

Burlington Planning Commission

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*Andy Montroll, Chair
Bruce Baker, Vice-Chair
Yves Bradley
Alexander Friend
Michael Gaughan
Emily Lee
Julia Randall*

Regular Meeting Burlington Planning Commission

Tuesday, September 27, 2022

Regular Meeting - 6:30 P.M. Remote Meeting via Zoom ONLY

To Join the Meeting on a Computer

Link: <https://us02web.zoom.us/j/82754488061>

To Join the Meeting on a Phone

Number: +1 312 626 6799 Meeting ID: 827 5448 8061

AGENDA

I. Agenda (6:30 P.M)

II. Public Forum *See details on pg. 3 of packet for participating remotely.*

III. Chair's Report

IV. Director's Report

V. Proposed CDO Amendment: South End Innovation District Overlay (SEID)

The Commission will continue its discussion of the draft zoning amendment, which would create a South End Innovation District overlay that permits residential uses and establishes new land use and urban form standards in a portion of the existing Enterprise-Light Manufacturing district. Information related to this item is in the agenda packet on page 3.

Staff Recommendation: Ask questions and provide feedback on the proposed zoning outline, including on any public feedback.

VI. Commissioner Items

- a. Committee Reports

VII. Minutes & Communications

- a. The minutes of the September 13 meeting are enclosed in the agenda packet on page 23.
- b. Communications are enclosed in the agenda packet.

VIII. Adjourn

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. Written comments on items may be directed to the Planning Commission at 149 Church Street, Burlington, VT 05401, or at mtuttle@burlingtonvt.gov

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Guidance for Participating in a Virtual Planning Commission Meeting

As social distancing measures to preserve public health and safety continue to be required to prevent the spread of COVID-19, or are recommended as a standard practice, the Office of City Planning will be supporting the Planning Commission to conduct their meetings online via Zoom. Here is information about how to join a virtual meeting, and what to expect while participating.

General Guidance for Public Participation

Please remember that in this digital meeting environment, meetings are open to the public and anyone may be watching or listening even if you cannot see them. Meetings will be recorded, and both the recording and chat content of the meeting will be maintained as a public record.

Please ensure your display photo and screen name are professional, such as using your first and last name. Please test your audio and video prior to the start of a meeting, and familiarize yourself with how to join a meeting by your chosen method. And finally, please be patient with us. Technology doesn't always work as planned, and we are all learning how to hold a successful virtual meeting!

How to Join a Virtual Meeting

Zoom allows participation via either computer or telephone. Each agenda for a meeting that will be conducted virtually will include details about how to join via either of these options, including a web address, phone number, Meeting ID, and password.

If you participate via computer, you have the option of seeing Commissioner videos and any presentation materials that may be shared. If you use either a standard phone or cell phone to call in, you will only hear the audio portion of the meeting. If you join via a smartphone, you may have the option to download the Zoom app, which will enable you to see and hear the meeting.

How to Participate in a Virtual Meeting

During meetings, only Planning Commission members and limited staff members will be viewed on video. Members of the public attending a meeting will be muted, except when invited to speak during public forum or a public hearing. Whether members of the public can speak at other times during the meeting is the discretion of the Chair.

If you want to speak during public forum, please take the following steps to assist us in making this process run as smoothly as possible:

- Email staff at mtuttle@burlingtonvt.gov by 5pm on the day before a meeting to indicate your interest in speaking. You do not need to provide your comments. Staff will enable your microphone as your name is called from a list of interested speakers.
- During a meeting, you can use the "Raise Hand" feature, or indicate in a chat message that you wish to speak during public forum. Staff will enable your microphone as your name is called.
- If you are interested in submitting your comments in writing instead of speaking during the meeting, you may do so by 5pm the day before a meeting, they will be forwarded to the Commissioners ahead of the meeting.

TO: Burlington Planning Commission
FROM: Charles Dillard, AICP, Principal Planner
Meagan Tuttle, AICP, Planning Director
DATE: September 22, 2022
RE: Proposed CDO Amendment – ZA-23-01: South End Innovation District Overlay

Overview & Background

District Intent & Overview

The South End Innovation District Overlay is intended to facilitate the redevelopment of a core area of the South End's Enterprise-Light Manufacturing (E-LM) district. The vision for this overlay is based in [planBTV: South End](#) and calls for transforming the area's surface parking lots and contaminated and underutilized sites into an accessible, mixed-use hub of economic activity that draws on both the South End's legacy of manufacturing and arts as well as its burgeoning office and innovation sector. The overlay enables the creation of a wide range of commercial uses, while prioritizing those arts, manufacturing, and office uses that define the character of the South End today. It also permits the creation of new homes. The overlay includes provisions for the scale and massing of new buildings to guide the redevelopment of large sites, and seeks to create an accessible and sustainable urban district.

Attached is an initial working draft of the proposed amendment. Several areas for further refinement are noted and anticipated. During the August 23 meeting, staff will present additional information to illustrate the proposed framework, including for some of the areas of the ordinance that are currently under development. Also attached is a map of the existing Enterprise zoning districts for reference.

Background on Housing in the South End

Since *planBTV: SE's* adoption, the city has continued to experience a multi-faceted housing crisis. The lack of housing availability is among the highest priority issues for many residents, including for the South End's artists, makers, office workers, and other businesses. At the time of its preparation and adoption, there was much debate about allowing housing in portions of the South End E-LM district. While the adopted plan did not recommend housing in the E-LM, it did stress that continued conversations about the appropriate location and type of housing in the South End was necessary. One of the plan's housing strategies included:

Continue community discussions regarding housing in the South End. Continuing this discussion will be important to ensuring that the rules for the future development of the South End match community needs. As our community and its neighborhoods continue to evolve, it is necessary to periodically revisit land use and zoning policies to ensure that change is sustainable and occurring in the appropriate locations, including within the Enterprise Zone

- Provide forums for continued community discussion and information sharing as part of efforts to update zoning, implement partnerships, and facilitate redevelopment.
- Dept. of Planning & Zoning, Planning Commission; property owners; SEABA; non-profit housing organizations; South End residents

Recent discussions around the South End Innovation District Overlay have provided such an opportunity. This question was initially re-introduced to the Planning Commission in summer 2021 by HULA representatives, as a request to consider the creation of a Neighborhood Activity Center in a portion of the E-LM. Following early discussions with the Commission, the opportunity to allow

housing opportunities in a portion of the E-LM through the creation of this Overlay was included as a priority strategy in the city's [2021 Housing Action Plan](#).

Input informing this amendment

As part of that Action Plan, the HULA representatives and a number of non-profit organizations and other South End property owners signed onto an MOU to work with Planning and CEDO to inform the development of this proposed district and participate in engagement sessions. Additionally, staff from multiple city departments, including City Planning, CEDO, Business & Workforce Development, Permitting & Inspections, BCA, and DPW have been engaged to inform perspectives on this amendment as well as to discuss other planning considerations for the area.

This [summary](#) outlines key areas of feedback during public engagement activities that took place in the spring and summer. In-person and online forums provided opportunities for more in-depth discussions about the [nuances of an innovation district](#)—including specifics about allowable land uses and their mix, building scale and massing, and other characteristics of new development. Input from both the public discussions and the stakeholder working group has informed this proposed ordinance.

Topics for further discussion

At its August 23 and September 13 meetings, the Planning Commission identified several topics for further discussion, including whether to allow hotels in the district, maximum building height, the location of residential uses, and new streets and paths. Additional information related to these topics is provided below. Staff will also share additional refinements to the draft ordinance text, included in the agenda packet, based on further discussion with other city departments.

Hotels

Throughout the drafting of the SEID amendment, staff, stakeholders and the community have debated whether hotels should be permitted within the district. Due to some community opposition and staff concerns that hotels could both outcompete residential development for land in the South End and spur greater than desirable tourism activity in the SEID, staff initially proposed that hotels not be permitted. However, the Planning Commission has expressed some interest in allowing hotels in a limited fashion in the SEID to achieve three primary goals:

- Economic Development and Recruitment: the SEID is home to one of the region's highest performing office markets. To facilitate its continued growth, and that of its constituent businesses, hotels in the SEID could be an important recruitment tool.
- Remote work: Given Burlington's attractiveness as a tourist destination, it is also ideally suited to attracting a growing remote work market for out-of-town visitors looking to spend time in the city and stay in one of its most vibrant districts. With the recent resumption of Amtrak service out of Downtown, the South End is poised to attract such workers from New York City in particular.
- Recreation: The South End is rich in recreational amenities and out-of-town visitors may be attracted to the SEID as it develops.

Acknowledging that stated concerns regarding hotels in the SEID remain, staff will discuss two approaches for permitting hotels in a limited fashion for the Commission's consideration:

- A. Allowing one hotel per lot on lots established at the time of the amendment's adoption would facilitate hotel development on a select few properties. Given the district's relatively small number of properties, and that the City owns a significant portion of the land in the proposed district, such a standard would realistically produce just a small number of hotels.
- B. Requiring community benefits that strengthen the amendment's ability to create space for uses and amenities called for in *planBTV: South End* if hotels are developed. Community benefits could come in many forms, such as requiring other uses to be provided as part of a hotel or modifying other development standards in the ordinance. A precedent for such

an approach that was recently adopted in Asheville, NC requires hotels to meet high priority public benefits. However, it should be noted that Asheville's program is based on a detailed study and calibration. If the Commission is interested in this approach, staff suggests a more limited standard in the immediate term; a more broad-based approach should be de-linked from the amendment. During the meeting, staff will provide some ideas for potential community benefit standards.

Residential use location

Creating new homes is one of the core priorities in the SEID. However, this should not come at the expense of other highly valued land uses, particularly those that contribute to the District's character as a place of creativity and innovation. Based on community feedback and discussions with other South End stakeholders, staff has proposed that residential uses only be permitted in new buildings (i.e. those newly created after a date certain). Such a standard would preclude conversion of existing non-residential buildings, instead directing residential development to vacant or underdeveloped land elsewhere in the district.

However, an outstanding concern is that such a prohibition could have the unintended consequence of promoting the teardown of existing structures to make way for new residential buildings. In an attempt to address this concern, the Commission may consider also allowing residential uses in additions to existing buildings, which could reduce the incentive to tear down existing structures while still making them available to facilitate mixed-use developments. Such a standard could also promote the efficient use of land by facilitating additions above or on the same lots as existing buildings.

Height

As currently written, the draft amendment proposes a district-wide height limit of eight stories, up to 85 feet. Floors seven and eight would be restricted to a reduced floorplate (10,000 sf, down from 15,000 permitted on floors 1-6), unless the building is constructed of mass timber or is a certified high performing building. In its discussions to date, the Commission has considered whether building height should be limited to specific geographic locations similar to how the downtown form code (Article 14) identifies special height areas. Of particular concern have been potential impacts of tall buildings to the Lakeside neighborhood along the District's western boundary. In recognition of these concerns, staff recommends the creation of a South End Innovation District Specific Height Area Map that would identify areas for 45'/4 stories, 65'/6 stories, and 85'/8 stories. Map concepts will be shared with the Commission in the meeting.

Blocks/New Streets

planBTV: South End and more recent engagement for this zoning amendment supports a vision for this area as an accessible, connected and multi-modal Innovation District. Of planning for new streets, the Plan states, "just as connectivity and collaboration are a part of the business models of companies in this area, they are integral design principles for the physical fabric of this part of the neighborhood. New street connections are walkable, bikeable and served by transit."

Today, the proposed South End Innovation District includes large lots with no existing internal street network or planned streets on the City's Official Map, but any future development would very likely require the installation of new streets and internal pathways. To achieve the goals of a multimodal, highly pedestrianized and connected district, the ordinance should regulate the development of new streets in terms of their location and quantity as well as dimensions. During the meeting, staff will provide several options for the Commission's consideration, including a maximum block perimeter standard, with diagrams illustrating flexibility for how the standard can be achieved, as well as considerations for applying this standard to car streets and/or non-vehicular paths.

Proposed Amendment

Amendment Type

Text Amendment	Map Amendment	Text & Map Amendment
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Purpose Statement

This amendment creates an Overlay Zone that applies to a portion of the South End Enterprise-Light Manufacturing zone, to facilitate the development of a mixed-use urban district that fosters the continued growth and sustainability of the South End's arts and innovation economy and also provides access to housing.

Proposed Amendments

The following amendments to the *Burlington Comprehensive Development Ordinance* are included in this proposal:

1. Amends Article 4 – Zoning Maps and Districts to create a new South End Innovation District overlay within a portion of the Enterprise-Light Manufacturing District

Creates a new Sec. 4.5.8 to establish an overlay district with a portion of the South End E-LM zone, including a map of parcels and specific zoning standards for development. .

2. Creates specific regulations for land uses and urban form in the Overlay

Establishes standards for development within the proposed overlay, including:

- Land Use standards that prioritize arts, innovation, office and other non-residential uses; allows residential uses; and allows in a limited but flexible manner other district-supportive but non-essential commercial uses.
- Standards that govern lot coverage and ground floor uses in order to guide the development of a walkable, dense and human-scaled urban district.
- Standards that require buildings be close to streets and occupy the majority of a block's frontage, while providing a greater degree of flexibility than the downtown form code districts.
- Standards for building height which range from four up to eight stories, while limiting overall building size and requiring upper story variation to create a high quality and livable urban form that facilitates residential and economic growth.
- Parking standards that limit surface parking and guide the development of parking in a way that mitigates the negative impacts of car utilization.
- Requires that residential developments within the overlay comply with Inclusionary Housing standards in *Article 9*, including that a minimum of 15% of units meet affordability limits.

3. Amends Article 13 - Definitions to define various terms

Amends and provides definitions for specific land uses, construction techniques, and stormwater management best practices to address questions and provide clarity for administration of the ordinance. New and amended definitions include:

- Amend definition of bowling alley and create definition for co-housing
- Defines Mass Timber Construction and Passive House
- Defines Green Stormwater Management, Constructed Wetland, Suspended Pavement and Pervious Pavement

4. Amends Appendix A – Use Table to establish land use regulations within the E-ID

Amends the Use Table to make reference to district-specific land use standards contained within the proposed *Section 4.5.8.*, and adds Co-Housing.

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 overlay would implement a key land use policy adopted in 2019 with *planBTV: South End*, and amended through the 2021 Housing Action Plan which directed the city to explore the inclusion of housing. The proposed amendment would, in the words of *planBTV South End*, "Reinforce and growth the South End as a center for innovative businesses and Institutions," and "Expand the visibility of the arts district to preserve and enhance its vibrancy." Further, the proposed amendment, through its prioritization of artist and maker spaces, implements strategies to preserve and create affordable artist space. Regarding density, the proposed amendment is consistent with and supports the 2021 Action Plan by proposing to allow dense, multifamily housing for the first time in the core of the South End. The proposed amendment guides development on largely undeveloped and underutilized land in a way that should create meaningful housing supply and contribute to the City's commitment to build significant amounts of housing by 2026.

Impact on Safe & Affordable Housing

The proposed amendment creates significant positive impacts toward the creation of affordable housing. Through the proposed Inclusionary Zoning standard, the overlay would facilitate potentially hundreds of units of affordable housing. As a center of the City's arts community, the Innovation District would also create affordable housing in an area where artists are increasingly unable to afford the rising costs of housing. Regarding safe housing, the proposed amendment seeks to create a vibrant urban mixed-use district that is accessible and supports the livelihoods of all residents.

Planned Community Facilities

The proposed amendment would cover a significant land area that includes important community facilities. In facilitating the redevelopment of large contaminated properties, the proposed amendment would support public and ecological health. Through its rigorous stormwater standards, the amendment would support the health of nearby waterbodies, including Englesby Brook, the Barge Canal and Lake Champlain. In terms of transportation, the overlay will guide development along the planned Champlain Parkway in a way that supports that facilities goal to create a more accessible transportation corridor in Burlington's South End. Furthermore, in promoting a dense, accessible urban form on currently inaccessible properties, the proposed amendment would improve the area's pedestrian and bicycle facilities in ways that are consistent with *planBTV* and *planBTV: South End*

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	Presentation to & discussion by Commission 8/23/22, 9/13/22, 9/27/22	Approve for Public Hearing	Public Hearing	Approved & forwarded to Council
City Council Process				
First Read & Referral to Ordinance Cmte	Ordinance Cmte discussion	Ordinance Cmte recommend	Second Read & Public Hearing	Council Approval & Adoption

CITY OF BURLINGTON

In the Year Two Thousand Twenty-Two

An Ordinance in Relation to

ZA-23-01 South End Innovation District Overlay

ORDINANCE _____

Sponsor: (Department or Councilor)
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: _____

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

That Chapter _____, of the Code of Ordinances of the City of
Burlington be and hereby is amended by amending Sec. _____, thereof to read as follows:

Commented [MT1]: Fill in Sections and references

Sec. 4.4.3 Enterprise Districts

(a) Purpose:

The ~~two~~ Enterprise districts as illustrated in Map 4.4.3-1 are described as follows:

1. The **Light Manufacturing** (E-LM) district is the primary commercial/industrial center of Burlington, and is intended primarily to accommodate enterprises engaged in the manufacturing, processing, distribution, creating, repairing, renovating, painting, cleaning, or assembling of goods, merchandise, or equipment without potential conflicts from interspersed residential uses. Other accessory commercial uses are allowed to support a wide range of services and employment opportunities. This district is intended to ensure that sufficient land area is appropriately designated within the city to provide an adequate and diversified economic base that will facilitate high-density job creation and retention. This district is primarily intended to provide for industrial uses suitable for location in areas of proximity to residential development. Development is intended to respect interspersed historic industrial buildings, and reflect the industrial aesthetic of the district's past. Parking is intended to be hidden within, behind, or to the side of structures.

Commented [MT2]: Should consider modest tweaks to this purpose to recognize the Overlay

2. As written.

(b) Dimensional Standards and Density

The density and intensity of development, dimensions of building lots, the heights of buildings and their setbacks from property boundary lines, and the limits on lot coverage shall be governed by the following standards:

Table 4.4.3 -1 Dimensional Standards and Density

Districts	Max. Intensity (floor area ratio ^{1,4})	Max. Lot Coverage ^{1,4}	Minimum Building Setbacks ^{1,4} (feet)			Max. Height ^{1,4} (feet)
			Front	Side	Rear ³	
Light Manufacturing	2.0 FAR	80%	5 min	0 ²	10% ²	45'
Agricultural Processing and Energy	0.75 FAR	60%	10 min	10 min	10 min	45'

1 – Floor area ratio is further described in Art 5. Measurement of and exceptions to coverage, setback, and height standards are found in Art 5. Actual maximum build out potential may be reduced by site plan and architectural design considerations of Art 6.

2 – Structures shall be setback a minimum of 25-feet along any zoning district boundary line that abuts a residential zoning district. Lots of record existing as of September 9, 2015 that are split by enterprise and residential zones are exempt from this district boundary setback.

3 – Percentage of the lot depth.

4 – Maximum intensity, lot coverage, setbacks and building height in portions of this district are be modified by provisions of the South End Innovation District (SEID) overlay in Sec. 4.5.8.

(c) Permitted and Conditional Uses:

1. The principal land uses that may be permitted, or conditionally permitted pursuant to the requirements of Article 3, within the Enterprise districts shall be as defined in Appendix A – Use Table.
2. Within the E-LM district, uses unrelated to Industrial or Art Production are permitted to be located on lots south of Home Avenue only when:
 - a. One or more Industrial and/or Art Production use(s) exists on the lot; and
 - b. The combined gross floor area (GFA) of all other use(s) does not exceed 49% of the gross floor area on the lot. Uses limited by this provision are identified by Footnote 27 in Appendix A-Use Table; all uses marked as conditional use or with additional footnotes in Appendix A continue to apply.
3. Uses that may be permitted, or conditionally permitted within the South End Innovation District (SEID) overlay are identified in Table 4.5.8-2.

(d) District Specific Regulations:

1. Convenience Stores.
The following shall apply to the review and approval of convenience stores in the E-LM district, except as regulated in Sec. 4.5.8: Enterprise – Innovation District, in addition to the provisions for the review of Conditional Uses under Art. 3 and General Regulations for convenience stores under Art 5:
 - A. Convenience stores in the E-LM district shall only be allowed on properties fronting on Pine Street, and must be sited at least 2,000 linear feet, measured lot line to lot line, from any other convenience store in the E-LM district;
 - B. A convenience store shall not contain more than 5,000 square feet of gross floor area;
 - C. If located at a street intersection, the nearest edge of any curb cut shall be located as far as possible from any intersections with a minimum distance of 50 feet from an intersection as measured from the corner of and along the lot line of the site;
 - D. Approval shall be granted only if, in addition to the general conditional use standards listed in Sec. 3.5.6, the DRB determines that a proliferation of convenience stores is not threatening the primary intent of the E-LM district for industrial purposes, as stated in Section 4.4.3 (a) 1; and,
 - E. Convenience stores that obtain a conditional use permit within the E-LM District may include gasoline pumps provided the total square footage occupied by pumps, pump islands and vehicular space(s) at a pump filling station is the lesser of 1,850 s.f. or 50% of the gross floor area of the enclosed convenience store.
2. Drive Thrus are not permitted.

Sec. 4.5.8 Enterprise – Innovation District Overlay District

(a) Purpose

The Enterprise – Innovation District Overlay (E-ID) is intended to provide for a dense, vibrant and dynamic urban district in Burlington's South End. The overlay allows residential uses, which are prohibited elsewhere in the Enterprise-Light Manufacturing District (E-LM), and prohibits some uses that are permitted elsewhere in the E-LM but incompatible with the mix of uses encouraged in the overlay. The overlay prioritizes development that provides for an amenity-rich, convenient urban residential neighborhood, arts district and employment center while permitting in a limited fashion non-residential uses that are secondary to, but supportive of those primary district objectives.

Development is intended to be dense yet highly sustainable. Lot coverage standards permit significant development but require the highest degree of permeable surfaces, achieved through green stormwater infrastructure, of any mixed-use district in the City. Buildings should range in height from one to eight stories, and should be constructed of materials and in manners that limit embodied carbon and achieve the highest possible energy performance permitted by Vermont Building Code. Sites should incorporate ample public and private open spaces and include extensive networks of accessible paths that are free of cars. Streets, including new streets, should be constructed in a manner that allocates the majority of their space to pedestrians and cyclists. Buildings should be oriented to the public realm – streets, paths and open spaces, in a manner that creates a safe and inviting district. Site and building design should support public and ecological health to the highest possible degree.

Parking should be hidden behind structures, including perimeter buildings or screening devices. Where possible, parking structures should be located along the most heavily trafficked roads to encourage residents, employees and visitors who arrive by car to park at the district's edge and travel on foot, by bike, or other mode of transportation that is compatible with Burlington's climate objectives. Special consideration should be given to the design and construction of parking structures to allow for their replacement in coming decades as Burlington evolves from car dependence.

(b) Areas Covered.

The Enterprise – Innovation District includes those portions of the E-LM Zoning District as delineated on Map 4.5.8-1.

(c) District Specific Regulations

1. Dimensional Standards & Density

Within the South End Innovation District Overlay the standards set forth in Table 4.5.8-1 shall apply to new development and redevelopment, except:

- Floors 7-8 may increase maximum size to 15,000 sq.ft. per floorplate for buildings constructed with at least 6 floors of mass timber or in buildings certified as Passive House.
- The maximum lot coverage may be increased by 10%, to a maximum of 90%, if all of the pervious area on the lot is constructed from one or more of the following Green Stormwater Management (GSI) techniques: constructed wetland, suspended pavement planted with 4 shade trees per 100 linear feet, or pervious pavement. No more than 50% of the GSI area may utilize pervious pavement.

Commented [MT3]: Need to create map

Commented [MT4]: Need to determine how this relates to the IZ requirements in Article 9, and any development bonuses entitled by that section.

Propose that residential uses within this district comply with the requirement that 15% must meet IZ standards.

Commented [MT5]: Does the building code limit the ability for all 8 floors to be constructed using these technologies? Otherwise, should we just say for a buildings constructed from these technologies?

Table 4.5.8-1: SEID Dimensional Standards & Density

Max. Intensity	Max Building Size per Floorplate ¹	Max. Lot Coverage & Pervious Surface Required ²	Minimum Building Setbacks			Max. Height ⁴
			Front	Side	Rear	

<u>2.5 FAR</u>	<u>Floors 1-6: 15,000 sq.ft</u>	<u>80% max impervious</u>	<u>0' min</u>	<u>0' min</u>	<u>0' min</u>	<u>85'</u>
	<u>Floors 7-8: 10,000 sq.ft.</u>	<u>25% min of pervious area must utilize GSI</u>	<u>10' max³</u>	<u>10' max³</u>	<u>15' max</u>	

1. Maximum square footage applies to each floorplate.
2. At least 25% of the pervious area on a lot must include one or more of the following Green Stormwater Management (GSI) techniques: constructed wetland, suspended pavement planted with shade trees, or pervious pavement. No more than 50% of the required GSI area may utilize pervious pavement.
3. Setbacks are measured from the property line; however, buildings must be at least 15' from the curb or edge of ROW if no curb exists.

4. LIMITS ON HEIGHT

2. Frontage & Ground Floor Activation Standards

- A. Lot Frontage Occupied by Buildings: Buildings shall be placed on a lot such that they frame public and private streets and pathways. The percentage of a lot's frontage that must be occupied by a building(s) within the required setback is determined by Map 4.5.8-2 Frontage Standards and Table 4.5.8-2.
 - i. On lots where new interior streets are provided, Primary and Secondary frontages must be identified on the property owner.
 - ii. A lot's frontage buildout may be reduced by up to 10 percent upon the determination of the Zoning Administrative Officers that the relief is necessary to access to the rear of the lot as a result of lot width or building placement constraints.
- b. Building Frontage Occupied by Non-Residential Uses: Buildings fronting on public or private streets and pathways, including those inaccessible by vehicles, must contain a minimum amount of non-residential uses on the ground floor as determined by Map 4.5.8-2 Frontage Standards and Table 4.5.8-2.
 - i. Building corners must include non-residential uses.
 - ii. A minimum of 80% of a building's required ground floor non-residential uses must be at least 25 ft. deep from the building façade. The remaining 20% must be at least 10 ft. deep.
 - iii. On lots where new interior streets are provided, Primary and Secondary frontages must be identified by the property owner.
 - iv. The minimum non-residential frontage requirements may be reduced to 30% for Primary Frontages and 0% for Secondary Frontages if one or more of the following is achieved:
 - a. All non-residential ground floor uses are maintained as affordable for at least 30 years, as defined and administered by (CEDO).
 - b. A detached, one- or two-story permanent structure containing non-residential uses is constructed within or adjacent to the public realm on the same lot. The amount of non-residential use required on a building's ground floor may only be reduced on one-to-one basis as determined by the square footage of the detached structure.
 - c. A building is placed adjacent to one or more publicly accessible open spaces. Such open spaces must be at least 4,000 sq.ft. in area and no portion of the open space may have a dimension less than 10 feet. Qualifying open spaces may be located in an interior courtyard, to the side, or in front of the building for which a reduction in ground floor non-residential use is being sought.
 - d. A building containing residential uses includes an allocation of at least 10% three-bedroom units and 15% percent two-bedroom units.

Commented [MT6]: Need Map

Commented [CD7]: Diagram

- c. Ground Floor Entries: At least one ground floor entry is required each 60' linear feet of each building façade fronting on a public or private street or open space.

Table 4.5.8-2: Frontage and Activation Standards

<u>Frontage Type</u>	<u>Min lot frontage occupied by buildings¹</u>	<u>Percent of building frontage containing non-residential uses</u>	<u>Ground floor entries required</u>
<u>Primary</u>	<u>80% min</u>	<u>80% min</u>	<u>Every 60' min</u>
<u>Secondary</u>	<u>70% min</u>	<u>20% min or 500 sq.ft., whichever is greater</u>	

1. Measured linearly, and excludes area utilized for interior private streets, drives, and non-vehicular pathways.

3. Parking

- A. Small surface parking lots are permitted only when associated with and adjacent to a principal building, particularly for the purpose of providing spaces for short-term, loading, or reserved spaces for pregnant individuals, or for prioritized placement of required ADA accessible spaces. No more than 20 surface parking spaces are permitted on any one lot.
- B. On-street parking spaces shall be permitted on lots with new private streets. Such parking spaces must be parallel in orientation.
- C. Structured Parking Garages
- With the exception of individual Garages serving a multifamily dwelling which shall be accessed from the rear of the building via a public or private alley, all Parking Structures and Garages shall be located behind a Perimeter Building or screened so that cars and internal structure lighting are not visible from adjacent streets or properties. Screening can be provided by architectural structure or vegetative trellis.
 - Parking Structure ingress/egress shall be consolidated into one façade opening and shall not exceed 24 feet in width and 6 feet clear height. Only one such opening per street Frontage may be permitted. Façade openings may be separated for ingress/egress where they access different frontages.
 - At least one pedestrian route shall lead directly to each Frontage Line (i.e. not directly into a Building). When portions of a Building containing parking front on more than one street, multiple pedestrian routes to the Frontage are strongly encouraged.

Commented [MT8]: Cross reference to Article 6 to verify if necessary

4. Uses

Within the E-ID, only the following uses shall be permitted or permitted in a limited fashion.

Table 4.5.8-2 Uses Permitted & Limited within the SEID

<u>Permitted Uses:</u>	<u>Limited Uses:</u> <u>(The sum square footage of all limited uses is not to exceed the sum square footage of all non-residential permitted uses on any lot)</u>
<u>Residential</u>	
<u>Assisted Living</u>	<u>Dormitory</u>
<u>Attached Dwellings - Multi-Family</u>	
<u>Co-Housing</u>	
<u>Convalescent/Nursing Home</u>	

Commented [MT9]: Should these uses be limited to existing buildings only?

<u>Permitted Uses:</u>	<u>Limited Uses:</u> (The sum square footage of all limited uses is not to exceed the sum square footage of all non-residential permitted uses on any lot)
<u>Emergency Shelter</u>	
<u>Group Home</u>	
<u>Non-Residential</u>	
<u>Art Gallery/Studio</u>	<u>Animal Grooming</u>
<u>Adult Day Care</u>	<u>Animal Hospital/Veterinarian's Office</u>
<u>Agricultural Use</u>	<u>Appliance Sales/Service</u>
<u>Bakery</u>	<u>Bank/Credit Union</u>
<u>Bicycle Sales/Repair</u>	<u>Bar/Tavern</u>
<u>Community Center</u>	<u>Beauty/Barber Shop</u>
<u>Community Garden</u>	<u>Billiard Parlor</u>
<u>Daycare</u>	<u>Boat Repair/Service</u>
<u>Grocery Store < 10,000 sf</u>	<u>Boat Sales/Rentals</u>
<u>Library</u>	<u>Bowling Alley</u>
<u>Manufacturing - Light</u>	<u>Building Material Sales</u>
<u>Office - General</u>	<u>Cafe</u>
<u>Office - Technical</u>	<u>Cinema</u>
<u>Open Air Markets</u>	<u>Convenience Store</u>
<u>Park</u>	<u>Crisis Counseling Center</u>
<u>Performing Arts Studio</u>	<u>Dry Cleaning Service</u>
<u>Photo Studio</u>	<u>Film Studio</u>
<u>Photography Lab</u>	<u>Fire Station</u>
<u>Printing Plant</u>	<u>Food & Beverage Processing</u>
<u>Printing Shop</u>	<u>Garden Supply Store</u>
<u>Public Transit Terminal</u>	<u>General Merchandise/Retail - Large > 10,000 sf</u>
<u>Public Works Yard/Garage</u>	<u>General Merchandise/Retail - Small < 10,000 sf</u>
<u>Radio & TV Studio</u>	<u>Health Club</u>
<u>Recording Studio</u>	<u>Laundromat</u>
<u>Research & Development Facility</u>	<u>Mental Health Crisis Center</u>
<u>Research Lab</u>	<u>Museum – Large > 10,000 sf</u>
<u>School – Post-Secondary and CC</u>	<u>Museum – Small < 10,000 sf</u>
<u>School - Preschool</u>	<u>Office – Medical/Dental</u>
<u>School - Primary</u>	<u>Parking Garage</u>
<u>School - Secondary</u>	<u>Parking Lot</u>
<u>School – Trade, or Professional</u>	<u>Performing Arts Center</u>
	<u>Pet Store</u>
	<u>Pharmacy</u>
	<u>Place of Worship</u>
	<u>Recreational Facility - Indoor</u>
	<u>Recreational Facility - Outdoor</u>
	<u>Restaurant</u>
	<u>Restaurant – Take Out</u>
	<u>Salon/Spa</u>
	<u>Tailor Shop</u>

Article 13 Definitions

INSERT NEW/AMENDED Definitions

Appendix A- Use Table

See attached

- * Material stricken out deleted.
- ** Material underlined added.

MT/Attorney's Initials/Ordinances 2022/ZA-23-01 South End Innovation District Overlay
08/19/22

	Urban Reserve	Recreation, Conservation & Open Space			Institutional	Residential			Downtown Mixed Use ⁱ	Neighborhood Mixed Use				Enterprise	
USES	UR	RCO - A	RCO - RG	RCO - C	I	RL/W	RM/W	RH	DW-PT ¹⁶	NMU	NAC	NAC-RC	NAC-CR	E-AE	E-LM ³³
RESIDENTIAL USES	UR	RCO - A ¹	RCO - RG	RCO - C	I	RL/W	RM/W	RH	DW-PT ¹⁶	NMU	NAC	NAC-RC	NAC-CR	E-AE	E-LM
Single Detached Dwelling	N	N ¹	N	N	Y	Y	Y	N ³⁰	N	N ³⁰	N ³⁰	N ³⁰	N	N	N
Attached Dwellings - Duplex	N	N ¹	N	N	Y	Y ²	Y	Y	N	Y ³	N	Y	N	N	N
Attached Dwellings - Multi-Family (3 or more)	N	N ¹	N	N	Y	N	Y	Y	N	Y	Y	Y	Y	N	N
RESIDENTIAL SPECIAL USES	UR	RCO - A	RCO - RG	RCO - C	I	RL/W	RM/W	RH	DW-PT ¹⁶	NMU	NAC	NAC-RC	NAC-CR	E-AE	E-LM
Assisted Living	N	N	N	N	CU	CU	Y	Y	N	Y	Y	Y	Y	N	N
Bed and Breakfast ^{4, 6}	N	N	N	N	CU	CU	CU	CU	N	Y	Y	Y	N	N	N
Boarding House ⁶ (4 persons or less)	N	N	N	N	CU	CU	Y	Y	N	Y	Y	Y	N	N	N
Boarding House ⁶ (5 persons or more)	N	N	N	N	CU	CU	CU	CU	N	CU	CU	CU	N	N	N
Community House (See Sec.5.4.4)	N	N	N	N	CU	CU	CU	CU	N	CU	CU	CU	CU	N	N
Convalescent /Nursing Home	N	N	N	N	CU	CU	Y	Y	N	Y	Y	Y	Y	N	N
Dormitory ⁵	N	N	N	N	CU	N	N	N	N	N ²⁵	CU	CU	N	N	N
Emergency Shelter ³¹	N	N	N	N	N	CU	CU	CU	N	CU	CU	CU	CU	N	N
Group Home	N	N	N	N	Y	Y	Y	Y	N	Y	Y	Y	Y	N	N
Historic Inn (See Sec.5.4.2)	N	N	N	N	CU	CU	CU	CU	N	CU	Y	Y	Y	N	N
Mobile Home Park	N	N	N	N	N	CU	CU	N	N	N	N	N	N	N	N
Sorority/Fraternity ⁵	N	N	N	N	CU	N	N	N	N	N	N	N	N	N	N
NON-RESIDENTIAL USES	UR ²¹	RCO - A	RCO - RG	RCO - C	I	RL/W	RM	RH	DW-PT ¹⁶	NMU	NAC	NAC-RC	NAC-CR	E-AE	E-LM
Adult Day Care	N	N	N	N	CU	N	N	N	N	Y	Y	Y	Y	N	N
Agricultural Use ²⁰	N	Y	Y	CU	Y	N	N	N	N	N	N	N	N	Y	N
Amusement Arcade	N	N	N	N	N	N	N	N	N	N	CU	CU	CU	N	N
Animal Boarding/Kennel/Shelter	N	CU	N	N	N	N	N	N	N	N	CU	CU	CU	CU	CU ²⁷
Animal Grooming	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	CU	CU ²⁷
Animal Hospitals/Veterinarian Office	N	CU	N	N	CU	N	N	N	N	CU	CU	CU	CU	Y	Y ²⁷
Appliance Sales/Service	N	N	N	N	N	N	N	N	N	Y ²⁴	Y	Y	Y ²⁴	N	Y ²⁷
Aquarium	N	N	CU	N	CU	N	N	N	(See Sec.4.4.1(d) 1)	N	N	N	N	N	N
Art Gallery/Studio	N	N	N	N	Y	N	N	CU ¹³	(See Sec.4.4.1(d) 1)	Y	Y	Y	Y	Y	Y

	Urban Reserve	Recreation, Conservation & Open Space			Institutional	Residential			Downtown Mixed Use ⁱ	Neighborhood Mixed Use				Enterprise	
USES	UR	RCO - A	RCO - RG	RCO - C	I	RL/W	RM/W	RH	DW-PT ¹⁶	NMU	NAC	NAC-RC	NAC-CR	E-AE	E-LM ³³
Auction House	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	CU ²⁷
Automobile Body Shop	N	N	N	N	N	N	N	N	N	N	N	Y	N	N	Y ²⁷
Automobile & Marine Parts Sales	N	N	N	N	N	N	N	N	(See Sec.4.4.1(d) 1)	CU	Y	Y	Y	N	Y ²⁷
Automobile/Vehicle Repair	N	N	N	N	N	N	N	N	N	CU ^{9, 12, 14}	CU ^{9, 12, 14}	CU ¹⁴	N	N	Y ²⁷
Automobile Sales – New & Used	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	CU ²⁷
Automobile/Vehicle Salvage Yard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Bakery	N	N	N	N	N	N ²²	N ²²	CU ¹³	N	Y	Y	Y	Y	Y	Y ²⁷
Bank, Credit Union	N	N	N	N	CU	N ²²	N ²²	N ²²	N	Y	Y	Y	Y	N	Y
Bar, Tavern	N	N	N	N	N	N	N	N	N	CU	CU	CU	CU	N	N
Beauty/ Barber Shop	N	N	N	N	CU	N ²²	N ²²	CU ¹³	N	Y	Y	CU	Y	N	N
Bicycle Sales/Repair	N	N	N	N	CU	N	N	N	N	Y	Y	Y	Y	N	Y ²⁷
Billiard Parlor	N	N	N	N	N	N	N	N	N	CU	Y	CU	Y	N	N
Boat Repair/Service	N	N	CU	N	N	N	N	N	(See Sec.4.4.1(d) 1)	N	CU	CU	N	N	Y ²⁷
Boat Sales/Rentals	N	N	CU	N	N	N	N	N	(See Sec.4.4.1(d) 1)	N	Y	Y	N	N	Y ²⁷
Boat Storage	N	N	CU	N	N	N	N	N	N	N	CU	CU	N	N	Y ²⁷
Bowling Alley	N	N	N	N	N	N	N	N	N	CU	Y	Y	Y	N	Y
Building Material Sales	N	N	N	N	N	N	N	N	N	N	Y ¹⁰	Y	N	N	Y ²⁷
Café	N	CU ¹⁷	CU	N	CU	N ²²	N ²²	CU ¹³	(See Sec.4.4.1(d) 1)	Y	Y	Y	Y	CU	CU ²⁷
Camp Ground	N	Y	Y	N	N	N	N	N	(See Sec.4.4.1(d) 1)	N	N	N	N	N	N
Car Wash	N	N	N	N	N	N	N	N	N	N	CU	Y	CU	N	CU ²⁷
Cemetery	N	N	Y	N	N	N	N	N	N	N	N	N	N	N	N
Cinema	N	N	N	N	Y	N	N	CU	N	CU ¹⁴	Y	N	Y ¹⁴	N	N
Club, Membership	N	N	Y	N	CU	N	Y	Y	N	CU	CU	N	CU	N	N
Community Center	N	N	CU	N	CU	CU ¹³	CU ¹³	Y ¹³	N	Y	Y	Y	Y	N	CU ²⁷
Community Garden	N	Y	Y	N	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y ²⁷
Conference Center	N	N	N	N	CU	N	N	N	N	N	N	N	N	N	N
Composting	N	CU	N	N	N	N	N	N	N	N	N	N	N	N	N
Contractor Yard	N	N	N	N	N	N	N	N	N	N	N	Y ¹⁰	N	N	Y
Convenience Store (See Sec.5.4.3)	N	N	N	N	N	N	N	CU ¹²	N	Y ¹²	Y	Y	Y ¹²	N	Y ²⁷
Convention Center	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Courthouse	N	N	N	N	Y	N	N	CU	N	N	N	N	N	N	N
Crematory	N	N	N	N	N	N	N	N	N	N	N	CU	N	N	N

	Urban Reserve	Recreation, Conservation & Open Space			Institutional	Residential			Downtown Mixed Use ⁱ	Neighborhood Mixed Use				Enterprise	
USES	UR	RCO - A	RCO - RG	RCO - C	I	RL/W	RM/W	RH	DW-PT ¹⁶	NMU	NAC	NAC-RC	NAC-CR	E-AE	E-LM ³³
Crisis Counseling Center	N	N	N	N	CU	CU	CU	CU	N	Y	Y	Y	Y	N	N
Daycare (See Sec.5.4.1)	N	CU ⁸	CU ⁸	CU ⁸	CU	CU ¹³	CU ¹³	CU ¹³	N	Y	Y	Y	Y	CU	CU ^{17,27}
Daycare – Family Home	N	N	N	N	Y	Y	Y	Y	N	Y	Y	Y	Y	N	N
Dental Lab	N	N	N	N	CU	N	N	N	N	Y	Y	Y	Y	N	Y
Distribution Center	N	N	N	N	N	N	N	N	N	N	N	CU	N	N	CU
Dry Cleaning Plant	N	N	N	N	N	N	N	N	N	N	N	CU	N	N	CU
Dry Cleaning Service	N	N	N	N	CU	N ²²	N ²²	N ²²	N	Y ²⁴	Y	Y	Y ²⁴	N	CU ²⁷
Film Studio	N	N	N	N	Y	N	N	N	N	N	CU	Y	CU	N	CU
Fire Station	N	N	Y	N	Y	CU	CU	CU	N	Y	Y	Y	Y	Y	Y
Food & Beverage Processing	N	N	N	N	N	N	N	N	N	CU ¹⁴	CU ¹⁴	CU	CU ¹⁴	Y	Y
Fuel Service Station ⁹	N	N	N	N	N	N	N	N	N	CU ¹¹	Y ¹¹	Y	N	N	N
Funeral Home	N	N	N	N	N	CU ⁷	CU ⁷	CU ⁷	N	CU	Y	Y	N	N	N
Garden Supply Store	N	N	N	N	CU	N	N	N	N	CU ²⁴	Y	Y	N	Y	Y ²⁷
General Merchandise/Retail – Small <4,000sqft	N	N	N	N	CU	N ²²	N ²²	N ²²	(See Sec.4.4.1(d) 1)	Y	Y	Y	Y	N	Y ²⁷
General Merchandise/Retail – Large ≥4,000sqft	N	N	N	N	N	N	N	N	(See Sec.4.4.1(d) 1)	N	CU ¹⁸	CU	CU	N	CU ^{17,27}
Grocery Store – Small ≤10,000sqft	N	N	N	N	N	N	N	CU	N	Y	Y	Y	Y	CU	CU ²⁸
Grocery Store – Large >10,000sqft	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	CU ²⁸
Hazardous Waste Collection/Disposal	N	N	N	N	N	N	N	N	N	N	N	N	N	N	CU
Health Club	N	N	N	N	Y	N	N	CU	N	CU	Y	Y	Y	N	CU ²⁷
Health Studio	N	N	N	N	Y	N ²²	N ²²	CU	N	Y	Y	Y	Y	N	Y ²⁷
Hospitals	N	N	N	N	CU	N	N	CU	N	N	N	N	N	N	N
Hostel	N	N	N	N	Y	N	N	CU	N	Y	Y	Y	Y	N	N
Hotel, Motel	N	N	N	N	CU	N	N	N	(See Sec.4.4.1(d) 1)	N	Y	N	Y	N	N
Junkyard	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
Laundromat	N	N	N	N	CU	N ²²	N ²²	CU ¹³	N	Y ¹³	Y	Y	Y	N	Y ²⁷
Library	N	N	N	N	Y	CU	CU	Y	N	Y	Y	Y	Y	N	N
Lumber Yard	N	N	N	N	N	N	N	N	N	N	CU ¹⁰	Y	N	N	Y
Manufacturing-Light	N	N	N	N	N	N	N	N	N	CU ¹⁴	CU ¹⁴	CU	CU ¹⁴	CU	Y
Manufacturing	N	N	N	N	N	N	N	N	N	N	N	CU	N	CU	Y
Marina	N	N	Y	N	N	N	N	N	(See Sec.4.4.1(d) 1)	N	N	N	N	N	N
Medical Lab	N	N	N	N	CU	N	N	N	N	CU	Y	Y	N	CU	CU

	Urban Reserve	Recreation, Conservation & Open Space			Institutional	Residential			Downtown Mixed Use ⁱ	Neighborhood Mixed Use				Enterprise	
USES	UR	RCO - A	RCO - RG	RCO - C	I	RL/W	RM/W	RH	DW-PT ¹⁶	NMU	NAC	NAC-RC	NAC-CR	E-AE	E-LM ³³
Mental Health Crisis Center	N	N	N	N	N	N	CU (See §5.4.11)	N	N	N	N	N	N	N	N
Museum–Small < 10,000 sqft	N	CU	CU	CU	Y	CU ¹³	CU ¹³	CU ^{8,13}	(See Sec.4.4.1(d) 1)	Y	Y	Y	Y	CU	Y ²³
Museum-Large >10,000 sqft	N	N	N	N	CU	N	N	N	(See Sec.4.4.1(d) 1)	N	CU	CU	N	CU	CU ²³
Office - General	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	CU	Y ²⁷
Office - Medical, Dental	N	N	N	N	CU	N ²²	N ²²	N ²²	N	Y	Y	Y	Y	N	Y ²⁷
Office-Technical	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	CU	Y
Open Air Markets	N	Y	Y	N	Y	CU	CU	CU	(See Sec.4.4.1(d) 1)	Y	Y	Y	Y	Y	Y ²⁷
Operations Center – Taxi/Bus ⁹	N	N	N	N	N	N	N	N	N	N	N	CU ¹¹	N	N	Y
Operations Center - Trucking ⁹	N	N	N	N	N	N	N	N	N	N	N	Y ¹¹	N	CU ¹¹	CU
Park	N	Y	Y	Y	Y	Y	Y	Y	(See Sec.4.4.1(d) 1)	Y	Y	Y	Y	CU	CU ²⁷
Parking Garage ⁹	N	N	N	N	Y	N	N	CU	N	CU	Y	N	CU	N	CU
Parking Lot ⁹	N	N	N	N	N	N	N	N	N	N	CU	N	N	N	CU
Performing Arts Center	N	N	N	N	Y	N	N	N	(See Sec.4.4.1(d) 1)	CU	Y	N	CU	N	CU ^{27,32}
Performing Arts Studio	N	N	N	N	Y	N	N	CU ¹³	(See Sec.4.4.1(d) 1)	CU	CU	CU	Y	N	Y ²⁷
Pet Store ¹⁰	N	N	N	N	N	N	N	N	N	CU	Y	Y	Y	N	N
Pharmacy	N	N	N	N	CU	N ²²	N ²²	N ²²	N	Y	Y	Y	Y	N	N
Photo Studio	N	N	N	N	N	N ²²	N ²²	N	N	Y	Y	Y	Y	N	Y
Photography Lab	N	N	N	N	N	N	N	N	N	CU	Y	Y	Y	CU	Y
Police Station - Central	N	N	N	N	CU	N	N	N	N	Y	Y	Y	N	N	N
Police Station - Local	N	N	CU	N	Y	CU	CU	CU	N	Y	Y	Y	Y	Y	Y
Post Office – Central Distribution Center	N	N	N	N	N	N	N	N	N	N	Y	Y	N	N	Y
Post Office - Local	N	N	N	N	Y	N ²²	N ²²	N ²²	N	Y	Y	Y	Y	N	N
Printing Plant	N	N	N	N	N	N	N	N	N	N	N	CU	N	N	Y
Printing Shop	N	N	N	N	CU	N ²²	N ²²	N	N	CU	Y	Y	Y	N	Y
Public Transit Terminal	N	N	N	N	Y	N	N	N	(See Sec.4.4.1(d) 1)	N	CU	CU	Y	CU	Y
Public Works Yard/Garage ⁹	N	N	N	N	CU ¹¹	N	N	N	N	N	CU ¹¹	Y ¹¹	N	CU	Y
Radio & TV Studio	N	N	N	N	N	N	N	N	N	N	Y	Y	Y	N	Y

	Urban Reserve	Recreation, Conservation & Open Space			Institutional	Residential			Downtown Mixed Use ⁱ	Neighborhood Mixed Use				Enterprise	
USES	UR	RCO - A	RCO - RG	RCO - C	I	RL/W	RM/W	RH	DW-PT ¹⁶	NMU	NAC	NAC-RC	NAC-CR	E-AE	E-LM ³³
Rail Equip. Storage & Repair	N	N	N	N	N	N	N	N	(See Sec.4.4.1(d) 1)	N	N	N	N	CU	CU ²⁷
Recording Studio	N	N	N	N	N	N	N	CU	N	CU	CU	Y	Y	N	Y
Recreational Facility - Indoor	N	N	CU	N	CU	N	CU	CU	(See Sec.4.4.1(d) 1)	N	Y	CU	N	N	CU ²⁷¹
Recreational Facility - Outdoor Commercial	N	N	CU	N	CU	N	N	N	(See Sec.4.4.1(d) 1)	N	N	CU	N	N	N
Recreational Facility - Outdoor	N	N	Y	N	Y	N	N	N	(See Sec.4.4.1(d) 1)	N	Y	Y	CU	N	N
Recreational Vehicle Sales – New and Used	N	N	N	N	N	N	N	N	N	N	CU	CU	N	N	Y ²⁷
Recycling Center – Large ¹⁰ (above 2,000 sf)	N	N	N	N	N	N	N	N	N	N	N	N	N	CU	CU
Recycling Center - Small ¹⁰ (2,000 sf or less)	N	N	N	N	CU	N	N	N	N	CU	CU	CU	CU	CU	Y
Research and Development Facility	N	N	N	N	CU	N	N	N	N	CU	CU	CU	CU	CU	Y
Research Lab	N	CU	N	N	CU	N	N	N	(See Sec.4.4.1(d) 1)	N	CU	CU	CU ²⁴	CU	Y
Restaurant	N	N	N	N	N	N ²²	N ²²	CU ^{8, 13}	(See Sec.4.4.1(d) 2)	Y ¹³	Y	Y	Y ¹³	N	N
Restaurant – Take Out	N	N	N	N	CU ¹³	N ²²	N ²²	N	(See Sec.4.4.1(d) 1)	Y ¹³	Y	Y	Y ¹³	N	Y ^{13,27}
Salon/Spa	N	N	N	N	CU	N ²²	N ²²	N	N	Y	Y	Y	Y	N	N
School - Post-Secondary &Community College	N	N	Y	N	CU	N	CU	CU	N	CU	CU	CU	CU	N	N
School – Preschool (see Sec. 5.4.1)	N	CU ⁸	CU ⁸	CU ⁸	CU	CU ¹³	CU ¹³	CU ¹³	N	Y	Y	Y	Y	CU	CU ^{17,27}
School - Primary	N	N	N	N	CU	CU	CU	CU	N	CU	CU	CU	CU	N	N
School - Secondary	N	N	N	N	CU	CU	CU	CU	N	CU	CU	CU	CU	N	N
School, -Trade, or Professional	N	N	N	N	CU	N	N	N	N	CU	N	N	CU	N	CU ²⁷
Solid Waste Facility - Incinerator, Landfill, Transfer Station	N	N	N	N	N	N	N	N	N	N	N	N	N	CU	CU
Tailor Shop	N	N	N	N	N	N ²²	N ²²	CU	N	Y	Y	Y	Y	N	N
Warehouse	N	CU	N	N	CU	N	N	N	(See Sec.4.4.1(d) 1)	N	N	Y ¹⁵	N	Y	Y
Warehouse, Retail ⁹	N	N	N	N	N	N	N	N	N	N	CU ¹⁵	CU ¹⁵	N	CU	CU
Warehouse, Self-Storage ⁹	N	N	N	N	N	N	N	N	N	N	N	Y ¹⁵	N	N	CU
Wholesale Sales ⁹	N	CU	N	N	N	N	N	N	N	N	N	Y ¹⁵	N	Y	Y
Worship, Place of	N	N	N	N	CU	CU	CU	Y	N	Y	CU	CU	CU	N	N

1. Residential uses are not permitted except only as an accessory use to an agricultural use.
2. Duplexes may be constructed on lots which meet the minimum lot size specified in Table 4.4.5-1.
3. Duplexes shall only be allowed as a result of a conversion of an existing single family home. New duplexes are prohibited.
4. No more than 5 rooms permitted to be let in any district where bed and breakfast is a conditional use. No more than 3 rooms permitted to be let in the RL district.
5. An existing fraternity, sorority, or other institutional use may be converted to dormitory use subject to conditional use approval by the DRB.
6. Must be owner-occupied.
7. Must be located on a major street.
8. Daycare centers and preschools in the RCO zones shall only be allowed when a small museum is the principal use.
9. Automobile sales not permitted other than as a separate principal use subject to obtaining a separate zoning permit.
10. Exterior storage and display not permitted.
11. All repairs must be contained within an enclosed structure.
12. No fuel pumps shall be allowed other than as a separate principal use subject to obtaining a separate zoning permit.
13. Permitted hours of operation 5:30 a.m. to 11:00 p.m.
14. Such uses not to exceed ten thousand (10,000) square feet per establishment.
15. Excludes storage of uncured hides, explosives, and oil and gas products.
16. See Sec.4.4.1(d) 2 for more explicit language regarding permitted and conditional uses in the Downtown Waterfront – Public Trust District.
17. Allowed only as an accessory use.
18. A permitted use in the Shelburne Rd Plaza and Ethan Allen Shopping Center.
19. [Reserved].
20. Accepted agricultural and silvicultural practices, including the construction of farm structures, as those practices are defined by the secretary of agriculture, food and markets or the commissioner of forests, parks and recreation, respectively, under 10 VSA §1021(f) and 1259(f) and 6 VSA §4810 are exempt from regulation under local zoning.
21. See Sec. 4.4.7 (c) for specific allowances and restrictions regarding uses in the Urban Reserve District.
22. See Sec. 4.4.5 (d) 6 for specific allowances and restrictions regarding Neighborhood Commercial Uses in Residential districts.
23. Allowed only on properties with frontage on Pine Street.
24. Such uses shall not exceed 4,000 square feet in size.
25. Dormitories are only allowed on properties contiguous to a school existing as of January 1, 2010.
26. The mixed uses shall be limited to those that are either permitted, conditional, or pre-existing nonconforming in the zoning district.
27. This use is permitted or conditionally permitted on lots south of Home Avenue only when one or more Industrial or Art Production use(s) exists on the lot, and when the combined gross floor area of all uses with this footnote does not exceed 49% of the Gross floor Area on the lot.
28. Grocery Stores up to but not to exceed 35,000 square feet may be permitted subject to conditional use approval by the DRB in that portion of the Enterprise-Light Manufacturing District between Flynn and Home Avenue.
29. Must be fully enclosed within a building.
30. New single detached dwellings are not permitted. However, a pre-existing single detached dwelling may be reverted to a single family use regardless of its present use if the building was originally designed and constructed for that purpose.
31. See special use standards of Sec. 5.4.13, Emergency Shelters.
32. Performing Arts Centers in the ELM zone shall be limited to properties with frontage on Pine Street up to 5,000 square feet in size, and to properties with frontage on Industrial Parkway up to 15,000 square feet in size. Performing Arts Centers may contain accessory space for preparation and serving food and beverages, including alcohol, provided this accessory space comprises less than 50% of the entire establishment.
33. [See Sec. 4.5.8\(c\) 5 for permitted and conditional uses in the Enterprise – Innovation District \(E-ID\) Overlay](#)

Legend:	
Y	Permitted Use in this district
CU	Conditional Use in this district
N	Use not permitted in this district
Abbreviation	Zoning District
RCO – A	RCO - Agriculture
RCO – RG	RCO – Recreation/Greenspace
RCO – C	RCO - Conservation
I	Institutional
RL/W	Residential Low Density, Waterfront Residential Low Density
RM/W	Residential Medium Density, Waterfront Residential Medium Density
RH	Residential High Density
DW-PT	Downtown Waterfront-Public Trust
NMU	Neighborhood Mixed Use
NAC	Neighborhood Activity Center
NAC-RC	NAC – Riverside Corridor
NAC-CR	NAC – Cambrian Rise
E-AE	Enterprise – Agricultural Processing and Energy
E-LM	Enterprise – Light Manufacturing

ⁱ For permitted and conditional uses within the Downtown and Waterfront Form Districts, refer to Article 14.



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Andy Montroll, Chair
Bruce Baker, Vice-Chair
Yves Bradley
Alexander Friend
Michael Gaughan
Emily Lee
Julia Randall

Burlington Planning Commission

Tuesday, September 13, 2022, 6:30 P.M.

Remote Meeting via Zoom

Draft Minutes

Members Present	A. Montroll, E. Lee, M. Gaughan, A. Friend, J. Randall
Staff Present	M. Tuttle, C. Dillard
Public Attendance	K. Pillsbury, B. Headrick, S. Bushor

I. UVM Trinity Campus Site Visit

Action	Cancelled due to inclement weather.
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II. Recess (6:00-6:30 P.M.)

III. Agenda

Call to Order	Time: 6:30pm
Agenda	No changes.

IV. Public Forum

Name(s)	Comment
K. Pillsbury	K. Pillsbury spoke to the number of undergraduate UVM students who do not live on campus. He projected that approximately 4,500 undergraduate students do not live on campus, which affects the affordability of housing in the surrounding neighborhoods. Students on his street pay up to \$800-\$900/room and that his neighbors are all 21 year olds. He argued this leaves out working people in Burlington. He asked the Commission to consider this when thinking about UVM's plan for Trinity Campus, which will house 400-500 students.
B. Headrick	B. Headrick spoke to UVM's sentiment in the JIPMP, which is that UVM would not raise enrollment numbers. UVM, however, has raised enrollment numbers and B. Headrick worries about these numbers in correlation with housing and the Trinity Campus plan. She asked the Commission to have skepticism over UVM's claim to limit enrollment numbers. She also spoke to four goals: meet the housing crisis, protect the environment, maintain a beautiful city, and UVM remain accountable for parking. B. Headrick asked the Commission to reject the current setback numbers, reject the idea of no surface parking lots, and include language on trees/hedges in the amendment.
S. Bushor	S. Bushor thanked the Commissioners for attending the Trinity Campus Site Visit. She explained the previous history with the Trinity Campus cottages in the back of the property. S. Bushor asked Michael Monte of Champlain Housing Trust to consider redeveloping the cottages into affordable housing. She also spoke to the setbacks and was concerned about moving earth and building 80 feet on top and

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	also building on top of the slope. She also spoke to this year's move-in days and the severe congestion on the streets.
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V. Chair's Report

A. Montroll	A. Montroll thanked M. Tuttle and UVM staff for making the Trinity Campus Site Visit possible.
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VI. Director's Report

M. Tuttle	M. Tuttle reported on the City Council public hearings for the short-term rental amendment and parking and transportation demand management amendment. All of the pieces of the short-term rental amendment were adopted and are currently in effect. City Council held a discussion on the parking amendment, but delayed deliberation. M. Tuttle and Planning Department staff have begun work on the missing middle project. The department and AARP are hosting a walking tour of missing middle housing at 5pm on 9/22. A second tour will be offered in October.
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VII. Proposed CDO Amendment: UVM Trinity Campus Zoning

Action: Commission Discussion		
Motion by: n/a	Second by: n/a	Vote: n/a
Type: n/a	Presented by: n/a	
Commission Discussion:		
J. Randall asked for clarification on the zoning amendment versus UVM's plan and asked whether UVM has provided data on dorm vacancies. A. Montroll answered that while UVM has submitted a site plan to put things in context, the Commission is just voting on the amendment. L. Kingsbury (from UVM) did not have exact vacancy numbers but offered, anecdotally, that dorms are full. The number of juniors and seniors on campus are very low. Planning staff will work with UVM to get more concrete data on vacancies and the grade distribution of on-campus students. M. Tuttle clarified that freshmen and sophomores are required to live on-campus. E. Lee asked UVM to speak to the move-in street congestion. L. Kingsbury said that UVM will need to accommodate for move-in days in their Trinity Campus plans. Other dorms' traffic are very carefully managed on these move-in days. M. Tuttle asked about the 115 setback from Colchester Avenue, the new 80 foot building height and how UVM determined these numbers. L. Kingsbury answered that the building height for Mann Hall was a determining factor in how tall other buildings on the site should be. M. Tuttle asked whether the newly announced UVM development in South Burlington affects this project. L. Kingsbury added that the projects are separate and does not affect Trinity Campus plans.		

VIII. Proposed CDO Amendment: South End Innovation District Overlay

Action: Commissioner Discussion		
Motion by: n/a	Second by: n/a	Vote: n/a
Type: n/a	Presented by: C. Dillard	
Commissioner Discussion		
• C. Dillard provided a brief summary of the presentation from the 08/23 Planning Commission meeting, highlighting the revised verbiage of the amendment. • C. Dillard clarified that staff recommends that residential uses will be permitted only in new buildings. M. Gaughan offered that this might incentivize demolition of existing buildings, rather than repurposing existing buildings. A. Montroll stated that the Commission could revisit this		

Tuesday, September 13, 2022

language farther down the line if this district experiences unintended consequences from the current language.

- Staff recommend that if the Commission considers hotels, then hotels should be limited to one per lot. Because the City owns a few of the large lots in this district, private developers would realistically only be able to create a maximum of three or four hotels. A. Montroll expressed uncertainty about permitting hotels in the district, especially when considering the small number of lots. M. Gaughan asked whether the language could allow hotel use if developers made the building mixed-use so there is some residential space or community space as well.
- C. Dillard provided an infographic on how floor area ratio (FAR) works and provided some site plan examples of what FAR 2.5 looks like. There is a building height maximum of eight stories, but this language limits the building's lot coverage depending on the number of stories. A. Friend offered that allowing up to eight stories might be good for density. A. Montroll added that building height is something the public could get used to, even if the South End does not have many tall buildings today. E. Lee offered that when a building is taller than six stories on a street, the experience could be disconnecting for pedestrians. She asked whether buildings taller than six stories could be limited to interior blocks.
- M. Gaughan asked whether staff considered building height bonuses. M. Tuttle explained that staff has not yet considered bonuses, but instead by-right exceptions to some of the limits. This is determined via administrative approval. The City have generally moved away from bonuses.
- C. Dillard asked the Commission to consider height regulation similar to the Downtown Form Code where building height is regulated street by street. Commissioners were generally favorable to the idea of limiting height for buildings closest to the street. M. Tuttle explained that the amendment could include language on setbacks and building heights to accomplish this. The State of Vermont is also closer to establishing the 2021 building code, which would increase the allowable height of mass timber buildings to nine stories, and eighteen stories in some cases.
- C. Dillard asked the Commission to consider whether standards in addition to Passive House be acceptable to exempt 7th and 8th floors from the 10,000 sf floorplate restriction.
- The current amendment is not prescriptive on building new streets. C. Dillard explained this allows for more flexibility as some of the site conditions are still unknown. One downside to this, however, is that no regulation on streets does not create sufficient block granularity consistent urban design best practices. C. Dillard provided maps on how a block perimeter or official map amendment could look in the South End. Exemptions for Champlain Parkway would need to be accounted for if the Commission decides to use either of these approaches. Commissioners were generally in favor of allowing multi-use paths in lieu of streets. A. Montroll encouraged Planning staff to keep in language that would set up connections to Champlain Parkway in the future. M. Gaughan asked if language could be added that incentivized developers to create new streets/paths.
- C. Dillard stated that Planning staff will bring more information on remediation to the next meeting. M. Tuttle added that there could be language to incentive developers to remediate certain lots by waiving some existing zoning standards.

IX. Commissioner Items

Action: n/a		
Motion by: n/a	Second by: n/a	Vote: n/a
Type: n/a	Presented by: n/a	
• Planning staff asked if the Commission would like to move their November meetings as one meeting is on Election Day and the other is the week of Thanksgiving. The Commissioners opted to have one November meeting on 11/15. • E. Lee asked Planning staff for an update on the former YMCA site. M. Tuttle explained that there may be search for a new owner and that the existing hotel proposal is languishing. She will follow up with S. Gustin in Permitting and Inspections for a more conclusive update. She also explained that B. Ward's team is working on approaches to combat graffiti across the city. The City currently hires a graffiti team to clean up as the graffiti occurs. E. Lee suggested that fencing be required along the roofline for the former YMCA building. A. Montroll offered that there is a vacant building ordinance that could address this issue.		

X. Minutes and Communications

Action: Approve the minutes and accept the communications		
Motion by: J. Randall	Second by: A. Friend	Approved Unanimously
Minutes Approved: August 23 Communications Accepted: in the agenda packet and posted at https://www.burlingtonvt.gov/CityPlan/PC/Agendas		

XI. Adjourn

Adjournment		Time: 8:30pm
Motion: E. Lee	Second: M. Gaughan	Vote: Approved Unanimously

DRAFT

**Appendix
7-A**

Public Benefits Table

Hotel Location & Size		Points Requirement				Hotel Location & Size		Points Requirement																					
Urban (CBD/Biltmore Village/RAD)						Suburban (outside CBD/Biltmore Village/RAD)																							
35 rooms and under		140 points				35 rooms and under		100 points																					
36-80 rooms		180 points				36-80 rooms		130 points																					
81+ rooms		220 points				81+ rooms		160 points																					
Topic	Action	Points																		Notes									
		-50	-20	10	20	30	40	50	60	70	80	90	100	110	120	140	180	210											
Group 1																													
Only 1 may be selected	Adaptive reuse of historic building							X											As per the Secretary of Interior standards.										
	One Green Globe						X																						
	LEED Certified								X																				
	LEED Silver/Two Green Globes										X																		
	LEED Gold/Three Green Globes											X																	
	LEED Platinum/Four Green Globes														X														
	Net Zero Building																	X											
Group 2 - AT LEAST 50% OF REQUIRED POINTS MUST COME FROM THIS GROUP																													
Only 1 may be selected	Affordable Housing/Reparations - Option #1												X						\$3,000/room to the city's Housing Trust Fund (HTF) or Reparations Fund										
	Affordable Housing/Reparations - Option #2														X				\$4,000/room to the city's Housing Trust Fund (HTF) or Reparations Fund										
	Affordable Housing/Reparations - Option #3																X		\$6,000/room to the city's Housing Trust Fund (HTF) or Reparations Fund										
	Affordable Housing - Option #4														X				Production of newly constructed affordable for-sale housing at a rate of 0.1/room at 80% AMI permanently affordable (~\$240,000 as defined and updated by the city)										
	Affordable Housing - Option #5																	X	Production of newly constructed affordable for-sale housing at a rate of 0.2/room at 80% AMI permanently affordable (~\$240,000 as defined and updated by the city)										
Group 3																													
Only 1 may be selected	Employee Owned Business									X									Certified EO (www.certifiedeo.com)										
	Living Wages with Inclusive Hiring								X										To be in place within 3 months of certificate of occupancy										
	B Corp Certification														X														
	Transportation benefit *			X															* Only available if providing living wages										
	Supporting MWBE					X													\$600/room contribution to the city										
	Contracting with MWBE			X																									
	Neighborhood improvement				X														\$300/room contribution to the city										
	Public art				X														\$300/room contribution to the city										
Urban only	Outdoor public plaza - Option #1				X														On-site. Min size: 5% of parcel. Must comply with UDO Sec 7-11-4(f)(2)										
	Outdoor public plaza - Option #2					X													On-site. Min size: 10% of parcel. Must comply with UDO Sec 7-11-4(f)(2)										
	Structured public parking - Option #1											X							Public parking 25% of rooms. On- or off-site										
	Structured public parking - Option #2															X			Public parking 50% of rooms. On- or off-site										
Group 4																													
	Demolition of historic structure	X																											
	Displacement of business/housing		X																Per business/housing unit displaced within the previous or projected 24 months										

Meagan, please share these comments with the Planning Commission members

These are my reflections on the comments made to the Planning Commission at their September 13 meeting.

The University district is a desert of affordable housing for low-income workers, bipoc families, and workers who want to live in Burlington and not have a car. The University and UVMC is planning to provide some housing for their grad students, staff, and young faculty in South Burlington. Those renters are more mature, experienced at living on their own, and make very good neighbors on our streets overwhelmed by 20-22 years olds living anonymously on their own for the first time without parent, university, or societal expectations for neighborly conduct.

UVM is enrolling 11,500 students a year now, up 500 students since the Fall of 2021 according to their website. They are able to provide beds for 6250 students with the collaboration of the Redstone Real Estate Firm. That means that UVM is expecting the neighborhoods around the university to absorb 5250 students. These students provide a strong revenue source for the University without their having the expense of providing for them on campus. In essence undergrads are what we Vermonters call “a cash cow” for the wealthy University. Many undergrad renters are sophomores despite what the university says because they do not have a good tracking system to know where their students live. Lisa Kingsbury may not know the numbers, but neighbors who interact daily with the students know. There are ordinance violations all over with more students in a rental, noise levels, underage drinking, and bonfires. Exhausted longer-term residents are expected to monitor and report violations by undergrad neighbors, playing the role of property manager. Our undergrad neighbors move every June 1 with new students replacing them.

Comments about the esthetics and heights of the buildings and green space on Trinity Campus indicated that the people commenting did not live among the undergrads on a street with a majority of housing for student rentals. Trinity campus may accommodate a high density of housing for students similar to Redstone Campus or the Athletic Campus. If the Planning Commission accepts the esthetic comments and UVM’s proposal as is only, then the Trinity Campus will a beautiful, serene green island with an area in Ward 8 that is overcrowded by undergrad renters packed into rentals.

Allowing UVM to only increase its housing by only 500 beds, the Planning Commission will be missing an opportunity to improve and increase the affordability, availability of rentals to non-undergrads in the dense urban area near our commercial district. The streets for undergrad rentals will continue to be crowded with more students, cars, and be unaesthetically pleasing with limited green space.

Sharon Bushor’s comments about traffic on Colchester Avenue and on the campus green space reflect the concerns we neighbors on University Terrace have had for years about traffic on Main Street, our street, and nearby campus green space during college opening. It is really the result of poor planning and management by the University, judging from my positive experience helping my children enter the Universities of Wisconsin and Michigan.

In conclusion, UVM’s proposal will have little impact on its neighbors in the larger University district. It will impact the housing crisis, moving more development out to the valuable farmland, causing more traffic congestion coming into the city.

The recent report that the Morrill Land Grant Program provided money from the sale of indigenous peoples' land helped UVM establish its College of Agriculture. Its neighbors are not indigenous people, but UVM is taking advantage of Burlington residents by creating a housing demand, allowing collaborating real estate investors to house their students by outbidding families and others who would like to live in the housing in our well-regarded city.

Keith Pillsbury

25 University Terrace

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Bruce Baker, Vice-Chair
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Emily Lee
Julia Randall*

Burlington Planning Commission

Tuesday, September 27, 2022, 6:30 P.M.

Remote Meeting via Zoom

Minutes

Members Present	A. Montroll, M. Gaughan, A. Friend, J. Randall
Staff Present	M. Tuttle, C. Dillard
Public Attendance	N/a

I. Agenda

Call to Order	Time: 6:30pm
Agenda	No changes.

II. Public Forum

Name(s)	Comment
No Public Comment	

III. Chair's Report

A. Montroll	No report.
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IV. Director's Report

M. Tuttle	M. Tuttle reported on the Planning Department's new work on the impact fee schedule within the Ordinance. A study will help evaluate the rationale behind levying the fee, help determine a possible new fee, and prioritize what the revenues go toward for capital projects. This is a joint project with the regional Planning Commission. A request-for-proposals will be sent out to look at other fees across the City. M. Tuttle also provided an update on the Transportation Demand Management study, Planning staff shared an outline for the scope work for a new RFP at City Council's Transportation Energy and Utilities Commission. The RFP will be released later next month. City Council has delayed discussed on TDM until October. This is delayed from their public hearing in early September. The Ordinance is currently in effect but is waiting on adoption. Some affordable housing developers have expressed concern on the current language of TDM. The Missing Middle tour of downtown adjacent neighborhoods was postponed to 09/29. The Planning Department and Preservation Burlington will host another walking tour on October 9 in the Old North End. Vermont Development Conference will host a discussion on Missing Middle in mid-November.
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V. Proposed CDO Amendment: South End Innovation District Overlay

Action: Commission Discussion		
Motion by: n/a	Second by: n/a	Vote: n/a
Type: n/a	Presented by: C. Dillard	
Commission Discussion:		
• C. Dillard provided an overview of the key questions surrounding the draft amendment and the boundaries of the South End Innovation District. • In previous Commission Discussions, Commissioners were interested in revisiting hotel uses, residential uses, building height, FAR, and blocks and streets. • Rationale for permitting hotels include economic development and recruitment, remote work destination, and recreation. Other research suggests hotels may pose a threat to housing stock. Planning staff recommend that hotels still be limited in some way and/or require community benefit as part of hotel development. C. Dillard showed an example of Asheville, NC's hotel and community benefit point system. • M. Gaughan noted that hotels could complement the remote work and arts work that are intended to thrive in this area. Hotels could also help mitigate Airbnb's in the district. • A. Friend inquired about hotel vacancy rates and pointed out that there are two existing hotel permits in the city yet to be built. He wondered if the city is in need of more hotels. Planning Staff responded that, anecdotally, the hotel vacancy remains low. Some evidence supports that more hotels in the city could offset Airbnb's. M. Tuttle also clarified that the sites in the South End Innovation District are quite large and can accommodate multiple types of development. C. Dillard added that developers would receive a .25 entitlement bonus in the Floor Area Ratio (FAR) provision if development were dedicated to housing. M. Gaughan proposed a limit on hotels to only 85% of space in any building. J. Randall added that a community benefit requirement would dissuade chain hotels from developing, but she has some concern regarding the one hotel per parcel limit. She asked whether artist residences or maker spaces could be added to the community benefit requirement. A. Montroll expressed concern over including hotels in the allowable uses for this district, but if hotels are included, they should be in mixed-use buildings. Planning Staff spoke to the use of artist residencies to accommodate recruitment needs for arts/maker businesses. Co-housing is also a new permitted use in the current language. M. Tuttle clarified that "hotels" referenced in this proposed language is defined as a traditional guest services model. • The Commissioners agreed that the limited use of hotels should be defined in the zoning amendment, and not separated into another document or project. • The revised proposal for residential uses reads, "Residential uses will be permitted only in new buildings (buildings not existing as of amendment adoption.)" • A. Montroll supported measures to protect the existing arts and light manufacturing in the South End and warned of a potential burst of competitive housing. Planning Staff stated that there is some interest in developing residential space on top of existing buildings, though feasibility of this is uncertain. The Commissioners discussed whether to include language that mitigates the risk of building demolition to make room for residential buildings. M. Tuttle spoke to an existing ordinance that addresses residential demolition. A. Friend advocated for protections of existing commercial buildings. • Commissioners and Planning Staff discussed the district boundaries and what commercial properties could be at risk of converting to another use. • Commissioners agreed to the proposed language for residential uses. • C. Dillard shared some proposed concepts to address building height. Concept A limits height in some locations (lakeside parcels, east of the rail corridor, Sears Lane, and Pine Street) and allows an 85 ft. building height in all other areas. Concept B keeps the tallest possible buildings to interior lots and height is limited around the boundaries of the district (particularly adjacent to the Barge Canal).		

Tuesday, September 27, 2022

- A. Friend pointed out that 8 story (85 ft.) buildings could be less attractive for the pedestrian experience.
- J. Randall advocated for a building height buffer for the lakeside, barge canal, and Pine Street.
- C. Dillard noted that both concepts place the tallest possible buildings next to Champlain Parkway to mitigate noise and light pollution. He also noted that floors 7 and 8 have limited floor plates of 10,000 sf. During the public engagement process, the community felt comfortable with an 8-story maximum. 2021 Vermont building codes (to be adopted) allow mass timber builds of over eight stories. C. Dillard noted that eight stories also still protects the view shed from farther distances.
- M. Gaughan asked about the plans for barge canal. Nothing is formalized yet, but there are some visions of low-impact public use, like boardwalks.
- Some Commissioners favored Concept A that Planning Staff shared. M. Gaughan did not have a formal opinion between the two concepts yet, in light of the vague plans of barge canal.
- C. Dillard presented the differences between an FAR of 2.25 versus an FAR 2.5. Planning Staff recommend an FAR of 2.25. In the existing language, there is a minimum inclusionary zoning of 15%.
- Planning Staff recommend a block perimeter standard to establish a minimum distance around any block, therein requiring a new provision of streets. These do not necessarily need to be accessible by cars. C. Dillard presented two concepts; Concept A establishes a min. block perimeter of 1,600 ft. and Concept B establishes a min. street block perimeter of 2,400 ft. and min. path block perimeter of 800 ft. There is a potential third option, which provides even more granularity by establishing different block perimeters for car-accessible streets, bike paths, and pedestrian paths.
- C. Dillard noted that developers are interested in highly pedestrian blocks. A. Friend asked if the language could prescribe highly pedestrian blocks, rather than leave room for flexibility. M. Tuttle responded that the block perimeter proposal attempts to balance both a desire for prescription and flexibility.
- Commissioners generally favored Concept A for the block perimeter standard.
- A. Montroll requested another Planning Commission meeting to discuss language before warning this amendment for a public hearing.

VI. Commissioner Items

Action: n/a		
Motion by: n/a	Second by: n/a	Vote: n/a
Type: n/a	Presented by: n/a	
• The next Planning Commission meeting is 10/11. • J. Randall is attending the Colorado American Planning Association Conference and plans to report relevant knowledge and updates.		

VII. Minutes and Communications

Action: Approve the minutes and accept the communications		
Motion by: J. Randall	Second by: M. Gaughan	Approved Unanimously
Minutes Approved: September 13		
Communications Accepted: in the agenda packet and posted at https://www.burlingtonvt.gov/CityPlan/PC/Agendas		

VIII. Adjourn

Adjournment	Time: 8:30pm
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Tuesday, September 27, 2022

Motion: A. Friend	Second: J. Randall	Vote: Approved Unanimously
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