

Burlington Planning Commission

Tuesday, September 15, 2026, 6:30 PM

Remote & Virtual Meeting via Zoom

In person option available:

Contois Auditorium, 2nd Floor of City Hall, 149 Church St.

To Join the Meeting on a Computer

Link: <https://zoom.us/j/97941883790?pwd=bGZBNzNyV1liL3p5NkhIL2dqUFIzd09>

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

Subject	2.1. The Planning Commission requests that comments not exceed three minutes. If you expect your comments to exceed three minutes, we ask that you instead submit written comments to planninginfo@burlingtonvt.gov. Your written communication will be circulated to the Planning Commission, posted online via Civic Clerk, and included in the Agenda Packet.
Meeting	September 15, 2026 - Planning Commission Agenda - Tuesday, September 15, 2026, 6:30 PM, Burlington Planning Commission
Category	2. Public Forum
Department	Planning
Type	

3. Chair's Report

4. Director's Report

5. Updated 2026 Meeting Schedule

6. Review of PlanBTV New North End

Subject	6.1. Staff to present updates made to planBTV New North End following the 7/28 Public Hearing and 9/10 Community meeting. Staff recommends the Planning Commission consider warning a second Public Hearing for this plan following the Commissioner's review and discussion. CLICK HERE TO VIEW UPDATED DOCUMENT.
Meeting	September 15, 2026 - Planning Commission Agenda - Tuesday, September 15, 2026, 6:30 PM, Burlington Planning Commission
Category	6. Review of PlanBTV New North End

Department Planning

Type

Recommended Action

7. Proposed CDO Amendment ZA-27-03 Natural Resource Overlay Updates

Subject	7.1. Staff to present on ZA-27-03, followed by discussion among Planning Commission.
Meeting	September 15, 2026 - Planning Commission Agenda - Tuesday, September 15, 2026, 6:30 PM, Burlington Planning Commission
Category	7. Proposed CDO Amendment ZA-27-03 Natural Resource Overlay Updates
Department	Planning
Type	
Recommended Action	

8. Commissioner Items

9. Adopt Minutes & Accept Communications

Subject	9.1. Commission to adopt minutes and accept communications.
Meeting	September 15, 2026 - Planning Commission Agenda - Tuesday, September 15, 2026, 6:30 PM, Burlington Planning Commission
Category	9. Adopt Minutes & Accept Communications
Department	Planning
Type	

10. Adjournment

TO: Burlington Planning Commission
FROM: Sarah Morgan, AICP, Principal Planner
Charles Dillard, AICP, Director of City Planning
DATE: September 11, 2026
RE: Proposed MDP-26-02: planBTV New North End

1. Overview & Background of planBTV New North End

[planBTV New North End](#) is a long-term neighborhood plan that establishes a vision for the future growth and evolution of Burlington's New North End. The planning process, which kicked off in December 2024, has been led by the Office of City Planning with collaborative support from the Chittenden County Regional Planning Commission. Over the past 18 months, City and CCRPC staff have worked closely with the consultant firm Utile and its subconsultants to develop a plan that addresses Burlington's housing needs while also recognizing the neighborhood's unique identity, natural assets, and transportation challenges.

After reviewing and discussing planBTV New North End at its meetings on May 26th and June 23rd, the Planning Commission warned of a public hearing for the Plan, which took place on July 28th.

The Planning Commission discussed planBTV New North End during their meeting on Tuesday, August 25th, and decided to wait to take further action until staff conducted an additional community meeting on Thursday, September 10th in the event that further changes would be considered. The draft has been amended in the following ways since the meeting on September 10th:

- Soft Site Analysis (p. 14, 69): Removed circles and labels around previously considered City Owned Land properties, included text that states that, though the analysis identified Starr Farm Park as a potential focus area, parks are not being considered for future housing development.
- Bend Ethan Allen Design Vision (p. 108): Modified the text to say that this vision "creates an opportunity to explore additional park programming and/or a more ecologically appropriate landscape, along with new housing opportunities on adjacent private property".

Summary of July 2026 Community Feedback

After warning the public hearing, City Planning staff received a number of communications from residents expressing concerns about the proposal to explore City-owned land for housing. To address these concerns, [staff shared materials](#) with residents clarifying what the plan proposed, the purpose of the Starr Farm and Ethan Allen Park visions included in the plan, and the associated recommendations proposed in the plan.

Additionally, City Planning staff held a Community Meeting to address concerns and answer questions about the plan on Wednesday, July 22nd. Approximately 140 community members attended, and feedback focused primarily on the potential use of City-owned land for housing and how future growth might impact the neighborhood. A number of attendees were concerned that the visions shown in planBTV New North End were site development plans rather than illustrative concepts intended to open a conversation about whether and how public land could contribute to the neighborhood's housing and community goals.

While many residents in attendance were concerned about the potential use of City-owned land for development, there was also strong support for the other frameworks and strategies outlined in the plan, including those related to mobility and building housing on privately owned sites.

Neither the Mayor nor the City Planning Director were available to attend this meeting, but they have committed to holding an additional engagement opportunity to continue engaging with residents about this plan in September.

Summary of July 28, 2026 Planning Commission Public Hearing

Following the Community Meeting on July 22nd, the Planning Commission held the Public Hearing as scheduled but decided not to take a vote on whether to refer the current draft plan to the City Council. Instead, the hearing provided an opportunity for residents to share comments and feedback with the Commission, after which the Commission directed staff to revise the draft plan.

72 community members attended this Public Hearing, and 21 spoke during the public forum. Attendees continued to share their concern about the potential loss of parks and greenspace for development, and several requested that parks be removed from consideration of any future growth and instead be preserved for public use and environmental benefits. While there was support for other frameworks in the plan, including mobility and placemaking, the City-owned land discussion remained the primary topic in Public Forum.

Commission Direction

While specific revisions from Planning Commissioners were not recommended to staff, Commissioners were in agreement following public forum that, while they were supportive of using City-owned land for housing, there shouldn't be development for housing in City Parks. Commissioners directed staff to revise the draft plan to remove any recommendations related to developing housing in city parks or permanently conserved open spaces, but to retain recommendations for exploring developing housing in other types of city-owned land.

Summary of Revisions to planBTV New North End

In response to direction provided by the Planning Commission, City Planning staff revised planBTV: New North End. An updated version of the plan is available online, and a summary of the key revisions is provided below. In response to the request to remove recommendations related to developing housing on City parks and permanently conserved open spaces, the following revisions were made:

- **Removal of Starr Farm Park and Ethan Allen Park as Focus Areas:** Starr Farm Park and Ethan Allen Park are no longer identified as Focus Areas. Neighborhood maps that included these sites have been updated, along with charts, analyses, and calculations that previously considered the two sites as Focus Areas.
- **Revisions to the North Avenue intersection concepts:** The proposed bend to Ethan Allen Parkway within the Design Visions for Key Intersections section (p. 110) was revised to remove opportunities for development within park areas. The concept was also revised to remove NorthCountry Federal Credit Union from the reimagined vision for the intersection.
- **The Urban Design Framework was revised to:**
 - Remove the development concepts for Starr Farm Park and Ethan Allen Park
 - Include a description of the proposed City Asset Study (p. 167) recommended as an implementation strategy (UD1).
 - Remove references to exploring potential development on parks or permanently conserved open space, including references to potential community benefits associated with such development.

Below are the revisions made to the Urban Design Framework's Implementation Matrix:

- UD1: Complete a Public Asset Study that includes public engagement to identify the development feasibility of **each** City assets (**excluding parks and permanently conserved open spaces**), and a procurement strategy that retains the City's design and programmatic control of its property.

- UD2: Thoroughly explore the use of public land (~~excluding parks and permanently conserved open spaces~~) for housing in the comprehensive plan, planBTV 2050.
- ~~UD3: In the event that public open space is identified and pursued as a site for housing and community development, the City should seek to replace a commensurate amount of acreage and/or program elsewhere in the City, in line with the planBTV 2050 BPRW element.~~
- ~~Renumber strategies UD4 – UD8 to reflect removal of UD3~~
- UD67: Continue to study the Ethan Allen Parkway ~~Focus Area~~ to determine feasibility of intersection realignment.

The next section of this memo provides information about planBTV New North End, including the vision and proposed frameworks.

2. About planBTV New North End

planBTV New North End is intended to guide future public investment, policy decisions, and private development in a manner that balances housing production, affordability, environmental stewardship, and quality of life. This document provides guidance for shaping future neighborhood growth over time through coordinated strategies in transportation, land use, and placemaking.

The plan is organized around three interconnected frameworks: Transportation, Urban Design, and Placemaking. Together, these frameworks are supported by an implementation strategy that identifies short-, medium-, and long-term actions to advance the plan's vision of a more connected, inclusive, and sustainable New North End where residents can more easily access housing, services, recreation, and other daily needs within their own neighborhood.

Framework 1: Transportation

The Transportation Framework establishes a vision for a transportation system that supports neighborhood growth while creating a safer, more connected, and more complete New North End. Recognizing that the neighborhood's existing street pattern funnels nearly all travel onto North Avenue, the framework proposes a multimodal network that makes walking, biking, and taking transit safe and practical for everyday trips while reducing reliance on automobiles. The framework and subsequent recommendations are grounded in the principle that the neighborhood cannot continue to grow by simply adding more vehicles to *an* already-constrained system. Instead, it envisions an evolving neighborhood where residents have access to a variety of transportation options.

Summary of May 26 Planning Commission Comments

During its May 26th review of the Transportation Framework, the Planning Commission expressed general support for the overall vision and recommended strategies. Commissioners indicated that the transportation framework should remain adaptable to evolving technologies and encouraged staff to consider how emerging mobility options, including autonomous vehicles, could be accommodated within the plan.

The Commission also raised several broader policy questions and analyses that will be addressed as part of planBTV 2050. These included:

- The role of demand-responsive transportation services, such as SSTA
- The market conditions and economic factors necessary to support the mixed-use and transit-oriented development envisioned in the plan
- The capacity of the Burlington Greenway to accommodate increased use associated with future housing growth.

Staff recognized these topics as important points that will be explored more closely through the detailed transportation and economic development elements of the Comprehensive Plan.

Framework 2: Urban Design

planBTV: New North End's Urban Design Framework are the culmination of the planning process, presenting conceptual visions that holistically integrate transportation, land use, housing, and open space across a network of five selected sites called Focus Areas. These Focus Areas were selected through a two-part process that included community engagement that draws on local knowledge about sites that have opportunity to catalyze the New North End's evolution, and a data-driven soft-site analysis that identifies properties with potential for redevelopment. The five focus areas include three sites under exclusively private ownership – Ethan Allen Plaza, North Ave. Alliance Church, and Plattsburg Avenue at North Avenue. **In the previous iteration of this plan, two publicly-owned sites were considered as Focus Areas (Ethan Allen Parkway at North Avenue, and Starr Farm Park), but have been removed following the 7/28 Planning Commission Public Hearing.**

The Focus Area frameworks are intentionally high-level and illustrative of how vibrant, accessible, well-connected, and resilient new development might take shape over time and help achieve the overall neighborhood vision. As such, these Focus Areas are not development proposals, but rather tools to open community conversations and outline next steps, which include further study, coordination and continued public engagement. Only once these next steps have been taken will implementation be possible or appropriate.

This cautious approach to visioning the New North End's evolution, however, does not mean that the Focus Areas lack precision. Instead, the City and consultant teams developed each framework through an iterative design process that is imbued with a deep understanding of urban design practices, real estate development finance, infrastructural capacity, and project procurement.

Building Types

The Urban Design Framework includes a detailed description of building types that can facilitate the neighborhood evolution that residents who engaged in the process demand. Ranging from standalone community centers and four-story mixed-use buildings at the largest scale, to neighborhood multifamily at the smaller end, each type is visualized and includes a description of typical unit counts, layouts, and how they lend themselves to context-sensitive housing solutions. Importantly, each of these building types is allowed under the New North End's current zoning framework that consists primarily of Neighborhood Code and Neighborhood Activity Center districts.

A Vision for Housing and Community Spaces on City-Owned Land

planBTV: New North End builds on a national and international trend of cities exploring the land they own as sites for housing and sustainable urban evolution. Indeed, people have long made decisions to use the land they collectively own for the good of their community. Burlington has a deep and ongoing history of marshalling city land to build housing, services, and amenities. In fact, during the New North End planning process, the City was engaged in two mixed-use developments on property it owns at the Memorial Auditorium block and at its Sears Lane property as part of the South End Innovation District. Critically, the Mayor's Housing Strategy includes exploring public land as housing sites as one of its core fundamental planks. This plan builds on those efforts by recommending a Public Asset Study that will create a comprehensive inventory of property owned by the City of Burlington and explore how these public assets could serve community needs.

Framework 3: Placemaking

Community feedback collected throughout the planning process identified current demand for more spaces that foster social connection and community gathering. Residents value the parks and open spaces that the New North End offers, but noted that additional place types are needed. Priorities include small cafes with performance spaces, rentable public areas, and semipermeable, shaded outdoor venues that accommodate both programmed events and casual interaction. Residents also called for indoor recreation centers,

specifically ADA-accessible facilities, alongside outdoor amenities such as playgrounds, splashpads, and picnic shelters. Additionally, residents emphasized the importance of housing and mixed-use development that facilitates neighborhood cohesion and resident-led public art initiatives. With this in mind, planBTV: New Norht End recommends a Placemaking Framework that includes the following place types:

1. Public squares throughout the neighborhood such as at Ethan Allen Plaza, Plattsburg Ave, and Ethan Allen Parkway.
2. Additional community gardens distributed throughout the area
3. A people-first neighborhood Main Street with edges activated by ground floor retail, furnishings, streets trees, and social activity.
4. Complete streets that prioritize the experience of walking, biking, and taking transit through wide sidewalks, bike lanes, safe crossings, and green infrastructure including native plantings and stormwater/pollinator gardens
5. Neighborhood Gateways that let people know they are coming to or leaving a place that people care for, providing opportunities for awe through landscape and public art aligned with neighborhood values.
6. Indoor community spaces for use during winter months that could include small libraries, makerspaces, art studios, community kitchens, indoor recreation and greenhouses.

3. Adoption Process Overview

The following chart summarizes the current stage in the plan adoption process:

Planning Commission Process				
Presentation to & discussion by Commission: 8/12/25, 9/9/25, 9/23/25, 5/26/26, 6/23/26, 8/25/26		Approve for Public Hearing:	Public Hearing:	Approved & forwarded to Council:
		6/23/26	7/28/26*	
City Council Process				
First Read:	Warn Public Hearing:	Public Hearing #1:	Public Hearing #2:	Council Approval & Adoption:

*At the 7/28 Public Hearing, the Planning Commission directed staff to revise the plan and bring it back to the Commission for additional review.

CITY OF BURLINGTON

ORDINANCE _____

Sponsor: Office of City Planning,
Planning Commission

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: _____

In the Year Two Thousand Twenty-Six

An Ordinance in Relation to

ZA-27-03 Natural Resource Overlay Updates

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

That Appendix A-Burlington Comprehensive Development Ordinance of the Code of Ordinances of the City of Burlington be and hereby amended to amend Article 4, Sec. 4.5.3 to reference the Vermont Significant Wetlands Inventory Maps and establish requirements related to Significant Natural Communities and Rare, Threatened, and Endangered Species. This amendment also amends the definition of “Specimen Tree” in Article 13 to clarify the required diameter at breast height (DBH).

ARTICLE 4: ZONING MAPS AND DISTRICTS

PART 5: OVERLAY ZONING DISTRICT REGULATIONS

Sec. 4.5.3 Natural Resource Protection Overlay (NR) District

(a) **Purpose and Authority** – *As written.*

(b) **Areas Affected**

This overlay district consists of all areas delineated on Map 4.5.3-1-Natural Resources Protection Overlay (NR) District and the Vermont Significant Wetlands Inventory Maps. The overlay is divided into ~~four~~five (5) subparts:

1. A **Riparian and Littoral Conservation Zone** which consists of all surface water and a corresponding upland buffer area, and specifically includes the following areas:

A – D. *As written.*

2. A **Wetland Conservation Zone** which consists of wetlands and a corresponding upland buffer area for the following areas:

A. Uplands within 100 feet of all wetlands depicted in the Vermont Significant Wetlands Inventory Maps and in Map 4.5.3-1, Natural Resource Protection Overlay District except in cases where the State of Vermont has established a greater buffer zone width; and

B. Uplands within 100 feet from all vernal pools.

3. A **Natural Areas Zone** which consists of all areas identified as Significant Natural Areas in the City’s *Open Space Protection Plan* and a corresponding buffer area of 100 feet; and,

4. Requirements related to Significant Natural Communities and Rare, Threatened, and Endangered Species, which adds protection and a process for state-level review of impacts to significant natural communities and rare, threatened, and endangered species for proposed developments over ten (10) acres, and establishes process for consultation with VT Agency of Natural Resources.

4.5. A Special Flood Hazard Area which consists of all areas in the City of Burlington, Vermont identified as special flood hazard areas in and on the most current flood insurance studies and maps of the Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), National Flood Insurance Program (NFIP), as provided by the Secretary of the Agency of Natural Resources pursuant to 10 V.S.A. § 753, which are hereby adopted by reference and declared to be part of these regulations.

(c) **District Specific Regulations: Riparian and Littoral Conservation Zone:**

As written.

(d) **District Specific Regulations: Wetland Conservation Zone:**

As written.

(e) **District Specific Regulations: Natural Areas Zone:**

As written.

(f) **District Specific Regulations: Significant Natural Communities and Rare, Threatened, and Endangered Species**

1. Purpose

It is the purpose of this section to protect known and reasonably foreseeable rare, threatened, and endangered species, and significant natural communities from undue disturbance from development.

2. State Law

Approval of development shall not impair or remove the necessity of compliance with any other local, state, or federal laws or regulations. Approval under this section shall not limit the State's ability to enforce the Vermont Endangered Species Act if threatened, or endangered species are found on the property and impacted, as regulated by 10 V.S.A. § 5401, et seq.

3. Applicability

Development applications including properties totaling more than ten (10) acres in Burlington shall be subject to review under this section for potential impacts to Significant Natural Communities as shown on the Vermont Natural Resources Atlas and/or to species listed on the lists of Endangered, Threatened and Rare Animals and Plants (RTEs) maintained by the State of Vermont Agency of Natural Resources (ANR).

A. Initial Review

The applicant shall review available information maintained by ANR, including the Vermont Natural Resources Atlas and/or species identified on the lists of applicable lists of Endangered, Threatened and Rare Animals and Plants (RTEs) maintained by ANR, to determine whether such resources are mapped on or in the vicinity of the proposed development.

If there are no significant natural communities or RTEs mapped by ANR on the subject property or within ½ mile of the proposed development on other properties, no further review is required under this section.

B. Field Verification & Natural Resource Assessment

If one or more Significant Natural Communities or RTEs have been mapped on the subject property, or within ½ mile of the proposed development, the applicant has the choice to conduct a field verification for Significant Natural Communities or RTEs for the property.

(i) If the field verification finds no Significant Natural Communities or RTEs on the property, no further review is required.

(ii) If the field verification finds one or more Significant Natural Communities or RTEs on the property, or if the applicant chose not to conduct a field verification, a project-specific natural resource inventory and assessment for the property must be conducted by a qualified professional.

A decision under this section during any stage of development review, as applicable, shall be effective for subsequent development review. If no decision was made at a previous stage of review, this review shall occur at the Zoning Permit. If a property has a prior Act 250 decision that addresses any threatened or endangered species, review related to a specific species shall be considered effective for purposes of this section.

4. Submittal Requirements

As a supplement to the relevant application for land development, the applicant shall submit:

A. A plan that shows the location of all proposed development on the lot and all areas of potential disturbance during the development process; and

B. A statement that property area does not include any identified significant natural communities or RTEs, or a Site Conditions Plan depicting mapped RTE species and Significant Natural Community occurrences within and adjacent to the proposed development area; and

C. All other information necessary to demonstrate compliance with this section.

Upon receipt of a complete application for development subject to this section, a copy of the application and relevant supporting information shall be forwarded to the Department of Fish & Wildlife at the Vermont Agency of Natural Resources (ANR) with the invitation for ANR to review and comment.

5. Review Process

A. A permit or approval, as applicable, may only be issued following receipt of comments from ANR, or the expiration of 30 days from the date the application was mailed to ANR, whichever is sooner.

B. No comment by ANR shall be considered as evidence that ANR is not raising a substantive issue with respect to the project under these bylaws.

6. Standards of Review

For development applications subject to 4.5.3(f), the following standards shall apply:

A. The proposed development shall not have an undue adverse impact on a threatened or endangered species, rare species, or a significant natural community.

B. Where relevant guidance from the Department of Fish & Wildlife exists, the applicant must sufficiently demonstrate that the proposed development meets the standards in the Guidance Documents for Department of Fish & Wildlife regarding the relevant species or significant natural community, as published and updated by the State of Vermont Agency of Natural Resources.

i. The Department of Fish & Wildlife does not have published guidance for all rare, threatened, and endangered species. For species without published guidance, the professional opinions of ANR staff shall be considered to be equivalent to Guidance Documents.

C. An application may be approved if, after review of the submissions by the applicant and any comments by ANR, it is determined that the proposed development has satisfied the requirements of this section. Applicants who obtain a Takings Permit from ANR satisfy the requirements of this section for the applicable threatened or endangered species.

7. Independent Technical Review

Independent technical review may be requested under 24 V.S.A. § 4440 if such review is necessary. If independent technical review under this section is required, ANR shall be invited to comment on the results of the independent technical review.

8. Required Findings

The decision on an application under this section shall state as findings in its decision that the development as approved meets the requirements of this section.

(g) District Specific Regulations: Special Flood Hazard Area

1 – 2. *As written.*

3. Permitted Uses in Special Flood Hazard Areas (including Floodway areas)

A. All those permitted open space uses as listed in Section 4.5.3.(g).2 above shall be permitted in the Special Flood Hazard Areas.

B. *As written.*

4 – 7. *As written.*

8. Approval Conditions

A – G. *As written*

H. Recreational Vehicles placed on sites with special flood hazard areas shall either:

A – B. *As written*

C. Be permitted in accordance with the elevation and anchoring requirements for “manufactured homes” in Sec. 4.5.3 (f).8.(D).

9 – 11. *As written.*

ARTICLE 13: DEFINITIONS

Specimen Tree: Trees ~~in excess of 30-inch caliper~~ having at least an 18-inch diameter at breast height (DBH) or that are determined to be over 100 years old by a certified arborist.

* Material stricken out deleted.

** Material underlined added.



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: September 11, 2026
RE: Proposed ZA-27-03 Natural Resource Overlay Updates

This memo is intended to provide an overview of the proposed changes included in ZA-27-03.

1. Overview

This proposed amendment provides clarification related to the City's wetland mapping resources, establishes a review process for Significant Natural Communities and Rare, Threatened, and Endangered (RTE) species, and modifies the definition of a Specimen Tree.

Wetland Mapping

The VSWI map provides the most up-to-date wetland mapping available through the Vermont Agency of Natural Resources (ANR). The mapping has been developed through a variety of municipal, regional, and State planning and environmental efforts and is intended to identify the potential location of wetlands. The VSWI map is non-jurisdictional and is intended to serve as an indicator of where wetlands may be present, rather than a definitive delineation of wetland boundaries or jurisdiction.

The City has its own regulatory framework and map identifying wetlands within the Natural Resource Protection Overlay District. This amendment incorporates the VSWI maps into the City's existing framework, providing a clear reference to the State's wetland inventory when identifying areas that may contain wetlands and may therefore be subject to the City's wetland protection requirements.

Significant Natural Communities and Rare, Threatened, and Endangered (RTE) species

This amendment also establishes a review process for development projects involving more than ten acres that may affect Significant Natural Communities or Rare, Threatened, and Endangered (RTE) species. The proposed regulations are an important component of the City's efforts to obtain Act 250 Tier 1A status.

At this time, staff believes there is only one issue covered under Act 250 that is not currently regulated locally in Burlington and that would need to be addressed for the City to secure Tier 1A status for all eligible areas. This issue relates to the protection of Significant Natural Communities and Rare, Threatened, and Endangered species and the process for State-level review of potential impacts from development projects over ten acres. In developing the proposed language, staff has worked with colleagues at the Land Use Review Board and the City of South Burlington to help ensure that the proposed regulations meet the State's criteria while establishing an appropriate local review process for these important ecological resources.

The proposed amendment establishes a municipal process for identifying these resources and evaluating potential impacts from larger development projects. For development involving more than ten acres, applicants would first review information maintained by the Vermont Agency of Natural Resources (ANR), including the Vermont Natural Resources Atlas and State lists of rare, threatened, and endangered species. Where mapped resources are identified on or near a proposed development, the ordinance provides for additional review, including field

verification and, where applicable, a project-specific natural resource inventory and assessment prepared by a qualified professional.

The proposed process also provides for consultation with ANR during application review. The process is intended to provide a level of review and protection for these resources that is consistent with the State's existing regulatory framework while allowing the City to meet the requirements necessary to obtain Tier 1A status.

Establishing these requirements will help Burlington meet the State's criteria for Tier 1A designation while ensuring that potential impacts to Significant Natural Communities and RTE species continue to be considered as part of the City's development review process.

2. Proposed Amendment ZA-27-03

a) Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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b) Purpose Statement

ZA-26-03 provides clarification related to the City's wetland mapping resources, establishes a review process for Significant Natural Communities and Rare, Threatened, and Endangered (RTE) species, and modifies the definition of a Specimen Tree.

c) Proposed Amendment

1. Amendments to Article 4: Zoning Maps and Districts

- Amends Sec. 4.5.3 to reference the Vermont Significant Wetlands Inventory Maps and establish requirements related to Significant Natural Communities and Rare, Threatened, and Endangered Species
- Amends the definition of "Specimen Tree" in Article 13 to clarify the required diameter at breast height.

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, specifically as it relates to accommodating additional housing and density within areas planned for growth. This amendment allows Burlington to pursue Act 250 Tier 1A status while also maintaining appropriate protections for important natural resources.

Impact on Safe & Affordable Housing

This amendment has no direct impact on planned community facilities.

Planned Community Facilities

This amendment has no direct impact on planned community facilities.

e) 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 9/11/26	Presentation to & discussion by Commission:	Approve for Public Hearing	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

Burlington Planning Commission & City Council Ordinance Committee Collaborative Working Group on Inclusionary Zoning

Tuesday, August 11, 2026, 6:00 P.M.

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

Draft Minutes

Planning Commissioners Present:

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

City Council Ordinance Committee Members Present:

- ☒ Councilor Gene Bergman, Chair
- ☐ Councilor Mark Barlow
- ☒ Councilor Sarah Carpenter

City Staff Present:

- ☒ Charles Dillard, Director, City Planning
- ☒ Kara Alnasrawi, Director, CEDO
- ☐ Kimberlee Sturtevant, Assistant City Attorney
- ☒ Scott Gustin, Zoning Division Manager, DPI
- ☒ Sarah Morgan, Principal Planner, City Planning
- ☒ Nancy Stetson, Senior Policy & Data Analyst, DFA
- ☒ Maggie Callaghan, Housing Program Manager, CEDO

Invited IZ Panelists: Eric Farrell, Michael Monte, Brenda Torpy, John Davis, Samantha Dunn

Public Attendance: Sharon Bushor, Fawnya Wilson, Jane

1. Agenda

Call to Order: 6:00pm

Changes to Agenda: None

2. Public Forum for items unrelated to ZA-27-01 Inclusionary Zoning

3. Adopt Minutes & Accept Communications

Planning Commission Action: Adopt minutes, accept communications.

Motion by: E. Malone

Seconded by: R. Nick

Vote: Unanimous

4. Director's Report

C. Dillard reported shared that the regular Planning Commission meeting scheduled for September 8th will be rescheduled for September 15th. Staff is working to get a meeting specifically about PlanBTV 2050 set with other relevant boards and commissions.

5. Staff presentation on Mayor's Housing Strategy

City staff presented a comprehensive approach that includes updating inclusionary zoning standards, revitalizing the Housing Trust Fund, activating the neighborhood code, and strengthening the public sector's role in housing development through strategic use of public land

6. Review of IZ Collaborative Working Group Progress & Proposals 3, 4, and 5

The group reviewed progress on Inclusionary Zoning (IZ) proposals, confirming that Proposal 1 was compromised at 13 units and Proposal 2 moved toward a uniform approach with 15% affordable units at or below 65% AML. Staff indicated that they would use the next month and a half to work on full amendment language before the next meeting on September 22nd.

7. Discussion related to Proposed Amendment ZA-27-01 with IZ Experts

The panelists and working group members discussed thresholds for on-site vs. off-site affordable housing requirements and the role of nonprofit housing agencies have in ensuring compliance and affordability. Panelists discussed challenges with market-based housing development not naturally filtering down to affordable units, the importance of permanent affordability through portability of inclusionary units, and the need for stewardship to monitor and enforce affordability covenants. The conversation also addressed questions about unit size requirements and geographic exclusions for off-site affordability payments, with consideration given to whether scale or geography should determine where in-lieu-of-production and off-site options are allowed.

Samantha Dunn: Supported allowing off-site development of inclusionary units but raised concerns about potential resident displacement and suggested considering tiered payment-in-lieu amounts based on unit size.

Michael Monte: Highlighted the importance of using designated housing agencies rather than private developers for affordable housing construction, citing better compliance and long-term affordability guarantees.

Brenda Torpy: supported including affordable housing in all new development to maintain mixed-income neighborhoods, particularly in valuable areas like the waterfront and South End.

E. Farrell indicated that \$80,000 as a PIL fee seems right, but doesn't know the exact right number.

As it related to city-owned land, Michael asked about using City owned land as an off-site option for affordable housing development. Eric noted that idea could work similarly to providing money for property purchase, with the City leveraging its infrastructure.

John Davis: Provided historical context by referencing a 1986 city report that included 25 recommendations for affordable housing, emphasizing the importance of integrating inclusionary zoning with condo conversion and Housing Trust Fund ordinance. Emphasized 3 goals of 1990 IZ ordinance: inclusivity, longevity, and stewardship.

Proposal 3: Allow Off-Site Anywhere

Working group members discussed whether affordable housing units should be required to be built on-site versus off-site, with some expressing concerns about restricting off-site development while others favored ensuring on-site development for larger projects. The discussion also covered the potential use of CHIP funding for infrastructure and the importance of including both rental and homeownership options in affordable housing developments. The group agreed that off-site should be allowed anywhere, but at some point, there should be a tie to project size that requires the units to be in the neighborhood.

Michael Monte requested to reserve a discussion point around dedicated nonprofit housing developers and the designated housing agency being the developer of choice. Ties to the stewardship point made by John. CHT is frequently asked to take over affordable housing from private developers.

Erhard Mahnke: Would like to see added "or by one of the City's dedicated housing nonprofits in partnership". Would like to add golf course in as somewhere that couldn't do off-site and then define a larger development. There seemed to be general interest in 100-units being considered a "large" development.

Sarah Carpenter: We might need to do some review of the City's dedicated nonprofits.

Michael Gaughan: Wanted to flag the acquisition of units as tricky. Doesn't agree with Erhard's proposal about designated non-profits.

Andy Montroll: Agrees that the addition of the dedicated nonprofit partnership becomes an artificial barrier.

In response to Michael and Andy's comments about the designated housing agencies, Erhard asked why we had them embedded in our ordinance to begin with. Brought John and Michael Monte's points about stewardship up, and noted that some for-profit developers maintain their IZ units just fine, but others don't. Went on to emphasize that the city has struggles with code enforcement, and wants to make sure that IZ units are maintained in the best way.

Gene followed up on Erhard's point saying that the point on designated housing agencies needs more work from staff. Hears that designation is an important aspect of it, but for-profits (like Jonathan Rose Company) has a large portfolio across the country and they do good work.

Erin Malone noted that the City may instead want to consider strengthening the monitoring side of IZ as it relates to the stewardship question.

Sarah Carpenter agreed with Erin and suggested further discussion about ways to bring the state housing agencies into the conversation.

Proposal 4: Allow Payment-In-Lieu Anywhere

Michael Gaughan: Expressed that he doesn't feel the need to call out specific parcels where Off-site and PIL wouldn't be allowed. Agrees that 100 units or more should be required to build IZ, not allow off-site or PIL.

Sarah Carpenter: Supports allowing PIL anywhere (except waterfront and South End). Agrees that there should be the "large project" threshold instead of based on parcel. Maybe unit number should be guiding principle instead of an area.

Gene Bergman: Related to the threshold of "Large" projects, doesn't think that 100 units could cover a property as large as the golf course.

Michael Monte suggested that 100 to be considered as "large" might be too high, and asked that we consider a smaller number.

Proposal 5: Reconfigure Payment-In-Lieu Calculation

C Dillard: Clarification on this proposal in response to questions from Andy Montroll – it is to remove the fee amount from the ordinance but include the formula for annually recalibrating. The Council wouldn't have to do work every year to figure out what the formula would be, since that will already be in the CDO. The baseline is being set at \$80,000 for FY27, and then in FY28, council would need to vote on update this new number. Staff will come back next time with example formulas.

Gene Bergman: Makes the most sense to set the formula in the ordinance and have it be administrative, and have it be implemented. People forget that they have to do things, and this will likely happen at the time the budget has to be done. Have a baseline, come to an ordinance that is fair, and in the ordinance say that on an annual basis it is adjusted effective July 1st/new fiscal year.

Michael Gaughan: Really liked Samantha's idea on calculating based on NOI (net operating income). Has also worked with using replacement value or some portion of replacement value.

Erhard Mahnke: Asked about what formula was used to come to \$80,000, and supports establishing some sort of annual recalibration. Emphasized the need to consider inflation index that is regionalized and takes into account construction and other related costs. Brought up the desire to require PIL for projects that are not subject to IZ.

Michael Monte: Highlighted that payment of the payment in lieu needs to be done in a way that's affordable. Upfront payment of PIL could have caused damage and difficulty for prior developers and projects. Suggested coming up with a way for allowing that payment to occur over a short period of time. Would still allow trust fund to grow, but the developer could borrow less money up front. Some working group members agreed to this suggestion of a timed PIL.

Eric Farrell proposed using HUD's income data for objective standards

8. Public Forum related to ZA-27-01

Sharon Bushor: Raised concerns about allowing off-site units, specifically around neighborhood diversity. Suggested that larger projects be considered 50 – 75 units as a threshold of mandating On-site and not allowing PIL.

9. Commissioner Items

Michael Gaughan brought up the need to review bike lane design standards following the recent cycling incident on Pine Street.

10. Adjournment (8:57pm)

Burlington Planning Commission

149 Church Street
Burlington, VT 05401

www.burlingtonvt.gov/cityplanning

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

Burlington Planning Commission

Tuesday, August 25th, 2026, 6:30 P.M.

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

Draft Minutes

Commissioners Present:

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

City Staff Present:

- | |
|--|
| ☒ Charles Dillard, Director, Office of City Planning |
| ☒ Sarah Morgan, Principal Planner |
| ☒ Stella Jordan, Senior Planner |

Public Attendance:

1. Agenda

Call to Order: (18:32:00)

Changes to Agenda: Item 5 (Update on planBTV) has been moved to item 7

2. Public Forum

- Unnamed: Spoke to safe injection site. Strongly encouraged avoiding downtown corridor.
- Chase Whiting: Regarding NNW plan, asks, "Is this revised plan complete?" Inconsistencies?
- Alice Rudd: Seconds question posed by C.Whiting. Asked about ecological study in the area.
- Sam Donnelly: Commented on zoning and the single overdose prevention center.
- Frank vonTurkovich: Also commented on the zooming change for the overdose prevention center. Concerned about same issues Clark Street experienced. Opposes plan.
- Ambrose Moore: Spoke about personal medical condition that requires use of needles and how they appreciated the Clark Street location. Felt safe and misses the convenience.
- Ari Moskkowitz: Talked about his platform, Truth in Vermont, the need for rehab not just safe injection sites and his previous opiate use.
- Devon: Commented on proposed overdose prevention center and the need for common sense-based decision making when planning.
- Joanne Elliott: Believes that planning has been receptive to community feedback and is thankful for that.

3. Chair's Report

No Report Given

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.

4. Director's Report

- C.Dillard states that in September he will be taking to City Council a work session to move forward with the Tier 1A application. Reminds the commissioners of the date change; that this meeting will be held on September 15th, not the 8th.

5. Review updates to planBTV New North End (19:05:00)

- S.Morgan highlights changes that have been made and summarizes the last meeting.
- Parks and permanently conserved open spaces should not be considered at housing sites. Commission directed staff to remove UD3.
- S.Morgan highlighted revisions to the plan
 - Removed Starr Farm & Ethan Allen Park as Focus Arenas
 - Revised Design Vision for North Ave at Ethan Allen Parkway intersection
 - Revised Urban Design Framework
 - Revised Urban Design Implementation Matrix
- S.Morgan provided clarification related to the City Asset Study
- E.Malone voices concern about transparency of process now that focus have shifted from public land to private land. C.Dillard responds and states that other types of publicly owned land are to be considered going forward. E.Mahnke states that is ever parks be considered, there should be a 1:1 replacement plan.

6. Proposed CDO Amendment ZA-27-02 Overdose Prevention Centers 19:36:00

- C.Dillard provides some background and context. June '24 legislation authorizes overdose prevention centers. April '25 City Council approved proposed phase approach to establishing center. Assessment report showed OPC could be effective in Burlington. Should be located in 1 of 3 locations; Downtown, ONE or Riverside Ave.
- E.Malone and E.Mahnke both express surprise that this item was added to the agenda. Go on to discuss OPC zoning and acknowledge this project will involve mixed emotions from the community.
- M.Gaughan states that other cities and Canadian territories have scaled back OPCs in the last two years and that we may learn from them. Believes there is much more to learn and deep conversations with the community are needed before taking any other next steps.
- A.Montroll acknowledges that two commissioners would like to gather more information before a public hearing and states that he would be voting "no" to move this to a hearing at this time.

7. Update on planBTV 2050 20:15:00

- S.Jordan gave updates on progress of planBTV 2050. Currently developing plan vision and scenario planning. Preparing for second wave of public engagement.
- S.Jordan presented additional slides containing data from the survey with demographic data.
- S.Jordan gave recap on scenario planning. Currently in Analyze Impact phase. Refresher on the three different planning scenarios: Downtown/Center City First, Follow the Corridors and Strategic Infill and the elements which they want to pull from each.

8. Commissioner Items

No Commissioner Items

9. Adopt Minutes and Accept Communications 20:53:00

Action: Motion to Adopt

Motion by: A.Friend

Seconded by: R.Nick

Vote: Unanimous

Notes or Corrections: None

10. Adjournment

Action: Motion to Adjourn

Time of Adjournment: 20:54:00

Motion by: A.Friend

Seconded by: E.Malone

Vote: Unanimous