He added that changing policy to accommodate a single property is not a good way to make policy.

Charles Dillard (Director of Planning) said that it is a slippery slope and that he is sensitive to both immediate and long term development and how aesthetic impacts that.

Councilor Bergman asked staff for the administrative history of Jeff Nick's fence and gate. Scott Gustin responded saying that the permit was applied for after the fact and was denied. They then sought a variance with the DRB and they denied the variance saying that a compliant gate was possible.

Ryan Nick: I heard from a DRB member after the denial saying it was a stupid rule.

Councilor Bergman said he was open to adjusting the ordinance, taking into consideration the aesthetic and crime issues, but was not open to allowing chain link throughout the downtown without some kind of decoration.

Councilor Carpenter asked why the DRB denied the variance for this gate. Scott Gustin responded saying that a compliant style was possible, just perhaps more expensive. He said that variances are generally for situations when compliance is otherwise impossible.

Councilor Bergman said this issue will continue to be discussed after the next ordinance committee is established. He added that he would like staff to investigate aesthetic treatments for chain link that might make them acceptable.

6. Fuel Purchase Ordinance

Councilor Bergman asked for an authority citation in the purpose section of the draft ordinance. He added that he would like both the enforcement mechanisms and fine structures to be laid out in the ordinance itself.

Both councilors Barlow and Carpenter said that the “privately-owned” sign language must be prominent and obvious.

Councilor Bergman said that an explicit statement of intent could be included at the beginning of the ordinance to help guide the construction of the administrative rules that will come with this ordinance.

7. Private Parking Lot Terms and Rates Ordinance

8. Any Other Committee Business

The next meeting is scheduled for March 19th at 4:30 PM.

9. Adjournment

Motion to adjourn by Councilor Bergman, without objection.

The meeting was adjourned at 4:07 PM.