

Burlington Planning Commission

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

Regular and Special Meeting Burlington Planning Commission Tuesday, August 23, 2022

Special Meeting - In-Person Trinity Campus Site Tour
5:00 – 6:00 P.M Mann Hall, 208 Colchester Avenue (front of building)

6:00 - 6:30 P.M. Recess

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. UVM Trinity Campus Site Visit

The Planning Commission will visit UVM Trinity Campus, along with Staff and UVM officials, to discuss the proposed CDO Amendment: UVM Trinity Campus Zoning.

II. Recess (6:00-6:30 P.M.)

III. Agenda (6:30 P.M)

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

V. Chair's Report

VI. Director's Report

VII. Proposed CDO Amendment: South End Innovation District Overlay (E-ID)

Staff will give a presentation summarizing concepts included in the draft zoning amendment, as well as a summary of public input to date. Information related to this item is in the agenda packet on page 4.

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

VIII. Committee Appointments

Staff will provide an update to the Commission regarding DRB appointments to two Planning Commission Committees:

- Caitlin Halpert has been nominated as the DRB representative to the Ordinance Committee

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

August 23, 2022

- Brad Rabinowitz has been nominated as the DRB representative to the Long Range Planning Committee

Planning Commission bylaws are enclosed for reference in the agenda packet on page 32.

IX. Commissioner Items

- a. Upcoming Meetings will be hybrid in-person/online unless otherwise noted – September 13, at 6:30 pm
- b. Committee Reports

X. Minutes & Communications

- a. The minutes of the July 26 meeting are enclosed in the agenda packet on page 38.
- b. Communications are enclosed in the agenda packet.

XI. Adjourn

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: August 19, 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.

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

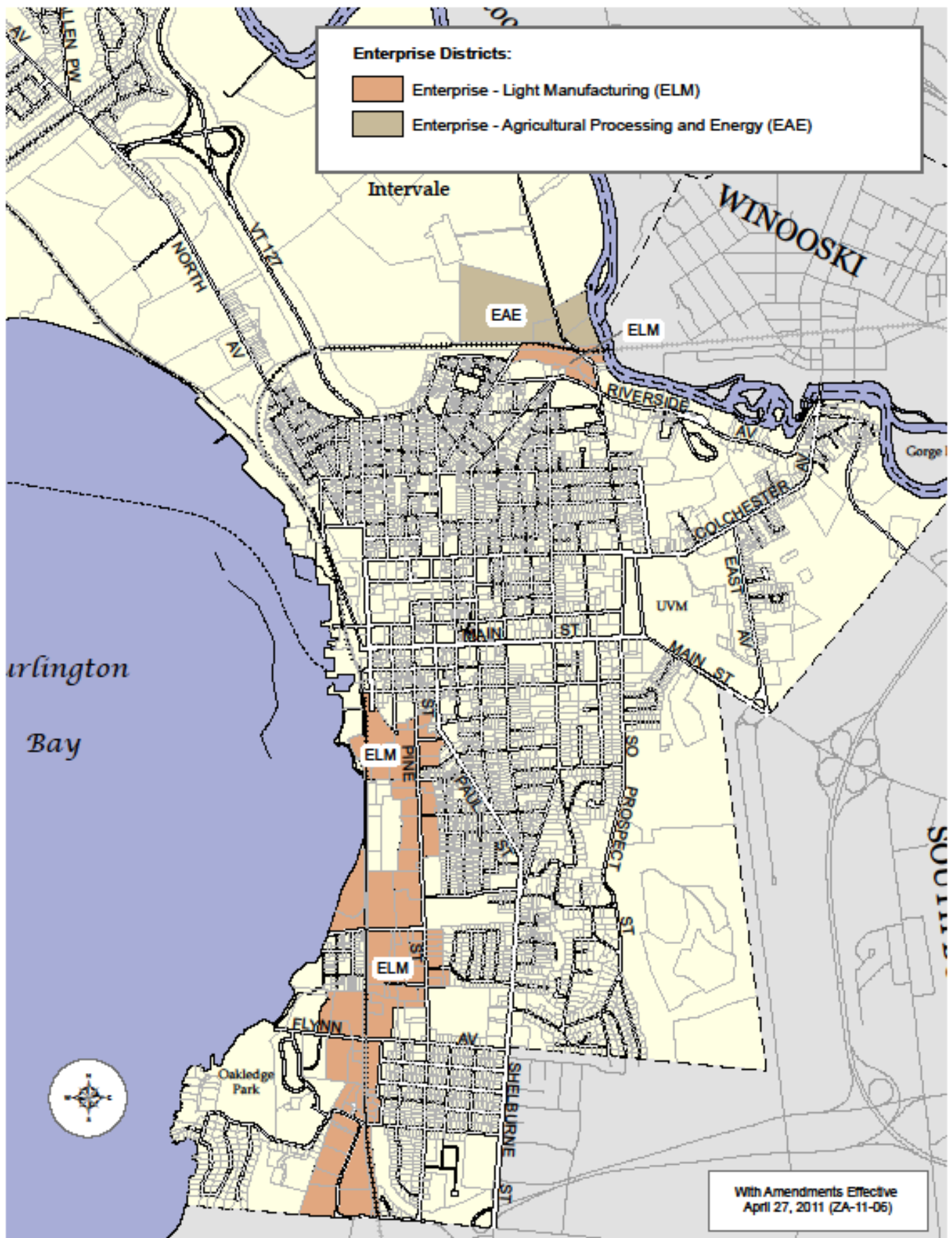
The proposed amendment would cover a significant land area that includes important community facilities. In facilitating the redevelopment of large contaminated properties, the proposed amendment would support public and ecological health. Through its rigorous

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 8/23/2022	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:

- 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

- 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>10' max³</u>	<u>0' min</u> <u>10' max³</u>	<u>0' min</u> <u>15' max</u>	<u>85'</u>
	<u>Floors 7-8: 10,000 sq.ft.</u>	<u>25% min of pervious area must utilize GSI</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](#)

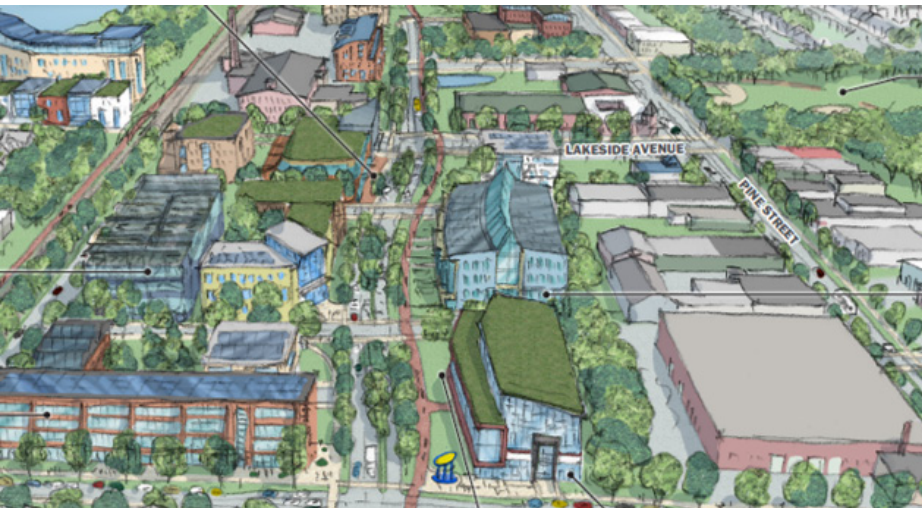
Legend:	
Y	Permitted Use in this district
CU	Conditional Use in this district
N	Use not permitted in this district
Abbreviation	Zoning District
RCO – A	RCO - Agriculture
RCO – RG	RCO – Recreation/Greenspace
RCO – C	RCO - Conservation
I	Institutional
RL/W	Residential Low Density, Waterfront Residential 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.



City of Burlington, VT
149 Church Street, 3rd Floor
Burlington, VT 05401
Phone: (802) 865-7144

www.burlingtonvt.gov/plan



South End Innovation District

Public Engagement Summary



Public Engagement

Introduction

The South End Innovation District is a concept generated through the planBTV: South End planning process, which included extensive public engagement. In implementing the plan's recommendation to create the Innovation District, City staff have facilitated and participated in opportunities to engage the community on how its vision may have changed in the years subsequent to planBTV: South End's adoption, particularly in light of the housing question and the COVID-19 pandemic. This public input summary documents feedback gathered at the following engagement events:

- Three Ward 5 NPA Meetings
- One in-person public meeting
- One virtual public meeting
- One web-based Storymap providing history, context and rationale for the District
- One web-based Miro engagement board open to the public for the month of July
- One South End Arts & Business Association Annual Meeting
- One Burlington Farmers Market
- Seven Stakeholder Advisory Group Meetings

Ward 5 NPA

City staff from the Office of City Planning, CEDO and DPW participated in three Ward 5 NPA meetings. Two of these meeting – March 17th and May 19th, featured staff presentations and an open discussion period in which NPA members commented on and asked questions about the proposed zoning amendment. A third meeting was facilitated by the NPA and was an opportunity for City staff to listen and respond to community concerns and priorities with respect to the South End as a whole, along with related infrastructure initiatives, including Champlain Parkway, the South End Multimodal Center Feasibility study, and the Barge Canal. Throughout these three NPA events, the

following themes arose:

Ecology

The area's ecology has been a primary topic at the Ward 5 NPA meetings. Specifically, many meeting participants advocated for the continued conservation of the Barge Canal. While the Barge Canal and immediately adjacent land is not within the proposed district boundary, the district's development will impact this ecosystem. Recognizing potential impacts, multiple residents expressed a desire for the City to allow ongoing natural regeneration of the Barge Canal land and water to continue. Indeed, the Barge Canal is rich in biodiversity and key to sustaining species populations will be continuing efforts to maintain and improve water quality in the streams and wetlands that drain to the Barge Canal.

Mobility

A frequent discussion topic at NPA meetings has been how residents move through their neighborhood today and how future development may impact these travel patterns. Within the general theme of mobility, a few common community goals were expressed:

- Many residents spoke about their neighborhood's walkability and proximity to the lake as being valued amenities. As such, multiple residents expressed a desire for future development to maintain, improve and expand upon pedestrian infrastructure, particularly that which would improve access to the lake. Meeting attendees also noted that the district is within walking distance of downtown, including the train station
- The Harrison Avenue bike path connection at the western edge of the city-owned 68 Sears Lane parcel is a critical link for local residents to access the waterfront and bike path. Numerous Ward 5 residents expressed a desire to see this connection maintained and improved.
- Where current and future employees, residents and visitors of the Innovation District will park was a common topic. Numerous residents of the Lakeside neighborhood commented that many HULA-based workers currently park in their

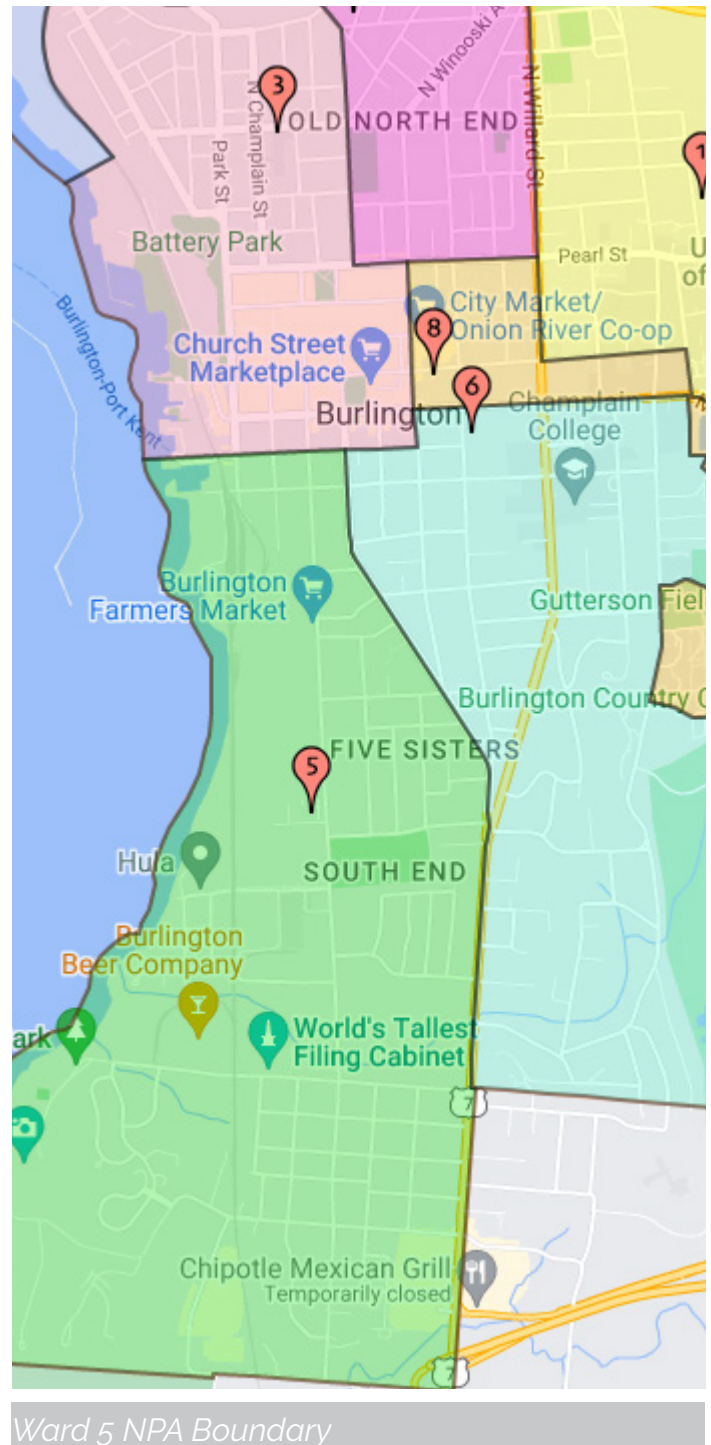
neighborhood, negatively impacting parking availability and mobility for residents. Residents worried that this situation could be a harbinger of future parking problems as a result of Innovation District buildout.

Equity

The lack of affordable housing options in the South End was a frequent Ward 5 NPA discussion topic. Multiple residents cited the specific need for affordable housing as a current concern and a desire that the Innovation District can be a place where abundant affordable housing can be provided. One resident suggested that affordable homeownership options, in addition to rental opportunities, are in great need.

Arts

The South End has long been the heart of Burlington's arts community. Ward 5 NPA meeting attendees spoke of their experience as witnesses to the declining artist population and presence as a result of rising costs for housing and studio space. Residents expressed a desire to see the zoning amendment prioritize the artist community through the creation of affordable homes, studio and market opportunities.



Stakeholder Advisory Group

Beginning in April, City staff from Planning and CEDO have facilitated a series of seven meetings with advisory stakeholder group members consisting of the following:

- Leslie Avril (Champlain College)
- Sara Katz and Doreen Kraft (Burlington City Arts)
- John Caulo (representing HULA and owners of 125 Lakeside Avenue)
- Meg Hammond (Generator)
- Rick Davis (property owner)
- Steve Conant (property and business owner)
- Michael Monte (Champlain Housing Trust)
- Corrine Yonce (Champlain Valley Office of Economic Opportunity)

As property owners, affordable housing developers, arts and economic opportunity advocates, this group represents a diverse range of interests and expertise. Over the course of three months of meetings, the following themes have emerged:

Equity

The topic of equity as it relates to housing, community services and the arts community was a frequent topic of stakeholder conversation.

- The group acknowledged that residential uses would likely produce more revenue for property owners than uses associated with arts, making and manufacturing. As such, the group agreed that residential uses should only be permitted in new construction, as a way to facilitate the continued affordability of existing non-residential space in the Innovation District.
- Also related to housing, the group discussed at length the City's Inclusionary Zoning (IZ) standards. Some advocated for a higher inclusionary zoning requirement, while some expressed a desire for a multi-tiered approach that could provide affordable housing at multiple income levels, including levels that may not be directly encouraged by the City's IZ ordinance.
- Recognizing that the Innovation District will be home to hundreds of households in addition to being a new community

and commercial hub of the South End, stakeholders expressed a desire to see care work services such as childcare and elderly care prioritized within the zoning amendment.

Public Realm

Stakeholders discussed a shared goal that the district should be a car-light neighborhood with ample shared community amenities, including parks, plazas and play spaces. To advance this shared goal, City Planning staff has facilitated ongoing infrastructure coordination discussions with colleagues from Department of Public Works.

Public Meetings

Office of City Planning staff facilitated two public meetings and one extended web-based engagement site. The in-person public meeting was held on June 29th at Generator within the proposed Innovation District boundary. Around 20 members of the public attended the meeting and took part in a series of activities meant to gather input on the district boundary, land use, district scale and urban form and the character of the district's public spaces and streets. One week later, staff facilitated a virtual public meeting on Zoom that included a facilitated online engagement board that replicated the previous week's in-person activities. Subsequent to the virtual meeting, the online Miro engagement tool remained open for the month of July, during which time many Burlington and area residents provided input. City Planning staff collected input at two additional public events: the July 16th Farmers Market and the July 20th SEABA Annual Meeting. City Planning staff collected input at the Burlington Farmers Market. For members of the public who were unable to attend any of the in-person meetings and for whom the Miro board was inaccessible, City staff produced physical, take-home engagement materials and offered one-on-one assistance. The summary of input collected across these public engagement opportunities is provided below and grouped according to themes.

Engagement Activities and What We Heard

To facilitate dialogue throughout these public engagement events, City staff created four activities, each of which addressed a unique planning concept related to the proposed zoning amendment:

District Boundary:

The proposed South End Innovation District boundary includes an area at the core of today's Enterprise – Light Manufacturing District (E-LM). The vast majority of the land within the proposed boundary is composed of vacant land or large surface parking lots. While this proposed boundary has been the focus of work to date, the boundary remains subject to approval by the Planning Commission, City Council and Mayor. As such, staff has asked members of the public for their opinion on how large – or small – the district should be. Using thread and sticker dots, meeting participants

were able to suggest which properties should or should not be included in the boundary. Central to this activity has been a discussion, facilitated by city staff, regarding the likelihood that allowing residential uses on land currently used for arts, making, manufacturing or other local businesses, could compromise the sustainability of such uses, given the higher rents and land value generated by residences relative to non-residential uses.

What We Heard:

The complex nature of the boundary discussion unsurprisingly produced a range of opinions. Artists and arts community advocates generally advocate for the existing working boundary that consists mostly surface parking and vacant lots. They argue that expanding the District and allowing residential uses in more places could exacerbate a troubling trend that has seen artists pushed out of the South End due to lack of affordable studio and market space.



"Just a note as it relates to art spaces - I would say the highest priority for me would be inexpensive studios that could allow someone to get their business off the ground! It took me two years to turn a profit, and it takes time to learn how to make things work. I would say \$300-500 a month for a 15x15 studio... something like that. High prices are going to keep artists out."

"An overlay that allows residential development across the Enterprise-Light Manufacturing District is not favorable."

Land Use:

A primary task of the community and staff in crafting the South End Innovation District is the regulation of what uses or activities will be permitted. To that end, staff created a pair of image-rich boards that asked meeting participants what types of land uses – businesses, activities, community services, and amenities, they would like to see in the district. Using color-coded stickers, participants were asked to prioritize types of uses. The boards also included space for post-it note comments so participants could elaborate on their input.

What We Heard

Urban Convenience

Voting and comments show strong support for a district that provides the range of services and businesses that people need to live a car-light (or car-free) lifestyle.

Local Economy

Unsurprisingly, the "art and making" uses received the strongest support in the ranked sticker exercise. Facilitating the sustainability and growth of the arts and maker community should be a focus of the zoning amendment and development according to participants. Of note, residents expressed strong opposition to hotels and other tourism-focused amenities.

"No hotels. Hotels will encourage gentrification towards tourist-friendly retail/restaurants, and that honestly has very little crossover with what I as a current resident/worker/make need more of in this City. Keep the hotels and tourism in Downtown."

"Uses should serve the neighborhood and south end rather than be regional draws like entertainment and hotels"

"Having a mix of both businesses and residential creates an accessible and close-knit community. Good for growing Burlington economically."

"Burlington over the years has definitely started to become more gentrified, making this new district should reflect local values, ideals, and wants while making it green and sustainable."

Buildings and District Scale:

Using the same sticker and comment approach as the land use activity, meeting participants were asked to rank and comment on three questions related to the scale, type and ground-floor activity of the district's buildings. The scale board asked how tall buildings should be allowed to rise. The housing types board presented participants with a range of housing types, including low-scale rowhouses, medium-sized apartments to full-block apartments. The third board asked participants whether buildings should be required to include space for commercial and community activities (e.g. shops, restaurants, and services such as childcare or small medical clinics).

What We Heard Height

Building height preference is a topic that produces a range of opinions. However, the ranked sticker exercise shows a strong preference for a mix of building heights (4/6/8 stories). Advocates of taller buildings acknowledge a need for open spaces to balance the district's scale, but also support the density and activity such buildings can bring. Advocates of shorter buildings prefer a district that is less in contrast with existing buildings in the South End and that preserve lake views.

"Having views of the water is one of the best things about living in the South End. Don't take that away."

"A mix (of building heights) but with shorter buildings closer to the lake to maintain the view as much as possible."

"We need density! Build up as much as possible."

"This area could be a great example of buildings of mixed height which act visual interest to the area."

"A variety always makes for the best urbanism."

"Include option for mix of building sizes midsize + triplex/quad + town/rowhouse etc."

"Maximize possible development density, particularly for housing opportunities. Encourage buildings which break down scale to not be the size of full city blocks."

Landscape

The Innovation District will be the densest area within the South End. Participants commented that the scale of buildings will require careful attention to guarantee visual and physical connections from adjacent neighborhoods, as well as generous open spaces.

"Provide plenty of natural landscape between/throughout with bike lanes and walking paths. blend with appropriate parking."

"Maximize possible development density, particularly for housing opportunities. Encourage buildings which break down scale to not be the size of full city blocks."

Street Life

Voting and comments related to the way buildings' ground floors should be regulated and designed show a desire for an active, pedestrian-based street life with many shops and services. However, there is some concern that commercial tenants may be difficult to find if shops and other non-residential uses are required on the ground floor.

"Would love to have full retail, but would be concerned that development wouldn't be able to find commercial tenants."

"Having a mix of both businesses and residential creates an accessible and close-knit community. Good for growing Burlington economically. "

Public Realm Character:

Again, using the same sticker and comment approach as the two previous examples, participants were asked to provide input on their vision for the district's public realm, including its streets, parks and the way in which it should integrate the Champlain Parkway into its urban landscape. While the zoning amendment does not contemplate requiring a specific design character, this input will help staff determine how much space should be allocated to different ways of moving around (e.g. walking, wheeling or biking), and pervious surfaces, or those that can soak up water and thus take strain off of the area's water bodies and infrastructure.

What We Heard

Cars + Parking

The ranked sticker exercise and written comments show a clear desire to create a district where streets and paths are accessible to all ages and abilities and where driving is limited to only necessary trips. In line with preferences for a "car-light" district, participants commented that parking should neither exist on-street nor within lots or structures in the district's interior, but rather should be located at the district's edge to encourage walking within.

"Have a Church Street-like area without fear of cars, but need to balance serving new buildings. Maybe mixed use based on times of the day, with parking outside of the area for walking within."

"In this district, the ability of residents and outsiders to pass through is critical. Any solutions that do not include how to safely integrate motor vehicles (including public transport options) with pedestrians, cyclists, and other users are short sighted and doomed to be 'less.'"

Economy

A few participants provided economic rationale beyond safety and the climate imperative in their support for a car-free district, noting Burlington's limited land supply, the high cost of car infrastructure and the vitality that dense, walkable neighborhoods can support,

Open Space

Consistent with a common desire for human-scaled streets, a few comments expressed a preference for small open spaces well-integrated into the districts buildings and street and path network, rather than large "campus-like" open spaces.

Heritage: Like years of public input into planBTV: South End demonstrated, Burlington residents support a strong arts and enterprise presence and character in the South End.

"Combo of green infrastructure & art & creativity spaces."

"Look at the heritage and see if we can do something interesting if there is something to work with."

BYLAWS OF THE BURLINGTON PLANNING COMMISSION

(A) Establishment of Bylaws

The Bylaws of the Burlington Planning Commission, hereafter referred to as the "Commission," are hereby established pursuant to 24 V.S.A. S. 4323 (C) and Sec. 2.2.2 of the *Burlington Comprehensive Development Ordinance*. These bylaws shall be effective from the date of adoption, and may be amended from time to time by a two-thirds vote of the Commission.

(B) Membership

In accordance with 24 V.S.A. Chapter 117 and Sec. 120 of the *Burlington City Charter*, the Commission shall consist of seven (7) residents of the City of Burlington appointed by the City Council. Any appointment to the Commission shall be for a term of three (3) consecutive years. Members may be appointed to successive terms without limitation. Any member desiring reappointment, or city resident desiring an appointment to the Commission, must apply to the City Clerk's office and obtain a nomination from a member of the City Council.

(C) Vacancies/Removal

Vacancies shall be filled by the City Council upon the expiration of such term or an unexpired portion of any term. Any member of the Commission may be removed at any time by unanimous vote of the City Council.

(D) Abstentions from Participation and Voting

In order to secure, protect, and preserve the highest level of public trust in the deliberation and decision of the Burlington Planning Commission, it is incumbent upon each member not only to scrupulously avoid any act which constitutes a conflict of interest established in law, but also to avoid any act which gives the appearance of bias, favoritism, or of interest.

- (1) A member shall withdraw from all participation, including all formal and informal discussion and voting, in any deliberation of the Commission or its committees or any issue upon declaration of a conflict of interest or upon the assertion that there is a reasonable public presumption that bias, favoritism, or a conflict of interest may exist. Circumstances under which this provision shall be exercised include, but are not limited to, the following:
 - (a) If the member has a direct or indirect financial interest in the outcome of the matter at issue. A direct financial interest shall include, but not be limited to, circumstances in which the member is an applicant, a provider of professional or business service to the applicant, serves on the board of directors, or receives any form of remuneration or benefit from the applicant. Indirect financial interest shall include, but is not limited to, if an [As amended: November 7, 2002] immediate family relative or close personal friend has, or is likely to have, a direct financial interest in the outcome of the matter; or
 - (b) If the matter at issue involves the member's own official conduct; or
 - (c) If participation in the matter might violate the letter or spirit of a member's code of professional responsibility; or
 - (d) If a member has such close personal ties to the applicant that the member cannot reasonably be expected to exercise sound judgment in the public interest.

BYLAWS OF THE BURLINGTON PLANNING COMMISSION

(G) Offices

At the first meeting in July of each year, the Planning Commission shall elect, by majority vote, a Chairperson and Vice-Chairperson from among its members, and shall also elect a Clerk who may or may not be a Commission member or municipal employee. Terms of office shall be for one year. Vacancies in these offices may be filled for the unexpired terms only by majority vote of the Commission.

(H) Committees

1. Standing Committees

There shall be three standing committees of the Planning Commission: Executive, Ordinance, and Long Range Planning. Membership comes from those serving on the Planning Commission, the Development Review Board, the Design Advisory Board and/or Conservation Board. With the exception of the Executive Committee, each standing committee shall be composed of a minimum of three (3) persons with a maximum of five (5) persons, of which three (3) must be members of the Commission. The Commission Chairperson may not serve, as the Committee Chairperson for either the Ordinance Committee or Long Range Planning Committee. Each standing committee shall report on its activities and/or recommendations within its purview to the full Commission for its disposition at each Commission meeting. Except as noted, the establishment of standing committees does not constitute a delegation of any responsibility of the full Commission, which retains the exclusive agency for the City under law and ordinance.

- 1) Executive: The Executive Committee shall be composed of three members consisting of the Commission Chairperson, who shall serve ex-officio as Chairperson of the Committee; the Commission Vice-Chairperson, who shall serve ex-officio as Vice-Chairperson of the Committee; and a Planning Commissioner selected at-large by the Commission at its organizational meeting. The duties and functions of the Committee shall be as follows:
 - i. Appointment of standing committees and ad hoc committees including chairpersons unless noted otherwise herein, and appointment of special liaisons as the Commission shall establish, and oversight of committees and liaisons;
 - ii. Oversight, including preparation of the annual department budget; supervision and the annual review of the department director; such other tasks as the Commission shall assign.
 - iii. Relationship of the department and Commission to city, regional, and state departments and commissions, including scheduling of special work sessions as necessary;
 - iv. Commission bylaw revisions and amendments;
 - v. Oversight of all contracts as the Commission or department shall enter into or be delegated responsibility for;
- 2) Ordinance: The Ordinance Committee shall have at least four (4) and no more than five (5) members. Members may be appointed from the following: one (1) member each from the Development Review Board, the Design Advisory Board, or the Conservation Board, in addition to one (1) member from the Planning Commission Executive Committee, and two (2) at-large of the Planning Commission elected by the Commission at its organizational meeting. The chairs of the Development Review Board, Design Advisory Board or the Conservation Board may appoint a member of their board to serve on the Ordinance Committee. If all boards appoint a member the Planning Commission, by election at its organizational meeting will confirm which appointee(s) will serve on the Ordinance Committee. The Chairperson and Vice-Chairperson of the Ordinance Committee shall be elected by a majority of committee members. The duties and functions of the Committee shall be as follows:

BYLAWS OF THE BURLINGTON PLANNING COMMISSION

- i. Preparing and reviewing all revisions of the Zoning and Subdivision Ordinances, Official Map and the Zoning Map;
 - ii. The enforcement of the zoning and subdivision ordinances and the zoning map, and;
 - iii. Such other tasks as the Commission shall assign.
- 3) Long Range Planning: The Long Range Planning Committee shall have at least four (4) and no more than five (5) members including one (1) member from the Development Review Board appointed by the Board's Chairperson. The Committee shall have one member from the Executive Committee, and two (2) at-large members of the Planning Commission elected by the Commission at its organizational meeting. The chair of the Design Advisory Board or the Conservation Board may appoint a member of their board to serve on the Long Range Planning Committee. If both boards appoint a member the Planning Commission will decide which appointee(s) will serve on the Long Range Planning Committee. The Chairperson and Vice-Chairperson of the Long Range Planning Committee shall be elected by a majority of committee members. The duties and functions of the Committee shall be as follows:
- i. The development of an implementation plan for the Municipal Development Plan.
 - ii. Develop a process with a budget for each eight year revision to the Municipal Development Plan;
 - iii. Review plans of other departments and the regional planning commission and provide comments to the Planning Commission; and
 - iv. Such other tasks as the Planning Commission shall assign.

2. Ad hoc Committees and Commission Liaisons:

From time to time ad hoc committees and commission liaisons may be established by the Commission for special assignments that do not fall within the general purview of standing committees.

3. Committee Meetings:

When appropriate, standing committees should have regularly scheduled meeting times. All committee activity should be ratified by vote of the committee before presentation to the Commission. All substantive actions of the committees should be recorded in the written minutes kept current by the committee chairperson or designee. At the request of the committee chairperson, a committee meeting shall be taped.

(I) Annual Work Plans

The Planning Commission and each of the standing committees shall set work plans every year. These work plans shall be reviewed periodically. The schedule for work plans and their evaluation follows:

May: Each standing committee evaluates the extent to which it fulfilled its old work plan and a brief (1-2 page) evaluation report is written and submitted to P.C. in time to be part of the packet for the first P.C. meeting in June.

June: Standing committee work plans are evaluated by the P.C. at the first meeting. Feedback for recognition, encouragement and improvement is provided.

Standing committee work plans end at the end of the month.

The work plan for the following year (July – June) is written during June and early July. It is submitted to P.C. in time to be part of the packet for the first P.C. meeting in July.

BYLAWS OF THE BURLINGTON PLANNING COMMISSION

July: New work plans are discussed, modified if necessary, and approved by the P.C. at the first meeting of the P.C. New work plans begin in July and run through June.

(J) Powers and Duties

In accordance with 24 V.S.A. Chapter 117, and the *Burlington Code of Ordinances*, the Burlington Planning Commission:

- (1) Shall prepare a Municipal Development Plan and amendment thereof for consideration by the City Council and to review any amendments thereof initiated by others as set forth in 24 V.S.A. 4384;
- (2) Shall prepare and present to the City Council, from time to time, proposed bylaws and make recommendations to the City Council on proposed amendments to such bylaws;
- (3) Shall undertake studies and make recommendations on matters of land development, urban renewal, transportation, economy, and social development, urban beautification and design improvements, historic and scenic preservation, the conservation of energy, and the development of renewable energy resources;
- (4) Shall prepare and present to the City Council recommended construction specifications for streets and related public improvements pertaining to subdivision development;
- (5) Shall prepare and present to the City Council a recommended annual capital budget and future capital programs for a period of not less than five (5) years;
- (6) Shall hold public meetings;
- (7) Shall undertake comprehensive planning, which may include related preliminary planning and engineering studies;
- (8) Shall prepare and present to the City Council, from time to time, recommended fees for the administration of zoning and subdivision regulations;
- (9) Perform such other acts or functions as it may deem necessary or appropriate to fulfill the duties and obligations imposed by, and consistent with, the intent and purpose of 24 V.S.A. Chapter 117 and the *Burlington Code of Ordinances*.
- (10) May require from other departments and agencies of the City such available information as it relates to the work of the Planning Commission;
- (11) May, in the performance of its functions, enter upon land to make examinations and surveys;
- (12) May participate in a regional planning program;
- (13) May retain staff and consultant assistance in carrying out its duties and powers.

(K) Meetings/Minutes

Meetings of the Planning Commission shall be held at the call of the Chairperson on the second and fourth

BYLAWS OF THE BURLINGTON PLANNING COMMISSION

Tuesday of each month unless otherwise determined by majority vote of the Commission. The Chairperson may also call special meetings of the Commission. All meetings of the Commission shall be open to the public, except as provided by law. The Commission shall keep minutes of every regular or special meeting. The minutes shall include, but not be limited to, the names of the persons appearing and addressing the Commission, any action taken by the Commission, the findings, if any, made by the Commission and reasons thereof. The minutes shall, thereafter, be made available for public inspection during normal business hours at the office of the Administrative Officer. Any interested party shall have the right to a reproduction of the minutes in an amount sufficient to cover the costs of such reproduction.

(L) Notice

No regular or special meeting of the Commission shall be held without providing at least twenty-four (24) hours written notice to the City Clerk. Public hearings shall require no less than fifteen (15) days prior notice including advertising in a newspaper of general publication within the City and posting on the City Hall community board(s).

(M) Quorum

For the conduct of any meeting or hearing and the taking of any action, a quorum shall be no less than a majority of the members of the Commission and any action thereof shall be taken by a majority of the members of the Commission.

(N) Public Hearing

Prior to Planning Commission action on the adoption of any amendment to the City's Zoning Ordinance, Subdivision Regulation, Official Map, or Municipal Development Plan, a public hearing shall be held by the Planning Commission after public notice.

(O) Ex-Officio Member

The Mayor of the City of Burlington shall be a non-voting ex-officio member of the Commission.

(P) Special Meetings

Special meetings of the Commission may be called by the Chairperson, when he or she deems it expedient, or upon the request of two (2) members of the Commission for the purpose of transacting any business designated in the call. Notice to each member of the Commission for a Special Meeting may be by telephone or otherwise at least twenty-four (24) hours prior to the date of such special meeting. At such special meeting, no business shall be considered other than specified in the call. Additionally, if more than three (3) members of the Commission participate in a meeting with staff, conduct a site visit, or participate in other activities related to the responsibilities of the Planning Commission outside of a regular meeting, the gathering must be warned as a special meeting with proper notice given.

(Q) Governance Procedures

Robert's Rules of Order, as revised, shall govern proceedings of the Commission in all cases which are not specifically covered by other laws, ordinances, bylaws, or regulations.

History:

Established: June 26, 1986

Amended: October 10, 1991

BYLAWS OF THE BURLINGTON PLANNING COMMISSION

Amended: February 12, 1998

Amended: May 10, 2001

Amended: November 7, 2002

Amended: October 14, 2003

Amended: July 10, 2008

Amended: October 12, 2016

Burlington Planning Commission

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www.burlingtonvt.gov/pz

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

Burlington Planning Commission

Tuesday, July 26, 2022, 6:30 P.M.

Remote Meeting via Zoom and Sharon Bushor Conference Room

Draft Minutes

Members Present	A Montroll, B. Baker, E. Lee, M. Gaughan, A. Friend
Staff Present	M. Tuttle, C. Dillard, S. Morgan
Public Attendance	B. Headrick, A. Magyar, S. Bushor

I. Agenda

Call to Order	Time: 6:35pm
Agenda	The agenda states the appointment of Commission Clerk as Charles Dillard, but that should read Bridget O'Keefe. PC will consider a new Agenda Item – ZA-22-08 - Short Term Rentals to provide update on City Council action and to warn a Public Hearing. PC will also defer discussion on Trinity Campus to the next meeting.

II. Public Forum

Name(s)	Comment
S. Bushor	S. Bushor spoke to the Trinity Campus Rezoning. She highlighted points in her communication to the Commission such as a request for a site visit and to consider that Redstone Campus is not a good comparison to Trinity Campus.
A. Magyar	A. Magyar spoke on short term rentals as she is someone who has a B&B permit. She asked for clarification on the yearly process to register a short term rental.
B. Headrick	B. Headrick spoke on the cottages at Trinity Campus. She recommended UVM bring forward a development plan for those cottages. She asked the Commission to reconsider commercial use on Trinity Campus, especially buildings that may be accessible from the street. She also asked that if commercial use is allowed on campus, those businesses should be taxed as if they are off-campus spaces. She recommended parking for Trinity Campus be structured parking at the Giffords lot.

III. Chair's Report

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

M. Tuttle	M. Tuttle pointed out that a revised agenda packet was sent to the Commissioners with updated correspondence. There is a ribbon cutting ceremony at Union Station on Friday, 7/29, to celebrate the return of the Burlington to New York City Amtrak.
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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.

Tuesday, June 14, 2022

	The Planning Department is hosting a movie night, in partnership with BCA, in City Hall Park on August 11. There will be a showing of the documentary, <i>Owned</i>. The Short Term Rental Ordinance will go into effect next week. City Council voted to warn the Maximum Parking and Change Management Amendment, which will go to a public hearing on August 15. City Council will also hold public hearings on the BHS Amendment and Steep Slopes Amendment. The Planning Department is meeting with CEDO and Scott Gustin to discuss Inclusionary Zoning.
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V. Public Hearing: ZA-22-08 Short Term Rental

Action: Approve ZA-22-08 and refer to City Council with the recommendation to adopt the resolution.		
Motion by: A. Friend	Second by: M. Gaughan	Vote: 5-0
Type: Motion to Pass	Presented by: S. Gustin	
Introduction: S. Gustin explained that the Short Term Rental Amendment expired. City Council had one year to act on the Planning Commission’s recommendation to adopt the amendment and that has since lapsed. City staff adjusted the language, but much of the ordinance has stayed the same.		
The chair held a public hearing with the following public comments: No public comment.		
Commissioner discussion: A. Montroll clarified that these zoning changes are, essentially, what was presented before with a difference in the language in chapter 18. - Though it is rare that amendments expire, this is not the first time it has happened.		

VI. Public Hearing: ZA-22-09 Public Art

Action: Approve ZA-22-09 and refer to City Council with the recommendation to adopt the resolution.		
Motion by: E. Lee	Second by: M. Gaughan	Vote: 5-0
Type: Move to Council and adopt report	Presented by: C. Dillard	
Introduction: C. Dillard explained that when the Downtown Form Code was adopted the regulating language on public art was removed. This zoning amendment both defines public art and prescribes standards on its display and direction. - Planning Department staff added legal language regarding art on private property and added that public art that does not meet the standards should not be constructed. Section 19 b. notes that public art shall not be discriminatory or incite hate.		
The chair held a public hearing with the following public comments: No public comment.		
Commissioner discussion: Immediate motion to approve. No Commissioner discussion.		

VI. Proposed ZA-22-05 Burlington High School Zoning

Action: Approve the amended by-law report.		
Motion by: M. Gaughan	Second by: E. Lee	Vote: 5-0
Type: Motion to pass	Presented by: M. Tuttle	

Tuesday, June 14, 2022

Introduction:

M. Tuttle provided background on the work that has been done so far to change the Burlington High School zoning from an RCO district to an Institutional district. The City Council Ordinance Committee recently discussed the appropriate parking district for BHS. Currently, it is zoned as a neighborhood parking district but the Ordinance Committee decided a multimodal mixed use parking district is more appropriate. This has the most restricted maximum parking limits.

When City Council makes changes to a zoning amendment, it comes back to the Planning Commission so the Commission is aware and has an opportunity to comment.

Public Comment:

- S. Bushor commented that she was concerned over the reduction in parking for athletic events. She was concerned that this could affect BHS's ability to host large events.

Commission Discussion:

- M. Gaughan asked what the net change in parking spaces is between a neighborhood parking district and a multimodal mixed use parking district.
- This change reduces the number of maximum allowed parking spaces from 720 to 400. The School District did express concern on this change as it relates to special event parking. The Ordinance Committee heard these concerns and determined that the TDM process and waivers could ultimately provide the School District enough parking flexibility.
- S. Gustin pointed out a typo in the proposed language.
- M. Gaughan expressed that it is difficult to comment on this change without understanding the capacity of the new auditorium, capacity for sports events, etc.
- E. Lee offered that shuttling services or shared parking services could accommodate large events hosted at BHS. She expressed concern that large surface parking lots affect the City's storm water.
- A cap at 400 maximum allowed parking spots covers parking for faculty, staff, and the student body. The School District did not present the Ordinance Committee with a specific number of spots needed for special events or a number of events expected per year.

VII. Proposed ZA-22-05 Burlington High School Zoning

Action: Approve the amended by-law report.		
Motion by: M. Gaughan	Second by: E. Lee	Vote: 5-0
Type: Motion to pass	Presented by: M. Tuttle	
Introduction: M. Tuttle provided background on the work that has been done so far to change the Burlington High School zoning from an RCO district to an Institutional district. The City Council Ordinance Committee recently discussed the appropriate parking district for BHS. Currently, it is zoned as a neighborhood parking district but the Ordinance Committee decided a multimodal mixed use parking district is more appropriate. This has the most restricted maximum parking limits. When City Council makes changes to a zoning amendment, it comes back to the Planning Commission so the Commission is aware and has an opportunity to comment. Public Comment: • S. Bushor commented that she was concerned over the reduction in parking for athletic events. She was concerned that this could affect BHS's ability to host large events. Commission Discussion: • M. Gaughan asked what the net change in parking spaces is between a neighborhood parking district and a multimodal mixed use parking district. • This change reduces the number of maximum allowed parking spaces from 720 to 400. The School District did express concern on this change as it relates to special event parking. The Ordinance Committee heard these concerns and determined that the TDM process and waivers could ultimately provide the School District enough parking flexibility.		

Introduction:

M. Tuttle provided background on the work that has been done so far to change the Burlington High School zoning from an RCO district to an Institutional district. The City Council Ordinance Committee recently discussed the appropriate parking district for BHS. Currently, it is zoned as a neighborhood parking district but the Ordinance Committee decided a multimodal mixed use parking district is more appropriate. This has the most restricted maximum parking limits.

When City Council makes changes to a zoning amendment, it comes back to the Planning Commission so the Commission is aware and has an opportunity to comment.

Public Comment:

- S. Bushor commented that she was concerned over the reduction in parking for athletic events. She was concerned that this could affect BHS's ability to host large events.

Commission Discussion:

- M. Gaughan asked what the net change in parking spaces is between a neighborhood parking district and a multimodal mixed use parking district.
- This change reduces the number of maximum allowed parking spaces from 720 to 400. The School District did express concern on this change as it relates to special event parking. The Ordinance Committee heard these concerns and determined that the TDM process and waivers could ultimately provide the School District enough parking flexibility.

Tuesday, June 14, 2022

- S. Gustin pointed out a typo in the proposed language.
- M. Gaughan expressed that it is difficult to comment on this change without understanding the capacity of the new auditorium, capacity for sports events, etc.
- E. Lee offered that shuttling services or shared parking services could accommodate large events hosted at BHS. She expressed concern that large surface parking lots affect the City's storm water.
- A cap at 400 maximum allowed parking spots covers parking for faculty, staff, and the student body. The School District did not present the Ordinance Committee with a specific number of spots needed for special events or a number of events expected per year.

VIII. Annual Organizational Meeting

Action: Approve the amended by-law report.		
Motion by: M. Gaughan	Second by: E. Lee	Vote: 5-0
Type: Motion to pass		Presented by: M. Tuttle
Chair • Andrew Montroll nominated by Bruce Baker. • Motion to approve Andrew Montroll as Chair. Vote 5-0. Vice-Chair • Bruce Baker nominated by Emily Lee. • Motion to approve Bruce Baker as Vice-Chair. Vote 5-0. Commission Clerk • Motion to approve Bridget O'Keefe as Commission Clerk. Vote 5-0. At-Large Member of Executive Committee • Emily Lee nominated by Michael Gaughan. • Motion to approve Emily Lee as At-large Member of Executive Committee. Vote 5-0. Long-Range Planning Committee • Michael Gaughan nominated by Emily Lee • Andrew Montroll volunteered as a member of the Executive Committee • Alex Friend volunteered as an at-large member of the Commission. • Motion to approve Michael Gaughan, Andrew Montroll, and Alex Friend as members of the Long-Range Planning Committee. Vote 5-0. Ordinance Committee • Emily Lee volunteered as an at-large member of the Commission. • Bruce Baker volunteered as a member of the Executive Committee. • The third member of the Ordinance Committee will be decided at the next Ordinance Committee since Yves Bradley is absent from this meeting. • Motion to approve Emily Lee and Bruce Baker as members of the Ordinance Committee. Vote 5-0. • Motion to approve Jack Qualey from the Design Advisory Board to the Ordinance Committee. Vote 5-0.		

IX. Proposed CDO Amendment: UVM Trinity Campus Zoning

Action: Commissioner Discussion		
Motion by: n/a	Second by: n/a	Vote: n/a
Type: n/a		Presented by: M. Tuttle
Introduction: M. Tuttle walked through the draft text changes in comparison with the existing language for the overlay zone. Staff added language to the building height and setback sections, marking the centerline of Colchester Avenue as the starting place. Text changes propose a lot coverage increase from 40% to 60%. Text changes propose no new surface parking but makes structured parking allowable. Text changes propose conditional uses become permitted. M. Tuttle provided graphics and maps to		

Tuesday, June 14, 2022

demonstrate the proposed changes. M. Tuttle also shared the review standards for a Major Impact Study.

Public Comment:

- S. Bushor thanked the Commissioners for agreeing to arrange a site visit. She expressed concern that the proposed building height and setback requirements may make pedestrians feel claustrophobic.

Commission Discussion:

- E. Lee noted that many of UVM's renderings take the perspective of someone driving in a car along Colchester Avenue. She invited the Commission to think of what the setbacks and building heights would feel like to pedestrians. B. Baker and A. Friend agreed with viewing the setbacks and building heights from the pedestrian's perspective.
- Commissioners agreed that they would try to gather for a site visit to Trinity Campus.
- M. Gaughan asked about a comprehensive plan on housing at UVM. Planning Department staff is continuing to research a recommendation.
- E. Lee pointed out that the old medical college building is also close to the sidewalk and asked Planning staff to review those setbacks.
- L. Kingsbury from UVM clarified that the shared use bike path on the southbound side of Colchester Avenue is in the City's right of way.
- M. Tuttle went into more detail on the proposed language of the setbacks. Staff decided to use the centerline of Colchester Avenue as the starting line because the Colchester Ave Corridor Plan is planning a number of improvements to the curb and sidewalk.

X. Minutes and Communications

Action: Approve the minutes and accept the communications

Motion by: A. Friend

Second by: E. Lee

Approved Unanimously

Minutes Approved: July 12

Communications Accepted: in the agenda packet and posted at

<https://www.burlingtonvt.gov/CityPlan/PC/Agendas>

XI. Adjourn

Adjournment

Time: 8:00pm

Motion: E. Lee

Second: M. Gaughan

Vote: Approved Unanimously

From: Almy Landauer <almy.landauer@gmail.com>
Sent: Sunday, July 24, 2022 1:56 PM
To: Sarah Morgan <smorgan@burlingtonvt.gov>
Cc: Benjamin Traverse <btraverse@burlingtonvt.gov>; Joan Shannon <jshannon@burlingtonvt.gov>
Subject: South End Innovation District Feedback

[WARNING]: This email was sent from someone outside of the City of Burlington.

Dear Planning Office,

As a resident of the South End, I have many questions, concerns and comments about the South End Innovation District. I appreciate your time in replying in as much detail as you are able at this juncture. Thank you!

First of all, the website asks a visitor to click on sections for a "deeper dive" and more info, but in reality there is very little detail. What are the exact zoning changes? How will the goals be implemented through zoning?

This is clearly another example of spot zoning in the South End that benefits a few developers. What was the impetus for this? Who asked for these changes? I do not think it was the residents of the area. Perhaps it was a request from those very developers. The fact that you include bowling alleys in the list of allowed uses confirms this. I feel strongly that accommodating developers is not the right way to grow and change our city. Those priorities are not for the benefit of all, much less for the benefit of historically oppressed groups. It is more of the same old paradigm: the wealthy get richer at expense of inclusion, access and affordability. The City can and should do better.

The Champlain Parkway corridor was billed as the new innovation/green tech district, with promises that it would alleviate the increasing traffic on Pine St. Now the wealthy developers and the City are proposing this new idea, which will unavoidably add tremendous amounts of car and truck traffic to Pine St. It also seems to be counter to Plan BTV: South End in numerous aspects. What is being proposed to deal with the traffic? I believe we should keep the focus on the growth along the CP. I believe we must be focusing our efforts much more on making this a bikeable and walkable city with better public transportation and much more biking infrastructure - as many cities in Europe offer.

Will the re-zoning ensure that art and small business will be there in perpetuity? What tools are available to ensure that these spaces will not gradually be taken over by more and more housing with the attendant rise in costs and pushing out of low and middle income people? (Please don't

claim any reasoning that resembles trickle down benefits. We know those are false claims and that does not work.)

How will you ensure that housing will not simply become more and more expensive in this zone? The current % of "affordable" and the definition of "affordable" are entirely inadequate for meeting the needs of most families.

How will parking for all the housing and new uses be provided? The statements in your plan are unrealistic. We are NOT past reliance on cars. Dreaming that we will be someday and planning based on that not-yet-here reality will mean that parking will be entirely inadequate, causing congestion, idling, frustration, lack of access to the businesses. This needs a much more thorough and inclusive approach, creative ideas, and ADEQUATE parking.

It is stated: "We are also taking this opportunity re-evaluate some uses that are allowed today, but which are not central to the district's goals going forward." This statement is too vague to allow an evaluation of its meaning and possible effects.

How will the "public space" and infrastructure as noted in the plan be paid for? ("new streets to include dedicated space for cyclists and wide pedestrian paths. These public spaces should also include generous landscape plantings and architectural elements to create a comfortable environment in all four seasons.") We are already heavily tax burdened, and I don't believe we should use even more TIFF funding than we already have. The new high school is going to be a huge tax burden.

What methods will be used to not further burden the stormwater situation with all the new housing you propose?

There are too many "can" and "may" words in the section about energy usage. The targets and regulations for a small carbon footprint must be encoded and required, not optional.

The height of buildings should definitely be limited to 5-6 stories in my view.

I am supportive of keeping the Barge Canal area undeveloped and/or as a park with foot traffic only.

Thank you and I look forward to your responses.

Almy Landauer

Burlington Planning Commission

149 Church Street
Burlington, VT 05401
Telephone: (802) 865-7188
(802) 865-7195 (FAX)
(802) 865-7144 (TTY)

www.burlingtonvt.gov/pz

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

Regular and Special Meeting Burlington Planning Commission Tuesday, August 23, 2022

**Special Meeting - In-Person Trinity Campus Site Tour
5:00 – 6:00 P.M Mann Hall, 208 Colchester Avenue (front of building)**

6:00 - 6:30 P.M. Recess

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. UVM Trinity Campus Site Visit

The Planning Commission will visit UVM Trinity Campus, along with Staff and UVM officials, to discuss the proposed CDO Amendment: UVM Trinity Campus Zoning.

II. Recess (6:00-6:30 P.M.)

III. Agenda (6:30 P.M)

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

V. Chair's Report

VI. Director's Report

VII. Proposed CDO Amendment: South End Innovation District Overlay (E-ID)

Staff will give a presentation summarizing concepts included in the draft zoning amendment, as well as a summary of public input to date. Information related to this item is in the agenda packet on page 4.

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

VIII. Committee Appointments

Staff will provide an update to the Commission regarding DRB appointments to two Planning Commission Committees:

- Caitlin Halpert has been nominated as the DRB representative to the Ordinance Committee

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August 23, 2022

- Brad Rabinowitz has been nominated as the DRB representative to the Long Range Planning Committee

Planning Commission bylaws are enclosed for reference in the agenda packet on page 32.

IX. Commissioner Items

- a. Upcoming Meetings will be hybrid in-person/online unless otherwise noted – September 13, at 6:30 pm
- b. Committee Reports

X. Minutes & Communications

- a. The minutes of the July 26 meeting are enclosed in the agenda packet on page 38.
- b. Communications are enclosed in the agenda packet.

XI. Adjourn

From: Denise Moroney <dmoroney@dedham-ma.gov>

Sent: Monday, August 22, 2022 5:36 PM

To: Meagan Tuttle <mtuttle@burlingtonvt.gov>

Subject: UVM Trinity Campus Development - Planning Commission meeting on 8/23/22

You don't often get email from dmoroney@dedham-ma.gov. [Learn why this is important](#)

[WARNING]: This email was sent from someone outside of the City of Burlington.

Hello –

I would like to make a public comment regarding the plans for the redevelopment of the UVM Trinity Campus.

As a current parent of a UVM sophomore student, I am writing to express my concern about the lack of resident student parking on the UVM campus. I contacted the UVM Transportation and Parking Department after my daughter was unable to purchase a parking permit as they sold out in 10 minutes during the online sale. I was informed that UVM only has enough parking permits for 15% of the residential students. I have inquired with the UVM Custodian of Public Records for some historical data on parking permit availability on campus and have been advised that they will provide a response to me on August 31, 2022. Since this date is after the Planning Commission meeting tomorrow on 8/23/22, I wanted to send you an email to have it documented that any redevelopment of UVM properties really needs to focus on providing additional parking for the existing student body in addition to planning for any additional student beds that may be added. I would hope that a transportation and traffic study would be performed as part of any UVM campus development plan. I was horrified when I read a bullet in the UVM Trinity Campus redevelopment presentation about having a goal to “minimize parking” and then to also offer parking to the “community”. UVM students and staff are in desperate need of additional parking on campus and I am hoping that creating additional student parking is supported in the future for potential new UVM families so they do not go through the stress of possibly being unable to obtain a parking permit. My daughter has an off campus job so she needs parking. I see on the UVM Parents facebook page, there are many families distraught over not obtaining a parking permit.

Since my complaints to the UVM Transportation and Parking office, they did announce a lottery for 100 parking spaces in the Gutterson Garage and my daughter was lucky enough to receive one of these parking permits through the lottery. However, if we had not been so lucky, we would have been paying \$1100 to a local resident to park in their driveway during the school year. UVM families should not have to pay a premium over the normal \$335 annual parking permit fee because UVM cannot accommodate all students who require parking.

Thank you for your attention to this email and I hope it is considered during the Planning Commission meeting on 8/23 at 5pm. Please forward this email to the Director of the Planning Department and the Planning Commission members if possible.

Sincerely,
Denise Moroney

Denise Moroney

Director of Facilities and Maintenance

Dedham Town Hall

450 Washington Street, Suite 402

Dedham, MA 02026

781-752-7812 cell

781-326-4629 fax

781-751-9172 office

Please note that this communication and any response to it will be maintained as a public record and may be subject to disclosure under the Vermont Public Records Act.

Burlington Planning Commission

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Burlington, VT 05401
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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, August 23, 2022, 6:30 P.M.

Remote Meeting via Zoom

Minutes

Members Present	A. Montroll, B. Baker, E. Lee, M. Gaughan, A. Friend, Y. Bradley, J. Randall
Staff Present	M. Tuttle, C. Dillard
Public Attendance	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
B. Headrick	B. Headrick spoke in regards to Trinity Campus. She explained that there is a steep hill between the Villa building and Delaney Hall. B. Headrick recommended that the 80 ft. building height measurement be reviewed within the context of this steep hill, as an 80 ft. building on top of the hill could be aesthetically displeasing. She also asked UVM to clarify whether that hill would be leveled. She also asked for clarification on the façade line. She also asked for the use of garages and single-family homes be reviewed.

V. Chair's Report

A. Montroll	Welcome to new Planning Commission member, Julia Randall.
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VI. Director's Report

M. Tuttle	M. Tuttle asked the Commissioners whether they could attend a rescheduled Trinity Campus site visit on Tuesday, September 13, at 5pm. At least four members indicated they could attend. M. Tuttle asked the Commissioners for questions they would like answered at the site visit. Commissioners agreed that they would like a general overview of the space, indications of the setback lines, and a perspective of the street/pedestrian view.
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Tuesday, August 23, 2022

	M. Tuttle provided an overview of the rollout of retail cannabis in Burlington. In Spring 2021, residents voted overwhelmingly to opt “in” to retail cannabis in Burlington and the State did not allow an “opt in” or “opt out” vote in regards to cultivating or growing cannabis. Therefore, Burlington cannot pass any laws that have the effect of prohibiting those establishments. City Council recently voted to establish a Cannabis Control Board that will ensure new business owners comply with existing zoning/ordinances. The City has decided to regulate these businesses closest to their use. For example, retail cannabis stores will be viewed as any other retail store. Additionally, the cannabis establishments will need to comply with the State’s drug-free school zone laws. The Planning Department has drafted a map around the City’s schools to advise business owners on where they can set up shop. The State will begin processing retail cannabis permits on October 1, 2022. M. Tuttle clarified that there is some grey area surrounding land use. There is guidance that municipalities cannot create land use buffer zones that affect cannabis establishments only, but the City is still working through that interpretation. The City will use existing zoning amendments to help guide where cannabis establishments can be located.
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VII. Proposed CDO Amendment: South End Innovation District Overlay

Action: Commission Discussion		
Motion by: n/a	Second by: n/a	Vote: n/a
Type: Motion to Pass		Presented by: C. Dillard
Introduction: • C. Dillard noted that planBTV: South End is the genesis of the innovation district idea. There was strong community support to protect the arts and manufacturing sectors of the South End, while also fostering the burgeoning business sector. This iteration of the amendment reflects the continuing discussions on housing in the South End. • This amendment amends article 4, establishes the South End Innovation District, amends the map for the overlay, amends land use standards, and amends urban form standards. • The boundary is roughly around Howard Street to Sears Lane and west of Pine Street. • Since planBTV: South End was created, Burlington’s housing crisis has come intensified and the community has strong support for more housing. • C. Dillard presented the three categories of land use: • Permitted- residential (multi-family), arts/making, office, community • Limited- convenience + service, entertainment + amenity • Not permitted- heavy manufacturing + logistics, tourism, residential (single family) • C. Dillard provided some research on office buildings in Burlington. The non-Central Business District market vacancy rate has fallen to 5.7% throughout the pandemic. HULA accounts for 43.7% of new office space over the last three years. • C. Dillard provided examples on how the limited use category would function. There is a ratio of what is allowed under this category so that arts, light manufacturing, and housing have priority. M. Tuttle explained this approach is already in use in another area of the South End. • Duplexes were highlighted as not permitted because they ultimately do not fit the density goals of the area. • C. Dillard presented the urban form standards. Staff has proposed using a Floor Area Ratio (FAR) approach of 2.5 since there are large parcels where new streets will likely be built. FAR can be used as a tool to regulate the expanse of the innovation district. C. Dillard presented a map of potential new streets, explaining that a grid could be implemented through some of the existing		

Tuesday, August 23, 2022

surface parking lots. Staff decided not be too prescriptive in the proposed amendment to allow for flexibility.

- The proposed building heights were designed to balance the need for density with the need to mitigate noise and air pollution.
- C. Dillard also spoke to the ratio of pervious area within the sites. The Planning Department worked with the storm-water and wastewater teams within DPW to make sure biodiversity is protected in this district.
- C. Dillard showed examples of buildings with similar setbacks and frontage buildout to what is proposed in the amendment.
- The proposed amendment allows for portions of ground floor non-residential spaces to be as shallow as 25 feet and 10 feet in some areas. This helps to address a trend in vacant, commercial ground floor spaces. There is increased flexibility of ground floor space for non-residential uses under certain caveats, like developers keeping rent affordable, providing permanent, detached structures, providing publicly accessible open space of 4,000 sf, developing larger residential units.
- Only small surface parking lots are permitted and parking structures must be located behind a perimeter building or screened by architectural or vegetative structures.

Commission Discussion:

- Y. Bradley spoke to permitted office use. Spaces under 5,000 sf remain active; however, larger spaces are less active because they are generally owned by national companies without clear back-to-work policies coming out of the pandemic. Y. Bradley also shared a trend of companies not renewing their leases, especially as national companies are looking to reduce their office footprint by 50%. There is also a trend of business flight from the Central Business District.
- M. Gaughan shared that converting office space to residential is quite expensive, which may provide reason to preserve office space in the South End.
- The South End Arts and Business Association (SEABA) shared that they are in favor of residential uses being applied to new construction, also in an effort to preserve existing spaces.
- M. Gaughan discussed the idea of hospitality as a permitted or limited use. He explained that this would allow for business travel, especially as the Amtrak has opened up. With remote work becoming increasingly popular, people may travel back and forth between amenity-dense areas, like the South End and New York City.
- Y. Bradley pointed to the increasing number of recreation activities in the South End. He heard from a number of people living and working in the South End that these are popular and keep the area walkable.
- Staff explained some reasoning behind keeping hospitality, namely hotels, as a non-permitted use. Opponents have argued that with increased recreation and amenities, the South End could become a new hub for tourism. There may be many in the larger Burlington community who wish to keep downtown as that hub.
- A. Montroll raised a concern about how the Champlain Parkway will fit into these plans. C. Dillard explained that access is limited from the highway up until Lakeside Avenue, but that it opens up closer to Pine Street. Champlain Parkway will be city-owned in 2027 and there is a potential to modify the streetscape then.
- A. Friend asked how the building height mix would be accomplished with this proposed amendment. C. Dillard explained that FAR and building footprint are approaches to guide developers on their site plans. A. Montroll added that developers rarely hit the building height limits.
- B. Baker asked whether the innovation district could be considered a designated area for priority housing under Act 250. M. Tuttle explained that the City has few tools to designate areas under Act 250. This is primarily done through a downtown and village growth designation program.

Tuesday, August 23, 2022

The Planning Department is exploring whether the South End could be reconsidered for this program.

- C. Dillard and M. Tuttle clarified that privately owned streets would be subject to the 80% lot coverage.
- M. Gaughan observed that 80-90% lot coverage on smaller blocks might be limiting.
- J. Randall asked whether there are incentives for remediation since many of the lots in that area would require it. She also asked whether combined studio and apartment space could be allowed under this proposal as this may benefit artists.

VIII. Committee Appointments

Action: Approve Caitlin Halpert as the DRB representative to the Ordinance Committee and approve Brad Rabinowitz as the DRB representative to the Long Range Planning Committee.

Action: Amend the motion to add Y. Bradley as an Ordinance Committee member.

Motion by: A. Friend

Second by: E. Lee

Vote: 5-0

Type: Motion to pass

Presented by: M. Tuttle

Commissioner Discussion

- B. Baker and E. Lee are on the Ordinance Committee and the Commissioners took time figuring out who should be the final member. A. Friend nominated Y. Bradley for the Ordinance Committee.

IX. 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 meeting is September 13.

X. Minutes and Communications

Action: Approve the minutes and accept the communications

Motion by: A. Friend

Second by: J. Randall

Approved Unanimously

Minutes Approved: July 26

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